City of Choctaw
Regular Planning Commission Meeting
March 5, 2020 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

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

Introduction of new Commissioner, Jeff Wyatt, Ward 5.

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: Paul Maxwell
Location: 15870 SE 29th Street
Current Zoning: General Agricultural District (AG)
Proposed Zoning: Rural Residential District (R-R)
Legal Description: UNPLTD PT SEC 13 11N 1W PT NE4 SEC 13 11N 1W
BEG 475.20FT W OF NE/C OF NE4 TH S412.50FT W52.80FT S247.50FT
W132FT N660FT E184.80FT TO BEG CONT 2.50ACRS MORE OR LESS

Open Public Hearing.
Receive Comments.
Close Public Hearing.

4.1.1 Consideration and possible action on the “rezone” request of Paul Maxwell, 15870 SE 29th Street.

4.2 Hold a Public Hearing on a Specific Use Permit application submitted by:
Applicant: Leon McMillan
Location: 5450 N. Henney Rd.
Current Zoning: General Agricultural District (AG)
Proposed Use: Marijuana Grow Facility
Legal Description: UNPLTD PT SEC 11 12N 1W 000 000 PT SW4 SEC 11
12N 1W BEING W660FT OF S/2 N/2 SW4 CONT 10ACRS MORE OR LESS

Open Public Hearing.
Receive Comments.
Close Public Hearing.

4.2.1 Consideration and possible action on the “specific use” request of Leon McMillan, 5450 N. Henney Rd.

A. The proposed use will have minimal or substantial impact on adjoining property.
B. The proposed use will or will not have an adverse impact on the community as a whole.
C. The proposed use will or will not have an adverse impact on public properties.
D. The SUP is denied or approved.

<table>
<thead>
<tr>
<th>4.3</th>
<th>A lot split application submitted by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Robin Spence</td>
</tr>
<tr>
<td>Location:</td>
<td>2430 S. Choctaw Rd.</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>General Agricultural (A-G)</td>
</tr>
<tr>
<td>Proposed Lots:</td>
<td>2 (two)</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>TOWN OF ORCHARD ADD 000 000 BLKS 73 &amp; 74 EX A TR IN NW/C OF BLK 74 TH S240FT E212.96FT NE36.67FT E334.27FT N206.07FT W561.26FT TO BEG</td>
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4.3.1 Consideration and possible action on the lot split request of Robin Spence, 2430 S. Choctaw Rd.

<table>
<thead>
<tr>
<th>4.4</th>
<th>A lot split application submitted by:</th>
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<tbody>
<tr>
<td>Applicant:</td>
<td>Toby Traweeck Jr.</td>
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<tr>
<td>Location:</td>
<td>12526 NE 10th Street</td>
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<td>Current Zoning:</td>
<td>Rural Residential District (R-R)</td>
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<td>Proposed Lots:</td>
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<td>Legal Description:</td>
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</table>

4.4.1 Consideration and possible action on the lot split request of Toby Traweeck Jr., 12526 NE 10th Street.

| 4.5 | Regular meeting minutes for February 6, 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.

7. **Adjournment:**

   *This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00pm on February 28, 2020 in accordance with the Oklahoma Open Meeting Act.*

   [Signature]

   Amanda Valent, City Clerk

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*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:  3/5/2020

Planning & Development

Department

Purvi Patel
Prepared By

Guy Henson
Department Head

Amanda Valent
City Clerk Approval

AGENDA TITLE: Rezoning Application for 15870 SE 29th Street submitted by Paul Maxwell

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

General Report:
- Paul Maxwell is the owner of this 2.5 acre tract of land at 15870 SE 29th Street.
- Request is to rezone from A-G "General Agricultural District" to R-R "Rural Residential" to allow for a future lot split application.
- Current structure is considered a legal non-conforming structure; City Code states the if the structure existed at the effective date of the zoning ordinance, such structure may be continued so long as it remains otherwise lawful.
- 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. Maxwell is requesting to rezone his 2.5 acre lot, with 182 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- existing twelve (12) inch water line in the SE 29th Street right-of-way. Connection to City Water will be required with any future development or large improvements on Mr. Maxwell's property.

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: Paul Maxwell
Location: 15870 SE 29th Street
Current Zoning: A-G “General Agricultural District”
Proposed Zoning: R-R “Rural Residential District”

REQUEST SUMMARY
Paul Maxwell is the owner of this 2.5 acre tract of land located at 15870 SE 29th Street. The owner is requesting a change of zoning from A-G “General Agricultural District” to R-R “Rural Residential District” in order to apply for a lot split for his 2.5 acre tract and then apply for a lot merge for the eastern divided piece with the property located directly south (shown in blue below) of the subject site. The southern parcel is currently owned by Mr. Maxwell, however, it does not have access to any right-of-way; therefore, Mr. Maxwell is going through this process to allow for access to the four (4) acre southern piece he owns.
EXISTING ZONING, PROPOSED ZONING AND LAND USE

The current zoning for the subject site is A-G “General Agricultural District”. There is currently a single-family residence with a detached garage, a shop and several storage buildings located on the site. The primary residence structure is 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. Maxwell’s property is 2.5 acres and his lot frontage along SE 29th Street is approximately 182 feet. He is requesting to rezone to R-R “Rural Residential District” in order to bring his property up to code and to move forward with the lot split application as described above.

The Area and Height Regulations for an R-R “Rural Residential 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

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.

SURROUNDING LAND USE AND ZONING

The land use and zoning for the properties surrounding this parcel and shown in the aerial image on Page 1 are as follows:

North: The property to the north is zoned A-G “General Agricultural District” with a single-family home built in 1960. There is also a C-G “General Commercial District” to the north.
South: The property to the south is the land-locked parcel owned by Mr. Maxwell. It is currently vacant and is zoned A-G “General Agricultural District”.

East: The properties to the east are zoned C-G “General Commercial District” and R-R “Rural Residential District”. The C-G properties contain food establishments and a gas station.

West: The property to the west is zoned C-G “General Commercial District” with a single-family residence that was built in 1954.

**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. Maxwell’s request is to rezone is within the parameters set for the “Rural Protection Boundary” density.

- **Land Use:** The existing property is used as a single-family residence for the owner.
  - **Future Land Use:** The future land use designation for this property is Regional Business, which is described as: retail and professional office activities that aim to meet the needs of both local and regional residents. Development in this area should be unique and high-quality, creating a destination area to attract visitors to Choctaw. This land use category could also include a regional hospital or urgent care center. Mr. Maxwell’s request for R-R “Rural Residential District” is not consistent with what is shown on the Future Land Use Map; however, as seen in the surrounding land use and zoning section, there are properties zoned R-R “Rural Residential District” abutting his property and there are several properties not zoned residential, but are being used for residential purposes.
  - **Physical Constraints** – there are no natural or physical constraints on the property.

- **Transportation** – SE 29th Street is an arterial street with a 57.5 foot wide roadway and utility easement.

- **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 at this time. There is an existing twelve (12) inch water line in the SE 29th Street right-of-way. However, this area of the City is not serviced by public sewer.

