

16 pages

Resolution No. 190

WHEREAS, this Board did on April 10, 1978 receive a petition requesting the zoning of an area as described in Exhibit "A" attached hereto and by this reference made a part of hereof.

WHEREAS, the petition was signed by more than sixty percent (60%) free-holders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on May 11, 1978 and thereafter the Commission met again on June 8, 1978, at which time the petition was granted.

WHEREAS, Resolution No. 14 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 June 8, 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. 19.

PASSED AND ADOPTED this 19th day of June 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

6404

DESCRIPTION

A tract of land located in Sec. 3, Sec. 4, Sec. 8, Sec. 9, Sec. 10, Township 8 North, Range 20 West, M.P.M., Ravalli County Montana; more particularly described as follows:

Commencing at the Intersection of the Supply Ditch and Pine Hollow Road; thence in a Southerly direction along the Supply Ditch to the Intersection of the Supply Ditch and Winters Lane; thence Westerly along Winters Lane to East Side Highway; thence West between Sec. 9 and Sec. 16 to east edge of the Bitterroot River in Sec. 8; thence North-erly along said river edge to intersection of river edge and North line of Section 4; thence Easterly along North Section line of Section 4 to East Side Highway; thence East-erly along Pine Hollow Road to point of beginning.

*6/20/09*

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 petition was filed by more than sixty percent (60%) of the freeholders within such area, 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. 19, said district is more particularly described as follows:

A tract of land located in Section 3, Section 4, Section 8, Section 9, Section 10, Township 8 North, Range 20 West, M.P.M., Ravalli County, Montana; more particularly described as follows:

Commencing at the intersection of the Supply Ditch and Pine Hollow Road; thence in a Southerly direction along the Supply Ditch to the intersection of the Supply Ditch and Winters Lane; thence Westerly along Winters Lane to East Side Highway; thence West between Section 9 and Section 16 to east edge of the Bitterroot River in Section 8; thence Northerly along said river edge to intersection of river edge and North line of Section 4; thence Easterly along North Section line of Section 4 to East Side Highway; thence Easterly along Pine Hollow Road 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. 19:

A. INTENT

This district provides for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural area.

B. SPACE AND BULK REQUIREMENTS

- Maximum residential density.....One (1) dwelling per 5 acres.
- Minimum required yard - front.....Fifty (50) feet.
- side.....Fifty (50) feet.
- rear.....Fifty (50) feet.
- Maximum building height.....None.

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C. PERMITTED USES

1. Single Family Dwelling
2. Mobile Homes
3. Modular Homes
4. Accessory Building and Uses

D. BUILDING REQUIREMENTS AND RESTRICTIONS

1. No mobile homes or modular homes shall be allowed unless placed on a permanent foundation.
2. All structures incidental to the use of the land shall be maintained in reasonable good condition and repair. No shacks or dilapidated structures shall be permitted.

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 person or circumstances is not affected and the same shall remain in full force and effect.

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 proceeding. 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 8th day of June, 1978.

PLANNING AND ZONING COMMISSION

Jim McKinley  
Jim McKinley, County Commissioner

Hugh G. Cumming  
Hugh G. Cumming, County Commissioner

F.T. Williams  
F.T. Williams, County Commissioner

R. David Schurian  
R. David Schurian, County Surveyor

Cheryl Richards  
Cheryl Richards, County Assessor

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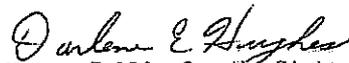
STATE OF MONTANA }  
COUNTY OF RAVALLI } ss

This is to certify that I, Jim McKinley, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning Distric within the boundaries of an area East of Supply Ditch between Pine Hollow Road and Winters Lane in Sections 3, 4, 8, 9, and 10, T8N, R20W in the following places:

1. On a light pole located at the corner of Winters Lane and East Side Highway.
2. On a light pole one (1) mile north from Winters Lane on East Side Highway.
3. On a light pole two (2) miles north from Winters Lane on East Side Highway.

  
\_\_\_\_\_  
Jim McKinley, Chairman  
Ravalli County Commissioners

Subscribed and sworn to before met this 25th day of April, 1978.

