

**BOARD OF ADJUSTMENT
MINUTES OF MEETING
October 3, 2023**

***** THESE MINUTES WERE NOT APPROVED BY THE BOARD, AS IT WAS
DISBANDED 12-31-2023 *****

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Acting Chair Hasson called the regular meeting of the Whitefish Board of Adjustment to order at 6:00 pm. Board members present were Ian Hasson, John Peschel, Scott Wurster, and Phil Boland. Mike Kelley and Doug Peppmeier were absent. 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>6:03 pm</i></p>	<p>Peschel made a motion, seconded by Wurster to approve the August 1, 2023, minutes without corrections. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:03 pm</i></p>	<p>None.</p>
<p>UNFINISHED BUSINESS: <i>6:03 pm</i></p>	<p>None.</p>
<p>PUBLIC HEARING 1: Angela Persicke and Mike Hamilton WZV 23-07 <i>6:04 pm</i></p>	<p>Angela Persicke and Mike Hamilton are requesting a variance to the side yard setback requirements for a proposed enclosure of an existing concrete pad to create a bedroom. The property is currently developed with a single-family home and attached garage zoned WR-2 (High Density Two-Family Residential District). The property is located at 15 Park Avenue and can be legally described as Lot 15-S10' of 16, Block 1, Wells & Grant Addition, S31, T31 N, R21 W, Flathead County.</p>
<p>STAFF REPORT WZV 23-07 (Loring)</p>	<p>Planner Loring reviewed his staff report and findings. As of the writing of WZV 23-07, no comments were received.</p>
<p>STAFF RECOMMENDATION</p>	<p>Staff finds the conditions for granting relief from the code set forth in §11-7-7, WCC, are met and recommend approval.</p>

	<p>Staff handed out three standard conditions of approval inadvertently left out of the staff report that went out to the Board last week. Staff also recommends these conditions be added:</p> <ol style="list-style-type: none"> 1. The applicant shall maintain and demonstrate continued compliance with all adopted City Codes and Ordinances. 2. This approval for the reduction of the setback requirements for an addition on the primary structure shall be recorded on the property at the Flathead County Clerk and Recorder’s Office and the applicant shall provide the Planning Office a copy of the recorded document prior to submitting an application for the building permit. 3. The side setback for the building addition is allowed to match the existing home’s setback of five feet and six inches (5’ 6”) feet.
<p>BOARD QUESTIONS OF STAFF 6:13 pm</p>	<p>Boland asked if the rooflines and the exterior match the existing and staff responded yes.</p> <p>Wurster alerted the Board of a possible potential conflict of interest, as he is friends with the applicant but felt he can make an unbiased decision. No one was concerned and all agreed he could continue.</p>
<p>PUBLIC HEARING 6:17 pm</p>	<p>Acting Chair Hasson opened the public hearing.</p>
<p>APPLICANT / AGENCIES</p>	<p>The applicant presented the project, described the addition, and the neighborhood context.</p>
<p>PUBLIC COMMENT 6:19pm</p>	<p>None</p>
<p>MOTION / BOARD DISCUSSION 6:19 pm</p>	<p>Wurster said the staff report looks good</p> <p>Boland was also OK with the request</p> <p>Hassan believed it is a lot coverage issue and it is unrealistic to expand in other areas</p> <p>Wurster – move to approved the variance subject to the Findings of Fact in the staff report and conditions of approval</p> <p>Boland – 2nd</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. none 2. Matters from Staff. none <p>There are no items for the November meeting.</p>
ADJOURNMENT <i>6:20 pm</i>	The meeting was adjourned on a motion by Hasson at approximately 6:20 pm.

DRAFT