

**ORDINANCE NO. 2003-2
TOWN OF RICO
APPROVING THE CARTER REPLAT**

WHEREAS, the Rico Planning Commission recommended approval of the Carter Replat after conducting a public hearing on April 15th, 2003;

WHEREAS, the Rico Town Board conducted a public hearing on April 16th, 2003;

WHEREAS, the Carter Replat involves a preexisting grandfathered structure on Lot 33, Block 7, whereby an additional ½ lot (south half of Lot 34) comprising 1,250 sq.ft. is added to Lot 33 creating a larger yet still non-conforming Lot 33R which is less than the minimum 5,000 sq.ft.;

WHEREAS, the Rico Land Use Code, section 528.2 J allows for the approval of subdivisions that deviate from the minimum standards where a better overall design can be achieved;

WHEREAS, the Board of Trustees finds that the Carter Replat presents a unique situation that includes a historic grandfathered structure on a non-conforming lot and that allowing the addition of ½ lot will improve the residential use and function of the lot and will thereby promote the health, safety and general welfare of the Rico community;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1. CARTER REPLAT APPROVED

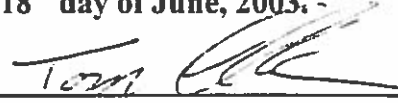
The Carter Replat for Lots 33 through 36, Block 7, to create Lots 33R and 35R is hereby approved by this Ordinance NO. 2003-2. This Ordinance NO. 2003-2 is hereby deemed to control and supercede in the event of any conflict or inconsistency with the Rico Land Use Code.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective immediately upon final adoption.


SECTION 3. POSTING AND PUBLISHING. This Ordinance shall be posted at the Rico Post Office and Rico Town Hall and published in the Rico Sun-Times.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 13th day of May, 2003.


READ AND APPROVED ON SECOND AND FINALLY READ AFTER CONDUCTING A PUBLIC HEARING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 18th day of June, 2003.



By: Tom Clark, Mayor



Attest: Linda Yellowman, Town Clerk
[Town Seal]



Approved as to Form: Eric James Heil, Esq.
Town Attorney