

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20144

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 3,680 square foot triplex (3 dwelling units) to be constructed in an R-2 (Residential) District, which property is described as Lot 4-A-1 in Block 4 of the Broadwater Second Addition in the City of Helena, generally located south of Leslie Avenue and east of Laurel Street, with a property address of 1717 Leslie Avenue, in Helena, Lewis and Clark County, Montana; and

WHEREAS, the Zoning Commission of the City of Helena, Montana, after holding a regularly scheduled public hearing on said conditional use permit application on **November 12, 2014**, to gather facts and information from all interested parties as contemplated by Helena City Code § 11-3-6, has recommended that the Helena City Commission approve the described conditional use permit;

WHEREAS, a public hearing was held on this matter at the regular City Commission meeting **at 6:00 p.m. on November 24, 2014**, in the Commission Chambers in the City-County Building,

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316 North Park Avenue, in Helena, Montana as contemplated by Helena City Code § 11-3-7;

WHEREAS, the City Commission has considered the information contained in the application, the information presented at said public hearing and the Zoning Commission's recommendation, and has considered whether the proposed conditional use meets the requirements of Helena City Code § 11-3-5A1 and A2 by weighing and balancing the following factors as set forth in Helena City Code § 11-3-5B:

- (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.

WHEREAS, based on its consideration of all of those matters, the Helena City Commission hereby specifically finds as follows:

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1. 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;

2. That the proposed conditional use will not significantly increase risk to the public health, safety, or general welfare; and

3. That 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.

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 3,680 square foot triplex (3 dwelling units) to be constructed in an R-2 (Residential) District, which property is described as Lot 4-A-1 in Block 4 of the Broadwater Second Addition in the City of Helena, generally located south of Leslie Avenue and east of Laurel Street, with a property address of 1717 Leslie Avenue, in Helena, Lewis and Clark County,

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Montana, subject to the following condition:

The applicant must obtain a building permit within one (1) year of the date of this resolution.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 24th DAY OF NOVEMBER, 2014.

/S/ JAMES E. SMITH
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION