

Steven Dean Taylor

2523 Jessica St., Billings, MT 59106 • Phone: (812) 907-1413
Email: sdean_taylor@hotmail.com

September 30, 2025

Monica Plecker
Public Works Director
Yellowstone County
P O Box 35024
Billings, MT 59107

RE: Variance Application, 2523 Jessica Street

Ms. Plecker:

By way of introduction, my name is Steven D. Taylor, and I own the property at 2523 Jessica Street in Mackenzie Meadows subdivision. Before relocating to Billings from out of the area, and being unfamiliar with the statutes, regulations, and ordinances governing property ownership in Yellowstone County, I dealt with a local real estate broker when purchasing my lot in Mackenzie Meadows and hired a reputable local builder to build my house at 2325 Jessica Street. As is customary, I relied upon my builder to abide with relevant law during the building process.

On August 29, 2025, I was visited by Logan McIsaac of the Yellowstone County Public Works Department and informed that work done by my builder, Hill Builders, was not in compliance with Yellowstone County Road Policies. Specifically, it appears that Hill Builders applied for a thirty-foot approach permit to Jessica Street, rather than an appropriate fifty-foot permit. Mr. McIsaac also informed me that the ditch near Jessica Street was on a county right-of-way, and that fill-in of the ditch with topsoil to facilitate installation of a needed sprinkler system and routine mowing was also non-compliant, despite inclusion of a culvert of identical size as other driveway culverts in the development so as to not impede drainage in any way.

After informing me of such non-compliant work, Mr. McIsaac, asked me if I was familiar with the relevant county law governing public roads, and offered to send me copies of such documents after I informed him that I had not researched such. Subsequently, he asked me to contact him after I had received and read these documents. I agreed to do so.

On or about September, 11, 2025, I received a certified letter from Mr. McIsaac, dated and postmarked September 09. This letter formally informed me of an "unpermitted encroachment in County right of way" and what "appears to be an unpermitted expansion to your drive approach, which was previously permitted to be thirty (30) feet wide." Mr. McIsaac's letter also stated "If you do not respond by October 7, County Public Works will remove the right-of-way encroachment that does not conform to Yellowstone County's Road Policy and may bill the costs of the work to you." Be advised that, at this time, I had not received copies of county laws governing public roads as promised by Mr. McIsaac during our face-to-face meeting on August 09, 2025. Accordingly, I had not responded as I was awaiting these documents.

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On or about September 12, 2025, I called Mr. McIsaac and informed him that I had not contacted him as promised during our face-to-face discussion of August 29, 2025 because I had not yet received the copies of the controlling county law as promised on August 29 and it was not possible for me to speak knowledgeably about such issues having not informed myself of relevant law. Mr. McIsaac again promised me that he would send such to me, and I subsequently received copies of The Yellowstone County Road Policies and Yellowstone County Board of County Commissioners Resolutions Nos. 09-53, 17-63, 15-45, 12-38, 18-106, and Ordinance No. 07-109.

After familiarizing myself with these documents, I again called Mr. McIsaac on September 19, 2005 to discuss potential remedies. During this discussion, Mr. McIsaac, informed me that the concrete driveway connecting my house with Jessica Street, as finished, measures fifty-seven feet, but that this expansion would be overlooked providing that I or my representative, Hill Builders, returned to the Public Works Department and applied for a fifty-foot permit. Mr. McIsaac further informed me that the fill and culverts in the ditch must be removed. Having been so informed, I asked if I could apply for a variance for this fait accompli and I was told that I could do so by writing to you but that my request would assuredly be denied, whereupon I could appeal to the County Commissioners.

Please consider this letter my application for a variance regarding the alleged non-conforming right of way encroachment on my property at 2523 Jessica St.

Be advised that my builder, Hill Builders, has applied for the appropriate fifty-foot approach permit, or will prior to October 07, 2025.

Please acknowledge receipt of this letter via USPS mail and add this document to the minutes of this proceeding and record the minutes into the county records.

Please also respond to my application as soon as possible so that I may proceed with landscaping or appeal.

Thank you for your time and consideration.

Respectfully,



Steven D. Taylor

Copies: Hill Builders, File

Steven Dean Taylor

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October 22, 2025

Monica Plecker
Public Works Director
Yellowstone County
P O Box 35024
Billings, MT 59107

RE: Variance Application, 2523 Jessica Street

Ms. Plecker:

In response to a certified letter from Logan Mcisaac, dated September 09, 2025, I mailed two certified letters to the Public Works Department on September 30, 2025. One of these letters was addressed to you, the other to Mr. Mcisaac. Copies of both are enclosed. Both letters were mailed by Certified US Postal Mail and both requested acknowledgement of receipt by US Mail. As of the date of this writing, I have received no response either from you or Mr. Mcisaac, despite confirmations of delivery to your office on October 01, 2025 by USPS Tracking. This letter is being sent to again request confirmation of receipt of my September 09, 2025 letters and to provide additional information relating to the above referenced Variance Application that I feel compelled to provide due to activities occurring subsequent to September 09.

As previously stated in earlier correspondence, I relied upon my builder, Hill Builders, to abide by local codes, regulations and ordinances during the construction of my house at 2523 Jessica St. On June 28, 2025 Jeff Hill of Hill Builders applied for an approach permit and Permit Number 22002 was issued. It should be noted that nowhere on this permit is there any mention of permissible driveway width. Though I was subsequently verbally informed by Mr. Mcisaac on August 29, 2025, that my permit permitted only a 30-foot-wide driveway but that a so-called 50-foot permit was available and would have been appropriate in my case, neither Mr. Hill nor I knew at the time that a 50-foot permit was available. Indeed, in my case, having been told by multiple parties that the streets in Mackenzie Meadows subdivision were not maintained by Yellowstone County, I assumed no involvement by Yellowstone County, and most certainly no purported rights-of-ways.

Construction of my house at 2523 Jessica St. began in August of 2024. The concrete driveway was poured in two stages on April 14, 2025 and April 25, 2025. Prior to pouring the driveway, Mr. Hill and I observed other properties in MacKenzie Meadows that had concrete driveways of similar or greater width.

Later, in order to facilitate mowing and installation of a proper sprinkler system, I decided to extend the 18" driveway culvert to my property lines at both north and south limits, and level the ditch with topsoil. This work was completed on August 20, 2025.

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Again, this was done only after inspecting other properties in Mackenzie Meadows where similar modifications had been performed previously.

I was visited by Mr. Mcisaac on August 29, 2025, after all alleged non-conforming work had been completed and substantially after all concrete work had been completed. This visit was when I first learned that “non-conforming” work may have been done at my build site and also the first time that I became aware that Yellowstone County had any authority over the non-county-maintained streets in MacKenzie Meadows, much less any county rights-of-ways. Accordingly, it is inconceivable that my acts at 2523 Jessica St., could have in any way been the result of disrespect of authority.

Having read the Yellowstone County Road Policies and other materials provided to me by Mr. Mcisaac, I am now aware of the driveway approach standards. Nevertheless, I remain unaware of any controlling authority granting Yellowstone County jurisdiction over streets and roads that are not maintained by the county. If such jurisdiction does not exist one must question how Yellowstone County can have rights-of-ways aside such streets and roads. Accordingly, I must question what authority grants Yellowstone County such jurisdiction.

Furthermore, I must question the rationale for categorically limiting driveway width to 50-feet so long as such driveways have adequate set-back from property lines and intersections. Indeed, wider driveways enhance safety by enabling vehicles, especially construction and delivery vehicles, to park thereon rather than on the traveled surface when performing construction or maintenance work or making deliveries. Mackenzie Meadows streets are narrow and there are no sidewalks. Providing driveway space for visitors, delivery vehicles and construction vehicles to park minimizes the need for such vehicles to park on the traveled surface, facilitating traffic, both vehicular and pedestrian, thereby enhancing safety. One must also question why the county objects to filling and leveling the ditches aside non-county-maintained streets, providing that culverts of the same size as those used beneath driveways are installed so as to not impede drainage in any way. I have installed such culverts on my property at 2523 Jessica St.

