

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, FEBRUARY 01, 2024 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

[Click here to view the meeting recording.](#)

Time stamps (in green) correspond to meeting recording above. Please click to
the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair David Strohmaier

Commissioner Juanita Vero

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office

John Hart, Lead Civil Attorney, County Attorneys' Office

Zach Jones, Planner, Planning, Development, and Sustainability

Carey Powers, Communications Coordinator, Commissioners' Office

1. **CALL TO ORDER** *[Time stamp – 0:05]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:11]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:41]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:47]*
 - a. Closed Captioning
 - b. Proclamation: Black History Month
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 5:24]*
6. **CURRENT CLAIMS LIST** *[Time stamp – 05:42]*
Claims received as of January 04, 2024 to January 19, 2024 by the Commissioners' Office total \$4,827,518.33.
7. **HEARINGS**
 - a. **Golden West Subdivision** *[Time stamp – 06:26]*
Zach Jones, Planner, Planning, Development, and Sustainability

Commissioner Vero made a motion to approve the Golden West Addition No. 1 Lot 13A and 13B based on the findings of the facts in the staff report, and subject to the conditions of approval.

Commissioner Strohmaier seconded.

[Motion Passed 2-0.]

[Letter 2024-060 was electronically sent to IMEG in c/o Michael Maine on February 28, 2024]

b. Elliot Family Transfer [Time stamp – 26:50]

Zach Jones, Planner, Planning, Development, and Sustainability

Commissioner Vero made the motion that the Missoula Board of County Commissioners approve the Elliot family to utilize the family transfer exemption to create and transfer one new family transfer parcel in accordance with MCA §76-3-207(1)(b).

Commissioner Strohmaier seconded.

[Motion Passed 2-0.]

[Letter 2024-036 sent on February 07, 2024 to Janet Elliot]

c. Kalaris Family Transfer [Time stamp – 40:39]

Jennie Dixon, Planner, Planning, Development, and Sustainability

Commissioner Vero made the motion that the Missoula Board of County Commissioners approve the Kalaris family to utilize the family transfer exemption to create and transfer one new family transfer parcel in accordance with MCA §76-3-207(1)(b).

Commissioner Strohmaier seconded.

[Motion Passed 2-0.]

[Letter 2024-034 was electronically sent on February 05, 2024 to Tom Kalaris]

8. OTHER BUSINESS [Time stamp – 47:32]

[None]

9. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 2:48 p.m.

BCC Public Meeting February 01, 2024 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

0:0:0.0 --> 0:0:0.500

Sophie Moiese Room

OK.

0:0:1.90 --> 0:0:1.540

Sophie Moiese Room

All right.

0:0:1.550 --> 0:0:2.480

Sophie Moiese Room

Good afternoon, everyone.

0:0:4.130 --> 0:0:5.180

Sophie Moiese Room

Thank you for joining us.

0:0:5.190 --> 0:0:11.240

Sophie Moiese Room

I'd like to call to order today's Thursday, February, February 1st meeting of the Missoula Board of County Commissioners.

0:0:12.370 --> 0:0:14.730

Sophie Moiese Room

Please stand and join me in the Pledge of Allegiance.

0:0:17.890 --> 0:0:28.350

Sophie Moiese Room

To the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

0:0:30.980 --> 0:0:32.420

Sophie Moiese Room

And I'm Dave strohmeier.

0:0:32.430 --> 0:0:36.140

Sophie Moiese Room

I'm joined by Commissioner Juanita Vero to my left.

0:0:36.150 --> 0:0:39.400

Sophie Moiese Room

Your right, Commissioner Slotnick, is unable to make it today.

0:0:41.10 --> 0:0:47.560

Sophie Moiese Room

Missoula County knowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people.

0:0:47.610 --> 0:0:51.480

Sophie Moiese Room

Cheryl, would you please fill us in on uh public announcements?

0:0:53.480 --> 0:1:1.580

Sophie Moiese Room

Hello everyone, if you're joining us for this meeting virtually today, closed captioning is on your screens, Amy.

0:1:4.930 --> 0:1:5.270

Sophie Moiese Room

Team.

0:1:14.20 --> 0:1:18.90

Sophie Moiese Room

And we have a closed captioning on all the screens here in the Sophie movies room.

0:1:18.100 --> 0:1:22.610

Sophie Moiese Room

If you're joining us in person, we have assisted listening devices available.

0:1:22.620 --> 0:1:25.910

Sophie Moiese Room

If you would like one, please come to me and I can get one for you.

0:1:26.760 --> 0:1:42.850

Sophie Moiese Room

There will be multiple chances to speak during the meeting virtually once you're called on, we will need to hit star 5 to unmute and then once called on hit star 6 to unmute to lower your hand.

0:1:43.80 --> 0:1:45.780

Sophie Moiese Room

If anyone has any questions or in the meeting, please come find me.

0:1:45.860 --> 0:1:46.280

Sophie Moiese Room

Thank you.

0:1:47.480 --> 0:1:48.950

Sophie Moiese Room

Thank you, Sheryl.

0:1:48.960 --> 0:2:6.550

Sophie Moiese Room

And during the course of the meeting, if anyone in the Sophie Moise room, that is the room that you were sitting in, if you're here in the courthouse, if you want to make public comment, and when you do come up to the podium, you'll see the microphone base that has a button that says push, push the button and make sure that the light is green.

0:2:6.560 --> 0:2:8.870

Sophie Moiese Room

If there's a red light, it means the microphone's off.

0:2:8.880 --> 0:2:11.450

Sophie Moiese Room

If it's green, it is on and go.

0:2:11.800 --> 0:2:14.590

Sophie Moiese Room

So we have one proclamation today.

0:2:14.600 --> 0:2:16.980

Sophie Moiese Room

Commissioner Vera, would you be so kind happy to?

0:2:18.840 --> 0:2:22.380

Sophie Moiese Room

So this is a proclamation, Missoula County and the City of Missoula.

0:2:22.390 --> 0:2:36.790

Sophie Moiese Room

Whereas in 1926 the Association for the Study of African American Life and History started a National ***** History Week, and the second week of February intentionally chosen because it fell between the birthdays of Frederick Douglass and Abraham Lincoln.

0:2:37.130 --> 0:3:4.310

Sophie Moiese Room

And whereas in the following decades, mayors of cities across the United States began issuing yearly proclamations recognizing ***** history week and whereas following the civil rights movement, and I growing awareness of black identity, in 1976, President Gerald Ford officially recognized Black History Month, urging the public to seize the opportunity to honor the two often neglected accomplishments of black Americans and every area of endeavor throughout our history.

0:3:4.740 --> 0:3:21.290

Sophie Moiese Room

And whereas Missoula County and the City of Missoula recognize that according to 2020 census data, Montana was one of the small has one of the smallest percentage of people who identify as black or African American in the United States, reflecting the complexity of Montana's black history.

0:3:21.520 --> 0:3:54.870

Sophie Moiese Room

And whereas Missoula County and the City of Missoula recognize Montana's black history, spanning from the first documented arrival of enslaved Africans in 1805 as part of the Lewis and Clark expedition into the Aboriginal territories of the Salish, and please pay people and the publication of Montana's first Black News newspaper the Colored Citizen and 1894 to the election of Geraldine Travis, the first African American woman elected to the Montana Legislature in 1974 and the election of the state's first black mayor will mcollins in 2017.

0:3:55.410 --> 0:4:5.550

Sophie Moiese Room

And whereas in Missoula County, less than 1% of our residents identify as black or African American, which highlights the importance of the preservation of black history culture in our community.

0:4:5.920 --> 0:4:22.400

Sophie Moiese Room

And whereas Montana's black history is reflected in Missoula through the bravery and valor displayed by the 25th Infantry Bicycle Corps of the United States, First unit of Black soldiers formed in 1896 to test the combat viability of bicycles, including an over 1900 mile ride from Fort Missoula to St.

