

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 840**

AN ORDINANCE OF THE TOWN OF MEAD, COLORADO APPROVING THE REQUESTED WAIVER OF SECTION 16 -7- 130 (d) OF THE MEAD MUNICIPAL CODE, WITH REGARD TO THE MAXIMUM SIZED WALL SIGN THAT IS ALLOWED FOR THE 4 RIVERS EQUIPMENT BUILDING, 4322 COLORADO HIGHWAY 66, LONGMONT, CO 80504.

WHEREAS, a request for a waiver of Section 16-7-130 (d), of the *Mead Municipal Code* for the following described real property; to wit:

PART OF LOT A, RECORDED EXEMPTION RE-123, a.k.a, Parcel # 120726200023.

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, April 10, 2017; and

WHEREAS, Section 16-3-150, of the *Mead Municipal Code* provides that waiver request may only be made in conjunction with other applications, in this instance an application for the replacement of a legally existing, nonconforming sign; 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 waiver of the size limitations contained in 16-7-130 (d), of the *Mead Municipal Code*:

- a. The waiver will not alter the essential character of the neighborhood in which the property is located, nor diminish the value, use or enjoyment of adjacent 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 of the sign size allowed by Section 16-7-130 (d) of the *Mead Municipal Code*, will be alleviated by the waiver.
- d. The proposed waiver to allow the replacement of the legally existing, nonconforming sign with a new sign of similar dimensions, should be granted approval.

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 for the above described property to allow the replacement of an existing nonconforming wall sign for 4322 Colorado Highway 66, Longmont, CO

80504. 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.

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 the replacement of an existing nonconforming wall sign for 4322 Colorado Highway 66, Longmont, CO 80504, 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.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 10th DAY OF April, 2017.

ATTEST:

By  _____
Mike Segrest, Acting Town Clerk

TOWN OF MEAD

By  _____
Gary R. Shields, Mayor