



Architectural Committee Meeting Minutes – February 22, 2024

<p><u>BSAC/Staff in Attendance:</u> John Seelye, Vice Chair Brad Reiersen George Mueller Maggie Good Vanessa McGuire Suzan Scott Lisa Chase</p>	<p><u>Guests in Attendance:</u> NA</p> <p><u>Guests Joining Virtually:</u> Katie Miller Michele Shriock</p>	<p><u>Project Attending For:</u> Madison County Planner I Madison County Planning Tech</p>
--	--	---

Call to Order – The Chair called the meeting to order at 9:05 AM.

Katie Miller, Madison County Planer I and Michelle Shriock, Madison County Planning Tech, joined the BSAC to discuss our shared processes for modifying and/or altering Designated Building Envelopes in the Cascade Subdivision.

The BSAC has been approached by several builders/architects/owners requesting building envelope changes in the Cascade Subdivision. These changes include moving the location of the building envelope, changing the size of the building envelope, and changing the shape of the building envelope. While the Cascade Covenants allows BSAC to move the location of a building envelope if it does not “substantially affect views of other lot owners or adversely affect the plan and aesthetics of the subdivision,” the Covenants do not, however, allow BSAC to change the size or change the shape of the building envelope. The BSAC has no authority to change the plat.

Madison County requires application, Appendix 33 ‘Request for Envelope Change’ for a platted lot and Appendix 32 ‘Amended Plat Checklist’ (see pages 3-5) if the property is not platted. As a part of the County process, Katie explained, they look for the BSOA approval letter and/or minutes for BSAC approval but in the case an applicant approaches Madison County first, they will only deny an application based on factual evidence and noted view sheds are not a key deterrent and rationale should be supported by data.

The BSAC agreed in certain circumstances there are instances that changing or moving a Designated Building Envelope would be beneficial, but it is also understood that the Cascade Subdivision was originally platted as a whole and by moving one envelope it impacts others. Therefore, the committee requested Members to come to a BSAC meeting prior to Madison County so that said circumstances may be weighed through a judicious process.

Concerns arose regarding the 2003 Amendment to the Cascade Covenants (Book 490 Page 665) regarding plat amendments in Cascade and whether a seventy-five percent (75%) vote is required to amend the platted subdivision when an individual lot is modified (see page 6). Committee Members tabled the question for the Legal Committee to address.

The meeting was adjourned open-ended with plans to reconvene after the Madison County Planner II returns and the BSOA Legal Committee reviews the 2003 Cascade Amendment.

Adjourn - The meeting adjourned at 10:22 AM.

Stacy Ossorio, BSAC Chair

APPENDIX 33 REQUEST FOR BUILDING ENVELOPE CHANGE

1. Landowner	
A. Name	E-mail:
Address	Phone
2. Representative	
Name	E-mail:
Firm	Phone
Address	
3. Homeowners/Property Owners Association or Architectural Review Board	
Name	E-mail:
Contact	Phone
Address	
4. Property	
Lot _____, Block _____, Subdivision _____	
Plat Book _____, Page _____	
Geocode # 25- _____ - _____ - _____ - _____ - _____	
(4) (2) (1) (2) (2) (4)	
Is building envelope platted? No <input type="checkbox"/> Yes <input type="checkbox"/> <i>If Yes, then an amended plat is required.</i>	
5. Submittal Checklist	
<input type="checkbox"/> Review Fee <input type="checkbox"/> Narrative describing proposed change and purpose <input type="checkbox"/> Map showing existing and proposed building envelopes, total size of existing and proposed building envelopes, topography (labeled contour intervals), existing structures <input type="checkbox"/> Site specific geotechnical report, as required (generally required for Big Sky area) <input type="checkbox"/> Homeowners/Property Owners/Architectural Committee review and approval (may be subject to concurrence by Madison County) <input type="checkbox"/> Amended Plat Checklist and submittal (if required)	

APPENDIX 32 AMENDED PLAT CHECKLIST

Section A: Completed by Subdivider

Amended Plat Title:

Location:

Property Owner Name & Address:

Engineer/Surveyor & Address:

Legal Description:

Property Geocode/Parcel ID:

Date of Completion by Subdivider:

Subdivider Explanatory Comments:

Section B: Completed by Planner

	Date:	By:	Comment:
Application Received:			
Exemption Review Board Review:			
Clerk & Recorder Review			
Examining Land Surveyor Review (if existing)			
Signed mylar copies received:			
Taxes paid, Treasurer signature:			
Submitted to governing body:			

Section C: Completed by Subdivider and Planner

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner	
		Incomplete	OK/NA
Amended Plat Review Fee.			
<i>Final Plat or Plan</i>			
Submitted in accordance with the Montana Uniform Standards			
a. Three blue-line copies.			
b. Digital copy.			
c. Two (2) signed/notarized mylar plats (AFTER preliminary review complete).			
<i>Face of the Final Plat (or Plan) shall include:</i>			
a. Vicinity map.			
b. Commissioner signature block.			
c. Applicable sanitation exemption statements			
d. Requirements set by exemption review board as conditions of approval.			
<i>Final Plat/Plan Supplements – ORIGINAL documents:</i>			
a. Certificate of a title abstractor (title company).			
b. New covenants (plat approval covenants and/or owner association covenants) or deed restrictions relating to the subdivision.			
c. Certificate from the Montana Department of Environmental Quality (if not exempt)			
<i>As applicable:</i>			
d. Certification by County sanitarian that plans and specifications for sanitary facilities (sewer, water, stormwater, and solid waste) have been approved (if not exempt).			

County Comments:

MODIFICATION OF PROTECTIVE COVENANTS OF BIG SKY OF MONTANA, INC.
MOUNTAIN VILLAGE, CASCADE SUBDIVISION
MADISON COUNTY, MONTANA, HEREINAFTER TO BE KNOWN AS:

PROTECTIVE COVENANTS FOR CASCADE SUBDIVISION

WHEREAS, Article XVIII, Amendment, of the Protective Covenants for Cascade Subdivision provides as follows:

R-19855ALTC
These Covenants, or any portion thereof, may be amended, abandoned, terminated, modified or supplemented at any time by the approval of such amendment by the vote at a meeting duly noticed and called for this purpose or by the written consent of the owners of seventy-five percent (75%) of the total area of privately owned land within Cascade Subdivision, including open space, provided the governing body of Madison County gives its approval to any changes to Covenants required by Madison County in the condition for final plat approval. A written ballot may be delivered to the owners personally or by mail for the purpose of voting upon or consenting to any such amendment. Any amendment shall be effective upon the recording of a Certificate of Amendment executed by the presiding officer and the secretary of the Big Sky Owners Association, Inc. certifying that the Covenants had been amended in accordance with the Covenants and setting forth the amendment.

AND, WHEREAS, we, the undersigned, Penni Nance and Bill Olson represent that we are the presiding officer and secretary of the Big Sky Owners Association, Inc. and certify that we have obtained the written consent of the owners of seventy-five percent (75%) of the total area of privately owned land within Cascade Subdivision, including open space, for amendment of the Protective Covenants for Cascade Subdivision.

NOW, THEREFORE, the Cascade Owners Association consents by this instrument to the following amendments:

Amending Article I(I) and (X), to read as follows:

I. "Cascade Subdivision": means the lots, tracts, open spaces and other real property shown on revised Exhibit A and as described in Exhibit B attached hereto and as described on the plat(s), amended plats and supplemental plats of Cascade Subdivision.