



ZONING VARIANCE REQUEST

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the Zoning Regulations.



Check one: [X] City of Billings Variance [] Yellowstone County Variance

Address 198 Mountain View Blvd

Legal Description S32,T 01 N, R 26 E, C.O.S. 575, PARCEL 39B

STATEMENT: Answer the following questions on a separate document and upload to the online project attachments.

- 1. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?
2. Why is there a need for the intended use of the property at this location?
3. Statement to Chairperson of the Board Adjustment. What is intended to be done with the property, including new construction or change in the use of the property and why the variance is being sought.

Required Project Uploads

- Site Plan --Signed Application and Statement (Variance Questions)
--Radius Map & Certified List of Property Owners --Typed Mailing Labels Certified Surrounding Property Owners

Online Access: https://services.billingsmt.gov/citizenaccess/

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 Request for a Variance. Also, I attest that all the information presented herein is factual and correct.

Recorded Owner(s) Lisa Lavinder

Owner's Address 198 Mountain View Blvd.

Owner's Phone Number 406-249-2488 (E-mail) LisaLavinder62@yahoo.com

Applicant/Agent Cory Hess

Applicant/Agent's Address 27 Shiloh Road, Suite 8

Applicant/Agent's Phone Number 406-656-1714 (E-mail) cory@studio4architects.com

Signature of Recorded Owner(s)

[Handwritten signature]

Date

6/1/20

AUTHORITIES: Procedures and review Criteria for Variance requests Billings Montana City Code (BMCC) 27-1506 et seq. (SEC. 27-1506. CITY VARIANCES, CITY BOARD OF ADJUSTMENT a) Authority. The City Board of Adjustment shall have the authority to grant a variance from the terms of this chapter in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions with respect to City Variance 2020-2021 updated Nov 8, 2019 the lot shape or topography, a literal enforcement of the provisions of the chapter would result in unnecessary hardship.

AUTHORITIES: Procedures and Review Criteria for County Variance requests: Unified Zoning Regulations Section 27-1511 et seq. SEC. 27-1511. COUNTY VARIANCES, YELLOWSTONE COUNTY BOARD OF ADJUSTMENT a) Authority. The County Board of Adjustment shall have the authority to grant a variance from the terms of the chapter in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions with respect to the lot shape or topography, a literal enforcement of the provisions of the chapter would result in unnecessary hardship.

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

198 Mountain View Blvd
Zoning Variance Request.

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

The current garage located on this property does not conform with the required front setback and is currently in a state of decay, prompting reconstruction.

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

The steep topography of the lot limits where a garage can sit on the property. The proposed location for the garage is the only flat area adjacent to Mountain View Blvd and will encroach no more than the existing garage.

June 1, 2020

Attention Chairperson of the Board of Adjustment:

Currently the garage located at 198 Mountain View Blvd above MSU Billings sits in a state of disrepair. The structure is beginning to separate from the foundation and is going to need to be demolished. The Current Garage sits over the front property line and encroaches on Tract 51, a portion of the Mountain View Blvd right of way. Due to the slope of the lot, a newly constructed garage would not be feasible built further South on the lot.

The City of Billings Engineering Dept. was contacted concerning this encroachment and how we should proceed to construct a new garage in it's place. The engineering department stated that we would be able to obtain an encroachment permit as long as the new garage will not encroach more than the existing. Please see supplied photos for reference.

Additionally, a number of other properties along this stretch of Mountain View Blvd have garage structures that encroach on the street right of way due to similar lot topography restrictions. Thank you for taking the time to review this zoning variance request.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Dawn Lavinder". The signature is written in a cursive, flowing style.

Lisa Dawn Lavinder