

APPLICATION FOR CONDITIONAL USE PERMIT

City of Three Forks, P.O. Box 187, Three Forks, MT 59752

Phone/Fax: (406) 285-3431

Date _____

PLEASE READ EVERYTHING CAREFULLY AND PROVIDE EVERYTHING REQUIRED!

The undersigned hereby makes application for a Conditional Use Permit pursuant to the requirements of the City of Three Forks Zoning Code Title 11, Chapter 12.

See www.threeforksmontana.us Online Documents > Ordinance and City Codes

Name of Applicant: RICHARD CLARKE Phone No. 406-599-5480

Mailing Address of Applicant: 406 PEARL Dr., BELGRADE, MT 59714

Email Address of Applicant: SYLVIAPECK7@gmail.com

Property Owner LEGAL Name: RICHARD LEE CLARKE Phone No. 406-599-5480

Mailing Address of Property Owner: 406 PEARL Dr., BELGRADE, MT 59714

Email Address of Property Owner: SYLVIAPECK7@gmail.com

Subject Property – Name of Project LOT NEXT TO FAMILY DOLLAR

Legal Description: Block 3 Lot(s) _____ Addition Cos 466

Address (if available) TBD

Current Zoning NHB Land Area .73 acr. Sq. Ft., or _____ Acres

Conditional Use to consist of the following: Semi Loads of firewood delivered, Cut into firewood, and either Sold on site or Delivered.

Do you have a Developer/Architect/Contractor (YES) (NO) Name and Address: _____

Phone #: _____

If yes to above, Full set of construction plans required (foundation, plot, elevation, utilities, etc.)

Impact Fee Due (Yes (No) \$ _____

Water &/or Sewer &/or Fire

If you are adding a new service (unit), changing or adding a "use", redevelopment or modifying an existing use or building, Impact fees may be required to be paid.

SUBMITTAL: PLEASE read Title 11, Chapter 12 of the City of Three Forks Ordinances, specifically Section 3 for what is required for submittal. All ordinances are online at www.threeforksmontana.us - Online Documents > Ordinances and City Codes, or can be obtained from City Hall. Submit all items required in the ordinance or explain why you are eliminating a requirement, ask questions if unsure about what is needed.

COMPLETE packages must be submitted to City Hall before noon on the last Friday of a month and will require 2 public hearings. The second hearing could be 5 to 7 weeks after submittal. What is needed on every submission: a Plot Plan (drawn to scale) including the following information: All existing and proposed structures, proposed locations of ingress and egress, off-street parking arrangement, zoning districts of surrounding property,

proposed landscaping and location of all signs plus items required in the Ordinance specific to what the CUP is requesting. The lack of any of the required information will delay this application.

IMPORTANT:

- 1) Per Zoning and Planning By-Laws Article 9 section C-6: Failure to attend public hearings will result in postponement of the hearing. You must attend in person, via zoom or have a representative attend both Zoning and Planning Hearing and City Council Hearing.
- 2) All Statements of explanation and mitigation of use, size, employees, signage, etc. presented in this application are made conditions of approval, if approved.
- 3) If there are any CHANGES to this application after the Zoning Board Hearing, that are not requested by the Zoning Board, the applicant will be required to submit a new application and fee.
- 4) Inspection Requirement
 - a. Any Conditional Use Permit approved under this title shall at all times be subject to inspection by city officials (Zoning official, City Employee, or person(s) designated by the Mayor), to insure conformity with approval and details in the application.
 - b. The business licensee and/or employees of such licensee shall at all times allow the zoning compliance officer to enter the premises for inspection of any licensed activity, if applicable.
- 5) Compliance Certificate (provided with approval letter with conditions) is required to be signed and returned within 10 days of CUP completion, certifying all conditions have been met, before opening or use.

*Permit Reviews often have professional services and/or special meetings that staff utilizes to ensure adherence to Zoning, Floodplain or Legal requirements. These are not included in the permit fee paid at time of submittal. However, Ord. #11-20-1(A) allows for the City to submit an invoice to the applicant/property owner for the reimbursement of reasonable expenses from professional services.

AFFIDAVIT of OWNER

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other forms, documents, plans or any other information submitted as a part of this application to be full, true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for representatives of the City of Three Forks to be present on the property for routine monitoring and inspection during the approval and development process. All work shall be done in accordance with the approved plans, and in compliance with the requirements of the City of Three Forks Zoning Ordinance, Title 11.



Property Owner's Signature

Misrepresentation of Information: Any applicant who shall swear falsely as to the contents respecting any matter in said application or who shall make any false representation in said affidavit shall be deemed guilty of perjury and shall be punished as provided by law (Ord. #11-20-5-3).

FOR OFFICIAL USE ONLY	
Filing Fee (\$500) Paid	yes <i>1/21/20</i>
If this application is after-the-fact, additional fee: \$	<i>No</i>
Zoning Board Hearing Date	<i>2/19/20</i>
Action Taken	
City Council Hearing Date	
Action Taken	
Logged into City spreadsheet(s)	

January 21, 2026

To Zoning and Planning Board, City Council and Public,

My name is Richard Clarke. I do not have a formal education, as my father died when I was in the 8th grade and I had to leave school to help support the family. I have been cutting firewood for 16 years. I have been leasing ground outside of Belgrade for 3 years for my business.

I had a realtor looking for an area I could purchase to move my business too. He found the lot next to the Three Forks Family Dollar Store, and told me he did not see anything that prohibited me from doing my business there. The realtor sign posted on the lot indicated it was a "commercial" lot. My plan was to get my business moved and run my business for about a year and then turn it over to my son that has been working with me for the last 8+ years.

About a week before purchasing the lot, I came to City Hall to discuss putting a building on the lot. I was told I would need to fill out a floodplain permit, zoning permit and a conditional use permit, as my business for cutting firewood was not a permitted use, but it might fall under "Wholesale distributors with on premises retail outlets", which is a conditional use in the Neighborhood Highway Zoning district.

It wasn't until after I had closed on the lot that it was told to me that my business of having logs trucked in, cutting them up and selling firewood might not be approved in this zoning district due to being close to a residential district. I had already started my 6 1/2 foot fence to help with the noise in the neighborhood. We chose a wooden fence as it would look nicer than a metal fence and would absorb noise. Once sawdust gets between 3 inches and 2 feet, on the ground I will haul excess to the dump. If any of the users of the rodeo grounds would like sawdust for their pens or trailers, I would make that available to them.

