



ORDINANCE 2005 A306

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 404-30-005C CONSISTING OF APPROXIMATELY +/-1 ACRE FROM RS-35 TO C2-4. THIS REZONING IS TO ALLOW FOR COMMERCIAL ACTIVITY AT 25 S. MONTEZUMA CASTLE HWY.

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 2005-10** was filed by Donald Kilby, Jim Kilby and Harold Kilby, owners for the purpose of rezoning parcel **404-30-005C** from **RS 35 TO C2-4**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **April 7, 2005** in public hearing that was advertised and posted according to state law, then by the Town Council on **April 27, 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 2005-10** 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 Town's General Plan Land Use Map (2005) shows this parcel to be under the Commercial Land Use designation; therefore the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
- C. All development must submit for design/site plan review.
- D. No mini-storage units to be allowed.

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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 27th day of April 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: Mitch Dickinson
Mitch Dickinson, Mayor

Date: May 3, 2005

Attest: Deborah Barber
Deborah Barber, Town Clerk

Approved as to form:

[Signature]
Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH 00°19'00" EAST (SOUTH OF RECORD) ALONG THE WEST LINE OF SAID SECTION, 36.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°19'00" EAST ALONG SAID WEST LINE, 184.00 FEET; THENCE NORTH 89°56'00" EAST (EAST OF RECORD), PARALLEL WITH THE NORTH LINE OF SAID SECTION, 237.00 FEET; THENCE NORTH 00°19'00" WEST, PARALLEL WITH THE WEST LINE OF SAID SECTION, 184.00 FEET TO A POINT 36.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION; THENCE SOUTH 89°56'00" WEST (WEST OF RECORD), PARALLEL WITH AND 36.00 FEET SOUTH OF SAID NORTH LINE, 237.00 FEET TO THE TRUE POINT OF BEGINNING.