



## ORDINANCE 2005 A309

**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 403-19-010B, 403-21-001, 403-21-001A, 403-21-001B AND 404-18-158C CONSISTING OF APPROXIMATELY 16.67 ACRES FROM RCU-2A AND R1L-70 TO R1L-35. THIS REZONING IS TO ALLOW FOR RESIDENTIAL DEVELOPMENT. PROJECT LOCATION IS THE SOUTH SIDE OF ARENA DEL LOMA JUST EAST OF THE I-17 OVER-PASS.**

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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 2005-12** was filed by Douglas Hall co-owner, for the purpose of rezoning parcels **403-19-010B, 403-21-001, 403-21-001A, 403-21-001B and 404-18-158C FROM RCU-2A and R1L-70 TO R1L-35**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **May 12, 2005** in public hearing that was advertised and posted according to state law and by the Town Council on **May 25, 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 2005-12** 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 has been reclassified on the Town's General Plan Land Use Map as Low Density Residential by Resolution 2005-645; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.

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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 May 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved: Witch Dickinson  
Mayor

Date: May, 26, 2005

Attest: Deborah Barber  
Deborah Barber, Town Clerk

Approved as to form:

C. Brad Woodford  
Town Attorney

EXHIBIT A  
LEGAL DESCRIPTION

A portion of the North one-half of the Northeast one-quarter of Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona and described as follows:

BEGINNING at the Northeast corner of said Section 24; Thence South  $1^{\circ}41'13''$  West 34.18 feet (South  $1^{\circ}49'$  West 24.19 feet, record) along the line common to Sections 24 and 19 to the centerline of the Middle Verde Road described in Book 17, pages 33 through 34 and Book 18, page 8 of Maps of said County; Thence Southerly 95.90 feet along a curve to the right whose radius is 747.89 feet through a delta angle of  $7^{\circ}20'48''$  and the centerline of said Middle Verde Road; Thence South  $35^{\circ}19'10''$  East 674.88 feet (South  $35^{\circ}12'$  East and South  $35^{\circ}15'$  East, record) along the centerline of said Middle Verde Road; Thence South  $89^{\circ}51'15''$  West 936.18 feet (North  $89^{\circ}52'$  West, record) to the TRUE POINT OF BEGINNING; Thence South  $89^{\circ}51'15''$  West 477.18 feet (North  $89^{\circ}52'$  West, record) to the Easterly right of way of Interstate Highway 17; (Cordes Jct.–Flagstaff Highway); Thence North  $23^{\circ}44'50''$  East 220.27 feet along the Easterly right of way of said Interstate Highway 17; Thence North  $89^{\circ}51'15''$  East 387.96 feet; Thence South  $0^{\circ}08'45''$  East 201.40 feet to the TRUE POINT OF BEGINNING.

EXCEPTING any portion lying within the following described property:

Those portions of the South half of the South half of the Southeast quarter of the Southeast quarter of Section 13 and the North half of the Northeast quarter of the Northeast quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, which lie within the following described tract of land:

BEGINNING at a point on the line common to said Section 13 and 24, which point bears North  $89^{\circ}59'20''$  West 671.96 feet from the East corner common to said Section 13 and 24; Thence South  $23^{\circ}44'50''$  West 896.32 feet; Thence South  $66^{\circ}15'10''$  East 25.00 feet; Thence South  $23^{\circ}44'50''$  West 150.00 feet; Thence North  $66^{\circ}15'10''$  West 40.00 feet; Thence South  $23^{\circ}44'50''$  West 350.00 feet; Thence North  $66^{\circ}15'10''$  West 24.85 feet to the existing Southeasterly right of way line of Interstate Highway 17 (Cordes Jct.-Flagstaff Highway); Thence North  $23^{\circ}44'50''$  East along said existing Southeasterly right of way line a distance of 1622.95 feet to the point of juncture with the existing Southerly right of way line of South Middle Verde Road; Thence South  $66^{\circ}15'10''$  East along said Southerly right of way line, a distance of 149.85 feet; Thence South  $69^{\circ}13'14''$  West 154.30 feet; Thence South  $23^{\circ}44'50''$  West 118.44 feet to the POINT OF BEGINNING.

