

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1299 - Project # P2-19-0902

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 # 81-0489478 CITY ELECTION WARD # 5

Legal Description of Property: Section 06, Town 01, Range 26 E Lot 3 BLK 12

Sweet Acres Subd 6th Filing Sweet Acres Subd 6th, S06, T01S, R26E
R26E, Block 12 Lot 3, E130 Ft Lt 3 Acres. 52
Address or General Location (If unknown, contact City Engineering):

2325 Central Ave, Billings, Mt 59102

Zoning Classification: Commercial CC

Size of Parcel (Area & Dimensions): 22,495 sq. ft.

Covenants or Deed Restrictions on Property: Yes No

If yes, please attach to application

Variance(s) Requested: one Reduce Arterial Setback. (6' into
curb SB.

Facts of Hardship: The overhang (canopy) is in the sight-
of-way about 6 (six) feet.

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

Owner(s): Grenai Gale Demus

(Recorded Owner) 3014 Shady Lane

(Address) Billings, Mt 59102

(Phone Number) 406-647-2815 (email) shilohvillageestates@hotmail.com

Agent(s): Regina Givensman

(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: Grenai Gale Demus Date: June 12-19
(Recorded Owner)



Variance Application

City of Billings

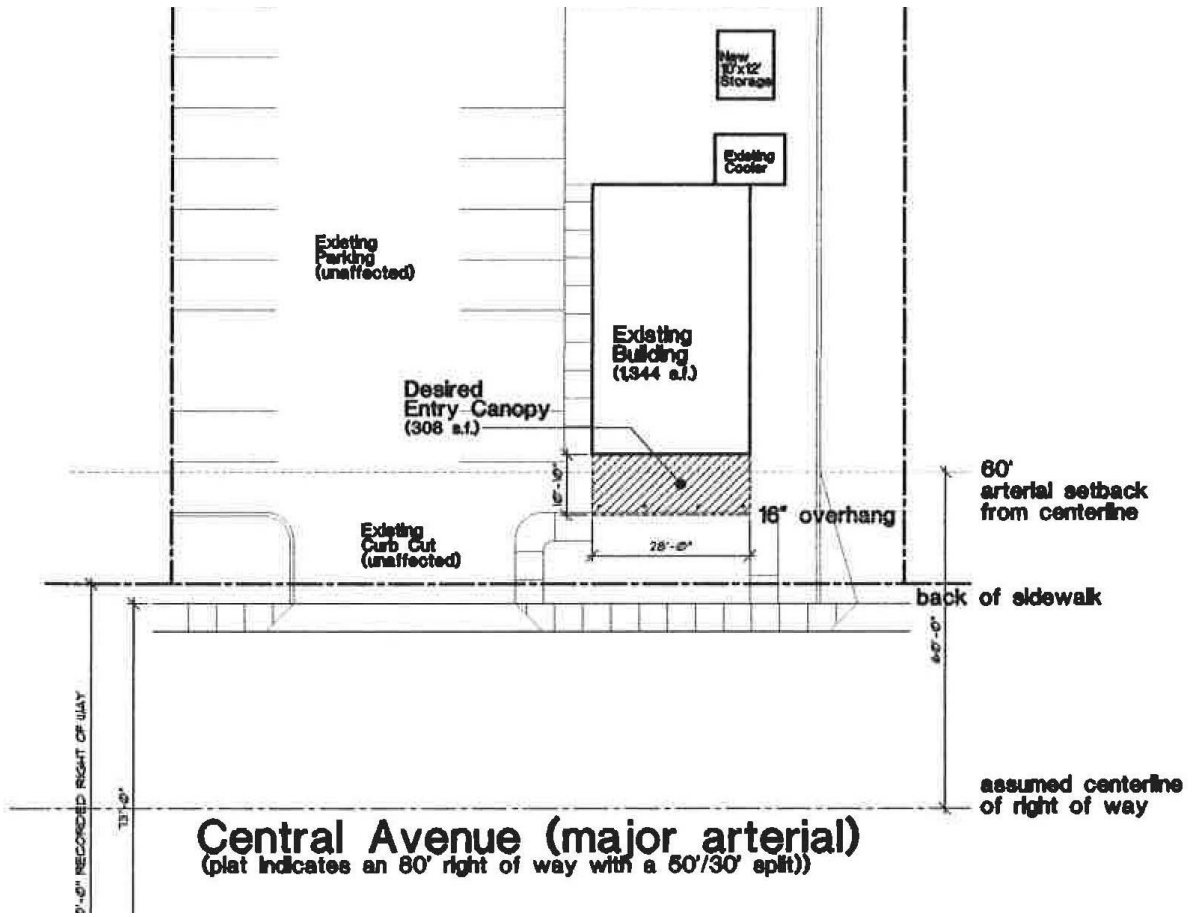
1. Answers to the following questions:

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

The property located at 2325 Central Ave. Billings, MT 59102 currently has a sidewalk on the South side of the building which serves as the front of the building and entrances to the business. It faces Central Ave. and was in existence prior to the remodel. This concrete sidewalk appears to already be in the existing right-away and thus was accepted in the approved remodel plans and is allowed by the current Zoning Ordinance. We understand that the Zoning Ordinance was set twenty-five years ago as people were building to close to the street and that an 8' infringement is allowed for concrete, plantings and awnings. Our variance would request that we have an overhang to be added to create more shelter for customers from the elements. The total overhang length that we would like to have approved is 9'6"; therefore, 6'1" would be in the existing right-away. Should Central Ave. ever be widened then we would accept the cost of removing this or the cost of cutting it back to 3'5" as per Zoning Ordinance.

- b. Why is there a need for the intended use of the property at this location? The current property serves as a fast food restaurant, as it is zoned as commercial property.

2. Prepared statement for the Chairperson of the Board of Adjustment: The intended property located at 2325 Central Ave. Billings, MT 59102 is for a fast food restaurant and has been since its inception. Currently the building is being remodeled as it was in desperate need of updates so that it can continue to be a fast food restaurant. Regarding new construction the building has been approved to have a new roof and have the interior remodeled. A variance is being sought after as the overhang of the building is in the right-of-way. It is within six feet one inch of the right-away and we would like the Board of Adjustments to accept it at a length of 9'6" to provide shelter from the elements for those waiting to pick up their food; thus creating a safer environment, preventing accidents. It also allows for better access for those coming in and out of the restaurant as well as helping to decrease glare from the sun as this is located on the South side of the building. The total overhang length that we would like to have approved is 9'6"; therefore, 6'1" would be in the existing right-away. Should Central Ave. ever be widened then we would accept the cost of removing this or the cost of cutting it back to 3'5" as per Zoning Ordinance.



Central Avenue (major arterial)
 (plat indicates an 80' right of way with a 50'/30' split)