

ORDINANCE NO. 1045

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF  
WALSENBURG ARTICLE XIII ADDING SECTION 6.2(F) ENLARGING  
AUTHORIZED VARIANCES

WHEREAS, the Zoning Ordinance provides specific instances in which the Planning Commission acting as the Board of Adjustment may consider variances to the Zoning Code; and

WHEREAS, the minimum floor area required in (R-1) Low Density Residential Districts and (R-2) Medium and High Density Residential Districts is not specifically listed as an instance where the Planning Commission may consider variances; and

WHEREAS, the city council of the city of Walsenburg finds that it is in the best interest of the city of Walsenburg to allow the Planning Commission to consider variances to the minimum floor area required for dwellings in R-1 and R-2 zoning districts.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Walsenburg as follows.

- a. The Zoning Ordinance of the City of Walsenburg Article XIII is hereby amended by adding Section 6.2(F) as follows.

"6.2 (F). To vary the minimum floor area for single family detached dwellings located within R-1 and R-2 Districts only where the single family detached dwelling is (1) placed permanently on a footer or foundation, and (2) tapped onto the city's water and sewer system separately from any other structure or use on the premises and (3) all other standards for variances set forth in this Article XIII as amended are met."

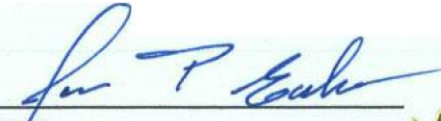
- a. Conflicts. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed or amended to the extent necessary to conform with this ordinance.
- b. Severability. Should any section, clause or provision of this ordinance be declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part declared to be invalid.
- c. Emergency Clause. The City Council of the City of Walsenburg finds that this ordinance is necessary for the immediate preservation of the public health and safety in order to provide due process for property owners who desire to file applications for variances.

PASSED on the first reading and ordered published the 19th day of August, 2014.

ADOPTED and approved the 2nd day of September, 2014.

CITY OF WALSENBURG

DATED this 2nd day of September, 2014.

By:   
Mayor

ATTEST:

  
~~City Clerk / Deputy Clerk~~