PARCEL 1:

The North half of the Northeast quarter of the Northeast quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, lying East of State Highway 79, now known as Interstate Highway 17.

EXCEPTING THEREFROM the following described parcel:

A portion of the North one-half of the Northeast one-quarter of Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona and described as follows:

LEGAL DESCRIPTION (Continued)

BEGINNING at the Northeast corner of said Section 24; Thence South  $1^{\circ}41'13''$  West 34.18 feet (South  $1^{\circ}49'$  West 24.19 feet, record) along the line common to Sections 24 and 19 to the centerline of the Middle Verde Road described in Book 17, pages 33 through 34 and Book 18, page 8 of Maps of said County; Thence Southerly 95.90 feet along a curve to the right whose radius is 747.89 feet through a delta angle of  $7^{\circ}20'48''$  and the centerline of said Middle Verde Road; Thence South  $35^{\circ}19'10''$  East 674.88 feet (South  $35^{\circ}12'$  East and South  $35^{\circ}15'$  East, record) along the centerline of said Middle Verde Road; Thence South  $89^{\circ}51'15''$  West 936.18 feet (North  $89^{\circ}52'$  West, record) to the TRUE POINT OF BEGINNING; Thence South  $89^{\circ}51'15''$  West 477.18 feet (North  $89^{\circ}52'$  West, record) to the Easterly right of way of Interstate Highway 17, (Cordes Jct.-Flagstaff Highway); Thence North  $23^{\circ}44'50''$  East 220.27 feet along the Easterly right of way of said Interstate Highway 17; Thence North  $89^{\circ}51'15''$  East 387.96 feet; Thence South  $0^{\circ}08'45''$  East 201.40 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

That portion of the South half of the South half of the Southeast quarter of the Southeast quarter of Section 13, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, lying South of the Centerline of Middle Verde Road, dedicated by Book 17 of Maps, page 34, and East of State Highway No. 79, now known as Interstate Highway 17.

PARCEL 3:

The North half of Lot 1 of Section 19, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian.

EXCEPTING THEREFROM the following described parcel:

BEGINNING at the Northwest corner of said Section 19 being the TRUE POINT OF BEGINNING; Thence South  $1^{\circ}49'$  West, 24.19 feet to the center line of a road; Thence South  $35^{\circ}12'$  East, (South  $35^{\circ}15'$  East, record) 799.40 feet along said center of above mentioned road; Thence South  $89^{\circ}52'$  East 309.93 feet; Thence North  $0^{\circ}17'$  West, 660.04 feet; Thence North  $89^{\circ}52'$  West, 755.17 feet to the POINT OF BEGINNING.

ALSO EXCEPTING from Parcels 1 and 2 above, any portion lying within the following described property:

Those portions of the South half of the South half of the Southeast quarter of the Southeast quarter of Section 13 and the North half of the Northeast quarter of the Northeast quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, which lie within the following describe tract of land:

BEGINNING at a point on the line common to said Section 13 and 24 which point bears North  $89^{\circ}59'20''$  West 671.96 feet from the East corner common to said Section 13 and 24; Thence South  $23^{\circ}44'50''$  West 896.32 feet; Thence South  $66^{\circ}15'30''$  East 25.00 feet; Thence South  $23^{\circ}44'50''$  West 150.00 feet; Thence North  $66^{\circ}15'10''$  West 40.00 feet; Thence South  $23^{\circ}44'50''$  West 350.00 feet; Thence North  $66^{\circ}15'10''$  West 24.85 feet to the existing Southeasterly right of way line of Interstate Highway 17 (Cordes Jct.-Flagstaff Highway); Thence North  $23^{\circ}44'50''$  East along said existing Southeasterly right of way line a distance of 1622.95 feet to the point of juncture with the existing Southerly right of way line of South Middle Verde Road; Thence South  $66^{\circ}15'10''$  East along said Southerly right of way line, a distance of 149.85 feet; Thence South  $69^{\circ}13'14''$  West 154.30 feet; Thence South  $23^{\circ}44'50''$  West 118.44 feet to the POINT OF BEGINNING.