

ZONING ATLAS

AREAS WITH SPECIAL CONDITIONS/EXCEPTIONS ON DEVELOPMENT

This list is not inclusive of all special conditions which may apply to properties. The existence of covenants, rural special improvement districts, easements, and rights-of-way should be checked with the appropriate agencies.

Covenants Clerk and Recorder
RSIDs General Services
Access, Easements, and Rights-Of-Way County Surveyor
Floodplains Office of Planning and Grants

1. Part of County Zoning District 18 is open to commercial use. Section 2, T12NR20W.
2. Part of County Zoning District 4 is exempt from lot size and width requirements. SE 1/4 Section 4, T12NR19W. See Book 40 Page 1461.
3. Setbacks for lots in the Grantland-Rankin subdivision are 25 feet front, 25 feet rear, and 15 feet sides. Approved as a planned variation July 12, 1978 by Resolution 78-104. Reference Zoning Office File 78-09. Section 21, T14NR19W.
4. Within the Airport Influence Area, the height of structures and trees is limited and soundproofing features are required for residential structures. Reference Resolution 78-96 as adopted July 5, 1978, and amended December 6, 1978. Contact Zoning Office for further information. See County Zoning File 87-021 for entire file (8/94).
5. The County Zoning Board of Adjustment granted all lots in the Lincolnwood and Lincoln Hills subdivisions a variance from the required 12 foot side yards. The new standards are:
 - a. Side yards shall be as specified in the covenants, or 7.5 feet, whichever is more restrictive;
 - b. Corner lots at intersections without stop signs shall have a 16 foot setback on the side adjacent to the street;
 - c. Where possible, one side yard of 10 feet shall be maintained to allow vehicle access to the rear yard.
 Reference Zoning Office Variance File 77-010. Section 7, T13NR19W; Sections 1, 2, 3, 11, and 12, T13NR20W, and Sections 28, 33, 34, and 35, T14NR20W.
6. On June 6, 1973, the Board of County Commissioners adopted a resolution limiting access to Reserve Street. Specifically, subdivisions fronting on Reserve Street shall not have, or be allowed, vehicle access to Reserve Street; and commercial, residential and industrial development fronting on Reserve Street shall not have, or be allowed, vehicle access to Reserve Street; and commercial, residential and industrial development fronting on Reserve Street shall have limited access to Reserve Street, the design and placement is subject to review and approval of County Surveyor. Reference Zoning Office File 73-026.
7. On Oct. 19, 1977, the Board of County Commissioners adopted a resolution providing for right-of-way and restricted access on Mullan Road from Missoula City limits to Frenchtown. Specifically, the resolution provides:
 - a. All future subdivisions abutting the above section of Mullan Rd. will provide for 100 feet right-of-way and be required to dedicate 50 feet of right-of-way measured from existing centerline and extending the entire frontage of the proposed subdivision.
 - b. All property abutting both Mullan Rd. and an existing road right-of-way, or public, or private roadway easement will be denied access directly onto Mullan Rd. and will be required to access onto the alternate roadway and thence onto Mullan Rd.

It is also noted a letter from the County Attorney's Office dated

April 20, 1979, specified the conditions should apply to issuance of any building permit and not just subdivisions.

Reference Zoning Office File 78-026. NOT ENFORCED. RESOLUTION SHOULD BE RESCINDED.

