



ORDINANCE 2015 A404

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 403-19-115B CONSISTING OF APPROXIMATELY 0.76 ACRES FROM R1-35 (DENSITY OF 35,000 SQUARE FEET MINIMUM LOT AREA PER DWELLING) TO R1-10 (DENSITY 10,000 SQUARE FEET MINIMUM LOT AREA PER DWELLING). THE PROPERTY IS LOCATED AT 1624 W. STAGECOACH DR.

WHEREAS, The Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 2011-A374, approved June 25, 2011 and,

WHEREAS, Part 6, Section 601 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulation 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 20140324** was filed by Ms. Patricia Janousek owner for the purpose of rezoning parcel 403-19-115B **FROM R1-35 (density of 35,000 square feet minimum lot area per dwelling) to R1-10 (density 10,000 square feet minimum lot area per dwelling)**. The legal description is attached as **Exhibit A** and the **Map as Exhibit B**. (Map is available in the Town Clerk's Office at 473 S. Main St. Suite 102 Camp Verde, AZ 86322)
- B. The Zoning Map Change was reviewed and approved by the Planning Commission on **February 05, 2015** in public hearing that was advertised and posted according to state Law.
- C. A neighborhood Meeting was held by the applicant on **December 09, 2014** 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**.
- F. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Zoning Map Change 20140324 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 General Plan.
- 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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted are hereby repealed, effective as of the effective date of this ordinance.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 25th day of February 2015.

Approved:  Date: 2-26-2015
Charles German - Mayor

Attest: 
Virginia Jones, Town Clerk

Approved as to form:


William J. Sims III, Town Attorney

EXHIBIT A

A portion of Lot 16, VERDE WEST ESTATES II SUBDIVISION, as recorded in Book 13 of Maps and Plats, Page 52, Yavapai County Recorder's Office, Yavapai County, Arizona and described as follows:

**Beginning at the most Northerly corner of said Lot on Horseshoe Bend Drive;
Thence South 7°21'00" East 69.60 feet along said Lot line to the True Point of Beginning;
Thence South 74°20'00" East 264.73 feet along the Northerly line of said Lot;
Thence South 15° 29'42" West 168306 feet along the Easterly line of said Lot;
Thence North 74°25'30" West 107.61 feet along the Southerly line of said Lot;
Thence North 31°25'10" West 242.03 feet;
Thence South 82°02'10" East 19.83 feet to the True Point of Beginning.**

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 20140324 for parcel 403-19-115B. 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 21 day of January, 2015

OWNER:

OWNER:

PATRICIA JANOUSEK
Print Name

Print Name

Patricia Janousek
Signature

Signature

STATE OF ARIZONA)
County of Yavapai) ss.

On this 21 day of January, 2015, before me, the undersigned Notary Public, personally appeared Jan 21, 2015, who acknowledged that this document was executed for the purposes therein contained.



Barbara Bridge
Notary Public

My Commission Expires: November 06, 2017

sole owner - notarized Patricia Janousek only - BB