

17 Pages
#7122
COUNTY OF RAVALLI



STATE OF MONTANA



The Bitterroot Valley

HAMILTON, MONTANA 59840

November 8, 1986

Ravalli County Zoning Board
205 Bedford
Hamilton, MT 59840

RE: Zoning Petition

This is to advise the Ravalli County Zoning Board that the legal description and map attached to the above referenced Petition are accurate and sufficient to define the boundaries of the proposed Zoning District.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. L. Higginbottom". The signature is stylized and cursive.

W. L. Higginbottom

Ravalli County Surveyor

Enclosure

WLH/jh

RESOLUTION NO. 402

WHEREAS a petition was filed with the Board of Ravalli County Commissioners petitioning for the creation of a Planning and Zoning District in the area as described in Exhibit "A" attached hereto and by this reference made a part hereof, and map of area is on file with said Petition; and

WHEREAS, it appears that more than sixty percent (60%) of the freeholders affected hereby have signed said petition;

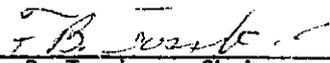
NOW THEREFORE, it is ordered that a Planning and Zoning District embracing the lands within the boundaries as aforesaid is created.

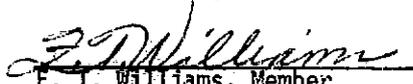
IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed are: The County Commissioners, the County Assessor and the County Surveyor.

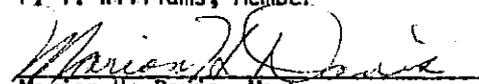
IT IS FURTHER ORDERED that the Planning & Zoning Commission proceed in accordance with the provisions of 76-2-101 MCA.

DATED this 2nd day of October, 1986.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


F. B. Tossberg, Chairman


F. T. Williams, Member


Marion H. Davis, Member

ATTEST:


Darlene E. Hughes, Clerk and Recorder

Invalidation of any 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.

Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken.

This zoning is understood and agreed to be and shall be taken and held to be for the benefit of all land owners be they such now or become such hereafter and all zoning herein contained attached to the land and run with the title thereto and shall be binding on all owners of the tract in said real property.

PASSED AND APPROVED this 24th day of November, 1986.

PLANNING AND ZONING COMMISSION

F. B. Tossberg
F. B. Tossberg, County Commissioner

F. T. Williams
F. T. Williams, Member

Marion H. Davis
Marion H. Davis, Member

W. L. Higginbotham
W. L. Higginbotham, County Surveyor

Absent
Cheryl Richards, County Assessor

7-1120

3. Building Requirements and Restrictions:

- A. Single-family dwellings only shall be permitted.
- B. No more than one (1) single-family dwelling shall be permitted on a five (5) acre tract.
- C. No construction or installation of a dwelling without permanent foundation or less than one thousand (1,000) square feet of living space above ground shall be permitted. Open porches and attached garages shall not be counted to meet space requirements.
- D. No dwelling, structure, or animal corral shall be located within less than fifteen (15) feet from the boundary line of any tract.
- E. All dwelling construction shall be at least 85% new material, and no used dwelling shall be moved from another location onto a property and used as a dwelling unless it meets the requirements under section #3-A, B, C, D, and F.
- F. A permanent dwelling shall not be occupied until its exterior finish (paint or application of pre-finished material) is complete.
- G. A permanent residence, as specified under #3-C or #3-E, must be completed to the extent specified in #3-F within 18 months after any temporary units are placed on the property.
- H. No tract or site within the district shall be leased or rented for the purpose of locating or setting thereon campers, trailers, mobile or modular homes, or other temporary dwellings.
- I. Definitions of mobile home, modular home, trailers, etc. as stated in the latest Ravalli County Subdivision Regulations will apply when these terms are used in this zoning district.
- J. Structures to house animals should complement the general architecture of the surrounding buildings, thus eliminating shacks and dilapidated structures.
- K. A property owner or resident shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such onto his property.

4. General Restrictions.

- A. All garbage and trash cans shall have tight covers to prevent escape of odors and entrance of animals.
- B. Trash, junk cars, or any junk equipment shall not be accumulated or stored on the premises.
- C. Owners and purchasers 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 requirements.

RESOLUTION NO. 18

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 signed by more than sixty percent (60%) of the freeholders within the area, and

WHEREAS, Notice of Public Hearing was given and a public hearing was held on November 3, 1986, at 2:00 p.m.;

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 23.

IT IS FURTHER ORDERED that the following shall govern the use of lands and structures within the district:

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.

B. USE

1. Present Uses: Present agricultural and residential uses as of this petition may be continued, notwithstanding anything to the contrary contained hereinafter.
2. Future Uses:
 - A. No parcel of land which is less than five (5) acres in size shall be sold, conveyed, rented, or leased. This minimum does not apply to parcels that are less than five (5) acres as of this date.
 - B. No swine shall be raised or maintained for commercial purposes on any tract.
 - C. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial activity.
 - D. No noxious or offensive activities shall be carried on on any tract, nor shall anything be done thereon which may be or become a nuisance to the neighborhood.

#716

STATE OF MONTANA)
 : ss.
County of Ravalli)

This is to certify that we, the undersigned, did post in the following places copies of the Notice of Public Hearing on petition for Creation of Planning and Zoning District in an area within the boundaries as described in Exhibit "A":

1. On a power pole at the entrance of Holly Lane.
2. On a power pole at the end of the Cul-de-sac on Holly Lane, and
3. On a power pole at the intersection of Burnt Fork Road and the Burlington Railroad line.

DATED this 9th day of October, 1986.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana

F. B. Tossberg

F. B. Tossberg, Chairman

F. T. Williams

F. T. Williams, Member

Marion H. Davis

Marion H. Davis, Member

#7127

NOTICE OF PUBLIC HEARING ON
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 Holly Lane in the Burnt Fork area of Stevensville within the boundaries of:

That portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35, T9N, R20W, PMM as lies east of the easterly edge of the Burlington Northern R.R. right of way; that portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T9N, R20W, PMM as lies west of the westerly edge of the Burlington Northern R.R. right of way less the south 480 feet of said 20 acre tract. Also less the following described parcel; commencing at a point on the section line 40 rods and 30 feet east of the NW corner of Section 35, T9N, R20W, PMM, thence south along the east line of a public road, 8 rods; thence east, 5 rods; thence north, 8 rods to the south line of a public road; thence west, 5 rods to the point of beginning, 0.25 acre; also that portion of the SE $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, T9N, R20W, PMM as lies easterly of the Supply Ditch right of way.

Above described parcels are subject to all easements, recorded or apparent. Deed references; 130-330, 130-331, 130-316, 148-414

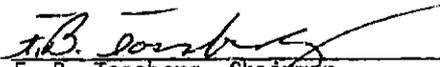
Map of area on file with said petition.

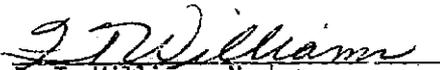
That pursuant to such petition, the Board of County Commissioners created a Zoning District within the boundaries aforesaid and appointed a Planning and Zoning Commission.

That the Planning and Zoning Commission will hold a public hearing on the 3rd day of November, 1986, at the hour of 2:00 p.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana.

The purpose of the hearing is to afford all persons affected by the proposed development pattern and use restrictions an opportunity to speak for or against the adoption of development plans therefor.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


F. B. Tossberg, Chairman


F. T. Williams, Member


Marion H. Davis, Member

Publish: October 9, 1986

7122

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%) per cent 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.

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.

B. USE

1. Present Uses: Present agricultural and residential uses as of this petition may be continued, notwithstanding anything to the contrary contained hereinafter.
2. Future Uses:
 - A. No parcel of land which is less than five (5) acres in size shall be sold, conveyed, rented, or leased. This minimum does not apply to parcels that are less than five (5) acres as of this date.
 - B. No swine shall be raised or maintained for commercial purposes on any tract.
 - C. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial activity.
 - D. No noxious or offensive activities shall be carried on on any tract, nor shall anything be done thereon which may be or become a nuisance to the neighborhood.
3. Building Requirements and Restrictions:
 - A. Single-family dwellings only shall be permitted.
 - B. No more than one (1) single-family dwelling shall be permitted on a five-(5) acre tract.
 - C. No construction or installation of a dwelling without permanent foundation or less than one thousand (1,000) square feet of living space above ground shall be permitted. Open porches and attached garages shall not be counted to meet space requirements.
 - D. No dwelling, structure, or animal corral shall be located within less than fifty (50) feet from the boundary line of any tract.
 - E. All dwelling construction shall be at least 85% new material, and no used dwelling shall be moved from another location onto a property and used as a dwelling unless it meets the requirements under section #3-A, B, C, D, and F.
 - F. A permanent dwelling shall not be occupied until its exterior finish (paint or application of pre-finished material) is complete.
 - G. A permanent residence, as specified under #3-C or #3-E, must be completed to the extent specified in #3-F within 18 months after any temporary units are placed on the property.
 - H. No tract or site within the district shall be leased or rented for the purpose of locating or setting thereon campers, trailers, mobile or modular homes, or other temporary dwellings.
 - I. Definitions of mobile home, modular home, trailers, etc. as stated in the latest Ravalli County Sub-Division Regulations will apply when these terms are used in this zoning district.

