

ORDINANCE NO. 686

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 400 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-036V, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-6PAD (BOULDER RIDGE).

WHEREAS, the Town of Payson from time to time amends its Official Zoning Map and Official Zoning Code for the purpose of accommodating zoning changes; and

WHEREAS, Application No. P-323-06 to amend the Official Zoning Map and Official Zoning Code has been made by KDS Construction L.L.C., property owner (Kevin Sokol, representative) to the Planning and Zoning Commission and the Town Council; and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 10, 2006, considered the issues, and made recommendation on Application No. P-323-06 to the Town Council; and

WHEREAS, the Town Council held a public hearing on April 27, 2006, in regard to said Application No. P-323-06 and has considered the issues relating thereto,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AS FOLLOWS:

Section 1. Ordinance No. 466 of the Town of Payson, the Official Zoning Map for the Town of Payson and the Zoning Code for the Town of Payson be and each is hereby amended to establish a zoning district of R1-6PAD for that portion of the certain real property located at 400 North Tyler Parkway, Gila County Assessor's Parcel Number 302-23-036V, more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Property").

Section 2. That the requested rezoning and the use and density of the Property as proposed by Application No. P-323-06 and made contingent upon those conditions set forth in Section 3 below, is consistent with the General Plan of the Town of Payson, as required by A.R.S. § 9-462.01(F).

Section 3. The foregoing change in zoning shall be and is hereby specifically made contingent upon and conditional upon each of the following:

First Reading & Pub. Hrg. MAY 11 2006 G.5

Second Reading & Pub. Hrg. MAY 24 2006 G.13

JUL 13 2006 G.5

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF PAYSON this ____ day of _____, 2006, by the following vote:

AYES ____ NOES ____ ABSTENTIONS ____ ABSENT ____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

EXHIBIT "A"

to Ordinance No. 686

400 North Tyler Parkway, Payson, Arizona
Gila County Tax Parcel Number 302-23-036V

Legal Description -

POR NW4 SE4 SEC 35 T11N R10E; BEING SW OF SWLY R/W
DEDICATED RD N TYLER PKW; EXC BEG CNTR SEC 35; TH
S0D0'32 E 164.59'; TH N89D59'51 E 380.05'; TH N35D33'34 W
202.38'; TH S89D56'27 W 262.19' POB; EXC COMM CNTR SEC
35; TH S0D0'32 E 164.59' POB; TH N89D59'51 E 21.76'; TH
S0D0'47 W 494.13'; TH S89D57'19 W 21.76'; TH N0D0'47 E
494.14' POB; = 16.70 AC M/L (OUT OF 302-23-036S)