

R E S O L U T I O N #76-59

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Missoula County, Montana, for the creation of a planning and zoning district as described in said petition, and

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and

WHEREAS, the County Commissioners there upon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M., 1947, as amended, and

WHEREAS, the Planning and Zoning Commission thereafter, by order directed that Notice of a Public Hearing be given as required by law, and such Notice was given and public hearing held,

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER that there is hereby created Missoula County Planning and Zoning District No. 40, which said district is described as follows:

All of Section 23, the North Half (N 1/2), Section 26, the North East Quarter (NE 1/4), Section 27, T11N, R20W, P.M.M., all in Missoula County, Montana.

IT IS FURTHER ORDERED that this district is hereby zoned C-RR Rural Residential in accordance with county zoning Resolution No. 161, as amended.

IT IS FURTHER ORDERED, and this does order, that the following regulations shall govern the use of lands and structures within the above Planning and Zoning District No. 40.

A. INTENT

This district is created to provide for low density residential development adjacent to critical resource areas, such as aquifer recharge areas and critical wild habitats, such as winter game ranges, breeding and spawning areas, rare vegetation.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density	1 dwelling per 5 acres
Minimum lot width	150 feet
Minimum front yard	50 feet
Minimum side yard	15 feet
Minimum rear yard	20 feet
Maximum building height	50 feet
Maximum lot coverage	5 percent

C. GENERAL PERFORMANCE STANDARDS

Off-street parking and signs - See Chapter V, Missoula County Zoning Resolution.

D. PERMITTED USES

1. Single family residence
2. Accessory buildings incidental to main building
3. Parks and playgrounds.

E. CONDITIONAL USES

1. Home occupation
2. Residential PUD
3. Community Residential Facilities as defined by Section 11-2702.1 and -2, R.C.M. 1947, which accommodate more than eight (8) persons.

F. NON-CONFORMING USES

Any existing non-conforming uses shall be limited to their present size and not allowed to expand in any form or nature. Provide that community residential facilities having an existing physical plant capable of accommodating more than eight (8) persons shall be permitted to fully utilize their present facilities for care and treatment of handicapped persons.

In conformity with the provisions of Section 16-4103, R.C.M., 1947, the Board of County Commissioners shall have the power to authorize such variance from these regulations that will not be contrary to public interest where, owing to special conditions, the literal enforcement of a decision of the Planning and Zoning Commission would result in unnecessary hardship.

DATED this 30th day of April, 1976.

DISTRICT 40, PLANNING & ZONING COMMISSION

Ludvig H. Brownman
LUD BROWMAN

Wilfred V. Thibodeau
WILFRED V. THIBODEAU

Richard H. Ostergren
RICHARD OSTERGREN

ATTEST:

Robert E. Arras
Clerk & Recorder



Richard H. Colville
RICHARD COLVILLE

Douglas W. Campbell
DOUG CAMPBELL

380173-

380676-

Re-recorded by separate.

I received and filed this instrument for record on the <u>12</u> day of <u>May</u> 19 <u>76</u> at <u>8:10</u> o'clock <u>A.M.</u> and it is recorded in Vol. <u>81</u> of the County of <u>Missoula</u> , State of <u>Montana</u> on page <u>1295</u>	
Witness my hand:	
Robert E. Arras, County Recorder	
By <u>Mary Shalaby</u> , Deputy	
Fee \$ <u>None</u>	Paid <u>0</u>
Return to <u>Plan & Zoning</u>	
Address <u>Butte</u>	

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I received and filed this instrument for record on the <u>3</u> day of <u>May</u> 19 <u>76</u> at <u>1:30</u> o'clock <u>P.M.</u> and it is recorded in Vol. <u>81</u> of the County of <u>Missoula</u> , State of <u>Montana</u> on page <u>279</u>	
Witness my hand:	
Robert E. Arras, County Recorder	
By <u>Mary Shalaby</u> , Deputy	
Fee \$ <u>None</u>	Paid <u>0</u>
Return to <u>Plan & Zoning</u>	
Address <u>Butte</u>	