



# City of Broken Arrow

## Request for Action

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**File #:** 18-1360, **Version:** 1

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**Broken Arrow Planning Commission  
12-06-2018**

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Approval of BAL-2044, Wall/Toomey Lot Split, 2 Lots, 6.23 acres, north of Albany Street, east of Evans Road

**Background:**

**Applicant:** Sarah Wall  
**Owner:** Terry and Carol Toomey  
**Developer:** Sarah Wall  
**Surveyor:** Nathaniel J. Reed, Harden and Associates  
**Location:** North of Albany Street, east of Evans Road  
**Size of Tract** 6.23 total acres; Tract 1A - 0.20 acres; Tract 1B - 1.14 acres; Tract 1C - 0.20 acres; Tract 2A - 0.28 acres; and Tract 2B - 4.41 acres  
**Number of Lots:** 2 (5 proposed)  
**Present Zoning:** A-1 (RS-2 requested with BAZ-2014)  
**Comp Plan:** Level 2 (Urban Residential)

Lot split request BAL-2044 involves two lots that contain 6.23-acres. The property, located north of Albany Street, west of Evans Road, is zoned A-1. The A-1 zoning was assigned to the property when it was annexed into the City Limits on October 15, 2001, with Ordinance 2393.

Even though the property was in the City Limits of Broken Arrow, a lot split request was submitted to and approved in Wagoner County that divided 12.99 acres into three parcels. The lots created in Wagoner County did not meet the minimum lot size and lot frontage requirements of the Broken Arrow Zoning Ordinance.

After the lot split that was approved in Wagoner County was recorded, Sarah Wall purchased the northern most parcel (6.34 acres) with the desire to construct a new single-family residence on the property. Prior to applying for a building permit, they were advised that they would need to come into compliance with the Broken Arrow Zoning Ordinance. As a result, Ms. Wall, as well as Mr. and Mrs. Toomey who own the other two parcels, submitted an application to rezone the property from A-1 to RS-2. This rezoning request (BAZ-2014) was approved by the City Council on November 20, 2018, subject to right-of-way and utility easements being dedicated in accordance with the Zoning Ordinance. The right-of-way and utility easement dedication documents have been submitted.

With BAL-2044, applicant is proposing to split Tract 1 into three lots (Tract 1A, Tract 1B, and Tract 1C). Tract

1A and Tract 1C each contain 70 feet of frontage onto Evans Road that narrows down to 40 feet. In addition, applicant is requesting to split Tract 2 into two lots (Tract 2A and Tract 2B).

With BAL-2044, applicant has also submitted lot combination request BAL-2045CB. With BAL-2045CB, Tracts 1A and Tract 2A will be combined with Sarah Walls 6.34 acres to create one lot that has frontage onto Evans Road. As part of BAL-2045CB, Tract 1C will be combined with Tract 2B that will be combined to create another lot that also has frontage onto Evans Road. There is an existing single-family house on Tract 1B that will remain.

According to the FEMA maps, none of the subject property is located in the 100-year floodplain.

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 Legal Descriptions and Exhibits

**Recommendation:**

Staff recommends BAL-2044 be approved, subject to the approval of BAL-2045CB and subject to all conditions of BAZ-2014 being met. Warranty deeds for all parcels shall be brought simultaneously to the Plan Development Division to be stamped prior to being recorded in Wagoner County.

**Reviewed By:** Larry R. Curtis

**Approved By:** Michael W. Skates

BDM