



# City of Broken Arrow

## Legislation Details (With Text)

**File #:** 18-673 **Name:**  
**Type:** Public Hearings **Status:** Referred  
**File created:** 6/5/2018 **In control:** Broken Arrow City Council  
**On agenda:** 7/3/2018 **Final action:** 6/14/2018  
**Title:** Public hearing, consideration, and possible action regarding BAZ-2002, Margaret H. Page Revocable Trust, 2.58 acres, A-R-1 to RS-1, one-quarter mile west of Elm Place, one-third mile north of Jasper Street

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2-CASE MAP.BAZ-2002, 2. 3-AERIAL, 3. 4-COMPREHENSIVE PLAN, 4. 5-ANNEXATION ORDINANCE 2446, 5. 6-AMENDMENT TO PROTECTIVE RESTRICTIONS

Date	Ver.	Action By	Action	Result
6/14/2018	1	Planning Commission		

### Broken Arrow Planning Commission 06-14-2018

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding BAZ-2002, Margaret H. Page Revocable Trust, 2.58 acres, A-R-1 to RS-1, one-quarter mile west of Elm Place, one-third mile north of Jasper Street

### Background:

**Applicant:** Russell D. Peterson  
**Owner:** Margaret H. Page Revocable Trust  
**Developer:** None  
**Surveyor:** Mickey Blackwell, Land Surveyor  
**Location:** One-quarter mile west of Elm Place and one-third mile north of Jasper Street  
**Size of Tract:** 2.58 acres  
**Number of Lots:** 1  
**Present Zoning:** A-R-1  
**Proposed Zoning:** RS-1  
**Comp Plan:** Level 1 (Rural Residential)

BAZ-2002 is a request to change the zoning designation on a 2.58-acre parcel from A-R-1 (Annexed Single-Family Residential) to RS-1 (Single-Family Residential). The unplatted property is located one-quarter mile west of Elm Place and one-third mile north of Jasper Street at 16547 E. 127<sup>th</sup> Street South. In conjunction with BAZ-2002, BAL-2031, a request for a lot split on the property associated with the rezoning request, has also

been submitted.

This property was annexed into the City of Broken Arrow on May 20, 2002, by Ordinance No. 2446. A 50-foot wide roadway easement has been provided along 127<sup>th</sup> Street, but no utility easement has been provided. According to the FEMA maps, none of the property is located within a 100-year floodplain area.

Since 2009, there have been four other requests (BAZ-1831, BAZ-1849, BAZ-1901 and BAZ-1910) to change the zoning on properties in this neighborhood from A-R-1 to RS-1. In each of these requests, the City Council has waived the platting requirements and waived the sidewalk requirement. There are no sidewalks on the interior of this neighborhood.

On August 8, 2015, Document #2015075824 was recorded in Tulsa County amending the protective restrictions to change the minimum lot size from 1.5 acres to 1 acre. While the City cannot enforce private covenants, the proposed lot split submitted in conjunction with this rezoning request, meets the minimum lot size requirement of the covenant.

Surrounding land uses and zoning classifications include the following:

North:	A-1	One single family residence
East:	A-R-1	One single family residence
South:	A-R-1	One single family residence
West:	A-R-1	One single family residence

The property is designated as Level 1 in the Comprehensive Plan. The RS-1 zoning requested with BAZ-2002 is considered to be in compliance with the Comprehensive Plan in Level 1.

**Attachments:** Case map  
Aerial photo  
Comprehensive Plan  
Annexation Ordinance No. 2446  
Amendment of Protective Restrictions

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2002 be approved. As per the other rezoning cases in this neighborhood, Staff recommends that platting and the requirement for sidewalk construction along the property frontage be waived.

**Reviewed by: Larry Curtis**

**Approved by: Michael Skates**

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