

BOARD OF ADJUSTMENTS MEETING MINUTES

February 13, 2018, Board of Adjustments meeting was scheduled for 6:00PM in the City Council Chambers at 206 Main Street, Three Forks, MT 59752.

PRESENT: Board of Adjustments Board Members Diane Fuhrman, Ed Tharp, Gloria Howland and Deb Mickelberry. Charlie Christensen was excused. Kelly Smith, Floodplain Administrator and Zoning Official, and City Planner Ralph Johnson were also present. There is a quorum with the attendance of four members, and the meeting was held. Public present were applicants Lane & Kathy Pruett, TY & Janell Van Otterloo, Jamie Stafford and Josh Yenny.

Kelly Smith reminded everyone that this meeting was being recorded.

Vice President Ed Tharp called the meeting to order and said he unprepared to lead the meeting tonight so asked Ralph Johnson to take over.

PUBLIC HEARINGS: Variance request from Pathways Assisted Living (Kathy & Lane Pruett) for the property at Lots 9-12, Block 54 of the Milwaukee Land Company 2nd Addition to cover 50% of the lot with buildings (zoning allows multi-family dwelling a maximum of 40% lot coverage)

Staff Report: Ralph Johnson explained the application requests to permit fifty percent lot coverage and read his staff report into the record.

Applicant Presentation: Kathy Pruett explained their desire to expand the coverage on the lot because they cannot meet the demand of the community for the service they provide. (This is an assisted living facility.) They would like to provide additional space for their residents. They currently have two on a waiting list. Pathways has been approved for an internship program so the expansion would be helping our elderly community and our younger community learning to become CNAs.

Ralph Johnson stated there was a letter sent. Deb Mickelberry read the letter submitted by Donald Barney, in support of this project, except for parking. Diane Fuhrman reported she received a verbal comment that if the Board approves this request, maybe it should for others as well. (Diane did not report who made this statement.) This person said the handicap ramp would be good as it is a necessity, but not the storage area. Diane figured the math and said with just the enclosure and the ramp, it would be a 42% lot coverage.

Board Questions: Gloria Howland asked the Pruett's if there was already a wheelchair ramp. Kathy Pruett said yes, but they desire to have one on each side of the home. Lane Pruett added that having this access would allow the ambulance service to approach the house from both sides – it would just provide better access. Deb Mickelberry said she also looked at the property and agrees the ramp would be a necessity. She added she did not know the size needed for two more beds, but cautioned the Board that approval of a storage area would be a privilege not allowed to other applicants to have "storage" but exceed the lot coverage area. Kathy Pruett asked if it would be helpful to the Board to know what would be housed in the storage areas. The Board agreed. Mrs. Pruett said it would be heated space for the residents to put their scooters. These have to be in a heated space or the batteries get ruined. This storage area would also house gardening tools, as some of the residents really enjoy gardening and often come to Pathways with their own equipment/tools. She feels it would be a benefit for the community because it provides a service to the community. She further explained a narrow bathroom in this area which also houses a washer and dryer and they wish to rearrange this area if the storage area is approved. She understands this application sounds self-serving but this is a community service. Mr. & Mrs. Pruett added that within the storage area would also hold a

BOARD OF ADJUSTMENTS MEETING MINUTES

bed in the “nurses station” for any hospice workers staying for near death residents. Parking was discussed, and Deb questioned if there was enough off-street parking spaces for the business. Ralph Johnson explained there is adequate parking for this type of business, which is accessible from the alley, as per the application.

Board questions and discussion with Kelly Smith regarding a deck and whether or not it would be removed.

Ed Tharp said for his own opinion, he would be in favor of this because of community need. He realized if it ever went back to a residential, single-family residence it could be a little “iffy” but he still supports the application. Deb Mickelberry explained at first review of this application she was against this for “storage” when other people could not enlarge sheds for storage – the City would suggest storage be rented in a storage unit for instance. Mr. Pruett added when they purchased this property there were only three residents, there are now ten and the State has approved them for thirteen. The State has approved the idea of this expansion.

Ralph Johnson explained the Board must review and make comment on the standard questions, unless it agreed with his write-up.

Public Comment: There was no public comment.

There was no applicant rebuttal.

Gloria Howland asked the Board needed to respond to each of the questions in the Staff Report. Ralph Johnson replied if the Board concurs with the Staff Report they would not need to review each of the above questions. Diane Fuhrman asked about the basement on this property and if storage would be in the basement as well. The Pruett’s said the floor level will be for the residents and all their storage; the basement is the private residence for the Pruett’s. Deb Mickelberry asked if this request, which totals 47.9%, “Is this going to be the last request?” Ralph Johnson said that the application requests for 50%. Mrs. Pruett humbly requested that the Board consider the full 50% and not the 47.9% they would be utilizing with this specific application.

Deb Mickelberry (comments on why she supports the application) moved to approve the application for variance not to exceed 50%. Gloria Howland seconded the motion. There was no further Board discussion.

Motion Passed 4:0.

PUBLIC COMMENT (items not on the agenda): There was no public comment on items not on the agenda.

CONSENT AGENDA: Minutes of November 16, 2017 meeting. Diane Fuhrman moved that we approve the minutes of the last meeting. Deb Mickelberry seconded the motion.

Motion Passed 4:0.

With no other items to come before the Board tonight, the meeting adjourned at 6:40 P.M.