

Variance Request
Platinum Commercial Park Subdivision

Platinum Commercial Park Subdivision is a 14-lot major subdivision proposed on the northeast corner of 72nd Street West and Danford Road West. As part of the proposed subdivision, a variance from the requirement to provide connections to adjacent properties is requested in relation to the subject areas eastern boundary.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.

The granting of this variance will not be detrimental to the public health, safety, or general welfare or injurious to adjoining properties. The developed area east of the subject property is a residential neighborhood along 68th Street West. The proposed use of Platinum Commercial Park Subdivision will be commercial and industrial, so by limiting/omitting connection to 68th Street West heavy truck and equipment traffic associated with these uses will not unduly be mixed with residential traffic along 68th Street West. Additionally, 68th Street West is not built out to County Road standards, meaning that at least a portion of 68th Street West would be heavily impacted by connecting to the subdivision and potentially be detrimental to the general welfare of those existing residents.

2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.

68th Street West currently serves as an improved driveway for the six residential lots served on the east side of the roadway. Further, the roadway lies within a dedicated road tract that has not been accepted by Yellowstone County as right-of-way. As such, the legality of allowing another subdivision to send traffic to this roadway is unsure, in addition to placing additional heavy traffic from the proposed subdivision onto the roadway that is currently used by six residential lots. By requiring a connection to the eastern boundary of the subdivision, an undue burden would not only be placed on the owner but on the current residents along 68th Street West.

3. The variance will not result in an increase in taxpayer burden.

The variance would not increase taxpayer burden.

4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy.

The subject parcel is outside the zoning boundary of Yellowstone County (property is unzoned).

5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.

As the proposed subdivision is intended to be commercial and industrial in use, it is not anticipated cross connection to the property to the east is desired or will be necessitated as the requirement is intended to provide.

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Platinum Commercial Park Subdivision

Platinum Commercial Park Subdivision is a 14-lot major subdivision proposed on the northeast corner of 72nd Street West and Danford Road West. As part of the proposed subdivision, a variance from the 600' minimum spacing of connections to adjacent properties is requested in relation to the property to the north of the proposed subdivision.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.

The granting of this variance will not be detrimental to the public health, safety, or general welfare or injurious to adjoining properties. A connection to the adjacent property to the north is proposed with the subdivision (Palladium Way) which will enable connection to the adjacent parcel for residents and owners to utilize to go from one subdivision to the other if desired. As the proposed subdivision is intended to be utilized for commercial and industrial uses (will be specified in the subdivision CCRs), limiting the number of connections to the adjacent property to the north will actually serve to potentially limit having heavy truck and equipment traffic intermingling with potentially residential traffic. While it is not guaranteed that the property to the north will be residential, the owner of the adjacent property has been met with and also desires a limited number of connection (s) for this reason.

2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.

As the proposed subdivision is intended to serve commercial and industrial uses, it is desired to have large lots to facilitate these uses. With an average lot width of 388' along the northern property line, requiring connections to be spaced a minimum of 600' feet apart would unduly require further splitting of the lots into smaller parcels (goes against the need and intent of the subdivision) or place roadway connections between each lot essentially. This would be an undue burden on the owner.

3. The variance will not result in an increase in taxpayer burden.

The variance would not increase taxpayer burden as connection between the subdivision and adjacent parcel to the north is still provided, allowing for traffic from one parcel to travel to the other without imparting more traffic on 72nd Street West or Danford Road West.

4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy.

The subject parcel is outside the zoning boundary of Yellowstone County (property is unzoned).

5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.

By providing a singular connection to the property to the north, residents and owners within each area can navigate to the other without needing to travel back onto 72nd Street West or Danford Road West, which is the primary intent of this requirement.