Finally, properties with driveways exceeding 50 feet and those where the street-side ditches have been filled in to approximately street level after first installing appropriately-sized culverts, are numerous, both in Mackenzie Meadows and elsewhere in the county. Most of this work was completed prior to the work done at 2523 Jessica St., often substantially beforehand. Nevertheless, I am aware of only one property owner, aside from myself, who has been informed that similar work is in violation and must be remedied. Selective enforcement is illegal and will subject the county to numerous law suits for abuse of authority. Accordingly, such regulations must be enforced against all non-conforming property owners or none.

In conclusion, though it is understandable why Yellowstone County needs to establish and maintain uniform standards and practices for developers and builders, the current situation is perilous for unsuspecting property owners who can easily find themselves

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ensnared in a bureaucratic trap through no fault of their own. This is evidenced by the number of property owners in McKenzie Meadows alone who now find themselves in alleged violation of arcane county rules and regulations that may make little sense to them, especially those having observed other established residences having previously performed similar work. Those from out of the area and those who have not previously navigated the building process multiple times are especially vulnerable. In my case, having been told by multiple parties that Jessica St. is not maintained by Yellowstone County, it was reasonable for me to understand that the county had neither easement nor right-of-way aside Jessica St. Accordingly, I realized no obligation to consult with the county before building a suitably wide driveway for my house or to extend the driveway culvert and fill in the ditch aside Jessica St. to facilitate mowing and installation of an effective sprinkler system. Nor did my builder.

If Yellowstone County perceives a problem with property owners building driveways wider than some not-readily-apparent width limitation, and/or filling in ditches aside roads and streets not maintained by the county, remedying the faults in the current system that make the building process so perilous to unsuspecting property owners is a much more appropriate solution to any such problem than the practice of damaging unsuspecting property owners after the fact in order to set examples. For example, Approach Permits should clearly display the permissible driveway width specific to each permit and consequences of exceeding such width should be boldly stated. If optional permits are available for driveways of extended widths, such should be clearly displayed. Additionally, county authority regarding streets and roads not maintained by the county should be clearly documented and readily apparent to unsuspecting property owners. The current system is far too perilous to both property owners and builders.

The purpose of a variance is to accommodate a property owner in an out-of-the-ordinary situation. As evidenced by the discussion herein and my previous letter dated September 30, 2025, my case is clearly out-of-the-ordinary and obviously worthy of a variance. As such, I ask that my variance request be promptly granted so that I may finish my building project and move on to other urgent matters.

Please be advised that Jeff Hill of Hill Builders visited the Public Works Department to apply for the appropriate 50-foot approach permit on October 07, 2025, as advised by Mr. Mcisaac on September 19. For reasons unknown to both Mr. Hill and myself, he was informed that no such permit would be issued at that time.

Please read this document into the minutes of this proceeding and record the minutes into the county records.

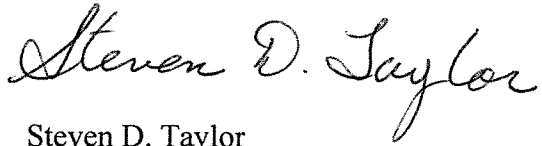
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Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Steven D. Taylor". The signature is written in black ink and is positioned above the printed name.

Steven D. Taylor

Copies: Hill Builders, File

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September 30, 2025

COPY

Logan McIssac
Public Works Manager
Yellowstone County
P O Box 35024
Billings, MT 59107

RE: Your Letter Dated September 09, 2025

Mr. McIsaac:

This letter is a response to your letter dated September 09, 2025, our face-to-face conversation of August 29, 2025 and our telephone conversation of September 19, 2025.

I have applied for a variance regarding the alleged right of way encroachment at 2523 Jessica St with the Public Works Department.

Additionally, my builder, Jeff Hill of Hill Builders has applied for a 50-foot approach permit for the established concrete driveway.

Please acknowledge receipt of this letter via United States postal mail.

Thank you for your time and consideration.

Respectfully,

Steven D. Taylor

Copies: Jeff Hill, File

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