



10/24/2024

Board of Adjustment
City of Missoula
435 Ryman Street
Missoula, Montana 59802

RE: Variance Request
Willow Wood Mixed-Use Development
Lot 4 Willow Wood Village / 4106 Weeping Willow Drive

Dear Board Members:

This letter is intended to introduce you to our proposed project, outline specific hardships and request consideration for two variances based on those hardships.

The proposed project is to develop a mixed-use building with (8) residential units and (3) small commercial suites. The site has been undeveloped for years given a number of significant challenges related to setbacks, easements and limited access. The PUD (ordinance number 3035) was established August 25th, 1997, under Mayor Mike Kadas and Title-19 zoning. It remains the only undeveloped lot in the PUD.

Because the site is part of a PUD that was approved under Title-19 zoning, the following requests pertain to those ordinances as follows:

1. We request a variance from the setback requirements which would allow for the proposed building to encroach into the 20' Side Street Setback on Gharrett Street. When the PUD was established, it depicted the parking lot at the North end of the parcel with access from Weeping Willow Drive. That access is extremely close to the intersection with 39th and not only serves additional residential buildings but also serves as a traffic corridor access to Walmart nearby and is often congested. Currently, City Engineering Department would not support development of the proposed access point as shown on the approved plat. This has resulted in the need (and requirement from City Engineering) to accommodate the parking at the South end of the site which significantly reduces the buildable envelope considering the Title-19 zoning requirement of a 20'-0" setback from both 39th street & Gharrett Street. Additionally, the PUD indicates a 20' setback intended to protect an existing, large old Willow tree located between Lots 1 and 4. Current RT10 zoning (title 20) indicates a side setback of 10' (Gharrett Street). We proposing an 8'-0" encroachment into the current 20' setback, placing the building no less than 12'-0" from the property line, still well within the current 10'-0" RT10 zoning setbacks under title 20.

In examining the approved PUD documents and plat, it appears that the required 20' west setback was incorrectly shown, indicating a larger buildable envelope than is and was actually available. Given the various existing site constraints and the incorrectly depicted available development area, it would be nearly impossible to develop a building with the allowed density within the depicted buildable envelope.

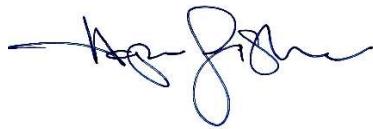
2. We request a variance which would allow development of (2) residential dwelling units on the building's main level with the remaining residential units on the second level. While not required in residential buildings under 20 dwelling units, the owner is proposing to

include (2) accessible units to allow for more flexibility for the tenants. Aside from development, the owner runs a homecare company locally in Missoula and sees the added benefit/need for this type of unit. The surrounding residential buildings in the PUD all have main-level residential units so our proposal would fit within the current neighborhood vernacular.

Our proposed conceptual design complies with all other applicable requirements per the PUD language and Title-19 zoning. We do not request variances related to parking, on-site landscaping or buffering as those requirements are all currently met.

Please see the attached exhibits which demonstrate the proposed project and site conditions and also the schematic building elevation 3D images to help graphically represent the request. We respectfully request your consideration of this request and look forward to discussing the project with you.

Sincerely,



Hope Fisher, Project Manager
Gavin Hanks Architects

Attachments:

- Missoula BOA Application
- PUD Plat Exhibits
- Site Plan
- Basement Floor Plan
- First Floor Plan
- Second Floor Plan
- 3D Images



MISSOULA

DEVELOPMENT SERVICES

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX:

MISSOULA CITY BOARD OF ADJUSTMENT APPLICATION

Date: 08-14-2024

Meeting Date: TBD - ZONING

Applicant Name: 818 W. CENTRAL LLC

Address: 4110 WEEPING WILLOW DR Phone 406.425.2612
MISSOULA, MT 59803-1072 Phone 406.360.4730

Agent Name: HOPE FISHER - PROJECT MANAGER @ GAVIN HANKS ARCHITECTS

Address: 1605 STEPHENS AVE., Phone 406.543.1477
MISSOULA, MT 59801

Project Address/Location: 4106 WEEPING WILLOW DRIVE

Request Type: 1. VARIANCE FOR STREET SIDE SETBACK
2. VARIANCE FOR RESIDENTIAL UNITS ON THE MAIN FLOOR

The following items must be submitted as part of the application:

Legal Description WILLOW WOOD VILLAGE - PHASE 2, S06, T12 N, R19 W, Lot 4,

Lot(s): 4 ; Block(s): ; Subdivision: WILLOW WOOD VILLAGE

Section: 06 ; Township: 12 N ; Range: 19 W

COS#

Zoning: WILLOW WOOD PLANNED UNIT DEVELOPMENT OVERLAY ZONING DISTRICT
(ORDINANCE 3035) WITH A BASE ZONING OF RT-10, RLD-4 (Title 19)

11 PACKETS CONTAINING THE FOLLOWING ITEMS:

- a. Application
- b. Cover Letter
- c. Site Plan/ Landscaping Plan – 11" x 14" or smaller (to scale)
- d. Elevation Drawings – 11" x 14" or smaller (to scale)
- e. Topography Map, if applicable – 11" x 14" or smaller (to scale)
- f. Floor Plan

MISSOULA CITY BOARD OF ADJUSTMENT APPLICATION

APPLICANT'S RESPONSIBILITY

The burden of proof for an applicable hardship and justification of proposal lies with the applicant. The applicant or the applicant's agent must be present at the meeting. Failure to appear at the meeting is grounds for denial of the variance request.

