

Requirements: Please apply online through the [Billings CityView Portal](#). 1) Create a login in, 2) Create a Personal Account, 3) Apply for CITY ZONE CHANGE, 4) Select Variance for the Project type. 5) Complete Application. 6) PAY FEES
Call (406) 657-8247 if you need assistance.

City Variance

2026-2027



These application packets have been updated. Please read carefully. Applications not completed appropriately may be deemed as an incomplete application causing delay or rejection.

APPLICATION DEADLINE – FIRST BUSINESS DAY OF THE MONTH

VARIANCE APPLICATION

Process Review Packet

CITY OF BILLINGS

Planning & Community Services Department
P.O. Box 1178
Billings, MT 59103
Phone: (406) 657-8247 – (406) 247-8610
Website <https://www.billingsmt.gov/755/Zoning-Information>
plnonline@billingsmt.gov – Applications and forms

Variances involve a request to change or modify a numeric or location requirement in the zone district where the property or project is located. The process for review, notices and decision making is in [Section 27-1627](#) of the Billings, MT City Code (BMCC). Variances in general are to accommodate a special condition or conditions of the property that is not applicable to other land in the area. Land features such as steep slopes, oddly shaped lots, water ways, ditches, utilities or similar physical constraints can cause a **hardship** with the land that prevents the strict conformance with the code. A hardship is not a financial hardship for zoning variance purposes. The applicant will need to demonstrate that compliance with the numeric or location regulation is not physically possible, or compliance with the code would be too difficult. The finding of a hardship is normally required before a variance may be granted. This is a primary criteria but not the only one the Staff must consider. Surrounding owners within 150 feet of the property will be notified of the variance request and may submit comments or concerns within 15 business days to the Planning Division. Planning Administration may impose conditions of approval.

All variances must be reviewed using the criteria in 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;
2. That a literal interpretation of the provisions of this zoning code would **deprive the applicant of rights commonly enjoyed by other tracts** in the same 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;
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 policies**;

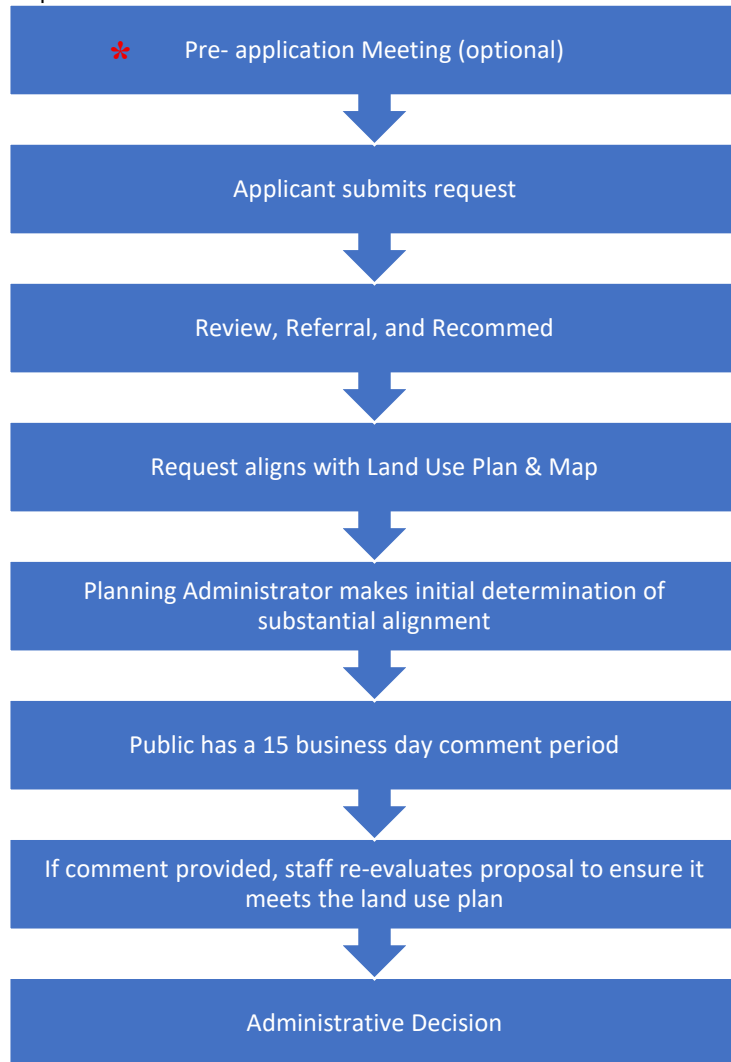
In addition, Administration must also consider the following in Section 27-1627.E:

1. In granting any variance, the Planning Administration **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.
3. The Administration **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.

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

The local regulations and state law provide the process for notification, review, study and decision making on variance requests. Here is the flow chart summary of the process:

Here is a flow chart summary of the process



* This is a pre-app meeting with Planning staff and relevant City departments.

NOTICE TO APPLICANT/AGENT

In an effort to ensure all new **zoning applications** are complete and can be successfully processed by the Planning Administration, an **application review** is now required (per [Section 27-1605](#)) at the time of submittal. Please contact the Planning Division when you have completed your on-line application to arrange an application review. Agents may act on a property owner's behalf to review the application at the required meeting.