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 five hundred (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.

Connection to City Water will be required with any future development or large improvements on Mr. Maxwell’s property, based on the Code’s Mandatory Connection requirement.

The subject site is likely served by a private sanitary system, such as a septic system, as is it outside of the City’s current service boundary. There are no public sanitary sewer mains located within five hundred (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).

**TRANSPORTATION**

The property has frontage along South SE 29th 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. There currently is a 57.5 foot right-of-way easement along the north property line. Therefore, no additional easements will be required.

**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]

see Attachment 1

Street Address or Other Common Property Description:

15870 SE 29th St.
Choctaw, OK 73020

Property Owner’s Name(s): Paul Michael and Susan Marie Maxwell

If corporation, Corporate Official Name and Seal:

Mailing Address: 15870 SE 29th St. Choctaw, OK 73020

City State Zip

Email Address: PMaxwell1654@Yahoo.com

Telephone: 405-642-2182 Fax:

PROPERTY OWNER’S SIGNATURE: [Signature]

[Not necessary if there is an authorized representative. Authorized representative must sign below]

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: Address:

Signature: Telephone:

Dec 2018
QUESTIONS ON REZONING APPLICATION

[Attach additional sheets if necessary]

1. What is the current use of the property? Zoned Ag single family

2. Why are you requesting a change in zoning? To enable a lot split.

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 application? 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? I intend to apply for a lot split, separating the east 0.5 acre with the south 1 acre and then merge those properties with my adjacent 4 acres to the south. This will create a 5.5 acre property with access to 29th St.
QUITCLAIM DEED
Under 16 O.S. § 41

KNOW ALL MEN BY THESE PRESENTS that,
PAUL RICHARD MAXWELL AND SUSAN MARIE MAXWELL, husband and wife

in consideration of the sum of $10.00
in hand paid, the receipt of which is hereby acknowledged, does hereby QUITCLAIM, GRANT,
BARGAIN, SELL, AND CONVEY unto,

PAUL RICHARD MAXWELL AND SUSAN MARIE MAXWELL, husband and wife

the following described real property and premises, situated in
OKLAHOMA County, State of Oklahoma, to-wit:

A tract of land being a part of the Northeast Quarter (NE/4) of Section 13, Township 11 North (T11N),
Range 1 West (R1W) of Indian Meridian, Oklahoma County, Oklahoma being described as follows:
Commencing from the Northeast Corner of the Northeast Quarter (NE/4) of Sec. 13; thence North
89°51'40" West a distance of 475.20 feet to the Point of Beginning; thence South a distance of 412.50
feet to a point; thence South 90°00'00" West a distance of 52.80 feet to a point; thence South 00°09'10"
East a distance of 247.50 feet to a point; thence North 89°51'40" West a distance of 132.00 feet to a
point; thence North 00°00'00" West a distance of 660.00 feet to a point; thence 89°51'40" East a
distance of 184.80 feet to the Point of Beginning, containing 2.50 acres more or less and subject to all
Easements and Right-of-Way records.

CITY OF CHOCTAW
Lot Line Adjustment
Approved

31 Jan 2020
City Manager

Source of Title:
Being a combined property conveyed by

Warranty Deed from Donald J. and Priscilla Abbott, recorded 5/12/2003 in the records of Oklahoma
County Clerk, Oklahoma.
(Book 8859, Page 1121) Lot 1
AND
Warranty Deed from Robert E. and Janice L. Maxwell, recorded 9/20/1991 in the records of Oklahoma
County Clerk, Oklahoma,
(Book 6211, Page 51) Lot 2
Together with all the improvements thereon and the appurtenances there unto belonging.

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:

Easements, restrictions, and rights of way appearing of record or enforceable in law and equity, and general property taxes for the year 2020 and thereafter.

Signed and delivered on this 31 day of January 2020.

GRANTORS

Paul Richard Maxwell
Print Name: Paul Richard Maxwell
HUSBAND

Susan Marie Maxwell
Print Name: Susan Marie Maxwell
WIFE

GRANTEES

Paul Richard Maxwell
Print Name: Paul Richard Maxwell
HUSBAND

Susan Marie Maxwell
Print Name: Susan Marie Maxwell
WIFE

STATE OF OKLAHOMA,
COUNTY OF OKLAHOMA,
Before me, the undersigned, a Notary Public, in and for this state, on this 31 day of January 2020, personally appeared

PAUL RICHARD MAXWELL AND SUSAN MARIE MAXWELL, 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.

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

Signature: Amanda Valet
Print Name: Amanda Valet
My Commission Expires: 10.16.22

PAGE 2 of 2
LEGAL DESCRIPTION
15870 S.E. 29th St., Choctaw, OK., 73020
PART OF THE NE/4, SEC. 13, T11N, R1W, I.M., OKLAHOMA COUNTY, OKLAHOMA

= S.E. 29th STREET =

LOT 1

LOT 2

FEMA Flood Map Info.
City of Choctaw
400257
Zone X
40109C0365H
eff. 12/18/2009

LEGEND
- X - FENCE
- @P - DP PP POWER POLE
- P - POWER POLE
- L - LIGHT POLE
- G - SET IRON PN
- E - FOUND IRON PN
- A - GAS/PROPANE TANK
- - FLOW DIRECTION

BEFORE YOU DIG
CALL ONE 8-1-1
1-800-422-9533
405-944-5032
OKLAHOMA ONE-CALL SYSTEM

LEGAL DESCRIPTION ONLY
15870 S.E. 29th St., Choctaw, OK., 73020
MAXWELL
BASE: 4847
GRID NORTH
LAST USE DATE: 11/28/2019

LEGAL DESCRIPTION ONLY
15870 S.E. 29th St., Choctaw, OK., 73020
MAXWELL
BASE: 4847
GRID NORTH
LAST USE DATE: 11/28/2019

LEGAL DESCRIPTION ONLY
15870 S.E. 29th St., Choctaw, OK., 73020
MAXWELL
BASE: 4847
GRID NORTH
LAST USE DATE: 11/28/2019

LEGAL DESCRIPTION ONLY
15870 S.E. 29th St., Choctaw, OK., 73020
MAXWELL
BASE: 4847
GRID NORTH
LAST USE DATE: 11/28/2019
LEGAL DESCRIPTION

15870 S.E. 29th ST., CHOCTAW, OK., 73020
PART OF THE NE/4, SEC. 13, T11N,
R1W, I.M., OKLAHOMA COUNTY, OKLAHOMA

LEGAL DESCRIPTION

I, Allen E. Henry, a Registered Land Surveyor of the State of Oklahoma, do hereby certify that the herein shown Legal Description was made under my supervision of a tract of being a part of the Northeast Quarter (NE/4) of Section 13, Township 11 North (T11N), Range 1 West (R1W) of the Indian Meridian, Oklahoma County, Oklahoma being more particularly described as follows:

A tract of land being a part of the Northeast Quarter (NE/4) of Section 13, Township 11 North (T11N), Range 1 West (R1W) of the Indian Meridian, Oklahoma County, Oklahoma being described as follows: Commencing from the Northeast Corner of the Northeast Quarter (NE/4) of Section 13, thence North 89°51'40" West a distance of 476.20 feet to the Point of Beginning; thence South 00°09'10" East a distance of 412.50 feet to a point; thence South 90°00'00" West a distance of 52.80 feet to a point; thence South 00°09'10" East a distance of 247.50 feet to a point; thence North 89°51'40" West a distance of 132.00 feet to a point; thence North 00°00'00" West a distance of 860.00 feet to a point; thence South 89°51'40" East a distance of 184.80 feet to the Point of Beginning, containing 2.50 acres more or less and subject to all Easements and Right-of-Way records.

SUBSCRIBED TO AND SWORN BEFORE ME THIS 23 DAY OF JANUARY, 2020.
MY COMMISSION EXPIRES: 01-29-2024

LEGAL DESCRIPTION ONLY
TO SERVE

MAXWELL
SAH-4847

This Plot of Survey meets the minimum standards established by the State statute 81 O.S. 476.3 and Chapter 349/10-1-1-2 of the rules of the Board of Licensure for Professional Engineers and Land Surveyors.

BASIS OF MEASUREMENT:
GRID NORTH

LAST SITE VISIT:
11/22/2019

SURVEYOR:
ALLEN E. HENRY
LS. #1335
Ownership Radius Report

This Report is for Account Number R194650785 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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<th>name2</th>
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<td>BARNARD VAN PHILLIP &amp; SHARON</td>
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<td>OK</td>
<td>73020-6548</td>
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<td>CHOCTAW</td>
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<td>Parcel Number</td>
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<td>Section</td>
<td>Township</td>
<td>Rating</td>
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CITY OF CHOCTAW
STAFF REPORT

Planning Commission  Meeting of:  3/5/2020

Planning & Development
Department

Purvi Patel
Prepared By

Guy Henson
Department Head

Amanda Valant
City Clerk Approval

AGENDA TITLE: Specific-Use Permit Application for 1440 at 5450 N Henney Road
submitted by Leon McMillian

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

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

General Report:
- Leon McMillian is the applicant for a Specific Use Permit for his 10 acre tract of
currently zoned A-G "General Agricultural District".
- The Specific Use Permit is for a medical marijuana growing facility.
- The applicant is proposing to convert the existing structure on his property to a
marijuana growing facility.
- The property is bound to the north, east and south by A-G "General Agricultural
District" and to the west by the Town of Jones. The properties to the north and west
are used as single-family residences; the properties to the east and south are vacant.
- A protest against this application has been filed and is attached.

Staff Comments:
City Water and Sewer: The subject property is served by a private well and sanitary
septic system as it is outside of the City’s current serviceable boundary.

Comprehensive Plan: 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.

If approved the applicant must meet all staff requirements for a marijuana processing
facility.

Conversion of the structure will require the structure to meet City of Choctaw fire,
building, and electrical code.
Applicant:  
Leon McMillian

Location:  
5450 N Henney Road

Specific Use Permit:  Specific Use Permit for a Marijuana Growing Facility

Leon McMillian is the owner of this 10 acre tract of land located at 5450 N Henney Road. Mr. McMillian also owns the 30 acres just east of the subject site. Both properties carry an A-G “General Agricultural District” zoning designation. The applicant is requesting a specific use permit for a marijuana growing facility.

EXISTING ZONING AND BUILDING USE REGULATIONS

The existing zoning for the property is A-G “General Agricultural District” and is bound on the north, east and south by A-G “General Agricultural Districts”; bound to the west by the corporate limits of Town of Jones. The properties to the north and west are being used for single-family residences; the properties to the east and south are vacant. Specific Use Permits for Marijuana Grow Facilities may be allowed in the following districts granted by City Council: A-G “General Agricultural District”, I-L “Light Industrial District”, and I-H “Heavy Industrial District”.

Mr. McMillian has been growing medical marijuana on his site for approximately a year. He received his growing license from the Oklahoma Medical Marijuana Authority (OMMA) prior to their requirement of a Certificate of Compliance from the city in which the grow facility will be located. This requirement was enacted as of August 2019. The Certificate of Compliance requirements applies to renewal of licenses as well. As his license will be up for renewal soon, Mr. McMillian applied for the Specific Use Permit for his grow facility. If the Specific Use Permit is denied by the City, his state license cannot be renewed following OMMA regulations.

The current site has a single-family residence, as well as several accessory buildings. His request is to allow the marijuana growing facility in an existing 1,584 square foot building. The conversion of this building is required to meet City of Choctaw Building, Fire, and Electrical codes. The applicant has not requested additional access of North Henney Road to this building; they will access it via the existing gravel drive that serves the single-family residence. As noted in his Grow Business Plan, the company will have 3 part time employees.

Any development of the property will require a submittal of a site development plan and appropriate permits. The development will have to comply with the designated zoning classification at the time of submittal.

COMPREHENSIVE PLAN

- **Land Use** – At this time the property is used as low-density residential.
  - **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.
- **Physical Constraints** – The northwestern portion of the site, along North Henney Road is in the floodplain; any development on the site within this area will have to address stormwater quality, floodplain regulations and all other national, state and local codes as they relate to this stream. Additionally, there is a detention basin just east of the floodplain.

- **Transportation** – The property can be accessed from North Henney Road, a section line road. Please refer to paragraph “Transportation” to see more detail on the mandatory easements.

- **Infrastructure** – The property is outside of the City’s water and sewer serviceable area.

- **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 a private well and sanitary septic system as it is outside of the City’s current serviceable boundary. The City Code does require mandatory connections and extensions of water and sewer if the property is within five hundred (500) feet of an existing City water or sewer main. Additionally, extensions are required if any portion of a subdivision, multi-family development, non-residential development, or illegal lot split is within one thousand two hundred (1,200) feet of an existing water main. The closest water and sewer mains are over four thousand five hundred (4,500) feet away from this property.

Future installation and/or connection to a public water and sewer service or changes to the existing well and septic system will require 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 North Henny 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 required with any future plats or short form subdivision as described in the City Code to allow for proper width for utility relocation and proper road widening.

PLANNING COMMISSION AND CITY COUNCIL REVIEW AND CONDITIONS FOR APPROVAL
Article B, Section 12-903 states the following regarding the Conditions for Approval for a Specific Use Permit application:

A. Plans and Data to be submitted.

1. Prior to submission of a request for a Specific Use Permit, the City staff may require one or more pre-application conferences with the potential applicant. In considering and determining its recommendation to the City Council relative to any application for a Specific Use Permit, the Planning Commission will establish the requirements necessary for consideration of the application.

2. The Planning Commission may require that the applicant furnish preliminary site plans and data concerning the operation, location, function and characteristics of any use of land or building proposed for uses in which the land use has possible environmental impact, the Commission may require those engineering and/or environmental impact studies necessary for evaluation of the proposed use. Further, the Commission may require such other information as necessary to evaluate the proposed specific use.

B. Planning Commission Requirements

1. The Planning Commission may, in the interest of the public welfare and to assure compliance with the intent of Part 12 of the Code of Ordinance and the City of Choctaw Comprehensive Plan, require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole and be compatible with the natural environment and the planned capacities of public services and facilities affected by the land use. This may include the requirement of having the property platted and/or the requirement of the dedication of sufficient right-of-way or easement as necessary to further the public good. The Commission may impose conditions including, but not limited to, bonding, insurance, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, screening, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use intensity/density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.

2. The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning bonding, insurance, setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation be
required. If the Planning Commission fails to review and make a recommendation within 90 days from the date the application is accepted for processing, the City Council can take action on the application.

C. City Council Requirements.

1. The City Council shall have the same authority as the Planning Commission under subsection B, and in addition may make additional requirements for review and conditions that in its discretion are in the interest of the public welfare and to assure compliance with the intent of this ordinance and the City of Choctaw Comprehensive Plan.

D. Detailed Development Plans

1. A Detailed Development Plan setting forth the conditions specified may be required of the applicant and such plan when accepted shall be made a part of the permit issued for the specific use.

E. Designation of Zoning Map.

1. A Specific Use Permit approved under the provisions of this Planning, Zoning and Development Code shall not be considered as an amendment to the zoning ordinance or a resolution; however, the Specific Use Permit shall be noted on the zoning map as follows: SUP — (the number of the request for a Specific Use Permit). Any of the conditions contained in a Specific Use Permit approval shall be considered as conditions precedent to the granting of a Building Permit for the specific use provided for.

F. Time Limits for Implementation.

1. If for any reason the approved specific use ceases operation for a period of two years, then the approval of said specific use shall be considered void and will require another public hearing review by the Planning Commission and City Council. This shall also apply to any approved specific use that does not begin operation within two years of approval. This voiding of approval shall not apply if orderly progress toward completion of construction is taking place. Uses existing before the adoption of the Specific Use Permit ordinance, including nonconforming uses and their incidental and accessory uses, must receive a Specific Use Permit before any expansion of the use is permitted.

PROTEST FILING

Mr. Michael Schultz has filed a protest against the Specific Use Permit application. His protest filing is including for Planning Commission’s review. Section 12-806 of the City Code States the following regarding protest filings:

A. Written, signed, typed or printed protests against proposed amendments of the zoning ordinance, whether such be an amendment, change, modification or supplement of the zoning map, the district boundaries, or the regulations or the restrictions contained within the zoning ordinance may require a super-majority vote of the city council for passage if all the following conditions are met:
1. The written protest be filed with the city clerk’s office by 5:00 P.M. on the Friday that is at least three (3) days prior to the scheduled public hearing on the proposed changes in the zoning ordinance;

2. To require a super-majority vote of the city council the filed written protests must be filed by:
   a. The of twenty percent (20%) or more of the area of the lots, parcels or tracts included within the proposed change; or
   b. The owners of fifty percent (50%) or more of the area of the lots, tracts, or parcels which lie within a three hundred (300) foot radius of the exterior boundary of the territory included in a proposed change. In calculating the three hundred (300) foot radius, the width of alley or street rights-of-way shall not be included.

B. If a sufficient written protest is timely filed with the city clerk, as described in Subsection A above, then passage of the proposed zoning ordinance amendment requires a three fourths (3/4) vote of the entire membership of the city council. (Ord. No. 8/19/74; Ord. No. 393, 1/16/90; Ord. No. 425, 1/5/93; Ord. No. 579, 9/28/04).

At the time this report was written, staff had only received the one written protest described above. As this protest does not meet the threshold described in Section A.2 above, a super-majority vote of the city council will not be required. Staff will provide any additional protests filed for Planning Commission and City Council review and will provide an update regarding the need for a super-majority vote.

**CITY OF CHOCTAW STAFF**

The City of Choctaw's staff has reviewed the proposed specific use permit for a medical marijuana grow facility. If approved, the applicant must meet all code requirements for a marijuana grow facility.
Formal Protest to the City of Choctaw

Choctaw Planning Commission and/or City Council,

I recently bought a 5 acre piece of land at 5116 N. Henney Rd. Currently, my wife and are building our dream home there. I received an unsettling letter from the City of Choctaw regarding a “specific use permit” for a marijuana grow facility near my, as yet, unfinished home. I am disappointed that only persons within 300-700 foot boundary were notified. I feel a much larger area of people should have been notified as a commercial marijuana growing facility would affect us all. I am aware the requestor’s property is currently zoned for general agriculture but, please understand, this is certainly a neighborhood with families and children and not a commercial or agricultural area.

Upon receiving this notice, I poured hours upon hours of researching pro-marijuana sources to learn the methods of growing marijuana, the resources required, and the impacts of commercial marijuana growing operations. All this was an effort to sort the credible information from the non-credible.

I cite figures or statistics from ilovegrowingmarijuana.com. This appears to be the most comprehensive pro-marijuana growing website I could find with over 500 articles and 200 guides to growing marijuana.

Please consider this my formal protest to the request for a Special Use permit. I am concerned for the health, safety, and overall well-being of my family and the loss of the right to quiet enjoyment of my property. I would also like to bring attention to some of the numerous detractors of living next to a marijuana grower.

- **Smell:**
  The odors produced by marijuana growers is a well-known problem in the industry. A quick Google search will reveal countless horror stories of the skunk like smell plaguing neighborhoods with grow operations both legal and illegal. Growers claim carbon filters can remove such odors from the air prior to entering the atmosphere. I have a family friend who works at the Oklahoma Tax Commission. Through this job, she has the opportunity to speak with people in the marijuana industry on a daily basis. Growers, with no knowledge of this permit filing, freely admit there is not much that can be done about the horrible smells coming from an indoor facility and that carbon filters are ineffective to remove all odors.

- **Water:**
  Water can be a scarce and valuable resource. The homes in this area all pull water via wells. Based on my research, each marijuana plant can consume up to 1 gallon of water
per day. With the ability to have up to 1500 plants in a 1500sf facility, this equates to 547,500 gallons of water pulled from our water table each year. I believe this would certainly drain the water table faster than can be replenished. I am also concerned with waste water containing fertilizer and/or herbicides and pesticides polluting nearby streams and ponds and leaching into the water table.

- **Road Use:**
  I am concerned with additional traffic that would be associated with a commercial operation. The section of Henney Rd. that would be affected is not as heavily traveled as other boundary roads in the area and therefore is maintained less.

- **Safety:**
  I am concerned about the safety of our neighborhood and the surrounding area. Again, a Google search provides plenty of instances of break-in’s and robberies of dispensaries, grow facilities and other marijuana related facilities to rationalize a safety concern of living near a grow facility. Also, because of the rural location, the area is patrolled less by police than more populated areas.

- **Property Value:**
  I am concerned that the value of my property will be affected because of the reasons listed above or even the stigma of living near a controversial facility. I am currently building a house near the proposed facility and am worried it will negatively affect the financing once the house is finished.

