1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Roll Call.

4. Business Agenda: The following items are hereby designated for discussion and consideration which requires individual action.

4.1 Hold a Public Hearing on a Rezone application submitted by:
    
    **Applicant:** Jacob Webb  
    **Location:** 2525 Orchard Road 
    **Current Zoning:** General Agricultural District (AG)  
    **Proposed Zoning:** Rural Residential District (R-R)  
    **Legal Description:** UNPLTD PT SEC 12 11N 1W 000 000 PT SW4 SEC 12  
    11N 1W N/2 OF N/2 NW4 SE4 SW4 OR N/2 OF TR 7 WITH 25FT ESMT ON E  
    FOR ROAD

    **Open Public Hearing.**
    **Receive Comments.**
    **Close Public Hearing.**

4.1.1 Consideration and possible action on the “rezone” request of Jacob Webb,  
2525 Orchard Road.

4.2 A lot split application submitted by:

    **Applicant:** Steven Spencer  
    **Location:** 14976 SE 10th Street  
    **Current Zoning:** Rural Residential District (R-R)  
    **Legal Description:** UNPLTD PT SEC 02 11N 1W 000 000 PT SE4 SEC2 11N  
    11N 1/2 OF NE4 NE4 SE4 EX W261.60FT EX 25FT ON E & EX N33FT  
    **Proposed # of Lots:** Two (2)

4.2.1 Consideration and possible action on the lot split request of Steven Spencer, 14976 SE 10th Street.
A lot split application submitted by:

**Applicant:** Glenn Burton
**Location:** 1020 Kent Drive
**Current Zoning:** Single Family Residential District (R-S)
**Legal Description:** WOODLAND PARK ADD BLK 000 LOT 000 PT LOT 4
BEG SE/C TH N627FT W130FT S240FT W202FT S175FT W290FT S212FT
E622.64FT TO BEG SUBJ TO ESMTS OF RECORD
**Proposed # of Lots:** Two (2)

4.3.1 Consideration and possible action on the lot split request Glenn Burton, 1020 Kent Drive.

4.4 Regular meeting minutes for January 2, 2020

5. **Public Comments:** This agenda item is for public comments on city related non-agenda items. In accordance with State law, the Planning Commission Board Members and City Staff are not allowed to respond to any comments made. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

6. **Commissioner/Staff Remarks:** This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. No action will be taken.

6.1 **UPDATE - Rezone application and Specific Use Permit application for Mark Banta, 2700 Louise Dr. -** Applicant has withdrawn application.

7. **Adjournment:**

*This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00pm on January 31, 2020 in accordance with the Oklahoma Open Meeting Act.*

Amanda Valen, City Clerk

THE CITY OF CHOCTAW ENCOURAGES PARTICIPATION FROM ALL ITS CITIZENS. IF PARTICIPATION AT ANY PUBLIC MEETING IS NOT POSSIBLE DUE TO A DISABILITY, PLEASE NOTIFY THE CITY CLERK AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING SO THAT NECESSARY ACCOMMODATIONS CAN BE MADE. ACCESS TO RESTROOMS DURING THE MEETING WILL BE AVAILABLE UPON REQUEST TO CITY STAFF.
CITY OF CHOCTAW

STAFF REPORT

Planning Commission Meeting of: 2/6/2020

Planning & Development
Department

Purvi Patel
Prepared By

Guy Henson
Department Head

AGENDA TITLE: Rezoning Application for 2525 Orchard Road submitted by Jacob Webb

******************************************************************************

**Public hearing required if this box is checked**

General Report:
- Jacob Webb is the owner of this 2.51 acre tract of land at 2525 Orchard Road.
- Request is to rezone from A-G "General Agricultural District" to R-R "Rural Residential" to rebuild his home lost to a fire.
- Previous structure was considered a legal non-conforming structure; City Code states the if the structure is more than 50% damaged, it shall not be reconstructed except in conformity with the provisions on the A-G "General Agricultural District" in the code.
- The minimum lot area required in the A-G "General Agricultural District" is 5 acres and the minimum lot frontage is 330 feet. Therefore, Mr. Webb is requesting to rezone his 2.51 acre lot, with 165 feet frontage to a R-R "Rural Residential" which requires a minimum lot area of 1 acre and lot frontage of 110 feet.

Staff Comments:
City Water- There is currently a city water main within 500 feet of the property; however, the applicant is requesting a variance to the mandatory extension requirement of the code. Installation of the water main extension, would require easements from other property owners.

City Sanitary Sewer- The residential property is served by a private septic system due to being out of the serviceable boundary for city sanitary sewer.

Comprehensive Plan: The subject site falls within the "Rural protection boundary" on the future density plan, which notes a development density of 0.5-1 dwelling unit per acre. Mr. Webb's request is to allow for one single family home on 2.5 acres, which is within the parameters of the density listed.

This request is also consistent with the Future Land Use Plan which delineates this area as Low Density Residential, which is defined as single-family homes with lots that are typically one acre or larger excluding rights of way.
CITY OF CHOCTAW
Staff Report

Applicant: Jacob Webb
Location: 2525 Orchard Road
Current Zoning: A-G “General Agricultural District”
Proposed Zoning: R-R “Rural Residential District”

REQUEST SUMMARY
Jacob Webb is the owner of this 2.51 acre tract of land located at 2525 Orchard Road. The owner is requesting a change of rezoning from A-G “General Agricultural District” to R-R “Rural Residential District” in order to rebuild a single-family home that was lost to a fire.

EXISTING ZONING AND LAND USE
The current zoning for the subject site is A-G “General Agricultural District”. There previously had been a single-family residence on the property which was lost to a fire last year. The previous structure was considered a legal Nonconforming Structure per the §12-247 of the City Code. This section states:

Where a lawful structure exists at the effective date of adoption or amendment of this chapter that could not be built under the terms of this chapter by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such structure may be enlarged or altered in a way which increases its nonconformity;
B. Should such structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at any time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter; and
C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved. (Ord. 8/19/74)

A single-family dwelling is a permitted use in the A-G “General Agricultural District”; however, the required minimum lot area is five (5) acres and minimum lot frontage is 330 feet. Mr. Webb’s property is 2.51 acres and his lot frontage along Orchard Road is approximately 165 feet.
**SURROUNDING LAND USE AND ZONING**

The land use and zoning for the properties surrounding this parcel and shown in the aerial image below are as follows:

*North:* The property to the north is zoned A-G “General Agricultural District” and currently has a 1-story ranch home on it built in 1995.

*South:* The zoning for the property to the south is zoned was changed from A-G “General Agricultural District” to R-R “Rural Residential District” in September, 2017 via Ordinance 763. This change of zoning request was associated with a rebuild of a single-family home as well.

*East:* The property to the east is zoned A-G “General Agricultural District” and contains a 1-story ranch home built in 2006.

*West:* The property to the west is zoned R-S “Single-family Residential District” with a single-family residence which is part of a residential subdivision that was developed around 2003.

---

**PROPOSED ZONING AND BUILDING USE REGULATIONS**

The requested zoning district is R-R “Rural Residential District” to allow for a single-family residence to be rebuilt on the site. The Area and Height Regulations for an R-R District are listed below and any variances to these regulations would require a Board of Adjustment approval.

1. Minimum lot area 43,560 sf;
2. Minimum lot frontage 110 feet;
3. Maximum height 35 feet;
4. Minimum front yard setback 50 feet;
5. Minimum side yard setback 15 feet; and
6. Minimum rear yard setback 20% depth of lot (which is approximately 132 feet based on the 660 foot lot depth).
The City issued a demolition permit for this parcel last year to remove the burnt structure. Since the demolition, no building permit is located for within the City’s records for a new construction for 2525 Orchard Road.

Any development of the property will require a submittal of a site development plan and appropriate permits. The development will have to comply with subdivision regulations, designated zoning classification, and all State of Oklahoma rules and regulations.

**COMPREHENSIVE PLAN**

- **Future Development Density Plan:** The subject property is within the “Rural Protection Boundary”. The development density of this area is 0.5 to 1 dwelling unit per acre. Mr. Webb’s request is to rezone is to add a single-family residence on a 2.51 acre tract of land; therefore his request is within the parameters set for the “Rural Protection Boundary” density.

- **Land Use:** The existing property is vacant to the fire destroying the home. Historically, the property use has been for a single-family home.
  - *Future Land Use:* The existing zoning matches the City’s Future Land Use Map designation as “Low Density Residential” for the property. “Low Density Residential” is defined as single-family homes with lots that are typically one acre or larger excluding rights of way. The proposed use would continue to fall under this density designation as well.
  - *Physical Constraints* – The natural constraint on the property is Choctaw Creek, Tributary 2, East Branch. Any development on the site will have to address stormwater quality, floodplain regulations and all other national, state and local codes as they relate to this stream.
- **Transportation** – Orchard Road is a local street with a fifty (50) foot wide roadway and utility easement. It is accessed from S.E. 29th Street which is an arterial street. Please refer to the “Transportation” paragraph to identify the required road dedication.

- **Infrastructure** – This area is currently not served by sanitary sewer; however there is public water available nearby. Please refer to paragraph below “Water and Sewer” to see more details regarding mandatory connections and extensions.

- **Livable City** – The development of this property will have to ensure that the livability standards within the comprehensive plan are being met and follow all required regulations within the City’s adopted ordinances and resolutions.

**WATER AND SEWER**

The subject property is served by private water and sewer at this time. There is an existing six (6) inch water line approximately 270 feet south west from the southwestern property line on Scottsdale Lane. However, this area of the City is not serviced by public sewer. Additionally, there are no existing water or sewer connections along Orchard Road where the property fronts.

City Code states the following regarding mandatory water/sewer connections and extensions:

- **§19-164.A Mandatory Connections** – The following properties must connect to Authority Water and Sanitary Sewer Main Lines:
  - New primary building development that abut existing public water and/or sanitary sewer mains;
  - Developed properties that abut existing water mains with failed water wells;
  - Developed properties that abut existing sewer main with a failed septic system;
  - In the event that a sanitary sewer extension or service is installed within twenty five (25) feet of a private water well, the well shall be abandoned and the property owner shall connect to the Authority’s water systems;
  - Lawn irrigation only is exempt from this rule. A backflow device must be installed and tested annually as required in the adopted International Plumbing Code.

- **§19-165.C Mandatory Extension** – The said property must extend the utility main if any point of the property is within 500 foot circumference of an existing public water or sanitary sewer main:
  - Platted or un-platted new primary building development;
  - Existing platted or un-platted developed properties that has a failed private water well(s) and or failed private sanitary sewer systems.

The subject site is likely served by a private sanitary system, such as a sceptic system, as is it outside of the City’s current service boundary. There are no public sanitary sewer mains located within 500 feet for the property owner to extend or connect to as required by §19-165. Therefore, a private sanitary system is required and the installation/maintenance will have to adhere to the requirements of the City of Choctaw and Oklahoma Department of Environmental Quality (ODEQ).
As seen in the image above, the subject property is within the 500 foot circumference of an existing public water main on Scottsdale Lane. There are no existing water mains along Orchard Road which abuts Mr. Webb’s property. And in order to make a connection/extension to that existing line on Scottsdale Lane, Mr. Webb would require easements through other property owners’ lots for installation.

Section §19-165.G Mandatory Extension states: any variance to the mandatory extension will have to be approved by the City Council. Mr. Webb has requested a variance to the mandatory water line extension due to the costs associated with this extension in regards to rebuilding his home. Additionally, he has noted that the water well on the site was not damaged in the fire. Please see his attached request with his application.

At any point if there is a water line extension required, the owner or developer will be responsible for the street bore, tap, case, and meter installation for water service or any additional fire protection. The connection to the public water main requires all appropriate permits and installation as required by the City of Choctaw, Oklahoma Water Resource Board (OWRB), and Oklahoma Department of Environmental Quality (ODEQ).

**TRANSPORTATION**

The property has frontage along Orchard Road, which is considered a local street. The principle objective of local or minor streets is to provide access to adjacent properties, such as residential areas, off arterials and collector streets. At this time, there are no changes proposed to Orchard Road nor will there be any additional right of way or easement dedication associated with the rezoning or new home rebuild.
CITY OF CHOCTAW STAFF

The City of Choctaw’s staff has reviewed the proposed zoning amendment by changing the zoning classification of the applicant’s property from A-G “General Agricultural District” to R-R “Rural Residential District”. This request is consistent with the Future Land Use Plan which delineates this area as Low Density Residential.
APPLICATION
ZONING CHANGE [REZONING]

We, the undersigned, ask the City Council of the City of Choctaw, Oklahoma, to approve a zoning change as requested in this application on the tract of land described below. We attest to the truth and correctness of all facts and information presented with this application and will observe and conform in all aspects of the Zoning Regulations, as amended, of the City of Choctaw and have received a copy of the Policies and Procedures regulating the Zoning Amendment application. We hereby agree to pay all advertising and mailing notification costs differences which are greater than the amount paid with this application for the public hearings as required by the Choctaw Zoning Regulations. The City of Choctaw is authorized to prepare and publish all required legal advertising and mail notifications, the cost difference of which is to be billed to the name listed below for payment.

Present Zoning Classification A-G Requested Zoning Classification R-R

Legal Description of Property Requested to be Rezoned [attach additional sheets if needed]

Street Address or Other Common Property Description: 2525 Orchard Rd Choctaw

Property Owner's Name(s): Jacob Webb

If corporation, Corporate Official Name and Seal:

Mailing Address: 2525 Orchard Rd

Choctaw OK 73020

Email Address: randiwebb522@gmail.com

Telephone: 405-308-2002

AUTHORIZED REPRESENTATIVE: I hereby certify that I am authorized to represent all of the property owners of the above described tract in the application. A power of attorney is attached.

Name: 

Signature: 

Dec 2018
To whom it may concern:

I Jacob Webb am requesting a variance in the rezoning of 2525 Orchard Rd.
We have a well on site that was not damaged by the house fire as well as it would not make sense for my family to have to pay the $30,000.00 to move the City of Choctaw utility water line through other people’s property.

Thank you for consideration:

Signed:

1/27/2020
QUESTIONS ON REZONING APPLICATION

[Attach additional sheets if necessary]

1. What is the current use of the property?  Residential

2. Why are you requesting a change in zoning?  To conform to ordinance

3. Are there any deed restrictions of restrictive covenants that would affect the use of this property?
   If so, what are they and attach a copy to this applications? No

4. Has a rezoning ever been requested for this property in the past by the current owner?
   If so, what zoning classification was requested and when? No

5. If the rezoning is approved, does the applicant intend to develop the property? No
WARRANTY DEED
Statutory Form Individual

Know All Men by These Presents:

THAT, WILLIAM R. WEBB AND BELINDA R. WEBB, HUSBAND AND WIFE, parties of the first part, in consideration of the sum of TEN and No/100 ($10.00) and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and convey unto JACOB J. WEBB, A MARRIED PERSON party of the second part, the following described real property and premises situate in Oklahoma County, State of Oklahoma, to wit:

The North Half (N/2) of the North Half (N/2) of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section Twelve (12), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the Government survey thereof, with 25 foot easement on East for road and surface rights only. Starting at the Southeast Corner and running West 659.0 feet; Thence North 164.55 feet; Thence East 658.83 feet; Thence South 164.54 feet to the place of beginning of an unrecorded plat.

Grantee’s Mailing Address: 2525 Orchard Rd. Choctaw Oklahoma 73020

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, his heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

SUBJECT to existing zoning, easements, right-of-ways and restrictive covenants of record.

Signed and delivered this 6th day of September, 2012

William R. Webb

BELINDA R. WEBB

CERTIFIED COPY
OCT 25 2019

DAVID B. HOOTEN
County Clerk, Oklahoma County
By: Alan Weelers
Deputy

STATE OF OKLAHOMA
) SS
COUNTY OF OKLAHOMA

Before me, the undersigned, a Notary Public in and for said County and State on the 6th day of September 2012, personally appeared, WILLIAM R. WEBB AND BELINDA R. WEBB, HUSBAND AND WIFE, to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that same was executed as the free and voluntary act and deed of said person(s) for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public
Commission Expires:

RETURN TO:
Stewart Eason & Title, Midwest City, Inc.
1712 S. Post Road, Suite A
Midwest City, Oklahoma 73110

2012090611185640
Filing Fee $15.00
Doc. Stamps $1.50
09/06/2012 11:57:36 AM
DEED
DEED LEGAL DESCRIPTION: (BK:RE11718, PG:1800)

THE NORTH HALF (N/2) OF THE NORTH HALF (N/2) OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE ONE (1) WEST OF THE 11TH MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF WITH 25 FOOT EASEMENT ON EAST FOR ROAD AND SURFACE RIGHTS ONLY, STARTING AT THE SOUTHEAST CORNER AND RUNNING WEST 865.0 FEET; THENCE NORTH 164.55 FEET; THENCE EAST 458.83 FEET; THENCE SOUTH 164.54 FEET TO THE PLACE OF BEGINNING OF AN UNRECORDED LOT.

