

APPROVED MINUTES

The Libby City Council held a Public Hearing on Monday, September 21st, 2020 at 6:30 PM to consider a variance request from Dan and Mandi Rose.

Call to Order:

The meeting was called to order at 6:30 pm by Mayor Brent Teske.

Present were Mrs. Williams, Mr. Zimmerman , Mr. Taylor, Mr. Dufficy, Deputy City Clerk Jody Martin, City Administrator Jim Hammons and with Ms. Smith and Mr. Beach via zoom

Mayor Teske welcomed the public.

Announcements:

New Business:

Mayor Teske stated that the purpose of tonight's meeting variance is the City of Libby Board of Adjustments public hearing to consider a variance request for the Dan and Mandi Rose property located at the corner of Montana Avenue and Spruce St. The request is for a variance in the setback line.

Dan Rose, 1028 Montana Ave gave a timeline of steps taken throughout the building process from acquiring the building permit, finalizing contract with a contractor, foundations, forms and footings. Mr. Rose realized that they had measured from the curb, not the setback line, which made them 25ft offline from the street. The intent was to be 25 feet off each side street with the setback, are 12 ½ feet inside the sidewalk. With the ordinance you have to be in line with any other property that faces that street, on Montana Avenue, its St. John's Lutheran Church, it's only 17 ft from side walk. In this case that's why we are asking for a variance in the setbacks.

Mayor Teske read the Ordinance.

Mayor Teske asked if there were any council questions.

Mrs. Williams asked if the variance request would be for 12 feet on Montana side, what about the Spruce side?

Mayor Teske stated that the Spruce side fit within limits.

Mr. Rose stated that it depends on how you measured it, but it was closer, within a foot.

Council discussion follows:

Mayor Teske asked if there was any public comment.

Bob Schroeder 1246 Idaho Ave stated that he owns the property on Spruce, right next to where the construction is going on, and may be present in error. It was Mr. Schroeder's understanding that this was going to be a commercial facility and it's not.

Mayor Teske stated that it is zoned Residential A, there is no variance for commercial.

Mayor Teske asked for any further council discussion

Mr. Zimmerman **MADE a MOTION** to approve variance requested from Dan and Mandi Rose on their property on the corner of Montana Avenue and Spruce Street.

Mr. Taylor **Second**.

Mrs. Williams, Mr. Zimmerman, Mr. Beach, Mr. Taylor, Mr. Dufficy, Ms. Smith, Mr. Beach voted **FOR**.

MOTION PASSED.

GENERAL COMMENTS FROM COUNCIL:

Mayor Teske addressed the Board of Adjustments and Council, there could more of these meetings because there is increased construction around town, some zoning variances etc. He encouraged everyone to brush up on Ordinance 1736 and MCA.

Meeting Adjourned at 6.50pm

Mayor, Brent Teske

Jody Martin Deputy City Clerk/Treasurer