



ORDINANCE 2008-A351

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 404-28-014G CONSISTING OF APPROXIMATELY 1.68 ACRES FROM R2-1 TO C2. THIS REZONING IS TO ALLOW FOR COMMERCIAL DEVELOPMENT.

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 2008-01** was filed by Mr. Jack Sheehan, agent for ARC Property Investment, LLC, owner, for the purpose of rezoning the parcel **404-28-014G FROM R2 TO C2**. The legal description is attached as **Exhibit A and the Map as Exhibit B**.
 - B. The Zoning Map Change was reviewed by the Planning Commission on **March 6, 2008** in public hearing that was advertised and posted according to state law.
 - C. A neighborhood Meeting was held by the applicant on February 21, 2008 as required by ARS 9-462.03B.
 - D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as **Exhibit C**.
 - E. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
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- II. **Zoning Map Change 2008-01** is approved, based upon the following findings:
- A. The property is classified on the Town's General Plan Land Use Map as Commercial and is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - B. The Zoning Change will promote the public health, safety, and welfare of the general public.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 26TH day of March 2008.

Approved: 
Tony Gioia, Mayor

Date: 4.1.08

Attest: 
Deborah Barber, Town Clerk

Approved as to form:



Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

A portion of the North Half of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona more particularly described as follows:

Commencing at the West quarter corner of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, along the West line of said Section 31, a distance of 1322.66 feet to the Northwest corner of the South half of the Northwest quarter of said Section 31;

Thence South 89 degrees, 59 minutes, 31 seconds East, along the North line of said South half of the Northwest quarter, a distance of 2475.08 feet;

Thence North 89 degrees, 57 minutes, 51 seconds East along said North line a distance of 662.47 feet;

Thence South 00 degrees, 13 minutes, 46 seconds East, a distance of 320.61 feet to the;
TRUE POINT OF BEGINNING

Thence continuing South 00 degrees, 13 minutes, 46 seconds East, a distance of 320.61 feet to the North right-of-way line of Lane Street;

Thence South 89 degrees, 58 minutes 00 seconds West, along said right-of-way a distance of 197.18 feet;

Thence Northwesterly, along said right-of-way on a curve to the right , having a radius of 25.00 feet, through a central angle of 93 degrees, 43 minutes, 43 seconds, a distance of 40.90 feet to the East right-of-way of Cliffs Parkway;

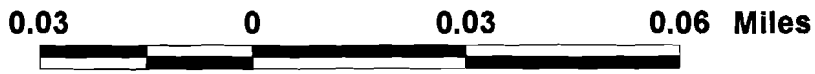
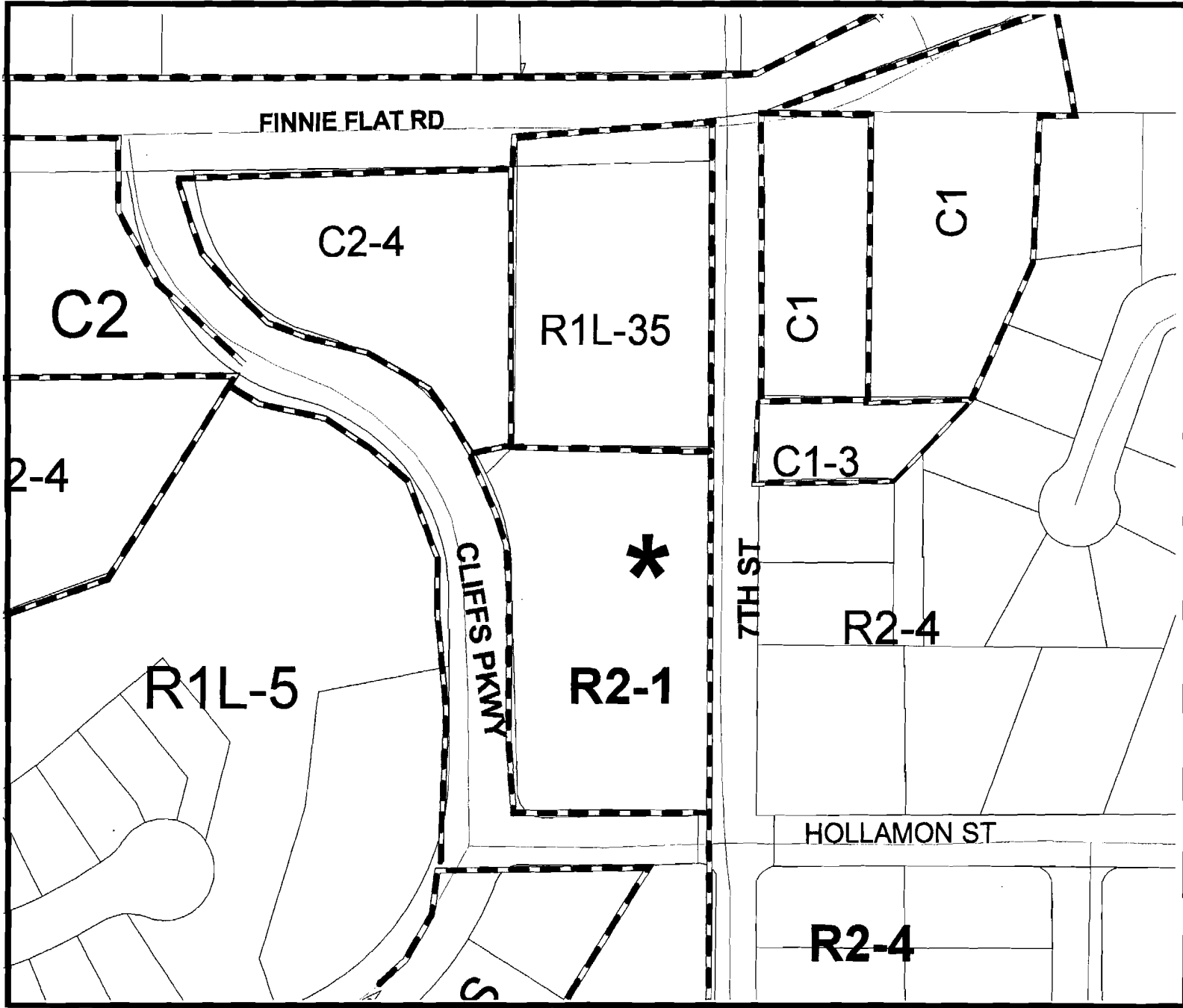
Thence Northerly, along said right-of-way on a curve to the left, having a radius of 320.48 feet, through a central angle of 03 degrees, 55 minutes, 25 seconds, a distance of 21.95 feet;

Thence North 00 degrees, 13 minutes, 46 seconds West, along said right-of-way a distance of 166.67 feet;

Thence Northwesterly, along said right-of-way on a curve to the left, having a radius of 264.00 feet, through a central angle of 28 degrees, 25 minutes, 18 seconds, a distance of 130.96 feet;

Thence North 61 degrees, 20 minutes, 56 seconds East, a distance of 36.18 feet;

Thence North 89 degrees, 16 minutes, 13 seconds East, a distance of 221.30 feet to the
TRUE POINT OF BEGINNING.



ZONING MAP FOR
 ZMC 08-01
 FOR PARCEL 404-28-014G
 FROM R2-1 TO C2

EXHIBIT B
 MAP

ORDINANCE 2008 A351
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EXHIBIT C
WAIVER

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 2008-01 for parcel 404-28-014G. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 19 day of March, 2008.

OWNER:

Frances Champion
Print Name

Frances Champion
Sign Name

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 19 day of March, 2008, before me, the undersigned Notary Public, personally appeared in front of me, who acknowledged that this document was executed for the purposes therein contained.

Jennie Chavez
Notary Public

My Commission Expires:
2-5-11

