

CITY OF LIBBY
952 E. SPRUCE | POST OFFICE BOX 1428
PHONE 406-293-2731 | FAX 406-293-4090 | WEBSITE: www.cityoflibby.com

PUBLIC HEARING
LIBBY CITY COUNCIL
MEETING AS BOARD OF ADJUSTMENTS
JUNE 20, 2022 @ 6:15PM
COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Roll Call
- Welcome

NEW BUSINESS: Each new agenda item will be introduced by the mayor (or assigned liaison) with a description of the item and explanation for the recommended action. Following council discussion on each item will be an opportunity for public comment prior to any action taken. **Public comment is limited to 3 minutes concerning the agenda item being discussed only.**

The Libby City Council, meeting as the Board of Adjustments, will accept public comment regarding variance request at 620 Utah Ave.

GENERAL COMMENTS FROM COUNCIL:

ADJOURNMENT:

Notes:

The manner of Addressing Council:

- Each person, not a Council member shall address the Council, at the time designated in the agenda or as directed by the Council, by stepping to the podium or microphone, giving that person's name and address in an audible tone of voice for the record, unless further time is granted by the Council, **shall limit the address to the Council to three minutes.**
- All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff with no personal remarks allowed.
- No person, other than the Council and the person having the floor, shall be permitted to enter any discussion either directly or through a member of the Council, without the permission of the Presiding Officer.
- Any person making personal, impertinent, or slanderous remarks or who shall become boisterous or disruptive during the council meeting shall be forthwith barred from further presentation to the council by the presiding officer unless permission to continue by granted by a majority vote of the council.

ATTENTION:

To access this meeting electronically with ZOOM,

Dial: 253-215-8782

Meeting ID: 4042719951

Password: 151041

Posted: 6/16/22



City of Libby

952 E. SPRUCE | POST OFFICE BOX 1428
LIBBY, MT. 59923 | Phone 406-293-2731 | Fax 406-293-4090 | Website: www.cityoflibby.org

Application for Variance City of Libby Board of Adjustment

Applicant:

Name: RANDY HUTCHISON
Address: 348 BASHAM LANE TROY MT 59935
Phone: (406) 295-5240 Email: (WIFE) ZI MOUSE @ YAHOO.COM

Property:

Owner Name: JOHN KING
Address: 620 UTAH AVE. LIBBY MT 59923
Phone: (360) 803-8613 Email: _____
Legal Description: (lot#, block# subdivision) LEONARD ADDITION S03, T30N, R31W, BLOCK 13
Corner lot? Yes No Zoning District: RESIDENTIAL A LOTS 10 & 11

Variance related to:

Setback ___ Building/Fence Height ___ Lot Coverage Percentage ___ Business ___ Other SIDE YARDS

Summarize variance request:

WE ARE ASKING FOR A VARIANCE TO ALLOW A BATHROOM ADDITION ONTO THE EAST SIDE OF THE HOUSE OF APPROX. 10'. THE SIDE OF THE HOME IS 37" TOO CLOSE TO MEET THE SIDE YARD REQUIREMENTS SET BACKS. AS YOU CAN SEE IN PICTURE # 1, A PROPERTY LINE MARKER HAS BEEN PLACED.

Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the City of Libby Zoning Code and list alternatives, and/or options considered by the applicant.

Please provide supporting documentation:

AS YOU CAN SEE IN PICTURE #1, A FOUNDATION HAS ALREADY BEEN PLACED. A PERMIT FOR THE FOUNDATION WAS UNOBTAINABLE AT THE TIME OF INSTALLATION DUE TO SHUT DOWN OF THE PERMIT CENTER FROM COVID 19. IT WAS PUT IN THE SAME TIME THE NEW SIDEWALKS WERE. IT'S NOT POSSIBLE TO MOVE THE NEW BATHROOM OVER DUE TO THE EXISTING FLOOR PLAN. THIS 4 BEDROOM HOME HAS ONLY ONE BATHROOM THAT IS ONLY 5' X 6' IN DIMENSION.

Provide any additional information you would like the Board to consider:

AS YOU CAN SEE IN PICTURE #3, THE NEW FOUNDATION IS IN LINE WITH THE NEIGHBORS HOME, SO THE SETBACKS FOR THE STREET ARE EQUAL. THE ADDITIONS ROOF RUNOFF IS TO THE EAST THEREFORE WILL NOT BE IMPEDING ADJOINING PROPERTY. THIS IS A RETIREMENT HOME FOR A DISABLED VET WITH NEEDS A LARGER BATHROOM.

Applicant signature: _____ Date submitted: 5/9/22

Board of Adjustments action: Approved ___ Disapproved ___ Date action taken: _____

Board notes: _____

Property Record Card

Tax Year 2022

Print

Summary

Primary Information

Property Category: RP

Subcategory: Residential Property

Geocode: 56-4175-03-3-46-01-0000

Assessment Code: 0000004324

Primary Owner:

KING JOHN J JR & SHARI LYNN
8415 DONALD WAY
BLAINE, WA 98230-9540

PropertyAddress: 620 UTAH AVE
LIBBY, MT 59923

COS Parcel:

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LEONARD ADD

Legal Description:

LEONARD ADD, S03, T30 N, R31 W, BLOCK 013, LOTS 10 & 11 BLK 13

Last Modified: 4/9/2022 12:32:18 PM

General Property Information

Neighborhood: 256.400.1

Property Type: IMP_U - Improved Property - Urban

Living Units: 1

Levy District: 56-0521-4I

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Fronting:

Utilities:

Parking Type:

Access:

Parking Quantity:

Location:

Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.146	00.00

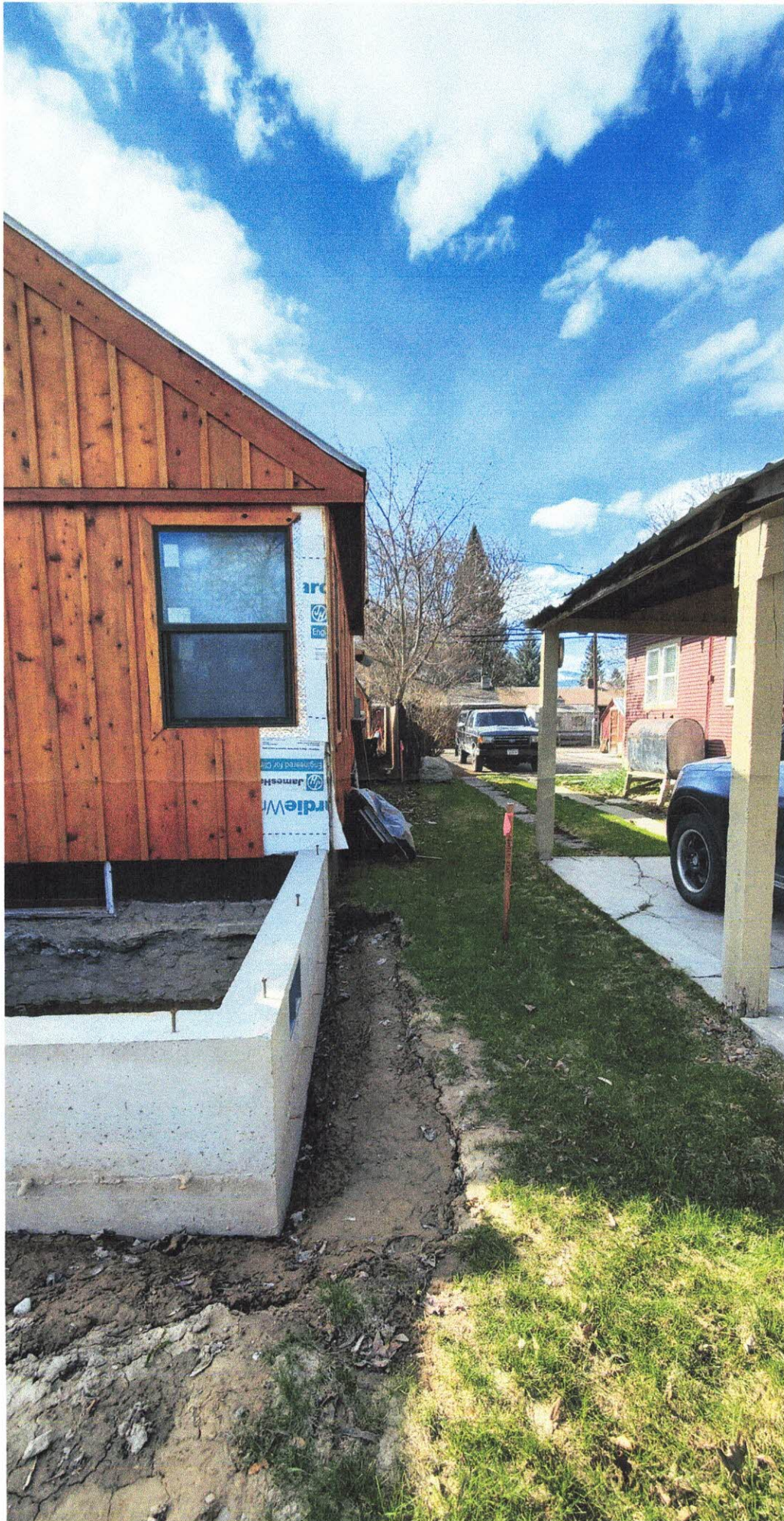
Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
9/8/2015	359	399JT	9/8/2015	259236	Warranty Deed
11/28/2014	355	686	11/28/2014		Termination of Joint Tenancy by Death
5/18/1993	0186	00425			

