

SZD#15

RESOLUTION

WHEREAS a petition of sixty percent (60%) of the freeholders affected thereby has been filed for the creation of a County Planning and Zoning District under the provisions of Title 76, Chapter 2, Part 1 of the Montana Code Annotated 1983, encompassing the following area:

Township 2 North, Range 27 East, P.M.M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2 and
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2.

Said area comprising more than forty (40) acres of land totally outside the limits of any area which has been zoned by an incorporated city, but within the County of Yellowstone, Montana, and

WHEREAS the creation of such Planning and Zoning District is required in the public interest and/or convenience;

NOW, THEREFORE, BE IT RESOLVED:

1. That there is hereby created a Planning and Zoning District comprised of the above-described area to be known as Yellowstone County Planning and Zoning District No. 15, and

2. That pursuant to Title 76, Chapter 2, Part 1 of the Montana Code Annotated 1983, there is hereby created a Planning and Zoning Commission consisting of the three County Commissioners of Yellowstone County, Montana, the Yellowstone County Surveyor, and the Yellowstone County Assessor.

ADOPTED this 31st day of July, 1984.

BOARD OF COUNTY COMMISSIONERS
Yellowstone County, Montana

David Gorton
C. David Gorton, Chairman

James Straw
James Straw, Member

Dwight MacKay
Dwight MacKay, Member

RECORDED
INDEXED
MAY 1 1984
COUNTY CLERK
YELLOWSTONE COUNTY, MONTANA

ATTEST:
MERRILL H. KLUNDT
Clerk and Recorder

BY: Merrill H. Klundt

CERTIFICATE

STATE OF MONTANA, }
County of Yellowstone, } ss.

I hereby certify that this sheet and all sheets identified by impression of my Official Seal, are each and all true and correct copies of originals filed in my office on the 31st day of July, 1985 at — o'clock — M., under Document Number 73886.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal of office the 5th day of February, A. D. 1985.

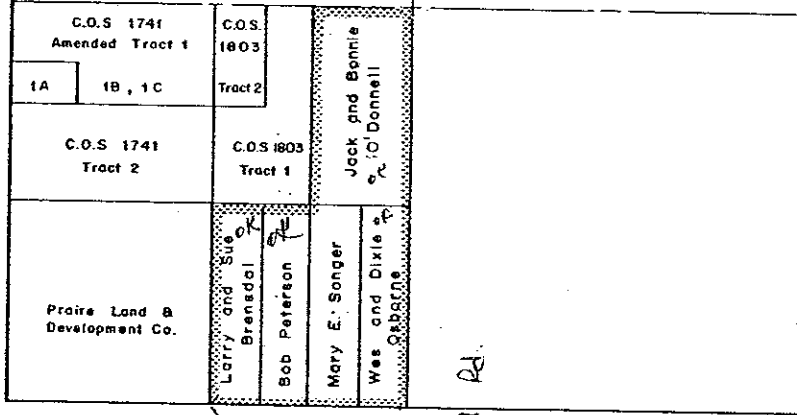
MERRILL H. KLUNDT
County Clerk & Recorder

Jeanne Cozart
Deputy.

R. 27 E.

SECTION 2

T. 2 N.



T. 2 N. R. 27 E. YELLOWSTONE CO., MT.
 SE 1/4 SW 1/4 SECTION 2 AND:
 E 1/2 NE 1/4 SW 1/4 SECTION 2.

Acton Rd.

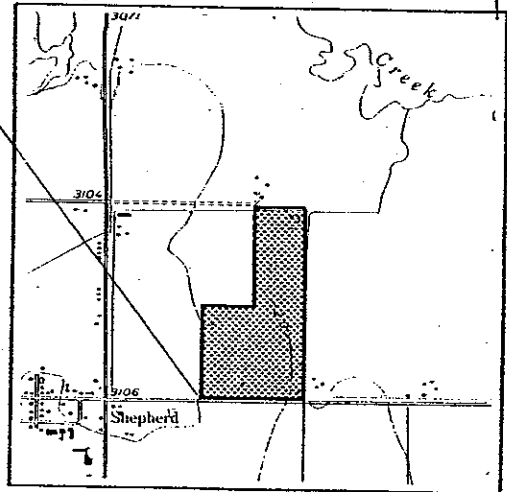


EXHIBIT "B"

ZONING REGULATIONS

ZONING DISTRICT NO. 15

ARTICLE I

Section 1 Title

This Resolution and maps shall be known and cited as zoning Regulations for Planning and Zoning District No. 15 " as created in Yellowstone County, Montana

Section 2 Boundaries of District

The lands to be included within said planning and zoning district are described in Exhibit "A" to these Regulations.

Section 3 Purpose

The zoning regulations, classifications, and the districts as herein set forth in accordance with Title 76, Chapter 2 of the Montana Code Annotated.

The regulations and development pattern adopted herein are for the purpose of protecting and furthering the health , safety, and general welfare of the people living in the District and in Yellowstone County, Montana.

1. The development pattern, with the accompanying maps, plats, charts and descriptive matter, shall show the planning and zoning commission's recommendations for the development of the district within some of which it shall be lawful and with others of which it shall be unlawful to erect, construct, alter or maintain certain buildings, or to carry on certain trades, industries or callings, and the future uses of the land or buildings shall be limited.

YELLOWSTONE COUNTY COMMISSIONERS
<input checked="" type="checkbox"/> APPROVED
<input type="checkbox"/> DISAPPROVED
CHAIRMAN
FEB 5 '89

AM *Ed*
Ben E

Existing non-conforming uses may be continued, although not in conformity with these zoning regulations, but may not be expanded, altered, or continued after once being suspended.

ARTICLE II

Section 1 Interpretations

Words shall have their customary meanings except for specific words which shall be defined as follows:

The word PERSON includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular. The word SHALL is mandatory, the word MAY is permissive. The words USED or OCCUPIED include the words INTENDED, DESIGNED, or ARRANGED TO BE USED OR OCCUPIED. The word LOT includes the words PLOT or PARCEL. "Map" means "zoning map" of Planning and Zoning District No.

Section 2 Definitions

Accessory: A use, a building or structure, and/or part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building.

Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturage, grazing land, animal and poultry husbandry.

Board: The Board of County Commissioners, Yellowstone County.

Building: Any structure, except a mobile home or trailer house, having a roof supported by columns or by walls and which is designed for the shelter, support or enclosure of persons, animals, or property of any kind, and the primary utilization area thereof is located above ground level.

Building, Main: The principal building or use to accommodate the primary use to which the premises are devoted.

Dwelling: A building designed exclusively for residential purposes for one or more families.

Dwelling Unit: One or more rooms designed as a unit to provide complete housekeeping facilities for one family.

Family: An individual, or two (2) or more persons related by blood, marriage or adoption, or other legal means, or a group of not more than three (3) persons who are not related by blood, marriage or adoption, living together in a dwelling unit.

Feed Lot Operations: The confinement of more than one (1) head of livestock for the purpose of supplemental and concentrated feeding and prevention of weight loss prior to sale, whether for hire, or commission, or for one's own account.

Home Occupations: An occupation carried on by an occupant of a dwelling as an accessory activity to the main residential use of the building and meeting the following restrictions:

- a. No person shall be employed other than residents of said dwelling.
- b. No commodity shall be sold on the premises other than produced on the premises.
- c. The occupation shall be conducted wholly within the dwelling.
- d. The occupation shall not be objectionable to adjacent residences due to noise, hours of operation, traffic electrical interference, etc.
- e. There shall be no display or evidence apparent from the exterior of the lot that the premises are being used for any purpose other than that of a dwelling.

