

Attachment
Application, Applicant Letter and Site Plan

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1262 - Project # P2-17-0002 ⁰⁰⁰⁷²

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

TAX ID # A03652 CITY ELECTION WARD # 3

Legal Description of Property: Broadwater Subd, S05 T01 S, R26E, Block 19 Lts, 13+14

Address or General Location (If unknown, contact City Engineering): 1025 Cook Ave Billings MT 59102

Zoning Classification: Residential 6000

Size of Parcel (Area & Dimensions): 7000 sq ft 50' x 140'

Covenants or Deed Restrictions on Property: Yes No

If yes, please attach to application

Variance(s) Requested: Grant new structure be built up to 2' from property line as per UBC/IRC standard. Exceeding City Zoning Code of 5' set back from property line

Facts of Hardship: No other suitable or allowable location. Will use location of current structure so as not to change current properties foot print

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Charles E and Jane B Bisbee
(Recorded Owner)
(Address) 1025 Cook Ave Billings MT 59102
(Phone Number) 406-896-9051 (email) bizzco10@bresnan.net

Agent(s): N/A
(Name)
(Address)
(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: Charles E Bisbee Date: 4-29-2017
(Recorded Owner)

To: Chairperson of the Board of Adjustment
From: Charles and Jane Bisbee
Ref: 1025 Cook Ave Building Permit

We are writing you to request a review of a proposed building project at this address. We currently have a partially enclosed and covered patio attached to our house that we wish to enclose into a four season use.

The patio has a metal lean to type roof that we wish to change to match the existing roof of the house. We would also like to fully enclose only what is currently framed in, and make a structural floor that would become a full time usable space.

We are trying to make the space into an extra room in an effort to make more room within the current residence for my wife. She is suffering from a degenerative mobility disability and it is getting harder for her to get around. The laundry area we now have is in a corner of the second bedroom, and the kitchen is very small with an eat-in dining area. The new enclosure would allow us to move the laundry out of the bedroom and use the remaining space for a dining area. Thus making it easier for her to access the laundry and give more room in the kitchen as well for us to move around for meal preparations.

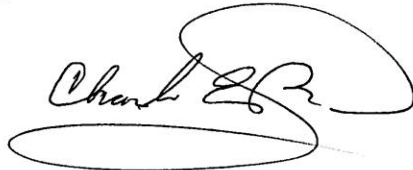
You will see in attached plans we do not intend to use any more space for this than what is already taken up by the patio structure. In fact the proposed new structure will be two feet further back from the property line as the current one is now. We also feel that the removal of the old metal sheeting roof and making one that will follow the current roof line would be not only more aesthetic but help keep drainage away from the neighbor's property.

We have no space on the other end of the house without encroaching to close to the other neighbor's house. The rear of the house also cannot be used without building underneath a large tree. Our homeowners insurance will not allow this as they have already made us trim the tree in the past and building any closer would require complete removal of a very large and healthy tree.

The location we have chosen is already taken up by a patio structure, which would be totally remodeled and the new enclosure put into the same space. There is also a concrete slab present which is within two feet of the property line, which is closer than we intend to build. The city planner's office has told us we need to be no closer than five feet from the property line if we make a new structure. There is a total of ten feet to the property line and we would like to build out only eight feet being two feet from this line. Any less than this would make the new structure too narrow to properly use and not worth the investment.

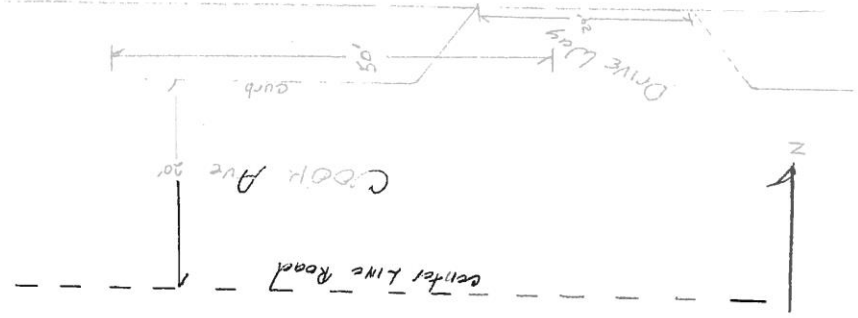
I checked first with the city building department as was told that the International Residential Building Code allowed for building up to two feet from a property line if the facing wall is of 1.5 hr fire rated construction. This was what we had planned until our contractor went in for permit and was told "no" as we had gone within five feet, the city's ordinance limit towards a property line.

Our intention is to abide by the IRC/UBC for the fire wall and all other proper construction. The new structure would not impose upon the neighbor's property or the drive access anymore, in fact even less, than the current structure. Therefore we are asking you to grant the variance from the five feet to the proposed two foot construction from the property line.

A handwritten signature in black ink, appearing to read "Charles Bisbee", is written over a large, loopy circular scribble.



Site Scale: 1" = 10'



1029 Cook Ave

1031 Cook Ave Garage

1031 Cook Ave Driveway

ALLEY

Garage 500 sq ft
20' x 25'

Sidewalk 3' wide

Existing Covered Ramp
on Concrete Slab
8' x 14'

Dotted Line
Proposed Embankment
80 sq ft

Chain Link Gate

Driveway

Sidewalk

N

Center Line Road

Cook Ave 20'

5' curb

Drive Way

140'

High Privacy Fence

High Privacy Fence

High Privacy Fence

Property Line

Sidewalk

Sidewalk

Driveway

Driveway

Driveway

Driveway

Driveway

Driveway

Driveway

Driveway