



# City of Broken Arrow

## Request for Action

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**File #:** 18-1176, **Version:** 1

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### Broken Arrow Planning Commission

10-25-2018

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding BAZ- 2014, Wall/Toomey Properties, 12.99 acres, A-1 to RS-2, north and east of the northeast corner of Albany Street and Evans Road

#### Background:

**Applicant:** Sarah Wall  
**Owner:** Sarah Wall and Terry Toomey/Carol F. Toomey  
**Developer:** Sarah Wall and Terry Toomey/Carol F. Toomey  
**Surveyor:** Nathaniel J. Reed, Harden & Associates  
**Location:** North and east of the northeast corner of Albany Street and Evans Road  
**Size of Tract** 12.99 acres  
**Number of Lots:** 3  
**Present Zoning:** A-1  
**Proposed Zoning:** RS-2  
**Comp Plan:** Level 2 (Urban Residential)

BAZ-2014 is a request to change the zoning designation on a 12.99-acre parcel from A-1 (Agricultural) to RS-2 (Single-Family Residential). The unplatted property is located north and east of the northeast corner of Albany Street and Evans Road. There are two different property owners (Sarah Wall and Terry Toomey/Carol F. Toomey) associated with this rezoning request.

The property related to BAZ-2014 was annexed into Broken Arrow on October 15, 2001, with Ordinance 2393. Even though the property was in the City Limits of Broken Arrow, a lot split request was submitted to and approved in Wagoner County that divided the property into three parcels. The lots created in Wagoner County did not meet the minimum lot size and lot frontage requirements of the Broken Arrow Zoning Ordinance.

After the lot split that was approved in Wagoner County was recorded, Sarah Wall purchased the northern most parcel with the desire to construct a new single-family residence on the property. Prior to applying for a building permit, they were advised that they would need to come into compliance with the Broken Arrow Zoning Ordinance. As a result, Ms. Wall, as well as Mr. and Mrs. Toomey who own the other two parcels, have submitted an application to rezone the property from A-1 to RS-2. If the rezoning is approved by the City Council, they will be submitting an application to split the property in a manner that will meet the minimum lot size and frontage requirements of the RS-2 district.

According to the FEMA maps, none of the property is located within a 100-year floodplain area.

Surrounding land uses and zoning classifications include the following:

|        |     |                                                     |
|--------|-----|-----------------------------------------------------|
| North: | A-1 | Undeveloped                                         |
| East:  | A-1 | Undeveloped                                         |
| South: | A-1 | Large lot single family residential                 |
| West:  | A-1 | Undeveloped and large lot single family residential |

The property is designated as Level 2 in the Comprehensive Plan. RS-2 zoning is identified as being conformance with the Comprehensive Plan in Level 2.

**Attachments:** Case map  
Aerial photo  
Comprehensive Plan  
Survey drawing

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2014 be approved. Staff recommends that platting be waived, subject to right-of-way and utility easements being provided along Kenosha Street and Evans Road in accordance with the Subdivision Regulations. If not already provided, 60 feet of right-of-way from the section line is required along Kenosha Street along with a 17.5-foot utility easement. Along Evans Road, the right-of-way requirement is 50 feet from the section line along with a 17.5-foot utility easement.

**Reviewed by: Larry Curtis**

**Approved by: Michael Skates**

BDM