

ORDINANCE NO. 1345

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD
TO REZONE THE FICKEL FARM 5TH FILING PROPERTY PREVIOUSLY ZONED
TO PLANNED UNIT DEVELOPMENT TO URBAN RESIDENTIAL DISTRICT.**

WHEREAS, the property under consideration is known as the “Fickel Farm 5th Filing” development and was zoned to Planned Unit Development by Ordinances 747 in 1996 by the Town of Berthoud; and

WHEREAS, the applicant has reviewed the 2021 Comprehensive Plan and seeks to incorporate the Town’s new zoning classifications and conform to the land development vision outlined in the 2021 Comprehensive Plan at the request of staff; and

WHEREAS, the Planning Commission considered the request to rezone the property at their public hearing on October 24, 2024 and moved to forward their approval of the request to the Town Board of Trustees; and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on October 24, 2024, before the Berthoud Planning Commission and a public hearing was conducted on November 12, 2024, before the Board of Trustees as required by law; and

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

Section 1. Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as the “Fickel Farm 5th Filing” development as described in Exhibit A, shall be rezoned from Planned Unit Development to Urban Residential (UR) as illustrated in Exhibit B.

Section 2. Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 3. 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 District Map.

Section 4. Effective Date: The provisions of this Ordinance shall take effect thirty days after publication as required by law.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL on this 12th day of November 2024.

TOWN OF BERTHOUD

By 
William Karspeck, Mayor

ATTEST:


By: 
Christian Samora, Town Clerk



EXHIBIT A: LEGAL DESCRIPTION

Tract 1, Fickel Farm PUD Fourth Filing, Town of Berthoud, County of Larimer, State of Colorado.

Tract 2, Fickel Farm PUD Fourth Filing, Town of Berthoud, County of Larimer, State of Colorado.

TRACTS 1 AND 2, FICKEL FARMS FOURTH PUD FILING LOCATED IN A
PORTION OF SECTION 24, TOWNSHIP 4 NORTH,
RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO



A parcel of land, being part of PDXS# 1 Farm 400 (partially) TUNG located in the Northwest Quarter of Section 24, Township 4 North, Range 68 West of the 8th Principal Meridian, Town of Belvedere, County of Laramie, State of Colorado, containing approximately 7.9 acres, more or less, as shown by the attached plat, was surveyed and recorded in the Public Land Survey System of the County of Laramie, State of Colorado, located in the Northwest Quarter of Section 24, Township 4 North, Range 68 West of the 8th P.M., more particularly described as follows:

Considering the North line of the Northwest Quarter of said Section 24 was assumed to bear South 89°30'W; therefore, between the monuments shown and described herein and all bearings contained herein relative thereto;

Beginning at the Southeast corner of the Southwest Quarter of said Section 24, thence along the West line of said Northwest Quarter, South 02°04'43"E, a distance of 430.00 feet, to a point on the westerly prolongation of the North line of said Section 24, bearing therefrom North 52°22'N, a distance of 160.00 feet, thence departing said West line, North 89°50'SE, a distance of fifty feet, prolonging and then the North line of said Parcel Farm P.D.I.S. from said starting place, 90.00 feet to the Southwest corner of the Victoria Square Subdivision to the Town of Belvedere.

Thence North 02°22'N, along the East line of said Victoria Square Subdivision, a distance of 90.00 feet to the TRUE POINT OF BEGINNING hereof, thence following the true course of said Parcel Farm P.D.I.S. from said starting place, following Thence, courses and distances,

- 1) North 02°55' West, a distance of 29.53 mile
- 2) North 08°30' East, a distance of 466.72 mile
- 3) North 02°25' East, a distance of 129.37 mile
- 4) Along the arc of a circle to the left having a central angle of 2°44' and a radius of 59.62 mile are an length of 7.53 mile the chord of said curve bears South 89°07' West, a distance of 36.29 mile
- 5) North 53°02' East, a distance of 69.44 mile
- 6) Along the arc of a circle to the right having a central angle of 90°00' and a radius of 15.50 mile are an length of 15.50 mile the chord of said curve bears South 41°54' West, a chord length of 21.21 mile
- 7) South 41°54' West, a distance of 71.48 mile
- 8) North 89°07' West, a distance of 36.29 mile
- 9) Along the arc of a circle to the left having a central angle of 60°07' and a radius of 15.50 mile are an length of 15.50 mile the chord of said curve bears South 69°52' West, a chord length of 36.33 mile
- 10) North 69°47' West, a distance of 91.82 mile
- 11) Along the arc of a circle to the right having a central angle of 61°17' and a radius of 73.03 mile are an length of 87.56 mile the chord of said curve bears South 69°47' West, a distance of 91.82 mile
- 12) Along the arc of a circle to the right having a central angle of 1°53'19" and a radius of 27.03 mile are an length of 129.86 mile the chord of said curve bears South 89°56' East, a distance of 20.15 mile to the TRUE POINT OF CURVE
- 13) South 89°56' East, a distance of 20.15 mile to the TRUE POINT OF CURVE