Junk Yard: Any use involving the storage or disassembly of wrecked automobiles, trucks, or other vehicles or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof; the keeping, abandonment, sale or resale of junk including scrap metal, used

paper, or other scrap materials, salvaged house wrecking and structural steel materials and equipment; storage, baling, or otherwise dealing in bones, animal hides, used cloth or rags, used plumbing fixtures, appliances, furniture, and used brick, wood or other building materials. Such uses shall be considered junk yards whether or not all or part of such operations are conducted inside a building or in conjunction with, addition to, or accessory to, other uses of the premises.

Lot: A single tract of land, no matter how legally described whether by metes and bounds, certificate of survey, and/or by lot or lots and block designations as in a recorded plat, under single ownership or control.

Mobile Home, Trailer House: A structure or structures equipped with the necessary service connections and constructed to be readily moveable as a unit or units on its own running gear and designed to be used as a dwelling unit without a permanent foundation.

Mobile Home Park: Land designated or used for the temporary or permanent parking of two (2) or more trailers or mobile homes where the lot is rented and not sold to the occupant, and where the development is pursuant to applicable county ordinances.

Nonconforming Use: A use which lawfully occupied a building or land at the time this Resolution becomes effective and which does not conform with the use regulations of the zone in which it is located.

Planning and Zoning Commission: A five (5) member commission consisting of the three (3) county commissioners, the county surveyor and the county assessor.

Principal Use: The primary or predominant use to which the property is or may be devoted and to which all other uses on the premises are necessary.

Variance: An adjustment in the application of the specific Regulations of this resolution to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and district and which adjustment remedies disparity in privileges and will not be contrary to the public interest.

ARTICLE III ZONING DISTRICT AND OFFICIAL ZONING MAP

Section 1 Zoning District

It is the intent of this Article to create, protect, and maintain a desirable living environment, and to stabilize and protect residential harmony throughout the District. To carry out this intent, there is hereby established a uniform, single, residential-suburban zone throughout all of Zoning District No. 15 in which land use should be regulated and restricted. This zone is intended to provide for low-density, single-family, residential development.

Said zone shall require that the only dwelling units allowed therein are single-family dwelling units and that no such single-family dwelling unit may be built or maintained on less than five (5) acres of land. Mobile homes may be located and maintained within the Zoning District, but only as single-family dwelling units, and no such mobile home may be located or maintained on less than five (5) acres of land. No mobile home parks, feedlot operations, commercial businesses or junk yards are allowed in the Zoning District and only home occupations meeting the restrictions outlined in Article II Section 2 - "Definitions" will be permitted.

Section 2 Official Zoning Map

The Planning and Zoning District is shown on the Official Zoning Map for Planning and Zoning District No. which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of these Regulations.

The Official Zoning Map shall be identified by the signature of the Board of County Commissioners attested by the County Clerk and Recorder and shall bear the words "Zoning Plan for Planning and Zoning District No.15".

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Map shall be located in the office of the County Clerk and Recorder and such map shall be the final authority as to the current zoning status of land inside the Planning and Zoning District.

Changes made in district boundaries shall be promptly entered on the Official Zoning Map after amendment by the County Commissioners.

Amendments to the Official Zoning Map shall not become effective until entered on the map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the provisions set forth in this Resolution. In the event the Official Zoning Map is damaged or destroyed, the Planning and Zoning Commission may adopt a new Official Zoning map. No such map shall have the effect of amending the Original Official Zoning Map or any subsequent amendment thereof.

Section 3 Rules for Interpretation of District Boundaries

A. Boundaries indicated as appearing to follow the center

line of streets, highways, or alleys shall be construed to follow such center lines;

- B. Boundaries indicated as appearing to follow plated lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as appearing to follow Planning and Zoning District boundaries shall be construed as following Planning and Zoning District boundaries;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines. In the event of change in the shore line, they shall be construed as moving with the actual shore line. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines. In the event of change in the location of streams, rivers, canals, lakes or other bodies of water, the boundaries shall be construed as moving with the actual body of water and following the center lines; and
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map or by specific distances enumerated in ordinance amending the Official Zoning Map.

Section 4 Application

Within the zoning district as hereinbefore defined and as indicated on the Official Zoning Map and subject to the requirements of ARTICLES IV-X, no building or structure shall be erected, reconstructed, or structurally altered, nor shall any land, building, or structure be used for any purpose except as they are allowed in the district in which such building, land or use is located. No building or other structure shall hereafter be erected or altered to accommodate or house more than a single-family.

ARTICLE IV

A. List of Uses

SE-SPECIAL EXCEPTION
A-ALLOWED

Accessory uses and structures incidental to and on the same lot as the principal use	A
Agricultural uses	A
Cemetery	SE
Churches, convents, monasteries and other places of worship	SE
Dwellings: A. Site built single-family	A
B. Mobile home single-family	A
Fire station or other emergency services customary accessory uses supported by Yellowstone Co. or a special district	SE
Home occupation, RESTRICTED	A
Horticulture nurseries & commercial greenhouses	SE
Parks and playgrounds, private	A
Publicly owned or government operated building & uses, including community buildings & public parks, playgrounds, & other recreation areas	A
Riding stables	SE
Schools (public & private), pre-school, elementary, junior or senior high school	A
Temporary structures	SE

B. Division of lot.

No recorded lot or combination of lots shall be divided into smaller lots unless such division results in the creation of lots which are not smaller than five (5) acres and which conform to all of the applicable regulations of the Zoning District.

ARTICLE V BOARD OF ADJUSTMENT

Section 1 Organization, Powers and Duties

The Zoning Commission consisting of the three (3) County Commissioners, the County Surveyor and the County Assessor shall act as the Board of Adjustment for Planning and Zoning District No. 15. The Board of Adjustment is authorized to grant

variances from the strict application of this Resolution when by reason of exceptional narrowness, shallowness or shape of specific parcels of property, exceptional topographical conditions, or other extra-ordinary situations of specific parcels of property, the strict application of these regulations or amendments thereto would result in peculiar and unusual practical difficulties to or exceptional or unnecessary hardship upon the owner of such property, provided that such variance will not be contrary to the public interest. This provision shall not be construed to permit the Board of Adjustment, under the guise of a variance, to change the use of land.

Section 2 Procedures

A. Before any variance may be granted the Board of Adjustment shall hold a public hearing. The property shall be posted at least fifteen (15) days before the public hearing. The application shall be presented on forms and at such times as provided by the Board of Adjustment.

B. The Board of Adjustment shall have ten (10) days after the public hearing within which to make a decision. The Board of Adjustment, if necessary, may request additional information at the public hearing.

C. Any person aggrieved by any decision of the Board of Adjustment may, within thirty (30) days after such decision or order, appeal to the district court in the county in which the property involved is located.

ARTICLE VI AMENDMENT TO THE TEXT AND OFFICIAL MAP (ZONE CHANGE) AND SPECIAL EXCEPTIONS

Section 1

The regulations, restrictions, and boundaries set forth in this Resolution may, from time to time, be amended, supplemented, changed or repealed by the Board of County Commissioners, provided, however, that no action on any application for amendment, change or repeal may be taken until the application has first been processed and advertised in accordance with the provisions of this Article.

Section 2 Application for Official Map Amendments of Special Exceptions

Unless initiated by the Board of County Commissioners or the Planning and Zoning Commission, all applications for an amendment to the Official Map, or to the text of this Resolution or for Special Exception must be submitted in person and signed by the recorded owner, the contract purchaser, or the authorized agent of the owner.

