

Schrock Construction Inc.

1353 US Hwy 93 N, Victor, MT 59875 406-961-6808

June 8, 2020

Town of Stevensville
206 Buck Street
Stevensville, MT 59870

RE: Parking Variance Request

Mayor Brandon Dewey

I am writing in request of a parking variance for the proposed building addition to the property located at 106 E 4th Street.

We would ask that the Town of Stevensville allow 4 of the required 7 off street parking spaces be granted to Church Street for this proposed building addition project.

The allotment of 7 parking spaces would be as follows: 3 off street spaces on E 4th Street and 3 regular plus 1 handicap space on Church Street.

The parking on Church Street would be upgraded by the addition of striping and a handicap space. This proposed project will also help clean up the area and bring in new business and added value to the Town of Stevensville.

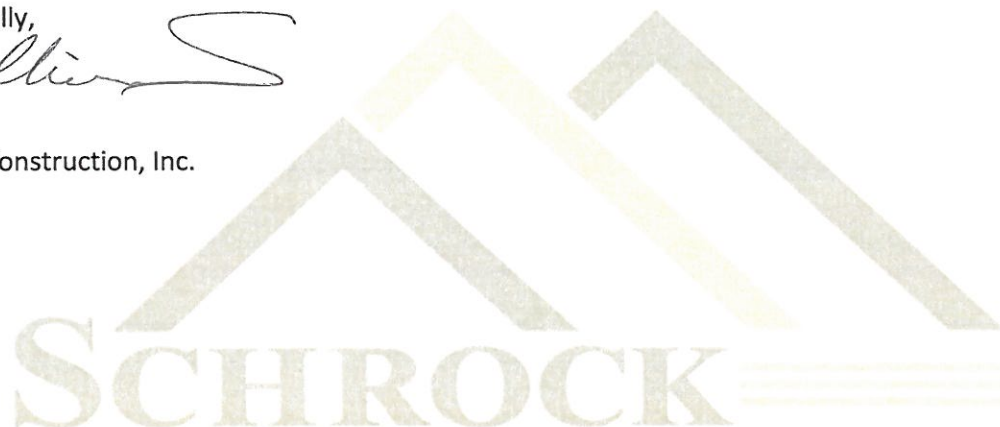
It is our hope that the Town of Stevensville will support our client's decision to build and add to the value of this area.

Thank you for considering our request.

Respectfully,



Schrock Construction, Inc.





- 1) APPLICATION FOR VARIANCE MUST USE THIS FORM.
- 2) AN APPLICATION FEE OF \$450.00 MUST BE PAID TO THE TOWN CLERK BEFORE THE TOWN WILL PROCESS THE APPLICATION.

TOWN STAFF RESERVE THE RIGHT TO RETURN MATERIALS THAT ARE DEEMED INCOMPLETE OR LACK SUFFICIENT SUPPORTING DOCUMENTATION. THIS MAY ALSO DELAY THE SCHEDULING TO PRESENT A VARIANCE REQUEST.

(Part A) PLEASE PROVIDE THE INFORMATION REQUESTED BELOW.

1. 1 copy of a scaled site plan and supporting data/documents. The site plan must clearly show the existing standard and the proposed variance to the standard.

2. **APPLICANT/REPRESENTATIVE:**

Name:	<u>Schrock Construction, Inc.</u>	Cell Phone Number:	<u>406-360-2621</u>
Address:	<u>1353 Hwy 93 N</u>	Other Phone Number:	<u>406-961-6808</u>
Email:	<u>ed@schrockinc.com</u>		

3. **PROPERTY OWNER** (If different from applicant):

Name:	<u>Dave Laursen</u>	Cell Phone Number:	<u>406-544-5784</u>
Address:	<u>711 Middle Burnt Fork Rd.</u>	Other Phone Number:	<u></u>
Email:	<u>drlaursen@yahoo.com</u>		

4. **ADDRESS OF PROPERTY:**

106 E 4th Street

5. **LEGAL DESCRIPTION OF PROPERTY** (Block & Lots, Subdivision/Addition):

STEVENSVILLE ORIGINAL TOWNSITE, S27, T09 N, R20 W, 8367 SQUARE FEET, LOTS 9 & 10 BLK 22 RETRACED BY CS#714423-TR

6. **LOT OR PARCEL SIZE** (Square feet):

8367 square feet

7. **CURRENT AND PROPOSED USE OF STRUCTURE OR PROPERTY:**

Furniture, home furnishings

8. **ZONING DISTRICT:** C1 Commercial



Town of Stevensville
BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

(Part B) INDICATE WHICH VARIANCE(S) IS (ARE) BEING REQUESTED AND THE EXTENT OF THE VARIANCE.

