



# Flathead County Planning & Zoning

1035 1<sup>st</sup> 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 \$ \_\_\_\_\_

Before completing this application please read instructions on page 4.

1. **OWNER:**  
Name: Michael & Teri Hager  
Address: 871 2<sup>nd</sup> Rd NE Phone: 406-467-2677  
City/State/Zip: Fairfield, MT 59436  
Email: luckyfcm @ 3 Rivers.net

**INTEREST IN PROPERTY:** Owner

2. **APPLICANT:** *(If different from above)*  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

3. **TECHNICAL/PROFESSIONAL ASSISTANCE:** *(If applicable)*  
Name: WILLIAM TANNER  
Address: 668 Echo Lake Rd. Phone: 250.4482  
City/State/Zip: BIGFORK, MT 59911  
Email: Bill @ 5STARMANAGEMENT.US

4. **LOCATION OF PROPERTY FOR WHICH VARIANCE IS SOUGHT:**  
Physical Address: 668 Echo View Drive Bigfork, MT

5. **ZONING DISTRICT:** \_\_\_\_\_ **ZONING DESIGNATION:** \_\_\_\_\_

6. **DATE PROPERTY ACQUIRED:** SEPT 13

7. **LEGAL DESCRIPTION:**  
Subdivision *(if applicable)* ECHO ACADDI Lot/Tract(s) 74  
Assessor # 0380250 Section 08 Township 27 Range 19

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in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded or other appropriate action taken.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.

*Teri Hager*

Owner/Applicant Signature

*11/14/14*

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.

NOV 20 2014

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

5.01.030 '2" + 3.08.040(3) (B)  
2-20-15

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):

WE WOULD LIKE TO BUILD A GARAGE TO STORE OUR BOAT, SEADOO'S AND GARDEN EQUIPMENT.

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.

BASED ON A POLICY WHICH WOULD PREVENT A GARAGE TO BE BUILT FOR STORAGE OF BOATS AND OTHER EQUIPMENT, WHICH IS ENJOYED BY MANY OTHERS ON THE STREET.

B. The hardship is the result of lot size, shape, topography, or other circumstance over which the applicant has no control.

THERE IS A QUESTION OF WHAT IS THE FRONT OF THE HOUSE, THE ROAD OR THE LAKE. THE WAY THE HOUSE SITS ON THE PROPERTY IT WOULD NOT ALLOW FOR A GARAGE TO BE BUILT ON EITHER SIDE.

C. The hardship is peculiar to the property.

NO, IT APPLIED TO ALL HOUSES ON THE STREET

D. The hardship was not created by the applicant.

THE HARDSHIP WAS NOT CREATED BY THE APPLICANT - IT APPLYS TO THE STREET.

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

~~YES~~ NO WE NEED THE GARAGE SPACE.

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

THE GRANTING OF THE VARIANCE WOULD CONFORM WITH OTHER PROPERTIES IN THE NEIGHBORHOOD. NO ADVERSE EFFECT.

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

ALLOW THE VARIANCE WILL ALLOW THE APPLICANT TO STORE AND PARK HIS BOAT AND EQUIPMENT.

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

OTHER NEIGHBORING PROPERTIES ON THE STREET BENEFIT FROM THE SAME VARIANCE.

12. ATTACH A PLOT PLAN OR DRAWING.

NOV 20 2018

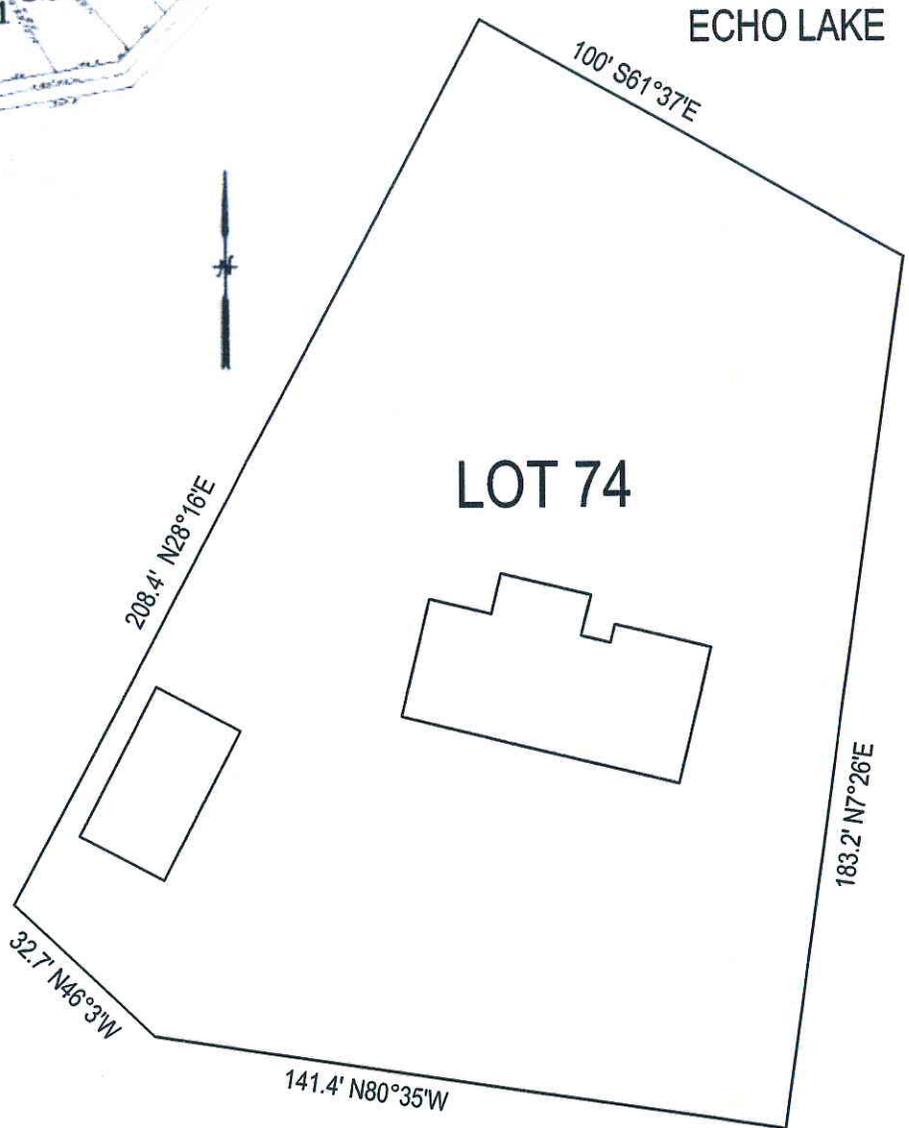
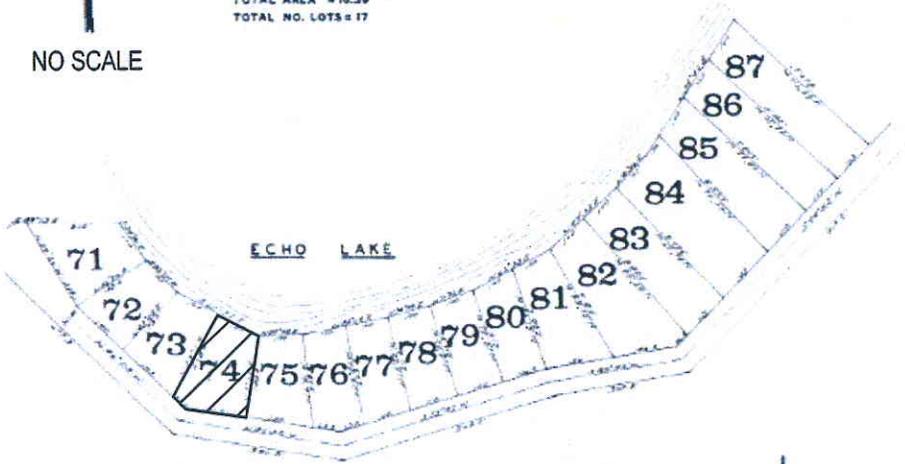
PLAT  
ECHO ACRES

ADD. NO. 1

SEC. 8  
T 27 N — R 19 W

AREAS  
AREA IN PARK = 0  
AREA IN ROADS = 3.98 ACRES  
AREA IN LOTS = 12.41  
TOTAL AREA = 16.39  
TOTAL NO. LOTS = 17

NO SCALE



SITE PLAN

SCALE: 1" = 40'-0"

NOV 20 2014

# PLAT ECHO ACRES

## ADD. NO. 1

SEC. 8  
T 27 N — R 19 W

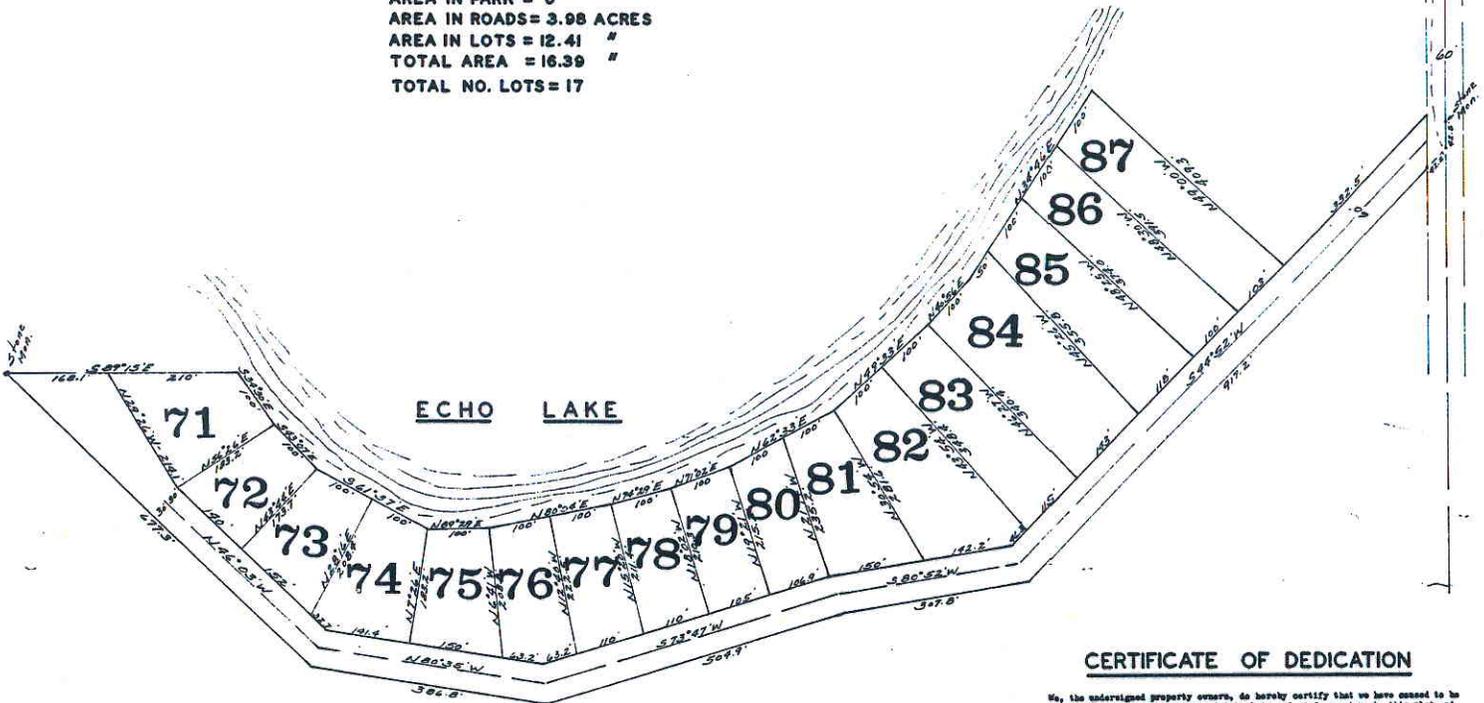
1/4 COR. - BRASS CAP  
NE COR. SE 1/4

SEC. 8  
SEC. 9

### AREAS

AREA IN PARK = 0  
AREA IN ROADS = 3.98 ACRES  
AREA IN LOTS = 12.41 "  
TOTAL AREA = 16.39 "  
TOTAL NO. LOTS = 17

SCALE 1" = 100'



### CERTIFICATE OF COUNTY COMMISSIONERS

We, the undersigned, **HARRY HOUSTON**, Chairman of the Board of County Commissioners of Flathead County, Montana, and **WALTER H. HILLHOUSE**, County Clerk of said County, do hereby certify that the accompanying plat of ECHO ACRES ADDITION No. 1 as prepared in duplicate, has been submitted to the Board of County Commissioners of Flathead County, Montana for examination and has been found by them to conform to law and was approved in duplicate at their regular meeting held on the 7 day of Oct 1904, and that said Board unless the Part requirement as this sub-division is less than twenty(20) acres in area.

Dated this 7 day of Oct 1904.

*Harry Houston*  
Chairman, Board of County Commissioners

*Walter H. Hillhouse*  
County Clerk, Flathead County, Montana

### CERTIFICATE OF SURVEY

I, **WILLIAM H. BISHOP**, a registered Land Surveyor for the State of Montana, do hereby certify that during the months of May and June 1904, I made a careful and accurate survey of the above shown lots and that the distances and courses as shown are true and correct to the best of my knowledge and belief and that the corners of all lots are clearly marked on the ground with Iron Pins and that said survey was made in strict accordance with the standard surveying practices of Montana.

*William H. Bishop*  
August 4, Bishop - Reg. No. 1394

STATE OF MONTANA )  
COUNTY OF FLATHEAD ) SS

On this 23 day of July, 1904, before me a Notary Public for the State of Montana, personally appeared, **WILLIAM H. BISHOP**, known to me to be the person who executed the Certificate of Survey and he acknowledged to me that he executed the same.

