

## **ORDINANCE NO. 3400**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1719, generally located east of Olive Avenue, one-half mile north of New Orleans Street, granting a RS-3 and FD zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.**

**WHEREAS**, the State of Oklahoma has granted cities, as governmental entities, the duty and power to enact zoning ordinances for the protection of persons and property residing within the City limits, and for securing the benefits of orderly development as a whole; and

**WHEREAS**, rezoning case BAZ 1719 (A-1 to R-3S), which involved an 80-acre parcel, was approved by the Broken Arrow City Council on June 19, 2006, subject to the property being platted; and

**WHEREAS**, part of the property, located east of Olive Avenue, one-half mile north of New Orleans Street has been platted as Rushbrooke North, Blocks 1 – 6, and Rushbrooke North, Block 7 – 8; and

**WHEREAS**, the plat for Rushbrooke North Blocks 1 – 6, which contains 35.94 acres, was recorded in Tulsa County on March 26, 2014; and

**WHEREAS**, the plat for Rushbrooke North, Blocks 7 – 8, which contains 1.67 acres, was recorded in Tulsa County on July 7, 2015.

**WHEREAS**, on February 8, 2008, the R-3S district was changed to RS-3;

**WHEREAS**, part of this property is located in the 100-year floodplain and needs to be zoned FD (Floodplain District); and

**WHEREAS**, the proposed zoning is compatible with the comprehensive plan and surrounding uses; and

**WHEREAS**, the granting of the application will not have an adverse effect on the other property in the area or in the community; and

**WHEREAS**, for these reasons, the City Council finds this request should be granted.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:**

**SECTION I.** The zoning classification of the following described real estate situated in Tulsa County, State of Oklahoma, being more particularly described as follows:

**Zoning Change: A-1 (Agricultural) to RS-3 (Single-Family Residential) and FD (Floodplain District)**

Acreage: 37.61 acres

**Legal Description for A-1 to RS-3**

All of Rushbrooke North Blocks 7-8, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma being a part of the N/2 SW/4 of Section Twenty-One (21), Township 18 North, Range 14 East, of the Indian Base and Meridian, document no. 6619.

AND

All of Rushbrooke North Blocks 1-6, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma being a part of the N/2 SW/4 of Section Twenty-One (21), Township 18 North, Range 14 East, of the Indian Base and Meridian, document no. 6521.

LESS AND EXCEPT

Reserves A and B of Rushbrooke North Blocks 1-6, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma being a part of the N/2 SW/4 of Section Twenty-One (21), Township 18 North, Range 14 East, of the Indian Base and Meridian, document no. 6521.

**Legal Description for A-1 to FD**

Reserves A and B of Rushbrooke North Blocks 1-6, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma being a part of the N/2 SW/4 of Section Twenty-One (21), Township 18 North, Range 14 East, of the Indian Base and Meridian, document no. 6521.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural) to RS-3 (Single-Family Residential) and FD (Floodplain District).

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION III.** An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

**PASSED AND APPROVED** and the emergency clause ruled upon separately this 1<sup>ST</sup> day of March, 2016.

s/ Craig Thurmond  
MAYOR

ATTEST:

s/ Lisa Blackford  
(Seal) CITY CLERK

APPROVED:

s/ Lesli Myers  
ASSISTANT CITY ATTORNEY