Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 and the Community Center, 121 High Street, Eufaula, OK 74432 (the location of meeting) on August 11, 2021 5:00 PM

CITY OF EUFAULA, OK

Community Center 121 High Street Eufaula, OK 74432



NOTICE AND AGENDA OF MEETING Monday August 16, 2021 5:30 p.m.

Planning and Zoning Commission / Board of Adjustment

The City of Eufaula encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CRF/36).

Council Rules of Decorum limit citizen comments on agenda items, non-agenda items, and public hearings to five (5) minutes. Any person desiring to address the Council during such period is required to sign in with the City Clerk, provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted ten (10) copies should be made available, and may not be returned. Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today's agenda.

The complete packet of information for the agenda items is available online at CityofEufaulaOK.com

Planning and Zoning Commission

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member James Hickman
Member Pam Rossi

AGENDA Planning and Zoning Commission August 16, 2021 5:30 p.m.

Notice: Planning and Zoning Commission will hold a public hearing on these items and upon which action is taken will be forwarded to the City Council with a recommendation. It should be recognized that the Planning Commission is a recommendatory body and the City Council may, or may not, concur with the Planning Commission's recommendation. Therefore, it is important to note that all items forwarded by the Planning Commission will be introduced and heard at a subsequent City Council meeting.

1. Call to Order Chairman Sam Sylvester

2. Roll Call / Attendance Administrative Assistant Julie Musgraves

- 3. Approval of Minutes.
 - A. Planning and Zoning Commission meeting July19, 2021.
- 4. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application for Zoning Change from R-1 Residential to CG-Commercial General at the following location: Lots Three (3) and Four (4) in Block 125 Eufaula O.T. 935/132 954/650. Commonly known as 413 S Main Street.
 - A. Conduct a public hearing.
 - B. Take action.
- 5. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application for Zoning Change from C-1 Commercial to IL-Industrial Light at the following location: a tract of land situated in the SW/4 of the NW/4 of Section 35, Township 10 North, Range 16 East of the IBM, McIntosh County, State of Oklahoma, better described as follows: Beginning at the point on the West line of the NW/4, 601.10 feet North of the Southwest Corner thereof; thence S 89degrees 55 minutes 25 seconds East a distance of 398.75 feet; thence N 00 degrees 04 minutes 35 seconds East parallel to said West line a distance of 137.20 feet; thence

N 89 degrees 55 minutes 25 seconds W a distance of 398.75 feet to a point on said West line; thence S 00 degrees 04 minutes 35 seconds W along said West line a distance of 137.20 feet to the Point of Beginning. Commonly known as 800 Birkes Road.

- A. Conduct a public hearing.
- B. Take action.
- 6. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of the use and implementation of traffic control measures and devices, including speed bumps along residential streets.
- 7. Adjournment.

AGENDA

Board of Adjustment August 16, 2021 6:00 p.m.

Board of Adjustment

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member James Hickman
Member Pam Rossi

The regularly scheduled Board of Adjustment meeting has been canceled.

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 and the Community Center, 121 High Street, Eufaula, OK 74432 (the location of meeting) on July 14, 2021 5:00 PM

CITY OF EUFAULA, OK

Community Center 121 High Street Eufaula, OK 74432



MINUTES OF MEETING Monday July 19, 2021 5:30 p.m.

Planning and Zoning Commission / Board of Adjustment

The City of Eufaula encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CRF/36).

Council Rules of Decorum limit citizen comments on agenda items, non-agenda items, and public hearings to five (5) minutes. Any person desiring to address the Council during such period is required to sign in with the City Clerk, provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted ten (10) copies should be made available, and may not be returned. Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today's agenda.

The complete packet of information for the agenda items is available online at CityofEufaulaOK.com

Planning and Zoning Commission

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member James Hickman
Member Pam Rossi

AGENDA Planning and Zoning Commission July 19, 2021 5:30 p.m.

Notice: Planning and Zoning Commission will hold a public hearing on these items and upon which action is taken will be forwarded to the City Council with a recommendation. It should be recognized that the Planning Commission is a recommendatory body and the City Council may, or may not, concur with the Planning Commission's recommendation. Therefore, it is important to note that all items forwarded by the Planning Commission will be introduced and heard at a subsequent City Council meeting.

1. Call to Order 5:30pm

Chairman Sam Sylvester

2. Roll Call /Attendance

Administrative Assistant Julie Musgraves

Members Present: Sylvester, Pennington, Rossi. Absent: Linstead, Hickman

- 3. Approval of Minutes.
 - A. Planning and Zoning Commission meeting June 21, 2021.

Motion to Approve by Pennington, 2nd by Rossi. Roll Call Vote: Yes-Rossi, Pennington, Sylvester.

4. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of ordinances pertaining to signage including temporary and permanent business signs.

Discussion. Motion to postpone until more information can be obtained from ODOT and City Council by Rossi, 2nd by Pennington. Roll Call Vote: Yes-Rossi, Pennington, Sylvester.

5. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of the proposed process for the Request for Qualifications for the Eufaula Comprehensive Plan.

Discussion. Motion to approve by Pennington, 2nd by Rossi. Roll Call Vote: Yes – Sylvester, Pennington, Rossi.

6. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of the use and implementation of traffic control measures and devices, including speed bumps, on Clifford Seals Avenue.

Discussion. Joe Simpson. Motion to recommend to City Council an evaluation to be done by City Staff and Police on the need for stop signs and possibly speed bumps along Clifford Seals Avenue by Sylvester, 2nd by Rossi. Roll Call Vote: Yes-Rossi, Pennington, Sylvester.

7. Adjournment.

Motion to Adjourn by Sylvester, 2nd by Rossi. Roll Call Vote: Yes-Rossi, Pennington, Sylvester.



Planning and Zoning Commission Agenda Item No. 4

Meeting Date: August 16, 2021

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application for Zoning Change from R-1 Residential to CG- Commercial General at the following location: Lots Three (3) and Four (4) in Block 125 Eufaula O.T 935/132 954/650. Commonly known as 413 S. Main Street.

Initiator: Shauna Belyeu.

Staff Information Source: Julie Musgraves, Administrative Assistant.

Background: Shauna Beyleu submitted an application for Zoning Change on July, 15, 2021 to rezone the following property from R-1 Residential to CG Commercial General. Lots Three (3) and Four (4) in Block 125 Eufaula O.T 935/132 954/650. Commonly known as 413 S. Main Street.

All property owners within a 300-foot radius were notified by mail in a letter dated July 22, 2021. As of August 9, 2021 one (1) property owner has contacted the City of Eufaula in support of the Zoning Change Request.

Attachment: Zoning Change Application, Deed, Indian Journal Publication, 300 ft. Radius Letters, 300 ft Radius List, Letter of support from Jeff Pippenger.

CITY OF EUFAULA ZONING CHOWS APPLICATION FOR ZONING WARIANCE / SPECIAL EXCEPTION REQUEST

Date: July 13, 2021
Address or General Description: 4/3 S. Main, Eufaula
Present Zoning: Residential Owner of Record: Shauna L. Belyeu
Legal Description of tract under application, if described by meters and bonds, attach plat of survey: Lots 3 4 4 Blk 125 Eufaula O.T. 935/132 954/650 4/13 S. Main, Eufaula
If applicant is other than owner, please indicate interest (purchaser, lessee, agent for, other). Attach documentation of interest and documentation from the owner of record authorizing this specific use permit.
Are there any private or deed restrictions controlling use of tract (If yes, explain) :
Responsible party for advertising, zoning variance application fee (\$150.00), and any additional fees: Name:Shauna_L, Belyeu
Address: 417180 E1141 Rd. Cherotah, OK 74426 (P.O. Box 1354 Eutaula)
Phone: 918-617-0761
I do hereby certify that the information herein submitted is complete, true and accurate.
Signed:
Printed Name: Shauna Belyeu Phone: 9/8-6/7-076/
Address: P.O. Box 1354 Fishaula OK 74432

A. General Description of Property

Size in Acres or Square Feet: 30,007, 8227 Sq.ff
Current Use: Residential
Topography (Flat, Rolling Hills, Etc.):
Frontage Road (Name and Description): Main Street, Eufaula
Identify structures and improvements on property: Home, gasage, Carports
City Water: YES NO
City Sewer: YES NO
Identify the use(s) intended for the subject property:

