



City of Sidney, MT
Zoning/Board of Adjustment Meeting
July 13, 2022 8:00 AM
115 2nd Street SE | Sidney, MT 59270

The City Council meetings are open to the public attending in person, with masks encouraged when social distancing cannot be accomplished. If the public does not wish to participate in person, they are also invited to participate via a Zoom meeting. You can participate via phone:

Meeting ID: 810 6367 8008 Passcode: 4332809 Call: 1-346-248-7799

Board Members Present: Adam Smith, Terry Meldahl, Adam Smith, Justin Jones

Others Present: BI/FM Rasmussen, Clerk/Treasurer Chamberlin, Mr. and Mrs. Rodier

1. New Business

a. Solberg Variance

The Public Hearing for the Solberg Variance was opened at 8:04 am by Vice Chair Jones. The variance is to allow them to have a sunroom that needs a 6-foot right side corner variance. Vice Chair Jones called for any proponents, three times, with none coming forward. Vice Chair Jones called for any opponents, three times, with none coming forward. Clerk/Treasurer Chamberlin stated that the only contact she has had with residents that received letters was in favor of the variance, with none making an official comment.

Mr. Jones asked where on the property they would like to have the sunroom in comparison to the sun cover they have, and Mr. Rodier stated it would be in the garden area. Mr. Meldahl asked if they have had it surveyed to know if the edge of the sidewalk is the property line and Mr. Rodeir stated he has found the property pins and they are 10 inches inside the sidewalk, with the drawings being from the property pins not the sidewalk. Mr. Jones asked how large of a right-of-way this street has and Mr. Meldahl stated it is an 80-foot right of way in this part of town. Mr. Meldahl stated he believes the fence in the front yard and the garage are already not meeting city code, specifically the garage is only 8-feet instead of 10. BI/FM Rasmussen stated the garage and fence are existing and if the garage comes down it will have to meet code to be permitted. Mr. Meldahl asked if this includes the fence as it seems to obstruct visibility and fences above 3 feet are not allowed in front yards. Mr. Jones stated with this street having a boulevard they have more of a line of sight. Mr. Jones asked if the covered walkway is included in the covered roof area for lot coverage, which if that is included it could cause a violation of that code and that he wants to make sure everything is calculated accordingly. Mrs. Rodier stated it is a pergola, not completely covered by a roof and is open to the sky as the code requires to be considered yard space. Mr. Rodier stated the garage was permitted as is when they built it.

Mr. Jones asked with the new structure being further to the north, will it impede sight further than the existing fence and Mr. Meldahl stated he feels the sunroom will be far enough back, being almost 40-feet, to not obstruct the corner. Mr. Meldahl stated he feels any issues should be cleared up when they are requesting a variance, which if everything was permitted the issues, he has brought up are fine at this time. PWD Hintz asked if they should put a condition on the variance that they must bring the fence into current standards and be under 3-feet and Mr. Meldahl stated the city code states they can recommend approval with conditions. Mr. Rodier stated the fence was not permitted and Mrs. Rodier stated it was not meant to be a fence, it is a trellis from the house used for greenery. Mr. Jones asked who would check sight-triangles on the structure for leaving the alley and PWD Hintz stated the location it would be out of the sight triangle for both the alley and the street. FM/BI Rasmussen stated he does not feel it will cause any issues with sight triangles, especially with the existing structures.

Motion was made to approve the 6-foot corner variance requested with the condition that the front yard fence is brought into compliance with current city code.

Motion made by Hintz, Seconded by Smith.

Voting Yea: Smith, Jones, Meldahl, Hintz

The Public Hearing was closed and the meeting adjourned at 8:32 am.