When recorded please send to
Marian Sheppard, BOS
09/07/2016

**ORDINANCE NO. 2016-02**

**AN ORDINANCE OF THE GILA COUNTY BOARD OF SUPERVISORS MODIFYING THE ZONING MAP FOR UNINCORPORATED AREAS OF GILA COUNTY TO CHANGE THE ZONING OF ASSESSOR'S PARCEL NUMBER 301-08-140A FROM COMMERCIAL TWO (C2) DISTRICT WITH A "T" OVERLAY DISTRICT TO SINGLE FAMILY RESIDENTIAL (R1-D12) DISTRICT TO ALLOW A LAND DIVISION TO CREATE TWO SINGLE FAMILY RESIDENTIAL LOTS.**

**WHEREAS,** an application was filed by James Clinton (applicant/owner), Gila County Planning and Zoning Case No. Z-16-02, to modify the Zoning Map for Unincorporated Areas of Gila County located at 8409 W. Fossil Creek Road, Strawberry, Arizona and identified as Assessor's parcel number 301-08-140A; 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 August 4, 2016, and unanimously recommended approval of the modification listed; and

**WHEREAS,** the Board of Supervisors held a public hearing on September 6, 2016; 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. The change is consistent with the goals, objectives and policies of the Gila County Planning and Zoning Ordinance and the Gila County Comprehensive Plan.

2. The change is in the interest of or will further the public health, safety, comfort, convenience and welfare of Gila County residents.

3. 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 application Z-16-02 submitted by James Clinton to modify the Zoning Map for Unincorporated Areas of Gila County with regard to Assessor's parcel number 301-08-140A located at 8409 W. Fossil Creek Road, Strawberry, Arizona whereby the zoning will be changed from C2 District with "T" (overlay) District to allow for the division of this parcel into two single family residential lots with the following conditions:

1. If this proposed land division is not completed within 24 months, the Board of Supervisors has the discretion to revert this zoning to C2 with a "T" overlay.

2. A minor land division shall be submitted and approved by the Community Development Division Director.

3. The applicant must meet all requirements for the placement of a septic system to protect groundwater supplies.

**PASSED AND ADOPTED** this 6th day of September 2016, at Globe, Gila County, Arizona.

**ATTEST:**

Marian Sheppard
Clerk of the Board

**GILA COUNTY BOARD OF SUPERVISORS**

Michael A. Pastor, Chairman

**APPROVED AS TO FORM:**

Jefferson R. Dalton
Deputy Gila County Attorney
Civil Bureau Chief