

NOTICE OF  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, JULY 14, 2015  
3:00 P.M.  
ROOM 5 – COMMUNITY CENTER  
104 WEST THIRD – GROVE, OK 74344  
AGENDA

- CALL MEETING TO ORDER
- ROLL CALL
- PUBLIC COMMENTS

A. AGENDA ITEMS

1. Approval of Minutes of the June 9, 2015 Regular Meeting.

2. Discussion and/or Action on the Lot Split Application submitted by Ron and Lyndia Hutson, owners of Lot 10, Lookout Point Subdivision, Delaware County, Oklahoma according to the recorded plat thereof, situated in Section 1, Township 24 North, Range 23 East of the I. B. & M. requesting to split said Lot 10, Lookout Point Subdivision, Delaware County, Oklahoma into Lot 10A and Lot 10B legally described as follows:

LOT 10A: Part of Lot 10, Lookout Point Subdivision, Delaware County, Oklahoma according to the recorded plat thereof, being more particularly described as follows: Beginning at the SW Corner of said Lot 10 thereof; thence N 88° 19' 45" E 35.00 feet along the South line thereof; thence N 05° 32' 43" E 255.56 feet to the Northerly line thereof; thence N 62° 14' 46" W 43.93 feet; thence N 60° 48' 46" W 7.0 feet to the NW Corner thereof; thence S 03° 00' 39" W 279.65 feet to the Point of Beginning; said described tract containing 0.25 acres more or less.

LOT 10B: Part of Lot 10, Lookout Point Subdivision, Delaware County, Oklahoma, according to the recorded plat thereof. Being more particularly described as follows: Commencing at the SW Corner of said Lot 10 thereof; thence N 88° 19' 45" E 35.00 feet along the South line of said Lot 10 to the Point of Beginning; thence N 05° 32' 43" E 255.56 feet to the Northerly line of said Lot 10; thence S 62° 14' 46" E 58.83 feet to the NE Corner thereof; thence S 10° 28' 27" W 229.78 feet to the SE Corner thereof; thence S 88° 19' 45" W 35.00 feet to the point of beginning; said described tract containing 0.25 acres more or less.

3. Discussion and/or Action on the Lot Split Application submitted by Judy Bradley, owner of Lot 4 – 6 Buffalo Shores North Subdivision Phase II, Delaware County, Oklahoma requesting to split said Lot 5, Buffalo Shores North Subdivision, Phase II, Delaware County, Oklahoma into Lot 4R and Lot 6R legally described as follows:

LOT 4R: Lot 4, Buffalo Shores North, Phase II, Delaware County, Oklahoma and a Part of Lot 5, Buffalo Shores North, Phase II, Delaware County, Oklahoma being more particularly described as follows: Beginning at the SW corner of said Lot 4; thence N 00° 11' 03" E 200.22 feet; thence N 89° 49' 13" E 284.03 feet; thence S 00° 11' 03" W 201.31 feet; thence N 78° 00' 00" W. 11.85 feet; thence S 89° 31' 28" W 272.45 feet to the point of beginning, containing 1.30 acres more or less. Subject to any and all easements and restrictions of record.

LOT 6R: Lot 6 Buffalo Shores North, Phase II, Delaware County, Oklahoma and a part of Lot 5, Buffalo Shores North Phase II, Delaware County, Oklahoma being more particularly described as follows: from the SW corner of Lot 4, Buffalo Shores North, Phase II Run N 00° 11' 03" E 200.22 feet to the point of beginning thence N 00° 11' 03" E 187.50 feet; thence N 89° 49' 13" E 284.03 feet; thence S 00° 11' 03" W 187.50 feet; thence S 89° 49' 13" W 284.03 feet to the point of beginning, containing 1.22 acres more or less. Subject to any and all easements and restrictions of record.

B. PLANNING AND ZONING STAFF REPORT

- Administrator
- Building Inspector/Code Enforcement

C. PLANNING AND ZONING COMMISSION REPORT

- Dave Claggett – Chairman
- Judith Read – Vice Chairman
- Doug Hulse
- Ruth Ann Barnhart
- Jim Simmons

D. ADJOURNMENT

The City of Grove and the Planning and Zoning Commission are committed to the provisions of equal access to government for all of its citizens. To this extent, any physically impaired person in need of reasonable accommodation in order to participate should contact the City Clerk at least twenty-four (24) hours in advance of the scheduled meeting so that appropriate arrangements can be made.

Posted at City Hall and on the city's website [www.cityofgrove.com](http://www.cityofgrove.com) on Wednesday, July 8, 2015 at 10:00 a.m. by Debbie Bottoroff Debbie Bottoroff, Assistant City Manager.

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, JUNE 9, 2015  
3:00 P.M.**

The Grove Planning and Zoning Commission met in regular session on Tuesday, June 9, 2015 at 3:00 PM with Chairman Dave Claggett presiding. Members present were Jim Simmons, Judith Read and Ruth Ann Barnhart. Member Doug Hulse was absent. Also present was Assistant City Manager, Debbie Bottoroff; Code Enforcement/Building Inspector, Calvin Igney and City Clerk, Bonnie Buzzard.

Simmons made the motion to approve the minutes of the April 14, 2015 regular meeting. Seconded by Read. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

Simmons made the motion to minutes of the May 18, 2015 special meeting. Seconded by Read. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

At 3:07 PM Simmons made the motion to open a Public Hearing to receive public comments regarding a request from the City of Grove to rezone the following described property from Highway Commercial and Commercial Recreation District (C-3) to Light Industrial District (I-1):

LEGAL DESCRIPTION: A tract of land situated in the W/2 Section 33, Township 25 North, Range 24 East, I.M., Delaware County, Oklahoma, more particularly described as follows: Beginning at a point that bears N 01° 59' 10" West 1313.87 feet from the SW corner of said Section 33; thence N 01° 59' 10" West 333.1 feet, thence N 88° 28' 06" East 259.9 feet, thence N 87° 59' 03" East 1093.2 feet, thence N 01° 57' 48" West 984.1 feet, thence N 87° 49' 11" East 752.3 feet thence S 01° 57' 48" East 1315.9 feet, thence S 87° 57' 11" West 2115.8 feet to the point of beginning. (As recorded in Book 1725, Page 880.) General Location of the property: Property located between the west side of the Grove Municipal Airport runway and taxiway and the east side of S 630 Road aka Ford Road just North of E 288 Ct.

Seconded by Read. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried. Bottoroff reported that per the Oklahoma State Statutes, proper notice was provided to the public, particularly property owners within a 300' feet radius of the property under consideration for rezone. A total of fifteen (15) notices were sent with only two (2) property owners responding 'in-favor' of the request, no other responses were received. The Board entertained questions, comments and concerns from the following individuals:

- Doug Thrasher
- Janine Thrasher

At 3:16 PM Simmons made the motion to close the Public Hearing. Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

Simmons made the motion to approve the rezoning request from the City of Grove to rezone the above-mentioned described property from Highway Commercial and Commercial Recreation District (C-3) to Light Industrial District (I-1) upon recommendation to the Mayor and City Council. Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

UNAPPROVED

At 3:17 PM Simmons made the motion to open a Public Hearing to receive public comments regarding a Special Use Permit application submitted by Timothy and Sandra Chrislip; Gary and Tracy Lehman; and Christopher and Tania Hilborn allowing the property owners of 1101 Dogwood Drive, Grove Oklahoma to use the property as a Vacation Rental Home contingent upon the property owners submitting a separate application and complying with the regulations established by the City of Grove for Vacation Rental Homes.

LEGAL DESCRIPTION: Lot 11, Block 6, AMENDED PLAT OF VILLAGE OF HONEY CREEK, a Subdivision, according to the recorded plat thereof, Delaware County, Oklahoma.

Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried. Bottoroff reported that the property owners of 1101 S. Dogwood have taken the first step in the process by submitting an application for a Special Use Permit to use 1101 Dogwood, as a VRH. The property owner are not requesting nor will they be allowing to use the property to conduct any type of commercial business at that location. The occupants of the property will have the same rights and be allowed to use the residence in the same manner as all the other residences located within Honey Creek Village. The occupants will use the property for residential accommodations, they will eat, sleep, shower, entertain family and friends, etc. After following the proper notice requirements including publication in the local newspaper, posting of a sign on the property and notifying in writing the property owners within 300' of the 1101 Dogwood. During the hearing, P&Z heard from neighbors in Honey Creek Village commented that using 1101 Dogwood as a VRH is a commercial venture. Bottoroff added that 22 property owners were notified in writing; five written responses were received indicating 4 in favor and 1 against allowing the property to be used as a VRH. The Board and Staff entertained questions, comments and concerns from the following individuals:

