

APPLICATION FOR VARIANCE

City of Three Forks, P.O. Box 187, Three Forks, MT 59752
Phone/Fax: (406) 285-3431

Date 4/14/23

The undersigned hereby makes application for a Zoning Permit pursuant to the requirements of the City of Three Forks Zoning Code.

Name of Applicant Dakota Ham ^{CK Development LLC} Phone # 406-599-8211

Mailing Address of Applicant 354 Countryside Ln Belgrade, MT 59714
Address City, State, Zip

Email Address: info@battleridgebuilders.com

Subject Property

Legal Description: Lot(s) 3 Block Addition Minor Sub 466, S26, T02 N, R01 E

Address (if available) n/a

Current Zoning Land Area Sq. Ft., or Acres .71

Explain Variance Request:

I would like to change the front yard setback to 8ft. This will be necessary to be able to install a quality building that fits well in the lot due to its odd shape and abnormally large highway easement.

In addition to the above, submit a **Plot Plan** (drawn to scale) including the following information: All existing and proposed structures and proposed variance measurements. (The lack of any of the above information may delay this application).

FOR OFFICIAL USE ONLY

Filing Fee (\$500) 4/17/23

^{Vari} Zoning Board Hearing 5/31/23

Action Taken

~~City Council Hearing~~

Action Taken Could Not Process

Logged until Proof owned

I hereby certify that the above information is true and correct and that I am the owner of this property.

[Signature]
Applicant Signature

2800129

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Eric Semerad - Gallatin County, MT DEED

Return To:
Security Title Company
P.O. Box 6550
Bozeman, MT 59771-6550
STC G-23-393

WARRANTY DEED

FOR VALUE RECEIVED, CAF INVESTMENTS, LLC, a Montana limited liability company, the Grantor, does hereby grant, bargain, sell, convey and confirm unto CK DEVELOPMENT, LLC, a Montana limited liability company of 35A Countyside Lane Belgrade, MT 59714, the Grantee and Grantee's successors and assigns, the following described premises in Gallatin County, Montana, to-wit:

Lot 3 of Minor Subdivision No. 466, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 2 North, Range 1 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

SUBJECT TO: all reservations and restrictions in prior conveyances or in patents from the United States or the State of Montana; existing easements, encroachments and rights of way of record and those which would be disclosed by an examination of the property; mineral, oil and gas reservations, conveyances and leases of record; all real property taxes and assessments for the current year and subsequent years; and all building and use restrictions, covenants, agreements, requirements, notices, waivers, and conditions of record.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances unto the said Grantee and Grantee's successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that Grantor is the owner in fee simple of said premises; that Grantee shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except those limitations set forth above; that the Grantor and all persons acquiring any interest in the same through or from Grantor will, on demand, execute and deliver to the Grantee any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantee all the said property against every person lawfully claiming the same.

DATED this 1st day of may, 2023.

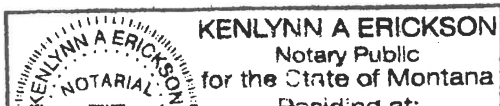
CAF INVESTMENTS, LLC, a Montana limited liability company, by

Jamie Taylor
Jamie Taylor, Member

Parker Taylor
Parker Taylor, Member

STATE OF MONTANA)
: ss.
County of Gallatin)

On this 1st day of may, 2023, before me, a Notary Public in and for said State, personally appeared JAMIE TAYLOR and PARKER TAYLOR, Members of CAF INVESTMENTS, LLC, a Montana limited liability company, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that the company executed the same.



Kf
Printed Name: _____
Notary Public for the State of Montana
Residing at _____ Montana

NOTICE OF PUBLIC HEARING

NOTICE is hereby given for a PUBLIC HEARING to be held before the Board of Adjustments/Appeals, at 6:00 P.M., on Wednesday, May 31, 2023, at City Hall, 206 Main Street, Three Forks, Montana.

An Application for a VARIANCE has been requested by CK Development, LLC. (Cody and Kari Ham) for the property at Lot 3, of Minor Subdivision 466, the area at the corner of W. Grove St and Highway 2, next to the Family Dollar Store.

