

CITY VARIANCE

APPLICATION FORM
ID: Billings Variance # 1373 - Project # PZX-24-00103

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 #A37647 CITY ELECTION WARD# 2 Legal

Description of Property: Grand Peaks Sub 6th Filing, Block 9, Lot 8

Address or General Location (If unknown, contact City Engineering): 5343 North Iron Mountain Road

Zoning Classification: N2 - Mid-Century Neighborhood

Size of Parcel (Area & Dimensions): Varies, See Attached Exhibit

Covenants or Deed Restrictions on Property: Yes No X

If yes, please attach to application

Variance(s) Requested: 1) maximum garage entry width on front facade (more than 50%); 2) maximum build-to range

Facts of Hardship: See Attached Letter

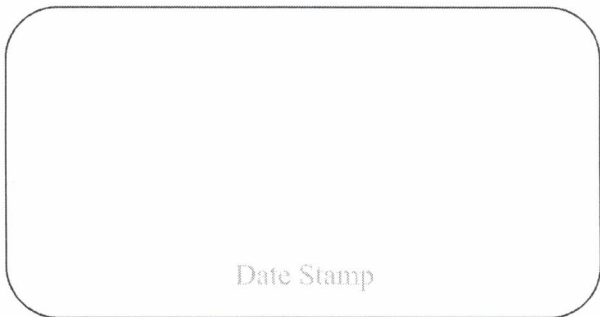
\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Hanser Capital Holdings, LLC
(Recorded Owner)
2916 Thousand Oaks St., Billings, MT 59102
(Address)
406-671-7301 bill@hanserconstruction.com
(PHONE NUMBER) (email)

Agent(s): Performance Engineering - Taylor Kasperick, PE
(Name)
608 North 29th Street, Billings, MT 59101
(Address)
406-384-0080 taylor@performance-ec.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: [Handwritten Signature] Date: 2/29/24
(Recorded Owner)





# MEMO

To: City of Billings - Board of Adjustments

From: Taylor Kasperick, PE, Project Manager

Date: February 29, 2024

Re: 5343 North Iron Mountain Road Lot Variance Application

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On behalf of Hanser Capital Holdings, LLC, Performance Engineering is requesting variances from two parts of zoning code for N2 - Mid-Century Neighborhood to allow for continued construction of single family housing in their subdivision. Grand Peak Subdivision was created under the old zoning code at which time the planned construction worked for the style and type of houses built by the owner and all zoning codes were able to be met. When the subdivision was redesignated as N2 under Project Recode Lot 8, Block 9, of the 6<sup>th</sup> Filing was unable to comply with the current code for construction. This lot is located on the outer corner of North Iron Mountain Road leaving a narrow street frontage with wide backyards being a "pie-shaped" lot. Our formal request is for variance to the following rules:

1. Maximum garage entry width on the front façade (more than 50%).
2. Maximum build to range of 20-feet.

The variances are required due to the narrow frontage located on North Iron Mountain Road, leaving little room for side or rear load garages as fitting a driveway (typically 20-24' wide for side load garage to accommodate turn in) and a house within the platted 38'-wide lot front is infeasible. In addition, based on the 38'-wide lot front, and 5' side setbacks, only 28' of the lot frontage is buildable meaning a two-car garage (16' width), let alone a 3-car garage which is typical for the surrounding subdivision, would not be permissible as currently platted.

The applicant is requesting a variance from the maximum build to range of 20-ft, again, due to the narrow frontage on North Iron Mountain Road. The width of the planned building forces it to be placed further back on the lot to meet the minimum side setback from neighboring lots on either side. Sliding the buildings back and allowing for a 50-ft maximum build to range would still meet the intent of the build to requirement while keeping with the character of the Grand Peak Subdivision. Significant changes to the existing floor plans for the standard houses built by applicant would be required to

meet the current code at a direct cost and detriment to the applicant and future home buyer.

If approved the lot will be constructed as presented on the exhibits included with this application. This will be single family home construction in accordance with all other zoning code rules and in keeping with the character of the Grand Peak neighborhood.