

# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

### CONDITIONAL USE PERMIT APPLICATION<sup>1</sup>

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):**

Bed and Breakfast

**OWNER(S) OF RECORD:**

Name: Eric & Rita Bahme Phone: 801.528.1213  
Mailing Address: P.O. Box 269  
City, State, Zip Code: Somers, MT 59932  
Email: Ebahme@gmail.com

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

Name: Joe Matulevich, APEC Engineering Phone: 406.755.1333  
Mailing Address: 111 Legend Trail  
City, State, Zip Code: Kalispell, Montana 59901  
Email: joe@apec-mt.com

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

Street  
Address: 905 Elias Lane Somers MT 59932 S 35 T 27N R 21W  
Subdivision Tract Lot Block  
Name: \_\_\_\_\_ No(s). 8ACA No(s). \_\_\_\_\_ No. \_\_\_\_\_

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

Flathead County R-1, in "Spring Creek" Zoning District

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:**

<sup>1</sup> Revised: 06/11/12



**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) adequate usable space

See attached addendum.

- (2) adequate access

Property served by Elias Lane, a paved private roadway (Road Maintenance Agreement: Flathead Co. Doc. # 200703316290). Existing at-grade approach to US Hwy 93 w/ clear views in excess of 600 feet in each direction.

- (3) absence of environmental constraints

Satisfactory subsurface wastewater treatment and disposal system for proposed use in place - Flathead County Permit #09-5181-R (supercedes 98-330N), water supply in place, building and impervious surfaces incl. access road in place. No significant changes to slopes, drainage, vegetation, fire safety etc. needed for proposed use.

**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

Permanent resident parking (2, one covered); Guest Parking (5) for a total of seven spaces. Parking signage shall be rustic and residential in character and screened or unreadable from the shared access road. Parking on the shared access road of any kind shall be prohibited to resident family and guests.

- (2) traffic circulation

Resident and guest traffic to and from subject parcel shall enter and exit shared access road via existing drive. No change per proposed use.

- (3) open space

Site landscaping and open areas shall not be significantly modified or impacted with exception of minor improvements. Existing screening vegetation shall remain in place.

- (4) fencing, screening

Modifications to existing screening vegetation are not planned at present for proposed use. Fencing may be considered to mitigate neighbor concerns if warranted. Any future fencing shall maintain the rural-residential character of the neighborhood.

- (5) landscaping

Significant changes to landscaping is not proposed with exception of general improvement to quality, aesthetics and suitability of vegetation. Rural-residential character of site and landscaping shall be maintained.

- (6) signage

See attached addendum.

- (7) lighting

Screened exterior lighting shall be residential in character and for safety and aesthetics only. 24-hour floodlighting shall not be permitted. Lighted signage shall not be permitted.

**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

Satisfactory (per Flathead City-County health) subsurface wastewater treatment and disposal system for proposed use in place - Flathead County Permit #09-5181-R (supercedes 98-330N)

- (2) water

See attached addendum.

- (3) storm water drainage

No significant modifications are planned to the existing site. Impervious features are already in place. No significant change to drainage for this proposed use. Existing Road Maintenance Agreement provides for maintenance of access road drainage infrastructure.

- (4) fire protection

Existing structure exhibits a reasonable clear-zone while allowing for the retention of screening vegetation. No change envisioned for proposed use.

- (5) police protection

Law enforcement provided by Flathead County Sherriff's Office & Montana Highway Patrol. No change envisioned for proposed use.

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- (6) streets

Subject property served by private access road serving six parcels. Road Maintenance Agreement in place for maintenance. Permitted approach to US HWY 93. No change for proposed use.

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**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

See attached addendum.

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- (2) noise or vibration

See attached addendum.

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- (3) dust, glare or heat

No added impacts envisioned per proposed use.

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

No added impacts envisioned per proposed use.

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- (5) inappropriate hours of operation

Bed and Breakfast operations typically similar in timing activities to resident only occupation. Other properties in area are frequently operated as by owner vacation rentals

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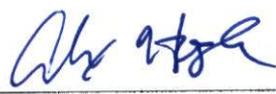
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3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 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 12 SEPT 2014 Planner's Signature 

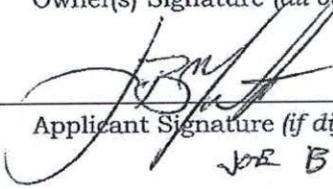
**INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:**

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.)*

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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.*

 Rita Bahme 9/18/14  
 Owner(s) Signature (all owners must sign) Date  
 ERIC ; RITA BAHME

 9/18/14  
 Applicant Signature (if different than above) Date  
 J.B. MATULEVICH  
 ADEL INC.