

## **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 zone change application form, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** \_\_\_\_\_
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning:  
\_\_\_\_\_  
\_\_\_\_\_
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** \_\_\_\_\_  
\_\_\_\_\_
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 \_\_\_\_, day of \_\_\_\_\_, 20\_\_.
  - b) The zone change application is based on materials presented at the meeting.

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

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

**Agent (s):** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

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



3412 Colton Blvd, Suite 202 • Billings, MT 59102 • (406) 384-0080

April 17, 2025

Dear Interested Neighbor,

On behalf of Donna, Diana, and Karin Barber, Performance Engineering, LLC, is writing to inform you of a zoning pre-application neighborhood meeting scheduled to be held on **Thursday, April 24<sup>th</sup>** at **Emmanuel Baptist Church**. Interested parties can attend the meeting held from 5:30 – 6:30 PM.

The meeting is being held to discuss a proposed zone change regarding the existing property located west of the intersection of Central Avenue and 44<sup>th</sup> Street West. The owner is requesting the properties shown in the attached exhibits, and described below, be re-zoned as part of a subdivision of the lot:

A portion of Tract 1A of Certificate of Survey No. 2007, Amended located in S03, T01S, R25E, Yellowstone County, Montana except the northern 2,600-feet (58.61 ac remaining A). Having a total area of approximately 2.00 acres.

The intent of the meeting is to make neighboring property owners aware of the proposed zoning change for the subject properties, discuss the potential for redevelopment, and to answer questions about the project. Below is a summary of the existing zoning and the proposed zone changes:

| Existing Zone District | Existing Area (acres) | Proposed Zone District | Proposed Area (acres) |
|------------------------|-----------------------|------------------------|-----------------------|
| A                      | 60.61                 | A                      | 58.61                 |
|                        |                       | RR1                    | 2.00                  |

Yellowstone County generally describes the zoning districts included in this application as:

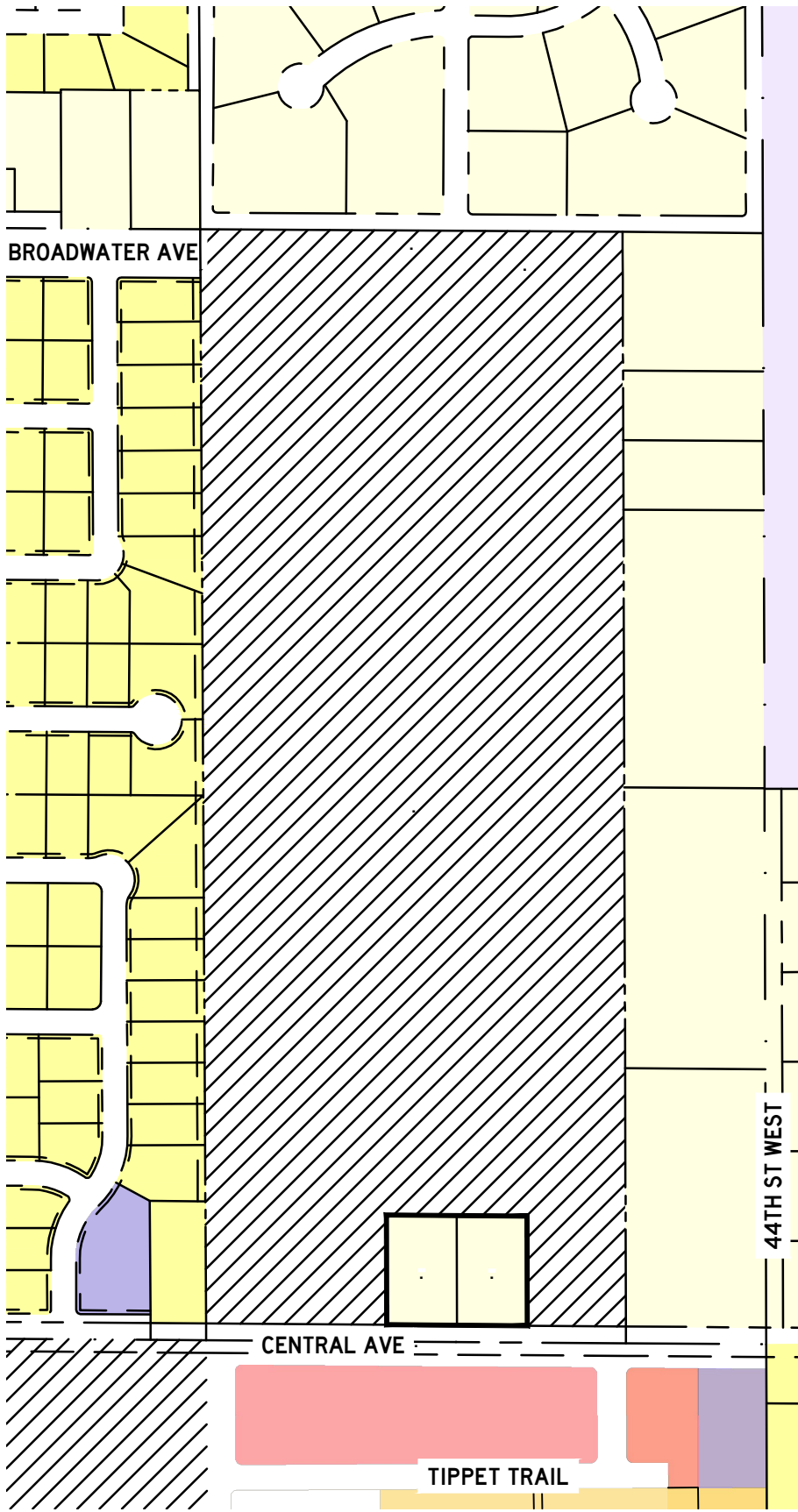
- A : Agriculture
- RR1 : Rural Residential 1
- A total of 2.00 acres is included in the proposed zone change.