- Robert Parker
- Tammy Sink
- Paul Stattel
- Sandy Chrislip
- Ken Johnson
- Bob Huggins
- Jo Martin
- Roda Ribmiller
- Page Qrilling
- J. P. Martin
- Tim Chrislip
- Chris Hilborn

After approximately 40 minutes of discussion from the Board, Staff and participating audience, at 4:28 PM Simmons made the motion to close the Public Hearing. Seconded by Barnhart. Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

Simmons made the motion to approve the Special Use Permit for 1101 Dogwood Drive, allowing the property to be used as a VRH subject to the issuance of a VRH permit upon recommendation to the Mayor and Council contingent upon the property owners submitting a separate application and

UNAPPROVED

complying with the Regulations established by the City of Grove for Vacation Rental Homes. Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

Claggett opened the floor for discussion on recommendation to the Mayor and City Council regarding an Ordinance amending Chapter 5 Special Conditions, Section 5-5.3 Designated Location of Commercial Vehicles and Temporary Mobile Structures, and adding Section 5-5.4 Mobile Storage Containers of the City of Grove Zoning Regulations. Bottoroff reported that the Board previously discussed this item in a meeting several months ago. The City Council also entertained questions, comments and concerns from individual business owners, and asked that the Ordinance be presented back before the P&Z Board for some minor adjustments. Bottoroff reported that the adjustments have been made, and that the Ordinance is ready for consideration. Simmons made the motion to approve the proposed Ordinance as presented upon recommendation to the Mayor and City Council. Seconded by Barnhart. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

At 4:47 PM Read made the motion to adjourn. Seconded by Simmons. AYE: Simmons, Read, Barnhart and Claggett. NAY: None. Motion carried.

UNAPPROVED



104 W. 3rd  
Grove, OK • 74344

**\*\* APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE HEARINGS TO REPRESENT THE CASE\*\***

APPLICATION FEE \$50.00 (FOR OFFICE USE ONLY)

PAID: 50.00 LOT SPLIT

DATE: 6/23/15 PLANNING & ZONING BOARD

LOT SPLIT APPLICATION

COMMERCIAL  RESIDENTIAL

APPLICANTS' NAME Ronald L. Hutson & Lyndia C. Hutson

MAILING ADDRESS 33575 S 563 Rd

CITY/STATE/ZIP COOKSON OK 74427

PHONE 918-457-4236 FAX: \_\_\_\_\_ Email: \_\_\_\_\_

APPLICANT IS:  PROPERTY OWNER AGENT

1. LOCATION AND LEGAL DESCRIPTION OF PROPERTY SEE ATTACHED LEGAL DESCRIPTION-

2. EXISTING ZONING \_\_\_\_\_ PROPOSED ZONING \_\_\_\_\_

3. PROPOSED USE/REQUEST Residential

4. PRESENT USE OR LAST KNOWN USE Residential

5. ENGINEER'S NAME Grand Lake Surveying, Inc

Company/Firm Kenneth Johnson

Street/Mailing Address P.O. Box 450285


Phone 918-786-7193 Fax \_\_\_\_\_ Email \_\_\_\_\_


Surveyor

**\*\*READ BEFORE SIGNING BELOW:** If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF OKLAHOMA      )  
COUNTY OF DELAWARE    )

BEFORE ME, a Notary Public, on this day personally appeared Ron Hutson  
\_\_\_\_\_ the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

 CINDY HOLLENBACK  
Notary Public  
State of Oklahoma  
Commission # 14009124 Expires 10/09/16

  
\*\*Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 23rd day of June, 2015

Notary Public in and for the State of Oklahoma  
1 Cindy Hollenback

Mail Tax Statements to:  
Ronald S. & Lyndia G. Hutson  
33575 S 563 Rd  
Cookson, OK 74427

I-2015-000382 Book 2102 Pg: 264  
01/20/2015 12:03 pm Pg 0264-0264  
Fee: \$ 13.00 Doc: \$ 75.00  
Barbara Barnes - Delaware County Clerk  
State of Oklahoma

Delaware County

Documentary Stamps: \$ 75.00

**JOINT TENANCY  
WARRANTY DEED**

File No.: 14-01060-G  
Revenue: \$75.00

That Susan K. Neff, Trustee of The Susan K. Neff Revocable Trust, dated 23rd day of October, 2003, party of the first part, in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby, grant, bargain, sell and convey unto Ronald S. Hutson and Lyndia G. Hutson, husband and wife, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor, parties of the second part, the following described real property and premises situate in Delaware County, State of Oklahoma, to wit:

Lot 10, Lookout Point, a subdivision, Delaware County, Oklahoma, according to the recorded plat thereof.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs, successors and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record.

