

Application



APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1274 - Project # 18-00001

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 # A03841 CITY ELECTION WARD #

Legal Description of Property: LOT 7, BLOCK 4, BURG SUBD 2<sup>ND</sup> FILING

Address or General Location (If unknown, contact City Engineering):

1727 Yellowstone Ave.

Zoning Classification: Residential 7000

Size of Parcel (Area & Dimensions): 140' x 60' 8,400 SF

Covenants or Deed Restrictions on Property: Yes No X

If yes, please attach to application

Variance(s) Requested: I am requesting a Variance to the R7000 zoning regulation so that I can sell my property on 1727 Yellowstone Ave. My lot is 8,330 sq. Zoning Requires 9,600 SF for a 2 unit property. Rear set back to zero for 2nd dwelling.

Facts of Hardship: Potential Home Buyers cannot purchase my home using FHA or VA financing because of the current zoning regulations.

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

Owner(s): PLATT, JACOB R

(Recorded Owner) 1608 FRONT ST. BILLINGS, MT. 59101

(Address) (406) 850-7698 jacobplatt@rocketmail.com

(Phone Number) (email)

Agent(s):

(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: [Handwritten Signature] (Recorded Owner)

Date: 12/29/17

## Applicant Letter

Jacob Platt  
1727 Yellowstone Ave.  
Billings, MT 59101

Dear Chairperson of the Board of Adjustment,

12/31/17

My name is Jacob Platt and I have been a homeowner and resident in Billings, Montana for the last 16 years. I purchased my property on 1727 Yellowstone Ave. as a first time home buyer using FHA financing 15 years ago. My wife and I have just gotten married and are trying to purchase a new home to start our lives together. I am having difficulty selling my property because of current zoning regulations. Potential homebuyers, cannot purchase my property right now using FHA or VA loan financing. I have had multiple offers on my home that I have had to turn down because of these zoning regulations. This is causing hardship for my family and I am hoping that the city of Billings is willing to make an exception to the R7000 zoning regulation so I can sell my property.

When I purchased the property 15 years ago, I did not have an issue using an FHA loan. Due to stricter guidelines, changes have been made to meet approval for both VA and FHA loans. The rental on my property was there when I purchased it, even though it did not conform to R7000. I have included a letter from the Planning and Community Services Department stating that the city of Billings is aware of the operation of the rental within its legal nonconforming status. In fact, there was a tenant residing in the rental when I moved onto the property. My home was operating as a 2 home lot and had housed many previous tenants. I have had many renters since I purchased the home and I have operated the property in conformance with its legal non-conforming status.

The rental on 1727 Yellowstone has been a good home to many residents in Billings. My rental is affordable and provides safe housing in a good neighborhood. I have had no complaints from the city, the neighbors, or the general public for using the property as a rental property for the past 15 years.

I have a potential home buyer for my property that cannot get financing unless this variance is approved. The variance approval would not change the past, current, or future use of the property but merely allow the property to be sold to the buyer obtaining FHA financing. We currently have a buy/sell agreement to close on the sale of the home in February. If the variance is not approved the buy/sell will be terminated and the buyer will be forced to find another home.

The approval of this variance would have no change in its current usage or negative impact upon the city and the surrounding community. I realize that my lot size is not large enough to meet R7000 current zoning standards. I am hoping that you will make an exception and approve the variance so I can get a buyer to purchase my property. Thank you for your consideration.

Respectfully,

Jacob Platt

