

15°44'49" East a distance of 80.54 feet; thence North 76°04'04" East a distance of 64.12 feet; thence North 01°11'57" West a distance of 158.50 feet; thence North 42°38'57" East a distance of 167.57 feet; thence North 73°50'55" East a distance of 52.97 feet; thence South 72°48'58" East a distance of 88.66 feet; thence North 38°43'55" East a distance of 282.62 feet; thence North 24°00'05" West a distance of 116.02 feet; thence North 17°59'32" East a distance of 155.90 feet; thence North 00°07'52" West a distance of 50.00 feet; thence North 89°52'08" East a distance of 449.73 feet to the point of beginning containing 22.8995 acres more or less.

Location: South of NW. 206th Street & East of Portland Avenue (County Hwy District #3)

Mr. Gammon gave the Staff Report stating that there is a new owner of the plat since 1999. Mr. Alexander purchased the property and wants to make minor changes to the lot lines and setbacks in order to make the property more profitable. Mr. Gammon stated that Staff feels that the changes are an improvement to the plat and have no disagreements.

Ms. Dorrance asked if he owned the property to the South, which was listed as undeveloped.

Mr. Alexander stated that they purchased the 8-½ acres and plan to develop it as Deer Springs Section III, which will be comprised of 4-5 lots.

Ms. Dorrance made a motion to approve the revised, amended, final plat for Deer Springs II. Mr. Wynn seconded the motion. Vote taken: Thomason; Wynn – Aye; Dorrance – Aye; Roberts – Aye; Jones – Aye. The item was approved unanimously.

**Zoning: (Z 02-01) From: AA – Agricultural & Rural Residential District
To: CG-Urban General Commercial & Office District**

Applicant: PEGGY ARTER

The applicant proposes to expand an existing commercial district for use as a drive through Smoke Shop. The following is the legal description of the property:

A piece or parcel of land in Lot 3 of Section 4, Township 14 North, Range 2 West of the Indian Meridian, Oklahoma County, State of Oklahoma, to wit: Beginning at the Southeast Corner (SE/C) of the Northwest Quarter of said Section 4: Thence S89°06'18" Won the South line of said Northwest Quarter (NW/4), Section 4, a distance of 135.14 feet to a point on the West right-of-way line of IH-35; Thence N00°01'50"W on the West right-of-way line of IH-35 a distance of 1347.41 feet; Thence N02°53'50"W on the said West right-of-way line of IH-35 a distance of 179.36 feet; Thence Northwesterly on a curve to the left having a radius of 1070.92 feet a distance of 158.74 feet on the West right-of-way line of IH-35 to the point or place of beginning. Thence continuing along the said curve to the left having a radius of 1070.92 feet a distance of 86.74 feet; Thence N16°01'50"W on the West right-of-way line of IH-35 a distance of 466.52 feet; Thence Northerly on curve to the right having a radius of 1220.92 feet a distance of 280.92 feet to the corner of IH-35 West right-of-way line and the IH-35 Waterloo Rd. South right-of-way line; Thence Westerly on a curve to the right having a radius of 1205.92 feet a distance of 205.64 feet; Thence S10°41'40"W a distance of 60 feet; Thence S79°18'20"E a distance of 60 feet; Thence S52°05'51"E a distance of 140.61 feet; Thence Southward on a curve to the left parallel to the West right-of-way line of IH-35 and 60 feet distant there from, having a radius of 1280.92 feet, distance of 158.00 feet; Thence S16°01'50"E, parallel to the West right-of-way line of IH-35 and 60 feet distant there from, a

distance of 466.52 feet; Thence Southward on a curve to the right having a radius of 1010.92 feet, and parallel to the West right-of-way line of IH-35 and 60 feet distant there from, a distance of 86.75 feet; Thence N73°58'10"E a distance of 60.21 feet to the point of beginning, containing 1.4657 acres more or less.

Location: Referred to as N. Interstate 35 Frontage Road. (County Hwy District#3)

Mr. Gammon gave the Staff Report for a small strip of land located between the I-35 on-ramp and a short, private, frontage road, near Waterloo Rd. Mrs. Peggy Arter is proposing a drive-through tobacco shop in this small area.

Ms. Dorrance asked Mr. Gammon how the property to the West of the frontage road was zoned AA but had been able to be developed commercially?

Mr. Gammon stated that before 1991 the structures were built without obtaining building permits and no inspections had been conducted. They are considered nonconforming uses.

Mr. Gammon stated that they had received protest letters from Church of the North Gate stating that the frontage road was constructed and paid for by the Church. Mr. Jones asked if this were true.

Mrs. Arter stated that it was not a true statement; that she herself owned the road. They didn't ask if they could black top the road, but she let them do it because she didn't think it was detrimental to her.

Mr. Reaves stated that it was considered a private road.

Mr. Spurlin, a protester present, stated that the property owners paid for the asphalt for the road not Mrs. Arter.

Mrs. Arter stated that she assumed that the church paid for it, but she was not contacted.

Mr. Spurlin stated that he didn't think it was necessary.

Mrs. Arter stated that this would be a drive-through facility with no walk-in customers, one employee, and one restroom in a 15' x 30' building. She also stated that an engineer drew up a plat showing adequate parking and turning room.

Mr. Wynn asked if the license would be under Mrs. Arter's name?

Mrs. Arter stated that it would not; she would be leasing it.

Mrs. Dorrance asked if there was a filed easement and a written agreement between her and the property owners.

Mrs. Arter stated that there was a filed easement but not a written agreement.

Mrs. Dorrance asked how the property owners have legal access to the road if there was no written agreement.

Mrs. Arter stated that anyone that owns property there has legal access to the road, but not the general public.

There was discussion between the Board, the Staff, and Mrs. Arter concerning the location of the filed easement. Being unable to produce the filed easement, they continued.

Mr. Jones stated that he felt there was not enough information to make a decision.

Mr. Roberts made a motion to table this item for 30 days providing enough time to produce more information. Ms. Dorrance seconded the motion. Vote taken: Thomason – Aye; Wynn – Aye; Dorrance – Aye; Roberts – Aye; Jones – Aye. The item was tabled unanimously.

February 2002 Fee Fund Report:

Mr. Gammon reported the fees collected for February 2002 were \$8,812.20. Mr. Roberts made a motion to receive the report. Mr. Thomason seconded the motion. Vote taken: Thomason – Aye; Wynn – Aye; Dorrance – Aye; Roberts – Aye; Jones – Aye. The motion was approved to accept the Fee Fund Report.

Other Business:

Ms. Ruth Walters presented the Board with an Inspection Services Division Proposal for review.

Adjournment:

Mr. Roberts motioned for adjournment. Mr. Thomason seconded the motion. Vote taken: Thomason – Aye; Wynn – Aye; Dorrance – Aye; Roberts – Aye; Jones – Aye.

The meeting was adjourned at 3:30 P.M.