

Application & Applicant Letter

APPLICATION FORM

COUNTY VARIANCE County Variance # 295 - Project # P2X-22-00208

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

PROPERTY TAX ID # C04275 COUNTY COMMISSIONER DISTRICT # 28-1 Lockwood

Legal Description of Property: Cole Acreage Tracts, S19, T01 N, R27 E, Lot 1A1, Cole Acreage Tracts AMD (10)

Address or General Location (If unknown, contact County Public Works): 2816 Old Hardin Rd Billings MT 59101

Zoning Classification: CMU1 - Corridor Mixed Use 1

Size of Parcel (Area & Dimensions): 2.703 Acres

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

If yes, please attach to application

Variance Requested: Increase the size of allowable kiosk to match the size of existing kiosk. (140<sup>sq</sup>)

Facts of Hardship: Letter Attached

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

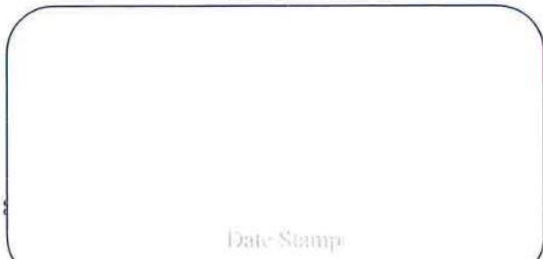
Owner(s): Central Holdings LLC  
(Recorded Owner)  
PO Box 1847 Minot ND 58702  
(Address)  
406-855-1749  
(Phone Number) (email)

Agent(s): Donna Madson  
(Name)  
PO Box 1847 Minot ND 58702  
(Address)  
406-855-1749  
(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: \_\_\_\_\_

(Recorded Owner)



Date Stamp

September 1<sup>st</sup>, 2022

Chairperson  
County Board of Adjustment  
City of Billings  
2825 3<sup>rd</sup> Ave. North  
Billings, MT 59101

**Re: Variance Request for Increase in Size of Kiosk**

Dear Board:

We have prepared the following letter of facts and hardships to accompany an application form for a variance request. The information in this letter describes why the Owner is requesting a variance to obtain a temporary use permit.

Questions in Item 3 of the variance request application are answered below:

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

a. Classy N' Sassy contracted a building to be constructed for the proposed site previously. This was done based on prior knowledge three kiosks that are currently operational that had been accepted as temporary use structures. Those other buildings are also larger than the maximum size of 10' x 12' or 120 squared feet.

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

a. Allowing a temporary use permit for this location allows an empty lot to be used with a temporary structure while still allowing the development the lot in the future.

Item 4 requires a statement that is answered with the following. It is intended to place a temporary structure and operate a Classy N Sassy Coffee kiosk. There is not any proposed construction planned to the property, as the kiosk already exists. The current use of property is a gas station and convenience store known as Casey's Corner #8 along with the kiosk. The proposed use of the property is continued use of a temporary structure to be operated as a drive through coffee shop.

Section 27-1009(A) requires the temporary structure to be a maximum size of 10'x12' or 120 ft<sup>2</sup>. This variance is being sought to increase the allowed size of a temporary structure from 10'x12' to 10'x14' at this location.

Sincerely,

Cassandra Dennison