0:4:22.410 --> 0:4:24.320

Sophie Moiese Room

Mile ride from Fort Missoula to St.

0:4:24.330 --> 0:4:51.280

Sophie Moiese Room

Louis, Missouri, and whereas other examples of Missoula's and during black history can be found in the 1400 block of Phillips St, the site of the former Saint Paul African Methodist Episcopal Church, Missoula's first Black church, which stood from 1910 to 1946 and whose congregants built a community and and pursued racial equity with neighbors regardless of race in the face of threats from the Ku Klux Klan and other white supremacist organizations.

0:4:51.680 --> 0:5:13.340

Sophie Moiese Room

And whereas Missoula County and the City of Missoula are proud to join the state of Montana and recognizing the accomplishments and contributions of black Americans who are part of the fabric of our nation here in Montana, throughout history and today, now, therefore we the Missoula board of County Commissioners and the mayor, the city of Missoula do hereby proclaim the month of February 2024 as Black History Month.

0:5:16.0 --> 0:5:17.350

Sophie Moiese Room

Thank you, Commissioner Vero.

0:5:17.360 --> 0:5:20.680

Sophie Moiese Room

Is there anyone who'd like to comment on the proclamation?

0:5:22.550 --> 0:5:23.320

Sophie Moiese Room

All right.

0:5:24.400 --> 0:5:27.400

Sophie Moiese Room

Is there any public comment on items not on today's agenda?

0:5:28.430 --> 0:5:32.250

Sophie Moiese Room

Which I'm assuming everyone in the room is here to comment on something already on the agenda.

0:5:33.220 --> 0:5:35.320

Sophie Moiese Room

OK, anyone online?

0:5:38.470 --> 0:5:39.760

Sophie Moiese Room

See none.

0:5:39.820 --> 0:5:42.80

Sophie Moiese Room

That brings us to our current claims list.

0:5:42.90 --> 0:5:48.370

Sophie Moiese Room

Claims received as of January 4th through January 19th, 2024 by the Commissioner's Office.

0:5:49.250 --> 0:5:58.40

Sophie Moiese Room

Total four million \$827,518.33 we have three public hearings today.

0:5:58.50 --> 0:6:3.810

Sophie Moiese Room

The first is on the Golden West Subdivision, and we'll begin with a staff report by Zach Jones.

0:6:26.460 --> 0:6:30.950

Sophie Moiese Room

OK, so this item is the Golden West.

0:6:31.0 --> 0:6:36.610

Sophie Moiese Room

Uh, number one lots 13A and 13B minor subdivision. Oops.

0:6:42.420 --> 0:6:52.360

Sophie Moiese Room

And the date, there should say February 1st BC public hearing this subdivision is located at 1600 Hayes Drive.

0:6:52.450 --> 0:7:2.840

Sophie Moiese Room

The applicants are Nancy Arnold and Steven Lawrence, and their representative is Imeg and I am Zach Jones with planning, development and sustainability.

0:7:12.180 --> 0:7:15.430

Sophie Moiese Room

So this is where the subdivision is located.

0:7:15.720 --> 0:7:16.10

Sophie Moiese Room

Umm.

0:7:16.20 --> 0:7:24.550

Sophie Moiese Room

If you can see my cursor, I'm kind of hovering around it and I've traced the parcel boundary in red over here.

0:7:25.100 --> 0:7:33.840

Sophie Moiese Room

It this is haze drive on the western edge of the subdivision and this is Douglas Drive on the eastern edge.

0:7:34.570 --> 0:7:45.830

Sophie Moiese Room

To access the subdivision from Mullen Road and the rest of the Missoula area, you have to go in on coat or Cody Lane, down to council, way over to Hayes or Douglas Drive.

0:7:53.330 --> 0:7:59.900

Sophie Moiese Room

And the proposal is to divide 1 existing lot into two residential lots.

0:8:0.490 --> 0:8:2.510

Sophie Moiese Room

Like I mentioned, it's between Hayes and Douglas.

0:8:2.520 --> 0:8:7.720

Sophie Moiese Room

Drive and the current existing parcel is approximately 2.93 acres.

0:8:8.940 --> 0:8:17.430

Sophie Moiese Room

No variances are requested for the subdivision and both of the proposed lots will have their approaches on to the existing roads.

0:8:17.440 --> 0:8:40.470

Sophie Moiese Room

Haze and Douglas Drive on the current home on the property is accessed from his drive at 1600 Hayes, and there are no Parkland, medications or non motorized facilities proposed or required for minor subdivisions with no on site roads and we will be recommending approval.

0:8:45.700 --> 0:8:50.930

Sophie Moiese Room

So I will talk a little bit about each of the review criteria for subdivisions.

0:8:51.680 --> 0:8:53.580

Sophie Moiese Room

First, with these zoning and growth policy.

0:8:54.960 --> 0:9:17.680

Sophie Moiese Room

Umm, I'm gonna go ahead to couple maps so the existing land use designation from the growth policy, which the most recent sort of update was the 2019 Missoula area land use element, it's designated for residential at one dwelling unit per acre, which this proposal meets.

0:9:23.380 --> 0:9:31.130

Sophie Moiese Room

And then the existing zoning is RS1, which is rural, residential and small agriculture with a minimum lot size of 1 acre.

0:9:31.580 --> 0:9:34.50

Sophie Moiese Room

This proposal also meets that requirement.

0:9:34.320 --> 0:9:42.110

Sophie Moiese Room

The zoning is very, I guess, similar to the growth policy here and it is informed by the growth policy.

0:9:45.830 --> 0:9:48.510

Sophie Moiese Room

And back to these criteria, the.

0:9:55.260 --> 0:9:57.990

Sophie Moiese Room

So for impacts to agriculture.

0:10:0.380 --> 0:10:9.0

Sophie Moiese Room

The property does contain soils which are classified as Grass Valley silty clay loam which is considered a soil.

0:10:9.770 --> 0:10:19.730

Sophie Moiese Room

I am farmland of local importance and there are no agricultural operations currently located adjacent to this property.

0:10:20.120 --> 0:10:31.820

Sophie Moiese Room

There's no known existing irrigation facilities on or near the site for the physical availability of water, or there is also no historical use of this property for irrigated agriculture.

0:10:35.610 --> 0:10:45.950

Sophie Moiese Room

So we found that there is no impact to existing agriculture or agricultural water user facilities from this proposed subdivision.

0:10:52.440 --> 0:10:54.340

Sophie Moiese Room

Umm for access and roads.

0:10:54.700 --> 0:11:0.770

Sophie Moiese Room

So the haze drive and Douglas Dr which I have mentioned are county maintained and paved roadways.

0:11:1.240 --> 0:11:1.790

Sophie Moiese Room

Uh, no.

0:11:1.800 --> 0:11:18.730

Sophie Moiese Room

New roadways are proposed with the subdivision, and it's not exactly a road item, but they are proposing 2 storm water detention basins to mitigate any increased stormwater runoff from the newly created lot and proposed driveway and home.

0:11:19.540 --> 0:11:23.480

Sophie Moiese Room

Umm, there will be 2 basins, one on each lot.

0:11:26.250 --> 0:11:37.570

Sophie Moiese Room

And for pedestrian facilities, there is no requirement to create any new pedestrian facilities, and they're not proposing any.

0:11:40.230 --> 0:11:46.470

Sophie Moiese Room

They will be required to waive the right to protest the creation of a SSID or Rs ID so.

0:11:47.920 --> 0:11:56.450

Sophie Moiese Room

Subdivision Improvement District or Rural Subdivision Improvement District for future construction of sidewalks, bicycle lanes or trails.

0:11:57.220 --> 0:11:59.380

Sophie Moiese Room

If that were to happen in the future.

0:12:1.460 --> 0:12:21.930

Sophie Moiese Room

For water and sanitation systems, currently there is one individual well for the existing House on what will be lot 13 B and I'll show you the preliminary plat with the lot layout in a bit here and they are proposing to add another individual well on the on the new lot.

0:12:21.940 --> 0:12:22.940

Sophie Moiese Room

So lot 13 a.

0:12:25.350 --> 0:12:31.130

Sophie Moiese Room

And they have received predetermination approval from DNRC for filing a water right.

0:12:32.740 --> 0:12:52.420

Sophie Moiese Room

And there is also an existing sewer service connection to the existing dwelling, and a connection is proposed for the the new dwelling on the new lot and the city of Missoula Public Works and Mobility Department has confirmed sewer availability for the proposed subdivision.

0:12:56.400 --> 0:12:58.810

Sophie Moiese Room

Umm for Parks and Recreation.

0:12:58.820 --> 0:13:3.940

Sophie Moiese Room

So like I've mentioned, I think already there's no Parkland or common area dedication.

0:13:4.790 --> 0:13:5.170

Sophie Moiese Room

Umm.

0:13:5.530 --> 0:13:9.890

Sophie Moiese Room

Or cash in lieu of park dedication is proposed or required for the subdivision.

0:13:10.900 --> 0:13:28.730

Sophie Moiese Room

Umm for schools, one lot will be created which can be estimated to add one additional school age child to the school district, and otherwise there's no identified adverse impacts to schools that require mitigation.

0:13:35.960 --> 0:13:55.220

Sophie Moiese Room

For the fire department items, there has been a fire hazard assessment done for the subdivision, which

is required for any subdivision in the county, and they received a moderate hazard ranking and they are proposing residential fire sprinklers for the new home.

0:13:57.610 --> 0:14:2.570

Sophie Moiese Room

Which meet the requirements from the fire, uh Missoula Rural Fire District.

0:14:9.370 --> 0:14:13.680

Sophie Moiese Room

And for the natural environment and wildlife.

0:14:16.130 --> 0:14:19.190

Sophie Moiese Room

And other, I guess historic resources.

0:14:19.200 --> 0:14:27.460

Sophie Moiese Room

So there has not been any historical or cultural resources identified with this subdivision regarding wildlife.

0:14:27.890 --> 0:14:40.680

Sophie Moiese Room

It's in an area where people may expect to have some wildlife move through the property and the living with wildlife recommendations from Montana Fish, Wildlife and parks have been included in the draft covenants.

0:14:45.330 --> 0:14:57.200

Sophie Moiese Room

And as far as effects on public health and safety, there is no floodplain on the property or steep slopes greater than 25%.

0:14:57.210 --> 0:14:58.250

Sophie Moiese Room

So there is nothing.

0:14:59.380 --> 0:14:59.700

Sophie Moiese Room

Umm.

0:15:0.830 --> 0:15:5.600

Sophie Moiese Room

Really to consider as far as hazardous areas.

0:15:11.620 --> 0:15:12.820

Sophie Moiese Room

I talked about those already.

0:15:18.480 --> 0:15:21.420

Sophie Moiese Room

And this is what the preliminary plat looks like.

0:15:23.110 --> 0:15:26.180

Sophie Moiese Room

It's a pretty simple 2 lot split from one lot.

0:15:26.190 --> 0:15:45.530

Sophie Moiese Room

As I've mentioned before, both lots will be pretty similar in size 1.47 acres and 1.45 acres and have drive on the West accesses the existing home on lot 13 B, and then Douglas Dr Will access newly built home.

0:15:46.670 --> 0:15:57.80

Sophie Moiese Room

Umm on lot 13 A and there are utility easements on the North property line.

0:16:14.180 --> 0:16:28.800

Sophie Moiese Room

And for agency and public comments, I only received one agency comment, which is from our county floodplain administrator, simply stating that the property is not in floodplain and he does not have any concern about flood hazards.

0:16:29.280 --> 0:16:41.50

Sophie Moiese Room

And for public comment, adjacent property owners were mailed their letters on January 17th, and it has been on the Missoula County Voice website since December 20th.

0:16:41.300 --> 0:16:43.70

Sophie Moiese Room

We did receive one public comment.

0:16:45.40 --> 0:16:48.100

Sophie Moiese Room

Which I have up here.

0:16:48.110 --> 0:16:50.300

Sophie Moiese Room

I'm not going to read at all, but in.

0:16:52.520 --> 0:17:12.0

Sophie Moiese Room

A very summarized version, umm Kathleen Pudie McLaughlin and T Joseph Reagan, are concerned about a new proposed home and how it may block their view, shed and access to windows that are S facing.

0:17:13.890 --> 0:17:20.570

Sophie Moiese Room

And, umm, the commenter will also have an opportunity to elaborate on this comment.

0:17:30.180 --> 0:17:40.20

Sophie Moiese Room

And we, uh, PDS staff is recommending approval of the application subject to the conditions of approval which have been presented in the staff report.

0:17:41.710 --> 0:17:49.20

Sophie Moiese Room

So I am available to take questions and I think the representatives are on as well.

0:17:49.60 --> 0:17:49.390

Michael A. Maine

It's good.

0:17:49.370 --> 0:17:52.640

Sophie Moiese Room

Would the applicant or applicants representative like to make a comment?

0:17:54.90 --> 0:17:54.620

Michael A. Maine

Hello.

0:17:54.710 --> 0:18:9.650

Michael A. Maine

Yeah, might main here and representing imag and our clients, Nancy and Steven, who are online and attending virtually other than a thank you to the county staff and the Commissioners do not have any additional comments.

0:18:12.610 --> 0:18:12.740

Michael A. Maine

Yeah.

0:18:12.970 --> 0:18:13.560

Sophie Moiese Room

OK.

0:18:13.570 --> 0:18:14.340

Sophie Moiese Room

Thank you.

0:18:14.450 --> 0:18:16.960

Sophie Moiese Room

This is a public hearing, so I'll open up to the public.

0:18:17.10 --> 0:18:20.820

Sophie Moiese Room

Is there anyone who would like to make comment on this proposed minor subdivision?

0:18:20.830 --> 0:18:22.310

Sophie Moiese Room

Come on up to the microphone.

0:18:22.320 --> 0:18:23.640

Sophie Moiese Room

Make sure the mic is on.

0:18:23.650 --> 0:18:29.120

Sophie Moiese Room

It may be already if it's green, state your name and share with us what you will.

0:18:29.790 --> 0:18:30.260

Sophie Moiese Room

My name?

0:18:30.270 --> 0:18:31.400

Sophie Moiese Room

Kathleen McLaughlin.

0:18:31.410 --> 0:18:31.980

Sophie Moiese Room

Pootie.

0:18:32.910 --> 0:18:39.840

Sophie Moiese Room

My husband, Joe Regan, and I own 2 1/2 acres to the north of the subject parcel.

0:18:41.700 --> 0:18:51.370

Sophie Moiese Room

And so this includes our house and garage and we certainly don't dispute Steven and Nancy's rights to subdivide their property.

0:18:52.80 --> 0:18:59.280

Sophie Moiese Room

We are concerned that any future construction on this new parcel would interfere with or block.

0:18:59.520 --> 0:19:18.130

Sophie Moiese Room

Umm, our view towards which our House fronts, we built a house with a passive solar design, so it faces South and most of the windows and all of the living areas face S directly towards the proposed parcel.

0:19:20.340 --> 0:19:42.370

Sophie Moiese Room

Steven has been really gracious and keeping us informed of his and Nancy's plan to subdivide their parcel when we were building the house over 20 years ago, we told Steve and Nancy then that because of our concern over our viewshed, we would appreciate the opportunity to buy this parcel if they ever chose to subdivide.

0:19:43.180 --> 0:19:50.920

Sophie Moiese Room

In my recent conversations with Steve, I reiterated my concern regarding protecting our viewshed.

0:19:52.130 --> 0:19:59.470

Sophie Moiese Room

I asked him if he and Nancy would consider placing a height limitation on any future construction on the parcel.

0:19:59.930 --> 0:20:1.860

Sophie Moiese Room

They refused.

0:20:2.270 --> 0:20:15.370

Sophie Moiese Room

So we are concerned also that the type of future construction in the parcel would negatively impact our properties value A1 to 1 1/2 story house would be fine we think.

0:20:15.540 --> 0:20:29.910

Sophie Moiese Room

Ohh, one year ago I consulted with a local attorney about options relating to an agreement that would involve a height limitation and assuming that neither the county nor Golden West.

0:20:30.920 --> 0:20:35.500

Sophie Moiese Room

I have CCR's or covenants, conditions and restrictions.

0:20:36.10 --> 0:20:42.930

Sophie Moiese Room

This attorney recommend recommended a private covenant between us, the property owners.

0:20:44.730 --> 0:20:48.740

Sophie Moiese Room

And so that's those are my comments.

0:20:48.750 --> 0:20:54.540

Sophie Moiese Room

I apologize for submitting these comments late, but anyway thank you for your consideration.

0:20:56.50 --> 0:21:0.840

Sophie Moiese Room

Thank you very much and they were not late.

0:21:1.220 --> 0:21:5.250

Sophie Moiese Room

So, so the public hearing is still open.

0:21:5.260 --> 0:21:11.420

Sophie Moiese Room

So anyone else want to comment on this proposed minor subdivision?

0:21:12.370 --> 0:21:15.0

Sophie Moiese Room

Looks like we have Tim Worley out there with his hand up.

0:21:18.550 --> 0:21:19.30

Tim Worley

Missions.

0:21:19.40 --> 0:21:20.230

Tim Worley

I just have a quick.

0:21:22.10 --> 0:21:29.420

Tim Worley

Fairly minor correction on the land use designation, which doesn't affect our recommendation or anything at all.

0:21:30.800 --> 0:21:37.760

Tim Worley

The land use designation is residential, which is actually 3 to 11 dwelling units per acre.

0:21:38.40 --> 0:21:46.160

Tim Worley

It's actually denser than the than the zoning, which is the one welling unit per acre zoning.

0:21:46.640 --> 0:21:49.430

Tim Worley

I just wanted to make sure that we had the record correct on that.

0:21:49.440 --> 0:22:4.270

Tim Worley

It's a little confusing because on the property information system it also refers to the old area plan, which did recommend one home per acre, but the 2019 land use element recommends 3 to 11 million units per acre.

0:22:7.120 --> 0:22:8.270

Sophie Moiese Room

Thank you, Tim.

0:22:8.280 --> 0:22:20.10

Sophie Moiese Room

And while you're on the line, uh, and looking at the zoning, are there any height restrictions related to building construction with the zoning?

0:22:21.690 --> 0:22:25.260

Tim Worley

Yeah, there is a height limit in the RRS one.

0:22:25.730 --> 0:22:31.290

Tim Worley

It would take me a couple minutes to confirm what it is, but there would be a height limit in that district.

0:22:31.960 --> 0:22:32.310

Sophie Moiese Room

OK.

0:22:32.320 --> 0:22:33.530

Sophie Moiese Room

Well, you're looking that up.

0:22:33.570 --> 0:22:36.930

Sophie Moiese Room

Any additional public comment, either anyone online or in the room?

0:22:41.630 --> 0:22:43.300

Sophie Moiese Room

OK.

0:22:43.550 --> 0:22:46.260

Sophie Moiese Room

We will close the public hearing questions.

0:22:47.950 --> 0:22:52.130

Sophie Moiese Room

No, I just we probably want to wait for him to get back to us.

0:22:53.90 --> 0:22:53.300

Sophie Moiese Room

Yeah.

0:22:53.310 --> 0:23:7.230

Sophie Moiese Room

Well, Tim's looking up that specific John Hart or or Zach, maybe this is a legal question, John, just in terms of review criteria and taking into consideration.

0:23:11.750 --> 0:23:33.720

Sophie Moiese Room

Potential impacts beyond what is strictly laid out in zoning, such as visual impacts, as was described here, we're simply dividing the land today and and I recognize that that is kind of the creating the opportunity for an additional dwelling unit.

0:23:35.680 --> 0:23:43.80

Sophie Moiese Room

But what's the decision space today to take into a consideration some of the concerns that we heard articulated earlier?

0:23:46.340 --> 0:23:49.790

Sophie Moiese Room

Commissioners, there is essentially no decision space for that today.

0:23:49.800 --> 0:23:52.150

Sophie Moiese Room

I mean, could you pull out it just little bit closer?

0:23:52.160 --> 0:23:52.810

Sophie Moiese Room

Is this not?

0:23:52.880 --> 0:23:53.730

Sophie Moiese Room

It's not working.

0:23:54.280 --> 0:23:56.220

Sophie Moiese Room

Not very well this one really.

0:23:56.340 --> 0:23:56.890

Sophie Moiese Room

There it is.

0:23:56.900 --> 0:23:57.450

Sophie Moiese Room

There it is.

0:23:57.610 --> 0:23:58.290

Sophie Moiese Room

All right.

0:23:59.0 --> 0:24:5.240

Sophie Moiese Room

I'm I'm rarely accused of not speaking up, so the decision space today is there.

0:24:5.250 --> 0:24:12.190

Sophie Moiese Room

There isn't one for for something like a height and set back requirement, that's strictly zoning.

0:24:12.540 --> 0:24:13.320

Sophie Moiese Room

I mean as you know.

0:24:14.260 --> 0:24:14.720

Sophie Moiese Room

Umm.

0:24:15.60 --> 0:24:19.750

Sophie Moiese Room

Under the subdivision and Platting Act, you know there are broad but.

0:24:22.300 --> 0:24:25.890

Sophie Moiese Room

You know, broad review criteria Zach went through.

0:24:25.900 --> 0:24:45.10

Sophie Moiese Room

Each one of those and talked about them and but they don't encompass even though they're broad, they don't encompass these these sites, specific considerations like height and setbacks and things like that, that that comes at the time of zoning compliance and building permit application, OK.

0:24:45.110 --> 0:24:46.270

Sophie Moiese Room

And I'm assuming that.

0:24:48.360 --> 0:24:55.990

Sophie Moiese Room

Probably the best path forward would be the adjoining property owners to enter into.

0:24:56.0 --> 0:25:7.900

Sophie Moiese Room

I mean, if there is an opportunity to enter into a covenant arrangement or some private agreement as far as the use of the property, even though it sounds like that might not be all that easy to accomplish.

0:25:10.10 --> 0:25:10.340

Sophie Moiese Room

Yep.

0:25:10.350 --> 0:25:12.680

Sophie Moiese Room

That, or just neighborly accommodation.

0:25:12.950 --> 0:25:13.380

Sophie Moiese Room

OK.

0:25:13.670 --> 0:25:14.500

Sophie Moiese Room

Thank you, Tim.

0:25:18.90 --> 0:25:26.320

Tim Worley

Yeah, it looks like this district commissioners has a 36 foot height limit for principal buildings and a 30 foot height limit for accessory structures.

0:25:28.540 --> 0:25:31.220

Sophie Moiese Room

And I'm not very good at visualizing that.

0:25:31.230 --> 0:25:33.510

Sophie Moiese Room

So how many stories is that?

0:25:36.800 --> 0:25:41.500

Tim Worley

Well, it's rare that you would see more than two, but you could probably do 2 1/2.

0:25:44.140 --> 0:25:46.60

Sophie Moiese Room

OK. OK.

0:25:46.70 --> 0:25:46.430

Sophie Moiese Room

Thank you.

0:25:46.440 --> 0:25:46.930

Sophie Moiese Room

Thanks.

0:25:47.620 --> 0:25:47.990

Sophie Moiese Room

Yeah.

0:25:48.0 --> 0:25:50.120

Sophie Moiese Room

So Joe and Kathleen, I I guess I.

0:25:51.910 --> 0:25:53.720

Sophie Moiese Room

I empathize with your concern.

