

Application, Applicant letter & site Plan

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1302 - Project # P2-19-0477

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 # ~~03-0927-04-4-19-11-0000~~ A15823 CITY ELECTION WARD # 1

Legal Description of Property: Suburban Subdivision, S04, T01S, R26E, Block 6, Lot 3-5

Address or General Location (If unknown, contact City Engineering): 205 & 205.5 Terry Ave., Billings, MT 59101

Zoning Classification: Residential 6,000 (c.)

Size of Parcel (Area & Dimensions): 0.241 acres 10,500 square feet

Covenants or Deed Restrictions on Property: Yes  No

If yes, please attach to application

Variance(s) Requested: Requesting a variance to split the lot into individual parcels as indicated on the survey map, including a variance for the rear setback for each.

Facts of Hardship: Proposing that the highest & best use of the two homes is housing that is more affordable separately than together. In addition to a split increasing the tax base, owners have more motivation than renters to maintain the property and neighborhood.

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

Owner(s): Eric J. Bennett Individual Trust

(Recorded Owner) 33791 Donegal Lane, San Juan Capistrano, CA 92675

(Address) (310) 403-8047 ebsilverlake@gmail.com

(Phone Number) (email)

Agent(s): Greg Judson

(Name) 3164 Parkhill Dr., Billings, MT 59102

(Address) (406) 690-0373 gregjudson71@gmail.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] Date: September 3, 2019  
(Recorded Owner)

9/3/19 Date Stamp

RL- 220 509 paid \$533.00

## **205 Terry Ave. Variance**

September 3, 2019

Attn: Chairperson of the Board of Adjustment, Billings MT

This variance is not being requested because the Zoning Regulation prevents an intended use. The property has two freestanding, unattached homes that are currently being remodeled to improve the overall appeal and value of the property. When complete, the homes will be suitable as rental units. However, since they are separate structures, an alternative path for the property is to separate the lot. The houses could then be sold separately. Each home individually is likely to be more affordable for typical buyers in the area and together, they are likely to have a higher tax base than would be so for both houses remaining on the single lot. The increased overall tax revenue would seem to be more appropriate to the civic impact of two households, which this property will probably have as rentals. In addition, homeowners are more invested in their property and community, so tend to be more motivated towards maintaining their homes and neighborhood in comparison to renters, generally.

The survey map included with the variance application notes where a new property line would go. There is an existing garage that would need to be removed if the variance is approved. As part of this request to divide the lot, a variance for rear setbacks on both houses would also be requested.

Thank you for your consideration.

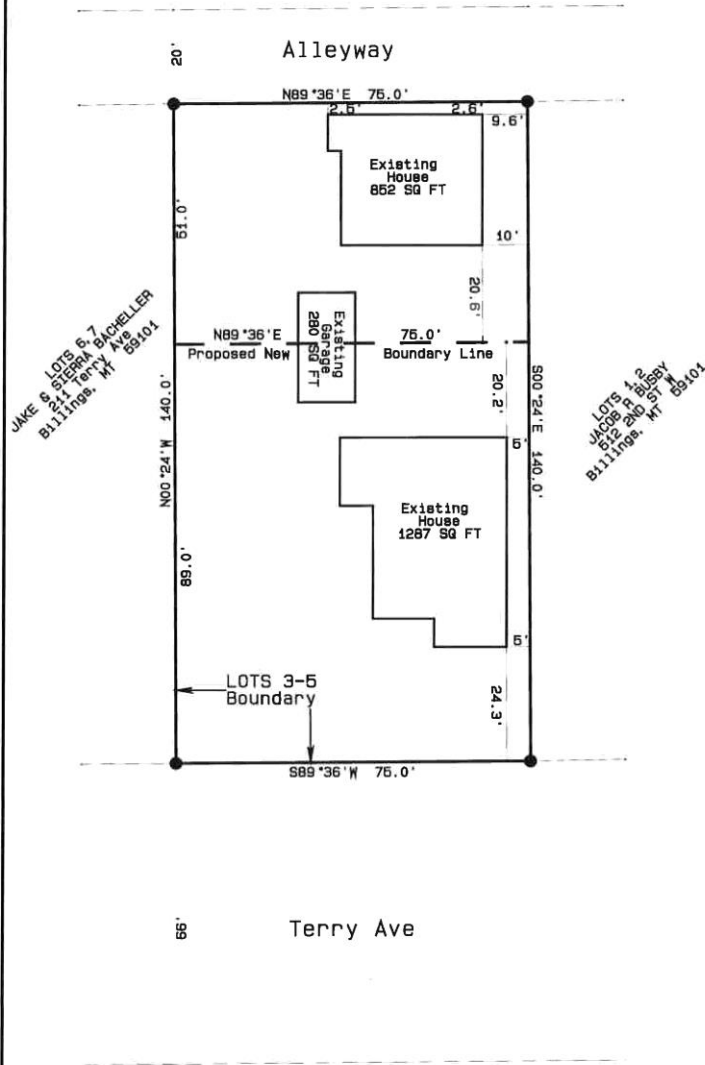
Eric J. Bennett  
Owner, 205 Terry Ave., Billing MT 59101

# PROPERTY MAP

OF  
SUBURBAN SUBDIVISION

Block 6, Lots 3-5  
Section 4, Township 1 South, Range 26 East  
City of Billings, Yellowstone County, Montana

For: Greg Judson  
By: Joe Kehi & Associates, Inc.  
Date of Field Survey: 9-2-2019



**BASIS OF BEARING:**  
West line of Lot 7 this survey

**LEGEND:**  
● - A found 1/2 inch iron pipe

**NOTES:**  
Square footage of existing buildings are derived from the first floor exterior dimensions - this survey  
LOTS 3, 4 & 5 = ±0.241 acres / 10,500 SQ FT