

Application & Applicant letter

APPLICATION FORM

COUNTY ZONE CHANGE County Zone Change # 694 - Project # P2-19-00070

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the Yellowstone County Unified Zoning Regulations.

Present Zoning: _____ R-9600

Proposed Zoning: _____ Community Commercial

Tax ID # D05032 COUNTY COMMISSIONER DISTRICT # 2

Legal Description of Property: _____ S11, T1N, R26E, C/S 603, Parcel 2A Amd, 1.896 ac

Address or General Location (If unknown, contact County Public Works): _____
2821 US Highway 87 N.

Size of Parcel (Area & Dimensions): _____ 1.896 Acres - 82,590 sq. ft.

Present Land-Use: _____ 1 - RV

Proposed Land-Use: _____ What Zoning Allows

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application West

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

Owner(s): _____ Donald A. Hurley

(Recorded Owner) _____

(Address) _____ 2811 US Highway 87 N.

(Phone Number) _____ 406-670-6339

(email) _____ None

Agent(s): _____ Chuck Platt (Diamond Real Estate)

(Name) _____ 145 Grand Avenue

(Address) _____ 406-256-0400

(Phone Number) _____ (Email) _____ chuck@chuck-platt.com

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 Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: Donald A. Hurley Date: 5-6-19
(Recorded Owner)



**Yellowstone County Zone Change Application
Questions**

A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

Under the Land Use Element, Issue 6, more mixed-use neighborhoods. This parcel with the zone change will allow for more mixed-uses by expanding types of projects that can go on the property beyond strictly residential uses.

Under the Economic Development Element, Issue 1, continue a cohesive focus in economic development. By changing the zone, this parcel, either alone or with the adjacent 1.388 parcel to the south zoned Highway Commercial, provides the elements for better economic development than currently exists.

Under Economic Development Element, Issue 7, economic development of Billings Heights is addressed.

B. Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

The owner of the subject property has been actively trying to sell it for over three years, with no success. Although there have been many inquiries on the property, when they are told of the limitations of the current R-9600 zoning, they look elsewhere. The Independent School has been offered the parcel numerous times. They have not been interested or have not had the funding available. The other issue that the school has is "what to do with the parcel." It is located on the side of the school that would make it difficult to expand the existing structure and functionally it didn't work well for the school.

In order to make it attractive under the current zoning, we had an engineer provide an exhibit on what would be possible residentially with up to 6 units possible (Exhibit Attached). We have had no interest at this time for a residential use or development. As a residential lot, it is located between a school and a narrow Highway Commercial lot, which make both lots less desirable than the proposed zone change.





DIAMOND
REAL ESTATE

145 Grand Avenue, Suite 8
Billings, Montana 59101
office 406-256-0400
diamond-real-estate.com

**Neighborhood Meeting
Pre-zone Change Application**

WHEN: Wednesday, April 24, 2019, 6:00 pm

WHERE: 2811 Highway 87 N.

LEGAL DESCRIPTION: Tract 2-A, Certificate of Survey 603 2nd Amended
Sec. 11, T1N, R26E, Yellowstone County, MT

OWNER: Donald A. Hurley

AGENT: Chuck Platt, Diamond Real Estate

PROPOSED ZONE CHANGE: R-9600 to Community Commercial

DESCRIPTION:

I have owned this property since 1982. It consists of 1.869 acres currently zoned R-9600 (residential) which is adjacent, on the north to the 1.388 acre parcel I live on, which is zoned Highway Commercial.

I have tried for several years to sell the property and have had no success. All the prospects that we have had that have shown interest in the property want commercial zoning.

ATTACHMENTS:

300' Radius Map prepared by the Planning Department
Plat Map of the subject property

Wednesday April 24, 2019

Name

Address

Ken & Suzette George 2801 Saratoga Trl
Marilyn Ann Guzman - Independent School
Jerry Goff



145 Grand Avenue, Suite 8
Billings, Montana 59101
office 406-256-0400
diamond-real-estate.com

Pre-Application Meeting
Held Wednesday, April 24, 2019 @6:00 pm
2811 Highway 87 N

The Pre-Application Meeting was held at Don Hurley's residence adjacent to the subject property.

One of the neighbors, Ken and Suzette George attended and a representative of Independent School, Ann Guzman and her husband Marty attended, along with a tenant on the property.

We had an informal gathering with questions concerning the proposed zoning of Community Commercial. The questions had to do with what could go on the property. There is no specific use proposed at this time. One of the things that was pointed out is that a Bar or Casino could not be located at the site because it is adjacent to Independent School.

When asked why he wanted to change the zoning, the owner told them because he has been unable to sell the property for the past three years with the existing residential zoning. The requests have been for zoning that allowed commercial uses.

A handwritten signature in blue ink that reads "Chuck Platt". The signature is written in a cursive style and is positioned above a horizontal line.

Chuck Platt, Agent