0:25:54.130 --> 0:26:3.180

Sophie Moiese Room

Our decision space is very limited here, unfortunately, and and your best bet is to continue talking to your neighbor.

0:26:7.370 --> 0:26:7.650

Sophie Moiese Room

Sure.

0:26:9.220 --> 0:26:15.210

Sophie Moiese Room

OK, with that, Zach, do you have correct language motion?

0:26:23.320 --> 0:26:23.600

Sophie Moiese Room

Umm.

0:26:23.820 --> 0:26:26.850

Sophie Moiese Room

I move to approve the Golden West #9.

0:26:27.340 --> 0:26:31.970

Sophie Moiese Room

I'm sorry #1 lot 13A and 13B minor subdivision.

0:26:32.240 --> 0:26:42.460

Sophie Moiese Room

Based on the findings of fact and conclusions of law and the staff report and subject to the recommended conditions of approval, second, any further discussion, seeing none all in favor?

0:26:42.750 --> 0:26:44.600

Sophie Moiese Room

Aye, alright.

0:26:44.610 --> 0:26:46.560

Sophie Moiese Room

Thanks everyone for participating today.

0:26:46.570 --> 0:26:49.450

Sophie Moiese Room

Thanks for coming out and providing your your input.

0:26:52.630 --> 0:26:54.840

Sophie Moiese Room

We will move on to our second public hearing.

0:26:54.850 --> 0:27:1.470

Sophie Moiese Room

This is the proposed Elliott family transfer and our staff report once again will be brought to us by Zach Jones.

0:27:20.580 --> 0:27:24.160

Sophie Moiese Room

And we will not be offended if folks don't want to stick through the whole meeting here.

0:27:24.220 --> 0:27:25.430

Sophie Moiese Room

You're more than welcome to.

0:27:25.440 --> 0:27:29.180

Sophie Moiese Room

There's exciting items coming up here, but OK.

0:27:32.0 --> 0:27:32.400

Sophie Moiese Room

Thank you.

0:27:51.870 --> 0:28:5.490

Sophie Moiese Room

OK, this item is the Elliot family transfer and this is located at 7305 and 7317 Evaro Road in Evaro.

0:28:6.170 --> 0:28:19.800

Sophie Moiese Room

The claimant or applicant is Janet Elliott, represented by Elaine Associates, and for the record, in case you forgot, I am Zach Jones, Planner with the planning, development and sustainability.

0:28:27.610 --> 0:28:31.40

Sophie Moiese Room

OK, this is where the subject property is located.

0:28:31.130 --> 0:28:38.550

Sophie Moiese Room

Umm, this area broadly is evero this red Rd here is Hwy 93.

0:28:40.200 --> 0:28:46.870

Sophie Moiese Room

The Missoula area Missoula Valley would be down South towards the bottom of the screen.

0:28:53.560 --> 0:29:4.910

Sophie Moiese Room

Umm, what is currently on the property is one track that is 19.9 acres, and there's two existing single family residences.

0:29:5.740 --> 0:29:8.10

Sophie Moiese Room

One over here and one down here.

0:29:9.610 --> 0:29:19.730

Sophie Moiese Room

Elliott Lane is a private road that goes through the property and there is a cell tower in the southern part of the property.

0:29:27.0 --> 0:29:47.250

Sophie Moiese Room

So what is being proposed is to create and transfer one new 8.3 acre tract to Janet's adult daughter, Denise Elliott, and the remaining 11.6 acre tract will continue to be owned by Janet Elliott, and the property is 2 existing single family residences.

0:29:47.560 --> 0:29:56.430

Sophie Moiese Room

Which one of both those residences will be in each proposed parcel and the property is unzoned?

0:29:59.640 --> 0:30:4.690

Sophie Moiese Room

This is the proposed lot layout for the family transfer.

0:30:5.630 --> 0:30:6.740

Sophie Moiese Room

Like I mentioned, there's two.

0:30:8.380 --> 0:30:16.660

Sophie Moiese Room

Different lots ones 8.3 acres and the north and then the new one is 11.6 in the South.

0:30:18.550 --> 0:30:20.200

Sophie Moiese Room

This is where the division line is.

0:30:20.850 --> 0:30:27.710

Sophie Moiese Room

There is this little jog here, I believe, because of the septic drain field that is located right there.

0:30:36.290 --> 0:30:43.410

Sophie Moiese Room

So a little bit about the general evasion criteria and rebuttable presumptions that subdivision exemptions are evaluated for.

0:30:44.610 --> 0:30:47.570

Sophie Moiese Room

Umm, there is a couple things to note.

0:30:47.660 --> 0:30:54.130

Sophie Moiese Room

So the first of which is that the proposed division is not compatible with the growth policy.

0:30:54.840 --> 0:31:26.200

Sophie Moiese Room

The 1998 Urban Comprehensive Plan recommends open and resource which or designates it as open and resource, which recommends a density of 1 dwelling per 40 acres, and the division will result in a gross density of 1 dwelling unit per 9.95 acres, which is an average of the two lots that would be there, which it's important to note, this is already what is on the property as far as dwelling units and density.

0:31:28.720 --> 0:31:43.600

Sophie Moiese Room

And the other one is that there is a existing notice of building code violation from 2018 for some construction work that was done without the necessary permits.

0:31:44.750 --> 0:31:57.280

Sophie Moiese Room

UM and an expired building permit for a 1200 square foot shop and the proposed division would not make these violations any worse, but it will leave them unremedied.

0:32:6.710 --> 0:32:16.480

Sophie Moiese Room

I received just one agency comment for this family transfer from Kyle Craftster our from at Missoula Public Health.

0:32:17.60 --> 0:32:23.700

Sophie Moiese Room

This is a pretty standard comment that just says that state sanitation review would be required.

0:32:25.70 --> 0:32:27.730

Sophie Moiese Room

And what the process is for that?

0:32:36.210 --> 0:32:36.580

Sophie Moiese Room

Umm.

0:32:36.590 --> 0:32:45.270

Sophie Moiese Room

And with that, if the applicant could come to the stand, we have some questions to ask you for the record.

0:32:47.320 --> 0:32:47.890

Sophie Moiese Room

The microphone.

0:32:49.720 --> 0:32:50.30

Sophie Moiese Room

Yeah.

0:32:50.40 --> 0:32:51.360

Sophie Moiese Room

Or or you don't have to get up.

0:32:55.630 --> 0:32:57.160

Sophie Moiese Room

You could just sit here and use the microphone.

0:32:58.990 --> 0:32:59.620

Sophie Moiese Room

OK.

0:32:59.680 --> 0:33:0.120

Sophie Moiese Room

Thank you.

0:33:0.130 --> 0:33:0.680

Sophie Moiese Room

Don't understand.

0:33:3.190 --> 0:33:3.640

Sophie Moiese Room

Does.

0:33:9.900 --> 0:33:10.990

Sophie Moiese Room

Ask me some questions.

0:33:11.400 --> 0:33:14.720

Sophie Moiese Room

So first, could I just ask you to please state your name for the record?

0:33:15.790 --> 0:33:18.100

Sophie Moiese Room

Janet Elliott, thank you.

0:33:18.490 --> 0:33:23.50

Sophie Moiese Room

And did you buy the property with the intent of dividing it?

0:33:23.770 --> 0:33:25.700

Sophie Moiese Room

No. OK.

0:33:25.750 --> 0:33:30.110

Sophie Moiese Room

Did you or your transferees intend to transfer the property within the next year?

0:33:31.600 --> 0:33:31.860

Sophie Moiese Room

No.

0:33:33.50 --> 0:33:37.20

Sophie Moiese Room

Have you talked to anyone at the county about going through subdivision review?

0:33:38.240 --> 0:33:38.990

Sophie Moiese Room

No.

0:33:39.540 --> 0:33:41.380

Sophie Moiese Room

Will the properties be developed?