Each application for zone change on the Official Map or text or Special Exception shall be filed in person with the Board of County Commissioners and each application must be submitted under the following conditions:

(a) The application must be accompanied by a legal description of the tract(s) proposed to be reclassified or for Special Exception use, a map showing the dimensions, acreage and location of the tract(s) and adjacent uses, the present and proposed classification for the tract(s), a certified list of the names and addresses of the owners of property contiguous to the exterior boundaries of the tract(s) and payment of all applicable fees;

(b) Any application for an amendment to the Official Map or Special Exception must be submitted together with all applicable fees, to the Board of County Commissioners thirty (30) days prior to the date of the public hearing before the Planning and Zoning Commission;

(c) Fifteen (15) days prior to the public hearing before the Planning and Zoning Commission the Board of County Commissioners shall advertise notice of the application in a newspaper of general circulation. The notice shall contain: the classification sought, the location of the property, and the date, time and place of the public hearing. In addition, the Board of County Commissioners shall place fifteen (15) days prior to the public hearing in a conspicuous location on the property and on at least three (3) public places within the Planning and Zoning District, a notice that a change in the zoning classification or Special Exception use has been applied

for and the date, time and location of the public hearing on the application. In addition the Board of County Commissioners shall notify owners of property contiguous to the exterior boundaries of the property subject to the reclassification or Special Exception use. Such notice shall contain a description of the property, the classification applied for and the time, date and place of the public hearing. The Board of County may notify property owners not contiguous if he determines that the proposed use of the property would likely have a substantial impact on surrounding land uses.

(d) An application for a zone change or special exception may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for the final hearing before the Zoning Commission. An applicant may be allowed to withdraw at the time of the Planning and Zoning Commission hearing by a majority vote of the members present without requiring County Commissioner approval of the withdrawal and without prejudice with respect to the twelve (12) month waiting period providing, however, that no application be allowed to be withdrawn more than once with the twelve (12) month period after the application shall have first been submitted. The notice of withdrawal and reasons must be submitted to the Chairman of the Zoning Commission twenty-four (24) hours in advance of the public hearing in writing.

Section 3 Planning and Zoning Commission Action

The Zoning Commission shall make a recommendation to the Board of County Commissioners to deny the application for amendment to the Official Map or text or Special Exception, grant the application for amendment to the Official Map or text or Special Exception, delay any recommendation on the application for a period not to exceed thirty (30) days, or allow withdrawal of application. The Zoning Commission shall submit its recommendations in writing along with a statement indicating its reasons for granting, denying, or delaying the amendment or Special Exception within (10) days following the

public hearing.

In no case shall the Zoning Commission make a recommendation that a reclassification or Special Exception be granted for a zone that was not advertised.

Section 4 Board of County Commissioners Action

(a) Before taking any action on an application for an amendment to the Official Map, or amendment to the text of this Resolution or Special Exception, the Board of County Commissioners shall first hold a public hearing on the application. The Board may approve an application, deny the application or delay the application for a period not to exceed thirty (30) days. In no case shall the Board approve an amendment for a classification or Special Exception other than the one advertised. An application for an amendment to the Official Map or Special Exception shall not be submitted which affects the same tract(s) more often than once in any twelve (12) month period.

(b) In the event that an applicant or a protestant desires to submit additional evidence or facts subsequent to the hearing herein, he shall first make an application in writing directed to the Board of County Commissioners of the desire for a rehearing setting forth a brief statement of the facts he wishes to present, the reasons therefore, and the reasons that said facts were not presented at the original hearing herein. Said application for rehearing shall be presented within five (5) days of receipt of notice of determination by said Board of County Commissioners and will determine whether or not a rehearing shall be granted. In the event a rehearing is granted, notice of the same shall be given to all parties that were required to be notified at the time of the original hearing and in the same manner as notice in the original hearing. Any discussion by an applicant with a member of the Board of County Commissioners subsequent to a hearing on an application or a reapplication herein shall disqualify said application or reapplication from further consideration by the Board of

County Commissioners.

Denial by the Board of County Commissioners of a rehearing or any determination after a rehearing shall be final and no further consideration shall be given to the matter. Consideration by the Board of County Commissioners of an application for rehearing to determine whether a rehearing shall be granted shall be done in the absence of any interested parties to said matter.

ARTICLE VII GENERAL REQUIREMENTS

Section 1 Plats

Nothing in this Section shall be interpreted to grant relief from any requirement of the State of Montana or Yellowstone County respecting minimum lot or tract area for sanitary restrictions.

Section 2 General Rules

The regulations set by this Resolution within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land except as hereinafter provided:

(a) No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved, or structurally altered after the effective date of this Resolution unless in conformity with all of the regulations herein specified or the zone in which it is located.

(b) No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements established by this Resolution.

ARTICLE VIII ADMINISTRATION AND ENFORCEMENT

It is the intent of this Resolution to provide for the efficient, reasonable, and impartial enforcement of this Resolution by authorizing an enforcement officer, the basis procedure for complying with the Resolution, and the penalties for violators.

Section 1 Zoning Enforcement Officer

It shall be the duty of the Zoning Coordinator to be the Enforcement Officer for the Zoning Resolution. He is hereby given the authority to administer and enforce the provision of this Resolution for the Planning and Zoning District No. 15.

The Zoning Coordinator shall supervise and effectuate the processing of applications for amendments to the Zoning Resolution, requests for special exception or variance request, and other applications under the terms of this Resolution.

It shall further be the responsibility of the Zoning Coordinator to aid the various Boards, Commissioners, and Department in transmitting appeal records to the Board of County Commissioners and to otherwise promote procedural regularity in the administration of this Resolution. The position of Zoning Coordinator shall be within the organizational structure of the City-County Planning Department.

Section 2 Remedies

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this act, or of any resolution made under authority conferred hereby, the proper authorities of the county, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use to restrain, correct, or abate such violation to prevent the occupancy of such building, structure, or land to prevent any illegal act, conduct, business, or use in or about such premises.

ARTICLE IX SEPARABILITY CLAUSE, REPEAL OR CONFLICTING RESOLUTIONS,
EFFECTIVE DATE

Section 1 Provisions of this Resolution Developed to be
Minimum Requirements

In their interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements adopted for the promotion of the public health, safety, or general welfare.

Wherever the requirements of this Resolution are at variance with the requirements of any other lawfully adopted rules, regulations ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

Section 2 Separability Clause

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

CERTIFICATE OF FREEHOLDERS

I, MERRILL H. KLUNDT, do hereby certify that I have examined the records in my office and the Zoning District Ownership Report supplied by American Title and Escrow of Billings, Montana, dated April 19, 1984 and find the following:

1. That the first petition received by the Board of County Commissioners dated March 19, 1984, which included all of the SW $\frac{1}{4}$ Section 2, Township 2 North, Range 27E, PMM less amended tract 1, C.O.S. 1741 containing 19.4735 acres and tract 2, C.O.S. 1803 containing 19.657 acres or containing approximately 120 acres more or less, did not contain the required number of freeholders, which must be 60% as per Section 76-2-101, MCA.
2. That the second petition received by the Board of County Commissioners dated April 25, 1984 was reduced in area and now includes the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2 and E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, Township 2 North, Range 27East, PMM, now contains approximately 60 acres more or less.
3. That upon examining the second petition I find that there are 10 freeholders in the proposed Zoning District and 7 freeholders have signed the petition.
4. Therefore, I find that the second petition does contain the signatures of 60% of the freeholders in the proposed Zoning District as outlined in Section 76-2-101, MCA.

The petitions, title report and maps herewith submitted are made a part of this Certificate of Freeholders.

DATED this 2nd day of May, 1984.


Merrill H. Klundt
Clerk & Recorder

*sub
petition*

PETITION

YELLOWSTONE COUNTY
COMMISSIONERS
RECEIVED

APR 25 1984
DM *g*
 (A)

TO: BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY COURTHOUSE
BILLINGS, MONTANA

We, the undersigned, being in excess of sixty percent (60%) of the freeholders affected hereby and residing or owning property within the hereinafter described area petition the Board of County Commissioners of Yellowstone County, Montana, to create a zoning district of the following described property, to-wit:

Township 2 North, Range 27 East, P.M.M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2 and:
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2.

in accordance with the provisions set forth in Title 76, Chapter 2, Part 1, Montana Codes Annotated.

