



Michael Alvarez, Planner II  
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316 North Park Avenue, Room 404  
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[helenamt.gov](http://helenamt.gov)

Date: February 08, 2023  
File: ZONC2301-001 | 1312 Harrison and 612 Wilder

## ZONE CHANGE

### STAFF REPORT

TO: City of Helena Zoning Commission

FROM: Michael Alvarez, Planner II  
Christopher Brink, Community Development Director

SUBJECT: **Consideration of an ordinance amending City of Helena ordinance no. 3097 and the official zoning map for the City of Helena that changes the zoning district from R-2 (residential) to R-4 (Residential) for properties legally described as the north half of lots 13-16 in Block 39 of the Broadwater Addition, AND; The south half of lots 13-16 in Block 39 of the Broadwater Addition, both to the City of Helena, Lewis and Clark County, Montana;**

### GENERAL INFORMATION

DATE OF APPLICATION: Oct 25, 2022  
DATE DEEMED COMPLETE: Dec 20, 2022

**PUBLIC HEARING DATES:**  
**Zoning Commission: 5:30 P.M. Thursday, February 14, 2023**  
**City Commission: 6:00 P.M. Monday, March 27, 2023**

**PUBLIC NOTICE:**  
Legal notice has been published January 29, 2023 in the Independent Record; notice letters have been sent to adjacent property owners, and a sign posted on the property.

**PUBLIC COMMENT:**  
As of Wednesday, February 8th no public comments have been received regarding this proposed zone change.

OWNER: Amy Fisher  
ADDRESS: 1312 Harrison St, Helena, MT 59601  
EMAIL: [Agent4MTTitles@gmail.com](mailto:Agent4MTTitles@gmail.com)  
PHONE: 406-475-2356

OWNER: Berean Baptist Church – Rachel Fairbank

ADDRESS: 601 Wilder Ave  
EMAIL: mtrajin@gmail.com  
PHONE: 406-461-7893

APPLICANT: City of Helena – Community Development Dept  
ADDRESS: 316 N Park Ave, Rm 445

LEGAL DESCRIPTION:  
north half of lots 13-16 in Block 39 of the Broadwater Addition,  
AND;  
The south half of lots 13-16 in Block 39 of the Broadwater Addition,  
both to the City of Helena, Lewis and Clark County, Montana.

GENERAL LOCATION: The properties are generally located on the southwest corner of Harrison Ave and Wilder Ave, between the alley and Wilder Ave.

PRESENT LAND USE: Single dwelling-unit residence and worship facility  
Size: .28 acres

ADJACENT LAND USE:  
North: residential – single dwelling-units  
South: commercial (Woolsey’s tire service, Montana Nugget Casino)  
East: commercial (Top Shelf Botanicals – marijuana dispensary)  
West: residential – two dwelling-units, single dwelling-units beyond

PRESENT ZONING: R-2 (residential)

ADJACENT ZONING:  
North: R-2 (residential)  
South: B-2 (commercial)  
East: B-2 (commercial)  
West: R-2 (residential)

VICINITY MAP:



ZONING USE DEFINITIONS:

The R-2 (residential) district provides for residential dwellings and limited nonresidential development that protects and enhances the residential nature of the area.

The R-4/R-O (residential-office) districts provide for a compatible mix of higher density residential development with professional and business offices and associated service uses.

The B-2 (general commercial) district provides for compatible residential uses and a broad range of commercial and service uses that serve large areas of the City and that are normally required to sustain a community.

DESCRIPTION / BACKGROUND

The applicant and property owners are requesting that the official zoning map for the City of Helena be amended to change the zoning district of the above-described property from R-2 (residential) to R-4 (residential office). The southern property currently has a land use of residence single dwelling-unit. The property owner attempted to move her business (a title company) with a land use of general/professional service into the residence. The land use general/professional services is not permitted in the R-2 zoning district. The property owner first applied for a zone change. In the review of that application the City identified the worship facility to the north, Berean Baptist Church, as legal non-conforming, and as being an important additional capture to provide a more appropriate transitional area between the commercial and residential districts there. The City approached Berean Baptist Church and took over as applicant for the proposed zone change.

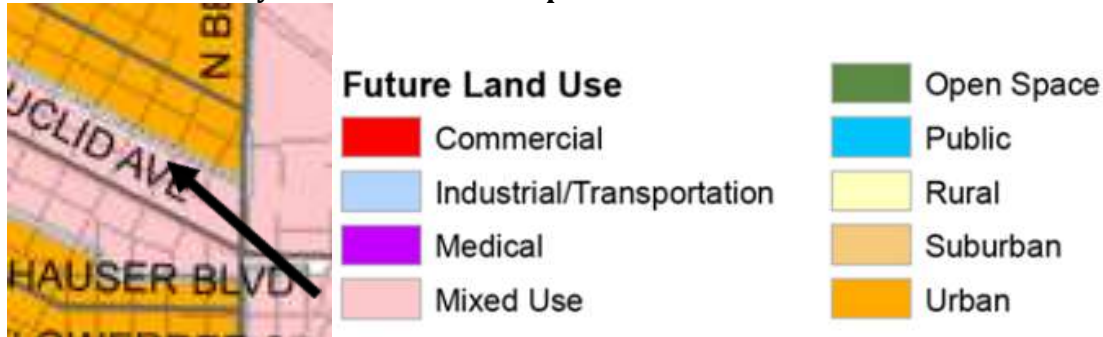
**RECOMMENDATION**

Move to recommend **Approval** of an ordinance amending City of Helena ordinance no. 3097 and the official zoning map for the City of Helena that changes the zoning district from R-2 (residential) to R-4 (Residential) for properties legally described as the north half of lots 13-16 in Block 39 of the Broadwater Addition,  
AND;  
The south half of lots 13-16 in Block 39 of the Broadwater Addition, both to the City of Helena, Lewis and Clark County, Montana;

**EVALUATION:**

**GROWTH POLICY:**

**2019 Growth Policy Future Land Use Map**



**Montana MCA Section 76-2-304 (1.a), Criteria and guidelines for zoning regulations: Zoning regulations must be made in accordance with a growth policy.**

**1) *Growth Policy Area Designation:***

The 2019 Helena Growth Policy Land Use Chapter and Future Land Use map identifies the neighborhood that the proposed rezone area is in as mixed-use. Areas to the south, east, and west of the property are also designated as mixed use. Area to the north is designated as urban. The R-4 zoning district allows for a greater range of uses than R-2 and is more likely to capture the variety of development that the mixed-use designation seeks to promote.

**2) *Growth Policy Area Definition:***

When considering rezoning of lots within the city, consideration must be made for factors such as:

- The future land use mapping;
- Compatibility with surrounding land uses; and
- The development of vacant and under-utilized spaces.

The 2019 Growth Policy future land use map identifies this area as mixed use. Mixed use areas are “Places where people can work, live, and play and learn. These areas include a variety of complementary and integrated uses such as, but not limited to, all forms of residential; office; light industrial/manufacturing; retail, entertainment, or public uses. Development is usually in a denser comprehensive pattern to achieve a unified, functional, efficient, and aesthetically appealing physical setting, and provides opportunities for connectivity, public transportation, and walkability. Mixed-use areas do not use the traditional segregation of uses.” R-4 much more squarely fits this definition than the current zoning R-2 (residential) which is the City’s most restrictive residential land use type.

The current condition serves as its own example of the way these R-2 properties poorly execute the vision of the growth policy. If 1312 Harrison St remains restricted to the uses in R-2 it will largely find itself situated around land uses that are not permitted at its own address. Currently this single-dwelling unit residence has neighbors across the alley of a tire shop and a casino. Across the street to the east its neighbor is a marijuana dispensary. To the

north is the worship facility being considered for a zone change along with it. To the west is a two dwelling-unit residence. 1312 Harrison does not have another single dwelling-unit residence adjacent to it.

By definition the City is not meant to encourage the survival of non-conformities. However, the Growth policy seeks in this area the creation of a mixed-use area. The land use of worship facility at 601 Wilder (that has been in use there for 47 years) is currently legal, non-conforming in an R-2 (residential) zone type. This zone change will allow them to operate by right. The worship facility, or other land uses that operate by right in the R-4 zoning district, can then continue to serve as buffer properties for the adjacent R-2 zoned residential district. The worship facility currently utilizes their property at close to 40% lot coverage and a zone change would allow them the ability to place an accessory building such as a shed if the need arises in the future. This zone change would not allow them to expand their main facility without installing off-street parking.

### 3) **Growth policy Objectives of note:**

**Objective 76** Support land use patterns that:

- Promote compatible, well-designed development;
- Foster the long-term fiscal health of the community;
- Maintain and enhance resident quality of life;
- Implement related master plans and/or facility plans.

**Objective 80** Promote development of varied and compatible types of mixed-use neighborhood centers in Helena, serving to enhance neighborhood identity, address community need, and support more compact land use patterns.

- (76 & 80) This zone change would introduce a zone type to the area that is less intensive in the commercial uses allowed than the adjacent B-2, but still allows the growth of commercial activity in the area. Effectively, R-4 is a more appropriate buffer here than the current situation that steps B-2 down immediately to R-2.

**Objective 86** Promote the redevelopment of vacant or under-utilized properties with a mix of uses, supporting local and citywide objectives.

- 1312 Harrison will see investment as it is redeveloped for commercial use. 601 Wilder will benefit by having some capacity for expansion in the future.

### 4) **Zoning compatibility:**

The proposed zoning, R-4, is a new zoning district in the area. R-4 (residential-office) is the buffer zone that most squarely addresses the future land-use map's area designation of mixed-use. The R-4 zoning district will also allow both the intended use at 1312 Harrison St, and the current land use at 601 Wilder St by right and there will not be further need to consider conditional use permits for these uses at these locations.

