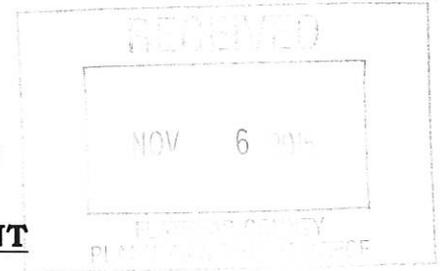




# Flathead County

## Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210



### PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

**FEE ATTACHED \$**900

#### APPLICANT/OWNER:

- 1. Name: Shelley Pierson Phone: 406-250-5682
- 2. Mail Address: 181 Park Ave
- 3. City/State/Zip: Kalispell, MT 59901
- 4. Interest in property: owner

**Check which applies:**  Map Amendment  Text Amendment:

#### TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Marquardt Surveying Phone: 406-755-6285  
 Mailing Address: 201 3rd Ave W  
 City, State, Zip: Kalispell, MT 59901  
 Email: sarah@mmsurvey.net

#### **IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:**

A. What is the proposed zoning text/map amendment?

#### **IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:**

A. Address of the property: 180 Birch Dr, Kalispell

B. Legal Description: Tract 2BAF  
*(Lot/Block of Subdivision or Tract #)*

4                
Section Township Range *(Attach sheet for metes and bounds)*

C. Total acreage: 0.8

D. Zoning District: Evergreen

E. The present zoning of the above property is: R-2

F. The proposed zoning of the above property is: R-3

G. State the changed or changing conditions that make the proposed amendment necessary: To be able to have the 2 dwellings on separate parcels of land

---

---

---

---

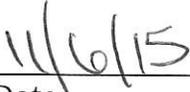
**THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.**

- 1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?
- 2. Is the proposed amendment designed to:
  - a. Secure safety from fire and other dangers?
  - b. Promote public health, public safety and the general welfare?
  - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
- 3. Does the proposed amendment consider:
  - a. The reasonable provision of adequate light and air?
  - b. The effect on motorized and non-motorized transportation systems?
  - c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
  - d. The character of the district and its peculiar suitability for particular uses?
  - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
- 4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

\*\*\*\*\*

*The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.*

  
Owner/Applicant Signature(s)

  
Date

## SHELLEY PIERSON ZONE CHANGE CRITERIA

1. *Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?*

**The Flathead County Growth Policy designates this area as residential urban and this proposal is in accordance with the Growth Policy/Neighborhood Plan.**

2. *Is the proposed amendment designed to:*

a. *Secure safety from fire and other dangers?*

**The zone change will not have a direct effect on safety from fire or other dangers. The zoning designation will control the type and design of development.**

b. *Promote public health, public safety and the general welfare?*

**The zoning district permits or conditionally permits uses that would not affect the health and general welfare of the public negatively. The subject property will utilize access from Birch Drive, a 40 foot deeded county road. This will provide safe access for the subject property.**

c. *Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?*

**The zone change will not affect public services negatively. The affected area is a residential urban district designed to accommodate higher density residential parcels and addresses the location and proximity of uses in regards to streets, schools, parks and utilities.**

3. *Does the proposed amendment consider:*

a. *The reasonable provision of adequate light and air?*

**The Zoning Regulations Development Standards would control light and air around buildings and properties.**

b. *The effect on motorized and non-motorized transportation systems?*

**The property is currently zoned R-2 and has a house, that was previously a duplex, and a shop with an apartment. Changing the zoning to R-3 will allow the property to be subdivided into 2 parcels with a single dwelling unit on each property, therefore the zone change would have a minor impact.**

- c. *Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?*

**The growth policies for the area, Flathead County and City of Kalispell, have designated this area for residential urban. R-3 is a One-Family Residential zoning and is compatible with the existing and proposed uses for this area.**

- d. *The character of the district and its peculiar suitability for particular uses?*

**This zone change is consistent with the character of the area and gives reasonable consideration to the uses of the R-3 suburban one-family residential on the adjacent properties.**

- e. *Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?*

**Adjacent properties are currently zoned R-3 and the value of buildings will be conserved as well as the use of the land by encouraging consistent zoning.**

4. *Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?*

**The corridor between LaSalle Road and Helena Flats Road, between MT Highway 35 and East Reserve Drive, is designated for urban residential / commercial development in the City of Kalispell Growth Policy 2020. According to the map, the area around the subject property is specifically designated as Urban Residential. With adjacent properties currently R-3, the proposed zone change is compatible.**