



Development Services
Department
201 1st Avenue East
Kalispell, MT 59901
Phone (406) 758-7940

ZONING APPEAL APPLICATION

Email: planning@kalispell.com

Website: www.kalispell.com

NAME OF APPLICANT

Applicant Address

City, State, Zip

If not current owner, please attach a letter from the current owner authorizing the applicant to proceed with the application.

OWNER OF RECORD

Owner Address

City, State, Zip

CONSULTANT (ARCHITECT/ENGINEER)

Address

City, State, Zip

POINT OF CONTACT FOR REVIEW COMMENTS

Address

City, State, Zip

List ALL owners (any individual or other entity with an ownership interest in the property):

Legal Description (please attach a full legal description for the property and a copy of the most recent deed).

Before the application will be deemed to be accepted for review, our office must receive an approval of the legal description from the Flathead County Plat Room. Please submit the legal description to their office (plat@flatheadcounty.gov).



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Current Zoning: _____

Specify the decision or interpretation appealed (please include a copy of the written decision):

State why you believe the decision or interpretation is erroneous (attach additional page if necessary):

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 a 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in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded, and other appropriate action taken. The signing of this application signifies approval for the Kalispell City staff to be present on the property for routine monitoring and inspection during the approval and development process.

Applicant Signature _____

Date

APPLICATION PROCESS

Any final administrative land use decision, including but not limited to approval or denial of a zoning permit, preliminary plat or final plat, imposition of a condition on a zoning permit or plat, approval or denial of a variance from a zoning or subdivision regulation, or interpretation of land use regulations or map may be appealed by the applicant or any aggrieved person to the Planning Commission. A complete appeal application must be submitted in writing within 15 business days of the challenged decision, stating the facts and raising all grounds for appeal that the party may raise in district court if later brought to that level. The appellant has the burden of proving that the appealed decision was made in error.

A complete appeal application for an appeal from the Planning Commission to the City Council must be submitted in writing within 15 business days of the challenged decision, stating the facts and raising all grounds for appeal that the party may raise in district court if later brought to that level. The appellant has the burden of proving that the appealed decision was made in error.

For a challenge to the adoption of or amendment to a land use plan, zoning regulation, zoning map, or subdivision regulation, a petition setting forth the basis for the challenge must be presented to the district court within 30 days of the date of the resolution or ordinance adopted by the governing body. These appeals would not be submitted to the Planning Commission on this form.

Application Contents:

1. Completed application form & attachments
2. If the appeal involves a specific piece of property, please attach a dimensioned site plan, drawn to scale, showing all existing improvements (buildings, utilities, driveways and parking areas, trees, landscaping, etc.) on both the subject property and adjacent parcels. The site plan must also include adjacent right-of-ways and any easements.
3. If the appeal involves a sign or signs, that site plan must include the location of all existing and proposed signs, as well as the size (in square feet) of each such sign. Complete dimensioned drawings, drawn to scale, of the sign(s) must be submitted including height, type of sign (e.g. freestanding, wall, etc.), color, material structural supports, and electrical/lighting components.
4. Copy of the written decision being appealed.
5. Additional information may be necessary based on the specific issue presented.
6. A bona fide legal description of the subject property and a map showing the location and boundaries of the property.

*Note - verify with the Flathead County Clerk & Recorder that the legal description submitted is accurate and recordable. They can be reached at (406) 758-5510.

7. Electronic copy of the application materials submitted. Either copied onto a disk or emailed to planning@kalispell.com (Please note the maximum file size to email is 20MB)
8. Application fee based on the schedule in the link below, made payable to the City of Kalispell:
<https://www.kalispell.com/DocumentCenter/View/447/Planning-Fees-Schedule-2023-PDF?bidId=>

Zoning Appeals (An appeal from the Planning Commission to the City Council is a separate appeal requiring a separate fee)