This appointment will ensure:

- All required forms, documents, cover letters, mailing labels, fees, site plans and other information is included
- All information on the land record and subject property is accurate and the site plan submitted is properly scaled
- Any deficient, missing or incorrect information can be noted for a follow-up submission
- All requests for uses, zoning districts or specific variances are correctly described and noticed

Applications with deficient, missing or inaccurate information will not be processed. Please read this packet closely to ensure all required information is included in your on-line submittal prior to scheduling an application review appointment.

PROCESS REVIEW AND INSTRUCTIONS FOR FILLING IN APPLICATION FORMS

All applications shall be submitted to the Planning Division, through its [CityView Portal](#). Instructions and fillable forms are available here: [Zoning Forms. \(https://www.ci.billings.mt.us/802/Zoning-Permits-and-Applications\)](https://www.ci.billings.mt.us/802/Zoning-Permits-and-Applications) The filing fee must accompany the on-line application in order for it to be accepted.

All questions must be answered fully. Please type or print. You may attach further pages if additional space is needed. All plans and other exhibits submitted with this application will be retained as a part of the permanent record. The full administrative process for a Zoning Variance can be found at [Section 27-1627](#).

1. Complete the City Variance application form – save as a digital document. Digital signatures are accepted.
2. Request a radius map and a surrounding owners list from the Planning Division.
3. Submit the map and list via email to the MT Department of Revenue to obtain a certified list of the property owner names and mailing addresses.
4. Prepare a written statement and include the following information:
 - A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?
 - B. Why is there a need for the intended use of the property at this location?
 - C. Explain any demolition, construction, or reconstruction intended for all structures.Save this as a digital document and upload with the on-line application

5. Prepare a dimensioned site plan and upload to the on-line application:

If applicable, the site plan must include but not be limited to the following:

- North arrow.
- The locations and dimensions of all vehicular points of ingress and egress, drives, alleys, and off street parking spaces.
- Illustrate lot size showing lot line dimensions.
- The locations and dimensions of all existing and proposed buildings, structures, and improvements including those which will be removed. Please label all information.
- Show setbacks from all property lines for existing and proposed buildings.
- Show the centerline of major and minor arterial streets.
- Illustrate the square footage of existing and proposed buildings and structures.
- Names and locations of adjacent streets, alleys, properties, etc.
- Illustrate the height of any proposed structures.
- Other pertinent features.

** An example of a dimensioned site plan is attached as part of this application packet.

6. Photographs may be submitted and are often helpful. They should be of a size adequate to show the nature of the property. All photos should be saved as digital files and uploaded.

7.. A filing fee must accompany all applications for variances. No application will be accepted until the filing fee is paid in full. Checks shall be made payable to the *City of Billings*.

THIS APPLICATION FEE IS NON-REFUNDABLE AND IS NO GUARANTEE THE VARIANCE WILL BE GRANTED.

Radius Map Certification Instructions

- ❑ Obtain from the Planning & Community Services Department, a radius map and a list of property owner names showing all parcels which lie within 150 feet (variance applications), 300 feet (zoning applications) and 1,320 feet (zoning applications that are within 600 feet of city limits) of the exterior boundaries of the subject property. These will be emailed to you.
- ❑ Obtain a **certified** list of names and addresses of the owners of all property shown within the radius on the map as provided by the Planning & Community Services Department by forwarding the email you receive from the Planner processing your application, which includes the radius map and list of surrounding property owners, to Dawn Ostermiller (dostermiller@mt.gov) and request a certified list of addresses. Make sure to include all of your contact information so you can be notified when the list is complete. They can be reached at (406) 896-4000 if you have additional questions.
- ❑ Once the list of certified, the Yellowstone County Clerk & Recorder will notify you directly. You can expect a 2-3 day processing time. There will be a certification charge, payable to the Yellowstone County Clerk & Recorder, of \$0.50 per certified name. They can be reached at (406) 256-2785.
- ❑ Upload both the certified list and the map to the [Billings CityView Portal](#) with your complete application.

APPLICATION DEADLINES 2026-27

Applications for a **variance** must be submitted on-line to the Planning & Community Services Department by 5:00 p.m. on the deadline dates as set forth below. These deadlines cannot be altered due to state laws concerning public notice.

<u>APP DEADLINE</u> First Business day of the month	<u>Public Notice</u>	<u>15 Day comment end</u>	<u>Final Determination</u>	<u>15 Day Appeal</u>
August 3, 2026	9/4/2026	9/28/2026	9/30/2026	10/28/2026
September 1, 2026	10/9/2026	10/30/2026	11/5/2026	12/8/2026
October 1, 2026	11/6/2026	12/2/2026	12/8/2026	1/8/2027
November 2, 2026	12/11/2026	1/2/2027	1/5/2027	2/8/2027
December 1, 2026	1/8/2027	1/29/2027	2/5/2027	3/1/2027
January 1, 2027	TBD	TBD	TBD	TBD
February 1, 2027	TBD	TBD	TBD	TBD
March 1, 2027	TBD	TBD	TBD	TBD
April 1, 2027	TBD	TBD	TBD	TBD
May 3, 2027	TBD	TBD	TBD	TBD
June 1, 2027	TBD	TBD	TBD	TBD
July 1, 2027	TBD	TBD	TBD	TBD
August 2, 2027	TBD	TBD	TBD	TBD
September 1, 2027	TBD	TBD	TBD	TBD

CITY VARIANCE APPLICATION FORM

CITY VARIANCE : Billings Variance # _____ - Project # _____

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)

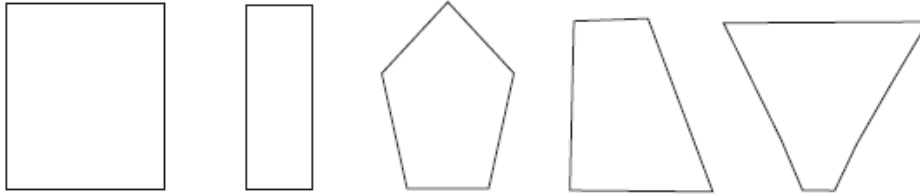
I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: _____ Date: _____

(Recorded Owner or authorized agent – digital signature allowed)

Residential Sample Site Plan

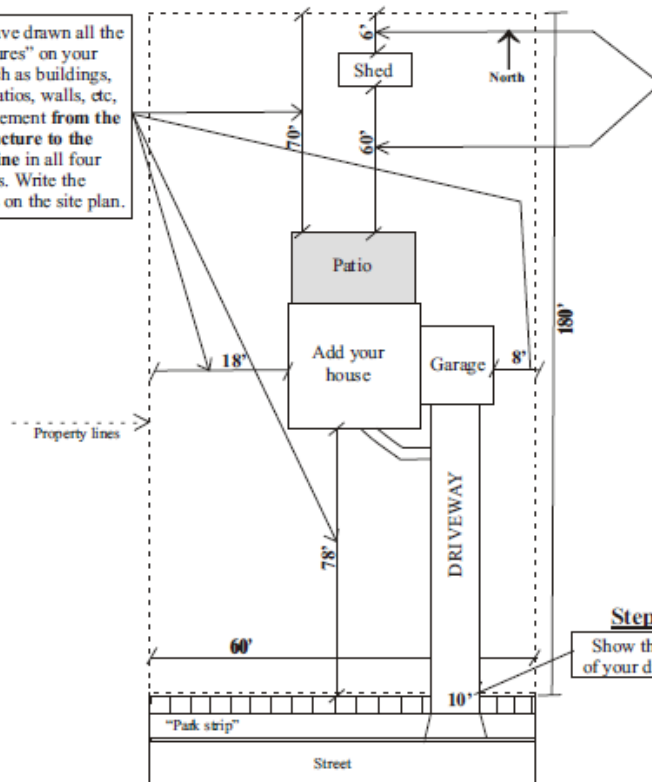
Step 1: Draw the basic shape of your property (the lot your house is on):



Step 2: Draw all the permanent structures.....

Step 3:

After you have drawn all the "hard features" on your property, such as buildings, driveways, patios, walls, etc, take a measurement **from the main structure to the property line** in all four directions. Write the measurements on the site plan.



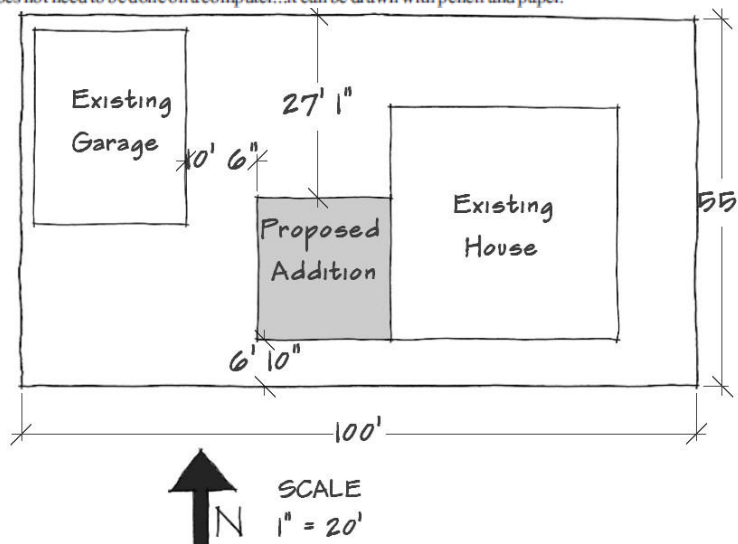
Step 4:

Take measurements from the main structure to any outbuildings, and from those outbuildings to the property line. Write these on the site plan.

Step 5:

Show the width of your driveway

Note* This is a sample of an imaginary property. You cannot use it for *your* property. Use it only as a *guide* to draw your own. Your drawing does not need to be done on a computer...it can be drawn with pencil and paper.



Sample Residential Elevation Drawing



Sample Commercial Site Plan

