



NOTICE TO THE PUBLIC

Citizens are invited to:

. Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>  
Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to the Board via email before 12:00 pm on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- . Mail: City/County Planning Division, PO Box 1178, Billings MT 59103
- . Email: [bernsb@billingsmt.gov](mailto:bernsb@billingsmt.gov)
- . NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

**Call the meeting to order.**

**Introduction of City Board of Adjustment Members and Planning Department Staff.**

**Public Comment**

Approval of Meeting Minutes: May 7, 2025

**Disclosure of any Conflict of Interest-Members of the Commission and Staff**

**Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**

**Regular Business:**

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

**Public Hearings:**

- a. **City Variance 1380 -- 910 N 32nd St - Side Setback** - A variance from 27-304, Table 27-300.3(A)5 & 6 requiring a 5-foot side or rear setback to allow 3-foot minimum side setback (north property line) and a 0-foot rear setback back (west property line) in a First Neighborhood (N1) zone, on the East 90 ft of Lots 2 and 3, Block 18, North Elevation Sub 3rd Filing, a 4,500 square foot parcel of land. The purpose of the variance is to allow an addition to the garage, a connection between the garage and the home, and a small addition to the home to the north. Tax ID: A11819.

- b. **City Variance 1381 -- 1617 1st Ave N -- Build-to, Front Lot Line Coverage, Bay Doors and Fencing -** A variance from 27-904.D, Table 27-900-5.(1.a) requiring a minimum of 95% front lot line coverage to allow 45% front line coverage (N. 17th St); from the requirement to build to the corner of an intersection and within the build-to-zone of a street side property line to allow the building in the proposed location of 76.5 feet north of the intersection of 1st Ave N and N 17th St; from Table 27-900-5(1.c) allowing only one bay door for loading or parking within the building to allow two bay doors (N 17th St); and Section 27-905.D, Table 27-900-10(4) requiring a 3-4 foot fence between a parking area and the street frontage landscaping to allow no fence along the parking area along N 16th St and 1st Ave N, in an EBURD Central Works (EBURD-CW) zone, on Lots 1-24 and the vacated alley of Block 81, Billings Original Town, a 90,000 square foot parcel of land. The purpose of the requested variances is to allow the construction of a new office and shop for Montana Tire. Tax IDs: A00537 and A00537A.

#### **Other Business/Announcements**

- a. **Board Discussion and Decision on New Meeting Time - Anna Vickers, Planning Division Manager**

#### **Adjournment**

Additional information on this application is available on-line at <https://www.billingsmt.gov/2361/Current-Zoning-Applications>

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Brenda Berns, Planning Clerk at [bernsb@billingsmt.gov](mailto:bernsb@billingsmt.gov) or 406-247-8610

**Date:** 06/04/2025  
**Title:**  
**Presented by:**  
**Department:** Planning & Community Services  
**Presentation:**

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**Information**

**RECOMMENDATION**

**Approval of Minutes:** May 7, 2025

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

**ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve

**FISCAL EFFECTS**

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**Attachments**

Minutes of may 7, 2025

WEDNESDAY, May 7, 2025 AT 6:00pm

Board members		01/08/2025	02/05/2025	03/05/2025	04/02/2025	05/07/2025	06/04/2025	07/02/2025	08/06/2025	09/03/2025	10/01/2025	11/05/2025	12/03/2025	
Josh Sayer	Chairman	1	1	-	-	1								
Oscar Heinrich	Vice Chair	1	1	-	-	A								
George Warmer	Member	1	1	-	-	1								
Michael Bruschwein	Member	1	A	-	-	1								
Chris Hayes	Member	1	1	-	-	1								
Dave Hagstrom	Member	1	1	-	-	1								
Brian Roush	Member	1	1	-	-	1								
<b>TOTAL NUMBER OF APPLICATIONS 2024</b>		<b>01/08/2025</b>	<b>02/05/2025</b>	<b>03/05/2025</b>	<b>04/02/2025</b>	<b>05/07/2025</b>	<b>06/04/2025</b>	<b>07/02/2025</b>	<b>08/06/2025</b>	<b>09/03/2025</b>	<b>10/01/2025</b>	<b>11/05/2025</b>	<b>12/03/2025</b>	<b>TOTAL</b>
<b>Variance</b>		1	1	-	-	1								3
<b>Appeal</b>		-	-	-	-									

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation

**Call the Meeting to Order:** Chairman Sayer called the meeting to order at 6:00 PM.

**Attending Staff:**

Nicole Cromwell, Zoning Coordinator; Anna Vickers, Planning Division Manager; Brenda Berns, Planning Clerk

**Participants:** Meghan Chachra

**Public Comment**

Chairman Sayer opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting. There were no comments from the public.

## Approval of Meeting Minutes - February 5, 2025

The board voted unanimously to approve the meeting minutes of February 5, 2025.

### Disclosure of Ex Parte Communication – Board members and Staff

Disclosure of ExParte Communications - No

Disclosure of Site Visits – Yes; Board member’s Warmer and Sayer

Disclosure of Conflict of Interest – No

### Public Hearing:

Chairman Sayer opened the Public Hearing.

**City Variance 1379 – 403 Main Street – One additional wall sign** - A variance from 27-1407.C -Table of Allowed Attached Signs allowing only one wall sign on a single tenant structure to allow a second wall sign in a Corridor Mixed Use 2 (CMU2) zone, on Lot 2, Block 1 of Heights Town Center Sub., a 12-acre parcel of land. The purpose of the variance is to allow replacement of existing wall signs with new signs. Tax ID: A17029A

Nicole Cromwell provided an overview of the variance request, noting that this is a second submission due to the original timeline not being met. The variance is sought to permit the replacement of existing wall signage with new signage, specifically to support a designated drive-up area in the parking lot. This area is intended to facilitate online order pickups without requiring customers to enter the retail store. The subject property is the Target retail location, where the updated signage features a reversed color scheme—white lettering on a dark background.

### Recommendation

Planning staff are recommending conditional approval based on draft findings of the review criteria for variances. In granting the variance the BOA may impose conditions. Planning staff recommends the following conditions:

1. The variance is for one additional wall sign.
2. The variance is limited to this legally described lot.
3. Substantial conformance to the submitted site plans
4. Apply for a sign permit within 6 months of BOA approval.
5. Complete the second sign installation within 1 year of BOA approval.
6. Failure to begin or complete within time periods will void the variance.
7. These conditions of variance approval shall run with the land

### Board Questions

There was a question regarding the location of the second sign. Staff clarified that the large Target sign located at the far north end of the building is classified as a canopy sign under the current code, as it is mounted on a canopy rather than directly on the wall. The first wall sign is positioned just south of the canopy and features the drive-up logo. The second wall sign is located at the southernmost end of the building and displays the brand name.

**Applicant's Agent**

Meghan Chachra, applicant's agent expressed appreciation for the clarification regarding the three signs and indicated availability to answer any further questions from the board. There were no further questions from the board.

Chairman Sayer closed the Public Hearing.

**Motion**

Board member Bruschwein made a motion with staff recommendations to approve Zone Change 1379, seconded by Board member Warmer. The board voted unanimously, motion passes.

**Other Business**

Ms. Cromwell informed the board of the two variance requests scheduled for review in June—one within the East Billings Urban Renewal District and the other in the North Elevation neighborhood.

**Board Comments:**

Board member Warmer recused himself from participation in the review of the June EBURD variance.

**ADJOURNMENT:** The meeting adjourned at 6:17PM.

*Brenda J Berns, Planning Clerk*

**Board of Adjustment**

**Date:** 06/04/2025  
**Title:** City Variance 1380 - 910 N 32nd St  
**Presented by:** Tate Johnson, Planner 1  
**Department:** Planning & Community Services  
**Presentation:** Yes

**Information****RECOMMENDATION**

Planning staff recommends conditional approval of the variance request from Section 27-304, Table 27-300.3.A.5 & 6 requiring a 5-foot side or rear setback to allow 3-foot minimum side setback (north property line) and a 0-foot rear setback back (west property line) in a First Neighborhood (N1) zone, on the east 90 ft of Lots 2 and 3, Block 18, North Elevation Sub 3rd Filing, a 4,500 square foot parcel of land.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

This is a variance request from Section 27-304, Table 27-300.3.A.5 & 6, to allow a zero-foot rear setback and a three-foot side setback, where a minimum five-foot setback is required for both the side and rear yards in the N1-First Neighborhood zoning district. The subject property is located at 910 N 32nd Street and is legally described as the East 90 feet of Lots 2 and 3, Block 18, North Elevation Subdivision, 3rd Filing. The parcel is approximately 4,500 square feet in size and is currently developed with a single-family home and a detached garage located approximately one foot from the northern side property line.

The applicant is proposing to connect the existing detached garage to the home and extend it slightly forward under the existing roofline. Once attached, the garage would be considered part of the principal structure and subject to primary structure setback requirements. As currently located, the garage does not meet the five-foot side or rear setback required in the N1 zone, prompting the need for this variance.

The variance would allow the property owner to create a more functional and accessible garage space with enclosed, conditioned access from the residence. Aside from the requested setback variance, the proposed modification complies with all other zoning standards of the N1 district, including lot coverage and height.

The applicant has indicated that the existing garage is not adequately sized for vehicle use and that the current configuration does not provide protected or enclosed access to the home. The proposed changes would improve usability while maintaining the existing footprint's proximity to the lot lines.

The Board of Adjustment has reviewed several setback variances in this neighborhood, most of those requests have involved existing structures on narrow or constrained lots. This request is similar in that it involves an existing detached accessory structure being connected to the principal building.

**APPLICATION DATA**

**OWNER:** David Schaer  
**AGENT:** Jeff Wollschlager, A-Line Drafting  
**PURPOSE:** A variance from 27-304, Table 27-300.3.A.5 & 6 requiring a 5-foot side or rear setback to allow 3-foot minimum side setback (north property line) and a 0-foot rear setback back (west property line) in a First Neighborhood (N1) zone  
**LEGAL DESCRIPTION:** NORTH ELEVATION SUB 3RD FILING, S32, T01 N, R26 E, BLOCK 18, Lot 2, E90 FT LTS 2,3  
**ADDRESS:** 910 N 32nd Street  
**SIZE OF PARCEL:** 4,500 Sq. Ft  
**ZONING:** First Neighborhood - N1  
**EXISTING LAND USE:** Residential  
**PROPOSED LAND USE:** Residential

**SURROUNDING ZONING AND LAND USE**

**NORTH:** Zoning: N1  
Land Use: Residential  
**SOUTH:** Zoning: P1  
Land Use: Park  
**EAST:** Zoning: N1  
Land Use: Residential  
**WEST:** Zoning: N1  
Land Use: Residential

**STAKEHOLDERS**

Planning staff notified the surrounding property owners by mail, placed a local advertisement in the Yellowstone County News, and

Planning staff notified the surrounding property owners by mail, placed a legal advertisement in the Yellowstone County News, and posted the property with the required sign. The application was also posted on our webpage for current zoning applications. No comments from any surrounding owners were received by staff at the time of writing this report.

## ALTERNATIVES

The Board of Adjustment may:

- Conditionally approve the requested variance and adopt the proposed findings of fact for the review criteria as recommended by the Planning staff;
- Approve the requested variance with different or added conditions, or no conditions;
- Deny the requested variance and amend the findings of fact for the criteria;
- Allow the applicant to withdraw the variance request; or
- Delay action on the variance to a future BOA meeting.

## FISCAL EFFECTS

Approval or denial of the requested variance will have no financial effect on the Planning Division budget.

## SUMMARY

Prior to approval, the Board of Adjustment shall ensure that the determinations for variances (Sec. 27-1627.D and E.), as outlined below, have been satisfied:

### *Section 27-1627.D*

*1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district.*

The property is a narrow lot that was platted and developed in the early 1900s, before current zoning rules were in place. The existing detached garage was built approximately one foot from the side property line, and the home is set further back on the lot. The current configuration of the lot, including the placement of the garage and the orientation of the home, limits the property owner's ability to renovate or improve the site without encroaching into the required primary structure side setback.

Attaching the garage to the home, which converts it into part of the principal structure, triggers compliance with setback standards that did not apply at the time of the original development. These constraints are inherent to the lot's size and historic layout and are not easily modified. While some other properties in the district may be similarly sized, not all face the same combination of narrow width, preexisting structures near lot lines, and limited flexibility for compliant expansion, making this a unique hardship.

*2) That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district.*

The subject property is in a subdivision where most homes were built in the early 1900s. Strictly applying the current setback requirements would prevent the applicant from attaching the existing garage to the home, even though many properties in the neighborhood have attached garages or have been modified to include enclosed access. There have been numerous variance requests in the surrounding area, many of which were related to setbacks and lot coverage, reflecting the challenges of applying modern standards to historically developed lots. Denying this variance would prevent the owner from making a common improvement that enhances usability, particularly during inclement weather, and allows better use of existing structures.

*3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this zoning code to other land in the same district.*

Granting this variance would not give the applicant any special privilege that others in the subdivision do not have. This is an older neighborhood with narrow lots and development patterns that predate current zoning. There are several nearby properties where garages are attached or built close to the property line, similar to what the applicant is proposing.

This variance does not allow for anything beyond what has already been approved in other cases or what exists in practice throughout the area. It simply permits the owner to improve and use their property in a way that fits the established character of the neighborhood and aligns with how similar lots have been treated under the zoning code.

*4) That the granting of the variance will be in harmony with the general purpose and intent of this zoning code and with the Growth Policy.*

Granting this variance would allow an improvement to an existing residential property without increasing the building footprint beyond what is already present. It supports reinvestment in an established neighborhood and allows for more functional use of the property, which aligns with the Growth Policy goals of encouraging and maintaining neighborhood character and promoting housing quality and livability.

The variance maintains compatibility with surrounding land uses and does not conflict with the zoning code's overall intent to preserve neighborhood scale and form.

### *Section 27-1627.E*

*5) In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a*

*violation of this Zoning Code;*

Staff is recommending the following conditions for the approval of this variance request.

1. The variance is to allow 3-foot minimum side setback (north property line) and a 0-foot rear setback back (west property line) to allow an addition to the garage, a connection between the garage and the home, and a small addition to the home to the north.
2. This variance is limited to Block 18, Lot 2, E90 FT LTS 2,3, North Elevation Sub 3rd Filing, known as 910 N 32nd St.
3. The applicant will submit and obtain a building permit for the new garage within 1 year and have it completed within 2 years.
4. The applicant will submit a site plan for building permit approval in substantial conformance with the site plan submitted for this variance.
5. The applicant shall meet all other city code requirements for the proposed addition with the exception of this variance.
6. Failure to begin or complete actions required by this approval within the time limits set forth shall void this variance.
7. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

*6) The Board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance.*

The applicant will submit and obtain a building permit within 1 year and have it completed within 2 years of BOA approval.

*7) Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this zoning code in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other properties in the district.*

The requested variance does not involve a use variance and does not propose a use that is prohibited in the N1 First Neighborhood zoning district. The proposed residential addition is consistent with the existing single-family residential use of the property, which is a permitted use in this district.

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#### **Attachments**

Zoning Map & Site Photos  
Zoning History  
Application & Applicant Letter  
Site Plan

# Zoning Map and Site Photos





Subject Property



Subject Property looking northwest on Avenue D



View to the north from Avenue D



View west from N 32<sup>nd</sup> St



View west from N 32<sup>nd</sup> St

**APPLICABLE ZONING HISTORY**

<b>SUBJECT PROPERTY</b>	<b>VARIANCE</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
None					
<b>SIMILAR REQUESTS</b>	<b>VARIANCE</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
1445 Granite Ave	1378	2/25/2025	0 side setback	N	
2621 Downer Ave	1322	2/4/2021	3 ft side setback instead of 8 ft	Y	
718 S 31 <sup>st</sup> St	1323	1/7/2021	2 ft side setback instead of 5 ft	Y	
2607 Copper Blvd	1325	1/7/2021	3 ft rear setback instead of 20 ft	Y	
3002 Alpine Dr	1327	2/4/2021	3 ft side setback and 0 ft rear setback instead of 8 ft	Y	
1115 N 25 <sup>th</sup> St	1328	2/4/2021	3 ft rear setback instead of 20 ft 1 ft side setback instead of 3 ft	Y	
1116 2 <sup>nd</sup> St W	1329	2/4/2021	1 ft side setback instead of 5 ft	Y	
906 N 32 <sup>nd</sup> St	1330	2/12/2021	3 ft side setback instead of 5 ft	Y	
2604 Emerson Pl	1310	5/7/2020	3 ft side setback instead of 5 ft	Y	
2605 Emerson Pl	1312	7/2/2020	3 ft side setback instead of 8 ft	Y	
198 Mountain View Blvd	1317	7/2/2020	0 ft front setback instead of 20 ft	Y	
213 S 30 <sup>th</sup> St	1318	9/3/2020	0 ft side setback instead of 5	Y	
205 Terry Ave	1302	11/7/2019	2.5 ft rear setback instead of 20 ft	Y	

**CITY VARIANCE APPLICATION FORM**

**CITY VARIANCE : Billings Variance # 1380 - Project # PZX-25-00058**

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

PARCEL TAX ID # \_\_\_\_\_ CITY ELECTION WARD # \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Address or General Location (If unknown, contact City Engineering): \_\_\_\_\_

Zoning Classification: \_\_\_\_\_

Size of Parcel (Area & Dimensions): \_\_\_\_\_

Variance(s) Requested: \_\_\_\_\_

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): \_\_\_\_\_

(Recorded Owner)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(email)

Agent(s): \_\_\_\_\_

(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(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: David Schaer Date: \_\_\_\_\_

**(Recorded Owner – digital signature allowed)**

## Written Statement

PROJECT#: 910 N 32<sup>ND</sup> St

**Primary  
Owner:** Shear, David

**Tax Code:** A11819

**Property  
Address:** 910 N 32<sup>ND</sup> ST  
BILLINGS 59101

**Legal  
Description:** NORTH ELEVATION  
SUB 3RD FILING,  
S32, T01 N, R26 E,  
BLOCK 18, LOT 2,  
E90 FT LTS 2,3

To whom it may concern,

We are proposing to attach an existing home with an existing detached garage. The current garage is located approx. 1 foot to the property line. Attaching the garage to the home makes the garage setback non-conforming to current Zoning code. The garage will become part of the primary structure and will not meet the required setback for a primary structure. We are also proposing to extend the existing garage forward, under the existing roofline, to allow for adequate space for parking. With this variance we will be able to provide conditioned and covered access to an adequately sized garage.

Sincerely,



Jeff Wollschlager

Agent/ Representative

# SCHAER

## 910 N 32ND STREET

BILLINGS

MONTANA

PAGE:

1

### OWNER

David Schaer  
david@cu.net

### INDEX OF DRAWINGS

T1.0 TITLE/SITE PLAN  
A1.1 PLAN/ ELEVATION

### CONTRACTOR

CONTRACTOR

### SCOPE OF WORK

CONNECTION OF EXISTING HOUSE TO  
EXISTING DETACHED GARAGE

### ADOPTED CODES

INTERNATIONAL RESIDENTIAL CODE, 2021  
EDITION

### GENERAL NOTES

-CONTRACTOR TO VERIFY ALL EXISTING  
CONDITIONS PRIOR TO CONSTRUCTION

-ALL EXISTING AND FINISHED GRADES AND  
ELEVATIONS TO BE VERIFIED PRIOR TO  
CONSTRUCTION

### SITE INFO

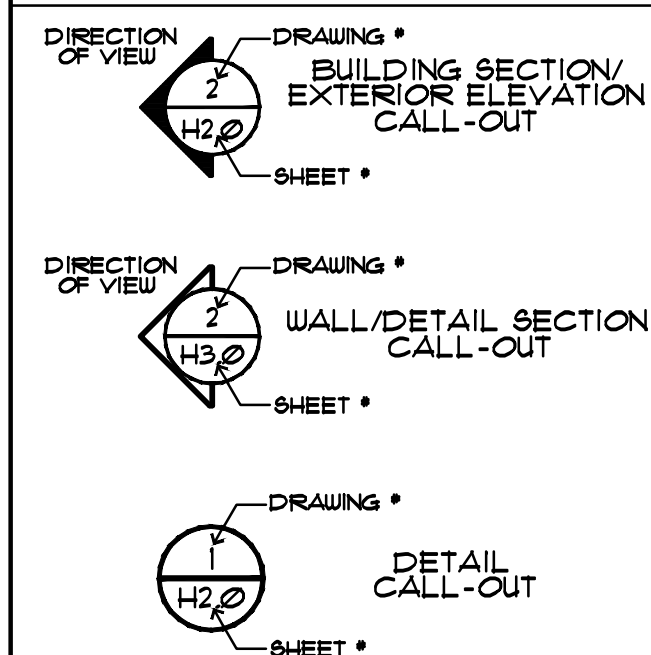
PROPERTY ADDRESS: 910 N 32ND ST  
TOWNSHIP: 01 N RANGE: 26 E SECTION: 32  
SUBDIVISION: NORTH ELEVATION SUB 3RD FILING  
BLOCK: 18 LOT: 2  
FULL LEGAL: NORTH ELEVATION SUB 3RD FILING,  
S32, T01 N, R26 E, BLOCK 18, LOT 2, E90 FT LTS 2,3

Zoning: N1-First Neighborhood  
Lot Size: 4500 Sq. Ft.

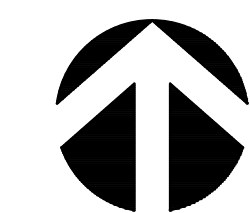
1st Floor: 934  
33 - Deck, Wood 21  
11 - Porch, Frame, Open 40



### SYMBOLS LEGEND



**1** SITE PLAN  
T1.0 SCALE: 1/16"=1'-0"



SHEAR  
ADDITION

TITLE/ SITE

### DATES

REV 4-23-25

REV

REV

### SET:

PROJECT NO. 17424

DRAWN BY: JWW

CHECKED BY: JWW

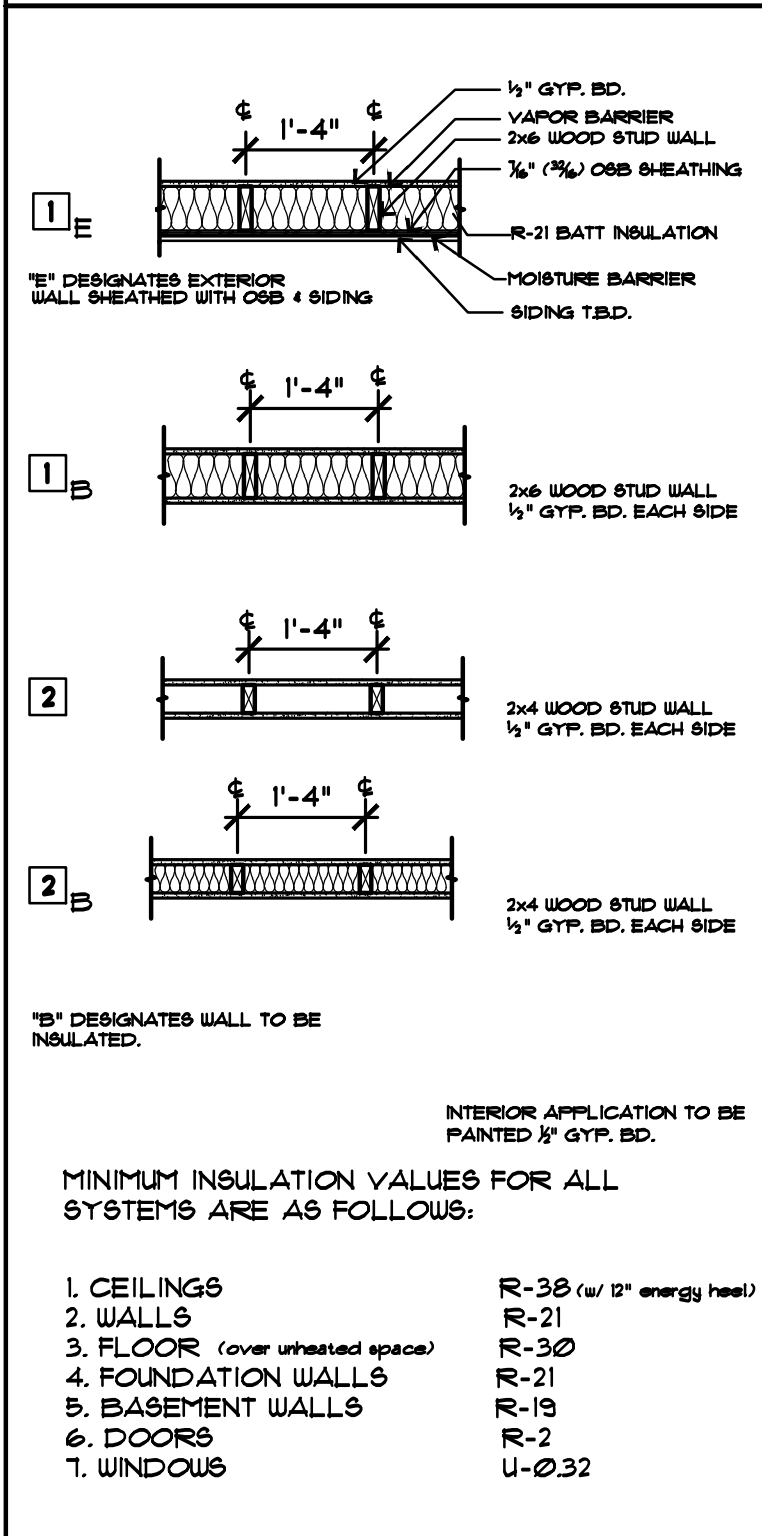
TITLE/ SITE

SHEET

T1.0

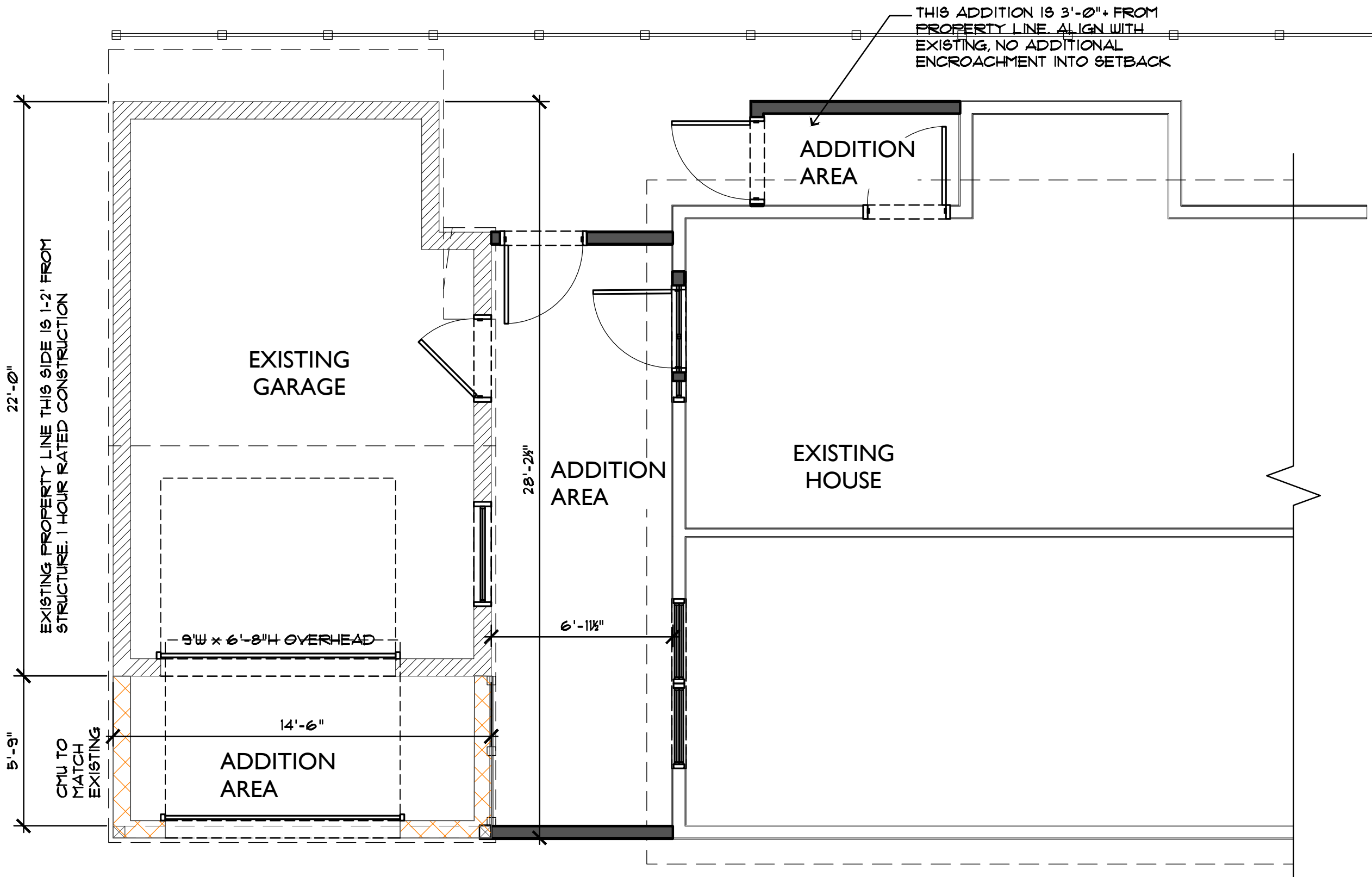
PRELIMINARY

**WALL LEGEND** SCALE 1/4" = 1'-0"

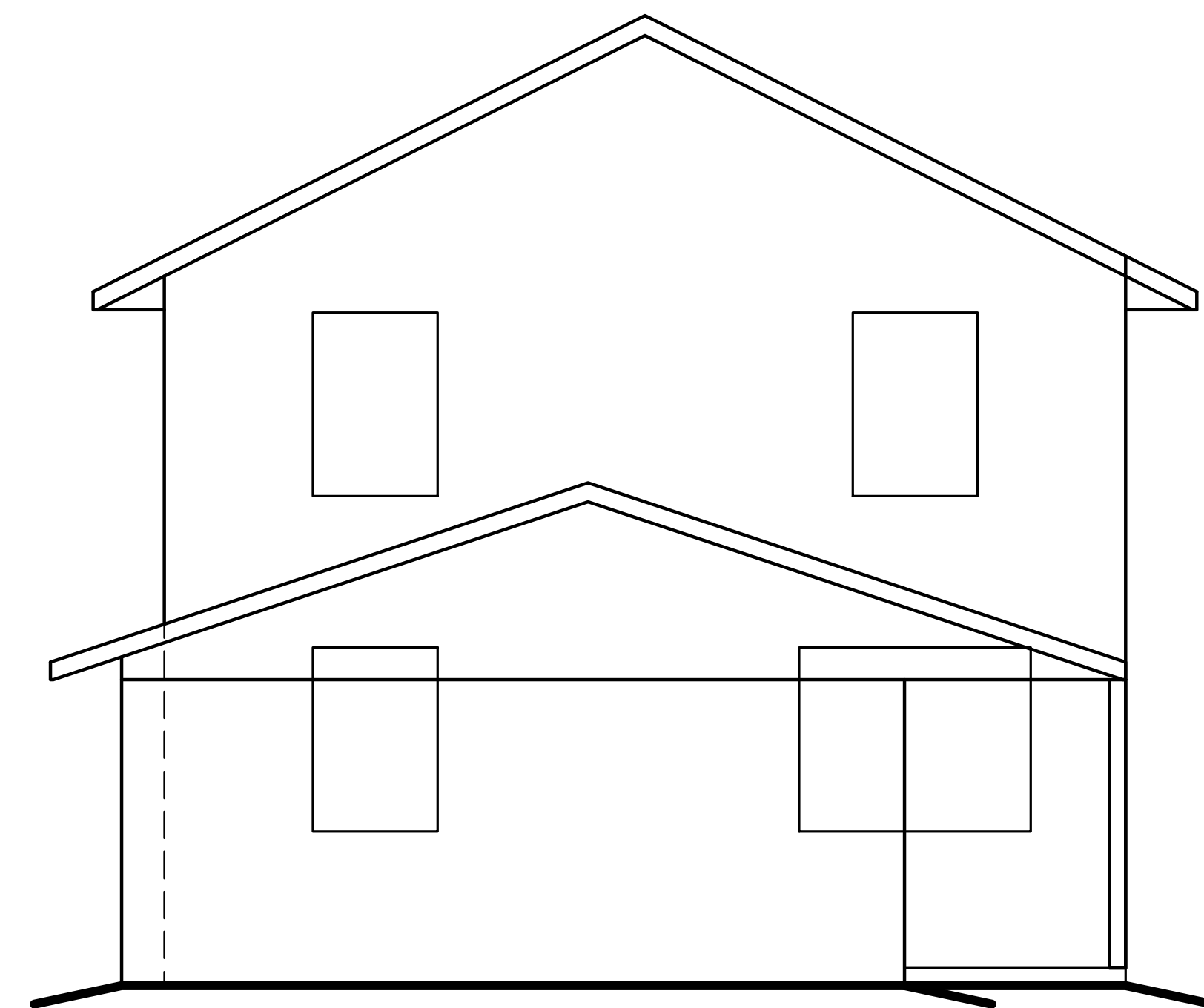
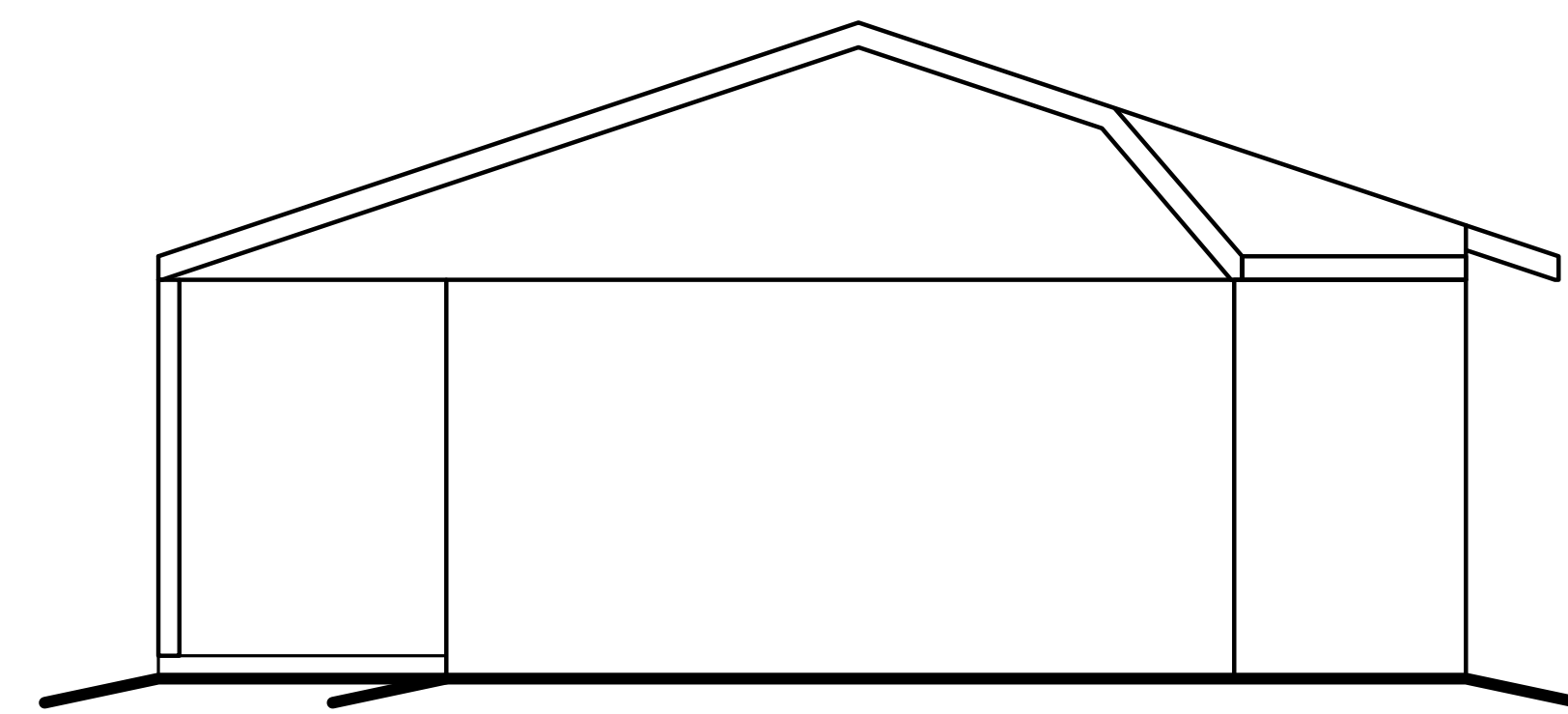
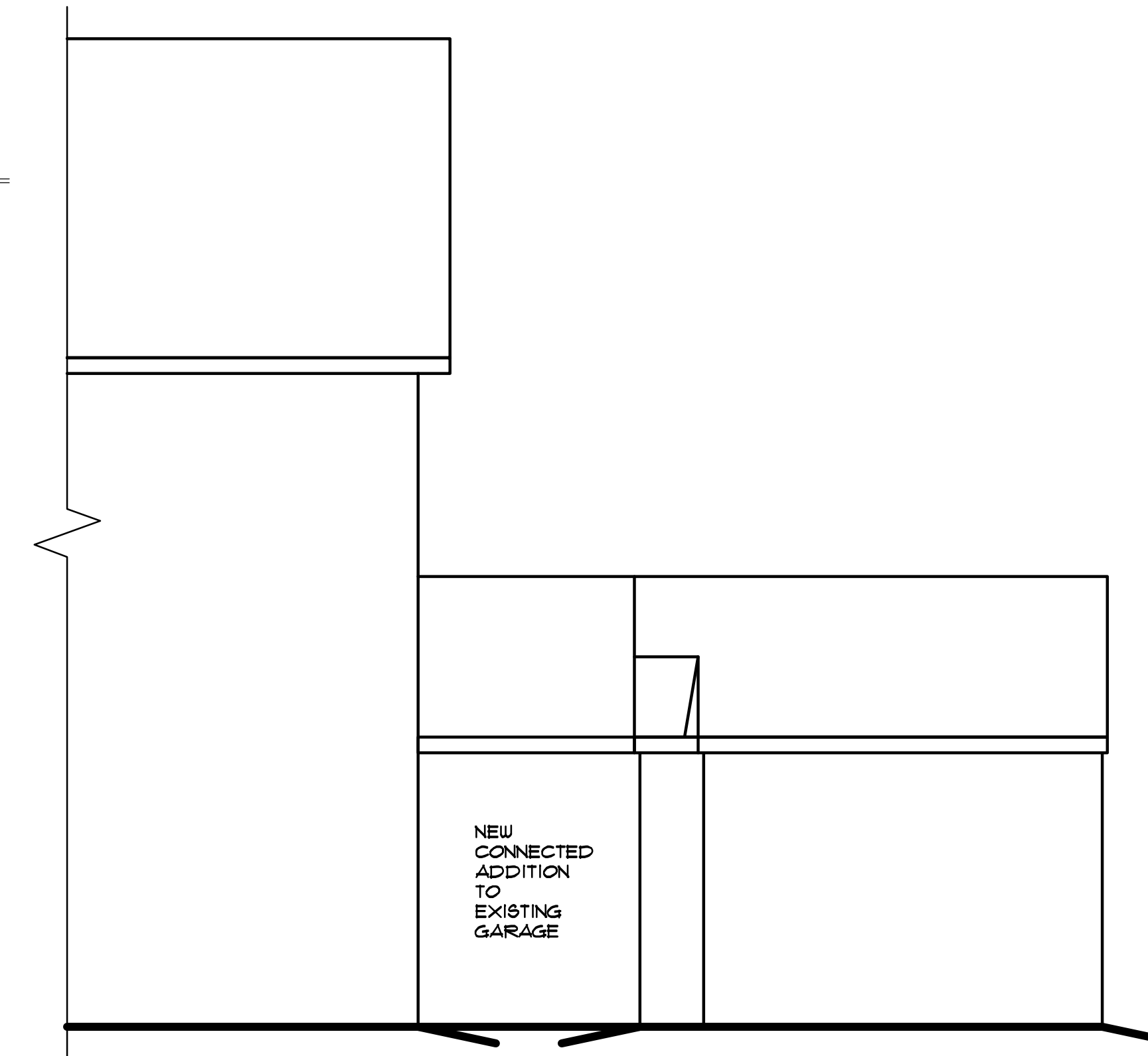
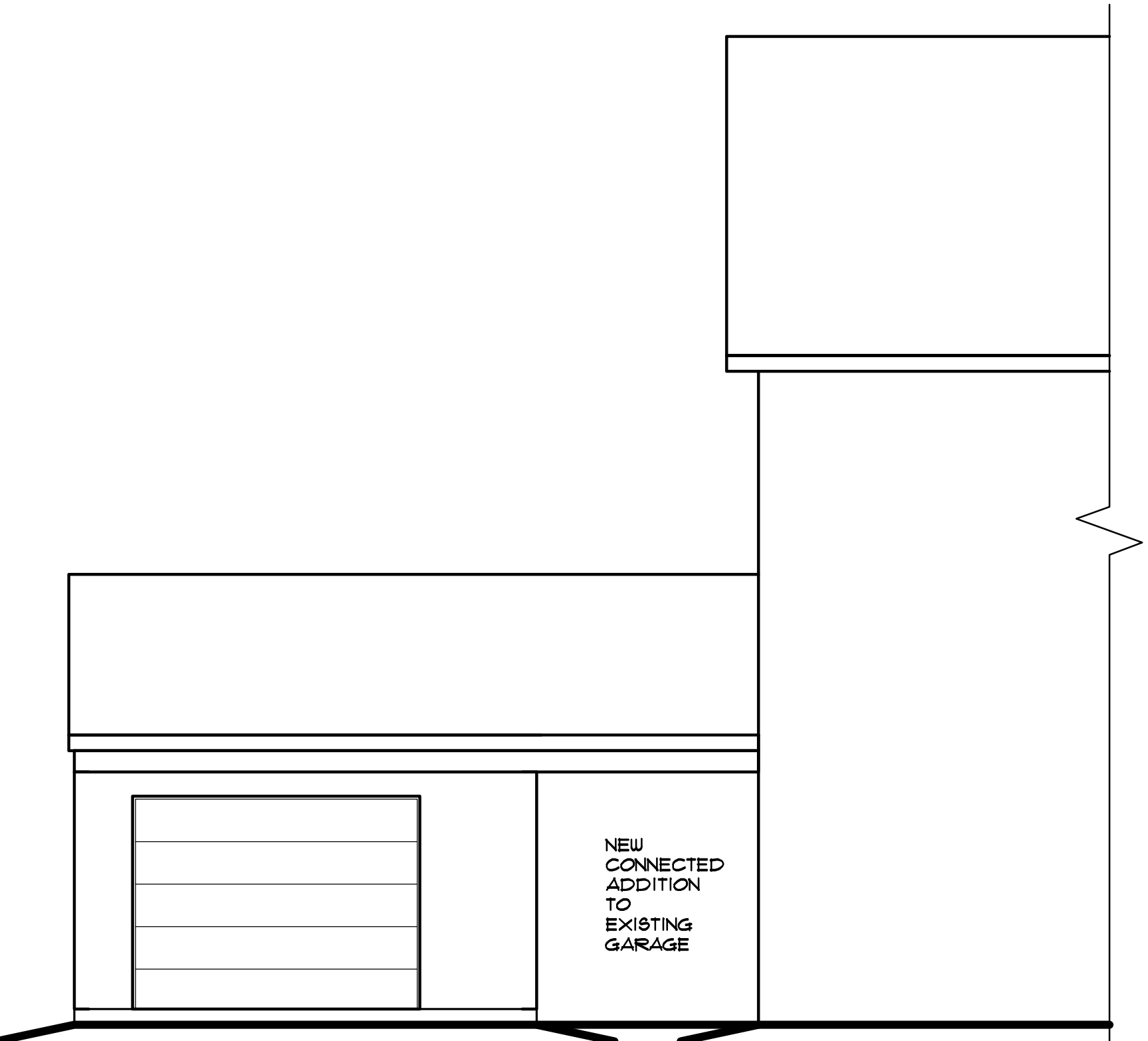


