

RESOLUTION 9992

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AT THE PROPERTY ADDRESSED AS 424 8TH AVENUE SOUTHWEST AND LEGALLY DESCRIBED AS MARKS 4, 4F & 4G, NORTH GARDEN TRACTS, SECTION 11, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA, TO ALLOW A CONTRACTOR YARD, TYPE 1 ON THE PROPERTY.

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WHEREAS, Dan Anderson owns Marks 4, 4F and 4G, North Garden Tracts, Section 11, Township 20 North, Range 3 East, Cascade County, Montana; and,

WHEREAS, said Marks 4, 4F & 4G are presently zoned as R-1 Single-family suburban residential district wherein a Contractor yard, type 1 is permitted upon processing and approval of a Conditional Use Permit; and,

WHEREAS, the owner has applied for a Conditional Use Permit to allow a Contractor yard be established on said property, subject to the following conditions:

1. Owner shall provide an amended plat of the subject property to combine the three lots into one lot within six months of approval of the Conditional Use Permit.
2. Owner shall provide a 6-foot privacy fence around the subject property within one year of approval of the Conditional Use Permit. The fence shall have a minimum of 90% opacity and meet the rest of the standards in the Official Code of the City of Great Falls 17.20.7.040.
3. The Conditional Use Permit shall run with the life of the existing Concrete Doctor, Inc. business owned by the property owner. The subject property cannot be sold as a commercial property and new business may not be established on the property without processing a separate application.

and,

WHEREAS, the proposed Conditional Use Permit for a Contractor yard, type 1 on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on August 14, 2012, to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be granted to allow the property addressed as 424 8th Avenue Southwest and legally described as Marks 4, 4F and 4G, North Garden Tracts, Section 11, Township 20 North, Range 3 East, Cascade County, Montana, to allow a Contractor yard, type 1.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That a Conditional Use Permit be granted at the property addressed as 424 8th Avenue Southwest, to allow a Contractor yard, type 1, conditioned upon the owner complying with the said conditions; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on October 2, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney