

# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

### CONDITIONAL USE PERMIT APPLICATION<sup>1</sup>

*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 \$** 700.00

**PROPOSED USE (as described in the Flathead County Zoning Regulations):**

Multiple Principal use per section 3.03.02.

**OWNER(S) OF RECORD:**

Name: Norp Corp. Peter Hutton Phone: 406-471-2276

Mailing Address: 1192 Highway 2 East

City, State, Zip Code: Kalispell, MT 59901

Email: endofthetrail1@hotmail.com

**PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:**

Name: Don Adams or Tomi Ann Clark Phone: 406-309-2007

Mailing Address: 1192 Highway 2 East

City, State, Zip Code: Kalispell, MT 59901

Email: mtendofthetrail@hotmail.com

**LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):**

Street  
Address: 1192 Highway 2 East                      S 8                      T 28                      R 21

Subdivision                      Tract                      Lot                      Block  
Name: \_\_\_\_\_                      No(s). \_\_\_\_\_                      No(s). \_\_\_\_\_                      No. \_\_\_\_\_

1. **Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):**

Willow Glen B-2

2. **Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:**

<sup>1</sup> Revised: 06/11/12





**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) adequate usable space

Lot is 40,000 square feet with a width of 200 feet. Building is 6,609 square feet with a fenced lot of 5,924 square feet. See attached site plan.

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- (2) adequate access

Site has approach permit on file with the Montana Department of Transportation. Approach stations 72+14 and 73+34 at milepost 122.2, project #F257-18. Listed sight distance is 1000' left and 2500' right, surfacing PMS and width 64".

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- (3) absence of environmental constraints

Appears to have no environmental constraints. According to FIRM panel 1810 portion of property is on flood zone AE. Area of operation is on the North side that is in zone X per FIRM panel 1810.

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**B. Appropriateness of Design.**

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

See attached site plan.

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- (2) traffic circulation

Circulation is off Highway 2 East, with a right in right out. Enter and Exit signs are in the process.

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- (3) open space

6,609 square feet of floor space with 28 non employee parking spaces, with additional 4-5 spaces for employees. Approximately 10 cement curbs along parking in front of building. In process of updating lines and adding additional line. All open space is pavement. See attached site plan.

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- (4) fencing, screening

Security fencing on South East corner of lot. 6' high on the North and East side with 8' high on South side. South side is a security risk, no operating businesses in the rear of building. Total square footage is 5,924.

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- (5) landscaping

No landscaping on site. Grassy area on west side of building is property of adjacent business.

- (6) signage

Two signs attached to building totaling 112 square feet. One freestanding sign at front of site approximately 20-22 feet high with a square footage of 56 on each side, totaling 112 square feet. Total square footage of signs is equal to 224.

- (7) lighting

Lighting on West side of building for employee parking is pursuant to section 5.12.030.

**C. Availability of Public Services and Facilities**

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

Evergreen Water and Sewer

- (2) water

Evergreen Water and Sewer

- (3) storm water drainage

None on site, located on surrounding properties.

- (4) fire protection

Evergreen Fire Department approximately 1.5 miles from site.

- (5) police protection

Flathead County Sheriff.



(6) streets

Site is off of Highway 2 East.

**D. Immediate Neighborhood Impact**

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

(1) excessive traffic generation

Approximately 30 customers per day. Adjacent to high use highway with surrounding properties working as commercial businesses. No anticipated changes or impacts.

(2) noise or vibration

Surrounding properties commercial businesses and adjacent to high use highway. No anticipated changes or impacts.

(3) dust, glare or heat

Surrounding properties commercial businesses and adjacent to high use highway. No anticipated changes or impacts.

(4) smoke, fumes, gas, or odors

Common in area. Proposed use will not generate substantial smoke, fumes, gas, or odor.

(5) inappropriate hours of operation

Monday thru Saturday 10AM-6PM. May open on Sundays in the future.

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts



- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses



Consultation with Planner:

Date \_\_\_\_\_ Planner's Signature \_\_\_\_\_

**INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:**

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
  - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

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*I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. 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 the approval and development process.*

\_\_\_\_\_  
Owner(s) Signature (*all owners must sign*)

\_\_\_\_\_  
Date

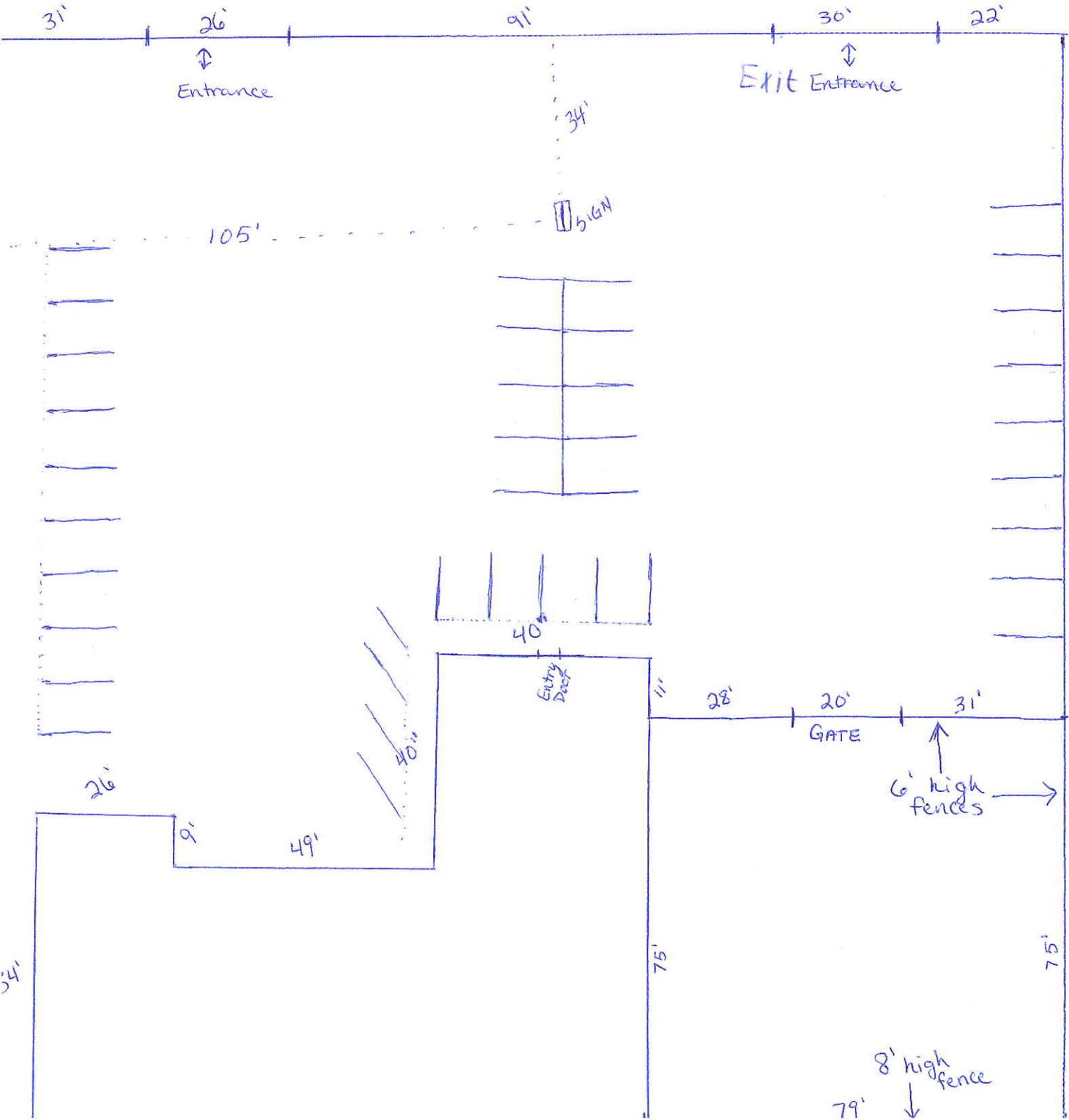
*Tomia A. Clout*  
\_\_\_\_\_  
Applicant Signature (*if different than above*)

\_\_\_\_\_  
Date

BUILDING SQUARE FOOTAGE - 6609<sup>sq</sup>ft  
FENCED SQUARE FOOTAGE - 5924<sup>sq</sup>ft



200'



200'

STATE OF MONTANA - DEPARTMENT OF HIGHWAYS  
HELENA, MONTANA 59601  
DRIVEWAY APPROACH APPLICATION AND PERMIT

**COPY**

To be Filled in by Department of Highways Personnel

F.A. ROUTE NO. U.S. # 2 APPROACH STATION(S) 72+14  
73+34

DIVISION Kalispell NO. 1220 MILEPOST 122.2

COUNTY Flathead PROJECT # 257 - 18

J.E. M... 12-12-75 Approved by Field Date 12/17/75  
Engineer or Traffic Design Unit Traffic Maintenance Bureau

APPLICANT (Property Owner)  
Name: Ken LeDuc ( Kens Homes) Phone 755-5800

Address: 1509 So. Woodland Dr.  
herein termed the applicant, requests permission to construct approach(es) described and shown on attached plot plan or plan and profile and hereby made a part of this application.

**RECEIVED**  
DEC 1 1975  
State Highway Commission

PROPERTY LINES:  
Sta. 71+74 To Sta. 73+74 (Rt.) Left

DESCRIPTIONS OF APPROACHES:  
Private  Public   
Use of Property or Facility Mobile Homes Sales and Shop  
(Residence, Trailer Court, Gas Station, Field Access, Type of Business, etc.)

Type of vehicle to use approach Cars, Tractor Trailer  
(car, farm vehicles, single unit - tractor-trailer)  
Width Two - 30' Flare Curb cut Side of Roadway South  
(N,E,S,W)

LOCATION:  
City or Town 3/4 mile east of Kal. on U.S. 2 on the Strip  
(if rural - direction & approx. distance from nearest city or town)

Street Name, if any: \_\_\_\_\_

DRAINAGE AS DETERMINED BY THE FIELD MAINTENANCE BUREAU

Type None required Size --- Length ---

ROADWAY OR HIGHWAY:

Sight Distance: Left 1000' Right 2500'

Surfacing PMS Width 64'

Dated at Kalispell, Montana, this 9 day of Dec. 19 75

[Signature]  
(Signature of Applicant)

(INSTRUCTIONS CONCERNING USE OF THIS FORM)

Applicant will complete and deliver this form in triplicate to the Field Maintenance Bureau serving the area in which the Approach Permit is requested. The Field Maintenance Bureau Personnel, in conjunction with the Division Traffic Engineer, are delegated authority to approve curb cuts, public and private approaches serving businesses, residences, and agricultural uses in rural and urban areas without further consultation if the traffic conditions are not congested. In congested areas, usually urban situations, the Field Maintenance Personnel and Division Traffic Engineer can request the Manager, Traffic Design Unit, Helena, for further technical aid. If this is the case, the approach should be scaled onto existing plan and profile sheets showing the highway right-of-way and sent to Helena.

**RECEIVED**  
AUG 31 2012  
FLATHEAD COUNTY  
PLANNING & ZONING OFFICE