

# Application & Applicant Letter

## ZONING VARIANCE REQUEST

Authentication ID: 846B2451-6D50-496A-824E-C87E521F94F1



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



Check one:  City of Billings Variance  Yellowstone County Variance

Address 1115 N 25th St Billings, Mt 59101

Legal Description SUNNYSIDE SUBD 1ST FILING, S32, T01 N, R26 E, BLOCK 2, Lot 3, S50 FT N2 LT 3

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) CAPITAL LAND & BUILDING CO

Owner's Address PO BOX 23104

Owner's Phone Number (406) 860-1607 (E-mail) jdt2009@live.com

Applicant/Agent David Goodridge

Applicant/Agent's Address 1010 Grand Ave suite B

Applicant/Agent's Phone Number 406 591 1605 (E-mail) dave@billingscommercialrealestate.com

Signature of Recorded Owner(s)

 Richard A Lee

Date 12/22/2020

12/30/2020 6:19:16 PM MST  
**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.**

## **1115 N 25<sup>th</sup> St Variance questions**

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

- Currently there are two houses located on the above-mentioned property. The back house sits approximately 3'-9" away from the back-property line in the alley which does not meet current zoning code minimum yard requirements of 20'. The garage for the front house and carport for the back house are not built 5' away (current requirement) from the property line to the sides, they are 1' currently.

Also, current zoning code requires 9,600 sq ft for two houses to be built on the property. With only a 7,000 sq ft lot this creates another non-conformity. This restricts buyers from obtaining loans to purchase the property. This variance would allow for it to be rebuilt with the setback issues it currently has as well as the addressing the area requirement of the current code.

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

- As a two-house property the ability for affordable housing can be met for the potential buyer of the property (an investor) as well as a future buyer down the road. An investor who owns a two-house property can provide rents that would be less than a stand-alone house by itself. A possible future owner/occupant can afford to live in one of the units and collect rent on a unit that can go towards a mortgage. In either scenario a more affordable loan can be obtained if this variance is granted.