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2012-012858 RESL Page: 1 of 2
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RESOLUTION NO. 12-10-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, MODIFYING THE GILA COUNTY COMPREHENSIVE MASTER PLAN BY APPROVING GILA COUNTY PLANNING AND ZONING DEPARTMENT CASE NO. CPA-12-01, A REQUEST BY ROBERT VERHEYEN, AGENT FOR OWNER J PAK REVOCABLE LIVING TRUST, AND MODIFYING PROPERTY FROM RESIDENTIAL 2 TO 3.5 DU/AC TO NEIGHBORHOOD COMMERCIAL TO ALLOW A RETAIL BUSINESS.

WHEREAS, on November 4, 2003, the Board of Supervisors adopted the Gila County Comprehensive Master Plan (CMP) by adopting Resolution No. 3-11-02; and

WHEREAS, the Board of Supervisors authorizes amendments to the CMP from time to time and it was last amended March 17, 2009 with the adoption of Resolution No. 09-03-06; and

WHEREAS, an application was filed by Robert VerHeyen, agent for J Pak Revocable Living Trust, owner of the subject property, to modify the CMP to change the property from Residential to Neighborhood Commercial which would allow the owner to operate a proposed retail business on the subject property located at 6261 W. Hardscrabble Mesa Drive, Pine, Arizona and identified as Assessor's Parcel No. 301-21-046; and

WHEREAS, the proposed CMP amendment will fit with the current character of the area, which would result in the expansion of an existing commercial district; and

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

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

WHEREAS, the Board of Supervisors has determined that the findings for modification, as listed below, from the Gila County Comprehensive Master Plan Section1.G-Intended Use of the Plan, have been met.

1. The comprehensive plan is not intended to take the place of zoning nor is it intended to modify pre-existing land uses, entitlements or statutory rights.

2. That the change is consistent with the CMP and that the CMP should be utilized as a tool to assist decision makers through the identification of appropriate land use and land use relationships, and not be viewed as a tool by which to stop new development that is compatible with the goals, objectives and policies of the plan.

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 hereby modifies the Gila County Comprehensive Master Plan by approving Planning and Zoning Case No. CPA-12-01, a request by Robert VerHeyen, agent for owner J Pak Revocable Living Trust, and modifying the property from Residential 2 to 3.5 du/ac to Neighborhood Commercial to allow a retail business, as set forth and that said zoning request become effective November 8, 2012.

PASSED AND ADOPTED this 9th day of October at Globe, Gila County, Arizona.

Attest:

Marian Sheppard
Chief Deputy Clerk of the Board

GILA COUNTY BOARD OF SUPERVISORS

Tommie C. Martin, Chairman

Approved as to form:

Bryan Chambers
Chief Deputy County Attorney