



to a masonry wall which was constructed 5-feet inside the property line. The 5-feet of space between the wall and the property line creates a large gap between the wall and the neighbors landscaping. Through this lot split, Tract 1 shall be removed from Lot 8, Block 2 and attached to Lot 9, Block 2, allowing the neighboring property owner to install appropriate landscaping.

Tract 1 by itself does not have access to a public street and does not meet the minimum lot size required by R-2 zoning or PUD 182. However, Tract 1 is being purchased by the applicant from the owner of Lot 8, Block 2. Consequently, the Tract 1 will be attached to the purchaser's property through the filing of warranty deeds with Tulsa County. Once the warranty deeds are recorded, Tract 1 will meet the street frontage requirements of the R-2 district and PUD 182.

According to the legal description and drawings submitted, right-of-way and utility easements have been dedicated in accordance with the Subdivision Regulations. There is an existing 11-foot utility easement along the rear yard boundary of Lot 8, Block 2 that is affected by this lot split.

Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream have indicated that they do not have any problems with the proposed lot split.

**Attachments:**            **Case map**  
                                 **Aerial**  
                                 **Lot Split Exhibits and Legal Descriptions**  
                                 **Berwick Fairways II Plat**

**Recommendation:**

Staff recommends BAL 2013 be approved, subject to the following:

1. Warranty deeds for both parcels being brought simultaneously to the Plan Development Division to be stamped prior to being recorded in Tulsa County.
2. Tract 1 shall be permanently tied to the abutting property, Lot 9, Block 2 of Berwick Fairways II. It shall be acknowledged and stated in the warranty deed associated with Tract 1 that the property cannot be divided without receiving lot split approval from the Planning Commission.
3. The 11-foot utility easement along the rear yard boundary of Tract 1 shall remain in place.

**Reviewed By:**                    **Larry R. Curtis**

**Approved By:**                    **Michael W. Skates**

LRC: ALY