



## County Planning & Zoning Commission

### AGENDA

**Tuesday, October 7, 2025, 11:00 am**

**3rd Floor County Commissioners Room 3108  
316 N 26th, Billings, Montana**

#### NOTICE TO THE PUBLIC

Citizens are invited to:

• Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>  
Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to the Board via email before 12:00 pm on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division PO Box 1178, Billings MT 59103
  - Email: [bernsb@billingsmt.gov](mailto:bernsb@billingsmt.gov)
- NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

**Call the meeting to order.**

**Introduction of the County Planning and Zoning Commission members and Planning Department Staff.**

**Public Comment**

**Approval of Minutes: June 10, 2024**

**Disclosure of any Conflict of Interest-Members of the Commission and Staff**

**Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**

- a. The Ex parte Communication Binder is available at the Sign-In and Agenda Station.

**Regular Business:**

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

**Public Hearings:**

- a. **County Special Zoning District 14, Special Exception 1- Grandkids Way -Shooting and Archery range--**  
A Special Exception (also known as a Special Review) request to allow development of a Shooting and Archery range on S19, T02 S, R25 E, C.O.S. 3414, PARCEL 6A1, 540 acres of a 762.076 acre parcel of land.  
Presented by Karen Husman, Zoning Coordinator

**Other Business/Announcements**

**Adjournment**

The Yellowstone County Planning & Zoning Commission will hear all persons wishing to speak relative to the proposed variance. Testimony regarding the above-mentioned items may also be submitted in writing to the Planning Division, PO Box 1178 Billings MT 59103 or phone 406-247-8610. Additional information on any of these items is available at the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities.

NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

□  
**County Planning & Zoning Commission**

**Meeting Date:** 10/07/2025

**SUBJECT:**

**PRESENTED BY:** Brenda Berns

---

**REQUEST**

**Approval of Minutes: June 10, 2024**

**RECOMMENDATION**

**APPLICATION DATA**

**OWNER:**

**AGENT:**

**LEGAL DESCRIPTION:**

**ADDRESS:**

**CURRENT ZONING:**

**EXISTING LAND USE:**

**PROPOSED USE:**

**SIZE OF PARCEL:**

**CONCURRENT APPLICATIONS**

**APPLICABLE ZONING HISTORY**

**SURROUNDING LAND USE & ZONING**

**NORTH:**

**Zoning:**  
**Land Use:**

**SOUTH:**

**Zoning:**  
**Land Use:**

**EAST:**

**Zoning:**  
**Land Use:**

**WEST:**

**Zoning:**  
**Land Use:**

**BACKGROUND**

**RECOMMENDATION**

Staff recommends

---

**Attachments**

Minutes of June 10, 2024

---



**Planning and Zoning Commission  
Minutes for the Meeting of June 10, 2024**

**The Planning and Zoning Commission met on June 10, 2024 at 12:30 PM in Room 3107, 3<sup>rd</sup> Floor of the Stillwater Building at 316 N 26<sup>th</sup> Street in Billings, Montana**

		01/03/2022	09/06/2022	06/10/2024	
John Ostlund, BOCC	Commissioner	1	1	1	
Donald W. Jones, BOCC	Commissioner	1			
Mark Morse, BOCC	Commissioner	1	1	1	
Jeff Martin, Clerk & Recorder	Commissioner	1	1	1	
Tim Miller, Yellowstone County PW	Commissioner	1	1	1	
Doug Clark	Commissioner	-	1	1	
Robert Adler	Commissioner	-	1	1	
Nicole Cromwell	Zoning Coordinator	-	1	1	
Wyeth Friday	Director, Planning and Community Services	-	-	1	
Anna Vickers	Planning Division Manager	-	-	1	
Brenda Berns	Planning Clerk	-	-	1	

**In Attendance:** Anna Vickers, Planning Division Manager; Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner; Tate Johnson, Planner; Brenda Berns, Planning Clerk; Carol Reimann.

**Call the Meeting to Order**

Commissioner Ostlund convened the Planning and Zoning Commission meeting at 12:30pm and called for introduction of the Planning and Zoning Commission members and Staff.

**Public Comment on Non-Agenda Items.** No public comment was received.

## **Approval of Minutes: September 6, 2022**

### **Motion**

It was moved and seconded to approve the minutes of September 6, 2022. Motion passed unanimously.

### **Public Hearing**

Commissioner Ostlund opened the public hearing. Ms. Cromwell explained the procedures for the hearing, stating that the Board would allow public comment and reviewed the process for staff presentations and Board action on each variance.

**County Zone Change 1 – SZD #17 – 5750 Pleasant Hollow Trail – Agriculture Residential to Residential 10** – a zone change request from **Agriculture Residential to Residential 10**, on Block 1, Lo 2 of Herlee Subdivision, a 20.2-acre parcel of land. Tax ID: C12317.

Special Zoning District 17 (SZD 17) was adopted in May 1994 for the Shepherd area. Special zoning districts are petition-based zone districts in the County, allowing landowners to request that the Board of County Commissioners establish land uses for a specific area of at least 40 acres.

Since adoption of the first district, the County has created 19 special zoning districts. Of these:

- Districts 1 through 11 were extinguished when annexed into the City of Billings and placed under municipal zoning.
- District 19 was repealed at the request of landowners, who determined that the district was no longer needed for their neighborhood west of Laurel.
- Currently, there are seven active special zoning districts, with one additional district (SZD 21) pending adoption of regulations.

SZD 17 includes three base zoning districts:

- Agriculture Residential (20 acres)
- Residential 10 (10 acres)
- Residential 5 (5 acres)

At the time of adoption, base zoning was generally determined by existing lot sizes. For example:

- Lots on the north side of Pleasant Hollow Trail, already platted at approximately 5 acres, were placed in the Residential 5 district.
- Larger tracts of approximately 20 acres, including the subject property and adjacent lots, were placed in the Agriculture Residential district.

In 2000, a landowner west of E.W. Tenny Road requested a zone change from Agriculture Residential to Residential 10 for 80 acres. The Planning and Zoning Commission allowed the request to be withdrawn without a recommendation. No further rezoning applications have been submitted in SZD 17.

### District Intent Statements

- Agriculture Residential: Protects and preserves agricultural land for limited agricultural functions and allows residential development on large tracts. It aims to limit incompatible uses, encourage agricultural pursuits, and address environmental concerns.
- Residential 10: Very similar to Agriculture Residential in purpose and standards, providing large-lot residential development with limited agricultural functions.
- Residential 5: Intended for low-density, single-family development on smaller lots.

The requirements for building heights, setbacks, and lot coverage are nearly identical between Agriculture Residential and Residential 10, while Residential 5 is distinctly different.

Based on the similarities between Agriculture Residential and Residential 10, and the development plan adopted with SZD 17 in 1994, staff finds that the proposed zone change is consistent with the district's intent.

Zone change criteria for special zoning districts differ from those applied within the County's 4.5-mile zoning jurisdiction around Billings (MCA 76-2-203). Petitioned zoning districts are authorized under MCA 76-2-104, which directs planning and zoning commissions to adopt development patterns to further the health, safety, and general welfare of county residents.

### Conclusion

Planning staff concludes that the proposed zone change:

- Advances the health, safety, and general welfare of residents in SZD 17, and
- Aligns with the adopted development pattern for the district.

### Recommendation

The Planning staff is recommending approval of the requested zone change based on the general conformance with the adopted development plan for Special Zoning District 17.

### Discussion

General discussion was held regarding the criteria used for recommendations, noting that the purpose and intent statements serve as the guiding framework for staff when making recommendations.

Commissioner Ostlund opened the public hearing and asked if there was anyone wishing to speak in favor or against the zone change

**Public Hearing:**

Lloyd Reimann, Shepherd; in opposition – Mr. Reimann stated that he has lived in the area for 27 years on a 20-acre parcel. He explained that his son is now working and looking for a house, and he would like to split off 10 acres to allow his son to build. He noted that the proposed house site would not be visible from the street.

Commissioner Ostlund asked what the proposed split would look like. Ms. Reimann explained that the division would occur between the house and the shop, with the house and garage remaining on one parcel and the shop included with the parcel intended for her son.

There were no further public comments. Commissioner Ostlund closed public hearing.

**Discussion**

There was discussion regarding whether a family transfer is permitted within a zoning district. It was suggested that the matter should be reviewed further, but it likely would not apply in this case. Clarification was provided that a parcel must be at least five acres and comply with any applicable zoning regulations.

**Motion**

It was moved and seconded to approve and follow the Planning Board's recommendations for Special Zoning District 17 – Zone Change #1. Motion passed unanimously.

**Other Business.** There was no further business.

**Announcements.** No announcements were made.

**Adjournment.** The meeting was adjourned 12:48p.m.

**County Planning & Zoning Commission**

a.

**Meeting Date:** 10/07/2025

**SUBJECT:** Special Zoning District 14, Special Exception 1- Grandkids Way - Shooting and Archery Range

**THROUGH:** Karen Husman

**PRESENTED BY:** Karen Husman

---

**REQUEST**

**County Special Zoning District 14, Special Exception 1- Grandkids Way -Shooting and Archery range--**

A Special Exception (also known as a Special Review) request to allow development of a Shooting and Archery range on S19, T02 S, R25 E, C.O.S. 3414, PARCEL 6A1, 540 acres of a 762.076 acre parcel of land.

Presented by Karen Husman, Zoning Coordinator

**RECOMMENDATION**

The Planning staff is recommending denial of the requested special exception based on the general conformance with the adopted development plan for Special Zoning District 14.

**APPLICATION DATA**

**OWNER:** (Contract Buyer) Scott Cusanek

**LEGAL DESCRIPTION:** S19, T02 S, R25 E, C.O.S. 3414, PARCEL 6A1

**ADDRESS:** Unassigned

**CURRENT ZONING:** Ag Under SZD 14

**EXISTING LAND USE:** Vacant Agricultural

**PROPOSED USE:** Gun & Archery Range

**SIZE OF PARCEL:** 540 acres of a 762.076 acre parcel of land.

**CONCURRENT APPLICATIONS**

None.

**APPLICABLE ZONING HISTORY**

This is the first request for a Special Exception in any Special Zoning District. There is no applicable zoning history, other than the creation of SZD 14 itself.

**SURROUNDING LAND USE & ZONING**

**NORTH:** Zoning: Agricultural (Ag-O)  
Land Use: Residential Single family/ Ag

**SOUTH:** Zoning: Agricultural (Ag-O)  
Land Use: Residential Single family/ Ag

**EAST:** Zoning: Agricultural (Ag-O)  
Land Use: Residential Single family/ Ag

**WEST:** Zoning: Agricultural (Ag-O)  
Land Use: Residential Single family/ Ag

**BACKGROUND**

Special Zoning District 14 (SZD 14) was adopted on August 2, 1977. All special zoning districts in the County are petition-initiated, allowing landowners to request that the Board of County Commissioners establish a district to regulate land uses within a defined area of at least 40 acres. Since adoption of this provision, the County has created 19 special zoning districts. Several have since been extinguished through annexation to the City of Billings, where municipal zoning was applied. In addition, Special Zoning District 19 was repealed at the request of landowners, who determined that the regulations were no longer necessary for their neighborhood west of Laurel. Special Zoning Districts 1 through 11 were dissolved through annexation. Currently, eight special zoning districts remain active.

SZD 14 includes four base zoning districts: Agricultural-Open Space (A-O), Residential Suburban (RS), Residential Mobile Home (RMH), and Public (P). At present, all parcels within SZD 14 are zoned Agricultural-Open Space (A-O).

The special exception process for special zoning districts differs from the review standards applied within the County's 4.5-mile zoning jurisdiction surrounding the City of Billings. Montana Code Annotated (MCA) §76-2-203 outlines criteria and guidelines for zoning regulations within the 4.5-mile jurisdiction. By contrast, petitioned county zoning districts, such as

SZD 14, are governed by MCA §76-2-104, which authorizes adoption of a development pattern for the physical and economic development of the district in order to further the health, safety, and general welfare of the community.

The applicant held a pre-application neighborhood meeting on August 27, 2025. Notices were mailed to all property owners within 300 feet of the site; however, no neighboring residents attended. For the public hearing, Planning staff mailed notices to surrounding property owners, published a legal advertisement, and posted the property with a Zoning Request sign. Staff received one written comment in opposition, submitted via email on September 19, 2025 (attached). No additional correspondence from surrounding property owners or the general public had been received as of the preparation of this report.

Planning staff finds that the proposed special exception is not consistent with the adopted development pattern for Special Zoning District 14 (SZD 14) and may adversely impact the health, safety, and general welfare of residents within the district. In addition, state requirements for gun and archery ranges may not adequately ensure appropriate safety measures in this context. The surrounding area is characterized by family ranches and homesteads with a significant presence of cattle and horses on neighboring properties. The introduction of a shooting and archery range in close proximity could pose risks to the safety of neighboring property owners and their livelihood activities.

### **SUMMARY**

The stated intent of the district is as follows:

***Per; Article I; Section 3. Purpose.***

The zoning regulations, classifications, and districts set forth herein are adopted in accordance with Title 16, Chapter 41 of the Revised Codes of Montana, 1947.

The development pattern adopted herein is established for the purpose of furthering the health, safety, and general welfare of the people of the county.

The development pattern, together with the accompanying maps, plats, charts, and descriptive matter, shall reflect the Planning and Zoning Commission's recommendations for the development of the districts. Within some districts it shall be lawful, and within others it shall be unlawful, to erect, construct, alter, or maintain certain buildings, or to carry on certain trades, industries, or occupations. The height and bulk of future buildings, the future uses of land or buildings, and the establishment of future building setback lines shall also be regulated.

No planning district or recommendation adopted under this Act shall regulate lands used for grazing, horticulture, agriculture, or for the growing of timber; provided, however, that existing nonconforming uses may be continued, although not in conformity with such zoning regulations.

The application is required under Special Zoning District 14, ***Article IV Table*** of allowed uses; Gun & Archery range- indoor and/or outdoor allowed in the Agricultural-Open Space zone with special exception approval.

### **Staff Finding:**

The proposed special exception is inconsistent with the adopted development pattern of Special Zoning District 14 and may negatively impact the health, safety, and general welfare of residents within the district. While state regulations establish certain standards for gun and archery ranges, they may not provide adequate safeguards in this location. The surrounding area is characterized by family ranches and homesteads, with a substantial presence of cattle and horses on neighboring properties. A shooting and archery range in close proximity to these agricultural and residential uses presents potential safety risks to both residents and their livelihoods.

### **RECOMMENDATION**

The Planning staff is recommending denial of the requested special exception based on the general conformance with the adopted development plan for Special Zoning District 14.

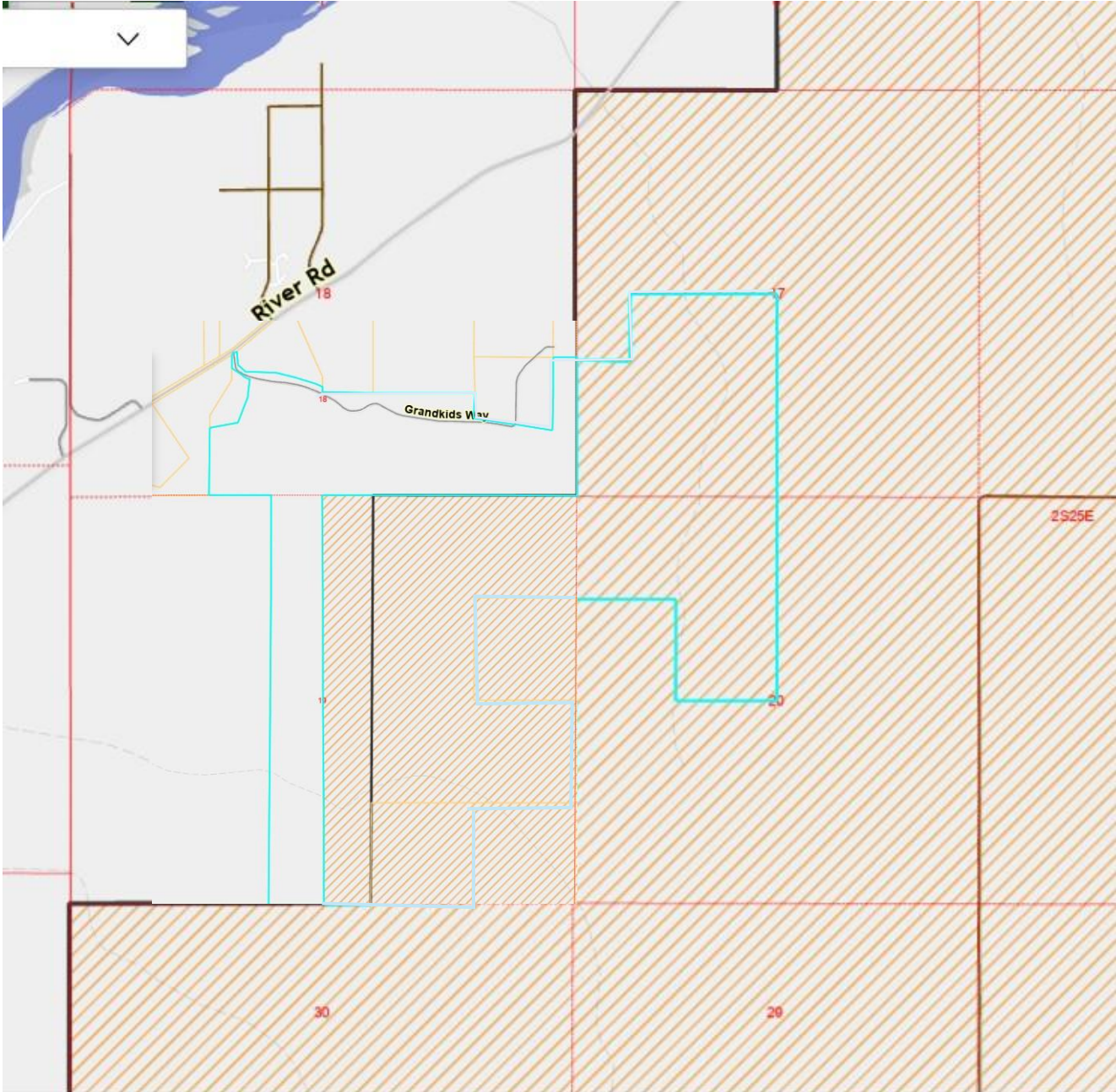
---

### **Attachments**

Zoning Map & Site Photos  
Application & Applicant Letter  
Site Plan  
Neighborhood Meeting Info.  
letter in opposition  
Response to Letter in Opposition

---

SZD 14 SE 1- Zoning Map & Site Photos







North on River Rd.



South on River Rd.



West

COUNTY APPLICATION FORM

COUNTY SPECIAL REVIEW

County Special Review # <sup>32D 14</sup> 1 - Project #

The undersigned as owner(s) of the following described property hereby request a Special Review as outlined in the Yellowstone County Zoning Regulations.

Present Zoning: Special Zoning District #14 (portion of the total purchase)

Proposed Special Review Use: Shooting-Archery Range

Property Tax ID # \_\_\_\_\_ COUNTY COMMISSIONER DISTRICT # 14

Legal Description of Property: SEE ATTACHED (Montana Cadastral Report)

Address or General Location (If unknown, contact County Public Works): \_\_\_\_\_

Property not assigned an address. South & SE of 3851 River Rd., Laurel MT

Size of Parcel (Area & Dimensions): SEE ATTACHED (Montana Cadastral Report)

Present Land-Use: Ag/Forest Land

Proposed Land-Use: Shooting-Archery Range

\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s) \_\_\_\_\_  
(Record Owner)

\_\_\_\_\_  
(Address)

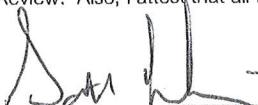
\_\_\_\_\_  
(Phone Number) (email)

Agent(s): Scott D. CusaneK (Contract Purchaser) \*  
(Name)

27656 North 74th Street, Scottsdale AZ 85266  
(Address)

(602) 478-6512 ScottCusaneK@ymail.com  
(Phone Number) (Email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Special Review. Also, I attest that all the information presented herein is factual and correct.

Signature:  - Contract signature PAGE INCLUDED Date: 08/29/2025  
(Record Owner - Digital Signature Allowed)

## 1. How is this request consistent with the goals and policies of the adopted Growth Policy?

Our proposal is rooted in a commitment to preserving the natural character of the site, enhancing regional recreation and tourism, and contributing to the local economy. The project has been thoughtfully designed to align with the goals and policies outlined in the Growth Policy.

### a. Land Use Element

- **Preservation of natural land:** A majority of the acreage will remain undeveloped, maintaining open viewsheds and native vegetation.
- **Low-impact development:** Structures on district #14 land will be sited to minimize disruption, using natural contours and existing access points. The only structures on district #14 land will be considered shade structures with a minimal footprint. All enclosed building will be outside of district #14 land.
- **Blended architectural style:** Structures will reflect a modern rustic aesthetic, using natural materials to harmonize with the landscape.
- **Compatible rural use:** The clubhouse and recreational facilities complement the agricultural character of the area, offering seasonal and event-based activation without intensive urbanization. Again, the clubhouse will not be built on district #14 land.

### b. Economic Development Element

- **Local vendor partnerships:** We will prioritize sourcing materials, apparel, and services from Billings-area businesses, supporting regional entrepreneurship.
- **Job creation:** The complex will generate employment in hospitality, recreation, retail, and maintenance.
- **Tourism and regional draw:** The facility will host tournaments and events, attracting visitors and enhancing Billings' profile as a destination for outdoor sports and upscale lodging.
- **Support for branded merchandise:** Our apparel and gear lines will reflect local heritage and craftsmanship, contributing to the city's creative economy.

- **Boost to hospitality and retail:** Tournaments, events, leagues, and training camps will increase foot traffic to nearby restaurants, hotels, and shops.

#### c. Aesthetics Element

- **Natural integration:** All signage and wayfinding will use subdued tones, natural materials, and low-profile designs to blend with the environment.
- **Landscaping with native species:** Plantings will reflect the local prairie and riparian ecosystems, requiring minimal irrigation and maintenance.
- **View preservation:** Building placement and height will be carefully managed to protect scenic vistas and maintain the rural character of the area.

#### d. Natural Resources Element

- **Wildlife stewardship:** Fencing will be minimal and wildlife-friendly, allowing deer, birds, and other native species to roam freely.
- **Stormwater and erosion control:** We will implement best practices for runoff management, soil stabilization, and fire-safe landscaping.
- **Sustainable materials:** Construction will prioritize locally sourced, durable, and environmentally responsible materials.
- **Conservation education:** We plan to partner with conservation groups to offer programming on habitat preservation, ethical hunting, and land stewardship.

#### e. Open Space & Recreation Element

- **Multi-use recreation:** The complex will offer archery, shooting sports, walking trails, and gathering spaces for families and guests.
- **Public access and programming:** We plan to host seasonal events, safety workshops, and youth programs that engage the broader community.

- **Trail connectivity:** Where feasible, we will explore integration with existing or future trail systems to promote walkability and outdoor activity.
- **Health and wellness benefits:** Archery and shooting promote strength, coordination, and mental clarity—offering a unique alternative to traditional fitness and stress relief.

**f. Transportation Element**

N/A

**g. Public Facilities & Services Element**

- **Efficient infrastructure use:** The site is adjacent to existing roadways and utilities, minimizing the need for costly extensions.
- **Emergency coordination:** We will work closely with local fire, police, and EMS to ensure safety protocols and access are in place.
- **Low service demand:** The facility's location coupled with seasonal and event-based nature will place minimal strain on public services.

**h. Cultural & Historic Resources Element**

- **Preservation of regional traditions:** Shooting sports and archery are deeply tied to Montana's frontier history and hunting culture. Our complex will celebrate these traditions in a safe, structured environment.
- **Intergenerational connection:** We envision grandparents teaching grandchildren to shoot a bow or sight a rifle—building bonds and keeping traditions alive.
- **Public art and storytelling:** Interpretive signage and installations will reflect the spirit of the land, wildlife, and community.
- **Respect for historic context:** The project will avoid disturbance of known cultural or historic sites and incorporate local narratives into guest experiences.

