

# City of Sidney



Montana's Sunrise City

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## APPLICATION FOR A VARIANCE WITHIN THE CITY OF SIDNEY

The undersigned hereby makes application for a variance pursuant to Chapter 11.22.48 of the Sidney Zoning Ordinance

Name of Property Owner: Lynda L. Solberg-Rodier AND Peter H. Rodier

Name of Applicant: Lynda L. Solberg-Rodier AND Peter H. Rodier

Address of Applicant: 403 3rd Ave S.E Sidney, MT 59270

Phone Number of Applicant: 406-488-8229, cell. Lynda 406-480-9667

Legal Description of property: LOT 001 Block 028, original Townsite 033, T23N, R 59E,

Current Zoning: Residential - R3

Land Area: 7000 sq. foot lot

Variance request if for the following reasons: To build a sun room on the North Side of existing home. See contractor drawings. Proposed sun room would be within existing sidewalk; Total sq. ft. of addition 1426.  
(use additional pages if necessary)

In addition to the above, submit a plot plan drawn to scale on paper not larger than 11" x 17" which includes all existing and proposed structures and proposed variance measurements, a list of names, mailing addresses, and labels of all property owners within 300ft of the subject property and a \$500 filing fee. The application will not be considered complete until all information is submitted.

### Procedure

The Board of Adjustment is assigned authority to hear, consider and make recommendations to the Mayor and City Council on whether to approve, approve with conditions or disapprove applications on Variance application. These applications are reviewed and decided pursuant to procedures in Section 11.21.48 Procedures for Decisions by Planning Board/Zoning Commission of Board of Adjustment.

### Standards

Approval of a Variance shall require the Board Of Adjustment making each of the following Finding of Fact. Please write a short explanation why you feel your project meets these requirements. **All seven must be met**

1. Special Conditions

There are special circumstances or conditions that are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood; and

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## 1. Special Conditions

Lynda Solberg-Rodier

Variance application  
The special circumstance for our property is that a 6-foot side set-back variance is required to build a sunroom addition to allow comfortable living on a single-level for aging inhabitants, who desire to continue to live in their home.

## 2. Not a result of applicant.

The conditions of the property have not resulted from an act of the applicant but are a result of the original size of the property purchased in 2000.

## 3. Strict application unreasonable:

The strict application of the ordinance would prevent the applicant from living comfortably in present home with undo exposure and risk of serious injury by utilization of steep stairs to access space utilized in the basement as a guest room and hobby center.

4. Necessary to provide reasonable use:

It is reasonable to expect to utilize all land available to build adequate living quarters for extended living in one's own home and pursuing hobbies and living space on one level, to accommodate the aging process.

5. Minimum Variance:

The 6 foot side set-back variance would allow the designed structure to be completed and not be beyond or obstruct the existing sidewalk on the North side of the property.

6. Not injurious:

Granting this 6 foot side set-back variance would not be injurious to the neighbors in anyway. The public would not be affected except by the added aesthetics of the addition to the existing structure.

7. Consistent with Ordinances

Granting the variance is consistent with purposes and intention of codes stated in the application; and meets the residential planning land use and does not exceed the 40% lot coverage.

# City of Sidney



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2. Not Result of Applicant

The special circumstances or conditions have not resulted from an act of the applicant or been established to circumvent this Ordinance; and

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3. Strict Application Unreasonable

Due to the special circumstances or conditions, the strict application of the Ordinance would deprive the applicant of reasonable use of the land or building or create an undue hardship on the landowner; and

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4. Necessary to Provide Reasonable Use

Granting the Variance is necessary to provide a reasonable use of the land or building; and

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5. Minimum Variance

The Variance is the minimum variance necessary to allow a reasonable use of the land or building; and

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6. Not Injurious

Granting the Variance will not be injurious to the neighborhood or detrimental to the public welfare; and

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# City of Sidney



## Montana's Sunrise City

7. Consistent with Ordinance

Granting the Variance is consistent with the purposes and intent of this Ordinance. Code States:

*"11.1.30 PURPOSES AND INTENT*

*The purposes and intent of this Zoning Ordinance are to:*

*11.1.31 PURPOSE*

*Promote the health, safety and general welfare for the citizens of Sidney; and*

*11.1.32 INTENT*

*Implement the policies, goals and strategies of Sidney Growth Policy."*

A variance to Allowed Uses of zoning district is prohibited.

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I hereby certify that the above information is true and correct for the above described property.

*Lynda Solberg Rodier* *Phil A Rodier*  
Applicant Signature

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### For Office Use Only

Date Filed: 6/22/22 Filing Fee: \$500-  
Vote (3 yes votes are required to grant a variance)  

_____ Yes _____	_____ No _____	<u>Zoning - 7/13/22</u> <u>Council - 8/1/22</u>
_____ Yes _____	_____ No _____	
_____ Yes _____	_____ No _____	
_____ Yes _____	_____ No _____	
_____ Yes _____	_____ No _____	

Board decision to approve/deny request/and or conditions of approval: \_\_\_\_\_

Chairperson Signautre: \_\_\_\_\_

## Sidney/Richland

### Application/Building Plan Proposal

The following are the minimum construction documents needed to review your proposed building project. Additional information or changes may be required during the plan review process to ensure the project meets the minimum construction standards as adopted by Sidney /Richland. Please note: complex projects or commercial projects may require a design professional(s).

**Site/Plot Plan.** This drawing is a bird's eye view of the building site showing the size of the lot, location of the proposed new building(s) or additions, sidewalks, landscaping and any existing structures. Indicate North on this plan along with any abutting streets or alleys.

**Foundation Plan/Details.** Show footing, isolated footing, piers, foundation wall and slab dimensions. Indicate reinforcing steel (rebar) size and location; anchor bolt size and location; hold down size and location.

**Floor Plan.** An overhead view of the building envelope indicating interior/exterior walls; interior/exterior stairways; interior/exterior door and glazing (window) openings; interior/ exterior stairways; exit lights and exit illumination; location and size of portable fire extinguishers; and the use of each room. Header or beam sizes for openings can be included on this drawing.

**Reflected Ceiling Plan.** Locate ceiling light fixtures and openings for mechanical penetrations.

**Wall Section/Details.** A cutaway view of the interior/exterior walls showing floor, wall and roof framing member size and spacing including any interior/exterior beam size and location. Floor, wall and roof sheathing thickness; insulating materials and R-values; interior and exterior finish materials; roofing materials. An engineered drawing will be required for pre-manufactured floor or roof trusses.

**Prefabricated Steel Buildings.** Engineered drawings will be required for prefabricated steel buildings.

**Fire Suppression Systems.** Any building in which an automatic fire suppression system is installed must have construction drawings and specifications prepared by a licensed engineer.

**Elevations.** This drawing will show the height and appearance of the proposed building.

**Energy Calculations.** Provide calculations indicating the building envelope, lighting heating and cooling energy performance.

Provide a minimum two complete sets of plans along with a completed Sidney/Richland Building Permit Application. Plans will not be reviewed until the review fee has been received. Anticipate up to sixty days for review.

APPLICATION FOR A **RESIDENTIAL** BUILDING PERMIT  
WITHIN THE CITY LIMITS OF THE CITY OF SIDNEY

Name of Applicant: Lynda L. Solberg-Rodier AND Peter H. Rodier  
Owner of Property: (land) Lynda L. Solberg-Rodier AND Peter H. Rodier  
Address of Applicant: 403 3rd Ave S.E. Phone Number: 406-480-9667 or 406-488-8229  
Nature of Permit: To Build Sunroom on The North Side of existing home.  
Location of Building: Existing home: 403 3rd Ave S.E.  
Legal Description: Lot: 001 Block: 028 Addition: \_\_\_\_\_

Sidney Original Townsite 533 T23 N, R59 E, Lot 1 Blk-28

The following information is to be provided with this application before a building permit for a new structure (larger than eighty (80) square feet) or addition to an existing structure may be obtained:

1. \_\_\_\_\_ SITE PLAN: plan should show: see back of application for detailed checklist  
A.  Property Lines  
B.  Street & Alley right-of-ways  
C.  Exterior dimensions of building  
D.  Set backs (distances) from property lines to building roof overhang

2. \_\_\_\_\_ CONTRACTOR:  
A. Proof of Montana Contractor License Yes  No \_\_\_\_\_  
B. Proof of Liability Insurance Yes  No \_\_\_\_\_  
C. Proof of Worker's Compensation Coverage Yes  No \_\_\_\_\_  
D. State Plumber Permit (required) Yes \_\_\_\_\_ No   
E. State Electrical Permit (required) Yes  No \_\_\_\_\_

*no plumbing to be installed*

F. As the homeowner, it is your responsibility to ask for the above items; if the contractor does not have the above insurances or permits, you become responsible for "on the job" accidents.

3. \_\_\_\_\_ DRAINAGE:  
A. Single family residences should have a minimum of 5% slope to the front or rear of the property. Example: a home would need 21 inches of elevation for the ground level at the foundation to the top of the street curb if the residence is located 35 feet from the curb ( $.05 \times 35 = 1.75$  feet or 21 inches)  
B. Multiple family or apartment complexes may be required to submit a detailed drainage plan.

4. \_\_\_\_\_ SANITARY SEWER & WATER SERVICE: (connection fees will be determined at time of permit)  
A. Will this connection require a new water connection fee? Yes \_\_\_\_\_ No   
B. Will this connection require a new sewer connection fee? Yes \_\_\_\_\_ No

5. \_\_\_\_\_ FLOOD ZONE:  
A. Is this site in a flood zone? Yes \_\_\_\_\_ No   
\*\*If yes, the local floodplain administrator must review the plans.

6. \_\_\_\_\_ REVIEW: Review by the Sidney Public Works Department is required before a building permit is issued if:  
A. The permit is for new construction on an unoccupied parcel. A parcel is considered unoccupied if a previously existing building has been removed.  
B. The construction will include additional water or sewer facilities.  
C. The construction includes curb and gutter, driveway or sidewalk work within the street right or way.

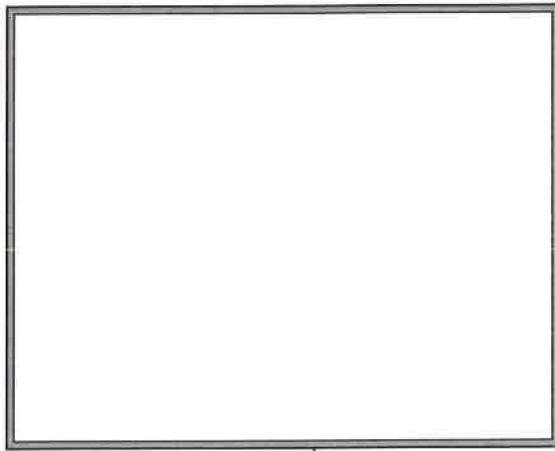
Signature: Lynda L. Solberg-Rodier, Peter H. Rodier  
Property Owner/Applicant

Director of Public Works \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_  
Date \_\_\_\_\_

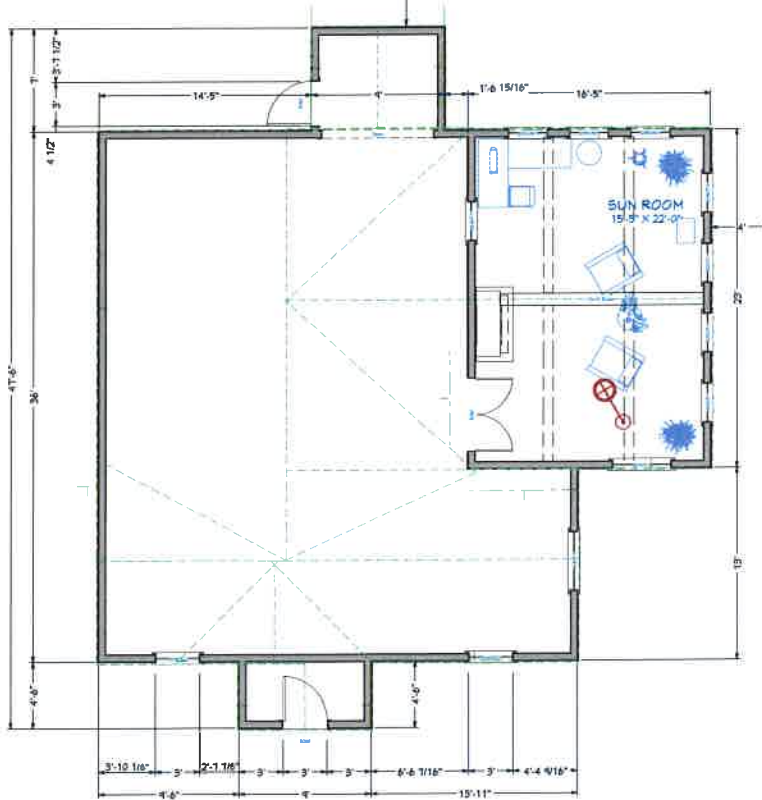
SPECIAL PROVISIONS: A VALID BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION CAN BEGIN.



Alley



4th Street



RODIER  
1471 SQ FT

7000 square foot lot

3rd Ave

Total  
56 ft w/ Proposed  
Addition  
1426

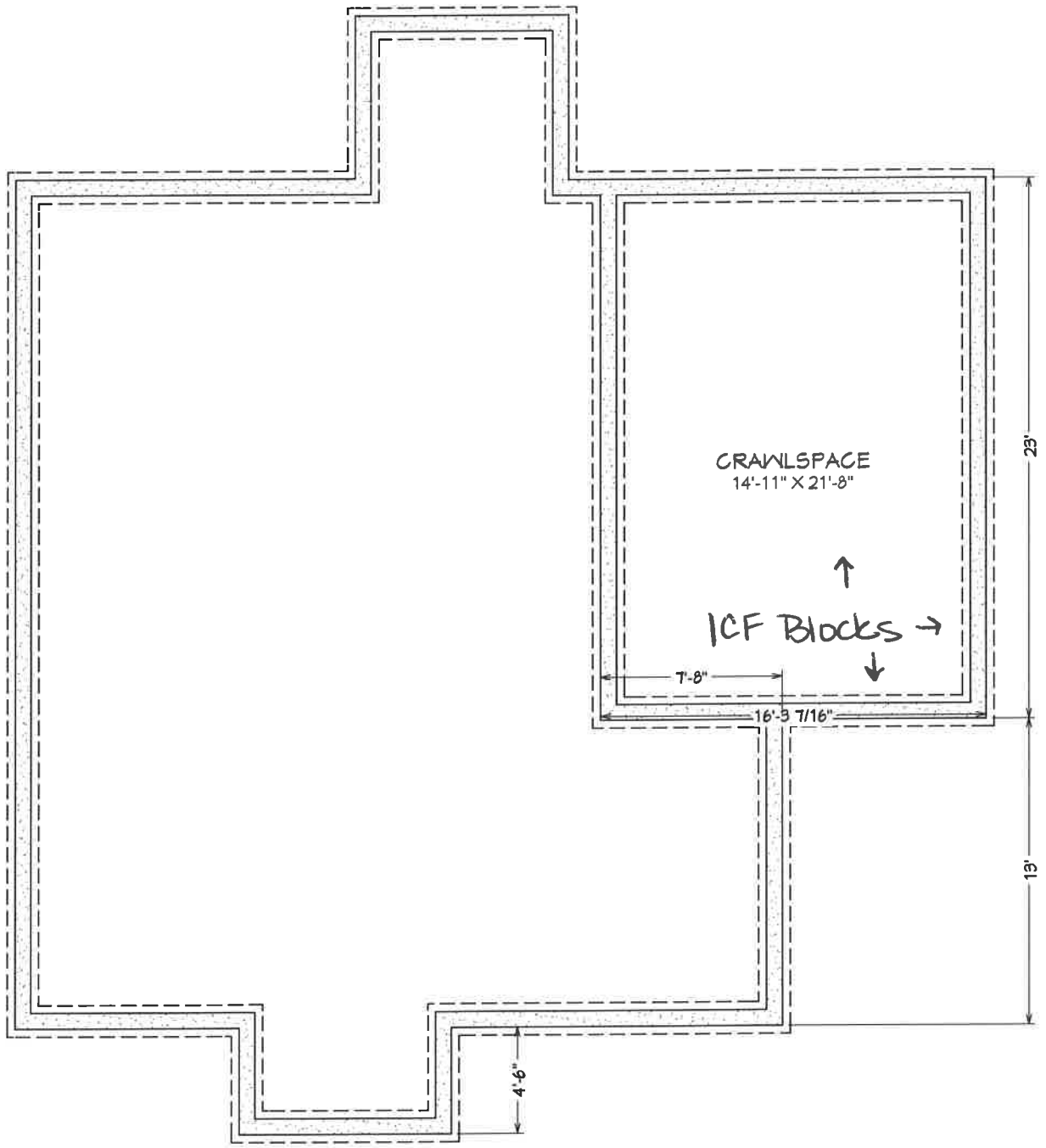
