



June 16, 2017

David and Misty Yonce
13339 E. 137 Street South
Broken Arrow, OK 74011

RE: 13401 S. 129th E. Avenue, Broken Arrow, Oklahoma 74011

Dear Mr. and Mrs. Yonce;

The City of Broken Arrow has received a complaint concerning the horse stables located on your property at 13401 S. 129th E. Avenue, Broken Arrow, Oklahoma. Upon investigating the complaint, it was discovered that commercial stable operations were occurring on property and manure was being deposited along the north property line next to single family residential structures. The property is currently zoned Agriculture, A-1. Commercial animal sales and services are not permitted uses on this property without a Specific Use Permit.

For this property to become compliant you will need to:

1. Apply and be approved for a Specific Use Permit for Animal Sales and Services.
2. If the Specific Use Permit is approved by the City Council, it will be approved subject to the property being platted. On large parcels such as yours, the City Council will generally waive the platting requirement provided right-of-way and utility easements are dedicated in accordance with the Subdivision Regulations. For your property, this would require a right-of-way dedication of 50-feet in width from the section line along your entire Olive Avenue street frontage. In addition, 17.5 feet of utility easement dedication would be required adjacent to the outside boundary of the 50-foot right-of-way dedication.
3. Any new buildings will require site plan approval by City Staff.
4. The depositing of animal manure with 100 feet of your property boundaries shall cease immediately. In addition, the manure recently placed next to the north boundary shall be removed.
5. Building permits will be required to be obtained prior to the construction of any new buildings.

These items were discussed with your attorney James W. Rusher on June 13, 2017. A copy of the application for a Specific Use Permit was provided to Mr. Rusher, who has informed us that he intends to submit an application for a Specific Use Permit. This application needs to be submitted by July 3, 2017.

At meeting on June 13, 2017, we also discussed the temporary turn around easement on the north end of your property. This turn around easement, which measures 80 feet by 80 feet, is required by the City of Broken Arrow Subdivision Regulations. A fence can be placed around the boundaries of this easement, but the easement itself shall remain.

Please contact Mr. Larry Curtis, the Development Services Planning Division Manager, by July 3, 2017 to discuss bringing your property at 13401 S. 129th E. Avenue into compliance with the City of Broken Arrow Zoning Ordinance. Failure to do so will result in a cease and desist order being issued and/or further legal action by the City.

Respectfully,



Michael Skates, P.E., CFM
Development Services Director
City of Broken Arrow
Phone: (918) 259-2400 ext 7337

cc: James W. Rusher, Attorney