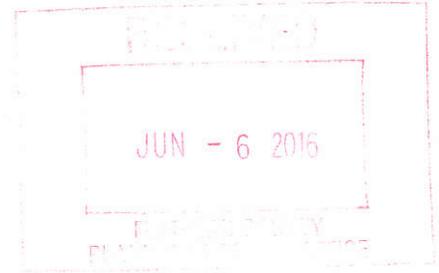


**Flathead County**  
**Planning & Zoning**  
 1035 1st Ave W, Kalispell, MT 59901  
 Telephone 406.751.8200 Fax 406.751.8210



**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 \$** 1100.00 FCPZ  
75.00 FCQ15

**APPLICANT/OWNER:**

1. Name: Patrick Mackin Phone: 605-391-9479
2. Mail Address: 3070 Heidi Way
3. City/State/Zip: Rapid City SD 57702
4. Interest in property: owner

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

**TECHNICAL/PROFESSIONAL PARTICIPANTS:**

Name: Narda Wilson Phone: 406-249-5118  
 Mailing Address: 184 Midway Drive  
 City, State, Zip: Columbia Falls MT 59912  
 Email: wilsonsbigsby@centurytel.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? R-2 to R-4

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

- A. Address of the property: see attached parcel descriptions
- B. Legal Description: for addresses, APN, acreage  
 (Lot/Block of Subdivision or Tract #)

34 - 29 - 21  
 Section Township Range (Attach sheet for metes and bounds)

- C. Total acreage: 6.79 acres
- D. Zoning District: Evergreen and Vicinity Zoning District
- E. The present zoning of the above property is: R-2
- F. The proposed zoning of the above property is: R-4

G. State the changed or changing conditions that make the proposed amendment necessary: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**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.**

*see attachment evaluation criteria*

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.*

*Narda Nelson for Patrick Mackin*  
Owner/Applicant/Signature(s)

*6/6/16*  
Date

### Evaluation Criteria

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

The Flathead County Growth Policy Designated Land Use Map identifies this area as “Residential Land Use.” Chapter 2, Land Use, of the Flathead County Growth Policy discusses a number of goals and policies. The zone change proposal specifically supports Goal 8 as it relates to residential development which states “Safe, healthy residential land use densities that preserve the character of Flathead County, protect the rights of landowners to develop land, protect the health, safety and general welfare of neighbors and efficiently provide local services” as a goal for development.

This property is also in an area of the Kalispell City-County Master Plan which designates this area as Suburban Residential on the area plan map. The suburban residential designation which generally indicates approximately two dwelling units per acre until such time as public facilities and utilities become available to support a higher density development. These properties are in an area with full urban services and is served public water and sewer, a local fire district and paved County roads.

2. Is the proposed amendment designed to:
  - a) Secure safety from fire and other dangers.

This area is served by the Evergreen Fire District which is a local fire district that is located within close proximity to the west of the area proposed for rezoning. Excellent access via County owned and maintained road of Harmony Road on the west and East Evergreen Drive to the south would provide good accessibility in case of fire or other emergency.

- b) Promote public health, public safety and the general welfare

The public welfare would be served by encouraging higher density residential development in an area that is served by full public services which are currently available. This serves the public interest by the efficient delivery of services and individual landowners who benefit from easy access to public services and community amenities.

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

Adequate provision of public facilities and services to this area are in place. Flathead County services the local roads serving these properties with Harmony Road to the west and East Evergreen Drive to the south. There are other local and state roads in the area that provide service to the greater area and are in close proximity to this site. The Evergreen Water and Sewer District

serves this area and these properties with public water and sewer. Capacity is available within the Evergreen system that could potentially serve these properties should they be developed at some point in the future. Service and any new construction would have to be in accordance with the policies and standards of the Evergreen District. East Evergreen School lies directly the the east of this site serves these properties. A nicely maintained County Park, Bernard Park, lies in close proximity and easy walking distance to this property to the southwest at the southeast corner of Bernard Road and East Evergreen Drive. The properties are in close proximity to major shopping areas which lie to the west of this site.

3. Does the proposed amendment consider:

- a) The reasonable provision of adequate light and air?

Development standards of the proposed zoning district would have to be met that would include minimum lot sizes, set backs, height limitations as well as density limitations, and with those providing adequate light and air to the residents and the neighborhood.