Representatives for Performance Engineering, LLC and the Developer will be present at the meeting to answer questions from those who attend. For those unable to attend the meeting, written letters can be directed to Performance Engineering at 3412 Colton Boulevard, Suite 202, Billings, MT 59102, attention Taylor Kasperick, or emails may be sent to [taylor@performance-ec.com](mailto:taylor@performance-ec.com). We look forward to discussing the proposed zone change with you and hope to see you at 5:30 PM on April 24<sup>th</sup> at Emmanuel Baptist Church.

Sincerely,

A handwritten signature in blue ink that reads 'Taylor Jay Kasperick'.

Taylor Kasperick, PE  
Project Manager



### LEGAL DESCRIPTION

TRACT 1A OF CERTIFICATE OF SURVEY  
NO. 2007, AMENDED, S03, T01S, R25E,  
P.M.M.

### ZONING LEGEND

- A - Agricultural (10+ acres)
- CMU1 - Corridor Mixed- Use
- N4 - Large Lot Suburban Neighborhood
- NMU - Neighborhood Mixed-Use
- PD - Planned Development
- RR1 - Rural Residential (1 to 2.99 acres)

PROPOSED ZONE  
CHANGE BOUNDARY

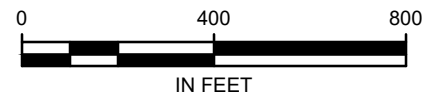
### SITE & STRUCTURE REGULATIONS

YELLOWSTONE COUNTY ZONING CODE,  
ARTICLE 27-300, SECTION 27-304

#### TABLE 27-300-3

##### A. BUILDING SITING

|                                     |                     |
|-------------------------------------|---------------------|
| MIN. LOT WIDTH                      | 120 FT              |
| MIN. LOT SIZE                       | 1 AC                |
| MAX. LOT SIZE (SF)                  | 2.99 AC             |
| FRONT SETBACK                       | 25 FT               |
| STREET-SIDE SETBACK                 | 25 FT               |
| SIDE SETBACK                        | 10 FT               |
| REAR SETBACK                        | 25 FT               |
| ACCESSORY BUILDING<br>YARD LOCATION | REAR<br>AND<br>SIDE |
| ACCESSORY BUILDING<br>REAR SETBACK  | 20 FT               |
| MAX. BUILDING COVERAGE              | 25%                 |



PROJECT TITLE

B & S SUBDIVISION

SHEET TITLE

PROPOSED ZONING MAP

DRAWN BY

KOT

DATE

Apr-25

CHECKED BY

TJK

CLIENT

BARBER FAMILY



**PERFORMANCE**  
ENGINEERING

3412 COLTON BLVD, SUITE 202  
BILLINGS, MT 59102

(406) 384-0080  
www.performance-ec.com

EXHIBIT

A

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## 4/24/2025

[illegible]

## Tract 1-A of COS 2007, Amended

Being located in the SW 1/4 of Section 3, T01S, R25E, Yellowstone County, Montana

### Zone Change Neighborhood Meeting Notes

The meeting was conducted from 5:30-6:15 PM on April 24<sup>th</sup>, 2025 at the Emmanuel Baptist Church. The meeting was hosted by Taylor Kasperick of Performance Engineering (agent).

There were four public participants for the meeting, the roster sign-in sheet is attached to this application.

The meeting began with Taylor Kasperick giving an overview of the property and the current zoning.

Taylor informed the participants why it was necessary for the developer to apply for a zone change to the property. Stating Tract 1-A of COS 2007, Amended is currently going through the county subdivision process. As part of the process, two, one acre lots will be created that will contain the existing residential homes on the parcel of land. The current zoning does not allow parcels of land to have an area less than 10 acres,

After discussing the proposed zone change and giving an overview of the property, the floor was opened to questions from the attending individuals. The general questions asked by the attendees and responses are listed below:

- Why the zone change now?
  - The process of the zone change has started now because it is necessitated by the concurrent subdivision application being considered. The subdivision application is being made to allow for the houses to be retained by the current owners and the remaining land to be sold.
- Will the future large tract be zoned RR1?
  - No, the large tract of land will more than likely be annexed into the City of Billings, which does not recognize RR1 as a zoning district. It was noted that the City requires properties larger than 10 acres to follow the Planned Neighborhood Development process which emphasizes mixed zone districts.
- Is there water serving the property?
  - There is no water currently available to the property. However, there are plans that are currently being reviewed by the city to pull water to the western side of the development located directly south on the other side of Central Avenue. The western side of said development aligns with the western side of the subject property, meaning water will be readily available to the property in the near future.
- Will Performance Engineering have stakes in the rest of the parcel?

- Performance Engineering does not have any financial stakes in the rest of the parcel; however, Performance Engineering is contracted by a potential buyer of the land to assist with annexation, zoning, and further subdivision.
- Will Broadwater Avenue be pulled through the property?
  - Yes, Broadwater Avenue will eventually be pulled through the subject property. Eventually, Broadwater Avenue will connect to Shiloh Road at the roundabout; however, plans for this to occur are not known presently provided there are multiple properties east of the subject property that have not dedicated right of way.