



City of Hamilton

INFORMATION FOR ZONING VARIANCE OR CONDITIONAL USE PERMIT

There is a \$200.00 non-refundable fee for each request.

Requests must be completed and submitted to the Public Works Department, City of Hamilton, 920 New York Avenue, Hamilton.

The property owner or a representative must be present at the meeting. If the owner will not be present, a letter giving authorization to his/her representative must be on file. No request will be reviewed without personal representation.

17.124.040 Conditional use permits.

A conditional use permit as described by Ordinance is "A use not allowed in a District as a matter of right, but which is allowed upon findings of the Board that such use is in harmony with the principal uses of the District."

- A. A conditional use permit is issued for and attached to the property.
- B. A conditional use permit may be granted when allowed in the district, provided:
 - 1. It is consistent with the intent of this Title 17:
 - 2. The use is not detrimental to the health, safety, comfort or general welfare of persons residing or working in the neighborhood or the general welfare of the city; and
 - 3. Conditional use structure permits are not issued for a specific term. A conditional use permit or conditional use structure permit is in effect for the duration applied for. Any change shall void the conditional use permit or conditional use structure permit and a new conditional use permit or conditional use structure permit must be applied for. (Ord. 225 (part), 2003)

17.124.050 Variances.

A variance, by its nature, is issued to and transfers with the property. A variance from the terms of this Title 17 may be granted only if all the following conditions have been complied with:

- A. It conforms to the intent of this Title 17;
- B. It will be in the public interest; or
- C. The appellant is able to demonstrate *hardship* to the property because the property is deprived of privileges enjoyed by other property in the immediate vicinity due to:
 - 1. Size of property;
 - 2. Shape of property;
 - 3. Topography of property;
 - 4. Location of existing nonconforming structure(s) on lot; or
 - 5. Location of existing service lines.
- D. No variance shall be granted unless the applicant can effectively demonstrate a hardship that is created by the strict application of this chapter. A financial hardship does not constitute grounds for a variance.

Once an application and fees are received at the Public Works office, the Zoning Administrator will review the application and make a recommendation, which could take up to 30 days. A hearing will be held within sixty (60 days) after the date the application is forwarded and approved by the Zoning Administrator. The Zoning Board of Adjustment conducts their public hearings on the fourth Monday at 5:30 p.m. at City Hall, located at 223 S. 2nd Street, 2nd Floor, Hamilton, MT 59840.

There are seven members on the board. The meeting is an informed one in which you are asked to explain your request to the Board. The Chairperson of the Board keeps order. A packet of information concerning your request is sent to the Board in advance for review. **The Board members may visit the site before the hearing date in order to gain familiarity with your request.**

A notice of your intent will have been published in the Ravalli Republic newspaper legal notices and will be sent to the neighboring properties within 300 feet of your property, thus allowing comment, either pro or con, from the public. All notices will be prepared and sent by the City.

The Board usually makes its decision within one meeting. The decision may be tabled until the following month if more information is requested.

It is the Board's position that the burden of providing complete detailed information on the project falls on the applicant. Failure to provide such information will adversely affect the application.

Upon completion of the Zoning Board of Adjustment meeting, the City of Hamilton's Building Inspector/Zoning Administrator must be contacted in order to continue your project request.

Application package consists of:

- Request/Application Form
- Appendix A: Residential Site Plan Requirements List
Residential Site Plan drawing example
- Appendix B: Non-residential Site Plan Requirements List
Non-residential/Commercial Site Plan drawing example
- Conditional Use/Variance Permit Checklist



City of Hamilton

REQUEST FOR ZONING VARIANCE OR CONDITIONAL USE PERMIT

Property Information:

Property Owner: _____

Property Address: _____

Phone Number: _____

Legal Description: _____

Block: Lot: Addition:

Zoning Description: _____

Owner information: Owner's Mailing Address (if different from above):

Mailing Address: _____

****** If you are representing the Property Owner(s), a letter signed by the Property Owner(s) authorizing you or your firm to represent them is required. ******

Applicant Information: (if different than property owner)

Name: _____

Mailing Address: _____

Relationship to Owner: _____

Proposed Use of Structure: _____

Type of Construction: _____

Explanation for Variance: _____

\$200.00 Non-Refundable Fee Paid: _____

Signature of Property Owner(s)

Signature of Applicant or Representative

Date: _____

Date: _____

OFFICE USE ONLY Date of Hearing ___/___/___

Variance: Approved Denied

Reason for Denial: _____

IN YOUR OWN WORDS, PLEASE DESCRIBE YOUR PERMIT REQUEST.

IN YOUR OWN WORDS, PLEASE EXPLAIN WHY YOU ARE REQUESTING THIS PERMIT.



City of Hamilton

DOCUMENTS NEEDED for VARIANCE REQUEST
Or CONDITIONAL USE PERMITS
ORDINANCE CHAPTER 17.124

NAME: _____ LOCATION: _____

REASON FOR REQUESTING VARIANCE/CONDITIONAL USE PERMIT: _____

1. A completed 2 page application form including what and why request is being made.
2. A \$200.00 non-refundable fee.
3. Copy of the "Recorded Plat" showing the parcel of land for which the request is being made. This can be obtained from the Ravalli County Clerk & Recorder's office. If the property has been surveyed since the original plot was recorded, the most recent survey should be provided.
4. Copy of the "Deed", showing ownership, or a copy of the "Notice of Purchaser's Interest" which will document the applicant's ownership interest in the property. This information also can be obtained from the Ravalli County Clerk & Recorder's office.
5. A detailed description (site plan) of the project request. Create a detailed drawing of the property, showing the following:
 - a. location of all existing buildings
 - b. location of all existing buildings along with the proposed project
 - c. show dimensions and distances from property lines from all four sides
 - d. "x" feet from the edge of the alley
 - e. "x" feet from the existing fence on the sides of the property.
6. For new construction only, you will need a complete list of "Description of Materials". The type, appearance, materials and quality of construction can greatly affect the surrounding neighborhood. The Board will be very reluctant to grant any request without having specific, detailed plans of the project in hand. Such assurances from the property owner that "the garage will be nice" will not be sufficient evidence of the quality of this project.
7. A reduction of the site plan copied on 8" x 11" paper.
8. Photographs of buildings to be moved on or off the property in question.
9. If applicable, a drawing for provisions for off-street parking.

CHECKED AND APPROVED TO PROCEED BY: _____ DATE ___/___/___

CITY OF HAMILTON

RESIDENTIAL SITE PLAN REQUIREMENTS

The following check list must be completed and sign by the applicant before plans can be reviewed.

A site plan is required for new construction, additions, or remodeling which results in a significant change to a primary area.

Design Standards Appendix A

Address or legal description of site

Name of Contact Person

Phone

1. Boundary corners and dimensions of property
2. Locations of existing and proposed structures
3. Identify all current and proposed building uses
4. Show names of existing streets
5. Show alleys
6. Show distance from property boundary to curb or edge of street
7. Show distance between all structures
8. Show distance from all structures to the property boundaries
9. Show-existing and proposed curbs, sidewalks, driveways, and entrances to structures
10. Show existing and proposed curb cuts or driveway locations
11. Indicate scale of drawing (1" = 20' preferred, 1" = 50' maximum)
12. North arrow required
13. Provide legal description and/or address of property
14. Show ail easements and ail easement dimensions
15. Show sewer service line or drain field location
16. Show existing or proposed boulevard landscaping
- 17. All new construction projects, other than remodels, shall require a pre-construction meeting to include all utilities, Northwest Energy, Qwest, and TCI. This meeting shall occur after plan reviews are completed by the City but prior to any construction.**

The following additional information must be included on the site plan for residential properties on which any part of the disturbed area is located on slope 5% or greater.

Yes No Is any part of the proposed site plan located on slopes greater than 5%? If no then application is complete and no further responses are necessary.

18. Two site plans are included with each submittal
19. Existing and finished ground elevations at comers of primary structures
20. Spot elevations for driveway at street and finished elevation of garage
21. Locations of cut/fill slopes (designate cut and fill with separate hatching)
22. Existing and proposed drainage structures and flow lines
23. Proposed slopes in excess of 2:1 (show with hatching)
 If slopes are greater than 2:1; include proposed erosion control measures
24. Retaining wall including height

Design Standards Appendix A continued

The following information must be included on the site plan for residential properties on which any part of the disturbed area is located on slopes 10% or greater.

