




Variance Request # 1 – “Pit Lane” Active Transportation Facilities, Street Design, and Improvements.

A variance from Section 3-020 Table .2A pertaining to required street width (BoC to BoC), right-of-way, parking lane, sidewalk, and boulevard requirements. Section 3-020.4. N. where a parking lane is required on both sides of local residential streets and cul-de-sacs, respectively. This variance request includes a deviation from Section 3-020.15.D.1 stating that sidewalks and boulevards must be provided in all subdivisions and adjacent to all streets in accordance with Table .2A.

Rule(s):

3-020 Streets, Sidewalks, and Trails

Table .2A (Low Density Local Residential Street)

Table .2 A Standards for Geometric Design of Roads and Streets			
Roadway Designation - City Functional Classification Map link	Local Residential Street	Low Density Local Residential Street (less than 12 dwelling units /acre or greater than 80 feet average frontage)	Home Zones/Woonerf
Functional Classification	Local Street	Local Street	Local Street
Purpose	Access	Access	Access
Daily Traffic Volumes	0 - 250	0 - 250	0-250
Roadway			
Right-of-way (Minimum)	47'	45'	28'
Street Width (Back of Curb to Back of Curb) (minimum)	35'	33'	28'
Number of Travel Lanes (typical)	2	2	-
Lane Width (minimum)	10'	10'	12' - one way 16' - two way
Parking Lane Width (parallel)	7'	6'	-
Street Side			
Sidewalk Width (minimum)	5'	5'	-
Boulevard Width (minimum)	7	7	-
Bike Lanes	-	-	-
Trails	Trails are considered alternatives to sidewalks in common areas and connectors between cul-de-sacs and may be located outside the established street and road right of way corridor if they satisfy the Parks and Open Space trails criteria in 3-080.		
Buses	When development is adjacent to or within 1/4 mile of an established public transit or school bus route, subdividers may be required by the City Engineer to construct bus stop facilities along with accessible routes, meeting ADA standards, to those facilities. Subdividers are encouraged to consult with the Missoula Urban Transportation District and Missoula County Public Schools early in the planning and design process.		
Landscaping	Streetside landscaping may include shrubs, ground cover, mulch, and irrigation and should incorporate xeriscape methods in accordance with Title 12, Chapter 12.32 Comprehensive Tree and Shrub Planting, Pruning, and Maintenance Regulations.		
Streetside Accessories	The City Engineer and subdivider will determine specific streetside accessory locations, types, and numbers during the design and permitting process.		
Utilities			
Refer to Article 3, Section 3-050 for utility placement within right-of-way and easements.			
Illustration (not to scale)			

3-020 Streets, Sidewalks, and Trails

.4 Street Design and Improvements

N. A parking lane is required on both sides of local residential streets and cul-de-sacs.

3-020 Streets, Sidewalks, and Trails

.15 Active Transportation Facilities

D. Sidewalks and Boulevards

(1) Sidewalks and boulevards must be provided in all subdivisions and adjacent to all streets in accordance with Table 2 A.



Request(s):

The applicant is requesting to vary from the street width (BoC to BoC), right-of-way width, parking lane requirements, sidewalk and boulevard requirements as stipulated for Low Local Density Residential Street in Chapter 3-020 Table .2A of the City Subdivision Regulations as listed within the “Rules Section” above.

The internal roadway, Pit Lane, is proposed to include 29.5’ street width (BoC to BoC), a 31.5’ right-of-way, one 7-foot-wide parking lane on the north side of the roadway, and one 5-foot sidewalk with a 7-foot-wide boulevard along the southern portion of the roadway.

Reason (s):

The requested deviations are a result of proposing an infill development within a small lot which can lead to challenges meeting the required regulations while still achieving a viable project. This is due to surrounding existing public infrastructure, residential development, and roadway grid patterns. This variance is a result of the existing right-of-way widths and associated infrastructure of S. Curtis Street abutting the subdivision as it proposes to align with existing widths and infrastructure. The existing conditions of the neighboring road infrastructure dictate the proposed connection unto Pit Lane, and its ensuing dimensions, as the predominant practical design for a road in this subdivision. An example of the existing conditions driving design can be seen near the eastern boundary where Pit Lane accesses off of South Curtis Street. The difference in elevation mandates cut and fill over 3’ to accommodate the grade change, which means the parking lane along the northern side of the road had to be pushed further west allowing for the appropriate catch slopes within the property boundaries. Ultimately, the goal for the subdivision is to support the “focus inward” policy that promotes infill development within city limits where infrastructure already exists.

As mitigation for pedestrian facilities only on one side of the roadway the applicant proposes a 10’ Public Non-Motorized Pedestrian Access Easement for future connections to adjacent pedestrian facilities. Please refer to the Preliminary Plat to reference existing pedestrian easements in the adjacent subdivision, Craftsman Place.

If supported, the reduced street width, right-of-way and deviation from parking lane requirements will support the capability of infrastructure to retain and infiltrate stormwater on-site. Therefore, the stormwater infrastructure designed will avoid water runoff from the site improvements from entering into untreated local rivers or streams and reduce possible pollutants (antifreeze and oil from cars, pesticides,, etc.) into local water ways. Further mitigation is provided through the proposed 3.9’ of right of way dedication for S Curtis Street along the property’s frontage.

The following points address the six criteria for requesting a variance in accordance with *Missoula City Subdivision Regulations 3-020*:

- 1.) *The granting of this variance does not result in a threat to public safety, health or welfare, nor is it injurious to other persons or property.*

The conditions upon which this variance is based are unique in that it’s an infill development of a relatively small and narrow lot. This has led to challenges meeting the required regulations of today while connecting into existing roadway infrastructure and still achieving a viable project that blends well into the existing community. The neighboring public infrastructure, surrounding residential development, and roadway grid patterns, in which this variance will



blend into, is not foreseen to create a threat to public safety, health or welfare, nor is it injurious to other persons or property. The development will complete public half-street improvements across the frontage of the subject property providing an adequate transition into existing infrastructure and adds to improve public safety as the area redevelops.

The existing conditions of the property dictate the proposed road layout for proposed Pit Lane resulting in the proposed dimensions and predominant practical design for street parking on one side as proposed within this subdivision. The reduced street width, right-of-way and deviation from parking lane requirements will support the capability of infrastructure to retain and infiltrate stormwater on-site. Through providing sidewalk and boulevard on the south side and parking along the northern property line the design of proposed Pit Lane balances the needs for both motorized and non-motorized users while still adhering to the minimum setback standards for residential buildings outlined in the City of Missoula Subdivision Regulations. Further the project proposes a 3.9' of right of way dedication for S Curtis Street along the property's frontage.

Ultimately, the goal for the subdivision is to support the "focus inward" policy that promotes infill development within city limits where infrastructure already exists. Adjacent residential development and existing easements along the western property line makes connection into Ramers Court unachievable at the time of this development. As mitigation, the applicant also proposes a 10' Public Non-Motorized Pedestrian Access Easement for future connections to adjacent pedestrian facilities. Please refer to the Preliminary Plat to reference existing pedestrian easements in the adjacent subdivision, Craftsman Place. Therefore, the applicant believes the granting to deviate from this standard does not result in a threat to public safety, health, or welfare, nor is it injurious to other persons or property.

- 2.) *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*

This variance request is unique to the subject property due to surrounding existing public infrastructure, adjacent residential development, the existing irrigation ditch, and established roadway grid patterns. It is impossible for the applicant to construct proposed Pit Lane to the standards required in Missoula City Subdivision Regulations 3-020 due to the existing adjacent residential developments, the narrow lot dimensions, and while considering restricted roadway connectivity options. Therefore, Pit Lane requests deviation from the requirements to construct 5-foot sidewalks, 7-foot boulevards, and parking lanes on both sides of the Low Density Local Residential Street. The applicant instead proposes one 5-foot sidewalk and 7-foot boulevard along the south side of proposed Pit Lane to offer safe conditions for pedestrians. Along the northern property line, the applicant proposes to construct one parking lane which would offer adequate parking for visitors and residents of the development.

The surrounding existing infrastructure is unique to this property and not



applicable generally to any other property. The previously described deviations are a result of proposing an infill of small lots which can lead to challenges meeting the required regulations while still achieving a viable project. Ultimately, the goal for the subdivision is to support the “focus inward” policy that promotes infill development within city limits where infrastructure already exists.

- 3.) *Because of the physical surroundings, particular shape, or topographical conditions of the specified property involved, undue hardship to the owner would result if the strict letter of these regulations are enforced.*

Proposing an infill development around existing adjacent residential developments, on relatively narrow lot, and with an irrigation ditch along the western property line it can be difficult, if not impossible to bring existing infrastructure up to current standards and still have a viable project. Enforcing the strict letter of the regulations would result in a hardship to the owner because no other means of motorized transportation infrastructure are feasible when taking into consideration the existing roadway grid with no feasible connection options, the existing irrigation ditch location and the required 10-foot-wide Irrigation Ditch Easement. These existing and proposed conditions further limit the allowable buildable area to achieve the desired lot density, lot sizes, and quantities.

- 4.) *The variances will not in any manner violate the provisions of the zoning ordinance or any variance granted to those regulations or the Missoula County Growth Policy.*

This variance request will not violate the provisions of the City of Missoula Title 20 Zoning Ordinance or the Our Missoula 2035 Comprehensive Plan.

- 5.) *The variance will not cause any increase in public costs.*

There will not be an increase to public costs by granting this variance.

- 6.) *The hardship has not been created by the applicant, or the applicant’s agent or assigns.*

The hardship has not been created by the applicant or the applicant’s agent. The hardship is a result of adjacent residential developments, the existing roadway grid with no feasible connection options, the existing irrigation ditch location and proposed 10-foot-wide Irrigation Ditch Easement.

Sincerely,
IMEG Corp.

Dated: 02/23/2024



Variance Request # 2– “Pit Lane” - Dead-End Streets, Cul-de-Sacs, and Circle and Loop Streets

Rule(s):

Section 3-020.5. Dead-End Streets, Cul-de-Sacs, and Circle and Loop Streets

- a. Cul-de-sacs, loop and circle streets, and turnarounds, are prohibited. Dead-end streets are prohibited.
- b. If approved by variance, the following standards apply:
 - (7) Cul-de-sacs over 45 feet in radius must include a water permeable center island.

Request(s):

The applicant is requesting to vary from the Cul-de-Sac requirements as stipulated in Article 3 Subdivision Design Standards, Section 3-020 Streets, Sidewalks, and Trails, of the City Subdivision Regulations. Further, the mountable curb and sidewalk design will be constructed with a 46' radius without a permeable center island. The cul-de-sac is proposed to meet the requirements of the City Engineer and Fire Chief and does not exceed 600-feet.

Reason (s):

The existing conditions of the property dictate the proposed road type as the predominant practical design that will still support motorized and non-motorized uses into the development and offer adequate access for emergency services. The existing road patterns do not offer an achievable connectivity option and the existing irrigation ditch along the western property line does not provide a desirable connection into Ramers Court. As mitigation, the right-of-way extends to the western property line for the possibility of future connection to roadway infrastructure in Craftsman Place. Further, the applicant proposes a 10' Public Non-Motorized Pedestrian Access Easement for future connections to adjacent pedestrian facilities in a portion of the newly proposed common area. Please refer to the Preliminary Plat to reference existing pedestrian easements in the adjacent subdivision, Craftsman Place.

The subject property is relatively narrow and small while taking into consideration current road standards and the allowable building areas. Therefore, the request to construct a “mountable curb” cul-de-sac design without a permeable center island is result of proposing an infill of small lots which can lead to challenges meeting the required regulations while still achieving a viable project.

The following points address the six criteria for requesting a variance in accordance with *Missoula City Subdivision Regulations 3-020.4.N and Table .2 A*:

- 1.) *The granting of this variance does not result in a threat to public safety, health or welfare, nor is it injurious to other persons or property.*

The proposed road is designed to provide adequate traffic circulation and safe access to all proposed lots within the subdivision. The cul-de-sac is proposed to meet the requirements of the City Engineer and Fire Chief and does not exceed 600-feet. While the proposed alignment is an alternative solution to the one prescribed in code, if granted, the variance will still provide a safe and enjoyable road design for motorized and non-motorized users. Therefore, there will be no threat to public safety, health, or welfare as a result of the requested deviation.

- 2.) *The conditions upon which the request for a variance is based are unique to the*



property for which the variance is sought and are not applicable generally to other property.

This variance request is unique to the subject property due to surrounding existing public infrastructure, adjacent residential development, an irrigation ditch, and the roadway grid patterns. The property is unique in that an existing irrigation ditch is located along the western property line which requires an irrigation ditch easement dedication. Therefore, a 10-foot wide Irrigation Ditch Easement is proposed along the western property line. Further, adjacent residential development and existing easements along the western property line makes connection into Ramers Court unachievable at the time of this development. As mitigation, the applicant also proposes a 10' Public Non-Motorized Pedestrian Access Easement for future connections to adjacent pedestrian facilities.

It should be noted, the applicant has communicated with the adjacent property owner to the south as it pertains to shared access, which has been unsuccessful. Therefore, the proposed cul-de-sac design was discussed with city staff and is supported for possible future connection into Ramers Court as the area redevelops.

- 3.) Because of the physical surroundings, particular shape, or topographical conditions of the specified property involved, undue hardship to the owner would result if the strict letter of these regulations are enforced.*

It is impossible for the applicant to construct a newly proposed internal roadway for adequate traffic circulation and safe access while still meeting the standards of constructing a through street. Due to the properties physical surroundings, as described above, the cul-de-sac design is a direct result of proposing an infill of small lots with existing residential infrastructure which can lead to challenges meeting the required regulations while still achieving a viable project.

- 4.) The variances will not in any manner violate the provisions of the zoning ordinance or any variance granted to those regulations or the Missoula County Growth Policy.*

This variance request will not violate the provisions of the City of Missoula Title 20 Zoning Ordinance or the Our Missoula 2035 Comprehensive Plan.

- 5.) The variance will not cause any increase in public costs.*

There will not be an increase to public costs by granting this variance.

- 6.) The hardship has not been created by the applicant, or the applicant's agent or assigns.*

The hardship has not been created by the applicant or the applicant's agent. The hardship is a result of existing residential development, the irrigation ditch along the western property line existing pedestrian easements in the adjacent subdivision, Craftsman Place. The hardship has been created due to previously approved road infrastructure which dictates the options of this proposed connection into existing portions of both S. Curtis Street and Ramers Court.

Sincerely,
IMEG Corp.
Dated: 02/23/2024






Variance Request #3 – “S. Curtis Street” Standards for Geometric Design of Roads and Streets

A variance from Sections 3-020 Table .2A and 3-020.3.H.(2) proposing the minimum Right-of-way width for Urban Collectors (without Parking) and subdivision abutting existing or proposed streets must provide dedication of right-of-way to meet the requirements of Table .2A.

Rule(s):

3-020 Streets, Sidewalks, and Trails

Table .2 A (Urban Collector Without Parking)

Table .2 A Standards for Geometric Design of Roads and Streets			
Roadway Designation - City Functional Classification Map link	Minor Arterial (with parking)	Urban Collector (without parking)	Urban Collector (with parking)
Functional Classification	Minor Arterial	Collector	Collector
Purpose	Regional	Access	Access
Daily Traffic Volumes	3,500 - 15,000	1,000 - 7,500	1,000 - 7,500
Roadway			
Right-of-way (Minimum)	100'	80'	90'
Street Width (Back of Curb to Back of Curb) (minimum)	57' with turn lane 47' without turn lane	41' with turn lane 31' without turn lane	57' with turn lane 47' without turn lane
Number of Travel Lanes (typical)	2+ center turn lane or 2 lanes	2+ center turn lane or 2 lanes	2+ center turn lane or 2 lanes
Lane Width (minimum)	10'	10'	10'
Parking Lane Width (parallel)	8'	-	8'
Street Side			
Sidewalk Width (minimum)	5'	5'	5'
Boulevard Width (minimum)	10'	7'	7'
Bike Lanes	6'	5'	6'
Trails	Trails are considered alternatives to sidewalks in common areas and connectors between cul-de-sacs and may be located outside the established street and road right of way corridor if they satisfy the Parks and Open Space trails criteria in 3-080.		
Buses	When development is adjacent to or within a mile of an established public transit or school bus route, subdivision may be required by the City Engineer to construct bus stop facilities along with accessible routes, meeting ADA standards, to those facilities. Subdividers are encouraged to consult with the Missoula Urban Transportation District and Missoula County Public Schools early in the planning and design process.		
Landscaping	Streetside landscaping may include shrubs, ground cover, mulch, and irrigation and should incorporate xeriscape methods in accordance with Table 22, Chapter 12.32 Comprehensive Tree and Shrub Planting, Pruning, and Maintenance Regulations.		
Streetside Accessories	The City Engineer and subdivider will determine specific streetside accessory locations, types, and numbers during the design and permitting process.		
Utilities			
Refer to Article 3, Section 3-050 for utility placement within right-of-way and easements.			
Illustration (not to scale)			

3-020.3. Access, Rights-of-Ways, and Easements

H. Access Control

(2) Access Control Subdivisions abutting existing or proposed streets and roads must provide dedication of right-of-way to meet the requirements of Table .2A measured from the existing center line and extending along the entire frontage of the proposed subdivision.

Request(s):

The applicant is requesting to vary from the required 80' wide right-of-way width and to deviate from the requirement to construct a 5-foot bike lane.



If approved, this subdivision would be dedicating an additional 3.9' of ROW to S. Curtis St. to make the total right-of-way of 64' for S. Curtis Street, an Urban Collector (without parking), and construct sidewalk with boulevards along the property's frontage.

Reason(s):

S. Curtis Street currently provides adequate, safe, transportation options to residents and emergency services utilizing the area without meeting the right-of-way and street side infrastructure requirements outlined in Table .2A of the Missoula City Subdivision Regulations. S. Curtis Street along the property's frontage contains infrastructure within a 60' right-of-way.

The proposed subdivision will construct public half-street improvements across the frontage of the subject property providing an adequate transition into existing infrastructure and adds to improve public safety as the area redevelops. These improvements are proposed to include a 3.9' foot public right-of-way dedication, one 5-foot sidewalk with 7-foot boulevard along the western side of the roadway.

The following points address the six criteria for requesting a variance in accordance with *Missoula City Subdivision Regulations 3-020*:

- 1.) *The granting of this variance does not result in a threat to public safety, health or welfare, nor is it injurious to other persons or property.*

S. Curtis Street currently provides adequate, safe, transportation options without meeting all of the requirements outlined in today's standards for Urban Collectors (without parking) in Table .2A of the Missoula City Subdivision Regulations.

Therefore, the granting to deviate from these standards and the right-of-way width as provided in Table .2A does not result in a threat to public safety, health, or welfare, nor is it injurious to other persons or property.

- 2.) *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*

The conditions upon which this request for a variance is based are unique to the property due to S. Curtis Street existing right-of-way, the surrounding areas previous road grid plan, existing residential developments, and the previous city standards that S. Curtis Street was subject to. It is impossible for the applicant to dedicate a 30-foot right-of-way for half street improvements and still construct a roadway that is well blended with existing infrastructure.

The requirement of half street improvements at this location would include; 5-foot sidewalks with 7-foot boulevards and a 5-foot bike lane. However, there are no bike lanes on this section of S. Curtis Street, therefore, none are proposed with this development. To blend the proposed infrastructure with S. Curtis Street the proposal will include a 3.9' foot public right-of-way dedication, one 5-foot sidewalk with a 7-foot boulevard along the western side of the roadway. Further, the request to accommodate the physical improvements and match the existing road section of S. Curtis Street is a circumstance that is unique to this property.

- 3.) *Because of the physical surroundings, particular shape, or topographical conditions of the specified property involved, undue hardship to the owner would result if the strict letter of these regulations are enforced.*

Proposing an infill development around existing development can be difficult, if





not impossible, to bring existing infrastructure up to current standards and still have a viable project. Requiring the owner to adhere to the strict regulations of Missoula City Subdivision Regulations would result in undue hardship to the owner because the proposed subdivision will improve transportation options in the area through completing half street improvements to S. Curtis Street, supporting safe adequate access to residents in the area.

S. Curtis Street currently provides adequate, safe, transportation options without meeting all of the requirements outlined for Urban Collectors (without parking) in Table .2A of the Missoula City Subdivision Regulations. Requiring the owner to adhere to the strict letter of Missoula City Subdivision Regulations would result in undue hardship to the owner because the proposed subdivision will; improve transportation options in the area by constructing street side infrastructure along S. Curtis Street frontage, and the current 60' Right-of-Way width provides safe adequate access to residents in the area.

- 4.) *The variances will not in any manner violate the provisions of the zoning ordinance or any variance granted to those regulations or the Missoula County Growth Policy.*
This variance request will not violate the provisions of the City of Missoula Title 20 Zoning Ordinance or the Our Missoula 2035 Comprehensive Plan.
- 5.) *The variance will not cause any increase in public costs.*
There will not be an increase to public costs by granting this variance.
- 6.) *The hardship has not been created by the applicant, or the applicant's agent or assigns.*
The hardship has not been created by the applicant or the applicant's agent. The hardship is a result of S. Curtis Street existing right-of-way, the surrounding areas previous road grid plan, existing residential developments, and the previous city standards that S. Curtis Street was subject to.

Sincerely,
IMEG Corp.

Dated: 02/23/2024



Variance Request #4 – Lots and Blocks

Rule(s):

3-030 Lots and Blocks

.2 Blocks

A. Blocks must be designed to assure traffic safety and ease of circulation, to accommodate the special needs of the use contemplated to accommodate pedestrians, bicyclists and transit users as well as motor vehicles, and to take advantage of the opportunities or to mitigate the limitations of the topography. Specifically:

(2) Blocks may not exceed a maximum length of 480 feet in urban-suburban subdivisions.

Request(s):

Approval of the proposed subdivision to propose a block length of 512 ft.

Reason(s):

The proposed block length is designed to assure traffic safety, ease of circulation, and accommodate future pedestrian connectivity while considering existing irrigation infrastructure. The existing conditions of the property dictate the longer block length to accommodate the proposed number of lots for the subdivision, while supporting fire safety, roadway standards, and pedestrian circulation. The development includes a 10' Public Non-Motorized Pedestrian Access Easement, within the common area, which has been recommended by city staff. This dedication has been supported with the intention for future possible connection to the Milwaukee Trail and to the pedestrian easement in the adjacent subdivision, Craftsman Place Subdivision.

Ultimately, the subdivision supports the “focus inward” policy providing infill development within city limits where infrastructure already exists. The proposed subdivision serves to accomplish the overall goals of the City Growth Policy while adhering to the City of Missoula Subdivision Regulations 3-030.2 Lots and Blocks except for the total block length of 480 feet.

The following points address the six criteria for requesting a variance in accordance with Missoula City Subdivision Regulations 3-030:

- 1.) The granting of this variance does not result in a threat to public safety, health or welfare, nor is it injurious to other persons or property.*

The proposed 512' block length is designed to ensure traffic safety and ease of circulation better accommodating pedestrians and transit users. The neighboring residential development and roadway grid patterns, in which this subdivision will blend into, is not foreseen to create a threat to public safety, health or welfare due to the proposed layout. The granting of the increased block length does not result in a threat to public safety, health or welfare, nor is it injurious to other persons or property.

- 2.) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*

The conditions of this variance are unique due to both physical surroundings and the existing shape and dimensions. The property is adjacent to existing residential developments roadway easements, and associated utility



infrastructure. Further, the property is unique in that an existing irrigation ditch is located along the western property line requiring an easement dedication not generally applicable to other properties. The development includes a 10' Public Non-Motorized Pedestrian Access Easement, within the common area, which has been recommended by city staff. This has been supported with the intention for future possible connection to the Milwaukee Trail and to the pedestrian easement in the adjacent subdivision, Craftsman Place Subdivision.

Therefore, the proposed development cannot be achieved without the increased block length as portions of the property are area set aside for the irrigation ditch and associated easement.

- 3.) *Because of the physical surroundings, particular shape, or topographical conditions of the specified property involved, undue hardship to the owner would result if the strict letter of these regulations are enforced.*

The conditions of this variance are unique due to both physical surroundings and the existing shape and dimensions. The physical surroundings include an existing irrigation ditch located along the western property line and requires a newly proposed easement. The property is adjacent to existing residential developments roadway, easements, and associated utility infrastructure. This project is limited by existing public infrastructure such as; sewer, water and utilities which must be considered resulting in a longer block length than allowed. This infrastructure limits other potential roadway connections to reduce block length.

- 4.) *The variances will not in any manner violate the provisions of the zoning ordinance or any variance granted to those regulations or the Missoula County Growth Policy.*

This variance request will not violate the provisions of the City of Missoula Title 20 Zoning Ordinance or the Our Missoula 2035 Comprehensive Plan.

- 5.) *The variance will not cause any increase in public costs.*

There will not be an increase to public costs by granting this variance.

- 6.) *The hardship has not been created by the applicant, or the applicant's agent or assigns.*

The hardship has not been created by the applicant or the applicant's agent. The hardship is a result of existing residential developments, roadway easement widths adjacent to the property, the irrigation ditch location, and a newly proposed ditch easement along the western property line of the proposal. As a result, there is no possibility for any other block length while still providing safe access for motorized and non-motorized transportation to future residents.

Sincerely,
IMEG Corp.

Dated: 02/23/2024