- J. Structures to house animals should complement the general architecture of the surrounding buildings, thus eliminating shacks and dilapidated structures.
- K. A property owner or resident shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such onto his property.

4. General Restrictions.

- A. All garbage and trash cans shall have tight covers to prevent escape of odors and entrance of animals.
- B. Trash, junk cars, or any junk equipment shall not be accumulated or stored on the premises.
- C. Owners and purchasers 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 requirements.

Invalidation of any 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.

Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken.

Respectfully submitted this 26th day of September, 1986.

<u>Name</u>	<u>Address</u>	<u>Sign to Approve</u>	<u>Sign to Reject</u>
1 Alan E. Kelley	301 Main Stevensville, MT 59870	<i>Alan E. Kelley</i>	
2 Janice O. Kelley	301 Main Stevensville, MT 59870	<i>Janice O. Kelley</i>	
3 Raymond L. Todd	3550 Holly Lane Stevensville, MT 59870	<i>Raymond L. Todd</i>	
4 Virginia L. Todd	3550 Holly Lane Stevensville, MT 59870	<i>Virginia L. Todd</i>	
5 Robert W. Decker	3540 Holly Lane Stevensville, MT 59870	<i>Robert W. Decker</i>	
6 Marilyn Kay Decker	3540 Holly Lane Stevensville, MT 59870	<i>Marilyn Kay Decker</i>	
7 Pat G. McNulty	3780 Salish Trail Stevensville, MT 59870	<i>Pat G. McNulty</i>	
8 Maureen V. McNulty	3780 Salish Trail Stevensville, MT 59870	<i>Maureen V. McNulty</i>	
9 Sabre C. Jensen	259 Mid Burnt Fx. Rd. Stevensville, MT 59870	<i>Sabre C. Jensen</i>	
10 H. E. Acuff	3510 Holly Lane Stevensville, MT 59870		
11 Lois E. Acuff	3510 Holly Lane Stevensville, MT 59870		

#7122

LEGAL DESCRIPTION

That portion of the E 1/2 N W 1/4 of Section 35, T 9 N, R 20 W, PMM as lies east of the easterly edge of the Burlington Northern R.R. right of way; that portion of the E 1/2 N W 1/4 N W 1/4 of Section 35, T 9 N, R 20 W, PMM as lies west of the westerly edge of the Burlington Northern R.R. R/W less the south 480 feet of said 20 acre tract, also less the following described parcel; commencing at a point on the section line 40 rods and 30 feet east of the N W corner of Section 35, T 9 N, R 20 W, PMM, thence south along the east line of a public road, 8 rods; thence east, 5 rods; thence north, 8 rods to the south line of a public road; thence west, 5 rods to the point of beginning, 0.25 acre; also that portion of the S E 1/4 S W 1/4 of Section 26, T 9 N, R 20 W, PMM as lies easterly of the Supply Ditch right of way.

Above described parcels are subject to all easements, recorded or apparent. Daed references; 130-330, 130-331, 130-316, 148-414

