

Application

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1281 **- Project #** P2-18-00062

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 # 401632 CITY ELECTION WARD # 1

Legal Description of Property: Billings Second Addition, S03, T01S, R26E, Block 220, Lot 10-12, E88' LVS 10-12

Address or General Location (If unknown, contact City Engineering): 604 South 35th St.

Zoning Classification: 6,000

Size of Parcel (Area & Dimensions): 6,600 Sq-ft

Covenants or Deed Restrictions on Property: Yes No

If yes, please attach to application

Variance(s) Requested: a new garage, taking out 1909 garage + want to add an apartment above garage "hardship" see attached. Improve our property + neighborhood.

Facts of Hardship: See attached



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

Owner(s): Buffington Jay P, Denise K

(Recorded Owner) 604 S. 35th St Billings MT 59101

(Address) 406-245-0704 chevkoimpala@hotmail.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: Jay P. Buffington Date: 4-2-18
(Recorded Owner)

Applicant Letter

Chairperson of the Board of Adjustment,

We have owned our home at 604 South 35th Street for nearly twenty years and at this time we are asking for a variance from the city to improve our home by removing the existing and rotting 1909 garage and have a new one built, we would like to add an apartment above the new garage for a disabled family member. We would like to be able to improve our property and neighborhood. The existing garage is so small that the doors to the car cannot be opened all the way to get in or out of it, We are also wishing to clean up our property by having storage for our yard equipment, we have to store our tiller under a tarp because there is no room in our shed, we literally have to empty half of the shed to get the lawn mower and snow blower out during the seasons we use them.

In regards to the "hardship" part of this request, my brother Mike needs a place to live because our brother Jerry died unexpectedly in June of 2017. Mike had been living in our family home since he was two years old and has never lived on his own. Jerry was Mike's caretaker and main provider of Mike's care and support. Jerry was in the process of remodeling and updating the family home which was owned by my parents, upon my Mother's death she left Mike and Jerry the house. Jerry paid the property taxes and insurance. When Jerry died he had many unfinished projects going. Mike receives SSI disability payments but that income will not allow him to stay in his home and take care of the necessary repairs and insurance and taxes plus all of the utilities. Mike has a severe anxiety disorder but no physical handicap which an upstairs apartment would need any special accommodations. Mike had seizures as a baby and struggled all through school, had an iep and special help and classes. We tried to get him a job but the people helping said Mike is mildly retarded and could never support himself. My goal is to keep Mike out of public housing and keep him close to me so I can help when he needs it, I have been going up to His house a lot to help him with things like bill paying and banking which he needs assistance with, it is hard for me and I am feeling stressed and anxious about His situation. This would give Mike his first opportunity at living on his own but have a support system close by when He needs it. I tried to figure a way for him to stay in the Family home but it is not feasible. The family home will have to be sold, even though Mike will receive half of the money from the sale there will not be enough for him to buy himself a place and maintain it. His portion of the sale will need to go in a needs based trust. I have had many sleepless nights and when My husband came up with the solution of a new garage with an apartment I have felt like a weight had been lifted and a solution at hand. We have an adult son living with us in our home who has Asperger's syndrome and issues similar to Mike so we have no room inside our home for Mike to reside with us in our home. I feel a great sense of responsibility for my family and would never push them out expecting them to sink or swim. I ask for your consideration in this matter as it will help my family and I, in addition to improving our property and the South Side.

Sincerely,

A handwritten signature in blue ink that reads "Jay & Renise Buffa". The signature is written in a cursive style with a large, stylized initial 'J' and 'B'.