

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19893

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A 2-STORY 4-PLEX TO BE LOCATED IN AN R-2 (RESIDENTIAL) 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 a 2-story 4-plex to be located on property in an R-2 (Residential) District, which property is described as Lots 11 and 12 in Block 75 of the Northern Pacific Addition in Helena, Montana, generally located north of Missoula Avenue, south of the east-west alley in Block 75, and west of Lamborn Street, with a property address of 1836 Missoula Avenue, 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. 19893

(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 **December 13, 2011**, 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 **January 9, 2012**.

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

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. 19893

Section 1. A conditional use permit is hereby granted allowing a 2-story 4-plex to be located on property in an R-2 (Residential) District, which property is described as Lots 11 and 12 in Block 75 of the Northern Pacific Addition in Helena, Montana, generally located north of Missoula Avenue, south of the east-west alley in Block 75, and west of Lamborn Street, with a property address of 1836 Missoula Avenue, in Helena, Lewis and Clark County, Montana, subject to the following conditions:

A. The 4-plex and related parking must be located on the property as shown on the submitted site plan so that more noise, glare, or odor are not generated onto adjacent properties beyond what could be expected from residential uses permitted by right.

B. A building permit must be obtained within one (1) year of the date of the approval of this resolution.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 9th DAY OF JANUARY, 2012.

ATTEST:

/S/ James E. Smith
MAYOR

/S/ Debbie Havens
CLERK OF THE COMMISSION