

AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO, PROVIDING FOR A CHANGE FROM R2 (LIMITED MULTI-FAMILY) CLASSIFICATION AND USE DESIGNATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING DISTRICT CLASSIFICATION AND USE DESIGNATION WITH A GROSS DENSITY OF 4.475 DU/AC (DWELLING UNITS/ACRE) FOR 1.342 ACRES OF LAND GENERALLY LOCATED AT THE END OF 5TH STREET NORTH OF CAPITAL AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Richard Ball, on behalf of the property owner Evelyn Erickson, has applied for a change in zoning for 1.342 acres of land from R2 (Limited Multi-family) zoning district classification and use designation to PUD (Planned Unit Development) zoning district classification and use designation to allow six (6) residential lots at a gross density of 4.4725 DU/AC (Dwelling Units/Acre); and

WHEREAS, on March 13, 2003, the Planning and Zoning Commission recommended approval of the requested change in zoning; and

WHEREAS, the Board of Trustees finds that the change in zoning will be in compliance with the 1992 Comprehensive Plan and the 2001 Land Use Plan; NOW, THEREFORE

THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD HEREBY ORDAINS:

SECTION I. That the zoning district classification and use designation of the 1.342 acre property described in the legal description attached hereto and incorporated herein as Exhibit A is changed from R2 (Limited Multi-family) zoning district classification and use designation to PUD (Planned Unit Development) zoning district classification and use designation under the comprehensive zoning ordinance of the Town of Berthoud, Colorado.

SECTION II. That the Town's official zoning map is amended to show the change in zoning district classification.

SECTION III. That this ordinance shall become effective thirty (30) days from the date of its passage, and the Town Clerk is hereby directed to cause the ordinance to be published in The Old Berthoud Recorder, a daily newspaper published in the Town of Berthoud, Colorado.

PASSED AND APPROVED this 22nd day of April, 2003.

ATTEST:

Mary K Cowdin
MARY COWDIN, TOWN CLERK

Published: 4-24-03

Milan Karspeck
MILAN KARSPECK, MAYOR

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

SCOTT DOYLE, RECORDER, LARIMER COUNTY CO
RCPTN# 2003-0157623 12/17/2003 11:04:38
PAGES - 2 FEE \$1.00 DOC \$0.00

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EXHIBIT A
ERICKSON REZONING LEGAL DESCRIPTION

Legal Description of a tract of land being a portion of Erickson Second Subdivision to the Town of Berthoud, situate in the Southeast Quarter of Section 14, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado being more particularly described as follows:

Beginning at the Southwest Corner of said Erickson Second Subdivision; thence along the South line of said subdivision North 88° 59'44" East 87.39 feet; thence continuing along said South line North 89°14'01" East 199.94 feet; thence departing said Southerly line North 02°55'03" West 129.47 feet to a point on the Northerly line of said Erickson Second Subdivision; thence along said Northerly line South 89°19'38" West 14.99 feet; thence along the East line of said Erickson Second Subdivision North 02°57'21" West 78.11 feet to a point on the North line of said Erickson Second Subdivision; thence along said North line South 89°39'20" West 269.82 feet to the Northwest Corner of said Erickson Second Subdivision; thence along the West line of said Erickson Second Subdivision South 02°13'09" East 209.87 feet to the POINT OF BEGINNING.

The above described tract of land contains 1.342 acres more or less.