

DATE RECEIVED:



Town of Stevensville
ZONE CHANGE
Application Form

received
2-8-21
\$

APPLICATION FEE: \$450.00 ALL FEES ARE NON-REFUNDABLE

(Payable to the Town of Stevensville)

Please provide all of the information requested in the Application Instructions and Checklist
AN INCOMPLETE APPLICATION MAY DELAY REVIEW OF YOUR REQUEST

- 1. PROPOSED ZONING: ~~R1~~ R2 ADJACENT ZONING: R1 & R2
- 2. PRESENT USE: Open Field
- 3. PROPOSED USE: (attach additional information if necessary) R2 for Multifamily Condos or Townhouses
- 4. ADJACENT USES: Single Family Housing - Multi Family Housing - Commercial
- 5. REASON(S) THIS PROPOSAL SHOULD BE APPROVED (attach additional information if necessary)

This property is located adjacent to two other multifamily properties

Application Instructions

INTENT: Application to the Stevensville Zoning Board and Town Council for an amendment to the official Zoning Map. Such amendments re-classify property from one zoning district to another.

GENERAL REQUIREMENTS:

- 1. Submit an application, including the application fee
- 2. The application must be COMPLETE and SIGNED by the applicant and property owner. An incomplete application may delay review of your request. Attach additional information if needed.
- 3. Submit the following materials with your signed application:
 - A. A description of the boundaries of the area of the proposed zone change and its relationship to the Town of Stevensville Growth Policy and future land use map.
 - B. A vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, and City streets.

 C. The most recently filed plat or certificate of survey;

D. A current tax receipt for the subject property (if available).

E. Any information you may find relative to the review criteria listed below:

Review Criteria

Your application will be reviewed using Montana MCA Section 76-2-304, "Criteria and Guidelines for Zoning Regulations" stated below:


- (1) Zoning regulations must be:
- (a) made in accordance with a growth policy; and (b) designed to:
 - (i) secure safety from fire and other dangers;
 - (ii) promote public health, public safety, and the general welfare; and
 - (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
- (2) In the adoption of zoning regulations, the municipal governing body shall consider:
- (a) reasonable provision of adequate light and air;
 - (b) the effect on motorized and nonmotorized transportation systems;
 - (c) promotion of compatible urban growth;
 - (d) the character of the district and its peculiar suitability for particular uses; and
 - (e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

PROCESS:

Section 10-94 of the Stevensville Development Code states the Zoning Board and the Town Council will hold public hearings, to give the public an opportunity to be heard upon the matter.

ANY ZONE CHANGE ACTION IS NOT EFFECTIVE UNTIL THIRTY (30) DAYS FOLLOWING SECOND PASSAGE OF AN APPROVED ZONING ACTION BY THE TOWN COUNCIL.

The Zoning Board will make a recommendation to the Town Council who will approve, deny or conditionally approve the requested change.

X 
Owner: Jeff Jessop, member Ilamar Properties, LLC

X 
Applicant Terry Nelson, Montana Professional Land Surveyor No. 12673LS

Zone Change Application for Ilamar Properties, LLC

This is a request for a zone change for Tax ID Parcels No. 200600 & 200700 (See legal descriptions as Parcels 1 & 2 on the enclosed Deed as recorded in Document 750035).

Ilamar Properties, LLC has purchased the property which is currently R-1 Residential and would like to change it to R-2 Residential to allow for the building of some townhomes. There is property to the Northwest and to the South which adjoins the property which is zoned R-2. This proposed change will make this R2 zone in this block contiguous. The Town of Stevensville Growth Policy discusses the need for additional housing and as the population continues to age, there will likely be a demand for different housing types. Townhouses and multifamily housing helps provide affordable housing and lowers individual maintenance which is attractive to aging populations.



DOCUMENT: 750035 WARRANTY DEED

RECORDED: 10/8/2020 4:09:16 PM

Regina Plettenberg, CLERK AND RECORDER

Fee \$21.00 By

Kelly Olson

Deputy

When recorded return to:
ILamar Properties, LLC
PO Box 1032
Corvallis, MT 59828

File No.: RAV51906
Parcel No.: 200700, 200600 and 277000

WARRANTY DEED

FOR VALUE RECEIVED **Jesus Community Church**, hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **ILamar Properties, LLC**, of **PO Box 1032, Corvallis, MT 59828**, hereinafter called Grantee, the following described property, in **Ravalli County, Montana**, to-wit:

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all water, water rights, ditches, dams, flumes and easements appurtenant to said lands or usually had and enjoyed with the same.

SUBJECT TO Covenants, Conditions, Restrictions, Provisions, Easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD, the said property, with its appurtenances unto the said Grantee, and to Grantee's heirs and assigns FOREVER. And the said Grantor does hereby covenant to and with Grantee, Grantor is the owner in fee simple of said property; that it is free from all encumbrances except for taxes and assessments for current and subsequent years and it will warrant and defend same from all lawful claims whatsoever.

DATED this 8 day of OCTOBER, 2020.

Jesus Community Church

BY: *Glenn Van Note*
Glenn Van Note, President



STATE OF Montana)
) ss:
COUNTY OF Ravalli)

This instrument was acknowledged before me on October 8, 2020, by Glenn Van Note, as President of Jesus Community Church.

Notary Public, State of Montana
Printed Name: _____
Residing at: Hamilton
My Commission expires: _____

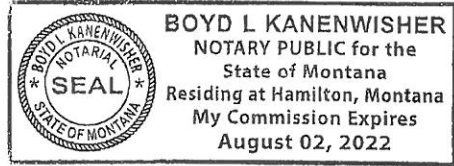




EXHIBIT A

PARCEL 1:

Lots 1, 2, 3, 4, 17, 18, 19 and 20, Block 10, Original Townsite of Stevensville, Ravalli County, Montana, according to the official recorded plat thereof. Together with portion of street and ally vacated by Resolutions Recorded in Permanent File No. 8043 and Document No. 542621 which portions attach by operation of law.

PARCEL 2:

A tract of land in and being a portion of Lot 2, Block 5, May Addition, Ravalli County, Montana, according to the official recorded plat thereof and being more particularly described as follows:

Commencing at the northwest corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 9 North, Range 20 West, and thence south along section line 370.78 feet; thence east and at right angles with said section line 234.96 feet; thence north and parallel with Section line 370.78 feet; thence west 234.96 to the place of beginning.

Recording Reference: Book 125 of Deeds, page 477.

EXCEPTING THEREFROM a tract of land in and being a portion of Lot 2, Block 5, May Addition, Ravalli County, Montana, according to the official recorded plat thereof and Government Lot 1, Section 26, Township 9 North, Range 20 West, P.M.M., Ravalli County, Montana, and being more particularly described as follows:

Commencing at the section corner common to Sections 22, 23, 26 and 27, T9N R20W P.M.M., a 1 $\frac{1}{4}$ " iron pipe with 3" brass cap, a corner of record; thence N89°38'20" E. 224.91 feet; thence, S0°21'40" E., 1161.48 feet to the southeast corner of the Major John Owen Donation Claim, a corner of record and the point of beginning; thence continuing S0°21'40" E., 200.00 feet to a point; thence; west, parallel with the south boundary of said Donation Claim 150.00 feet; thence, N0°21'40" W., 200.00 feet to the south boundary of Major John Owen Donation Claim; thence east along said south claim boundary 150.00 feet to the point of beginning. (As Recorded in Book 127 of Deeds, page 273)

PARCEL 3:

A tract of land in Government Lot 1, Section 26, Township 9 North, Range 20 West, P.M.M., Ravalli County, Montana, and being more particularly described as follows:

Commencing at southwest corner of Lot 1, Section 26, Township 9 North, Range 20 West, and thence North 139.9 feet; thence east 218 feet, thence south 139.9 and thence west 218 feet to place of beginning.

Recording Reference: Book 125 of Deeds, page 477.

EXCEPTING THEREFROM a tract of land in and being a portion of Lot 2, Block 5, May Addition, Ravalli County, Montana, according to the official recorded plat thereof and Government Lot 1, Section 26, Township 9 North, Range 20 West, P.M.M., Ravalli County, Montana, and being more particularly described as follows:

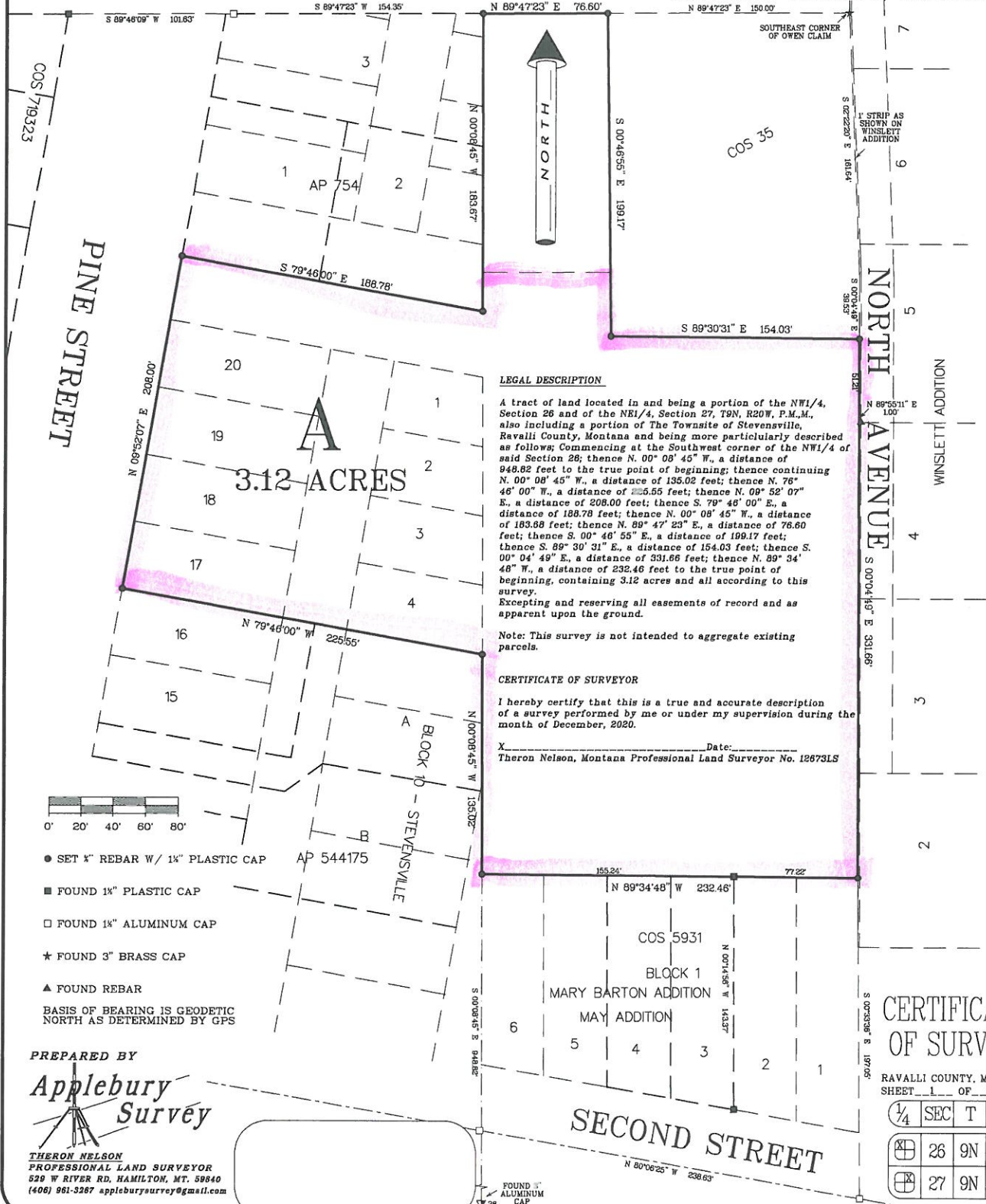
Commencing at the section corner common to Sections 22, 23, 26 and 27, T9N R20W P.M.M., a 1 $\frac{1}{4}$ " iron pipe with 3" brass cap, a corner of record; thence N89°38'20" E. 224.91 feet; thence, S0°21'40" E., 1161.48 feet to the southeast corner of the Major John Owen Donation Claim, a corner of record and the point of beginning; thence continuing S0°21'40" E., 200.00 feet to a point; thence; west, parallel with the south boundary of said Donation Claim 150.00 feet; thence, N0°21'40" W., 200.00 feet to the south boundary of Major John Owen Donation Claim; thence east along said south claim boundary 150.00 feet to the point of beginning. (As Recorded in Book 127 of Deeds, page 273)

Recording Reference: Book 228 Deeds, page 155.

CERTIFICATE OF SURVEY

PURPOSE: RETRACEMENT OF DOCUMENT 750035
 OWNER: ILAMAR PROPERTIES LLC

A PORTION OF SECTIONS 26 &
 27, T9N, R20W, P.M.,M., ALSO
 BEING A PORTION OF THE
 TOWNSITE OF STEVENSVILLE,
 RAVALLI COUNTY, MONTANA



LEGAL DESCRIPTION

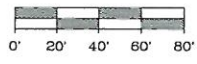
A tract of land located in and being a portion of the NW1/4, Section 26 and of the NE1/4, Section 27, T9N, R20W, P.M.,M., also including a portion of The Townsite of Stevensville, Ravalli County, Montana and being more particularly described as follows: Commencing at the Southwest corner of the NW1/4 of said Section 28; thence N. 00° 08' 45" W., a distance of 948.82 feet to the true point of beginning; thence continuing N. 00° 08' 45" W., a distance of 135.02 feet; thence N. 76° 46' 00" W., a distance of 208.00 feet; thence S. 79° 46' 00" E., a distance of 188.78 feet; thence N. 00° 08' 45" W., a distance of 183.98 feet; thence N. 89° 47' 23" E., a distance of 76.60 feet; thence S. 00° 46' 55" E., a distance of 199.17 feet; thence S. 89° 30' 31" E., a distance of 154.03 feet; thence S. 00° 04' 49" E., a distance of 331.66 feet; thence N. 89° 34' 48" W., a distance of 232.46 feet to the true point of beginning, containing 3.12 acres and all according to this survey. Excepting and reserving all easements of record and as apparent upon the ground.

Note: This survey is not intended to aggregate existing parcels.

CERTIFICATE OF SURVEYOR

I hereby certify that this is a true and accurate description of a survey performed by me or under my supervision during the month of December, 2020.

Date: _____
 Theron Nelson, Montana Professional Land Surveyor No. 1267315



- SET 1/2" REBAR W/ 1/4" PLASTIC CAP
 - FOUND 1/2" PLASTIC CAP
 - FOUND 1/2" ALUMINUM CAP
 - ★ FOUND 3" BRASS CAP
 - ▲ FOUND REBAR
- BASIS OF BEARING IS GEODETIC NORTH AS DETERMINED BY GPS

PREPARED BY
Applebury Survey
 THERON NELSON
 PROFESSIONAL LAND SURVEYOR
 529 W RIVER RD. HAMILTON, MT. 59840
 (406) 961-3287 appleburysurvey@gmail.com

CERTIFICATE OF SURVEY
 RAVALLI COUNTY, MONTANA
 SHEET 1 OF 1

1/4	SEC	T	R
26	9N	20W	
27	9N	20W	

10-7918



R-1

R-1

C-1

R-1

R-1

R-2

SPRING ST

PINE ST

Proposed

R-1

to

R-2

R-2

NORTH AVE

C-1

R-1

EAST SIDE HWY

C-3

WINSLETT AVE

E END ST

BOX BIRD LN

Adjacent Owners

PH 15

TOBBY SEAN & JESSICA

WANCE DEAN INVESTMENT CORPORATION
WANCE DEAN & RANDI WANCE

SNYDER DENNIS MICHAEL

DAYTON WERHEL

NORTHWESTERN CORPORATION GARDIPE KEVIN ALLEN

MAYESFIELD LEONARD & BETTY JEAN
BROWN RANDALL & AMANDA

MARCUS RICHARD L

FRENCH WILMA JEAN H

DIETSCH SHERI K

THO CONI

BAR M

BEV

WALCHLI JACK & NANCY

ILANAR PROPERTIES LLC

FINE PROPERTIES LLC

SCHMIDT ROBERT J & KATHLEEN L C TRUSTEES

ILANAR PROPERTIES LLC

FERRIS CHARLES E

GARRARD JEAN A

WHITESITT HAROLD D & MARGARET W WANNER SHAUN R

NEAVES SHEILA

AKOBE JAMES N & ANITATA

BAIER MARK D

BUSH MARCO M & REBECCA A TRUSTEES
2ND STREET LLC

TUCKES TIM F & LAURIA

ZIER ROBERT ROY

SCHUTZ DENNIS JAMES & JUAN BAR

BOLOMION JAMES LAURE

OR ENTHAL ROBERT T & RHONDA J
MORGENTHAL ROBERT T & RHONDA J

AB TY CO

MORGENTHAL ROBERT T & RHONDA J

SHULTZ MAIN TENANCE LLC

GROVE CHRIS L & SARALIZ

LA DREW F AND

FRELLWITZ RODNEY W & BARBARA J

MS COBERT ANA

ROUSOFF FAMILY TRUST

CARLSON CHERIE

BERNSHIN ALWIE G JR & SHERYL L

ZERNICHOV DANIEL & REBECCA

BEV



Ravalli County Detail

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02/07/21
10:24:50

RAVALLI COUNTY

Tax ID: 200600
Type:

RAVALLI COUNTY TREASURER
215 S 4TH ST STE H
Property Tax Query

Name & Address	TW Rang SC	Description
ILAMAR PROPERTIES LLC	Sub/Blk/Lot	MAY ADDN / 05/
PO BOX 1032	Geo	1764-26-2-02-16-0000 2-1
CORVALLIS MT 59828-1032	MAY ADDN	LOT 2 BLK 5 LESS E 150'
	OF N 60.2'	1.79 AC

	YR	Int Date	Due date	Tax Amount	Penalty	Interest	Total Year
Paid	20	02/05/21	12/04/20	220.69	4.41	3.80	449.56
Paid	20	02/05/21	05/31/21	220.66			
Paid	19	11/14/19	12/02/19	217.33			434.63
Paid	19	11/14/19	05/31/20	217.30			
Paid	18	11/13/18	11/30/18	217.20			434.36
Paid	18	11/13/18	05/31/19	217.16			
Paid	17	11/14/17	11/30/17	215.57			431.11
Paid	17	11/14/17	05/31/18	215.54			
Paid	16	12/02/16	12/09/16	178.84			357.66
Paid	16	12/02/16	05/31/17	178.82			
Paid	15	11/30/15	11/30/15	179.65			359.27
Paid	15	11/30/15	05/31/16	179.62			
Paid	14	11/25/14	12/01/14	181.09			362.16
Paid	14	11/25/14	06/01/15	181.07			
Paid	13	11/16/13	12/02/13	181.33			362.63
Paid	13	05/12/14	06/02/14	181.30			
Paid	12	11/19/12	11/30/12	185.38			376.44
Paid	12	07/09/13	05/31/13	185.36	3.71	1.99	
Paid	11	11/16/11	11/30/11	192.89			385.75
Paid	11	05/19/12	05/31/12	192.86			
Paid	10	11/26/10	11/30/10	188.46			376.91
Paid	10	05/31/11	05/31/11	188.45			

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Ravalli County Detail

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02/07/21
10:26:00

RAVALLI COUNTY

Tax ID: 200700
Type:

RAVALLI COUNTY TREASURER
215 S 4TH ST STE H
Property Tax Query

Name & Address	TW Rang SC	Description
ILAMAR PROPERTIES LLC PO BOX 1032 CORVALLIS MT 59828-1032		Sub/Blk/Lot STEVENSVILLE / 10/ Geo 1764-27-1-19-04-0000 2-1 STEVENSVILLE LOTS 1 TO 4 BLK 10 LOTS 17 TO 20 BLK 10 ALSO FIRST ST CLOSED ADJ TO LOTS 1 & 20 PF #8043 ALSO ALLEY CLOSED #542621

42,252 SQ FT

	YR	Int Date	Due date	Tax Amount	Penalty	Interest	Total Year
Paid	20	02/05/21	12/04/20	224.22	4.47	3.86	456.75
Paid	20	02/05/21	05/31/21	224.20			
Paid	19	11/14/19	12/02/19	220.80			441.57
Paid	19	11/14/19	05/31/20	220.77			
Paid	18	11/13/18	11/30/18	256.19			512.37
Paid	18	11/13/18	05/31/19	256.18			
Paid	17	11/14/17	11/30/17	254.28			508.55
Paid	17	11/14/17	05/31/18	254.27			
Paid	16	12/02/16	12/09/16	250.39			500.74
Paid	16	12/02/16	05/31/17	250.35			
Paid	15	11/30/15	11/30/15	251.49			502.96
Paid	15	11/30/15	05/31/16	251.47			
Paid	14	11/25/14	12/01/14	172.67			345.31
Paid	14	11/25/14	06/01/15	172.64			
Paid	13	11/16/13	12/02/13	180.76			361.51
Paid	13	05/12/14	06/02/14	160.75			
Paid	12	11/19/12	11/30/12	194.07			394.08
Paid	12	07/09/13	05/31/13	194.05	3.88	2.08	
Paid	11	11/16/11	11/30/11	212.28			424.55
Paid	11	05/19/12	05/31/12	212.27			
Paid	10	11/26/10	11/30/10	218.15			436.29
Paid	10	05/31/11	05/31/11	218.14			