- F EXHAUST FAN, 100CFM INTERMITTENT KITCHENS, 50 CFM BATHROOMS/ TOILET ROOMS INTERMITTENT
- SD SMOKE DETECTOR (SMOKE DETECTORS WITHIN 20' OF A COOKING APPLIANCE MUST BE THE ALARM SILENCING TYPE)
- HB HOSE BIB
- C CARBON MONOXIDE DETECTOR
- S.G. SAFETY GLAZING

NOTE:  
-ALL WALL DIMENSIONS ARE TAKEN TO THE EDGE OF FRAMING. WINDOWS AND DOORS ARE DIMENSIONED TO THE CENTER OF THE OPENING. OPENINGS NOT DIMENSIONED TO BE CENTERED IN SPACE PROVIDED. DOORS NOT CENTERED OR DIMENSIONED TO BE 6 1/4" FROM INSIDE JAMB EDGE TO PERPENDICULAR FRAMING.



**1 MAIN LEVEL PLAN**  
SCALE: 1/4" = 1'-0"



PRELIMINARY

**Board of Adjustment**

**Date:** 06/04/2025  
**Title:** Variance 1381- 1617 1st Ave N. - EBURD Site Development Requirements  
**Presented by:** Karen Husman  
**Department:** Planning & Community Services  
**Presentation:** Yes

**Information****RECOMMENDATION**

Planning staff recommends conditional approval of the variance request from Section 27-904.D., Table 27-900-5.1.a. requiring a minimum of 95% front lot line coverage; from the requirement to build to the corner, and from the street-side build-to zone; from Table 27-900-5.1.c. allowing only one bay door for loading or parking within the building to allow two bay doors; and Section 27-905.D, Table 27-900-10(4) requiring a 3-4 foot fence between a parking area and the street frontage landscaping.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

This is a variance request from several building and siting sections related to the Limited Bay frontage type for a new building located on a vacant parcels between N 16th St and N 17th St on 1st Ave North. The property is part of the East Billings Urban Renewal District Central Works (EBURD-CW) zoning district. The new building is for Montana Tire currently located at 421 N 13th St within the EBURD North 13th Street Main Street zoning district. The purpose of the requested variances is to allow the construction of a new office and shop for Montana Tire at 1617 1st Avenue North, a site that is surrounded by three street frontages.

The East Billings Urban Revitalization District-Central Works (EBURD-CW) is a zoning for the city that requires buildings to be closer to the street and promotes development that is comfortably accessible via all modes of transportation. Parking is in the rear, side, or internal to the site with more street frontage landscaping. The zone districts require a minimum and maximum front build-to area along the street. The purpose of the build-to area is to ensure the street frontage is used for maximum potential for commercial businesses that frame the street. The front facade door and window coverage apply to the build-to zone area, in this case, N 17th Street.

The Board of Adjustment previously granted a variance to the limitation of front yard parking at 3840 Zoo Drive for a new Costco (CX zone) and at 3160 S Frontage Rd for a new warehouse and office for Mobile Stor (CX zone). In addition, the Board granted a variance for property on Blue Creek Road (CMU1 zone) in 2021 to accommodate a 100-year floodplain that crossed the front of the property. Two adjacent properties on King Ave West were granted a front lot line coverage reduction for a Smitty's tire center (CMU2 zone) for a variance that included front build to zone, window and door coverage, and the new Panda Express both due to the narrowness of the lots and the shared access easement for property to the south.

All of these variances are similar requests, although separated by degrees of intensity and use. The Costco parcel on Zoo Drive had physical constraints (an irrigation ditch) and functional needs for access. The Mobile Stor parcel on S Frontage Rd. also had site restrictions with three petroleum pipelines running through the parcel and a floodplain along the rear. The King Ave West parcels were burdened by topography and a shared access easement, while the Blue Creek Road parcel had onsite floodplain. The Board conditionally approved the Costco variance request in May 2022, and the S Frontage Road variance in February 2023. The Blue Creek Road variance was approved in May 2021 and the King Ave West variances were approved in October 2022 and October 2023. Additionally, in March 2022, the City Council approved a Special Review for an auto repair center on Shiloh Crossing Blvd in a CMU2 zone that included a variance approval for relief from the front lot line building coverage. There have been two variances granted in the vicinity of this property; one at 2030 4th Avenue North (EBURD-Rail Spur Village) and 220 North 20th Street (EBURD-Rail Spur Village Main Streets) for relief of the landscaping requirements, the other at 302 North 15th Street (EBURD-CW) to allow a 5-foot side setback.

The subject property has street frontage on three sides, making it unfeasible to satisfy all the "build-to" requirements along each street frontage. Although the proposed tire center is an allowed use within the EBURD-CW zone district, designing a compliant site plan on a lot with three street frontages presents significant challenges under current build-to standards. Any single-use structure on this parcel would likely struggle to comply without extending the building along the full length of 1st Avenue North or re-orienting the structure, so the long axis faces North 17th Street. Any option will present more significant variances from the building and siting standards. Placing the building with the main entrance for people within the build-to-zone on North 17th Street is the best option. To address this, the applicant proposes treating North 17th Street as the "front property line" in order to meet the zone's "front build-to" requirement, as illustrated in the attached site plan.

The lot's unique configuration poses challenges for any commercial development, but these difficulties are especially acute for a tire center. The south property line (1st Avenue North) is classified as side street frontage, while the east property line (North 16th Street) is designated as the rear. The building's functional front for access to the main tire service bays faces south toward 1st Avenue North. According to Section 27-1802.B.3, any front or side street façade set back more than twice the maximum build-to zone is not classified as part of the front or street-facing façade. Therefore, since the multiple bay garage doors face what is technically considered a "side" street, this orientation complies with the regulation requiring garage entrances to be located on the side or rear of the property and outside the build-to zone. Additionally, the design must accommodate access for large semi-trucks and trailers. To achieve this, the proposal includes a request for two garage bay doors to be permitted along the west frontage on North 17th Street--the designated front property line.

#### **APPLICATION DATA**

OWNERS: J&S Properties Inc.

APPLICANT: Ryan Anderson (Montana Tire Center), contract buyer.

AGENT: Chuck Henrichs-EEC Inc., President

PURPOSE: Variance from required Build-to Corner, Minimum Front Lot Line Coverage, Street-side Build-to Zone, one bay door on front facade, and 3-4 foot fence between parking and street front landscaping.

LEGAL DESCRIPTION: Lots 1-24, Block 81, Billings Original Town

EXISTING LAND USE: Vacant land

PROPOSED LAND USE: Montana Tire Center

EXISTING ZONING: EBURD-CW

#### **CONCURRENT APPLICATIONS**

None

#### **SURROUNDING ZONING & LAND USE**

NORTH: Zoning: EBURD-CW

Land Use: Single and Multi-family residential

SOUTH: Zoning: EBURD-CW

Land Use: Auto Acres car sales lot

EAST: Zoning: EBURD-CW

Land Use: Automotive service center and sales lot

WEST: Zoning: EBURD-CW

Land Use: Hotel -Lewis & Clark Inn

#### **STAKEHOLDERS**

Planning staff notified surrounding property owners via mail, published a legal advertisement in the Yellowstone County News, and posted the required sign on the property. At the time this report was submitted, no comments had been received from nearby property owners.

#### **ALTERNATIVES**

The Board of Adjustment may:

- Conditionally approve the requested variance and adopt the proposed findings of fact for the review criteria as recommended by the Planning staff;
- Approve the requested variance with different or added conditions, or no conditions;
- Deny the requested variance and amend the findings of fact for the criteria;
- Allow the applicant to withdraw the variance request; or
- Delay action on the variance to a future BOA meeting.

Under local regulations and state law, four votes in favor of a variance request are needed for approval. The applicant has not requested a delay of the hearing or a withdrawal of the application.

#### **FISCAL EFFECTS**

Approval or denial of the requested variance will have no financial effect on the Planning Division budget.

#### **SUMMARY**

Prior to approval, the Board of Adjustment shall ensure that the determinations for variances (Sec. 27-1627.D and E.), as outlined below, have been satisfied:

##### **Section 27-1627.D**

**1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district.**

The subject property has street frontage on three sides, making it impractical to meet all "build-to" requirements along each frontage. While a tire center is a permitted use in the EBURD-CW zone district, developing a compliant site plan on a lot with three street frontages presents considerable challenges under current zoning standards. Any single-use building on this site would face difficulty meeting these requirements without extending the structure along the full length of 1st Avenue North. To navigate these constraints, the applicant proposes designating North 17th Street as the "front property line" to fulfill the zone's "front build-to" requirement, as shown in the attached site plan. The property's unique configuration poses challenges for any commercial development, but these are particularly pronounced for a tire center. The south property line of 1st Avenue North is classified as a side street frontage, and the east property line of North 16th Street is designated as the rear. However, the building's operational front faces south toward 1st Avenue North, resulting in the garage bays being oriented toward what is technically considered the "side" street. This orientation remains consistent with zoning regulations that require garage doors to be located on the side or rear of the property. As indicated in Table 27-900-5.c there is only one bay permitted. Because the Applicant has requested a variance from the street side build-to zone the applicant is alleviated from the facade requirements for this build-to area per, Section 27-1802.B.3 if the variance is approved. Furthermore, the design must accommodate circulation for large semi-trucks and trailers. To facilitate this, the proposal includes a request for two garage bay doors along the west frontage on North 17th Street--the designated front property line--ensuring adequate access and maneuverability for larger vehicles. Although there are no conditions with the land that would prevent the requirement for a 3-4 foot fence between the parking area and the landscape buffer area along the side and rear property lines, the applicant intends to include small shrubs as an alternate buffer which is in line with the zoning regulations under Section 27-1209.A.2; "fence" for the intent of this section means any fence wall or hedge.

**2. That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district.**

Specific to "build-to" and "front lot line coverage" requirements, there are other developed properties in the area that have more than the allowed bay doors on frontage streets. These properties were developed under the old code and if they were redeveloped or modified, there are rules in place under the code that allow specific relief from adherence to the current code depending on the extent of the redevelopment. Other than the other developed parcels in the area with less than the current code requirements for front facade design, the literal interpretation of this chapter would not deprive the applicant of rights enjoyed by other tracts. There are no circumstances that would prevent the building from being designed with the required front facade. However, the unique characteristics of the lot present challenges for a proposed tire center. The south property line is classified as a side street frontage, and the east property line is designated as the rear. However, the building's operational front faces south toward 1st Avenue North, resulting in the garage bays being oriented toward what is technically considered the "side" street. This orientation remains consistent with zoning regulations that require garage doors to be located on the side or rear of the property. Furthermore, the design must accommodate circulation for large semi-trucks and trailers. The unique characteristics of the lot present challenges for any business, but these are particularly pronounced for a proposed tire center, as its design typically includes multiple-bay doors. There are several examples of variances granted for "build to" and "front lot line coverage". Few parcels in this district have been developed in full compliance with the landscaping requirements outlined in the EBURD section of the zoning code. Therefore, granting a variance to allow small shrubs in place of the required 3--4 foot fence between the parking area and the landscape buffer along the side and rear property lines may appear to grant the applicant a deviation from the standard. However, this approach would not necessarily deprive them of rights enjoyed by others in the district. Instead, it would provide a reasonable alternative while encouraging future developments to comply with updated landscaping standards, ultimately supporting long-term beautification goals for the district.

**3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this zoning code to other land in the same district.**

As with the findings under Criterion 2, granting this variance would not constitute a special privilege for the applicant, considering the context of nearby developments such as, South Auto Acres car lot and East Auto Service Center car sales lot. Variances have previously been approved for properties in CMU zoning districts--which are comparable to the EBURD-CW zone--under similar hardship circumstances. Many nearby developments were approved under earlier zoning codes, and although this property lies within the EBURD-CW district, the development standards and limitations closely mirror those applied in past CMU zone variance cases. For instance, the City Council approved a special review and variance for an auto repair facility in the CMU2 zone on Shiloh Crossing Boulevard, granting relief from front lot line building coverage requirements. Likewise, the Board of Adjustment approved variances for projects on Blue Creek Road and King Avenue West to address similar constraints in the CMU district. In relation to the specific requirement for minimum window and door coverage on the front façade, several existing developments in the area do not meet current standards, having been approved under prior versions of the zoning code. The current code contains provisions for addressing such properties if they undergo redevelopment or significant alterations, depending on the scale of proposed changes. In this case, granting a variance to increase the amount of garage bay door coverage on the front façade of the proposed tire center would not be considered a special privilege. This position is reinforced by the Board's prior approval of a similar variance for a car wash on King Avenue West. Although this property is currently undeveloped, the updated design standards are intended to encourage attractive, well-designed commercial façades. However, due to the functional needs of a tire center--particularly the requirement to serve large semi-trucks with trailers--strict adherence to front façade door coverage standards presents a practical design challenge. The west elevation serves as the designated front, but applying the required door coverage to

this façade is not feasible given the operational nature of the proposed use. Additionally, few properties in this district have been developed in full compliance with the EBURD landscaping standards. Granting a variance to allow small shrubs in lieu of the required 3--4 foot fence between parking areas and the landscape buffer along the side and rear property lines may appear to relax the standard. However, it would offer a reasonable and context-sensitive solution that does not deny the applicant rights enjoyed by others in the area. It may also encourage future compliance with landscape regulations, furthering the district's beautification objectives.

