TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 8, SERIES 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE KNOWN AS THE FISHER ANNEXATION (WEST OF AND ADJACENT TO CR 5/MAIN STREET AND SOUTH OF AND ADJACENT TO CR42E)

WHEREAS, The Landhuis Company has submitted a request for zoning of real property within the Town of Timnath more particularly described in Exhibit A and attached hereto and incorporated herein by this reference; and

WHEREAS, the Town Council finds the location of the zoning to be appropriate and in conformance with the Town Comprehensive Plan; and

WHEREAS, the zone change was recommended for approval to R-2 Single-Family Residential and RMU, Residential Mixed Use at a public hearing held by the Town of Timnath Planning Commission on Tuesday, February 07, 2017.

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

Section 1. Property Zoned

That Article 3 of the Timnath Land Use Codes 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 district specified, shall be and the same is hereby amended in the following particulars, to wit:

R-2, Single Family Residential and RMU, Residential Mixed Use – See attached Exhibit A (legal description) and Exhibit B (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, February 14, 2017 regarding the zoning of the property.

Section 3. 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 hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.
Section 4. 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.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 14, 2017.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Zoning

R-2

DESCRIPTION:

FISHER R-2 ZONING

LEGAL DESCRIPTION: PARCEL 1 - PROPOSED R-2 ZONING


BEGINNING AT THE CENTER QUARTER CORNER OF SAID SOUTHEAST QUARTER OF SECTION 22;
THENCE NORTH 89°46'15" EAST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,631.12 FEET TO THE EAST QUARTER CORNER OF SECTION 22;
THENCE SOUTH 00°03'13" EAST ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,612.95 FEET
THENCE SOUTH 90°00'00" WEST A DISTANCE OF 332.06 FEET;
THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 46°08'36", A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 463.21 FEET, AND A CHORD THAT BEARS NORTH 89°55'42" WEST A DISTANCE OF 470.28 FEET;
THENCE NORTH 43°51'24" WEST A DISTANCE OF 870.91 FEET;
THENCE SOUTH 47°01'37" WEST A DISTANCE OF 455.46 FEET;
THENCE SOUTH 42°55'23" EAST A DISTANCE OF 860.37 FEET;
THENCE NORTH 89°43'33" EAST A DISTANCE OF 392.01 FEET;
THENCE SOUTH 42°33'41" EAST A DISTANCE OF 539.40 FEET;
THENCE SOUTH 00°08'45" EAST A DISTANCE OF 429.94 FEET;
THENCE SOUTH 42°32'15" EAST A DISTANCE OF 341.77 FEET;
THENCE SOUTH 00°08'49" EAST A DISTANCE OF 137.94 FEET;
THENCE NORTH 89°51'52" EAST A DISTANCE OF 198.00 FEET TO THE EASTERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 27;
THENCE SOUTH 00°08'45" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 1330.21 FEET;
THENCE NORTH 89°56'10" WEST A DISTANCE OF 1316.03 FEET;
THENCE NORTH 00°06'28" WEST A DISTANCE OF 1914.41 FEET;
THENCE NORTH 28°26'45" WEST A DISTANCE OF 729.97 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;
THENCE SOUTH 89°43'34" WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 987.83 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 22;
THENCE NORTH 00°06'26" WEST ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 2,949.79 FEET TO THE POINT OF BEGINNING,

SAID PARCEL CONTAINS A CALCULATED AREA OF 9,374,672 SQUARE FEET, OR 215.21 ACRES, MORE OR LESS.
FISHER RMU ZONING

LEGAL DESCRIPTION: PARCEL 2 - PROPOSED RMU ZONING

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SOUTHEAST QUARTER OF SECTION 22;
THENCE SOUTH 34°50'48" EAST A DISTANCE OF 2,093.42 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 43°51'24" EAST A DISTANCE OF 970.91 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 46°06'36", A RADIUS OF 860.00 FEET, AN ARC LENGTH OF 483.21 FEET AND A CHORD THAT BEARS SOUTH 66°55'42" EAST A DISTANCE OF 470.26 FEET;
THENCE NORTH 90°00'00" EAST A DISTANCE OF 982.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;
THENCE SOUTH 00°03'13" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 34.51 FEET, TO THE SOUTHEAST CORNER OF SAID SECTION 22;
THENCE SOUTH 00°08'45" EAST ALONG THE EASTERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 27 A DISTANCE OF 988.42 FEET;
THENCE SOUTH 89°51'15" WEST A DISTANCE OF 198.00 FEET;
THENCE SOUTH 00°08'45" WEST A DISTANCE OF 90.06 FEET;
THENCE NORTH 42°32'15" WEST A DISTANCE OF 341.77 FEET;
THENCE NORTH 00°08'45" WEST A DISTANCE OF 429.94 FEET;
THENCE NORTH 42°33'41" WEST A DISTANCE OF 539.40 FEET;
THENCE SOUTH 89°43'33" WEST A DISTANCE OF 392.01 FEET;
THENCE NORTH 42°38'23" WEST A DISTANCE OF 860.37 FEET;
THENCE NORTH 47°01'37" EAST A DISTANCE OF 455.46 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 1,025,944 SQUARE FEET, OR 23.53 ACRES, MORE OR LESS.
EXHIBIT B

Zoning Map

[attached]