0:33:43.130 --> 0:33:43.430

Sophie Moiese Room

No.

0:33:44.520 --> 0:33:48.950

Sophie Moiese Room

And will the recipients of the property be residing on the property?

0:33:49.280 --> 0:33:49.970

Sophie Moiese Room

Yes.

0:33:50.460 --> 0:33:50.930

Sophie Moiese Room

OK.

0:33:51.20 --> 0:33:51.380

Sophie Moiese Room

Thank you.

0:33:58.740 --> 0:34:2.10

Sophie Moiese Room

And that is all I have for my presentation.

0:34:2.160 --> 0:34:5.830

Sophie Moiese Room

We are recommending approval and I have the recommended motion on the screen.

0:34:5.840 --> 0:34:14.230

Sophie Moiese Room

However, I know we have public comment opportunity and I am available for answering questions as well as their representative.

0:34:14.940 --> 0:34:15.490

Sophie Moiese Room

Thank you.

0:34:15.500 --> 0:34:20.460

Sophie Moiese Room

Is anyone from Eli and associates on the line who would like to speak?

0:34:24.500 --> 0:34:25.0

Sophie Moiese Room

Or not.

0:34:24.110 --> 0:34:25.40

Eli & Assoc.

Hi Ryan.

0:34:25.50 --> 0:34:26.960

Eli & Assoc.

Feel with you in associates?

0:34:27.210 --> 0:34:32.580

Eli & Assoc.

I don't have anything further to add, but thank you Zach for your review and thank you, Commissioners for your time today.

0:34:34.390 --> 0:34:34.880

Sophie Moiese Room

OK.

0:34:34.970 --> 0:34:35.340

Sophie Moiese Room

Thank you.

0:34:35.350 --> 0:34:38.230

Sophie Moiese Room

Is there any public comment on this proposed family transfer?

0:34:41.110 --> 0:34:41.790

Sophie Moiese Room

All right.

0:34:42.230 --> 0:34:50.440

Sophie Moiese Room

I will close the public hearing questions did have a question with Kyle Crossers comment?

0:34:52.50 --> 0:34:55.80

Sophie Moiese Room

Requires review, but that the they're already in place.

0:34:55.90 --> 0:34:58.50

Sophie Moiese Room

So I mean, what what?

0:34:58.60 --> 0:35:1.700

Sophie Moiese Room

What needs to be reviewed or or explained that process to me?

0:35:6.680 --> 0:35:8.140

Sophie Moiese Room

And I and I guess.

0:35:10.570 --> 0:35:17.170

Sophie Moiese Room

More broadly, Miss Elliott uh, do you have plans for addressing the building code violations?

0:35:19.610 --> 0:35:20.810

Sophie Moiese Room

Pardon, I didn't hear.

0:35:22.970 --> 0:35:26.220

Sophie Moiese Room

Or if you want to answer and that that's fine.

0:35:26.730 --> 0:35:28.190

Sophie Moiese Room

And please just state your name.

0:35:29.50 --> 0:35:30.520

Sophie Moiese Room

I'm her daughter, Denise Elliott.

0:35:30.620 --> 0:35:31.260

Sophie Moiese Room

Hi, Denise.

0:35:31.270 --> 0:35:41.880

Sophie Moiese Room

Hi so there was a building permit for a like a small garage and I think that the violation was for electrical, which actually hasn't been done.

0:35:41.950 --> 0:35:42.820

Sophie Moiese Room

It's not completed.

0:35:42.830 --> 0:35:44.470

Sophie Moiese Room

I think we just need to follow up on that.

0:35:44.480 --> 0:35:47.760

Sophie Moiese Room

There was a the building was actually put in by.

0:35:50.30 --> 0:35:53.850

Sophie Moiese Room

Clearly Clearly yeah, clearly construction and there hasn't.

0:35:53.900 --> 0:35:54.960

Sophie Moiese Room

It's unfinished.

0:35:54.970 --> 0:36:6.760

Sophie Moiese Room

There's hasn't actually been electrical or anything like that in it, and I think that was, I mean, we'll have to follow up, I, but it wasn't, umm, it's not.

0:36:6.820 --> 0:36:11.750

Sophie Moiese Room

I mean, it's kind of a little garage building, but I wasn't aware that there was actually.

0:36:11.900 --> 0:36:20.310

Sophie Moiese Room

I'll check in and follow up on it, but I think it was an electrical inspection and there's actually no electrical that has been completed or done.

0:36:21.360 --> 0:36:21.770

Sophie Moiese Room

OK.

0:36:21.780 --> 0:36:22.430

Sophie Moiese Room

Thank you.

0:36:22.440 --> 0:36:24.150

Sophie Moiese Room

Questions about sanitation, though.

0:36:24.160 --> 0:36:26.760

Sophie Moiese Room

Or maybe I mean, what was Kyle referencing?

0:36:29.500 --> 0:36:33.280

Sophie Moiese Room

Umm yeah, so I have the the comments on the screen.

0:36:33.790 --> 0:36:45.900

Sophie Moiese Room

Umm, looking over it now I'm also a little bit unsure because there already are existing septic systems on the property, so I think.

0:36:47.890 --> 0:36:57.270

Sophie Moiese Room

I'm not sure what they would have to have reviewed by the state here because they're not putting in any new sanitary facilities.

0:36:57.860 --> 0:36:58.590

Sophie Moiese Room

John Hart?

0:36:58.640 --> 0:36:59.90

Sophie Moiese Room

Yeah, I'm.

0:36:59.100 --> 0:37:12.430

Sophie Moiese Room

I'm just guessing that because this is the standard comment that Missoula Public Health provides, it probably wasn't clear to Kyle that the the properties already developed.

0:37:12.780 --> 0:37:15.630

Sophie Moiese Room

There's not going to be additional development. OK.

0:37:15.640 --> 0:37:21.670

Sophie Moiese Room

You know there isn't going to be like, a a new tract that is undeveloped and and somebody's gonna build a home.

0:37:21.680 --> 0:37:32.860

Sophie Moiese Room

And of course, then, before they could build at home, they would have to go through sanitation review and and and make sure that it's appropriate for waste water system.

0:37:32.870 --> 0:37:40.310

Sophie Moiese Room

And so I think he's just suggesting that if there's going to be additional development, there would be need to be a review.

0:37:40.320 --> 0:37:42.190

Sophie Moiese Room

But thank you, that's not applicable here.

0:37:43.380 --> 0:37:47.610

Sophie Moiese Room

I can add a little bit of history, so it was almost 20 years ago.

0:37:48.430 --> 0:37:56.0

Sophie Moiese Room

Umm, when we put our existing home in and at that time we went through what they called a subdivision for lease or rent.

0:37:56.210 --> 0:38:0.990

Sophie Moiese Room

And so I know we went through and there's documentation from all of that.

0:38:1.0 --> 0:38:5.900

Sophie Moiese Room

We had to go through sanitation and the schools and the fire department and our roads and all that stuff.

0:38:5.910 --> 0:38:10.760

Sophie Moiese Room

So and at that time, the existing Commissioners had to approve and sign off on it too.

0:38:10.770 --> 0:38:21.140

Sophie Moiese Room

So I know that there's actually and I still have copies of the health department review because we did put in and our own, you know, sewer system that had to be inspected and reviewed.

0:38:21.150 --> 0:38:22.440

Sophie Moiese Room

And the well and all that.

0:38:22.450 --> 0:38:26.920

Sophie Moiese Room

So maybe they just need, you know, to follow up.

0:38:26.930 --> 0:38:29.20

Sophie Moiese Room

But it was completed at that time.

0:38:29.390 --> 0:38:29.780

Sophie Moiese Room

Thank you.

0:38:29.790 --> 0:38:31.80

Sophie Moiese Room

And that was Denise Elliott.

0:38:31.230 --> 0:38:35.280

Sophie Moiese Room

For the record, uh, OK, I think I'm clear now.

0:38:35.290 --> 0:38:43.140

Sophie Moiese Room

So the the the outstanding issue is only with the garage that doesn't have this electrical finish, but you guys are taking care of that.

0:38:44.360 --> 0:38:48.140

Sophie Moiese Room

Yeah, Zach, is there more than more than that, or is it?

0:38:48.240 --> 0:38:48.760

Sophie Moiese Room

That's it.

0:38:50.240 --> 0:38:51.750

Sophie Moiese Room

I believe that is everything.

0:38:51.760 --> 0:38:55.130

Sophie Moiese Room

John Hart, I anticipated that this question might come up.

0:38:55.140 --> 0:38:58.220

Sophie Moiese Room

So I talked with Rita Hagler at the building codes division.

0:38:58.230 --> 0:38:59.910

Sophie Moiese Room

She's one of the managing employees there.

0:38:59.920 --> 0:39:13.680

Sophie Moiese Room

I talked to her this morning and it's exactly as as the Elliotts have stated its there was a permit that was issued to a builder and it was clearly building.

0:39:13.690 --> 0:39:16.500

Sophie Moiese Room

And that's just never been inspected.

0:39:16.510 --> 0:39:18.310

Sophie Moiese Room

And so it expired.

0:39:18.320 --> 0:39:25.640

Sophie Moiese Room

And they they do need to just follow up and and find out what, if anything, they should do from here.

0:39:25.790 --> 0:39:26.150

Sophie Moiese Room

OK.

0:39:26.160 --> 0:39:26.530

Sophie Moiese Room

Thank you.

0:39:28.530 --> 0:39:29.360

Sophie Moiese Room

Anything else?

0:39:29.470 --> 0:39:30.340

Sophie Moiese Room

No, thank you.

0:39:30.750 --> 0:39:33.770

Sophie Moiese Room

Zach, could you bring up the motion again, please?

0:39:35.780 --> 0:39:36.370

Sophie Moiese Room

There it is.

0:39:36.720 --> 0:39:46.170

Sophie Moiese Room

I move to approve the request by Janet Elliott to utilize the family transfer exemption to create and transfer one parcel as presented in the subdivision exemption affidavit.

0:39:47.130 --> 0:39:56.340

Sophie Moiese Room

2nd that any further discussion I'll just say please do follow up with our building division and get that building permit thing taken care of.

0:39:56.350 --> 0:40:1.560

Sophie Moiese Room

And other than that, see no additional comment or discussion.

0:40:1.570 --> 0:40:2.150

Sophie Moiese Room

All in favor?

0:40:2.420 --> 0:40:3.310

Sophie Moiese Room

Aye, aye.

0:40:3.720 --> 0:40:5.190

Sophie Moiese Room

OK, good luck with your project.

0:40:11.780 --> 0:40:17.690

Sophie Moiese Room

Last but not least, Jenny Dixon bringing us a staff report for the colaris.

0:40:17.700 --> 0:40:20.280

Sophie Moiese Room

I'm maybe mispronouncing that Clara's family transfer.

0:40:21.650 --> 0:40:22.940

Jennie Dixon

Yes, thank you.

0:40:23.290 --> 0:40:26.850

Jennie Dixon

Can you hear me OK and see the screen for the slideshow? Perfect.

0:40:27.150 --> 0:40:27.480

Sophie Moiese Room

Yes.

0:40:28.590 --> 0:40:39.600

Jennie Dixon

OK, this is also a family transfer exemption request presented by Tom Kalaris and let's see here.

0:40:39.610 --> 0:40:40.280

Jennie Dixon

Why is that not?

0:40:43.40 --> 0:40:52.90

Jennie Dixon

The location is quite close to the subdivision that you just heard S about a mile South of Mullen Rd down Cody Lane and over to council.

0:40:52.100 --> 0:40:56.200

Jennie Dixon

Way the address is 1250 Council way.

0:40:59.810 --> 0:41:0.10

Jennie Dixon

Yeah.

0:41:1.470 --> 0:41:1.890

Jennie Dixon

Umm.

0:41:3.770 --> 0:41:5.550

Jennie Dixon

The property is 2 acres.

0:41:7.100 --> 0:41:12.230

Jennie Dixon

It is currently the location of a single dwelling for Tom Kalaris.

0:41:12.930 --> 0:41:26.790

Jennie Dixon

He proposes to transfer one tract to his adult son, Gregory, on the South side of this tract, and the other, the remaining home will stay in his ownership.

0:41:26.800 --> 0:41:27.790

Jennie Dixon

And he will live there.

0:41:28.270 --> 0:41:40.990

Jennie Dixon

The property, as you can see, accesses onto Council drive council way and each the current lot, as well as the new lot, will be served by individual wells and city sewer.

0:41:42.760 --> 0:41:48.890

Jennie Dixon

The property is zoned RS1, so at 2 acres just a little over 2 acres.

0:41:49.300 --> 0:42:1.380

Jennie Dixon

The proposal to divide this tracked into 21 acre tracks complies with that zoning, but a more detailed zoning review will happen at time of permit for the new home.

0:42:3.40 --> 0:42:47.220

Jennie Dixon

The property has some hillside slope associated with it, which is a drop off uh to the to the floodplain area, and it's over 25% slope, but another lot 1 acre in size can be created as proposed and shown here, where there is enough room for building site and parking and and all everything else typically found with single dwelling on the western side of this property off that hillside and zoning review at time of building permit will ensure that nothing is placed on that slope in review of the evasion criteria and rebuttable presumptions we did not find.

0:42:47.490 --> 0:42:50.480

Jennie Dixon

That this was an attempt to evade subdivision.

0:42:50.490 --> 0:42:55.710

Jennie Dixon

And so we are recommending approval of this family transfer request.

0:42:57.970 --> 0:43:7.850

Jennie Dixon

I'm sorry I can't be there in person today, but if Mr Colaris is in the room, maybe he could come up to the podium and I could ask him the usual questions.

0:43:9.190 --> 0:43:11.50

Sophie Moiese Room

Mr Claris, come on up to the microphone.

0:43:13.690 --> 0:43:14.290

Sophie Moiese Room

Say my name.

0:43:14.300 --> 0:43:15.220

Sophie Moiese Room

Tom kalaris?

0:43:15.330 --> 0:43:15.740

Sophie Moiese Room

Yes.

0:43:15.750 --> 0:43:17.240

Sophie Moiese Room

And is your microphone on?

0:43:17.250 --> 0:43:18.640

Sophie Moiese Room

Is it green? Light?

0:43:18.650 --> 0:43:19.200

Sophie Moiese Room

OK.

0:43:19.270 --> 0:43:20.150

Sophie Moiese Room

I guess you are on.

0:43:22.590 --> 0:43:22.920

Sophie Moiese Room

All right.

0:43:22.930 --> 0:43:23.410

Sophie Moiese Room

Proceed, Jenny.

0:43:22.690 --> 0:43:23.440

Jennie Dixon

Create.

0:43:23.870 --> 0:43:24.360

Jennie Dixon

Yes.

0:43:24.370 --> 0:43:26.730

Jennie Dixon

Thank you, Tom.

0:43:26.740 --> 0:43:27.810

Jennie Dixon

Thanks for being here.

0:43:27.820 --> 0:43:37.450

Jennie Dixon

And as you heard in the prior family transfer request, these are questions we ask every applicant just to ensure that there's no attempt to evade subdivision.

0:43:37.640 --> 0:43:39.300

Jennie Dixon

So I'll just start with the first one.

0:43:39.310 --> 0:43:42.240

Jennie Dixon

Did you buy the property with the intent of dividing it?

0:43:42.880 --> 0:43:43.460

Sophie Moiese Room

No, I did not.

0:43:45.690 --> 0:43:51.980

Jennie Dixon

And given that Mister Claris has resided there for quite some time, that, that, that is our finding as well.

0:43:52.370 --> 0:43:56.980

Jennie Dixon

Do you or your transferees and tend to transfer the property within the next the next year?

