



**Minutes
Board of Adjustment Meeting
February 3, 2026 - 5:30 PM
Virtual Zoom Platform and City-County Building 330**

Members Present: Chair Egeline, Vice-chair Tim Tholt, Commissioner Julia Gustafson, Carissa Beckwith, Bryan Topp

Members Absent: None

City Staff Present: Kyle Holland – Planner II, April Sparks – Community Development Department Administrative Assistant

Call to Order and Roll Call

(0:00:34) Chair Egeline called the meeting to order. A roll call was taken and four members were present. Ms. Beckwith later was able to join online.

(0:01:39) The minutes from the December 2, 2025, meeting were approved unanimously.

Public Hearing Items

(0:03:43) Staff read the three standards of Section 11-5-5 and the seven standards that may be considered.

Item 1: VAR2512-0014 – 1101 Chestnut Street

Staff Presentation and Questions for Staff

(0:06:49) Kyle Holland, City of Helena Planner II, provided a presentation which included photographs of the subject property, a vicinity map, and site plan. Staff summarized the staff report. No public comments had been received.

(0:13:02) Commissioner Gustafson asked about the lack of sidewalks and will they need sidewalks to be installed with this variance, and how will the parking and sidewalks overlap if they are added to the area? Planner Holland stated that if sidewalks were to come to the area, the occupants would not be able to park as they do now. He added that there is ample parking in the back, and habits would have to be changed to meet the new conditions, such as parallel parking in front of the building.

(0:14:21) Commissioner Gustafson asked about the right to protest if sidewalks are installed. Planner Holland stated that is a waiver of protest typically only for construction where the road is not fully improved yet. This level of construction would not trigger the need for sidewalks, but if the building were removed and built from a empty lot, sidewalks would be required.

Applicant Presentation and Questions for the Applicant

(0:16:21) Michael Bartole, on behalf of the applicant, spoke about the work that was being done to the building when the structural damage was found in the existing vestibule. He continued about how the former vestibule did not meet the current setbacks, and with this further reduction of setbacks it would improve accessible access to the building.

(0:18:02) Commissioner Gustafson asked the applicant as to the time line as it appears to be in the middle of construction. The applicant stated that building plans have been submitted and they are just waiting for zoning approval. The applicant stated that the owner wanted it done sooner than later.

General Comments

(0:19:15) Chair Egeline opened the meeting to public comment and noted that there was no one in the room. Ms. Sparks stated that there were no members of the public online.

Board Discussion

(0:19:29) Chair Egeline opened the board discussion.

(0:19:39) Vice-chair Tholt stated that he believed the applicant had the right to rebuttable presumption and the fact he is making it better makes it so they shall vote for approval.

(0:20:06) Mr. Topp stated that he feels it is a good upgrade and the addition of ADA access is a strong positive.

(0:20:26) Commissioner Gustafson stated that she agrees with ADA access and is in support of sidewalks wherever they can be added, and that she is also in support.

(0:20:42) Ms. Beckwith stated that she is also in support of this proposal.

Motion 1

(0:21:37) Mr. Topp makes a motion to approve a variance from Helena City Code Section 11-4-2 to reduce the front lot line setback from 15' to 13' for a structure located in a CLM zoning district, with the address of 1101 Chestnut Street, and the geocode of 05188819404220000, and legally described as:

That certain portion of Lot 2 in Block 13 of the GRAND AVENUE ADDITION to the City of Helena, County of Lewis and Clark, State of Montana, which is more particularly described as follows:

Beginning at the northwest corner of Lot 2 in Block 13, being the southeast corner of Chestnut Street and Dodge Avenue, thence Easterly along Chestnut Street 134 feet to a point; thence Southerly parallel to Dodge Avenue 100 feet to a point; thence Easterly



parallel to Chestnut Street 8 feet to a point; thence Southerly parallel to Dodge Avenue 42 feet to a point; thence Westerly 142 feet to Dodge Avenue; thence Northerly parallel to Dodge Avenue 142 feet to the point of beginning, with the condition that a building permit must be obtained within one year.

Vice-chair Tholt seconds the motion.

(0:23:04) Chair Egeline asks if there is any more comment. A vote is taken and the motion to approve the variance passes 5-0.

General Comments

(0:24:21) Ms. Sparks states that there are three applications for the March meeting and mentioned to all board members that we are expanding the planning commission and members of our current land use boards are allowed to serve on both boards at the same time.

Adjournment

(0:25:14) Vice-chair Tholt makes a motion to adjourn the meeting. Mr. Topp seconds.