**4. That the granting of the variance will be in harmony with the general purpose and intent of this zoning code and with the Growth Policy.**

The 2016 Growth Policy and the 2021 Zoning Code adopted to further the Growth Policy goals, are intended to curtail the out-of-date development style of placing all new commercial development behind a sea of parking stalls. Approval of this variance with North 17th Street as the "front property line", will be in harmony with the general purposes and intent of the Growth Policy and zoning code. The appearance of the structure itself will be the most prominent feature from 1st Avenue North. A variance from the required "build to corner", "side build to" and restriction of one bay door on the front facade (North 17th Street) would be in harmony with the general purpose of the zoning code and the intent of the Growth Policy. As addressed in items 2 and 3 above, the zoning code was designed to address the Growth Policy's intentions to promote aesthetically pleasing building facades in commercial districts. Beautification of entryways and commercial districts is preferred under the Growth Policy. There have been other variances approved for "build to" zones, front lot line coverage and bay doors. Any single-use building on this property would struggle to comply without extending the structure along the entire length of 1st Avenue North. Few parcels in this district have been developed in full compliance with the landscaping requirements outlined in the EBURD section of the zoning code. Therefore, granting a variance to allow small shrubs in place of the required 3-4 foot fence between the parking area and the landscape buffer along the side and rear property lines may appear to grant the applicant a deviation from the standard. However, this approach would not necessarily deprive them of rights enjoyed by others in the district. Instead, it would provide a reasonable alternative while encouraging future developments to comply with updated landscaping standards, ultimately supporting long-term beautification goals for the district.

**Section 27-1627.E.**

**1. Whenever the City Board of Adjustment grants an application for a variance, the minutes shall specifically state the criteria upon which the variance is granted.**

The above-referenced criteria from Section 27-1627.D. has been addressed above in the staff report for the board to state.

**2. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Zoning Code;**

Staff is recommending conditions for the approval of this variance request.

1. The variance is to allow variance request from 27-904.D, Table 27-900-5.(1.a) requiring a minimum of 95% front lot line coverage to allow 45% front line coverage (N. 17th St); from the requirement to build to the corner of an intersection and within the build-to-zone of a street side property line to allow the building in the proposed location of 76.5 feet north of the intersection of 1st Ave N and N 17th St; from Table 27-900-5(1.c) allowing only one bay door for loading or parking within the building to allow two bay doors (N 17th St); and Section 27-905.D, Table 27-900-10(4) requiring a 3-4 foot fence between a parking area and the street frontage landscaping to allow no fence along the parking area along N 16th St and 1st Ave N, in an EBURD Central Works (EBURD-CW) zone. No other variance is intended or implied.
2. This variance request is applicable to only Lots 1-24 and the vacated alley of Block 81, Billings Original Town, 1617 1st Avenue North.
3. The structure and site will be built in substantial conformance to the drawings submitted with this variance request. Minor modifications to the location of the proposed structures and other site improvements as shown on the submitted site plans are allowed.
4. The applicant/developer shall apply for a building permit within 12 months of Board of Adjustments approval and complete the development within 5 years of Board of Adjustments approval. Completion includes all buildings, landscaping, parking and other site structures and amenities.
5. There shall be no construction activity prior to 7 am or after 8 pm daily.
6. All other zoning regulations, except for these specific variances, and any other applicable city regulations apply to the development of the site.
7. Failure to begin or complete actions required by this approval within the time limits set forth shall void this variance.
8. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease-holders, heirs and assigns.

**3. The Board shall prescribe a time limit within which the action for which the variance is required shall be**

**begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance.**

Staff is recommending conditions of approval that include time limits to begin and complete the project. Specifically, the recommendation is that the applicant will complete the building permit process within 1 year of Board approval and complete the project within 5 years of Board approval.

**4. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this zoning code in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other properties in the district.**

The granting of this variance would not allow a use that is not allowed in the zoning district. Tire centers are allowed uses in the EBURD-CW zone.

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#### **Attachments**

Zoning Map & Site Photos  
Application & Applicant Letter  
Site Plan  
Concept Elevation  
History

Variance 1381

Zoning Map & Site Photos



Subject property





North



South



East



West

**CITY VARIANCE APPLICATION FORM**

**CITY VARIANCE : Billings Variance # 1381 - Project # PZX-25-00066**

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

PARCEL TAX ID # A00537 & A00537A CITY ELECTION WARD # 1 - (BILLINGS)

Legal Description of Property: BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 81, Lots 1-24, & VAC ALLEY (21)

Address or General Location (If unknown, contact City Engineering): 1617 1st Ave N., Billings, MT 59101  
GeoCode: 03-1033-33-4-14-01-0000 Vacant Lots - No Current Building

Zoning Classification: EB\_CW-East Billings Central Works

Size of Parcel (Area & Dimensions): A00537 - Lots 13-24 (45,000 SF) | A00537A - Lots 1-12 (45,000 SF)

Variance(s) Requested: See attached City Variance Checklist response including a written statement to the

Board of Adjustment of Variance Request Items #1-4 for review and recommendation.

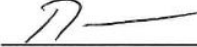
Facts of Hardship: (attach letter)

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

Owner(s): Ryan Anderson - Member  
(Recorded Owner) (Property Under Contract - MT Tire, Ryan Anderson)  
3365 La Paz. Dr, Billings, MT 59101  
(Address)  
406.425.3369 ryan.mttire@gmail.com  
(Phone Number) (email)

Agent(s): Chuck Henrichs - EEC Inc., President  
(Name)  
6602 Wagon Trail, Billings, MT 59106  
(Address)  
406.839.9151 chuck@eecmt.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:  Date: 5/1/25  
(Recorded Owner – digital signature allowed)

Montana Tire Service Center – City of Billings Planning Variance Request



May 1, 2025

City of Billings – Planning & Community Services Department  
Attn: Board of Adjustment  
P.O. Box 1178  
Billings, MT 59103

**RE: City of Billings Planning Variance Request: Items #1-4**

To whom it may concern,

Enclosed you will find the complete Variance Checklist Items and all information required for the Montana Tire Service Center project City Variance Submittal to be considered for review and recommendation by the City of Billings Planning Board of Adjustment.

**City Variance Checklist – Written Response:**

1. Application completed, signed and uploaded.
2. Location/legal description included in application documents.
3. Written statement to the Board of Adjustment, with the following four proposed **Variance Request measures (1-4)**, we provide detailed justification for why the property would prevent conformance with the Zoning Regulation requirements set forth by the City of Billings Municipal Zoning Code Chapter 27 Zoning, under Article 27-900 EBURD and how granting the variance is in accordance with the Growth Policy. The overall project and the Variances Requested align nicely with the 2016 Billings Growth Policy Statement and Guidelines by encouraging development within the existing EBURD district downtown where infrastructure exists. The project will aid the City of Billings in revitalizing and help to develop “strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.” What better than a Tire Service Center as a catalyst of that revitalization and the requested variance would allow that to progress forward.



**VR1) Variance Request #1**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Front Lot Line Coverage – 95% minimum, parking exception [1]. [Note #1] lots wider than 140’ are permitted 1 double-loaded aisle of parking (maximum width of 65’), located perpendicular to street, which is exempt from front lot line coverage calculation.”*

The material under review for this **Variance Request #1** is the requirement to provide a Front Lot Line Coverage of 95% minimum with parking exception [Note #1] referenced section above. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building for a total of 68.5ft with 45ft of building façade along the Front Lot Line on N. 17<sup>th</sup> Street. Thus, calculating the proposed approach is 45ft / (192ft – 68.5ft) equals approximately 36.4% and if we are limited to the 65ft double-loaded aisle of parking that number would be slightly less, but still below the 95% requirement. We would argue that the exterior concrete sidewalk should be allocated to the parking and driving aisle as it is an accessory for parking to building transition, so using the 68.5ft. The Intent of this requirement can be inferred in Section 27-1802 – Measurements and Associated Terms – (B) Building and Parking Siting Measurements and Terms – Figure 27-1800-3 Illustration of Build-to Zones as it shows clearly that the width of the building with the Build-to Zone divided by the Lot Line Parallel to the Frontage equals the Front Lot Line Coverage, at 95% excluding parking the code is looking to maximum the building façade along the Front Street.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code. It achieves the intent by providing the most building façade along the Front Street as functionally possible, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. Hence, this is why there is approximately 68.5ft north of the building of concrete and asphalt paving that would allow a truck and trailer to pull into the property without interfering with the traffic flow of the neighborhood, which could cause more problems. This Frontage area utilized for traffic flow into the facility not only has an effect on the project with the final use of the building, but an immediate safety risk for the community as well. If for some reason we were required to take that north section of the building towards the Front Street (west), there is a real possibility that tractor-trailers would be temporarily blocking the street as they stage to be brought into the service bay. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billings Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR2) Variance Request #2**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Build to Corner – Required.”*

The material under review for this Variance Request #2 is the requirement to provide a Build to the Corner, “where buildings are required to be located within the intersection of the front and street-side build-to zones at street corners.” The proposed approach meets the requirement along the Front Build-to Zone at 9ft, but we are not meeting the Street-side Build-to Zone, currently providing 66ft along 1<sup>st</sup> Ave. North. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North. Hence, pushing our Build-to Zone away from the Street-side Frontage, associated lot corner, and outside the Build to Corner requirements. It is inferred that the Intent of this requirement of the zoning code is looking to maximum the building façade within the intersection of the front and street-side build-to zones at street corners, with the understanding that there may be varying parking requirements per the use of the property.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the most building façade along the Front and Side-Street adjacent to the required parking for the development of this size, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. The parking lot along the Street-Side Frontage allows customers and employees to park their vehicles in a safe and secure way. Throughout the schematic design phase, we looked at options for the parking lot to flip to the north side of the building, however, in doing so we quickly learned with the additional required turning radius and staging area of the tractor-trailers to be serviced the parking lot needed to be located on the south or Steet-Side Frontage and separated from the tractor-trailer traffic. It was clear that the staging area north of the building of concrete and asphalt would allow the truck and trailers to pull into the property without interfering with the traffic flow of the neighborhood, which could cause more problems and community safety issues and separating the larger equipment from the day-to-day customers was essential. Variance Request Items 1-3 very much go hand in hand as each affects the other in ways that could pose safety risks to the community and surrounding neighborhood. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billing Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR3) Variance Request #3**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Street-Side Build-To zone – 0’ to 10’.”*

The material under review for this **Variance Request #3** is the requirement to provide Street-Side Build-to Zone between 0ft and 10ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building with a Build-to Zone of 66’. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building for a total of 68.5ft with 45ft of building façade along the Front Lont Line on N. 17<sup>th</sup> Street. It could be inferred that the Intent of this requirement of the zoning code is looking to maximum the building façade along the Side-Street with the required Build-to Zone area, with the understand that there may be varying parking requirements per the use of the property.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the most building façade along the Side-Street adjacent to the required parking for a development of this size, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. The parking lot along the Street-Side Frontage allows customers and employees to park their vehicles in a safe and secure way. Throughout the schematic design phase, we looked at options for the parking lot to flip to the north side of the building, however, in doing so we quickly learned with the added required turning radius and staging area of the tractor-trailers to be serviced the parking lot needs to be located on the south or Steet-Side Frontage. It was clear that the staging area north of the building of concrete and asphalt would allow for tractor-trailers to pull into the property without interfering with the traffic flow of the neighborhood, which would help prevent public safety concerns and separating the larger equipment from the day-to-day customers. Variance Request Items 1-3 very much go hand in hand as each affects the other in ways that could pose safety risks to the community and surrounding neighborhood. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billing Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR4) Variance Request #4**

Reference Section 27-905 – Landscaping Standards, Section D, which states “*Frontage buffer requirements (Refer to figure 27-905(1)). Figure 27-905 (1), states, “Minimum and Maximum of 3’-4’ height fence located 2’ from curb of vehicular area.”*

The material under review for this Variance Request #4 is the requirement to provide a 3’-4’ high fence located 2’ from the curb of vehicular area. Applying to the Frontage Buffer, where a vehicular area is located adjacent to a Right-of-Way, thus required along the Street Side and Rear Yard for the proposed project (South and East Buffer Frontage). The Intent of this requirement as stated on Table 27-900-10 – Frontage Buffer is to, “lessen the visual impact of vehicular areas and outdoor storage visible from the street.”

We believe our approach, as seen on the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the appropriate allotment of shrubs, grasses, perennials, and deciduous trees to create the same lessening the visual impact of the vehicular parking area. Our design strategy with this facility and overall site use is to keep areas open and clear, to help deter areas for wanderers/ vagrants to collect. Requiring a 4’ fence along the south and east of the property would provide a location for not only blown debris to collect but also a surface that would aid in providing a surface for folks to build a shaded shelter. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billings Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.

4. The project at 1617 1st Ave. North, Billings, Montana 59101 (Lots 1-24, Block 81, Billings Original Township) is designed to demo/remove and relocate the existing overhead power and communication lines and associated existing power poles on the property. The utility work proposed will take place as an initial phase for the construction of a new Montana Tire Service Center on the south of the property bordering 1<sup>st</sup> Ave. North from N. 17<sup>th</sup> Street to N. 16<sup>th</sup> Street. The current site is vacant with no built structure, the previous building structure has been demoed and removed leaving an empty parking lot with above ground electrical utilities running the length of the site.

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The project entails demo and relocating existing site utilities from Northwest Energy, Lumens, and Charter/Spectrum, and tying into existing city utilities in the area. The proposed utility service work will provide a catalyst for Montana Tire to finalize design and begin construction and site upgrades



for the new Service Center. Please see attached plans for more details on the site and utility improvements for proposed new construction of a Montana Tire Service Center facility at 1617 1<sup>st</sup> Ave. North. The intent of the proposed project is to provide Montana Tire with a main public entrance to the Showroom/Service Counter/Office space off N. 17<sup>th</sup> Street, associated second floor office space, a 7-Bay light-vehicle tire and mechanical/alignment services along the parking/drive aisle along 1<sup>st</sup> Ave. North, a 2-Bay Truck & Trailer servicing with exterior staging on each side, a storage mezzanine, and a tire dumpster enclosure. Additional site items include rain/gray water collection under the island on the southeast corner of the building to be utilized for irrigation and the lots north of the Montana Tire Service Center will be left undeveloped with the design anticipation to upgrade all city sidewalk/service improvements around all the associated lots, so they are ready for development infill. The project will aid the City of Billings in revitalizing the EBURD and help to develop a strong and safe neighborhood.

5. See attached 11x17 (Half-Scale) drawings, which include all existing infrastructure, proposed modifications, new Service Center Facility Site Plans, Floor Plans, Elevations and proposed variance measurements. 8 sheets: C100, C101, L1.0, L1.1, A101, A102, A201, A202, A301, and conceptual project renderings.
6. See attached 8 digital photographs showing the existing nature of the property under review, please notice that the file name for each is in the general direction the picture was taken.
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8. See the scanned certified list of names and mailing addresses of the owners of all property shown within the radius on the map provided by the Planning Department. The list of certified names and mailing addresses placed on the label template provided and uploaded with the on-line application. We have included labels for all the properties owners, but since there are duplicate property owners we have the requested labels that limit one label per unique property owner.
9. See attached completed City of Billings Variance Request Application, associated filing fee of \$920.00 for a commercial property, and postage fee as required (.40 cents per piece for 9 pieces).

Sincerely,

A handwritten signature in black ink that reads 'CHUCK HENRICHS' in a cursive, stylized font.

Chuck Henrichs, P.E.  
President, EEC, Inc.  
Owners Representative

Variance 1381

Zoning Map & Site Photos



Subject property





North



South



East



West

**CITY VARIANCE APPLICATION FORM**

**CITY VARIANCE : Billings Variance # 1381 - Project # PZX-25-00066**

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

PARCEL TAX ID # A00537 & A00537A CITY ELECTION WARD # 1 - (BILLINGS)

Legal Description of Property: BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 81, Lots 1-24, & VAC ALLEY (21)

Address or General Location (If unknown, contact City Engineering): 1617 1st Ave N., Billings, MT 59101  
GeoCode: 03-1033-33-4-14-01-0000 Vacant Lots - No Current Building

Zoning Classification: EB\_CW-East Billings Central Works

Size of Parcel (Area & Dimensions): A00537 - Lots 13-24 (45,000 SF) | A00537A - Lots 1-12 (45,000 SF)

Variance(s) Requested: See attached City Variance Checklist response including a written statement to the

Board of Adjustment of Variance Request Items #1-4 for review and recommendation.

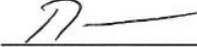
Facts of Hardship: (attach letter)

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

Owner(s): Ryan Anderson - Member  
(Recorded Owner) (Property Under Contract - MT Tire, Ryan Anderson)  
3365 La Paz. Dr, Billings, MT 59101  
(Address)  
406.425.3369 ryan.mttire@gmail.com  
(Phone Number) (email)

Agent(s): Chuck Henrichs - EEC Inc., President  
(Name)  
6602 Wagon Trail, Billings, MT 59106  
(Address)  
406.839.9151 chuck@eecmt.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:  Date: 5/1/25  
(Recorded Owner – digital signature allowed)

Montana Tire Service Center – City of Billings Planning Variance Request



May 1, 2025

City of Billings – Planning & Community Services Department  
Attn: Board of Adjustment  
P.O. Box 1178  
Billings, MT 59103

**RE: City of Billings Planning Variance Request: Items #1-4**

To whom it may concern,

Enclosed you will find the complete Variance Checklist Items and all information required for the Montana Tire Service Center project City Variance Submittal to be considered for review and recommendation by the City of Billings Planning Board of Adjustment.

**City Variance Checklist – Written Response:**

1. Application completed, signed and uploaded.
2. Location/legal description included in application documents.
3. Written statement to the Board of Adjustment, with the following four proposed **Variance Request measures (1-4)**, we provide detailed justification for why the property would prevent conformance with the Zoning Regulation requirements set forth by the City of Billings Municipal Zoning Code Chapter 27 Zoning, under Article 27-900 EBURD and how granting the variance is in accordance with the Growth Policy. The overall project and the Variances Requested align nicely with the 2016 Billings Growth Policy Statement and Guidelines by encouraging development within the existing EBURD district downtown where infrastructure exists. The project will aid the City of Billings in revitalizing and help to develop “strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.” What better than a Tire Service Center as a catalyst of that revitalization and the requested variance would allow that to progress forward.



