

To; City/County Planning Division Board
2825 3rd Ave. N, 4th Floor Billings Montana 59101

February 24, 2022

Re: Variance Request 1342
Project Number PZX-22-00031

From Verlin Koenig, 2612 Rimrock Rd, Billings MT 59102
Dear City Planning Division Board,



Be it known that my wife and I are strongly opposed to the variance request # 1342 at 2622 Rimrock Road; as are the majority of the surrounding neighbors.

There are not any laws against applying for a variance in the city of Billings, BUT the city does have bylaws for all of the subdivisions in the city, PLUS City codes for homeowners to follow. This application has **NO REGARD** for the subdivision bylaws and **the codes of the city regarding a single family residence (or the impact on the surrounding neighbors).**

By far the most blatant disregard for the CITY CODE is the request of the HUGH variance in street frontage required. CITY CODE states that a minimum of sixty five Ft (65') of frontage width per dwelling on EACH property (lot). **For two (2) dwellings** on one (1) lot would require **one hundred and thirty Ft (130') of street frontage** **NOTE: this lot has eighty four and a half Ft (84.5') of street frontage THAT is a whopping forty five and a half Ft. (45.5') shortfall.** **MAYBE, the variance could or would be approved with a 2 Foot or 4 Foot difference BUT DEFINITELY DENIED with a 45.5' SHORTFALL.**

Essentially what this variance is proposing is adding a brand new second (2nd) home to the existing property with a **HUGE four (4) car garage.** **NOTE:** It is not something that anyone that claims to be or is a **"hardship case"** would even approach trying to do. If they can afford this type of building project, which would be estimated to be **\$450,000 to \$500,000** it is very difficult to see where the hardship is (**EXCEPT** on the neighbors) **NOTE: The DeVries both have good paying jobs.** An option for them would be to terminate the present renters lease and raise a family in a four (4) bedroom – 2 bath house that has 1304 Sq Ft upstairs PLUS a 958 Sq. Ft basement, both living areas have recently been fully or partially remodeled. **NOTE: The existing home at 2622 Rimrock Road has had some serious sewer drainage problems thus flooding the basement several times not to mention having to be treated for termites.**

The **driveway is not a shared driveway** as indicated. The approach from the street is connected BUT I repeat the driveway is not a shared driveway. The property line dividing the two yards are not presently fenced, however the property line between the two properties is clearly marked. We have expressed to the DeVries many times that the renters, maintenance personnel, visitors etc. need to stay on their property. There is no verbal or written agreement with us stating otherwise. Therefore we will not allow any trespassing on our property. Period. A necessary **CONDITION** to be placed on this variance request (**IF approved**) shall be that the DeVries construct a six ft (6') Tan vinyl fence the full length of their lot on the east side upon having a survey completed by a city certified surveyor. That survey will need to be approved by the city and the owners of LOT 10 (Koenig's)

A LARGE SAFETY ISSUE surrounding the existing narrow driveway is the additional traffic they propose to push through in order to reach Rimrock Road. This congestion may also lead to conflicts between renters seeking to “get ahead” of other renters while exiting or entering the property.

Were the following FACTS and important items and dimensions purposely left off this variance application by the DeVries and their architect to confuse people reviewing it?

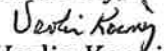
1. How is adding another dwelling to the narrow lot going to elevate their NARROW driveway problem? The narrowest section has about ten (10') of clearance, where the large ash tree has grown onto the driveway.
2. What is the width of each proposed garage space and what is the total length of this House/Apt. with a four (4) car garage.
3. What is the total width of the new building?
4. What is the total height of the new building?
5. Where is there proposed sewer line running? Do they propose digging beside the west side of the existing house to get to Rimrock Road?
6. Do they propose putting the drinking water line in the same trench?
7. Where do they **propose capturing the STORM WATER** that will be coming off this huge building?
8. How do they envision having room for three (3) parked vehicles on the east side beside the existing house? **NOTE:** There may be space for two (2) vehicles to park in front of the North East corner of the house (where only one (1) can barely park now) **IF the cement pad is widened and lengthened.** BUT that will place one of the vehicles **TOO CLOSE to the street**, which is also against city code!! (See attached photo)
9. Do the DeVries plan on living in the existing house or in the NEW proposed House/Apt?
10. Will the siding on the proposed structure match the original building or will they both receive matching siding? **NOTE:** **The old siding contains asbestos** therefore **IF** the application is miraculously approved, **the asbestos siding will need to be properly abated.**
11. **Principal Building or Accessory Building?** In the printed application **Krista asks for a variance for a principal building** however in the site information paragraph (next to the proposed plan layout) someone is calling it an Accessory Building. **NOTE:** The requirements for height (of which she is also asking for a variance) and number of floors allowed are different between an Accessory Building and a Principal Building. Vary confusing to say the least!
12. **LAWN AREA:** Will the lawn area be diminished to the point it also DOES NOT meet city code? This will definitely affect the property values of the surrounding neighbors.

In Summary

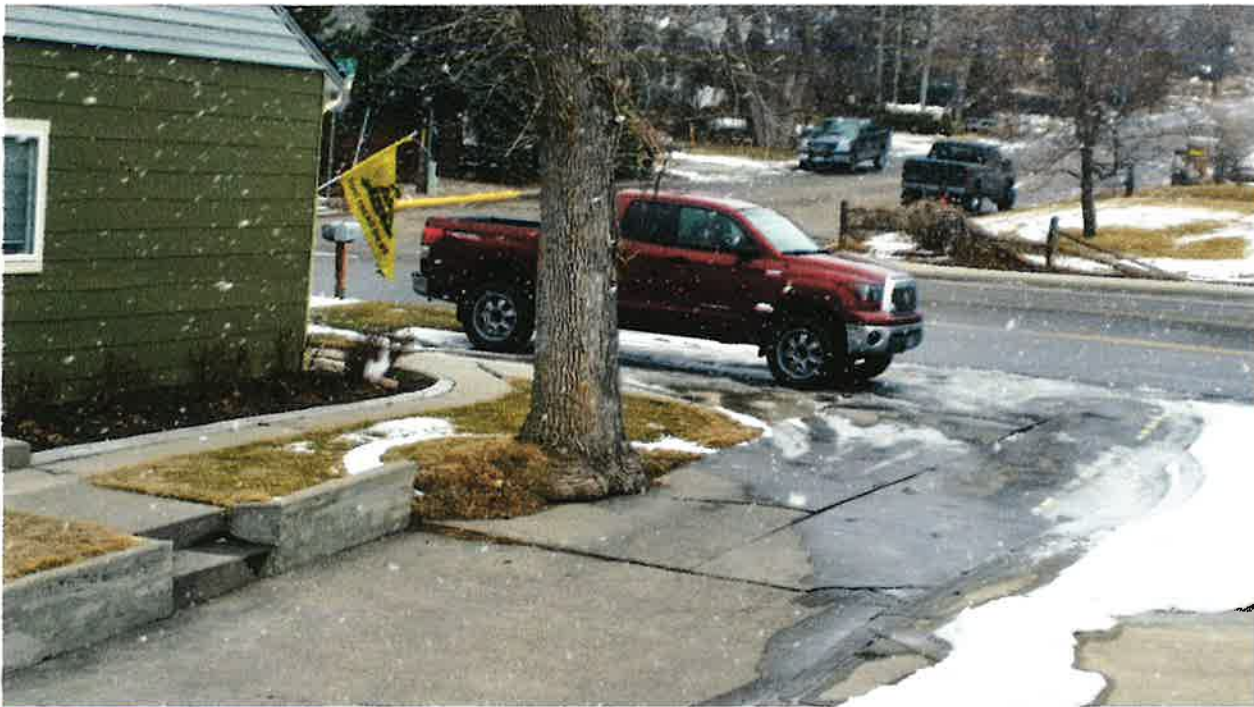
In my humble opinion any one of the above comments and or questions should be adequate grounds for the variant request # 1342 located at 2622 Rimrock road to be DENIED.

Therefore I am highly recommending that variance # 1342 be DENIED - THANK YOU.

Sincerely,


Verlin Koehig

2612 Rimrock Road, Billings, Montana 59102



NARROW DRIVEWAY there is only 10 foot of space between the base of the ash tree trunk and the property line. Removing the tree would only add 2 feet (totaling 12') until the vertical cement is an obstruction that will limit the driveway width.



A LARGE SAFETY ISSUE surrounding the existing narrow driveway is the additional traffic they propose to push through in order to reach Rimrock Road. This congestion may also lead to conflicts between renters seeking to "get ahead" of other renters while exiting or entering the property. The driveway is not a shared driveway.



NOTE: this lot has eighty four and a half Ft (84.5') of street frontage THAT is a whopping 45.5' SHORTFALL. How do they envision having room for three (3) parked vehicles on the east side beside the existing house? **NOTE:** There may be space for two (2) vehicles to park in front of the North East corner of the house (where only one (1) can barely park now) **ONLY IF the cement pad is widened and lengthened.** BUT that will place one of the vehicles **TOO CLOSE to the street, which is also against city code!!**



The present garage is a **LARGE oversized single car garage** with an attached good sized shop and an electric garage door opener. They presently park their "modern" SUV in it.