



ORDINANCE 2008 A 352

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 403-22-008 CONSISTING OF APPROXIMATELY 2.55 ACRES FROM R1L-70 TO C3. LOCATION OF PROPERTY IS 1541 PETERSON 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 2008-03** was filed by Mr. Brad Stevens, representative for Verde Valley Congregation of Jehovah's Witnesses, owners, for the purpose of rezoning the parcel **403-22-008 FROM R1L-70 TO C3**. 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 **June 5, 2008** in public hearing that was advertised and posted according to state law.
 - C. A neighborhood Meeting was held by the applicant on April 29, 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. A 60' right of way for public use as described in **Exhibit D** has been dedicated to the Town.
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F. 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 2008-03** is approved, based upon the following findings:

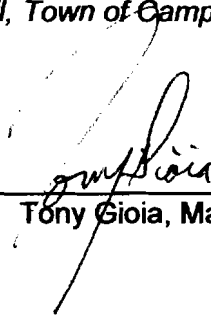
- A. The property is classified on the Town's General Plan Land Use Map as Industrial and is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
- B. The Zoning Change will promote the public health, safety, and welfare of the general public.

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 July 2008.

Approved: 
Tony Gioia, Mayor

Date: 7.25.08

Attest:  7-29-08
Deborah Barber, Town Clerk

Approved as to form:


Town Attorney

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY BEING REZONED

(Legal Description) 1541 Peterson Road, Camp Verde, AZ 86322

All that portion of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 25, 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 a point that lies North 02° 10' East, 457.00 feet from the center of said Section 25 and on the West line of said Southwest Quarter of the Northeast Quarter of Section 25 and which point is also the Northwest corner of the A. J. Parsons Tract;

Thence North 02° 10' East, 180.00 feet along the said West line of the Southwest Quarter of the Northeast Quarter to an iron pin;

Thence North 86° 00' East, 558.54 feet to an iron pin;

Thence South 00° 04' West, 216.41 feet to a point that is also the Northeast corner of the said A. J. Parsons Tract;

Thence North 89° 25' 30" West, 564.26 feet along the North line of said A. J. Parsons Tract to the **Point of Beginning**.