Applicant requests a variance of seventeen feet (17') from the required twenty-five-foot (25') front yard setback. The City of Three Forks Neighborhood Highway Business Ordinance Section 11-7-6, Yard Requirements states "Front yard: A twenty-five feet (25')".

ORAL TESTIMONY will be taken in support of or in opposition to this request at said hearing. Written testimony may be submitted prior to the hearing at ksmith@threeforksmontana.us or mailing to City Hall PO Box 187, Three Forks, MT 59752.

The site plan for this proposed application may be reviewed at the City Office. For any questions concerning this request, please contact Ms. Kelly Smith, City Zoning Official (phone 285-3431).

11-6A-1: PURPOSE:

The purpose of this district is to recognize the existing residential neighborhoods of Three Forks as well as those areas which are deemed appropriate for residential expansions. Rather than adhering to a strict uniform pattern of single-family detached dwellings, a variety of building types and densities will be encouraged to provide a balance within each neighborhood as well as in the entire community. However, efforts shall be made to group multi-family dwellings and mobile homes in suitable areas. (Ord. 203, 12-9-1983)

11-6A-6: YARD REQUIREMENTS:

Every lot shall have the following yards:

Front yard: A fifteen foot (15') front yard shall be provided on all frontages.

Side yard: Side yards abutting interior lot lines shall not be less than ten feet (10'). (Ord. 203, 12-9-1983)

Rear yard: A rear yard shall be provided of not less than fifteen feet (15') in relation to a dwelling structure. Detached garages and other accessory buildings may be constructed within five feet (5') of alley property lines as long as vehicle ingress/egress does not occur from alley side of garage.

Measurements for yard requirements will be taken from the footprint of all structures. Overhangs (i.e., eaves, cantilevers, second floor decks, etc.) are allowed to extend no more than forty inches (40") beyond the footprint of the structure and not be counted as part of the setback measurement. If overhang extends more than forty inches (40"), the extra distance beyond this measurement will count off the setback measurement respectively. (Ord. 267, 2-11-2003)

11-7-1: PURPOSE:

The purpose of this District is to provide for business uses that are readily accessible to major roadways serving Three Forks and also including the flexibility of providing services to various residential areas. Efforts shall be made to avoid extensive strip business development that detracts from the Central Business District. Uses that conflict directly with a residential area shall also be avoided. (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. Shopping center developments may have specific rear and side yard requirements waived based on overall design of project.

11-8A-1: PURPOSE:

The Central Business District is intended to be the central focus of the City's business, government, service and cultural activities. The uses in this District should be those which are appropriate to such a center and inappropriate uses should be excluded. Room should be provided in appropriate areas for logical and planned expansion of the present central business area. The area should be developed as an attractive and pleasant environment, recognizing its importance to the community and its historic heritage. (Ord. 203, 12-9-1983)

11-8A-6: YARD REQUIREMENTS:

No minimum yards set forth except a fifteen foot (15') front yard shall be required on all streets except Main Street (provided pedestrian walkways are preserved). Necessary rear yard setbacks may be required on lots and business uses which adjoin an alley. For all lots that are utilized primarily for residential use in this district, the yard requirements will be the same as those in the R district. (Ord. 203, 12-9-1983; amd. Ord. 267, 2-11-2003)

11-8B-1: PURPOSE:

Industrial

The purpose of this district is to provide for the community's needs for wholesale trade, storage and warehousing, trucking and transportation terminals, manufacturing and similar activities. Such uses should be related to the city's major transportation facilities and be so situated that they can be efficiently operated and yet create a minimum of traffic or other adverse effects to the residential areas of the city. Residences shall not be permitted in this district (excluding caretaker residence) and adequate screening from existing residential neighborhoods may be necessary. (Ord. 203, 12-9-1983)

11-8B-6: YARD REQUIREMENTS:

Every lot shall have the following minimum yards:

Front yard: Twenty feet (20').

Rear yard: None ¹.

Side yard: None. (Ord. 203, 12-9-1983)

Notes

- ¹ 1. When a lot is adjacent to or faces upon another district, the yards shall meet the requirements of the adjoining district on that side. When a lot abuts a street or alley on either side or the rear, a yard of at least 15 feet shall be provided on the street or alley side.





