

# APPLICATION FOR VARIANCE

City of Three Forks, P.O. Box 187, Three Forks, MT 59752  
Phone/Fax: (406) 285-3431

Date 3/20/25

The undersigned hereby makes application for a Zoning Permit pursuant to the requirements of the City of Three Forks Zoning Code.

Name of Applicant Richard Williams Phone #. 406-570-9790

Mailing Address of Applicant Po Box 525 Belgrade mt 59714  
Address City, State, Zip

Email Address: BWWilliams65@Yghco.com

### Subject Property

Legal Description: Lot(s) 4 Block 49 Addition Milwaukee Land Company #1

Address (if available) 516 1st Ave West

Current Zoning R Land Area \_\_\_\_\_ Sq. Ft., or Acres 7000<sup>Sq Ft</sup>

Explain Variance Request: would like a variance from the  
15 foot BFE on fill down to 10' foot BFE  
set back

In addition to the above, submit a **Plot Plan** (drawn to scale) including the following information: All existing and proposed structures and proposed variance measurements. (The lack of any of the above information may delay this application).

<b>FOR OFFICIAL USE ONLY</b>
Filing Fee (\$500) <u>3/26/26</u>
Zoning Board Hearing _____
Action Taken _____
Logged _____

I hereby certify that the above information is true and correct and that I am the owner of this property.

[Signature]  
Applicant Signature

**CITY OF THREE FORKS**  
**Request For Variance**  
**From Zoning Regulations Criteria**

Applicant should answer the first three un-numbered questions. The 6 numbered questions are for the Variance Board use.

Name of Applicant: Richard Williams Hearing date: \_\_\_\_\_

This variance is requested with regard to the following zoning regulations:

~~11-6A-5~~ 12-1-9C-2 to use  
11-6A-6

Describe the hardship imposed by the zoning regulations:

I would like a 10 foot set back this  
~~match~~ ~~the existing house on the~~  
This would benefit me in the  
~~fact~~ ~~fact~~ fact my grandson is in a wheelchair and  
I am making the house handicap friendly

It is the applicant's responsibility to describe how this requested variance will serve the public interest:

This would make my house match  
The other houses on the block

The prime purpose of the variance is to benefit the community and the individual property owner by assuring that property capable of being used will not lie idle.

1. Is the hardship self-imposed? •

Yes  No

A variance may not be granted for a self-imposed hardship.

Comment: The other houses are 10 feet from

The property lines in the neighborhood  
and the city set backs are at 10 feet

2. Did the condition creating the hardship or zoning regulation(s) identified as having created the hardship exist prior to the property owner's purchase of the land?  Yes  No

A variance may not be granted if the disputed zoning regulation existed prior to the purchase of the parcel of land for which the variance is requested.

Comment: The variance allows me to put

wider doors and handicap bathrooms in the house

3. Will the granting of this variance be in the public interest?

Yes  No

A variance may not be granted if the applicant fails to show that the variance will serve the public interest.

Comment: I would be improving the neighborhood with

a new house and removing an old trailer

4. Will a literal enforcement of the zoning ordinance result in unnecessary hardship due to conditions unique to the property?

Yes  No

A variance may not be granted unless the conditions necessitating the variance are unique to the property.

Comment: I would not be able to do the

handicap variations on the house

5. Will the spirit of the zoning ordinance be observed and substantial justice done by granting the variance?

Yes  No

A variance may not be granted if the spirit of the zoning ordinance is not observed.

Comment: I will be installing a sign better and

controlling the vector by keeping it on my property instead of the roads

6. Will the failure to grant this variance render the property unsuitable for the permitted and conditional uses for which the property is zoned?

Yes  No

A variance may not be granted if the property is unsuitable for the permitted and conditional uses for which the property is zoned.

Comment: Yes because if I don't get the

variance I will not be able to build on it

Conclusion: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approval

Denial

Approved with Conditions

# APPLICATION FOR A VARIANCE FLOOD PLAIN HAZARD MANAGEMENT REGULATIONS

A variance is a grant of relief given by the Board of Adjustments from the terms of the specific standards required in the City of Three Forks' Flood Plain Hazard Management Regulations. The issuance of the variance is for floodplain management purposes only. Insurance premium rates are determined by the Federal government or Private Insurance Companies according to actuarial risk and are not modified by the granting of a variance. ANY VARIANCE GRANTED BY THE BOARD OF ADJUSTMENTS MUST BE CONSISTENT WITH THE CITY OF THREE FORKS' FLOODPLAIN HAZARD MANAGEMENT REGULATIONS.

Per Title 12 of the Zoning Code, a fee of \$150 - \$500 must accompany this application.

Date of Application: 3/20/25 Application No: \_\_\_\_\_

Property Address of Request: 516 1st Ave West

Lot No.: 4 Block: 49 Subdivision: Milwaukee 192d Company #1

Name of Property Owner: Richard Williams Phone Number: 406-570-9780

Name of Applicant: Richard Williams Phone Number: 406-570-9780

Address (if different than Owner): \_\_\_\_\_

## SECTION 1 - VARIANCE REQUESTED:

Cite the minimum development standard of the Flood Plain Hazard Management Regulations from which a variance is sought: The minimum set back is 15 feet

all the way around the house I would like a  
10 foot set back on the two sides the front and  
back would remain at 15 foot of more

Explain how proposed development would vary from the provision of the Flood Plain Hazard Management Regulations: I would like a 10 foot set back


on the two sides of the house

**SECTION 2 – APPLICATION FOR VARIANCE:** Complete a Joint Permit Application and the attached worksheet to address the submittal requirements of the City of Three Forks' Flood Plain Hazard Management Regulations.

Worksheet completed and attached

**AN APPLICANT RECEIVING A VARIANCE TO BUILD A STRUCTURE NOT MEETING THE MINIMUM STANDARDS OF THE REGULATIONS, ESPECIALLY IF THE LOWEST FLOOR IS CONSTRUCTED BELOW THE BASE FLOOD LEVEL, MAY RESULT IN INCREASED PREMIUM RATES FOR FLOOD INSURANCE. CONSTRUCTION BELOW THE BASE FLOOD LEVEL INCREASES RISK TO LIFE AND PROPERTY. (44 CFR 60.6**

(a)(5))

  
APPLICANT'S SIGNATURE

3/26/26  
DATE

[Type text]

ANY PERSON OR PERSONS AGGRIEVED BY THE DECISION MAY APPEAL SUCH DECISION IN THE COURTS OF COMPETENT JURISDICTION (MCA 76-5-209(1))

**SECTION 3 – AFFECTED LANDOWNERS:**

List the names, addresses and telephone numbers of all property owners within and contiguous to and directly across the street from the parcel or parcels of property referenced by this application:

**CITY OFFICE STAFF WILL DO THIS SECTION FOR YOU**

Name	Address	Telephone
<hr/>		
<hr/>		

**RECORD OF VARIANCE ACTIONS: TO BE COMPLETED BY FLOODPLAIN ADMINISTRATOR**

Variance Request submitted on \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_

Public Notice Given: \_\_\_\_\_ Variance Hearing held on: \_\_\_\_\_

The Board has made a determination that the variance [ ] **is** or [ ] **is not** the minimum allowance necessary, considering the flood hazard, to afford relief from these regulations and [ ] **meets** or [ ] **does not meet** the criteria in the regulations for approval.

In accordance with the criteria and guidelines of the City of Three Forks, *FloodPlain Hazard Management Regulations*, the Board of Adjustments hereby [ ] approves, [ ] denies the request for variance by a vote of \_\_\_\_\_ for the variance and \_\_\_\_\_ against the variance.

**Special Provisions of the Variance Approval**

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\_\_\_\_\_  
President, Board of Adjustments

\_\_\_\_\_  
Date

APPLICATION WORKSHEET FOR VARIANCES TO THE  
FLOODPLAIN HAZARD MANAGEMENT REGULATIONS

**PLEASE NOTE:** Your statements and supporting data and information, including a completed Montana joint application or floodplain permit application, will be used to evaluate your variance request.

If these questions are not answered, the variance may be denied due to insufficient information to support it.

The following will be used as a guide to evaluate your petition. Additional information may be requested.

The City of Three Forks' Flood Plain Hazard Management Regulations provides the criteria that must be considered and met before a variance may be granted. The Board of Adjustments must consider the following items when determining a variance request. State in detail the manner in which you believe each of these standards are met in this case:

1. Will the structure or proposed activity/use reside on 0.5 acre or less?  YES  NO  
If NO, what is the size of the lot or parcel? \_\_\_\_\_

(If the new construction or substantial improvements on a lot of one-half acres or less is contiguous to and surrounded by lots of existing structures constructed below the base flood level, a variance may be approved. However, as lot sizes increase beyond one-half acre, additional technical justification may be required.)

2. Are the surrounding properties pre-FIRM (Built before 1980 original flood map in TF)?  YES  NO

3. Are the lowest floor of the pre-FIRM structures on the adjoining and contiguous lots below the base flood elevation?  YES  NO

(Attach documentation which show the contours and lowest floor elevations of the surrounding property, if you or the City have that information)

4. Is the proposed work on a recognized historic structure? YES  NO

If yes, will the improvements maintain the historic integrity of the structure and not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.)

5. Is the proposed work the minimum necessary, considering the flood hazard, to afford relief?

yes

6. Does the project show good and sufficient cause for the variance? Financial hardship is not a good and sufficient cause. Describe the exceptional hardship.

I Am Building This House handicap accessible because my grandson IS In a wheel chair

7. Basements and/or the lowest floor elevation of a residential structure are not below the Base Flood Elevation?

No The Bottom of my floor just will be 2 feet above flood

8. If crawl spaces or enclosures are proposed, they must meet the requirements of Title 12 of the Flood Plain Hazard Management Ordinance. Explain why these minimum building standards cannot be met.

my crawl space will meet all requirements

9. Describe your analysis or supporting information that the granting of this variance DOES NOT result in increased flood heights to the existing insurable buildings, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with other existing local laws or ordinances.

All water come off the roof will go into rain gutters and into the ground also I will be sodding the yard

10. Describe how the structure is adequately flood proofed if the variance is granted. ~~The~~

surrounding ground will be above flood plain with proper vents in the crawl space

11. Describe why reasonable alternative locations outside the Flood Plain are not or available or possible at this location.

The lot is mainly flat and not large enough

to move the house any place better than where I plan on putting it

12. Describe the data or information that there is no danger to life and property by erosion damage or water that may be backed up or diverted by the obstruction or use if the variance is granted. ~~The~~

lot is flat and water will be controlled by rain gutters and sod

13. Describe your supporting information that there will not be a danger of materials being swept onto other lands to the injury of others. I will be installing new fencing

on the property lines.

14. Describe how the construction or alteration of the obstruction or use is designed as to lessen the danger in a flood. ~~The~~ property and the house all will be

[Type text]

out of the flood plain

15. Describe the permanence of the obstruction or use.

It will be a home for me and my family for a very long time

16. Describe how complying with the Flood Plain regulations would result in an exceptional hardship to the applicant.

I would not be able to build the house to the handicap ~~excessively~~ accessibility for my grandson

17. Describe how the granting of a variance does not adversely affect existing properties or structures.

The ground is already almost out of the Flood Plain and I will be controlling the water from the roof

18. Describe the impacts to the BFE of the Floodway and/or Flood Plain. Provide supporting data and analysis that the variance will not increase the BFE of the Floodway by more than 0.00 and/or increase to the Flood Plain is 0.5 feet or less.

The whole City of Three Forks could be filled to the BFE & not increase the Flood Plain by .5 feet QS

19. Describe the importance of the services to be provided by the facility to the community, if any?

None

20. Describe the safety and access of emergency vehicles to the property during times of various flood events.

You have 1st Ave and the Alley to access the property

Also I will be pouring a 5 foot side walk to the house

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I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the City of Three Forks.

  
Signature of Applicant

3/26/26  
Date

\_\_\_\_\_  
Signature(s) of Owner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature(s) of Owner(s)

\_\_\_\_\_  
Date

**\*Agent must provide documentation that they are legally representing the property owner**

**\*Approval does not validate the responsibility of the property owner to meet all restrictions and covenants that are on that property.**

**\*A record of all actions involving a Flood Plain permit and variance, including the findings and decision must be submitted to DNRC Floodplain Program and FEMA Region VIII.**

[Type text]

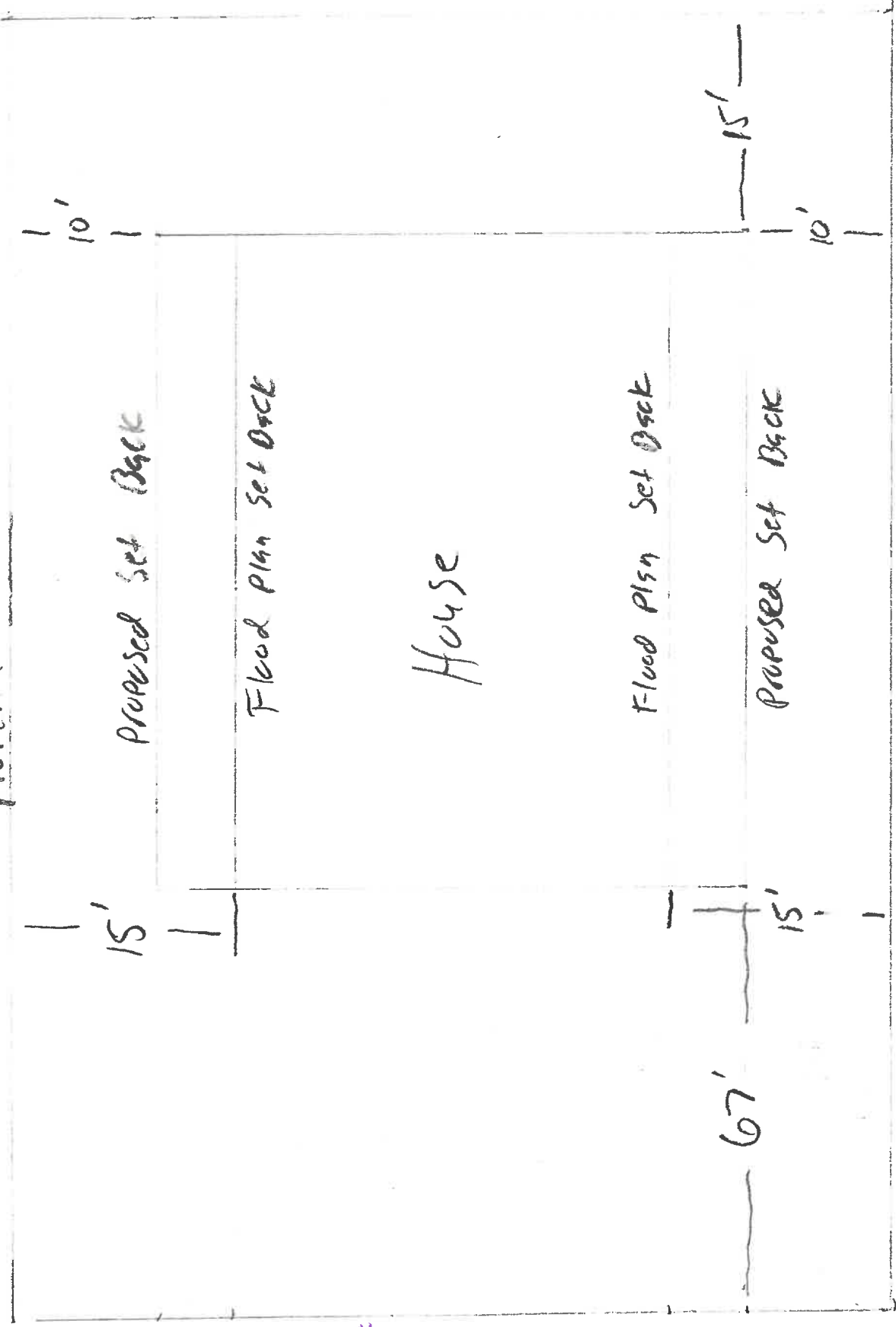
516 1st Ave West

Not To Scale

Richard Williams

1st Ave W

Property Line



Proposed Set Back

House

Flood Plain Set Back

Proposed Set Back

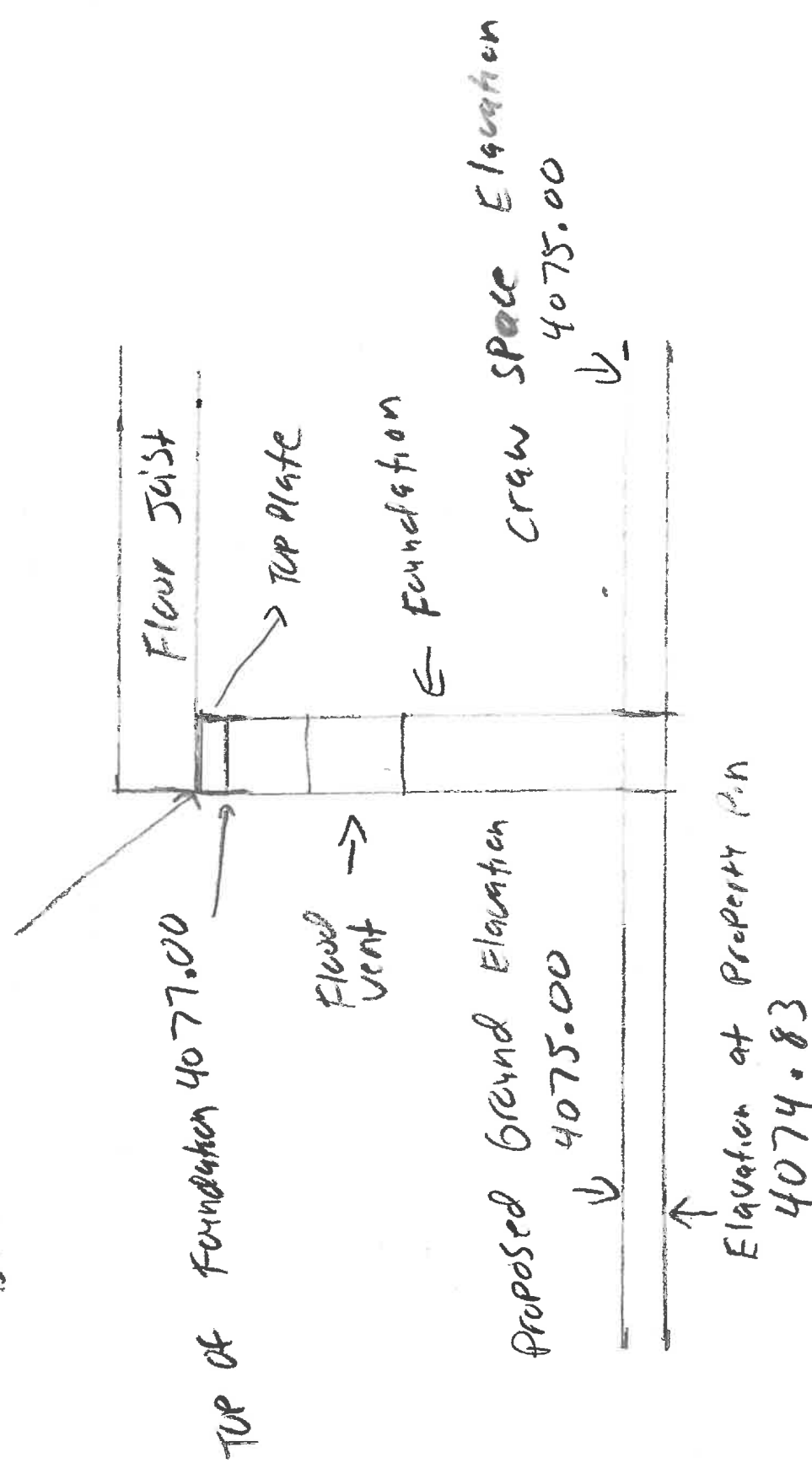
Property Line

Property Line

Alley

516 1<sup>st</sup> West      Not To Scale      Richard Williams

Bottom of Floor Joist 4077.15



U.S. DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
National Flood Insurance Program

