



City of Broken Arrow

Request for Action

File #: 18-1374, **Version:** 1

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

To: Chairman and Commission Members
From: Development Services Department
Title: Approval of BAL-2045CB, Wall/Toomey Lot Combination, 5 Lots, 11.43 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 11.43 total acres; Tract 1A - 0.20 acres; Tract 1C - 0.20 acres; Tract 2A - 0.28 acres; Tract 2B - 4.41 acres; and Tract 3 - 6.34 acres
Number of Lots: 5 (2 proposed)
Present Zoning: A-1 (RS-2 requested with BAZ-2014)
Comp Plan: Level 2 (Urban Residential)

Lot combination request BAL-2045CB involves five lots that contain 11.43-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 Tract 3 (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-2045CB, applicant is proposing to combine Tract 1A, Tract 2A, and Tract 3 into one lot. Tract 1A

and Tract 2A were created with BAL-2044, while Tract 3 is the existing lot that was created through the lot split in Wagoner County. In addition, applicant is requesting to combine Tract 1C with Tract 2B. Both Tract 1C and Tract 2B were created with BAL-2044. Both tracts being created with BAL-2045CB meet the minimum lot size and frontage requirements of the RS-2 district.

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 Combination Legal Descriptions and Exhibits

Recommendation:

Staff recommends BAL-2045CB be approved, 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