

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 775**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING THE
REQUESTED WAIVER OF THE COMMUNITY DESIGN AND
DEVELOPMENT STANDARDS WITH REGARD TO FENCES AND WALLS
FOR THE LIGHTHOUSE STORAGE SITE PLAN.**

WHEREAS, a request for waivers of the Community Design and Development Standards with regard to fences and walls for the Lighthouse Storage Site Plan, have been submitted by TCA Builders, LLC, Tom Ames, 4151 Indian Creek Road, Loveland, CO 80538, for the following described real property, to wit:

Lot 1, Prairie Hills Subdivision, Filing No. 1.

WHEREAS, in accordance with Section 16-3-150 of the *Mead Municipal Code*, the requested waiver application was considered at a regularly scheduled public meeting of the Board of Trustees on Monday, June 8, 2015; and

WHEREAS, Section 16-3-150 of the *Mead Municipal Code* provides that waiver request the only be made in conjunction with other applications; and

WHEREAS, Section 16-3-150 of the Mead Municipal Code provides certain criteria for approval of a waiver that is to be included in any ordinance; and

WHEREAS, the Board of Trustees has considered the following justifications for allowing the requested waivers:

- a. The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property which is railroad right-of-way and an existing industrial development.
- b. The waiver is the minimum variance that will afford relief and is the least modification possible of the zoning provisions that are in question.
- c. The practical difficulties or unnecessary hardship sought to be corrected by the waivers have not been created by the applicant.

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the waiver for the described real property be granted in accordance with the application;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that;

Section 1. Approval of Waivers. The waivers of the Community Design and Development Standards for the above described property with regard to fences and walls for the Lighthouse Storage Site Plan are hereby approved, subject to the following conditions:



- a. All activities conducted on the site shall be in conformance with the conditions contained in this approval and with the *Land Use Code* for the Town of Mead as though the same were set forth in full; and
- b. The temporary chain-link fence on the west, north and east sides of the Phase 1 site, for a maximum of two years from the date of its installation, or until an application is made for Phase 2, whichever occurs first. The permanent fencing meeting the Town's Design standards shall be installed during the development of Phase 2; and
- c. The construction of not more than five garage condos in Phase 1 that do not comply with wall and facade articulation requirements of the Community Development Design Standards of the Land Use Code. Future garage condos shall comply with wall and facade articulation requirements of the Community Development Design Standards of the Land Use Code.

Section 2. Amendment of the Zoning Map. The official *Town of Mead Zoning District Map* as adopted by Section 16-3-103 of the *Mead Municipal Code*, and as subsequently amended, shall be amended by the addition of a note to the effect that waivers of the Community Design and Development Standards with regard to fences and walls for the Lighthouse Storage Site Plan has been approved.


Section 3. Ministerial Action. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required to cause an appropriate revision of the Performance (Zoning) District Map entitled "Mead Performance Districts" to be prepared and placed in the official records of the Town.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 5. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 6. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

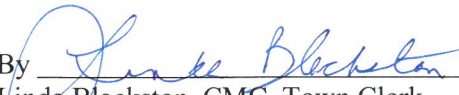
Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

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07/22/2015 01:22 PM R Fee:\$21.00
Carly Koppes, Clerk and Recorder, Weld County, CO


INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 8th
DAY OF June, 2013.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, CMC, Town Clerk

By 
Gary R. Shields, Mayor



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