

# Memorandum

**REPORT TO:** City Commission

**FROM:** Zachary Moon, Associate Planner  
Brian Kreuger, Development Review Manager  
Erin George, Director of Community Development

**SUBJECT:** Review and Consider the Alsentzer Variance for 701 N Montana Ave,  
Application 24655 (Quasi-judicial)

**MEETING DATE:** March 11, 2025

**AGENDA ITEM TYPE:** Community Development - Quasi-Judicial

**RECOMMENDATION:** **Consider the Motion:** Having reviewed and considered the application materials, public comment, and all the information presented, I hereby adopt the findings presented in the staff report for application 24655 and move to deny the variance subject to all applicable code provisions

**STRATEGIC PLAN:** 4.2 High Quality Urban Approach: Continue to support high-quality planning, ranging from building design to neighborhood layouts, while pursuing urban approaches to issues such as multimodal transportation, infill, density, connected trails and parks, and walkable neighborhoods.

**BACKGROUND:** A zoning variance to Bozeman Municipal Code (BMC) Section 38.400.080.A. which states, *“City standard sidewalks (including a concrete sidewalk section through all private drive approaches) must be constructed in all developments on all public and private street frontages, except for alleys. The requirements of the city design standards and specifications policy and the city modifications to state public works standard specifications and per the block frontage standards of division 38.510 apply.”* The variance would negate the condition which requires the applicant to construct 132 feet of sidewalk within the City’s right-of-way, per conditional approval of Neighborhood Certificate of Appropriateness (NCOA) Project #23119 and the above stated code section

**UNRESOLVED ISSUES:** There are no unresolved issues with this application

**ALTERNATIVES:**

1. Deny the application based on the Commission’s findings of non-compliance with the applicable criteria contained within the staff report; or
2. Approve the application;
3. Approve the application with the addition of specific conditions based

- on Commission's findings;
4. Continue the public hearing on the application, with specific direction to staff or the subdivider to supply additional information or to address specific items

**FISCAL EFFECTS:** None

Attachments:  
[24655 CC Staff Report.pdf](#)

Report compiled on: February 27, 2025