

Attachment A

Staff Analysis and Recommendation

County Planning, County Public Works, and County Legal staffs have reviewed this request for a variance from Section 4.14.C.2 of the Yellowstone County Subdivision Regulations and are recommending approval.

The proposed subdivision is within ½ road mile from an existing 20,000-gallon dry hydrant system in the Brey Subdivision to the north. Major subdivisions are required to install a 30,000-gallon dry hydrant system, the existing tank in Brey Subdivision is a 20,000-gallon system, it does not meet the current size requirement for major subdivisions. This is the reason for the variance. Laurel Fire Department has stated that they will be able to utilize this existing system for the 2nd Filing of Lipp Subdivision. In the future when Lipp continues to develop and proposes it's next filing they will be required to install a 30,000-gallon dry hydrant system within the Lipp Subdivision. In the SIA under **IV Emergency Service** the applicant has included a sentence that states: Future filings of Lipp Subdivision will be subject to the Yellowstone County Subdivision Regulations in Place at that time.

Staff is recommending approval of the proposed variance, and recommends that the Planning Board recommend approval to the Board of County Commissioners.

Yellowstone County Subdivision Regulations:

Section 4.14.C.2 **Major, Commercial, and Subsequent Minor Subdivisions.** The subdivider shall provide a minimum of one of the following mechanisms for fire suppression:

1. A pressurized fire hydrant system meeting the flow requirements of the applicable Fire Code and NFPA 1142.
2. An approved, single, minimum thirty thousand (30,000) gallon underground water storage tank with approved dry hydrant type fittings located not more than one-half (1/2) road mile from the furthest structure in the subdivision. If an approved existing underground water storage tank is located within one-half (1/2) road mile from the furthest structure of the proposed subdivision, it may be used to meet this requirement. In either case, the dry hydrant shall be constructed to the standards set forth by this Section.

Alternative methods shall be reviewed by the fire department having jurisdiction with recommendations for approval made to the Board of County Commissioners.



PRELIMINARY SUBDIVISION VARIANCE APPLICATION

SECTION 11.1 VARIANCE (76-3-506), MCA

PLANNING DIVISION

2825 3RD AVENUE NORTH, 4TH FLOOR
BILLINGS, MONTANA 59101

PHONE: (406)247-8676 FAX: (406) 657-8327

PROJECT#

PROPERTY INFORMATION							
Primary Parcel/Legal Description (C/S, Subdivision, Lot, Block)					Property Tax ID		
S10, T01 S, R24 E, N2NE (95) (80 Acres)					D00081		
General Location		S 88 th St W + LIPP ROAD					
CLASSIFICATION: (CHECK ONE)							
<input type="checkbox"/>	City Major (6 or more lots)	<input type="checkbox"/>	City Minor (5 lots or fewer)	<input type="checkbox"/>	City Subsequent Minor (Reviewed as aa minor)	<input type="checkbox"/>	City Expedited
<input checked="" type="checkbox"/>	County Major (6 or more lots)	<input type="checkbox"/>	County Minor (5 lots or fewer)	<input type="checkbox"/>	County Subsequent Minor (Reviewed as a major)	<input type="checkbox"/>	County Expedited
ATTRIBUTES							
Gross Area (Sq. Ft)	3290,914.44 SF	Gross Area (Acres)	75.549 Acres	Number of Lot(s)	10		
Lot Size Maximum (Square Feet)	1,824,075 SF	Lot Size Minimum (Square Feet)	91,332 SF				
APPLICANT/SURVEYOR INFORMATION							
PROPERTY OWNER Jerry L Brey							
E-mail Address	jerrybreydc@hotmail.com	Mobile Phone	406-460-6983	Home Phone			
Mailing Address 1921 Chickadee Circle							
City	Billings	State Abbreviation	MT	ZIP Code	59105		
AGENT/SURVEYOR BLUELINE ENGINEERING							
E-mail Address	mphil@blueline-eng.com	Mobile Phone	860-4667	Business Phone	294-2294		
Mailing Address 2110 OVERLAND AVE SUITE 119 B							
City	Billings	State Abbreviation	MT	ZIP Code	59102		

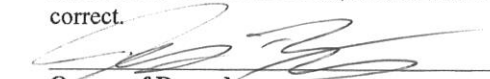
Variance(s) Requested

List and Attach Variance Request application and Variance Request criteria answers per Chapter 11. 1.A.1-5. Each requested variance shall be deemed a separate application, to be process concurrently with the preliminary plat. **A filing fee must accompany all applications for variances.**

Section 4.14, C, 2

Facts of Hardship: Provide a separate written statement describing the facts of hardship upon which the request for variance is based.

I declare that I am the owner of record of the above-described property, and have examined all statements and information contained herein, and all attached exhibits, and to the best of my knowledge and belief, is true and correct.


Owner of Record

6/6/16
Date

Owner Under Contract

Date

June 6, 2016

Planning Division,

We are requesting a variance from the conditions of Section 4.14, C, 2 of the Yellowstone County Subdivision Regulations. The answers below correspond to the five findings in the Variance Application:

1. An existing 20,000-gallon tank is located north in Brey Subdivision within ½ mile road distance to all lots within the subdivision.
2. The shape of this subdivision keeps all parcels within ½ mile road distance. Future filings will build additional storage.
3. The variance will have no tax burden increase that will result, as fire protection tanks currently exist.
4. The conditions in the SIA provide for additional tanks in the future as required in the Yellowstone County Subdivision Regulations.
5. The Laurel Fire Department and the County Attorney have approved this plan.

If you have any questions, please feel free to contact me.

Sincerely,



Marshall Phil



CITY HALL
115 West 1st Street
Public Works: 628-4796
FAX: 628-2241
Water Office: 628-7431

City Of Laurel
P. O. Box 10
Laurel, Montana 59044



June 2, 2016

Mr. Dave Green
Yellowstone County Planning Department.
Billings Mt. 59101

Re: Dry Hydrant

Dear Mr. Dave Green

We are going to allow a variance from the requirement of a 30,000 gallon tank at this time. The 20,000 gallon tank in Brey Subdivision will be adequate for this filing of Lipp Sub.

Further subdivision development of Lipp Sub will require an additional dry hydrant tank that complies with the regulation in place at that time.

Please let me know if you have any questions.

Sincerely,

Jason Showar

Fire Marshal/ Chief Building & Fire Official

City of Laurel is an EEO Employer
Equal Housing Opportunity