## **i. Community Health Element**

### **Education and Safety**

- **Responsible firearm use:** Certified instructors will lead safety training, hunter education, and ethical sport practices. This will be extended to the Montana FWP for hunter education and other statewide programs.
- **Archery:** The discipline of Archery teaches focus, patience, and body awareness—beneficial for all ages and skill levels.

### **Community Building**

- **Inclusive programming:** From youth leagues to veterans' events, the complex will serve diverse groups and foster camaraderie.
- **Event space potential:** We envision themed birthday parties, family tournaments, and corporate retreats with a rustic, upscale twist.

This project is designed not only to meet the technical requirements of the Growth Policy, but to embody its spirit—preserving the land, enriching the community, and celebrating the unique character of Billings. We welcome the opportunity to collaborate with city planners and stakeholders to ensure this development is a source of pride and benefit for generations to come.

## **2. Is this property of adequate size and in a compatible location to meet all of the district requirements such as landscaping and parking?**

Yes, the property is more than adequate and in a compatible location to meet all district requirements. This includes landscaping and parking. Our initial estimates require approximately 135 acres of the total 872 acres under contract. The property that requires this “Special Review” is 540 acres. The site offers more than ample acreage to accommodate:

- A clubhouse and shooting sports complex with generous setbacks
- Native landscaping using low-maintenance, regionally appropriate species
- A designated parking area sized to meet peak event needs, with overflow capacity and ADA compliance

The location is adjacent to existing roadways and utilities, minimizing infrastructure strain and supporting efficient access. The layout has been designed to preserve open space, maintain natural contours, and blend seamlessly into the surrounding agricultural landscape.

**3. Is this property compatible with nearby uses? Are there potential impacts that would require some type of mitigation?**

The proposed use is compatible with nearby agricultural and low-density rural uses. Shooting sports and archery are historically and culturally aligned with the region's outdoor heritage, and the complex will operate to minimize disruption.

Potential impacts—such as sound or traffic—will be mitigated through:

- Strategic placement of ranges away from property lines
- Natural buffers including tree lines and berms
- Limited hours of operation and event scheduling to avoid peak traffic times
- Coordination with local emergency services and traffic management as needed

The facility will maintain a quiet, respectful presence, with wildlife-friendly fencing and signage designed to blend into the environment.

**4. Will our requested use impede the normal improvement of surrounding property?**

- The clubhouse and shooting sports facilities will maintain generous setbacks, natural buffers, and low-density development to avoid encroachment or disruption.
- No infrastructure expansion or rezoning is required that would pressure neighboring landowners to change their use or subdivide.
- The property will retain open space and native landscaping, preserving viewsheds and minimizing visual or environmental impact.

We are committed to being respectful neighbors—engaging with adjacent landowners, listening to concerns, and incorporating feedback into our design and operations. Our goal is to create a quiet, well-managed facility that

complements the district's rural values and supports long-term land preservation.

ARTICLE IV DISTRICT REGULATIONS

LIST OF USES

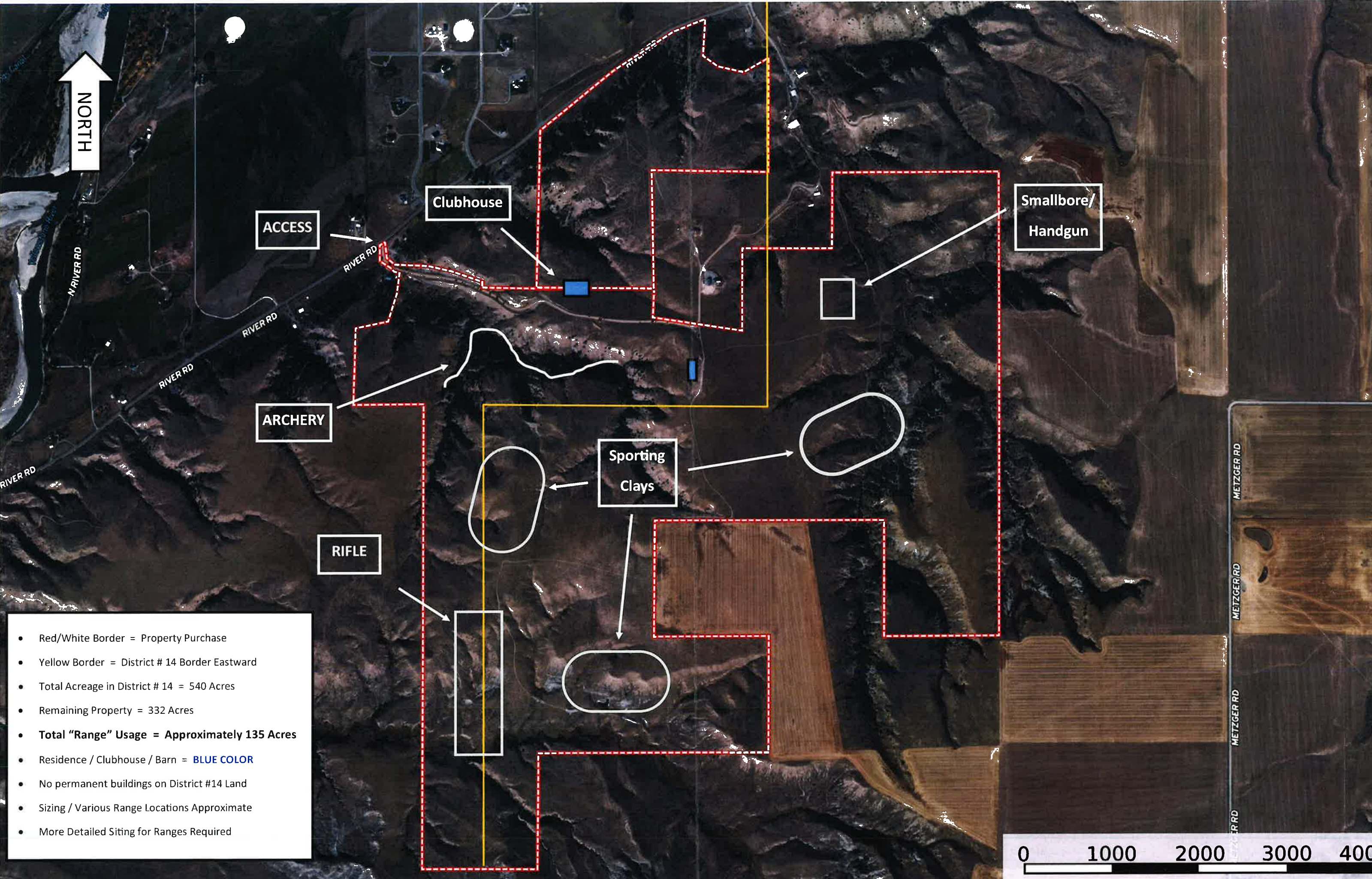
SE-SPECIAL EXCEPTION

A-ALLOWED

	A-O	RS	RMH	P
Accessory uses and structures incidental to and on the same lot as the principal use	A	A	A	A
Agricultural uses	A	A		
Animal hospitals - veterinary clinic	A			
Auction houses - for livestock sales yards only	A			
Blacksmith	A			
Cemetery	A	A	A	A
Churches, convents, monasteries and other places of worship	A	A	A	A
Commercial livestock feeding yard	A			
X Commercial recreation	SE			SE
Dwellings: A Single-family	A	A	A	A
B. Mobile homes			A	
Farm tenant house - mobile home	A			
Fire station or other emergency services customary accessory uses supported by Yellowstone Co. or a special district	A	A	A	A
Frozen food lockers	A			
Fur farm	A			
Grain Elevators	A			
Gravel Excavation	SE			
Guest house as an accessory building - not for permanent occupancy	A			
X Gun & archery range - indoor and/or outdoor	SE	SE		
Home occupation	A	A	A	A
Horticulture nurseries & commercial greenhouses	A	SE	SE	SE
Kennel - Commercial	A			
Landfill, reclamation, sanitary septic-tank disposal sites, and sanitary incinerators	SE			
Mobile home parks			A	
Parks and playgrounds, private	A	A	A	A
Parks and playgrounds, public	A	A	A	A

## **Site Plan Detail**

- A. North Arrow Included
- B. Currently access is via Grandkids Way which is located on County property and the easement is part of the overall 872 acre purchase.
- C. The attached diagram shows the lot lines of the 540 acre parcel that is up for a special exception as it falls in District #14. The total acreage for this sale is 872 acres combined. The requested use can only be successful with the total acreage.
- D. The initial design calls for two permanent buildings. 1) a clubhouse to service the shooting/archery range. This structure will include an owner's residence. 2) a barn / storage building for equipment and other inventory to be used in the operation of the business. Both structures will be on county property and are not in the District #14 area. Any structures on District #14 land will be items such as shade structures by each of the ranges.
- E. In review of setbacks, the plan is to meet or exceed all required setbacks.
- F. The road directly in front of the property is River Road, between 3851 & 4460 River Road.
- G. All buildings and range areas are very close to scale. The main clubhouse will have a footprint of approximately 4000 square ft. Parking needs will be calculated based on membership and estimated traffic. All traffic requirements will be met or exceeded. The barn / storage building is estimated to have about a 4000 square ft footprint as well. Again, these permanent buildings will be built on county land outside the confines of District #14.
- H. There are no adjacent streets for this property. (acreage in District #14)
- I. Proposed structures on the District #14 property for the purposes of shade will be a maximum of 12' high.
- J. Currently, we do not have a detailed landscaping plan of the area. Our goal is to keep as much of the property natural. Landscaping will come into play at the clubhouse, however, that area is not inside District #14.
- K. The plan is to work through the permitting process for a reasonably sized sign at the entrance to the property on River Road. At the time of this submission, we have not started that process.
- L. TBD



- Red/White Border = Property Purchase
- Yellow Border = District # 14 Border Eastward
- Total Acreage in District # 14 = 540 Acres
- Remaining Property = 332 Acres
- **Total "Range" Usage = Approximately 135 Acres**
- Residence / Clubhouse / Barn = **BLUE COLOR**
- No permanent buildings on District #14 Land
- Sizing / Various Range Locations Approximate
- More Detailed Siting for Ranges Required

0 1000 2000 3000 400

**YELLOWSTONE COUNTY**

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form on-line and any attachments along with a completed Special Review application form, including any required fees, for a special review to be processed by the Planning Division.

- 1. **Present Zoning:** Zoning District #14 (540 Ares - Total purchase 872 acres)
- 2. **Written description of the Special Review** including square footage of structures, total area of the site

SEE ATTACHED

- 3. **Subject Property Map:** please attach to this form
- 4. **Legal Description of Property:** SEE ATTACHED (Montana Cadastral Report)
- 5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
- 6. **A copy of the meeting notice.** please attach to this form
- 7. **A brief synopsis of the meeting results.** please attach to this form
- 8. **The undersigned affirm the following:**
  - a) The pre-application neighborhood meeting was held on the 22/23, day of August, 2025.
  - b) The special review application is based on materials presented at the meeting.

Owner (s): \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Agent (s): Scott D. Cusanek Telephone: (602) 478-6512

Address: 27656 North 74th Street Email: ScottCusanek@ymail.com

Scottsdale, AZ 85266

## **Pre-Application Meeting**

Letters sent to property owners identified by the County Planning Department. These names & addresses were then certified by the Clerk & Recorder of Yellowstone County.

- Letters sent on 08/13/2025
- Two meetings were scheduled as follows:
  - 08/22/2025 6pm Meeting Location: 3851 River Road, Laurel MT
  - 08/23/2025 11am Meeting Location: 3851 River Road, Laurel MT
- The intent was to meet at 3851 River Road, then drive up the hill to the property. We did not have any of the notified property owners show up for either meeting.

### Attachments:

- A. Letter used to invite adjacent property owners.
- B. Sign in sheet(s). (no attendees)
- C. Exhibit "A" from the purchase agreement (legal description of both parcels)
  - Subject property in District #14 is part of Parcel "B")

Dear Property Owner,

We hope this message finds you well. We're writing to introduce ourselves and share our vision for the property on Grandkids Way. As we move forward with the Yellowstone County process, we wanted to reach out personally—to invite your thoughts and begin this relationship as good neighbors.

Our goal for the property on Grandkids Way is to create a thoughtfully designed Sporting Club focused on the outdoor shooting sports, that honors the natural beauty of the land and contributes meaningfully to the local community. The property would comprise several shooting disciplines—designed with safety, sound mitigation, and environmental sensitivity in mind—as well as spaces for families, junior to master-level sportsman, and guests interested in learning about firearms safety and responsible recreation.

The design and layout would be a collaborative effort that includes the Montana FWP (Fish, Wildlife & Parks) and the NRA (National Rifle Association). In doing so, all enclosed buildings would be planned for the northern portions of the two parcels and outside of the area deemed Special Zoning District 14. Within the acreage deemed District 14, our intent is to create multi-disciplinary areas to promote the shooting sports coupled with outdoor education. Considering the layout of the current parcels, these areas would encompass both District 14 and Non-District 14 property.

We're committed to keeping the land wild and welcoming. That means:

- Preserving native vegetation and wildlife corridors
- Using natural materials and rustic-modern architecture that blends into the landscape
- Partnering with local suppliers for everything from building materials to guest toiletries and cleaning products
- Hiring local tradespeople, instructors, and hospitality staff to ensure the property reflects Montana values and craftsmanship

Beyond recreation, we envision the Sporting Club as a place for:

- Families to gather and explore the outdoors
- Youth and adult shooting education, with certified instructors and a strong focus on safety
- Company retreats and team-building experiences rooted in the outdoors

- Community events, workshops, and seasonal gatherings that celebrate local culture

As part of our purchase process, we'll be submitting a special review for the property located in District 14, to Yellowstone County for use as sporting grounds. Step one in this process is to host a meeting with neighboring property owners within 300 feet of the parcel boundaries under consideration. We'd love for you to join us:

- **Meet at the driveway entrance: 3851 River Road, Laurel, MT**
  - **Friday, August 22, 2025 at 6:00 PM**
  - **Saturday, August 23, 2025 at 11:00 AM**
  - ✓ **Once everyone has arrived, we'll move up the hill to discuss our plan.**

We understand schedules can be tight, so we're offering two meeting times to accommodate. If neither works for you, please don't hesitate to reach out—we're happy to connect by phone/email (below) or meet at a time that suits your schedule.

We know any changes to the landscape brings questions, and we want to be thoughtful, transparent, and collaborative from the start. Our hope is to build something that feels like it belongs—not just on the land, but in the community.

Thank you for considering our vision. We're excited about the possibility of becoming part of this special place, and we look forward to meeting you.

Warm regards, Scott & Sheri Cusanek

(602) 478-6512

[ScottCusanek@ymail.com](mailto:ScottCusanek@ymail.com)

Attachments:

- 1) Owner & legal description of the property within District #14
- 2) List of possible uses per district regulations
- 3) Map of property within District #14 including 300' border

