

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 16, SERIES 2022**

**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 OCHSNER PROPERTY LOCATED EAST OF THREE BELL
PARKWAY AND SOUTH OF SUMMERFIELDS PARKWAY**

WHEREAS, Hartford Homes 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-3 – Two Family & Multi Family Residential at a public hearing held by the Town of Timnath Planning Commission on Tuesday, September 20, 2022.

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-3 – Two Family & Multi Family Residential – See attached **Exhibit A** (legal description) and **Exhibit B** (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, October 11, 2022 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.

INTRODUCED, MOVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING ON SEPTEMBER 27, 2022, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON OCTOBER 11, 2022 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 27TH DAY OF SEPTEMBER, 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 11TH DAY OF OCTOBER, 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

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, IN TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH PM, LARIMER COUNTY COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST SIXTEENTH CORNER COMMON WITH SECTION 2 AND 11, MONUMENTED WITH A NO. 6 REBAR WITH 3' ALUMINUM CAP IN A RANGE BOX, STAMPED LS 37911;

THENCE N02°06'32"W, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 20140019166 TO THE POINT OF BEGINNING;

THENCE N02°06'32"W, A DISTANCE OF 1164.79 FEET ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE FELDMAN ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 20180016254;

THENCE N88°14'44"E, A DISTANCE OF 1253.51 FEET ON THE SOUTH LINE OF SAID FELDMAN ANNEXATION TO THE SOUTHEAST CORNER THEREOF AND THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3, MONUMENTED WITH A NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED PLS 37065;

THENCE S01°28'56"E, A DISTANCE OF 1164.44 FEET ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION;

THENCE S85°13'46"W, A DISTANCE OF 1240.77 FEET ON SAID NORTH RIGHT OF WAY LINE AND NORTH LINE OF BRUNNER FARM ANNEXATION TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,452,417 SQUARE FEET OR 33.343 ACRES

EXHIBIT B

Zoning Map

[attached]