Signed and delivered this 16th day of January, 2015.

Susan K. Neff, Trustee of The Susan K. Neff  
Revocable Trust, dated 23rd day of October, 2003

Susan K. Neff, Tr.  
By: Susan K. Neff, Trustee



**ACKNOWLEDGMENT - OKLAHOMA FORM**

STATE OF OKLAHOMA        }  
  } ss.  
COUNTY OF OTTAWA        }

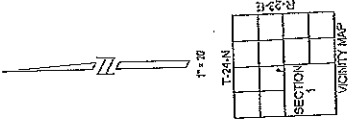
Before me, a Notary Public in and for said County and State, this instrument was acknowledged before me on this 16th day of January, 2015 by Susan K. Neff, Trustee of The Susan K. Neff Revocable Trust, dated 23rd day of October, 2003, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

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

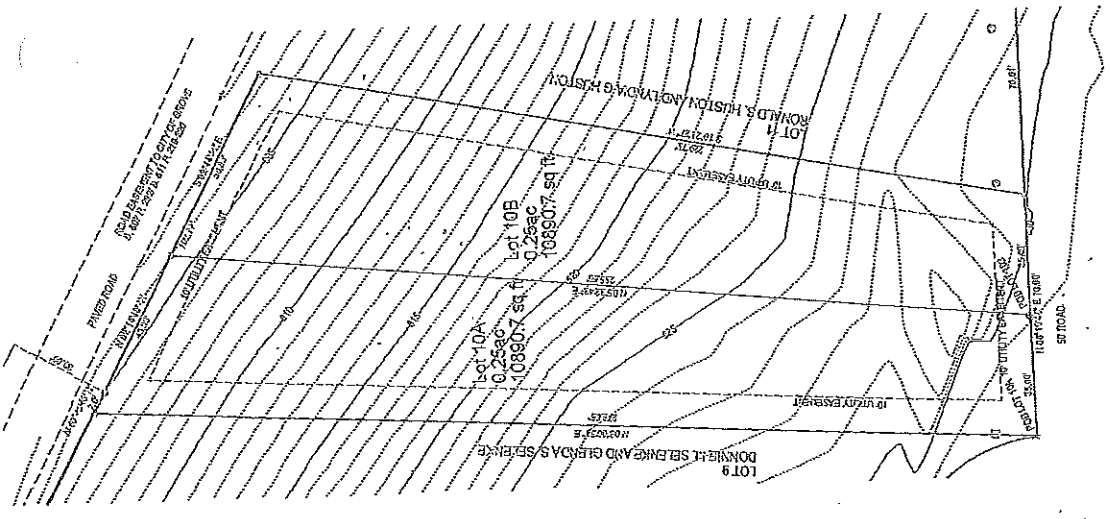


Angela J. Hamilton  
Angela J. Hamilton, NOTARY PUBLIC

My Commission Expires: December 20, 2017  
License #: 01020585



- LEGEND
- SET CLIPPED RECEPT
  - FOLIOMETER RECEPT
  - FENCE
  - WATER METER
  - ELECTRIC TRANS.
  - x CHIEF "T"
  - ⊗ SEWER MANHOLE
- FOR AUTOSUBMITTANCE  
 JOB #582
- BASE OF DESIGN IS:  
 SOUTH GALE LOT 19  
 SOUTH GALE LOT 18  
 BASIS OF ELEVATION:  
 PENNSYLVANIA 10' HIGH



I, the undersigned, do hereby certify that the herein plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer and a duly licensed Surveyor in the State of Pennsylvania.

*Robert J. [Signature]*  
 Robert J. [Name]  
 Professional Engineer and Surveyor  
 License No. [Number]

PLANNING AND ZONING DEPARTMENT  
 100 SOUTH GALE AVENUE  
 PHILADELPHIA, PA 19106

PLANNING AND ZONING DEPARTMENT  
 100 SOUTH GALE AVENUE  
 PHILADELPHIA, PA 19106

PLANNING AND ZONING DEPARTMENT  
 100 SOUTH GALE AVENUE  
 PHILADELPHIA, PA 19106

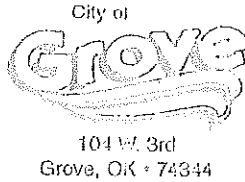
PLANNING AND ZONING DEPARTMENT  
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 PHILADELPHIA, PA 19106

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 100 SOUTH GALE AVENUE  
 PHILADELPHIA, PA 19106

PLANNING AND ZONING DEPARTMENT  
 100 SOUTH GALE AVENUE  
 PHILADELPHIA, PA 19106





\*\* APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE HEARINGS TO REPRESENT THE CASE\*\*

APPLICATION FEE \$50.00 (FOR OFFICE USE ONLY)

PAID: \_\_\_\_\_ LOT SPLIT

DATE: \_\_\_\_\_ PLANNING & ZONING BOARD

LOT SPLIT APPLICATION

COMMERCIAL  RESIDENTIAL

APPLICANTS' NAME JUDY BRADLEY

MAILING ADDRESS 2077 EVANS DR

CITY/STATE/ZIP GROVE OK 74344

PHONE 918 786-6540 FAX: cell 918 231 6210 Email: judoogrove@gmail.com

APPLICANT IS:  PROPERTY OWNER  AGENT

1. LOCATION AND LEGAL DESCRIPTION OF PROPERTY SEE ATTACHED LEGAL DESCRIPTION-  
N. 1/2 Lot 5 BUFFALO Shores No. II

2. EXISTING ZONING \_\_\_\_\_ PROPOSED ZONING \_\_\_\_\_

3. PROPOSED USE/REQUEST \_\_\_\_\_

4. PRESENT USE OR LAST KNOWN USE VACANT

5. ENGINEER'S NAME \_\_\_\_\_

Company/Firm \_\_\_\_\_

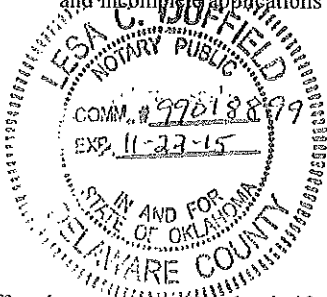
Street/Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**\*\*READ BEFORE SIGNING BELOW:** If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF OKLAHOMA )  
COUNTY OF DELAWARE )

BEFORE ME, a Notary Public, on this day personally appeared Judy Bradley  
the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."



Judy Bradley  
\*\*Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 12 day of June, 2015.

Notary Public in and for the State of Oklahoma

1-2007-006228 Book 1773 Pg 364  
08/12/2007 11:08 am Pg 0364-0364  
Fee \$ 13.00 Doc \$ 352.50  
Carol Fortner - Delaware County Clerk  
State of Oklahoma

Mail Tax Statements to  
*Judy Bradley*  
915 Quail Run Rd  
Grove, OK 74344

**JOINT TENANCY  
WARRANTY DEED**

STATE OF OKLAHOMA  
Delaware County  
Documentary Stamps. \$ 352.50

File No 07-00622-G  
Revenue \$352.50

That Martin P Melican and Rose L Melican, husband and wife, party (ies) of the first part, in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto Judith M Bradley, party(ies) of the second part, the following described real property and premises situate in Delaware County, State of Oklahoma, to wit  
\* Trustee of The Bradley  
Family Trust dated 6/11/04

Lot 4, Buffalo Shores North, Phase II, a subdivision, according to the recorded plat thereof,  
Delaware County, Oklahoma.

AND  
Lot 5, Buffalo Shores North, Phase II, a subdivision, according to the recorded plat thereof,  
Delaware County, Oklahoma.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs, successors and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record

Signed and delivered this 8<sup>th</sup> day of June, 2007

*Martin P Melican*  
Martin P Melican

*Rose L Melican*  
Rose L Melican

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA }  
COUNTY OF DELAWARE } ss.



Before me, a Notary Public in and for said County and State, this instrument was acknowledged before me on this 8th day of June, 2007 by Martin P Melican and Rose L Melican, husband and wife, to me known to be the identical persons 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 last above written



*Angela Hamilton*  
NOTARY PUBLIC

My Commission Expires 12/20/09