

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
June 30, 2011 6:00 PM**

SPECIAL-CALLED MEETING

STAFF PRESENT:

Erik Enyart, AICP, City Planner

OTHERS ATTENDING:

Rick Dodson

Deborah Zigo

Michelle Poplin

CALL TO ORDER:

Chair Thomas Holland called the meeting to order at 6:05 PM.

ROLL CALL:

Members Present: John Benjamin, Thomas Holland, Lance Whisman, and Jeff Baldwin.

Members Absent: Larry Whiteley.

CONSENT AGENDA:

PUBLIC HEARINGS:

PLATS

OTHER BUSINESS

1. **BL-380 – Sack & Associates, Inc.** Discussion and possible action to approve a Lot-Split for Lot 25, Block 4, *Legends II*.
Property located: 9351 E. 107th Pl. S.

Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Report and recommendation. Mr. Enyart summarized the following Staff Report:

To: Bixby Planning Commission
From: Erik Enyart, AICP, City Planner
Date: Thursday, June 23, 2011
RE: Report and Recommendations for:
BL-380 – Sack & Associates, Inc.

LOCATION: – 9351 E. 107th Pl. S.

– Lot 25, Block 4, Legends II

LOT SIZE: ¼ acre, more or less
ZONING: RS-3 Residential Single Family District
EXISTING USE: Single-family house
REQUEST: Lot-Split approval

COMPREHENSIVE PLAN: Low Intensity + [Existing] Vacant, Agricultural, Rural Residences, and Open Land.

PREVIOUS/RELATED CASES:

BZ-311 – Brumble Dodson Construction, LLC – Request for rezoning from AG to RS-3 for area including Legends (includes subject property) and Legends II – Recommended for Approval by PC on 08/15/2005 and Approved by the City Council 09/12/2005 (Ord. 912).

Preliminary Plat of Legends II – Request for Preliminary Plat approval for Legends II (includes subject property) – PC Recommended Approval 11/20/2006 and City Council Approved 11/27/2006.

Final Plat of Legends II – Request for Final Plat approval for Legends II (includes subject property) – PC Recommended Approval 10/15/2007 and City Council Approved 10/22/2007.

BACKGROUND INFORMATION:

The fence attending the house abutting to the west encroaches on the southwest corner of the subject property. The property owners have decided to resolve the issue by splitting off the encroached part (“sliver tract”) and selling it to the adjoining property owner to the west.

ANALYSIS:

Property Conditions. The subject property contains a single-family dwelling on a platted residential lot zoned RS-3.

General. The proposed “sliver tract” would not comply with minimum standards for the RS-3 district, and so it must be attached to the adopting Lot 1, Block 4, Legends II to the west. The remainder subject property and enlarged Lot 1, Block 4, Legends II would both meet applicable standards for the RS-3 district.

This application was not placed on the Technical Advisory Committee (TAC) agenda because it was only received June 14, 2011, with the Planning Commission Chair’s approval for its placement on a Special/Called meeting. However, the Lot-Split is a logical and reasonable request for a minor property line adjustment not creating any new lots.

Staff Recommendation. Staff recommends Approval, subject to the sale tract being attached to the adopting lot by deed restriction language such as:

[INSERT THE LEGAL DESCRIPTION OF THE PROPOSED SALE TRACT].

The foregoing is restricted from being transferred or conveyed as described above without including:

[INSERT THE LEGAL DESCRIPTION OF THE ADOPTING LOT 1 BLOCK 4]

unless otherwise approved by the Bixby Planning Commission, or its successors, and/or the Bixby City Council as provided by applicable State Law,

Or other language provided by the Applicant for this purpose subject to City Attorney approval.

John Benjamin made a MOTION to APPROVE BL-380. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Benjamin, Baldwin, Holland, & Whisman
NAY: None.
ABSTAIN: None.
MOTION CARRIED: 4:0:0

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ADJOURNMENT:

There being no further business, Chair Thomas Holland declared the meeting Adjourned at 6:06 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary