

Resolution No. 187

WHEREAS, this Board did on November 21, 1977 receive a letter from petitioners requesting that their petition, as revised, be reconsidered for the creation of a Planning and Zoning District in the area within the following boundaries to wit:

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows: Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U.S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1592 feet to point of beginning..

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area. The Ravalli County Planning and Zoning Commission met on February 9, 1978 and voted to rehear the petition March 9, 1978. The Commission met again on April 13, 1978 and on May 11, 1978 at which time regulations were submitted for the district.

WHEREAS, Resolution No. 12 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date May 11, 1978.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolutions granting said petition for creation of Ravalli County Planning and Zoning District No. 17.

PASSED AND ADOPTED this 18th day of May, 1978.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

Jim McKinley  
Jim McKinley, Chairman  
Hugh G. Cumming  
Hugh G. Cumming, Member  
F.T. Williams  
F.T. Williams, Member

RESOLUTION NO. 012

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 17, said district is more particularly described as follows:

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows: Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U.S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1592 feet to point of beginning..

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. 17 :

A. INTENT

This district recognizes the existence of rural areas that will come under pressure for residential development. This zone provides for a transitional low density residential district between urbanized areas and agricultural uses, as well as provides a zone that may be used to meet residential needs while limiting density to recognize environmental concerns. Planned unit developments and planned variations are encouraged. to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density .....One (1) dwelling per 2 $\frac{1}{2}$  acres  
Minimum yard - front .....Twenty-five (25) feet  
                  - side.....Fifteen (15) feet  
                  - rear.....Twenty-five (25) feet  
Maximum building height.....Thirty (30) feet

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C. PERMITTED USES

1. Single-family dwelling
2. No Mobile Homes
3. Accessory buildings and uses

D. BUILDING REQUIREMENTS AND RESTRICTIONS

1. Feed lots shall not be permitted.
  2. Home occupation permitted.
  3. No industry permitted.
  4. Minimum size of living space 1000 square feet.
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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 suchland, 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 twelve (12) 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 residence.
  - g. A dwelling house shall not be occupied until its construction is ninety percent (90%) complete, or outside of house finished before moving in.
  - 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.
  - j. 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 pet and wild life.

E. SEVERABILITY:

If any provision herein or its application to any person or circumstances is held invalid, the remainder of the provisions herein or the application of the provision to other persons or circumstances is not affected.

ENFORCEMENT:

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. Space and Bulk Requirements
- C. Permitted Uses

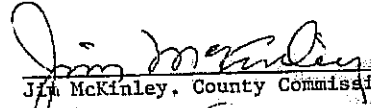
- II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceed-

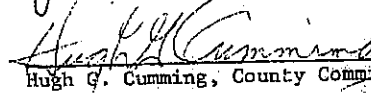
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ing. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 11th day of May, 1978.

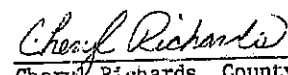
PLANNING AND ZONING COMMISSION

  
Jim McKinley, County Commissioner

  
Hugh G. Cumming, County Commissioner

  
P.T. Williams, County Commissioner

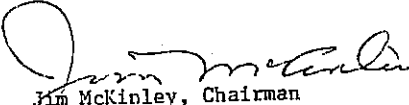
R. David Schurian, County Surveyor

  
Cheryl Richards, County Assessor


STATE OF MONTANA            )  
                                  )    ss  
COUNTY OF RAVALLI         )

This is to certify that I, Jim McKinley, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area within the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, in the following places:

1. On fence post at entry to antique shop located at the South boundary of district.
2. On gate post in front of Luther Hawk property.
3. On light pole (#99715) at the North East boundary of district.

  
Jim McKinley, Chairman  
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 22nd day of Feb, 1978.

  
Notary Public for the State of Montana  
Residing at Hamilton, Montana   SEAL  
My commission expires: April 1, 1980

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Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows: Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U.S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1592 feet to point of beginning.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 9th day of March, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

By Order of the Planning and Zoning Commission, dated the 17th day of February, 1978.

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STATE OF MONTANA     )  
                          )    ss  
COUNTY OF RAVALLI    )

This is to certify that I, Reba C. Falk, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area within the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, in the following places:

1. On a light pole near Lake's property.
2. On light pole at end of cul-de-sac at Blasing property.
3. On post by antique sign and Highway 93.

*Reba C. Falk*  
Reba C. Falk, Secretary  
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 19th day of October, 1977.

*Darlene E. Hughes*  
Notary Public for the State of Montana  
Residing at Hamilton, Montana    SEAL  
My commission expires: April 1, 1980

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Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows: Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U.S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1592 feet to point of beginning.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 3<sup>rd</sup> day of November, 1977, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

By Order of the Planning and Zoning Commission, dated the 17<sup>th</sup> day of October, 1977.

*Published Oct. 19, 1977*

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RESOLUTION NO. 150

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows: Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U.S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1532 feet to point of beginning.

Map of area is on file with said petition.

WHEREAS, it appears that 60 percent of the freeholders affected thereby have signed said petition which is in due form.

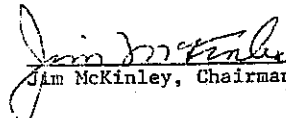
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries aforesaid, is created.


IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, D.W. Galbraith and Hugh Cumming; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

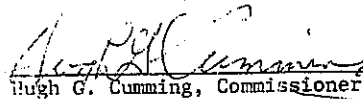
IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M. 1947, as revised.

DATED this 17th day of October, 1977.

Board of County Commissioners  
Ravalli County, Montana

  
Jim McKinley, Chairman

  
D.W. Galbraith, Commissioner

  
Hugh G. Cumming, Commissioner

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To: County Board of Commissioners, Ravalli County

From: Section 27 Township 10 N Range 20 SE Section Area Zoning Petitioners

We, the undersigned, being more than sixty percent (60%) of the freeholders within the boundaries described hereinafter, do petition the Ravalli County Board of 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:

Legal Description for Zoning District

EXHIBIT A

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows:

Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2617.56 feet to Ravalli County Road No. 20; thence east along said road 1615.5 feet to the west line of right of way of U. S. Highway 93; thence northerly along said right of way approximately 3640 feet to the north line of SE $\frac{1}{4}$  Section 27; thence west along the north line 1552 feet to point of beginning.

<u>Robert L. Chaffin</u>	<u>Fairy B. Blasing</u>
<u>Robert M. Chaffin</u>	<u>Richard A. Blasing</u>
<u>Luther F. Hawk</u>	<u>Ray E. Hawk</u>
<u>Evelyn B. Hawk</u>	<u>Arlene E. Hawk</u>
<u>John A. Hartsoe</u>	<u>Arthur J. Mattila</u>
<u>Katherine Hartsoe</u>	<u>William W. Birdsong DDS</u>
<u>Edward M. Johnson</u>	<u>Marilyn M. Birdsong</u>
<u>James E. Johnson</u>	<u>James W. Cunningham</u>
<u>Phyllis M. Wood</u>	<u>William G. Wood</u>

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AMENDED EXHIBIT A

A tract of land in the SE $\frac{1}{4}$  of Section 27, Township 10 North, Range 20 West, Montana Meridian, described as follows:

Beginning at the northwest corner of SE $\frac{1}{4}$  Section 27; thence from said point of beginning south 2618.06 feet to Ravalli County Road No. 20; thence east along said road 1691.5 feet to the west line of right of way of U. S. Highway 93; thence northerly along said right of way approximately 1641 feet to the County Road No. 20 thence west 215 feet then North 316 feet, then 140 feet East, then North 640 feet to North Line of SE $\frac{1}{4}$  Section 27; then west along the north line 1592 feet to point of beginning.

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- d. All structures shall be of at least eighty-five (85%) percent new construction, and no use 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 twelve (12) months.
- e. All buildings and improvements shall be of good, sound construction so as to comply with "construction standards" of FEA.
- f. Camper units and travel trailers may be stored on the property but shall not be used as permanent living quarters after completion of residence.
- f. A dwelling house shall not be occupied until its construction is ninety percent (90%) complete, or outside of house finished before moving in.
- 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 pet 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 regulation of the county pertaining to the State Board of Health and Environmental Sciences.

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

Dated: Sept 30 - 77

Luther F. Hamke  
Box 191A-121 Florence  
6402

To: County Board of Commissioners, Ravalli County

From: Section 27 Township 10 N Range 20 SE Section Area Zoning Petitioners

We, the petitioners being more than sixty (60%) percent of the freeholders of the property described in the petition signed on \_\_\_\_\_, 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 and existing businesses 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  $2\frac{1}{2}$  acres in size.
  - b. No goats or swine shall be raised or maintained for commercial purposes on any tract. There shall be no feed lots.
  - c. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial activity; specifically meat processing, woodworking shop, auto mechanic shop.
3. Building Requirements and Restrictions:
  - a. Single family dwelling only shall be permitted on each  $2\frac{1}{2}$  acres.
  - 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 25 feet from the boundary line of any tract.

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MONTANA - U  
BURLINGTON N

COUNTY ROAD No. 16

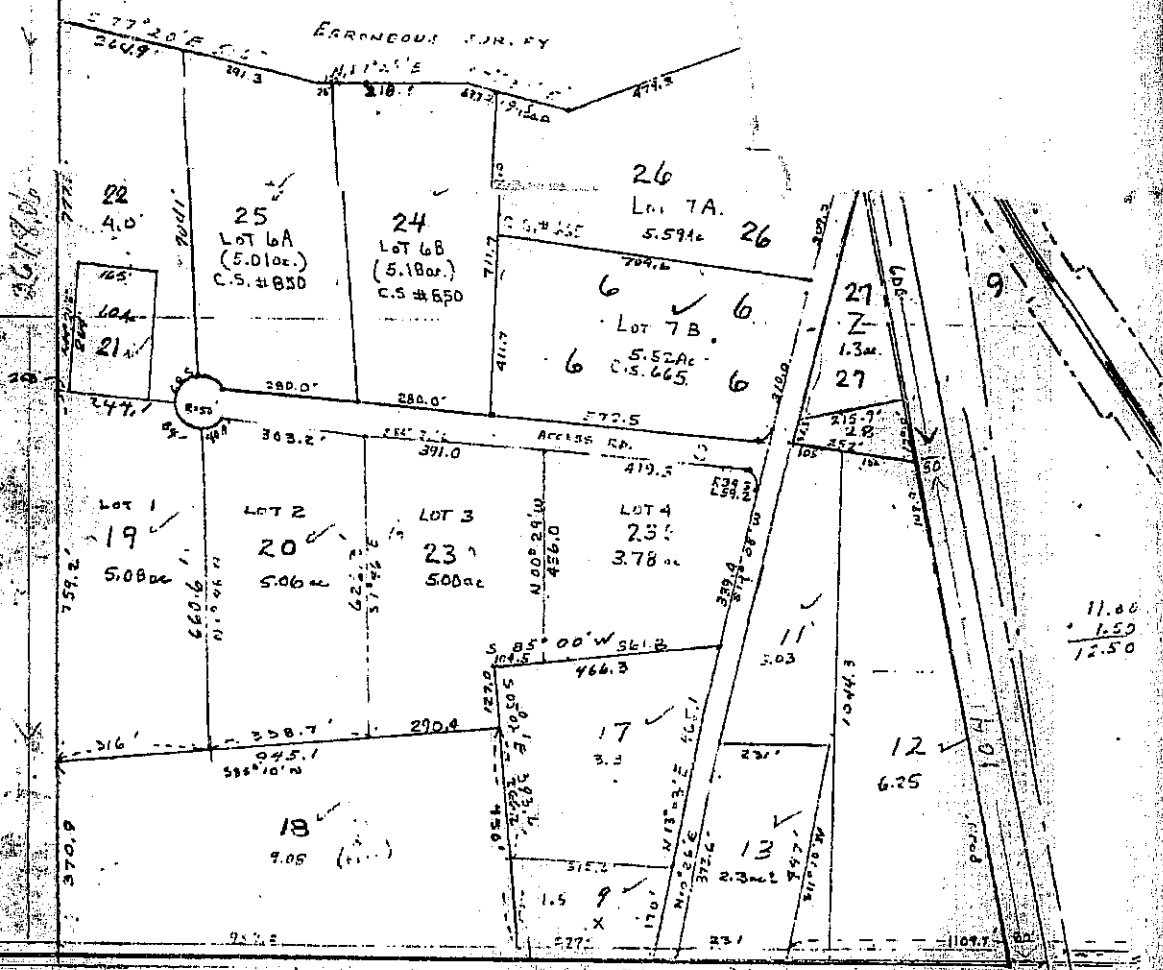
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1592

240

1.04

10  
31.0



11.86  
+ 1.50  
13.36

1691.62

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I certify that I received and filed this

document on this 19<sup>th</sup>

day of May, 1928 at H.B.

Pa.

Charles J. Hughes

Notary Public

2-2-200

NORTH

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