1. CALL TO ORDER
Commissioners Present: Commissioner (Chair) Michele Landquist, Commissioner Bill Carey
Commissioners Absent: Commissioner Jean Curtiss

2. PLEDGE OF ALLEGIANCE

3. PUBLIC ANNOUNCEMENTS
Commissioner Curtiss is in Washington DC for the Let’s Move Program with First Lady, Michelle Obama. This is an honor for Missoula County.

4. PUBLIC COMMENT
None

5. ROUTINE ADMINISTRATIVE ACTIONS
Bi-Weekly Claims List ($850,391.20)

Executive Session
Commissioner Carey made motion that the Board of County Commissioners approve the Bi-Weekly Claims List in the amount of $850,391.20. Chair Landquist second the motion. The motion carried a vote of 2-0.

6. HEARINGS
a. Citizen Initiated Zoning District #9 Setback Variance Request (Gerald Zieg)
   Jamie Erbacher gave staff report.
Greg Martinsen: My Client, Gerald, stated that he intends to get all permits and will be ready by September 1st to proceed.

Jack Zieg: I live very close to the property. I’m not objecting to fixing this, the only I’m objecting is this a one-time situation where this is just referring to this house or is it going to effect the entire lot structure there for future building on it? If this is a one-time situation its fine with me but if it’s going to go further and it’s going to set a preference to the rest of the building on this property, then I do object to the set-back.

Chair Landquist: From the looks I’m getting from people I think it’s probably a one-time thing because the buildings are already there. Do you want to speak to this Greg?

Greg Martinsen: The applications and approval are specific to only that structure. They won’t deal with anything else Jack.

Jamie Erbacher: You, as the Commissioners, do have certain criteria that you have to approve a variance with and for; those include that it can’t be contrary to the public interest, where only special conditions little enforcement would result in unnecessary hardship. For each individual structure they would have to prove that they have an unnecessary hardship. If someone came in with a new building it would be the required 15 foot setback.

Commissioner Carey: Was it built as a home initially with the basement and all?

Jamie Erbacher: It’s been taxed as a home for several years.

Jack Zieg: They were going to remodel that house for his daughter but they decided to build a new house on Hybirda Street so then they stopped. They put a new roof on it and a new fireplace; he did put a lot of work into it. When they built the new house they just stopped and let it sit. From what I understand now, Gerald’s brother wants to move down there from Utah and move into this house.

Chair Landquist: Seems like the family wants to keep it in the family.

Executive Session
Commissioner Carey made motion that the Board of County Commissioners approve a variance for the property legally described as Lot 60 of Dinsmore’s Orchard Homes No. 4 to allow a 6.8 foot reduction in the side yard setback for the existing structure located on the west property boundary which is to be used as a home, subject to the following conditions. This approval is based on the findings of fact and conclusion of law found in the staff report and the public hearing. Chair Landquist second the motion. The motion carried a vote of 2-0.

With the following conditions:
1. A new approach permit and address will be required for the proposed driveway.
2. All required permits including zoning compliance, well, septic, electrical, plumbing and mechanical shall be obtained prior to any work being completed within the structure.
3. The applicant shall work with the Public Works Building Division to determine if a building permit is required.

**Chair Landquist:** What mechanisms does the County have to make sure that these conditions are complied with?

**Jamie Erbacher:** We do have our code enforcement person so if we see that construction is happening, or if the Building Department sees that construction is happening, we can put a stop work on it. From there, they would have to get their appropriate permits.

**Greg Martinsen:** Anytime you apply for a building permit in the county you have to go through the process to make sure you have an approach permit existing, or get a new one. You have to go through all the stuff for sanitation. You have to get approval from Todd for floodplain. Everything’s covered if you have to go get a permit, if you start building without a permit your representatives will come knocking on the door. So yes, it will all happen.

**Chair Landquist:** Thank you. I’m just thinking because of the fact that it already looks like it’s existing and thinking back to a couple weeks ago when we had the request for family transfers; one had been an approved subdivision for rent or least but there had been conditions with that. Then there was no follow-up on the county’s part to make sure those conditions were met. Some years later it comes before us for something else and we say wait, you never met these other conditions. So now I guess the hair on my neck stands up a little bit approving something with conditions, wanting to make sure the county has things in place now.

**Jamie Erbacher:** I think having the County Building Department helps a lot. They’re driving around consistently, they see things happening they...they’re pretty good; they know what they’re doing. They can put the stop work on, and then from there all the permits can be obtained.

b. Shoreline Regulations Boat Dock Size Variance (Steve Page – Lindbergh Lake)

Todd Kleitz gave staff report.

**Chair Landquist:** This is the sort of thing we want to encourage wherever possible; having one dock instead of two.

**Public Comment**

None

**Executive Session**

Commissioner Carey made motion that the Board of County Commissioners approve the shoreline permit contingent upon the removal of the existing dock and pressure-treated cribbing from the shoreline protection zone and that this oversized dock will remain as the only dock serving Lots 42 & 43. Chair Landquist second the motion. The motion carried a vote of 2-0.
7. OTHER BUSINESS
   None

8. RECESS
   Being no further business to come before the Board the Commissioners are in recess at 1:56.