MINUTES OF MEETING OF PLANNING & ZONING COMMISSION HELD ON June 5, 1958.

A meeting of the above named Commission was held on June 5, 1958, at 2:00 o'clock P.M. in the offices of the County Commissioners of Missoula County, at which time Messrs. A. B. Jungers, R. G. Ostergren, J. J. Howe, H. W. Stoutenberg and Vernon R. Peterson were present.

The meeting was called to order by Mr. Jungers, the Chairman, who announced that all members of the Planning and Zoning Commission were present and that Mr. Peterson, the Secretary, would accordingly record the minutes of the meeting, which it was announced had as its business the consideration of the creation of a Zoning and Planning District near and adjacent to Placid Lake and also the adoption of a development pattern for said district, and the building and use restrictions which might be considered as applicable thereto.

Mr. Peterson, the Secretary, informed the Commission that a petitio signed by more than 60% of the freeholders within the area requested to be zoned had been appropriately presented and that Notice of Public Hear ing had been ordered on May 16, 1958. Further, Mr. Peterson stated that the necessary notices as required by Section 16-4103 R.C.M. 1947 had been posted not less than 15 days prior to the date of hearing within the area effected.

A number of the petitioners were present at the meeting and stat to the Commission that the area involved was a recreational area stri and that they did not desire commercial development, particularly as regards night clubs, taverns, bars, dance halls, cafes, service stations or such. Following their presentations the Chairman asked if there were any protests to the petition or to the requests of the petitioners for the establishment of a development pattern in the area requested. There were no protests made by or on behalf of anyone at the meeting.

After a further discussion, and having heard from all interested residents and landowners of the area concerned, the following resolution was proposed by H. W. Stoutenberg and seconded by R. G. Ostergren and unanimously adopted:

"BE IT RESOLVED THAT WHEREAS a Petition was filed to the Board of Commissioners of Missoula County, Montana, for the creation of a Planning and Zoning District within the boundaries described therein and as hereafter described,

AND WHEREAS, the Petition was signed by more than sixty per cent (60% of the freeholders within such area, and

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

AND, WHEREAS, the Zoning Commission thereafter by order, directe that Notice of Public Hearing be given as required by law relating to the area set forth in said Petition, and that such Notice was thereafter give duly posted and a public hearing held on June 5, 1958, in conformance therewith,

8-4

NOW, THEREFORE, it is ordered and this does hereby order that there is created Missoula County Planning & Zoning District No. 8, which district includes all of the lands within the boundaries described as follows, to-wit:

Sections 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33 all in Township 16 North, Range 15 West in Missoula County, Montana.

It is further ordered, and this does order, that the following shall govern the use of lands within Missoula County Planning and Zoning District No. 8:

Section 1 - That in said area as hereinabove described it shall be unlawful to erect, establish, operate or maintain taverns, bars, nightclubs, dance halls, stores, service stations, cafes, hotels or motels or commercial activity of a similar nature or kind as hereinbefore enumerated.

Section 2 - In conformity with the provision of Section 16-4103, Revised Codes of Montana, 1947, as amended, 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 3 - Reference is hereby made to the descriptive matter including a map relating to the area herein zoned, which matter has been submitted with the Petition and is on file in the Office of the Secretary of the Zoning Commission and made a part hereof.

It is further ordered that no assessment of a levy will be made in conformance with Section 16-4101, Revised Codes of Montana, 1947, as amended, and that any or all costs in the establishment of Missoula County Planning & Zoning District No. 8 will not be the subject to any levy as referred to hereinabove.

Dated June 5, 1958.

Kenon R. Peterson
Secretary

A B Jungers
Chairman

152452

I received and filed this instrument for record on the 9 day of June 1958 at 10:35 o'clock A. M., and it is recorded in vol. "A" of Zoning Journal Records of the County of Missoula, State of Montana, on page
Witness my hand
ROSE DAVIES, County Recorder
By Mary Skalsky Deputy
Fee $ none Paid
Return to Hilton Zoning Journal "A"
Address