

RESOLUTION NO. 1629

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT BY LAWRENCE CRAFT AND DIANA CRAFT ALLOWING A ONE-BEDROOM/GARAGE CARETAKER'S DWELLING TO BE CONSTRUCTED ON LOT 1 OF COLUMBIA VIEW INDUSTRIAL PARK, SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, FLATHEAD COUNTY, MONTANA.

WHEREAS, an Application for a Conditional Use Permit has been filed with the City by Lawrence Craft and Diana Craft requesting permission to construct a one-bedroom residence over a garage to be used as a caretaker's residence, to be located on Lot 1 of Columbia View Industrial Park, Section 8, Township 30 North, Range 20 West, records of Flathead County, Montana;

WHEREAS, the property is currently zoned Light Industrial;

WHEREAS, said requested conditional use permit was considered by the Columbia Falls City-County Planning Board at its regular meeting on May 15, 2012, and said Board recommended granting the proposed conditional use permit, with certain conditions; and

WHEREAS, said conditional use permit was considered by the City Council of the City of Columbia Falls, Montana, at a public hearing held during the Council's regularly scheduled meeting on Monday, June 4, 2012, pursuant to public notice as required by law, and all comments filed or voiced concerning said requested conditional use permit having been considered by the City Council, along with the recommendation of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact. That the City Council specifically finds that the conditions set forth in Section 18.10 of the Columbia Falls Municipal Code are accurately evaluated as set forth in Conditional Use Report #CCU-12-01 of the Columbia Falls Planning Office, and the City Council hereby adopts said report as findings of fact in support of the requested conditional use permit.

Section Two. Permit Approved. That based upon the findings of Section One of this Resolution, the application of Lawrence Craft and Diana Craft for a conditional use permit to construct a one-bedroom residence over a garage to be used as a caretaker's residence, to be located on Lot 1 of Columbia View Industrial Park, Section 8, Township 30 North, Range 20 West, records of Flathead County, Montana, is hereby approved.

Section Three. Conditional Use Permit. That the conditional use permit is approved, specifically contingent upon the conditions set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Section Four. Effective Date. That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 18th DAY OF JUNE, 2012, THE COUNCIL VOTING AS FOLLOWS:

AYES: Karper, Petersen, Plevel, Shepard, Bates, Fisher, Barnhart
NOES: None
ABSENT: None

CITY CLERK

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 22nd DAY OF JUNE, 2012.

MAYOR

ATTEST:

CITY CLERK

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EXHIBIT "A"

1. The watchman/caretaker unit may consist of an attached apartment, freestanding residence. Only one caretaker's unit is allowed per use or ownership.
2. The caretaker's unit shall be secondary or accessory in nature to the primary industrial use of the property.
3. The caretaker's unit shall be placed on the same lot as the commercial or industrial primary use.
4. The caretaker's unit shall not be sold off separately or severed from the commercial or industrial use of the property.
5. The caretaker's unit shall provide two off-street parking spaces and comply with the access, paving and parking requirements of the zone.
6. The caretaker's unit shall abide by all setback and height requirements of the zone.
7. The applicant shall apply to the Flathead County Road and Bridge Department for an approach permit for the private driveway.
8. The applicant shall remove the off-premise sign at the intersection of 4th Street UN and 2nd Ave WN and bring it into compliance with the Columbia Falls Sign Regulations, Chapter 18.438 Sign, (Off-site signs shall be limited to frontages along U.S. Highway 2).
9. All new construction porch and yard lighting shall be hooded, screened, or directed in a manner such that the light source or the diffuser emitting the light shall not be intrusive on adjoining property 18.432.030 (Ord. 523).
10. Approval for the septic system must be secured from the Flathead City County Health Department.
11. The caretakers/watchman's residence shall be constructed and utilized in substantial conformance with the application materials and site plan as submitted and approved by the Planning Board and modified by the Conditions of Approval.
12. Changes or modifications to the approved expansion of use and/or site plan shall not be pursued unless specifically reviewed and approved by the Columbia Falls Planning Board.
13. All exterior lighting on the subject property shall adhere to the performance standards set forth in the Columbia Falls Zoning Ordinance Chapter 13.432. Existing lighting shall be shielded to prevent the light source from emitting or being seen at or above a plane horizontal to the ground, in conformance with said ordinance. Lighting shall be brought into compliance within one year of the date of the issuance of the original conditional use permit.
14. A notarized certificate shall be presented to the Columbia Falls Zoning Administrator within one year's time from the approval of the Conditional Use Permit stating that the caretakers/watchman's residence is in compliance with the Conditions of Approval listed above and will continue to operate in conformance of those Conditions.