

ORDINANCE NO. 905

AN ORDINANCE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO AMENDING SUBSECTION A(2) OF SECTION 30-3-110 OF THE BERTHOUD DEVELOPMENT CODE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

Section 1.

Subsection A(2) of Section 30-3-110 shall be amended in its entirety to read as follows:

(2) To authorize variances from the terms of this code where the strict enforcement of this title would create a situation which would result in unreasonable application of these standards, or in circumstances where the property owners affected most directly, eg. neighbors, concur in writing with the variance, provided that such relief may be granted without substantial detriment to the neighborhood or the public good and without substantially impairing the intent and purposes of this code, and further provided that there are exceptional circumstances applying to the specific piece of property which do not generally apply to the remaining property in the same zoning area or neighborhood; and further provided that no variance shall authorize any use other than the uses permitted in the zoning district. If the hardship on which the request for variance is based, in whole or in part, is self-inflicted, that will be a highly significant fact which is a material element bearing on the issue and will weigh heavily against the owner or applicant seeking the variance.

Section 2. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting October 23, 2001, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 13th day of November, 2001. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 13th day of November, 2001.

TOWN OF BERTHOUD:

ATTEST:

Milan Karspeck
Milan Karspeck - Mayor

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

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