

**SALLISAW PLANNING COMMISSION
REGULAR MEETING**

August 1, 2023

5:30 P.M.

**Council Chambers
113 North Elm St
Sallisaw, Oklahoma**

A G E N D A

- 1. Meeting Called to Order**
- 2. Declaration of a Quorum**
- 3. Consider Approval of Minutes of Regular Meeting of June 6, 2023.**
- 4. Discuss, consider and take possible action on Case No. PC 2023-04; Preliminary plat presentation of the Clara Stovall Addition, by Clara Ellen Stovall.**
- 5. Discuss, consider and take possible action on Case No. PC 2023-05; Rezoning request from Agricultural District (A-1) to to One-Family Residence District (R-1) by Clara Ellen Stovall.**
- 6. Adjourn**

Posted: JULY 27, 2023

Time: 3:45 PM

Lisa Gabbert

MINUTES

SALLISAW PLANNING COMMISSION

REGULAR MEETING

JUNE 6, 2023

The Sallisaw Planning Commission met in a regular meeting on June 6, 2023, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; by posting at city hall on June 1, 2023 at 4:20pm; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Joe Velasquez Tim Brown Ronnie Woodward Scott Looper Brady Bauer	Chairman Vice-Chair Member Member Member
Members absent:	Crystal Sides Matt Duke	Secretary Member
Staff present:	Keith Miller Chris Carter Lisa Gabbert	Building Development Director Senior Code Inspector Recording Secretary
Others present:	Gary Osborne Gary Ramm Dan Rightmire Jacob Koch Quinton Johnston Judy Merrill Steve Merrill Lynn Adams Jeremy Larson and others unidentified	

Meeting Called to Order

Meeting was called to order at 5:30 p.m.

Declaration of a Quorum

A quorum was declared present.

Consider Approval of Minutes of Regular Meeting of February 7, 2023

The minutes of the regular meeting of February 7, 2023 were presented for approval.

Motion made by Brown, seconded by Looper to accept the minutes from the regular meeting of February 7, 2023 as presented.

Vote: Valesquez aye, Brown aye, Woodward aye, Bauer aye, Looper aye. Motion carried 5-0.

Discuss, consider and take possible action on Case No. PC 2023-002; Redbird Smith Estates Block 1 Lots 1-4 & Block 2 Lots 1-4 rezoning request from One-Family Residence District (R-1) to Residence District (R-2) by The Housing Authority of Cherokee Nation of Oklahoma.

Building Development staff informed the board of the Housing Authority of Cherokee Nation's intent to rezone Redbird Smith Estates Block 1 Lots 1-4 and Block 2 Lots 1-4 to build duplexes, and that the housing authority is going to extend the water and sewer, and build roads. Several residents of the area spoke to express concerns about property values and upkeep of the properties. A representative of the housing authority answered concerns and other questions about maintenance the residents had. Building development staff said the housing will be subject to the city's ordinances. Vice Chairman Brown spoke of Cherokee Nation's strong presence in the city, and felt the concerns had been answered.

Motion made by Brown, seconded by Woodward to approve the rezoning request of Redbird Estates Block 1 Lots 1-4 and Block 2 Lots 1-4 from One-Family Residence District (R-1) to Residence District (R-2).

Vote: Valesquez aye, Brown aye, Woodward aye, Bauer aye, Looper aye. Motion carried 5-0.

Discuss, consider and take possible action on Case No. PC 2023-003, Replat of Sallisaw Feed Mill by Aviagen North American, Inc.

Building development staff determined the Sallisaw Feed Mill area needed to be replatted to include property easements and right-of-ways when Aviagen approached with the intent of building an expansion to the mill. Carter said all of the easements and right of ways were provided, and any issues were worked through between Aviagen and the city.

Motion made by Bauer, seconded by Looper to accept the replat of Sallisaw Feed Mill by Aviagen North American, Inc.

Vote: Valesquez aye, Brown aye, Woodward aye, Bauer aye, Looper aye. Motion carried 5-0.

Adjourn

Motion was made by Woodward, seconded by Brown, to adjourn the meeting, there being no further business.

Vote: Valesquez aye, Brown aye, Woodward aye, Bauer aye, Looper aye. Motion carried 5-0.
The meeting adjourned at 6:05 pm.

Approved this _____ day of _____, _____.

Joe Velasquez, Chairman

ATTEST:

Crystal Side, Secretary

AGENDA ITEM COMMENTARY

Meeting Date: August 1, 2023
Board: Sallisaw Planning Commission
Subject: Plat Presentation

ITEM TITLE: Discuss, consider and take possible action on Case No. PC 2023-04; Preliminary plat presentation of the Clara Stovall Addition, by Clara Ellen Stovall.

INITIATOR: Osburn Land Surveyors, LLC

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Osburn Land Surveyors, LLC, agent for Clara Ellen Stovall, is presenting a preliminary plat for the Clara Stovall Addition for consideration and approval. The property is located on Ross Road.

EXHIBITS: 1. PC2023-004 App
2. PC2023-005 Prelim Sub

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval.

PC2023-004

PLANNING COMMISSION

REQUEST FOR PLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for STOALL Addition

Part of SE 1/4 Sect 2 T11N R23E

General Location ROSS ROAD -

Present Use of Property AG

Proposed Use of Property Residential

Record Owner of Property Clara Stovall

If Applicant is other than owner, indicate interest: Purchaser, Lessee, Agent for, _____

_____ other, _____

Are there any Private or Deed Restrictions controlling the use of this property?

No

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed [Signature] Address PO Box 1806

Phone 918-725-9322 SALLISAW OK

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Carter Date: 3-23-23

Present Zoning: A-1

Application No.: _____ Requested: R-2

Fee Receipt: _____ P.C. Action: _____

City Action: _____ Date: _____

Ordinance No.: _____

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Clara Ellen Stovall, being the sole owner of the fee simple and to the following described real estate situated in the City of Sallisaw, County of Sequoyah, State of Oklahoma, to-wit:

A 1.00 acre tract, more or less, less public road right of way, and being subject to any and all easements of record, being situated in part of the E/2 SE/4 SW/4, Section 2, Township 23 North, Range 11 North, Oklahoma County, Oklahoma, P.L.S. #1628 of June 25, 2021, described parcel being created by Kelly Osburn, Oklahoma P.L.S. #1628 of June 25, 2021, the Basis of Bearing for the described parcel is NORTH-SOUTH along the North-South Quarter Section line of said Section 2, and is more particularly described as:

Commencing at an existing rail road spike for the Southeast corner of said E/2 SE/4 SW/4, thence along the East line thereof North 663.00 feet to a set #3 rebar with cap for the Point of Beginning; thence West 201.00 feet to a set #3 rebar with cap; thence North 216.72 feet to a set #3 rebar with cap; thence East 201.00 feet to a set #3 rebar with cap on the East line of the E/2 SE/4 SW/4; thence along said East line South 216.72 feet to the point of beginning.

have caused the same to be surveyed, staked and platted and have caused the same to be named and designated "Clara Stovall Addition", an addition to the City of Sallisaw, Oklahoma. I hereby dedicate to the City of Sallisaw, its successors and assigns, all easements and streets as shown on this plat, and do hereby guarantee clear title to all the same, and I warrant that the same shall be used for the purpose of providing an orderly development of the entire tract.

Owner— Clara Ellen Stovall

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2023, personally appeared Clara Ellen Stovall, for the Housing Authority of the Cherokee Nation, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires: _____

(SEAL)

SURVEYOR'S CERTIFICATE

I, Kelly Osburn, Oklahoma Professional Land Surveyor, being a competent surveyor and a Registered Land Surveyor under Registration No. 1628, do hereby certify that I have carefully and accurately surveyed and staked the property located on a part of the E/2 SE/4 SW/4, Section 2, Township 11 North, Range 23 East, Sequoyah County, Oklahoma, as described on this plat, and that the same have been located or placed of record in accordance with the description thereon, and that the survey was conducted by me and under my direct supervision. This survey meets the Oklahoma Minimum Standards for the practice of Land Surveying. The Last Site Visit 4/10/23.

Certificate of Authorization: #6391; Expires 6-30-2023

Witness my hand this the _____ day of _____, 2023.

Kelly Osburn, P.L.S.