NOTES:
1) BUILDING FOOTPRINT SHOWN HEREON IS APPROXIMATE IN NATURE AND DOES NOT INCLUDE THE ARCHITECTURAL FEATURES, IF ANY, OF THE BUILDING.
2) SCHEDULE B ITEMS SHOWN ARE AN APPROXIMATION BASED UPON THE RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED.
3) EXISTING OVERHEAD ELECTRIC LINE APPEARS TO ENCROACH ON THE PROPERTY AS SHOWN.

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR COUNTRYPLACE MORTGAGE. IT IS NOT A LAND OR BOUNDARY SURVEY PREPARED FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON THE RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED.
# Oklahoma County Assessor's Public Access System

Larry Stein  
County Assessor  

All records are current as of close of previous working day.

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**Personal Property**

**Subdivision Sales**

**No Photo Available**

**Full Legal Description:** UNPLTD PT SEC 12 11N 1W Block 000 Lot 000

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### Market Value Summary

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### Deed Records

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*Report coming soon*
Larry Stein
Oklahoma County Assessor’s Office

Ownership Radius Report

This Report is for Account Number R194645070 and is a 400-foot radius from the outside of the polygon. If the minimum number of different owners was not reached it was extended by 100-foot increments until the required number of different owners was reached, or the maximum distance was reached. This report does not constitute a legal survey or document, for definitive description of real property and ownership; consult the deeds recorded in the Oklahoma County Clerks Office.
STATE OF OKLAHOMA
COUNTY OF OKLA.

I, the duly elected, qualified and acting County Assessor, in and for the County and State aforesaid, do hereby certify that the within and foregoing is a full, true and complete copy of

filed in the office of the County Assessor on the 19th day of December 2019.

Given under my hand and official seal this 19th day of December 2019.

[Signature]
County Assessor

[Signature]
Deputy
<p>| accountno | name1                           | name2               | mailingaddress1 | mailingaddress2 | city    | state | zipcode | subname                  | block | lot | legal                                                                 | location                          |
|-----------|---------------------------------|---------------------|-----------------|-----------------|---------|-------|---------|--------------------------|-------|-----|                                                                     |                                   |
| R194645075| TILLER DANIELIAN &amp; JESSICA A TRS| TNT FAMILY         | 2505 ORCHARD RD |                 | CHOCTAW | OK    | 73020-6697 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT SW4 SEC 12 11N 1W 5/2 OF SWA NE4 SW4 OR TR 11 WITH 25FT ESMT ON E FOR ROAD | 2505 ORCHARD RD CHOCTAW |
| R194646040| NEWTON LEONARD WAYNE JR          | RODRIGUEZ JESSICA   | 2538 ORCHARD RD |                 | CHOCTAW | OK    | 73020-6693 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT OF SW4 SEC 12 11N 1W 5/2 OF NE4 OF SE4 OF SW4 CONT SACS MORE OR LESS KNOWN AS TR 20 | 2538 ORCHARD RD CHOCTAW |
| R194646070| VACHON RONALD EARL               |                     | 2500 ORCHARD RD |                 | CHOCTAW | OK    | 73020-6692 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT SW4 SEC 12 11N 1W 5/2 OF NW4 SE4 SW4 OR TR 8 SUB TO A 25FT RD ESMT | 2500 ORCHARD RD CHOCTAW |
| R194646080| TILLER STANLEY W &amp; DONNA J       |                     | 1608 E BOISE ST  | BROKEN ARROW    | OK      | 74012-9575 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT SW4 SEC 12 11N 1W 5/2 OF NE4 OF SW4 OR TR 10 | 0 UNKNOWN |
| R194645095| HUFFMAN LENZY D &amp; ANN S CD TRS   | HUFFMAN FAMILY      | 2484 ORCHARD RD |                 | CHOCTAW | OK    | 73020-6639 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT OF SW4 SEC 12 11N 1W 5/2 OF NE4 OF SW4 OR TR 10 | 2484 ORCHARD RD CHOCTAW |
| R194646020| BOSWOOD ROBERT D &amp; BETTY L       |                     | 3903 N ROCKWELL AVE APT 107 |  | BETHANY | OK    | 73008-3304 | UNPLTD PT SEC 12        | 000   | 000| UNPLTD PT SEC 12 11N 1W 000 000 PT OF SW4 SEC 12 11N 1W 5/2 OF SWA OR TR 12 | 2504 ORCHARD RD CHOCTAW |</p>
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AGENDA TITLE: Lot Split Application for 14976 SE 10th Street submitted by Steven Spencer

**Public hearing required if this box is checked**

General Report:
- Steven Spencer is the owner of this 2.54 acre un-platted tract of land at 14976 SE 10th Street.
- Applicant is requesting a lot split for two equally sized lots.
- Tract 1 and Tract 2 shall be 1.27 acres with 186.31 feet of lot frontage.
- Current zoning is R-R “Rural Residential District” and the two (2) proposed lots will comply with the zoning of R-R “Rural Residential District”.

Staff Comments:
City Water: There is currently a twelve (12) inch city water main abutting the existing lot on the east along South Choctaw Road. The applicant will be required to connect to public water when the lots are developed.

City Sanitary Sewer: The residential property is served by a private septic system due to being out of the serviceable boundary for city sanitary sewer.

Comprehensive Plan: The subject site falls within the “Rural protection boundary” on the future density plan, which notes a development density of 0.5-1 dwelling unit per acre. Mr. Spencer’s request is to lot split to allow for two future single-family residences on a 1.27 acre tract of lands; therefore his request is within the parameters set for the “Rural Protection Boundary” density.

This request is also consistent with the Future Land Use Plan which delineates this area as Low Density Residential, which is defined as single-family homes with lots that are typically one acre or larger excluding rights of way.
Applicant: Steven Spencer

Location: 14976 SE 10th Street

Current Zoning: R-R “Rural Residential District”

Request: Subdivide a 2.54 acre tract of land into 2 tracts

Steven Spencer is the owner of this 2.54 acre un-platted tract of land, located at 14976 SE 10th Street. The property carries an R-R “Rural Residential District” zoning classification. Pursuant to §19-202 Short Form Subdivision, the applicant is requesting to subdivide the existing parcel into two (2) equal parcels that will front SE 10th Street.

EXISTING ZONING AND BUILDING USE REGULATIONS

The current zoning for the property is R-R “Rural Residential District” which requires a minimum of 43,560 square feet lot area and a minimum lot frontage of 110 feet. The current parcel is 2.54 acres in size and has 372.62 feet frontage along SE 10th Street and 296.79 feet frontage along South Choctaw Road. The applicant is requesting to subdivide the property in the middle, with the new lot line going north-south; so that both lots will front SE 10th Street. Proposed Tract 1 and Track 2 are 1.27 acres in size and will have 186.31 feet frontage on SE 10th Street. The lot size and lot frontage both meet the minimum requirements of the R-R “Rural Residential District”. In addition to meeting these to minimum requirements, the applicant will have to meet all other zoning regulations at the time they develop the lots. The next page includes the sketch of the proposed lot split.

There are no structures currently present on the site. Any development submittal will have to be reviewed by the City of Choctaw and appropriate state departments. The development will have to comply with subdivision and zoning regulations, as well as all state requirements. All appropriate permits will have to be issued by the appropriate parties.

COMPREHENSIVE PLAN

- **Future Development Density Plan**: The subject property is within the “Rural Protection Boundary”. The development density of this area is 0.5 to 1 dwelling unit per acre. Mr. Spencer’s request is to lot split to allow for two future single-family residences on a 1.27 acre tract of lands; therefore his request is within the parameters set for the “Rural Protection Boundary” density.
- **Land Use** – At this time the property is vacant. Historically, it has been used for a single-family residence.
  - **Future Land Use** – Low Density Residential – *(Single family homes with lots that are typically one are or larger excluding rights of way.)* The applicant’s proposal of two (2) lots resulting in lots at (1) acre or greater, meets the recommendations of the Comprehensive Future Land Use Plans.
**Physical Constraints** – There are no built or natural constraints by the Comprehensive Plan, but if the property is developed, the developer will need to be aware of any stormwater drainage, stormwater quality, and any other environmental impact.

- **Transportation** – SE 10th Street is a local street accessed from South Choctaw Road which is an arterial street. Please refer to the “Transportation” paragraph to identify the required road easement dedication.
- **Infrastructure** – This area is currently not served by sanitary sewer; however there is public water available nearby. Please refer to paragraph below “Water and Sewer” to see more details regarding mandatory connections and extensions.
- **Livable City** – The development of these properties will have to ensure that the livability standards within the comprehensive plan are being met and follow all required regulations within the City’s adopted ordinances and resolutions.

**WATER AND SEWER**

The current site is served by private water and sewer at this time; however, there is a twelve (12) inch city water main along South Choctaw Road. This area is not serviced by public sewer. **§19-164.A Mandatory Connections** states new primary building development that abut existing public water and/or sanitary sewer mains must connect to Authority Water and Sanitary Sewer Main Lines. Therefore at the time of the two properties development, connection to the existing water main to the east will be required.
The connection to a public water service requires all appropriate permits and installation as required by the City of Choctaw, Oklahoma Water Resource Board (OWRB), and Oklahoma Department of Environmental Quality (ODEQ).

Furthermore as these sites are outside of the city’s sewer service limits, the installation of a private septic systems will be required for the two lots. All appropriate permits and installation of the septic systems will be as required by the City of Choctaw and Oklahoma Department of Environmental Quality (ODEQ).

**TRANSPORTATION**
The property has frontage along South Choctaw Road which is an arterial street. The Comprehensive Plan identifies arterials as roadways that are designed to convey longer trips and relatively heavy volumes of traffic; these roadways are primarily intended to provide mobility. These types of roadways may have four (4) to six (6) lanes of traffic requiring up to one hundred (100) feet of right-of-way. The statutory right-of-way requirement for arterials is thirty-three (33) feet on one half of the roadway and therefore an additional seventeen (17) feet of public roadway and utility easement will be dedicated with this lot split on Tract 1 along South Choctaw Road to allow for proper width for utility relocation and proper road widening. The total right-of-way on the western half of South Choctaw Road will be fifty (50) feet along Mr. Spencer’s property.

**CITY OF CHOCTAW STAFF**
The City of Choctaw’s staff has reviewed the lot split for Steven Spencer. Staff has completed its review of the lot split request.
Applicant: Steven Spencer
Address: 11917 SE 152nd street Oklahoma City, OK 73165
Phone: 405-919-7612 Cell: 405-919-7612
Email Address: stevenandtisha2016@gmail.com
Property address: 14973 10th st Choctaw, OK 73020

Legal Description: UNPLTD PT SEC 02 11N 1W 000 000 PT SEC 2 11N 1W N 1/2 OF NE4 NE4 SE4 EX W261.60FT EX 25FT ON E & EX N33FT

Number of Acres: 2.46
Number of proposed tracts: 2
Property zoning district: Residential

I hereby certify and attest that I am the current and legal owner of the above described property located in the City of Choctaw and that I received a copy of the Policies and Procedures regulating this application.

Signature of Owner, or authorized agent:

Date: 12-16-2019

*Owner or authorized agent must be present at public meeting.

Do Not Write Below This Line—Official Use Only

Permit #: 1912067 Receipt #: 1420
Total Amount Paid: $600.00 Date Paid: 12-16-19
Cash: □ Check #: □ Credit Card: □

County Parcel Number: ______________________
I, Michael A. Dawson, a Professional Land Surveyor in the State of Oklahoma, do hereby certify that the field work was completed as of the date set forth above and that an on the ground survey was made under my supervision of a tract of land described as follows:

LEGAL DESCRIPTION
The North Half (N/2) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT a strip of land 33 feet wide along the North and a strip of land 25 feet wide along the East side of said land which is reserved for road purposes only, AND LESS AND EXCEPT Part of the North Half (N/2) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section 2, Township 11 North, Range 1 West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Beginning at a point 397.62 feet due West of the Northeast Corner of said Southeast Quarter (SE/4); Thence South 0°25'00" East a distance of 329.67 feet; Thence North 89°59'44" West a distance of 261.60 feet; Thence North 0°25'00" West a distance of 329.65 feet; Thence due East a distance of 261.60 feet to the Point or Place of Beginning.

Only the improvements shown herein were located as per client's request.

The property has direct access to S. Choctaw Rd, and SE 10th Street. The street address is 14976 SE 10th, Choctaw, Ok 73020

I further certify that the property corners were set or found as shown. The shown description does form a mathematically closed figure.

This survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors, as adopted July 23, 2013.

Any alteration of this property boundary survey or legal description by any party other than the author, stated below, voids this property boundary survey and legal description and the plat of survey to which it relates.

This survey does not show:

1. The identifying titles of all recorded plats, filed maps, right of way maps, or similar documents with their appropriate recording data, filing dates and map numbers, of the surveyed premises. Nor does it show the names of adjoining owners as they appear of record and recorded lot or parcel numbers, recording information identifying the current description of record and similar information, where appropriate.

2. Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

I further certify that by graphic plotting only, this property is located within an area having a Zone Designation of "X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 40109C0335H with a date of identification of 12/18/2009, for Community No. 400357, the City of Choctaw, Oklahoma County, State of Oklahoma, which is the current Flood Insurance Rate Map for the community in which said premises is situated.

No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.
SURVEYOR'S CERTIFICATE

December 10, 2019

I, Michael A. Dawson, a Professional Land Surveyor in the State of Oklahoma, do hereby certify that the field work was completed as of the date set forth above and that an on the ground survey was made under my supervision of a tract of land described as follows:

LEGAL DESCRIPTION

A tract of land in the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: With a basis of bearing being the North line of said SE/4, N90°00'00"W.

COMMENCING at the Northeast Corner of the Southeast Quarter (SE/4) of said Section 2; thence S00°31'01"E along the East line of said SE/4 a distance of 33.00 feet; thence N90°00'00"W a distance of 25.00 feet to the POINT OF BEGINNING; thence S00°31'01"E and parallel with the East line of the SE/4 a distance of 296.79 feet; thence N90°39'28"W a distance of 186.40 feet; thence N00°31'01"W a distance of 296.76 feet; thence S90°00'00"E a distance of 186.31 feet to the point of beginning. Said tract contains ±55301.9 square feet, or 1.27 acres more or less.

Only the improvements shown heron were located as per client’s request.

The property has direct access to S. Choctaw Rd, and SE 10th Street. The street address is 14976 SE 10th, Choctaw, OK 73020

I further certify that the property corners were set or found as shown. The shown description does form a mathematically closed figure.

This survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors, as adopted July 23, 2013.

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Note: Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

I further certify that by graphic plotting only, this property is located within an area having a Zone Designation of “X” by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 40109C0335H with a date of identification of 12/18/2009, for Community No. 400357, the City of Choctaw, Oklahoma County, State of Oklahoma, which is the current Flood Insurance Rate Map for the community in which said premises is situated. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

Michael A. Dawson, PLS
Professional Land Surveyor
12/16/2019
I, Michael A. Dawson, a Professional Land Surveyor in the State of Oklahoma, do hereby certify that the field work was completed as of the date set forth above and that an on the ground survey was made under my supervision of a tract of land described as follows:

LEGAL DESCRIPTION

A tract of land in the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: With a basis of bearing being the North line of said SE/4, N90°00'00"W. COMMENCING at the Northeast Corner of the Southeast Quarter (SE/4) of said Section 2; thence N00°31'01"E along the East line of said SE/4 a distance of 33.00 feet; thence N90°00'00"W a distance of 211.31 feet to the POINT OF BEGINNING; thence S00°31'01"E and parallel with the East line of the SE/4 a distance of 296.76 feet; thence N89°59'28"W a distance of 186.80 feet; thence N00°25'00"W a distance of 269.67 feet; thence S90°00'00"E a distance of 186.31 feet to the point of beginning. Said tract contains ±55348.1 square feet, or 1.27 acres more or less.

Only the improvements shown herein were located as per client's request.

The property has direct access to SE 10th Street.

I further certify that the property corners were set or found as shown. The shown description does form a mathematically closed figure.

This survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors, as adopted July 23, 2013.

Any alteration of this property boundary survey or legal description by any party other than the author, stated below, voids this property boundary survey and legal description and the plat of survey to which it relates.

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The identifying titles of all recorded plats, filed maps, right of way maps, or similar documents with their appropriate recording data, filing dates and map numbers, of the surveyed premises. Nor does it show the names of adjoining owners as they appear of record and recorded lot or parcel numbers, recording information identifying the current description of record and similar information, where appropriate.

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LEGAL DESCRIPTION

17' Additional Right of Way

The West 17.00 feet of the East 25.00 feet of the following described tract of land.

