

**BOARD OF ADJUSTMENT
MINUTES OF THE MEETING
FEBRUARY 5, 2008**

CALL TO ORDER A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. Board members present were Mark Hash, Gina Klempel, and Craig Wagner. Scott Hollinger and Tony Sagami had an excused absence. Andrew Hagemeyer, George Smith, Alex Hogle and BJ Grieve represented the Flathead County Planning & Zoning Office.

There were approximately 10 people in the audience.

APPROVAL OF MINUTES Wagner made a motion seconded by Klempel to approve the December 4, 2007 meeting minutes.

The motion was carried by quorum.

PUBLIC REVIEW Hash reviewed the public hearing process.

PUBLIC COMMENT
(not related to agenda items) None.

BUENTEMEIER (FCU 07-21) A request by Ronald Buentemeier, for a Conditional Use Permit to construct a forest service lookout tower, (43'5" in height), within the Southeast Rural Whitefish, SAG-10 (Suburban Agricultural) Zoning District. The tower will be a steel structure and no utilities will be installed. The proposed site is located at 2225 Dillon Road.

STAFF REPORT Andrew Hagemeyer reviewed staff report FCU 07-21 for the Board.

BOARD QUESTIONS None.

APPLICANT Ron Buentemeier, applicant, said the Staff Report is straight forward. He said the tower is 75 years old. He would prefer to paint the cabin light grey instead of earth tone because it has some historical significance. The tower is for personal use only.

AGENCIES None.

PUBLIC COMMENT None.

STAFF REBUTTAL Hagemeyer wasn't aware of the historical writing on the frame and wouldn't object to painting it grey.

**APPLICANT
REBUTTAL**

None.

**BOARD
DISCUSSION**

Wagner asked how the tower would be anchored down.

Buentemeier said it would have concrete fillers and there would be no guy-wires.

Klempel said anytime historical features can be preserved, they should be preserved.

Hash wanted to make sure there is no glare to adjoining properties, but would like to keep the historical preservation.

Hagemeier said the metal frame will be shielded very well and painting the body of the structure would keep the historical preservation.

Hash asked the applicant if a condition regarding glare would be acceptable.

Buentemeier said that wouldn't be a problem.

**MOTION TO
APPROVE
FCU 07-21**

Wagner made a motion seconded by Klempel to approve conditional use permit FCU 07-21 with amended conditions.

ROLL CALL

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

None.

**CRESTVIEW
HOUSING
(FCU 07-25)**

A request by Crestview Housing Limited Partnership, for a Conditional Use Permit to operate a senior housing project within the Bigfork, RA-1 (Residential Apartment), Zoning District. The applicants are proposing to use existing dwellings on the property, (2 buildings with 4 units each plus a dwelling for the manager), and are requesting 8 additional dwellings in 2 buildings, (4 units in each building). The project is proposed to provide unique and affordable housing opportunities to a specific population within the community. The property is located at 103 Crestview Drive.

STAFF REPORT

George Smith presented staff report FCU-07-25 to the Board.

**BOARD
QUESTIONS**

Klempel asked if there will be any dust abatement during building.

Smith said the structure is already built.

APPLICANT	Narda Wilson, 184 Midway Drive, represented Crestview Senior Housing Development. She said it is an expansion of an existing facility. She said there are currently two apartment buildings and they are requesting two new buildings that are single story buildings. She said there would be a total of eight new dwellings. Most of the site work is already completed and the interior landscaping is in place. The design for the sewer main has been approved by MDEQ and as soon as the weather allows for the construction of the sewer main it will be connected to Bigfork Water and Sewer. She said Crestview is a low-income housing development for seniors, subsidized through the USDA.
AGENCIES	None.
PUBLIC COMMENT	None.
STAFF REBUTTAL	None.
APPLICANT REBUTTAL	None.
BOARD DISCUSSION	<p>Wagner said the development meets two big requirements of the Bigfork Neighborhood Plan.</p> <p>Klempel said the housing is necessary.</p>
MOTION TO APPROVE FCU 07-25	Klempel made a motion seconded by Wagner to approve FCU 07-25.
ROLL CALL	On a roll call vote the motion passed unanimously.
BOARD DISCUSSION	None.
STILLWATER CHRISTIAN SCHOOL (FCU 07-23)	A request by Thompson Farms LLC, for a Conditional Use Permit to construct a Kindergarten through High School Private Christian School, in the Evergreen, AG-80 (Agricultural), Zoning District. The property is located off Whitefish Stage Road.
STAFF REPORT	Alex Hogle reviewed Staff Report FCU 07-23 for the Board.
APPLICANT	Bruce Lutz, of Sitescape Associates, thanked the Board for their time. He introduced Andy High from Carver Engineering, Cory Johnson from CTA, Dave Cool from CTA, Mark Mankell a traffic engineer, Dan Makowski the principal of Stillwater Christian School, Dave Jolly the facility manager at Semitool, and Craig Hunnicut. He said the process was started six months ago when Ray Thompson donated the land to the school. Paul Wells is working on the sanitary component of the

project. He said it is not unusual to find permission to locate drainfields under BPA easements. Parking is setup around the building and not all in one place. The gravel parking lot is used probably two to three times a year as an overflow parking lot.

Cory Johnson, CTA Architects, said the site plan, as presented, in the documentation, is 120,000 square feet total, not 220,000. The first floor foot print of site plan is 70,000 square feet, and the second floor is 50,000 square feet. The gymnasium will need a variance because of the height. They are looking at building material costs versus life of materials and anticipate the facility will be complete around July or August of 2009 so they will need an extension.

Dave Cool, CTA Architects reviewed the building plan. He said there is a lot of potential for taking advantage of the view.

Andy Hyde, Carver Engineering, focused on stormwater and the water-main extension. The stormwater will run with the lay of the land. He said all the conditions relating to stormwater are good.

Mark Fancale, WGM Group, traffic engineer, gave a brief synopsis of the traffic impact study. He said the purpose of the studies is to identify current traffic conditions and how they will change with the new development. He started traffic counts last December and did studies according to the peak travel times for school. He discussed how the traffic impact study was generated. The Kalispell area transportation plan has identified necessary improvements to Whitefish Stage Road and West Reserve Drive.

Bruce Lutz concurred with all of the conditions. He stressed that Ray Thompson is very willing to work on improvements to Whitefish Stage Road. They do have alternative areas to accommodate the drainfield if a BPA easement is not available. He wanted to wait to build the bike path until the improvements to Whitefish State Road were done.

AGENCIES None.

PUBLIC COMMENT None.

APPLICANT REBUTAL None.

STAFF REBUTAL None.

BOARD DISCUSSION

Klempel asked how deep the ponds would be.

Andy Hyde said they will not be deep ponds that could be a hazard. About 30 inches would be the deepest.

Klempel asked if there was going to be a fenced playground.

Lutz showed where the playground would be.

Wagner asked what a level two sewage system was.

Hide said it is a nutrient removal system. It is a mechanical system that needs a pump or blower to put oxygen into the system.

Hash said there has been a lot of work put into the project and the applicant gave an excellent presentation. Hash asked what the CUP regarding the gymnasium roof would require.

Hogle said it was mentioned by one of the speakers and they are still exploring their preferences in siding, materials, etc.

Hash asked if the Board needed to condition the CUP for building materials.

Hogle said it would be better addressed through zoning regulations.

Grieve said the application was viewed as a CUP and the criteria are outlined.

Hash asked what condition would mitigate potential negative impacts on the existing neighborhood.

Hogle said condition 15 addresses the issue.

Hash asked about the bike/pedestrian trail and the intention to wait until Whitefish Stage is fully improved.

Hogle said the applicant would prefer to defer building the bike trail until there is further clarification on future development.

Hash asked what the standards for a bike path are.

Hogle said it would be at their discretion.

MOTION Wagner made a motion seconded by Klempel to approve FCU 07-23.

ROLL CALL On a roll call vote the motion passed unanimously.

OLD BUSINESS The Board discussed the recent Tutvedt gravel pit Supreme Court Decision.

NEW BUSINESS Hash wants to get a handle on the lighting issue and have a better understanding of natural lighting.

Grieve said that would best be accomplished by a lighting ordinance but the County does not have the authority to do that.

Hash wants to be able to put a condition on the color of lighting and wants to know what the best technology would be. He said last year Staff put together a procedure of how to run a meeting. He wanted a copy of that procedure. He also wanted to know names of everyone in the Planning Office and asked for a summary of Staff's background. Hash wanted, in writing, how motions should be made because of the recent supreme court decisions.

Grieve said staff has worked on that issue for a year.

ADJOURNMENT The meeting was adjourned at 8:05 p.m. on a motion by Klempel seconded by Wagoner. The next meeting will be held at 6:00 p.m. on March 4, 2008.

Scott Hollinger, President

Kayla Kile, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 3/4/08