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

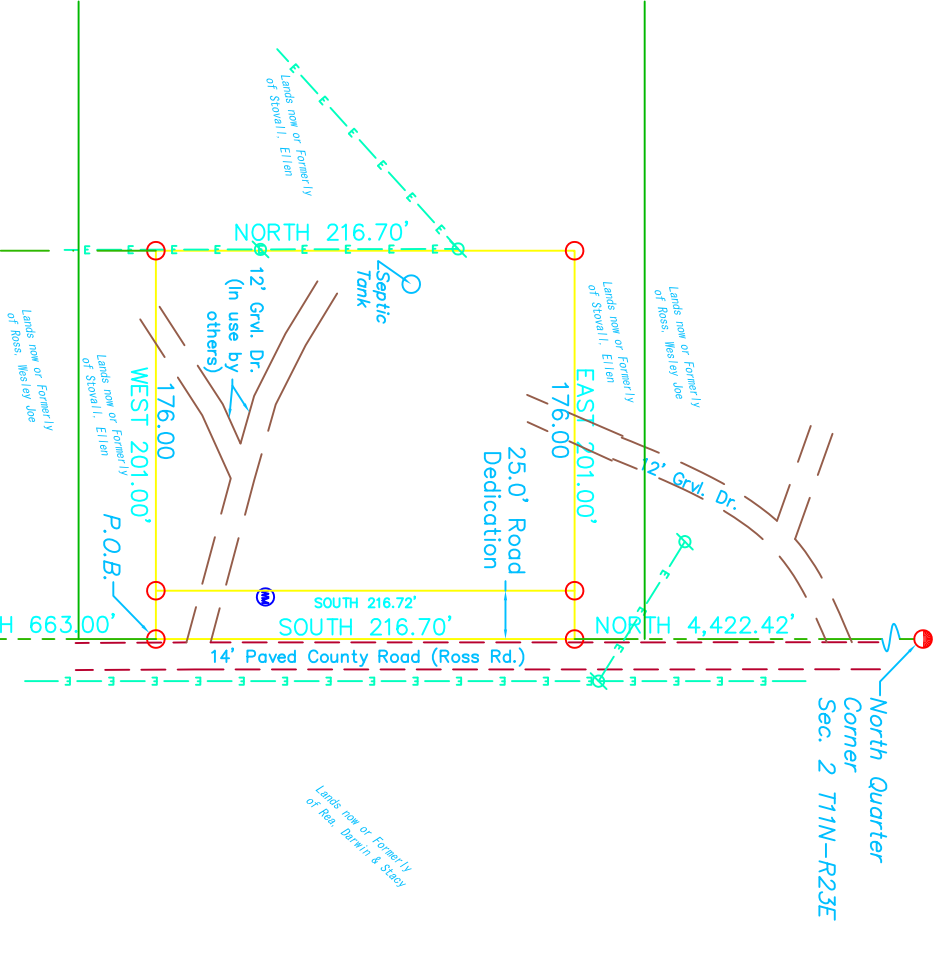
Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2023, personally appeared Kelly Osburn, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires: _____

(SEAL)



Preliminary Clara Stovall Addition

An addition to the City of Sallisaw, being a part of the E/2 SE/4 SW/4, Section 2, Township 11 North, Range 23 East, Sequoyah County, Oklahoma.

Date: 4-2023 Scale: 1"=50'

Owner/Developer: Clara Stovall/Housing Authority of the Cherokee Nation

Osburn Land Surveyors, Inc.
3615 West Cherokee P.O. Box 1406
Sallisaw, OK 74955
Office - (918) 775-9322

APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Clara Stovall Addition", an addition to the City of Sallisaw, Oklahoma, and accepts the streets and easements shown therein.

Dated this _____ day of _____, 2023.

CITY OF SALLISAW

MAYOR _____

ATTEST:

CITY CLERK _____

(SEAL)

Recommended Approval on _____ day of _____, 2023

CHAIRMAN _____

SECRETARY _____

TREASURER'S CERTIFICATE

I, Angela Gist, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the _____ day of _____, 2023.

COUNTY TREASURER _____

NOTES:

A title search conducted by SOA Title Order No.-23-20070 has been conducted for easements and other right of ways affecting this property. Those found are illustrated. However, any unrecorded easement affecting this property whether written or implied affecting this property which may exist prior to the filing of the plat have not been shown.

Book 567 at Page 197 and 198 is a Utility Easement in favor of the City of Sallisaw
This easement is a Blanket easement affecting the platted property
Book 693 at Page 188 is a Right of Way Easement in favor of Cobson Hills Electric Co-Operative, Inc. This easement is a Blanket easement affecting the platted property.

