

Flathead County

Planning & Zoning

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



APPLICATION FOR A VARIANCE

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 \$ 350.00

Before completing this application please read instructions on page 4.

1. **OWNER:**

Name: George + Patti McCormick
Address: 318 5th Ave SE Phone: (403) 652-8251
City/State/Zip: High River, AB, Canada T1V-1H4
Email: george@gimmech.ca

INTEREST IN PROPERTY: owner

2. **APPLICANT:** (If different from above)

Name: as above
Address: _____ Phone: _____
City/State/Zip: _____

3. **TECHNICAL/PROFESSIONAL ASSISTANCE:** (If applicable)

Name: N/A.
Address: _____ Phone: _____
City/State/Zip: _____
Email: _____

4. **LOCATION OF PROPERTY FOR WHICH VARIANCE IS SOUGHT:**

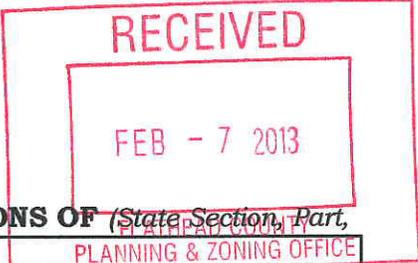
Physical Address: 376 Antelope Trail

5. **ZONING DISTRICT:** Happy Valley **ZONING DESIGNATION:** R2

6. **DATE PROPERTY ACQUIRED:** ± Oct. 15, 2012

7. **LEGAL DESCRIPTION:**

Subdivision (if applicable) Happy Valley Lot/Tract(s) 548/3022 x 25-HPP-548
Assessor # 0971534 Section _____ Township _____ Range _____



8. **REQUEST FOR A VARIANCE FROM THE PROVISIONS OF** (State, Section, Part, and Paragraph of the Zoning Regulations): 3.10.040.6 Fence Height

9. **THIS IS A REQUEST FOR A VARIANCE IN RELATION TO THE PROVISIONS OF THE REGULATIONS** (check one below):

Area _____ Yard _____ Height
 Coverage _____ Parking _____ Other _____

10. **STATE SPECIFICALLY THE CHANGE(S) PROPOSED AND THE REASON(S) SUCH CHANGE(S) ARE NECESSARY** (use additional sheet if necessary):
 to allow an 8 foot fence height for privacy, security + noise attenuation from Hwy 93

11. **EXPLAIN HOW YOUR CASE CONFORMS TO EACH OF THE FOLLOWING REQUIREMENTS** (be complete, use additional sheet if necessary):

A. Strict compliance with the provisions of these regulations will limit the reasonable use of the property, and deprive the applicant of rights enjoyed by other properties similarly situated in the same district.
 other adjacent properties have 8 foot high fences. (also property is immediately adjacent to hwy 93)

B. The hardship is the result of lot size, shape, topography, or other circumstance over which the applicant has no control.
 This lot has direct access to hwy 93 as well as Antelope Trail. The access to the hwy and position of the house deem the frontage to be the highway

C. The hardship is peculiar to the property.
 adjacent property owners have 8' high fences

D. The hardship was not created by the applicant.

property was purchased in this state

E. The hardship is not economic (where a reasonable or viable alternative exists).

Alternative would be for highways to remove access thereby changing my frontage to Antelope Trail.

F. Granting the variance will not adversely affect the neighboring properties or the public.

Neighbours on both sides have high fences

G. The variance requested is the minimum variance, which will alleviate the hardship.

By comparison to Neighbour to the South it appears that an 8 foot high fence would be adequate.

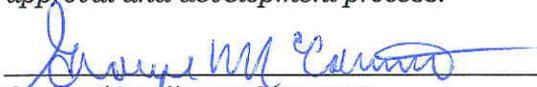
H. Granting the variance will not confer a special privilege that is denied other similar properties in the same district.

Immediate Neighbours already have a tall fence

12. **ATTACH A PLOT PLAN OR DRAWING.**



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 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 or other appropriate action taken. The signing of this application signifies approval for FCPZ staff to be present on the property for routine monitoring and inspection during the approval and development process.



Owner/Applicant Signature

Date

INSTRUCTIONS FOR VARIANCE APPLICATION

1. ANSWER ALL QUESTIONS. Answers should be clear and contain all the necessary information.
2. In answering Question 7, refer to the classification system in the Zoning Regulations and explain in detail the specific standards from which the applicant is seeking relief.
3. In answering Question 9, be specific and complete. In this and all other questions, if additional space is needed you may use additional paper, and list which section number you are continuing.
4. Answer Question 10, A-H completely and fully.
5. A copy of the plot plan or site plan must be submitted with each application (*Please include 6 copies if you submit a size larger than 11x17*).
6. 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.
7. A fee per the FCPZ schedule of fees for a variance application must be submitted with this application to cover the cost of necessary investigation, publication, mailing and processing procedures.

