

CITY OF WHITEFISH

BOARD OF ADJUSTMENT

Date: Tuesday, April 5, 2022

Place: City Council Chambers

Recorded By: Dabney Langellier

Members Present:

Phil Boland

Ian Hasson

Mike Kelley

Parker Kelly

Doug Peppmeier

John Peschel

Scott Wurster

Members Absent:

None

Staff Present:

Wendy Compton-Ring

A. CALL TO ORDER & ROLL CALL

Summary: The Committee Chair, Mike Kelly called the meeting to order at 6 pm.

Members welcomed John Peschel to the Board.

B. APPROVAL OF MINUTES FROM JANUARY 4, 2022

Summary: Members reviewed the minutes of January 4, 2022.

ACTION: Ian made a motion to approve the Minutes of January 4, 2022. Doug seconded and all were in favor. The motion passed unanimously.

C. COMMUNICATION FROM THE PUBLIC

Summary: None

D. UNFINISHED BUSINESS

Summary: None

E. PUBLIC HEARINGS

1. WZV 22-01 – GARDEN WALL INN

Summary: The applicants are requesting a variance to the side yard setback for an addition at 504 Spokane Avenue.

Wendy provided a summary of the application and her staff report:

- The property is zoned WR-4 with a 10 foot side yard setback.
- The applicants would like to remove the old single story addition built on the property line and construct a new two story addition six feet off the property line.
- The variance request is for the reduction to the side setback. All other zoning standards will be met.
- No public comment was received in reference to this project.
- The property is developed with a single family residence used as a Bed and Breakfast via an approved Conditional Use Permit (CUP).

Variance conditions to be met:

- The applicants do have reasonable use of the property without the variance.

- However, strict compliance of the regulations would deprive the applicants the right to remodel and update the structure.
- The lot was created in 1917 well before the current zoning standards. The area and width of the lot are both non-conforming.
- The hardship was not created by the applicant, nor is it particular to this lot. The narrowness and small area of the lot is similar to a number of lots in this neighborhood.
- The applicants are not claiming an economic hardship.
- Granting the variance will not adversely affect the public or neighboring properties. Nothing will encroach into the public right of way.
- The volume of the structure will increase, but the structure will meet all height requirements. The new structure will have the exact same footprint as the original structure.

Recommendation: Staff is recommending the Board approve the variance WZV 22-01 with the two conditions listed in the report.

Members did not have any questions for staff.

The applicants, Rhonda Fitzgerald and Chris Schustrom, were present and noted the following:

- Rhonda has owned the property since 1985.
- The CUP for the Bed and Breakfast requires an owner or manager reside on the property. This space is for that residence.
- The addition will be lower and smaller than the original home.
- The home is eligible for historic registry. The proposed work is in alignment with a historic rebuild.

Members discussed the following items with the applicants:

- The addition will match the original structure.

There was no one from the public in attendance and therefore, no public comment on the matter.

ACTION: Ian made a motion to approve variance application WZV 22-01. Phil seconded the motion for approval, and all were in favor. The motion passed unanimously.

Ian and Phil spoke to their motion: The property is moving more into compliance and the new construction is the same footprint as the original structure. This will be a benefit to the neighbors to the south.

F. NEW BUSINESS

Summary: None.

G. GOOD AND WELFARE

1. MATTERS FROM BOARD

Summary: None.

2. MATTERS FROM STAFF

Summary: The next meeting will be on May 3rd. Doug, John, and Ian will not be able to attend. (Ian later noted he will be at the meeting.)

H. ADJOURNMENT

Summary: The meeting adjourned at 6:13 pm.