Deed Restriction Agreement is filed in Book 1578 at Page 127

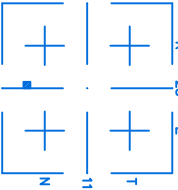
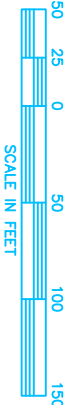
The Section line passing through this plat is subject to a 33.0' statutory right-of-way (16.5' on each side) as created by Volume 32, U.S. Statutes at Large, Page 722.

Basis of Bearing is NORTH-SOUTH along the North-South Quarter Section line of said Section 2, Township 12 North, Range 23 East, Sequoyah County, Oklahoma.

All Lot measurements are to Lot Corners.

The deed of dedication is part of the parent parcel filed of record in Book 1442 at Page 216.

- Set #3 Rebar w/cap
- Existing #3 Rebar with cap #633
- ✗ Calculated Point



Location Map Scale: 1"=3000'

Section 2, Sequoyah County, Okla.

AGENDA ITEM COMMENTARY

Meeting Date: August 1, 2023
Board: Sallisaw Planning Commission
Subject: Rezoning

ITEM TITLE: Discuss, consider and take possible action on Case No. PC 2023-05; Rezoning request from Agricultural District (A-1) to to One-Family Residence District (R-1) by Clara Ellen Stovall.

INITIATOR: Osburn Land Surveyors, LLC

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Osburn Land Surveyors, LLC, agent for Clara Ellen Stovall, has requested rezoning from Agricultural District (A-1) to One-Family Residence District (R-1). The property is located on Ross Road. The intent is to build a single family housing unit.

EXHIBITS:

1. PC2023-005 Appliiction
2. Notice of Hearing - Case No. PC 2023-005
3. PC2023-005 Pub Map

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval.

1

PC2023-005

PLANNING COMMISSION

REQUEST TO REZONE

Application is hereby made to the Planning Commission of a recommendation to the City Council for rezoning of the following described property to a District R1

PART of the SE SW of SECT 2 T11N R23E

General Location ROSS ROAD
(Street Address)

Present Use of Property Agriculture

Proposed Use of Property Residential

Record Owner of Property Clara Stovall

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ Agent for, ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? NO

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed [Signature]
Phone 918-775-9322

Address P.O. Box 1404
Spillash

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Carter Date 3-23-23

Application No.: PC-2023-005 Requested: Kelly Osburn

Fee Receipt: _____ P.C Recommendation: Approval _____ Denial _____

City Council: _____ Date: _____

Date: _____

Ordinance No.: _____

NOTICE OF PUBLIC HEARING **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

A 1.00 acre tract, more or less, less public road right of way, and being subject to any easements of record, being situated in part of the E/2 SE/4 SW/4, Section 2, Township 11 North, Range 23 East of the Indian Base and Meridian, Sequoyah County, Oklahoma. The described parcel being created by Kelly Osburn, Oklahoma P.L.S. #1628 on June 25, 2021. The Basis of Bearing for the described parcel is NORTH-SOUTH along the North-South Quarter Section line of said Section 2, and is more particularly described as:

Commencing at an existing rail road spike for the Southeast corner of said E/2 SE/4 SW/4, thence along the East line thereof North 663.00 feet to a set #3 rebar with cap for the Point of Beginning; thence West 201.00 feet to a set #3 rebar with cap; thence North 216.72 feet to a set #3 rebar with cap; thence East 201.00 feet to a set #3 rebar with cap on the East line of the E/2 SE/4 SW/4; thence along said East line South 216.72 feet to the point of beginning.

has filed with the Sallisaw Planning Commission a written application # **PC 2023-005** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from Agricultural District (A-1) to One-Family Residence District (R-1)**.

The undersigned will present said application to the Sallisaw Planning Commission on **August 1, 2023**, at **113 N. Elm, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 12th day of July, 2023.

By: **Clara Ellen Stovall**
Owner(s)

Or By: **Osburn Land Surveyors, LLC**
Agent

By: **Crystal Sides**
Secretary, Sallisaw Planning Commission

Bill To:

**Osburn Land Surveyors, LLC
PO Box 1406
Sallisaw, OK 74955**

