



## ORDINANCE 2005 A300

**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 PARCELS 403-20-002 AND 403-20-147 CONSISTING OF APPROXIMATELY 52.48 ACRES FROM RCU-2A TO R1L-35. THIS REZONING IS TO ALLOW FOR RESIDENTIAL DEVELOPMENT. PROJECT LOCATION IS AT THE END OF NEWTON LANE.**

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*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 2005-03** was filed by Tom Pender of Pender Engineering, agent for Mark Weiland-Lucky Canyon Properties, LLC owners, for the purpose of rezoning parcels **403-20-002 and 403-20-147 FROM RCU-2A TO R1L-35**. The legal description is attached as **Exhibit A**.
  - B. The Zoning Map Change was reviewed by the Planning Commission on **February 10, 2005** in public hearing that was advertised and posted according to state law and by the Town Council on **March 23, 2005**.
  - 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 2005-03** 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 is shown as Agriculture/Residential on the Town's General Plan Land Use Map and is therefore, consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
  - C. The property must be annexed into the Camp Verde Fire District as soon as possible.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted are hereby repealed, effective as of the effective date of this ordinance.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 23rd day of March 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved: Mitch Dickinson  
Mitch Dickinson, Mayor

Date: Mar. 25, 2005

Attest: Deborah Barber - 3-31-05  
Deborah Barber, Town Clerk

Approved as to form:

C. Paul Woodford  
Town Attorney

EXHIBIT A

A parcel of land in Section 14, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

**BEGINNING** at the East quarter corner of said Section 14, being a found stone with "1/4" chiseled in the West face, from which the Southeast Corner of said Section 14 a found BLM Brass cap, bears South 1 degree 43 minutes 23 seconds West, 2655.17 feet (South 1 degree 43 minutes West, a distance of 2653.86 feet record per BLM plat and notes officially filed November 3, 1975, hereinafter referred to as record);

**THENCE** South 1 degree 43 minutes 23 seconds West along the East line of the Southeast Quarter of said Section 14, a distance of 663.79 feet to a found 1/2 inch rebar with steel washer stamped "LS 5164" at the Northeast corner of Verde West Acres, per Book 12 of Maps, page 89, also being the Southeast corner of the North half of the Northeast quarter of the Southeast quarter;

**THENCE** North 86 degrees 49 minutes 52 seconds West along the North line of said Verde West Acres, a distance of 419.71 feet to a found 1/2 inch rebar with no identification;

**THENCE** North 86 degrees 49 minutes 52 seconds West along the North line of said Verde West Acres, a distance of 287.36 feet to a found 1/2 inch rebar with no identification;

**THENCE** North 86 degrees 49 minutes 52 seconds West along the North line of said Verde West Acres, a distance of 160.25 feet to a found 1/2 inch rebar with no identification;

**THENCE** North 86 degrees 49 minutes 52 seconds West along the North line of said Verde West Acres, a distance of 451.07 feet to a set 1/2 inch rebar with aluminum tag stamped "LS 32224" at the Northeast Corner of Lot 8, Verde West Acres;

**THENCE** North 2 degrees 06 minutes 33 seconds East along the East line of Lot 7, Verde West Acres, a distance of 15.44 feet to a found 1/2 inch rebar with no identification, at the Northeast corner of said Lot 7, also being the Southeast corner of Lot 12, Buena Vista Estates, per Book 16 of Maps, Page 22;

**EXHIBIT "A"**  
**(Continued)**

THENCE North 0 degrees 00 minutes 00 seconds East along the West line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, 160.07 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 0 degrees 00 minutes 00 seconds East along the West line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, 7.28 feet to the Northwest corner of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920;

THENCE North 82 degrees 48 minutes 46 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 125.67 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 76 degrees 58 minutes 56 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records page 920, a distance of 115.05 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 80 degrees 01 minutes 57 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 108.64 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 77 degrees 40 minutes 20 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 128.51 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 79 degrees 36 minutes 50 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 121.89 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 62 degrees 29 minutes 25 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 837.32 feet to a point on the East line of said Section 14;

**EXHIBIT "A"**  
**(Continued)**

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 94.00 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 254.92 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 127.80 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 100.17 feet to a point on the South line of the North half of the Northeast quarter of the Southeast quarter;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 27.27 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 127.74 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 127.64 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 255.16 feet to a found ½ inch rebar with no identification;

THENCE North 2 degrees 06 minutes 33 seconds East along the East line of said Buena Vista Estates, a distance of 184.51 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224" at the Northeast corner of said Buena Vista Estates;

THENCE North 0 degrees 00 minutes 00 seconds East along the West line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records page 920, 29.65 feet to POINT "A", a set ½ inch rebar with aluminum tag stamped "LS 32224" on the South line of Lot 8, Liberty Hill Park, per Book 11 of Maps, page 90;

**EXHIBIT "A"**  
**(Continued)**

THENCE South 1 degree 46 minutes 30 seconds West along the East line of said Section 14, a distance of 1417.45 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described real estate:

BEGINNING at the hereinabove described POINT "A";

THENCE North 0 degrees 00 minutes 00 seconds East along the West line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, 160.07 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE North 0 degrees 00 minutes 00 seconds East along the West line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, 7.28 feet to the Northwest corner of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920;

THENCE North 82 degrees 48 minutes 46 seconds East along the North line of that property described in Book 2167 of Official Records, page 6 and in Book 2170 of Official Records, page 920, a distance of 0.73 feet to a point on the East line of Lot 8, of said Liberty Hill Park;

THENCE South 0 degrees 00 minutes 00 seconds East along the East line of said Lot 8, a distance of 7.09 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224";

THENCE South 0 degrees 00 minutes 00 seconds East along the East line of said Lot 8, a distance of 159.98 feet to a set ½ inch rebar with aluminum tag stamped "LS 32224" at the Southeast corner of said Lot 8;

THENCE South 62 degrees 26 minutes 18 seconds West, a distance of 0.81 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM any portion of the above described property lying within the meanderland of the Verde River.