



608 North 29th Street • Billings, MT 59101 • 406-384-0080

August 1, 2024

Chair of the Board of Adjustments
Yellowstone County Planning Department

RE: 335 South 48th Street West – Zoning Variance

To the Chair of Board of Adjustments,

Thank you for the time and consideration in reviewing the submitted County Zoning Variance Application for the property located at 335 South 48th Street West in Billings. This property is located on the north side of King Avenue West, the south side of Central Avenue, and lies directly east of South 48th Street West. The project is a proposed boundary relocation that would bring the lot lines from the middle of the surrounding fields, down closer to the edge of the developed property around the home situated on the current tract.

The property is currently zoned for Agriculture 10 acres and over (A) and the submitted variance applies to the minimum acreage required by zoning. The facts of hardship experienced with this tract include the following:

- As it currently exists, the property has an area of 9.54 acres, meaning that it already does not meet the minimum acreage for the existing zoning and is non-compliant.
- It is the intention that in the next few years, development will occur on the field surrounding the existing home site which will require the area to be re-zoned to meet subdivision requirements. Granting a variance to allow the boundary relocation to create a tract with an area of approximately 2.37 acres allows for the development path to be more clear with neighboring properties.
- The requirement to go through a full County Zone Change process would cost in excess of \$10,000 and take months to complete. That cost for a 1 (one) single-family home that currently exists is financially burdensome and unnecessary.

- The proposed boundary line adjustment will not cause the current sanitation permit to be in non-compliance nor would it impact any surrounding properties.

We appreciate your consideration of this variance request given the property's unique characteristics and the area's existing nature. Should you have any further questions please do not hesitate to call at 406-384-0080 or email myself at scott@performance-ec.com. We look forward to presenting this request to you at the scheduled meeting for consideration.

Best Regards,

A handwritten signature in black ink, appearing to read 'Scott Aspenlieder', written over a horizontal line.

Scott Aspenlieder, PE
Principal

COUNTY VARIANCE COUNTY APPLICATION FORM
County Variance # _____ - Project # _____

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

PARCEL TAX ID # D00485A COUNTY COMMISSIONER DISTRICT # 1

Legal Description of Property: Tract 1 of Certificate of Survey No. 2142 Amended, located in Sec. 10, Township 01 South, Range 25 East, P.M.M., Yellowstone County, Montana

Address or General Location (If unknown, contact County Public Works):
335 S 48th St W; Billings, MT 59106

Zoning Classification: A - Agriculture 10 acres and over

Size of Parcel (Area & Dimensions): 9.54 acres (exclusive of roadways); 630' x 660'

Variance(s) Requested (detail what you are asking for; ie; setbacks, building size/height, etc.):
Requesting variance from zoning requirements to perform a boundary relocation to make the parcel size approx. 2.37 acres (exclusive of roadways).

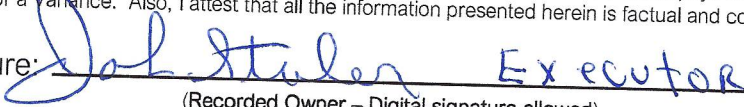
Facts of Hardship: (attach letter)

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

Owner(s): Staley Family Trust
(Recorded Owner)
Owner : 335 S 48th St W; Agent : 608 N 29th St
(Address)
406-384-0080; scott@performance-ec.com
(Phone Number) (email)

Agent(s): Performance Engineering
(Name)
Owner : 335 S 48th St W; Agent : 608 N 29th St
(Address)
406-384-0080; scott@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:  Executor Date: 8-1-24
(Recorded Owner - Digital signature allowed)