- Yes No Is any part of the proposed site plan located on slopes greater than 10%?
If no then application is complete and no further responses are necessary.
- 25. Existing and proposed contours of not more than 2 feet intervals
 - 26. Natural drainage courses (Fill N/A if none exist)

DESIGN STANDARDS – APPENDIX A

CITY OF HAMILTON DEPARTMENT OF PUBLIC WORKS

Note: All Residential Site Plans shall be designed in accordance with the City of Hamilton Ordinances and Design Regulations and City of Hamilton Municipal Code.

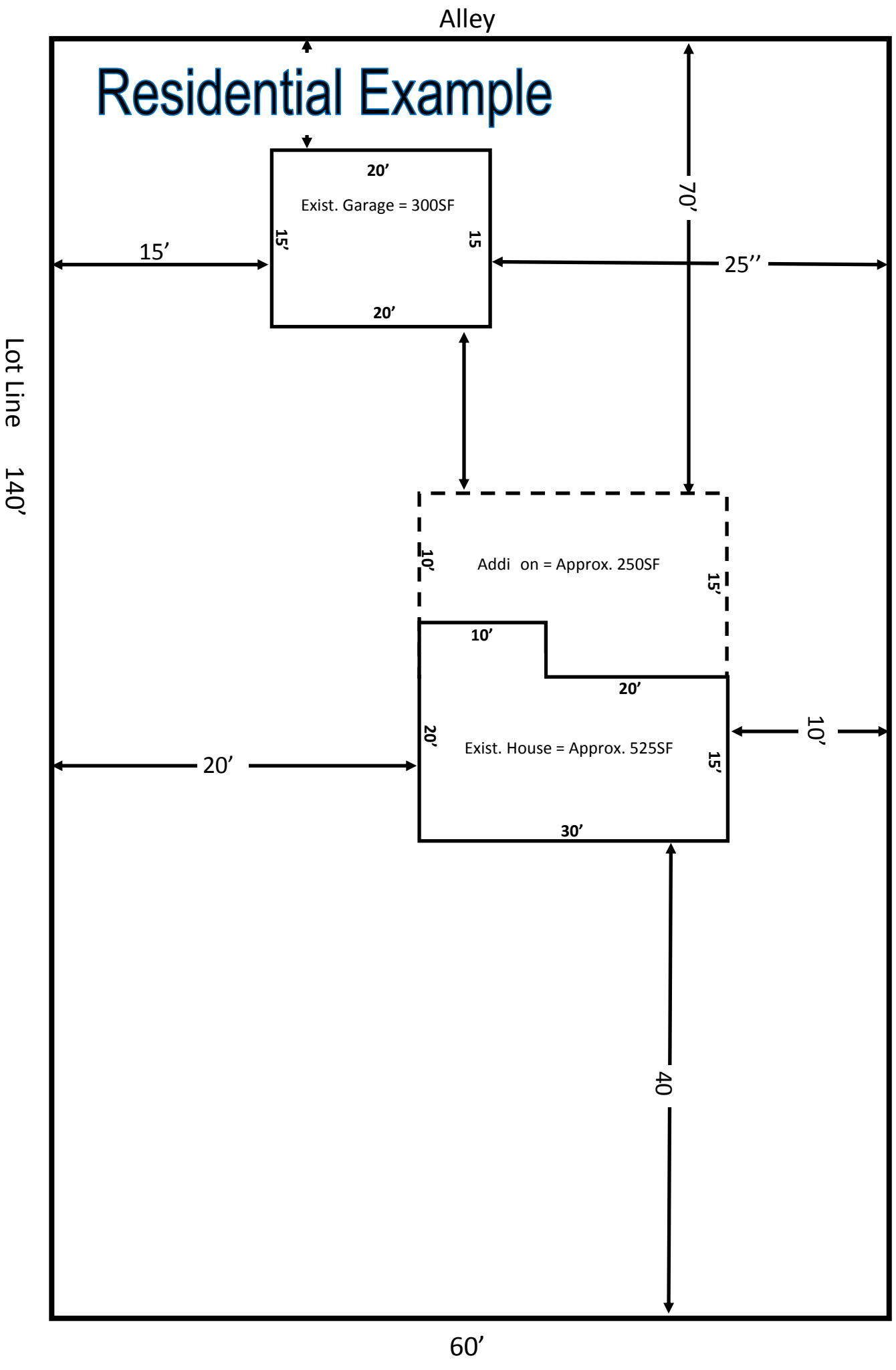
ATTEST

I hereby attest that all the information submitted on this application and site plan is true and accurate.