## Pre-Application Meeting - Adjacent Property Owners

08/22/2025 - 6pm Meeting Place: 3851 River Road, Laurel MT

08/23/2025 - 11am Meeting Place: 3851 River Road, Laurel MT

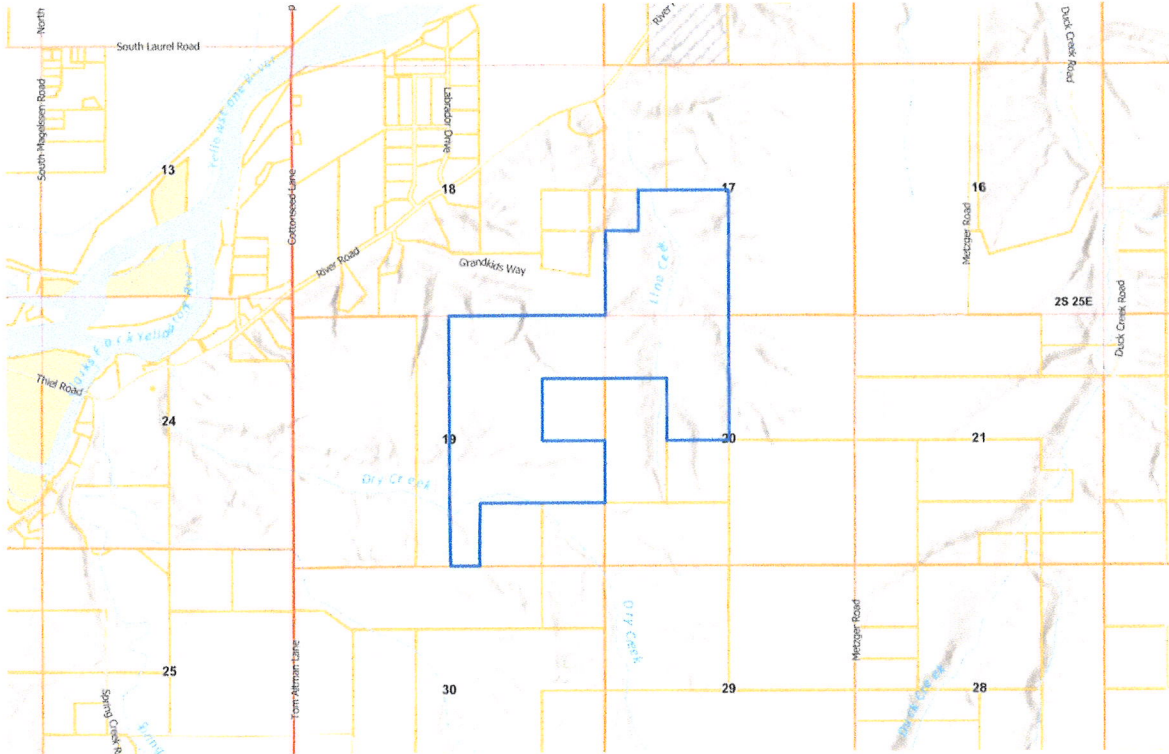
Full Name (Printed)

Signature

NO ATTENDEES FOR EITHER MEETING

Tax Year: 2025

Scale: 1:34536.68 Basemap: Cadastral Application Base Map



## Summary

### Primary Information

Property Category: RP	Subcategory: Agricultural and Timber Properties
Geocode: 03-0822-19-1-01-01-6001	Assessment Code: 000D031340
<b>Primary Owner:</b> JLM LAND LLC 4460 RIVER RD LAUREL, MT 59044-8883 Note: See Owners section for all owners	<b>Property Address:</b>
Certificate of Survey: 3414	Legal Description: S19, T02 S, R25 E, C.O.S. 3414, PARCEL 6A1, AMD TR 3-5, 6A, **MULTI-DISTRICT** 540 AC IN O7 & 222.076 AC IN O7L (17)
Last Modified: 7/17/2025 21:38:51 PM	

## Exhibit A.

The seller's full names are:

Parcel A- James L. McIntosh Revocable Trust.

Legal Description:

**Parcel A:**

**That part of Sections 17, 18, 19 and 20, Township 2 South, Range 25 East, of the Principal Montana Meridian, Yellowstone County, Montana, described as Tract 2, of Certificate of Survey No. 3414 , on file in the office of the Clerk and Recorder of said County, under Document No. 3527600**

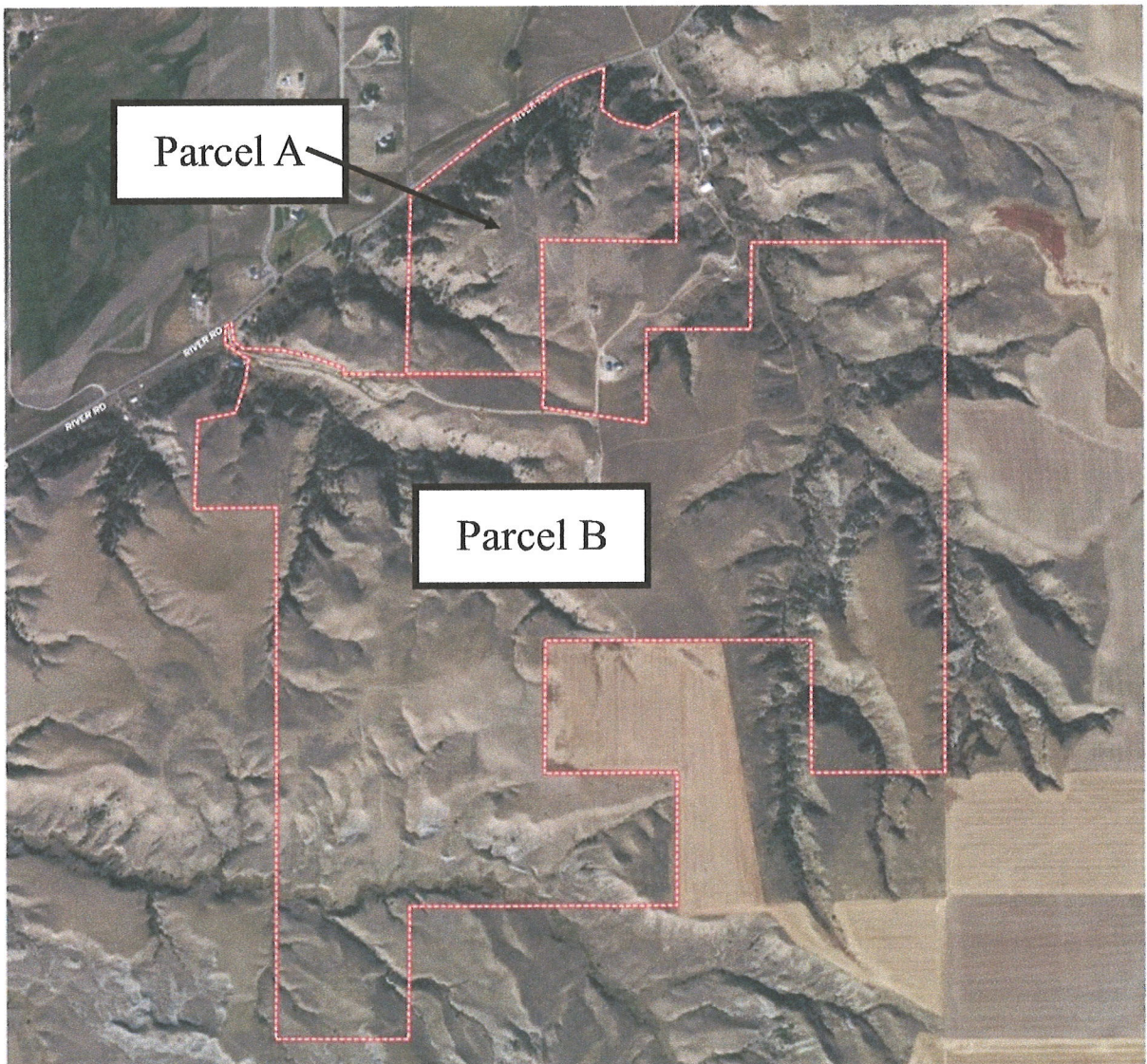
Parcel B- JLM Land, LLC

Legal Description:

**Parcel B:**

**That part of Sections 17, 18, 19 and 20, Township 2 South, Range 25 East, of the Principal Montana Meridian, Yellowstone County, Montana, described as Tract 6A-1, of Certificate of Survey No. 3414 Amended Tracts 3, 4, 5 and 6A, on file in the office of the Clerk and Recorder of said County, under Document No. 3800119.**

Seller's Initial's \_\_\_\_\_ Date \_\_\_\_\_ Buyer's Initial's \_\_\_\_\_, \_\_\_\_\_ Date \_\_\_\_\_



Total Purchase 872 Acres - Includes District #14 property

**ATTENTION County Planning:**

**Sending same notification to the planning department based on the process that outlines the neighborhood meeting I have requested. This process is pre-special review application due on September 2<sup>nd</sup>. ~ ~ Scott Cusanek (602) 478-6512**



Dear Property Owner,

We hope this message finds you well. We're writing to introduce ourselves and share our vision for the property on Grandkids Way. As we move forward with the Yellowstone County process, we wanted to reach out personally—to invite your thoughts and begin this relationship as good neighbors.

Our goal for the property on Grandkids Way is to create a thoughtfully designed Sporting Club focused on the outdoor shooting sports, that honors the natural beauty of the land and contributes meaningfully to the local community. The property would comprise several shooting disciplines—designed with safety, sound mitigation, and environmental sensitivity in mind—as well as spaces for families, junior to master-level sportsman, and guests interested in learning about firearms safety and responsible recreation.

The design and layout would be a collaborative effort that includes the Montana FWP (Fish, Wildlife & Parks) and the NRA (National Rifle Association). In doing so, all enclosed buildings would be planned for the northern portions of the two parcels and outside of the area deemed Special Zoning District 14. Within the acreage deemed District 14, our intent is to create multi-disciplinary areas to promote the shooting sports coupled with outdoor education. Considering the layout of the current parcels, these areas would encompass both District 14 and Non-District 14 property.

We're committed to keeping the land wild and welcoming. That means:

- Preserving native vegetation and wildlife corridors
- Using natural materials and rustic-modern architecture that blends into the landscape
- Partnering with local suppliers for everything from building materials to guest toiletries and cleaning products

- Hiring local tradespeople, instructors, and hospitality staff to ensure the property reflects Montana values and craftsmanship

Beyond recreation, we envision the Sporting Club as a place for:

- Families to gather and explore the outdoors
- Youth and adult shooting education, with certified instructors and a strong focus on safety
- Company retreats and team-building experiences rooted in the outdoors
- Community events, workshops, and seasonal gatherings that celebrate local culture

As part of our purchase process, we'll be submitting a special review for the property located in District 14, to Yellowstone County for use as sporting grounds. Step one in this process is to host a meeting with neighboring property owners within 300 feet of the parcel boundaries under consideration. We'd love for you to join us:

- **Meet at the driveway entrance: 3851 River Road, Laurel, MT**
  - **Friday, August 22, 2025 at 6:00 PM**
  - **Saturday, August 23, 2025 at 11:00 AM**
  - ✓ **Once everyone has arrived, we'll move up the hill to discuss our plan.**

We understand schedules can be tight, so we're offering two meeting times to accommodate. If neither works for you, please don't hesitate to reach out—we're happy to connect by phone/email (below) or meet at a time that suits your schedule.

We know any changes to the landscape brings questions, and we want to be thoughtful, transparent, and collaborative from the start. Our hope is to build something that feels like it belongs—not just on the land, but in the community.

Thank you for considering our vision. We're excited about the possibility of becoming part of this special place, and we look forward to meeting you.

Warm regards, Scott & Sheri Cusanek

(602) 478-6512

[ScottCusanek@ymail.com](mailto:ScottCusanek@ymail.com)

**Attachments:**

- 1) Owner & legal description of the property within District #14
- 2) List of possible uses per district regulations
- 3) Map of property within District #14 including 300' border

## Owner Information

Jim Land Llc  
4460 River, Laurel, MT, 59044-8883

## Land Information

45.64893, -108.66722

Total acres

**540**

Land sqft.

**23,522,400**

Assessed year

**2024**

Assessed property value

**\$27,835**

Land value

**\$27,835**

Land use type

**Agricultural (Nec)**

County

**Yellowstone**

Contact by mail

**Yes**

Parcel id

**03-0822-19-1-01-01-6001 (3082219101016001)**

## Parcel & Tax Information

**1970**

Tax code area

**\$395.72**

Tax amount

**2024**

Tax year

Account number

**D031340**

Legal description

**S19, T02 S, R25 E, C.O.S. 3414, Parcel 6 A1, Amd Tr 3 5, 6 A, \*\*Multi District\*\* 540 Ac In O7 & 222.076 Ac In O7 L (17)**

Total value calculated

**\$27,835**

## Building Information

**Agricultural**

Property Type

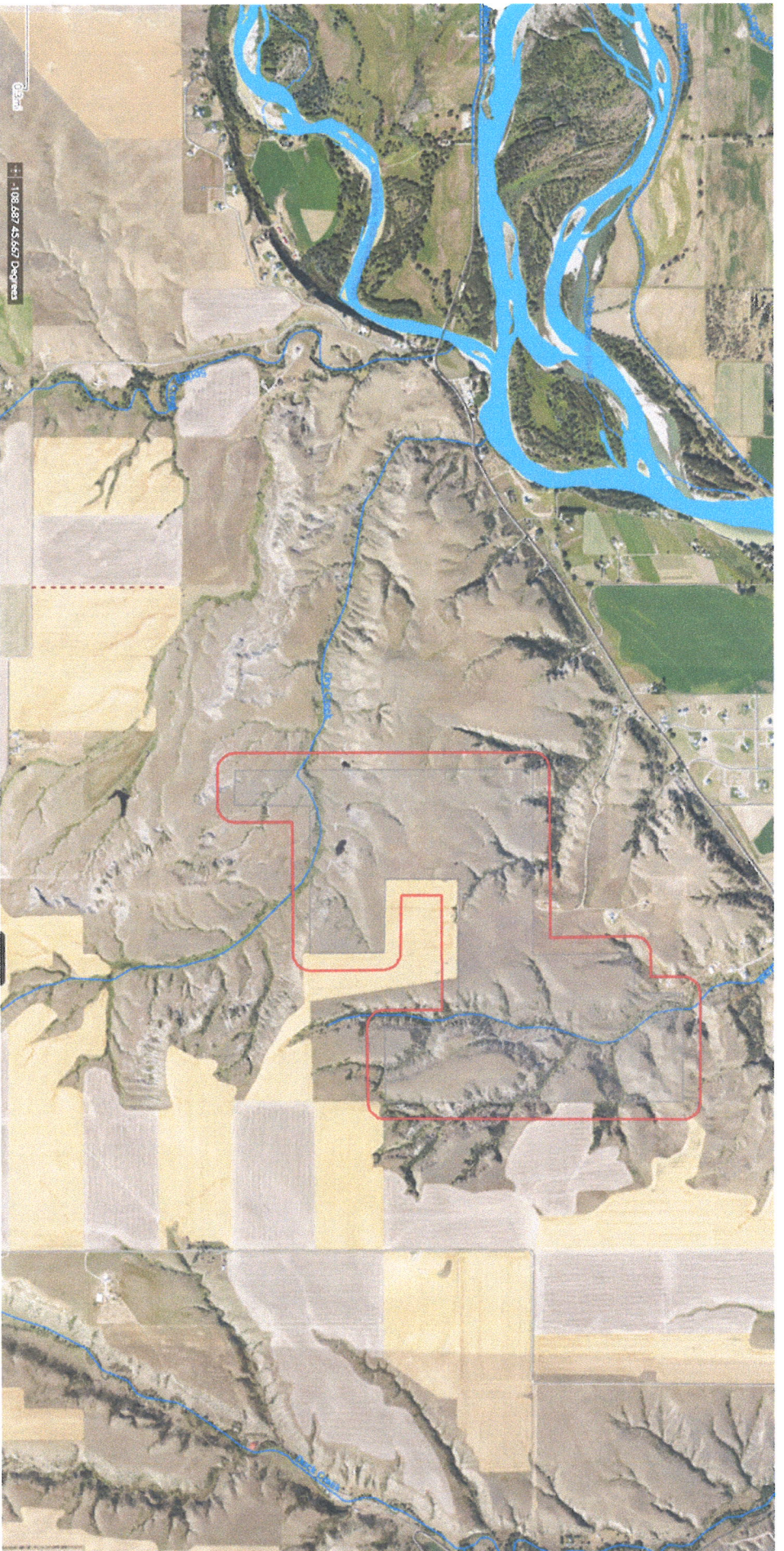
ARTICLE IV DISTRICT REGULATIONS

LIST OF USES

SE-SPECIAL EXCEPTION  
A-ALLOWED

A-O RS RMH P

	A-O	RS	RMH	P
Accessory uses and structures incidental to and on the same lot as the principal use	A	A	A	A
Agricultural uses	A	A		
Animal hospitals - veterinary clinic	A			
Auction houses - for livestock sales yards only	A			
Blacksmith	A			
Cemetery	A	A	A	A
Churches, convents, monasteries and other places of worship	A	A	A	A
Commercial livestock feeding yard	A			
X Commercial recreation	SE			SE
Dwellings: A. Single-family	A	A	A	A
B. Mobile homes			A	
Farm tenant house - mobile home	A			
Fire station or other emergency services customary accessory uses supported by Yellowstone Co. or a special district	A	A	A	A
Frozen food lockers	A			
Fur farm	A			
Grain Elevators	A			
Gravel Excavation	SE			
Guest house as an accessory building - not for permanent occupancy	A			
X Gun & archery range - indoor and/or outdoor	SE	SE		
Home occupation	A	A	A	A
Horticulture nurseries & commercial greenhouses	A	SE	SE	SE
Kennel - Commercial	A			
Landfill, reclamation, sanitary septic-tank disposal sites, and sanitary incinerators	SE			
Mobile home parks			A	
Parks and playgrounds, private	A	A	A	A
Parks and playgrounds, public	A	A	A	A



Property in question.

