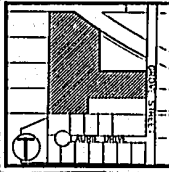


## RESOLUTION NUMBER 2000-040

A RESOLUTION TO APPROVE A PLANNED VARIATION FOR PROPERTY DESCRIBED AS MCAFEE SUBDIVISION, LOCATED IN NE 1/4, SECTION 19, TOWNSHIP 13 NORTH, RANGE 19 WEST, P.M.M.



WHEREAS, 76-2-201 M.C.A. authorizes the Board of County Commissioners to adopt zoning regulations; and,

WHEREAS, the Board of County Commissioners did adopt zoning regulations for Missoula County through the passage of County Resolution 76-113, as amended; and,

WHEREAS, Section 8.13 of Resolution 76-113 provides planned variations from space and bulk requirements in order to permit innovative approaches to housing and environmental design; and

WHEREAS, the McAfee Planned Variation, subject to conditions, has been reviewed by the Missoula Consolidated Planning Board, as required by 76-2-204 M.C.A.; and,

WHEREAS, a public hearing was duly advertised and opened by the County Commissioners of Missoula County on May 17, 2000, in order to give the public an opportunity to be heard regarding the planned variation request, as required by 76-2-205 M.C.A.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Missoula County hereby conditionally grants the McAfee Planned Variation described in Attachment A, subject to the following conditions:

1. Boulevard landscaping on non-lot street frontage shall be installed or guaranteed prior to final plat approval. The boulevard landscaping plan shall be approved by OPG prior to final plat approval.
2. The covenants shall be amended to provide a means for maintenance of boulevard landscaping on non-lot street frontage, subject to OPG review and approval, prior to final plat approval.

PASSED AND ADOPTED THIS 18<sup>TH</sup> DAY OF May 2000.



BOARD OF COUNTY COMMISSIONERS  
Missoula County, Montana

Not Available for Signature

Bill Carey, Chairman

*Barbara Evans*  
Barbara Evans, Commissioner

*Michael Kennedy*  
Michael Kennedy, Commissioner

APPROVED AS TO FORM AND CONTENT:

*[Signature]*  
County Attorney

## ATTACHMENT A

## MCAFEE PLANNED VARIATION STANDARDS

The following standards shall govern the development of the Planned Variation. Where a standard is not addressed in this Planned Variation, the standards of the C-RR3 zone and County Resolution 76-113 shall apply.

Space and Bulk Requirements:

Minimum lot area 5000 square feet

Minimum lot width 30 feet

Minimum required yard --Front 12.5 feet  
--Side 2.5 feet  
--Rear 12.5 feet

Notes: Setbacks for side yards adjacent to property not part of the McAfee subdivision shall be 7.5 feet, per the C-RR3 zoning.

The Lot 5 front yard setback shall be measured from a line extending west from the south side of Lot 4.

Setbacks for front yards for Lots 13-17 shall be measured from the temporary cul-de-sac easement line.

The fronts of garages shall be set back at least 20 feet from the back side of the sidewalk.

Landscaping—Boulevards shall be landscaped with grass and canopy or shade trees and may contain shrubs, flowers, and/or ornamental plants. Street trees shall be spaced at a mean distance of 30 feet apart. It is suggested that trees be at least 6 feet high with a dbh of 1-1/2 inches at the time of planting. Landscaping shall be maintained and those plantings which fail to survive shall be replaced with approved plantings within six months.

'00 MAY 22 AM 10:10

200009849

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 22<sup>ND</sup> DAY OF May 2000 AT 10:10 O'CLOCK A.M. AND IT IS RECORDED  
IN BOOK 616 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 1321. FEE — PAID —  
RETURN TO ADDRESS Resolution File BY Debbie S. O'Neil DEPUTY REC. RES

SUB-STANDARD QUALITY WHEN FILMED