

## RESOLUTION NO. 837DE

WHEREAS, the Board of Commissioners of Flathead County, Montana held a public hearing on the 1st day of May, 2018 concerning a proposal request to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to I-1H (Light Industrial-Highway) and SAG-5 (Suburban Agricultural);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on April 8 and April 15, 2018;

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., adopts this Resolution of Intention to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to I-1H (Light Industrial-Highway) and SAG-5 (Suburban Agricultural). The boundaries of said area are described as:

The section of property proposed for a zoning map amendment from SAG-10 to SAG-5 can legally be described as:

A TRACT OF LAND, SITUATED, LYING AND BEING IN GOVERNMENT LOT 5 OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 21 WEST, P.M.M., AND IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 22 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING at the southeast corner of the Southeast Quarter of the Northeast Quarter of Section 1, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, which is a found iron pin; Thence S89°42'41"W 435.81 feet; Thence N23°08'29"W 750.22 feet; Thence N89°42'41"E 591.86 feet; Thence S28°15'23"E 785.21 feet to a found iron pin; Thence N89°45'15"W 232.94 feet to the point of beginning and containing 10.00 ACRES; Subject to and together with all appurtenant easements of record.

The section of property proposed for a zoning map amendment from SAG-10 to I-1H can legally be described as:

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 22 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

Commencing at the southeast corner of the Southeast Quarter of the Northeast Quarter of Section 1, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, which is a found iron pin; Thence S89°42'41"W 435.81 feet to the TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; Thence continuing S89°42'41"W 762.38 feet to a found iron pin on the easterly R/W of U.S. Highway 93; Thence along said R/W the following three (3) courses: N00°08'25"E 285.15 feet; N11°27'02"E 200.74 feet to a found aluminum cap; N00°08'25"E 209.65 feet to a found iron pin; Thence leaving said R/W N89°42'41"E 426.48 feet; Thence S23°08'29"E 750.22 feet to the point of beginning and containing 9.47 ACRES; Subject to and together with all appurtenant easements of record.

BE IT FURTHER RESOLVED that notice of the passage of this Resolution of Intention, stating the boundaries of the portion of the Highway 93 North Zoning District to be changed, the general character of the proposed designation for the area to be changed, that the regulations for said district are on file in the Office of the Board of Commissioners, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Highway 93 North Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within Flathead County for a period of thirty (30) days after first publication of that notice. In order that only valid signatures are counted, the freeholders who file protests must either be registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 1st day of May, 2018.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana



By: *Pamela J. Holmquist*  
Pamela J. Holmquist, Chairman

By: *Philip B. M.*  
Philip B. Mitchell, Member

By: *Gary D. Krueger*  
Gary D. Krueger, Member