

ORDINANCE 2004 A277

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 404-13-451M FROM RCU-2A TO R1L-18 FOR 19.77 ACRES. THIS REZONING IS TO ALLOW FOR THE DEVELOPMENT OF HINCH SPRINGS SUBDIVISION OFF OF VERDE LAKES DRIVE.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2004-07** was filed by AZNorth Development, Inc and Zane Grey Investments, LLC, agents for owners Downey Enterprises, for the purpose of rezoning parcel **404-13-451M from RCU-2A to R1L-18**. The legal description is attached as **Exhibit A**.
 - B. The Zoning Map Change was reviewed by the Planning Commission on **August 12, 2004** in public hearing that was advertised and posted according to state law and by the Town Council on **August 25, 2004**.
 - C. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- II. **Zoning Map Change 2004-07** is approved, based upon the following findings:
- A. The zoning map change will not injure the public health safety, or welfare of the general public.
 - B. The property is shown as Residential/Higher Density in the Town's General Plan Land Use Map; therefore, the proposed zoning map

change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.

- C. The Town Council hereby approves **Zoning Map Change 2004-07** for the purpose of developing Hinch Springs Subdivision.
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Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 25th day of August 2004, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: Mitch Dickinson
Mitch Dickinson, Mayor

Date: AUG, 25, 2004

Attest: Deborah Barber
Deborah Barber, Town Clerk

Approved as to form:

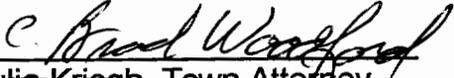

Julie Kriegh, Town Attorney

EXHIBIT A

THAT PORTION OF SECTION 11, TOWNSHIP 13 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING BEGIN AT THE NORTH 1/16 CORNER OF SAID SECTION 11 AND SECTION 12 BEING A BRASS CAP SAYING NORTH 1/16 SECTION 11, SECTION 12, 1974 AND SET BY BLM IN 1974 (THE NORTHEAST CORNER OF VERDE LAKES SUBDIVISION LIES SOUTH 66°56' WEST, 2195.33 FEET AS LOCATED IN THE FIELD);

THENCE SOUTH 00°22'09" EAST, 1712.61 FEET (M) SOUTH 00°23' EAST, 1712.670 (RECORDED BLM) FROM SAID NORTH 1/16 TO THE CLOSING CORNER OF SAID SECTION 11 AND SECTION 12 WITH THE ABANDONED FORT VERDE GARDEN RESERVATION LINE BEING A MARKED STONE SAYING C.C.F.V.G.R., SECTION 11 AND SECTION 12;

THENCE SOUTH 55°50' 37" WEST (M), SOUTH 55°52' WEST (RECORD BLM), 846.47 FEET ALONG SAID ABANDONED FORT VERDE GARDEN RESERVATION LINE TO THE SOUTHERLY RIGHT-OF-WAY OF STATE ROUTE 260, GENERAL CROOK TRAIL, BEING POC 270+58.39 ALSO BEING 66 FEET RIGHT OF THE OLD HIGHWAY STATE ROUTE 260 CENTERLINE, BEING AN IRON PIN SET BY A.D.O.T. IN AUGUST OF 1995 ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID ABANDONED FORT VERDE GARDEN RESERVATION LINE SOUTH 55°50'27" WEST (M), SOUTH 55°52' WEST (BLM), 1790.68 FEET;

THENCE NORTH 150.55 FEET (M) NORTH 00°04' WEST, 198.99 FEET (R);

THENCE SOUTH 89°58'15" WEST, 316.59 FEET (M), SOUTH 89°56' WEST (R);

THENCE SOUTH 89°52'15" WEST, 142.00 FEET (M), SOUTH 89°56' WEST (R) TO A POINT ON THE MID LINE OF SAID SECTION 11 ABOVE THE SAID ABANDONED FORT VERDE GARDEN RESERVATION LINE;

THENCE NORTH 00°27' EAST, 443.46 FEET (M AND BASIS OF BEARINGS), NORTH 00°04' WEST, 421.29 FEET (RECORD) ALONG SAID MID LINE OF SECTION 11, 432.71 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 260 (GENERAL CROOK TRAIL) BEING POT 250+61.76 ALSO BEING 66 FEET RIGHT OF THE OLD HIGHWAY STATE ROUTE 260 CENTERLINE ALSO BEING AN IRON PIN SET BY A.D.O.T. IN AUGUST OF 1995;

THENCE NORTH 74°45'52" EAST, 1565.72 FEET (CALCULATED, A.D.O.T.) NORTH 74°28'26" EAST, 1611.43 FEET (R) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 260 TO PC 266+27.48 (M) BEING 66 FEET RIGHT OF THE OLD HIGHWAY STATE ROUTE 260 CENTERLINE ALSO BEING AN IRON PIN SET BY A.D.O.T. IN 1995;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 888.93 FEET, CHORD OF NORTH 88°38'04" EAST, 430.55 FEET, A DISTANCE OF 430.71 FEET TO THE POC 270+58.03 (M), BEING 66 FEET RIGHT OF THE OLD HIGHWAY STATE ROUTE 260 CENTERLINE ALSO BEING AN IRON PIN SET BY A.D.O.T. IN 1995 AND ALSO BEING THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-

WAY LINE OF SAID STATE ROUTE 260 (GENERAL CROOK TRAIL) AND THE ABANDONED FORT VERDE GARDEN RESERVATION LINE AND THE TRUE POINT OF BEGINNING.