

APPLICATION FOR CONDITIONAL USE PERMIT

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

Phone/Fax: (406) 285-3431

Date 01/30/2025

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: Kathleen McCord Phone No. (406) 600-9787

Mailing Address of Applicant: PO BOX 143 Three Forks, MT. 59752

Email Address of Applicant: Katmccord7@gmail.com

Property Owner LEGAL Name: Kathleen McCord Phone No. " "

Mailing Address of Property Owner: same

Email Address of Property Owner: same

Subject Property – Name of Project Cycle Studio 616 4th Ave East

Legal Description: Block 58 Lot(s) 4 Addition Milwaukee Land Co and Addition

Address (if available) same as above - Garage of residence

Current Zoning Residential Land Area _____ Sq. Ft., or 2000 Acres

Conditional Use to consist of the following: Converting garage space into a cycle studio w/ 4 bikes.

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

Phone #: N/A

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

Impact Fee Due (Yes / No) \$ N/A 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 _____

If this application is after-the-fact, additional fee: \$ _____

Zoning Board Hearing Date _____

Action Taken _____

City Council Hearing Date _____

Action Taken _____

Logged into City spreadsheet(s) _____

CHAPTER 12

CONDITIONAL USE PERMITS

SECTION:

11-12-1: Purpose

11-12-2: Conditional Use Requirements

11-12-3: Conditional Use Permit Procedure

11-12-4: Conditional Approval

11-12-5: Conditional Uses

11-12-1: PURPOSE:

The intent of conditional use permits is to provide for specific uses, other than those specifically permitted in each district, which may be appropriate in the district under certain safeguards or conditions. Conditional uses may also be used in Transitional Districts as specified in chapter 10 of this title. (Ord. 203, 12-9-1983)

11-12-2: CONDITIONAL USE REQUIREMENTS:

No structure or land may be used for any purpose in any district where such use is not a permitted use, unless such use is listed as a conditional use and approval for that use is obtained through the proper procedure. Conditional use permits shall be granted only by the City Council (with a recommendation from the Zoning and Planning Board) when their findings are that:

- A. The use conforms to the objectives of the Master Plan and the intent of this title; and
- B. Such use will not adversely affect nearby properties or their occupants; and
- C. Such use meets density, coverage, yard, height, and all other regulations of the district in which it is to be located, unless otherwise provided for in this title; and
- D. Public hearings have been held, after the required legal notices have been given and the public has been given a chance to be heard upon the matter. (Ord. 203, 12-9-1983)

11-12-3: CONDITIONAL USE PERMIT PROCEDURE:

A. Filing Fees: All applications for conditional use permits shall be filed in the City office accompanied with a filing fee in such amount as set forth in subsection 11-20-2C of this title. (2000 Code)

B. Application Requirements:

1. General information required for all conditional use applications:

- a. Name of the project. *Cycle Studio*
- b. Location of the project by street address. *616 4th Ave E. Three Forks, MT*
- c. Name and mailing address of the project developer and owner of the property. *Kat McLeod (owner)*
- d. Name, mailing address, and email address of the engineer/architect, landscape architect and/or planner, if applicable (determined by zoning official). *N/A*

e. Location map, including area within one-half ($1/2$) mile of the project site drawn at 1" = 100' scale with north arrow indicator, streets identified and zoning classification within two hundred feet (200') of the project. *see pic. included.*

2. ~~Submittal requirements for day care and assisted-living facilities proposed for existing buildings:~~

a. A site plan is required drawn at 1" = 20' scale minimum with the following information:

(1) Boundary line of property with dimensions.

(2) Adjacent streets and street right-of-way, sidewalks within the right-of-way and alley right-of-ways, and all applicable easements.

(3) Sidewalks, driveways, and parking spaces intended to serve the project with all dimensions indicated.

(4) Location of existing building and all entrances and exits.

(5) Provisions for handicapped accessibility, including but not limited to wheelchair ramps and parking spaces for Americans With Disabilities Act (ADA) compliance.

(6) Location of all fences.

(7) Location and size of all exterior signs.

b. Number of employee and nonemployee parking spaces, existing and proposed, and total square footage of each.

c. Site statistics including site square footage, front, side and rear yard setbacks, and percentage of site coverage (building and parking).

d. A listing of all required and applicable permits and status of applications.

e. If an addition to the existing building or other structures are proposed the following additional information is required:

(1) Elevations of all exterior walls of the building(s) or structure(s) drawn at 1" = 10' scale.

(2) Height above mean sea level of the elevation of the lowest floor and location of the outfall when the building addition or structure is proposed to be located in a floodway or floodplain area.

f. Additional information as required by the zoning official.

3. Submittal requirements for home occupations:

a. A site plan is required drawn at 1" = 20' scale with the following information:

(1) Boundary line of property with dimensions. *see pic included.*

(2) Adjacent streets and street right-of-way, sidewalks within the right-of-way and alley right-of-ways, and all applicable easements.

(3) Sidewalks, driveways, and parking spaces intended to serve the project with all dimensions indicated.

(4) Location of existing building and all entrances and exits. *see pic. included. Bathroom will be provided in house.*

(5) Location and size of all exterior signs. *- none*

b. Number of employee and nonemployee parking spaces, existing and proposed, and total square footage of each. *will have parking available next to garage*

c. Days of week and hours of operation. *6 Days 7 a.m to 8 p.m.*

d. A listing of all required and applicable permits and status of applications.

e. If an addition to the existing building or other structures are proposed the following additional information is required: *N/A*

(1) Site plan drawn at 1" = 20' scale with all site statistics including site square footage, front, side and rear yard setbacks and percentage of site coverage (building and parking).

