

RE: FW: Tax id 3299

1 message

Robert Edington <redington@lakemt.gov>

Wed, Mar 2, 2022 at 12:50 PM

Cc: Bernadine Fasso <bfasso@lakemt.gov>

Hi Angie,

To the best of my knowledge, the property is located outside of the City of Polson, within the Low Density Residential Zoning District in the City-County Planning Area of the 1993 Polson Development Code and under the jurisdiction of Lake County.

This is a couple mile “donut” zoning district that surrounds the city. The idea is that as properties are adopted into the City they have consistent zoning and are creating nonconforming structures and uses. However, the City of Polson and Lake County diverged at some point with the City adopting a different version of the code, the 2016 Polson Development Code, and the County maintaining the 1993 Polson Development Code. While it seems relations between the City and County have improved, City and the County still have two different sets of zoning regulations.

It also seems like the history of the property is interesting as well. I know the owners have obtained a number of zoning conformance permits ranging back 20 years or so but I am uncertain which permits/developments were actually completed or followed through on. As for the RROD overlay, we will need to confirm, however, I am aware of other overlay districts within the Polson Development Code that do apply.

Thanks!

Rob Edington

Planner | Lake County Planning Department | Polson, Montana

p: 406.883.7235 | f: 406.883.7205 | e: redington@lakemt.gov



ANGIE KILLIAN

Sales Associate, GRI, CLHMS

**BERKSHIRE HATHAWAY HOMESERVICES
MONTANA PROPERTIES**

406.249.7617 cell

406.837.1800 office

425 Grand Drive, Suite B

Bigfork, Montana 59911

angie.montanapropertiesonline.com

bhhsmt.com/angie-killian

bhhs.com/bigfork/angie-killian

facebook.com/AngieKillianBigfork

issuu.com/bhhsmt

A member of the franchise system of BHH Affiliates, LLC. Equal Housing Opportunity.

All information contained herein deemed reliable, but not guaranteed.

On Tue, Mar 1, 2022 at 5:03 PM Robert Edington <redington@lakemt.gov> wrote:

From: Bernadine Fasso
Sent: Tuesday, March 1, 2022 4:17 PM
To: Robert Edington <redington@lakemt.gov>
Subject: FW: Tax id 3299

Please see Angie's response.

I was going to ask you before I replied...guess I should have ☺

Bernadine (Bernie) Fasso

Planner | Lake County Planning Department

106 4th Avenue East | [Polson, Montana 59860](https://www.lakecountymt.gov)

[Ph 406-883-7235](tel:4068837235) | [Fx 406-883-7205](tel:4068837205)

This electronic message, together with its attachments, if any, is intended to be viewed only by the individual to whom it is addressed. It may contain information that is privileged, confidential, protected information and/or exempt from disclosure under applicable law and may be subject to the attorney-client privilege and/or work product doctrine. Any dissemination, distribution or copying of this communication is strictly

prohibited without prior permission. If the reader of this message is not the intended recipient of if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

From: Angie Killian [<mailto:angie.k.mt@gmail.com>]
Sent: Tuesday, March 1, 2022 4:14 PM
To: Bernadine Fasso <bfasso@lakemt.gov>
Subject: Re: Tax id 3299

Thank you! I'd seen that on the map, but as I understand it, the overlay district doesn't apply until the property is annexed into the city. Do I have that correct? I'd gotten that from this part of the regulations:

Sec. 6.02.030. - Overlay districts.



An overlay district modifies the regulations applicable in the zoning districts "over" which it is mapped. The following overlay districts and their boundaries, as shown on the Polson City Zoning Districts Map, are established:

1. Airport Safety (ASOD);
2. Wellhead Protection (WPOD); and
3. Resort Residential (RROD).

Portions of these overlay districts are established in areas outside the municipal boundaries of the city to address likely overlay zoning with future jurisdiction of the city upon annexation. The overlay districts are shown on the zoning map to inform the landowners that upon annexation into the City of Polson, the applicable overlay district would apply to the mapped areas.

Sec. 6.02.040. - Zoning map.



The Polson City Zoning Districts Map is adopted, by reference, as part of these regulations. The most recently adopted, official copy of that map shall be maintained for public inspection at the office of the administrator.

The sellers have been under the impression that they're in low density residential zoning, and it looks like that's no longer the case. Am I reading this correctly?

I'm designing a sign to go on the property, and if there is no current zoning, then I'd like to be able to state that on the sign. I just want to make sure it's true!

Thank you for your assistance!



ANGIE KILLIAN

Sales Associate, GRI, CLHMS

**BERKSHIRE HATHAWAY HOMESERVICES
MONTANA PROPERTIES**

406.249.7617 cell

406.837.1800 office

425 Grand Drive, Suite B

Bigfork, Montana 59911

angie.montanapropertiesonline.com

bhhsmt.com/angie-killian

bhhs.com/bigfork/angie-killian

facebook.com/AngieKillianBigfork

issuu.com/bhhsmt

A member of the franchise system of BHH Affiliates, LLC. Equal Housing Opportunity.

All information contained herein deemed reliable, but not guaranteed.

On Tue, Mar 1, 2022 at 3:57 PM Bernadine Fasso <bfasso@lakemt.gov> wrote:

Hi Angie.

Zoning for Tax id 3299 City of Polson (3) RROD, Resort Residential Overlay District.

I've attached a copy of the zoning regulations.

Please let me know if you have further questions.

Thank you.

Bernadine (Bernie) Fasso

Planner | Lake County Planning Department

106 4th Avenue East | [Polson, Montana 59860](#)

[Ph 406-883-7235](#) | [Fx 406-883-7205](#)

This electronic message, together with its attachments, if any, is intended to be viewed only by the individual to whom it is addressed. It may contain information that is privileged, confidential, protected information and/or exempt from disclosure under applicable law and may be subject to the attorney-client privilege and/or work product doctrine. Any dissemination, distribution or copying of this communication is strictly prohibited without prior permission. If the reader of this message is not the intended recipient or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

| |