

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 7, SERIES 2022**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY
LOCATED AT 4021 KERN STREET, GENERALLY LOCATED SOUTH OF 5TH
AVENUE, NORTH OF 4TH AVENUE, WEST OF AND ADJACENT TO KERN STREET**

WHEREAS, Studio S Architecture (the “Applicant”) has submitted a request for zoning of real property within the Town of Timnath, more particularly described in **Exhibit A** (legal description) and **Exhibit B** (Zoning Map) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on April 19, 2022, and the above described Zoning change was recommended for approval to the Town Council by the Town of Timnath Planning Commission by a unanimous vote (5-0); and

WHEREAS, a properly noticed public hearing with the Town Council was held on May 24, 2022 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

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 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 district specified, shall be and the same is hereby amended in the following particulars, to wit:

R-1 (Old Town Residential) – See attached **Exhibits A&B**

Section 2. Conditions

Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

Section 3. Public Hearing

The Town Council held a public hearing on Tuesday, May 24, 2022 regarding the zoning of the property.

Section 4. 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 5. 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 MAY 10, 2022, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON MAY 24, 2022 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 10 DAY OF MAY, 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON MAY 24, 2022.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:


Milissa Peters-Garcia, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

PROPERTY DESCRIPTION

Lot 1, 4025 Kern Street Subdivision located in the Northwest Quarter (NW1/4) of Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), Town of Timnath, County of Larimer, State of Colorado.

Said described parcel of land contains 7,853 square feet or 0.180 acres, more or less (±).

EXHIBIT B

Zoning Map

[attached]

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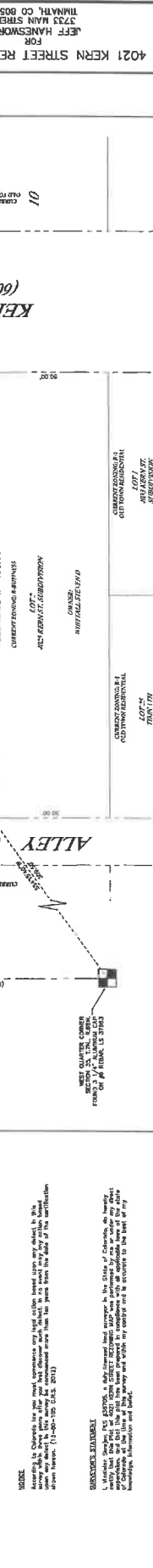
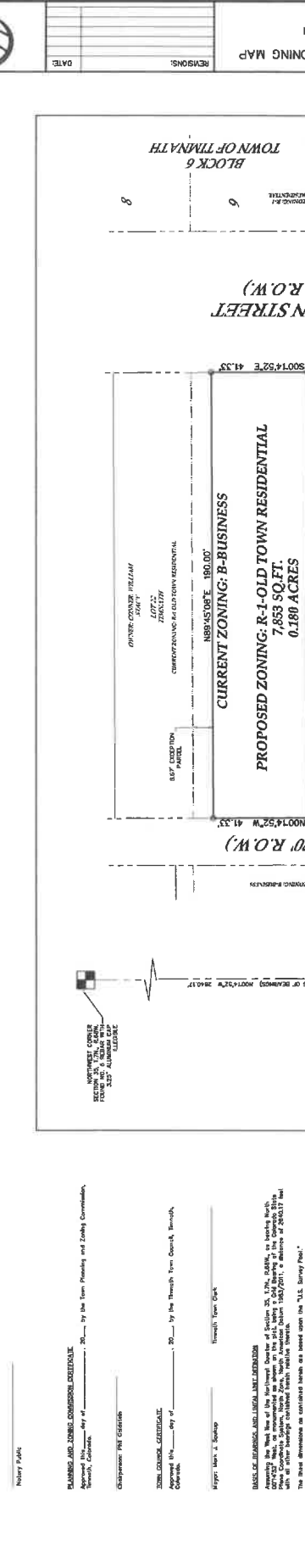
PROJECT LOCATION
 Lot 1, 4021 Kern Street, Subdivision located in the Northwest Quarter (NW1/4) of Section 35, Township 7 North, Range 68 West of the 6th P.M.,
 Situate in the Northwest Quarter of Section 35, Township 7 North, Range 68 West of the 6th P.M.,
 Town of Timnath, County of Larimer, State of Colorado

GENERAL INFORMATION
 Prepared by: _____
 Date: _____
 State of: _____
 County of: _____
 by: _____
 My commission expires: _____
 My commission holder: _____

LOCAL OFFICIALS
 Approved by: _____
 Date: _____
 Title: _____
 My commission expires: _____
 My commission holder: _____

NOTICE
 This map represents the best of the draft as presented to the Board of Commissioners. The Board of Commissioners is not responsible for the accuracy or completeness of the information on this map. It is the responsibility of the user to verify the accuracy and completeness of the information on this map. The Board of Commissioners disclaims any liability for the use of this map for any purpose not intended by the Board of Commissioners.

LEGEND
 SECTION LINE
 RIGHT-OF-WAY LINE
 BOUNDARY LINE
 AS RECORDED CORNER
 CALCULATED POSITION



REMARKS AND ZONING COMMISSION CERTIFICATE
 Approved by: _____
 Date: _____
 Title: _____
 My commission expires: _____
 My commission holder: _____

NOTE
 According to Colorado law, you must, whenever you hold a license based upon any subject, be a resident of Colorado at the time you are issued such license. If you are not a resident of Colorado at the time you are issued such license, you must become a resident of Colorado within the time specified in the statute that authorizes the issuance of such license.

PRELIMINARY
 Outline Survey - as shown on King Survey
 King Survey 825120