STAFF RECOMMENDATIONS FOR MINERAL COUNTY COMMISSIONERS FOR WARNKEN'S MINOR

June 20, 2018

Recommendations for Conditional Approval:

1. The plat should have notations for non-development areas for the sloped and wooded portions of lots one through three. Slopes of 25 percent or greater should be noted as no development or disturbance areas.

2. Development for residential housing should be restricted to the east most portion of lots one and two to minimize impacts to large animals.

3. The developers should donate $100 per lot at the time of final platting to the Mineral County Sheriff's Department to be dispersed by the Mineral County Treasurer after subdivision development.

4. Boundary fencing should be large animal compatible that uses smooth wire with no woven wire fencing that would inhibit young animals. This should be noted on the face of the plat.

5. The residences should have fencing that restricts small animals, such as dogs, to the area in proximity of the residence. This should be noted on the face of the plat.

6. The owners who construct driveways for lots one and two should obtain a driveway approach permit from the Mineral County Road Department prior to construction. The proposed driveway approaches will need to match the road surface for Southside Road.

7. A thirty-foot easement should be dedicated to Mineral County from the east boundary of proposed lots one through three. Appropriate dedication language should be noted on the plat.

8. Replacement fencing along the east boundary should be inset to reflect the right-of-way easement if granted to Mineral County. This should be noted on the face of the plat.

9. The proposal will be reviewed by the Mineral County Environmental Health and Planning Department for water supply, sewage disposal facilities, storm water runoff, and solid waste by the site evaluation process.

10. An open range statement that details it is the owner's responsibility to fence out livestock should be noted on the plat.

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11. Future lot owners should participate in improvements to Southside Road in proportion to their impact on the sections of road utilized. Language such as "Acceptance of a deed for a lot within this subdivision shall constitute assent of the lot owner to waive the right of protest to a future Rural Special Improvement District/ Special Improvement District for improvements to Southside Road, including, but not limited to, paving, bridge upgrade, the installation of drainage facilities, curbs and gutters, pedestrian walkways or bikeways, based on benefit; the waiver shall run with the land and shall be binding on the transferees, successors and assigns of the owners of the land," shall be printed on the plat.

12. All taxes assessed must be paid in full prior to filing of the final plat in accordance with MCA 76-3-611 (1b). The Mineral County Treasurer shall sign the plat verifying that the taxes have been paid.

13. The Mineral County Attorney must review and approve the title platting report (title guarantee). If any of the property has a mortgage or lien, a consent-to-plat form must be signed by the holders of said mortgage or lien and the consent-to-plat form filed with the final plat. The title platting report shall also be filed with the final plat.

14. The developer shall pay $75.00, plus $5.00 per lot, for final plat review and approval. The fee shall be paid to the Mineral County Treasurer.

15. The developer shall inform any future lot owners that an address must be assigned by the Mineral County Environmental Health and Planning Department in compliance with the Mineral County addressing plan.

16. Conditions that are to be effected by the governing body should be placed on the plat which would allow Mineral County to enforce the specified conditions. Conditions that should be included in this section would be noxious weed control, fencing, and prohibition of activities that would attract wild animals, such as feeding or inappropriate garbage disposal.

17. These conditions will be valid for a period of three years with the right to request an additional year extension to complete the conditions of preliminary plat approval.

Tim Read, R.S.

By Tim Read, R.S. for the Mineral County Environmental Health and Planning Department