**VR1) Variance Request #1**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Front Lot Line Coverage – 95% minimum, parking exception [1]. [Note #1] lots wider than 140’ are permitted 1 double-loaded aisle of parking (maximum width of 65’), located perpendicular to street, which is exempt from front lot line coverage calculation.”*

The material under review for this **Variance Request #1** is the requirement to provide a Front Lot Line Coverage of 95% minimum with parking exception [Note #1] referenced section above. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building for a total of 68.5ft with 45ft of building façade along the Front Lot Line on N. 17<sup>th</sup> Street. Thus, calculating the proposed approach is 45ft / (192ft – 68.5ft) equals approximately 36.4% and if we are limited to the 65ft double-loaded aisle of parking that number would be slightly less, but still below the 95% requirement. We would argue that the exterior concrete sidewalk should be allocated to the parking and driving aisle as it is an accessory for parking to building transition, so using the 68.5ft. The Intent of this requirement can be inferred in Section 27-1802 – Measurements and Associated Terms – (B) Building and Parking Siting Measurements and Terms – Figure 27-1800-3 Illustration of Build-to Zones as it shows clearly that the width of the building with the Build-to Zone divided by the Lot Line Parallel to the Frontage equals the Front Lot Line Coverage, at 95% excluding parking the code is looking to maximum the building façade along the Front Street.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code. It achieves the intent by providing the most building façade along the Front Street as functionally possible, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. Hence, this is why there is approximately 68.5ft north of the building of concrete and asphalt paving that would allow a truck and trailer to pull into the property without interfering with the traffic flow of the neighborhood, which could cause more problems. This Frontage area utilized for traffic flow into the facility not only has an effect on the project with the final use of the building, but an immediate safety risk for the community as well. If for some reason we were required to take that north section of the building towards the Front Street (west), there is a real possibility that tractor-trailers would be temporarily blocking the street as they stage to be brought into the service bay. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billings Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR2) Variance Request #2**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Build to Corner – Required.”*

The material under review for this Variance Request #2 is the requirement to provide a Build to the Corner, “where buildings are required to be located within the intersection of the front and street-side build-to zones at street corners.” The proposed approach meets the requirement along the Front Build-to Zone at 9ft, but we are not meeting the Street-side Build-to Zone, currently providing 66ft along 1<sup>st</sup> Ave. North. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North. Hence, pushing our Build-to Zone away from the Street-side Frontage, associated lot corner, and outside the Build to Corner requirements. It is inferred that the Intent of this requirement of the zoning code is looking to maximum the building façade within the intersection of the front and street-side build-to zones at street corners, with the understanding that there may be varying parking requirements per the use of the property.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the most building façade along the Front and Side-Street adjacent to the required parking for the development of this size, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. The parking lot along the Street-Side Frontage allows customers and employees to park their vehicles in a safe and secure way. Throughout the schematic design phase, we looked at options for the parking lot to flip to the north side of the building, however, in doing so we quickly learned with the additional required turning radius and staging area of the tractor-trailers to be serviced the parking lot needed to be located on the south or Steet-Side Frontage and separated from the tractor-trailer traffic. It was clear that the staging area north of the building of concrete and asphalt would allow the truck and trailers to pull into the property without interfering with the traffic flow of the neighborhood, which could cause more problems and community safety issues and separating the larger equipment from the day-to-day customers was essential. Variance Request Items 1-3 very much go hand in hand as each affects the other in ways that could pose safety risks to the community and surrounding neighborhood. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billing Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR3) Variance Request #3**

*Reference Section 27-904 (D) – Frontage Type, Limited Bay on Table 27-900-5 (A), Street Frontage, which states “Street-Side Build-To zone – 0’ to 10’.”*

The material under review for this **Variance Request #3** is the requirement to provide Street-Side Build-to Zone between 0ft and 10ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building with a Build-to Zone of 66’. Applying Note #1, the proposed project site is allowed a double-loaded aisle of parking for a maximum width of 65ft. The proposed approach is to provide a 61ft double-loaded aisle of parking along the street-side frontage on 1<sup>st</sup> Ave. North and additionally 7.5ft concrete sidewalk to the main entrance of the building for a total of 68.5ft with 45ft of building façade along the Front Lont Line on N. 17<sup>th</sup> Street. It could be inferred that the Intent of this requirement of the zoning code is looking to maximum the building façade along the Side-Street with the required Build-to Zone area, with the understand that there may be varying parking requirements per the use of the property.

We believe our approach, as seen in the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the most building façade along the Side-Street adjacent to the required parking for a development of this size, while still providing a clear and safe project site. The uniqueness of the site and the proposed project being a Tire Service Center that will service not only cars and trucks but will also be servicing long haul trucks and trailers that need a substantial amount of room for turning radius and staging area. The parking lot along the Street-Side Frontage allows customers and employees to park their vehicles in a safe and secure way. Throughout the schematic design phase, we looked at options for the parking lot to flip to the north side of the building, however, in doing so we quickly learned with the added required turning radius and staging area of the tractor-trailers to be serviced the parking lot needs to be located on the south or Steet-Side Frontage. It was clear that the staging area north of the building of concrete and asphalt would allow for tractor-trailers to pull into the property without interfering with the traffic flow of the neighborhood, which would help prevent public safety concerns and separating the larger equipment from the day-to-day customers. Variance Request Items 1-3 very much go hand in hand as each affects the other in ways that could pose safety risks to the community and surrounding neighborhood. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billing Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.



**VR4) Variance Request #4**

Reference Section 27-905 – Landscaping Standards, Section D, which states “*Frontage buffer requirements (Refer to figure 27-905(1)). Figure 27-905 (1), states, “Minimum and Maximum of 3’-4’ height fence located 2’ from curb of vehicular area.”*

The material under review for this Variance Request #4 is the requirement to provide a 3’-4’ high fence located 2’ from the curb of vehicular area. Applying to the Frontage Buffer, where a vehicular area is located adjacent to a Right-of-Way, thus required along the Street Side and Rear Yard for the proposed project (South and East Buffer Frontage). The Intent of this requirement as stated on Table 27-900-10 – Frontage Buffer is to, “lessen the visual impact of vehicular areas and outdoor storage visible from the street.”

We believe our approach, as seen on the attached plans, would meet the requirements set forth under the Zoning Code and achieve its intent by providing the appropriate allotment of shrubs, grasses, perennials, and deciduous trees to create the same lessening the visual impact of the vehicular parking area. Our design strategy with this facility and overall site use is to keep areas open and clear, to help deter areas for wanderers/ vagrants to collect. Requiring a 4’ fence along the south and east of the property would provide a location for not only blown debris to collect but also a surface that would aid in providing a surface for folks to build a shaded shelter. This would have the opposite effect of revitalizing properties within the EBURD. We believe the requested variance would be within the spirit, intent, purpose and general plan of the City of Billings Municipal Zoning Code title and would not affect adversely surrounding properties, neighborhoods, or the city as a whole.

4. The project at 1617 1st Ave. North, Billings, Montana 59101 (Lots 1-24, Block 81, Billings Original Township) is designed to demo/remove and relocate the existing overhead power and communication lines and associated existing power poles on the property. The utility work proposed will take place as an initial phase for the construction of a new Montana Tire Service Center on the south of the property bordering 1<sup>st</sup> Ave. North from N. 17<sup>th</sup> Street to N. 16<sup>th</sup> Street. The current site is vacant with no built structure, the previous building structure has been demoed and removed leaving an empty parking lot with above ground electrical utilities running the length of the site.

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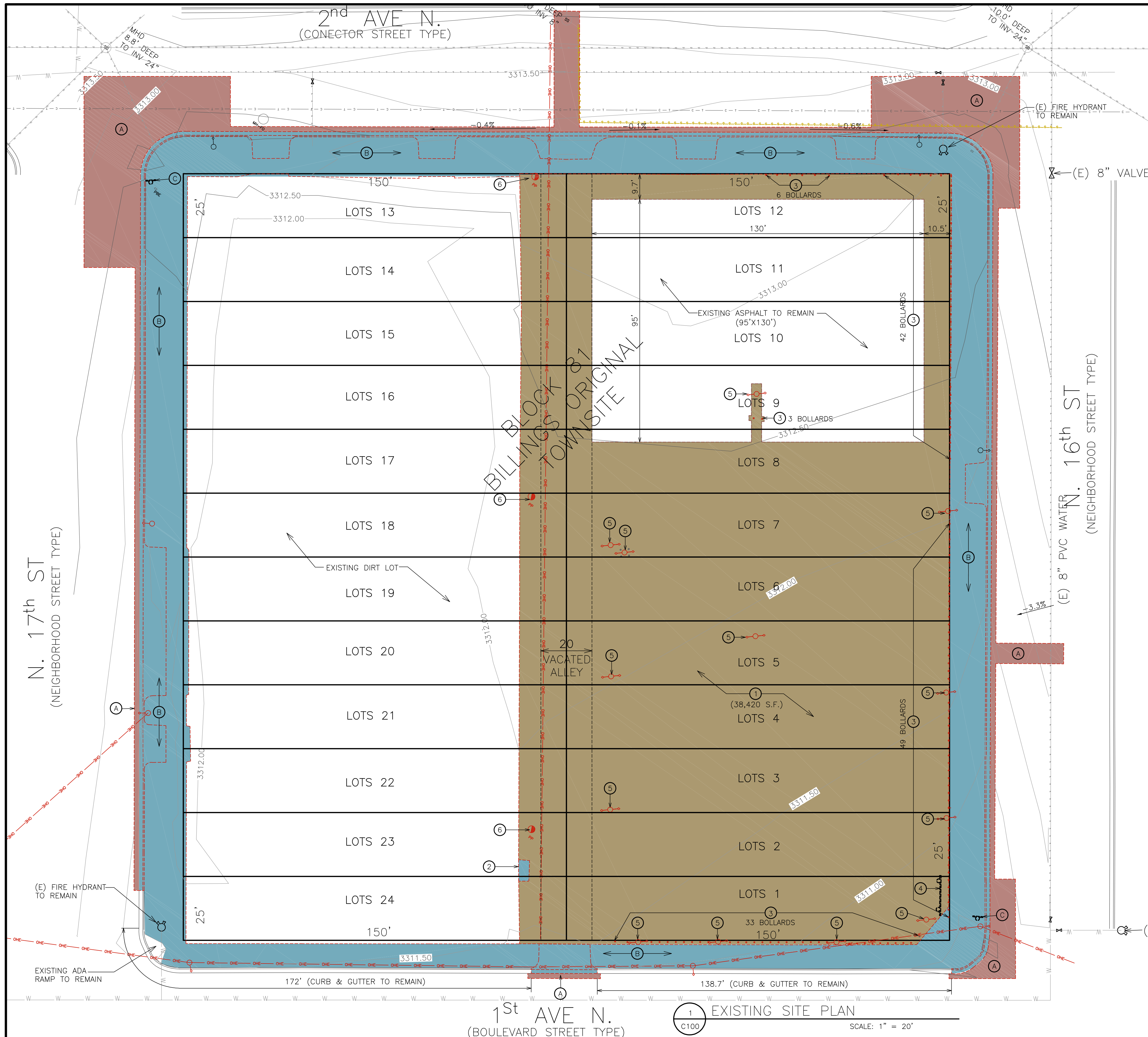
for the new Service Center. Please see attached plans for more details on the site and utility improvements for proposed new construction of a Montana Tire Service Center facility at 1617 1<sup>st</sup> Ave. North. The intent of the proposed project is to provide Montana Tire with a main public entrance to the Showroom/Service Counter/Office space off N. 17<sup>th</sup> Street, associated second floor office space, a 7-Bay light-vehicle tire and mechanical/alignment services along the parking/drive aisle along 1<sup>st</sup> Ave. North, a 2-Bay Truck & Trailer servicing with exterior staging on each side, a storage mezzanine, and a tire dumpster enclosure. Additional site items include rain/gray water collection under the island on the southeast corner of the building to be utilized for irrigation and the lots north of the Montana Tire Service Center will be left undeveloped with the design anticipation to upgrade all city sidewalk/service improvements around all the associated lots, so they are ready for development infill. The project will aid the City of Billings in revitalizing the EBURD and help to develop a strong and safe neighborhood.

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Sincerely,

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Chuck Henrichs, P.E.  
President, EEC, Inc.  
Owners Representative



**GENERAL SITE NOTES:**

1. ALL EXISTING UNDERGROUND INSTALLATIONS & PRIVATE UTILITIES SHOWN ARE INDICATED ACCORDING TO THE BEST INFORMATION AVAILABLE TO THE ENGINEER. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION. SERVICE LINES (WATER, POWER, GAS, STORM, SEWER, PHONE & TV) MAY NOT BE STRAIGHT LINES OR AS INDICATED ON THE PLANS. CONTRACTOR SHALL CALL FOR UTILITY LOCATES BEFORE EXCAVATION FOR EXACT LOCATIONS. EXISTING CIVIL AS-BUILT PLANS ARE AVAILABLE TO DOWNLOAD FROM THE INVITATION TO BID FILE LINK.
2. SITE WORK CONTRACTORS SHOULD UTILIZE PRIVATE LOCATE SERVICES WHEN WORKING IN AREAS OF KNOWN PRIVATE UTILITIES.
3. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE STANDARDS FOR PUBLIC IMPROVEMENTS FOR THE CITY OF BILLINGS, CURRENT EDITION OR THE MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS (MPWSS) CURRENT EDITION.
4. ALL TRADE CONTRACTORS SHALL VERIFY EXISTING CONDITIONS AND EXISTING UTILITY LOCATIONS PRIOR TO EXCAVATION.
5. ALL TRADE CONTRACTORS TO PROTECT ALL EXISTING UTILITIES, CITY ROADS AND STREETS IMPROVED OR UNIMPROVED, SIGNS, AND EXISTING STRUCTURE TO REMAIN. REPAIR BACK TO ORIGINAL CONDITION IF DAMAGE HAS OCCURRED DURING CONSTRUCTION.
6. ALL TRADE CONTRACTORS SHALL PROVIDE ALL DEMOLITION INCIDENTAL TO OR REQUIRED FOR NEW CONSTRUCTION WHETHER OR NOT IT IS SPECIFICALLY NOTED.
7. EXISTING UTILITIES ARE ASSUMED TO BE IN A STRAIGHT LINE, FIELD VERIFY EXISTING.
8. PROVIDE INLET PROTECTION ON ALL EXISTING & NEW STORM WATER INLETS DURING CONSTRUCTION.

**ONSITE DEMOLITION NOTES (X)**

- ① DEMO 38,420 S.F. OF EXISTING ONSITE ASPHALT.
- ② DEMO 4'x8" CONCRETE PAD.
- ③ DEMO PIPE BOLLARDS & CONCRETE BASE, SEE PLAN FOR QUANTITIES.
- ④ DEMO MONUMENT SIGN, POSTS & FOOTINGS.
- ⑤ DEMO LIGHT POLE & CONCRETE BASE
- ⑥ COORDINATE REMOVAL OF EXISTING OVERHEAD POWER LINES AND POWER POLES IN VACATED ALLEY WITH NORTHWESTERN ENERGY.
- ⑦ -
- ⑧ -

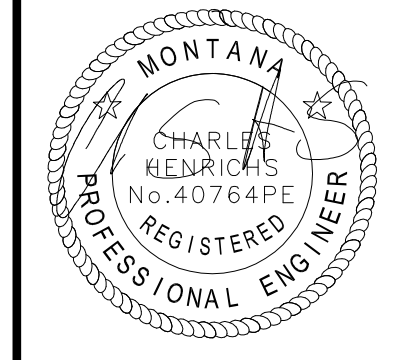
**R.O.W. DEMOLITION NOTES**

- Ⓐ DEMO 6,820 S.F. OF EXISTING R.O.W. ASPHALT.
- Ⓑ DEMO 19,090 S.F. OF EXISTING CONCRETE SIDEWALK, CONCRETE APPROACHES ALONG WITH CURB & GUTTER.
- Ⓒ REMOVE STOP SIGN AND SAVE FOR RELOCATION.
- Ⓓ -
- Ⓔ -

VARIANCE SUBMITTAL 05-01-2025  
SHEET#: C100

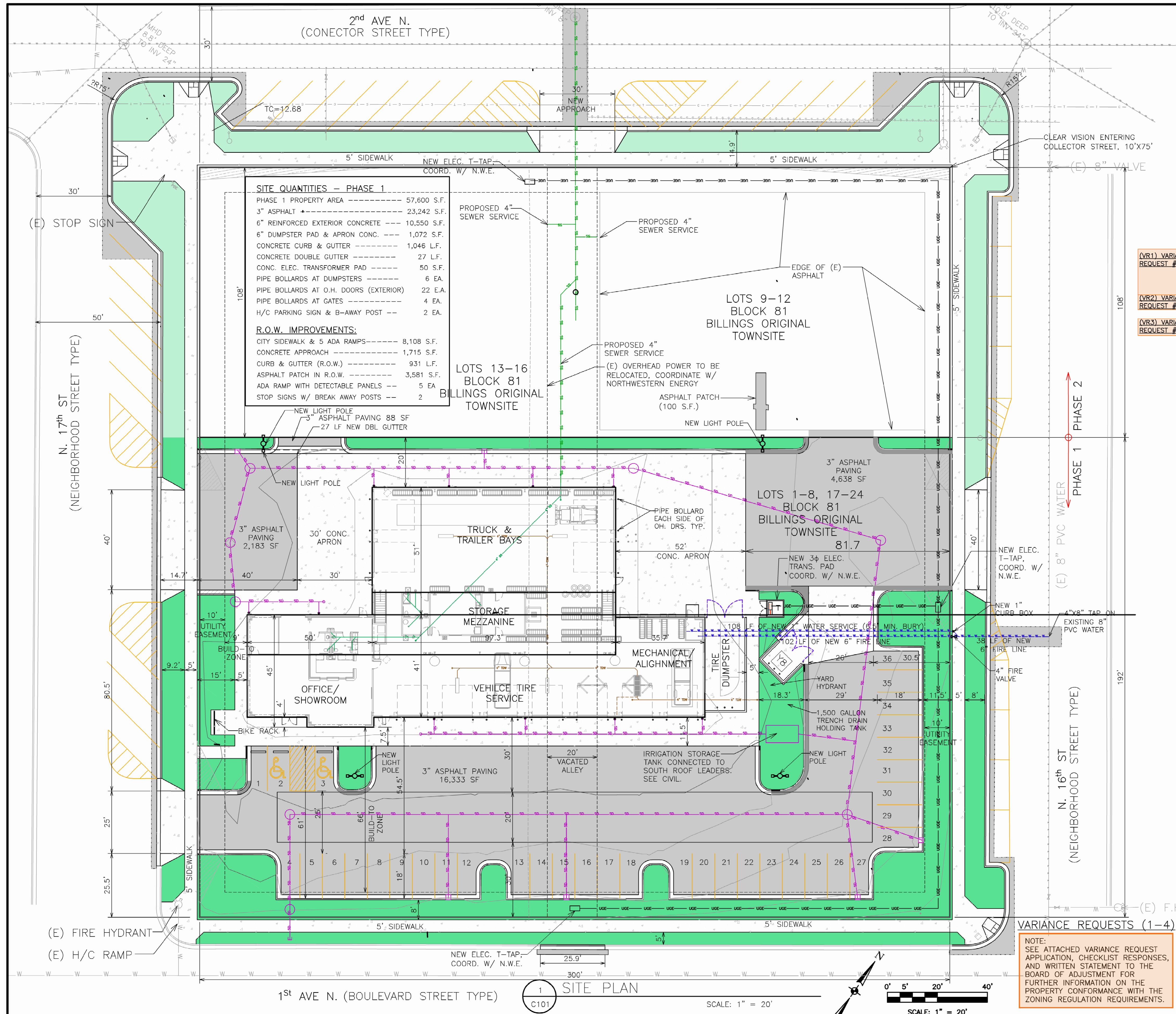
**MONTANA TIRE SERVICE CENTER**  
1617 1ST AVE NORTH  
BILLINGS, MT 59101  
LOTS 13-24, BLOCK 81  
BILLINGS ORIGINAL TOWNSITE

**EEC Inc.**  
6602 WAGON TRAIL  
BILLINGS, MT 59106  
OFFICE: 406-839-9151  
FAX: 406-839-9150  
www.eecmtl.com



Drawn By: KL/KWJ  
Checked By: CH  
Date: 05-01-2025  
Project #: Mt Tire  
Cadd file:

1st AVE N. (BOULEVARD STREET TYPE)  
**1** EXISTING SITE PLAN  
SCALE: 1" = 20'



**CHAPTER 27 ZONING - ARTICLE 27-900.EBURD:**

**ZONED: EBURD-CW (EAST BILLINGS CENTRAL WORKS DISTRICT)**

**SECTION 27-901 (C) - SUSTAINABLE DEVELOPMENT MEASURES:**  
 (MINIMUM 5 POINTS REQUIRED FROM THE LIST BELOW)  
 CERTIFIED GREEN BUILDING - (3 POSSIBLE)  
 BUILDING ENERGY EFFICIENCY - (2 POINTS POSSIBLE)  
 BUILDING WATER EFFICIENCY - (2 POINTS POSSIBLE)  
 WATER-EFFICIENT LANDSCAPE - (2 POINTS POSSIBLE)  
 RENEWABLE ENERGY SOURCES - (2 POINTS POSSIBLE)  
 GREEN ROOF MEASURES - (2 POINTS POSSIBLE)  
 HEAT ISLAND REDUCTION MEASURES - (2 POINTS POSSIBLE)  
 PERVIOUS PAVEMENT MEASURES - (2 POINTS POSSIBLE)  
 ENHANCED BICYCLE AMENITIES - (1 POINT POSSIBLE)

**TABLE 27-900-1. PERMITTED FRONTAGE TYPES:**  
 FRONTAGE TYPES ALLOWED IN - CENTRAL WORKS DISTRICT  
 1. GENERAL STOOP  
 2. STOREFRONT  
 3. LIMITED BAY  
 4. COMMERCE (PERMITTED ON BOULEVARD STREET TYPE)  
 5. CIVIC FRONTAGE  
 6. COMMERCIAL OUTDOOR SITE

**SECTION 27-904 (D) - FRONTAGE TYPE - LIMITED BAY:**  
 TABLE 27-900-5 (1) BUILDING SITTING  
 a. STREET FRONTAGE  
 • FRONT LOT COVERAGE (95% MINIMUM, PARKING EXCEPTION [1])  
 [NOTE #1] LOTS WIDER THAN 140' ARE PERMITTED 1 DOUBLE-LOADED AISLE OF PARKING (MAXIMUM WIDTH OF 65'), LOCATED PERPENDICULAR TO STREET, WHICH IS EXEMPT FROM FRONT LOT LINE COVERAGE CALCULATION.  
 =  $45 / (192 - 68.5) = 35.4\%$  LOT COVERAGE PROVIDED  
 • BUILD TO CORNER (REQUIRED) = PROVIDED AT FRONT BUILD-TO ZONE (9'). NOT PROVIDED AT STREET-SIDE BUILD-TO ZONE (66')  
 • FRONT BUILD-TO ZONE (0'-10') = PROVIDED 9'  
 • STREET-SIDE BUILD-TO ZONE (0'-10') = PROVIDED 66'  
 • RIGHT-OF-WAY ENCROACHMENT (AWNINGS & CANOPIES) = NOT PROVIDED

b. BUILDABLE AREA  
 • SIDE SETBACK (0') = PROVIDED 77'  
 • REAR SETBACK (5'; 0' WITH ALLEY) = PROVIDED 71'-4"  
 • MINIMUM LOT WIDTH (25') = PROVIDED 192'  
 • MAXIMUM LOT WIDTH (NONE) = PROVIDED 300'  
 • MAXIMUM IMPERVIOUS COVERAGE (90%) = PROVIDED 82%,  
 =  $47,403SF + 57,600SF/100 = 82\%$   
 • ADDITIONAL SEMI-PERVIOUS COVERAGE (10%) = PROVIDED 0%

c. PARKING LOCATION, LOADING & ACCESS  
 • PARKING LOCATION (REAR YARD; LIMITED SIDE YARD [1])  
 = SIDE YARD, PER NOTE #1 BELOW  
 [NOTE #1] LOTS WIDER THAN 140' ARE PERMITTED 1 DOUBLE-LOADED AISLE OF PARKING (MAXIMUM WIDTH OF 65'), LOCATED PERPENDICULAR TO STREET, WHICH IS EXEMPT FROM FRONT LOT LINE COVERAGE CALCULATION.  
 • LOADING FACILITY LOCATION & ENTRY FOR PARKING WITHIN BUILDING (REAR & SIDE FACADES; LIMITED FRONT OR STREET-SIDE FACADE [2])  
 [NOTE #2] ONE BAY IS PERMITTED ON EITHER THE FRONT OR STREET-SIDE FACADE, MAXIMUM WIDTH 20', FOR EITHER LOADING OR PARKING ENTRY.  
 • VEHICULAR ACCESS (FROM ALLEY; OR UP TO ONE (1) DRIVEWAY PER STREET FRONTAGE [3])  
 [NOTE #3] FOR PARCELS WITH A STREET FRONTAGE LONGER THAN 300' AND NO ALLEY, TWO (2) DRIVEWAYS ARE PERMITTED.

**TABLE 27-900-5 (2) BUILDING HEIGHT**  
 • MINIMUM OVERALL HEIGHT (1 STORY - 2 STORIES PREFERRED)  
 = PROVIDED 2-STORY @ 30'-10"  
 • MAXIMUM OVERALL HEIGHT (6 STORIES [4]) = PROVIDED 2-STORY  
 • GROUND STORY: MINIMUM HEIGHT (15'); MAXIMUM HEIGHT (24' [5])  
 = PROVIDED 2-STORY @ 30'-10"  
 [NOTE #5] IF 18' OR MORE IN HEIGHT, GROUND STORY SHALL COUNT AS 2 STORIES TOWARDS MAXIMUM BUILDING HEIGHT.  
 • UPPER STORIES: MINIMUM HEIGHT (9'); MAXIMUM HEIGHT (14')  
 = PROVIDED GROUND STORY @ 30'-10", PER NOTE #5 ABOVE

**TABLE 27-900-5 (3) USES**  
 • ALL STORIES (ALL PERMITTED USES BY DISTRICT PER ARTICLE 27-100) = PERMITTED USE  
 • PARKING WITHIN BUILDING (PERMITTED IN THE REAR OF ALL FLOORS AND FULLY IN ANY BASEMENT(S)) = NOT PROVIDED  
 • OCCUPIED SPACE (30' DEPTH SPACE ON FRONT FACING FACADE) = PROVIDED 50' DEPTH SPACE  
 • ACCESSORY STRUCTURES (PERMITTED PER ARTICLE 27-100) = NON PROVIDED

**TABLE 27-900-5 (4) STREET FACADE REQUIREMENTS**  
 a. WINDOW COVERAGE  
 • GROUND FLOOR: MINIMUM TRANSPARENCY (50%, MEASURED BETWEEN 2' AND 8' FROM SIDEWALK ELEVATION)  
 = PROVIDED 57% WEST FACADE (57%) AND 59% SOUTH FACADE (59%)  
 • MINIMUM WINDOW COVERAGE (20% PER FLOOR) = PROVIDED GREATER THAN 20%  
 • BLANK WALL LIMITATIONS (REQUIRED)

b. BUILDING ENTRANCE  
 • PRINCIPAL ENTRANCE LOCATION (FRONT, STREET-SIDE, OR CORNER OF BUILDING) = PROVIDED 1 STREET-SIDE  
 • ENTRANCE TYPE - REFER TO SECTION 27-903 (STOREFRONT)  
 = PROVIDED STOREFRONT TYPE AT PRINCIPAL ENTRANCE LOCATION  
 • STREET FACADES: NUMBER OF ENTRANCES (1 PER 75' OF FACADE)  
 = PROVIDED 1 WEST, 2 SOUTH, AND 1 EAST  
 • PARKING LOT FACADES: NUMBER OF ENTRANCES (1 PER 100' OF FACADE) = PROVIDED 2

c. ROOF TYPE  
 • ROOF TYPE - SECTION 27-1802 (PARAPET, FLAT, PITCHED, OR BARREL) = PROVIDED PITCHED WITH PARAPET  
 • TOWER (ONE PER BUILDING ALLOWED)

d. FACADE DIVISIONS  
 • VERTICAL INCREMENTS (NO GREATER THAN 50') = PROVIDED LESS THAN 50'  
 • HORIZONTAL EXPRESSION LINE (REQUIRED WITHIN 3' OF TOP OF GROUND STORY) = PROVIDED BRICK OR METAL WAINSCOT

e. BALCONIES  
 • NO BALCONIES PROVIDED

**TABLE 27-1300.1 OFF-STREET PARKING STANDARDS**  
 -NOT REQUIRED  
 -SPACES PROVIDED = 40

**TABLE 27-1300.5 BICYCLE PARKING**  
 EBURD ZONING - MIN. 1 SHORT-TERM BICYCLE RACK PER BUILDING (REQUIRED TO BE WITHIN 50' OF MAIN ENTRY)

**(VR1) VARIANCE REQUEST #1**

**(VR2) VARIANCE REQUEST #2**

**(VR3) VARIANCE REQUEST #3**

**VARIANCE REQUESTS (1-4)**

NOTE:  
 SEE ATTACHED VARIANCE REQUEST APPLICATION, CHECKLIST RESPONSES, AND WRITTEN STATEMENT TO THE BOARD OF ADJUSTMENT FOR FURTHER INFORMATION ON THE PROPERTY CONFORMANCE WITH THE ZONING REGULATION REQUIREMENTS.

**PRELIMINARY**  
 4-03-2025  
**SHEET#:**  
**C101**

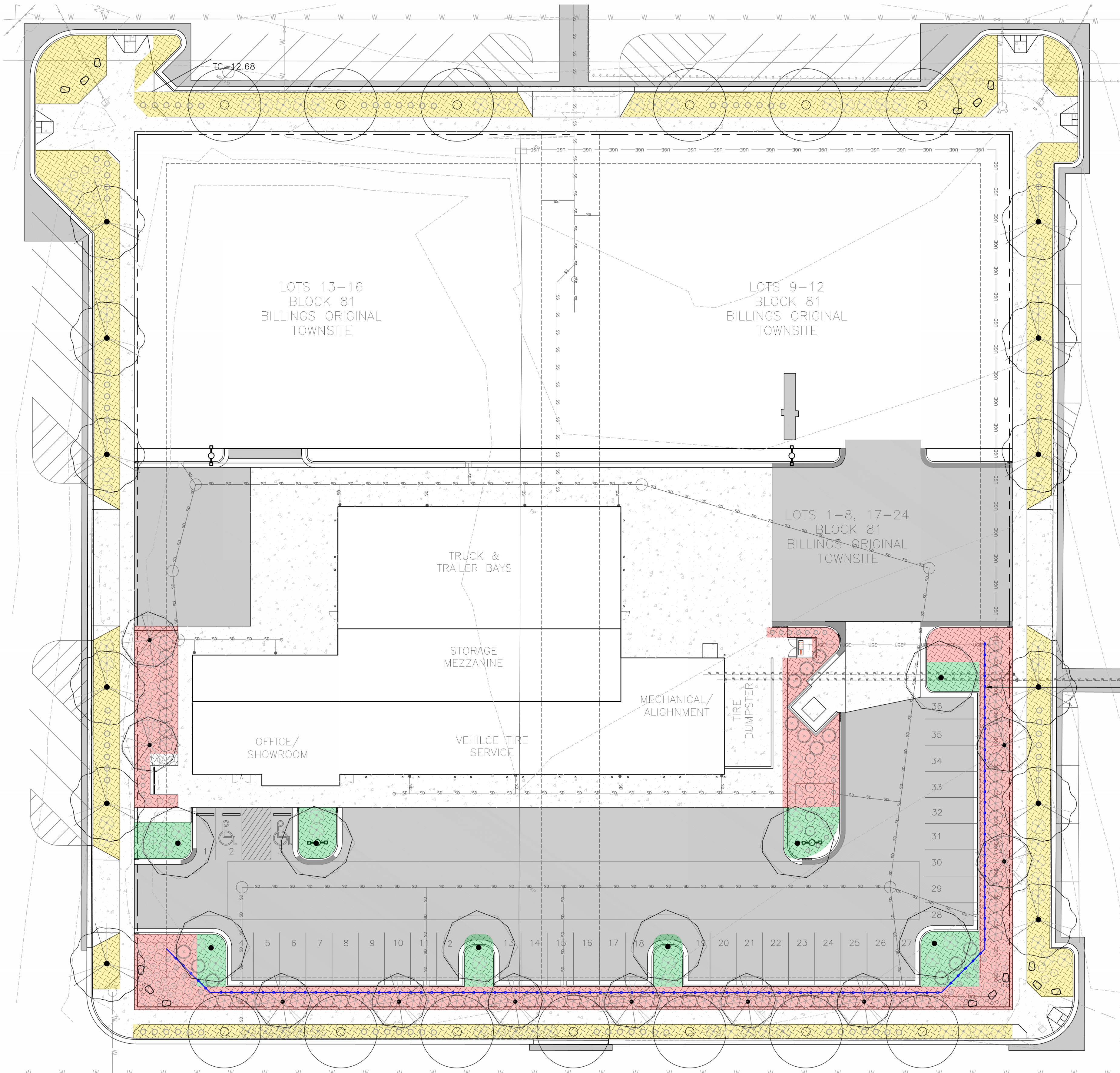
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**PROFESSIONAL ENGINEER**  
 CHARLES REBERICK  
 No. 40764PE  
 REGISTERED

**Drawn By:** KL  
**Checked By:** CH  
**Date:** 04-03-2025  
**Project #:** Mt Tire  
**Cadd file:**



**LANDSCAPE CODE PLAN**

SCALE: 1" = 20'  
 0 20' 40'  
 SCALE IN FEET

**LANDSCAPE CODE ANALYSIS**

**27-905 - LANDSCAPING STANDARDS**  
 C(1) - ONE TREE FOR EVERY 2,500 SF OF LANDSCAPE AREA (266 SF PROVIDED)  
 C(2) - FENCES AND WALLS - MAX HEIGHT OF 8'-0" (CENTRAL WORKS DISTRICT) WITH APPROVED MATERIALS, MAX OPACITY OF 50%  
 C(3) - BUFFERS - REQUIRED ALONG STREET SIDE & REAR YARD  
 D - FRONTAGE BUFFER - REQUIRED ALONG STREET SIDE & REAR YARD  
 MEDIUM OR LARGE TREE EVERY 40' AND CONTINUOUS HEDGE ROW  
 3'-4" HEIGHT FENCE LOCATED 2' FROM CURB  
 E - INTERIOR PARKING LOT LANDSCAPING - ONE TREE PER ISLAND, NO MORE THAN INTERNAL AREAS NOT DEDICATED TO PARKING LOT LANDSCAPING SHALL HAVE ONE TREE PER FIRST 150 SF, THEN ONE TREE PER 650 SF  
 F - SIDE AND REAR BUFFER - PROPERTY SURROUNDED BY RIGHT OF WAY AND NO TRANSITION IS REQUIRED BETWEEN THIS PROPERTY AND ANY NEIGHBORING DISTRICT  
 STREET TREES PROVIDED AT 40' (EACH PROPERTY LINE IS 300')

**27-906 - STREET TYPE STANDARDS**  
 A - GENERAL REQUIREMENTS - PROVIDE COMPLETE STREETS, INCLUDING SIDEWALKS, AND STREETS THAT ARE APPROPRIATE FOR THEIR CONTEXT  
 B - GENERAL STREET TYPE STANDARDS - PROVIDE APPROPRIATE STREET DESIGN AND RIGHT OF WAY ELEMENTS, INCLUDING BICYCLE FACILITIES, ON-STREET PARKING, AND STORM WATER MANAGEMENT  
 2ND AVENUE NORTH = CONNECTOR STREET (STREET 2)  
 1ST AVENUE NORTH = BOULEVARD STREET (MAJOR TRAFFIC)  
 16TH & 17TH STREET = NEIGHBORHOOD STREET (STREET 1)

**ZONING CODE ANALYSIS**

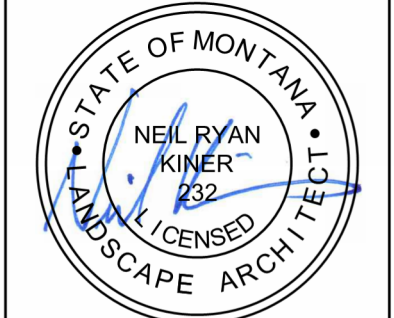
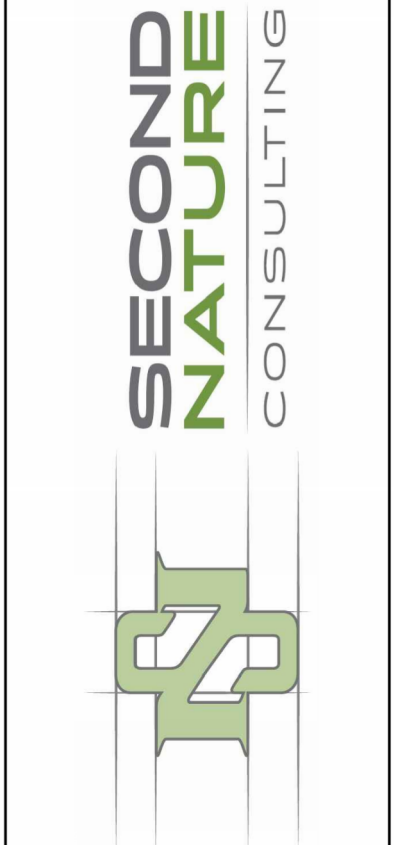
- STREET FRONTAGE LANDSCAPE AREA
- PARKING LOT LANDSCAPE AREA
- BUFFER FRONTAGE - INTERIOR LANDSCAPE AREA

**VARIANCE REQUEST #4**  
 PROJECT RESPECTFULLY REQUESTS ADMINISTRATIVE RELIEF ON REQUIREMENT OF 3'-4" HEIGHT FENCE PLACED ALONG THE SIDE AND REAR BUFFERYARD

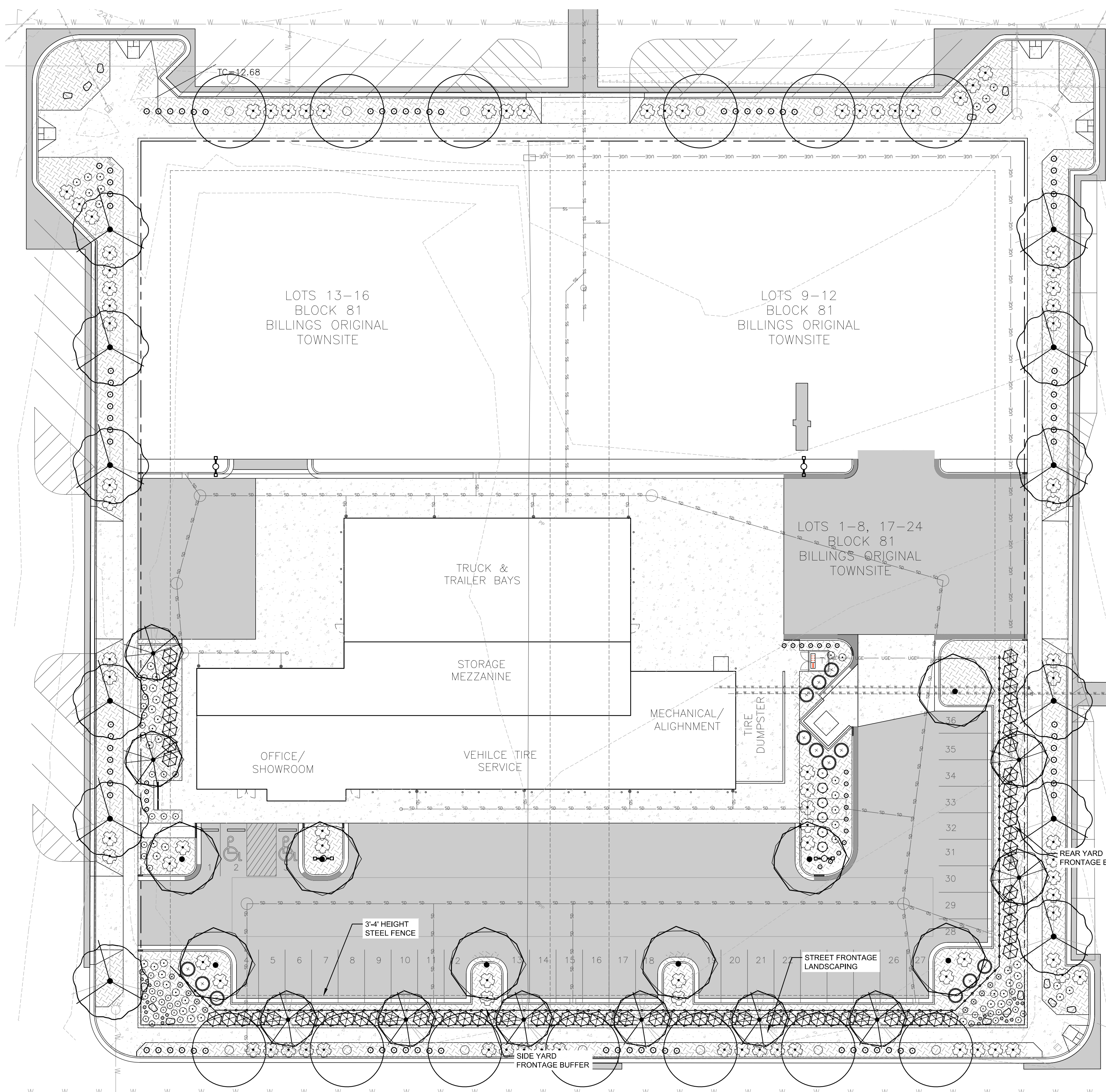
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 Project #: MT Tire  
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**LANDSCAPE PLAN**

SCALE: 1" = 20'  
 0 20' 40'  
 SCALE IN FEET

**PLANT SCHEDULE**

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
<b>DECIDUOUS TREES</b>						
	AF	Acer freemanii 'Autumn Blaze'	Autumn Blaze Maple	2" Cal.	B&B	8
	AC	Acer grandidentatum x saccharum 'Hipzam'	Highland Park® Maple	1" Cal.	Pot	10
	QB	Quercus bicolor	Swamp White Oak	2" Cal.	B&B	13
	TA	Tilia americana 'Boulevard'	Boulevard Linden	2" Cal.	B&B	12
	TC	Tilia cordata	Littleleaf Linden	2" Cal.	B&B	7
<b>SHRUBS</b>						
	CS	Cornus sericea 'Alleman's Compact'	Dwarf Red Twig Dogwood	2 gal.	Pot	7
	EA	Euonymus alatus 'Compactus'	Compact Burning Bush	5 gal.	Pot	72
	MC	Pinus mugo 'Compacta'	Dwarf Mugo Pine	5 gal.	Pot	13
	RT	Rhus aromatica 'Gro Low'	Skunkbush Sumac	5 gal.	Pot	86
	RX	Rosa x 'Meizorland' TM	White Drift Groundcover Rose	5 gal.	Pot	52
<b>GRASSES</b>						
	CX	Calamagrostis x acutiflora 'Avalanche'	Feather Reed Grass	1 gal.		21
	CA	Calamagrostis x acutiflora 'Overdam'	Overdam Feather Reed Grass	1 gal.		85
	MP	Miscanthus purpurascens	Flame Grass	1 gal.	Pot	10
<b>PERENNIALS</b>						
	AM	Achillea millefolium 'Terracotta'	Terracotta Yarrow	1 gal.	Pot	18
	HH	Helioopsis helianthoides scabra 'Summer Sun'	False Sunflower	1 gal.	Pot	15
	NC	Nepeta x 'Cat's Pajamas'	Cat's Pajamas Catmint	1 gal.	Pot	30
<b>GROUND COVERS</b>						
	CR2	Rock Mulch	Crushed Limestone	5/8" Chip		14,430 sf

**FENCING SCHEDULE**

	TYPE ONE: FRONTAGE BUFFER	
	SQUARE STEEL DECORATIVE	
	4'-0" HEIGHT	

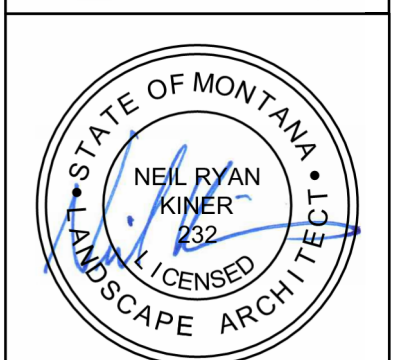
**LANDSCAPING NOTES:**

- GENERAL PLANTING REQUIREMENTS**
- SEE DETAIL SHEETS FOR PLANTING DETAILS & SEE PROJECT MANUAL FOR LANDSCAPE SPECIFICATIONS.
  - THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THE PLANS ARE BASED ON THE BEST AVAILABLE INFORMATION. SOURCE OF BASE SHEETS IS PROJECT ARCHITECTS AND ENGINEERS. THE LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THIS INFORMATION OR THE INADVERTENT OMISSION OF ANY SUCH INFORMATION. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICE LOCATORS AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION FOR MARKOUTS OF EXISTING UNDERGROUND FACILITIES.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES TO ANY UTILITIES CAUSED BY HIS/HER PROJECT OPERATIONS. NO CONSTRUCTION SHALL COMMENCE WITHOUT PRIOR APPROVAL OF THE SUPERVISING LANDSCAPE ARCHITECT, ENGINEER OR ARCHITECT.
  - THE CONTRACTOR SHALL MAINTAIN REASONABLE ACCESS TO ALL PRIVATE DRIVEWAYS, PARKING AREAS AND AREAS THAT REQUIRE PUBLIC ACCESS DURING CONSTRUCTION.
  - REFER TO CIVIL ENGINEER'S UTILITY PLANS FOR UTILITY LOCATION AND GRADING AND DRAINAGE PLANS FOR STORM WATER MANAGEMENT INFORMATION. IF ACTUAL SITE CONDITIONS VARY FROM WHAT IS SHOWN ON THE PLANS OR IF THERE ARE DISCREPANCIES BETWEEN THE PLANS, CONTACT THE LANDSCAPE ARCHITECT FOR DIRECTION ON HOW TO PROCEED.
  - VERIFY LOCATIONS OF PERTINENT SITE IMPROVEMENTS INSTALLED UNDER OTHER SECTIONS. IF ANY PART OF THIS PLAN CANNOT BE FOLLOWED DUE TO SITE CONDITIONS, CONTACT LANDSCAPE ARCHITECT FOR INSTRUCTIONS PRIOR TO COMMENCING WORK.
  - IF SPECIFIED MATERIAL IS NOT OBTAINABLE, SUBMIT TO LANDSCAPE ARCHITECT PROOF OF NON-AVAILABILITY AND A PROPOSAL FOR SUBSTITUTION OF EQUIVALENT MATERIAL. SUBMIT PHOTOGRAPHS OF ALTERNATIVE CHOICES OF PLANT MATERIAL FOR SELECTION BY LANDSCAPE ARCHITECT. INCLUDED WITH THESE PHOTOGRAPHS SHOULD BE CLEAR, WRITTEN DESCRIPTION OF THE TYPE, SIZE, CONDITION, AND GENERAL CHARACTER OF THE PLANT MATERIAL.
- TOP SOIL & AMENDMENTS - SOIL CONDITIONING**
- PLANTING SOIL WILL NEED TO BE IMPORTED TO THE SITE. PROVIDE SCIENTIFIC SOIL ANALYSIS OF IMPORTED SOILS. RECOMMENDATIONS FOR TYPES AND AMOUNTS OF SOIL AMENDMENTS MUST ACCOMPANY THE SOIL ANALYSIS. PROVIDE FULLY MIXED PLANTING SOIL AS DESCRIBED IN SOIL ANALYSIS.
  - IN AREAS OF COMPACTED SOILS, UTILIZE EQUIPMENT CAPABLE OF BREAKING UP THE SOIL HARD PAN. RIP AND SCARIFY ALL COMPACTED SOILS PRIOR TO PLACEMENT OF PLANTING SOIL.
  - ALL PLANTING AREAS TO RECEIVE AT LEAST 6" OF AMENDED TOP SOIL.
  - ALL TREE & SHRUB PLANTINGS ARE REQUIRED TO OVER EXCAVATE PLANTING PITS AND PROVIDE PLANTING SOIL AS SHOWN IN PLANTING DETAILS.
- PLANTING**
- QUANTITIES SHOWN IN THE PLANT LIST ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR & FOR OWNER INFORMATION. CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE QUANTITY OF PLANTS SHOWN GRAPHICALLY ON THE PLANS. IN THE CASE OF A DISCREPANCY THE PLANS SHALL OVERRULE THE LEGEND, EXCEPT PLANTS SPECIFICALLY NOTED AS "NOT SHOWN ON PLAN." VERIFY PLANT COUNTS AND SQUARE FOOTAGES.
  - EXACT LOCATIONS OF PLANT MATERIALS TO BE APPROVED BY THE LANDSCAPE ARCHITECT IN THE FIELD PRIOR TO INSTALLATION. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION IN FIELD.
  - TREES SHALL BEAR SAME RELATION TO FINISHED GRADE AND SOLAR ORIENTATION AS THEY BORE IN THE NURSERY BEFORE TRANSPLANTING.
  - PROVIDE MATCHING FORMS AND SIZES FOR PLANT MATERIALS WITHIN EACH SPECIES AND SIZE DESIGNATED ON THE DRAWINGS.
  - PRUNE NEWLY PLANTED TREES ONLY AS DIRECTED BY LANDSCAPE ARCHITECT.
  - FINISH GRADES OF PLANTER AREAS SHALL BE 2 INCHES BELOW ADJACENT PAVING OR TOP OF CURB UNLESS OTHERWISE NOTED.
  - REMOVE ENTIRE WIRE CAGE FROM ROOTBALL. CUT AND REMOVE BURLAP FROM TOP 1/3 OF BALL.
  - LANDSCAPE ARCHITECT TO REVIEW PLANT MATERIALS AT SOURCE OR BY PHOTOGRAPHS PRIOR TO DIGGING OR SHIPPING OF PLANT MATERIALS.
  - PLACE ROCK MULCH IN A MANNER THAT MINIMIZES RISK TO PLANTED MATERIAL. DAMAGE FROM MULCH PLACEMENT WILL REQUIRE REPLACEMENT OF DAMAGED MATERIAL.
  - GENERAL CONTRACTOR TO PROVIDE CURRENTLY AVAILABLE COLOR SAMPLES OF SITE AMENITIES (PAVER STONES, TRASH RECEPTACLES, BIKE RACKS, PLANTERS, AND BENCHES) TO OWNER AND LANDSCAPE ARCHITECT FOR SELECTION PRIOR TO PROCUREMENT.

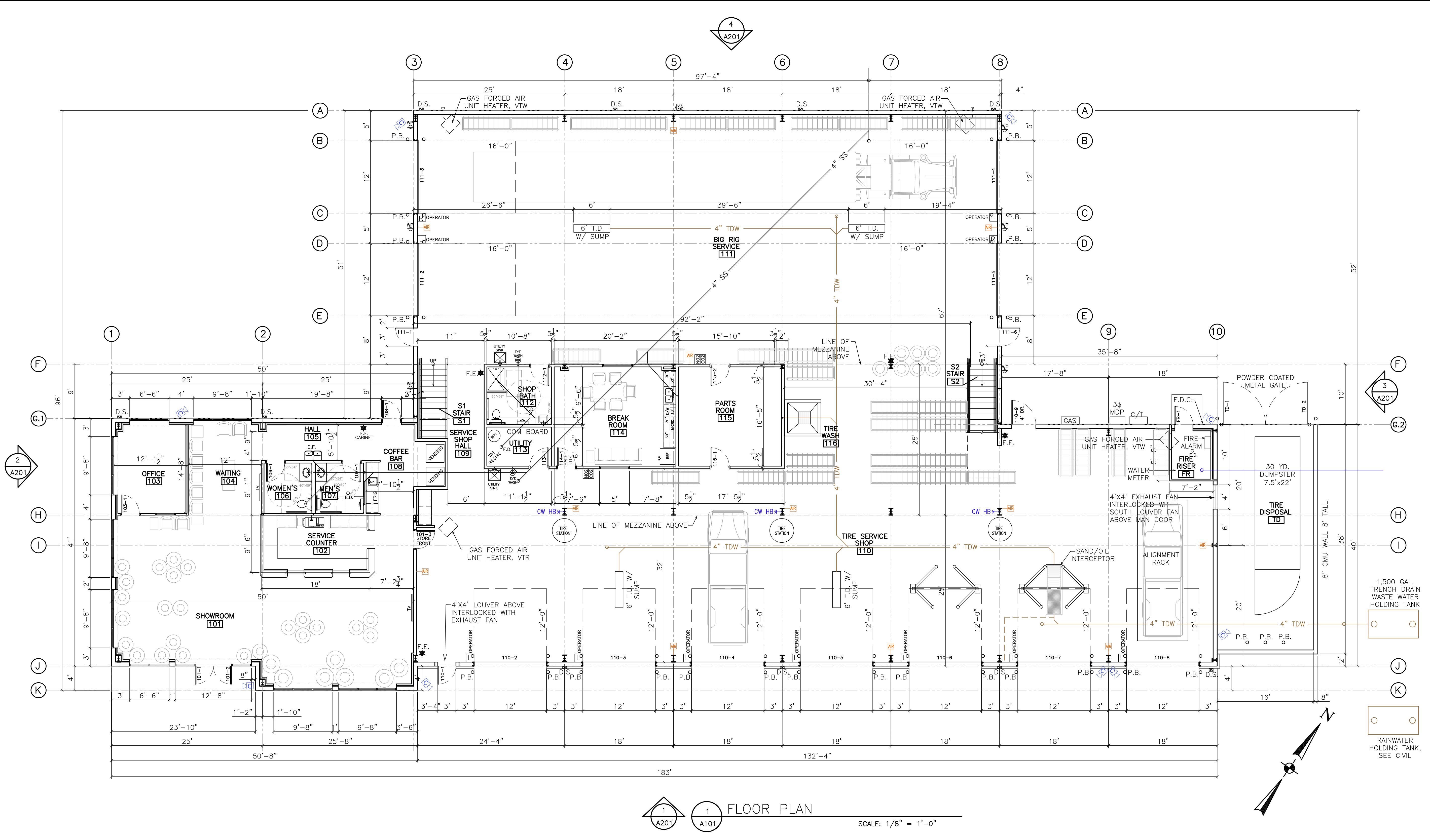
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1 A201

1 A101
FLOOR PLAN
SCALE: 1/8" = 1'-0"

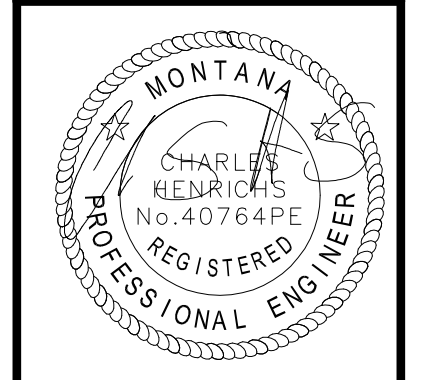
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**A101**

