

RESOLUTION

BOOK 51 PAGE 338

WHEREAS, this Board did on June 26, 1973, receive a petition requesting the zoning of an area located in the following described area:

The River Bend area in Sections 12 and 13, T13N, R18W, E.M.M., Missoula County, Montana, more particularly described as follows:

Beginning at a point which is the intersection of the Northwest right-of-way line of Montana Highway 200 and the East line of Section 12, T13N, R18W; thence S 73°45' W along said right-of-way a scaled distance of 2330 feet; thence continuing South and West along a curve being concave to the Southeast a scaled distance of 580 feet; thence N 33°01' W along Highway 200 right-of-way to an intersection with the Southeasterly low water mark of the Blackfoot River; thence along said low water mark North and East to an intersection with the East line of Section 12; thence South along said section line to the point of beginning, containing 59.98 acres more or less.

Map of area is on file with said petition, and

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Missoula County Planning and Zoning Commission on July 24, 1973, and petition was taken under advisement, and

WHEREAS, the Commission met again on July 30, 1973, to discuss the proposed amendments to Sections 2 and 3 of the petition, and

WHEREAS, the Commission met again on July 31, 1973, at which meeting the petition was recommended as follows:

Section 1. No Commercial, industrial or business use of any character shall be made of any land within the district.

Section 2. All residence constructed within the district shall be single family dwellings with a minimum of 1,000 square feet of living area and no residence shall be built on less than  $\frac{1}{4}$  acre of land per family unit. However, multiple family units up to a four-plex may be constructed on any 5 acre or larger tract or lot. These lots or tracts may not be further subdivided.

Section 3. All residences or dwellings within the district shall be conventional type houses, modular homes, prefabricated homes, or other such structures. Trailer houses or mobile homes less than 20 feet in width, shacks, garages, and other temporary substitute dwellings shall not be occupied temporarily or permanently, as dwellings or residences, however, on sites of 25 acres or larger, one trailer or mobile home will be permitted.

Section 4. Any building presently located within the boundaries of the district may be maintained, and any lawful use presently being made of the land in the said district may be continued whether or not the same be in conformity with the provisions of these regulations or not; provided, however, that if any non-conforming use is discontinued for a period of two years, any future use thereafter shall be in conformity with the provisions of this ordinance. Buildings devoted to presently non-conforming uses may be maintained, altered or enlarged; provided further that buildings and lands presently used for non-conforming uses may not be devoted to any non-conforming use other than the use being made of such building or land as of the date of the enactment hereof.

WHEREAS, resolution containing the provisions for proper description and regulations controlling the zoning of area petitioned for was passed and recommended to the County Commissioners by the Missoula County Planning and Zoning Commission under date of July 31, 1973, and made a part of the Zoning records in Zoning Journal "B".

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of County Commissioners of Missoula County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby adopt the resolution granting said petition, as amended, for creation of Missoula County Planning and Zoning District No. 36 within the boundaries described in said resolution appearing in said Zoning Journal "B" and recorded in Book 51 of Micro, Page

Passed and adopted this 8th day of August, 1973.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Missoula County, Montana

SEAL

S/ H. W. Stoutenburg  
Chairman  
S/Richard H. Ostergren  
Commissioner  
S/ Ludvig G. Browman  
Commissioner

S/Dorothy L. Head  
Clerk and Recorder

336240 "

I received and filed this instrument for record on the 15<sup>th</sup> day of Aug, 1973 at 10:05 o'clock A.M. and it is recorded in Vol. 51 of Micro Records of the County of Missoula, State of Montana, on page 668. Fee none  
Paid        Return to Zoning Journal Witness my hand, Dorothy L. Head, County Recorder  
Address "B" By Glenn Simmons Deputy