The North Half (N/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT a strip of land 33 feet wide along the North side and a strip of land 25 feet wide along the East side of said land which is reserved for road purposes only, AND LESS AND EXCEPT Part of the North Half (N/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section 2, Township 11 North, Range 1 West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Beginning at a point 397.62 feet due West of the Northeast Corner of said Southeast Quarter (SE/4); Thence South 0°25'00" East a distance of 329.67 feet; Thence North 89°59'44" West a distance of 261.60 feet; Thence North 0°25'00" West a distance of 329.65 feet; Thence due East a distance of 261.60 feet to the Point or Place of Beginning.
Oklahoma County Assessor's
Public Access System
320 Robert S. Kerr #313
Oklahoma City, Ok  73102
(405) 713-1200

All records are current as of close of previous working day

Larry Stein-Oklahoma County Assessor Public Access System

Real Property Display - Screen Produced 12/2/2019 1:33:45 PM

Account: R194802265 Type: Residential

Location: 0 UNKNOWN

Building Name/Occupant: Map Parcel

Owner Name 1: SPENCER STEVEN M & LETISHA A BESSE 1/4 section #: 1206

Owner Name 2: Parent Acct:

Billing Address 1: 14976 SE 10TH ST Tax District: TXD 504

Billing Address 2: ChocTaw, OK 73020 School System: ChocTaw #4

City, State, Zip: CHOCTAW, OK 73020 Land Size: 2.46 Acres

Associated Lot Dimensions: Width Depth

Treasurer: Click to View Taxes

Seet 2-T11N-R1W Qtr SE UNPLTD PT SEC 02 11N 1W Block 000 Lot 000 Subdivision Sales

Full Legal Description: UNPLTD PT SEC 02 11N 1W 000 000 PT SE4 SEC 2 11N 1W N 1/2 OF NE4 NE4 SE4 EX W261.60FT EX 25FT ON E & EX N33FT

No comparable sales returned.

Valuation History (**2019 Millage & Tax Amounts projected by November 15, 2019**)

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Property Account Status/Adjustments/Exemptions

No adjustment/exemption records returned.

Property Deed Transaction History *(Recorded in the County Clerk's Office)*

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### Property Building Permit History

No Building Permit records returned.

Click button on building number to access detailed information:

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JOINT TENANCY
WARRANTY DEED
(INDIVIDUAL FORM)

Know All Men by These Presents:

That Keith L. Jones and Barbara J. Jones, husband and wife

of Lincoln, County, State of Oklahoma, parties of the first part, in consideration of the

sum of Ten Dollars and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and

Convey unto James W. Davidson and Ciscie V. Davidson, husband and wife as Joint tenants and not as tenants in common with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, of Oklahoma County, State of Oklahoma, parties of the second part, the following described real

property and premises situate in Oklahoma County, State of Oklahoma

to-wit: Part of the North Half (1/2) of the Northeast Quarter (NEQ) of the Northeast Quarter (NEQ) of the Southeast Quarter (SE) of Section 2, Township 11 North, Range 1 West of the 1st P.M., Oklahoma County, Oklahoma, more particularly described as follows: Part of the Southeast Quarter, Section 2, Township 11 North, Range 1 West: North Half (1/2) of Northeast Quarter (NEQ) of Southeast Quarter (SEQ) Except West 261.80 feet; Except West 25 feet East of East 372 feet of North 169.49 feet; Except 25 feet on East and except North 33 feet which is reserved for road purposes.

together with all the improvements thereof and the appurtenances thereto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, liens, judgments, mortgages and other liens and incumbrances of whatsoever nature.

EXEMPTION DOCUMENTARY TAX
O.S. TITLE 65, ARTICLE 37, SECTION 3220.11

Signed and delivered this 28th day of August, 1991.

James W. Davidson

Acknowledged before me this 28th day of August, 1991, personally appeared Keith L. Jones and

Barbara J. Jones, who executed the within and foregoing instrument and acknowledged to me that they executed the same as his true and voluntary act and deed for the uses and purposes therein set forth.

I declare under oath I am a Notary Public authorized to act in the State of Oklahoma and that the above is a true copy of the instrument executed before me.

Notary Public

[Signature]

[Seal]

Date: 8-25-91

1991

1991
JOINT TENANCY
WARRANTY DEED

INDIVIDUAL FOOD

Know All Men by These Presents:

That James W. Davidson and Cassie V. Davidson, husband and wife

of Oklahoma, County,

State of Oklahoma, in the first part, in consideration of the sum of Ten-Dollars and no/100th's—— DOLLARS and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Keith L. Jones and Barbara J. Jones, husband and wife, as joint tenants and not as tenants in common with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, of Oklahoma, County,

State of Oklahoma, parties of the second part, the following described real property and premises situate in Oklahoma, County, State of Oklahoma,

to wit: Part of the North Half (N1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 2, Township 11 North, Range 1 West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Part of Southeast Quarter (SE1/4) Section 21 North, West North Half (W1/2) of Northeast Quarter (NE1/4) of Northeast Quarter (NE1/4) of Northeast East Quarter (SE1/4) Except West 251.60 Feet Except West 64.25 Feet of East 272 Feet of North 169.49 Feet Except 25 Feet on East and Except north 33 Feet which is reserved for road purposes together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 19th day of March 1982

James W. Davidson
Cassie V. Davidson

STATE OF OKLAHOMA
COUNTY OF OKLAHOMA

Before me, the undersigned, a Notary Public in and for said County and State on this 16th day of March 1982, personally appeared James W. Davidson and Cassie V. Davidson, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Acknowledged and sworn to me and subscribed by them the day and year last above written.

My commission expires 3-15-84

Loretta J. Henson
Notary Public
JOINT TENANCY
WARRANTY DEED

Deed presented for filing by: Stewart Title of Oklahoma, Inc.
File No.: 01043-67429
Stewart Title Guaranty Company

Know All Men by These Presents:

THAT, Sheranna Duffy and Rodney Duffy, wife and husband, parties of the first part, in consideration of the sum of TEN and No/100 ($10.00) and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and convey unto Steven M. Spencer and Letisha A. Beese, husband and wife as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, parties of the second part, the following described real property and premises situate in Oklahoma County, State of Oklahoma, to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Tax ID No.: 194802265
Grantee's Mailing Address: 14953 SE 10th St
Duncan, OK 73505

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. SUBJECT to existing zoning, easements, right-of-ways and restrictive covenants of record.

Signed and delivered this 20th day of December, 2018

Sheranna Duffy
Rodney Duffy

01043-67429 11/10
Doc Stamps: $112.50
INDIVIDUAL ACKNOWLEDGMENT

State of Oklahoma
County of Oklahoma

Before me, the undersigned, a Notary Public in and for said County and State on this 20th day of December, 2018, personally appeared, Sheranna Duffy and Rodney Duffy, wife and husband, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that same was executed as the free and voluntary act and deed of said person(s) for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Commission Expires: 11/10/20

RETURN TO: Stewart Title of Oklahoma, Inc. 721 N. Broadway, Suite 350 Oklahoma City, OK 73102

201812270117760980 DEED
12/27/2018 03:13:01 PM
Book: 84916 Page: 1646
Page Count: 2 Filing
Fee: $5.00 Doc. Tax: $112.50
State of Oklahoma
County of Oklahoma
Oklahoma County Clerk
David B. Hooten
EXHIBIT "A"
LEGAL DESCRIPTION

The North Half (N/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Two (2) Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT a strip of land 33 feet wide along the North side and a strip of land 25 feet wide along the East side of said land which is reserved for road purposes only, AND LESS AND EXCEPT Part of the North Half (N/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section 2, Township 11 North, Range 1 West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows:

Beginning at a point 397.02 feet due West of the Northeast Corner of said Southeast Quarter (SE/4); Thence South 0° 25'00" East a distance of 328.67 feet; Thence North 89°59'44" West a distance of 261.50 feet; Thence North 0°25'00" West a distance of 328.65 feet; Thence due East a distance of 261.50 feet to the Point of Beginning.
Larry Stein
Oklahoma County Assessor's Office

Ownership Radius Report

This Report is for Account Number R194802265 and is a 300-foot radius from the outside of the polygon. If the minimum number of different owners was not reached it was extended by 100-foot increments until the required number of different owners was reached, or the maximum distance was reached. This report does not constitute a legal survey or document, for definitive description of real property and ownership; consult the deeds recorded in the Oklahoma County Clerks Office.
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AGENDA TITLE: Lot Split Application for 1020 Kent Drive submitted by Glenn Burton

**Public hearing required if this box is checked**

General Report:
- Glenn Burton is the owner of this 5.08 acre un-platted tract of land at 1020 Kent Drive.
- Applicant is requesting a lot split to create two (2) lots.
- Tract 1A1 shall be 1.24 acres with 212 feet of lot frontage along Kent Drive. Tract 1A2 shall be 3.84 acres with 130 feet of frontage along NE 10th Street.
- Current zoning is R-S "Single-Family Residential District" and the two (2) proposed lots will comply with the zoning of R-S "Single-Family Residential District".

