



Kyle Holland, **Planner II**
Community Development Department
316 North Park Avenue, Room 445
Helena, MT 59623

: Phone: 406-447-8492
: Fax: 406-447-8460
: Email: kholland@helenamt.gov

helenamt.gov

Date: June 20, 2024

STAFF REPORT

To: Helena Board of Adjustment

From: Kyle Holland, City Planner II

Subject: Consideration of:

1. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the eastern side of the existing dwelling for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.
2. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the south side of the existing dwelling for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.
3. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the north side of the existing garage for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.
4. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the west side of the existing garage for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.

This variance is to reduce the side lot line setback between the existing structures and the proposed new lot line.

This property is located at 1105 State Street.

OVERVIEW

GENERAL INFORMATION

DATE OF APPLICATION: Application received May 31, 2024

PUBLIC HEARING DATE: Board of Adjustment - 5:30 p.m., Tuesday, July 2, 2024

PROPERTY OWNER: Karin Finley

MAILING ADDRESS: 1105 State Street, Helena, MT 59601

CONTACT NUMBER: (406) 465-3651

EMAIL ADDRESS: kansaskp@gmail.com

APPLICANT: Jared Lay, PLS

MAILING ADDRESS: 1229 E. Lyndale Avenue, Helena, MT 59601

CONTACT NUMBER: (406) 449-1306

EMAIL ADDRESS: jared@jbartengineers.com

PROPERTY ADDRESSES: 1105 State Street, Helena, MT 59601

LEGAL DESCRIPTION:

Lots 5 and 6 in Block 7 of the Chris Kenck Addition to the City of Helena, Lewis and Clark County, Montana.

PRESENT LAND USE: Single dwelling unit with detached garage

ADJACENT LAND USE:

North: R-2 – Single Dwelling Unit

South: R-2 – Single Dwelling Unit

R-2- Two Dwelling Units

East: R-2 – Single Dwelling Unit

West: R-2 – Single Dwelling Unit

PRESENT ZONING: R-2

VARIANCE PROPOSALS:

1. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the eastern side of the existing dwelling for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.
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HISTORY OF APPLICABLE PERMITTING ACTION:

- 1) August 1929, the earliest permit on file is for construction of the house.
- 2) From July 1940 to May 1995 there are 7 permits on file for remodels, roofing, electrical upgrades and mechanical system.

ZONING EVALUATION for the properties legally addressed as 1105 State Street, Helena, MT, located in a R-2 zoning district.

ZONING REQUIREMENT	Applicable ZONING REGULATION	PRESENT CONDITION	PROPOSAL	VARIANCE REQUIRED
City Code: §11-4-2 (Table 2) (R-2) LOT REQUIREMENTS BY ZONING DISTRICTS	Side lot line setback: 8' minimum	Current setback is internal to lot configuration. 57'-9" to east property line from existing house.	Reduce side lot line setback to 5'-0" to allow for adjustment of lot lines	Yes
City Code: §11-4-2 (Table 2) (R-2) LOT REQUIREMENTS BY ZONING DISTRICTS	Side lot line setback: 8' minimum	Current setback is internal to lot configuration. 30'-11" to south property line from existing house.	Reduce side lot line setback to 5'-0" to allow for adjustment of lot lines	Yes
City Code: §11-4-2 (Table 2) (R-2) LOT REQUIREMENTS BY ZONING DISTRICTS	Side lot line setback: 8' minimum	Current setback is internal to lot configuration. 76'-6" to north property line from existing garage.	Reduce side lot line setback to 5'-0" to allow for adjustment of lot lines	Yes
City Code: §11-4-2 (Table 2) (R-2) LOT REQUIREMENTS BY ZONING DISTRICTS	Side lot line setback: 8' minimum	Current setback is internal to lot configuration. 32'-10" to west property line from existing garage.	Reduce side lot line setback to 5'-0" to allow for adjustment of lot lines	Yes

BOARD OF ADJUSTMENT VARIANCE CRITERIA

Section 11-5-5 of the Helena Zoning Ordinance includes certain criteria that must be reviewed as part of the variance procedure.

To approve a requested variance for a new building or portion thereof, the board of adjustment shall consider the following standards and find as follows:

1. *The variance will not create a significant risk to the public health, safety, or general welfare;*
2. *The variance will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located; and*
3. *Strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.*

In evaluating the standards above, the board of adjustment may consider the following factors:

1. *Special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property.*
2. *The height, location, or dimensions of existing structures located on the site or in the vicinity of the site.*
3. *Whether there is a prevalence of nonconformities in the vicinity of the site that are similar to the variance requested.*
4. *The subsequent imposition of zoning restrictions creating nonconforming lots or parcels, and governmental actions beyond the applicant's control.*

5. *Whether a literal interpretation of the provisions of this Title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this Title.*
6. *The extent to which the hardship or difficulty results from the actions of the applicant.*
7. *Whether granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other properties similarly located in the same zoning district.*

PUBLIC COMMENT:

As of Thursday, June 20, 2024, no comments have been received.

City Attorney's Office:

It is the recommendation of the City Attorney's Office, that staff does not make a recommendation to approve or deny a variance.

CONCLUSION

Montana law states the Board of Adjustment has authority to consider "...upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done." (76-2-323 MCA)

Motion:


Move to Approve or Deny

1. **A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the eastern side of the existing dwelling for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.**
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If the Board of Adjustment approves the requested variance, the following condition is recommended:

Building Permit: A building permit must be obtained within one (1) year.