Theodore R. Neuman

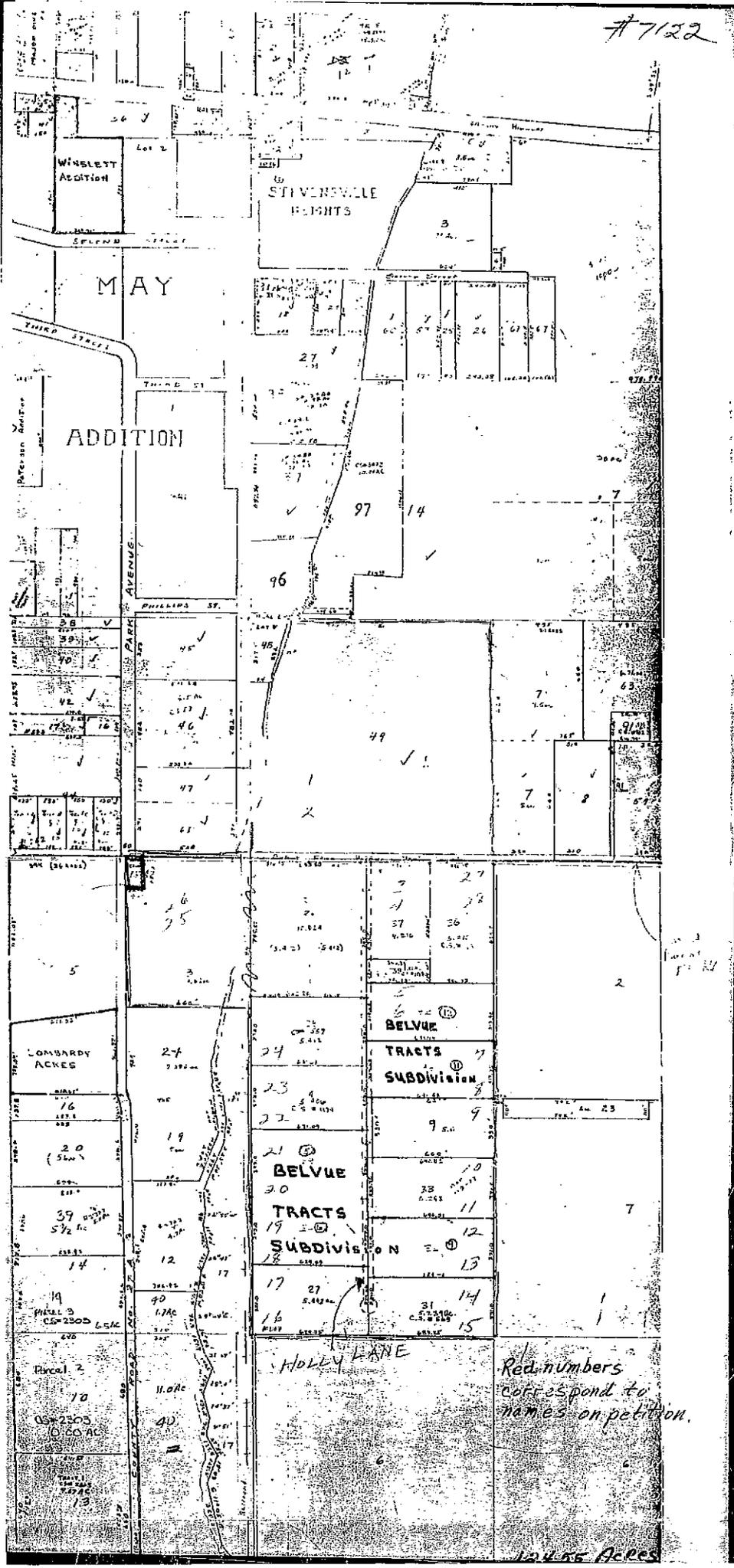
#7122
T9N, R 20W

Petitioning Property Owners and Current Mailing Address

- (49) Bk 148
Pg 414 Alan E. and Janice O. Kelley 301 Main Stevensville, MT 59870
- (37+38) Bk 148
Pg 246-248 Raymond L. and Virginia L. Todd 3550 Holly Lane Stevensville, MT 59870
- Bellevue Tr. Lot 12 Robert W. and Marilyn Kay Decker 3540 Holly Lane Stevensville, MT 59870
- Bellevue Tr. Lot 11 Pat G. and Maureen V. McNulty 3780 Salish Trail Stevensville, MT 59870
- (9) Bk 174
Pg 495 Sabre C. Jensen 259 Mid Burnt Fork Rd. Stevensville, MT 59870
- (33) Bk 169
Pg 73 H. E. and Lois E. Acuff 3510 Holly Lane Stevensville, MT 59870
- Bellevue Tr. Lot 9 Barry D. and Sherry I. DellaSilva 3490 Holly Lane Stevensville, MT 59870
- (31) Bk 156
Pg 138 Montague L. and LaDelle Garrett 3474 Holly Lane Stevensville, MT 59870
- (27) Bk 168
Pg 26-28 Ferry A. and Sharon R. Wicks 3477 Holly Lane Stevensville, MT 59870
- Bellevue Tracts Lot 6 Marvin and Diane L. Martin 3493 Holly Lane Stevensville, MT 59870
- Bellevue Tract Lot 5 Arthur V. and Cheri L. Perez 3505 Holly Lane Stevensville, MT 59870
- (4) Bk 169
Pg 471 Charles W. and Vicki L. Fitzpatrick 3539 Holly Lane Stevensville, MT 59870
- (28) Bk 171
Pg 431-433 Helen Lavon Nelson 3551 Holly Lane Stevensville, MT 59870
- (3) Bk 130
Pg 330 Raymond J. and Anita M. Nelson 201 Burnt Fork Rd. Stevensville, MT 59870
- (36) Bk 173
Pg 821 Gregory L. and Doneda E. Potton P O Box 386 Stevensville, MT 59870
- (26) Bk 132
Pg 456 Henry G. and Diane L. Howard 215 Mid Burnt Fk. Rd. Stevensville, MT 59870

