

ORDINANCE NUMBER 223

AN ORDINANCE BY THE BOARD OF TRUSTEES OF THE TOWN OF HUGO TO CHANGE THE ZONING CLASSIFICATION OF THAT PROPERTY KNOWN AS THE SOLOMON ADDITION TO THE TOWN OF HUGO, AS REFLECTED IN THE REPLAT THEREOF.

WHEREAS, the Town of Hugo, hereinafter referred to as the “Town”, located in the County of Lincoln and the State of Colorado, is a body corporate operating as a statutory town pursuant to the general statutes of the State of Colorado; and

WHEREAS, the Town, through Ordinance Number 171, and amendments thereto, has created certain zoning districts within the Town boundaries, and is empowered and authorized by Ordinance and Colorado Revised Statutes, 31-23-301, et. seq., to regulate and restrict the height and size of buildings and other structures and to restrict the use of property, through the orderly creation of zoning districts; and

WHEREAS, state statute above cited, gives to the Board of Trustees of the Town of Hugo, hereinafter referred to as the “Board”, the authority to amend or change its zoning districts when the Board deems such amendment or change to be in the best interests of the citizens of the Town of Hugo; and

WHEREAS, the Board has accepted the replat of certain real property located with the Town of Hugo, known as the Solomon Addition to the Town of Hugo, hereinafter referred to as the “Property”, and the owner of the subject real property has requested that the Property be rezoned from a C-2 Industrial/Commercial district to an R-1 Residential district, so as to accommodate residential housing; and

WHEREAS, the Board has published notice of the requested change in accordance with C.R.S. 31-23-304 and 305, and has accepted public comment through the required public hearing concerning the proposed change; and

WHEREAS, the Board after considering the request for change of zoning through public hearing has determined that it is in the best interests of the citizens of the Town of Hugo, that the zoning for the Solomon Addition to the Town of Hugo be changed from a C-2 Industrial/Commercial district to an R-1 Residential district.

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

Section 1. Change of Zoning

That the property known as the Solomon Addition to the Town of Hugo, as reflected in the replat of the Industrial Park Addition to the Town of Hugo, Tract A, Lots 7 through 21, and Lots 23 through 35, part of Section 31, Township 10 South, Range 54 West of the 6th P.M., Town of Hugo, County of Lincoln, State of Colorado, is henceforth to be zoned as R-1 Residential district, as that term is defined in Town Ordinance Number 171.

Section 2. Severability

If any portion or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Ordinance, the intention being that the same are severable.

Section 3. Enforcement Date

Pursuant to C.R.S. 31-23-304, this Ordinance shall take effect immediately upon adoption, after the publication of required notice, the hearing of the public, and the Board’s ultimate determination that this Ordinance is in the best interests of the citizens of the Town of Hugo. The Ordinance shall then be authenticated by the signatures of the Mayor and Clerk and shall be published as required by law.

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INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this eighteenth day of June, 2007.

Patsie E. Smith; MAYOR

ATTEST:

Garald L. Ensign; TOWN CLERK

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