CHAPTER 20.90.010, BOARD OF ADJUSTMENT, AUTHORITY

A board of adjustment is established as authorized by §76-2-321 through §76-2-328, MCA. The board of adjustment is responsible for conducting public hearings and making decisions in accordance with the procedures of this zoning ordinance and state law.

BOARD OF ADJUSTMENT HAS THE AUTHORITY TO REVIEW:

1. Variance Requests (Section 20.85.090)
2. Appeals of Administrative Decisions (Section 20.85.100)
3. Special Exceptions (Section 20.75.090) and Sign Variances (Section 20.75.130)

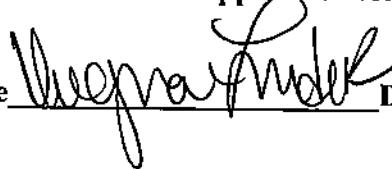
VARIANCE APPROVAL

An approved zoning variance will lapse and have no further effect **2 years** after it is granted by the board of adjustment or 2 years after a final court order is issued (if the variance is the subject of litigation), unless **all** of the following occur:

- a) a building permit has been issued (if required);
- b) a zoning compliance permit has been issued; and
- c) a final certificate of zoning compliance has been issued.

I hereby attest that the information on this application form is accurate and complete.

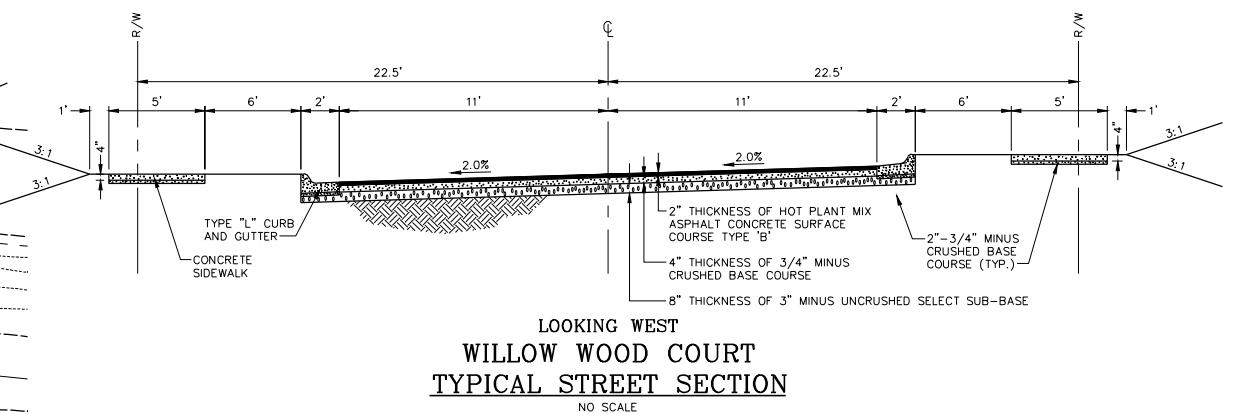
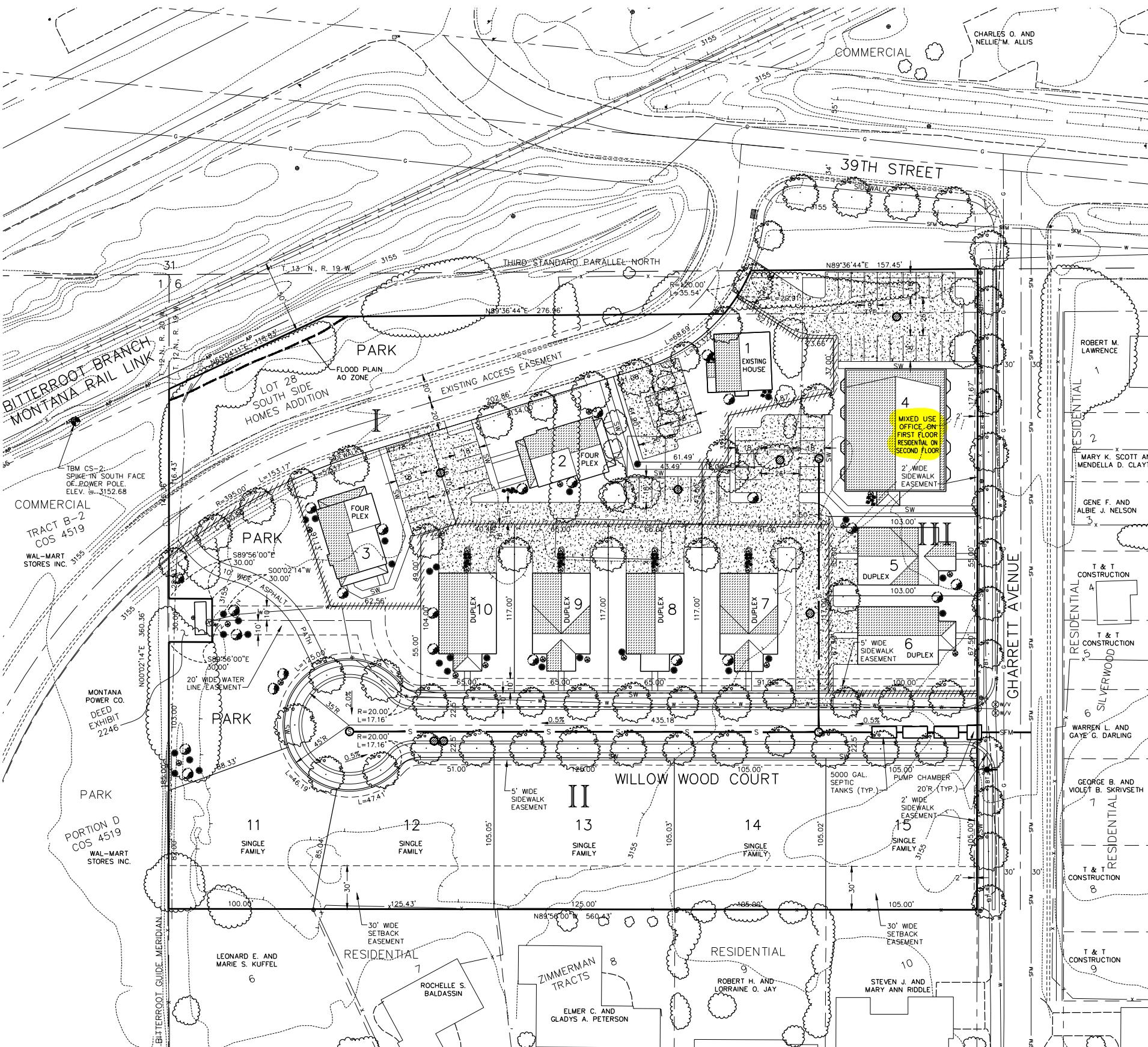
Property Owner's Signature

 Date 8/20/24

I, 818W Central LLC, owner of the said property authorize Hope Fisher to act as my agent in this application.

PRELIMINARY PLAT OF
WILLOW WOOD VILLAGE

A SUBDIVISION OF THE CITY OF MISSOULA, MONTANA
LOCATED IN THE NW 1/4 NW 1/4 OF SECTION 6,
T. 12 N., R. 19 W., PRINCIPAL MERIDIAN, MONTANA



LOOKING WEST
WILLOW WOOD COURT
TYPICAL STREET SECTION

LOT AREAS AND ADDRESSES			
LOT	AREA (SQ.FT.)	STREET	ADDRESS
1	9,630	39TH STREET	
2	13,149	"	
3	9,136	"	
4	26,444	"	
5	5,665	"	
6	6,952	"	
7	10,296	"	
8	7,605	"	
9	7,605	"	
10	7,507	"	
11	10,477	"	
12	11,301	"	
13	13,130	"	
14	11,027	"	
15	11,026	"	
		GHARRATT AVENUE	

EXISTING LEGEND

- PROPERTY LINE
- EDGE OF ASPHALT
- CURB AND GUTTER
- WATER MAIN
- SEWER FORCE MAIN
- AERIAL POWER
- GAS LINE
- BURIED TELEPHONE
- RAILROAD TRACKS
- DITCH
- CONTOUR (1 FOOT INTERVAL)
- POWER POLE
- CURB INLET

AREAS

- LOT AREA = 3.69 ACRES
- PARK (LESS ACCESS) = 0.74 ACRES
- EASEMENT = 0.55 ACRES
- DEDICATED WAL-MART ACCESS = 0.35 ACRES
- TOTAL AREA = 5.33 ACRES

BASIS OF BEARINGS
CERTIFICATE OF SURVEY NO. 4519

OWNER
EXCHANGE SERVICES INC.

DEVELOPER
T & T DEVELOPMENT, L.L.P.

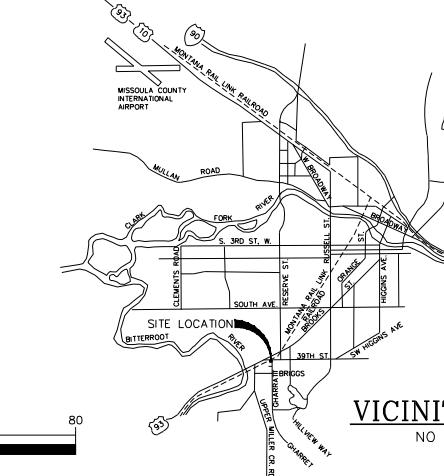
COMPREHENSIVE PLAN
URBAN RESIDENTIAL

TYPE OF SUBDIVISION
RESIDENTIAL/COMMERCIAL

ZONING
RLD-4

CERTIFICATE OF ENGINEER

I HEREBY CERTIFY THAT THE STREET, STORM DRAINAGE, SEWER, AND WATER PLANS WERE PREPARED UNDER MY SUPERVISION.



VICINITY MAP
NO SCALE

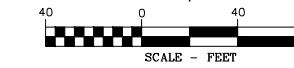
CERTIFICATE OF SURVEYOR
I HEREBY CERTIFY THAT THE BOUNDARY AND LOT DESIGNS OF THIS PROPOSED SUBDIVISION WERE PREPARED UNDER MY SUPERVISION.

