

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 809**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING A
WAIVER OF THE REQUIRED DRIVEWAY DESIGN STANDARDS FOR LOT
33, VALE VIEW, REPLAT A, TOWN OF MEAD.**

WHEREAS, an application for a waiver of portions of Section 16-2-70 of the *Mead Municipal Code*, was made by Jerome and Diane Klum, 17460 Primrose Lane., Mead, CO 80542, to allow driveway access from two streets in conjunction with the building permit for the new home to be constructed on the property. The two drives would allow access from Sunflower Court and Primrose Lane. The waiver shall be for the following real property, to wit;

Lot 33, Vale View, Replat A, Town of Mead, (a.k.a., 17460 Primrose Lane,
Mead, CO 80542.

WHEREAS, Section 16-2-70 of the *Mead Municipal Code* provides that driveway access to a local or collector street from a single-family detached residential lot shall be limited to one (1) driveway curb cut and shall be no greater in width than forty percent (40%) of the width of the residence. A circular drive in which each access to the local or collector street is less than ten (10) feet in width, separated by at least thirty (30) feet, and which is constructed as an integral part of the overall architectural design of the single-family residence may be considered as a single driveway access; and

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

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 June 27, 2016; 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 of the Board of Trustees justifying such approval; and

WHEREAS, the Board of Trustees has considered the following justifications for allowing a waiver:

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.

b. The waiver, if granted, will not alter the essential character of the adjacent property, which consists of existing single-family residences on similar sized lots, including other lots within the subdivision that also have two driveway entrances.

c. The practical difficulties or unnecessary hardship sought to be corrected by the waiver have not been created by the applicant; and

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 Waiver. The waiver of Section 16-2-70 of *Mead Municipal Code* to allow driveway access from Sunflower Court and Primrose Lane, to Lot 33, Vale View, Replat A, is hereby approved.

Section 2. 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 official Town of Mead Zoning District Map to be prepared and placed in the official records of the Town. A copy of this ordinance shall also be recorded in the Weld County Clerk and Recorder's Office.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 4. 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.

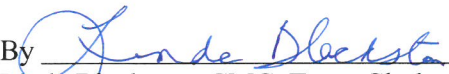
Section 5. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.


Section 6. 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.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 27TH DAY OF JUNE, 2016.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, CMC, Town Clerk

By 
Gary R. Shields, Mayor