	<u>Name</u>	<u>Address</u>	<u>Sign to Approve</u>	<u>Sign to Reject</u>
12	Barry D. DellaSilva	3490 Holly Lane Stevensville, MT 59870	<i>Barry D. DellaSilva</i>	
13	Sherry L. DellaSilva	3490 Holly Lane Stevensville, MT 59870	<i>Sherry L. DellaSilva</i>	
14	Montague L. Garrett	3474 Holly Lane Stevensville, MT 59870	<i>Montague L. Garrett</i>	
15	LaDelle Garrett	3474 Holly Lane Stevensville, MT 59870	<i>LaDelle Garrett</i>	
16	Perry A. Wicks	3477 Holly Lane Stevensville, MT 59870		<i>Perry A. Wicks</i>
17	Sharon R. Wicks	3477 Holly Lane Stevensville, MT 59870		<i>Sharon Wicks</i>
18	Marvin Martin	3493 Holly Lane Stevensville, MT 59870		
19	Diane L. Martin	3493 Holly Lane Stevensville, MT 59870		
20	Arthur V. Perez	3505 Holly Lane Stevensville, MT 59870	<i>Arthur V. Perez</i>	
21	Cheri L. Perez	3505 Holly Lane Stevensville, MT 59870	<i>Cheri L. Perez</i>	
22	Charles W. Fitzpatrick	3539 Holly Lane Stevensville, MT 59870	<i>Charles W. Fitzpatrick</i>	
23	Vicki L. Fitzpatrick	3539 Holly Lane Stevensville, MT 59870	<i>Vicki L. Fitzpatrick</i>	
24	Helen Lavon Nelson	3551 Holly Lane Stevensville, MT 59870	<i>Helen Lavon Nelson</i>	
25	Raymond J. Nelson	201 Burnt Fork Rd. Stevensville, MT 59870	<i>Raymond J. Nelson</i>	
26	Anita M. Nelson	201 Burnt Fork Rd. Stevensville, MT 59870	<i>Anita M. Nelson</i>	
27	Gregory L. Potton	P.O. Box 386 Stevensville, MT 59870	<i>Gregory L. Potton</i>	
28	Doneda E. Potton	P.O. Box 386 Stevensville, MT 59870	<i>Doneda E. Potton</i>	
29	Henry G. Howard	215 Mid Burnt Fork Rd. Stevensville, MT 59870		
30	Diane L. Howard	215 Mid Burnt Fork Rd. Stevensville, MT 59870		

#7122



WINGLETT ADDITION

STEVENSVILLE HEIGHTS

MAY

ADDITION

THIRD STREET

AVENUE

PHILIPPS ST.

LANSBARDY ACRES

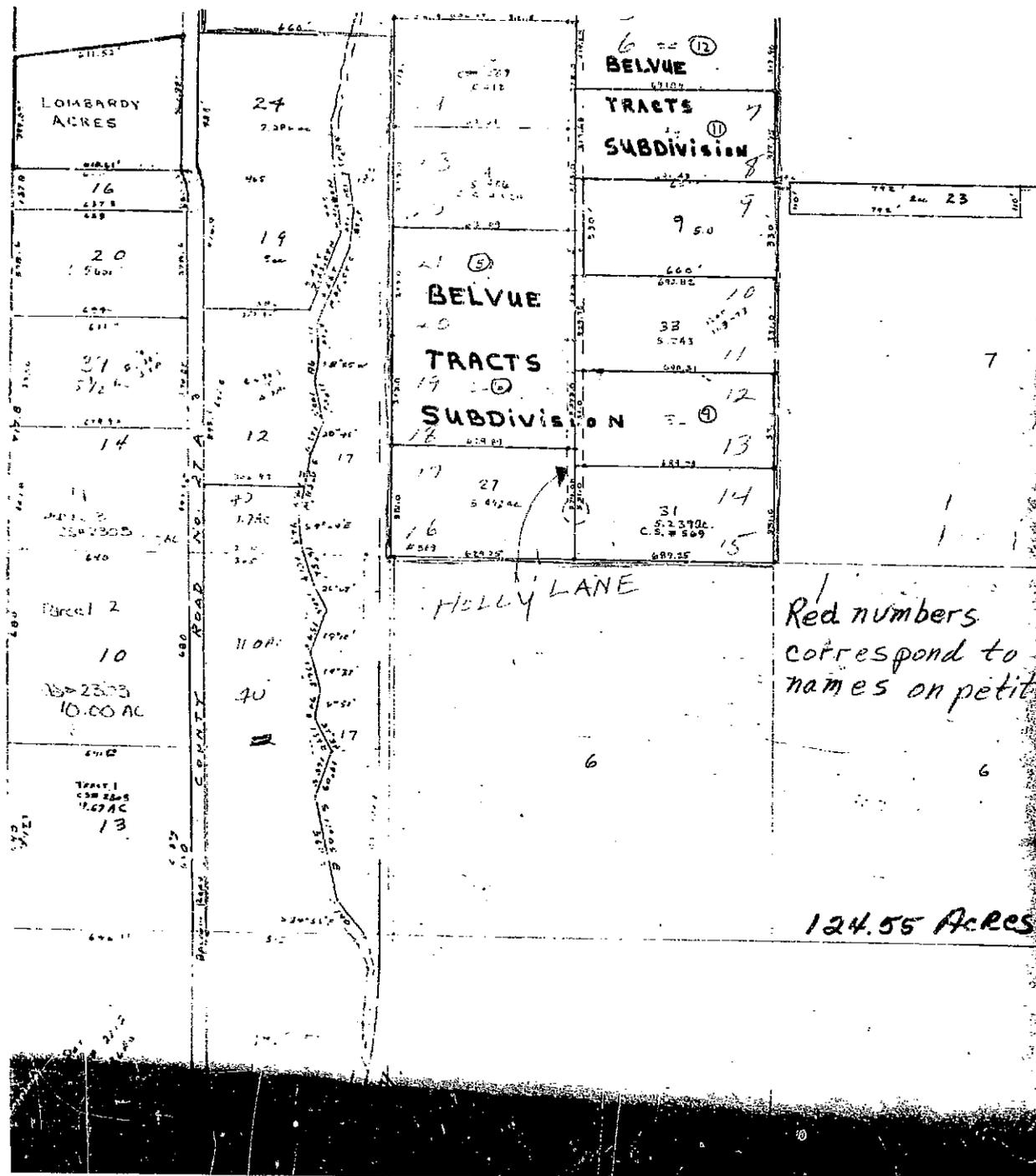
BELVUE TRACTS SUBDIVISION

BELVUE TRACTS SUBDIVISION

HOLLY LANE

Red numbers correspond to names on petition.

124.56 Acres



Red numbers correspond to names on petition.

124.55 Acres

#7122

Shages

RESOLUTION NO. 404

WHEREAS, this Board did on September 26, 1986, receive a Petition requesting the zoning of an area as described in Exhibit "A" attached hereto and by this reference made a part hereof; and

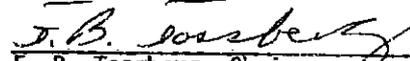
WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and thereafter a public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission under date November 3, 1986; and

WHEREAS, Resolution No. 18 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission on November 24, 1986.

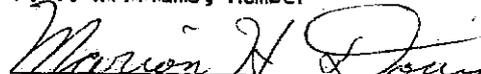
NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolution granting said petition for creation of Ravalli County Planning and Zoning District No. 23.

PASSED AND ADOPTED this 26th day of November, 1986.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana

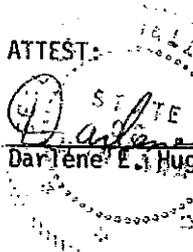

F. B. Tossberg, Chairman


F. T. Williams, Member


Marion H. Davis, Member

ATTEST:


Darlene E. Hughes, Clerk and Recorder



7122

306934

✓

I certify that I received and filed

Statement on this 5th

day of Dec, 1920, at 9:00

o'clock A M.

Carlone E. Hopkins

County Recorder

James M. Olson

no fee