

**BOARD OF ADJUSTMENT
MINUTES OF MEETING
August 1, 2023**

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Chair Kelley called the regular meeting of the Whitefish Board of Adjustment to order at 6:00 pm. Board members present were Phil Boland, Ian Hasson, Mike Kelley, John Peschel, and Doug Peppmeier. Board member absent was Scott Wurster. Senior Planner Wendy Compton-Ring and Planner Nelson Loring represented the Whitefish Planning & Building Department.</p> <p>There were two people attending in addition to the Board members and staff.</p>
<p>APPROVAL OF MINUTES <i>6:00 pm</i></p>	<p>Hasson made a motion, seconded by Peschel to approve the June 6, 2023 minutes without corrections. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:00 pm</i></p>	<p>None.</p>
<p>UNFINISHED BUSINESS: <i>6:00 pm</i></p>	<p>None.</p>
<p>PUBLIC HEARING 1: David Morse WZV 23-06 <i>6:01 pm</i></p>	<p>David Morse is requesting a variance to the front setback requirements for a carport and shop due to environmental and lot constraints. The property is currently developed with a single-family home and is zoned WR-3 (Low Density Multi-family Residential District). The property is located at 232 W 6th Street and can be legally described as Lot 10, Block 2, Riverview Addition, S36, T31 N, R22 W, Flathead County.</p>
<p>STAFF REPORT WZV 23-06 (Loring)</p>	<p>Planner Loring reviewed his staff report and findings. As of the writing of WZV 23-06, no comments were received.</p>
<p>STAFF RECOMMENDATION</p>	<p>Staff finds that the conditions for granting relief from the code set forth in §11-7-7, WCC, are met and recommend approval subject to three conditions of approval.</p>
<p>BOARD QUESTIONS OF STAFF <i>6:10 pm</i></p>	<p>John – other homes in the area received variances – how far back are they? <i>10-20-feet</i></p>

PUBLIC HEARING <i>6:10 pm</i>	Chair Kelley opened the public hearing.
APPLICANT / AGENCIES	<p>The applicant, David Morse, clarified the site plan to the Board</p> <p>John – wondered why the carport couldn’t be rotated 90-degrees <i>it would cover the entire front of the house</i></p> <p>Doug – is this the minimum variance required? Would the applicant entertain a smaller footprint? This is a review criterion as a variance. <i>It is the minimum to fit two cars and a small shop.</i></p> <p>Mike – agrees with Doug</p> <p>Ian – asked about the drawing. <i>Staff – the drawing is drawn to scale shown. Asked why the site plan changed? To keep the side yard setback to 6-feet. The building could be moved closer to the home.</i></p>
PUBLIC COMMENT <i>6:18pm</i>	No one spoke and the public hearing was closed.
MOTION / BOARD DISCUSSION <i>6:19 pm</i>	<p>Peppmeier noted the garages previously approved were remodels and not new buildings.</p> <p>Peppmeier made a motion to deny variance WVZ 23-06, seconded by Boland.</p> <p>This is not a standard lot</p>
VOTE <i>6:20 pm</i>	The motion was approved unanimously.
GOOD AND WELFARE	<ol style="list-style-type: none"> 1. Matters from Board. 2. Matters from Staff. <p>There are no items for the September meeting.</p> <p>Staff provided a legislative update to the Board and described a bill that permits governments to combine their Board of Adjustment and Planning Board into a Joint Land Use Board. Council was supportive of this, and we will be working on this amendment in the Fall.</p>

	There is an open seat on the Board of Adjustment.
ADJOURNMENT <i>6:35 pm</i>	The meeting was adjourned on a motion by Kelley at approximately 6:35 pm.