**The proposed zone change from CLM to B-2 District meets all the zone change requirements outlined in MCA Section 76-2-304(1.b). This is documented below.**

*Montana MCA Section 76-2-304(1.b), Criteria and guidelines for zoning regulations:*

- (1) Zoning regulations must be (b) designed to:
  - (i) secure safety from fire and other dangers;

- (ii) promote public health, public safety, and the general welfare; and*
- (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.*

***Designed to (i) secure safety from fire and other dangers;***

All structures built in either a R-2 district, or a R-4 district would need to adhere to all applicable safety and fire codes. City Code secures safety from fire and other dangers primarily through Title 3: Building Regulations.

***Designed to (ii) promote public health, public safety, and the general welfare; and***

This change in zoning will allow for greater administrative certainty for the property owners in investing in updates to the facilities in both properties. When these types of updates happen, there is new opportunity for sidewalks, ADA compliance, the installation of smoke detectors, and other items that help improve safety around the community. Legal non-conforming uses, (by intent in §11-6-1), are discouraged from investing in these types of updates.

The intent of R-2 districts is to limit the types of non-residential development that can occur inside of them. 1312 Harrison has on 3 of 4 sides come to face non-residential uses. Having neighbors with the same land use as your property is the primary benefit of R-2 zoning. 1312 Harrison doesn't currently enjoy that benefit of its zoning and is now unable to redevelop to match its neighbors. Similarly, the worship facility at 601 Wilder has served as a buffer structure between the residential neighborhood and the adjacent commercial activity, but it doesn't enjoy the opportunity to operate by right.

***Designed to (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.***

The properties are currently served by water and sewer and no new facilities are expected in the near future with this zone change.

There is no significant impact to transportation systems. A change in use at 1312 Harrison St will trigger upgrades for ADA compliance to the parking facility that is accessed through the alley. The applicant is not required to submit a TIS for this zone change.

There is no further burden on Helena public schools with this proposal.

The property is currently served by the Helena Police Department, and Helena Fire Department.

**The application shall also be reviewed through Montana MCA Section 76-2-304. Montana MCA Section 76-2-304(2.a thru e), In the adoption of zoning regulations, the municipal governing body shall consider:**

- (2) In the adoption of zoning regulations, the municipal governing body shall consider:*
  - (a) reasonable provision of adequate light and air;*
  - (b) the effect on motorized and non-motorized transportation systems;*
  - (c) promotion of compatible urban growth;*
  - (d) the character of the district and its peculiar suitability for particular uses; and*
  - (e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.*

***a) reasonable provision of adequate light and air;***

The city's zoning districts, and their accompanying regulations are intended to

protect the public health and general welfare by identifying appropriate land uses for each zoning district found in the community. Additionally, the provisions outlined in the city's zoning code under Title 11 are designed to ensure that properties located in each zoning district will be developed in accordance with the zoning requirements and restrictions for the district, such as: use, size, setbacks, lot coverage, off street parking, landscaping, and screening.

The minimum lot size, setbacks, height restrictions of City Code are intended to prevent the overcrowding of the land and ensure buildings that are compatible in size and scale to others in the district. In addition, these requirements are also intended to assure adequate light and air will be provided. The dimensional limitations for both the R-2 and R-4 districts are listed in the Table under §11-4-2. R-4 has less restrictive dimensional standard limitations than R-2.

**b) *the effect on motorized and non-motorized transportation systems;***

R-4 is considered a more intensive traffic producing land use than R-2. However, the size of the properties in questions would limit the properties potential impacts on the surrounding roadways.

**c) *promotion of compatible urban growth;***

The proposed zone change offers a more flexible buffer and provides an opportunity for more organic growth between the commercial corridor along Euclid Ave and the residential area to the north, northeast, and northwest.

**d) *the character of the district and its peculiar suitability for particular uses; and***

This block of Harrison Ave has been developing as a commercial district and this proposed zone change could see the area further develop in that fashion without introducing a wholly commercial zone type.

**e) *conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area***

A change in zoning from R-2 to R-4 will not have any clear impacts on the value of buildings in the area.

**CONCLUSION**

Staff concludes this proposal is consistent with the 2019 Helena Growth Policy and is consistent with all the Montana zoning criteria.

Staff recommends that the Zoning Commission:

Move to recommend **Approval** of an ordinance amending City of Helena ordinance no. 3097 and the official zoning map for the City of Helena that changes the zoning district from R-2 (residential) to R-4 (Residential) for properties legally described as the north half of lots 13-16 in Block 39 of the Broadwater Addition,

AND;

The south half of lots 13-16 in Block 39 of the Broadwater Addition, both to the City of Helena, Lewis and Clark County, Montana;





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Helena, MT 59623

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Fax: 406-447-8460  
Email: [malvarez@helenamt.gov](mailto:malvarez@helenamt.gov)

[helenamt.gov](http://helenamt.gov)

February 03, 2022

**TO WHOM IT MAY CONCERN:** A land use change is 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 February 14, 2023 Zoning Commission public hearing to the City Planning Division, 316 North Park, Helena MT 59623

**The Helena Zoning Commission will hold public hearings for the following items on Thursday, February 14, 2023, at 5:30pm:**

The hearings will be conducted in commission chambers as a hybrid in-person and online meeting utilizing the Zoom meeting platform. The meeting will serve to consider the following proposals:

Item 2. To make a recommendation on an ordinance amending City of Helena ordinance no. 3097 and the official zoning map for the City of Helena that changes the zoning district from R-2 (residential) to R-4 (Residential) for properties legally described as the north half of lots 13-16 in Block 39 of the Broadwater Addition,

AND;

The south half of lots 13-16 in Block 39 of the Broadwater Addition, both to the City of Helena, Lewis and Clark County, Montana;

The Helena Zoning Commission hearing can be accessed via the online meeting platform zoom at: <https://zoom.us/j/92989300533>

Meeting ID: 929 8930 0533

Dial in at 1(346) 248-7799, or find your local number at: <https://zoom.us/j/92989300533>

**The Helena City Commission will hold public hearings for the following items on Monday, January 23, 2023, at 6pm:**

First passage of an ordinance amending City of Helena ordinance no. 3097 and the official zoning map for the City of Helena that changes the zoning district from R-2 (residential) to R-4 (Residential) for properties legally described as the north half of lots 13-16 in Block 39 of the Broadwater Addition,

AND;

The south half of lots 13-16 in Block 39 of the Broadwater Addition, both to the City of Helena, Lewis and Clark County, Montana;

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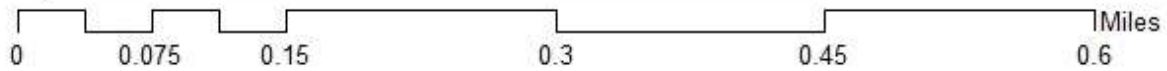
Webinar ID: 812 6266 6408

Dial US: US: +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 346 248 7799

If you have questions concerning the proposed change, please contact the City Planning Division of the Community Development Department at 447-8459.

Sincerely,

Michael Alvarez, Planner II



DEC 20 2022



**ZONE CHANGE APPLICATION**

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

City Comm. Dev. Dept.  
Date Received: \_\_\_\_\_  
City Comm. Dev. Dept.

DEC 20 2022

REC

~~APPLICATION FEE: \$410.00~~ *waived*  
(PAYABLE TO THE CITY OF HELENA) *MA*  
ALL FEES ARE NON-REFUNDABLE

Application to the Helena Zoning Commission and City Commission for an amendment to the official Zoning Map. Such amendments re-classify property from one zoning district to another.

**PROPERTY OWNER: Primary Contact?**

Name: Berean Baptist Church - Rachel Fairbank Primary Number: (406) 461-7893  
Address: 601 Wilder Ave Other Phone: \_\_\_\_\_  
Email: mtrajin@gmail.com

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

Name: City of Helena Primary Number: (406) 447-8459  
Address: 316 N Park Ave Other Phone: \_\_\_\_\_  
Email: Citycommunitydev@helenamt.gov Company: \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE: Primary Contact?**

Name: \_\_\_\_\_ Primary Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Other Phone: \_\_\_\_\_  
Email: \_\_\_\_\_ Company: \_\_\_\_\_

Address of the Property: 601 Wilder Ave Helena MT 59601  
Address City State Zip Code

Legal Description (Lots, Block, & Subdivision, COS #, deed reference)  
Lots 13-16 of Blk 39 of Broadwater Addn to City of Helena

Provide a current deed and plat/COS with the metes and bounds of the subject property

Geocode 05188725146190000

Current City Zoning District R-2

Proposed Zoning District R-4

Adjacent Zoning Districts B-2, R-2, & R-3 (cross corner)

Are there other related Land Use Applications being submitted: Yes  No   
*(property to south)*

Submit proof of current paid taxes

Existing use on the property Religious



**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: Rachel Fairbrother Date: 12/14/22  
Property Owner

Applicant: [Signature] Date: 12/16/22  
(If different from Owner)

**Review Criteria**

(A different zoning district may be recommended if it appropriately fits the review criteria)

Your application will be reviewed using Montana MCA Section 76-2-304, "Criteria and Guidelines for Zoning Regulations" stated below.

- (1) Zoning regulations must be:
  - (a) made in accordance with a growth policy; and
  - (b) designed to secure safety from fire and other dangers;
    - (ii) promote public health, public safety, and the general welfare; and
    - (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
- (2) In the adoption of zoning regulations, the municipal governing body shall consider:
  - (a) reasonable provision of adequate light and air;
  - (b) the effect on motorized and nonmotorized transportation systems;
  - (c) promotion of compatible urban growth;
  - (d) the character of the district and its peculiar suitability for particular uses; and
  - (e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

Per Section 11-1-10 of the Helena City Code, the Zoning Commission and the City Commission will hold public hearings, to give the public an opportunity to be heard upon the matter. The Zoning Commission will make a recommendation to the City Commission who will approve or deny the requested zoning. If approved, the zone change becomes effective 30 days after final pass of the zone change Ordinance.

**To evaluate the requested zone change with the above criteria the following must be submitted with this application. Please provide all the information requested on additional sheets as 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.**

- 1. Apply to the City on the appropriate forms and pay any required fees. The application must include the property owner's signature;
- 2. Describe how your proposal relates to the above zoning review criteria (attach additional sheets if necessary);
- 3. Provide a statement why the proposed zone change should be approved;
- 4. Submit a traffic impact study for a proposed zoning district that is anticipated to generate more than two hundred (200) additional vehicle trips a day;
- 5. Provide a vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets and pedestrian facilities (sidewalks, trails);
- 6. Submit a statement on how the proposed zoning conforms to the Helena Growth Policy and Land Use Map; include how the proposed zoning conforms with the area neighborhood plan if one has been adopted;
- 7. Statement indicating if the existing structures meets the proposed zoning dimensional standards requirements without the need for a variance;
- 8. Statement indicating if the existing use on the subject property meets the proposed zoning permitted uses;
- 9. Historical uses, established use patterns, and recent changes and trends in the neighborhood.

**IT IS RECOMMENDED THAT THE APPLICANT CONTACT NEIGHBORS TO INFORM THEM OF THIS PROPOSED ZONE CHANGE AND IDENTIFY ANY CONCERNS THAT THE APPLICANT MAY BE ABLE TO ADDRESS.**

**It is the policy of the City Commission not to act on a proposal if the applicant/ applicant's representative is not present at the commission meeting.** City Planning Staff represents the City; staff cannot answer questions for the applicant.

Per 1-4-12 City Code, the taxes and assessments on the applicant's property, which is the subject of the proposed action, must be paid or payment of said taxes and assessments must be made a condition of final approval of said action by the City Commission, with the taxes and assessments to be paid within fourteen (14) days after final passage.





# ZONE CHANGE 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: \$410.00  
(PAYABLE TO THE CITY OF HELENA)  
ALL FEES ARE NON-REFUNDABLE

Application to the Helena Zoning Commission and City Commission for an amendment to the official Zoning Map. Such amendments re-classify property from one zoning district to another.

**PROPERTY OWNER: Primary Contact?**

Name: Amy Fisher Primary Number: 406-475-2356  
Address: 1312 Harrison Street Other Phone: 406-502-1012  
Email: Agent4mtitles@gmail.com

**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: \_\_\_\_\_

Address of the Property: 1312 Harrison Street Helena MT  
Address City State Zip Code

Legal Description (Lots, Block, & Subdivision, COS #, deed reference)  
South 1/2 lots 13, 14, 16 Block 39 Broadway Addition  
59601

Provide a current deed and plat/COS with the metes and bounds of the subject property

Geocode 0518872514617000

Current City Zoning District R2

Proposed Zoning District R0

Adjacent Zoning Districts \_\_\_\_\_

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

Submit proof of current paid taxes not due yet

Existing use on the property commercial office

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: Amy Fisher Date: 9/8/22  
Property Owner

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_  
(If different from Owner)

**Review Criteria**

(A different zoning district may be recommended if it appropriately fits the review criteria)

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- 3. Provide a statement why the proposed zone change should be approved;
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- 5. Provide a vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets and pedestrian facilities (sidewalks, trails);
- 6. Submit a statement on how the proposed zoning conforms to the Helena Growth Policy and Land Use Map; include how the proposed zoning conforms with the area neighborhood plan if one has been adopted;
- 7. Statement indicating if the existing structures meets the proposed zoning dimensional standards requirements without the need for a variance;
- 8. Statement indicating if the existing use on the subject property meets the proposed zoning permitted uses;
- 9. Historical uses, established use patterns, and recent changes and trends in the neighborhood.

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Per 1-4-12 City Code, the taxes and assessments on the applicant's property, which is the subject of the proposed action, must be paid or payment of said taxes and assessments must be made a condition of final approval of said action by the City Commission, with the taxes and assessments to be paid within fourteen (14) days after final passage.

*I was asked to send in application asap. I will work on this page info.*



I purchased the house at 1312 Harrison Street to use as an office in July 2022

Before the purchase, my Realtor and Mortgage/Title company confirmed the location could be used as a 'home office'- which was described as an office that did not have "signage or business walk in traffic"

I closed on the building on July 15th and upgraded the electrical, put in landscaping and a new fence, et, and moved my 3 employees into the building at the end of July.

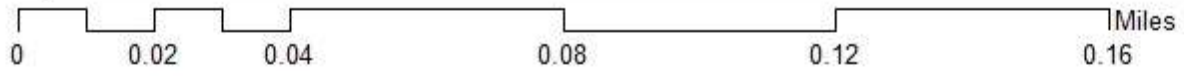
In August I applied for a business permit and was told the location could not be used as a home office. Now I am going through the variance process.

1312 Harrison Street is located between a tire shop and a church, across the street from a strip mall. We have adequate parking for employees so there is no traffic impact. If anything the neighboring businesses have expressed appreciation that a run down house and yard is now in much better condition.



**Legend**

- |                                       |                                    |   |
|---------------------------------------|------------------------------------|---|
| Subject Properties                    | R-O Residential Office District    | Airport                                     |
| OwnerParcel                           | R-U Residential Urban District     | PLI Public Lands & Institutions District    |
| OSR Open Space - Residential District | TR Transitional Residential        | CLM Commercial Light Manufacturing District |
| R-1 Residential District - Large Lot  | DT Downtown                        | MI Manufacturing & Industrial District      |
| R-2 Residential District              | B-1 Neighborhood Business District | PUD Planned Unit Development                |
| R-3 Residential District              | B-2 General Commercial District    |   |
| R-4 Residential Office District       | B-3 Central Business District      |   |





Acknowledgment

Be it known that the undersigned C.W. Cannon, D.A. & Flowerree, A.J. Steele and S.C. Ashby Proprietors of the Hauser, and John H. Ming, Proprietor of the Ming; C.A. Broadwater Proprietor of the Broadwater, and C.W. Cannon, S.P. Hauser, Eliza Gillette and George H. Mullery Proprietors of the Cannon Addition to Helena, situated in the S½ of Sec. 24 and N½ of Sec. 25 T.10. N.24 W. Principal Base and Meridian Montana, acknowledge and certify that we procured and caused to be made a survey of record, and we hereby devote and dedicate the streets and Alleys therein designated to the public use and benefit forever.

In testimony whereof we have hereunto set our hands and seals this 6th day of May A.D. 1887.

Charles W. Cannon  
D.A. Flowerree  
A.J. Steele  
S.C. Ashby  
S.P. Hauser  
Eliza Gillette  
C.A. Broadwater.

MAP  
—OF THE—  
HAUSER, MING,  
CANNON & BROADWATER

ADDITIONS TO HELENA.

Scale 200 ft. = 1 inch.

CUMMING & HOVEY  
CIVIL & MINING ENGINEERS

Territory of Montana }  
Lewis and Clarke County } ss

Be it known that on this 18 day of May 1887, personally came before me a Notary Public C.W. Cannon, D.A. Flowerree, A.J. Steele, S.C. Ashby, C.A. Broadwater, S.P. Hauser, and Eliza Gillette, the signers and Sealers of the foregoing plat and acknowledged the same to be their free act and for the purpose therein expressed.

In witness whereof I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Notarial Seal  
Geo. H. Hill  
Notary Public

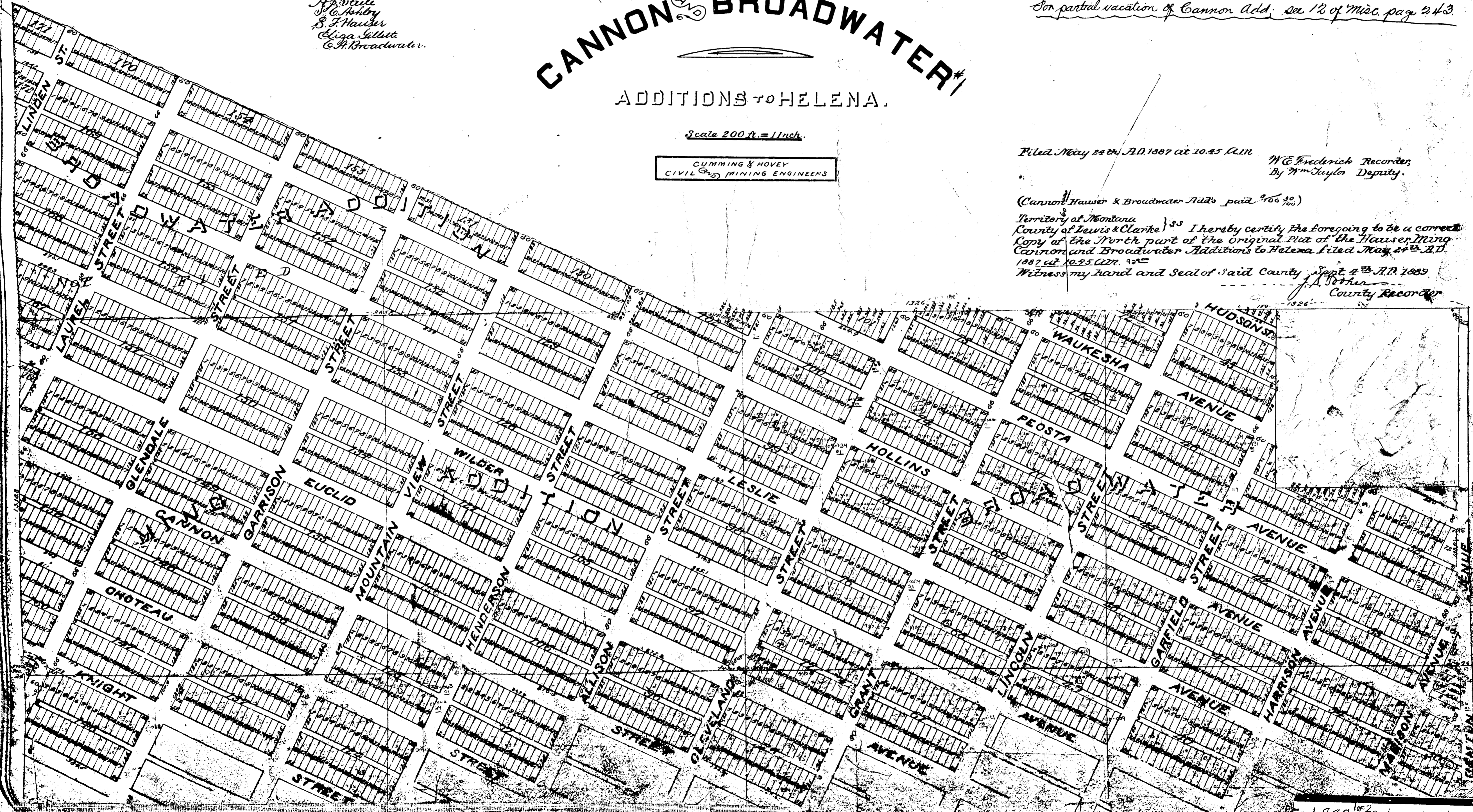
For partial vacation of Cannon Add. see 1/2 of Misc. pag. 243.

Filed May 24th A.D. 1887 at 10:45 AM

W.E. Frederick Recorder,  
By Wm. Taylor Deputy.

(Cannon Hauser & Broadwater Add. paid \$60.00)

Territory of Montana }  
County of Lewis & Clarke } ss I hereby certify the foregoing to be a correct  
Copy of the North part of the Original Plat of the Hauser, Ming,  
Cannon and Broadwater Additions to Helena filed May 24th A.D.  
1887 at 10:45 AM. 952  
Witness my hand and Seal of said County Sept 2nd A.D. 1889  
County Recorder







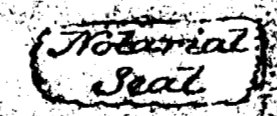
Ordinance No. 1530  
 closing a portion which lies between Blk 26 & 29  
 of Broadwater Addition, Runway Act 24, 1905 Book  
 of Proceedings miss.  
 page  
 For partial vacation of Cannon Add. see 123 of Misc. page 2143.  
 " " " " " " 56 of Under 6c 5.

For Rededication see Book 22 of Misc Records at page 219

I, A.B. Gunning, do solemnly swear that I made  
 careful Survey of the Hauser, King, Cannon and Broadwater Ad-  
 ditions to Helena, and that the Streets and Alleys are of the width  
 stated in the foregoing remarks, and in figures on this plat and that  
 said Additions have been laid out on the ground according to this  
 plat and that said Additions embrace the N.W. 1/4 and part of the  
 N.W. 1/4 of Sec. 25; S. 1/2 of S. 1/4 Sec. 24 and part of N.W. 1/4 of Sec. 24 & 25  
 N.R. 4 W. of prov. Ter. Montana. Being more particularly described  
 as follows:  
 Beginning at 1/2 Sec. Cor. on West side of Sec. 25. Thence North  
 along Tp. line 3115 ft. to South line of Cemetery, thence West along Cem-  
 etery line 906 ft. to S.W. Cor. of Cemetery, thence North 604 ft. to N.W. Cor. of  
 Cemetery, thence West along line between North and South 1/2 of S. 1/4 of Sec. 24  
 to Southern side of Alley in Bl. No. 208, thence N. 64° 25' W. to West side of  
 Sec. 24. Thence South along West side of Sec. 24 445 ft. to S. side of Alley in  
 Block No. 114. Thence South Easterly along Southern side of said Alley  
 1895 ft. to the westerly side line of Lincoln St. Thence South westerly along

said westerly side line of Lin. cor. N. 52° 31' E. Thence South Easterly along  
 southerly side line of University St. 384 ft. to the South boundary of the N.W. 1/4  
 of Sec. 25. Thence East along the South boundary of the N.W. 1/4 of Sec. 25 to place  
 at beginning

Subscribed and sworn to before me this 4th day of May 1887  
 A.B. Gunning  
 Civil Engineer  
 Albert S. Henry  
 Notary Public and for  
 Montana



Territory of Montana }  
 County of Lewis & Clark }  
 I hereby certify that the foregoing is a correct  
 Copy of the Original Plat of the Hauser, King, Cannon and Broadwater  
 Additions to Helena, filed May 22nd AD 1887 at 10:45 AM.  
 and Seal of said County - Sept. 4th A.D. 1889

Witness my hand  
 County Recorder



# 105006  
First Montana Land Title Company  
400 North Park Avenue  
Helena, MT 59601

After Recording Return to:  
First Montana Land Title Company  
400 North Park Avenue  
Helena, MT 59601

3308735 B: M53 P: 878 DEED  
07/27/2017 12:46 PM Pages: 1 of 1 Fees: 7.00  
Paulette DeHart Clerk & Recorder, Lewis & Clark MT



