

Flathead County Planning & Zoning

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

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 \$ 1725.00+ 75.00

SUBDIVISION NAME: Fox Hill Estates, Phase 3

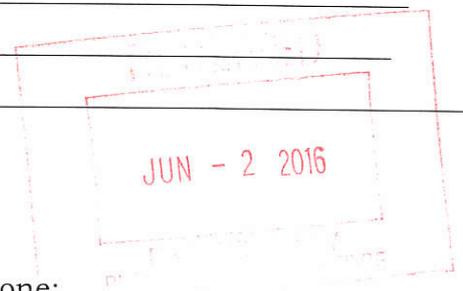
OWNER(S) OF RECORD:

Name: Terry Leighty and Mark Leighty Phone: (406) 261-4124 (Terry)

Mailing Address: 491 Creston Road

City, State, Zip: Kalispell, MT 59901

Email: _____



APPLICANT (IF DIFFERENT THAN ABOVE):

Name: Same Phone: _____

Mailing Address: _____

City, State, Zip Code: _____

Email: _____

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Sands Surveying, Inc, Attn: Eric Mulcahy Phone: (406) 755-6481

Mailing Address: 2 Village Loop

City, State, Zip: Kalispell, MT 59901

Email: eric@sandssurveying.com

LEGAL DESCRIPTION OF PROPERTY:

Street Address Foxtail Drive and Fox Den Trail

City/State & Zip Kalispell

Assessor's Tract No.(s) Tract 4 (Tract 2 of COS 18568) Lot No.(s) N/A

Section 10 Township 28N Range 20W

GENERAL DESCRIPTION/TYPE OF SUBDIVISION: _____

The proposed Fox Hill Estates, Phase 3 is the fourth phase of a four phase development. This will be the third time Phase three will be reviewed. Fox Hill Estates, which included Phase 3, first received preliminary plat approval on April 29, 2003. Phase three expired before the applicants could reach final plat as this was at the time when State Law only allowed a single extension. A second preliminary plat for Phase 3 was granted by the County Commissioners on February 17, 2009. This approval coincided with the worst real estate downturn in decades and as a result, the applicants let this approval expire rather than final plat and hold more lots in a depressed market. Now that the real estate market for rural lots is rebounding, the applicants would like to resume the preliminary plat process and complete the subdivision.

Number of Lots or Rental Spaces 8 Total Acreage in Subdivision 12.569 ac
Total Acreage in Lots 11.595 acres Minimum Size of Lots or Spaces 1.080 ac
Total Acreage in Streets or Roads 0.974 ac Maximum Size of Lots or Spaces 1.921 ac
Total Acreage in Parks, Open Spaces and/or Common Areas There was 10.064 acres dedicated as parkland in the previous three phases of Fox Hill Estates. No parkland is proposed for dedication in Phase 3.

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family X (8) Townhouse _____ Mobile Home Park _____
Duplex _____ Apartment _____ Recreational Vehicle Park _____
Commercial _____ Industrial _____ Planned Unit Development _____
Condominium _____ Multi-Family _____ Other _____

APPLICABLE ZONING DESIGNATION & DISTRICT: The property is zoned SAG-5

IS SUBJECT PROPERTY LOCATED WITHIN 3-MILE BUFFER OF KALISPELL, WHITEFISH, OR COLUMBIA FALLS? No.

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS: \$6,300.00 per acre

IMPROVEMENTS TO BE PROVIDED:

Roads: _____ Gravel X Paved _____ Curb _____ Gutter _____ Sidewalks _____ Alleys _____ Other _____
*** Water System:** _____ Individual _____ Shared _____ Multiple User X Public _____
*** Sewer System:** _____ Individual _____ Shared _____ Multiple User X Public _____
Other Utilities: _____ Cable TV X Telephone _____ X Electric _____ Gas _____ Other _____
Solid Waste: _____ Home Pick Up _____ Central Storage X Contract Hauler _____ Owner Haul _____
Mail Delivery: X Central _____ Individual _____ School District: Creston and Kalispell

Fire Protection: ___Hydrants ___X___ Tanker Recharge Fire District: Creston

Drainage System: On-site

* **Individual** (one user)

Shared (two user)

Multiple user (3-9 connections or less the 25 people served at least 60 days of the year)

Public (more than 10 connections or 25 or more people served at least 60 days of the year)

PROPOSED EROSION/SEDIMENTATION CONTROL: All improvements are completed

VARIANCES: ARE ANY VARIANCES REQUESTED? No (yes/no)
(If yes, please complete the information on page 3)

SECTION OF REGULATIONS CREATING HARDSHIP: _____

PLEASE RESPOND TO THE FOLLOWING STATEMENTS IN THE SPACES PROVIDED BELOW: (The Commission shall not approve a variance unless it finds that all of the following are met)

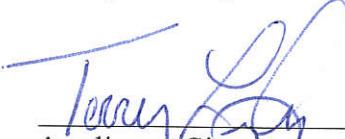
1. The variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.
2. Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self imposed.
3. The variance will not cause a substantial increase in public costs, now or in the future.
4. The variance will not place the subdivision in nonconformance with any adopted growth policy, neighborhood plan or zoning regulations.
5. The variance is consistent with the surrounding community character of the area.

APPLICATION CONTENTS:

1. Completed Preliminary Plat application (*If submitting bound copies of the application materials, please also include one **unbound** copy for replication purposes*).
2. 14 folded copies of the preliminary plat. (*Either 18" X 24" or 24" X 36" per Appendix B- Flathead County Subdivision Regulations*).
3. One reproducible set of supplemental information (*See Appendix B -Flathead County Subdivision Regulations*).
4. One reduced copy of the preliminary plat not to exceed 11" x 17" in size.
5. Application fee.
6. A **Certified** Adjoining Property Owners List must be submitted with the application (*see attached form*). 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.

This application shall be submitted, along with all information required by the applicable Subdivision Regulations and the Montana Subdivision and Platting Act, and the appropriate fee to:
Flathead County Planning & Zoning Office 1035 First Avenue West
Kalispell, Montana 59901 - Phone: (406) 751-8200 Fax: (406) 751-8210

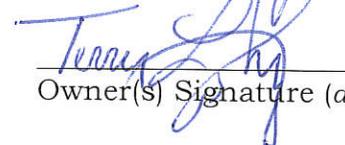
I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be 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 and Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.



Applicant Signature

6/2/16

Date



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

6/2/16

Date

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

Date

Directions to Fox Hill Estates Phase 3 Subdivision Property

The property is located on Foxtail Drive approximately 1 miles east of the intersection of Highway 35 and Mennonite Church Road in Creston. From Kalispell take Highway 2 to Highway 35 in Evergreen. Follow Highway 35 east towards Creston, turn left on Mennonite Church Road..