

**TOWN OF CAREFREE, ARIZONA  
ORDINANCE NO. 2005-09**

**AN ORDINANCE OF THE TOWN OF CAREFREE, ARIZONA,  
REZONING CERTAIN REAL PROPERTY DESCRIBED IN  
ZONING APPLICATION Z05-05-Z, FROM R-3 (MULTIPLE-  
FAMILY RESIDENTIAL) TO R1-10 (SINGLE-FAMILY  
RESIDENTIAL) AND AMENDING THE TOWN OF CAREFREE  
ZONING DISTRICT MAP TO REFLECT THIS REZONING.**

WHEREAS, the Common Council of the Town of Carefree, Arizona finds that rezoning certain real property located with a portion of the SW1/4 of the NE1/4 of Section 35, T6N, R3E of the Gila and Salt River Baseline and Meridian, Maricopa County, Arizona from R-3 (Multiple-Family Residential) to R1-10 (Single-Family Residential) will serve and will not adversely affect the public health, safety and general welfare of the Town, is in accordance with the Town of Carefree General Plan 2020 and that necessary safeguards for the protection of adjacent property and the permitted uses thereof will be provided if such rezoning is granted:

**BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA AS FOLLOWS:**

Section 1. Pursuant to ARTICLE III. of the 1996 Amended Planning and Zoning Ordinance of the Town of Carefree, and upon the findings of staff and the recommendation of the Planning and Zoning Commission and the Town Council, the "Property" as described as a portion of the SW1/4 of the NE1/4 of Section 35, T6N, R3E of the Gila and Salt River Baseline and Meridian, Maricopa County, Arizona is hereby rezoned from R-3 (Multiple-Family Residential) to R1-10 (Single-Family Residential).

Section 2. The rezoning shall be and is subject to the "Conditions for Approval" attached hereto as EXHIBIT "A".

Section 3. The Town of Carefree Zoning Map is hereby amended to reflect the issuance of the rezoning granted hereunder.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Carefree, Arizona, the 6<sup>th</sup> day of December 2005.

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstentions \_\_\_\_\_ Absent \_\_\_\_\_

**TOWN OF CAREFREE**

By: \_\_\_\_\_  
Edward C. Morgan, Mayor

**ATTEST:**

\_\_\_\_\_  
Elizabeth L. Wise, Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Thomas K. Chenal, Town Attorney

## EXHIBIT "A"

### CONDITIONS FOR APPROVAL

Z05-05-Z

1. The preliminary plat for Phase II shall be in conformance with the exhibits/plans submitted in association with case#Z05-05-Z and attached to this staff report and Ordinance.
2. All utilities shall be placed underground including the existing overhead 12 KV and communication lines paralleling Tranquil Trail Road. The existing overhead lines shall be removed from the site and new lines buried along Cave Creek Road and Tranquil Trail right-of-way.
3. After completion of all utility work within or near Tranquil Trail, applicant/developer shall provide an asphalt overlay on Tranquil Trail from Cave Creek Road to the northern border of the 40 acre parcel. The overlay shall be included with cost estimates of the subdivision improvements within the subdivision.
4. To restrict access a non-vehicular easement shall be dedicated along the perimeter of the 40 acre parcel at the time of the recording of the final plat. The subdivision entry which aligns with Happy Hollow Drive and the emergency access easement which aligns with Slumber Street shall be excluded from this dedication.
5. A Traffic Study shall be prepared by the applicant and submitted to the Town in association with the preliminary plat to outline the safe access into and from the subdivision.