

ORDINANCE NO. 3557

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1977, generally located one-quarter mile south of Kenosha Street, west of Oak Grove Road, granting a RE zoning classification to be placed upon the tracts, 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 June 5, 2017, that the land in question would be proper for a Residential Estate District; and

WHEREAS, rezoning case BAZ-1977 (A-1 to RE), which contains 2.24 acres, was approved by the Broken Arrow City Council on June 5, 2017; and

WHEREAS, the City Council approved waiver of platting provided right-of-way and utility easements were dedicated along Oak Grove Road in accordance with the Subdivision Regulations; and

WHEREAS, the document providing a 50-foot wide right-of-way along Oak Grove Road was recorded in Wagoner County on June 7, 2017, in Book 2363, pages 494 – 496; and

WHEREAS, a 17.5-foot wide utility easement was recorded in Wagoner County on June 7, 2017, in Book 2363, pages 491 – 493; and

WHEREAS, the property is generally located one-quarter mile south of Kenosha Street, west of Oak Grove Road; 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:

Beginning 835 feet South and 25 feet West of the NE Corner of the NE¼ of NE¼ of Section 11, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of

Oklahoma, Thence South 417.50 feet, Thence West 249 feet, Thence North 417.50 feet, Thence East 249 feet to the Point of Beginning, LESS the North 25 feet thereof

be and the same is hereby changed from the zoning classification of A-1 to RE.

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