

APPLICATION FORM

P2X -
22-00214

CITY ZONE CHANGE Billings Zone Change # 1018 - Project # 22-00214

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.
Present Zoning NX1- Mixed Residential 1

Proposed Zoning: CX- Heavy Commercial

TAX ID# D05197A; D05198 CITY ELECTION WARD 2

Legal Description of Property: Lot 9A of Amd (13) Holling Ranch Sub. and Parcel A (less 815sf Bench ROW) COS 451 both in Sec 15, T1N, R26 E
Address or General Location (If unknown, contact City Engineering): 2110, 2116, and 2130 Bench Blvd.

Size of Parcel (Area & Dimensions): 2.91 ac total

Present Land-Use: Storage of Manufactured Sheds and Residential

Proposed Land-Use: Storage of Manufactured Sheds

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

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

Owner(s): Old Hickory Shed, LLC and Randy Miller

(Recorded Owner)
PO Box 331973, Murfreesboro, TN 37133
(Address)
615-890-8075 406-561-9026 michael.hazlett@oldhickorybuildings.com
(Phone Number) (email) mrservices264@yahoo.com

Agent(s): IMEG CORP

(Name)
175 N27th St. Ste 1312, Billings, MT 59101
(Address)
406-248-9000 shawn.m.thorson@imegcorp.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 Zone Change. Also, I attest that all the information presented herein is factual and correct. 8/30/2022

Signature: Randy Miller Michael Hazlett Date: 8/29/2022
DocuSigned by: Randy Miller, SVP Old Hickory Shed, LLC



TITLE 10 Zone Change Criteria:

Below is a list of Title 10 Zone Change Criteria with each criteria addressed in **bold**

1. Whether the new zoning is designed in accordance with the growth policy;
The new zoning of the parcels is in accordance with the City of Billings Growth Policy. The City of Billings Growth Policy states for prosperity in promoting equal opportunity and economic advancement. The Growth Policy also states support for retaining and supporting existing businesses helps sustain a health economy. By allowing for the requested rezone of CX the property will continue to be used for storage of sheds (a grandfathered use) and allow for possible expansion of commercial use. Additionally, the rezone allows for NX1 to remain adjacent to Bench Blvd. This will also allow for a buffer from the residential in the area and promote community wellbeing by promoting a strong neighborhood.
2. Whether the new zoning is designed to secure from fire and other dangers;
City of Billings zoning is design with setbacks and public safety in mind. The property is within the City of Billings. The property will continue to be approximately 360 feet from the closest fire hydrant and serviced by City of Billings Fire Department. The new zoning will be secure from fire and other dangers.
3. Whether the new zoning will promote public health, public safety, and general welfare;
City of Billings zoning is design with setbacks and public safety, public health and general welfare in mind. The new zoning of Heavy Commercial has been selected for the property due to the continuation of use for the grandfathered parcel and the adjacent property. Considering that the grandfathered use is 1.93 acres and the requested zoning of CX will zone approximately 1.93 acres to CX, the overall amount of acreage that will be aliquoted to the new zoning of CX will remain the same. Therefore, public health, public safety and general welfare will continue being unaffected. The applicants have additionally provided for approximately .98 acres of the lots to remain NX1 which further protects the public health, public safety, and general welfare of the Billings community.
4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
The new zoning will facilitate the adequate provision of transportation, water, sewerage and public requirements. The new zoning requested is CX, heavy commercial. CX zoning currently exists on adjacent properties to the west. The property that is addressed as 2130 and 2116 Bench Blvd is grandfathered into a use aligned with CX, heavy commercial. As with all development and future development of property within the City of Billings adequate water and sewerage are a requirement. Additionally, the requested heavy commercial zoning will have a positive effect on parks and schools in the community. Commercial zoning typically pays higher taxes and does not use these types of facilities providing a benefit for the community.
5. Whether the new zoning will provide adequate light and air;
The zoning will allow for adequate light and air by having required setbacks and building standards associated with the zoning.
6. Whether the new zoning will effect motorized and nonmotorized transportation;
The new zoning will not have an effect on motorized and nonmotorized transportation. The new zoning will be in a sense a reallocation of the current

allowed uses on the property. The new zoning does not accompany any building permit or subdivision request. This new zoning request will therefore have no effect on the motorized and nonmotorized transportation.

7. Whether the new zoning will promote compatible urban growth;
The new zoning is adjacent to zoning that is similar to the request. The new zoning request would be for CX on the western part of the parcel with NX1 on the eastern side of the parcel. Both requested zonings have other parcels zoned the same adjacent. Additionally, the property currently allows for a grandfathered use of CX through storage of buildings on 1.93 acres currently zoned NX1. The new zoning requests that the storage of buildings be on the western side of both parcels which totals to 1.93 acres of land zoned as CX. The new zoning also requests that the eastern side of both parcels totaling to .98 acres be zoned NX1. This NX1 zoning is currently what the property is zoned. This zoning allows for 107-175' of NX1 zoning between Bench Blvd and the CX zoning. This alignment allows for compatible urban growth.
8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
The new zoning is adjacent to zoning that is similar to the request taking the character of the district into mind. The new zoning request would be for CX on the western part of the parcel with NX1 on the eastern side of the parcel. Both requested zonings have other parcels zoned the same adjacent. Additionally, the property currently allows for a grandfathered use of CX through storage of buildings on 1.93 acres currently zoned NX1. The new zoning requests that the storage of buildings be on the western side of both parcels which totals to 1.93 acres of land zoned as CX. The new zoning also requests that the eastern side of both parcels totaling to .98 acres be zoned NX1. This NX1 zoning is currently what the property is zoned. This zoning allows for 107-175' of NX1 zoning between Bench Blvd and the CX zoning taking the character of the district into mind.
9. Whether the new zoning will conserve the value of the buildings;
The new zoning is adjacent to zoning that is similar to the request and is an existing use on one of the properties and should have no effect on the value of the buildings. The new zoning request would be for CX on the western part of the parcel with NX1 on the eastern side of the parcel. Both requested zonings have other parcels zoned the same adjacent. Additionally, the property currently allows for a grandfathered use of CX through storage of buildings on 1.93 acres currently zoned NX1. The new zoning requests that the storage of buildings be on the western side of both parcels which totals to 1.93 acres of land zoned as CX. The new zoning also requests that the eastern side of both parcels totaling to .98 acres be zoned NX1. This NX1 zoning is currently what the property is zoned. This zoning allows for 107-175' of NX1 zoning between Bench Blvd and the CX zoning. This new zoning should have no effect on the value of the buildings.
10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings
The new zoning is adjacent to zoning that is similar to the request and is an existing use on one of the properties. The new zoning request would be for CX on the western part of the parcel with NX1 on the eastern side of the parcel. Both requested zonings have other parcels zoned the same adjacent. Additionally, the property currently allows for a grandfathered use of CX through storage of

buildings on 1.93 acres currently zoned NX1. The new zoning requests that the storage of buildings be on the western side of both parcels which totals to 1.93 acres of land zoned as CX. The new zoning also requests that the eastern side of both parcels totaling to .98 acres be zoned NX1. This NX1 zoning is currently what the property is zoned. This zoning allows for 107-175' of NX1 zoning between Bench Blvd and the CX zoning. This new zoning is a reallocation of zoning on the properties. This will allow to align the use with the zoning for the parcel owners, promote economic prosperity, and allow for a buffer between adjacent residential which correlates to neighborhood requests from the neighborhood meeting. This new zoning is the most appropriate use for the property owners and the land as it's currently used in the City of Billings today.