



## ORDINANCE NO. 12-01

### **AN ORDINANCE OF THE GILA COUNTY BOARD OF SUPERVISORS MODIFYING THE ZONING MAP TO CHANGE THE ZONING OF ASSESSOR'S PARCEL NUMBER 301-21-046 FROM RESIDENTIAL ONE DISTRICT WITH THE DENSITY OF 8,000 SQUARE FEET TO TRANSITIONAL RESIDENTIAL TO ALLOW A RETAIL BUSINESS.**

**WHEREAS**, an application was filed by Robert VerHeyen, agent for owner J Pak Revocable Living Trust, to modify the Gila County Zoning Map located at 6261 W. Hardscrabble Mesa Drive, Pine, Arizona and identified as Assessor's Parcel Number 301-21-046; and

**WHEREAS**, the Gila County Board of Supervisors adopted the Gila County Planning and Zoning Ordinance on September 8, 1959; and

**WHEREAS**, the Planning and Zoning Commission held a duly noticed public hearing on September 27, 2012, and unanimously recommended approval of the modification listed above; and

**WHEREAS**, the Board of Supervisors has held a public hearing on October 9, 2012; and

**WHEREAS**, the Board of Supervisors has determined that the findings for a zone change, as listed below, from the Gila County Planning and Zoning Ordinance Section 104.1-Zoning Map, have been met.

- 1) That the change is consistent with the goals, objectives and policies of the Gila County Planning and Zoning Ordinance and the Comprehensive Master Plan.
- 2) That the change is in the interest of or will further the public health, safety, comfort, convenience and welfare. The addition of a small retail business will be an expansion of an existing commercial district.
- 3) That the change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties.

**NOW THEREFORE, BE IT RESOLVED** that the Gila County Board of Supervisors has approved the application submitted by Robert VerHeyen, agent for owner J Pak Revocable Living Trust, modifying the zoning map known as Assessor's Parcel Number 301-21-046 from Residential One Zoning with the density of 8,000 square feet to Transitional Residential Zoning to allow a retail business subject to the following conditions:

- 1) The south and west property lines shall be screened from residential areas by a six foot high fence, wall or landscape screen, approved by the Planning and Zoning Director.
- 2) Parking shall be paved, or an alternative method of dust control must be approved by the Planning and Zoning Director.
- 3) A Development Plan shall be submitted before building permits can be obtained for the commercial use.
- 4) If the property is not put into use as a commercial business within three (3) years, it may revert to the R1-D8 zoning.
- 5) Access to Lumina Lane shall not be blocked for any reason

**PASSED AND ADOPTED** this 9<sup>th</sup> day of October 2012 at Globe, Gila County, Arizona

Attest:

**GILA COUNTY BOARD OF SUPERVISORS**

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Marian Sheppard  
Chief Deputy Clerk of the Board

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Tommie C. Martin, Chairman

Approved as to form:

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Bryan Chambers  
Chief Deputy County Attorney