

**STAFF REPORT
ZONING BOARD OF ADJUSTMENT
Thursday, July 21, 2022
9:00 a.m.**

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

SUP #013-2022

SUBJECT PROPERTY INFORMATION	
Name of Applicants & Owners:	Heidi Gibson & Aaron Jewett 25 Watson Lane Great Falls, MT 59404
Legal Description:	S24, T21 N, R03 E, PMM, Cascade County, MT
Geo- Code:	02-3138-24-4-04-02-0000
Parcel Number:	2575875
Acreage	5.440 acres
Flood Zone	D
Existing Zoning:	Suburban Residential 2 (“SR-2”)
Requested Action:	Approval of a Special Use Permit to allow a 2 nd dwelling.
Surrounding Land Uses/Zoning:	North: Residential/SR-2 South: Residential / SR-1 East: Commercial/ SR-2 (Front Range Pipeline LLC) West: Agricultural Vacant/ SR-2
Current Land Use:	Residential
Applicable Regulations:	Sections 7.3.4(1) & 10, Cascade County Zoning Regulations (“CCZR”)

General Information:

The Cascade County Zoning Board of Adjustment (“ZBOA”) is in receipt of a Special Use Permit (“SUP”) Application from Heidi Gibson & Aaron Jewett to allow a 2nd dwelling on the Subject Property. The Applicant is requesting that a SUP be granted as required by Sections 7.3.4(1)¹ of the CCZR. The standards set forth in Section 10 of the CCZR are applicable to Special Use Permits.

There are no known violations of any County ordinances, and county taxes are current.

¹ CCZR § 7.3.4 “Uses Permitted Upon Issuance of a Special Use Permit: (1) Use permitted upon issuance of a special permit pursuant to CCZR § 7.3.4(1), under the SR-2 District, a second dwelling is allowed with the issuance of a SUP.

Legal Notice of the Application and the public hearing was published in the Great Falls Tribune on July 10, 2022, and July 17, 2022, and mailed to adjacent property owners on July 8, 2022 and interested agencies, via certified mail, on July 8, 2022.

Findings with Respect to the SUP Analysis Criteria

The Planning Department provides that the following analysis, findings and conclusion for each of the required criteria provided under the controlling sections of the Zoning Regulations in the Findings of Fact and Conclusions for SUP #013-2022, incorporated by reference into this Staff Report and attached.

Section 10.7 Operations

Operations in connection with the SUP shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or flashing lights, than would be the operation of any permitted use.

Staff: Based on the information provided in the application, the proposed second dwelling will not result in a use more objectionable to nearby properties because of noise, fumes, vibrations, or flashing lights, this proposed project will be a residential use.

Motions:

The following motions are provided for the Board's consideration:

- A. Move that Special Use Permit #013-2022 to allow the construction of a second dwelling unit on Parcel #2575875, be **denied** due to (ZBOA member proposing denial must delineate legal reason that the application be denied); or
- B. Move the Board to adopt the Staff Report in its entirety and **approve** Special Use Permit #013-2022 to allow the construction of a second dwelling unit on Parcel # 2575875 subject to the following conditions:
 1. The Applicant obtains any other required county, state, or federal permits and approvals, and comply with the laws, rules, regulations, and/or ordinances associated with any other permits and approvals.
 2. Applicant obtains an approved Subsurface Wastewater Treatment System Permit from the City-County Health Department prior to installation of any wastewater treatment system.

Attachments:

- Findings of Fact & Conclusions for SUP #013-2022
- Special Use Permit Application w/Site Plan
- FIRMette
- Vicinity & Zoning Maps
- Applicable Zoning Regulations
- Comment

cc: Applicant(s)