

A G E N D A R E P O R T

DATE October 7, 2003**ITEM** Variance Request 524 5th Ave S, L 7, B 457, Great Falls Original Townsite**INITIATED BY** Neighborhood Housing Services (NHS), Property Owner**ACTION REQUESTED** Approve Variance**PREPARED & PRESENTED BY** Joe LaForest, Parking & Zoning Supervisor**REVIEWED & APPROVED BY** Mike Rattray, Community Development Director

RECOMMENDATION:

The Board of Adjustment recommends that the City Commission **approve** the variance request.

MOTION:

I move that the City Commission approve the variance as recommended by the Board.

SYNOPSIS:

NHS, owner of the property located at 524 5th Avenue South, and legally described as the L 7, B 457, Great Falls Original Townsite, has requested a variance to Section V. B. 1. a. 6 of the Great Falls Central Place Revitalization Plan. **The variance reduces the required front yard setback from 30' to 13.5'. The applicant wants to move the house on the adjacent lot onto Lot 7 and maintain the previous nonconforming front setback.**

BACKGROUND:

Section V. B. 1. a. 6 of the Great Falls Central Place Revitalization Plan states that the single-family R-2 District requires a 30' front setback. NHS wants to move the existing house on Lot 6 onto Lot 7 and maintain the previous nonconforming 13.5' front setback. A site visit by staff found that several nearby residences along 5th Avenue South are setback well under the required 30' from the front lot lines (property files do not show approved variances for the reduced setbacks). A review of the historical variance file showed the following variances in the immediate area:

- 08/02/83 variance at 425 6th Ave S allowing a 20' front setback for a residence
- 09/25/84 variance at 517 6th Ave S allowing 4' side setbacks for a residence
- 03/26/85 variance at 408 6th Ave S allowing a 16' front setback for a residence

The Board heard the variance on Thursday, September 25, 2003. Staff reviewed the application, the existing variances in the neighborhood, and noted that there were no calls in support of the variance and no calls in opposition to the variance. Staff also noted that the objectives of the Revitalization Plan include removal of blight, improvement of neighborhoods, and the maintenance of the uniqueness of neighborhoods. Ed Hughes (NHS Rehab Specialist) presented the NHS application and described the situation. As the house sits on Lot 6, it has a 13.5' front setback; NHS wants to move the large sixty-foot long house onto Lot 7 and maintain the 13.5' front setback. NHS contends that positioning the house on Lot 7 with the 30' front setback will push the house too deep on the lot and possibly restrict the construction of a garage. Board discussion focused on the intent and objectives of the Revitalization Plan. Seeing the retention of the large old home as an effort to maintain the character of the neighborhood, and considering the existing setback differences along 5th Avenue South, the Board unanimously voted to recommend approval of the variance allowing the 13.5' front setback.

Attached for the Commission's use is the NHS application and site plan.