

ORDINANCE NO. 1193

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO ESTABLISH THE ZONING OF PROPERTY KNOWN AS THE “THE HERON POINTE ANNEXATION – SERIALS 1 – 4 ” NEWLY ANNEXED TO THE TOWN OF BERTHOUD

WHEREAS, certain property known as the “THE HERON POINTE ANNEXATION – SERIALS 1 - 4” has been annexed to the Town of Berthoud by Ordinance Nos. 1189, 1190, 1191, 1192 passed, adopted and approved the 13th day of January 2015; and,

WHEREAS, C.R.S. 31-12-115 requires that newly annexed property be zoned within 90 days of the effective date of the annexation ordinance; and,

WHEREAS, the Planning Commission has considered the zoning request and has recommended that such newly annexed property be zoned to accommodate commercial uses to serve surrounding neighborhoods; and,

WHEREAS, notice has been published as required by law and a public hearing was conducted,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD:

Section 1. The official zoning map of the Town of Berthoud shall be amended by the inclusion of the property hereinafter described and which property is commonly known as the “THE HERON POINTE – SERIALS 1 – 4 ANNEXATION”.

Section 2. The property is more fully described in the property description attached hereto as Exhibit “A” and made part of this Ordinance by this reference.

Section 3. The above described property known as the “THE HERON POINTE – SERIALS 1 – 4 ANNEXATION” is hereby zoned “T-Transitional, C-2 General Commercial, R-3 Multi-Family, and R-1 Single-Family”.

Section 4. Interpretation. This Ordinance shall be so interpreted and construed to effectuate its general purpose.


Section 5. Publication. The Town Clerk shall certify to the passage of this Ordinance, and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning Map.

RECEPTION#: 20150018802, 04/01/2015 at
04:25:18 PM, 1 OF 6, R \$36.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer
County, CO


Section 6. Effective Date: Passed and ordered published this 13th day of January, 2015. This Ordinance shall take effect and be in force thirty (30) days after its publication as required by law.

TOWN OF BERTHOUD

BY: _____


David Gregg, Mayor

ATTEST: _____


Mary Cowdin, Town Clerk

PUBLISH: 1-15-15

EXHIBIT A

Heron Pointe Annexation Zoning Description For Parcel 1 (T-Transitional District):

That portion of the North Half of the Northeast Quarter of Section 3, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, being more particularly described as follows;

Considering the East line of the Northeast Quarter of said Section 3 as bearing North 00°34'15" West and with all bearings contained herein relative thereto;

BEGINNING at the Southeast corner of the North Half of the Northeast Quarter of said Section 3; thence along the East line of the Northeast Quarter of said Section 3, North 00°34'15" West 157.25 feet, more or less to a point on the approximate centerline of Rosewood Drive said point also being the beginning of a non-tangent curve concave to the Southeast, having a central angle of 21°57'56" and a radius of 362.64 feet, the long chord of which bears South 71°05'47" West 138.18 feet; thence Southwesterly along the arc of said curve and along said approximate centerline of Rosewood Drive, 139.03 feet to the approximate centerline of Larimer County Road No. 17 said point also being the beginning of a non-tangent curve concave to the Southwest, having a central angle of 09°32'37" and a radius of 716.30 feet, the long chord of which bears South 18°59'37" East 119.17 feet; thence Southeasterly along the arc of said curve and along said approximate centerline of Larimer County Road No. 17, 119.31 feet to a point on the South line of the North Half of said Northeast Quarter; thence non-tangent from said curve and along said South line, North 89°52'20" East 93.50 feet to the Southeast corner of the North Half of the Northeast Quarter of said Section 3 and the POINT OF BEGINNING.

The above described parcel contains 0.37 acres, more or less, and is subject to any existing easements and/or rights of way of record.

Heron Pointe Annexation Zoning Description For Parcel 2 (C-2 General Commercial District):

That portion of the North Half of the Northeast Quarter of Section 3, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, being more particularly described as follows;

Considering the East line of the Northeast Quarter of said Section 3 as bearing North $00^{\circ}34'15''$ West and with all bearings contained herein relative thereto;

BEGINNING at the Northeast corner of the North Half of the Northeast Quarter of said Section 3; thence along the approximate centerline of Larimer County Road No. 15H the following three (3) courses and distances, South $01^{\circ}19'33''$ West 906.47 feet; thence South $00^{\circ}34'15''$ East 379.18 feet to the beginning of a tangent curve concave to the West, having a central angle of $10^{\circ}45'56''$ and a radius of 270.00 feet, the long chord of which bears South $04^{\circ}48'43''$ West 50.66 feet; thence Southwesterly along the arc of said curve 50.73 feet to the approximate centerline of Rosewood Drive said point also being the beginning of a non-tangent curve concave to the Southeast, having a central angle of $16^{\circ}23'06''$ and a radius of 362.64 feet, the long chord of which bears South $68^{\circ}18'22''$ West 103.35 feet; thence along said approximate centerline of Rosewood Drive and Southwesterly along the arc of said curve 103.70 feet to the approximate centerline of Larimer County Road No. 17 said point also being the beginning of a non-tangent curve concave to the West, having a central angle of $21^{\circ}02'20''$ and a radius of 716.30 feet, the long chord of which bears North $34^{\circ}17'05''$ West 261.55 feet; thence along said approximate centerline of Larimer County Road No. 17 the following four (4) courses and distances and Northwesterly along the arc of said curve 263.02 feet; thence tangent from said curve North $44^{\circ}48'15''$ West 861.46 feet to the beginning of a tangent curve concave to the East, having a central angle of $46^{\circ}26'18''$ and a radius of 716.30 feet, the long chord of which bears North $21^{\circ}35'06''$ West 564.80 feet; thence Northwesterly along the arc of said curve 580.56 feet; thence tangent from said curve North $01^{\circ}38'03''$ East 29.21 feet to a point on the North line of the Northeast Quarter of said Section 3 said point also being the Southeast corner of Section 34, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado; thence along the North line of the Northeast Quarter of said Section 3, South $89^{\circ}35'38''$ East 1078.84 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains 21.30 acres, more or less, and is subject to any existing easements and/or rights of way of record.

Heron Pointe Annexation Zoning Description For Parcel 3 (R-3 Multi-Family District):

That portion of the North Half of the Northeast Quarter of Section 3, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, being more particularly described as follows;

Considering the East line of the Northeast Quarter of said Section 3 as bearing North 00°34'15" West and with all bearings contained herein relative thereto;

Beginning at the Northwest corner of the North Half of the Northeast Quarter of said Section 3; thence along the North line of the Northeast Quarter of said Section 3, North 89°22'33" East 891.93 feet; thence departing said North line, South 00°40'50" East 384.99 feet; thence North 89°21'54" East 608.84 feet to the TRUE POINT OF BEGINNING; thence North 89°21'54" East 128.63 feet to a point the approximate centerline of Larimer County Road No. 17 said point being on a curve concave to the East, having a central angle of 16°58'41" and a radius of 716.30 feet, the long chord of which bears South 36°18'54" East 211.48 feet; thence along said approximate centerline of Larimer County Road No. 17 the following three (3) courses and distances and Southeasterly along the arc of said curve 212.26 feet; thence tangent from said curve South 44°48'15" East 861.46 feet to the beginning of a tangent curve concave to the West, having a central angle of 30°34'57" and a radius of 716.30 feet, the long chord of which bears South 29°30'47" East 377.81 feet; thence Southeasterly along the arc of said curve 382.34 feet to a point on the South line of the North Half of said Northeast Quarter; thence non-tangent from said curve and along said South line, South 89°52'20" West 1070.04 feet; thence departing said South line, North 01°11'05" East 1111.62 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains 16.21 acres, more or less, and is subject to any existing easements and/or rights of way of record.

Heron Pointe Annexation Zoning Description For Parcel 4 (R-1 Single Family District):

That portion of the North Half of the Northeast Quarter of Section 3, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, being more particularly described as follows;

Considering the East line of the Northeast Quarter of said Section 3 as bearing North $00^{\circ}34'15''$ West and with all bearings contained herein relative thereto;

BEGINNING at the Northwest corner of the North Half of the Northeast Quarter of said Section 3; thence along the North line of the Northeast Quarter of said Section 3, North $89^{\circ}22'33''$ East 891.93 feet; thence departing said North line, South $00^{\circ}40'50''$ East 384.99 feet; thence North $89^{\circ}21'54''$ East 608.84 feet; thence South $01^{\circ}11'05''$ West 1111.62 feet to a point on the South line of the North Half of said Northeast Quarter; thence along said South line, South $89^{\circ}52'20''$ West 1467.41 feet to the Southwest corner of the North Half of the Northeast Quarter of said Section 3; thence along the West line of the North Half of the Northeast Quarter of said Section 3, North $00^{\circ}34'27''$ West 1483.22 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains 45.53 acres, more or less, and is subject to any existing easements and/or rights of way of record.