

CITY VARIANCE

APPLICATION FORM

ID: Billings Variance # 1347 - Project # PZX-22-00137

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

PROPERTY TAX ID# A30450 CITY ELECTION WARD # 5

Legal Description of Property: LEGENDS WEST SUB. LOT 17A  
BLOCK I

Address or General Location (If unknown, contact City Engineering): \_\_\_\_\_  
4143 BANBURY PLACE

Zoning Classification: N2- MID CENTURY NEIGHBORHOOD

Size of Parcel (Area & Dimensions): 7,150 S.F. (PLAT INCLUDED)

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

If yes, please attach to application

Variance(s) Requested: N3- SUBURBAN NEIGHBORHOOD  
"BUILD-TO VARIANCE" RESIDENTIAL

Facts of Hardship: (attach letter) ATTACHED

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

Owner(s): HOMEBUILDERS ASSOCIATION OF BILLINGS  
(Recorded Owner) 1645 AVENUE D # F BILLINGS, MT.  
(Address) (406) 252-7533 59102  
(Phone Number) (email)

Agent(s): MYLES M. EGAN  
(Name) 1550 POLY DR. BILLINGS, MT. 59102  
(Address) (406) 855-0008 myles@floborg.com  
(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: [Signature] Date: 6-1-2022  
(Recorded Owner)

Date Stamp



**BERKSHIRE HATHAWAY**  
HomeServices  
Floberg Real Estate

City Of Billings  
Board of Adjustments

Ladies & Gentlemen

The Billings Homebuilder's Association and School District 2 respectfully request of you to allow this Variance request to permit the 2022/2023 Career Center home 4733 Banbury Place to be constructed on Lot 17A Block 1 Legends West Subdivision. The plans are included in these documents for your review.

This lot is the last lot in Legends West that the Homebuilder's Association owns for the benefit of the Student Built program, a partnership between the Association and School District 2, which has been very successful for 46 years. This is our 47<sup>th</sup> Career Center home. Our goal is to maintain the continuity of the neighborhood and to build Student friendly homes that have an attainable price point.

Keeping in mind the safety of the students, we are limited to 1-level Ranchers with basements and can never consider 2-story plans which would put the kids at risk.

In closing, we again respectfully ask that you folks approve this variance which will allow the program to build another wonderful Student build Career Center home.

Best Regard,

A handwritten signature in black ink, appearing to read 'Myles M. Egan'.

Myles M. Egan

Real Estate Broker

Berkshire Hathaway Floberg

Life Director of the Billings HBA

**Husman, Karen**

---

**From:** joebonini@charter.net  
**Sent:** Thursday, June 23, 2022 5:07 AM  
**To:** myles@floborg.com  
**Cc:** Husman, Karen  
**Subject:** [EXTERNAL] RE: 4143 Banbury

- 1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;  
**Yes being a corner lot the Build to zoning will force us to have a larger less desirable Side yard facing a busier street.**
- 2) That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;  
**Yes Many (over 50%) of homes in this area have the Front door set back farther as N3 zoning would allow this would also allow us to have a larger Front yard facing a less traveled Dead end street (Banbury) as opposed to a side yard that would face a busier through street. (Legends Way) 4171& 4154 Banbury 135, 155, 185, and 191 legends way to name a few in very close proximity.**
- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other land in the same district;  
**NO granting this Variance will not give any special Privilege**
- 4) That the granting of the variance will be in harmony with the general purpose and intent of this Zoning Code and with the growth policies;  
**Yes this Home will match others within the Neighborhood**