

Application & Applicant Letter

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # \_\_\_\_\_ - Project # PZX-20-00278

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 # A13162 CITY ELECTION WARD # 4 (Billings)

Legal Description of Property: REIMERS PARK SUBD, S27, T01 N, R25 E, BLOCK 1, Lot 2A, AMD (20)

Address or General Location (If unknown, contact City Engineering): 3002 Alpine Dr Billings, MT 59102

Zoning Classification: R-96 Residential 9,600

Size of Parcel (Area & Dimensions): 13,660 sf / See below

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

If yes, please attach to application

Variance(s) Requested: Exceed 30% allowed lot coverage and reduce setback requirements for detached garage building over 18' in height

Facts of Hardship: Construct 1,000 sf detached garage, increasing lot coverage from 25% to 32.7 with setback requirements on side reduced from 8' to 3' and rear reduced from 8' to 0'

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

Owner(s): Willms, Kevin & Lynda (Recorded Owner) 3002 Alpine Dr, Billings MT, 59102 (Address) 406-439-3818 lwillms78@gmail.com (Phone Number) (email)

Agent(s): Samuel Hensler, P.E. & Kyle Huss (Name) 213 N Broadway Suite 3, Billings MT 59101 (Address) 406-451-2659 shensler@dyamic-mt.gov (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: [Handwritten Signature] (Recorded Owner) Date: 12/30/20



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

Code Sec 27-308 limits total lot coverage in residential zone R-96 to 30%. The primary structure at 3002 Alpine Dr, plus garage and patio, currently accounts for 25.4% coverage of a 13,660-sf lot. The remaining allowable coverage is not sufficient for the proposed detached garage. Further, Code Sec 27-310 requires side and rear setbacks of 8' for this detached garage, due to it being over 18' in height, street approached, and without an alley. We believe that reducing these setbacks to match the setbacks of an 18' high structure with an alley will result in an improvement that is more in harmony with the general purpose and intent of the code, due to the particulars of this location, as described below.

1B. Why is there a need for the intended use of the property at this location?

The homeowners, Mr. and Mrs. Willms, wish to improve their lot by constructing a detached garage for storage and indoor workspace. The remaining allowable lot coverage, 626-sf, is not of sufficient size for the desired detached garage. We respectfully request one variance to exceed the 30% lot coverage limit, by constructing a 1,000-sf detached garage. This will result in a 32.7% lot coverage, which is a modest exceedance that is within the allowable coverage of several other nearby residential zones. We also request a second variance to reduce setback requirements for this approximately 22' high structure without an alley from 8' side and rear, to match the setbacks for an 18' structure with an alley—3' side and 0' rear. We believe this is reasonable given the distance to the next closest structure (see site plans) and the presence of an approximately 25' wide stormwater ditch at the rear of the property, creating a buffer zone akin to an alley.

2. Written statement addressed to the Chairperson of the Board of Adjustment.

To the Chairperson of the Board of Adjustment, the homeowners of 3002 Alpine Dr., Mr. And Mrs. Willms, intend to improve their property by constructing a 1,000-sf detached garage. The first variance is being requested, due to the 30% lot coverage restriction, currently placed on Residential zone R-96. The current 13,660-sf lot has a coverage area of 3,472-sf, or 25.4%. The variance is seeking to increase coverage to 4,472-sf, or 32.7%. The second variance is being requested to reduce setback requirements for this ~22' structure without an alley, to match the setbacks for an 18' structure with an alley. We believe this is reasonable given the distance to the next closest structure (see site plans) and the presence of an approximately 25' wide stormwater ditch at the rear of the property, creating a buffer zone akin to an alley.