*Walter H. Hillhouse*  
Notary Public for the State of Montana  
Residing at Kalispell, Montana  
My Commission Expires November 16, 1904

### CERTIFICATE OF COUNTY ATTORNEY

**STATE OF MONTANA )**  
**COUNTY OF FLATHEAD )** SS  
I, **JAMES M. GALINSKY**, County Attorney, do and for the aforementioned County, do hereby certify that I have examined the original plat of ECHO ACRES ADDITION No. 1 and certify that the same is in accordance with the laws of Montana and that the same conform to law and I do hereby approve of same.

Dated at Kalispell, Montana this 7 day of Oct 1904.

*James M. Galinsky*  
County Attorney

### CERTIFICATE OF COUNTY SURVEYOR

**STATE OF MONTANA )**  
**COUNTY OF FLATHEAD )** SS  
I, **WALTER H. HILLHOUSE**, County Surveyor of Flathead County, Montana, do hereby certify that I have examined the accompanying plat of ECHO ACRES ADDITION No. 1, in duplicate, of Flathead County, Montana, and the survey it represents and that I find the same conform to law and I do hereby approve of same.

Dated this 7 day of Oct 1904.

*Walter H. Hillhouse*  
Donald D. Hill - County Surveyor

A letter from the County Attorney, James M. Galinsky, stating ownership.  
A certificate of title from a licensed abstractor was filed with the County Clerk and Recorder upon 7 day of October 1904 A. D.

*Walter H. Hillhouse*  
County Surveyor  
Residing at Kalispell, Montana  
My Commission Expires November 16, 1904

### CERTIFICATE OF DEDICATION

We, the undersigned property owners, do hereby certify that we have caused to be surveyed, sub-divided and platted into lots and roads as shown by this plat and described in the CERTIFICATE OF DEDICATION, all of the following described tract of land in FLATHEAD COUNTY, MONTANA to wit:

A tract of land in Government Lots Eight(8), Nine(9) and Ten(10) of Section Eight(8), T. 27 N., R. 19 W., N. 7. N., Flathead County, Montana and more particularly described as follows:  
Commencing at the Northern Corner of the Southeast Quarter(1/4) of Section Eight(8), T. 27 N., R. 19 W.; thence S 0° 04' N., and along the easterly boundary line of said southeast quarter of section 8, 960.3 feet to a point; thence S 44° 30' E., 142.5 feet to a point on the westerly right-of-way line of a County Road and the true point of beginning of the tract of land being described;  
Thence S 44° 30' E., 517.2 feet;  
Thence S 80° 53' W., 307.5 " "  
Thence S 75° 41' W., 504.9 " "  
Thence S 80° 39' W., 346.6 " "  
Thence S 40° 09' N., 571.3 feet, more or less to a point on the northerly boundary line of Gov't. Lot eleven(11) of said section, township and range; thence S 89° 15' E., and along the northerly boundary line of lot eleven(11), 376.1 feet, more or less, to a point on the westerly shore-line of ECHO LAKE; thence in an easterly direction and along the southerly shore-line of ECHO LAKE, a distance of 1750.0 feet to a point; thence S 89° 00' E., 405.3 feet to a point; thence S 44° 30' E., 332.5 feet to a point; thence S 0° 04' N., and parallel to the westerly boundary line of the southeast quarter and along the westerly right-of-way line of a County Road, 87.1 feet to the true point of beginning and containing approximately 16.39 acres of land, more or less, said tract of land is to be known and designated as ECHO ACRES ADDITION No. 1 and the lands included in all roads as shown on said plat are hereby donated to the use of the public forever.

*Francis L. Bishop*      *Lawrence T. Larson*  
FRANCIS L. BISHOP      LAWRENCE T. LARSON  
*James M. Galinsky*      *Hale Larson*  
JAMES M. GALINSKY      HALE LARSON  
*James A. Murray*      *W.C. Peterson*  
JAMES A. MURRAY      W. C. PETERSON  
*John B. Murray*      *John M. Peterson*  
JOHN B. MURRAY      JOHN M. PETERSON

**STATE OF MONTANA )**  
**COUNTY OF FLATHEAD )** SS

On this 23 day of August, 1904, before me a Notary Public in and for the State of Montana, personally appeared, **FRANCIS L. BISHOP**, **LAWRENCE T. LARSON**, **HALE LARSON**, **W. C. PETERSON**, **JAMES A. MURRAY**, **JOHN B. MURRAY**, **JOHN M. PETERSON**, **JAMES M. GALINSKY**, **WALTER H. HILLHOUSE**, **WILLIAM H. BISHOP**, husband and wife and known to me to be the persons whose names are subscribed to the foregoing certificate of dedication and acknowledged to me that they executed the same.

*Walter H. Hillhouse*  
Notary Public for the State of Mont.  
Residing at Kalispell, Montana  
My Commission Expires November 16, 1904

NOV 20 2011

71-1-9