

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19968

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A TRIPLEX 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 triplex to be located on property in an R-2 (Residential) District, which property is described as Lots 17-18 in Block 108 of the Cannon Addition in the City of Helena, Montana, generally located north of Knight Street and west of Allison Street with a property address of 1006 Allison Street 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:

- (a) Pedestrian, vehicular, and bicycle traffic;
- (b) On street parking;

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(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 **August 14, 2012**, 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 **September 10, 2012**.

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

Section 1. A conditional use permit is hereby granted allowing a triplex to be located on property in an R-2 (Residential) District, which property is described as Lots 17-18

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in Block 108 of the Cannon Addition in Helena, Montana, generally located north of Knight Street and west of Allison Street with a property address of 1006 Allison Street, in Helena, Lewis and Clark County, Montana, subject to the following condition:

A. Applicant shall obtain, at her own expense, inspections by the Helena Fire Department and the Helena Building Division to ensure that the third dwelling unit is habitable. Further, Applicant shall comply with any recommended findings of those inspections.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 10th DAY OF SEPTEMBER, 2012.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION