

City of Livingston
Department of Planning
220 E. Park St.
Livingston, MT 59047
(406)222-4903
planning@livingstonmontana.org

City of Livingston Variance Instructions

A Variance is required for the construction of any structure or building within the City of Livingston that does not meet the specific standards of the Zoning Ordinance. A Variance cannot grant permission to allow a use that is not allowed in any specific Zoning District.

Variations require a public hearing, and are approved or denied by the City Commission. All Variations are evaluated by the Commission based upon five (5) criteria:

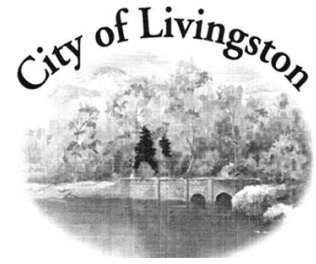
1. Special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district.
2. A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other tract(s) in the same district.
3. Granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other land in the same district.
4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.
5. In granting a variance, the City Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance.

The property must have a hardship inherent in the land to be considered for a Variance. The City Commission may impose conditions of approval on all Variance Applications to ensure that the above criteria are met. **It is highly recommended that you meet with planning staff prior to applying for a Variance.**

Submittal Requirements:

- Completed Application Form.
- Cover letter with a description of the project and how the project meets the criteria listed in Section 30.74.C of the Zoning Ordinance and included in these instructions.
- Site Plan showing locations of all structures on the property with the distances from the structures to all property lines clearly labeled and area of the lot, and distance from structures on adjoining properties.
- Building Elevations for all new structures with building heights clearly labeled.
- Site Plan showing locations and dimensions of vehicular parking, loading areas, and bike parking dimensions and design, and locations of any refuse areas.
- Landscaping Plans with plant types and size (if required).
- Lighting plans showing compliance with the Night Sky Ordinance if outdoor lighting is proposed.
- Any other documents needed to show compliance with the City of Livingston Zoning Ordinance.
- The Variance review fee.

All documents shall be submitted on either 8 ½" x 11" or 11" x 17" paper. Additionally, digital copies of the submittal in PDF file format are required.



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City of Livingston Variance Application

1. **Property Owner Name:** _____

2. **Location of Property**

General Location: _____

Address: _____

Subdivision: _____ Lot: _____ Block: _____

Zoning District: _____

3. **Contact Information**

Property Owner

Home Address: _____

Phone Number: _____

Email Address: _____

Primary Contact/ Applicant

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Secondary Contact

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

4. Zoning Information

Existing Structures on Property and Year Constructed: _____

Proposed Use: _____

Building Height: _____

Building Setback from Property Line:

Front Street: _____ Side: _____ Rear: _____ Side Street (if corner lot): _____

Number of Vehicular Parking Spaces: _____ Number of Bicycle Parking Spaces: _____

Exterior Lighting? Yes No

Within Historic District or Design Overlay District? Yes No

Landscaping Required? Yes No

I hereby certify that the information included in this application is true and accurate.

Applicant's Signature

Date