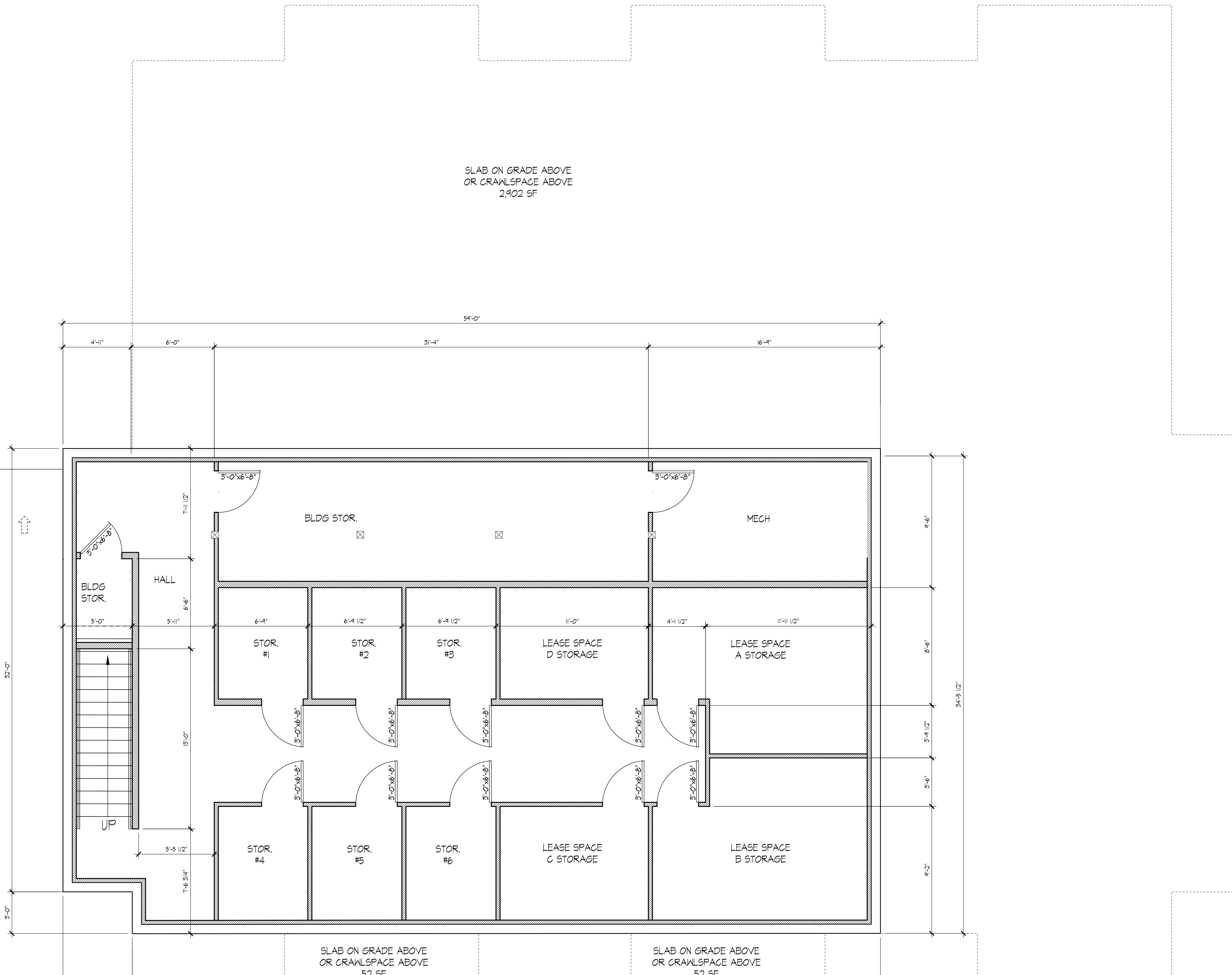
1/4	SEC.	T.	R.
<input checked="" type="checkbox"/>	1	12N.	19W.
<input type="checkbox"/>			

SHEET 1 OF 1
DRAWING DATE: JULY 30, 1997
DRAFT: CEG
PROJECT NO.: 94-01-24
FILE NO.: O-58/940124PP.DWG

WGM group

ENGINEERING • SURVEYING • PLANNING
3021 Palmer • (406) 728-4611
P.O. Box 3418 • Missoula, MT 59806





General Notes:

- ALL BEDROOMS TO HAVE EGRESS WINDOWS SEE PLAN; VERIFY WITH MANUFACTURER.
- ALL DOORS TO HAVE FOLLOWING LOCK SETS:
- ENTRY - UNIT ENTRYS, STORAGE, DECK/PORCH DOORS.
- PRIVACY - BEDROOMS, BATHROOMS
- PASSAGE - CLOSETS, STORAGE, LAUNDRY, LINEN
- STOREROOM - MECH. ROOM
- ALL INTERIOR WALLS ARE 2X4 (I-C) WOOD STUD WALLS U.N.O. SEE ASSEMBLIES SHEET
- REFERENCE WINDOW HEAD HEIGHT ON BUILDING SECTIONS AND ELEVATIONS FOR ALL WINDOWS. SILL FOR EGRESS WINDOWS IN BEDROOMS SHALL NOT BE GREATER THAN 44" FROM THE FINISHED FLOOR - VERIFY W/ WINDOW MFR.
- BID FIBERGLASS WINDOWS AS BASE W/ CLAD WINDOW AS ALTERNATE.
- ALL WINDOWS TO BE STANDARD INSULATED GLASS OR BETTER.
- WINDOW MANUFACTURER TO PROVIDE ALL ROUGH OPENINGS, TYP.
- CONTRACTOR SHALL VERIFY ALL SIZES & QUANTITIES OF WINDOWS. THE FOLLOWING LOCATIONS OF GLAZING SHALL BE CONSIDERED HAZARDOUS LOCATIONS (TEMPERED GLAZING)

