

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, NOVEMBER 14, 2017  
3:00 P.M.  
MINUTES**

The Grove Planning and Zoning Commission met in regular session on Tuesday, November 14, 2017 at 3:00 PM with Chairman, Judith Read presiding. Members present were Richard Cannon, Ben Hampton and Steve Ward. Also present was Assistant City Manager, Debbie Bottoroff; Building Inspector/Code Enforcement Officer, Calvin Igney and City Clerk, Bonnie Buzzard.

**PUBLIC HEARING:**

At 3:02 PM Ward made the motion to open a Public Hearing to take public comments regarding an application submitted by Millgarden Properties, LLC requesting to rezone the following described property:

Lots 8-47, 51-55, 73-85, 88-115, 123-162 in Walnut Grove Subdivision in Delaware County AND 1-24-23 Pt SW SW Described as: Beg 988.89' E of SW Cor SW SW, N 191.57', E 336.73', S 189.39', W 337.29' to POB; Known as Walnut Grove Community.

**General Location of property:** Property is known as Walnut Grove Community, the area that is requested to be re-zoned is undeveloped vacant land located on the East side of Poplar Lane, the East side of N. Quail Run Road, the West side of Harbor Oaks Loop, the North side of W 13th Street, the South side of Baycrest Avenue, portions of the property are located both on the North and South side of West 9th Street and on the South side of West 11th Street.

**Zoning of Property:** The property is currently zoned R-1 Single Family Residential District; the property owner is requesting to Re-Zone the property to A-1 Agriculture District.

**Proposed Use of Property:** Bare ground to use for Agricultural purposes.

Seconded by Cannon. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried. Bottoroff reported that in regards to this application:

- 56 Notices were sent out to surrounding properties owners
- 6 were returned back as undeliverable, and
- As of the meeting time the Staff has received 4 notices expressing their support in favor of the rezoning, and 3 notices were received expressing their opposition against the rezoning

The Board & Staff entertained questions, comments and concerns from the following individuals:

- Cheryl Fletcher – opposition against rezoning
- Phil Baggerly – was in favor of rezoning
- Jim Talbot – Project Realtor
- Ford Griggs – opposition against rezoning
- Joe Nowlin – Proposed buyer
- Bonnie Buzzard – was in favor of rezoning
- Janet Davis – opposition against rezoning

At 3:47 PM Cannon made the motion to close the public hearing. Seconded by Ward. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

At 3:47 PM Read made the motion to open a Public Hearing to take public comments regarding an application submitted by the First National Bank, Vinita, OK to rezone the following described property:

Part of the NE1/4 of the NE1/4 of Section 12, Township 24 North, Range 23 East of the Indian Base and Meridian, Delaware County, Oklahoma, being more particularly described as follows: From the NE corner of said NE1/4 NE1/4, Run S 00° 01'48" West 238.86 feet along the East line of said NE1/4 NE1/4 to the point of beginning; thence continuing along said East line S 00° 01'48" W 127.77 feet; thence S 89° 28' 00" W 202.73 feet; then N 00° 01'48" E 127.77 feet; thence N 89° 28' 00" E 202.73 feet to the point of beginning.

**General Location of property:** 1302 Rockwood Drive, Grove, Oklahoma, property is located off Harbor Road on Rockwood Drive on the South side of the Storage Units.

**Zoning of Property:** The property is currently zoned C-3 Highway Commercial and Commercial Recreation District; the property owner is request to Re-Zone the property to R-1 Single Family Residential.

**Proposed Use of Property:** Single-Family Residential use.

Seconded by Hampton. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried. A Representative from First Bank & Trust – Vinita, OK was present to entertain any questions, comments and concerns from the Board and Staff. No public comments was heard.

At 3:49 PM Cannon made the motion to close the public hearing. Seconded by Hampton. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

At 3:49 PM Hampton made the motion to open a Public Hearing to take public comments regarding an application submitted by Powell Homes (Ricky and Rachel Powell) requesting a Special Use Permit to use 1208 Red Bud Drive, Grove, OK as a Vacation Rental Home. Seconded by Cannon. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried. Property Owner Ricky Powell addressed the Board to report that this project is located at 1208 Red Bud Drive, and that it is a 2 bedroom, one bath residents that sleeps eight (8). Powell indicated that they have five (5) other rental properties that they service out for the same purpose (not located inside the city limits). Bottoroff reported that she has informed the Powell's that this is the first of five steps needed in order to complete the Special Use Permit process. No public comments was heard.

At 3:54 PM Ward made the motion to close the public hearing. Seconded by Cannon. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

Ward made the motion to approve the minutes of the previous meeting for July 11, 2017. Seconded by Hampton. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

Hampton made the motion to approve Notice of Posting for the regular scheduled meeting of the Planning and Zoning Commission for the 2018 calendar year. Seconded by Ward. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

Read opened the floor for discussion regarding an application submitted by Millgarden Properties, LLC, requesting to rezone the property described in Agenda Item A.1 and making a recommendation to the Mayor and Council. Ward made the motion to deny the application to rezone the above-described property from R-1 Single-Family Residential District to A-1 Agriculture District as presented and discussed. Seconded by Read. AYE: Ward and Read. NAY: Cannon. Hampton abstained. Motion failed.

Read then opened the floor for discussion regarding an application submitted by the First National Bank of Vinita, OK requesting to rezone the property described in Agenda Item A.2 and making a recommendation to the Mayor and Council. Cannon made the motion to approve the application to rezone the above-described property from C-3 Commercial to R-1 Single Family District as presented and discussed. Seconded by Ward. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

Read opened the floor for discussion regarding an application submitted by Powell Homes, LLC (Ricky and Rachel Powell) requesting a Special Use Permit to use the property at 1208 Red Bud Drive as a Vacation Rental Home. Cannon made the motion to approve the application submitted for a Special Use Permit to use the property located at 1208 Red Bud Drive as a Vacation Rental Home. Seconded by Hampton. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.

**STAFF REPORT:**

Bottoroff reported that the Staff has advertised for the vacant position to the Board.

Bottoroff mentioned that she has no business pending at this time for the Board to meet in December but added that they will meet on January 9, 2018 for election of Chairman and Vice Chairman.

Bottoroff added that as to date the City has completed 57 dilapidated structures projects with two (2) pending for possible completion in December.

Igney updated the Board on the following ongoing projects:

- Grove Dental new construction
- Residential Building / Remodel permits
- Demolition application from ODOT on their property located along Highway 59 North

**TRUSTEES REPORT:**

Hampton asked about any potential buyers or interest in property where the Village Barn / Brush Pallet Club was located. Igney indicated that he has heard no interest at this time.

Read expressed her sincere condolences to the family of Vida Howard on word of her recent passing.

At 4:21 PM Ward made the motion to adjourn. Seconded by Cannon. AYE: Cannon, Hampton, Ward and Read. NAY: None. Motion carried.