

## **ORDINANCE NO. 3622**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2014, generally located north and east of the northeast corner of Albany Street (61<sup>st</sup> Street) and Evans Road (225<sup>th</sup> E. Avenue) granting a RS-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 November 20, 2018, that the land in question would be proper for a Single-Family Residential District; and

**WHEREAS**, rezoning case BAZ-2014 (A-1 to RS-2), which contains 12.99 acres, was approved by the Broken Arrow City Council on November 20, 2018; and

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

**WHEREAS**, the document dedicating fifty (50) feet of right-of-way from the section line along Evans Road (225<sup>th</sup> E. Avenue) was recorded in Wagoner County as Document Number 2018-15257 on December 12, 2018;

**WHEREAS**, a 17.5-foot wide utility easement was recorded in Wagoner County as Document Number 2018-15266 on December 12, 2018;

**WHEREAS**, the property is generally located north and east of the northeast corner of Albany Street (61<sup>st</sup> Street) and Evans Road (225<sup>th</sup> 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:

A tract of land located in the Southwest Quarter (SW /4) of Section Thirty-Three (33), Township Nineteen (19) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the United States Government Survey thereof, and being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4; Thence North 01°24'21" West and along the West line of said SW /4, for a distance of 634.50 feet to the POINT OF BEGINNING; Thence continuing North 01°24'21" West and along said West line, for a distance of 340.52 feet; Thence North 88°47'29" East and parallel with the South line of said SW/4, for distance of 275.00 feet; Thence North 01°24'21" West and parallel with said West line, for a distance of 1004.98; Thence North 88°47'29" East and parallel with said South line, for a distance of 275.00 feet; Thence South 01°24'21" East and parallel with said West line, for a distance of 1584.00 feet; Thence South 88°47'29" West and parallel with said South line, for a distance of 110.00 feet; Thence South 01°24'21" East and parallel with said West line, for a distance of 96.00 feet; Thence South 88°47'29" West and parallel with said South line, for a distance of 165.00 feet; Thence South 01°24'21" East and parallel with said West line, for a distance of 300.00 feet to a point on said South line; Thence South 88°47'29" West and along said South line, for a distance of 30.00 feet; Thence North 01°24'21" West and parallel with said West line, for a distance of 632.80 feet; Thence South 89°11'20" West, for a distance of 245.01 feet to the POINT OF BEGINNING.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural) to RS-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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED:

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