

Application, Applicant Letter, Site Plan

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1300 - Project # P2-19-00109

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 # A18805 CITY ELECTION WARD # 1 (one)

Legal Description of Property: Yegen Second Add, 503, Tol 5, R26E, Block 7, Lot 16-17

Address or General Location (If unknown, contact City Engineering): 109 S 35th Street

Zoning Classification: R-60 Residential 6,000

Size of Parcel (Area & Dimensions): 7,000 SF, 50'-0" x 140'-0"

Covenants or Deed Restrictions on Property: Yes No

If yes, please attach to application

Variance(s) Requested: for three (3) residential units, rather than two, through renovation of and addition to existing house.

Facts of Hardship: Existing second residential unit is on property line and could not be reconstructed if demolded; investment in property proposed via addition instead.

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

Owner(s): Connie R. Oser + David G. Healow
(Recorded Owner)
2508 Irving Pl Billings, MT 59102
(Address)
(406) 855-1799 dhealow@bresnan.net
(Phone Number) (email)

Agent(s): Emarie Skelton, High Plains Architects
(Name)
2720 Minnesota Ave. Billings MT 59101
(Address)
(406) 384-0144 eskelton@highplainsarchitects.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: David G. Healow Date: 071519
(Recorded Owner)



Dear Chairperson of the Board of Adjustment,

This letter concerns the proposed renovation of the property at 109 S 35th St and the associated City Zoning variance application. The property features an existing single-family residence constructed in the 1920s with an additional dwelling unit bordering the alley in the back yard. Both dwelling units are currently rented.

Proposed renovation of the property includes demolition of the existing additional dwelling unit and complete renovation and subdivision of the existing house, resulting in two rentable units, one on the main floor, and one on the second floor with a private entrance. A new addition to the back of the house is proposed, including a third rentable unit over an added garage. The owner has already begun work with an architect to ensure the proposed renovation and addition are energy-efficient and suitable to the visual character of the South Side.

Zoning Regulation Requirements cite that only two residential units are permitted for R-600 properties of 7,000 SF or less. This 7,000 SF lot features two units, but the back unit is old and badly deteriorated. A variance is sought to allow the creation of a third unit through the proposed renovation described above. Providing three rentable units would increase both the site's tax value and the neighborhood's stock of healthy, safe, affordable housing. Furthermore, provision of three rentable units on the property is compatible with the character of the South Side Neighborhood, where individual dwelling sizes are small and additional dwelling units are common.

The requested variance is sought for a period of three years to permit time for completion of architectural design, project permitting, and construction. Property boundaries, required setbacks, and a schematic draft of the proposed addition are noted on the site plans submitted with this variance application. Please note that the proposed addition does not exceed the maximum lot coverage as currently zoned.

This variance application is sought to facilitate a significant owner investment in infill development which aligns with many of the City of Billings' growth, development, and housing objectives. As the 2010 Housing Needs Assessment states, "Preservation of existing homes does not necessarily provide for long term stability unless the neighborhood the home is located in is also preserved. The City should move forward with an infill policy to attract new development and redevelopment to the existing neighborhoods in the City." This variance application and the subsequent proposed renovation to 109 S 35th Street would directly benefit the City of Billings and result in much-needed investment in one of Billings' oldest neighborhoods.

Sincerely,

Emarie Skelton
High Plains Architects, AIT, AAIA





VARIANCE APPLICATION FOR 109 S. 35TH ST

Legal Description of the tract seeking Variance:

Yegen Second Add, S03, T01 S, R26 E, Block 7, Lot 16-17

1.

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

Zoning Regulation Requirements cite that only two residential units are permitted for R-600 properties of 7,000 SF or less. This 7,000 SF property features two units, but the back unit is old and badly deteriorated. The property owner seeks to improve this rental property by demolishing the existing back unit and shed, fully renovating the remaining house, and making a sizeable addition. Nothing prevents the owner from conducting property improvement in conformance with current Zoning Requirements, however, providing three rentable units would increase income diversity and potential, making the investment more viable for the owner, and would serve many of the City of Billings's growth, development, and housing objectives.

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

The City of Billings Housing Needs Assessment, 2010, and the Downtown Billings Housing Strategy, 2017 cite the need for more housing options to ensure continued growth in Billings. Although development of rental properties in Billings has increased in the last decade compared to the previous decade, the majority of housing development is still through single-family, detached homes. For Billings to meet growth objectives, infill development in existing neighborhoods needs to be encouraged. Not only is such development explicitly encouraged by City Policies, it is integral to maintaining a healthy, vibrant city that capitalizes on existing municipal and cultural infrastructure.

The Downtown Billings Housing Strategy notes that, "The preferences of Baby Boomers and Millennials, as the two largest demographic groups in the country, are shifting the housing market. There is greater demand for centrally located neighborhoods, as well as for rental housing," and, "The Urban land Institute's national survey of views on housing, transportation, and community, "America in 2013," found that demand will continue to rise for infill residential development that is less car-dependent."

The City of Billings Infill Development Policy defines infill development as, "The development of under-utilized or vacant parcels that are connected to or able to take advantage of existing

infrastructure. Furthermore, it is development that is urban in nature, often multi-story, within the City limits, and designed and constructed to be compatible with existing neighborhoods while providing amenities that enhance the community's quality of life."

The proposed redevelopment of rental property at 109 S 35th is infill development that will provide a much-needed housing option in a desirable area, a historic neighborhood close to downtown. The importance of healthy neighborhoods is highlighted by both the Housing Needs Assessment and the City of Billings Growth Policy.

The Housing Needs Assessment states that, "Preservation of existing homes does not necessarily provide for long term stability unless the neighborhood the home is located in is also preserved. The City should move forward with an infill policy to attract new development and redevelopment to the existing neighborhoods in the City."

The City of Billings Growth Policy Statement reads as follows:

"In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. *The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options*" (emphasis added).

The Growth Policy further notes that, "implementation of the Infill Policy is important to encourage development of underutilized properties," "neighborhoods that are safe and attractive and provide essential services are much desired," and, "common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe." The proposed redevelopment of 109 South 35th St. will support these Policy Guidelines and others as detailed below.

109 South 35th St. is in the South Side Neighborhood, one of Billings' oldest residential communities, which features a central location, two city parks, and unique, historic character. The South Side has tremendous potential, but also faces significant obstacles. The success of the South Side affects not only its residents, but, by proximity, downtown Billings as well. Investment from property owners in maintenance and infill development is essential to realizing the South Side's potential and making it an asset, rather than a liability, to the City of Billings.

Proposed renovation of the property at 109 South 35th St. includes demolition of an existing accessory dwelling unit, complete renovation and subdivision of the existing house, resulting in two rentable units therein, and a sizeable addition to the back of the house, including a garage and third rentable unit. This constitutes a significant investment that will increase both the site's tax value and the neighborhood's stock of healthy, safe, affordable housing.

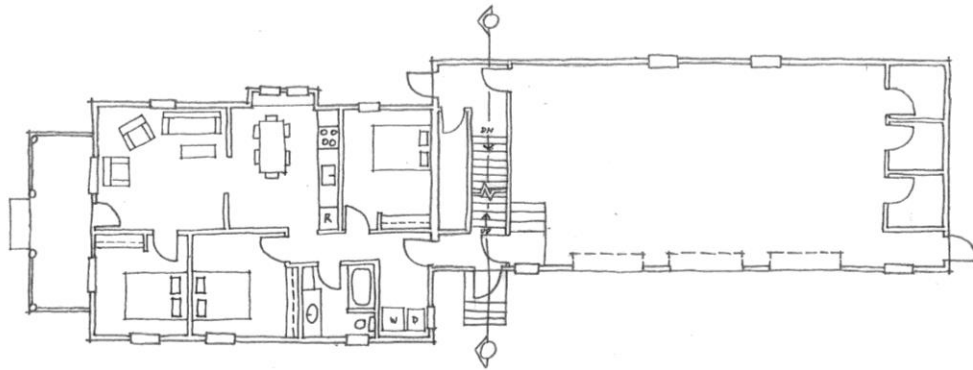


The owner has already begun work with an architect to ensure the proposed renovation and addition are energy-efficient and suitable to the visual character of the South Side, in keeping with Growth Policy guidelines that state, "the history and heritage of Billings are cornerstones of our community," and "energy efficient housing can reduce energy consumption." Furthermore, the completion of three rentable units on the property is compatible with the character of the South Side Neighborhood, as individual dwelling sizes are small by modern standards and additional dwelling units are common.

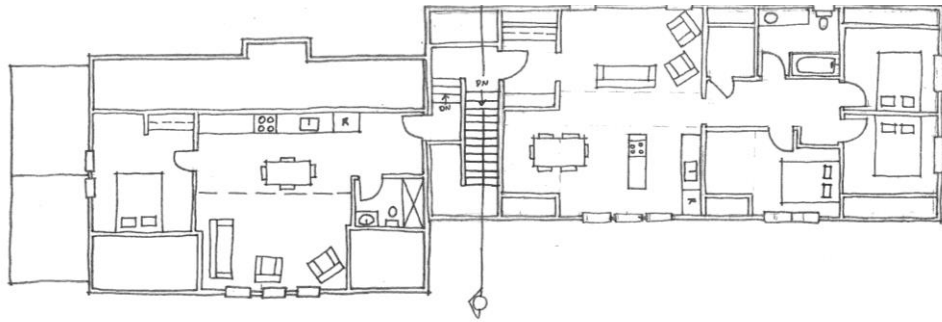
Moreover, the proposed renovation may contribute to neighborhood safety as outlined by the Crime Prevention Through Environmental Design (CPTED) strategies referenced in the Billings Growth Policy Guidelines. CPTED strategies include maintenance, territoriality, natural surveillance, and target hardening.

Maintenance involves property upkeep and perception; simply stated, the better a property is maintained, the greater the perception that the owner will not tolerate criminal activity. However, maintenance is only one facet of environmental crime prevention. Territoriality and target hardening involve further physical alterations to the environment which project a clear sense of ownership, make it physically difficult to intrude, and reduce access points and escape routes. Finally, and most importantly in a neighborhood setting, natural surveillance uses lighting, views, and occupation to increase the perceived risk to potential offenders. In the work proposed at 109 South 35th Street, the introduction of a third rental unit over the garage addition with views directly to the alley, the increased number of windows on the property overall, and alley access for tenants will mean increased natural surveillance that will contribute to a safer neighborhood.

The redevelopment of this property and introduction of a third rental unit is supportive of numerous City of Billings Policy goals, compatible with the character and history of the neighborhood, and contributes to the neighborhood's value and safety.



FIRST FLOOR PLAN - CONCEPT 3
1/8" = 1'-0"



SECOND FLOOR PLAN - CONCEPT 3
1/8" = 1'-0"



WEST ELEVATION - CONCEPT 3
1/8" = 1'-0"



SOUTH ELEVATION - CONCEPT 3
1/8" = 1'-0"