

Application & Applicant letter

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # _____ **- Project #** P2-20-00263

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 # A02310 CITY ELECTION WARD # _____

Legal Description of Property: AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 3, LOT 25-26

Address or General Location (If unknown, contact City Engineering): 2607 Copper Blvd Billings, MT 59102

Zoning Classification: RESIDENTIAL 9600 (R96)

Size of Parcel (Area & Dimensions): 6250 SQ. FT.

Covenants or Deed Restrictions on Property: Yes _____ No X _____

If yes, please attach to application

Variance(s) Requested: Accessory Dwelling Unit (ADU)

Facts of Hardship: The second structure on the property is over 20 years old and there are other properties in the area with a similar small unit in the back. The buyers intend to use the property as a single-family-residence.

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

Owner(s): HELEN M. PETERSON
(Recorded Owner)

(Address) _____

(Phone Number) _____ (email) _____

Agent(s): DISLOREI SMALL-RODRIGUEZ & KEVIN LONEBEAR

(Name) 8460 LITTLE GULLY RUN BOZEMAN, MT 59715

(Address) 406-740-2776

(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: 12/7/2020
(Recorded Owner)



Application for Variance

Date: December 7, 2020

Property Address: 2607 Copper Blvd Billings, MT 59102

Agents: Dislorei Small-Rodriguez & Kevin Lonebear
8406 Little Gully Run
Bozeman, MT 59715

1. Answer the following questions:
 - A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?

The property located at 2607 Copper Blvd. is zoned Residential 9600 (R96) for a single family home. However, the property has two structures. Despite the fact that we intend to use this property as a single family home and the small house in the back is not a new structure (it was built more than 20 years ago), we cannot obtain financing and insurance for the property as is. We request that the small house in the back be deemed a legal accessory dwelling unit (ADU) that can be rebuilt in the case of loss so that we may obtain financing and insurance. As it stands right now, should one or both homes be destroyed by more than 50%, only one home may be rebuilt.

- B. Why is there need for the intended use of the property at this location?

We have been under contract to purchase this home since September. It is an ideal home for our family with tons of character and in a great school district. The current requirements are inhibiting our ability to purchase this home and move to Billings where we hope to raise our family and become members of the community. Any potential buyer that is not a cash-buyer will encounter the same problem we have. We understand that the City of Billings is in the process of updating its zoning regulations. The new zoning code will designate this lot as an N3, which will not have a minimum lot size, but it will still be a single family home zone. This new zoning will not solve the problem, only a variance will. The fact remains that the structure in the back was built more than 20 years ago and there are other properties in the area that have an ADU similar to this property.

2. Prepare a written statement addressed to the Chairperson of the Board of Adjustment. State 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.

Please see attached statement.

December 7, 2020

Dear Chairperson of the Board of Adjustment,

We are writing to request a variance to the property we are under contract to purchase at 2607 Copper Blvd Billings, MT 59102.

We intend to use this property as a single family residence where we can raise our family and make Billings our home. We are not proposing any new construction or change in the use of the property. We are simply requesting that the second unit in the back of the property be considered a legal accessory dwelling unit (ADU) so that we can obtain financing and insurance to complete the purchase of the home.

The property is zoned Residential 9600 (R96) for a single family home. However, the property has two structures and neither of them are newly constructed. As it stands right now, should one or both homes be destroyed by more than 50%, only one home may be rebuilt. This regulation is inhibiting our ability to purchase this home and move to Billing. Any potential buyer that is not a cash-buyer will encounter the same problem we have.

We understand that the City of Billings is in the process of updating its zoning regulations. The new zoning code will designate this lot as an N3, which will not have a minimum lot size, but it will still be a single family home zone. This new zoning will not solve the problem, only a variance will. The fact remains that the structure in the back was built more than 20 years ago and there are other properties in the Poly Drive and Zimmerman Trail area that have an ADU similar to this property.

We thank you for your consideration.

Sincerely,
Dislorei Small-Rodriguez & Kevin Lonebear
8406 Little Gully Run Bozeman, MT 59715