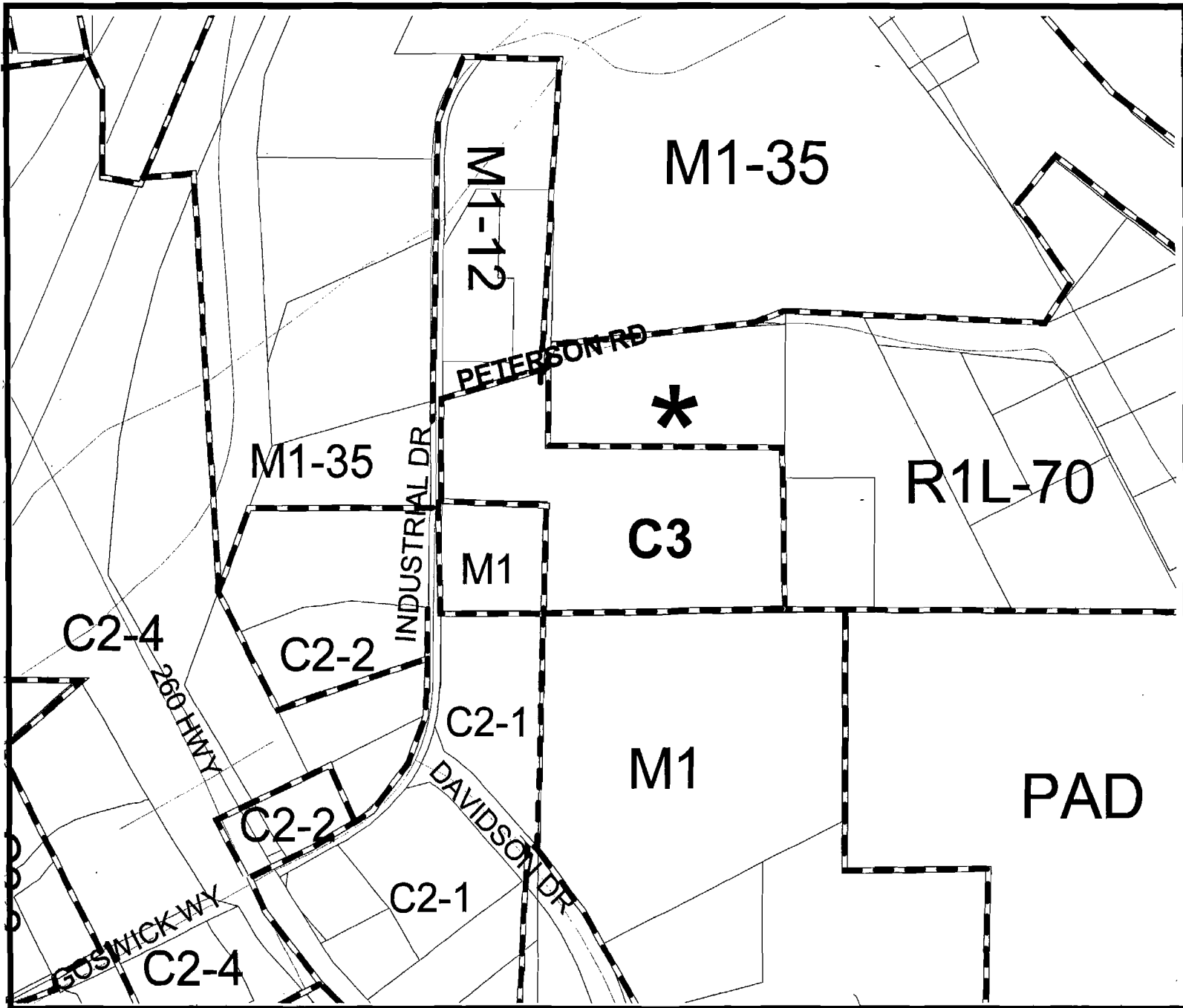


EXHIBIT B
MAP OF REZONING



ZONING MAP FOR
ZMC 08-03
FOR PARCEL 403-22-008
FROM R1L-70 TO C3

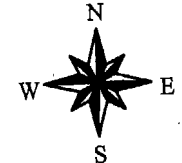


EXHIBIT C

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 2008-03 for parcel 403-22-008. 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 17 day of JULY, 2008.

OWNER:

BRADLEY G STEVENS
Print Name
Bradley G Stevens
Sign Name

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 17th day of July, 2008, before me, the undersigned Notary Public, personally appeared Bradley G. Stevens, who acknowledged that this document was executed for the purposes therein contained.

Miriam Karina Urias-Mejia
Notary Public

My Commission Expires:

August 28, 2011



(EXHIBIT "D")
LEGAL DESCRIPTION
RIGHT OF WAY TRANSFER AND DEDICATION

BEING a portion of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 North, Range 4 East of the Gila and Salt River Meridian, Yavapai County, Arizona, being more particularly described as follows:

COMMENCING at the center of said Section 25, at a PK Nail with a washer stamped #27238;

THENCE, from said point, along the North-South mid section line North 02° 10' 00" East a distance of 457.00 feet to a wooden hub which point is also the Northwest corner of the A.J. Parsons Tract;

Thence, from said point, continuing along the North-South mid section line, North 02° 10' 00" East a distance of 116.62 feet to the **POINT OF BEGINNING**;

THENCE, from said point, continuing along the North-South mid section line North 02° 10' 00" East a distance of 63.38 feet to the Northwest corner of lands described in Book 1572, Page 599, Official Records of Yavapai County;

THENCE, from said point, along the Northerly line of said lands described in Book 1572, Page 599, North 86° 39' 36" East a distance of 285.03 feet to a point;

THENCE, from said point, South 77° 52' 50" West a distance of 70.52 feet;

THENCE, from said point, South 73° 21' 49" West a distance of 227.51 feet to the **POINT OF BEGINNING**.

Containing a total area of 8359.46 Square Feet (0.1919 Acres)