

TOWN OF MEAD, COLORADO
ORDINANCE NO. 791

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING
THE REQUESTED WAIVER OF THE COMMUNITY DESIGN AND
DEVELOPMENT STANDARDS WITH REGARD TO THE NUMBER OF
ACCESS DRIVEWAYS FOR A RESIDENTIAL PROPERTY.**

WHEREAS, a request for waivers of the Community Design and Development Standards by Jesse Ganz, 3846 Whitetail Ct., Mead, CO with regard to the number of access driveways for residential properties for the following described real property, to wit:

Lot 37, Single Tree Estates Subdivision, also known as 3846 Whitetail Ct., Mead, CO 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 26, 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 a second access driveway 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 Zoning District Map to be prepared and placed in the official records of the Town.

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.

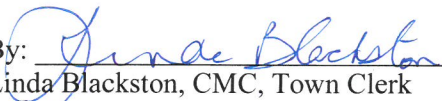
Section 5. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

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 26TH DAY OF OCTOBER, 2015.

ATTEST:

TOWN OF MEAD

By: 
Linda Blackston, CMC, Town Clerk

By: 
Gary R. Shields, Mayor

