



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



CONDITIONAL USE PERMIT APPLICATION¹

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 \$ 500

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

Guest House

OWNER(S) OF RECORD:

Name: Justin L. Mc Kerrow Phone: 406-261-7843
 Mailing Address: 15 Mountain Park Lane
 City, State, Zip Code: Kalispell, MT 59901
 Email: _____

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

Name: F. J. di Stefano Phone: 406-257-7125
 Mailing Address: 6 Sunset Plaza
 City, State, Zip Code: Kalispell, MT 59901
 Email: fjdistefano@architects-design-group.com

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street
 Address: 1750 Bitterroot Lane, Marion, MT S 18 T 27 R 24
 Subdivision Tract Lot Block
 Name: Little Bitterroot Lots No(s). 11D/1 No(s). 001 No. _____

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

Little Bitterroot Lake Neighborhood Plan; Little Bitterroot Lake

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:**

¹ Revised: 06/11/12

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space

Proposed principal dwelling will not exceed allowed site coverage

- (2) adequate access

Site has a shared driveway from Little Bitterroot Lane

- (3) absence of environmental constraints

There are not environmental constraints except there is a 50 foot setback from the high water mark of Little Bitterroot Lake.

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

Proposed structure provides 3 parking stalls in the garage and there will be a paved apron in front of the garage providing additional parking

- (2) traffic circulation

Circulation is from the public way onto the driveway

- (3) open space

The zoning requires that 50% of the site remain as open space. Front, side and lake shore setbacks along with general open space will comply with this requirement.

- (4) fencing, screening

None existing or proposed

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- (5) landscaping

The lot is naturally landscaped and efforts will be made to retain major trees and preserve the landscaping.

- (6) signage

none proposed

- (7) lighting

Residential use will conform to the the Dark Sky's provision of the Little Bitterroot Neighborhood plan

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

The on site septic system will be expanded and a new system will be engineered and submitted to the DEQ for approval.

- (2) water

There are existing water rights that allow the use of lake water for domestic use. (see attached copy of these rights)

- (3) storm water drainage

To be handled on site

- (4) fire protection

Marion Volunteer Fire Department

- (5) police protection

Flathead County Sheriff's Department

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-
- (6) streets

Little Bitterroot Lane abuts the property and is a graded gravel road with a 60' right of way.

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

No excessive traffic is anticipated. Residential use with projected average of 10 trips per principal dwelling.

- (2) noise or vibration

Typical for a residence

- (3) dust, glare or heat

Typical for a residence

- (4) smoke, fumes, gas, or odors

Typical for a residence

- (5) inappropriate hours of operation

Not applicable

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

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- 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 10/8/13

Planner's Signature Erik Mack

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.)*

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.

Justin Mc Kerrow

Owner(s) Signature (all owners must sign)

10-10-2013

Date

F. J. di Stefano

Applicant Signature (if different than above)

10-10-2013

Date