

ORDINANCE NO. 3507

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving portions of BAZ 1655, BAZ 1827, and BAZ 1904, generally located north of Omaha Street, one-quarter mile west of 27th Street, granting a RS-3 zoning classification be placed upon the tract along with PUD 225, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

WHEREAS, the State of Oklahoma has granted cities, as governmental entities, the duty and power to enact zoning ordinances for the protection of persons and property residing within the City limits, and for securing the benefits of orderly development as a whole; and

WHEREAS, a series of governmental administrative hearings have been conducted at which time it was determined on November 1, 2004, that part of the land in question associated with BAZ 1655 would be proper for a Single-Family Residential District. Later, on May 19, 2009, the City Council approved BAZ 1827, acknowledging that an additional part of the land in question would be proper for a Single-Family Residential District. Finally, on February 4, 2014, the City Council approved BAZ 1904, acknowledging that an additional part of the land in question would be proper for a Single-Family Residential District. Planned Unit Development (PUD) 225, was approved as an overlay district over each of the property pieces. BAZ 1655, BAZ 1827, BAZ 1904, and PUD 225 were approved subject to the property being platted; and

WHEREAS, the plat, Silverleaf, was recorded in Wagoner County on March 17, 2017; and

WHEREAS, the property is generally located north of Omaha Street, one-quarter mile west of 37th Street; and

WHEREAS, the proposed zoning is compatible with the comprehensive plan and surrounding uses; and

WHEREAS, the granting of the application will not have an adverse effect on the other property in the area or in the community; and

WHEREAS, for these reasons, the City Council finds this request should be granted.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:

SECTION I. The zoning classification of the following described real estate situated in Wagoner County, State of Oklahoma, being more particularly described as follows:

LEGAL DESCRIPTION FOR APPLICABLE PORTIONS OF BAZ 1655, BAZ 1827, BAZ 1904, AND PUD 225

All of Silverleaf, a subdivision of the part of the Southeast Quarter (SE/4) of Section (30), Township Nineteen (19) North, Range Fifteen (15) East, City of Broken Arrow, Wagoner County, State of

Oklahoma, 2017-3326 Book: 2346 Page 447 (PLC 5-434B).

be and the same is hereby changed from the zoning classification of A-1 (Agricultural District) to RS-3 (Single-Family Residential District) along with PUD 225.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this _____ day of _____, 2018.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY