



City of Broken Arrow

Request for Action

File #: 19-1318, **Version:** 1

Broken Arrow Planning Commission
11-07-2019

To: Chairman and Commission Members
From: Development Services Department
Title:

**Approval of BAL-2064 (Lot Split), Fletcher Family Farm Property,
2 Lots, 39 acres, one-quarter mile south of Tucson Street (121st
Street), west of 23rd Street (193rd E. Avenue/County Line Road)**

Background:

Applicant: Fletcher Family Farm, LLC
Owner: Mark Fletcher
Developer: NA
Surveyor: Andy Fritz, PLS
Location: One-quarter mile south of Tucson Street (121st Street), west of 23rd Street (193rd E. Avenue/County Line Road)
Size of Tract 39 total acres
Number of Lots: 2
Present Zoning: A-1
Comp Plan: Level 1 (Urban Residential)

Lot split request BAL-2064 involves two lots totaling 39 acres is located one-quarter mile south of Tucson Street (121st Street), west of 23rd Street (193rd E. Avenue/County Line Road). This unplatte property is zoned A-1 (Agricultural).

On November 22, 2006, the previous owners of this property dedicated a 25-foot-wide utility easement along the frontage of this property. The City of Broken Arrow currently has a 12-inch waterline in this easement. The property associated with BAL-2063CB was annexed into Broken Arrow (via Ordinance No. 3377), recorded in Tulsa County on January 11, 2016. Previous owners submitted an application (BAZ-1953) to rezone the site from AG (Agriculture) to RS-3 (Single-family Residential) with the intention of subdividing the property into 103 single-family residential lots. The rezoning request was scheduled to be heard by the Planning Commission on February 11, 2016; however, the applicant submitted an e-mail request to withdraw the application. The Planning Commission dismissed the BAZ-1953 at its February 11, 2016 meeting. The property transferred to the Fletcher family in September 2018.

BAL-2064 is a request to split a 39-acre tract into a five-acre tract and a 31.79-acre tract. A 35.25-foot-wide section along the S. 23rd Street (S. 193rd E. Avenue/County Line Road) frontage will be dedicated as right-of-way. BAL-2063CB is being processed concurrently to consolidate the existing 5.2-acre and 33.1-acre tracts.

The Fletcher family has renovated the existing home on the property and is seeking to finance the home on five acres without having to encumber the entire property.

The existing home currently meets the 50-foot front setback requirement at 63.07 feet. With dedication of right-of-way dedication, the house will be 27.82 feet from the 23rd Street right-of-way, and will no longer meet the front setback requirement. This will be considered a legal nonconforming condition. Aside from this legal nonconformity, all other zoning requirements of the A-1 zoning district will be met for these lots.

According to FEMA maps, none of the property is in the 100-year floodplain; however, there is a drainage swale that passes through the property. In addition, there are high pressure pipelines and an overhead electric distribution line that passes through the southeast part of the property. 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 Exhibit
 Lot Split Legal Description

Recommendation:

Staff recommends BAL-2064 be approved, subject to the following:

1. The warranty deed for each parcel shall be brought to the Planning and Development Division to be stamped prior to being recorded in Tulsa County.
2. A 35.25-foot right-of-way dedication and a 17.5-foot utility easement shall be recorded in accordance with the Subdivision Regulations along the S. 23rd Street frontages of the parcels prior to the warranty deeds being stamped.

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

JMW