



APPLICATION FORM

ID: Billings Variance # 1297 - Project # P2-18-00141

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 # A05609 & A05670 CITY ELECTION WARD # IV

Legal Description of Property: Lot 1A & Lot 2, Block 7 Country Club Heights sub

Address or General Location (If unknown, contact City Engineering): 2230 Country Club Circle

Zoning Classification: R-9600

Size of Parcel (Area & Dimensions): 20,1824 SF Approx 150' x 140'

Covenants or Deed Restrictions on Property: Yes No X

If yes, please attach to application

Variance(s) Requested: Front setback from 20' to 10'

Facts of Hardship: steep terrain/grade

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

Owner(s): Brian & Blake Bues

(Recorded Owner) 2204 W. McDonald Drive

(Address) 200-0301 brian@mtcadd.com

(Phone Number) (email)

Agent(s): Jeff Fanning

(Name) 2230 Country Club Road

(Address) 249-2443 jette@collaborativesd.com

(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: [Signature] (Recorded Owner) Date: 9/4/18

COLLABORATIVE DESIGN

A R C H I T E C T S

2280 Grant Road Suite C Billings, MT

T. 406.248.3443 F. 406.248.3765

collaborativedesignarchitects.com

4 September 18

Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101
Phone: 247-8676 Fax (406) 657-8327

Re: 3230 Country Club Circle

1. Answer the following questions:

A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?

B. Why is there a need for the intended use of the property at this location?

The property consists of two lots in the Country Club Heights Subdivision. Although the lot is much larger than required by zoning in R-96 zone, the buildable area is quite restricted due to the extreme topography on the north end of the lots. The topography of the lots creates a hardship that is not applicable to other lots in the same district since most surrounding homes were built prior to the current zoning (1972). These surrounding homes were specifically allowed a 10 foot front setback by the subdivision covenants in place prior to zoning.

The subject property is in a subdivision where most homes were built between 1960 and 1970. The lots are undeveloped and are the last vacant lots in this part of County Club Heights Subdivision. Many were set back 10 feet from the front property line as allowed by the covenants in place at the time prior to zoning. Three variances have been previously granted in this subdivision and 3 variances have been granted in an adjacent subdivision for front or rear setbacks.

2. Prepare a written statement addressed to the Chairperson of the Board of Adjustment. State what is intended to be done with the property, including new construction or change in the use of the property, and why the variance is being sought.

We are requesting a variance from Section 27-308 requiring a minimum front setback of 20 feet to 10-foot front setback to construct a new residential home. The lots are undeveloped and are the last vacant lots in this part of County Club Heights Subdivision. The north half of these lots are vertical portions of the rimrocks. A 20-foot front setback is physically impossible due to the slope of the property north of the street. The property is bordered on the north by a public park encompassing the tops of the rims. The property encompasses two lots in the subdivision. There are similarly situated lots within this subdivision. The original subdivision was platted in 1957 prior to current zoning. The covenants and restrictions for the subdivision contemplated all the lots within Block 7 would need a decreased front setback due to topography. The covenants allow a 10 foot minimum front setback for all lots in Block 7. The proposed dwelling will have a split-level living area with a garage and family room in the ground floor.

The proposed living area of the dwelling is 2,412 square feet. Three previous zoning variances have been granted in this subdivision and three in adjacent subdivisions. Many surrounding homes were built in the late 1950s and early 1960s prior to zoning. It appears many of the homes on this portion of Country Club Circle have been built to the 10 foot front setback line.

COLLABORATIVE DESIGN ARCHITECTS, INC.

A handwritten signature in blue ink, appearing to read "Kanning", with a long horizontal stroke extending to the right and a large loop at the bottom.

Jeff Kanning, AIA
Principal

