

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

April 20, 2000

1:30 P.M.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Ms. Cheryl Dorrance, at 1:30 P.M., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Ms. Cheryl Dorrance, Chairperson
Mr. Will K. Jones, Member
Mr. Curtis Roberts, Member
Mr. David E. Richey, Member
Mr. Everett Martin, Member

Also in attendance:

Tyler Gammon, Jr., Secretary
Richard Rolison, County Planner

The Planning Commission Secretary, Mr. Gammon called roll and a quorum was declared.

Mr. Roberts stated that there were a few spelling errors in the minutes for the meeting of March 16, 2000. John Tytenicz and Coon Creek were corrected. Mr. Martin made a motion to adopt the minutes as corrected. Mr. Jones seconded the motion. Vote taken: Roberts – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; and Martin – Aye. The minutes were unanimously approved.

Zoning: (Z2 – 00) From: AA – Agricultural and Rural Residential District
To: RA – Acreage Residential District

Application of:

HADJIEH HASSANI dba
LAND IMPROVEMENT, L.L.C.

The applicant is requesting to rezone the tract in order to develop a subdivision for single-family housing. If the rezoning is approved, each lot will be a minimum of one and a half acre in size.

Part of the West half (W^{1/2}) of the Northwest Quarter (NW^{1/4}) of Section Four (4), Township Fourteen (T-14-N) North, Range Two (R-2-W) West, of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows:

Beginning at point 826.3 feet South of the Northwest Corner (NW/C) of said West half (W^{1/2}) of said Northwest Quarter (NW^{1/4}); Thence South along the West line of said Quarter Section a distance of 1197.7 feet to a point 660 feet North of the Southwest Corner (SW/C) of said West half (W^{1/2}) of said Northwest Quarter (NW^{1/4}); Thence East and parallel with the North line of said Quarter Section a distance of 1326.11 feet to the East line of said West Half (W^{1/2}) of said Northwest Quarter (NW^{1/4}); Thence North along the east line of said West Half (W^{1/2}) of the Northwest Quarter (NW^{1/4}) a distance of 1197.7 feet; Thence West and Parallel to the North line of said Quarter Section a distance of 1327.23 feet to the Point of Beginning.

Location: 6400 N. Sooner Rd

(County Highway District #3)

Ms. Dorrance asked if there was anyone to speak for the applicant.

Mr. Gahdania, the engineer for the project stated that we would like to ask for a 30-day continuance for the project due to a property dispute. He stated that the 37-acres in question was surveyed previously by a registered land surveyor. "The property owner to the South thinks that the property line is about 4 to 8 feet north of the other property line." He then stated that he spoke to the property owner about getting another surveyor to find out for sure where the property lines are so that there is no dispute. "If there is encroachment on the property we could work out whatever it would take and would need 30 days to take care of the dispute."

Ms. Dorrance stated that although they would be hearing this in 30 days there were people here to speak. She asked if anyone present had anything to say at this time.

Mr. Tommy Bell, property owner to the South of the project, stated that there were some boundary and drainage disputes. He said that he had aerial photos that showed all the old fence lines. His legal description on his property reads from the South, and theirs reads from the North therefore property lines are overlapping.

Mr. Jones asked Staff if there was a place for people with a dispute like the proposed to go to adjudicate the problem?

Mr. Gammon stated that they would have to go to court.

Mr. Richey made a motion for a continuance until next month's meeting. Mr. Martin seconded the motion. Vote taken: Roberts – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; and Martin – Aye. The motion for a continuance was unanimously approved.

Other Business: Discussion and possible action regarding report on nuisance regulations for unincorporated areas of Oklahoma County.

Ms. Dorrance stated that she was handed a letter from the District Attorney's Office in that regard which read:

"Dear Ms. Dorrance, Chairman of the Planning Commission, I am in receipt of a letter from Tyler Gammon regarding your request to have an update given to you on the procedure to handle nuisances. Unfortunately, my docket has been such that I am unable to address your request at this time. As a bit or a reminder to you, in addition to my responsibility to provide legal advice to this Commission, my primary responsibilities are to the Board of County Commissioners.

You may be aware that John Jacobsen had been named the First Assistant District Attorney and as such maintains a partial civil docket. Because of this, the three lawyers funded by the Board of County Commissioners, myself included, are attempting to absorb his docket. Additionally, one of the state funded attorneys in the division has recently left for maternity leave and will be off until the 10th of July 2000. Therefore, in addition to my normal responsibilities to the Board of County Commissioners and other elected officials, I have

picked up a share of John Jacobsen's docket as well as the attorney who has recently left for maternity leave.

