

by law, relating to the areas set forth in said respective petitions and that such notice was thereafter given and a public hearing held pursuant to said notices,

NOW, THEREFORE, it is ordered and this does order that there is hereby created Missoula Planning and Zoning District No. 9, Missoula Planning and Zoning District No. 10, and Missoula Planning and Zoning District No. 11, which said Districts include all of the lands within the boundaries hereinafter described, as follows, respectively and specifically:

MISSOULA PLANNING & ZONING DISTRICT NO. 9:

Lots Thirty-Three (33) through Thirty-Eight (38) and Lots Fifty-Nine (59) through Sixty-Four (64) of Dinsmore's Orchard Homes No. 4.

MISSOULA PLANNING & ZONING DISTRICT NO. 10:

Lots Thirty-Nine (39) through Fifty-Eight (58) of Dinsmore's Orchard Homes No. 4.

MISSOULA PLANNING & ZONING DISTRICT NO. 11:

South Half of the Southwest Quarter ($S\frac{1}{2}SE\frac{1}{4}$) of Section Nineteen (19), Township Thirteen (13), Range Nineteen (19) West, in Missoula County, together with Lots 23 thru 26 of Dinsmore Orchard Homes No. 4.

IT IS FURTHER ORDERED, AND THIS DOES ORDER, that the following shall govern the use of lands and structures within the above described respective Missoula County Planning and Zoning Districts No. 9, 10 and 11:

Section One: No building, structure or premises shall be used and no building or structure shall be erected structurally, altered or maintained, except as otherwise 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 the Missoula County Planning and Zoning Districts No. 9, No. 10, or No. 11, or any structures or buildings located thereon for any commercial businesses or industrial use. The uses which are specifically permitted in each of these respective planning and zoning districts as above described, are as follows:

1. One family dwellings (excluding house trailer for commercial use).
2. Two family dwellings (excluding house trailer for commercial use).
3. Churches and Temples.
4. Libraries.
5. Schools and Colleges.
6. Parks and Playgrounds.
7. Any public fire station, telephone exchange where no public telephone business office and no repair or storage facilities are maintained or any necessary public utility building.

8. Accessory buildings incidental to the above use located on land owned by the owner of the building of which the principal use is made and continuous thereto, provided that such accessory buildings do not involve the conduct of any business, industrial or commercial enterprise.
9. Any agricultural, horticultural or stock raising enterprise may be carried on within the above-described districts, and, in connection therewith, buildings such as barns, silos, granaries, garages, sheds and the like, may be maintained, altered or erected; provided, however, that such buildings be reasonably designed for use in connection with the purposes specified in this sub-paragraph 9, and be not used for any other purpose.
10. Any building presently located within the boundaries of Missoula Planning and Zoning Districts No. 9, No. 10 or No. 11, may be maintained and lawful use presently being made of the land in the said described districts may be continued whether the same be in conformity with the provisions of the regulations herein; 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 buildings or lands as of the date of the enactment hereof.
11. The growing and harvesting of timber is expressly permitted, but it shall be unlawful to conduct or operate any saw-mill, planing mill or other establishment for the processing of timber or the manufacture of wood products within the above-described planning and zoning districts.

Section Two: In conformity with the provisions of Section 16-4103, Cumulative Supplement of the Revised Codes of Montana, 1947, the Board of County Commissioners shall have the power to authorize such variance in these regulations that will not be contrary to public interest where, owing to special conditions, the lateral enforcement of the Planning and Zoning Commission would result in unnecessary hardship.

Section Three: Reference is hereby made to the descriptive matter contained in the Petition filed in connection with the Missoula County Planning and Zoning Districts Nos. 9, 10, and 11, and to the map of said districts, which are on file in the Office of the Secretary of this Planning and Zoning Commission.

IT IS FURTHER ORDERED, that in conformance with Section 16-4101, Revised Codes of Montana, 1947, as amended, that the claim for services rendered by R. H. Robinson, in connection with the creation and establishment of Planning and Zoning

9, 10 & 11-4A

Districts No. 9, No. 10, and No. 11 shall be and hereby are ordered to be paid from the assessment of the levy not to exceed one mill on the taxable valuation of the real property within the above-described districts.

C. J. Meyer
Chairman, Zoning Commission

Vernon A. Plisson
Secretary, Zoning Commission

158352

I received and filed this instrument for record on the 27 day of June 1959 at 11:20 o'clock A. M. pursuant files of Missoula County, State of Montana
Witness my hand:
MARGARET H. BROWN, County Recorder
By *Keranna Brown* Deputy
Fee \$ *none* Paid File - Zoning Journal "A"

June 27, 1959

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RESOLUTION

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WHEREAS, this Board did, on February 26, 1973, receive a petition requesting the amendment of Missoula County Planning and Zoning District No. 10, by including the additional numbered items to the eleven specifically permitted uses, as follows:

12. All dwellings shall be constructed as single family dwellings and hereafter no two family dwellings shall be permitted.

13. The following are specifically ordered not to be deemed family dwellings: mobile homes, basements, tents, shacks, garages and out-buildings, and the same shall not be used temporarily or permanently as a residence except that a mobile home may be used as a residence for a period not exceeding six months while another permanent residence is being constructed. For the purpose of these regulations, mobile homes are defined as follows: Any vehicle or similar portable structure mounted or designed for mounting on wheels, used or intended for use for dwelling purposes, including structural additions except parked and unoccupied camping type trailers. Any such vehicle or structure shall be deemed to be a mobile home whether or not the wheels have been removed therefrom and whether or not resting upon a temporary or permanent foundation.

14. The lawful use or occupation of land or premises existing at the time of the adoption of a regulation hereunder may be continued, although such use or occupation does not conform to the provisions hereof, but if such non-conforming use or occupancy is discontinued for a period of more than six months, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

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 March 27, 1973, and an inspection trip was made on March 28, 1973, by Commissioners Ostergren and Browman, County Surveyor Elmer M. Frame and Clifford Foy of the Health Department, and

WHEREAS, resolution containing the adoption of the above additional items, pertaining to Missoula County Planning and Zoning District No. 10 was passed and adopted by the Missoula County Planning and Zoning Commission under date of April 2, 1973, and made a part of the zoning

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records in Zoning Journal "A".

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Missoula County, Montana, do hereby accept the recommendations of the Missoula County Planning and Zoning Commission and hereby adopt the resolution of April 2, 1973, granting said amendments to Section I of the zoning regulatings governing Missoula County Planning and Zoning District No. 10 as created December 27, 1958. Said resolution of amendment referred to above appears in Book 47 of Micro film, page 1109.

Dated this 2nd day of April, 1973.

BOARD OF COUNTY COMMISSIONERS
Missoula County, Montana

SEAL
ATTEST:

S/ Dorothy L. Head
Clerk of the Board

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

330380

I received and filed this instrument for record on the 10 day of Apr 1973 at 9:25 o'clock A. M. and it is recorded in Vol. 47 of Micro Records of the County of Missoula, State of Montana, on page 1109 Fee None
Paid None Return to Zoning Journal Witness my hand, Dorothy L. Head, County Recorder
Address "A" By Janice A Johnson Deputy