

Variance Request A
Central Avenue Subdivision

Central Avenue Subdivision is a proposed major subdivision in the City of Billings. The applicant is requesting a variance from Section 23-406 Street and Roads. A. 1

1. Relation to Undeveloped Areas: W h e n a proposed subdivision adjoins undeveloped land, streets within the proposed subdivision shall be arranged to allow access to the adjoining undeveloped land this may require multiple connections to multiple adjacent undeveloped parcels. The maximum distance between connections to undeveloped lands shall not exceed 600 feet.

The subdivision has undeveloped land to the east and providing a future connection to those parcels will give those parcels an opportunity to connect to a road system as well as the possibility to connect to City of Billings services that can be much closer to them. Because the lots within the Central Avenue Subdivision are being developed individually, using the master site plan review process, there is limited opportunity to know where roads will be laid out. The developer is providing connection to 3 lots to the east. Subdivision Regulations required connections every 600 feet. The 600-foot maximum is based on a subdivision being laid out using block lengths outlined in the City of Billings subdivision regulations.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties. Staff does not believe that granting the variance will be detrimental to the public health, safety, or general welfare of the public. With the connections being provided it will give future development to the east a second way in and out of the area.

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. There are no topographical conditions that would create a hardship to the developer. The land has been used as farm land with minimum grades across the land.

3. The variance will not result in an increase in taxpayer burden. The variance will not increase a tax burden on taxpayers.

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

5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied. Because the lots to the east are smaller in general the need for a connection every 600 feet would provide many connections but no real need for them if someone were to only place a single home on a large lot. In this case fewer connections are the most logical option.

Variance Request B
Central Avenue Subdivision

Central Avenue Subdivision is a proposed major subdivision in the City of Billings. The applicant is requesting a variance from Section 23-405 Blocks

Block Length means the measurement along the property lines of all lots that share the same street frontage until another street intersects (see Figure 23-405.2.). A block length continues until the street frontage changes from one cardinal direction to another.

TABLE 23-405.1 REQUIRED BLOCK DESIGN; only the zoning for this subdivision is shown.

	Block Length		
	Max.	Min.	Preferred
NX1	780'	160'	600'
N2	950'	160'	720'
CMU1	700'	160'	500'
P1	N/A	N/A	N/A

The proposed subdivision is platting large lots with the intent to do master site plans on the large lots. Large lots have been platted before in the city with the intent of doing a master site plan layout on lots at a later time. Subdivision regulations still require streets to be laid out to meet the requirement of block as required by zoning. Because this subdivision is platting large lots it requires them to request a variance from block layout requirements of the subdivision regulations.

- 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 applicant will be laying out blocks with the development of each lot with the master site plan review. Staff does not believe that granting the variance will be detrimental to the public health, safety, or general welfare of the public.
- 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.* There are no topographical conditions that would create a hardship to the developer. The land has been used as farm land with minimum grades across the land.
- 3. The variance will not result in an increase in taxpayer burden.* The variance will not increase a tax burden on taxpayers.
- 4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy.* Granting the variance would not place the subdivision in nonconformance with any adopted zoning regulations or the growth policy.

5. *The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.* Because they are platting large lots, the alternative will be to layout the blocks at the time of master site plan review.