While I am not unmindful of the importance you place on the nuisance issue, I think the first priority is for this Commission to determine which "nuisances" will be considered unlawful. But in any event, it is my hope to have a letter prepared prior to the next regularly scheduled Planning Commission meeting which will address the type of procedure necessary to handle nuisances.

Sincerely, Cassandra M. Williams, Assistant District Attorney"

Mr. Martin stated that his biggest concern was that some people refuse to take care of the trash and abandoned vehicles. He said the North East part of the county looked like a trash dump. The people move out there, don't want to pay the trash companies the fees so they start throwing it in ditches and in turn it pollutes the creeks with oils, gasoline, paint, etc. Then they realize it isn't as cheap to live there as they thought it was going to be and the next thing you know, the company reposes their mobile home, move back into town, leave all the junk and turn all the dogs loose. There are people that have 15 - 20 cars that you can see from the road that have been there a long time. Trees have grown up through them and trash all around. They load up the ditches with trash and burn the trash, but the refrigerators and washers, etc. don't burn, but they keep stacking up. There was one fellow that started as a yard sale and the stuff that he can't sell just gets thrown in a ditch and continuously builds up.

Mr. Gammon stated that Dale Frey went out to take a look and said that the property at Luther and Memorial was the worst one. That was the one that started as a yard sale. He stated that they had sent the ones with the trash over to DEQ and have not received a response yet.

Ms. Dorrance asked if the trash cop could only enforce ordinances or regulations on public property or private also? And when he sites them what happens?

Mr. Gammon stated that the Trash Cop could enforce regulations on private property. "The Sheriff's office usually handles that."

Mr. Richey stated that his main concern was the loose dogs. It costs you \$10.00 if you want to take a dog into the Oklahoma City pound to get rid of it.

Mr. Jones stated that his primary concern was the road trash. "Meridian from 234th St. to where it dead ends into 160th St. has been used as a dump."

Mr. Roberts stated that the place where he feels it needs to be cleaned up is on the county right-of-ways. He stated that he had a problem when you get in on private property.

Ms. Dorrance stated that she would read off the list of concerns for everyone:

- | | | |
|----------------------------|---------------------------|--------------------------------------------|
| -Trash | -Debris/Structures | -Domestic Animals Chasing Livestock |
| -Abandoned Vehicles | -Noise | -Road Trash |
| -Solvents | -Illegal Dumping | -County Right-of-way |

Ms. Dorrance then stated that she would write a letter to Ms. Williams containing these items of concern. "I would like for Staff to get something from the Trash Cop stating what their powers are and formulate a staff report containing what the Trash Cop, DEQ, and the Health Department responsibilities are.

Mr. Martin stated that no one should be immune if they are violating the EPA. Whether they are the richest rancher or the poorest, if they are in violation, they should be held responsible.

Ms. Dorrance stated that if everyone agreed, she would write a letter and put in a footnote that the concern is not for agricultural operations, but more along the lines of acreage developments.

Mr. Martin made a motion for preparation of the staff report containing descriptions of trash cop, DEQ, and the Health Department. Mr. Jones seconded the motion. Vote taken: Roberts – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; and Martin – Aye. The motion was unanimously approved.

March 2000 Planning Commission Fee Fund Report

Mr. Gammon reported that the fees collected for March 2000 was \$6,934.65. Mr. Martin made a motion to accept the report. Mr. Richey seconded the motion. Vote Taken: Dorrance - Aye; Jones - Aye; Roberts - Aye; Martin - Aye; Richey - Aye. The motion was approved unanimously.

Other Business:

Mr. Jones asked what their roll was in approving or disapproving building a school on agricultural property? He stated that he was thinking of Deer Creek School. Does that come before us at all?

Mr. Gammon stated that schools and churches did not have to come before the Board.

Ms. Dorrance stated that one governmental body could not regulate another governmental body.

Mr. Richey asked if there was anyone to check into whether or not commercial properties were putting up their site proof fencing?

Mr. Gammon stated yes, that Mr. Frey would check it out.

Adjournment: Mr. Roberts motioned for adjournment. Mr. Richey seconded the motion. Vote taken: Dorrance - Aye; Jones - Aye; Roberts - Aye; Martin - Aye; Richey - Aye.

The meeting was adjourned at 3:00 P.M.