Regards,



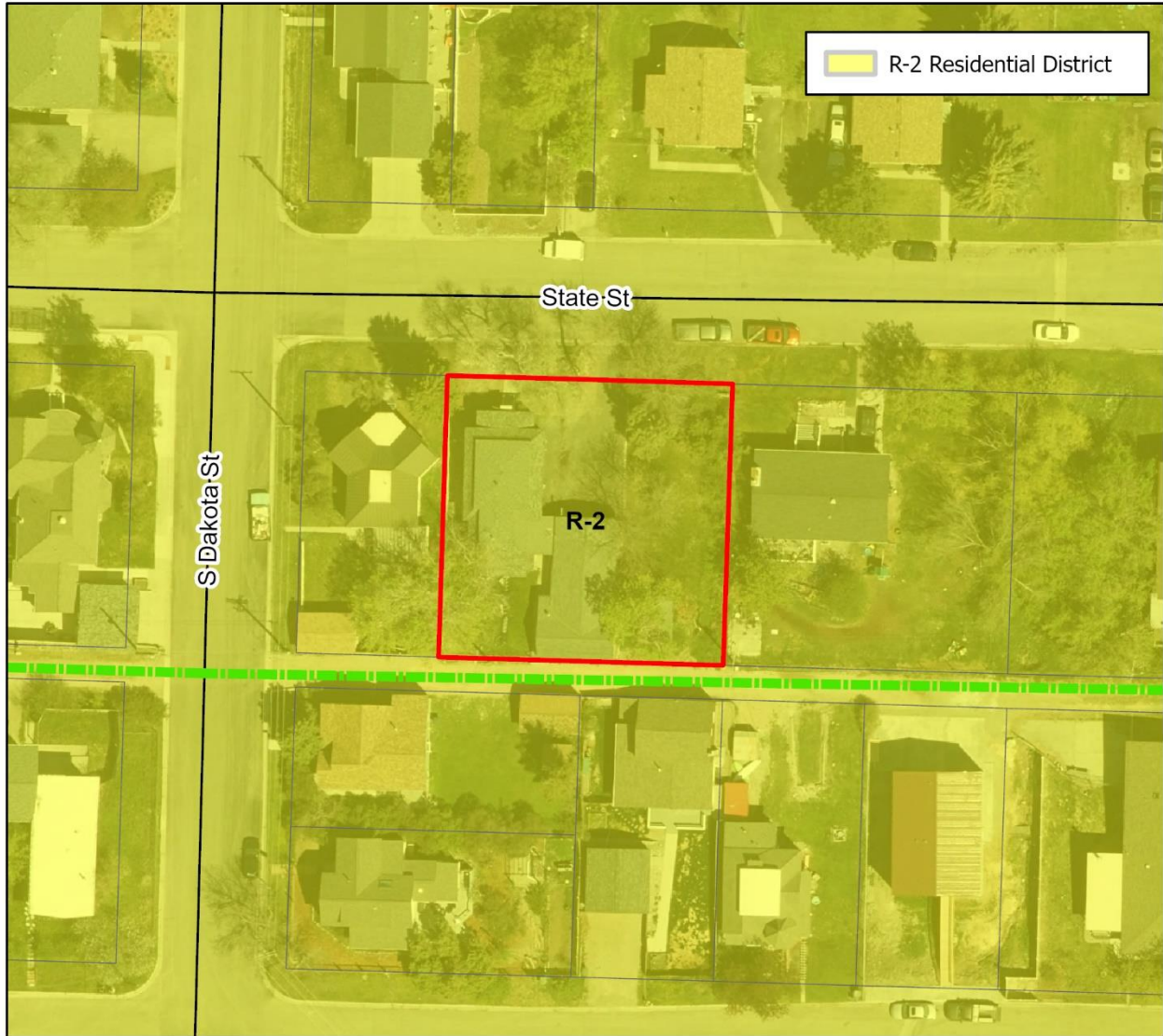
Kyle Holland, Planner II





Community Development Department
City-County Building


316 N. Park Ave, Rm 403
Helena, MT 59623

1105 State St

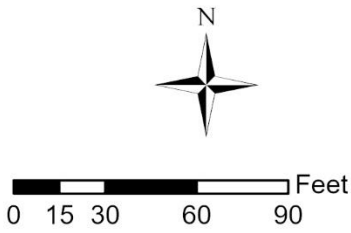
Zoning Map



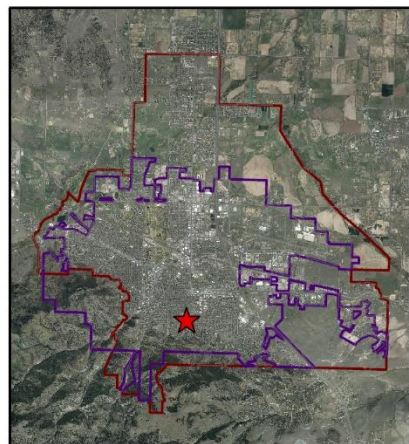
 1105 State St
 Paved
 Alley
 MT Parcels w Condos



Community Development
City/County Building
316 North Park Avenue, Rm. 445
Helena, MT 59623



Legal Description: CHRIS
KENCK ADDN, S31, T10 N,
R03 W, BLOCK 7, Lot 5 - 6,
CHRIS KENCK ADDN BLK 7



Project Reviews

City of Helena

Project Number: ZBOA2405-001

Description: **1105 State St**

Applied: **5/31/2024**

Approved:

Site Address: **1105 STATE ST**

Closed:

Expired:

City, State Zip Code: **HELENA, MT 59601**

Status: **RECEIVED**

Applicant: **Jared Lay, PLS**

Parent Project:

Owner: **Karin and Rick Finley**

Contractor: **<NONE>**

Details:

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: ALL						
6/7/2024	6/11/2024	6/21/2024	TRANSPORTATION SYSTEMS	Mark Young	NOT APPLICABLE	
Notes:						
Review Group: AUTO						
5/31/2024		6/3/2024	DIRECTOR REVIEW	Christopher Brink		
Notes:						
Review Group: ZONING						
6/7/2024	6/10/2024	6/21/2024	ADDRESSING	Jason Danielson	SEE COMMENTS	
Notes:						
1105 State St is a valid and existing address associated to the existing structure on Lot 6A.						
If approved, a City Address Application must be completed and submitted to the Addressing Office for the proposed house on Lot 5A. Notification letters will be sent to the applicant and service providers after the address has been assigned.						
6/7/2024	6/7/2024	6/21/2024	BUILDING	Kim Mack	DENIED	
Notes:						
1. Proposed location of new boundary will require modifications to the both the existing house on Lot 6A and the existing garage for proposed Lot 5A. 2021 International Residential Code, Section R302 requires a minimum of 5'-0" to property line or fire-resistive rated construction will be required on walls at less than 5'-0".						
Property line relocations cannot cause the existing structures to become non-compliant with Building Code requirements unless modifications are completed on existing structures.						
6/7/2024		6/21/2024	CITY ATTORNEY	MATT PETESCH		
Notes:						

Project Reviews

City of Helena

6/7/2024	6/10/2024	6/21/2024	FIRE	Lou Antonick	SEE COMMENTS	
Notes:						
1. It should be noted, water flow from the hydrants. The minimum per the 2021 International Fire Code (IFC) should be 1500 GPM and data from the water division suggest the max is approximately 936 GPM.						
2. The Helena Fire Department also concurs with the Building Division comments.						
6/7/2024		6/21/2024	HCC	Peggy Benkelman		
Notes:						
6/7/2024		6/21/2024	PARKS	DOUG SMITH		
Notes:						
There are no comments from the Parks Dept. at this time.						
6/7/2024		6/21/2024	POLICE	Jayson Zander		
Notes:						
6/7/2024	6/14/2024	6/21/2024	PUBLIC WORKS	JAMIE CLARK	NO COMMENT	
Notes:						
6/7/2024		6/21/2024	LCC ADMINISTRATIVE SERVICES			
Notes:						
6/11/2024	6/12/2024	6/21/2024	ADDRESSING	Jason Danielson	SEE COMMENTS	Revised submittal 6-11-24
Notes:						
1105 State St is a valid and existing address associated to the existing structure on Lot 6A.						
If approved, a City Address Application must be completed and submitted to the Addressing Office for the proposed house on Lot 5A. Notification letters will be sent to the applicant and service providers after the address has been assigned						
6/11/2024	6/12/2024	6/21/2024	BUILDING	Kim Mack	APPROVED	Revised submittal 6-11-24
Notes:						
Boundary line adjustments as submitted in revisions will allow the existing structures to remain compliant with current adopted building codes.						
6/11/2024	6/12/2024	6/21/2024	FIRE	Lou Antonick	SEE COMMENTS	Revised submittal 6-11-24
Notes:						
6/10/2024 2:19:39 PM (Lou Antonick)						
1. It should be noted, water flow from the hydrants. The minimum per the 2021 International Fire Code (IFC) should be 1500 GPM and data from the water division suggest the max is approximately 936 GPM.						
2. The Helena Fire Department also concurs with the Building Division comments.						



Kyle Holland, Planner II

Community Development Department
316 North Park Avenue, Room 445
Helena, MT 59623

: Phone: 406-447-8492
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helenamt.gov

Date: June 13, 2024

TO WHOM IT MAY CONCERN: Variances from district dimensional standards requirements are being proposed in your area. Please review the enclosed description, and vicinity map. You may respond to the proposal at the public hearing or submit written comments prior to the July 2, 2024, Board of Adjustments public hearing to the City Planning Division, 316 North Park, Helena MT 59623.

The Helena Board of Adjustments will hold a public hearing on the variance request on Tuesday, July 2, 2024, at 5:30 p. m. via Zoom at <https://zoom.us/j/95139091644>, Meeting ID: 951 3909 1644. Dial in at (346) 248-7799 or find your local Zoom phone number by going to <https://zoom.us/u/abx78Gko9e>.

Interested parties are encouraged to attend this meeting. We may not be able to reach all who may be interested in this application, and we encourage you to talk to your neighbors about this proposal.

PROPOSAL:

1. A variance from Section 11-4-2 to decrease the minimum side lot line setback from 8' to 5', for the side lot line setback on the eastern side of the existing dwelling for property with a legal description of Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.
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This variance is to reduce the side lot line setback between the existing structures and the proposed new lot line.

ADDRESS:

This property is located at 1105 State Street

GENERALLY LOCATED:

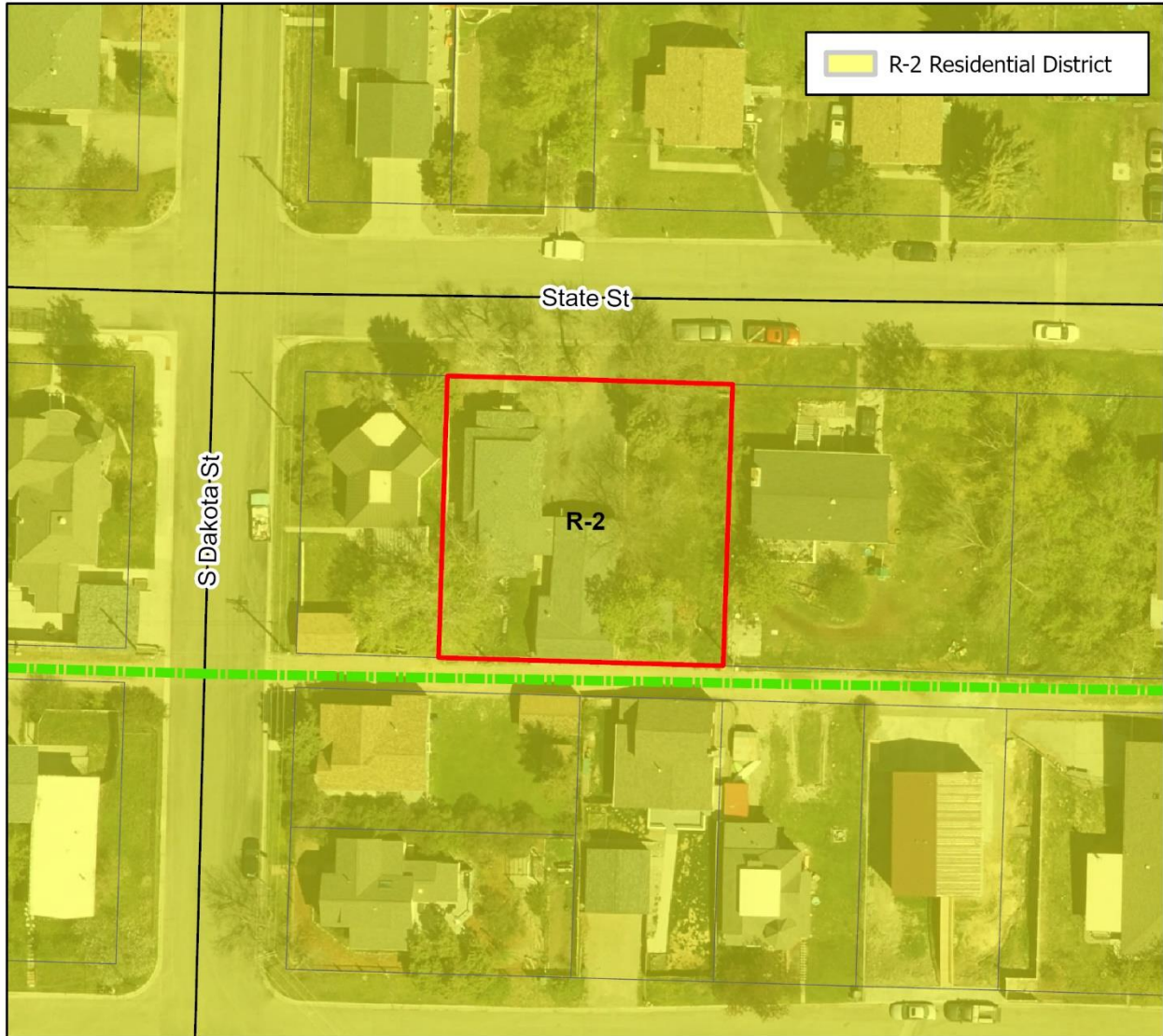
This property is generally located on the south side of State Street between Dakota Street and Montana Avenue.

