

County Attorney's Office to be rewritten in usable form."

CONTINUATION MEETING HELD AT  
10:20 A.M., JULY 15, 1971

The Zoning Commission again met in the office of the County Commissioners with all members present.

Following review of the proposed amendments as rewritten by Deputy County Attorney Kenneth D. Tolliver, motion was made by Commissioner Ostergren, seconded by County Assessor Fred Barclay and carried unanimously "that we approve these amendments as rewritten, with the exception of changing "shall" to "may" in the last paragraph, and that they be incorporated in the following resolution of amendment to the language of Missoula County Planning and Zoning District No. 12;

"BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Missoula County, Montana, on May 13, 1971, requesting that the language of Zoning District No. 12 be amended so as to:

1. Clearly exclude house trailers and mobile homes.
2. Delete the exception for Lot #1 of Cobban and Dinsmores Orchard Homes No. 3.
3. Set 1,000 square feet as the minimum space for single family dwellings.

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provision of Chapter 41, Title 16, as amended, and

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

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that Section I of Missoula County Planning and Zoning District No. 12 be amended to read as follows:

SECTION I: No building, structure or premises shall be used and no building or structure shall be erected, structurally altered, or maintained except as other-wise provided in this ordinance, except for one or more of the following uses, and, except as herein specifically provided, it shall be unlawful to use any of the lands within the boundaries of Missoula County Planning and Zoning District No. 12, or any structures or buildings located thereon for any commercial or industrial use, except that Lot Sixteen (16) and Lot One (1) of Cobban and Dinsmores Orchard Homes No. 3, which is included in said Zoning District No. 12, there be allowed thereon the nonconforming use of an approved Federal Housing Administration (FHA) Moter and/or Trailer Court.

The uses which are specifically permitted in addition to the

foregoing nonconforming use for Lots One (1) and Sixteen (16) of Cobban and Dinsmores Orchard Homes No. 3 are:

One family dwelling  
Two family dwelling  
Churches  
Temples  
Libraries  
Schools  
Colleges  
Parks  
Playgrounds  
Public Fire Station  
Telephone Exchange

Accessory Buildings incidental to the above use, provided they do not involve the conduct of any business, industrial or commercial enterprise.

Any agricultural, horticultural or stock-raising enterprise.

Any building presently located within the boundaries of the zoning district may be maintained and lawful use presently being made of the land may be continued whether in conformity with the zoning requests or not, provided, however, that for any nonconforming use, if the same is discontinued for a period of two years any future use thereafter will be in conformity with the zoning ordinance.

The growing and harvesting of timber is expressly permitted, but it shall be unlawful to conduct or operate any sawmill planing mill or other establishment for the processing of timber or the manufacture of wood products within the zoning district.

That the size of the lots which may be utilized for home dwelling purposes shall be not less than twelve thousand square feet.

That in new construction or the enlargement of any present structures shall not extend within twenty (20) feet of the front property line and that there shall be a side clearance of at least seven and one-half ( $7\frac{1}{2}$ ) feet to the property line.

That structures used for one family dwelling shall contain at least 1,000 square feet of living space excluding the area of basements, garages, and outbuildings.

That structures used for two family dwelling shall contain at least 800 square feet of living space per family excluding the area of basement, garages and outbuildings.

That structures which are composed in whole or part of finished living units capable of being moved on or off real property by affixing wheels to said units are prohibited.

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That the foregoing paragraph shall be considered to prohibit "house trailers", "mobile homes", and other related housing units, provided that any person desiring to place such a unit upon real property within the district may be granted permission to do so by the County Commissioners upon a showing that said structure provides its occupants light, air, and housing facilities comparable to those provided by other types of housing units and upon a showing that such unit does not detract from the proper development of the district with respect to property values, sanitary conditions, and neighborhood development. With respect to neighborhood development it must be shown that the housing unit in question is permanently affixed to the real property.

A. W. Fetscher  
A. W. Fetscher  
Chairman, Zoning Commission

Fred R. Barclay  
Fred R. Barclay  
Secretary, Zoning Commission

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I received and filed this instrument for record on the 27 day of July 1971 at 9:30 o'clock A.M., and it is recorded in vol. 31 of \_\_\_\_\_ Records of the County of Missoula, State of Montana, on page 1475  
Witness my hand:  
Veronae E. Crouse, County Recorder  
By \_\_\_\_\_, Deputy  
Fee \$ \_\_\_\_\_ Paid  
Return to \_\_\_\_\_  
Address \_\_\_\_\_