

ORDINANCE NO. 3594

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2004, generally located one-half mile north of Houston Street (81st Street), west of Evans Road (225th E. Avenue), granting a RS-3 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 July 17, 2018, that the land in question would be proper for a Single-Family Residential District; and

WHEREAS, rezoning case BAZ-2004 (A-1 to RS-3), which contains 7.50 acres, was approved by the Broken Arrow City Council on July 17, 2018; and

WHEREAS, the City Council approved waiver of platting provided right-of-way and utility easements were dedicated along Evans Road (225th E. Avenue) in accordance with the Subdivision Regulations; and

WHEREAS, the document dedicating sixty (60) feet of right-of-way from the section line along Evans Road (225th E. Avenue) was recorded in Wagoner County as Document Number 2018-10871 on September 7, 2019;

WHEREAS, a 17.5-foot wide utility easement was recorded in Wagoner County as Document Number 2018-10870 on September 7, 2019;

WHEREAS, the property is generally located one-half mile north of Houston Street (81st Street), west of Evans Road (225th E. Avenue); 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:

NE1/4 of NE1/4 of SE1/4 Less and except the SE1/4 of the NE1/4 of the NE1/4 of the SE1/4 thereof of Section 8, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County; State of Oklahoma AND The North 60 feet of the SE1/4 of the NE1/4 of the SE1/4 of Section 8, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

be and the same is hereby changed from the zoning classification of 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 _____ day of _____, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY