

REQUEST FOR VARIANCE

Pursuant to the Carbon County Subdivision Regulations, Revised April 2018, We the undersigned, Charles and Lynn Truxillo, ("Truxillo"), request to waive Condition No. 8 per Clearview Subsequent Minor Subdivision – Preliminary Plat Approval subject to Conditions of Approval. Condition No. 8 States that Clearview Subdivision developers Charles and Lynn Truxillo "Provide a water supply for fire suppression purposes acceptable to the Red Lodge Fire District prior to final plat approval. This may include an agreement with a local municipality and/or landowner."

This variance is requested because:

- An agreement with the City of Red Lodge to use a nearby fire hydrant has been denied.
- An agreement with a neighboring well has been denied by the Red Lodge Fire District because it is unlikely that a well could supply the volume and pressure required by the Fire Department.
- A Fire suppression pond located in a nearby subdivision on Nature's Way will likely not pass today's standards for an on-site water supply system.

Truxillo would like to propose a lien agreement with Carbon County as an alternative to said Condition No. 8. The proposed lien agreement states that a fee of \$2500 per lot will be paid to Carbon County upon the sale of each lot or when a septic permit is applied for on each lot. Once the fee is paid on each lot a lien release will be recorded.

Approving this variance would not overly compromise public health, safety or general welfare to adjoining landowners due to the fact that Clearview Subdivision was platted with a similar fire plan in place. The fire plan was also in the form of a lien in lieu of providing a water supply for fire suppression purposes. Approving this variance will not cause an increase in public costs. In fact, it has and would benefit the county financially due to the fees that had been paid by Clearview Subdivision Developer, Truxillo, and the fees that will be paid upon the approval of this request for variance. This variance will not cause the subdivision to deviate from zoning regulations. Clearview Subdivision is located outside of city limits and in Carbon County. Carbon County does not have adopted zoning regulations. Red Lodge Fire will respond to a fire in Clearview Subdivision. Clearview Subdivision is not located within a high fire risk area and has adequate access. This Subsequent Minor Subdivision would increase the number of lots to 6, however all lots would be 5 acres or more in size and so is not considered a highly dense subdivision.


Charles Truxillo, Landowner

19 FEB 19
Date


Lynn Truxillo, Landowner

19 FEB 19
Date

LORI LYNDE
CARBON COUNTY TREASURER

PO BOX 828
RED LODGE, MT. 59068

Cash Receipt: Printed 12:11:35 - 02/19/19
Operator: Robert Kramer
Posted: 02/19/19

Batch: 22435
Transaction: 5

Received: 02/19/19 12:11:34 PM

Description	Total
<hr/>	
Reference #: TRUXILLO SUB DIV VAR Name: Truxillo Sub Div Variance	
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1000-341070 PLANNING FEES	100.00
Fund 1000 Acct 341070	

Check # 1894	100.00
Cash Paid	
Credit Paid	
Less Change Given	
TOTAL:	100.00