APPLICANT'S SIGNATURE _____ DATE _____

DESIGN STANDARDS

Residential Example



CITY OF HAMILTON

NON- RESIDENTIAL SITE PLAN REQUIREMENTS

The following check list must be completed and sign by the applicant before plans can be reviewed.

A site plan is required for new construction, additions, or remodeling which results in a significant change to a primary area.

APPENDIX B

Address or legal description of site

Name of Contact Person

Phone #

1. Boundary corners and dimensions of property
2. Locations of existing and proposed structures
3. Identify all building uses; present and proposed
4. Show names of existing streets
5. Show alleys
6. Show distance from property boundary to curb or edge of street
7. Show distance between all structures (buildings)
8. Show distance from all structures to the property boundaries
9. Show existing and proposed curbs, sidewalks, driveways, and entrances to structures
10. Show existing and proposed curb cuts or driveway locations
11. Indicate scale of drawing (1" = 20' preferred, T = 50' maximum)
12. North arrow required
13. Provide legal description and/or address of property
14. Present uses of adjacent lots
15. Show all easements and all easement dimensions
16. Show sewer service line or drain field location
17. Show existing or proposed boulevard landscaping
18. Location, dimensions, and number of existing and proposed parking spaces including:
 - a) Number of spaces required and proposed
 - b) Number, type, and location of accessible spaces
 - c) Square footage of paved area
 - d) Striping and Signing
19. Location of loading areas, accesses & type of vehicles using loading areas (delivery trucks, semi-trailers)
20. Show all areas to be paved including alleys
21. Grading and Drainage Plan to include the following:
 - e) Topographic map showing existing elevation of all features including curb and sidewalks, edge of asphalt, existing and new drainage structures, property corners, new grading contours (max. 1' intervals)
 - f) Show proposed elevations for the following: existing and finished floor elevations, sidewalks, curb and gutter on site and in right-of-way, cut and fill slopes, retaining walls, landscaping, and etc.
 - g) Drainage plan to include inlets or sumps, storm drains, and roof drainage
 - h) Show plans for erosion control during construction

Appendix B – continued on next page

Appendix B – continued

22. Show existing and proposed landscaping for on-site and boulevard areas as follows:

- i) Topography (min. of 1' contours)
- j) Square footage of existing, proposed, and required landscaping
- k) Type and size of plants
- l) Type of ground cover
- m) Irrigation/Sprinkler system

23. Show irrigation and drainage ditches

24. Show accessible entrances, ramps, routes, and signing

25. Heights and types offences

26. Location and type of trash storage including screening

27. Location and size of new and/or existing water and sewer lines

28. Location of external grease interceptor and/or sand and oil interceptor

29. Water meter size (Note here)

30. Four (4) copies of site plan included with each submittal

31. All new construction projects, other than remodels, shall require a pre-construction meeting to include all utilities, Northwest Energy, Qwest, and TCI.

This meeting shall occur after plan reviews are completed by the City but prior to any construction.

DESIGN STANDARDS – APPENDIX B

CITY OF HAMILTON

DEPARTMENT OF PUBLIC WORKS

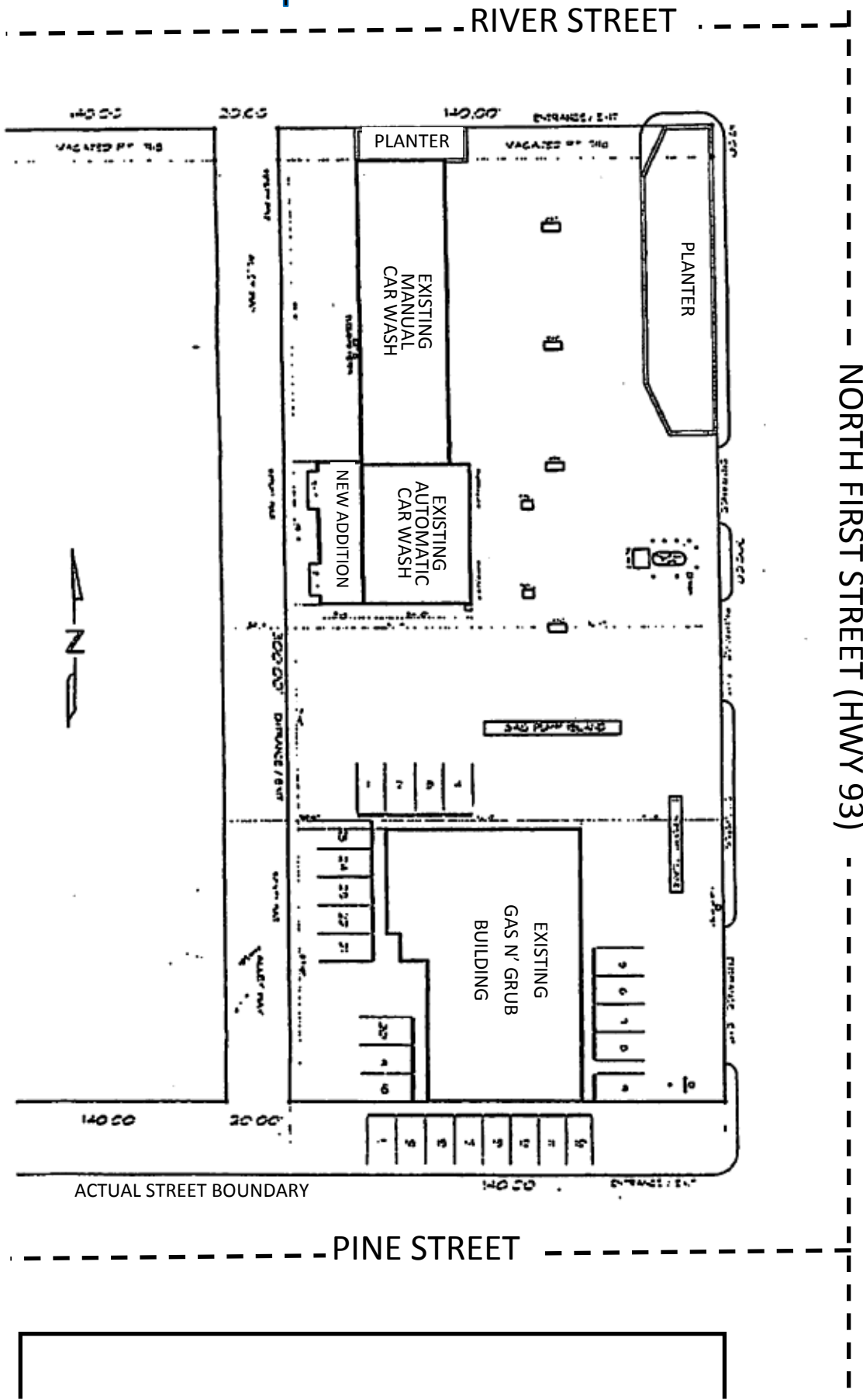
Note: All Residential Site Plans shall be designed in accordance with the City of Hamilton Ordinances and Design Regulations and City of Hamilton Municipal Code.

ATTEST

I hereby attest that all the information submitted on this application and site plan is true and accurate.

APPLICANT'S SIGNATURE _____ DATE _____

Commercial Example



CHECKLIST

CONDITIONAL USE: ORDINANCE CHAPTER 17.124.040

VARIANCE: ORDINANCE CHAPTER 17.124.050

NAME:

LOCATION:

REASON FOR THE REQUEST:

The requested permit includes the following per Ordinance 17

1. Copy of the "Recorded Plat" showing the parcel of land for which the request is being made
2. Copy of the "Deed" showing ownership OR a copy of the "Notice of Purchaser's Interest"
3. A detailed description of the project request. Create a detailed drawing of your property, showing the following:
 - a) location of all existing buildings
 - b) location of all existing buildings along with the proposed project show dimensions and distances from property lines from all four sides
 - c) show dimensions and distances from property lines from all four sides
 - d) X feet from the edge of the alley
 - e) X feet from the existing fence on the south side of the property
4. A detailed plan (drawing of project) for request involving either new construction, remodeling or the moving of new buildings onto the property
5. A complete form of "Description of Materials"
6. A reduction of the plan to 8 1/2" X 11"
7. Pictures of buildings to be moved on or off the property in question
8. If applicable a drawing for provisions for off-street parking

Checked and approved to proceed by: _____ Date: _____