

ORDINANCE NO. 3554

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1960, granting a RS-3 zoning classification be placed upon the tract, generally located one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K. & T. Railroad, 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 that the land in question would be proper for a Single-Family Residential District; and

WHEREAS, rezoning case BAZ-1960 (A-1 to RS-3), which contained 40.00 acres, was approved by the Broken Arrow City Council on September 6, 2016, subject to the property being platted; and

WHEREAS, the plat, Oak Creek South Phase II, which contained 19.23 acres, was recorded in Wagoner County on April 18, 2018; and

WHEREAS, the property is generally located one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K. & T. Railroad; 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:

All of Oak Creek South Phase II, a subdivision of a part of the Northeast Quarter (NE/4), of the Southwest Quarter (SW/4), Section Eighteen (18), Township Eighteen (18) North, Range Fifteen (15) East, Indian Meridian, City of Broken Arrow, Wagoner County, Oklahoma, Document # 2018-4602.

be and the same is hereby changed from the zoning classification A-1 (Agricultural) to RS-3 (Single-Family Residential).

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 Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 5TH day of FEBRUARY, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY