

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 19732**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW  
AN ASSISTED LIVING FACILITY FOR UP TO 32 RESIDENTS  
TO BE CONSTRUCTED ON A LOT  
IN AN R-4 (RESIDENTIAL-OFFICE) DISTRICT  
IN THE CITY OF HELENA, MONTANA**

**WHEREAS**, the Helena City Commission has before it a request to grant a conditional use permit to allow an assisted living facility for up to 32 residents to be constructed on a lot in an R-4 (Residential-Office) District, which property is described as Lot 8 of the H.T.P. Subdivision in the City of Helena, generally located north of Beltview Drive and west of Wildwood Lane, in Helena, Lewis and Clark County, Montana; and

**WHEREAS**, the Helena City Commission finds as follows:

1. The proposed conditional use will not significantly increase risk to the public health, safety, or general welfare.
2. The proposed conditional use will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located.
3. The proposed conditional use meets the requirements of subsections 11-3-5A1 and A2 of the Helena City Code, after consideration of the following factors:

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Res. No. 19732**

- (a) Pedestrian, vehicular, and bicycle traffic;
- (b) On street parking;
- (c) Noise;
- (d) Glare;
- (e) Odor; and
- (f) Type and size of structures and improvements and

their relative locations on the subject property.

4. That public hearings have been held by the Zoning Commission and the City Commission after required legal notices have been given, and the public has been given an opportunity to be heard on the matter.

**WHEREAS**, the Zoning Commission of the City of Helena, Montana, after holding a regularly scheduled public hearing on said conditional use permit application on **April 13, 2010**, recommended that the Helena City Commission approve the described conditional use permit; and

**WHEREAS**, a public hearing was held on this matter at the regular City Commission meeting on **May 17, 2010**.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Res. No. 19732**

**Section 1.** A conditional use permit is hereby granted allowing an assisted living facility for up to 32 residents to be constructed on a lot in an R-4 (Residential-Office) District, which property is described as Lot 8 of the H.T.P. Subdivision in the City of Helena, generally located north of Beltview Drive and west of Wildwood Lane, in Helena, Lewis and Clark County, Montana.

**Section 2.** This conditional use permit is subject to the following condition:

**Building Permit:** A building permit must be obtained for the first living facility structure on the property within one (1) year of the date of approval of the CUP.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 17<sup>th</sup> DAY OF MAY, 2010.**

/S/ James E. Smith

**MAYOR**

**ATTEST:**

/S/ Debbie Havens

**CLERK OF THE COMMISSION**