



550 S. 24th STREET W., SUITE 201, BILLINGS, MT 59102 | 406.894.2210

October 24, 2019

Monica Plecker
Planning Division Manager
2825 3rd Ave N
Billings, MT 59101

Re: City Variance 1303 for Lake Hills Sub. 18th Filing, Block 13, Lot 4

Dear Ms. Plecker:

On behalf of Ken Boeschen (Owner), WWC Engineering is submitting a request for variance of City of Billings Zoning Code (the Code) Section 27-308(G) - Area, yard and height requirements—Residential. As per this section, it is required that garages and carports that have their approach from a street shall be setback a minimum of twenty (20) feet. On the lot for City Variance 1303 which is for Lake Hills Sub. 18th Filing, Block 13, Lot 4 (the Property) we have proposed set back of fifteen (15) feet. It is requested that the setback requirement for the Property be given a variance, for the reasons outlined herein.

As per Section 27-1506(b)(4) of the Code, the following outlines the reason why a variance is being sought:

Stormwater Storage

As required by the City's Stormwater Management Manual (the Manual), the Property is required to store the 50-yr, 24-hr storm event on site and to infiltrate it within 72 hours. Additionally, stormwater drains to the east or back of the Property, requiring a pond to be placed in the back yard. As such, the Property was designed with a stormwater pond to detain the required 2,022 ft³ of stormwater with a pond measuring 40'x116' having side slopes less than the required 4:1 (H:V). The depth varies to a maximum of 1.2 feet, which is constricted by the infiltration rate. The horizontal dimensions of the pond are constricted due to a non-permeable layer of sandstone bedrock being two feet below the existing grade. The Manual requires that three feet of separation be maintained from an impermeable layer to the bottom of a stormwater pond. With this required separation, fill from the site is required to create the three feet separation, which maintaining of the required maximum slopes of 4:1 required the pond to be the size as designed. Based on these requirements, the building was then set back from the property line as far as possible without encroaching on the stormwater pond on the back of the lot.

It is further noted that although a variance is requested from the property line to the front of the garage, significant distance exists between the roadway and the proposed building. The proposed setback is 15' from property line, which the property line is an additional 15.4'

Ms. Plecker
Page 2 of 2
October 24, 2019

away from the back of curb. Based on this information, the building location is 30.4' away from the back of curb, which is 23.4' away from back of sidewalk (based on a 7' wide sidewalk).

Lastly, previous developments on adjacent properties were designed with less separation from a non-pervious layer requirement. The 2015 Manual required two feet of separation, comparatively to the three feet required now. With previous requirements, the pond size could have been increased on the property edges while still being able to maintain maximum slopes with tie in locations.

Please note, this variance will provide a greater safety protection for the area as the 50-year stormwater volume will be maintained on site and infiltrated with sufficient subsurface soils to infiltrate into, in lieu of a confining bedrock or impervious layer.

Please do not hesitate to contact us should you have any questions or require additional clarification.

Sincerely,



Shawn Thorson, P.E.
Project Manager

ST



APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1303 - Project # P2-19-00201

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 # A22151 CITY ELECTION WARD # 2

Legal Description of Property: LAKE HILLS SUBD 18TH FILLIN, S16, T10N R26E, BLOCK 13, LOT 4

Address or General Location (If unknown, contact City Engineering): 2001, 2003, 2005 + 2007 LAKE HILLS DRIVE, BILLINGS, MONTANA 59105

Zoning Classification: RESIDENTIAL MULTI-FAMILY

Size of Parcel (Area & Dimensions): 14,400

Covenants or Deed Restrictions on Property: Yes _____ No _____

If yes, please attach to application

Variance(s) Requested: 15' SETBACK VS 20' SETBACK.

Facts of Hardship: 23+ FEET FROM EDGE OF SIDEWALK TO FRONT OF GARAGE.

*MOVING STRUCTURE BACK WILL HAVE MAJOR DRAINAGE IMPLICATIONS PER WWC ENGINEERING.

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

Owner(s): HANS + ALICE HENSELMAN FAMILY TRUST

(Recorded Owner)
20262 COLONIAL CTR, HUNTINGTON BEACH, CA 92646
(Address)
714-960-7280 hanshenselman@ymail.com
(Phone Number) (email)

Agent(s): NEW OWNERS AS OF 10/25/19 KEN + NATALIA BOESCHEN

(Name)
3741 COLIN DR, BILLINGS, MT 59102
(Address)
406-861-9988 KBoesch@stockmanbank.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: Hans Henselman Alice Henselman Date: 10/16/19
(Recorded Owner)

Krist Oct 17, 2019
Natalia Boesch Oct 17, 2019



