

1 When recorded, return to:
2
3 Paradise Valley Town Attorney
4 6401 East Lincoln Drive
5 Paradise Valley, Arizona 85253
6
7

8 **RESOLUTION NUMBER 2018-11**
9

10 **A RESOLUTION OF THE MAYOR AND COUNCIL OF**
11 **THE TOWN OF PARADISE VALLEY, ARIZONA,**
12 **AUTHORIZING AND DIRECTING THE PROPERTY**
13 **LOCATED AT 6001 N. 45th STREET BE EXCLUDED FROM**
14 **HILLSIDE AS DEFINED IN ARTICLE XXII, HILLSIDE**
15 **DEVELOPMENT REGULATIONS, OF THE TOWN**
16 **ZONING ORDINANCE.**
17

18 BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF
19 PARADISE VALLEY, ARIZONA THAT:
20

21 WHEREAS, JD Partsmaster, L.L.C (“Applicant”), property owner of 6001 N. 45th
22 Street, Lot 2, Camelhead Vista, according to Book 78 of Maps, Page 23, Records of
23 Maricopa County, Arizona, has requested that the Town of Paradise Valley (“Town”)
24 consider removing Lot 2 from Hillside Development Area, as such term is defined in
25 Article II of the Town Zoning Ordinance and in Article XXII, Hillside Development
26 Regulations; and

27 WHEREAS, the Hillside Building Committee, which was established pursuant to
28 Article XXII of the Town Zoning Ordinance, has after public notice and public hearing
29 recommended to the Town Council that Lot 2 be removed from the Hillside Development
30 Area; and

31 WHEREAS, the Town Council held a public meeting on April 12, 2018, in the
32 manner prescribed by law, to hear and to take action on the Applicant’s request to remove
33 Lot 2 from the Hillside Development Area; and
34

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

WHEREAS, the Town Council finds that the Applicant has satisfactorily demonstrated that Lot 2 has a building pad and site slope less than ten percent and that no cause exists for retaining Lot 2 as a Hillside Development Area; and

WHEREAS, the Town Council finds that the removal of Lot 2 from Hillside Development Area is supported by characteristics of said property such as its location adjacent to a major arterial roadway, its limited prominent natural features and its slope less than ten percent;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Paradise Valley, Maricopa County, Arizona, as follows:

SECTION I. In General

1. Lot 2 of Camelhead Vista, according to Book 78 of Maps, page 23, Records of Maricopa County, Arizona is hereby removed from the Hillside Development Area as such term is defined in the Town Zoning Ordinance.
2. The Town Manager and Town Attorney are authorized to take all actions necessary, including the reprinting and revising of the Hillside Development Area map shown as “Figure 2 - Hillside Development Area” in Article XXII of the Zoning Ordinance so as to remove Lot 2 from those lots or areas designated as a Hillside Development Area on said map.

1 3. That removal of a hillside designation on a property may cause certain aspects of
2 the structures on said property to no longer be in compliance with the Town Code
3 as some regulations governing hillside and non-hillside properties differ, such as
4 the measurement of building height. Being it the intent of the Applicant to
5 demolish the home and associated structures on said property, any such
6 nonconformity will cease to exist. As such, the Applicant shall complete one of
7 the following within 360 days from the approval of this Resolution:
8

9 a. Submit to the Town, and receive all necessary approvals, for a demolition
10 of all or part of said home and associated structures such that all
11 structures to remain are in compliance with the code provisions in effect
12 at the time of submittal, or

13 b. Submit for approval by the Town Community Development Director, or
14 designee, the necessary documentation that said home and associated
15 structures are in compliance with the Town Zoning Ordinance as it relates
16 to a non-hillside property.
17

18 SECTION 2. Effective Date

19 This resolution be in full force and effect immediately upon its adoption.
20
21

1 PASSED AND ADOPTED by the Town Council this 12th day of April 2018.

2

3

4

Michael Collins, Mayor

5

ATTEST:

6

7

8

Duncan Miller, Town Clerk

9

10

APPROVED AS TO FORM

11

12

13

Andrew M. Miller, Town Attorney

14

15

16

17

CERTIFICATION

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

I, Duncan Miller, Town Clerk hereby certify that the foregoing is a full, true and correct copy of Resolution Number 2018-11 duly and regularly passed and adopted by vote of the Town Council of Paradise Valley at a meeting thereof duly called and held on the 12th day of April 2018. That said Resolution appears in the minutes of said meeting, and that the same has not been rescinded or modified and is now in full force and effect.

I further certify that said Municipal Corporation is duly organized and existing, and has the power to take the action called for by the foregoing Resolution.

Duncan Miller, Town Clerk