

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 758**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING THE
REQUESTED WAIVER OF PORTIONS OF SEC. 16-2-170, *MEAD MUNICIPAL
CODE* WITH REGARD TO HEIGHT AND COLOR OF A FENCE, AND SEC. 16-
7-130, *MEAD MUNICIPAL CODE* WITH REGARD TO DIMENSIONAL
STANDARDS FOR SIGNS IN THE HC AND GC ZONING DISTRICTS FOR
LOT 12, LYONS 66 PACIFIC COMMERCE PARK.**

WHEREAS, Drake Mead Partners, LLC, 496 S. Broadway, Denver, CO 80209, the perspective purchaser of Lot 12, Lyons 66 Pacific Commerce Park with the agreement of Lyons 66 Pacific, LLC, the current owner of the property, has requested waivers of portions of the *Mead Municipal Code* as they relate to the height and color of fencing and the dimensional standards for wall signs and pylon signs for the following described real property by, to wit:

Lot 12, Lyons 66 Pacific Commerce Park.

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, January 12, 2015; and

WHEREAS, Section 16-3-150 of the Mead municipal code provides that a waiver request be made only in conjunction with other applications, and

WHEREAS, the Tractor Supply Company has submitted a site plan for the property requesting the administrative approval of the site plan for Lot 12, Lyons 66 Pacific Commerce Park; and

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

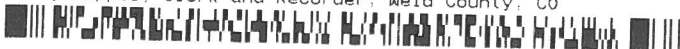
- a. The waiver will not alter the essential character of this commercial property.
- b. The waiver is the minimum variance that will afford relief and is the least modification possible of the zoning provisions that are in question.
- c. The practical difficulties caused by the isolated location and the distance from the intersection of I-25 and Highway 66 warrant the granting of the proposed waivers; and

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the waivers 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 following waivers for the above described property are hereby approved:

- a. A waiver of the requirement that fencing in the HC and GC zones be limited to six feet in



height and plastic coated in a dark color, to allow a silver colored (galvanized) woven wire fence, 8 feet in height around the outside retail area on the north side of the principal building.

- b. A waiver of the requirement that wall signs in the HC and GC zones shall be limited to thirty-two square feet of sign area, to allow a 192 square foot wall sign above the main entrance door of the principal building.
- c. A waiver of the requirement that a freestanding pylon sign in the HC and GC zones may not be placed less than 25 feet from a property line, that a freestanding pylon sign shall be limited to thirty-two square feet of sign area and a maximum height of 10 feet, to allow a free standing pylon sign, 108 square feet of sign area on each side, a height of 30 feet and a setback of approximately 20 feet from the western property line of Lot 12.

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 to allow height and color of fencing and the dimensional standards for wall signs and pylon signs 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 *Town of Mead Zoning District Map* 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.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 12th DAY OF January, 2015.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

