

**ORDINANCE NO. 18-853**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY SIX ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF SOUTH ROAD 1 WEST AND WEST ROAD 2 SOUTH, AT 940 SOUTH ROAD 1 WEST, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) TO SR-1 (SINGLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM), ZONING DISTRICT.**

**WHEREAS**, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley Official Zoning Map for a ±6 acre parcel zoned AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum); and

**WHEREAS**, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

**WHEREAS**, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

**WHEREAS**, the Planning and Zoning Commission recommends approval of the rezoning; and

**WHEREAS**, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The Official Zoning Map is hereby amended for property consisting of approximately six acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, to rezone it from AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum) zoning district.

Section 3. The Property described in Section 2 above shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance and the following condition:

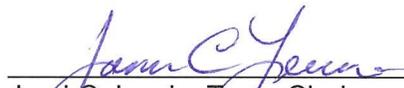
- A. The property owner dedicating the necessary right-of-way to ensure (i) the right-of-way line on Road 1 West is 50’ west of the section line between sections 27 and 28, and (ii) the right-of-way line for Road 2 South is 50’ north of the section line between sections 28 and 33.

Section 4. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 25<sup>th</sup> day of September, 2018 by the following vote:

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

ATTEST:

  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Andrew J. McGuire, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 18-853 was duly passed by the Council of the Town of Chino Valley, Arizona, at a special meeting held on September 25, 2018, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.

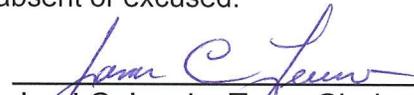
  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

EXHIBIT 1  
TO  
ORDINANCE NO. 18-853

[Legal Description]

See following pages.

**PROPERTY DESCRIPTION**

**6.00 ACRES**

All that portion of Section 28, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southeast corner of above said Section 28;

Thence North  $46^{\circ}35'43''$  West 35.54 feet to the TRUE POINT OF BEGINNING marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence South  $88^{\circ}42'20''$  West 412.06 feet (basis of bearing) to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 227737";

Thence North  $01^{\circ}42'28''$  West 328.82 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence South  $89^{\circ}28'08''$  West 53.50 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence North  $01^{\circ}52'13''$  West 273.97 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence North  $89^{\circ}28'08''$  East 464.44 feet to a point; marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence South  $01^{\circ}53'49''$  East 597.33 feet to THE TRUE POINT OF BEGINNING.

Containing 6.00 acres more or less.

RESERVING, SUBJECT TO AND TOGETHER WITH A 20.00 foot ROADWAY AND PUBLIC UTILITY EASEMENT located in all that portion of Section 28, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, laying Southerly of, running parallel with, and adjoins the following described line:

COMMENCING at the Southeast corner of above said Section 28;

Thence North  $46^{\circ}35'43''$  West 35.54 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence North  $01^{\circ}53'49''$  West 597.33 feet (basis of bearing) to THE TRUE POINT OF BEGINNING.

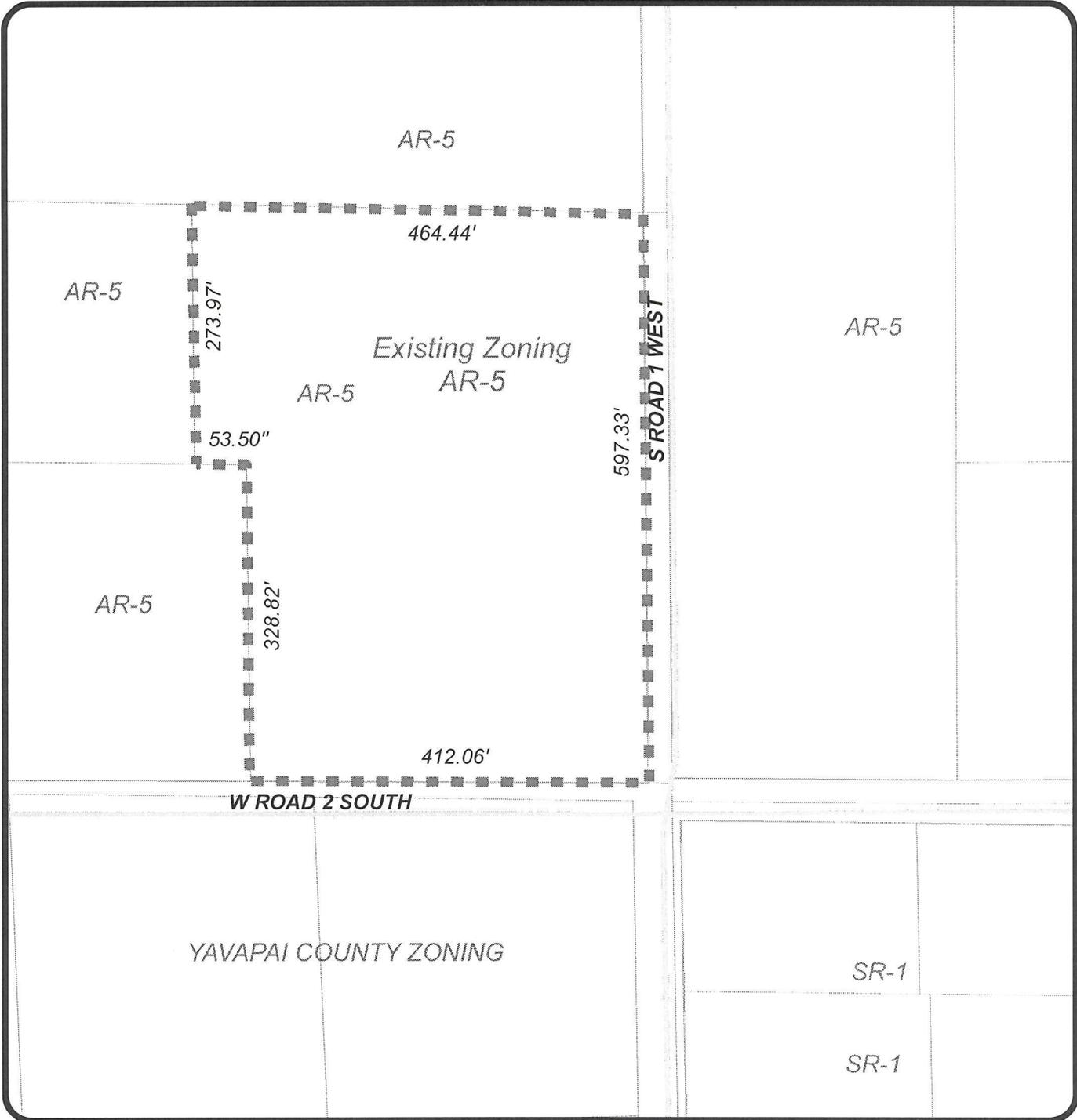
Thence South  $89^{\circ}28'08''$  West 464.44 feet to THE END OF THIS EASEMENT.

EXHIBIT 2  
TO  
ORDINANCE NO. 18-853

[Zoning Exhibit]

See following pages.

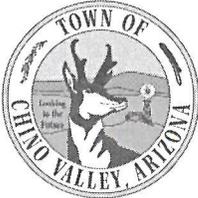
# Zoning Exhibit A



## Z18-000014: Nanke

■ ■ ■ Subject Property

Applicant: Chad Nanke  
Request: Rezone 6 acres from AR-5 zoning district to SR-1 zoning district.  
Location: 940 South Road 1 West, Chino Valley, AZ. 86323



Not to Scale