

**Lake County Planning Department**  
**106 Fourth Avenue East**  
**Polson, MT 59860-2175**  
**Phone: (406) 883-7235**  
**Fax: (406) 883-7205**

<b>PLANNING DEPARTMENT USE ONLY:</b>	
<b>PERMIT APPLICATION #</b>	
<b>DATE(S) OF SITE VISIT(S):</b>	
<b>DATE OF LEGAL NOTICE:</b>	
<b>DATE OF BOA REVIEW:</b>	
<b>DATE BOA CONDITIONS MET:</b>	
<b>DATE Z.C. PERMIT ISSUED:</b>	
<b>ISSUED BY:</b>	

## **CONDITIONAL USE PERMIT APPLICATION**

**Attach a check payable to LAKE COUNTY PLANNING DEPT for \$300.00 for the first conditional use requested (include a \$100 fee for each additional request) PLUS \$10 to cover the cost of certified mail for notice of public hearing, where applicable. Submit completed application materials to the address listed above.**

I, \_\_\_\_\_ the undersigned applicant, have read and understand the current Zoning Regulations for the \_\_\_\_\_ Zoning District that apply to the subject property. By completing and signing this application form, I certify that all work required to complete the proposed development will be done in compliance with the requirements of the Zoning District including any conditions required by the Board of Adjustment approval for a conditional use, as well as all applicable regulations of Lake County and the State of Montana. Furthermore, I hereby grant permission to the members of the Lake County Board of Adjustment, County Planning Staff, or their designated agents to enter onto the subject property for the purposes of evaluating this application and any construction or modification of the site that will occur as a result of this application.

I further understand that all application related materials must be submitted prior to the submittal deadline. Any application related materials submitted after that date may not be considered by the Board in reaching a decision. If materials are submitted after the deadline date that the applicant wishes the Board to consider, including any materials submitted at the time set for hearing, it may, at the Boards discretion, cause the matter to be continued at the next regularly scheduled Board Meeting.

**(Applicant/Agent: Check the box next to each item below to demonstrate completion of the item. If an item is not applicable to your proposal include N/A next to the box to indicate it is not required for your proposal.)**

**1. Applicant Contact Information:**

Name of Applicant: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone # \_\_\_\_\_

**2. Local Agent/Contractor Contact Information (if applicable)\*:**

Name of Agent/Contractor: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone # \_\_\_\_\_

**\*Note: If more than one agent/contractor is being used attach a sheet containing the additional information.**

**3. Authorization from Landowner (if applicable):**

If the person submitting the application is not the current landowner of the property where the project will occur, the landowner(s) shall sign this application or attach a letter to this application that authorizes the agent/contractor to act on the landowners behalf in matters related to this proposal including all understandings, certifications and representations made pursuant to this application.

**4. Project Location/Description:**

Property Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Legal Description: Sec. \_\_\_\_\_, T \_\_\_\_\_ N., R \_\_\_\_\_ W. Lot Size: \_\_\_\_\_ Acres / Square Feet (circle)  
 Tax ID Number: \_\_\_\_\_ Geocode: \_\_\_\_\_  
 Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_ Sub-Unit: \_\_\_\_\_

**5. Location Sketch:**

Attach a location sketch that is adequate to locate the property for a site visit. The sketch should identify such items as road signs, landmarks or other features to assist in locating the project site.

**6. Property Use / Proposed Project:**

- a. What is the current use of the property? Residential /Commercial /Agricultural /Other \_\_\_\_\_  
 (Circle all that apply)
- b. Are there any restrictive covenants, deed restrictions, private use or maintenance agreements, easements or similar encumbrances associated with the property? Yes \_\_\_ No \_\_\_ (If yes, attach a copy)
- c. What is the purpose of the conditional use request? \_\_\_\_\_
- d. Attach a narrative statement (letter) discussing the following items for the Board of Adjustment to consider when determining if the conditional use should be granted:
  1. The effects of the proposed project on adjoining property;
  2. The effect of such elements as noise, glare, on adjoining property;
  3. The general compatibility of the proposed project with adjacent and other properties in the district and the relationship of the proposed use to the intent of the Zoning District

**7. Detailed Site Plan:**

Attach a site plan (the preferred scale is 1 inch to 20 feet) to demonstrate that the proposed project complies with the Zoning District Regulations. Check the box for each item that has been included on the site plan.

- a. Scale
- b. North Arrow
- c. Lot boundaries with dimensions noted
- d. Location of any easements
- e. Location of the required setbacks as defined by the Zoning District Regulations
- f. Location of the high water on the shoreline (if applicable)
- g. Location of any surface waters or wetlands

- h. Location and dimension of any portion of the lot with slopes of 25 percent or greater
- i. Location and dimension of all existing and proposed roads and driveways and a description of the surfacing (gravel, concrete, asphalt, etc.)
- j. Location and general description of all existing and proposed structures with dimensions included. (Note: For the purpose of this requirement, the location and dimensions shall include all roof eaves/gutters, attached decking, patio areas, etc.)
- k. Location of existing or proposed utilities including water, sewer, electric and telephone services
- l. Show distance of all existing and proposed structures to property boundaries

**8. Slopes Located on the Property:**

- a. Are there any slopes on the property? (circle one) Yes / No
- b. How steep are the slopes? \_\_\_\_\_ %
- c. If any slopes are greater than 25%, submit a contour map of the property showing where the steep slopes occur. Has a contour map been submitted for review? (circle one) Yes / No

**9. Impervious Surface Calculation:**

Attach site plans and building plans to scale to verify the accuracy of the information submitted.

- a. What is the lot size? \_\_\_\_\_ Acres / Square Feet (circle one)
- b. What is the buildable area of the lot? \_\_\_\_\_ square feet  
(Note: Buildable area is defined as that portion of a lot which meets the setback requirements of the Zoning District/Sub-Unit and has less than a 25% slope.)
- c. What is the calculated area of all existing impervious surfaces? \_\_\_\_\_ square feet  
(Note: Include the dimensions all roof areas, patios, decking, and any other hard surfaced areas including roadways and driveways.)
- d. What is the calculated area of all proposed impervious surfaces? \_\_\_\_\_ square feet  
(Note: Include all roof dimensions, patios, decking, and any other hard surfaced areas including roadways and driveways.)
- e. What is the percentage of impervious surface coverage including all existing and proposed surfaces? \_\_\_\_\_ %  
(Note: Calculate by taking the total of all impervious surface areas (c+d) divided by the buildable area of the lot (b) multiplied by 100 or  $(c+d)/b \times 100 = e$ )

**10. Stormwater Management:**

- Attach a detailed stormwater management plan that addresses the items below in addition to specific items that may be required within the Zoning District Regulations.  
\*\*Note: Many properties have Montana Department of Environmental Quality (DEQ) and/or Lake County Environmental Health Department approvals, which outline specific requirements of the stormwater management plan. Stormwater management plans previously approved by these agencies may be adequate to meet this requirement. Please include a copy of any such plan if you wish to use previously approved plans to address stormwater from your proposed development in order to fulfill this requirement of the Zoning Conformance Application.

Items to consider when developing a stormwater management plan:

- a. For each new structure or impervious surface area proposed, it is the landowner's responsibility to manage all storm run-off without causing damage or harm to the natural environment, water

quality, or adjacent properties.

- b. All stormwater management plans shall be reviewed for substantial compliance with existing approved or adopted standards of the State of Montana Department of Environmental Quality.
- c. The stormwater management plan shall address the total impervious surface coverage (the area of the lot covered by the roof, overhangs/eaves, attached decking, paved and graveled driveways/parking areas and walkways).
- d. When determine what method to use to manage stormwater created by development within your property, such factors as slope, soil type, vegetative cover, the percentage of impervious surface area, the intensity of the proposed development project, the proximity of the project to surface waters (including but not limited to lakes, streams, creeks, irrigation canals/ditches, or wetland areas, etc.), and the proximity of the proposed development to the property boundaries should be considered.

**11. Cross-sectional Views:**

Attach a cross-sectional view of each side of the proposed structure(s) that shows the elevation of the existing and proposed (finished) grades to allow the Zoning Administrator to calculate the building height of the structure(s).

**12. Lake County Environmental Health Sanitation Review:**

All projects are required to demonstrate compliance with all applicable Lake County Environmental Health (Phone: 406-883-7236) requirements prior to issuance of a Zoning Conformance Permit.

Have you obtained an on-site sewage disposal permit from the Lake County Environmental Health Department for the proposed use? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the permit # \_\_\_\_\_

**13. Other Required Permits:**

Are there any other permits required to complete the project? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, include the name of each permitting agency and the type of permit(s) required below and include a copy of the permit(s) or application(s) in the Zoning Conformance Application packet.

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**14. Additional Requirements of the Zoning District:**

Attach any other information necessary to demonstrate compliance with the applicable Zoning District Regulations (See Administration Section of regulations regarding conditional use permit requirements, but may also include such items as the maintenance of the required vegetative buffer, outdoor lighting, etc.).

**15. Property Staking:**

The applicant shall stake the exterior boundaries of the property and any proposed structure prior to submitting this application to the Lake County Planning Department for review.

**16. Landowner/Agent Certification:**

By affixing my signature hereto, I certify that the information furnished herein is true and correct to the best of my knowledge and that I am the owner of the premises where the work is to be performed or I am acting

as the owner’s authorized agent and take full responsibility for any liability resulting from a dispute arising from the information furnished herein. I agree to hold Lake County harmless as to any claim (including but not limited to costs, expenses and attorney’s fees) which may be made by any person, including the undersigned, and filed against Lake County including its officers and employees, upon the accuracy of the information provided to the County as part of this application. I further agree to assume all responsibility for compliance with private covenants, deed restrictions, easements, subdivision approvals and other similar devices. I understand that the permit issued pursuant to these regulations strictly limits construction to authorized plans on file with Lake County and to all conditions of approval attached to the permit. Any changes to the proposed construction, including additional construction, would require addition review and approval by the Governing Body. **I further understand that construction shall not commence on the proposed project until the Conditional Use Request has been approved, a Zoning Conformance Permit has been issued by the Zoning Administrator, and the permit has been posted at the project work site. If construction commences prior to issuance of the Conditional Use or the Zoning Conformance Permit, the applicant(s) and/or the designated agent(s) may be liable for fines, corrective actions, and/or after-the-fact permitting fees which Lake County may choose to impose.**

OWNER OR AUTHORIZED AGENT/CONTRACTOR  
SIGNATURE

DATE

**Incomplete or erroneous applications will be returned to the applicant.**

All permits issued as a result of this application shall be good for a construction period of one year. If it is determined that the landowner is diligently working towards project completion and submits the applicable extension fee, an extension may be issued by the Zoning Administrator, unless otherwise conditioned by the Board of Adjustment.

**Lake County Planning Department Use Only:**

This section is to be completed by the Zoning Administrator to determine if the Conditional Use Permit and accompanying materials meet the current requirements of the applicable Lake County Zoning District.

**Review of the Application Submittal:**

Reviewer	Date submitted by applicant	Date Reviewed	Information Reviewed

**Summary of Regulations:**

Code*	Item Required to Addressed Per the Zoning Regulations	Specific Requirements Per the Zoning Regulations
	Permitted uses within the district	
	Density	
	Setbacks	
	Building heights	
	Slopes	
	Outdoor lighting standard	
	Stormwater management	

	Management of the vegetative buffer strip	
	Nonconforming structures	
	Other:	
	Other:	
	Other:	

\* Codes: Y = Yes, N = No, N/A = Not Applicable to this Project (Note: Other items may include such things as non-conforming structures, remodels, etc.)

**Information Submitted:**

Code**	Date Reviewed	Code**	Date Reviewed	Information Required to Review the Application
				Is the project description adequate to review the application?
				Is the proposal permitted by the Zoning District?
				Does the impervious surface calculation include all the information required for review?
				Does the site plan include all the required information at an appropriate scale to review the application?
				If the property contains steep slopes, has a contour map of the property been provided?
				Does the application include a stormwater plan (or a previously approved DEQ / Lake County Environmental Health stormwater plan) that reasonably addresses the management of stormwater on the subject property?
				Does this proposal require sanitation review by the Lake County Environmental Health Department?
				Does the application include all information necessary to demonstrate that the proposal complies with the Zoning District Regulations?
				Have copies of all additional information required to adequately review the application been included in the submittal. (May include such items as covenants, other applicable permits/applications, etc.) List all that apply:
				Does the application include an adequate location sketch?
				Has a narrative been submitted that addresses additional requirements of the Zoning District? List the additional items that are addressed:
				Has the property been staked to allow for an adequate review of the proposal?

\*\* Codes: M = Missing, I = Incomplete, C = Complete, Y = Yes, N = No N/A = Not Applicable to this project

**Additional Requirements:**

Code***	Additional Review Requirements	Notes
	Is the proposed structure non-conforming to the existing regulations?	
	Did the review by the Board of Adjustment include conditions being met prior to issuing the Zoning Permit?	
	Is a Variance required to complete the proposed project and has an application been submitted for review?	
	Is the applicant required to file a deed restriction or affidavit as a conditional of approval for this permit?	

\*\*\* Codes: Y = Yes, N = No, N/A = Not Applicable to this Project

**Summary of How the Proposal Complies / Does Not Comply with the Regulations:**