- b) The effect on motorized and non-motorized transportation systems.

At some point in the future the development of this property would be evaluated with regard to the impact on the area transportation system. There is a well-developed motorized and non-motorized transportation system in the area that includes Harmony Road and East Evergreen Drive, both County roads. Additionally there is pedestrian trail to the west along East Evergreen Drive. These systems may be insignificantly affected at some point in the future with the development of this property.

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

Although the Evergreen Area is not an incorporated city, it functions in many ways as a defacto municipality in that is provides is area residents with full public services, facilities and amenities such as transportation, schools, shopping and emergency services. The services can be efficiently delivered and the residents effectively served. Beyond Evergreen the west is the city of Kalispell which serves a regional population and has all manner of urban services.

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

The area where the zone change is proposed is a well-established residential area that has experienced slow but steady growth as public services and facilities have been made available and growth pressures continue. This is an evolving area that is strongly influenced by urban growth in the Flathead Valley and particularly Kalispell to the west.

- e) Conserving the value of building and encouraging the most appropriate use of land through out the jurisdictional area.

New development would be subject to current development standards of the governing jurisdictions in the area such as County road and subdivision standards as well as parks, schools and type of uses. New potential growth and development would generally complement the existing residential development in the area by contributing new construction in a somewhat stagnant area. New development would be capable of adding value and contribute positively to the character and integrity of the existing neighborhood.

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

Nearby Kalispell has similar zoning designations to Flathead County zoning regulations particularly in regard to residential zoning such as that which is under consideration. The zoning, development standards and density limitations for both the R-2 and the R-4 zoning districts are generally consistent between the City and the County and there would be no impact on those standards as a result of this zone change.

Patrick Mackin – Evergreen & Vicinity Zoning Map Amendment

Description of Parcels to be Included in Zone Change

- APN - 0306180; Lot 1A, Amended Plat of Lot 1 of Mackin Subdivision and Lot 2 of Hoiland-Day Acres in S34, T29N, R21W containing 5.25 acres, NHN
- APN - 0421851; Lot 2A, Amended Plat of Lot 1 of Mackin Subdivision and Lot 2 of Hoiland-Day Acres in S34, T29N, R21W containing 0.62 of an acre located at 525 East Evergreen Drive, Kalispell.
- APN - 0547200; Lot 6A, Amended Subdivision Plat of Lots 3, 4, 5, 6 & 7 of Hoiland-Day Acres in S34, T29N, R21 W containing 0.46 of an acres located at 507 East Evergreen Drive, Kalispell.
- APN – 0505807; Lot 2, Mackin Subdivision (being an Amended Subdivision Plat of Lot 7A of the Amended Subdivision Plat of Lot 3, 4, 5, 6 & 7 Hoiland Day Acres) in S34, R29N, T21W containing 0.46 of an acre located at 203 Harmony Road, Kalispell.

Total acreage containing approximately 6.79 acres.





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	FLATHEAD COUNTY, MONTANA (Unincorporated Areas)	Lots 1A and 2A, Amended Plat of Lot 1 of Macklin Subdivision and Lot 2 of Hoiland-Day Acres, as shown on the Plat recorded as Document No. 200900030506, in the Office of the Recorder, Flathead County, Montana
	COMMUNITY NO.: 300023	
AFFECTED MAP PANEL	NUMBER: 30029C1810H DATE: 6/18/2013	

FLOODING SOURCE: FLATHEAD RIVER OVERFLOW 1

APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 48.227, -114.259

SOURCE OF LAT & LONG: GOOGLE EARTH PRO

DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
2A	--	Amended Macklin & Hoiland-Day	525 East Evergreen	Property	X (shaded)	--	--	--

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

DETERMINATION TABLE (CONTINUED)  
INTERVENING HIGH GROUND - NO FILL

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 338-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

JUN 6 2016



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### DETERMINATION TABLE (CONTINUED)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
1A	--	Amended Macklin & Holland-Day	203 Harmony Road	Property	X (shaded)	--	--	--