Sincerely,


Kyle Holland, Planner II
Community Development Department
City-County Building
316 N. Park Ave, Rm 403
Helena, MT 59623

1105 State St

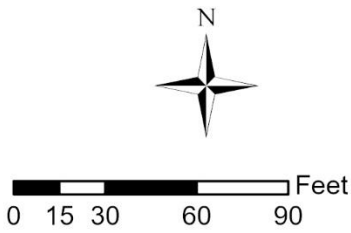
Zoning Map



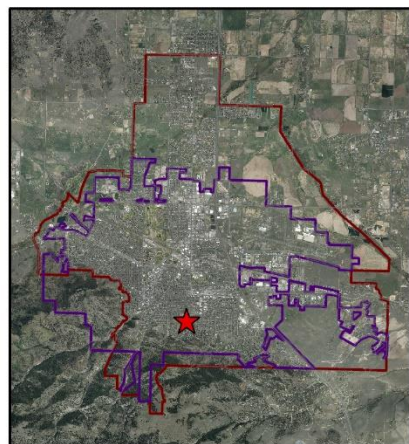
- 1105 State St
- Paved
- Alley
- MT Parcels w Condos



Community Development
City/County Building
316 North Park Avenue, Rm. 445
Helena, MT 59623



Legal Description: CHRIS
KENCK ADDN, S31, T10 N,
R03 W, BLOCK 7, Lot 5 - 6,
CHRIS KENCK ADDN BLK 7





BOARD OF ADJUSTMENT VARIANCE APPLICATION

Community Development Department, Planning Division
316 North Park Avenue, Room 445, Helena, MT 59623
406-447-8490; citycommunitydevelopment@helenamt.gov

Date received: _____

APPLICATION FEE: \$125.00
(PAYABLE TO THE CITY OF HELENA)
ALL FEES ARE NON-REFUNDABLE

PROPERTY OWNER: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____

APPLICANT (If different from property owner): *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____ Company: _____

AUTHORIZED REPRESENTATIVE: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____ Company: _____

Section A: PLEASE PROVIDE THE INFORMATION REQUESTED BELOW.

Address of Property _____
Address City State Zip Code

Legal Description (Block & Lots, Subdivision, COS#) _____

Geocode _____

The most recent deed for impacted property

Lot or Parcel Size (square feet) _____

Current and proposed use of structure or property: _____

Current Zoning District _____

Are there other related Land Use Applications being submitted: Yes No

Submit proof of current paid taxes


1 copy of a scaled site plan and supporting data/documents. The site plan must clearly show the existing standard and the proposed variance to the standard.

Section B: INDICATE WHICH VARIANCE(S) IS (ARE) BEING REQUESTED AND THE EXTENT OF THE VARIANCE.

EXAMPLE: [X] Reduce Front Lot Line Setback: *From the required 10 feet to 3 feet.*

Please provide all the information requested in the Application. An incomplete application may delay the review of your request. Please note: "N/A" is not an acceptable answer alone and requires an explanation if used.

Dimensional Criteria:

- Reduce front lot line setback: _____
- Front lot line setback #2 (corner lot): _____
- Reduce garage entrance setback: _____
- Reduce side lot line setback: _____ 
- Reduce rear lot line setback: _____
- Exceed building height limitation: _____

Lot Coverage/Area Criteria:

- Lot coverage percentage: _____
- Front porch lot coverage percentage: _____
- Lot area per dwelling unit: _____

Landscaping Criteria:

- Reduce or eliminate landscaping area: _____
- Reduce or eliminate screening: _____

Parking Criteria:

- Exceed the maximum parking spaces allowed: _____
- Reduce the amount of required on-site parking spaces: _____
- Reduce or eliminate loading berths: _____
- Reduce or eliminate required bicycle spaces: _____
- Reduce size of parking space: _____

Sign Criteria:

- Sign area (square footage): _____
- Sign height: _____
- Sign location: _____
- Number of signs: _____

Other: _____

Section C: BOARD OF ADJUSTMENTS VARIANCE REVIEW CRITERIA.

To approve a requested variance for a new building or portion thereof, the Board of Adjustment shall consider the following standards in section 11-5-5 of the Helena City Code and find as follows:

1. The variance will not create a significant risk to the public health, safety, or general welfare;
2. The variance will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located; and
3. Excluding monetary hardship, strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.

These are the standards your application for variance will be judged on. Your answers in section D should speak to the review criteria.

It is the applicant's burden of proof to show that a variance should be granted. As part of your application, you are required to provide information for each of the following factors including all alternatives considered. Failure to provide adequate responses or requested documentation may result in a returned application.

Section D: EVALUATION FACTORS

- 1. **Special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property.**

If the above condition applies, state the specific factors and provide supporting documentation. For example, if the variance request is due to an abnormal lot configuration, provide a survey of the lot that specifically demonstrates the issue.

- 2. **The height, location, or dimensions of existing structures located on the site or in the vicinity of the site.**

Ex: How is the proposed variance compatible with the other structures located on the site or in the vicinity of the site? On the site plan you provide, please represent accurately and to scale the height, location, and dimensions of existing structures.

- 3. **Whether there is a prevalence of nonconformities in the vicinity of the site that are similar to the variance requested.**

If so, what are those nonconformities and provide supporting documentation.

- 4. **The subsequent imposition of zoning restrictions creating nonconforming lots or parcels, and governmental actions beyond the applicant's control.**

Is the need for a variance request a result of government action? For example, the front yard setbacks were increased after construction of the structure, thereby creating the non-conformity. Explain.

- 5. **Whether a literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.**

For example, would the denial of the variance deny the property owner the right to safe placement of a garage where garages are typical? If so, explain.

6. The extent to which the hardship or difficulty results from the actions of the applicant.

Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the City Code and list alternatives and options considered by the applicant. Provide supporting documentation.

7. Whether granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other properties similarly located in the same zoning district.

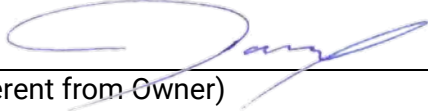
8. Do you think a rebuttable presumption, as identified in City Code Section 11-5-5(E), should apply to your property, yes or no? For example, do you have an existing non-conforming structure that you wish to rebuild in the same location? If yes, show the original footprint of the building. Provide documentation that proves the existence of the prior nonconformity. Document that the nonconformity can be in compliance with building and fire codes.

9. Provide any additional information you would like the Board to consider.

IT IS THE POLICY OF THE CITY OF HELENA'S BOARD OF ADJUSTMENT TO NOT ACT ON A PROPOSAL IF THE APPLICANT/PROPERTY OWNER OR REPRESENTATIVE IS NOT PRESENT AT THE BOARD OF ADJUSTMENTS HEARING. CITY STAFF REPRESENT THE CITY AND CANNOT ANSWER QUESTIONS ON BEHALF OF THE APPLICANT AT THE BOARD OF ADJUSTMENT HEARINGS.

I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed: _____ Date: _____
Property Owner

Applicant: _____ Date: _____
(If different from Owner) 

(Property owner must sign application)

It is recommended that the applicant contact neighbors to inform them of proposal and identify any concerns that the applicant may be able to address.

City Planning Staff represents the City; staff cannot answer questions for the applicant.

I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed:  Date: 05/30/2024
Property Owner

Applicant:  Date: 05/13/2024
(If different from Owner)

(Property owner must sign application)

It is recommended that the applicant contact neighbors to inform them of proposal and identify any concerns that the applicant may be able to address.

City Planning Staff represents the City; staff cannot answer questions for the applicant.

L & C 1119428
Return to
Flying S Title & Escrow
PO Box 251
Helena, MT 59624

AND WHEN RECORDED MAIL TO:

Karin R. Finley and Ricky L. Finley
1105 State St.
Helena MT 59601

Filed for Record at Request of:
Flying S Title and Escrow of Montana, Inc.

Space Above This Line for Recorder's Use Only

Order No.: 1119428
Parcel No.: 4088

**WARRANTY DEED
(Joint Tenancy)**

FOR VALUE RECEIVED,

Cheryl Stemple

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

Karin R. Finley and Ricky L. Finley as joint tenants with right of survivorship

whose address is: **1105 State Street, Helena, MT 59601**

hereinafter called Grantees, as joint tenants (and not as tenants in common) and to the survivor of said named joint tenants, and to the heirs and assigns of such survivor, the following described premises, in **Lewis and Clark County, Montana**, to-wit:

Lots 5 and 6 in Block 7 of the CHRIS KENCK ADDITION to the City of Helena, Lewis and Clark County, Montana.

SUBJECT TO Covenants, Conditions, Restrictions, Provisions, Easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD, the said premises, with its appurtenances unto the said Grantees, as joint tenants with the right of survivorship (and not as tenants in common) and to the heirs and assigns of the survivor of said named tenants forever. And the said Grantor(s) do(es) hereby covenant to and with Grantees, he/she or they) is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except for taxes and assessments for current and subsequent years and he (she or they) will warrant and defend same from all lawful claims whatsoever.



Shopping Cart: 0 items [\$0.00]

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- [History](#)
- [Payoff](#)
- [PayTaxes](#)
- [Help](#)

Property Tax ID: 4088

Status: Current
Realware#: 188831115150000
Receipt: 68049

2023 Owner(s):
 STEMPLE CHERYL

Mailing Address:
 1105 STATE ST
 HELENA, MT 596015135

Levy District:
 01-01, Tax District 01

[Tax Comparison](#)

2023 Value:

Market: \$368,600
Taxable: \$4,976

2023 Taxes:

First Half:	\$1,993.51	Due: 11/30/2023
Second Half:	\$2,079.57	Due: 5/31/2024
Total:	\$4,073.08	

[View Pie Charts](#)

2023 Payments:

First Half:	\$1,993.51
Second Half:	\$2,079.57
Total:	\$4,073.08

(May include penalty & interest)

[Detail](#)

[Detail](#)

2023 Legal Records:

Geo Code: 05-1888-31-1-15-15-0000 **Deed Book:** M61 **Page:** 8330 **Instru#:** 3407564 **Date:** 2023-01-10

Property address: 1105 STATE ST, HELENA MT 59601
Subdivision: (CKA) SubDivision CKA **Lot:** 5 **Block:** 7
TRS: T10 N, R03 W, Sec. 31
Legal: CHRIS KENCK ADDN, S31, T10 N, R03 W,
 BLOCK 7, Lot 5 - 6, CHRIS KENCK ADDN
 BLK 7 LTS 5-6
 Acres: 0.23

Note: The accuracy of this data is not guaranteed. Property Tax data was last updated 05/31/2024 10:00 AM.

Send Payments to:
 Lewis & Clark County
 316 North Park Ave; Room #113
 Helena, Montana 59623

Phone: (406) 447-8329
 Email: propertytax@lccountymt.gov





Shopping Cart: 0 items [\$0.00] 🛒

New Search

Detail

History

Help

Property Tax ID: 4088

Status: Current

Type: RE

Owner: STEMPLE CHERYL

Current Tax Year:

Total Unpaid:

Tax Year	Amount	Discount	Total Due

Total payoff amount as of 5/31/2024: \$0.00

Tax Year	Due Date	Statement#	Half	Tax Amount	Interest	Penalty	Discount	Total Due

Note: The accuracy of this data is not guaranteed. Property Tax data was last updated 05/31/2024 10:00 AM.

Send Payments to:
 Lewis & Clark County
 316 North Park Ave; Room #113
 Helena, Montana 59623

Phone: (406) 447-8329
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AMENDED PLAT

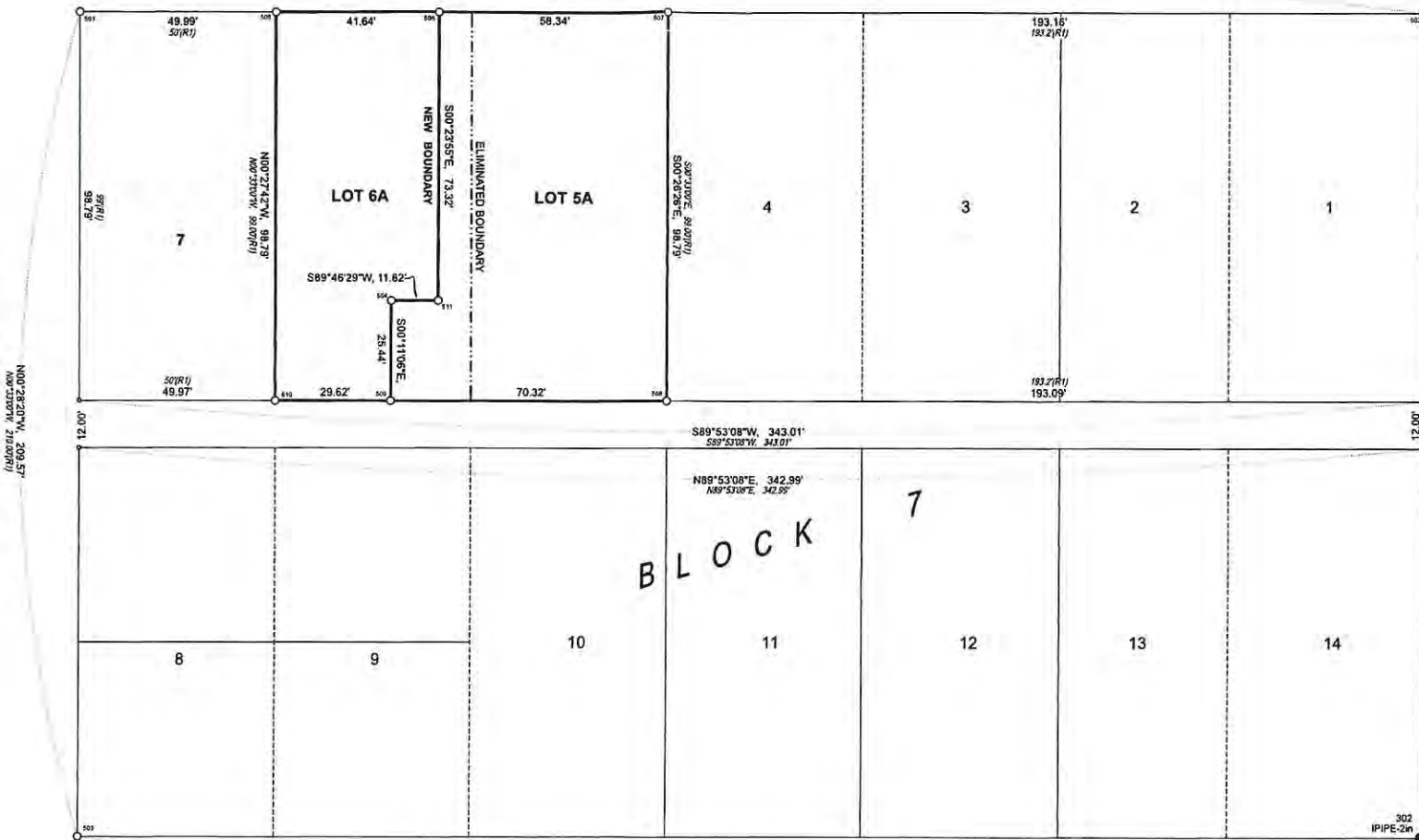
OF LOT 5 & LOT 6, BLOCK 7 OF THE CHRIS KENCK ADDITION TO HELENA
LOCATED IN THE NE1/4 OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 3 WEST, CITY OF
HELENA, LEWIS AND CLARK COUNTY, MONTANA, PRINCIPAL MERIDIAN, MONTANA

STATE STREET 60' WIDE PUBLIC ROAD

N89°45'00"E, 503.20'(R1)
N89°53'08"E, 503.50'



DAKOTA STREET 60' WIDE PUBLIC ROAD



MONTANA AVENUE 80' WIDE PUBLIC ROAD

THIRD STREET 60' WIDE PUBLIC ROAD

N89°53'08"E, 342.87'
N89°45'00"E, 343.01'(R1)

S88°18'00"E, 291.27'(R2)
N89°45'00"E, 292.00'(R1)
N89°53'08"E, 291.23'

- LEGEND**
- = Found survey monument, as described
- = Set 5/8" x 24" rebar with 1.25" blue plastic cap mk'd '97665LS'
- = Calculated point, no monument found or set, this survey
- P.O.B.** = Point of Beginning
- C.O.S.** = Certificate of Survey
- N.P.S.** = Not a Part of this Survey
- (R1)** = Record per C.O.S. 1000809, Chris Kenck Addition to Helena
- (R2)** = Record per C.O.S. 3012648, Fountain Court Subdivision
- = Original Lot Line per C.O.S. 1000809, Chris Kenck Addition to Helena
- = Eliminated Lot Line, this survey
- = New Lot Line, this survey
- = Existing Lot Line(s), per deeds and surveys

- SURVEYOR'S NOTES:**
- A title commitment was not provided as a part of this survey; certain easements, encumbrances, covenants, and other evidence that an accurate, current, and complete title search would disclose may not be shown.
 - Adjoining tract information was sourced from the Montana Cadastral website at the time of this survey. No guarantee is made that this adjoining information is accurate or up to date.

C.O.S. 3012648
FOUNTAIN COURT SUB.

C.O.S. 3012648
FOUNTAIN COURT SUB.

DRAFT
C.O.S. 3012648
FOUNTAIN COURT SUB.

CERTIFICATE OF SUBDIVISION EXEMPTION
This survey was commissioned by Karin Finley and is for divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties. Therefore this survey is exempt from review under the Montana Subdivision and Platting Act pursuant to Section 76-3-207(1)(e), M.C.A.

The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey or amended plat on which said area is described, unless said area is included with or excluded from adjoining tracts of record. 24.183.1104(1)(i)(ii)(C), A.R.M.

D.E.O. EXEMPTION, LOT 5A, LOT 6A
I, the undersigned, hereby certify that Lot 5A and Lot 6B are excluded from Sanitation Review by the Department of Environmental Quality pursuant to M.C.A. 76-4-125(c)(ii) as these are divisions made for purposes other than the construction of water supply or sewage or solid waste disposal facilities as the department specifies by rule; and they are divisions or previously divided parcels of land that are exempt from the Montana Subdivision and Platting Act review under 76-3-203 or 76-3-207(1)(a), (1)(b), (1)(d), (1)(e), or (1)(f).

Karin Finley _____ Date _____
State of Montana _____
County of _____
This instrument was signed or acknowledged before me on _____ by Karin Finley
(Name of signer)

(Notary Signature)
(Affix seal/stamp to the left or below)

LEGAL DESCRIPTION LOT 5A, BLOCK 7 OF THE CHRIS KENCK ADDITION TO HELENA
A tract of land located in the Northeast 1/4 of Section 31, Township 10 North, Range 3 West, Principal Meridian, Montana, City of Helena, Montana, Lewis and Clark County, Montana, being more particularly described as follows:
Commencing at the survey monument located at the northwest corner of Block 7; thence N89°53'08"E, 49.99 feet to a survey monument; thence continuing N89°53'08"E, 41.64 feet to the survey monument at the Point of Beginning; thence from said Point of Beginning continuing N89°53'08"E, 58.34 feet to a survey monument; thence S00°23'55"E, 98.79 feet to a survey monument; thence S89°53'08"W, 70.32 feet to a survey monument; thence N00°11'06"W, 25.44 feet to a survey monument; thence N89°45'29"E, 11.82 feet to a survey monument; thence N00°23'55"W, 73.32 feet to the survey monument located at the Point of Beginning, containing 0.068 square feet or 0.133 acres, more or less, and subject to all easements of record or apparent on the ground.

LEGAL DESCRIPTION LOT 6A, BLOCK 7 OF THE CHRIS KENCK ADDITION TO HELENA
A tract of land located in the Northeast 1/4 of Section 31, Township 10 North, Range 3 West, Principal Meridian, Montana, City of Helena, Montana, Lewis and Clark County, Montana, being more particularly described as follows:
Commencing at the survey monument located at the northwest corner of Block 7; thence N89°53'08"E, 49.99 feet to a survey monument; thence continuing N89°53'08"E, 41.64 feet to the survey monument at the Point of Beginning; thence from said Point of Beginning S00°23'55"E, 73.32 feet to a survey monument; thence S89°45'29"W, 11.82 feet to a survey monument; thence S00°23'55"E, 25.44 feet to a survey monument; thence S89°53'08"W, 29.62 feet to a survey monument; thence N00°27'42"W, 98.79 feet to a survey monument; thence N89°53'08"E, 41.64 feet to the survey monument located at the Point of Beginning, containing 3,806 square feet or 0.087 acres, more or less, and subject to all easements of record or apparent on the ground.



CERTIFICATE OF SURVEYOR
I, Jared A. Lay, a licensed Professional Land Surveyor in the State of Montana, do hereby certify that this certificate of survey has been prepared in conformance with the applicable sections of the Montana Subdivision and Platting Act and the regulations adopted under the Act.
Jared A. Lay, Montana Reg. No. 17305LS Date _____

CERTIFICATE OF APPROVAL, CITY OF HELENA
Community Development _____ Date _____
City Engineer _____ Date _____

COUNTY TREASURER
I certify pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the land encompassed by this Certificate of Survey have been paid.
Geocode: 05-1888-31-1-15-15-0000 Assessment Code: 0000004088
Lewis and Clark Treasurer _____ Date _____

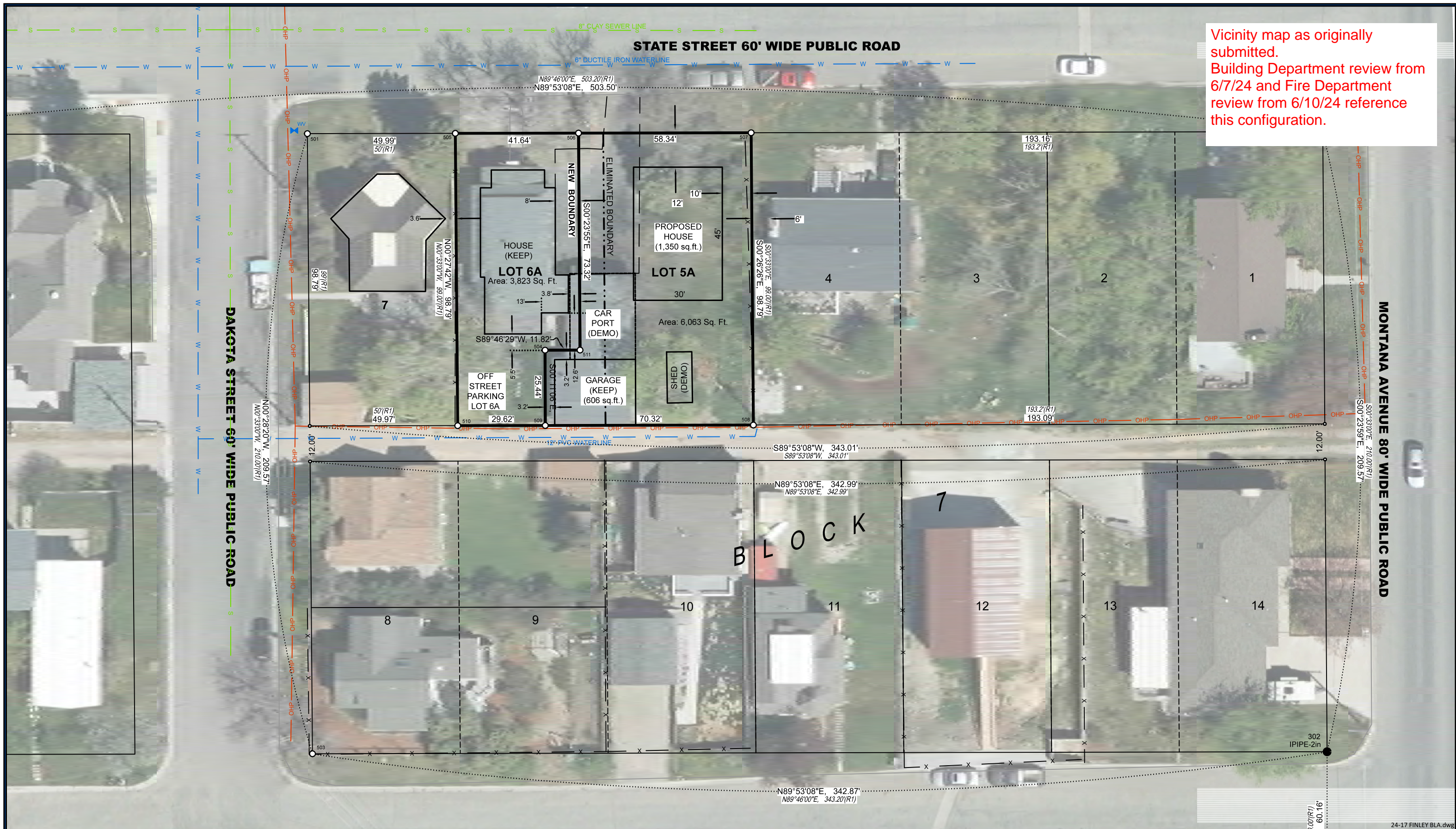
CERTIFICATE OF EXAMINING LAND SURVEYOR
Reviewed for errors and omissions in calculations and drafting pursuant to §76-3-611(2)(a), MCA
Date _____
Examining Land Surveyor
Reg. No. _____