0:43:57.910 --> 0:43:58.90

Sophie Moiese Room

No.

0:43:59.680 --> 0:44:0.250

Jennie Dixon

Thank you.

0:44:0.260 --> 0:44:6.910

Jennie Dixon

And so be aware, actually the family transfer tract cannot be transferred for at least two years.

0:44:8.570 --> 0:44:9.980

Sophie Moiese Room

I could see I didn't see that.

0:44:8.780 --> 0:44:10.910

Jennie Dixon

But that does, yeah.

0:44:9.990 --> 0:44:12.460

Sophie Moiese Room

Yeah, I saw that in the documentation.

0:44:12.530 --> 0:44:16.640

Sophie Moiese Room

Maybe move that microphone up closer to your mouth can.

0:44:17.80 --> 0:44:17.740

Sophie Moiese Room

There we go.

0:44:17.850 --> 0:44:18.220

Sophie Moiese Room

Better.

0:44:18.690 --> 0:44:20.430

Sophie Moiese Room

Yeah, you can bend the top of it.

0:44:21.920 --> 0:44:22.630

Sophie Moiese Room

There we go.

0:44:22.680 --> 0:44:22.980

Sophie Moiese Room

Try that.

0:44:24.870 --> 0:44:25.260

Sophie Moiese Room

Great.

0:44:25.270 --> 0:44:27.770

Sophie Moiese Room

It wasn't picking up on the closed captions, sorry.

0:44:29.400 --> 0:44:34.30

Jennie Dixon

Uh, third question, have you talked to anyone at the county about going through subdivision review on this property?

0:44:35.220 --> 0:44:35.480

Sophie Moiese Room

No.

0:44:36.980 --> 0:44:40.950

Jennie Dixon

Will the property be developed, meaning the family transfer tract to your son?

0:44:42.120 --> 0:44:45.530

Sophie Moiese Room

Uh, the plan is for my son to build and live in a house there.

0:44:45.580 --> 0:44:47.530

Sophie Moiese Room

So is that development? Yes.

0:44:47.910 --> 0:44:49.160

Jennie Dixon

Yes, yes.

0:44:49.700 --> 0:44:52.850

Jennie Dixon

And you sort of have already answered the last question.

0:44:52.860 --> 0:44:57.650

Jennie Dixon

Now does the family transfer recipient of the intend to reside on the property?

0:44:58.710 --> 0:45:0.220

Sophie Moiese Room

Yes, that's the plan right now.

0:45:0.290 --> 0:45:0.720

Jennie Dixon

OK.

0:45:1.70 --> 0:45:2.320

Jennie Dixon

Thank you, Mr Claris.

0:45:2.370 --> 0:45:2.610

Jennie Dixon

Sure.

0:45:2.620 --> 0:45:3.410

Jennie Dixon

Appreciate it.

0:45:4.390 --> 0:45:5.580

Jennie Dixon

And you are actually.

0:45:5.590 --> 0:45:7.250

Jennie Dixon

I'm done with my presentation.

0:45:7.260 --> 0:45:16.30

Jennie Dixon

I do have a motion for the Commissioners recommended motion, but Mr Clarence, you can stay at the podium if you have anything additional you want to add.

0:45:18.260 --> 0:45:18.620

Sophie Moiese Room

Mr.

0:45:18.630 --> 0:45:20.30

Sophie Moiese Room

Clark, is anything else you'd like to add?

0:45:21.510 --> 0:45:22.760

Sophie Moiese Room

No, not specifically.

0:45:22.770 --> 0:45:26.260

Sophie Moiese Room

If anyone has any questions, I'd be happy to answer the best I could.

0:45:26.630 --> 0:45:27.360

Sophie Moiese Room

OK.

0:45:27.450 --> 0:45:28.360

Sophie Moiese Room

Do you have any questions?

0:45:28.790 --> 0:45:42.130

Sophie Moiese Room

Clarification I've I've never been out there, but that from the aerial photo that cut the Jenny referenced is that from a is the river cutting into or is your son going to experience an erosion on his property into the future?

0:45:44.20 --> 0:45:51.510

Sophie Moiese Room

It's a bluff that overlooks the the floodplain by the river, and I know there's no the the rivers are are.

0:45:53.890 --> 0:45:54.450

Sophie Moiese Room

We're not too.

0:45:54.490 --> 0:45:55.40

Sophie Moiese Room

We're.

0:45:55.490 --> 0:46:3.140

Sophie Moiese Room

I'm not too far from where Grant Creek also comes down and I think at one time Grant Creek might have flowed closer to my property than it does now.

0:46:3.270 --> 0:46:12.410

Sophie Moiese Room

Right now it it it follows the more parallel to the road to the fishing access down there, so there's no stream below me.

0:46:13.160 --> 0:46:17.740

Sophie Moiese Room

It is a floodplain down there, though, and when we've had the bad floods it.

0:46:19.530 --> 0:46:22.740

Sophie Moiese Room

Water's not on my property, but water is on the floodplain down there.

0:46:22.780 --> 0:46:23.160

Sophie Moiese Room

Yeah.

0:46:23.490 --> 0:46:23.980

Sophie Moiese Room

Yeah.

0:46:24.30 --> 0:46:24.420

Sophie Moiese Room

OK.

0:46:24.430 --> 0:46:25.0

Sophie Moiese Room

Thanks, Jenny.

0:46:26.340 --> 0:46:26.920

Jennie Dixon

Mm-hmm.

0:46:27.260 --> 0:46:27.660

Jennie Dixon

You bet.

0:46:25.10 --> 0:46:32.130

Sophie Moiese Room

That's that's what I needed to see is that bigger picture and that just didn't know how active or unstable the slope was.

0:46:32.650 --> 0:46:34.600

Jennie Dixon

Right now it's a large area.

0:46:35.940 --> 0:46:36.220

Sophie Moiese Room

OK.

0:46:37.400 --> 0:46:38.410

Sophie Moiese Room

Thank you.

0:46:38.270 --> 0:46:38.690

Jennie Dixon

You bet.

0:46:38.460 --> 0:46:38.860

Sophie Moiese Room

Thank you.

0:46:40.250 --> 0:46:42.510

Sophie Moiese Room

Is there anyone online who would like to comment?

0:46:46.280 --> 0:46:47.390

Sophie Moiese Room

OK.

0:46:47.400 --> 0:46:55.140

Sophie Moiese Room

See none and the audience has dwindled here in the Sophie Moiese room to 0, so there will be no public comment in the room.

0:46:56.350 --> 0:47:3.980

Sophie Moiese Room

So I guess that concludes the item, unless there's any other questions, we're ready for a motion.

0:47:4.290 --> 0:47:22.240

Sophie Moiese Room

I moved that the request by Thomas Claris be approved to utilize a family transfer exception to create and transfer and minimum one acre track to his son, Gregory Claris on property located at 12:50 Council Way legally described as parcel J1 Certificate of Survey 3781 as presented in the exemption application and affidavit.

0:47:22.450 --> 0:47:25.460

Sophie Moiese Room

Second, any further discussion seeing none?

0:47:25.470 --> 0:47:26.590

Sophie Moiese Room

All in favor I?

0:47:28.410 --> 0:47:29.300

Jennie Dixon

Hey, thank you.

0:47:28.870 --> 0:47:30.220

Sophie Moiese Room

Thanks for coming in, Mr Claris.

0:47:30.230 --> 0:47:30.830

Sophie Moiese Room

Thanks Jenny.

0:47:31.310 --> 0:47:31.700

Jennie Dixon

Mm-hmm.

0:47:32.350 --> 0:47:37.360

Sophie Moiese Room

There is no other business to come before the Commission today, so we will be adjourned.

0:47:37.530 --> 0:47:38.480

Sophie Moiese Room

Thanks everyone, Jenny.

0:47:39.300 --> 0:47:39.770

Jennie Dixon

Umm.