



# Flathead County

## Planning & Zoning

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

### CONDITIONAL USE PERMIT 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 \$ 560<sup>00</sup>

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

Community Center Building operated by  
a Non-Profit

**OWNER(S) OF RECORD:**

Name: John Cuthbertson Phone: 755-2131  
Mailing Address: P.O. Box 8900  
City, State, Zip Code: Kalispell, MT 59904  
Email: Jon@melab.us

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

Name: (Same) Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email: \_\_\_\_\_

**LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):**

Street Address: 24 West Evergreen S 4 T 28N R 21W  
Subdivision Name: \_\_\_\_\_ Tract No(s). 10F Lot No(s). \_\_\_\_\_ Block No. \_\_\_\_\_

**1. Zoning District and Zoning Classification in which use is proposed:**

RA-1 ; EVERGREEN Z.D.

**2. Attach a plan that includes drawings & texts of the affected lot and how the following items correspond to it:**

**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) adequate usable space
- (2) adequate access
- (3) absence of environmental constraints

MAY 28 2010

**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
- (2) traffic circulation
- (3) open space
- (4) fencing, screening
- (5) landscaping
- (6) signage
- (7) lighting

**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
- (2) water
- (3) storm water drainage
- (4) fire protection
- (5) police protection
- (6) streets

**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
- (2) noise or vibration
- (3) dust, glare or heat
- (4) smoke, fumes, gas, or odors
- (5) inappropriate hours of operation

3. The following proposed uses shall meet additional requirements as outlined in 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 \_\_\_\_\_

Planner's Signature \_\_\_\_\_

MAY 28 2010

**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.

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*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.*

Boled  
Applicant Signature  
Jon Latta (owner)

5/25/10  
Date  
5/27/10

MAY 28 2010

**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) Adequate usable space

The house is 1660 sq ft. This includes 5 bedrooms (2 used as visitation rooms, 2 as offices, 1 as an overnight room for Helena Intermountain Staff), 3 full bathrooms, a large dining/kitchen room and a living room. Intermountain Family Learning Center/Visitation will provide Family Visitation and Education services to families at risk and in need of stabilization services and parental education and support. —

- (2) Adequate access

There is a large driveway accessed from West Evergreen. The parking area allows for cars to easily turn around and enter West Evergreen driving forward. —

- (3) Absence of environmental constraints

There are no environmental constraints on the property that would impede Intermountain Family Learning Center/Visitation's daily operations. —

**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

Intermountain Family Learning Center/Visitation has 1 company vehicle that transports the children and delivers supplies. In addition, at any given time, there will be 1 – 4 staff vehicles parked at this site. There is a large 2 car garage that allows for parking in. The parking area behind the house allows for an additional 5 - 6 vehicles. There is approximately 4000 sq ft of total parking area.

- (2) Traffic circulation

Intermountain only allows authorized vehicles at the Family Learning Center/Visitation. Only Intermountain staff, social workers and CASA's and other designated service providers specifically for the families at the Family Learning Center are allowed. The families come together with their children to engage in family activities. These might include leaving the site to participate in area activities. Many of the visitations will occur off site.

Open space

There is approximately 18,000 sq ft of outdoor space surrounding the Family Learning Center, in addition to the parking area. There are 2 decks attached to the Center for outdoor living space. The area is level/flat.

- (2) Fencing, screening

The entire back yard is fenced. On the East side is a 6' privacy wooden fence and along the back and other side is a 6' chain link fence with privacy slates. There is a man gate by the back door and a large utility gate closer to the garage for a riding lawn mower, etc. The front yard is unfenced. Family will be required to spend their time in the back yard.



(5) Landscaping

There are perennial flowers along the front of the Home and 2 mature trees in the front yard. In the back yard is a large flat, grassy play area and a picnic area on the deck.

(6) Signage

There will be a sign that states "Intermountain Family Learning Center" secured to the front porch.

(7) Lighting

There are numerous outdoor motion-sensored flood lights attached to the corners of the Home and at the doorways. In addition there are lights at the garage.

**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

We use Evergreen Water and Sewer for our site.

(2) water/well

Again, we use Evergreen Water and Sewer for our site.

(3) Storm water drainage

The property is not a subdivision tract/parcel. We are not proposing or building any new structures that would cause an impervious surface. The existing buildings appear satisfactory and storm water seems to be managed thru onsite absorption. There will be no storm water drainage onto the road as the road is elevated from the property.

(4) Fire protection

We will be protected and served by Evergreen Fire Department.

(5) Police protection

24 West Evergreen is protected and served by Flathead County Sheriff's Office.



(6) Streets

24 West Evergreen is paved and maintained by Flathead County Road Department.

**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

Intermountain Family Learning Center/Visitation will not have anyone living at the site. Outside of the occasional stay by Helena Intermountain Staff, there will be scheduled visitations and parent education events at the site.

(2) Noise or vibration

Added noise would be the equivalent of having a family with children occupy the residence. The children will play outside periodically during the day. There will be no vibration due to Intermountain Family Learning Center's services or operations.

(3) Dust, glare or heat

Intermountain Family Learning Center will not add any dust, glare or heat to the neighborhood.

(4) Smoke, fumes, gas, or odors

Intermountain Family Learning Center will not add any smoke, fumes, gas or odors to the neighborhood.

(5) Inappropriate hours of operation

Intermountain Family Learning Center will operate Monday - Saturday from the hours of 8 a.m. - 8 p.m. We will not provide services on Sundays.

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 5**

