

## **ORDINANCE NO. 3592**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1999, generally located one-quarter mile west of Ninth Street (Lynn Lane/177<sup>th</sup> E. Avenue), north of New Orleans Street (101<sup>st</sup> Street), granting a R-2 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 May 1, 2018, that the land in question would be proper for a Single-Family Residential District; and

**WHEREAS**, rezoning case BAZ-1999 (A-1 and RS-1 to R-2), which contains 2.23 acres, was approved by the Broken Arrow City Council on May 1, 2018; and

**WHEREAS**, since right-of-way and utility easements had been previously dedicated, the City Council approved waiver of platting; and

**WHEREAS**, the property is generally located one-quarter mile west of Ninth Street (Lynn Lane/177<sup>th</sup> E. Avenue), north of New Orleans Street (101<sup>st</sup> Street); 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 Tulsa County, State of Oklahoma, being more particularly described as follows:

A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, City of Broken Arrow, Tulsa County, State of Oklahoma, said Tract being described as follows: COMMENCING at the Southeast Corner of said SE/4; Thence South 88°37'52" West along the Southerly Line of said SE/4 for 726.00 feet to the POINT OF BEGINNING; Thence continuing South 88°37'15" West along said Southerly line of the SE/4 for 111.00 feet; Thence North 01°14'43" West and parallel with the Easterly line of the SE/4 for 330.00 feet; thence South 88°37'52" West and parallel with said Southerly line of the SE/4 for 219.00 feet; Thence North 01°14'43" West and parallel with said

Easterly Line of the SE/4 for 182.93 feet; thence North 88°37'52" East and parallel with said Southerly line of the SE/4 for 330.00 feet; Thence South 01°14'43" East and parallel with the said Easterly line for 512.93 feet to the POINT OF BEGINNING. Said described tract contains 2.226 Acres, more or less.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural) and RS-1 (Single-Family Residential) to R-2 (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 \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
(Seal) CITY CLERK

APPROVED:

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY