

CITY VARIANCE

APPLICATION FORM  
ID: Billings Variance # 1364 - Project # PZX-23-00040

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 # 608098 CITY ELECTION WARD # 2

Legal Description of Property: Meadowlark Subd, S15, T01 N, R26 E, BLOCK 11, Lot 27, BLKS 8 TO 13, 15 & 16 AMD

Address or General Location (If unknown, contact City Engineering): 315 Cody Circle Billings, MT. 59105

Zoning Classification: N2 - Mid century residential construction

Size of Parcel (Area & Dimensions): 12,840 SQFT property. Rough dimensions - 164 x 138 x 85 x 100

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

If yes, please attach to application

Variance(s) Requested: Requesting a variance to allow new structures height to exceed that of existing house and a variance to allow structure to be nearer to the rear set back than permitted.

Facts of Hardship: (attach letter)

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

Owner(s): Ireton, Scott & Jennifer  
(Recorded Owner) 315 Cody Cir. Billing, MT.

(Address) 406-647-9367 sandeesdriveinn@gmail.com  
(Phone Number) (email)

Agent(s): Rose Burrows  
(Name) 1501 14th St. W. Suite 202 Billings, MT

(Address) 406-919-7578 rburrows@dynamic-mt.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: *Scott Ireton* Date: 2/6/22  
(Recorded Owner)

Recd. 2/23/23  
Planning & Community  
Services Department.  
Date Stamp

1A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?

Due to the dimensional constraints on the East side of the property, constructing upwards is a more feasible and practical use of space than having a structure with a wide footprint. Therefore, despite the new accessory structure being taller than the existing home it could not have been constructed for the same purposes on a single story without encroaching on the property setbacks. If the new structure had been constructed further East, the front of the garage would have been close to the property line and would have cut off access to the Northeast corner of the lot. Moving the structure further South would create similar issues with proximity to setbacks and would limit the space for the property owners to get a vehicle into the garage, rendering the use of the structure irrelevant.

On the North side of the garage the stairs are closer to the property line than the setback requirement, however there were no other reasonable locations to add the stairs. Constructing internal stairs would severely impact the space of the garage, defeating one of its purposes – a workspace.

1B. Why is there a need for the intended use of the property at this location?

The lot owners, Scott and Jennifer Ireton, wish to improve the value of their lot by constructing a new detached accessory structure. This new structure will serve as a combined garage and shop space on the bottom floor with a habitable loft on the second story. This would be an improvement to their property seeing as it would provide more storage for vehicles, keeping them off the limited street parking as well as out of the elements. Having a detached structure to serve as a shop is beneficial to the lot owners since it will limit the noise levels in the primary structure if there is work being done. This structure also provided habitable loft space for the lot owners family, who reside on site. The benefits of having a habitable loft space range from an art studio to a guest bedroom to additional storage space.

1C. Explain any demolition, construction, or reconstruction intended for all structures.

Prior to construction a previously existing shed had to be removed, the garage was then constructed in approximately the same location. However, the new garage was constructed further away from both the property line and the existing structure than the previously existing shed had been. There are no planned changes to the existing structure. Remaining construction on this new structure includes adding insulation and interior wall sheathing to the upper story as. This construction will be completed after this variance is approved.