

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 734**

AN ORDINANCE APPROVING THE REQUESTED WAIVER OF THE REQUIREMENT THAT RESIDENTIAL LOT ACCESS TO AN ADJACENT STREET IS LIMITED TO A SINGLE DRIVEWAY FOR 3768 SINGLETREE COURT.

WHEREAS, a request for a waiver of Section 16-2-70 (b) of the *Mead Municipal Code*, to allow an additional two driveway accesses onto the cul-de-sac at Single Tree Court for separate accesses to a future barn and to a pasture area of the following described real property; to wit:

Lot 17, Singletree Estates, 3786 Singletree Court, Mead, Colorado 80542

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, October 14, 2013; 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 the waiver of the requirement that residential lot access to an adjacent street is limited to a single driveway as follows:

- a. The waiver will not alter the essential character of the RSF-E, single family estate lot and is in keeping with numerous other lots with multiple driveway access within the subdivision.
- 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 the existing site improvements impose practical difficulties on homeowner's ability to access the proposed site for the barn and the pasture from the existing driveway.

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 (b) of the *Mead Municipal Code*, to allow an additional two driveway accesses onto the cul-de-sac at Single Tree Court to allow separate accesses to a future barn and to a pasture area, for Lot 17, Singletree Estates, is hereby approved

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 a waiver to allow two additional driveway accesses to Lot 17, Singletree Estates has been approved.

20130813 3786 Singletree Ct Ord - Approving Waiver 10/8/13 (11:32 am)



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.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 14th DAY OF October, 2013.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Richard W. Macomber
Richard W. Macomber, Mayor

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Steve Moreno, Clerk and Recorder, Weld County, CO

