

ORDINANCE NO. 68, SERIES 2009

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE KNOWN AS LEAGJELD ANNEXATION, GENERALLY LOCATED AT 3733 S. COUNTY ROAD 5

WHEREAS, the owners of certain real property located within the Town of Timnath, more particularly described in **EXHIBIT A**, attached hereto, (the "subject property") have requested the Town Council to rezone the same to B Downtown Business District pursuant to Section 16.3.10.D.2; and

WHEREAS, the Town of Timnath Planning Commission recommended approval of the proposed zone change at its regularly scheduled meeting on June 9, 2009; and

WHEREAS, in compliance with applicable sections of the Timnath Land Use Code, the Town Council held a properly noticed public hearing on July 1, 2009, regarding the application for rezoning of the subject property; and

WHEREAS, the Town Council finds the application to be complete and the proposed zoning for the subject property to be appropriate and in conformance with the Town's Comprehensive Plan; and

WHEREAS, the Town Council has considered the recommendation of the Timnath Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. Property Zoned.

The subject property is hereby rezoned to B Downtown Business District pursuant to Section 16.3.10.D2. of the Timnath Town Code.

Section 2. Public Hearing

Article 3 of the Timnath Land Use Code and the map referred to therein as the "Official Zoning Map of the Town of Timnath," said map being part of said Zoning Code and showing the boundaries of the districts specified, shall be and the same is hereby amended in the following particulars, to wit: the subject property, as described in **Exhibit A**, is hereby designated on said map as "B Downtown Business District".

Section 2. Severability.

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council

RECEPTION#: 20090046509, 07/08/2009 at
03:45:35 PM,
1 OF 4, R \$21.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

Town of Timnath
4800 Goodman Street
Timnath CO 80547

hereby declares that it would have adopted this Ordinance and each part or parts hereof irrespective of the fact that anyone or parts be declared unconstitutional or invalid.

Section 3. Effective Date.

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JUNE 3, 2009, AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JULY 1, 2009 AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 3RD DAY OF JUNE, 2009.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON July 1, 2009.

TOWN OF TIMNATH, COLORADO


Donna Benson, Mayor

ATTEST:


Milissa McGuire, Town Clerk



EXHIBIT A

Legal Description of Property Zoned

[attached]