EXAMPLE: [X] Reduce Front Lot Line Setback: *From the required 10 feet to 3 feet.*

Dimensional Criteria:

- Reduce front lot line setback: _____
- Front lot line setback #2 (corner lot): _____
- Reduce garage entrance setback: _____
- Reduce side lot line setback: _____
- Reduce rear lot line setback: _____
- Exceed building height limitation: _____

Lot Coverage/Area Criteria:

- Lot coverage percentage: _____
- Front porch lot coverage percentage: _____
- Lot area per dwelling unit: _____

Landscaping Criteria:

- Reduce or eliminate landscaping area: _____
- Reduce or eliminate screening area: _____

Parking Criteria:

- Exceed the maximum parking spaces allowed: _____
- Reduce the amount of required on-site parking spaces: to 3 off street spaces on E 4th St with remaining 4 on street spaces on Church st be considered "off street" parking _____
- Reduce or eliminate loading berths: _____
- Reduce or eliminate required bicycle spaces: _____

Sign Criteria:

- Sign area (square footage): _____
- Sign height: _____
- Sign location: _____
- Number of signs: _____



Town of Stevensville
BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

(Part C) BOARD OF ADJUSTMENTS VARIANCE REVIEW CRITERIA. To approve a requested variance for a new building or portion thereof, the Board of Adjustment shall consider the following standards in section 11-114 of the Stevensville Town Code and find as follows:

1. The variance will not create a significant risk to the public health, safety, or general welfare;
2. The variance will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located; and
3. Excluding monetary hardship, strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.

It is the applicant's burden of proof to show that a variance should be granted. As part of your application, you are required to provide information for each of the following factors including all alternatives considered. Failure to provide adequate responses or requested documentation may result in a returned application.

1. Are there special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property? If so, state the specific factors and provide supporting documentation. For example, if the variance request is due to an abnormal lot configuration, provide a survey of the lot that specifically demonstrates the issue.

The space available does not allow for the zoning required 7 off street spaces.

2. How is the proposed variance compatible with the other structures located on the site or in the vicinity of the site? Provide a site plan that accurately and to scale represents the height, location, and dimensions of existing structures.

The proposed 3 off street parking spaces on E 4th would allow adequate parking for the building addition's business usage and the additional 3 + 1 handicap space on Church St. side would comply with C-1 zoning requirements.

3. Describe whether there is a prevalence of nonconformities in the vicinity of the applicant's site that are similar to the variance requested. If so, what are those nonconformities and provide supporting documentation.

Yes, there are other businesses in the immediate vicinity that appear to be nonconforming with regards to off street parking. Examples of nonconforming businesses include: Payne West Insurance, Morningstar Cafe and The Messy Apron

4. Is the need for a variance request a result of government action? For example, the front yard setbacks were increased after construction of the structure, there fore creating the non-conformity. Explain.

This is not a result of government action.

5. Would a literal interpretation of the provisions in this title deprive the property owner of rights commonly enjoyed by other similar properties in the same zoning district? For example, would the denial of the variance deny the property owner the right to safe placement of a garage where garages are typical. If so, explain.

The denial of this variance would deprive the property owner of the right to build an adequate building addition on his property. Scaling back the size of the proposed permitted building would not be financially cost effective.



Town of Stevensville
BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

(Part C Continued...)

6. Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the Town Code and list alternatives and options considered by the applicant. Provide supporting documentation.

To scale back the size of the proposed permitted building to be in compliance with the current parking requirements would result in the build to not be financially feasible and as a result the owner would not proceed with the project.

7. Describe whether or not granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other similar properties located in the same zoning district and provide supporting documentation.

There is no evidence that other property owners in the area would have the same circumstances and therefore granting this variance would not be providing special privilege to this property owner.

8. Do you think a rebuttable presumption, should apply to your property, yes or no? For example, do you have an existing non-conforming structure that you wish to rebuild in the same location? If yes, show the original footprint of the building. Provide documentation that proves the existence of the prior nonconformity. Document that the nonconformity can be in compliance with building and fire codes.

9. Provide any additional information you would like the Board to consider.

IT IS THE POLICY OF THE TOWN OF STEVENSVILLE'S BOARD OF ADJUSTMENT TO NOT ACT ON A PROPOSAL IF THE APPLICANT/PROPERTY OWNER OR REPRESENTATIVE IS NOT PRESENT AT THE BOARD OF ADJUSTMENTS HEARING. TOWN STAFF REPRESENT THE TOWN AND CANNOT ANSWER QUESTIONS ON BEHALF OF THE APPLICANT AT THE BOARD OF ADJUSTMENT HEARINGS.

I HEREBY CERTIFY THE ABOVE STATEMENTS AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT.

APPLICANT'S SIGNATURE: Wilkins DATE: June 8-2020

PROPERTY OWNER'S SIGNATURE: Sam Pinner DATE: 6-8-20
(Property owner must sign application if different than the applicant)