Red line shown is the 300' border required by the County. Those neighboring property owners within this boundary are being contacted as part of this process.

The area included within the red border only reflects the property within Zoning District #14.

To the Staff of the City/County Planning Division,

I would first like to say thank you for participating in this meeting and letting the surrounding neighbors' voices be heard. My family and I live on Brohaugh rd in Laurel. Which isn't too far from the projected shooting range that is potentially going to be built off Grandparents Rd. Let me first give you a prospective of our neighborhood. When you first come on to the beautiful drive on River Road, there's the river not far off with amazing trees to show the outline of the river. There are houses, some are off in the distance some are closer to the road. If you look at the houses closely you see jungle gyms for children, you see farmer's fields, cows, horses, and wildlife. Making it such an amazing little drive, windows down in your car enjoying the nice breeze as you make the trip through the winding wide open spaces.

Now that I have that picture in your mind, let's add in what Mr. Cusanek would like to do with our neighborhood. You're driving down the road again with windows down in your car and all you hear are gunshots constantly. Or so much traffic on the road that it doesn't become a nice Sunday drive anymore. Not to mention the hundreds of bicyclists and runners who take this road often due to safety of not much traffic and the scenic route.

Our neighborhood consists of hundreds of acres of farmland, and livestock galore. This is not only our land, but our livelihood at risk. In the County Application that was submitted it stated that fencing will be kept to a minimum for wildlife. (1d. of the application) How do they plan to keep their customers off private property without trespassing? They are planning to introduce walking trails but offer low-impact development with "minimal footprint". (1a.) They plan to use natural materials for berms to deflect bullets from ricocheting rounds that are being shot. On April 1<sup>st</sup>, 2025, in Logan Montana the McDonnel's petitioned to close State Trust Land with a gun range for public safety, shooting near livestock and stray bullets. They won the petition to permanently. With houses and livestock close by, how can we be sure we can be safe on our own property?

With increased shooting and traffic in our area, there will be no more wildlife in the area. The bonds, memories, and culture the application describes will no longer be our family memories, our culture and our bonds. There are multiple generations of families in the area that go hunting on our private lands creating those memories. There is an abundance of mule deer, whitetail deer, pheasants, families of turkeys and more. With Montana Fish, Wildlife and Parks study area of the Ruby Mountain Elk population from April

2020-Decemeber 2024. (W-177-R) That population of elk had diminished due to abundance of recreational activities and a shooting range nearby.

Within the last year of hunting, myself and others in the area have had multiple encounters with poachers on our land. How can we ensure with this shooting range being built will stop poachers from the shooting range or livestock being shot with it being a public place? We still have the high school population who like to drive the dirt roads and experience what our area has to offer. Not all the properties surrounding the possible shooting range are fenced, if the shooting range will not be fenced either, how are they going to prevent a possible negligent shot from the shooting range hitting either a person or livestock?

The application states that they will work closely with the emergency departments in our area. The fire department in Laurel is a volunteer fire department. We appreciate them greatly as we have had many close calls in our area with fires due to lightning strikes and farm equipment. On average it takes them anywhere from 14-25 minutes to respond to the fire. Hot rounds from the shooting range mixed with dry grass is asking for fires to spread through our neighborhood quickly. Dry grass fires can spread extremely fast, ranging from 15-20 miles per hour. Our pastures consist of dryland, prairie grass, and wheatfields. The property that the shooting range is potentially being built on is consisting of the same vegetation listed above. Making it a prime fire hazard.

We are asking you to please consider not approving this application for the shooting range. Not only is our neighborhood at risk but our livestock, our farmland and our homes. Our neighborhood always keeps each other in the know, is tightly knit and cares about each other. If this council cares about its Montanans and its traditions, please consider the Montanans in this neighborhood with their traditions.

Thank you,

Ashley Busta

## Husman, Karen

---

**From:** Scott Cusanek <scottcusanek@ymail.com>  
**Sent:** Friday, September 19, 2025 7:10 PM  
**To:** Husman, Karen  
**Subject:** [EXTERNAL] Letter of Objection Sent to Planning  
**Attachments:** Signs on River Road.jpg

Karen,

Thanks very much for forwarding the letter so that I might review and better understand Ashley's concerns. As I have been in the business world for the last 43 years, I have learned two very valuable lessons.

- 1) Always attack the problem, never attack the messenger.
- 2) When looking at any problem or concern, strip away the emotion and focus on a logical approach.

I do agree that the area around River Road is a special place, which is what attracted my wife and myself to the area. We also believe that the property on Grandkids Way is an ideal location for a Sportsmans Club based on size and topography. Currently, there are five outdoor shooting ranges in the Billings area that I am aware of, the smallest being a tiny trap club in Huntley. Two of those five clubs have offerings similar to what we are proposing. Both of these ranges, Billings Rod & Gun Club and Blue Creek Sport Shooting are very small in comparison. Both are under 300 acres, one of them with million-dollar homes literally next door. Our intent is to optimize the 872 acres on Grandkids way to deal with noise and also to create buffers to the neighboring properties. A quick look at Google maps shows that Brohaugh Rd runs to the south of this property and the closest point is approximately 1.1 miles.

Let's touch upon fencing as mentioned in Ashley's letter. Our intent is to have the exterior of the property fenced like most if not all is now. Our comments really touched upon keeping the wildlife corridors open. Our goal is to create a Sportsman's paradise that blends into the land. I really cannot speak to some of the other concerns Ashley shared only because they are deeply rooted for her personally and it would be unfair for me to try and respond simply by reading the printed words.

Next item is the Logan Montana shooting range referenced in the letter. **This is EXACTLY what we don't want to do.** A quick search on google gives you all of the details as to what is really happening:

By: MTN News  
Posted 8:19 AM, Jun 05, 2025

**LOGAN — An 86-acre parcel of Montana state trust land near Logan will be temporarily closed on July 7 and 8 for a routine site assessment, part of a proposal to develop a formal shooting range in the area.**

**The land, which features an existing informal shooting area along 2 Dog Road about two miles from Logan, is a popular destination for local target shooters. During this closure, access to the site will be restricted, and all target shooting will be prohibited.**

The reference to "informal" I believe is the problem at hand. Most likely this shooting area started with a bunch of people going out and shooting with no design efforts coupled with no oversight. We are absolutely against this approach and in fact have already made contact with the NRA Whittington Center as they have a range building curriculum.

The idea of poaching or shooting of wildlife on any defined shooting range is really not an issue. I have worked on and shot at shooting ranges all throughout the country. One constant is that shooters on a well-managed range **do not** shoot wildlife. Some ranges designate themselves as animal sanctuaries and as such cannot shoot animals. I've seen and been involved with removing and re-locating rattlesnakes in the southwest. Again, I must stress that the shooting range will be fenced everywhere it borders neighboring land.

In order to do my due diligence, I did review the study referenced. I personally did not come to the same conclusions.

[2024-final-report---montana-elk-recreation-study.pdf](#)

Fire is most definitely a concern as Ashley mentions. In past years I have contracted to the Blue Creek Sport Shooting range for large events and in doing so have witnessed fires on neighboring farms. Most likely from lightning strikes. This concern is valid and very manageable with the correct design approach.

In summary, we are wanting to create an upscale Sportsmans Club that caters to the Billings area while tapping into the strong outdoor culture of Montana. This is no small undertaking with the first step underway and a timeline of 3-5 years to do it the right way. The support of the County & Planning department is integral to the success of this venture. One additional item to add. If we move forward, my wife and I also have a 1-2 year timeline for us to become Montana residents. This effort in no way will be absentee on our part.

Thank You

Scott & Sheri Cusanek  
(602) 478-6512

PS ..... I have attached a picture that was sent to me by one of the folks on Grandkids Way.