

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

The Planning and Zoning Commission met in the Office of the County Commissioners, with all members present, to approve the final draft of the regulations set up for this district. There being no dissent as to the wording used, motion was made by County Surveyor Elmer Frame, seconded by Commissioner Richard Ostergren and carried unanimously, "that we pass and adopt the following resolution as drafted:

"BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Missoula County, Montana, for the creation of a planning and zoning district in the Lower Carleton Creek vicinity, within the boundaries described in said petition and shown on map submitted therewith, and

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and

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

WHEREAS, the Planning and 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 there is hereby created Missoula County Planning and Zoning District No. 21 in the Lower Carlton Creek vicinity, which said district is more particularly described as follows:

31

The NW¼, SW¼, W½ NE¼ of Section 36, Township 11 North, Range 20 West, all of Section 25 except the W½ of the NW¼, Township 11 North, Range 20 West.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the above Planning and Zoning District No. 31:

Section I

That no use shall be permitted except single family dwelling, except that outbuildings incidental to single family dwellings shall be permitted.

That all single family dwellings shall be located on at least 4.5 acres of land, except for present existing improvements on lesser acreages, said exceptions presently existing being more specifically described as follows:

(1) A rectangular shaped tract containing approximately 1½ acres lying in the northerly portion of the E½ SW¼ SW¼ SW¼, Section 25, T11N, R20W, P.M.M., Missoula County, Montana. Recorded in the name of Lesley C. and Avis A. Donnelly, Book 11 of Microfilm Page 1369. Deed exhibit #2139.

(2) A tract of land in the E½ SW¼ SW¼ SW¼, Section 25, T11N, R20W, P.M.M., more particularly described as follows:

Commencing at the corner to sections 25, 26, 35 and 36 thence S 89° 36" E, 329.69 feet, along the section line to the true point of the beginning, thence N 209.7' W, 462.50 feet, thence S 89° 35.8' E, 329.66 feet; thence S 0° 09.9' E, 462.44 feet to the West 1/64 Section 25 and 36; thence N 89° 36' W, 329.68 feet to the point of the beginning; containing 3.50 acres: Except a 30 foot right of way strip on the East side recorded in Book 241, Page 183 and an easement for the existing county road on the south side, being surveyed and monumented as shown on exhibit, recorded in the name of Earl A. and Darlene Stagg, Book 22, Page 957, Microfilm.

Any agricultural, horticultural or stock-raising enterprise may be carried on within the district.

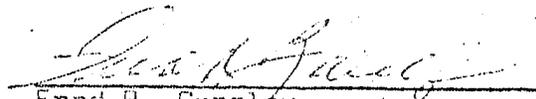
Section II

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

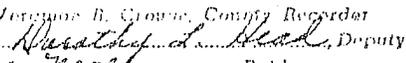
Section III

Reference is hereby made to the descriptive material contained in the petition filed in connection with Missoula County Planning and Zoning District No. 31 and to the map of said district which is on file in the Office of the County Clerk and Recorder of Missoula County, Montana."


 A. W. Fetscher
 Chairman, Zoning Commission


 Fred R. Garclay
 Secretary, Zoning Commission

305700 ✓

I received and filed this Instrument for record on the 27 day of July 19 27 at 9:40 o'clock A.M. and it is recorded in vol 31 of 71220 Records of the County of Missoula, State of Montana, on page 1481
 Witness my hand.
 Vernon R. Clouse, County Recorder
 By  Deputy
 Fee 1.00 Paid
 Return to Zoning Journal "B"
 Address

RESOLUTION

WHEREAS, this Board did on April 27, 1971 receive a petition requesting the zoning of an area located in the NW¼, SW¼, W½ NE¼, of Section 36, T11N, R20W, and all of Section 25 except the W½ of the NW¼, T11N, R20W, P.M.M., Missoula County, Montana, 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 June 21, 1971 and thereafter the Commission met again on June 24th, 1971, at which time the petition was granted, and again on July 15, 1971 for approval of the language of the resolution, and

WHEREAS, resolution containing the provisions for proper description and regulations controlling the zoning of area petitioned for was passed and adopted by the Missoula County Planning and Zoning Commission under date of July 15, 1971, and made a part of the Zoning records in Zoning Journal "B".

NOW, THEREFORE, BE IT 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 for creation of Missoula County Planning and Zoning District No. 31 within the boundaries described in said resolution appearing in said Zoning Journal "B" and recorded in Book 31 of Microfilm, page 1481.

Passed and adopted this 16th day of July, 1971.

SEAL

ATTEST:

S/ Veramae R. Crouse
Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
Missoula County, Montana

S/ A. W. Fetacher
Chairman

S/ H. W. Stoutenburg
Commissioner

S/ Richard H. Ostergren
Commissioner

305701

I received and filed this instrument for records on the 21 day of July 19 71 at 2:45 o'clock P.M. and it is recorded in Vol. 31 of Missoula Records on the County of Missoula, State of Montana, on page 1484. Fee None
Paid..... Return to Zoning Journal "B" Missoula, Montana. Veramae R. Crouse, County Recorder
Address.....
By..... Deputy