- **Others:**
  The addition of lighting has potential to produce light pollution after the sun goes down. Ventilation and cooling have potential to increase noise pollution from operating equipment for 24-hours per day. Pesticides, herbicides and fertilizers can have potential negative health impacts.

I believe the drawbacks of allowing commercial marijuana in my neighborhood are numerous and request the Planning Commission and the City Council to deny this request for a “specific use permit”.

Thank you,

Michael Schultz
5116 N. Henney Rd
Chocaw Ok,
Specific Use Permit

Application No. 2042021
Application Date: 2-4-2002
Cash □ Check □ Credit Card □ Amount Received $50.00 Receipt No. 1576

Subject Address: 5450 N. Henney Rd
Property Owner: Leon Bright McMillia

Applicant: Leon McMillia

5450 N. Henney Road, Choctaw OK 73020
City State Zip

E-mail address: Leon McMillia @ aol.com

Property Current Zoning: Ag Required Zoning: ________ Code Section No.: ________

Acres: 40 Road Frontage: 1060 ft Comprehensive Plan Compatible: ________

Current Use (identify structures and improvements): One outdoor unattached building up to code @ 1584 sq ft

What is the "Specific Use" requested?: Cultivation of Cannabis-Marijuana (Medical)

Benefits of proposed use to City of Choctaw:

City Utilities: Water ☐ Sewer ☐ N/A ☐ Estimated traffic count: 0

How will proposed change affect the roadway system serving your area: will not change

Will the proposed use be detrimental to property in the same zone or vicinity, if so, explain: NO

Identify surrounding land uses: Rac land - housing across Henney

The undersigned declares that the above statements and those contained in any exhibits transmitted to the Planning Commission are true and correct to the best of my knowledge and that I received the Policies and Procedures regulating this application.

PROPERTY OWNER'S SIGNATURE: 

[Not necessary if there is an authorized representative. Authorized representative must sign below]

AUTHORIZED REPRESENTATIVE: I hereby certify that I am authorized to represent all of the property owners of the above described tract in the application. Power of Attorney must be attached.

Name: ___________________________ Address: ___________________________

Signature: ________________________ Telephone: _________________________

County Parcel Number: ____________________________

June 2019
LaRav Grow Company

Business Plan

Prepared by Sheila Echard

5450 N. Henney Road, Choctaw, OK  73020
405-388-6614
Leon.mcmillian@aol.com

1. Executive Summary

LaRav Grow Company (referred to from hereon in as the “company”) was established as a Limited Liability Company at 5450 N. Henney Road, Choctaw Oklahoma 73020 with the expectation of rapid expansions in the cultivation industry.

Business Description

The Company was formed of 04/24/2019 as a Limited Liability Company under the Oklahoma Medical Marijuana Authority, (OMMA) and its laws and regulations regarding the Cultivation Industry.

Leon McMillian is a 30-year Choctonian, is an honest, hardworking, dependable, self-employed businessman with a positive influence to those who have worked and known him.

The Company employs 3 part time employees.

Management Team

The Company has assembled as experienced management team:

The Grower: Anthony Carson an honest, knowledgeable, educated, and experienced individual that promises to enhance the production of our product to its highest quality potential.

Operations and Support: Sheila Echard a dedicated, professional, motivated, lady, with 30 plus years in management and support.

Product

The Company’s primary product is Cannabis – Marijuana, Medical Grade
II. BUSINESS SUMMARY

Industry Overview

In the United States the cultivation industry presently makes between 25,000 and 100,000 dollars in sales per yield.

Research shows that consumers in the industry primarily focus on the following factors when making purchasing decisions: the content of beneficial CBD and THC levels, along with the quantity and quality of terpenes and trichomes evident.

Business Goals and Objectives

Short Term: To create the finest quality Medical Marijuana.

Long Term: Implementing and staying current with processes that enhance the product as we grow. Producing and providing a premium product for years to come.

Legal Issues

The Company affirms they have legally acquired all certificates, licenses and other documentation as required by OMMA.

III. MARKETING SUMMARY

Target Markets

The Company’s major target markets are as follows:

Medical Marijuana Dispensaries, Processors and other Cultivation Companies.

The estimated number of potential clients with the Company’s geographic scope is 7,234, within the State of Oklahoma.

Services

Excellent service along with the finest available product will be the focus of the Company and the foundation of success. Clients can count on diligent, individual, prompt service in any way possible. This will ensure customers will be satisfied for years to come.

IV. FINANCIAL SUMMARY

Monthly expense for salaries and overhead approximately: 2500.00
Revenue/Sales projected (per yield) approximately: 25,000 – 100,000
Gross Profit for upcoming year approximately: 100,000
COMMERCIAL GROWER LICENSE

LA-RAY GROW COMPANY LLC
5450 N HENNEY RD, CHOCAY, OK, 73020

04/24/2020

GAAA-EKF-MT2Q

TRANSPORTATION LICENSE ONLY
QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That BRIGITTE MCMILLIAN and LEON MCMILLIAN, WIFE AND HUSBAND
of OKLAHOMA COUNTY, State of OKLAHOMA, party(ies) 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 quitclaim, grant, bargain, sell, and convey unto
BRIGITTE MCMILLIAN AND LEON MCMILLIAN, WIFE AND HUSBAND
whose address is:
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, party of the second part, the following described real
property and premises situated in Oklahoma County, State of Oklahoma, to-wit:

SEE ATTACHED EXHIBIT "A"

EXEMPT FROM DOCUMENTARY STAMPS PER SECTION 5302, PARAGRAPH 3.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, its
successors and/or assigns forever, so that neither they, the said party of the first part, nor any person
in their name and behalf, shall or will hereafter claim or demand any right or title to the said premises
or any part thereof; but they and everyone of them shall by these presents be excluded and forever
barred.

In Witness Whereof, the said party of the first part have hereunto set their hands the day and year set
out on the acknowledgment below.

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

ACKNOWLEDGMENT

State of OKLAHOMA County of OKLAHOMA ss:
The foregoing instrument was acknowledged before me on this 23rd day of December, 2010 by
BRIGITTE MCMILLIAN AND LEON MCMILLIAN, WIFE AND HUSBAND.

*AKA Brigitte Anderson

My Commission Expires: February 6th, 2013

LISA R. PUCKETT
Notary Public
EC#21012-050010

2/5
Exhibit "A"

The West 660.0 feet of the South Half (S/2) of the North Half (N/2) of the Southwest Quarter (SW/4) of Section Eleven (11), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma.
Larry Stein
Oklahoma County Assessor's Office

Ownership Radius Report

This Report is for Account Number R194677025 and is a 700-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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<th>name2</th>
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AGENDA TITLE: Lot Split Application for 2430 S. Choctaw Road submitted by Robin and Kevin Spence.

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

General Report:
- Robin and Kevin Spence are the owners of this 18.989 acre tract of land, located at 2430 S. Choctaw Road. The property is zoned an A-G "General Agricultural District".

- Applicant is requesting a lot split to create two (2) lots. Tract A shall be 16.989 acres with 415.17 feet of lot frontage along South Choctaw Road. Tract B shall be 2 acres with 120 feet of frontage along South Choctaw Road.