Garage = 1200

1426  
1200  

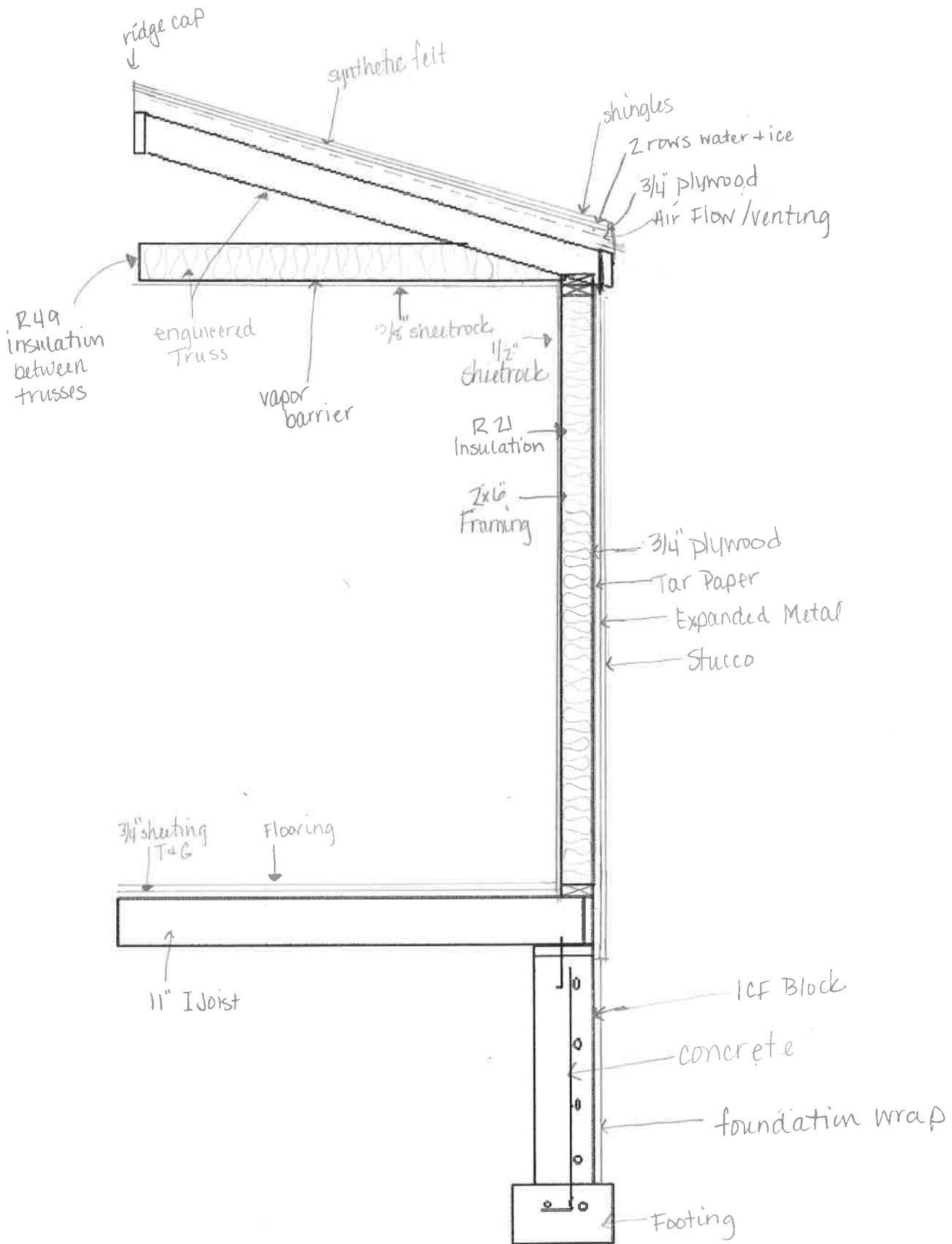
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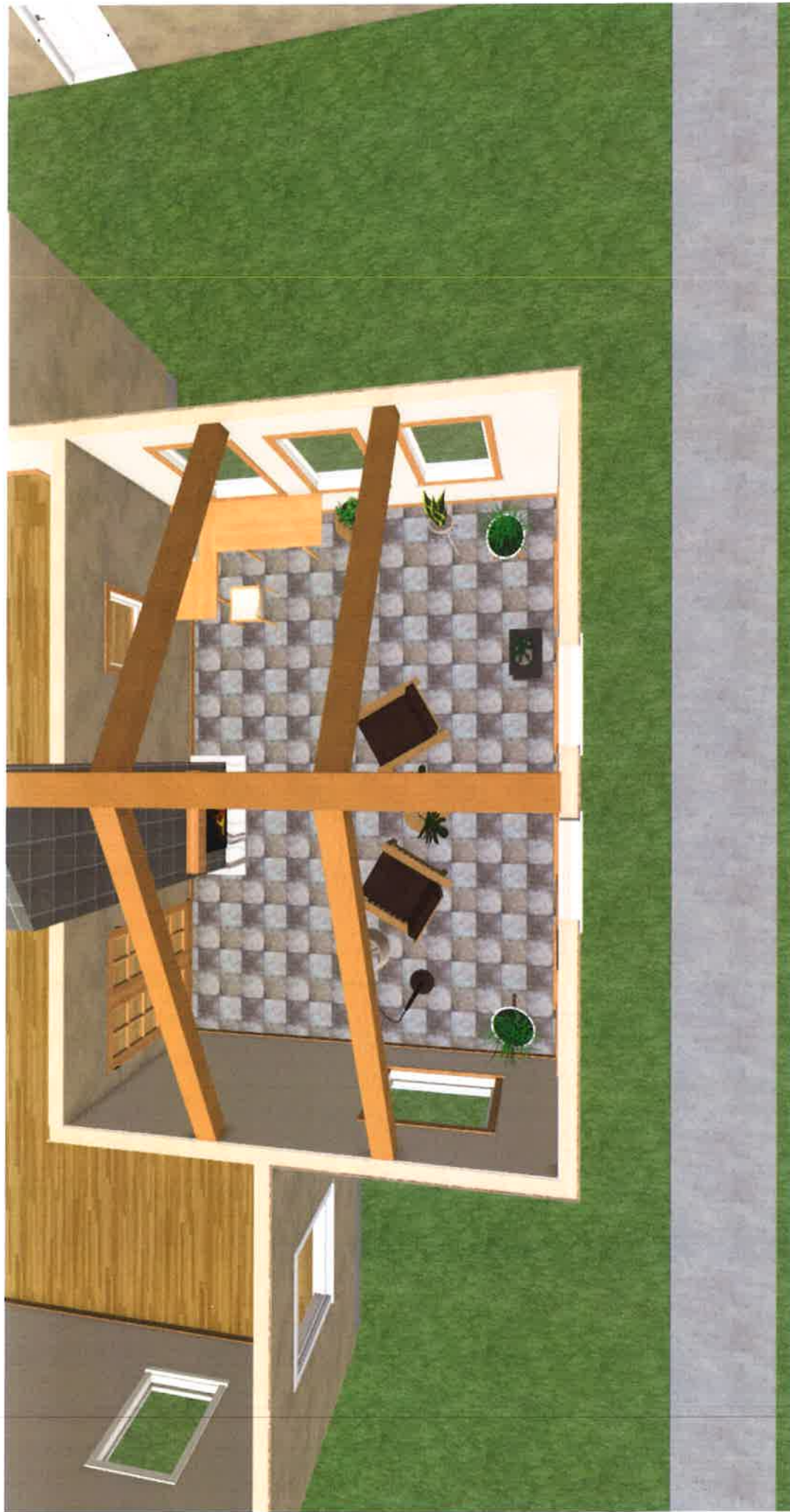
2626 sqft

40% lot coverage  
2600 sqft



LIVING AREA  
1474 SQ FT





# Untitled Map

Write a description for your map.

# Legend



Proposed Addition



