

**COUNTY APPLICATION FORM**

**COUNTY VARIANCE** County Variance # \_\_\_\_\_ - Project # \_\_\_\_\_

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

PARCEL TAX ID # D01979B COUNTY COMMISSIONER DISTRICT # 1

Legal Description of Property: E1/2SW1/4SW1/4 Section 25, Township 01 South, Range 26 East.,

P.M.M., Yellowstone County, MT

Address or General Location (If unknown, contact County Public Works): 1835 Briarwood Blvd, Billings, MT 59101

Zoning Classification: Non- qualified Ag

Size of Parcel (Area & Dimensions): 20.0355 acres total: 11.8441 & 8.1914 for the 2 tracts in the submitted exempt COS

Variance(s) Requested (detail what you are asking for; ie; setbacks, building size/height, etc.):  
Need variance for the 8.1914 acre tract since it is below the 10 acre threshold in for the non-qualified ag zoning for this area.

Facts of Hardship: (attach letter)

submitted in online application

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

Owner(s): Mark P. & Christine Boone  
(Recorded Owner)

1835 Briarwood Blvd, Billings, MT 59101  
(Address)

406-698-4639 vxranch@hotmail.com  
(Phone Number) (email)

Agent(s): Randy Kehl  
(Name)

1835 Briarwood Blvd, Billings, MT 59101  
(Address)

406-698-4639 vxranch@hotmail.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: Mark P. Boone Date: 01/28/2026  
(Recorded Owner – Digital signature allowed)

To: Consolidated Yellowstone County Zoning Commission

- A. The Boone family decided to submit a Family Transfer Certificate of Survey to the County so that they could split the property into 2 tracts of land and transfer one of those tracts to a spouse. In this case, the property is split completely into Northern and Southern parts due to Briarwood Blvd. running across the property from West to East. The logical split of this land for the Family Transfer C.O.S. is along said Briarwood Blvd., giving both sides having access to each parcel along the entire length of the road, which is important since the topography is not level but traversed by gullies. By placing the boundary line between the Northern Tract and the Southern Tract along Briarwood Blvd., the acreages for each Tract differ in size with the Northern Tract having 11.8441 acres (above the minimum 10 acre requirement) and the Southern Tract having 8.1914 acres (slightly below the minimum of 10 acres).

Since there is an existing barn/garage, which lies just to the North of Briarwood Blvd and sits at the East edge of the property as it exists now, the possible solution of a shape change becomes very challenging since the owners do not want to move or demolish the barn/garage. Also, to get the Southern Tract to 10 acres would require a very narrow (75 foot wide) strip of land running from Briarwood Blvd and parallel to the East line of the property all the way up to the Northern boundary line, which would not be reasonable for any normal land usage.

- B. The couple wants a separate piece of land for financial planning in case of a spouse passing or unforeseen reasons. They also may gift or sell to a child in the future. Finally, the land to the South of Briarwood Blvd is not very useful to the main house and the area to the North. Fencing for animals would become much more cumbersome if both sides of Briarwood Blvd was to be fenced.
- C. No structures will be destroyed or moved are intended for this property.