



Architectural Committee Meeting Minutes – July 20, 2023

BSAC/Staff in Attendance:

Stacy Ossorio, Chair
Maggie Good-Virtual
Suzan Scott
Grant Hilton

Greg Clark
Lisa Hoogenboom
Clay Lorinsky

Guests in Attendance:

William Eckhoff
Ben Davidson
Brian Johnson
Edison (Ted) Buchanan

Guests Joining Virtually:

Andrew Brechbuhler
Lance Miller
Nate Drinkwine
Anthony Overbeeke
Sam Ankeny
Jacob McGregor
Semone Kessler

Project Attending For:

#02714 211 Nordic Lane
#06122A Lot 122A White Butte Rd
#05410 146 Chief Joseph Rd.
#05410 146 Chief Joseph Rd.

#04445 3055 Half Moon Court
#05413 2825 Little Coyote Rd.
#04445 3055 Half Moon Court
#04218 2465 Curley Bears Rd.
#06267 13 Little Wolf Rd.
#04251 Lot 51 Lone Walker Rd.
#04251 Lot 51 Lone Walker Rd.

1. Membership Forum – None

2. Call to Order – The Chair called the meeting to order at 9:07 AM.

3. Meeting Minutes –

June 20, 2023, Minutes

Motion made by Clay Lorinsky to approve the June 20, 2023, Meeting Minutes; seconded by Grant Hilton. Motion passed.

July 6, 2023, Minutes

Motion made by Clay Lorinsky to approve the July 6, 2023, Meeting Minutes; seconded by Maggie Good. Motion passed.

4. Single-Family, New Construction, Lighting Plan Only

- a. BSOA: #04445 Preston Patten
Legal: Meadow Village
Block 4, Lot 45
Street: 3055 Half Moon Court

The Final plans for the Patten residence were reviewed and approved on June 20, 2023, with the exception of the lighting plan, which staff presented. The plans propose sconces over the garage door and on the patio and deck doors. Downlights at the entry would be 6 inch round direct and 4-inch recessed downlights under the deck cover. Additionally, the landscaping will incorporate six 4-inch square deep downlight features. All lighting is dark-sky compliant.

Motion made by Maggie Good to approve the lighting plan; seconded by Greg Clark. Motion passed.

5. Single-Family, Minor Landscaping Alteration

- b. BSOA: #05413 Lance Miller
Legal: Meadow Village
Block 4, Lot 13
Street: 2825 Little Coyote Rd.

The owner of 2825 Little Coyote requested approval to remove a dead tree from his front yard. The dead tree is close to the home and the owner does not plan to replace the tree. The applicant has requested a waiver of the fee due to the nature of the application.

Motion made by Grant Hilton to approve the application as submitted; seconded by Clay Lorinsky. Motion passed.

Motion made by Greg Clark to waive the review fee for mitigation of potential fire danger; seconded by Grant Hilton. Motion passed.

6. Single-Family, Minor Landscaping Alteration

- c. BSOA: #02714 William Eckhoff
Legal: Aspen Groves
Block C, Lot 14
Street: 211 Nordic Lane

Staff presented a minor application for a landscaping alteration. The owner requested approval and Exception to the Design Regulations for a retaining wall measuring 50 feet & 9 inches in length without an element or directional change.

The owner revealed that he had already completed the wall. The committee identified three issues for discussion: the Exception for the length of the wall, the issue of the Member proceeding with construction prior to BSAC approval, and the After-the-fact approval.

The committee did not find the 'Exception for length' to be an issue as the wall is not visible from the street or neighbors but was perturbed as to why this was not addressed at the previous BSAC meeting when the Member was present and had an opportunity to do so. Mr. Eckhoff noted he had to take advantage of machinery he had available and opportune weather.

As the wall has already been completed, Staff inquired as to whether a Performance Deposit would still be required. The committee requested the applicant to submit a formal landscaping plan to complete the project and a landscaping Performance Deposit of \$500.

Motion made by Clay Lorinsky to approve the application for a retaining wall and approve the Exception for the length of wall (50 feet 9 inches) subject to the conditions listed below; seconded by Grant Hilton. Motion passed.

The Approval included the following Condition:

- 1) An 'After-the-fact' review fee of \$500 due by August 1, 2023.
- 2) A landscaping plan submitted to staff.
- 3) A landscaping performance deposit of \$500.

7. Single-Family, Major Alteration Sketch

d. BSOA: #04218 Cynthia DeShields

Legal: Meadow Village

Block 2, Lot 18

Street: 2465 Curley Bear Rd.

Staff presented a sketch review for an addition and remodel to the DeShields residence on Curley Bear Rd. The existing home was constructed in 1989 and is 3,849 square feet. Staff noted the current structure exceeds the 25 feet allowance for height per Meadow Village Covenants. However, a Variance was granted on July 15, 1988, for height and the proposed design would not change the overall height. The main ridge and tallest roof line are not changing. The existing grade would remain the same.

The project will add 144 square feet on the main level at the NW corner, 102 square feet to the garage South wall and 54 square feet at the entry (South facing). On the upper level, 480 square feet of livable space will be added over the garage. A new gable at the main level great room and new window wall will be added as well as shed dormers at key breakup points.

The scope of the project includes: the replacement and reorientation of the garage with the doors facing the street, the roof will be replaced, landscaping and driveway will be updated, all existing windows will be replaced, and the siding, stone veneer, and deck are to be replaced.

Motion made by Greg Clark to approve the application as submitted; seconded by Grant Hilton. Motion passed.

8. Single-Family, Major Alteration

e. BSOA: #06267 13 Little Wolf LLC

Legal: Cascade

Block 4, Lot 267

Street: 13 Little Wolf Rd.

The Final Review for the construction of a single-family detached 2-car garage with 694 square feet of habitable space above the garage was presented by staff.

The sketch review was approved on July 6, 2023, and included a variance application to have an accessory dwelling unit (ADU) above the new detached garage.

The applicant noted they were not able to add the new garage to the side of the home that already has an existing garage due to challenges with the lot shape. The new garage and ADU will be within the

setbacks and height restrictions outlined in the Cascade Covenants. No view sheds or vision triangles will be impacted by the addition.

After the Sketch Review the mechanical engineer on the project requested the applicant make two tweaks to the plans: extend the width of the garage by 2 feet (24 feet to 26 feet) and push back the stairway wall by 2 feet. Staff noted the with the change, the structure does not encroach into the setback. All finished materials will be identical or match the existing home.

Motion made by Clay Lorinsky to approve the application as submitted; seconded by Greg Clark. Motion passed.

9. Single-Family, New Construction Sketch

- f. BSOA: #06122A Ben Davidson
Legal: Cascade
Block 2, Lot 122A
Street: Lot 122A White Butte Rd.

Staff presented a Sketch application for a 4,600 square foot spec house with five bedrooms and five bathrooms on White Butte Rd. Ben Davidson is the owner and Project Manager. The design complies with the Design Regulations and Cascade Covenants.

Motion made by Clay Lorinsky to approve the application as submitted; seconded by Stacy Ossorio. Motion passed.

10. Single-Family, New Construction Sketch

- g. BSOA: #04251 Jacob & Alycia McGregor
Legal: Meadow Village
Block 3, Lot 51
Street: 51 Lone Walker Rd.

Staff presented a Sketch application for a new single-family 2,874 square foot residence broken into two primary forms connected at the second floor. The smaller of the two forms contains the kitchen, dining and living spaces and is on the portion of the site that exceeds 25% slope for which a variance from Gallatin County will be required.

The design is simple in nature, which the owners enjoy. The owners are hoping to source the vertical siding from Montana Reclaimed Lumber.

The plans comply with the Design Regulations and Meadow Village Covenants.

Motion made by Grant Hilton to approve the application as submitted; seconded by Stacy Ossorio. Motion passed.

11. Single-Family, New Construction Final

- h. BSOA: #05410 Ted Buchanan & Sally Corning
Legal: Sweetgrass Hills
Block 4, Lot 10

Street: 146 Chief Joseph Trail .

Staff presented the Final Review for the Buchanan-Corning residence on Chief Joseph Rd. This house is to replace the home that burned down in December of 2021. The lot has been cleared of debris.

The applicants proposed a single-level home (with basement) that has a livable square footage of 2,500 square feet. The home will have an open floor plan for the kitchen, dining and family room along with a guest suite, office and master suite. Adjacent to these areas, there will be an over-sized mud room, laundry and pantry which all are directly accessible to a 1200 square foot garage.

The Sketch plans were reviewed and approved on April 20, 2023, and the following motion was made:

Motion made by Maggie Good to approve the application as submitted subject to the reduction of the height of the chimney by one foot and adding an architectural feature such as a window, to break up the garage wall on the east side of the home; seconded by Stacy Ossorio. Motion passed unanimously.

The adjustments were made for the Final Review and presented along with the lighting, irrigation, and landscaping plans.

The landscaping plan will provide low maintenance using stone mulch and minimal native plantings. Aspen trees and Green Colorado Spruce will be planted intermittently and provide a natural screen from the neighbors. Drip irrigation to the plantings will be provided with one simple line of rotors.

The landscaping lighting will be 20 inches from the ground posts. There will be no sconces on the structure. All exterior lighting will be recessed cans and minimally placed for safety.

Materials will consist of wood, concrete and wood veneers: all having natural wood tones.

Regarding interior lighting, the home will have dimmer switches that can control lighting color, temperature, and voltage. The home will also have a blinds system.

Motion made by Clay Lorinsky to approve the application as submitted; seconded by Grant Hilton. Motion passed.

12. Discussion Items

A. LC Minutes parred down for BSAC related issues.

Big Sky Owners Association's Legal Committee (LC) met Monday, July 17, 2023, at 9:30am. BSAC-related agenda items discussed by the LC were as follows:

1. Cascade Covenants

a. Interpret Variance/Hardship section for the BSAC – The following is the LC's interpretation of Cascade Covenants on variances and hardship: a variance requires a hardship; thereafter, the BSAC should review the other considerations noted in their totality before a variance is approved.

2. SGH Covenant Amendments (see enclosed amendment language for a, b. & c):

a. Cold Roof Height Allowance – Proposed language was reviewed, and LC decided that an allowance of up to 12 inches of additional height should be allowed for any new cold roof, whether it is a new

build or an existing structure. It was noted that this allowance will encourage heat efficiencies and alleviate further restrictions on height for new builds.

b. Variances Allowed – The variance language in the Cascade Covenants was presented as an example of what could be provided for an amendment. The LC felt this language would be acceptable for the SGH covenants as amended.

c. Design Regulations, RE: Variances – The DR section for variances was reviewed and revisions were proposed, including: 1) strike all “undue” in terms of hardships, 2) strike “severe” regarding adverse impact.

B. Cascade Covenants: LC Interpretation to Variances/Hardship

a. SGH Amendment: Cold Roof Allowance

Proposed amendment:

A. AMENDMENT: Article 2 entitled “USE” shall be amended to include the following paragraph;

Cold roof systems with adequate ventilation and insulation are encouraged. Additional height allowances for cold roof replacements on existing structures built prior to this Amendment may be permitted, at the discretion of the BSAC. However, no more than twelve (12) inches above the maximum Average Grade Height shall be permitted.

C. SGH Amendment: Variances Allowed

Motion made by Grant Hilton that BSAC concurs with the Legal Committee; seconded by Stacy Ossorio. Motion passed.

D. DR Revisions related to Variances

Proposed amendment:

A. AMENDMENT: Article 4 entitled “ARCHITECTURAL COMMITTEE AND ARCHITECTURAL REVIEW” Section B entitled “Powers and Duties” to be amended to include the exact language above.

LC recommends the above Cascade Covenant language for SGH Covenant Amendment.

3. Variances

The Committee shall have the authority to grant variances to any section of these Covenants over which it has authority or the adopted Design Regulations relating to matters over which it has the authority to regulate, approve or disapprove where in its discretion it believes the same to be appropriate and necessary and where the same will not be injurious to the rest of the subdivision and will not substantially affect the view, use, landscaping, elevations and general aesthetic consideration and factors of near by lots. The Committee shall weigh all the relevant factors in granting or denying a variance, including hardship and the factors set forth in this Section IV.

7.1 Variances to the Covenants

Where authorized under the relevant Covenants, a Variance request for a deviation from a stated Covenant may be made to the BSAC. The BSAC will review a Variance request in accordance with the review criteria as stated in those relevant Covenants. Any Variances which may be granted shall be considered unique and will not set any precedent for future decisions. All Variances are considered on a case-by-case basis specific to the particular applicant, Variance requested, and the undue hardship claimed, in addition to those requirements of the Covenants.

7.1.1 Variance Requires Undue Hardship

The BSAC may grant a Variance when it is found that strict compliance with the standards outlined in the Covenants will cause undue hardship on the Owner Applicant and strict compliance with the Covenants is not essential to the general aesthetic of the properties within the BSOA or the goals and objectives of the BSAC. Each application must contain a complete list of undue hardship(s) claimed to justify the requested Variance.

7.1.2 Undue Hardship – Definition

To qualify as an undue hardship, strict enforcement of the Covenants must cause severe adverse impact on the applicant and/or the applicant's property based on conditions that are unique or peculiar to the property and not as a result of personal circumstances or circumstances that are general to the neighborhood or community. Additional cost is not a hardship.

The LC found it to be prudent to remove the work “undue” from sections 7.1, 7.1.1, and 7.1.2 of the Design Regulations.

Motion made by Grant Hilton that BSAC concurs with the Legal Committee; seconded by Stacy Ossorio. Motion passed.

E. Compliance

Staff verbally relayed to the committee that the Fairways project has received complaints for after-hours noise. The committee requested the Project Manager join the next BSAC meeting for a project update.

F. #04309 Hilton, Minor Alteration -

Member requested staff approval for re-staining his home using the same color. Staff approved.

13. Adjourn – The meeting adjourned at 11:04 AM.

Stacy Ossorio, BSAC Chair