#### INTERVENING HIGH GROUND - NO FILL PLACED (This Additional Consideration applies to the preceding 2 Properties.)

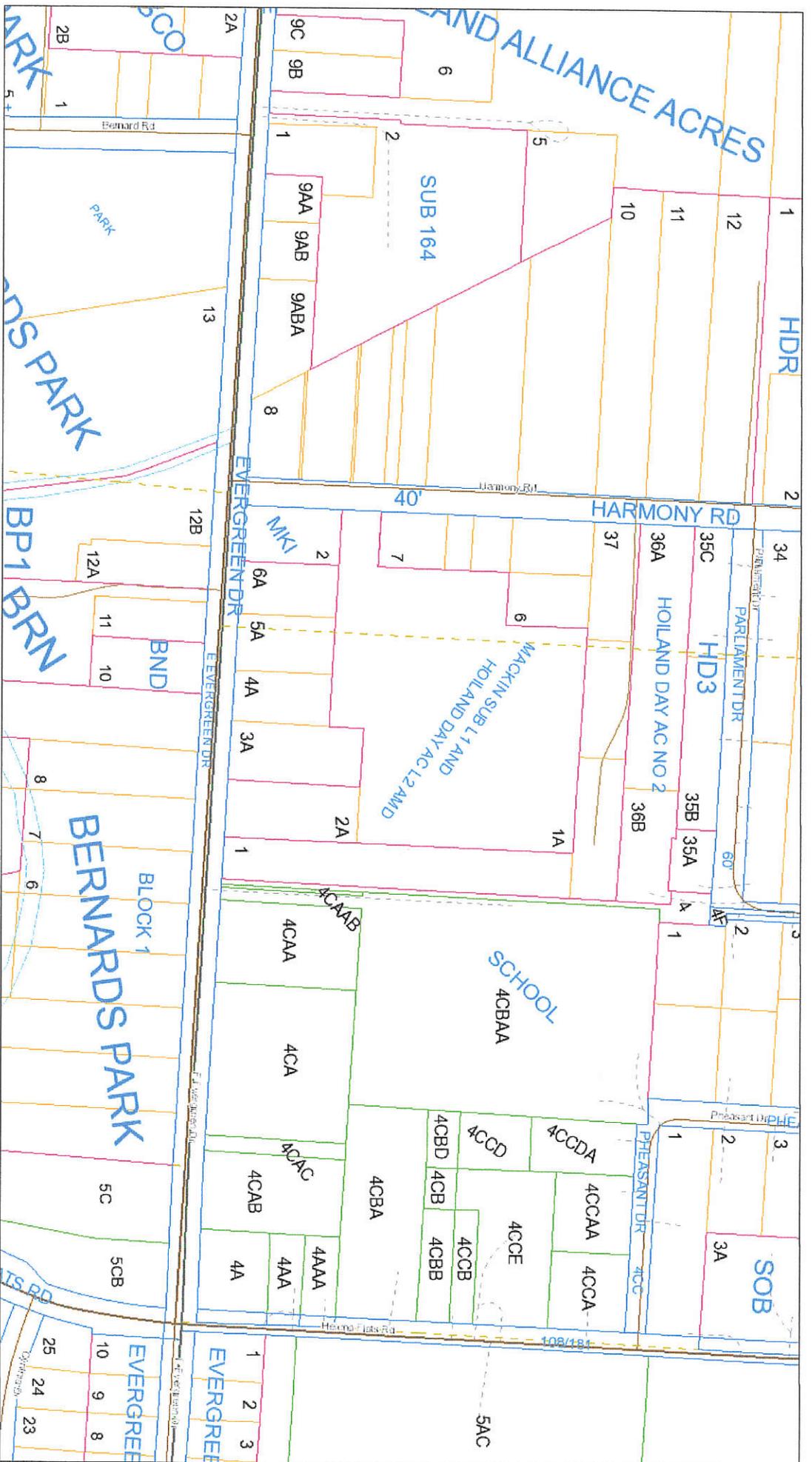
Although the subject of the determination is below the elevation of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), it is outside the Special Flood Hazard Area because of intervening high ground. Intervening high ground is natural high ground that exists between a property and/or structure and the flooding source, providing the property and/or structure protection against inundation from the base flood.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

  
Luis Rodriguez, P.E., Chief

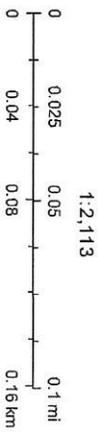
JUN - 6 2016





June 5, 2016

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JUN - 6 2016



Y 16, 2016

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