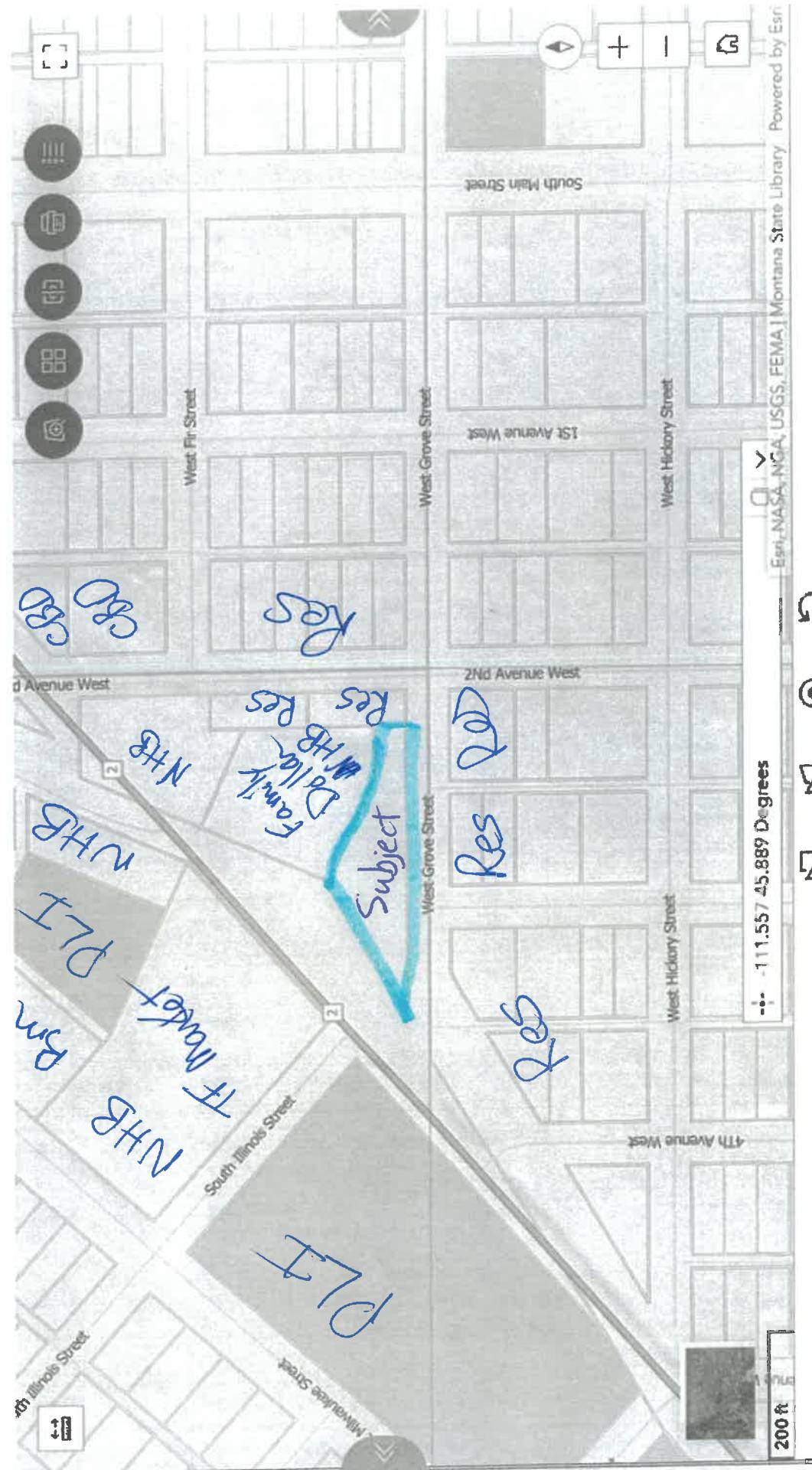
I am wanting to become a part of the Three Forks Community and if a "Local" member of the community is looking for firewood I will give them a discount on firewood.

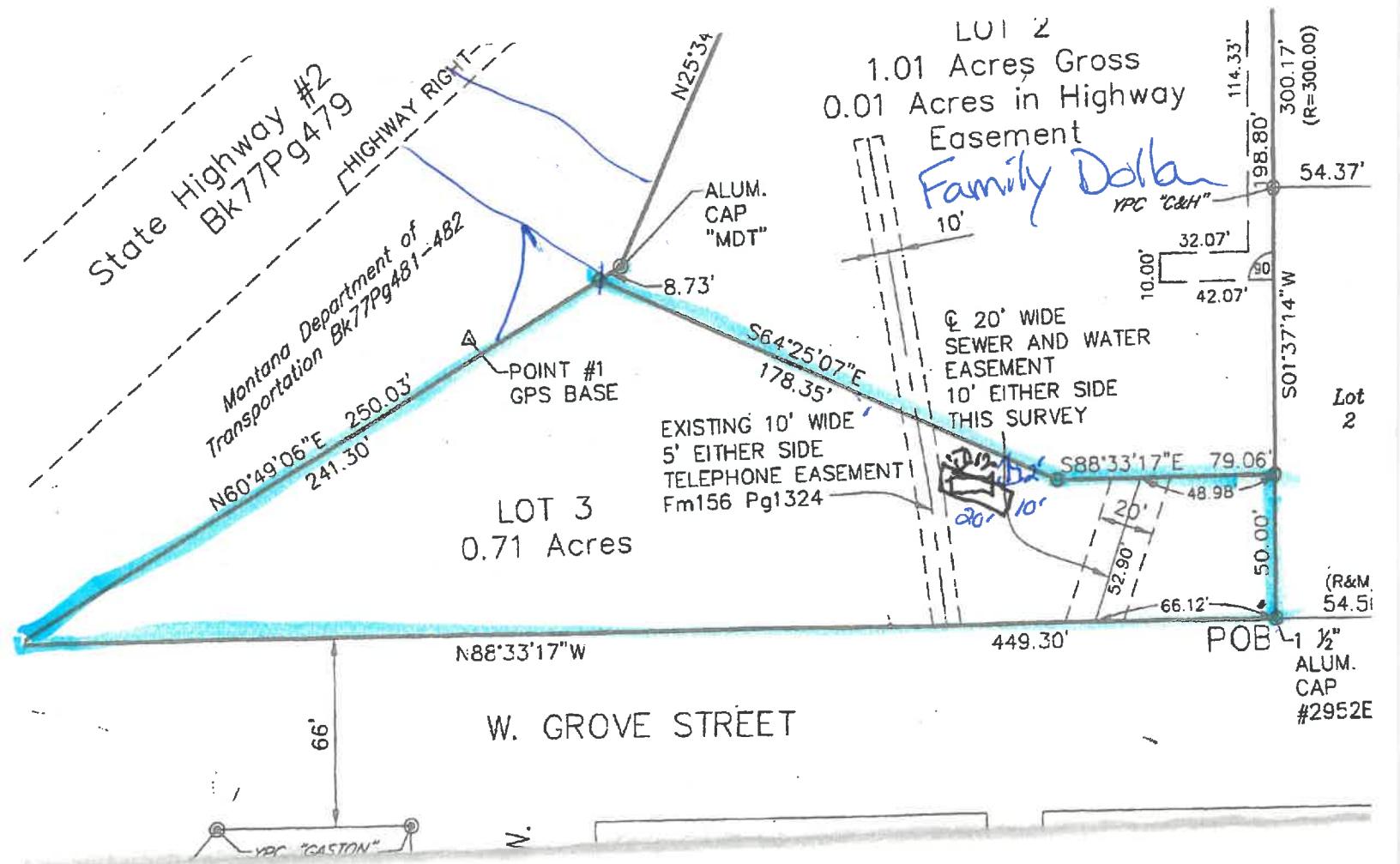
I am wanting to get my son set up in a business he can do for a long time, and I purchased this lot for his future. I am willing to work with the City and the neighbors to do what is best for them and my family. Please consider my application.

Thank you

Richard Clarke

A handwritten signature in blue ink that reads "Richard Clarke". The signature is fluid and cursive, with "Richard" on the top line and "Clarke" on the bottom line.





Search...

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Fall Special! R.B.A. SEASONED

Updated 12 hrs ago

R.B.A.

SEASONED FIREWOOD

\$250 a CORD

Christmas Special \$225 per cord, while supplies last

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TO STOCK UP AND

SAVE MONEY

406-613-9700

406-599-5480

406-517-8191

11-7-3: CONDITIONAL USES:

The following uses may be allowed in the NHB Neighborhood Highway Business District as conditional uses as regulated in Chapter 12 of this Title:

Amusement and recreational activities.

"Caretaker residence" as defined in this title and of a duration that shall not exceed the use for which it is serving.

Daycare facilities.

Medical marijuana distribution structure.

Miniwarehouse/self-storage units.

Multi-unit hotels or motels:

A. The units must be a nonresidential construction pursuant to the requirements of title 12, chapter 1, "Flood Damage Prevention", of this code.

B. The structures approved by issuance of a zoning permit shall not be converted to long term rental occupancy as defined by Montana code and administrative rules.

C. The maximum length of stay in a unit shall be limited to twenty nine (29) days. Failure to comply with the twenty nine (29) day maximum length of stay shall result in the city of Three Forks' termination of the conditional use permit.

D. Units must be separated by a minimum of ten feet (10') at any point of construction including any roof or carport overhangs or exterior walls.

E. A landscaping plan creating an attractive and pleasant environment and effectively screening all building and site utilities as well as trash receptacles shall be reviewed and approved by the city of Three Forks prior to the issuing of a zoning permit.

F. Off street parking shall conform to the requirements of chapter 13, "Off Street Parking", of this title.

G. Mobile home and modular units are not permitted. All structures must be stick built on site and meet all state commercial building codes.

H. A nonconversion agreement must be filed with the Gallatin County clerk and recorder.

Retail uses in addition to those permitted uses listed.

"Sexually oriented business" as defined in title 4, chapter 4 of this code.

Shopping centers in tracts of five (5) or more acres, which meet the overall height and use requirements, but which combine parking areas, separate pedestrian circulation facilities, common signs and common facilities for access.

Wholesale distributors with on premises retail outlets, provided warehousing is limited to commodities which are sold on the premises.

Work-live development.

A. No more than fifty percent (50%) of a work-live development may be residential in use.

B. Condominiums are not permitted.

C. Each Work-Live Development must be owned by the same person/entity. (Ord. 203, 12-9-1983; amd. Ord. 277-03-04, 2-10-2004; Ord. 324-11, 8-23-2011; Ord. 366-2016, 10-11-2016; Ord. 371-2016, 11-9-2016; Ord. 386-2020, 1-28-2020; Ord. 394-2022, 5-10-2022)

11-7-4: LOT AREA AND WIDTH:

Lot area for this district shall not be less than seven thousand five hundred (7,500) square feet and no lot width shall be less than seventy five feet (75') (except shopping centers which require at least 5 acres). No lot depth shall be greater than three (3) times its width. (Ord. 203, 12-9-1983)

11-7-5: LOT COVERAGE:

The entire lot exclusive of required yards and parking may be occupied by principal and accessory buildings. (Ord. 203, 12-9-1983)

11-7-6: YARD REQUIREMENTS ¹:

Every lot shall have the following minimum yards:

Front yard: Twenty five feet (25').

Rear yard: Ten feet (10').

Side yard: Eight feet (8') on each side. (Ord. 203, 12-9-1983)

Notes

¹ 1. Shopping center developments may have specific rear and side yard requirements waived based on overall design of project.

11-7-7: OFF STREET PARKING:

Off street parking shall be provided in accordance with chapter 13 of this title. (Ord. 203, 12-9-1983)

11-7-8: OFF STREET LOADING:

Off street loading shall be provided in accordance with chapter 14 of this title. (Ord. 203, 12-9-1983)

11-7-2: PERMITTED USES:

Antique shops.

Art and music supply stores.

Barbershops and beauty shops.

Bars, cocktail lounges.

Beverage, bottling, and distribution.

Bowling alleys.

Building materials sales and showrooms (enclosed storage).

Car washes.

Farm equipment sales and service.

Food and drug stores.

Furniture and appliance stores.

Gasoline service stations.

Hardware stores and home centers.

Hotels and motels.

Laundries and dry-cleaning establishments.

Liquor stores.

Mortuaries.

Post offices.

Professional and business offices.

Restaurants, cafes, and drive-in eating establishments.

Signs.

Sporting goods stores.

Temporary buildings for and during construction, only.

Theaters.

Vehicle and boat sales, showrooms, and service areas.

Veterinary clinics, small animal hospitals with completely enclosed runs.

Uses customarily accessory to those listed. (Ord. 203, 12-9-1983; Ord. 391-2021, 9-28-2021)