



# City of Broken Arrow

## Fact Sheet

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**File #: 16-1169, Version: 1**

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### Broken Arrow Planning Commission

09-22-2016

**To: Chairman and Commission Members**

**From: Development Services Department**

**Title:**

**Public hearing, consideration, and possible action regarding a proposal to modify Section 3.3.D.3 of the City of Broken Arrow Zoning Ordinance regarding Storage Buildings**

#### **Background:**

The Broken Arrow City Zoning Ordinance currently requires storage and accessory buildings, containing 200 square feet or less, to setback at least five feet from the rear and side property lines and be located outside any utility easement. These type of buildings are not required to obtain a building permit. Since a building permit is not required for these type of buildings, this requirement is difficult to enforce.

Over the years, property owners (unknowingly) have constructed storage buildings that are in violation of the current Zoning Ordinance requirement. As a result, after the storage building is erected, Code Enforcement responded to reports of these violations and the property owner is notified that they are not in compliance with the Zoning Ordinance, which is sometimes difficult and costly to correct. Consequently, Staff is recommending that Section 3.3.D.3 of the Zoning Ordinance be modified in an effort to help rectify these issues.

This proposal was discussed at the August 11, 2016 Planning Commission meeting. Staff explained that this proposal is to change the language of this ordinance and create an Item "A" and Item "B" for storage buildings under 200 feet and storage buildings over 200 square feet. Item "A" would read, "storage buildings not exceeding 200 square feet may be placed in rear yards in any A-1 or R-districts, provided that projections beyond the exterior wall of the building do not extend over any lot line." For this section, the rear yard shall be defined as a yard extending between the side lot lines beginning from the rear of the main building and extending to the rear lot line (as stated in the building code). Item "B" would read, "storage buildings exceeding 200 square feet located in any A-1 or R district shall require a building permit and shall comply with all standards of the Zoning Ordinance applicable to the principal use with which they are associated. No part of the building, however, shall be located within a utility easement." In addition, the modifications would include height restrictions for accessory buildings associated with houses. Staff's recommendation is for the building not be any higher than the roof line.

This proposed modification to, Section 3.3.D.3 of the Zoning Ordinance, was published in Tulsa Business & Legal News on August 19, 2016 and the Broken Arrow Ledger on August 24, 2016, Tulsa County, Oklahoma.

**Attachments:** Proposed modification to Section 3.3.D.3 of the Zoning Ordinance

**Recommendation:** Staff recommends that the proposed modifications to Section 3.3.D.3 of the Zoning Ordinance be tabled until the October 13, 2016 Planning Commission meeting.

**Reviewed By:** **Farhad Daroga**

**Approved By:** **Michael W. Skates**

FKD: KJF