

**ORDINANCE NO. 3509**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1815, generally located one-third mile west of Evans Road, south of State Highway 51, granting an IH zoning classification be placed upon the tract along with PUD 248, 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 October 8, 2008, that 5.82 acres of the land in question would be proper for an Industrial Heavy District. Later, on February 02, 2016, Planned Unit Development (PUD) 248 was approved on the same parcel. Both BAZ 1815 and PUD 248 were approved subject to the property being platted; and

**WHEREAS**, the plat, 51 Aspen Mini-Storage, was recorded in Wagoner County on March 7, 2017; and

**WHEREAS**, the property is generally located one-third mile west of Evans Road, south of State Highway 51; 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 BAZ 1815 AND PUD 248**

All of 51 Aspen Mini-Storage, a subdivision in the City of Broken Arrow, being a part of the NE/4 of Section 20, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma, Book 2344, Page 329.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural District) to IH (Industrial Heavy) along with PUD 248.

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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