



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 \$ $\$380.00 + 75.00 = \underline{\underline{\$455.00}}$

Before completing this application please read instructions on page 4.

1. OWNER:

Name: Steven J. / Cynthia M. Norred
Address: PO Box 773 Phone: (406) 261-9048
City/State/Zip: Bigfork MT 59911
Email: structuralconcepts@live.com

INTEREST IN PROPERTY: Primary Owner

2. APPLICANT: (If different from above)

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

3. TECHNICAL/PROFESSIONAL ASSISTANCE: (If applicable)

Name: _____
Address: _____ Phone: _____
City/State/Zip: _____
Email: _____

4. LOCATION OF PROPERTY FOR WHICH VARIANCE IS SOUGHT:

Physical Address: 140 Conifer Lane Bigfork Montana

5. ZONING DISTRICT: Bigfork **ZONING DESIGNATION:** SAG-10

6. DATE PROPERTY ACQUIRED: April 2014

7. LEGAL DESCRIPTION:

Subdivision (if applicable) Sarilda Est Lot 4 Lot/Tract(s) #4

Assessor # 0979663 Section 17 Township 27 Range 19

FILED
APR 27 2014

8. **REQUEST FOR A VARIANCE FROM THE PROVISIONS OF** (State Section, Part, and Paragraph of the Zoning Regulations): Sec 5.01.030
#2 Accessory Structure

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 accessory building to be in front yard area. The reason necessary is a call was made to planning department about said accessory on February 29th 2016, in which planner on duty concluded that the proposed building was OK and no zoning violations were being made. Around the 1st of May it was brought to our attention by a

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:
i. Limit the reasonable use of the property,
Previous owner placement of house, septic, Topography and buildable area on lot is limiting my use of property for an accessory building which is permitted in SAG-10 zoning

ii. Deprive the applicant of rights enjoyed by other properties similarly situated in the same district.
Similar properties have accessory buildings configured in front yard giving them a place to store their personal property for security, protection from elements would limit my rights permitted in my zoning district.

B. The hardship is the result of lot size, shape, topography, or other circumstance over which the applicant has no control.
House was configured on lot prior to our ~~own~~ ownership and was positioned in a manner that makes our entire lot considered front yard and the topography allows only a few buildable spots for accessory building.

40'x48' shop

#10

Neighbor trying to do a similar project, that they were told that our building was a violation on May 2nd my real estate agent called Mark Mussman to confirm this fact and went over specifics of property and accessory building and was told that we were good and no violation was being made. On May 4th my neighbor went in to planning department again ~~and~~ to confirm if they were then OK too and were told no by a different planner. On May 6th I went in to talk to Mark Massman about said violation and on further investigation in the office ^{he} proposed that he made a mistake and our accessory building was a violation.

C. The hardship is peculiar to the property.

House placement on lot is unusually far back on lot perimeter allowing for no room on lot for other buildings and topography was driving factor for its placement.

D. The hardship was not created by the applicant.

Previous house placement and topography created hardship

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

Topography of the land makes only a few places for such a building to be built and utilized. All locations happen to be in front yard zoning violation.

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

Neighboring properties have similar buildings in similar locations violating zoning regulations already. Also building proposed is similar in size and shape of many surrounding properties. Our road is private and set back from public roadways and should have no effect to the public.

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

The variance requested is the minimal variance because it allows for reasonable use of property that is permitted in zoning district and that topography and previous house placement are cause of hardship.

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

Similar properties around are not limited by same topography constraints and peculiar house placement on lot allowing them to stay in compliance with zoning regulations.

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

5-16-16

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. An 'Adjoining Property Owners List' request form must be submitted with the application, with a separate fee *(see form below)*. The list will be sent directly to the Planning & Zoning office and 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.