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2009-003715 RESL Page: 1 of 3
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**RESOLUTION NO.** 09-03-04

CASE NO. CPA-08-03
Chamberlain Ranch LLC
Applicant: Nathan Palmer

**A RESOLUTION OF THE GILA COUNTY BOARD OF SUPERVISORS TO AMEND THE GILA COUNTY COMPREHENSIVE PLAN**

**WHEREAS,** the Gila County Planning and Zoning Commission, at a duly noticed public hearing held on February 19, 2009, has recommended to the Board of Supervisors of Gila County, Arizona, that a zoning request, set forth in the attached Exhibit "A", be adopted as provided in Section 11-829, Arizona Revised Statutes; and

**WHEREAS,** after holding a public hearing as provided by law, the Board of Supervisors of Gila County, Arizona, is of the opinion that the adoption of such recommendation would be in the best interest of Gila County;

**NOW, THEREFORE, BE IT RESOLVED** that the Gila County Board of Supervisors, at a regularly scheduled and duly noticed public hearing did approve the zoning request set forth in the attached Exhibit "A."

Passed and Adopted this 17th day of March, 2009.

**Gila County Board of Supervisors**

**By:** Shirley L. Dawson
Shirley L. Dawson, Chairman

**Approved as to form:**

Bryan Chambers, County Attorney

**ATTEST:**

Steven L. Besich, Clerk of the Board

# EXHIBIT "A" TO RESOLUTION 09-03-04
# Case Number CPA-08-03
# Chamberlain Ranch LLC
# Gila County Tax Assessor's Parcel 303-15-005B

LOCATION: The subject site is a 7 acre property in Section 20 of Township 10 1/2 North and Range 14 East of the Gila & Salt River Meridian. The subject site is approximately 6 miles east of the Christopher Creek community on Colcord Road. Legal Description: Lot 2 of Gila County Records Minor Land Division Plat 3589, being a 7.0197 acre private property.

REQUEST: A request to amend the Comprehensive Master Plan to allow greater density and to change the zoning from GU to R1L-D20 with a PAD overlay to add a Phase 2 development to the proposed Chamberlain Ranch Subdivision.

The 7 acre subject site is undeveloped raw land and is on the west boundary of Homestead Entry Survey (HES) 467. Tonto National Forest is adjacent on the south and west property boundaries. To the north is a 3 acre parcel that was recently divided and sold from the subject site. To the east is the proposed Chamberlain Ranch Subdivision (Phase 1). The subject site is accessible by a rough dirt road.

The Comprehensive Plan Amendment CPA-06-02 and rezoning request Z-06-06 were approved on November 28, 2006, by the Board of Supervisors for the 30 acre site east of the subject site. Now, the 30 acre site is intended as Phase 1 of the Chamberlain Ranch Subdivision and the 7 acre subject site is intended as Phase 2. Phase 1 would consist of lots 1 thru 44 and Tracts A thru E. Phase 2 would consist of lots 45 thru 50 and Tract F.

**MINOR COMPREHENSIVE PLAN AMENDMENT**

A. Resolution No. 03-11-02, the Comprehensive Master Plan for the unincorporated areas of Gila County, page 2–32, depicts the subject site as being in the Land Use Classification of 'Residential – 0.4 to 1.0 du/ac". This classification allows a maximum of one dwelling unit per acre of property. The request is for the classification of 'Residential – 1 to 2 du/ac', that allows two dwelling units per acre. That classification would be the same as the 30 acre site to the east.

B. Land Use Categories are generally determined by the availability of infrastructure to support development. The first infrastructure item considered is accessibility. Is there a road to the proposed site that is traversable with a two-wheel drive vehicle? The second is – what is the proposed water resource? The third is – what is the proposed power source? The fourth is – what are the proposed sanitation facilities? The fifth is – are there other amenities (propane gas, cable television, etc.) ?

C. If Chamberlain Ranch Subdivision Phase 1 and 2 proceeds through the development and platting process, then all infrastructure items will be addressed, as well as emergency services and compatibility with the topography.

**Approved:**

As the subject site would be compatible with the adjoining land use category, zoning designation and topography, the Comprehensive Master Plan shall be amended to recognize tax parcels 303-15-005A and 303-15-005B as being within the classification of 'Residential –1 to 2 du/ac' and tax parcel 303-15-005B shall be rezoned, from GU to R1L-D20 with a PAD overlay zoning to allow flexibility in the size and shape of the lots to accommodate the varied topography, with the following condition:

A subdivision plat shall be submitted within 24 months of the approval date of the zoning change ordinance or resolution. If no subdivision plat has been submitted in the 24 month time frame, then the R1L-D20 with PAD zoning may be reverted back to GU at the discretion of the Board of Supervisors.