 - THE EXPOSED AREA OF AN INDIVIDUAL PANE IS GREATER THAN 9 SF.
 - THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18" ABOVE THE FLOOR.
 - THE TOP EDGE OF THE GLAZING IS GREATER THAN 36" ABOVE THE FLOOR.
 - ONE OR MORE WALKING SURFACES ARE WITHIN 36" INCHES MEASURED HORIZONTALLY AND IN A STRAIGHT LINE OF THE PLANE OF THE GLAZING.
 - GLAZING IN AN INDIVIDUAL, FIXED OR OPERABLE PANE, ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE OF THE GLAZING IS WITHIN A 24" ARC OR EITHER VERTICAL EDGE OF THE DOOR IN THE CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60" ABOVE THE WALKING SURFACE.
 - GLAZING IN ALL DOORS.
 - GLAZING WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60" ABOVE THE PLANE OF THE ADJACENT WALKING SURFACE OF STAIRWAYS, LANDINGS BETWEEN FLIGHTS OF STAIRS AND RAMPS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

- PROVIDE 20'x36" ATTIC ACCESS FIELD VERIFY LOCATION. MINIMUM HEADROOM ABOVE ALL ATTIC ACCESSES TO BE 30" - VERIFY.
- OWNER TO SELECT ENTRY DOOR STYLE.
- ALL CONSTRUCTION SHALL CONFORM TO THE MOST CURRENT IBC REQUIREMENTS.
- SETBACKS AND SIDE YARDS SHALL CONFORM TO LOCAL REGULATIONS - ALL PORED CONCRETE FOOTINGS, COLUMNS AND WALLS SHALL BE ON UNDISTURBED VIRGIN SOIL.
- ALL LUMBER SHALL BE NO. 2 OR BETTER FIR & LARCH.
- JOISTS, BEAMS & COLUMNS EXPOSED TO WEATHER TO BE P.T.
- LUMBER USED FOR EXPOSED DECK AREA MUST BE P.T. OR LISTED FOR EXPOSED EXTERIOR USE OR COMPOSITE.
- ALL HEADERS SHALL BE DEL. 2X10 OVER EXTERIOR OR LOAD BEARING DOORS & WINDOWS (UNLESS NOTED OTHERWISE).
- WATER LINES TO BE PEX (OR COPPER) AND DRAIN LINES PVC.
- HOSE BIBS TO BE FROST FREE.
- ALL EXTERIOR, KITCHEN, BATHROOM, GARAGE AND BASEMENT OUTLETS SHALL BE ON GFCI CIRCUIT PER UBC REQUIREMENTS.
- PROVIDE SMOKE DETECTORS IN AND OUTSIDE OF AND IN VICINITY OF SLEEPING ROOMS; CARBON MONOXIDE DETECTORS OUTSIDE OF AND IN VICINITY OF SLEEPING ROOMS.
- SMOKE DETECTORS SHALL BE CONNECTED TO ALL OTHERS AND ON A DEDICATED CIRCUIT.
- ALL DIMENSIONS FROM THE EXTERIOR FACE OF WALL ARE FROM THE FACE TO THE SHEATHING (WHICH ALSO EQUALS THE FACE OF THE CONCRETE FOUNDATION WALL).
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- PROVIDE ALL BLOCKING AND BACKING AS NECESSARY FOR CABINETS, DRAPERY AND ACCESSORIES.
- LUMBER USED FOR FURNING OUT CONCRETE WALLS SHALL BE P.T.
- ALL EXTERIOR DOORS (OTHER THAN STORAGE) TO BE INSULATED, INSTALLED WITH 4" x 4" SPRING HINGES.
- VERIFY ALL FLOORING WITH OWNER.
- ALL UNIT ENTRY DOORS SHALL BE 1 HR RATED. ALL CORRIDOR WALLS ON SECOND FLOOR SHALL BE 1 HR RATED.

Legend

1 HR WALL, SEE ASSEMBLIES

INDICATES ACCESSIBILITY

20 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE

60 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE

90 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE

Willow Wood
Village
LOT 4
MISSOULA, MONTANA

ISSUE
 Variance Submittal
 Health Department Permit Set
 Final Permit Submittal
 Issued For Construction
 As-Built Drawings

REVISIONS

Use of these drawings shall be restricted to the original project site for which they were prepared. Publication thereof is expressly prohibited. Copying or permitting reproduction by any method, in whole or in part, is prohibited. Ownership and title to these documents shall remain the property of Gavin-Hanks Architecture Studio. Prior visual contact with these plans shall constitute prima facie evidence of the acceptance of these restrictions.

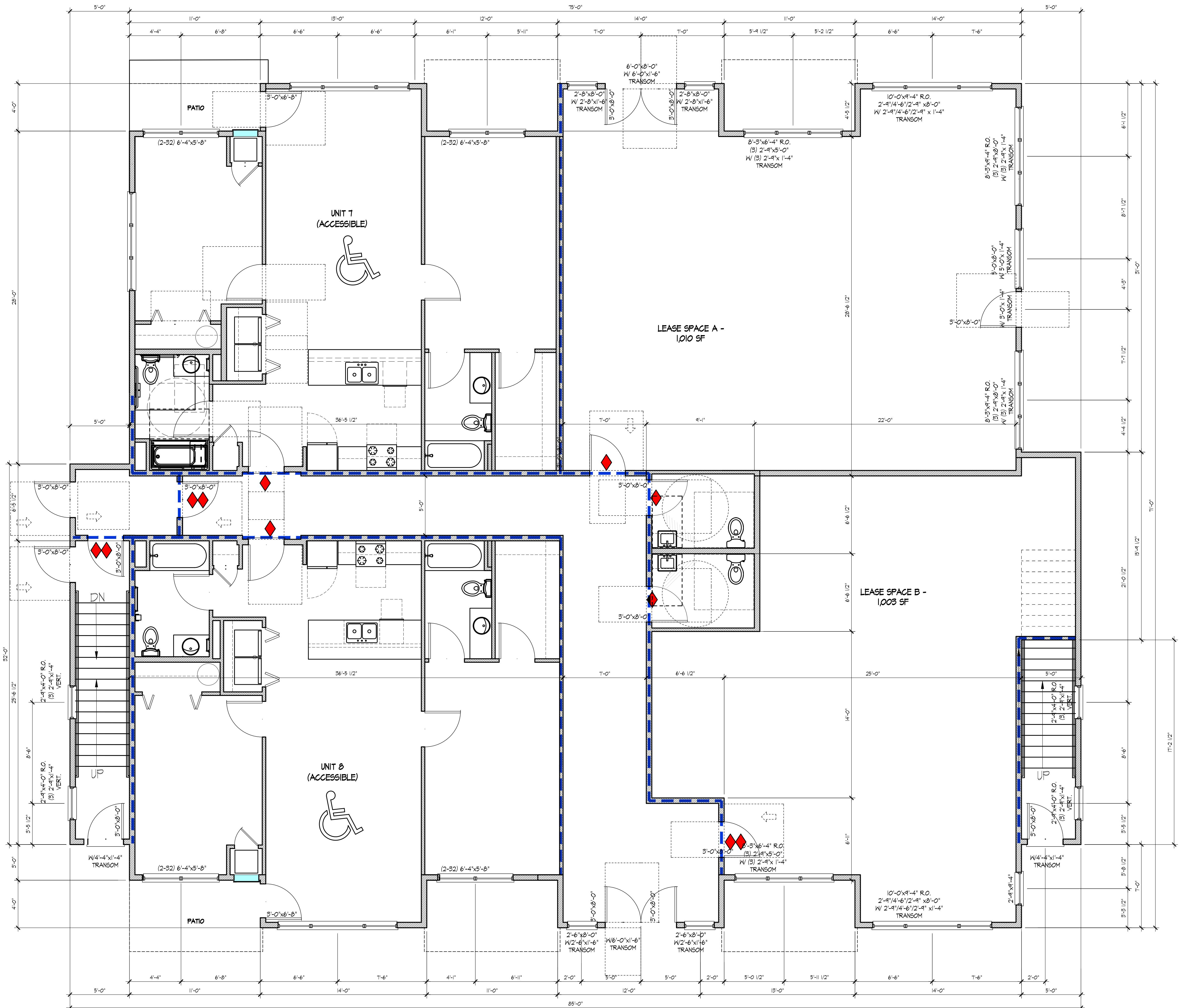
AREA CALCULATIONS (S.F.)

COMMON AREAS:	LEASED COMM. AREAS:	LEASED RES. UNITS AREAS:
HALL (INC. STAIR) = 561 ELEV. = 34 BLDG STORAGE = 30 + 251 MECHANICAL = 125	SPACE A STORAGE = 170 SPACE B STORAGE = 170 SPACE C STORAGE = 88 SPACE D STORAGE = 86	STORAGE 1 = 52 STORAGE 2 = 52 STORAGE 3 = 52 STORAGE 4 = 53 STORAGE 5 = 53 STORAGE 6 = 53

Project Number 23.02
Data 08.12.2024

BASEMENT LEVEL FLOOR PLAN

A2.0



General Notes:

