



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 \$ 700

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

Veterinary Clinic

OWNER(S) OF RECORD:

Name: Sandra L Dorsett Phone: 212-3182

Mailing Address: 2209 US Highway 2 E

City, State, Zip Code: Kalispell, MT 59901

Email: adorsett@gmail.com

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

Name: Albert D Dorsett Phone: 212-3182

Mailing Address: 2209 US Highway 2 E

City, State, Zip Code: Kalispell, MT 59901

Email: adorsett@gmail.com

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street
Address: 2209 US Highway 2 E S 33 T 29N R 21W

Subdivision Name: Evergreen Acres Tract No(s). _____ Lot No(s). 10A Block No. _____

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

Evergreen Zoning District, B-2 (Evergreen Enterprise Zoning Overlay)

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

See drawing. Lot size 19,600ft² (0.45ac). Structure well within setbacks.

- (2) adequate access

Highway 2 access to be modified to a single drive as proposed on pending MDT approach permit. (See drawing) Distance from adjoining property access and Evergreen Drive intersection as well as sight distance compliant and addressed in approach permit.

- (3) absence of environmental constraints

Property lies outside 100-year flood plain in zone X. No wetlands on site.

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

Parking plan includes four paved spaces in front of property, including ADA access. Existing gravel parking in rear for employees. Existing and added landscaping to screen parking.

- (2) traffic circulation

Front parking access via two-way 38ft-long paved approach. Drive continues to rear of facility.

- (3) open space

50% of front of property to remain in or return to grass or landscape with additional 70% of right-of-way remaining in or returned to grass by removal of second drive. 12,000ft² landscaped yard in rear to remain undisturbed: 8000ft² in grass, plus gravel parking area and garage.

- (4) fencing, screening

Abuts only B-2 lots on all sides. Fenced on sides. Vacant highway-fronted lots to south. Business to north screened by large spruce. Grass swale, shrubs will further buffer and screen. Neighboring residences (B-2) buffered by large yard and screened by garage, wooden fence, scattered trees, bushes.



- (5) landscaping

Existing spruces in front, back. Apple tree and shrubs around back yard. Flower bed along building. Additional shrubs planned along north edge of property in front and along frontage. Commercial activity to occur in front.

- (6) signage

Internally lit by buried cable, unobtrusive sign less than 28ft in height and less than 72ft², abutting right-of-way at center of frontage.

- (7) lighting

Hooded lights at doors for security.

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

Served by Evergreen Water District.

- (2) water

Served by Evergreen Water District.

- (3) storm water drainage

Right-of-way drainage through culvert under approach. Grassy retention swale to adjoin parking for on-site runoff.

- (4) fire protection

Evergreen Fire Station 500 ft north across street.

- (5) police protection

Flathead County Sheriff's Department.



-
-
- (6) streets

US Highway 2 frontage: four-lane with center turn lane. Evergreen Drive stoplight 200ft to south cycles frequently, enabling turning left into slow-moving traffic.

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

Proposed use will generate approximately 8 vehicle trips on Highway 2 (one customer per hour for an 8 hour working day) with a net vehicle trip number of 7 as business owner will reside on the property. Additional vehicle trips have been addressed for approval in proposed MDT approach permit.

- (2) noise or vibration

No noise or vibration impacts as business will be conducted indoors.

- (3) dust, glare or heat

No dust will be generated by proposed use due to proposed paved parking lot. No glare or heat will be generated by proposed use as business will be conducted indoors.

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

No smoke, fumes, gas, or odors will be generated by operation of proposed use.

- (5) inappropriate hours of operation

Typical daytime operations, emergencies as necessary.

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



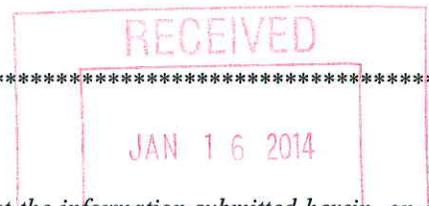
- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured 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 8-16-10 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.)*



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

Applicant Signature (if different than above)

Date

- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
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Sandra A. Dorsett
Owner(s) Signature (all owners must sign)

01/10/2014
Date

[Signature]
Applicant Signature (if different than above)

1/16/14
Date



CONDITIONAL USE PERMIT FOR VETERINARY CLINIC

Lot 10A of Evergreen Acres

2209 Highway 2 East
Kalispell, Montana 59901

Existing conditions and proposed use

I am requesting approval of an on-site veterinary clinic in the south half of the house on Lot 10A of Evergreen Acres. The property is within B-2 zoning and a veterinary clinic is an allowable use within the zoning district.

Lot 10A is surrounded by B-2 zoned tracts and is located on the east side of US Highway 2 East, 200 feet north of Evergreen Drive. The property south of Lot 10A is vacant. The property east of Lot 10A is a flag lot with a 10-foot strip along the north side of Lot 10A connecting it to Highway 2. The flag lot is used for residential purposes. The lot north of the 10-foot strip is a commercial lot, currently vacant. The Lutheran Church and Evergreen Junior High School are across the highway from Lot 10A to the west.

The house on Lot 10A has been residential for more than 60 years. I am requesting a conditional use on the south half of the house for the veterinary clinic. We will continue to use the north half of the house for residential and our home. The current front door will be converted to the business front door. The private residential door will be on the north side of the house.

A. Site suitability

(1) Adequate useable space

The house meets the bulk and dimensional requirements for B-2 zoning. There will be no alteration to the exterior of the existing structure except for the construction of a handicap ramp to the business entrance. Refer to the Appropriateness of design section below for more details.

(2) Adequate access

The lot is directly accessed by US Highway 2, a major arterial.

(3) Absence of environmental constraints

The lot lies outside the 100-year flood plain. There are no wetlands on site.

B. Appropriateness of design

(1) Parking scheme and (2) Traffic circulation

The front yard is large enough to construct a paved parking lot with four spaces for customers: three conventional spaces and one large (17 feet wide) handicap space nearest the clinic. This configuration complies with ADA, Montana Code and Flathead County Performance Standards for parking lots. The 24-foot wide by 38-foot long entrance to the parking lot is directly off US Highway 2. This approach width accommodates safe, simultaneous ingress and egress. The approach length gives an exiting vehicle plenty of room to stop and look before entering Highway 2 without blocking the parking lot.

The existing gravel drive on the south side of the building will connect the new paved parking lot with the existing graveled parking area behind (east) the building. This parking area will be for the owner and employees and is large enough for five vehicles.

The proposed veterinary clinic will be large enough for one licensed veterinarian and potentially two employees. It will be rare that all four parking spaces will be occupied at one time as the business will generate one client per hour. As there are four parking spaces, this will leave parking spaces for the random service vehicles.



(3) Open space

No additional structures will be constructed on Lot 10A. Therefore the current open space, 88%, equals the future open space:

Lot = 19602 sf, House = 1680 sf, Garage = 720 sf
19602 - (1680 + 720) = 17202
17202 / 19602 = 0.88 sf open space

Approximately 50% of Lot 10A's front yard will be parking lot and 50% will be lawn and landscaping. Adding to the open space is a 25-foot strip of grassed highway right-of-way between the lot line and curb and gutter.

(4) Fencing, screening

There are decorative, wood fences along the north and south boundaries of Lot 10A.

(5) Landscaping

A large spruce tree in the front yard will be kept. The existing sunken driveway on the north side of Lot 10A will be filled in and planted to lawn. Landscaping shrubs will be planted along the highway right of way. The existing apple and spruce trees in the back yard will be kept.

(6) Signage

An illuminated, business sign conforming to B-2 zoning will be placed on the lot near the driveway entrance. Power to the sign will be underground.

(7) Lighting

All lighting will be placed and hooded such that it does not shine on neighboring properties or directly toward the highway.

C. Availability of Public Services and Facilities

(1) Sewer

Lot 10A is served by Flathead County Water District #1 (Evergreen) which is adequate to serve the needs of the veterinary clinic and residence.

(2) Water

Lot 10A is served by Flathead County Water District #1 (Evergreen) which is adequate to serve the needs of the veterinary Clinic and residence.

(3) Storm water drainage

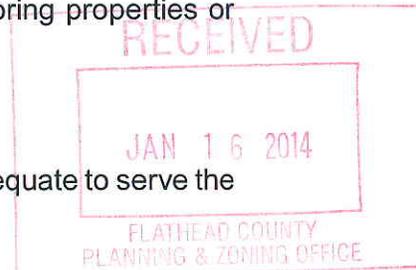
All storm runoff generated on the site will be retained on the site. The proposed parking lot will be designed to drain north to a proposed retention pond in the northeast corner of the lot. At the time of this application I have been in conversation with MDT concerning the storm runoff generated from the highway that enters the property. This storm runoff will be addressed in the final MDT approach permit.

(4) Fire protection

Lot 10A is served by Evergreen Fire Department which is adequate to serve the needs of the veterinary clinic and residence. The closest station is 500 feet north on US Highway 2.

(5) Police protection

Lot 10A is served by Flathead County Sheriff which is adequate to serve the needs of the veterinary clinic and residence.



(6) Streets

Lot 10A is accessed by US Highway 2, a major arterial, which is adequate to serve the needs of the veterinary clinic and residence.

D. Immediate Neighborhood Impact

(1) Excessive traffic generation

The proposed use will generate approximately 8 vehicle trips per day, i.e., one client per hour. This number can be reduced to 7 vehicle trips as I live on the premises and will not be driving to another place of employment. I have applied to MDT for an approach permit for 20 vehicle trips which will more than adequately cover the 8 clients per day plus any vehicle trips for personal use. US Highway 2 is a major arterial and can accommodate the anticipated traffic.

(2) Noise or vibration

The proposed use does not generate vibration. The proposed use may generate noise in the form of animal sounds. As business will be conducted indoors, these sounds will not be heard by the neighbors.

(3) Dust, glare or heat

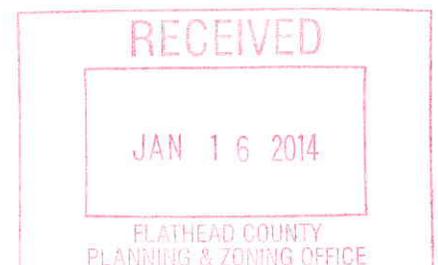
The proposed use does not generate dust, glare or heat.

(4) Smoke, fumes, gas or odors

The proposed use does not generate smoke, fumes or gas. The proposed use may generate odors from animal fecal matter. All animal fecal matter as a result of the proposed use will be removed from the premises.

(5) Inappropriate hours of operation

The proposed use will operate during normal, daytime business hours, with the exception of emergencies which is the nature of a veterinary clinic.



Site Plan

Conditional Use Permit for Lot 10A of Evergreen Acres

Section 33, T29N R21W
Flathead County, Montana
Applicant: Albert D. Dorsett
January 15, 2014

Lot 9

Lot 10

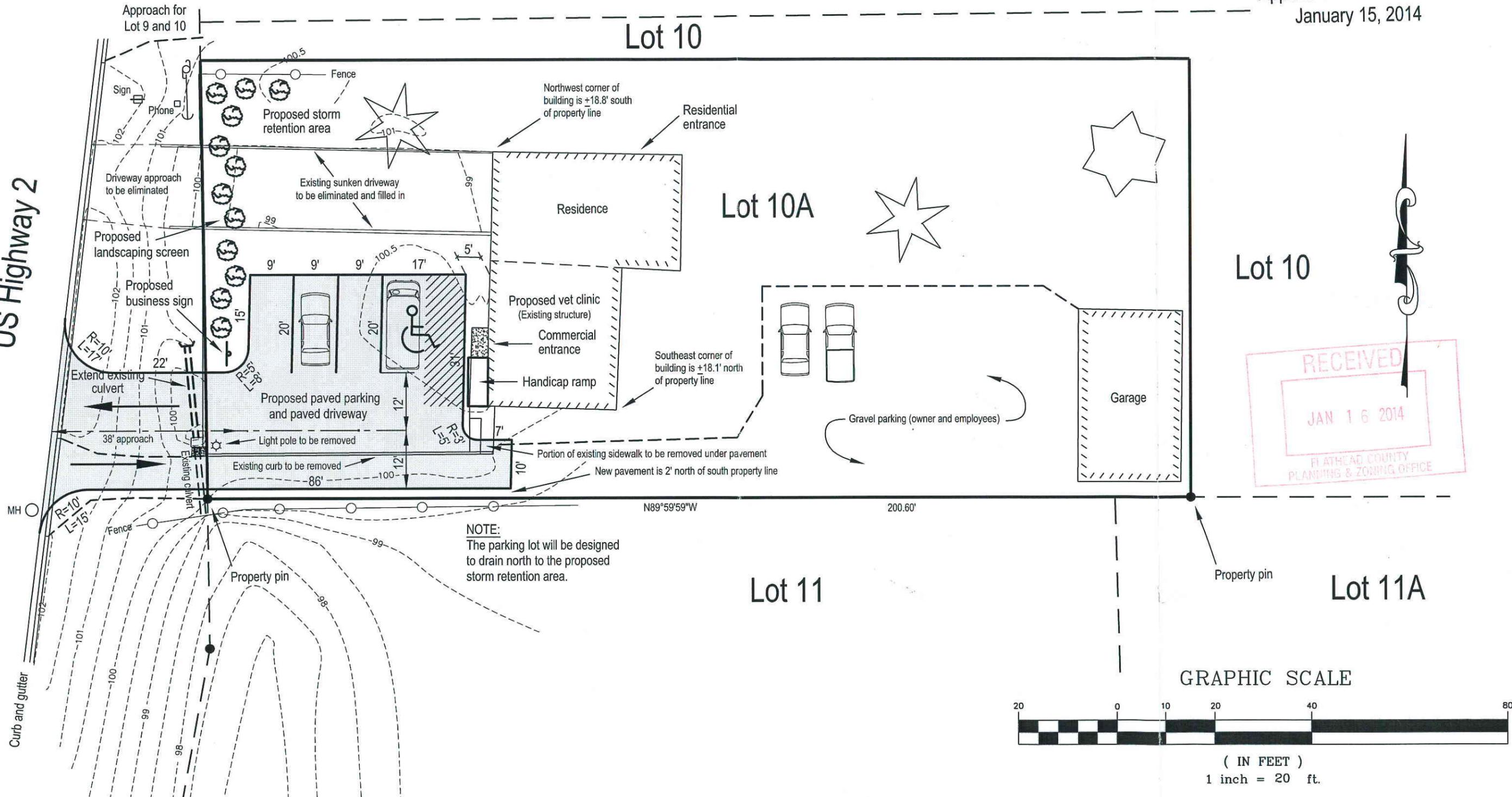
Lot 10A

Lot 10

Lot 11

Lot 11A

US Highway 2



NOTE:
The parking lot will be designed
to drain north to the proposed
storm retention area.

RECEIVED
JAN 16 2014
FLATHEAD COUNTY
PLANNING & ZONING OFFICE