Staff Comments:
- City Water- There is currently a twelve (12) inch city water main abutting the lot along NE 10th Street. The applicant will be required to connect to public water when the vacant lot is developed and if there are any major improvements made to the existing single-family home along Kent Drive.
- City Sanitary Sewer- The residential property is served by a private septic system due to being out of the serviceable boundary for city sanitary sewer.
- Comprehensive Plan: The subject site falls within the "Rural protection boundary" on the future density plan, which notes a development density of 0.5-1 dwelling unit per acre. Mr. Burton’s request is to lot split to allow for two future single-family residences on 1.24 acre and 3.84 acre tract of lands; therefore his request is within the parameters set for the "Rural Protection Boundary" density.
- This request is also consistent with the Future Land Use Plan which delineates this area as Low Density Residential, which is defined as single-family homes with lots that are typically one acre or larger excluding rights of way.
Glenn (Dee) Burton is the owner of this 5.08 acre un-platted tract of land, located at 1020 Kent Drive. The property carries an R-S “Single-Family Residential District” zoning classification. Pursuant to §19-202 Short Form Subdivision, the applicant is requesting to subdivide the existing parcel into two (2) parcels; one which will front along NE 10th Street and one which one front along Kent Drive.

**EXISTING ZONING AND BUILDING USE REGULATIONS**

The current zoning for the property is R-S “Single-Family Residential District” which requires a minimum of 10,000 square feet lot area and a minimum lot frontage of 75 feet. The current parcel is 5.08 acres in size and has 130 feet frontage along NE 10th Street and 212 feet frontage along Kent Drive. The applicant is requesting to subdivide the property in in a north-south manner. Tract 1A1 will front on Kent Drive and Tract 1A2 will front NE 10th Street.

Proposed Tract 1A1 is 1.24 acres in size and will have 212 feet of frontage along Kent Drive. Track 1A2 is 3.84 acres in size and will have 130 feet frontage on NE 10th Street. The lot size and lot frontage both meet the minimum requirements of the R-S “Single-Family Residential District”. In addition to meeting these to minimum requirements, the applicant will have to meet all other zoning regulations at the time they develop the lots. The next page includes the sketch of the proposed lot split.

There is an existing 1,068 square foot single-family residential structure that was constructed around 1964 on the property. This structure faces Kent Drive and is on what is proposed as Tract 1A1. There are additional two smaller shed/metal structures on this lot. Proposed Tract 1A2 has a metal building on it. The applicant has not submitted for any development or building permits at this time.

Any development submittal will have to be reviewed by the City of Choctaw and appropriate state departments. The development will have to comply with subdivision and zoning regulations, as well as all state requirements. All appropriate permits will have to be issued by the appropriate parties.

**COMPREHENSIVE PLAN**

- **Future Development Density Plan:** The subject property is within the “Rural Protection Boundary”. The development density of this area is 0.5 to 1 dwelling unit per acre. Mr. Burton’s request is to lot split to allow to build a single-family home on Tract 1A2 to be next to his daughter who lives on Tract 1A1. His request for the lot split for single-family homes is within the parameters set for the “Rural Protection Boundary” density.
- **Land Use** – Historically, the existing parcel has been used for a single-family residence.
  - **Future Land Use** – Low Density Residential – *(Single family homes with lots that are typically one are or larger excluding rights of way.)* The applicant’s proposal of two (2) lots resulting in lots at (1) acre or greater, meets the recommendations of the Comprehensive Future Land Use Plans.
  - **Physical Constraints** – There is a small pond south of NE 10th Street along the western property line. When the property is developed, the developer will need to be aware of any stormwater drainage, stormwater quality, and any other environmental impact.
- **Transportation** – Kent Drive is a local street accessed from NE 10th Street which is an arterial street. Please refer to the “Transportation” paragraph to identify the required road easement dedication.
- **Infrastructure** – This area is currently not served by sanitary sewer; however there is public water available nearby. Please refer to paragraph below “Water and Sewer” to see more details regarding mandatory connections and extensions.
- **Livable City** – The development of these properties will have to ensure that the livability standards within the comprehensive plan are being met and follow all required regulations within the City’s adopted ordinances and resolutions.

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**WATER AND SEWER**

The current site is served by private water and sewer at this time; however, there is a twelve (12) inch city water main along NE 10th Street. This area is not serviced by public sewer. **§19-164.A Mandatory Connections** states new primary building development that abut existing public water and/or sanitary sewer mains must connect to Authority Water and Sanitary Sewer Main Lines. Therefore at the time of the vacant lot is developed, connection to the existing water main to the east will be required. Additionally, any large improvements to the existing home on Kent Drive will require a connection to City Water as well.
The connection to a public water service requires all appropriate permits and installation as required by the City of Choctaw, Oklahoma Water Resource Board (OWRB), and Oklahoma Department of Environmental Quality (ODEQ).

Furthermore as these sites are outside of the city’s sewer service limits, the installation of a private septic systems will be required for the two lots. All appropriate permits and installation of the septic systems will be as required by the City of Choctaw and Oklahoma Department of Environmental Quality (ODEQ).

**TRANSPORTATION**

The property has frontage along NE 10th Street which is an arterial street. The Comprehensive Plan identifies arterials as roadways that are designed to convey longer trips and relatively heavy volumes of traffic; these roadways are primarily intended to provide mobility. These types of roadways may have four (4) to six (6) lanes of traffic requiring up to one hundred (100) feet of right-of-way. The statutory right-of-way requirement for arterials is thirty-three (33) feet on one half of the roadway and therefore an additional seventeen (17) feet of public roadway and utility easement will be dedicated with this lot split on Tract 1A2 along NE 10th Street to allow for proper width for utility relocation and proper road widening.

**CITY OF CHOCTAW STAFF**

The City of Choctaw’s staff has reviewed the lot split for Glenn Burton. Staff has completed its review of the lot split request.
Applicant: Glenn (Dee) and Summie Burton

Address: PO Box 1463, Harrah, OK 73045

Phone: ___________________________ Cell: (405) 536-2472

Email Address: deeburton1950@gmail.com

Property address: 1020 Kent

Legal Description: See Attached

Number of Acres: 5.08

Number of proposed tracts: 2

Property zoning district: R-5

I hereby certify and attest that I am the current and legal owner of the above described property located in the City of Choctaw and that I received a copy of the Policies and Procedures regulating this application.

[Signature]
Signature of Owner or Authorized Agent

Date: 1-14-20

*Owner or authorized agent must be present at public meeting.

Permit #: 2020-049
Total Amount Paid: $1,275
Receipt #: 1498
Date Paid: 1-14-2020

□ Cash    □ Check #: 3003    □ Credit Card

County Parcel Number: 2341-19670-0577
Legends:

- Subject Property
- Property Line
- Section Line
- Overhead Electric Lines
- Hog Wire Fence
- Chain Link Fence
- Found Monument
- Set Monument
- Power Pole
- Guy Anchor
- Well
- Mail Box

Lots as Recorded

Woodland Park
Part of Lot 4
Chickasaw, Oklahoma
Lot Line Adjustment

Revised: 1/29/2020
Sheet: 1 of 1

Legend:

- Subject Property
- Property Line
- Section Line
- Overhead Electric Lines
- Hog Wire Fence
- Chain Link Fence
- Found Monument
- Set Monument
- Power Pole
- Guy Anchor
- Well
- Mail Box
Found PK Nail
NW Cor., NE/4
Sec. 36, T 12 N, R 1 W
OCCR by Timothy Pollard
LS 1474, 8/28/14

Found Brass Cap
NE Cor., NE/4
Sec. 36, T 12 N, R 1 W
OCCR by Charles Cahill
LS 1005, 8/6/98

NE 10th Street
N 89°44'48" E, 2572.65'
33° Stat. R/W

Proposed 17' Road & Utility Easement in favor of the City of Choctaw

N. Kent Drive
S 89°44'47" W, 212.00'

Scale: 1"=150'

Banks of Bearings
N 89°44'48" E, on the North line of the NE/4
Sec. 36, T 12 N, R 1 W.

Legend

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Lots as Adjusted
Woodland Park
Part of Lot 4
Choctaw, Oklahoma
Lot Line Adjustment

Project No.: 4174.3
Revised: 1/29/2020
Sheet: 2 of 4
Legal Descriptions

Parent Description

Tract 1A

A part of Lot Four (4), WOODLAND PARK, a subdivision in Oklahoma County, Oklahoma, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Thirty-six (36), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on October 24, 2019, with metes and bounds as follows:

The basis of bearing for this description is North 89°44'48" East on the North line of said NE/4.

Commencing at the Northwest corner of said Lot 4;

Thence South 00°32'16" East on the West line of said Lot 4 and parallel to the West line of said NE/4 distance of 415.00 feet to the Point of Beginning.

Thence North 89°44'47" East and parallel to the South line of said Lot 4 a distance of 290.31 (Recorded 290.00) feet;

Thence North 00°32'16" West and parallel to the West line of said NE/4 a distance of 175.00 feet;

Thence North 89°44'48" East and parallel to the North line of said NE/4 a distance of 202.02 feet;

Thence North 00°35'01" West and parallel to the East line of said Lot 4 a distance of 240.00 feet to a point on the North line of said Lot 4;

Thence North 89°44'48" East on the North line of said Lot 4 and parallel to the North line of said NE/4 a distance of 130.00 feet to the Northeast corner of Lot 4;

Thence South 00°35'01" East on the East line of said Lot 4 a distance of 627.00 feet to the Southeast corner of said Lot 4;

Thence North 89°44'47" East on the South line of said Lot 4 a distance of 622.64 feet to the Southwest corner of said Lot 4;

Thence North 00°32'16" West on the West line of said Lot 4 and parallel to the West line of said NE/4 a distance of 212.00 feet to the Point of Beginning.

This description contains 221,295 square feet or 5.08 acres, more or less.

Proposed Descriptions

Tract 1A1

A part of Lot Four (4), WOODLAND PARK, a subdivision in Oklahoma County, Oklahoma, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Thirty-six (36), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on October 24, 2019, with metes and bounds as follows:

The basis of bearing for this description is North 89°44'48" East on the North line of said NE/4.

Commencing at the Northwest corner of said Lot 4;

Thence South 00°32'16" East on the West line of said Lot 4 and parallel to the West line of said NE/4 distance of 415.00 feet to the Point of Beginning.

Thence North 89°44'47" East and parallel to the South line of said Lot 4 a distance of 254.00 feet;

Thence South 00°32'16" East and parallel to the West line of said NE/4 a distance of 212.00 feet to a point on the South line of said Lot 4;

Thence South 89°44'47" West on the South line of said Lot 4 a distance of 254.00 feet to the Southwest corner of said Lot 4;

Thence North 00°32'16" West on the West line of said Lot 4 a distance of 212.00 feet to the Point of Beginning.

This description contains 53,847 square feet or 1.24 acres, more or less.

Tract 1A2

A part of Lot Four (4), WOODLAND PARK, a subdivision in Oklahoma County, Oklahoma, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Thirty-six (36), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on October 24, 2019, with metes and bounds as follows:

The basis of bearing for this description is North 89°44'48" East on the North line of said NE/4.

Commencing at the Northwest corner of said Lot 4;

Thence South 00°32'16" East on the West line of said Lot 4 and parallel to the West line of said NE/4 distance of 415.00 feet to the Point of Beginning:

Thence continuing North 89°44'47" East a distance of 36.31 feet;

Thence North 00°32'16" West and parallel to the West line of said NE/4 a distance of 175.00 feet;

Thence North 89°44'48" East and parallel to the North line of said NE/4 a distance of 202.02 feet;

Thence North 00°35'01" West and parallel to the East line of said Lot 4 a distance of 240.00 feet to a point on the North line of said Lot 4;

Thence North 89°44'48" East on the North line of said Lot 4 and parallel to the North line of said NE/4 a distance of 130.00 feet to the Northeast corner of Lot 4;

Thence South 00°35'01" East on the East line of said Lot 4 a distance of 627.00 feet to the Southeast corner of said Lot 4;

Thence North 89°44'47" East on the South line of said Lot 4 a distance of 368.64;

Thence North 00°32'16" West and parallel to the West line of said NE/4 a distance of 212.00 feet to the Point of Beginning.

This description contains 167,448 square feet or 3.84 acres.
Surveyor's Notes

1. This Survey meets the requirements of the Oklahoma Minimum Standards for the Practice of Land Surveying which was adopted by the Board of Registration for Professional Engineers and Land Surveyors July 23, 2013.

2. Date of Field Work: September 27 & October 29, 2019

3. This Survey was performed without the benefit of a Title Commitment. Surveyor not liable for Easements contained in abstract or by title search performed by the title company that may or may not cross the subject property.

Surveyor's Certificate

I, Curtis Lee Hale, a Licensed Land Surveyor, do hereby certify that a careful survey has been made under my supervision on the above described property as shown on the annexed plat hereof and there are no encroachments except if shown hereon. This Survey was made for the above stated purpose only and no other responsibility is hereby assumed. Dated at Oklahoma City, Oklahoma on this 29th day of January, 2020.

Curtis Lee Hale, LS 1084

Surveyors Certificate Continued

Woodland Park
Part of Lot 4
Chocow, Oklahoma
Lot Line Adjustment

Glen "Dee" & Sunree Burton
PO Box 1463
Harrah, Oklahoma, 73045
(405) 535-2472

Project No.: 4174.3
Revised: 1/29/2020
Sheet: 2 of 4

Curtis Lee Hale
L.S. 1084
Exhibit “A”
17’ Roadway & Utility Easement
A Part of the NE/4 of Section 36
T 12 N, R 1 W IM,
Oklahoma County, Oklahoma,
Project No. 4174.3

A 17' Roadway and Utility Easement in favor of the City of Choctaw, being a part of Lot Four (4), WOODLAND PARK, a subdivision in Oklahoma County, Oklahoma, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Thirty-six (36), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on January 29, 2020, with metes and bounds as follows:

The basis of bearing for this description is North 89°44'48” East on the North line of said NE/4.

Commencing at the Northwest corner of said Lot 4;
Thence North 89°44'48” East on the North line of said Lot 4 and parallel to the North line of said NE/4 a distance of 492.14 feet to the Point of Beginning:

Thence continuing North 89°44'48” East on the North line of said Lot 4 a distance of 130.00 feet to the Northeast corner of Lot 4;
Thence South 00°35'01” East on the East line of said Lot 4 a distance of 17.00 feet:
Thence South 89°44'48” West and parallel to the North line of said Lot 4 a distance of 130.00 feet;
Thence North 00°35'01” West and parallel to the East line of said Lot 4 a distance of 17.00 feet to the Point of Beginning.

Curtis Lee Hale, LS 1084
1-29-20
Date
Larry Stein
Oklahoma County Assessor's Office

Ownership Radius Report

This Report is for Account Number R196700577 and is a 300-foot radius from the outside of the polygon. If the minimum number of different owners was not reached it was extended by 100-foot increments until the required number of different owners was reached, or the maximum distance was reached. This report does not constitute a legal survey or document, for definitive description of real property and ownership; consult the deeds recorded in the Oklahoma County Clerks Office.
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<td>WATERFRONT ACRES 2ND 000</td>
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Oklahoma County Assessor's Public Access System
320 Robert S. Kerr #313
Oklahoma City, Ok 73102
(405) 713-1200

All records are current as of close of previous working day

Larry Stein
County Assessor

Larry Stein-Oklahoma County Assessor Public Access System

Account: R196700577
Type: Residential
Location: 1020 KENT DR

Owner Name 1: BURTON GLENN D & SUNNIE L REV TRUST
Owner Name 2:

Billing Address 1: PO BOX 1463
Billing Address 2:

City, State, Zip: HARRAH, OK 73045-1463

Related Property

Full Legal Description: WOODLAND PARK ADD BLK 000 LOT 000 PT LOT 4 BEG SE/C TH N627FT W130FT S240FT W202FT S175FT W290FT S212FT E622.64FT TO BEG SUBJ TO EMSITS OF RECORD

No comparable sales returned.

(*2020 Valuations are subject to change until certified June 15th, 2020)

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<th>Market Value</th>
<th>Taxable Mkt Value</th>
<th>Gross Assessed</th>
<th>Exemption</th>
<th>Net Assessed</th>
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<td>14,981</td>
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Account #

R196700577

Grant Year: 2006
Exemption Description: 5% Capped Account

Recorded in the County Clerk's Office

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<td>69,000</td>
<td>GRIMES WILMA</td>
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Year | Date | Market Value | Taxable Market Value | Gross Assessed | Exemption | Net Assessed |
<table>
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<td>2019</td>
<td>02/26/2019</td>
<td>153,763</td>
<td>136,197</td>
<td>14,981</td>
<td>0</td>
<td>14,981</td>
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</table>
WARRANTY DEED
(Joint Tenancy)

KNOW ALL MEN BY THESE PRESENTS:

That PG Davis and Janis A. Davis, Husband and Wife, party of the first part, in consideration of the sum of $100,000 dollars and other valuable consideration, in hand paid, the receipt of which is acknowledged, does hereby grant, bargain, sell, and convey unto:

The Glenn D. Burton and Sunnie L. Burton Revocable Trust, as joint tenants with the right of survivorship, and not as tenants in common, upon the death of one, the survivor and the heirs and assigns of the survivor, take the entire fee simple title

Whose address is: 1020 Kent Dr., Choctaw Ok 73020

party of the second part, the following described real property and premises situated in Oklahoma County, State of Oklahoma, to wit:

Tract B Legal Attached

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or deed restrictions, utility easements serving the property, including all mineral rights owned by party of the first part, which may be subject to lease, and excluding mineral rights previously reserved or conveyed of record, and warrants title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, and their heirs and assigns forever, free, clear and discharged of and from all former grants, claims, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, EXCEPT FOR and SUBJECT TO those exceptions set forth hereinabove.

SIGNED AND DELIVERED the date(s) on the acknowledgment(s) below.

PG Davis

Janis A. Davis

ACKNOWLEDGMENT

State of Oklahoma County of Oklahoma
The foregoing instrument was acknowledged before me on this 8th day of December, 2019 by PG Davis and Janis A. Davis, Husband and Wife.

My Commission Expires: Notary Public

Courtesy file only
No liability assumed
This document was electronically filed in
Oklahoma County, Oklahoma
12/19/19 11:42:42 AM recorded
Book 13229 Page 39
by
American Eagle Title Group, LLC

COURTESY FILING. NO LIABILITY IS ASSUMED

WARRANTY DEED
(Joint Tenancy)

KNOW ALL MEN BY THESE PRESENTS:

That PG Davis and Janis A. Davis, Husband and Wife,
part of the first part, in consideration of the sum of ***TEN AND NO/100**** dollars and other valuable
consideration, in hand paid, the receipt of which is acknowledged, does hereby grant, bargain, sell, and convey unto
The Glenn D. Burton and Sunnie L. Burton Revocable Trust, as joint tenants with the right of survivorship,
and not as tenants in common, upon the death of one, the survivor and the heirs and assigns of the survivor, take the entire fee simple title

Whose address is: 1020 Kent Dr., Choctaw Ok 73020

party of the second part, the following described real property and premises situated in Oklahoma County, State of Oklahoma, to wit:

TREATY B Legal Attached

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or
deed restrictions, utility easements serving the property, including all mineral rights owned by party of the first part,
which may be subject to lease, and excluding mineral rights previously reserved or conveyed of record, and
warrants title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, and their heirs and
assigns forever, free, clear and discharged of and from all former grants, claims, charges, taxes, judgments,
mortgages and other liens and encumbrances of whatsoever nature, EXCEPT FOR and SUBJECT TO those
exceptions set forth hereinafter.

SIGNED AND DELIVERED the date(s) on the acknowledgment(s) below.

[Signatures]

PG Davis
Janis A. Davis

ACKNOWLEDGMENT

State of Oklahoma County of Oklahoma ss:
The foregoing instrument was acknowledged before me on this 6th day of December, 2019 by PG Davis and
Janis A. Davis, Husband and Wife.

My Commission Expires:

[Signature]
Notary Public
Tract B

A part of Lot Four (4), WOODLAND PARK, a subdivision in Oklahoma County, Oklahoma, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Thirty-six (36), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on October 24, 2019, with metes and bounds as follows:

The basis of bearing for this description is North 89°44'48" East on the North line of said NE/4.

Commencing at the Northwest corner of said Lot 4;
Thence North 89°44'48" East on the North line of said Lot 4 and parallel to the North line of said NE/4 a distance of 215.31 (Recorded 215.00) feet;
Thence continuing North 89°44'48" East a distance of 276.83 feet to the Point of Beginning;

Thence continuing North 89°44'48" East a distance of 100.00 feet;
Thence South 00°35'01" East and parallel to the East line of said Lot 4 a distance of 210.00 feet;
Thence South 89°44'48" West and parallel to the North line of said NE/4 a distance of 100.00 feet;
Thence North 00°35'01" West and parallel to the East line of said Lot 4 a distance of 210.00 feet to the Point of Beginning.

This description contains 21,000 square feet or 0.48 acres, more or less.
City of Choctaw
Regular Planning Commission Meeting
January 2, 2020 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

1. Call to Order by Chair Chris Jordan @ 7:00 p.m.
2. Invocation and Pledge of Allegiance given by Chris Jordan.
3. Roll Call:
   4 Present: Philip Bradshaw; Jared Kobyluk; Chris Jordan; Larry Morgan
   3 Absent: Michael Ray; Bobby Pearce; Matt DeToy

Staff: Guy Henson, Planning & Development Director
       Amanda Valent, City Clerk

4. Business Agenda: The following items are hereby designated for discussion and consideration which requires individual action.

4.1 Hold a Public Hearing on a Rezone application submitted by:
   Applicant: Linn Russell
   Location: 12395 SE 15th Street
   Current Zoning: Rural Residential District (R-R)
   Proposed Zoning: General Agricultural District (AG)
   Legal Description: UNPLTD PT SEC 04 11N 1W 000 000 PT SW4 SEC 4
                    11N 1W BEG 315.72FT N OF SW/C W15ACRS E30ACRS S/2 SW4 TH
                    N710.57FT E495.06FT S976.37FT W327.97FT N265.72FTW164.27FT TO BEG
                    CONT 10.06ACRS MORE OR LESS

Public Hearing opened at 7:01pm.
Receive Comments.
   Larry Morgan asked the applicant why they should change the zoning on the property and deviate from the Comprehensive Plan. Mr. Linn stated his property is currently rural residential and can only be developed into residential lots. But, the Comprehensive Plan sets the area around his property for commercial development.

Public Hearing closed at 7:08pm.
MOTION BY Larry Morgan and SECOND BY Jared Kobyluk to deny the rezone request as it is inconsistent with the future land use in the Comprehensive Plan.

MOTION CARRIED:
4 Ayes: Bradshaw, Kobyluk, Jordan, Morgan
0 Nays: None
3 Absent: Ray, Pearce, DeToy

4.2 Hold a Public Hearing on a Specific Use Permit application submitted by:
Applicant: Linn Russell
Location: 12395 SE 15th Street
Legal Description: UNPLTD PT SEC 04 11N 1W 000 000 PT SW4 SEC 4
11N 1W BEG 315.72FT N OF SW/C W15ACRS E30ACRS S/2 SW4 TH
N710.57FT E495.06FT S976.37FT W327.97FT N265.72FTW164.27FT TO BEG
CONT 10.06ACRS MORE OR LESS

MOTION BY Larry Morgan and SECOND BY Jared Kobyluk to deny the Specific Use Permit application based on improper zoning.

MOTION CARRIED:
4 Ayes: Bradshaw, Kobyluk, Jordan, Morgan
0 Nays: None
3 Absent: Ray, Pearce, DeToy

4.3 Hold a Public Hearing on a Specific Use Permit application submitted by:
Applicant: Ken Novotny
Location: 2901 Plant Dr.
Specific Use: Marijuana Processing Facility
Legal Description: CHOCTAW BUS & INDUST PK BLK 002 LOT 004

Public Hearing opened at 7:12pm.
Receive Comments.
No comments were received.
Public Hearing closed at 7:13pm.

MOTION BY Larry Morgan and SECOND BY Jared Kobyluk to approve the Specific Use Permit application with the following conditions:
1. Security Alarm System must be in place on the property.
2. Adequate outside lighting that meets City Code and motion sensor lighting on the property.
3. 8 foot, chain link fencing on the property.
4. Adequate parking for employees and customers.
5. Sufficient odor control as to not create an odor nuisance from the property.
6. No outdoor storage of waste or by-product.
7. No retail use allowed on the premises.
8. No sampling of product allowed on the premises.

MOTION CARRIED:
4 Ayes: Bradshaw, Kobyluk, Jordan, Morgan
0 Nays: None
3 Absent: Ray, Pearce, DeToy

4.4 Regular meeting minutes for December 5, 2019.

MOTION BY Philip Bradshaw and SECOND BY Larry Morgan to approve the minutes as presented.

MOTION CARRIED:
4 Ayes: Bradshaw, Kobyluk, Jordan, Morgan
0 Nays: None
3 Absent: Ray, Pearce, DeToy

5. Public Comments: This agenda item is for public comments on city related non-agenda items. In accordance with State law, the Planning Commission Board Members and City Staff are not allowed to respond to any comments made. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

None.

6. Commissioner/Staff Remarks: This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. No action will be taken.

None.

7. Adjournment:
Called @ 7:45pm.
ATTEST:

Amanda Valent, City Clerk

PLANNING COMMISSION

Dr. Chris Jordan, Chairman
We withdraw the request

Sent from my iPhone

> On Jan 31, 2020, at 8:36 AM, Guy Henson <GHenson@choctawcity.org> wrote:
>