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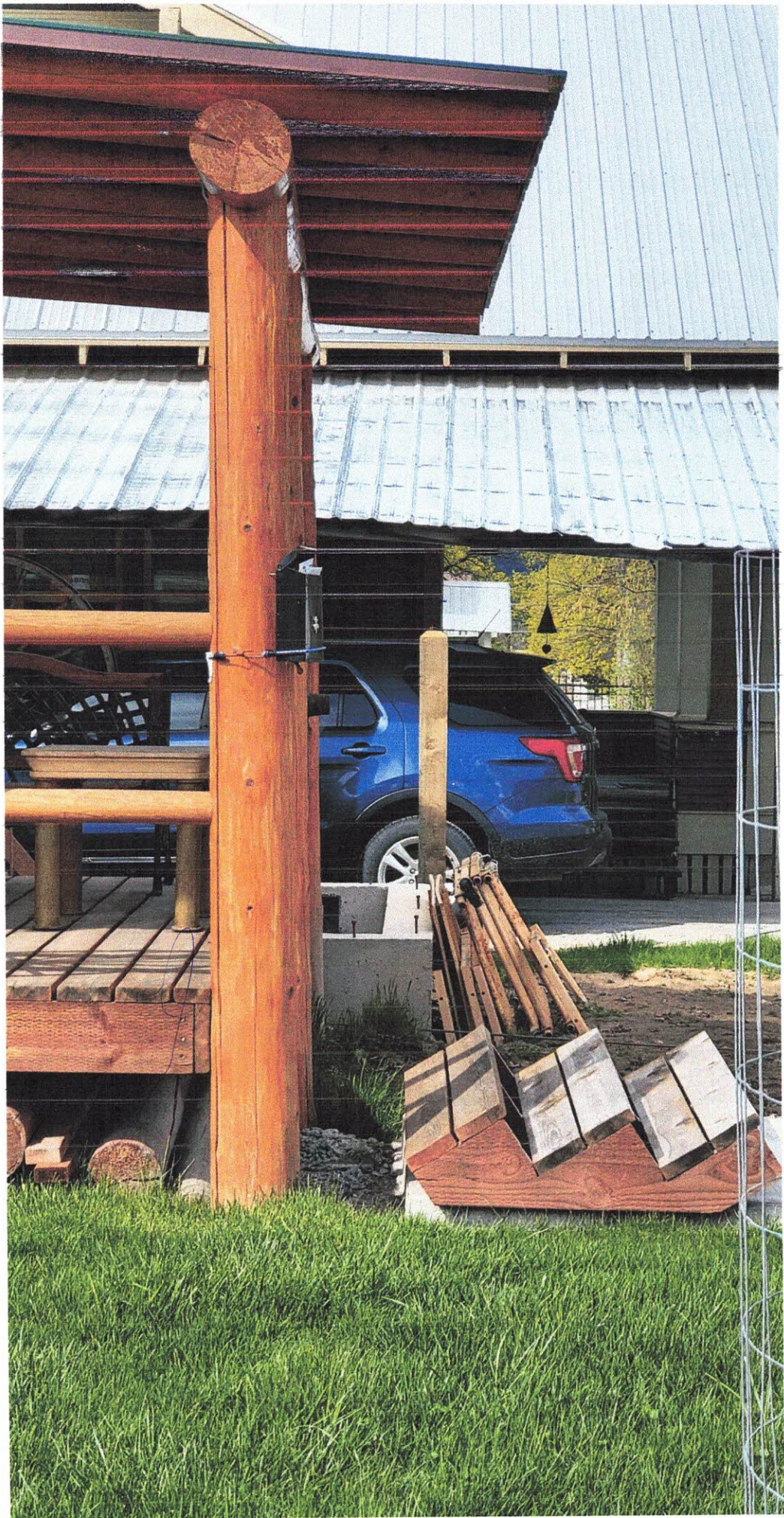
#1



#2



#3



City of Libby
952 East Spruce Street
Libby, MT 59923

Re: Variance Requested for 620 Utah Ave. Libby, MT 59923

To Whom it May Concern:

I am the neighboring parcel of 620 Utah Ave, Libby, Montana. They are requesting a variance from the City for a remodel project that has already been started. It is my understanding that they have requested the variance to be able to continue with said project. It is my opinion that variances are in place by the City, for the purpose that at the beginning of a project, residents are required to bring forth their plans and ideas, if these ideas fall in place with ordinances and regulations, then they may move forward with plans and building, if in fact they do NOT fall into place and are in need of a variance, this is then brought forward to the Council for the variance to be granted, and at that point, construction can begin.

My opinion, is that these variances are in place for those who follow the rules and guidelines and can be looked at and worked over with the possibility of a different layout or re-working the plans. Not, for those who have disregarded what has been in place for years, and begin work without meeting with the Building Inspector and City Planner. If work has been started and money and time has been used, it becomes a swaying factor and possibly forgetting said codes and regulations. I believe that the neighboring parcel had ample opportunities to have conversations and talk over their plans, but chose not to meet with the Building Inspector and began work with no permits or permission, and now with foundations poured and money and resources used, they are just now coming to the City asking for a variance. Please take my letter

and opinions before your council meeting scheduled this month. I thank you very much for your time.

Sincerely,

Amy Gilden