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Legend

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Willow Wood
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LOT 4
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● Variance Submittal
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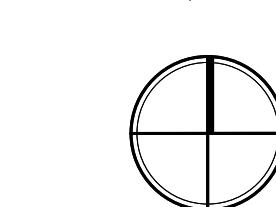
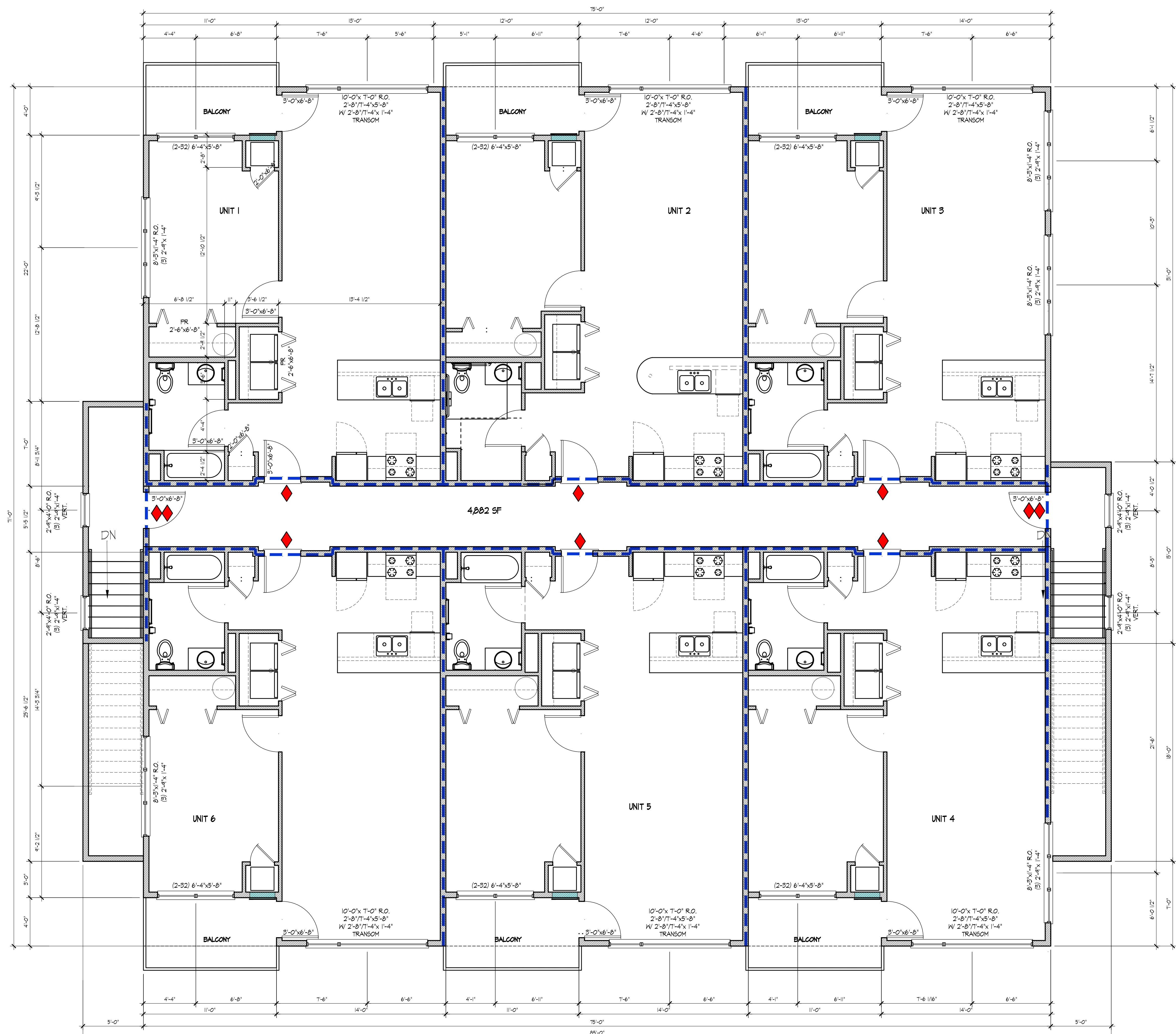
Project Number 23.023
Date 09.04.2024

MAIN LEVEL FLOOR
PLAN

A2.1

AREA CALCULATIONS (SF)

COMMON AREAS:	LEASED COMM. AREAS:
HALL =	434
LOBBY =	29
STAIR =	169
STAIR =	178
RESTROOMS =	112
SPACE A =	1,010
SPACE B =	1,003
UNIT 7 =	1,023
UNIT 8 =	1,023



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- SMOKE DETECTORS SHALL BE CONNECTED TO ALL OTHERS AND ON A DEDICATED CIRCUIT.
- ALL DIMENSIONS FROM THE EXTERIOR FACE OF WALL ARE FROM THE FACE TO THE SHEATHING (WHICH ALSO EQUALS THE FACE OF THE CONCRETE FOUNDATION WALL).
- ALL INTERIOR DIMENSIONS ARE FROM THE FACE OF STUDS AND USING ACTUAL DIMENSIONS OF 3 1/2" & 5 1/2" AS REQUIRED.
- PROVIDE ALL BLOCKING AND BACKING AS NECESSARY FOR CABINETS, HANDRAILS, DRAPERY AND ACCESSORIES.
- LUMBER USED FOR FURRING OUT CONCRETE WALLS SHALL BE P.T.
- ALL EXTERIOR DOORS (OTHER THAN STORAGE) TO BE INSULATED, INSTALLED WITH 4" X 4" SPRING HINGES.
- VERIFY ALL FLOORING WITH OWNER.
- ALL UNIT ENTRY DOORS SHALL BE 1 HR RATED. ALL CORRIDOR WALLS ON SECOND FLOOR SHALL BE 1 HR RATED.