DATED this 23 day of April, 1984.

NAME:

ADDRESS:

<i>OK</i> <u>Wesley R. Osborne</u>	<u>5945 Shepherd Rd. E.</u>
<i>OK</i> <u>Dixie A. Osborne</u>	<u>5945 Shepherd Rd. E.</u>
<i>OK</i> <u>Jack E. O'Donnell</u>	<u>5948 Haynes Rd. Shepherd, MT</u>
<i>OK</i> <u>Bonnie M. O'Donnell</u>	<u>5948 Haynes Road - Shepherd, MT</u>
<i>OK</i> <u>Robert C. Peterson</u>	<u>5817 Shepherd Road East</u>
<i>OK</i> <u>Susan K. Brunsdal</u>	<u>5811 Shepherd Road East</u>
<i>OK</i> <u>James C. Brunsdal</u>	<u>5811 Shepherd Road East, Shepherd Mt.</u>
_____	_____
_____	_____
_____	_____
_____	_____

YELLOWSTONE COUNTY COMMISSIONERS;

Attached are the main concerns of the people owning property in the petitioned area. We would like to keep the zoning as simple as possible but still be able to have the zoning regulations enforced if need be. We understand that City-County Planning can be asked to help with the guidelines for the regulations if what we have listed is not detailed enough to be enforceable. We would like to see this area petitioned develop into an exclusively residential neighborhood for single families. This would also cut down on the number of children and the impact on an already rapidly growing classroom problems at the Shepherd Schools.

If there are any questions or comments about the information given please feel free to contact us. Thank you very much for your time and efforts in making our community a better place to live.

Sincerely,

Wes and Dixie Osborne

5945 Shepherd Rd. East
373-5750

Restrictions For Zoning District

1. One (1) single family dwelling on no smaller than a Five (5) acre tract. (No Condominiums, Apartment Buildings, or Multiplex Buildings.)
2. No mobile home parks or trailer parks.
3. No feedlot operations.
4. No junkyards.
5. No commercial businesses and restricted home occupations.

Existing nonconforming uses may be continued although not in conformity with such zoning regulations.

Definitions:

Family: An individual, or two (2) or more persons related by blood, marriage, adoption, or other legal means, or a group of three (3) persons who are not related by blood, marriage, adoption, or any other legal means living together in a dwelling unit.

Dwelling: A building designed exclusively for residential purposes for a single family.

Mobile Home Park: Land designated or used for the temporary or permanent parking of two (2) or more trailers or mobile homes where the lot is rented and not sold to the occupant, and where the development is pursuant to applicable county ordinance.

Feedlot Operations: The confinement of thirty (30) head of livestock for the purpose of supplemental and concentrated feeding and prevention of weight loss prior to sale, whether for hire, commission, or for one's own account.

Junk Yard: Any use involving the storage or disassembly of wrecked automobiles, trucks, or other vehicles or machinery, or the dismantling, demolition, or abandonment of automobiles or other vehicles, or machinery, or parts thereof; the keeping, abandonment, sale, or resale of junk including scrap metal, used paper, or other scrap materials, salvaged house wrecking and structural steel materials and equipment; storage, baling, or otherwise dealing in bones, animal hides, used clothes or rags, used plumbing fixtures,

appliances, furniture, and used bricks, wood, or other building materials. Such uses shall be considered junk yards whether or not all or part of such operations are conducted inside a building or in conjunction with, addition to, or accessory to other uses of the premises.

Home Occupations: An occupation carried on by an occupant of a dwelling as an accessory activity to the main residential use of the building and meeting the following restrictions:

- a. No person shall be employed other than the residents of said dwelling.
- b. No commodity shall be sold on the premises other than produced on the premises.
- c. The occupation shall be conducted wholly within the building.
- d. The occupation shall not be objectionable to adjacent residences due to noise, hours of operation, traffic, electrical interference, etc.