

COUNCIL RESOLUTION NO. 014-45

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE LAZY DAYS TRAILER COURT OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

WHEREAS, the Butte-Silver Bow Planning Board did, on September 25, 2014, consider the Lazy Days Trailer Court; and

WHEREAS, the Planning Board, after due consideration of all written and oral testimony, did recommend conditional approval of the Lazy Days Trailer Court; and

WHEREAS, the Council of Commissioners, did on October 15, 2014, receive and review all written and oral testimony from all interested parties, both for and against said subdivision, along with the Planning Board's recommendation; and

WHEREAS, in accordance with Section 76-3-608 (2), M.C.A., the Council of Commissioners did carefully consider the following written findings of fact:

1. Effects on agriculture;
2. Effects on local services;
3. Effects on natural environment;
4. Effects on wildlife habitat;
5. Effects on public health and safety;
6. Compliance with the survey requirements of the Montana Subdivision and Platting Act and the regulations and review procedures of the Butte-Silver Bow Subdivision Regulations;
7. Easements for utilities;
8. Legal and physical access; and

WHEREAS, the Council of Commissioners, after reviewing all written and oral testimony both for and against said subdivision, along with the Planning Board's

1 recommendation, finds the Lazy Days Trailer Court to be in compliance with  
2 the State of Montana Subdivision and Platting Act, the Butte-Silver Bow  
3 Subdivision Regulations and the public interest of the citizens of Butte-Silver  
4 Bow, State of Montana.

5 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COMMISSIONERS OF  
6 THE CONSOLIDATED CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF  
7 MONTANA:

8 SECTION 1: That the Lazy Days Trailer Court be accepted and approved subject to the  
9 following conditions:

- 10 1. The boundaries for the spaces shall be marked on the ground by permanent flush  
11 stakes, markers or other suitable means. Location on the ground shall be  
12 approximately the same as shown on the approved plans. The degree of accuracy  
13 obtainable with an engineer's scale and tape is acceptable.
- 14 2. A mobile home/manufactured home pad may not occupy more than one-third (1/3)  
15 of the area of its space. The total area occupied by a mobile home and its roofed  
16 accessory buildings and structures may not exceed two-thirds (2/3) of the area of  
17 space.
- 18 3. All mobile/manufactured homes must be located at least twenty (20) feet from any  
19 property line abutting a public street.
- 20 4. All mobile/manufactured homes must be located ten (10) feet from the rear property line.
- 21 5. No detached structure, such as a storage she, may be located within five (5) feet of any  
22 home or its attached structures.
- 23 6. A minimum of two off-street parking spaces must be provided on or adjacent to each  
24 mobile/manufactured home space. The driveway must be located to allow for  
25 convenient access to the mobile/manufactured home, and be a minimum of ten (10) feet  
26 wide.

- 1 7. Exposed ground surfaces in all parts of every mobile home space shall be paved, covered  
2 with stone or gravel, or protected with a vegetative cover.
- 3 8. Easements shall be provided as requested by the utility companies.
- 4 9. The final plat shall conform to the requirements of the Butte-Silver Bow Subdivision  
5 Regulations and the requirements of the Montana Subdivision and Platting Act. This  
6 includes certification by the Treasurer that taxes are paid and current.
- 7 10. Prior to filing the final plat the applicant shall submit the required documentation for  
8 review and secure written approval from the Butte-Silver Bow Public Works Department  
9 for the following public infrastructure:
  - 10 a) Compliance with all sections of Chapter 12.04, Construction within Public Right-of-  
11 Way, of the Butte-Silver Bow Municipal Code, including but not limited to, the  
12 installation of culverts and paving or millings with reclamite of the right-of-way at  
13 each driveway approach.
  - 14 b) Compliance with all sections of Chapter 13.32, Storm Water Management, of the  
15 Butte-Silver Bow Municipal Code, including the Butte-Silver Bow Municipal Storm  
16 Water Engineering Standards.
  - 17 c) Compliance with all sections of Chapter 13.30, Storm Water Management, of the  
18 Butte-Silver Bow Municipal Code, including the Butte-Silver Bow Municipal Storm  
19 Water Engineering Standards.
- 20 11. Prior to filing the final layout plan, the developer shall obtain a license for the facility  
21 from the Montana Department of Public Health and Human Services.
- 22 12. The developer shall submit a final layout plan to the Planning Board conforming to the  
23 conditions and requirements of approval from the Montana Department of Public Health  
24 and Human Services and the Butte-Silver Bow Subdivision Regulations. The plan will  
25 be reviewed to assure it conforms to the conditions of approval. The approved plan shall  
26 be maintained in the Planning Board office.

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13. This approval of the Lazy Days Trailer Court for six (6) spaces is good for three (3) years. At the end of this period, the Governing Body may, at the request of the developer, extend this time frame.

SECTION 2: REPEALER: That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 3: EFFECTIVE DATE: This Resolution shall be in full force and effect immediately from and after its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
CINDI SHAW  
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
MATT VINCENT, CHIEF EXECUTIVE

ATTEST:

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SALLY J. HOLLIS  
CLERK & RECORDER

APPROVED AS TO FORM:

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EILEEN JOYCE  
COUNTY ATTORNEY

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WILLIAM O. ANDERSEN  
CHAIRMAN, JUDICIARY COMMITTEE