OMB Control No. 1660-0008  
Expiration Date: 06/30/2026

**ELEVATION CERTIFICATE**

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name <u>Richard Williams</u>		Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>516 1st Ave. West</u>		Company NAIC Number: _____
City: <u>Three Forks</u>	State: <u>MT</u>	ZIP Code: <u>59752</u>
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>LOT 4, BLOCK 49, MILWAUKEE LAND CO. 1<sup>ST</sup> ADD. (PLAT D-22)</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>45°53'21.9175"N</u> Long. <u>111°33'14.3677"W</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84		
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number: <u>8</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s): <u>1,600</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>8</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A8.c: <u>1,496</u> sq. in.		
e) Total rated area of engineered flood openings in A8.c (attach documentation - see Instructions): <u>0</u> sq. ft.		
f) Sum of A8.d and A8.e rated area (if applicable - see Instructions): <u>10.3</u> sq. ft.		
A9. For a building with an attached garage:		
a) Square footage of attached garage: <u>n/a</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: _____ Engineered flood openings: _____		
d) Total net open area of non-engineered flood openings in A9.c: _____ sq. in.		
e) Total rated area of engineered flood openings in A9.c (attach documentation - see Instructions): _____ sq. ft.		
f) Sum of A9.d and A9.e rated area (if applicable - see Instructions): _____ sq. ft.		
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name: <u>City of Three Forks</u>		B1.b. NFIP Community Identification Number: <u>300029</u>
B2. County Name: <u>Gallatin</u>	B3. State: <u>MT</u>	B4. Map/Panel No.: <u>0293</u>
B5. Suffix: <u>D</u>		
B6. FIRM Index Date: <u>09/02/2011</u>	B7. FIRM Panel Effective/Revised Date: <u>09/02/2011</u>	
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>4075.0</u>	
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____		
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

# ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 516 1st Ave. West	FOR INSURANCE COMPANY USE
City: <u>Three Forks</u> State: <u>MT</u> ZIP Code: <u>59752</u>	Policy Number: _____
	Company NAIC Number: _____

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.
- C2. Elevations - Zones A1-A30, AE, AH, AO, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, A99. Complete items C2.a-h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: NGS BM: J 562 (PID: QX 0478) Vertical Datum: NAVD 88 (1245.177 m - 4085.218 ft)

Indicate elevation datum used for the elevations in items a) through h) below.

- NGVD 1929  NAVD 1988  Other: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?  Yes  No  
If Yes, describe the source of the conversion factor in the Section D Comments area.

- |                                                                                                                                             |               |                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor):                                                                | <u>4075.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor (see Instructions):                                                                                         | <u>4078.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (see Instructions):                                                                    | <u>4077.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab):                                                                                                           | <u>N/A</u>    | <input type="checkbox"/> feet <input type="checkbox"/> meters            |
| e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): | <u>4078.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest Adjacent Grade (LAG) next to building: <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Finished              | <u>4075.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest Adjacent Grade (HAG) next to building: <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Finished             | <u>4075.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:                                               | <u>4075.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Check here if attachments and describe in the Comments area.

Certifier's Name: David C. Holmes License Number: 11376 LS

Title: Professional Land Surveyor

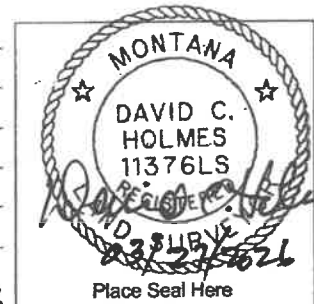
Company Name: Sole Proprietor

Address: 549 Gopher Lane

City: Marion State: MT ZIP Code: 59925

Telephone: (406) 407-8280 Ext.: \_\_\_\_\_ Email: plsmontana@gmail.com

Signature: David C. Holmes Date: 03/27/2026



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

C2. a) - Furnace and Hot Water Heater to be placed on the First Floor (4078.0').