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

SEAL

6404

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 located in Section 3, Section 4, Section 8,  
Section 9, Section 10, Township 8 North, Range 20 West,  
M.P.M., Ravalli County, Montana; more particularly described  
as follows:

Commencing at the intersection of the Supply Ditch and Pine  
Hollow Road; thence in a Southerly direction along the  
Supply Ditch to the intersection of the Supply Ditch and  
Winters Lane; thence Westerly along Winters Lane to East  
Side Highway; thence West between Section 9 and Section 16  
to east edge of the Bitterroot River in Section 8; thence  
Northerly along said river edge to intersection of river  
edge and North line of Section 4; thence Easterly along  
North Section line of Section 4 to East Side Highway; thence  
Easterly along Pine Hollow Road 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 11th day of May, 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:

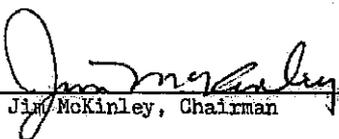
1. The creation of a Planning and Zoning District within the  
boundaries aforesaid.
2. The adoption of a development pattern for said district and  
the building use restrictions to be made applicable there-  
to.

The Commission will consider the types of activity that may be con-  
ducted 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 14th  
day of April, 1978.

Publish April 27, 1978

  
Jim McKinley, Chairman

6984

RESOLUTION NO. 186

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 located in Section 3, Section 4, Section 8, Section 9, Section 10, Township 8 North, Range 20 West, M.P.M., Ravalli County, Montana; more particularly described as follows:

Commencing at the intersection of the Supply Ditch and Pine Hollow Road; thence in a Southerly direction along the Supply Ditch to the intersection of the Supply Ditch and Winters Lane; thence Westerly along Winters Lane to East Side Highway; thence West between Section 9 and Section 16 to east edge of the Bitterroot River in Section 8; thence Northerly along said river edge to intersection of river edge and North line of Section 4; thence Easterly along North Section line of Section 4 to East Side Highway; thence Easterly along Pine Hollow Road to point of beginning.

Map of area on file with said petition.

WHEREAS, it appears that more than sixty percent (60%) of the freeholders affected thereby have signed said petition which is in due form.

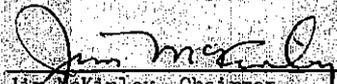
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries aforesaid, is created.

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, Hugh G. Cumming and F.T. Williams; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

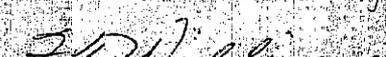
IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M. 1947, as amended.

DATED this 20th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS  
RAVALLI COUNTY, MONTANA

  
Jim McKinley, Chairman

  
Hugh G. Cumming, Member

  
F.T. Williams, Member

6464

PETITION FOR SPECIAL ZONING DISTRICT

TO: Board of Commissioners  
Ravalli County  
Ravalli County Courthouse  
Hamilton, Montana 59840

Gentlemen:

We, the undersigned, being the owners and freeholders of more than sixty (60%) percent of the real property described and set forth in Exhibit "A" attached hereto, respectfully petition the Board of County Commissioners of Ravalli County, State of Montana, pursuant to the provisions of Title 16, Chapter 41 of the Revised Codes of Montana, 1947, to order and create a Planning and Zoning District for the area encompassed by and described in Exhibit "A" attached hereto, for the purpose of furthering the health, safety and general welfare of the people of Ravalli County.

Your Petitioners respectfully request that the Planning and Zoning Commission for said Planning and Zoning District make and adopt a development of said district which will make the following provisions for the use of property within the said district.

RESIDENTIAL - Five (5) to Ten (10) Acres

A. INTENT

This district provides for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

6/20/74



William L. Mark	RD 2 Box 62A Stevensville, MD.
Carol D. Nash	RD 2 Box 62A Stevensville, MD.
Everett Burns	Rt. 2, Box 68 Stevensville, MD.
John D. Burns	Rt. 2, Box 68 Stevensville, MD.
Ben <sup>Norris Bentley</sup> Nichols	Rt 2 Box 123 Stevensville, Montana
Margaret Nichols	Rt 2 Box 62 Stevensville
Elizabeth M. Voss	Rt 2 Box 64 Stevensville
John Pedersen	Rt 2 Box 64 Stevensville
Harmon J. Pedersen	Rt 2 Box 64 Stevensville
Wesley James Farnham	Rt 2 Box 57 Stevensville MD
Betty A. Diney	Charmelle Rt 2 Box 159 Stevensville
Michael R. Fadden	Rt 2 Box 26A Stevensville
Dorcas DeLoe	Rt 2 Box 26A Stevensville

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(2) 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 proceeding. 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 (2).

Respectfully submitted this 6<sup>th</sup> day of March, 1978.

NAME	ADDRESS
* <u>Irvin W. Munson</u>	<u>Box 96 Stevensville, Md.</u>
<u>Mrs. Lee Bass</u> <small>LC 003 E</small>	<u>RT 2 - Box 24</u>
* <u>James F. Edwards</u>	<u>RT 2 Stevensville</u>
* <u>George W. Sullivan</u>	<u>RT 2 Box 54A Stevensville</u>
* <u>Carla Louise Downing</u>	<u>RT #2 Box 56 Stevensville, Md.</u>
<u>Manily R. Downing</u>	<u>RT 2 Box 56 Stevensville, Md.</u>
* <u>Elizabeth J. Hervey</u>	<u>RT. 2, Box 58, Stevensville, Md.</u>
* <u>Bonnie S. Kowchak</u>	<u>RT 2, Box 59, Stevensville, Md.</u>
* <u>May V. Higgins</u>	<u>RT 2 Box 63 - Stevensville, Md.</u>
* <u>John R. Frost</u>	<u>RT 2 Box 61 Stevensville, Md.</u>
* <u>Sybil B. Frost</u>	<u>RT #2 Box 61 Stevensville, Md.</u>
<u>Michelle <sup>Charles</sup> Kalle</u>	<u>Box 58A RT #2 Stevensville, Md.</u>
<u>Mary <sup>Delores</sup> E. Kalle</u>	<u>Box 58 RT #2 Stevensville, Md.</u>
<u>Adrien LaCourse</u>	<u>RT 2 Stevensville, Md.</u>
* <u>William A. Barrington</u>	<u>Route #2 Box 54 Stevensville, Md.</u>
* <u>Mary Ann Barrington</u>	<u>RT 2 Box 54 Stevensville, Md.</u>

Not on print

6404

ZONING PETITION SIGNATURES

We, the undersigned, approve of the Zoning Petition filed March 6, 1978 affecting, generally, premises in Sections 3, 4, 8, 9 and 10 of Township 9 North, Range 20 West, M.P.M., Ravalli County, Montana.

Mr. Morris Benton Nichols	Box 123, Rt 2 Stevensville Mont
Mr. Floyd W. Wilton	Box 60 Rt. 2 Stevensville Mont
Miss Betty Rae Witter	Box 60 Rt 2 Stevensville Mont
Ms. Marilyn Downing	Rt 2 Box 56 Stevensville Mont
Mr. Carl Edwards	P.O. Box 43 Stari
Ms. Mary Dabow Kalla	Box 58A, R.R. #2 Stevensville, Mont 59870
Ms. Rozella A. Olson	Rt. 2, Box 6 R Stevensville Montana 59870
Mr. Bud Cote Ranch	Box 135 Rt # 2 Stevensville Montana 59870
<del>Stari</del>	
Mr. Michael Charles Ralk	Rt #2 Box 58A Stevensville mt. 59870
Mr. Monte E. Walker	RT 2 Box 35 Stevensville mt 59870
Mr. Julia Walker	Rt 2 Box 11 Stevensville 59870
Ms. Marlene Squires	Box 55 Rt 2 Stevensville
Mr. John Wenger	Box 28 Rt Stevensville
Ms. Jean Wengert	Box 28 Stevensville
Ms. Juanita Pecker	Box 23 Rt. 2 Stevensville
Ms. Ann Little	Rt 2 Box 63 Stevensville
Mr. James A. Pedersen	Rt 2 Box 64 Stevensville

6409

ZONING PETITION SIGNATURES

We, the undersigned, approve of the zoning petition filed March 5, 1978 affecting, generally, premises in Sections 3, 4, 8, 9 and 10 of Township 9 North, Range 20 West, M.P.M., Ravalli County, Montana.

*W. Marshall [Signature]*

*of Aldo Bailey*

*5 College  
Stevensville, Mont.*

*of Dwayne Francis*

*2619 B Street  
Forest Hill, Oregon*

*of Carol Nash*

*Rt 2 Box 62A*

*Not  
Property owner / sold*

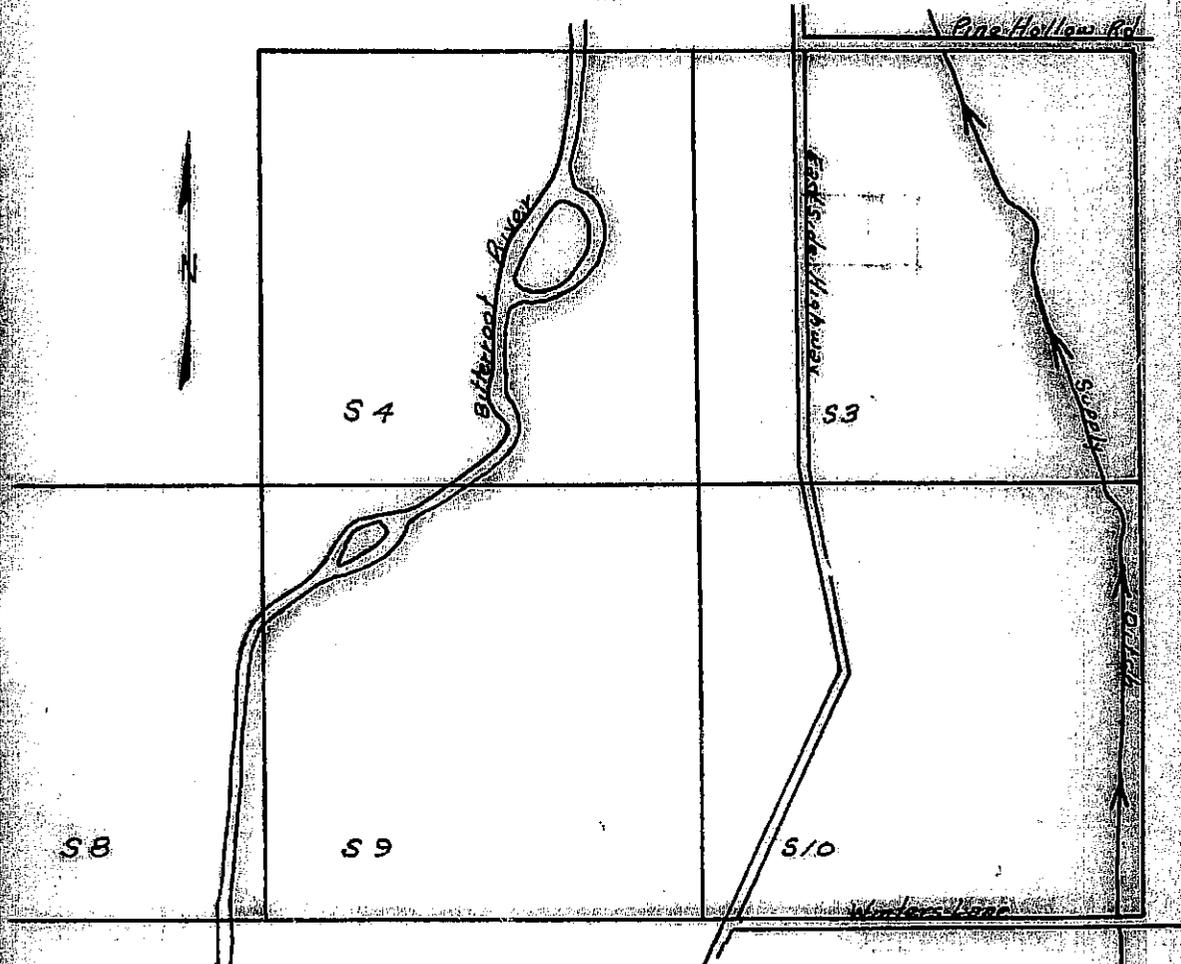
*Wayne [Signature]*

*Rt 2 Stevensville Mont*

*of Robert J. [Signature]*

*Rt #1 Stevensville*

T8N R20W



6404

DESCRIPTION

A tract of land located in Sec. 3, Sec. 4, Sec. 8, Sec. 9, Sec. 10, Township 8 North, Range 20 West, M.P.M., Ravalli County Montana; more particularly described as follows:

Commencing at the Intersection of the Supply Ditch and Pine Hollow Road; thence in a Southerly direction along the Supply Ditch to the intersection of the Supply Ditch and Winters Lane; thence Westerly along Winters Lane to East Side Highway; thence West between Sec. 9 and Sec. 16 to east edge of the Bitterroot River in Sec. 8; thence North-erly along said river edge to intersection of river edge and North line of Section 4; thence Easterly along North Section line of Section 4 to East Side Highway; thence East-erly along Pine Hollow Road to point of beginning.

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SECURITY AND INVESTIGATION  
INSTRUMENT ON THIS DATE 10-27-57  
BY [Signature] 10-27-57

[Signature]  
[Signature]

BY [Signature] SECURITY