8. A lot in County Zoning Dist. 17 is exempt from the residential use restriction. Specifically, the N1/2, NE1/4, NW1/4, SW1/4, Section 20, T13NR19W may be used for a meat locker.
9. Duplexes are permitted on certain lots in County Zoning District 12A, Section 30, T13NR19W.
10. Two lots in County Zoning Dist. 12 are exempt from the residential structure requirement. Specifically, a trailer court is allowed on Lots 1 and 16 of Cobban Orchard Homes No. 3. Section 30, T13NR19W.
11. A lot in County Zoning Dist. 12 is exempt from the duplex restriction. Specifically, two triplexes are allowed on Lot 6 of U.S. Government Subdivision 2. Approved through Resolution 79-98 as adopted by Board of County Commissioners June 5, 1979. Reference Zoning Office Variance File 79-011. Section 30, T13NR19W.
12. This area is 140 acres in a C-A3 zone which allows a density of 1 dwelling unit per 5 acres. The total allowance of 28 building sites was transferred to Hidden Heights subdivision. Shaded area outside subdivision will remain open space until rezoning to a higher density occurs. Reference Zoning File 78-024. Section 24, T13NR20W. See Book 84, Page 450 and Book 483 in Clerk and Recorder's Office.
13. August 2, 1978 the Board of County Commissioners granted a planned variation to sideyard setbacks in Hidden Heights subdivision. Specifically, the setback was reduced from 50 feet to 15 feet. Reference Resolution 73-122 and Zoning Office File 78-012. Section 27, T13NR20W.
14. This area is 282 acres in a C-A3 zone allowing a density of 1 dwelling per 5 acres. The total allowance of 56 building sites was transferred to Grantland-Rankin subdivision. Shaded area outside the subdivision will remain open space until rezoning to a higher density. Reference Zoning Office File 78-025. Section 21, T14NR19W.
15. On November 6, 1979, Board of County Commissioners granted a variance from 1/2 acre minimum lot size in County Zoning District 12A. The approval specified all development rights of Lot 21, Cobban and Dinsmore's Orchard Homes #3 be transferred to Lot 22. Lot 21 will remain open space until rezoning to a higher density. Reference Resolution 79-196 and Zoning Office Variance File 79-025. Section 30, T13NR19W.
16. On August 25, 1975, Board of County Commissioners granted a variance to allow an ice cream store and burger bar on part of Lot 3, Rowe Acres, Resolution 75-123. Reference Zoning Office Variance File, August, 1975. Section 25, T13NR20W.
17. On October 17, 1979, Board of County Commissioners created Grantland Planned Unit Development by adopting Resolution 79-081. Reference Zoning File 79-005. Sections 19, 20, 21, 22, 28, 29, 30, 32, and 33, T14NR19W.
18. On June 16, 1980, Board of Adjustment granted a variance to the length to width ratio for all lots created by COS 1588. Reference Zoning Office File 80-016 and 78-027. Sections 17, 20, and 21, T13NR20W.
19. Resolution 80-81, Sec. 6.02, which created the Valley West Development District in conjunction with the Wye/O'Keefe Cr. Area Comprehensive Plan. Sections 21, 22, and 27, T14NR20W.
20. On July 5, 1978, Board of County Commissioners created El-Mar Estates Planned Unit Development by Resolution 78-99. Reference Zoning Office File 78-003. Sections 9, 10, 15, and 16, T13NR20W.
21. On March 26, 1980, Board of County Commissioners granted a setback variance on Lot 8, C & D Orchard Homes No. 3 in Z.D. 12A by Resolution 80-42. Reference Zoning Office File 80-007. Section 30, T13NR19W.
22. On November 9, 1980, Board of County Commissioners granted a conservation easement by Resolution 80-170 to 440 acres in Section 8, T13NR21W. Reference Zoning Office File 81-002.
23. On March 11, 1981, the Board of County Commissioners granted a use variance by Resolution 81-30 for a beauty shop at 305 Short Street in Zoning District 13. Reference Zoning Office File 81-020. Section 19, T13NR19W.

24. On April 1, 1981, Board of County Commissioners granted a use variance by Resolution 81-47 for a medical/dental office on Lot 58, U.S. Government Subdivision No. 2 in Z.D. 12. Reference Zoning Office File 81-021. Section 30, T13NR19W.
25. On May 20, 1981, Board of County Commissioners by Resolution 81-134 approved a planned variation on lot sizes, widths, and sideyard setbacks in the Belmont and Churchill Downs Additions. Reference Zoning Office File 81-018. Sections 21 and 22, T14NR20W.
26. On July 8, 1981, Board of County Commissioners granted a use variance by Resolution 81-135 for an owner operated beauty shop in Zoning District 40. Reference Zoning File 81-028. Section 26, T11NR20W.
27. On July 8, 1981, Board of County Commissioners granted a variance by Resolution 81-136 to permit storage of siding at 2628 S. 3rd Street, in Zoning District 17. Reference Zoning Office File 81-030. Section 19, T13NR19W.
28. On March 26, 1982, Board of County Commissioners granted a planned variation by Resolution 82-31 to lot sizes, widths, and sideyard and frontyard setbacks in Section 20, T13NR19W. Reference Zoning File 82-006.
29. Refers to County Resolution 74-161 in Section 35, T14NR20W.
30. Easement Agreement recorded against Lot 1 for a no-build area on said lot. Book 501 Pages 0484 and 0490. See also CIBOA 97-24, March 26, 1997.
31. Resolution 88-063, passed July 11, 1988. This approved a planned variation from setbacks and lot width requirements for Mountain Creek Estates No. 2, also subject to conditions. Section 33, T13NR20W.
32. Resolution 99-049, passed July 28, 1999. Planned variation for Pleasant View Homes subdivision, Section 7, T13NR19W. See resolution for standards
33. Resolution 2007-053, passed April 12, 2007. A condition prohibits certain uses within the C-C1 zoning overlapped by the Airport Extended Approach and Departure Area (EADA). See resolution for prohibited uses. Section 12, T13NR20W
34. Ordinance 3343, passed April 23, 2007. Prohibits gaming and gambling within the CLB-1 Overlay Zone located at the property legally described as Lot 4A of Towne Center, Lots 3 & 4, Section 5, T13NR19W

** Check City Ordinance Chapter 19.84 BOA for ruling on variance date expirations **

For detailed descriptions of county and city zoning designations, see County Zoning Resolution 76-113 and City Zoning Ordinance Title 19 available at the Office of Planning and Grants.