Contains 121, 129 curve mile more or less

PROPERTY DESCRIPTION TRACT 2

[illegible]

1) North $07^{\circ}12'57''$ West, a distance of 295.13 feet;
2) North $09^{\circ}30'37''$ East, a distance of 466.72 feet;
Thence South $89^{\circ}30'57''$ West, a distance of 58.30 feet along the southerly right of way of Colorado State Highway No. 56 to the TRIPLE POINT OF BEGINNING
thence along the boundary of said Tract 2, Fossil Farm PUD Fourth filing the following line (9) courses and distances:
1) North $09^{\circ}30'37''$ East, a distance of 506.72 feet;
2) South $00^{\circ}02'27''$ East, a distance of 800.00 feet;
3) North $89^{\circ}30'37''$ East, a distance of 800.00 feet;
4) South $00^{\circ}02'27''$ East, a distance of 232.25 feet;
5) North $09^{\circ}30'52''$ West, a distance of 243.73 feet;
6) along the arc of a curve to the right having a central angle of $86^{\circ}55'24''$ and a radius of 110.00 feet on an length of 260.80 feet the chord of said curve bears North $09^{\circ}30'52''$ West, a distance of 243.73 feet;
7) North $03^{\circ}02'51''$ West, a distance of 258.62 feet;
8) along the arc of a curve to the right having a central angle of $06^{\circ}03'20''$ and a radius of 348.00 feet on an length of 20.80 feet the chord of said curve bears North $01^{\circ}43'59''$ West, a distance of 20.80 feet;
9) North $02^{\circ}27'35''$ West, a distance of 128.38 feet to the TRIPLE POINT OF BEGINNING
Containing 84.21 Square feet more or less.

VICINTY MAP:

SCALE 1" = 1000'

APPROVAL STATEMENTS

APPROVAL CERTIFICATE:
THIS IS TO CERTIFY THAT THE REZONING OF THE ABOVE DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE TOWN OF BERTHOUD, WYOMING, ON THE _____ DAY OF _____, 2024, AND THAT THE MAYOR OF THE TOWN OF BERTHOUD IS AUTHORIZED BY AND OR ORDINANCE ON BEHALF OF THE TOWN OF BERTHOUD HEREBY FOR ALL ACKNOWLEDGES AND ADOPTS THE SAID REZONE UPON WHICH THE CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED HEREON.

APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD
COLORADO THIS _____ DAY OF _____ 2024.

MAYOR

THE FOREGOING MAP IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF
BERTHOUD, COLORADO THIS DAY OF 2024.

ATTEST TOWN CLERK

APPROVAL CERTIFICATE
APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF BERTHOUD

CHARMAN

THE FOREGOING MAP IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF BERTHOUD, COLORADO THIS _____ DAY OF _____, 2024.

ATTEST _____
PLANNING TECHNICIAN

LEGEND

INDICATES SECTION LINE
INDICATES EASEMENT
INDICATES UTILITY EASEMENT
INDICATES CONTROL CORNER AS
DESCRIBED HEREON
EXISTING ZONING ON ADJACENT
PARCELS (WITH USE)

ZONING

CURRENT: PUD
PROPOSED: URBAN RESIDENTIAL

SURVEYORS STATEMENT

I, MICHAEL J. DREBECKER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF ZONING AMENDMENT MAP WAS MADE UNDER MY SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND IS IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF BERTHOUD.

MICHAEL J. DEDECKER P.L.S. 20676
FOR AND ON BEHALF OF
DEDECKER LAND SURVEYING, LLC

OWNERS STATEMENT

BY WILLIAM J. EDWARDS
AS MANAGER
OF BERTHOUD HOMES, LLC

STATE OF WYOMING)
) SS
COUNTY OF LARAMIE)

THE FOREGOING DEDICATION
DAY OF _____
MANAGER OF BERTHOUD HO
MY COMMISSION EXPIRES _____

.....



**DEDECKER
LAND SURVEYING**
4301 FAWN TRAIL
LOVELAND, COLORADO 80553
C (970) 217-2331 H (970) 663-2011

BERTHOUD HOMES LLC
KEL FARMS OVERALL DEVELOPMENT PLAN
PART OF THE NW 1/4 SECTION 24, T4N, R63W,
TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO

DESIGNED BY
DRAWN BY
CHECKED BY
APPROVED BY
DATE
NOVEMBER 27, 2023
SCALE
1"=100'
PROJECT NO.
SHEET
1 OF 1