## WARRANTY DEED

For Value Received:

Life Church of Helena, MT

the grantor(s) do(es) hereby grant, bargain, sell and convey unto

Berean Baptist Church

The grantees the following described premises, in Lewis & Clark County, Montana, to-wit:

The North 62 1/2 feet of Lots 13, 14, 15 and 16 in Block 39 of the BROADWATER ADDITION to the City of Helena, Lewis and Clark County, Montana. (Deed reference Book 267 of Deeds, Page 287)

TO HAVE AND TO HOLD the same premises, with the appurtenances unto said Grantee(s) his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the Grantee(s), that he/she/they are/is the owner(s) in fee simple of said premises; that is free from all encumbrances SUBJECT to all legal taxes and assessments levied with respect to said premises and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/26/17

Life Church of Helena, MT

BY:   
Jason Lieberg, President

STATE OF Montana

COUNTY OF Lewis & Clark

I, a Notary Public of the County and State first above written, do hereby certify that

Jason Lieberg personally  
appeared before me this day and acknowledged the due execution of the foregoing instrument.

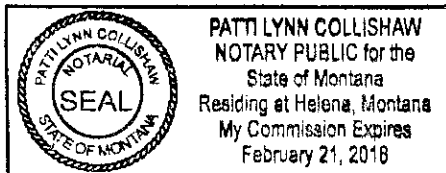
Witness my hand and official seal, this day July 26, 2017.

  
Notary Public

My Commission Expires:

(SEAL)

2/21/2018



L & C 1048960  
Return to:  
First Montana Land Title  
P.O. Box 251  
Helena, MT 59624

**AND WHEN RECORDED MAIL TO:**

Amy Jo Fisher and James Anderson  
3267 Barbeau Drive  
Helena, MT 59602-7746

Filed for Record at Request of:  
First Montana Land Title Company

Space Above This Line for Recorder's Use Only

Order No.: 1048960  
Parcel No.: 5972

**WARRANTY DEED**

FOR VALUE RECEIVED,

**Aaron Jones**

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

**Amy Jo Fisher and James Anderson as Trustees of The Amy Fisher Family Trust, Dated March 20, 2020**

whose address is: **3267 Barbeau Drive, Helena, MT 59602-7746**

Hereinafter called the Grantee, the following described premises situated in **Lewis and Clark County, Montana**, to-wit:

The South ½ of Lots 13, 14, 15 and 16 in Block 39 of the Broadwater Addition to the City of Helena, Lewis and Clark County, Montana. (Deed reference Book 221 of Deeds, Page 69)

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 and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 2022



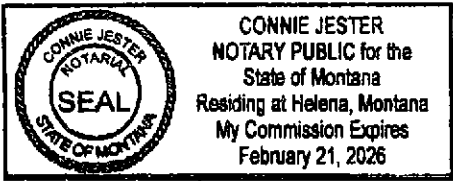
\_\_\_\_\_  
Aaron Jones

STATE OF Montana )  
  ) ss.  
COUNTY OF Lewis and Clark )

This instrument was acknowledged before me on July 15, 2022, by Aaron Jones.



\_\_\_\_\_  
Connie Jester  
Notary Public for the State of Montana  
Residing at: Helena  
My Commission Expires: 02-21-2026





Shopping Cart: 0 items [\$0.00]



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[History](#)



[Payoff](#)



[PayTaxes](#)



[Help](#)

**Property Tax ID:** 5972

**Status:** Current

**Realware#:** 188725146170000

**Receipt:**

**2022 Owner(s):**  
JONES AARON

**Mailing Address:**

1312 HARRISON AVE  
HELENA, MT 596012433

**Levy District:**

01-01, Tax District 01

**2022 Value:**

**Market:** \$214,100

**Taxable:** \$2,891



[Detail](#)

**2022 Taxes:**

**First Half:** \$0.00 **Due:**

**Second Half:** \$0.00 **Due:**

**Total:** \$0.00



[Detail](#)

**2022 Payments:**

**First Half:** \$0.00

**Second Half:** \$0.00

**Total:** \$0.00

(May include penalty & interest)

**2022 Legal Records:**

**Geo Code:** 05-1887-25-1-46-17-0000 **Deed Book:** M56 **Page:** 8457 **Instru#:** 3352347 **Date:** 2020-03-27

**Property address:** 1312 HARRISON AVE, HELENA MT 59601

**Subdivision:** (BW1) SubDiv BW1 **Lot:** 13 **Block:** 39

**TRS:** T10 N, R04 W, Sec. 25

**Legal:** BROADWATER ADDN, S25, T10 N, R04 W,  
BLOCK 39, Lot 13 - 16, S2

**Note:** The accuracy of this data is not guaranteed. Property Tax data was last updated 09/15/2022 04:00 PM.

**Send Payments to:**

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

Phone: (406) 447-8329

Email: [propertytax@lccountymt.gov](mailto:propertytax@lccountymt.gov)