- The lot size and lot frontage of Tract B does not comply with A-G zoning, but the applicant has submitted a request to rezone to R-R "Rural Residential District".

Staff Comments:
City Water and Sewer- The property is currently on a private well and septic system as it is outside of the City's serviceable boundary.

Comprehensive Plan: The lot split request fails with the parameters of the "Rural protection boundary". It 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.

As mentioned above, the lot size & frontage of Tract B does not comply with the A-G district; however, the applicant has submitted an application for rezoning the property to an R-R "Rural Residential District". This request will be presented at the April 2nd, 2020 Planning Commission meeting. The R-R district requires a minimum lot size of 1 acre & minimum lot frontage of 110 feet. Therefore, if the Planning Commission chooses to approve this lot split application, a caveat would have to be added to make the approval contingent upon the rezoning request approval so not to create a non-conforming lot.
Applicant: Robin and Kevin Spence

Location: 2430 S. Choctaw Road

Current Zoning: A-G “General Agricultural District”

Request: Subdivide a 18.989 acre tract of land into 2 tracts

Robin and Kevin Spence are the owners of this 18.989 acre tract of land, located at 2430 S. Choctaw Road. The property carries an A-G “General Agricultural District” zoning classification. Pursuant to §19-202 Short Form Subdivision, the applicant is requesting to subdivide the existing parcel into two (2) parcels to allow for an additional single-family residence on the second parcel for their daughter.

EXISTING ZONING AND BUILDING USE REGULATIONS
The current zoning for the property is A-G “General Agricultural District” which requires a minimum of five (5) acres lot area and a minimum lot frontage of 330 feet. The current parcel is 18.989 acres in size and has 535.17 feet frontage along S. Choctaw Road. The applicant is requesting to subdivide the property in an east-west manner.

Proposed Tract A is 16.989 acres in size and will have 415.17 feet of frontage along S. Choctaw Road. Proposed Tract B is 2 acres in size and will have 120 feet frontage along S. Choctaw Road. The proposed lot size and lot frontage for Tract B does not meet the minimum requirements of the A-G “General Agricultural District”; however, the applicant has submitted an application for rezoning the property to an R-R “Rural Residential District”. This request will be presented at the April 2nd, 2020 Planning Commission meeting. The minimum lot size for an R-R “Rural Residential District” is 1 acre and the minimum lot frontage requirement is 110 feet. Therefore if the Planning Commission chooses to approve this lot split application, a caveat would have to be added to make the approval contingent upon the rezoning request approval so not to create a non-conforming lot.

There is an existing single story 1,543 square foot residential structure, several barns, out buildings and a greenhouse on the existing property and would all remain within the boundaries of Proposed Tract A. There are no structures within Proposed Tract B; however, as mentioned above the applicant does wish to add a single-family residence on Tract B. 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. The Spences' request is to lot split to allow to build a single-family home on Tract B. Their 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 large portion of Tract A in FEMA Flood Zone A; however, there is no existing improvements nor any proposed improvements within the floodplain.

- **Transportation** – Please refer to the "Transportation" paragraph to identify the required road easement dedication along South Choctaw Road.

- **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 subject property has an existing private water well and septic system at this time.

There is a twelve (12) inch City water main located within the South Choctaw Road right of way. The said twelve (12) inch water main is approximately five hundred and eighty (580) feet from Tract A and one thousand feet (1000) feet from Tract B.
The City Code states if any portion of a single residential tract that is listed in sub-sections §19-164 or §19-165 comes within five hundred (500) feet from a public water or sanitary sewer main, the developer will be required to extend the mains to the furthest end of the newly developed tract and if a water or sewer main is adjacent to the tract of land or is within five hundred (500) feet from the main, the tract will be required to connect to the City water. Additionally, if any portion of a subdivision, multi-family development, non-residential development, or illegal lot split that is listed in sub-sections §19-164 or §19-165 comes within one thousand two hundred (1,200) feet from a public water main, the developer will be required to extend the water main to the furthest end of the newly developed tract and connect to the City water.

The sites are outside of the five hundred (500) feet radius requirement for water and sewer extension and connection as listed in the Code. Additional, as this is a lot split application for a single-family home, the one thousand two hundred (1,200) feet from a public water main extension requirement is not applicable. However, future development could require an extension or connection to the City’s water and/or sewer main.

Future installation and/or connection to a public water and sewer service or changes to the existing well and septic system will require 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 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 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 Robin and Kevin Spence. Staff has completed its review of the lot split request.
CITY OF CHOCTAW
2500 N Choctaw Rd / PO Box 567, Choctaw, OK 73020
Phone (405)390.2999 / Fax (405)390.3332

Short Form Subdivision (Lot Split)
APPLICATION
(Please Print in Ink or Type)

Applicant: *Robin & Kevin Spence

Address: 2430 S Choctaw Rd Choctaw OK 73020
City State Zip

Phone: 405-408-1970 Cell: 

Email Address: Robontreespence@yahoo.com

Property address: 2430 S Choctaw Rd Choctaw OK 73020

Legal Description: Town of Orchard Blk # 73-74 expt ATRN NW corner of Blk 74 being 120' N+S by 300'

Number of Acres: 19.17

Number of proposed tracts: 2

Property zoning district: AG to be rezoned to RR upon approval.

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.

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

Do Not Write Below This Line—Official Use Only

Permit #: 2022 CO1
Receipt #: 1573
Total Amount Paid: $1275
Date Paid: 2-3-2020
Cash: $1275
Check #: 1573
Credit Card: 

County Parcel Number: ____________________________

Dec 2018
WARRANTY DEED

Thad Daniel J. Dysart and Tamra Tyree-Dysart, Husband and Wife and Robin Tyree-Spence and Kevin Ray Spence, Wife and Husband

party of the first part, in consideration of the sum of "$10 AND NO/10" dollars and other valuable consideration, in hand paid, the receipt of which is acknowledged, does hereby grant, bargain, sell, and convey unto

Robin Tyree-Spence and Kevin Ray Spence, Wife and Husband

Whose address is: 2430 S. Choctaw Rd.
Choctaw, OK 73020

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

Blocks Seventy-three (73) and Seventy-four (74), LESS AND EXCEPT One Hundred Twenty (120) feet South by Three Hundred (300) feet East in the Northwest Corner of Block Seventy-four (74) in the TOWN OF ORCHARD, Oklahoma County, Oklahoma, according to the recorded plat thereof.

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 whatever nature, EXCEPT FOR and SUBJECT TO those exceptions set forth hereinabove.

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

Daniel J. Dysart
Tamra Tyree-Dysart
Robin Tyree-Spence
Kevin Ray Spence

ACKNOWLEDGMENT

State of Oklahoma County of Oklahoma ss:
The foregoing instrument was acknowledged before me on this 24th day of May, 2016 by Daniel J. Dysart and Tamra Tyree-Dysart, Husband and Wife and Robin Tyree-Spence and Kevin Ray Spence, Wife and Husband.

My Commission Expires: 7-1-2020

EC No.: 1603-0023-69
AGENDA TITLE: Lot Split Application for 12526 NE 10th Street submitted by Toby Traweeek Jr.

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

General Report:  - Toby Traweeek is the owner of this 4.99 acre un-platted tract of land at 12526 NE 10th Street zoned R-R "Rural Residential District".

- Applicant is requesting a lot split to create two (2) lots. Tract 1 shall be 3.62 acres with 65 feet of lot frontage along NE 10th Street. Tract 2 shall be 1.38 acres with 100 feet of frontage along NE 10th Street.

- Board of Adjustment granted a variance the minimum lot frontage requirement of 110 feet, contingent on the approval of the lot split.

Staff Comments: City Water and Sewer- The property is currently on a private well and septic system as it is outside of the City's serviceable boundary.

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. Traweeek'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: Toby Traweek Jr.

Location: 12526 NE 10th Street

Current Zoning: R-R “Rural Residential District”

Request: Subdivide a 4.99 acre tract of land into two (2) tracts

Toby Traweek Jr. is the owner of this 4.99 acre un-platted tract of land, located at 12526 NE 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) parcels; both lots will front along NE 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 foot lot size. The property is bound by R-R “Rural Residential District” on all sides. There is an existing 3,396 square foot single family residential structure that was constructed around 1939 on the property (Tract 1). The applicant is requesting to subdivide this property in order to give Tract 2 to his daughter for future single family residential construction.

The current parcel is 4.99 acres in size and has one hundred and sixty-five (165) feet frontage along NE 10th Street. The applicant is requesting to subdivide the property in in a north-south manner. Both Tract 1 and Tract 2 will front NE 10th Street. The applicant is not seeking an additional access point onto 10th Street with the lot split request. Both lots will share the existing concrete drive serving the subject site. A sixty-five (65) foot access easement has been provided for the shared access for both lots. Proposed Tract 1 is 3.62 acres and proposed Tract 2 is 1.38 acres. The next page includes the sketch of the proposed lot split.

The applicant did request a variance from the Board of Adjustment for relief from the minimum frontage requirement for the R-R “Rural Residential District”. Section §12-263 Area and Height Regulations requires a minimum lot frontage of one hundred and ten (110) feet in this zoning district. The current lot width is one hundred and sixty-five (165) feet and the proposed lot widths are sixty-five (65) feet for proposed Tract 1 and one hundred (100) feet for proposed Tract 2. On January 27th, 2020 the Board of Adjustment did approve the variance request to the minimum lot frontage requirement as presented, contingent on the approval of the lot split.

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. Traweek’s request is to lot split to allow to build a single-family home on Tract 2. 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 are no built or natural constraints present as listed in the Comprehensive plan, but if the property is developed, the developer will need to be aware of any stormwater drainage, stormwater quality, and all other environmental impacts.
- **Transportation** – The property is accessed via NE 10th Street which is an arterial street. Please refer to the “Transportation” paragraph to identify the required road easement dedication.
- **Infrastructure** – The property owner will have to meet all infrastructure requirements as discussed in the Comprehensive Plan and the City Code with any future development of these sites. Please refer to paragraphs “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 subject property has an existing private water well at this time. There is a twelve (12) inch City water main located within the 10th Street right of way. The said twelve (12) inch water main is approximately 1,800 feet from the subject property.

The City Code states if any portion of a single residential tract that is listed in sub-sections §19-164 or §19-165 comes within five hundred (500) feet from a public water or sanitary sewer main, the developer will be required to extend the mains to the furthest end of the newly developed tract and if a water or sewer main is adjacent to the tract of land or is within five hundred (500) feet from the main, the tract will be required to connect to the City water. Additionally, if any portion of a subdivision, multi-family development, non-residential development, or illegal lot split that is listed in sub-sections §19-164 or §19-165 comes within one thousand two hundred
(1,200) feet from a public water main, the developer will be required to extend the water main to the furthest end of the newly developed tract and connect to the City water.

The subject property has an existing private sanitary septic system. A ten (10) inch public sanitary sewer main is located within North Hiwassee Road right of way. The said ten (10) inch public sanitary sewer main is approximately 2,420 feet from the subject property.

The site is outside of the five hundred (500) feet and one thousand two hundred (1,200) feet radius requirement for water and sewer extension and connection as listed in the Code. However, future development could require an extension or connection to the City's water and/or sewer main.

Future installation and/or connection to a public water and sewer service or changes to the existing well and septic system will require 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 N.E. 10th Street, west of its intersection with North Hiwassee Road. 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 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 Toby Traweek Jr. Staff has completed its review of the lot split request.
Applicant:  TOBY G. TRAWEK JR.
Address:  12526 N. E. 10th, CHOTAW, OK. 73020
Phone:  405-769-4970  Cell:  405-285-8892
Email Address:  FTRAWEK@AOL.COM

Property address:  12526 N. E. 10th, CHOTAW, OK.

Legal Description:  W 165' OF WEST HALF OF NORTHWEST QUARTER OF NORTH EAST QUARTER OF SEC. 3; TOWNSHIP TWELVE NORTH RANGE 1 WEST OF INDIAN MERIDIAN, OKLA. COUNTY, OK.
Number of Acres:  5
Number of proposed tracts:  2
Property zoning district:  RR

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:  FEB 3, 2020

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

Do Not Write Below This Line—Official Use Only

Permit #:  2002004  Receipt #:  1574
Total Amount Paid: $125.00  Date Paid:  2-4-2020

☐ Cash  ☑ Check # 10415  ☐ Credit Card

County Parcel Number:  ___________________________  

Dec 2018
SURVEYOR'S CERTIFICATE
December 11, 2019

I, Michael A. Dawson, a Professional Land Surveyor in the State of Oklahoma, hereby certify that the field work was completed as of the date set forth above and that as 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 Northeast Quarter (NE/4) of Section Thirty-three (33), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

With a line of bearing being the North line of land NE/4, N89°28'44"E.

BEGINNING at the Northwest corner of said NE/4; thence N89°28'44"E along the North line of said NE/4 a distance of 61.50 feet; thence S29°17'51"W and parallel with the West line of said NE/4 a distance of 400.00 feet; thence S9°17'51"W a distance of 115.73 feet; thence S89°42'17"W a distance of 100.00 feet to a point on the West line of said NE/4, thence N90°17'13"W along said West line a distance of 1331.36 feet to the point of beginning.

 Said tract contains 1.157719 acres square, or 3.42 acres more or less. Subject to easements of record.

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

The property has direct access to NE 16th Street. The address is 12226 NE 16th.

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, 2015.

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

This survey does not show:

The identifying data of all recorded plat, filed maps, right-of-way maps, or similar documents with their appropriate recording data. All data and map numbers, of the surveying practices. Not shown is the names of adjoining owners or any portion of record and recorded plat or legal description, requiring information or sections. Where descriptive information is required, the client or his representative and/or a private utility locate request may be necessary.

I further certify that by graphical 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. 2010C230935, with a date of identification of the flood insurance Rate Map No. 2010C230935, for Community No. 400357, the City of Choctaw, Oklahoma County, State of Oklahoma, which is the new flood insurance Rate Map for the community in which such property is located. No field surveying was performed to determine the area and an elevation certificate may be required to verify the determination or apply for a variance from the Federal Emergency Management Agency.

M. Dawson
12/11/2019

Michael A. Dawson
1816
SURVEYOR'S CERTIFICATE
December 11, 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 the ground survey was made under my supervision of a tract of land described as follows:

LEGAL DESCRIPTION

A tract of land in the Northeast Quarter (NE/4) of Section Thirteen (13), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

With a line of bearing being the North line of said NE/4, N89°23'44"E

COMMENCING at the Northeast corner of said NE/4, thence N89°23'44"E along the North line of said NE/4 a distance of 60.00 feet to the POINT OF BEGINNING, thence continuing N89°23'44"E a distance of 140.00 feet, thence N89°23'44"E and parallel with the West line of said NE/4 a distance of 60.00 feet, thence N89°23'44"E a distance of 140.00 feet, thence N89°23'44"E a distance of 60.00 feet in the point of beginning.

 Said tract contains 15,999.1 square feet, or 0.38 acres more or less

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

The property has direct access to NE 10th Street.

I further certify that the property corners were set or found as shown. The shown description does from 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 21, 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:

The identifying marks of all recorded plans, flood maps, right of way maps, or similar documents that are appropriate recording data, filing dates, and map numbers of the surveyed parcel. Nor does it show the names of assessing owners, if any, or any pertinent utility maps or similar utility maps located on the survey area that may be necessary.

Note: Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, some jurisdictions require use of such utility maps for compliance with local laws. When additional information is required, the client is advised that excavation and/or a private utility location request may be necessary.

I further certify that by graphic plotting only, this property is located within an area having a "Zone Designation of "Z" by the Secretary of Housing and Urban Development, as Flood Insurance Rate Map No. 012409005500 with a date of effective date of 12/1/2009, for Community No. 415015, 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 survey was performed to determine that same and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

BASIS OF READING IS BASED ON THE NORTH LINE OF NE/4 N 89°23'44"E

M. Dawson
1810
12/16/2019

Michael A. Dawson
1810

TARGET POINT OF COMMENCEMENT

PATHFINDER SURVEYING
CAV 8138
PO Box 7430
Mesa, Arizona 85202-7430
Telephone: 602-542-1600
Fax: 602-975-3429
www.pathfindersurveying.com

EXHIBIT DRAWING

PART OF THE NORTHEAST QUARTER
SECTION 23, T12N, R1W, L11
OKLAHOMA COUNTY, OKLAHOMA

SLP: SET 3/4" IRON PIN 50' LS 10-18 CHA
TARGET POINT OF COMMENCEMENT

LANDemark
COPLAND
1277 7TH ST
OKLAHOMA CITY, OK 73103
Phone: 405-232-0404
Fax: 405-232-0405
www.landemark.com
QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That Toby Glenn Traweek, Jr. and Frances Lorene Traweek, husband and wife, party of the first part, in consideration of the sum of Ten Dollars, and other valuable consideration, in hand paid, the sufficiency and receipt of which is hereby acknowledged, does hereby quit-claim, grant, bargain, sell and convey unto the Traweek Family Revocable Trust Dated the 30th day of October, 2015, party of the second part, any and all interest which party of the first part may now or hereafter claim in and to all the following described real property and premises situated in Oklahoma County, State of Oklahoma, to-wit:

The West One Hundred Sixty-five (165) Feet of the West Half (W/2) of the Northwest Quarter (NW/4) of the Northeast Quarter (NE/4) of Section Thirty-three (33), Township Twelve North (T12N), Range One West (1W) of the Indian Meridian, Oklahoma County, Oklahoma. Also known as: 12526 NE 19th ST, Choctaw, Oklahoma 73020

together with all the improvements thereon and the appurtenances thereto belonging. To have and to hold the above described premises unto the said party of the second part, its heirs and assigns forever.

Signed and delivered this 29th day of October, 2015.

Toby Glenn Traweek, Jr.
Frances Lorene Traweek

NO DOCUMENTARY STAMPS REQUIRED PER TITLE 69 O.S. §3202(4)

STATE OF OKLAHOMA
COUNTY OF OKLAHOMA

Before me, the undersigned, a Notary Public in and for said County and State on this 29th day of October, 2015, personally appeared Toby Glenn Traweek, Jr. and Frances Lorene Traweek, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument in my presence and acknowledged to me that they executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

MARK A. MATHEWS
Notary Public, Commission # 8102817

My Commission Expires: 11/02/2017

When Recorded, Return To: Mark A. Mathews, PLLC, P.O. Box 1626, Harrah, Oklahoma 73045-1626
City of Choctaw
Regular Planning Commission Meeting
February 6, 2020 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

1. Call to Order by Chair Chris Jordan @ 7:01 p.m.
2. Invocation and Pledge of Allegiance given by Chris Jordan.
3. Roll Call:
   4   Present:    Bobby Pearce; Jared Kobyluk; Chris Jordan;
                  Larry Morgan
   3   Absent:    Michael Ray; Phillip Bradshaw; Matt DeToy

Staff:      Guy Henson, Planning & Development Director
            Amanda Valen, 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:    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

   Public Hearing opened at 7:04pm.
   Receive Comments.
       The applicant explained the house on this property was lost due to a
       fire. The previous home had a private well and they will be
       requesting a waiver to the mandatory utility extension requirements.
   Public Hearing closed at 7:05pm.

MOTION BY Bobby Pearce and SECOND BY Larry Morgan to approve the
rezone request with a recommendation to the City Council to not approve a
waiver to the mandatory utility extension requirements.
MOTION CARRIED:
4  Ayes:    Pearce, Kobyluk, Jordan, Morgan
0  Nays:    None
3  Absent:  Ray, Bradshaw, DeToy

4.2 A lot split application submitted by:
Applicant:    Steven Spence
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
1W N 1/2 OF NE4 NE4 SE4 EX W261.60FT EX 25FT ON E & EX N33FT
Proposed # of Lots:  Two (2)

MOTION BY Larry Morgan and SECOND BY Bobby Pearce to approve the
Lot Split application as presented as the request is consistent with the future
land use.

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

4.3 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)

MOTION BY Jared Kobyluk and SECOND BY Larry Morgan to approve
the Lot Split application as presented contingent upon all City of Choctaw
setback requirements being met.

MOTION CARRIED:
4  Ayes:    Pearce, Kobyluk, Jordan, Morgan
0  Nays:    None
3  Absent:  Ray, Bradshaw, DeToy
4.4 Regular meeting minutes for January 2, 2020

MOTION BY Larry Morgan and SECOND BY Jared Kobyluk to approve the minutes as presented.

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

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

7. Adjournment:
Called @ 7:56pm.

PLANNING COMMISSION

ATTEST:

________________________________________
Dr. Chris Jordan, Chairman

________________________________________
Amanda Valent, City Clerk