Willow Wood Village

LOT 4
MISSOULA, MONTANA

ISSUE
● Variance Submittal
○ Health Department Permit Set
○ Final Permit Submittal
○ Issued for Construction
○ As-Built Drawings

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Project Number 23.023
Date 08.12.2024

Legend

- 1 HR WALL, SEE ASSEMBLIES
- ◆ INDICATES ACCESSIBILITY
- ◆◆ 20 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE
- ◆◆◆ 60 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE
- ◆◆◆◆ 90 MIN. DOOR AND FRAME, SEE DOOR SCHEDULE

AREA CALCULATIONS (SF)

COMMON AREAS:	LEASED RES. UNITS AREAS:
HALL = 380	UNIT 1 = 840 (BALCONY = 62)
LOBBY = 106	UNIT 2 = 844 (BALCONY = 64)
LOBBY = 106	UNIT 3 = 849 (BALCONY = 64)
	UNIT 4 = 849 (BALCONY = 64)
	UNIT 5 = 849 (BALCONY = 64)
	UNIT 6 = 840 (BALCONY = 62)

UPPER LEVEL
FLOOR PLAN

A2.2



South Elevation

SCALE: 1/4" = 1'-0"

Elevation Material Legend

	PREFINISHED SMOOTH HARDIE PANEL SIDING W/ REGLET
	NAKAMOTO FORESTRY SHOU SUGI BAN HORIZONTAL WOOD SIDING
	HORIZONTAL BLACK GUARDRAIL
	METAL C-CHANNEL



East Elevation

SCALE: 1/4" = 1'-0"

Willow Wood Village
LOT 4
MISSOULA, MONTANA

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Project Number 23.023
Date 10.18.2023

SOUTH & EAST
BUILDING ELEVATIONS

A4.1





North Elevation

SCALE: 1/4" = 1'-0"

Elevation Material Legend

	PREFINISHED SMOOTH HARDIE PANEL SIDING W/ REGLET
	NAKAMOTO FORESTRY SHOU SUGI BAN HORIZONTAL WOOD SIDING
	HORIZONTAL BLACK GUARDRAIL
	METAL C-CHANNEL



West Elevation

SCALE: 1/4" = 1'-0"

**Willow Wood
Village**
LOT 4
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NORTH & WEST
BUILDING ELEVATIONS

A4.2



Perspective - Southwest View from Parking Lot

NOT TO SCALE



Perspective - Northeast View

NOT TO SCALE

Elevation Material Legend

	PREFINISHED SMOOTH HARDIE PANEL SIDING W/ REGLET
	NAKAMOTO FORESTRY SHOU SUGI BAN HORIZONTAL WOOD SIDING
	HORIZONTAL BLACK GUARDRAIL
	METAL C-CHANNEL



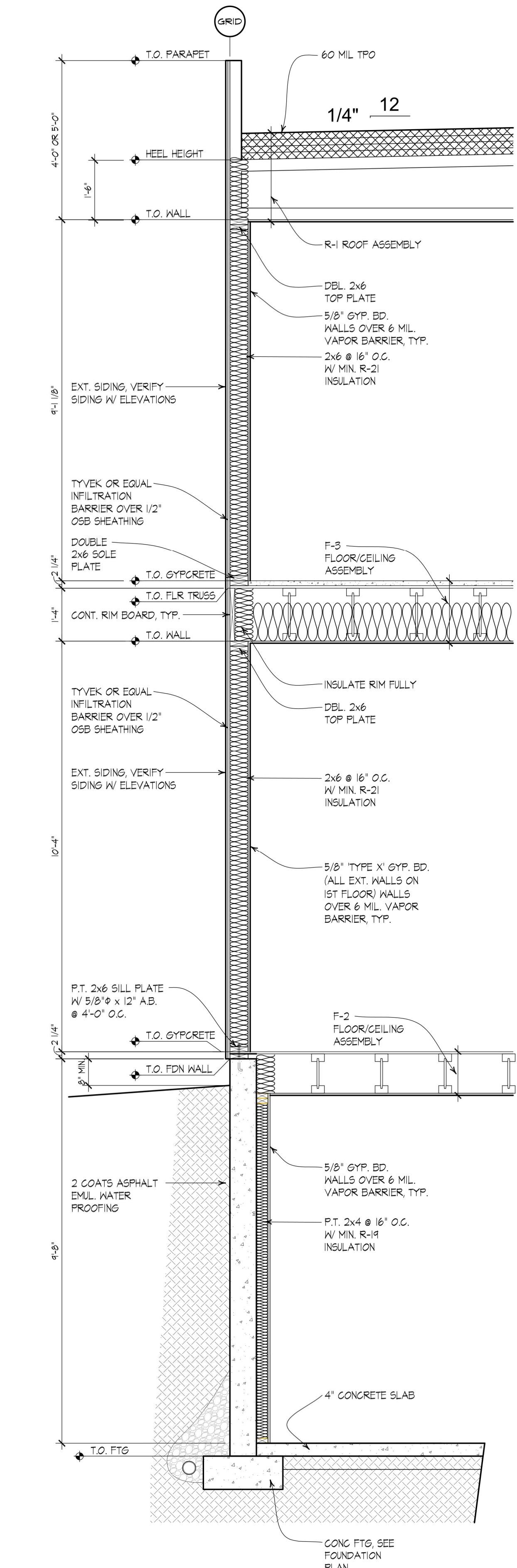
Perspective - Southeast View from Parking Lot

NOT TO SCALE



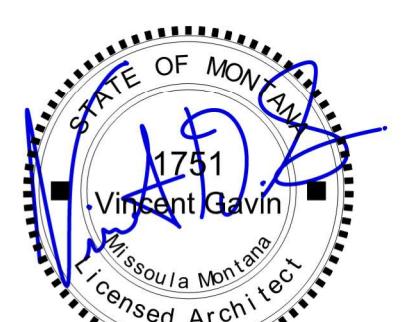
Perspective - Northwest View

NOT TO SCALE



Typical Wall Section

SCALE: 1/2" = 1'-0"



Willow Wood Village
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3D IMAGES

A4.3