

**NOTE: TAP RECORDING MALFUNCTION AND THERE IS NO ELECTRONIC COPY OF PROCEEDINGS.**

**PLANNING COMMISSION  
MINUTES  
7:00 P M  
116 WEST NEEDLES  
BIXBY, OKLAHOMA  
JANUARY 20, 2004**

**MEMBERS PRESENT**

**Scott Sherrill  
Bill Campbell  
Jim Powell  
Roy Paxson  
Bill Davis**

**MEMBERS ABSENT**

**STAFF PRESENT**

**Ken Bradford**

- 1. Call to Order: Chairman Sherrill called the meeting to order at 7:03 PM.**
- 2. Approval of Minutes of December 15, 2003.** Jim Powell moved and Bill Davis seconded to approve the minutes.  
**VOTING FOR: Davis, Campbell, Powell, Paxson, and Sherrill**  
**VOTING AGAINST: None**  
**ABSTAINING: None**  
**MOTION PASSED: 5-0-0**

**3. BL 286 Discussion and possible action to approve a Lot Split for Shirley Bazay, at 11440 S 94<sup>th</sup> East Ave., Bixby, Oklahoma.**

**STAFF REPORT:** Staff visited the site and it appears that a second residence would fit well on the lot. The covenants for this area specify that only one house be constructed on a lot, however the covenants were adopted in 1970 and no evidence was found to support amendments or continuation of the covenants as adopted. It is true that the covenants most likely have been compromised. As you know the City does not enforce covenants. The area is zoned rural estates (RE). The bulk requirements for RE is 150 foot frontage on a street. After splitting one lot will be 146.92 and the other 173.50. Both lots will have above the prescribed area per dwelling unit. There are no recorded easements known to impede the division of lots. Because of the location of the one dwelling on the lot and

the space left to construct an additional house the staff recommends approval.

No comments were received from the public. Powell moved and Paxson seconded for approval.

**VOTING FOR: Davis, Campbell, Powell, Paxson, and Sherrill**

**VOTING AGAINST: None**

**ABSTAINING: None**

**MOTION PASSED: 5-0-0**

**4. BZ 301 Public Hearing, discussion, and possible action to approve a zoning request on 90<sup>th</sup> East Ave. South of 171<sup>st</sup> Street, for Lots 4, 5, & 6, Block 2, Southtown Estates form RS-1 (Single Family) to RD (Residential Duplex), Larry Stricker, applicant.**

**STAFF REPORT:** The covenants in this area restrict building to one resident structure on each lot platted with at least 900 sq ft of structure. The covenants were signed in 1968 and most likely have been compromised. The city does not enforce covenants. Residential building is in accordance with the Comprehensive Plan. The big problem is this area is in a 100-year floodplain. Our Ordinance will not allow the platting of lots in a 100-year floodplain. The Flood Ordinance does permit building construction with elevation above the base flood elevation by one foot. The elevating includes all electric and mechanical units. A FEMA elevation certificate is required on the lowest habitable floor. In addition the foundation must be constructed so as to allow water to pass under the structure in the 100-year event. Staff has received several complaints concerning the zoning of these lots to RD.

Larry Sticker the applicant presented his case for re-zoning stating he would like to place duplexes on the three lots.

The following citizens spoke in opposition to the re-zoning.

Jerry Perez, 17216 S 92 East Ave., Berlen Maclasky, 8313 E 131<sup>st</sup> Place, Cybil Cortle, 11757 S 90 East Ave, Jason George, 17237 S 89<sup>th</sup> East Ave., Charles Paggett, 17216 S 91 East Ave, Freddie Norton, 17274 S 90 East Ave., Wardnar Nochen, 17237 S 90<sup>th</sup> East Ave., Dalton Arnett, 8919 E 176<sup>th</sup> Street, Steve Autry, 17256 s 91<sup>st</sup> East Ave.. A petition was presented with 83 names opposing the zoning.

Powell moved and Paxson seconded for **denial**.

**VOTING FOR DENIAL: Davis, Campbell, Powell, Paxson, and Sherrill**

**VOTING AGAINST: None**

**ABSTAINING: None**

**MOTION PASSED: 5-0-0**

**5. Discussion and Possible action to approve a Final Plat for Falcon Ridge II, Westec Properties, Developers.**

**STAFF REPORT:** The attached Final Plat has been reviewed by staff. There are some problems with the covenants wording concerning joint drainage facility use with other existing subdivisions. In addition staff was made aware by applicants attorney that there may be a need for a lot split on the property adjacent to this plat in order to complete the plating process. On Wednesday, January 14, 2004, the problems still exist although they were to be resolved before the meeting on January 20. Instead of pulling this item from the agenda it is included. If the problems have not been resolved it is the recommendation of staff that the item be continued. If the planning commission desires to take action, then the staff would request that such motion to approved contain the condition that the problems be resolved before present to the city council for Final Distribution.

No comments were received:

Powell moved and Paxson seconded for approval.

**VOTING FOR: Davis, Campbell, Powell, Paxson, and Sherrill**

**VOTING AGAINST: None**

**ABSTAINING: None**

**MOTION PASSED: 5-0-0**

**6. New Business: None**

**7. Old Business: None**

**8. Adjournment**

**Approval** \_\_\_\_\_ **Date** \_\_\_\_\_