

****CANCELLED****

AGENDA

BELGRADE BOARD OF ADJUSTMENT MEETING

COMMUNITY ROOM

205 E Main Street, Belgrade, MT. 59714

January 28th, 2026, 7:00 pm

This meeting is open to the public and may be attended in person or viewed online via the city video platform.

<https://www.belgrademt.gov/357/Watch-Live-Meetings>

Please note that this meeting is being recorded. By joining the meeting session, you are consenting to such recording. Factors such as personal device compatibility, bandwidth, or cell signal is the responsibility of the attendee and cannot be controlled by the City of Belgrade.

1. Public Hearing

- 1.1. Variance To Setbacks For Single Family Home By Mike Huitt On Behalf Of Steve & Tammi Malby For The Property Located North At The Corner Of 10th Street And West Southview Avenue, With Geocode 06-0903-02-1-83-01-0000.

Documents:

IS_BOA_HUITT_VAR_1.28.26.PDF
SR_HUITT_VAR-25-01.PDF
APPLICATION_HUITT_VAR-25-01.PDF
VARIANCE COVER LETTER 06-0903-02-1-83-01-0000.PDF
SOUTHVIEW AVE VARIANCE 06-0903-02-1-83-01-0000.PDF



Board of Adjustment Agenda Item Summary Report

Meeting Date:			
Submitted by:			
Consent	Discussion Only	Public Hearing	Action/Discussion
Item Title:			
Suggested Motion:			

Item Summary:

**BELGRADE
CITY-COUNTY
PLANNING OFFICE**

THOMAS B. QUAW SQUARE

91 East Central Avenue
Belgrade, MT 59714
www.belgrademt.gov

Phone: (406)388-3560

VARIANCE REQUEST FOR LAMAR ADVERTISING CO.

TO: Belgrade Board of Adjustment

FROM: Brad Stein, AICP, Senior Planner

DATE OF MEETING: January 28, 2026

APPLICANT: Mike Huitt on Behalf of Steve & Tammi Malby

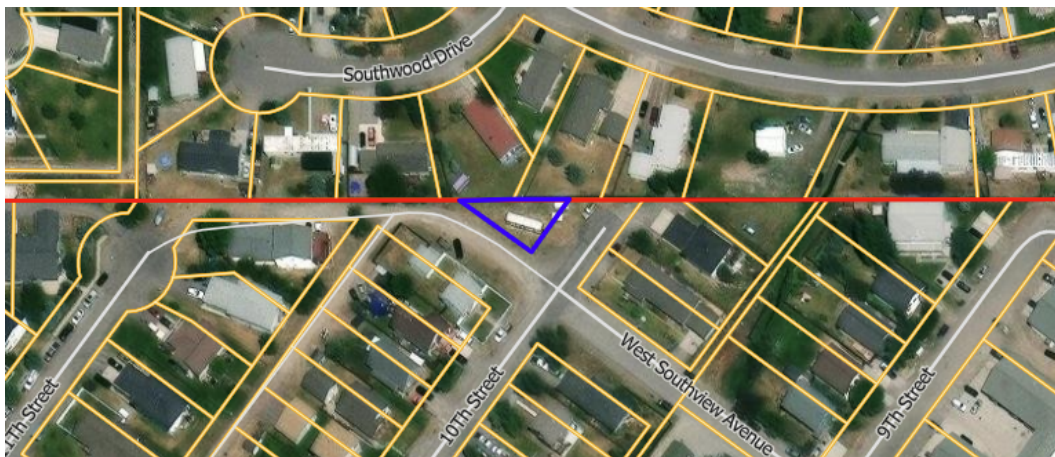
TYPE OF APPLICATION Variance request to the front yard setback of the garage from 25 feet to 10 feet, reduction of the secondary front street setback from 10 feet to 5 feet and for a reduction of the side yard setback of 5 feet to 0 feet for a small portion of the driveway.

BACKGROUND:

The proposal is to build a single family home on a triangle shaped lot within the Armstrong Addition Subdivision, the request is for variances to the front yard setback of the garage from 25 feet to 10 feet, reduction of the secondary front street from 10 feet to 5 feet and for a reduction of the side yard setback of 5 feet to 0 feet for a small portion of the driveway. The property is zoned Mixed Residential (MR) District. The property is approximately 2,831.5 square feet and is a triangle shaped lot.

LOCATION:

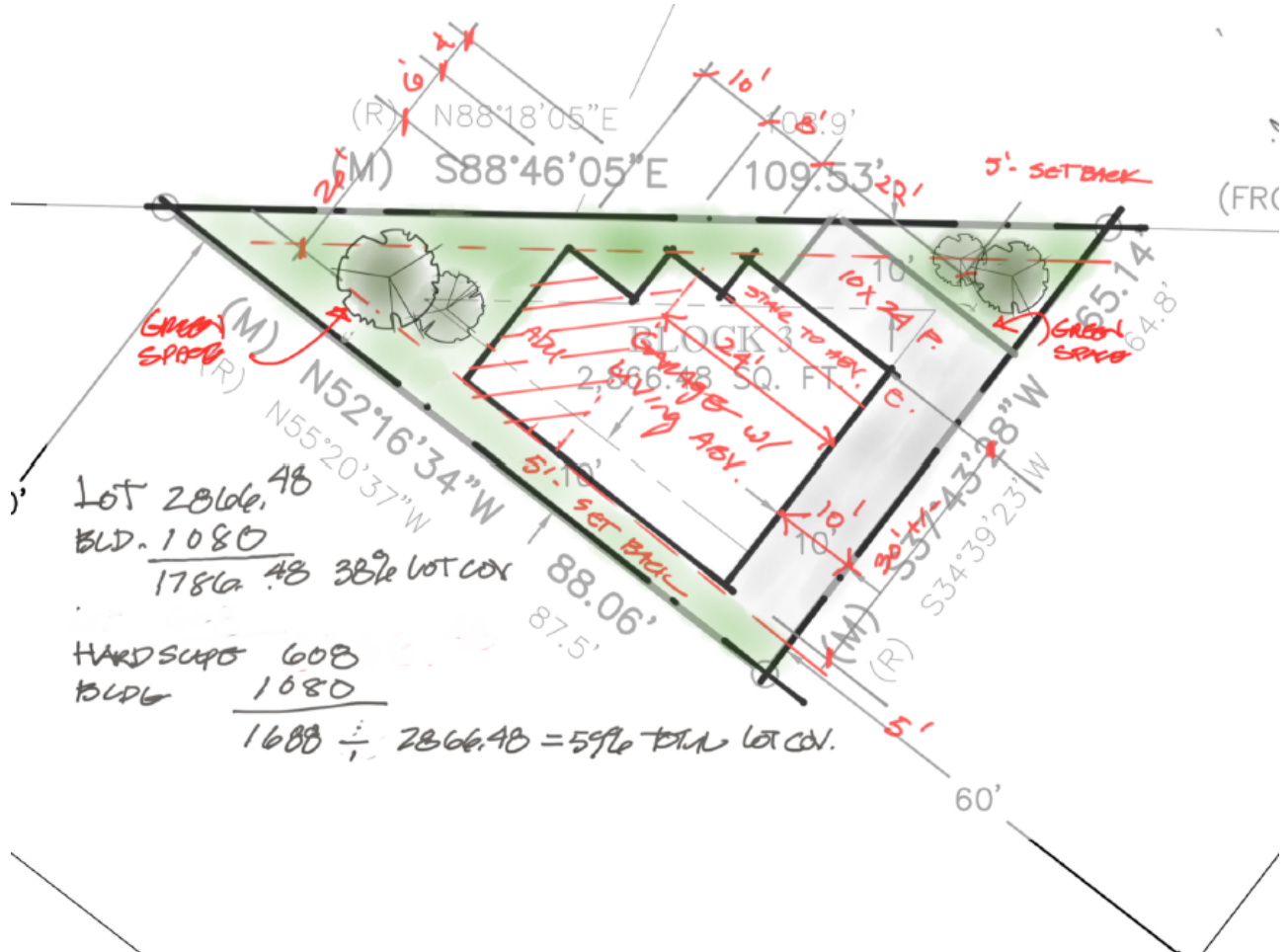
The property is described as Block 3 of the Armstrong addition, located in Section 03, Township 01 South, Range 04 East, within the City of Belgrade, Gallatin County, Montana. Located north at the corner of 10th Street and West Southview Avenue, with Geocode 06-0903-02-1-83-01-0000.