1/4	SEC.	T.	R.
<input checked="" type="checkbox"/>	31	10N	3W
<input type="checkbox"/>			
<input type="checkbox"/>			

J BART ENGINEERS LLC
1229 E. Lyndale Ave.
Helena, MT 59601
www.jbartengineers.com
406.449.1306
DRAWN BY: JAL

County: LEWIS AND CLARK MONTANA P.M., Date: 5/15/2024

Vicinity map as originally submitted.
 Building Department review from 6/7/24 and Fire Department review from 6/10/24 reference this configuration.



REVISION DESCRIPTION	DATE	BY
1 DIMENSIONS ADDED TO BLDG.	06/07/24	JAL
2		
3		
4		
5		



J BAR T ENGINEERS LLC
 1229 E. Lyndale Ave.
 Helena, MT 59601
 www.jbartengineers.com
 406.449.1306

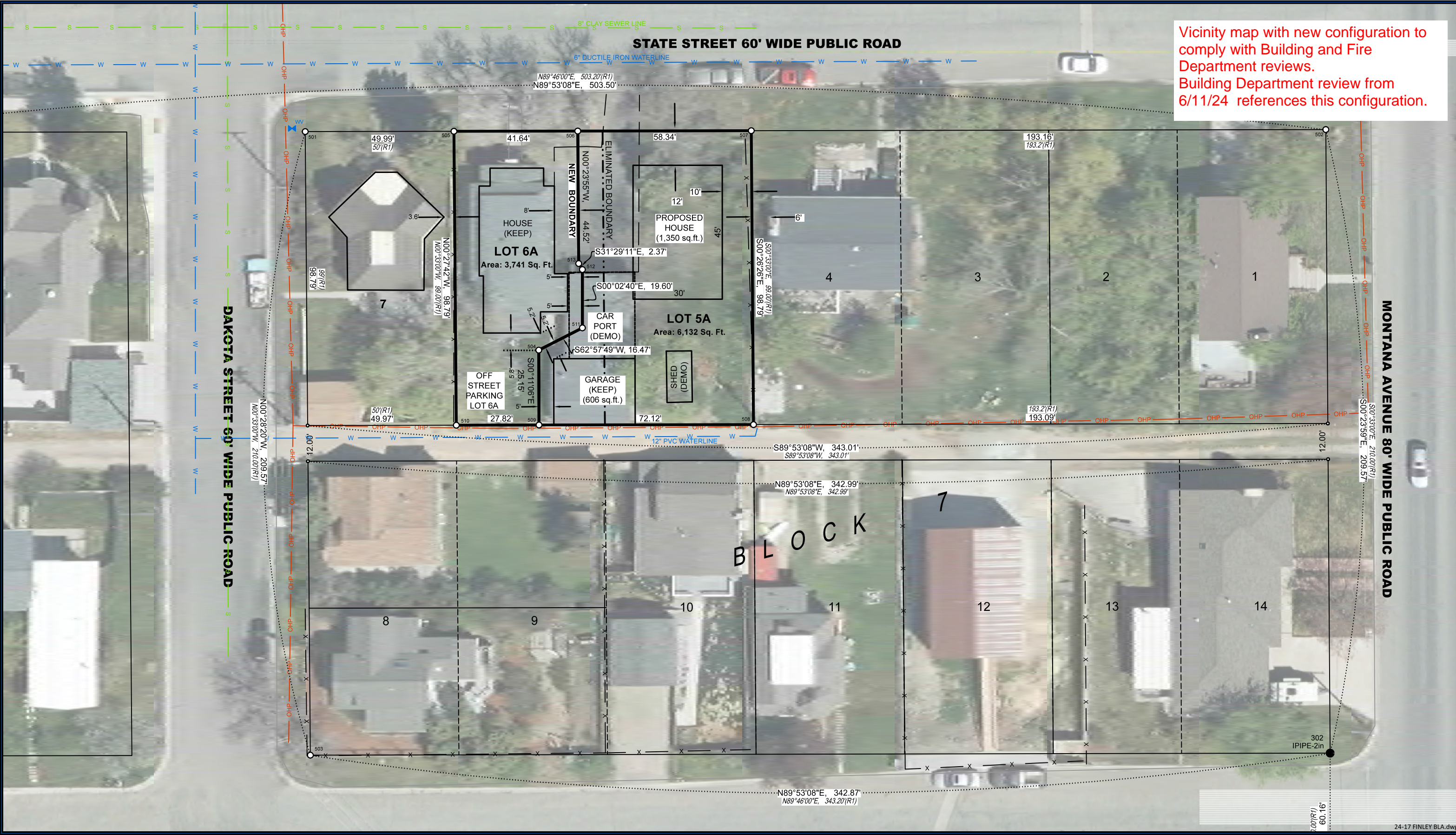


PROPOSED BOUNDARY RELOCATION
 VICINITY MAP
 1105 STATE STREET, HELENA, MONTANA

V1

PROJECT #: 24-17
 DATE: 04/10/2024
 DRAWN BY: JAL

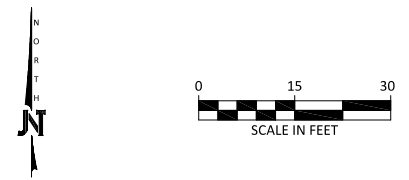
Vicinity map with new configuration to comply with Building and Fire Department reviews.
 Building Department review from 6/11/24 references this configuration.



REVISION DESCRIPTION	DATE	BY
1 DIMENSIONS ADDED TO BLDG.	06/07/24	JAL
2 CHANGED OFFSETS TO 5'	06/10/24	JAL
3		
4		
5		



J BAR T ENGINEERS LLC
 1229 E. Lyndale Ave.
 Helena, MT 59601
 www.jbartengineers.com
 406.449.1306



PROPOSED BOUNDARY RELOCATION
 VICINITY MAP
 1105 STATE STREET, HELENA, MONTANA

V1

PROJECT #: 24-17
 DATE: 04/10/2024
 DRAWN BY: JAL