

**STAFF REPORT
ZONING BOARD OF ADJUSTMENT
Thursday, February 16, 2023
9:00 a.m.**

**Room 105 Courthouse Annex, Cascade County Commissioners Chambers
& Via Zoom (see www.cascadecountymt.gov for more information)**

SUP #011-2021

SUBJECT PROPERTY INFORMATION	
Name of Applicants & Owners:	MPH Holdings, LLC 1366 E highwood Rd Belt, MT 59412
Legal Description:	Section 10, Township 20 North, Range 07 East, PMM, Cascade County, MT
Geo- Code:	02-3019-10-3-03-03-0000
Parcel Number:	5265200
Existing Zoning:	Agricultural (A)
Requested Action:	Approval of a Special Use Permit to allow tourist homes on the subject property.
Surrounding Land Uses/Zoning:	North: Residential/ A South: Residential/A East: Residential/A West: Residential/A
Current Land Use:	Residential
Applicable Regulations:	Sections 7.7.11(34) & 10, of Cascade County Zoning Regulations (“CCZR”)

General Information:

On August 20, 2021, the Cascade County Zoning Board of Adjustment (ZBOA) conditionally approved a Special Use Permit Application (SUP #011-2021) from MPH Holdings, LLC. to allow tourist cabins on Parcel #526500 having Geocode 02-3019-10-03-03-0000 subject to one (1) condition as outlined in the Notice of Conditional Letter of Approval issued on August 20, 2021. On April 26, 2021, the Zoning Administrator received a request for a six (6) month extension of the ZBOA’s conditional approval, which was granted in effect starting August 20, 2022, and would expire on February 20, 2023. On February 9, 2023, the Applicant submitted a request for a six (6) month extension with a requested deadline of February 20, 2023.

The Cascade County Zoning Regulations for which SUP #011-2021 was permitted under provides in Section 10.4 :

The Zoning Board of Adjustment approval of the Special Use Permit shall be valid for one particular use and shall expire one year after the date of the approval, if construction or the use has not started. The Zoning Administrator may grant a one time only six (6) month extension on the Zoning Board of Adjustment approval. The Special Use Permit shall expire if the use ceases for six (6) months for any reason. Any further extension requests must be granted by the Zoning Board of Adjustment prior to the date of expiration.

The Applicant makes this request due to permitting delays with the Health Department.

Recommendation:

The Planning Department recommends the Board grant the Applicant's extension as requested and set the deadline to satisfy the necessary conditions of approval as set forth in the Notice of Conditional Letter of Approval as August 20, 2023.

Motions for the Board's Consideration:

A. I move the Board approve the extension request for SUP #011-2021 as requested by the Applicant for an additional six (6) months, setting the new deadline to satisfy the conditions of approval set forth in the Notice of Conditional Letter of Approval as August 20, 2023.

OR

B. I move the Board deny the Applicant's requested extension for SUP #011-2021.

OR

C. I move the Board deny the Applicant's requested 6-month extension for SUP #011-2021, but alternatively move to approve an extension of __[insert number of months]__ to satisfy the conditions of approval as set forth in the Notice of Conditional Letter of Approval.

Attachments:

- Special Use Permit Application
- Vicinity & Zoning Maps
- CS-0001284
- 6-month Zoning Administrator extension request & Letter granting extension
- Letter Requesting ZBOA extension

cc: Travis Johnson, MPH Holdings, LLC