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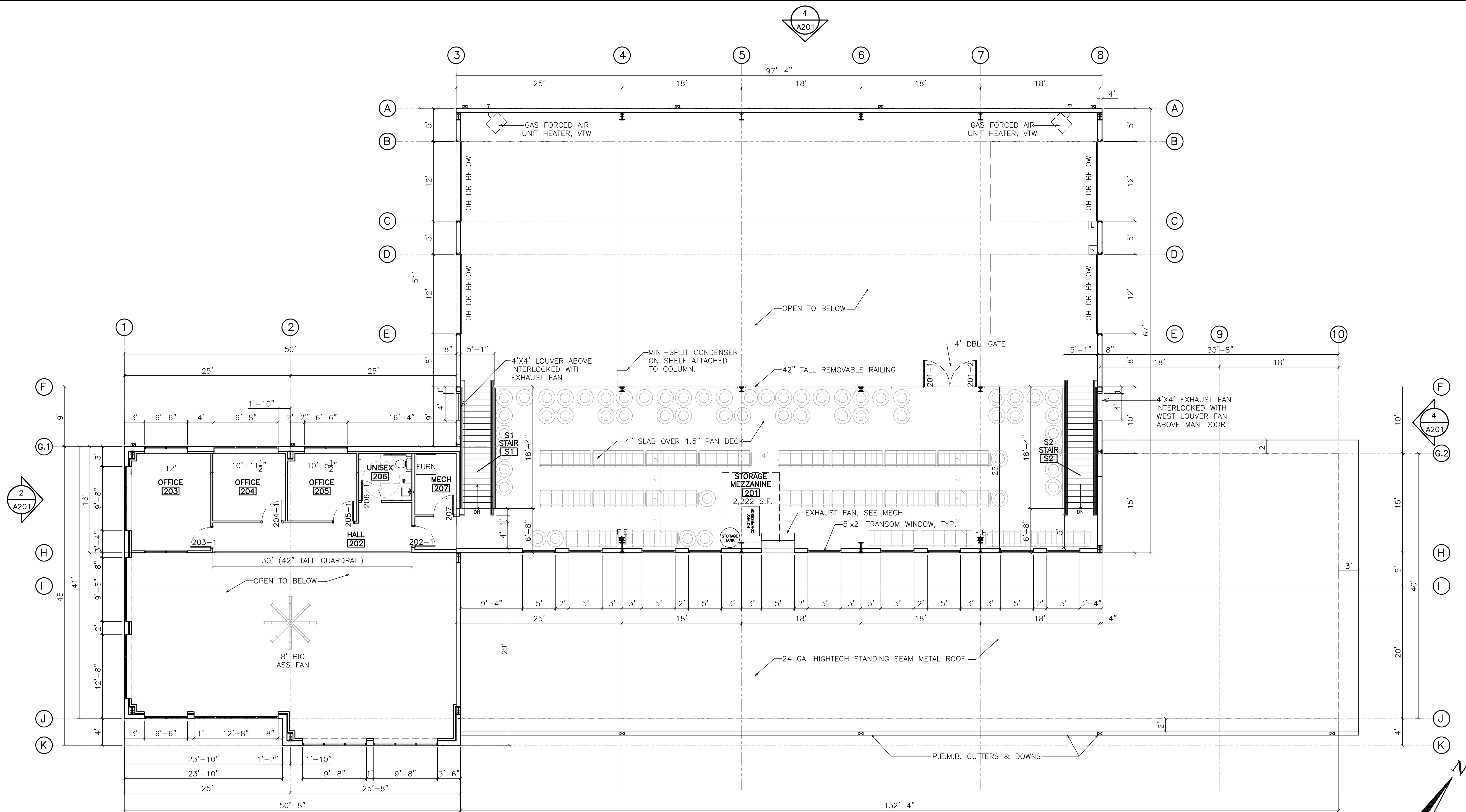
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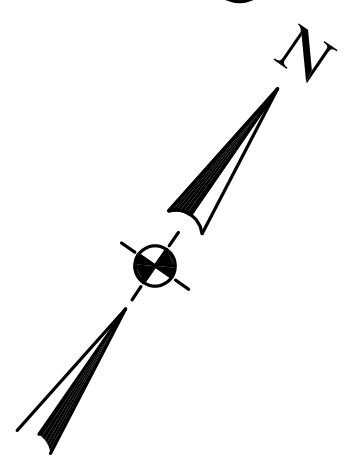
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1 MEZZANINE PLAN  
 SCALE: 1/8" = 1'-0"

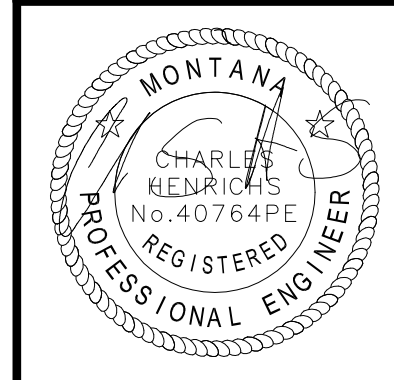


VARIANCE  
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 SHEET#:  
**A102**

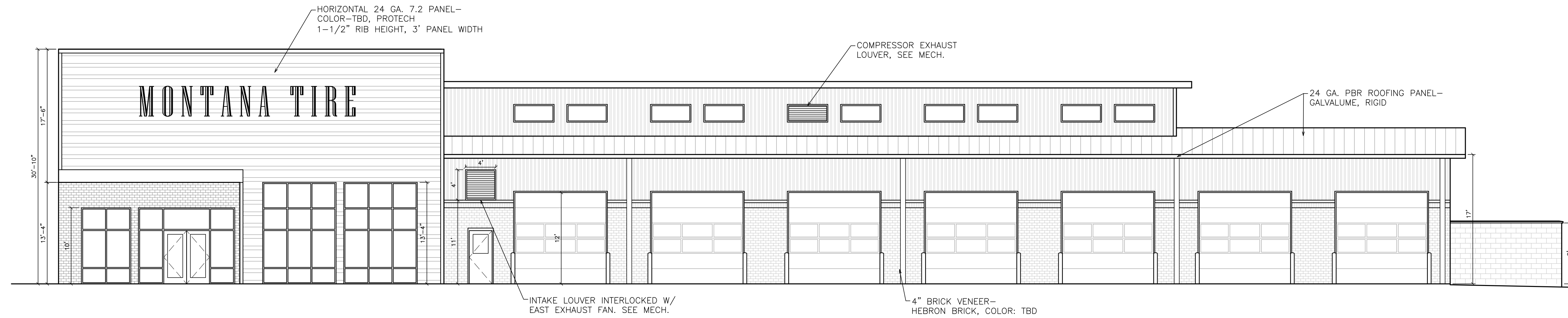
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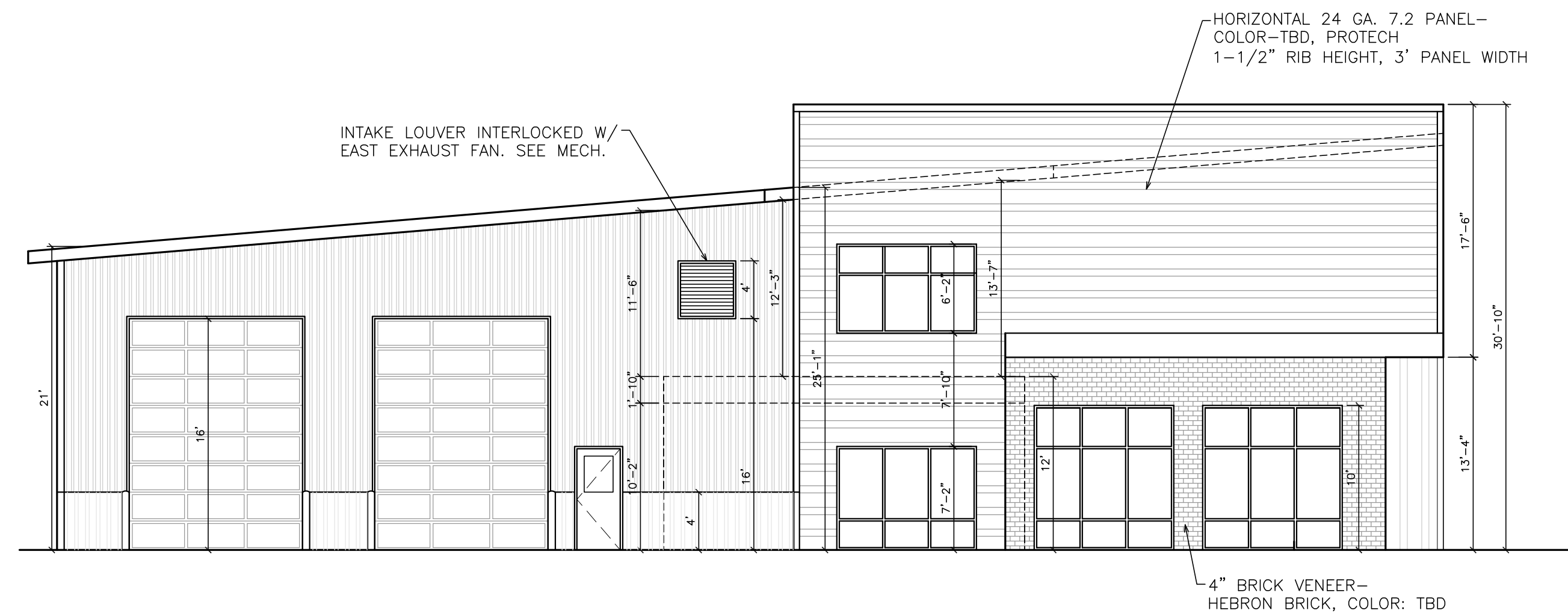


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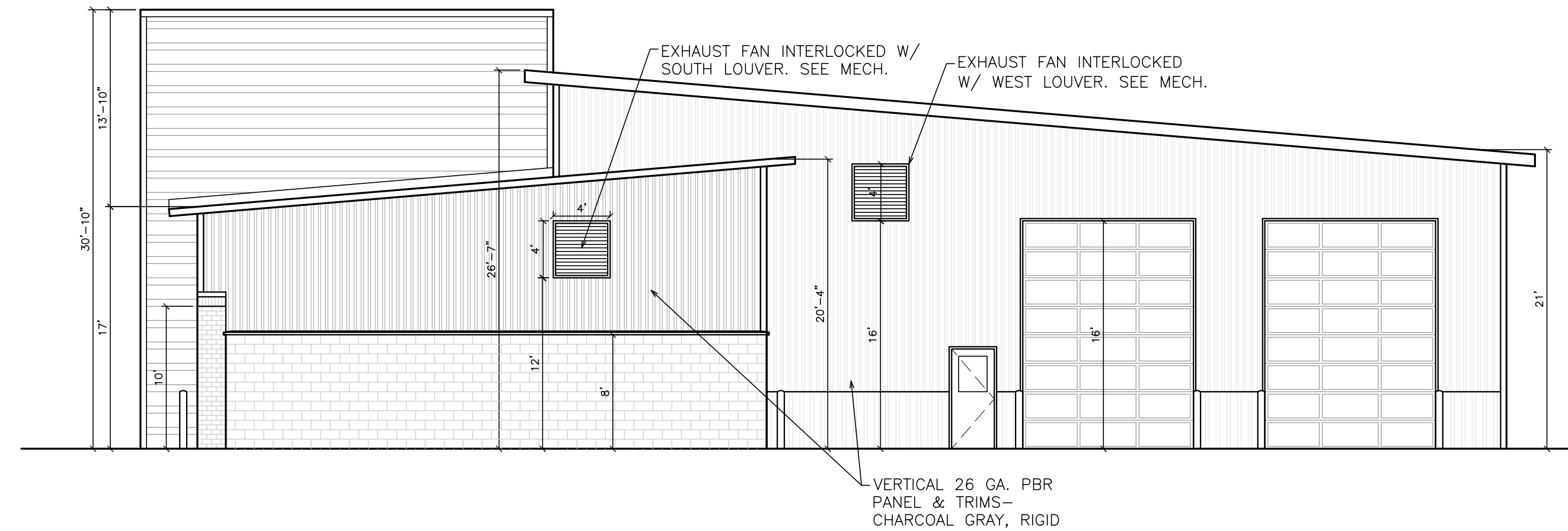
1 SOUTH ELEVATION  
A201

SCALE (22X34): 1/8"=1'-0"  
SCALE (11X17): 1/16"=1'-0"



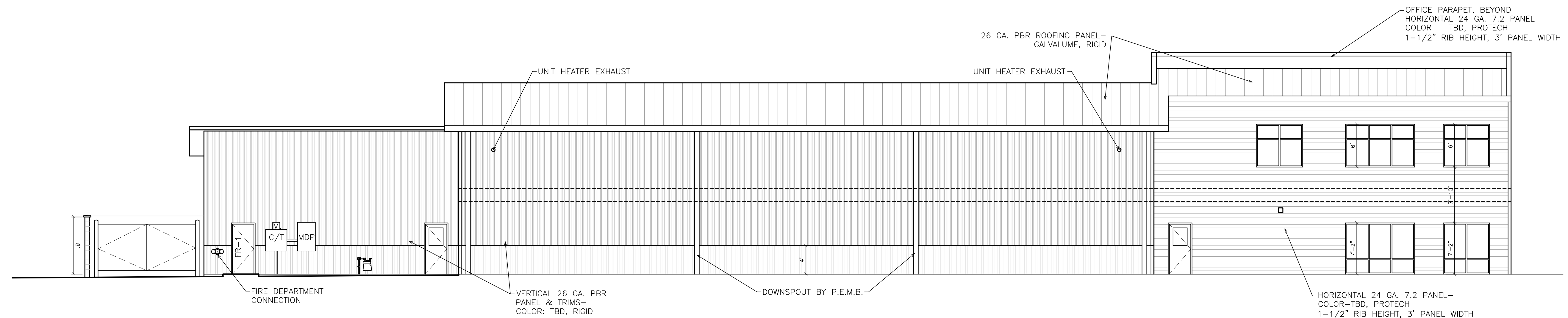
2 WEST ELEVATION  
A201

SCALE (22X34): 1/8"=1'-0"  
SCALE (11X17): 1/16"=1'-0"



3 EAST ELEVATION  
A201

SCALE (22X34): 1/8"=1'-0"  
SCALE (11X17): 1/16"=1'-0"



4 NORTH ELEVATION  
A201

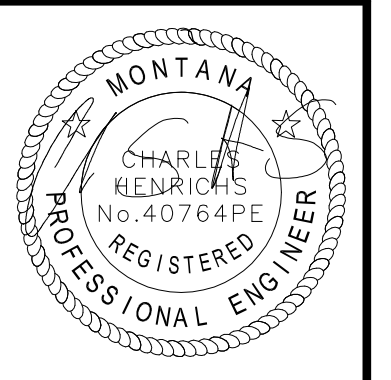
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SCALE (11X17): 1/16"=1'-0"

VARIANCE  
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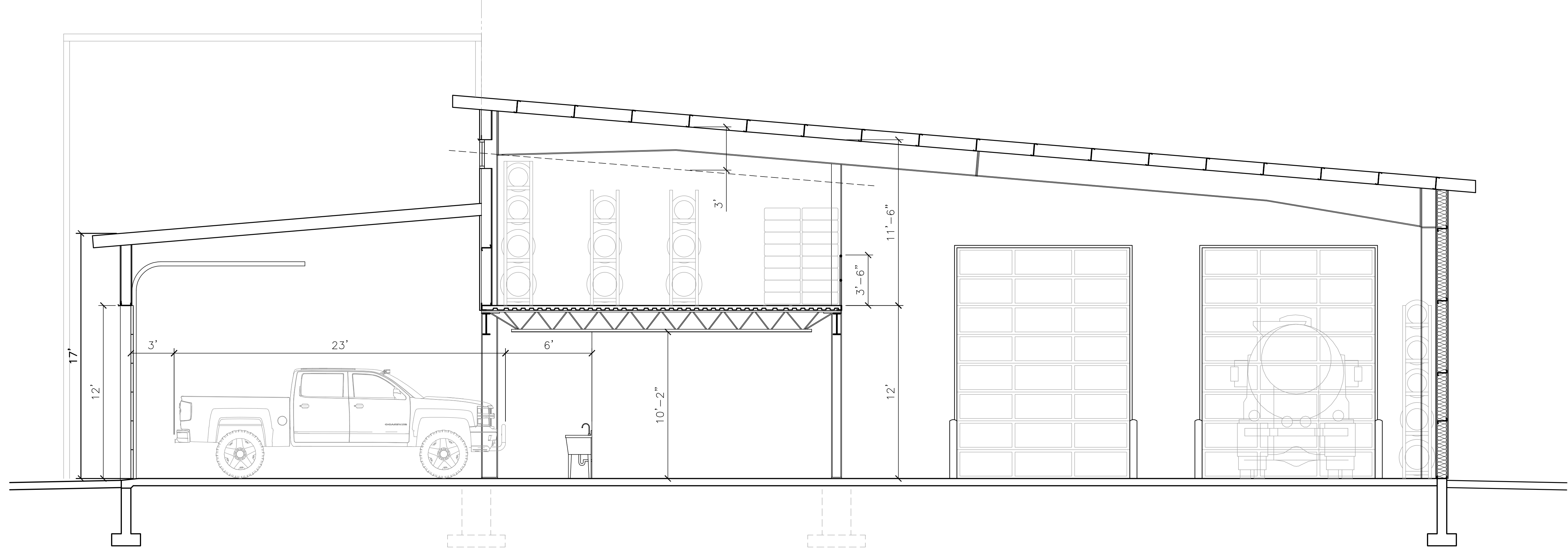
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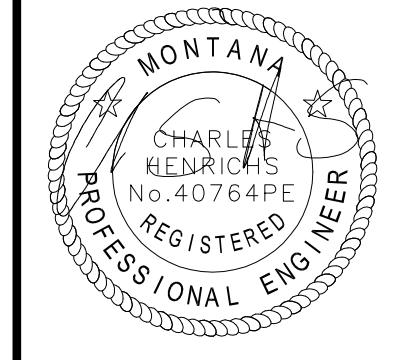


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1 BUILDING SECTION  
 A301 SCALE: 1/4" = 1'-0"

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VARIANCE  
 SUBMITTAL  
 05-01-2025  
 SHEET#:  
**A301**



MONTANA TIRE





FLORIANA TIRE







SUBJECT PROPERTY	VARIANCE #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SIMILAR PROPERTY	VARIANCE #	DATE	FOR	APPROVED	ADDITIONAL DATA
				(Y/N)	
3189 King Ave W	555	4/26/1988	2 wall signs per occupancy	Yes	Multi-tenant building
2501 Overland Ave	563	7/26/1988	Allow 4' high letters on wall sign	Yes	Former Bruco warehouse
2717 King Ave W	706	10/4/1994	Allow 3 wall signs	No	Lowe's
625 Chokecherry Place	738	7/16/1996	Arterial setback reduction 70' to 63.5' - home addition	Yes	West of S 32nd St W
317 S 27th St.	792	3/3/1999	Reduction in landscaping	Yes	
3029 Lampman Dr	802	9/7/1999	Legal non-conforming use expansion	Admin Decision upheld	Mike's Lawn Service (Appeal)
302 N 15th St.	1092	4/6/2011	Setback	Yes	EBURD-CW
2030 4th Ave N	1149	5/1/2013	Landscaping	Yes	EBURD-RVSM
Blue Creek Road	1331	5/5/2021	Increase build-to area to allow 80-foot setback	Yes	Floodplain of Blue Creek
3840 Zoo Drive	1343	5/4/2022	Allow parking in front of a new warehouse in a CX zone	Yes	Canyon Creek Ditch New Costco location
3032 King Ave W	1350	10/5/2022	Building width, Front lot line coverage	Yes	Panda Express
3160 S Frontage Road	1359	2/1/2023	Parking Location	Yes	Mobile Stor new construction
4825 Midland Rd	1360	3/1/2023	Window & door cove on front Façade, Lot line Cov	Yes	Midland Shops
807 Bench Blvd	1362	3/1/2023	Building siting-build to, lot line cov	Yes	New drive-thru service
3042 King Ave W.	1370	10/4/2023	Site Development standards (Multiple)	Yes	Smitty's Car wash