VARIANCE REQUEST:

Variance request to the front yard setback of the garage from 25 feet to 10 feet, reduction of the secondary front street setback from 10 feet to 5 feet and for a reduction of the side yard setback of 5 feet to 0 feet for a small portion of the driveway.

SITE PLAN:



DETERMINATION:

Pursuant to Belgrade Zoning Code Section 10.6.16, Zoning variances are intended to provide relief from unnecessary hardships resulting from the strict application of zoning ordinance requirements other than signs.

Section 10.6.16 L. Application

The official receipt of the application was submitted January 6, 2026 with receipt of payment and determined to be complete

Section 10.6.16 P. Public Notices

The property was noticed in the Belgrade News on 1/15/2026 and public notices sent out.

Section 10.6.16 R. Approval

In approving applications of appeal or modification, the board shall designate such lawful conditions as

will secure substantial protection for the public health, safety, and general welfare, and shall find as follows:

1. Consistent with Title and/or Growth Policy: Such modifications will not be inconsistent with the intent and purpose of this title and/or any adopted growth policy.

Staff response:

The approval of the variances does not have an adverse effect City of Belgrade’s Growth Plan, the intent of the use of variances is set out in this title.

2. Unnecessary Hardship: Strict compliance with the provisions of this title would create unnecessary hardship or unreasonable situation on a particular property due to unusual or extreme topography, the unusual shape of the property, or the prevalence of similar conditions in the immediate vicinity of the property.

Staff response:

This property is a triangle shaped lot and if required to follow City setbacks would only allow for a very small footprint for a single family. Note the site plan shows a side yard setback of 5 feet to the south, that setback is a secondary street setback of 10 feet. That request for variance has been included in this request.

3. Adverse Effect: Such modifications will have a minimal adverse effect on abutting properties or the permitted uses thereof.

Staff response:

The addition of the single family home in this neighborhood would have no adverse effects on the neighboring properties.

4. Conditions of Approval: The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, morals, and general welfare, which provisions may include:

- a. A time period within which the proposed structures shall be erected.
- b. Requiring landscaping and maintenance thereof.
- c. Requiring the surfacing and marking of off-street parking and loading areas.
- d. Any other conditions that will make possible the development of the city in an orderly and efficient manner and conformity with the intent and purpose specified in this section.

Staff response:

There are no suggested additional conditions other than what id specified within this Section 10.6.16.

STAFF RECOMMENDATION:

Staff recommends approval of these variance requests to setbacks, as this particular property has an actual hardship with the unique shape of the property. As a requirement specified in Section 10.6.16 R.2. ...” the unusual shape of the property”.

BOARD OF ADJUSTMENT DETERMINATION:

The Board of Adjustment may authorize upon appeal in specific cases such variance from the terms of this zoning ordinance as will not be contrary to the public interest where, owing to special conditions, a

literal enforcement of the provisions of this zoning ordinance would result in unnecessary hardship. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance except as specified in Chapter 10.7. Nonconforming Lots, Uses, & Structures.

Variances shall not be granted on the grounds of convenience or profit but only where strict application of the provisions of this zoning ordinance would result in unnecessary hardship.



Belgrade Community & Economic Development

Variance Application

The undersigned hereby makes application for a variance pursuant to Section 10.6.16 & 10.6.17 of the Belgrade City Code.

Property owner: Steve & Tammi Malby

Phone: 406-570-1986 Email: wernutz@msn.com

Site address: Southview Ave, Belgrade, MT

Section: 10.2.03 Township: T01S Range: R04E Block: 3 Lot/Tract/Parcel: 2

Subdivision/COS #/ Deed Reference: Armstrong Addition

Geocode #: 06 -0903-02-1-83-01-0000 Lot Area: .065 acres, or sq. ft.

Zoning District: Mixed Residential (MR)

Authorized agent or representative name: Michael & Beth Huitt

Address: PO Box 782

City: Moab State: UT Zip: 84532

Phone: 541-419-0170 Email: mikehuittconstruction.beth@gmail.com

Variance request is for the following, please include code section:

Requesting an adjustment to the setback line in front of the garage to the frontage street (10th Street). We need 10 feet from the front of the garage to the frontage street instead 25 feet as required per Mixed Residential (MR) code section 10.2.03.

