

Peter:

Thanks for the explanation and attempt to clarify the Council's decision for zero setback. I will yield to your expertise on this matter. However, I find it difficult to see and think of all the possible ramifications. I would hope that the zero setback would be the exception rather than the rule. If convenient, I would like to come by your office and pick up a hard copy of the final Zoning Code. Let me know when you are available.

Al Bloomer

671-2754

Peter –

Thanks for this email, thanks for asking the PB about it (which I suspect procedure doesn't require), and thanks for presenting your arguments. I find your reasoning both elegant and persuasive. I support the Council's revision of the side setback in R-4 from 6' to 0'.

Sent from my MacBook by Dave Stauffer, desrlmt@gmail.com, tel/texts at 406-425-4197

Kudos to Sandy!!!!

After careful consideration, I support the Zero setback. While initially it came as a surprise and seemed extreme based on all our in-depth discussion about setbacks, it does seem reasonable in the R4. I agree that it is not likely we will be inundated with that kind of development, but I do understand the concern of others about this.

Warene

Hi Peter

I want to re-iterate my opposition and concerns regarding the change of side setbacks in R4. My reasons are:

- First and foremost the topic was not brought up during the Planning Board review and update of the zoning regulations. Given the Planning Boards opposition to reducing side setbacks in the past, I feel it should have been a topic where the full board had an opportunity to weigh in and either approve or disapprove the change. There was ample time during the past, almost 5 month review to vet the change with the full Board. I feel this amendment and the way it was presented circumvents the role of the Board and in no way represents what I voted for when I voted to move the zoning ordinance to the Council.

You raised some good points in your email. However, they should have been brought up for thoughtful discussion with the entire Board and the Board would have had a chance to weigh in one way or another.

- My concerns are with the effect on adjacent residences, which given where R4 is located, are a number of single family residences. The effect of a 40 ft. tall structure on the adjacent homeowner's access to sunlight, yard space, access for building maintenance, a place for snow to accumulate. Contrary to this past winter, Red Lodge does get significant snow accumulation during the winter and has been known for several major snow storms where 6-8 ft. of snow has accumulated over a several day storm event. There needs to be a place for snow and run-off to go, either from roofs or

simply a place to accumulate during a heavy snow storm. We have accommodated increased density in R4 by increasing building height maximums to 40 ft. I don't have an issue with the concept of row houses if someone were to by adjacent lots and combine the lots. My issue is with the existing single story residence on either side of a proposed townhouse development.

At the very least existing residences should have an opportunity to weigh on the change through the public review process. One in which property owners in R4 are given notice of the zoning change and provided an opportunity to weigh in. I doubt any of them are aware of the proposed change.

Where there are existing zero or 1 ft. setbacks in town, there isn't room for a person to walk between the houses, let alone be able to use a ladder for painting or other routine maintenance. If other regulatory constraints preclude the reality of actually ever being a true zero setback, than why have a zero setback in the first place?

Jeff

Good morning Peter!

As we discovered at last night's Zoning meeting, it was brought up before the City Council at the first reading of our Draft Zoning Regulations that the side setbacks in the R-4 Zone, presently at 6 feet, should be reduced to 0 setbacks.

If this proposal had been brought up to the full Zoning Board prior to submitting the Draft to the City Council it would have been thoroughly vetted by the seven members of Board. As it happened, the Board has not had the opportunity to discuss this proposal, except for the previous discussion (I believe with your predecessor) in which even a 3 foot setback failed in the R-4. This is my first complaint with the suggestion of 0 setbacks.

My opinion of zero setbacks, even in a high density zone like R-4, isn't that I object to using the entire lot; my objection is for the homeowner's currently living in the R-4. Some have been there prior to zoning; some purchased when the setbacks were 6 feet on the sides. As you say a lot-line-to-lot-line new building couldn't be built without permission to trespass on their neighbor's lot, but I dislike telling a developer that they can do something when in truth they may not be able to get permission to trespass, therefore, not be able to build to zero setbacks. Our Zoning should be absolutely upfront so developers don't think we're trying to give with one hand and take away with another.

If we had a public meeting of everyone in the R-4 Zone -- which is about 40 homeowners, I truly believe that those homeowners would not approve of zero setbacks on their neighbor's lots. Add to that, a 40 foot tall building right on the property line.

In looking at issues that come in front of the Planning Board & Zoning Commission, I try to advocate for those who would be affected by our decisions. I am opposed to 0 setbacks in the R-4 but would entertain some adjustment to the current 6 foot setbacks.

Thanks Peter for taking this on and speaking for us. When is the next City Council meeting?

Sandy