(2) Elevations of all exterior walls of the building(s) or structure(s) drawn at 1" = 10' scale.

(3) Height above mean sea level of the elevation of the lowest floor and location of the outfall when the building addition or structure is proposed to be located in a floodway or floodplain area.

f. Additional information as required by the zoning official.

4. Submittal requirements for multi-family dwellings:

a. A site plan is required drawn at 1" = 20' scale with the following information:

(1) Boundary line of property with dimensions.

(2) Topographic contours at a minimum interval of one foot (1').

(3) Adjacent streets and street right-of-way, sidewalks within the right-of-way and alley right-of-ways to a distance of one hundred fifty feet (150'), and all applicable easements.

(4) Sidewalks, driveways, and parking spaces intended to serve the project with all dimensions indicated.

(5) Traffic flow on site.

(6) Traffic flow off site.

(7) Location of any existing buildings and all entrances and exits.

(8) Parking facilities.

(9) Exterior refuse collection areas.

(10) Surface water holding ponds.

(11) Grading and drainage plan.

(12) Utilities and utility rights-of-way or easements for electric service, natural gas, telephone, cable TV, water and sewer.

(13) Provisions for handicapped accessibility, including but not limited to wheelchair ramps and parking spaces for Americans With Disabilities Act (ADA) compliance.

(14) Location and type of all exterior lighting.

(15) Location of all fences.

(16) Location and size of all exterior signs.

b. A detailed landscaping plan drawn at 1" = 10' scale.

c. Site statistics including site square footage, front, side and rear yard setbacks, and percentage of site coverage (building and parking).

d. For the proposed building(s) and other structures the following information is required:

(1) Elevations of all exterior walls of the building(s) or structure(s) drawn at 1" = 10' scale.

(2) Two (2) perspectives showing principal views of the project and landscaping at the time of planting.

(3) Height above mean sea level of the elevation of the lowest floor and location of the outfall when the building addition or structure is proposed to be located in a floodway or floodplain area.

e. Additional information as required by the zoning official. (Ord. 379-2017, 1-23-2018)

C. Notice Of Public Hearing:

1. The zoning official shall give public notice of a public hearing on the application to be held before the Zoning and Planning Board. Said notice shall contain pertinent information on said application and be published at least once in a newspaper having general circulation in the City. A time limit for the public notice shall be not more than thirty (30) days nor less than ten (10) days prior to the public hearing.

2. Said notice of public hearing shall also be made available to all newspapers, radio, and television stations serving the Three Forks area for use as a public service announcement.

3. Such notice shall be sent by mail, not more than thirty (30) days nor less than ten (10) days, to the applicant and owners of record (or their legal representative) of the subject property as well as to the owners of record of all parcels within one hundred fifty feet (150') of the perimeter of the subject property. The number of feet occupied by all public roads, streets, alleys, and other public ways, shall be excluded in determining the one hundred fifty foot (150') requirements. (Ord. 253-99, 10-13-1998)

D. Zoning And Planning Board Hearing: The hearing on the application shall then be held before the Zoning and Planning Board at the set time to gather needed facts from all interested parties. The Zoning and Planning Board may continue such hearing, if need be, to take additional information.

E. Board Recommendation To Council: The Zoning and Planning Board shall cause to be sent to the City Council their recommendation on the application with any and all pertinent facts. The applicant will also be given a copy of the Zoning and Planning Board's recommendation to the City Council at least ten (10) days prior to the City Council hearing.

F. Council Hearing: Upon receipt of the Zoning and Planning Board's recommendation, the City Council shall, at the appointed time and place, hold a public hearing on said application at which the Zoning and Planning Board's recommendation shall be read and additional testimony may be taken from interested parties. (Notice for said hearing shall follow procedures as previously set forth.) The City Council shall then either approve or deny the application. If the application is denied, reasons for denial should be given. (Ord. 203, 12-9-1983)

11-12-4: CONDITIONAL APPROVAL:

The City Council may make the granting of a conditional use permit subject to reasonable limitations or conditions as it may deem necessary to enhance the appearance of the property, to reduce any adverse effects on nearby property or residences, to preserve the character of the area or to make it more acceptable in other ways. (Ord. 203, 12-9-1983)


11-12-5: CONDITIONAL USES:

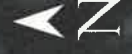
Conditional uses are listed in conjunction with zoning district regulations. (Ord. 203, 12-9-1983)

616 4th Ave East

Write a description for your map.

Legend

 616 4th Ave E



80 ft



Kelly Smith

From: Kathleen McCord <katmccord7@gmail.com>
Sent: Sunday, February 02, 2025 2:31 PM
To: ksmith@threeforksmontana.us
Subject: Kat McCord

Hello Kelly, hope you're having a nice weekend! Here is my note to include regarding parking for the spin studio.

To the City of Three Forks,

Thank you for considering my request to use my garage as a spin/cycle studio!
I believe this can be a great opportunity for our community to grow together and be a quality service available locally, rather than losing that revenue to Bozeman.

Providing 5 parking spots on my property would not be a reasonable request, please consider the following:

- My family is growing, and cutting our yard size would be impractical, and unnecessary.
- At most my services will run for a couple hours a day, having minimal impact on parking for the surrounding residents.
- many may walk to my studio who live locally.
- in all social media advertising, requests to carpool can be made.
- parking at a nearby public park can be done, and attendants can walk to my studio.

Thank you,

Kathleen McCord-DeJong