Variance Submittal Items:

- Cover letter explaining the need for the variance request.
Submit a Site Plan/Floor Plan drawn to scale on paper not smaller than 11"x17" which includes all existing and proposed structures, showing the location of the requested variance.
List of names, mailing addresses and labels of all property owners within 300 ft of the subject property in Avery 5160 Label Format.
Filing fee.
Digital copy of the Submittal.

The application will not be considered until all required information is submitted and fee is paid.

I hereby certify that the above information is true and correct for the above described property.

Handwritten signature of the property owner

Owner's Signature

For Office Use Only
File Number: Date filed: Filing Fee:

Michael & Beth Huitt
PO Box 782
Moab, UT 84532

December 17, 2025

Brad Stein
Senior Planner
City of Belgrade Planning and Zoning Department
91 East Central Ave.
Belgrade, MT 59714

Subject: Application for Variance Request – Reduced Front Setback (25' to 10') – Property in Armstrong Addition, Southview Ave (Geocode: 06-0903-02-1-83-01-0000)

Dear Mr. Stein and Members of the Zoning Board of Adjustment,

Please accept this letter and the attached application materials as a formal request for a **Zoning Variance** for the property detailed below. The variance is necessary to allow the construction of a proposed **Single Family Residence with an Attached Additional Dwelling Unit (ADU)**.

The proposed structure deviates from the current zoning requirement for the front setback along the **10th Street Public Roadway**.

1. Property and Project Information

Detail	Information
Project Type	Single Family Residence with Attached Additional Dwelling Unit (ADU)
Site Address	Southview Ave, Belgrade, MT (Armstrong Addition)
Geocode	06-0903-02-1-83-01-0000
Legal Description	Armstrong Add, S02, T01 S, R04 E, Block 3, Acres 0.065
Applicable Roadway	10th Street Public Roadway

Detail	Information
Current Setback Requirement	25 feet (Minimum Front Setback)
Variance Request	Reduction of Front Setback to 10 feet (15-foot reduction)
Owner Contact	Steve & Tammi Malby, 406-570-1986, wernutz@msn.com
Authorized Agent	Michael & Beth Huitt, 541-419-0170, mikehuittconstruction.beth@gmail.com

2. Justification for the Variance

The request to reduce the required front setback from 25 feet to 10 feet is necessary due to the following unique physical characteristics of the lot, which impose an unnecessary hardship:

- **Unique Lot Constraint (Hardship):** The small size and shallow depth of this specific lot (0.065 acres) within the Armstrong Addition creates a unique and undue hardship. Strict adherence to the 25-foot setback rule would prevent the construction of a reasonable and functional residential dwelling, including the attached ADU, that meets modern building codes and the City's housing goals.
- **Minimum Necessary Relief:** The proposed 10-foot setback is the minimum adjustment required to accommodate the garage portion of the structure. This placement is essential to create a functional footprint for the main residence and the ADU, allowing for a necessary and productive use of the property.
- **No Adverse Impact:** The variance primarily affects the garage, ensuring that the structure's habitable portion still meets reasonable spacing standards. Granting this variance will not be detrimental to the public health, safety, or general welfare, nor will it substantially impair the intent of the zoning ordinance, as the hardship is unique to the physical characteristics of this parcel.

3. Conclusion

We believe the requested 15-foot reduction in the front setback is the minimum necessary to afford relief and allow for the reasonable development of this constrained property. This project directly contributes

to the City's housing stock, including an additional dwelling unit, on a currently undeveloped parcel.

We look forward to presenting the plans to the Board and are prepared to provide any further documentation required. Please direct all scheduling and follow-up correspondence to the authorized agents, Michael and Beth Huitt.

Thank you for your time and consideration of this request.

Sincerely,

Handwritten signatures of Michael and Beth Huitt. The signature on the left is a stylized, cursive 'M' followed by a long horizontal line. The signature on the right is a cursive 'Beth Huitt'.

Michael & Beth Huitt

Authorized Agents for Steve & Tammi Malby

