

(8 pages)

MINUTES OF MEETING OF PLANNING & ZONING COMMISSION  
HELD AT 10:00 A.M., MARCH 3, 1977

Pursuant to Notice given as provided by law, the Ravalli County Planning and Zoning Commission met in the Commissioners office at 10:00 a.m. on March 3, 1977, to hear the petition of residents for zoning an area in the Curlew Mine Area, described in Clerk and Recorder's Permanent File #6310.

Present were Commission members Ed Spannuth, Jim McKinley, D.W. Galbraith, David Schurian and Alice Wheeler.

The Zoning Petition was read and determined that 100% of the property owners signed the petition. Proposed zoning regulations were presented.

It was determined that written comments would be received by April 3, 1977.

The Planning and Zoning Commission then adjourned, with final action set for Thursday, April 7, 1977.

#6310

NOTICE OF PUBLIC HEARING  
ON ZONING PETITION

The Ravalli County Board of Commissioners will hold a public hearing on Thursday, the 3rd day of March, 1977, at 10:30 a.m. at the Commissioners' office in the Ravalli County Courthouse, concerning a Petition to zone a parcel of land in Sections 11, 12, 13 and 14, all in Township 8 North, Range 21 West, P.M.M., Ravalli County, Montana, being more particularly described as follows:

Beginning at the Northeast corner of Section 14 said point being the true point of beginning; thence Westerly, along the Section line between said Sections 11 & 14, a distance of 550 feet more or less, to the Easterly boundary of Mineral Survey # 3439; thence Northwesterly, along the Easterly boundary of said Mineral Survey # 3439, a distance of 550 feet, more or less to corner # 3 of Mineral Survey # 3439; thence Southwesterly along the Northern boundary of said Mineral Survey # 3439, a distance of 1160 feet, more or less; thence North, a distance of 915.0 feet, more or less to the Northerly boundary of the  $S\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 11; thence Easterly, along the Northerly boundary of the said  $S\frac{1}{2}$  SE $\frac{1}{4}$ , a distance of 1740 feet, more or less, to the Northeasterly corner of the said  $S\frac{1}{2}$  SE $\frac{1}{4}$ ; thence Southerly, along the line between said Sections 11 & 12, a distance of 1170 feet, more or less; thence N. 69 36' E., a distance of 1540 feet, more or less, to a point on the Westerly boundary of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 12; thence Northerly, a distance of 363 feet, more or less to the Northwest corner of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Easterly, a distance of 1320 feet, more or less to the Northeast corner of the said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Southerly, a distance of 1320 feet, more or less, to the Southeast corner of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Southerly, along the Easterly boundary of the Westerly  $\frac{1}{2}$  of said Section 13, a distance of 3960 feet, more or less to the Southeast corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13; thence Westerly, along the Southerly boundary of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13, a distance of 600 feet, more or less to a point on the Easterly right-of-way line of a U. S. Forest Service road; thence Northwesterly, along said road right-of-way line, a distance of 950 feet, more or less, to a point on the Easterly boundary of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 13; thence Southerly, a distance of 1850 feet, more or less, to the Southeast corner of the said W $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 13; thence Westerly, a distance of 1320 feet, more or less to the Southwest corner of said Section 13; thence Westerly, a distance of 1320 feet, more or less to the Southwest corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less to the Northwest corner of the said SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14; thence Westerly, a distance of 2640 feet, more or less, to the Southwest corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less to the Northwest corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 14; thence Easterly, along the Southerly boundary of the N $\frac{1}{2}$  of said Section 14, a distance of 3300 feet, more or less, to the Southwest corner of the E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less, to the Northwest corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Easterly, a distance of 660 feet, more or less, to the Northeast corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less, to the true point of beginning EXCEPTING THEREFROM a tract of land as being described as follows;

Beginning at the Northeast corner of said Section 14 T8N R21W, said point being the true point of beginning; thence S. 19 E., a distance of 775 feet, more or less; thence N. 72 E., a distance of 640 feet, more or less, from which point the center line of tail race proceeds along the contours of the ground N. 65 E., approximately 5000 feet, more or less, to Big Creek; said tail race having an approximate width of 100 feet; thence N. 21 W., 580 feet, more or less, to a point on the Section line between Sections 12 & 13; thence Westerly, along said Section line, a distance of 620 feet, more or less, to the true point of beginning. ALSO EXCEPTING all that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14 lying within the boundaries of Mineral Survey # 3441, Mineral Survey # 9205 and Mineral Survey 3440, includ'ng the so called Apple House located thereon.

Ed Spannuth, Chairman  
Ravalli County Commissioners

Publication Dates: Feb. 11, 18 and 25, 1977

#6310

January 10, 1977

To: County Board of Commissioners, Ravalli County  
From: Curlew Area Zoning Petitioners

We, the undersigned, being one hundred percent (100%) of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 16-4101, et seq. Rev. Codes of Montana, 1947, to adhere to the described property:

<u>Jean M. Parker</u>	<u>Bill Parker</u>
<u>Michael M. Coburn</u>	<u>Jane L. Parker</u>
<u>Roger B. Trout</u>	<u>Bruce F. Trout</u>
<u>Wanda K. Trout</u>	<u>Juanita M. Trout</u>
<u>Jim Parker Jr.</u>	

#6310

To: County Board of Commissioners, Ravalli County  
From: Curlew Area Zoning Petitioners

We, the petitioners being one hundred (100) percent of the freeholders of property described in the petition signed on January 10, 1977, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential zoning district.

1. Present uses: Present agricultural and residential uses as of the date of this petition may be continued, notwithstanding anything to the contrary contained hereinafter.
2. Future uses:
  - a. No land shall be sold, conveyed, leased or rented which is less than one (1) acre in size.
  - b. Stream channels shall not be altered, and the natural, scenic beauty, including trees and shrubs, shall be preserved in accordance with approved timber management practices .
  - c. No goats or swine shall be raised or maintained for commercial purposes on any tract.
  - d. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial activity.
  - e. No noxious or offensive activities shall be carried on, on any tract, nor shall anything be done thereon which may be or may become a nuisance to the neighborhood.
3. Building Requirements and Restrictions:
  - a. Single family dwelling only shall be permitted.
  - b. No dwelling house having less than one thousand (1,000) square feet of living space shall be permitted. For purposes of determining "living space", basements of bi-level or tri-level homes with full-sized windows and completed habitable interior shall be counted. Open porches, attached garages and basements without full exterior wall exposure shall not be counted to meet space requirements.
  - c. No building whatsoever shall be located less than twenty-five (25) feet from the boundary line of any tract.

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- d. All structures shall be of at least eighty-five (85) percent new construction, and no used building shall be moved from another location onto such land, in whole or in part. A trailer house, mobile home or camper unit may be occupied only at the site and during construction of a permanent residence, not to exceed eighteen (18) months.
  - e. All buildings and improvements shall be of good, sound construction so as to comply with "construction standards" of FHA.
  - f. Camper units and travel trailers may be stored on the property, but shall not be used as permanent living quarters after completion of the residence.
  - g. A dwelling house shall not be occupied until its construction is ninety percent (90%) complete.
  - h. Structures to house domestic animals shall compliment the general architecture of the surrounding dwellings; no shacks or dilapidated structures will be permitted.
  - i. All property owners shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such animals on the land.
4. General restrictions:
- a. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers to prevent escape of odors and entrance of pets and wild life.
  - b. Trash and junk cars shall not be accumulated or stored on the premises unless in enclosed buildings.
  - c. Owners and vendees of any tract hereby zoned shall comply with all state laws and regulations of the county pertaining to the State Board of Health and Environmental Sciences.

Invalidation of any one of these provisions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Dated: January 10, 1977

*John W. Walker*  
*James E. Tamm*

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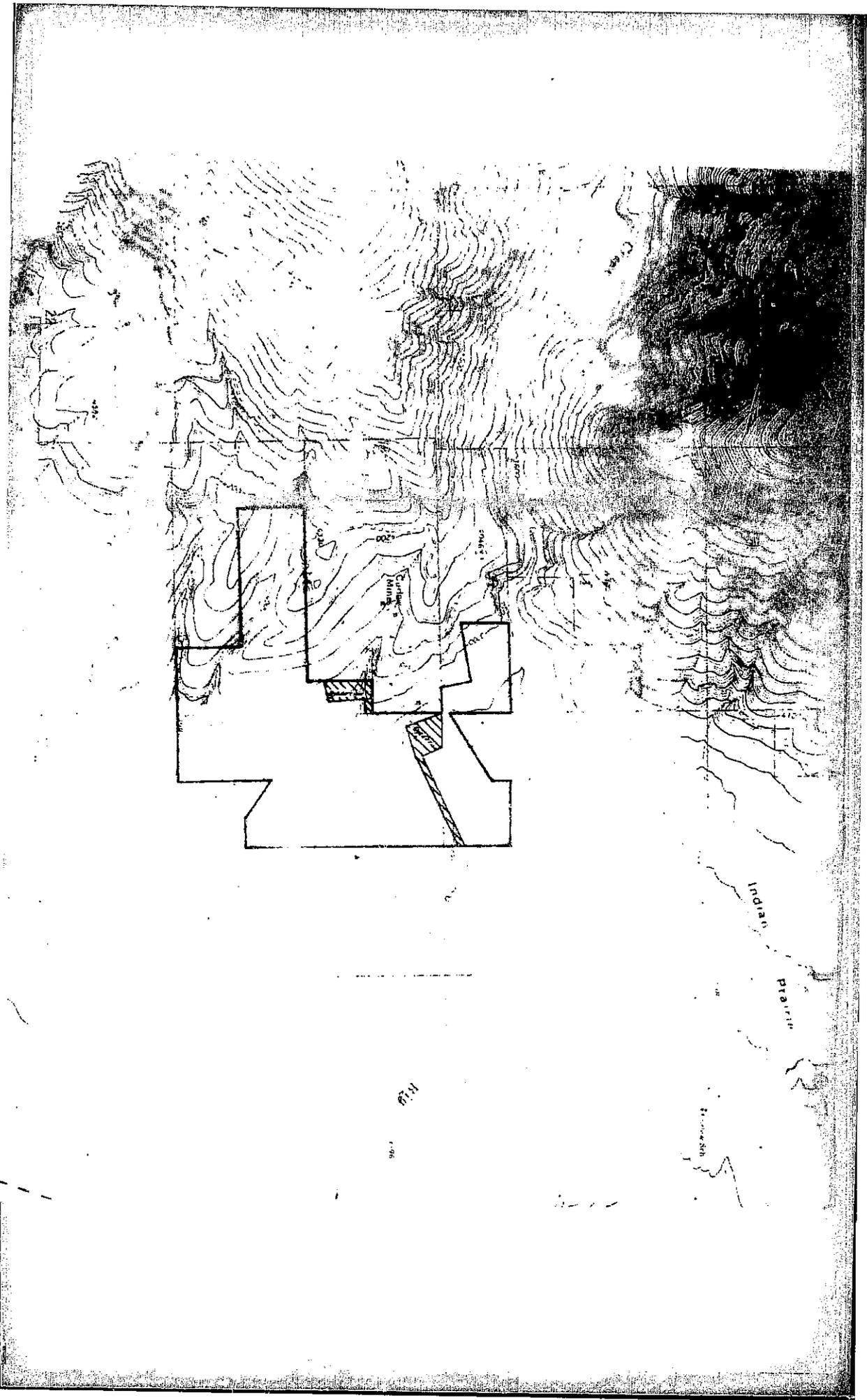
## EXHIBIT "A"

## LEGAL DESCRIPTION FOR ZONING DISTRICT

A tract of land located in and being a portion of Sections 11, 12, 13 & 14 all in T8N R21W, PMM, Ravalli County, Montana and being more particularly described as follows: Beginning at the Northeast corner of Section 14, said point being the true point of beginning; thence Westerly, along the Section line between said Sections 11 & 14, a distance of 550 feet more or less, to the Easterly boundary of Mineral Survey # 3439; thence Northwesterly, along the Easterly boundary of said Mineral Survey # 3439, a distance of 550 feet, more or less to corner # 3 of Mineral Survey # 3439; thence Southwesterly along the Northern boundary of said Mineral Survey # 3439, a distance of 1160 feet, more or less; thence North, a distance of 915.0 feet, more or less to the Northerly boundary of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 11; thence Easterly, along the Northerly boundary of the said S $\frac{1}{2}$  SE $\frac{1}{4}$ , a distance of 1740 feet, more or less, to the Northeasterly corner of the said S $\frac{1}{2}$  SE $\frac{1}{4}$ ; thence Southerly, along the line between said Sections 11 & 12, a distance of 1170 feet, more or less; thence N. 69 36' E., a distance of 1540 feet, more or less, to a point on the Westerly boundary of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 12; thence Northerly, a distance of 363 feet, more or less to the Northwest corner of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Easterly, a distance of 1320 feet, more or less to the Northeast corner of the said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Southerly, a distance of 1320 feet, more or less, to the Southeast corner of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence Southerly, along the Easterly boundary of the Westerly  $\frac{1}{2}$  of said Section 13, a distance of 3960 feet, more or less to the Southeast corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13; thence Westerly, along the Southerly boundary of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13, a distance of 600 feet, more or less to a point on the Easterly right-of-way line of a U. S. Forest Service road; thence Northwesterly, along said road right-of-way line, a distance of 950 feet, more or less, to a point on the Easterly boundary of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 13; thence Southerly, a distance of 1850 feet, more or less, to the Southeast corner of the said W $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 13; thence Westerly, a distance of 1320 feet, more or less to the Southwest corner of said Section 13; thence Westerly, a distance of 1320 feet, more or less to the Southwest corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less to the Northwest corner of the said SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14; thence Westerly, a distance of 2640 feet, more or less, to the Southwest corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less to the Northwest corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 14; thence Easterly, along the Southerly boundary of the N $\frac{1}{2}$  of said Section 14, a distance of 3300 feet, more or less, to the Southwest corner of the E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less, to the Northwest corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Easterly, a distance of 660 feet, more or less, to the Northeast corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 14; thence Northerly, a distance of 1320 feet, more or less, to the true point of beginning EXCEPTING THEREFROM a tract of land as being described as follows:

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I certify that I received and filed this

document on this 2nd

day of March 19 1977 at 3:30

o'clock P. M.

Robert E. Hughes

County Recorder

Mr. [Signature]  
Deputy

#6310