



# Planning Department

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## MINUTES

### BOARD OF ADJUSTMENT

The Powell County Board of Adjustment held their Annual Meeting on Thursday, January 17, 2013 at 1 PM.

**Members Present:** Carlene Armstrong, Nancy Cline, Tom Gilbert, David Mannix, & Shane Olsen

**Members Absent:** None

**Staff:** Brian Bender, & David Corcoran

**Public:** None

President Mannix called the meeting to order at 1:22 PM.

Agenda Item #1 – Attendance

Five Members being present established a quorum.

Agenda Item #2 – Approval of the Agenda

The Board approved the agenda as presented.

Agenda Item #3 – Election of Officers

The existing President and Vice-President expressed their willingness to keep the appointments for another year.

Agenda Item #4 – Approval of Minutes

Member Armstrong moved, with Member Cline seconding, to approve the February 8, 2012 minutes as presented. The Board approved the motion through a vote of five to zero.

Agenda Item #5 – Public Hearings

None.

Agenda Item #6 – Non-Public Hearing Items

a. Review Board of Adjustment Rules

President Mannix started the discussion by referring to the January 4<sup>th</sup> staff memo that listed several suggestions for the Board to consider.

President Mannix clarified the reference to the 48-hour requirement in that its intent is to give the Board members two-day notice of a pending conference call. With that clarification, the Board agreed to remove the need to notify the Planning Director of their receipt of the minutes.

The Board of Adjustment decided to remove the reference to the Assistant Planner as contained in Section 1 of ARTICLE II. The members accepted they have the responsibility of appointing a Secretary for a meeting if the Planning Director is unable to attend.

The Board of Adjustment opted to remove the reference to the Community Center as the designated meeting location from Section 1 of ARTICLE III.

Member Olsen moved, with Member Cline seconding, to approve the following changes to the Board of Adjustment Rules: (1) remove the reference to the Assistant Planner in Section 1 of ARTICLE II; (2) the Board appoints a Secretary in the absence of the Planning Director; (3) members do not need notify the Planning Director of their receipt of the minutes; and (4) remove the Community Center as the designated meeting location from Section 1 of ARTICLE III. The Board approved the motion through a vote of five to zero.

#### **Agenda Item #7 – Board of Adjustment Comments**

Member Gilbert asked of the status of the Ovando Cell Tower.

Planning Director Bender explained how the Planning Board recently granted the constructor of the tower a one-year extension to the Conditional Use Permit as a means to secure an agreement with either AT&T or another service provider to use the tower.

Member Gilbert also asked about the Garrison Cell Tower, as that appears not to be operational.

Planning Director Bender acknowledged the tower owners need to receive a letter as well asking them of their intentions for the facility.

President Mannix asked staff if the Planning Board intends to hold meetings to collect comments from the public regarding the 160-acre minimal lot size in Zoning District #3.

Planning Director Bender confirmed that staff is interested in revising the Growth Policy Plan this year and the Planning Board indicated the need to hold public meetings. He continued by saying the Planning Board recognizes they need to reevaluate the 160-acre minimal lot size requirement, and how that influences the ability of local individuals to acquire smaller tracts to construct residences near family-held ranches.

The Board of Adjustment entered into a general discussion regarding the merits of large lot zoning to preserve continuous tracts of rangeland as well as the need to accommodate family members who are unable to acquire 160-acres for the construction of a residence.

The members asked staff to keep them apprised of Planning Board actions as the Board starts the process of updating the Growth Policy Plan and the Ordinances.

**Agenda Item #8 – Staff Updates**

a. County Attorney  
None.

b. Planning Director  
Brian Bender introduced David Corcoran as the recently hired Environmental / GIS Technician. He continued by describing David’s responsibilities of creating and maintaining the County’s GIS database and e-911 addressing.

**Agenda Item #9 – Public Comments**

None.

**Agenda Item #10 – Announcement of the next meeting**

The Board of Adjustment agreed to hold a conference call on January 31<sup>st</sup> at 1 PM to review and take action of today’s meeting minutes.

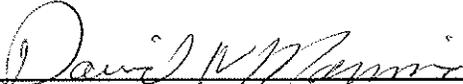
The Board also scheduled a meeting for August 15<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

Member Olsen moved, with Member Armstrong seconding, to adjourn the meeting. The Board approved the motion through a vote five to zero.

President Mannix declared the meeting adjourned at 2:01 PM.

Respectfully Submitted,  
Brian P. Bender, AICP, CFM  
Powell County Planning Director

  
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David Mannix, President

  
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Date