



ORDINANCE 2004 A283

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 404-02-030W FROM R1-35 TO C3 FOR 8.35 ACRES. THIS REZONING IS TO ALLOW FOR THE DEVELOPMENT OF A PUBLIC STORAGE FACILITY. THE LOCATION OF THE SITE IS AT THE END OF MCDONALD ROAD OFF HOWARD'S ROAD.

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 2004-03** was filed by LaMoin and Judy Gilbert, owners, for the purpose of rezoning parcel **404-02-030W, from R1-35 to C3**. 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 2004-03** 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 was changed to Commercial in the Town's General Plan Land Use Map by GPAMD 2004-01; 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 2004-03** for the purpose of developing a public storage facility as presented in the site plan submitted and shown in **Exhibit B**.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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, Mayor

Date: Sept. 9, 2004

Attest: 
Deborah Barber, Town Clerk

Approved as to form:


Town Attorney

EXHIBIT A

A parcel of land located within the Southeast Quarter of Section 5, Township 13 North, Range 5 East, Gila and Salt Rive Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 3614, Page 438, [Record Source #1 (R1)] Official records of the Yavapai County Recorder, and is more particularly described as follows

FOR REFERENCE COMMENCE at the B.L.M. brass cap marking the East Quarter corner of said Section 5, from which a 1/2" rebar with tag stamped L.S. 29263, marking the Southeast corner of said Section 5 bears South 00° 02' 00" East, at a distance of 2,643.41 feet; Thence South 00° 02' 00" West, a distance of 991.70 feet, along the East line of said Section 5, to a plastic cap atop a 1/2" rebar stamped L.S. 29263; and the TRUE POINT OF BEGINNING;

Thence South 89° 56' 05" West, a distance of 646.48 feet, to the East line of said Section 5 and a plastic cap atop a 1/2" rebar stamped L.S. 29263;

Thence South 00° 02' 00" East, a distance of 564.44 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 89° 39' 09" East, a distance of 646.48 feet, to the East line of said Section 5 and a plastic cap atop a 1/2" rebar stamped L.S. 29263;

Thence North 00° 02' 00" West, a distance of 561.26 feet, along said Section line to the TRUE POINT OF BEGINNING;

Subject parcel of land contains 8.354 acres more or less and is subject to all conditions, reservations and other items of the public record that may be pertinent to said property.



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EXHIBIT B

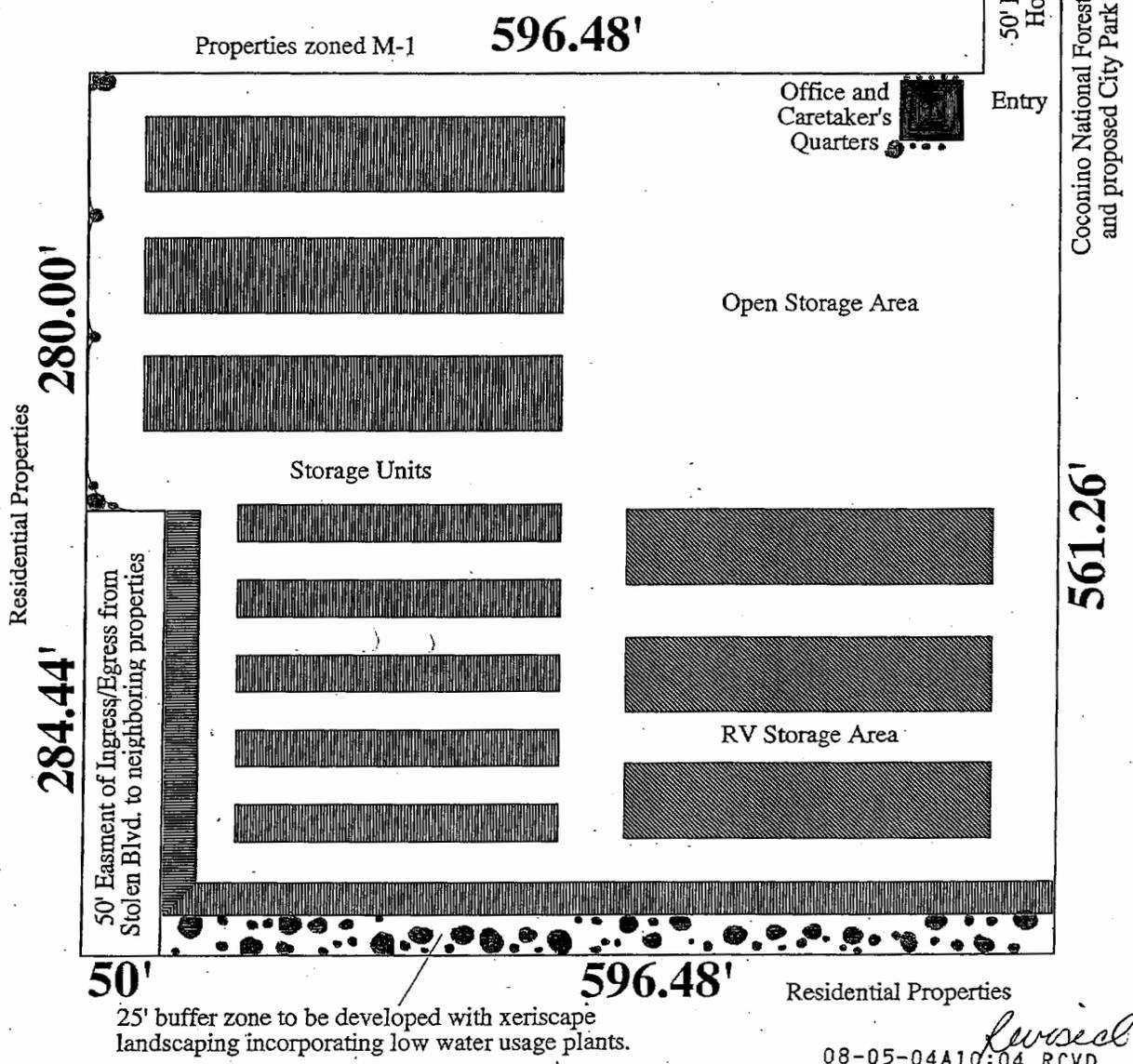
LaMoin and Judy Gilbert

Conceptual drawing showing future layout of storage units proposed to provide a buffer zone between existing residential properties and properties zoned M-1.



Total Square Footage of Property....348,621
Total Square Footage of Structures...98,120
Percentage of Property Covered.....28%

**±8.35
ACRES**
Scale: 1" = 100'



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