

Application & Applicant Letter

**APPLICATION FORM**

**CITY VARIANCE**

**ID: Billings Variance # \_\_\_\_\_ - Project # \_\_\_\_\_**

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 # C17806, C17807, D05736 CITY ELECTION WARD # Ward 3

Legal Description of Property: Lots 1A-3A of The Amended Plat of Lots 1-3 of the O'Malley Farms Subdivision

Located in the NE 1/4 of Section 31, T. 01 N., R. 26 E., P.M.M., City of Billings, Montana

Address or General Location (If unknown, contact City Engineering): \_\_\_\_\_

2226 Virginia Lane

Zoning Classification: R9,600

Size of Parcel (Area & Dimensions): 0.839 acres (292 ft by 125 ft)

Covenants or Deed Restrictions on Property: Yes \_\_\_\_\_ No X

If yes, please attach to application

Variance(s) Requested: Minimum lot size of 8,968 sf. Maximum lot coverage of 41%. Minimum setback requirement from centerline of a minor arterial road of 40-ft.

Facts of Hardship: See attached memorandum.

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

Owner(s): Big Sky Endeavors, LLC

(Recorded Owner) 2222 Virginia Lane, Billings MT, 59102

(Address) 406-860-3004 eisenbarthj@yahoo.com

(Phone Number) \_\_\_\_\_ (email) \_\_\_\_\_

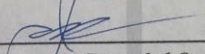
Agent(s): Craig Dalton, Performance Engineering

(Name) 608 N. 29th Street, Billings, MT 59101

(Address) 406-384-0080 craig@performance-ec.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:  Date: 6/1/20

(Recorded Owner)



## MEMO

To: City of Billings - Planning Department  
From: Craig Dalton, PE - Principal  
Date: June 1, 2020  
Re: O'Malley Farms - Zoning Variance Request

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This memo has been provided to accompany the zoning variance application submitted by Performance Engineering, LLC's (PE) on behalf of Big Sky Endeavors, LLC (Developer). Per the variance application requirements, the following two questions are addressed

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

**Lot Size:** The property currently falls under the R9,600 zoning use. Current zoning regulations for R9,600 require a minimum lot size of 9,600 sf. Upon adoption of the new zoning regulations (anticipated in September 2020), the property will be re-classified under "N3" zoning. The new N3 zoning will no longer have a minimum lot size, rather it will require a minimum lot frontage of 65' (which this project would meet). **The Developer is requesting a variance from the minimum lot size requirements to 8,968 sf.**

**Lot Coverage:** Current zoning (R9,600) allows for a maximum lot coverage of 30%. Under the new N3 zoning maximum lot coverages are being increased to 40%. **The Developer is requesting a variance for 41% lot coverage for this project.**

**Arterial Setback:** Current zoning regulations require a minimum setback from the centerline of a minor arterial street of 70 feet. Virginia Lane is classified as a minor arterial road; however, numerous structures along the road corridor fall within the 70-ft setback. Furthermore, the new zoning regulations will require a 50-ft setback from arterial roads. **The Developer is requesting a variance to a 40-ft setback from the centerline of Virginia Lane.** This setback request maintains the standard 10-ft side setback from an adjacent road.

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

This variance request is one of the milestones needed in achieving the long-term goal of redevelopment of this property. The parent property was originally one of the few unplatted parcels remaining in the City limits. The property was originally nearly an acre in size, overgrown, and contained an old house that was in disrepair. Over the past two years, the Developer has removed the old home and cleared out the vegetative overgrowth in preparation for redevelopment. The Developer sees a need for in this neighborhood for single-family homes on smaller, more maintainable properties. This strategy aligns with that of City Planning as it takes large, underutilized property within the City to maximize land use efficiency and provide additional tax revenues to maintain our City infrastructure.

We appreciate your consideration of our variance request. Should you have any questions please contact Craig Dalton, Principal, at (406) 384-0080 or by email at [craig@performance-ec.com](mailto:craig@performance-ec.com).