



ORDINANCE 2008 A 347

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 404-28-026E CONSISTING OF APPROXIMATELY 1.06 ACRES FROM R2 TO C2-2. 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 2007-05** was filed by SEC Inc, agent for David Meier, owner, for the purpose of rezoning the parcel **404-28-026E FROM R2 TO C2-2**. 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 20, 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.

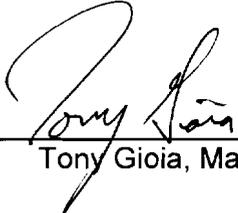
- II. **Zoning Map Change 2007-05** is approved, based upon the following findings:
- A. The property has been reclassified on the Town's General Plan Land Use Map as Commercial by Resolution 2008-742; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements 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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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

12-07-07P04:58 RCVD

Parcel I:

A tract of land in the North half of the Southwest quarter of the Southwest quarter of Section 31, Township 14 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northeast corner of the North half of the Southwest quarter of the Southwest quarter of said Section 31;

THENCE West 165.0 feet along the North line of said North half of the Southwest quarter of the Southwest quarter,

THENCE South 660.0 feet to the South line of said North half of the Southwest quarter of the Southwest quarter,

THENCE North 89°57' East, 165.0 feet along said South line to the Southeast corner of said North half of the Southwest quarter of the Southwest quarter,

THENCE North 660.5 feet along the East line of said North half of the Southwest quarter of the Southwest quarter to the POINT OF BEGINNING.

Parcel II:

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

BEGINNING at the Northwest corner of said Southeast quarter of the Southwest quarter,

THENCE South 89°59'30" East, along the North line of said Southeast quarter of the Southwest quarter, a distance of 37.29 feet;

THENCE South 00°52'43" East, a distance of 482.86 feet to a point on the Northerly right-of-way of the General Crook Trail, County Highway, said point lying on a non-tangent curve,

THENCE Southwesterly, along said right-of-way line, and the arc of said curve, concave to the Southeast having a radius of 2897.93 feet and a central angle of 00°47'15", a distance of 39.83 feet;

THENCE leaving said curve, on a non-tangent line that bears North 00°52'43" West, a distance of 497.43 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom Parcels I and II, that portion which lies Southeasterly of the following described line:

COMMENCING at a stone with scribed ¼ on West face marking the West quarter corner of said Section 31, which bears North 01°45'29" East 2643.28 feet from a Bureau of Land Management (BLM) brass cap marking the Southwest corner of said Section 31;

THENCE along the West line of said Section 31, South 01°45'29" West 2165.63 feet to the POINT OF BEGINNING;

THENCE from a Local Tangent bearing of North 89°09'34" East, along a curve to the left, having a radius of 1537.02 feet, a length of 645.08 feet;

THENCE North 65°06'46" East 98.30 feet;

THENCE North 89°51'05" East 95.58 feet;

THENCE North 65°06'46" East 229.28 feet;

THENCE North 62°29'58" East 455.42 feet;



THENCE from a Local Tangent bearing of North 71°38'34" East, along a curve to the right, having a radius of 2964.79 feet, a length of 368.14 feet;

THENCE South 87°33'06" East 256.25 feet;

THENCE North 84°54'23" East 127.10 feet;

THENCE North 86°09'21" East 30.01 feet;

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THENCE along a curve to the left, having a radius of 17138.73 feet, a length of 409.18 feet to the North-South mid-section line of said Section 31, and the POINT OF ENDING, which bears North 00°18'29" West 1093.23 feet from a 5/8 inch rebar marking the South quarter corner of said Section 31.

★ Parcel III: 406-28-026E

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

COMMENCING at the Northwest corner of said Southeast quarter of the Southwest quarter;

THENCE South 89°59'30" East, along the North line of said Southeast quarter of the Southwest quarter, a distance of 37.29 feet to the TRUE POINT OF BEGINNING;

THENCE continuing South 89°59'30" East, a distance of 105.00 feet;

THENCE South 00°56'49" East, a distance of 479.43 feet to the centerline of a county highway, as recorded in Book 5 of Maps, page 62, records of Yavapai County, Arizona;

THENCE Southwesterly along said centerline on a curve to the left, having a radius of 2864.93 feet, through a central angle of 02°14'13", a distance of 111.85 feet;

THENCE North 00°52'43" West, a distance of 518.04 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom Parcel III any portion which was a roadway dedication running the length of the property.

ALSO EXCEPTING therefrom Parcel III any portion which lies South and East of the following described line:

COMMENCING at a stone with scribed ¼ on West face marking the West quarter corner of said Section 31, which bears North 01°45'29" East 2643.28 feet from a Bureau of Land Management (BLM) brass cap marking the Southwest corner of said Section 31;

THENCE along the West line of said Section 31, South 01°45'29" West 2165.63 feet to the POINT OF BEGINNING;

THENCE from a Local Tangent bearing of North 89°09'34" East, along a curve to the left, having a radius of 1537.02 feet, a length of 645.08 feet;

THENCE North 65°06'46" East 98.30 feet;

THENCE North 89°51'05" East 95.58 feet;

THENCE North 65°06'46" East 229.28 feet;

THENCE North 62°29'58" East 345.42 feet to a point hereinafter referred to as Point "A";

THENCE continuing North 62°29'58" East 110.00 feet to a point hereinafter referred to as Point "B";

THENCE North 01°20'50" West 90.06 feet;

THENCE North 01°11'50" East 225.22 feet;

THENCE North 01°20'45" West 150.00 feet;

THENCE North 88°39'28" East 21.78 feet to a point on the existing right-of-way line of Cliffs Parkway, said point being the POINT OF ENDING.



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R1L-5

C2

R2

*

CLIFFS PKWY

260 HWY



EXHIBIT B
MAP

ORDINANCE 2008 A347
MARCH 26, 2008

0.03 0 0.03 0.06 Miles



ZONING MAP FOR
ZMC 07-05
FOR PARCEL 404-28-026E
FROM R2 TO C2-2

03-24-08P02:15 RCVD

**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 2007-05 for parcel 404-28-026E. 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 18th day of March, 2008.

OWNER:

David L Meier
Print Name

[Signature]
Sign Name

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 18th day of March, 2008, before me, the undersigned Notary Public, personally appeared David L Meier, who acknowledged that this document was executed for the purposes therein contained.

Janet Myers
Notary Public

My Commission Expires: May 1, 2009