B. General Description of Adjacent Property

Identify any buildings and give their approximate distance from your property lines:
Richardson Eye Care - Odom + CobuRN approx. 14'
The state of the s
Explain the surrounding land uses: Businesses
Explain the surrounding land uses:
C. Zaning Variance / Special Exception Request
C. Zoning Variance / Special Exception Request
Is there extraordinary or exceptional conditions or circumstances which are peculiar to the
land, structure or building involved, the literal enforcement of the terms of the Code would
result in unnecessary hardship?
Does the extraordinary or exceptional conditions or circumstances apply to other property in
the same use district? Explain:
the same use district: Explain.
If the variance is granted will it cause substantial detriment to the public good or impair the
purposes, spirit, and intent of the Code, or the Comprehensive Plan? Explain:
parposes, spirit, and intent of the code, of the complementation from Explain.

Descri	be the variance/special exception as it pertains to your property:
	Strictly changing residential zoning to commercial to match the surrounding area.
	to motel the successoding area
	10 meng: me donated and
	be the benefits, if any, of your requested variance/special exception to the adjacent rties and/or to the City of Eufaula: <u>Increased business space</u>
prope	The suray of to the city of Editadia.
	fy how well suited the subject property is for the requested variance/special exception with a displaced some second seco
popula	uch advantages as topography, foliage, soil, drainage, access, distance to centers of ation, availability of utilities, etc.) Explain:
6	ation, availability of utilities, etc.) Explain: <u>Perfectly suited</u> .
	Joa Mariage 1 The right and account of the
Explai	n how the variance/special exception request will affect the road system(s) serving y Shoulant affect.
area.	Official Girces
	n estimated traffic count (average daily trips) for the variance/special exception required to a national traffic resulting from the increased use or activity be controlled?
	vill the potential traffic resulting from the increased use or activity be controlled? auldn+ affect.
_5r	pauldn't affect.
-	
Is the	variance/special exception requested comparable to surrounding permitted uses and grant development pattern?

vicinity? (Identify any adverse effects and e	quest be detrimental to property in the same zone or explain measures you would propose to minimize
these effects) Explain: Should Not	affect.
Applicant: Do NOT Write Below This Line	
Application received by:	Muscraves Date: 7-16-2
Tract Acreage:	Public Hearing Date: 7-16-2
	Township:
Range:	Present Zoning:
Application Number:	Fee Receipt No:
Board of Adjustment Recommendation	Date:
Recommendation:	
Voto	
Vote:	
Don't day	
Provisions:	

I-2015-000099 Book 0954 Pg: 650 01/12/2015 10:26 am Pg 0650-0653 Fee: \$19.00 Doc: \$0.00 Ronda Prince - McIntosh County Olyrk State of Oklahoma

TRANSFER ON DEATH AFFIDAVIT

State of Oklahoma County of McIntosh



County of McIntosn_	· Millin
l,Shauna Belyeu	being first duly sworn,
depose and say as follows:	
That Gladys Disidore	was the owner
of property under a duly recorded Transfer	on Death Deed. Said deed was
recorded in the deed records office of the (
McIntosh County, State of Oklah	
That said owner died on the <u>30th day of N</u>	lay 2014 , and a certified
copy of the death certificate is attached to the hereof.	
l attest that I am the beneficiary who surviv existence on the date of death of the decea	
Shauna Lynn Belyeu Rt.2 Box 1235, Checol	ah, OK 74426.
That by virtue of the death of <u>Gladys Disid</u> now own legal title to the premises as set of DESCRIPTIONS.	
The Recorder is requested to make referen	ce to this Affidavit on the
Transfer on Death deed pursuant to Title 58	
Statutes.	,,
	/
(Asamall) shree	(Signature)
	- W
Sworn to before me and subscribed in my p	presence this/day of
FARROWILL	
- Agent	Notary Public
#03008024-15 Exp. 06-24-15	
OF OKLUMITY	
"" " " " " " " " " " " " " " " " " " "	

TRANSFER-ON-DEATH DEED

Gladys Marie Disidore	(name of owner) being of competent mind
	his document, as owner transfers on death to
Shauna Lynn Belyeu	(name of beneficiary) as grantee
beneficiary, the following described interest Lots 3 & 4 in Block 125 Eufaula O.T.	est in real estate:
UNTIL THE DEATH OF THE OWNER. IT REV	OCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP VOKES ALL PRIOR BENEFICIARY DESIGNATIONS BY THIS TE. THE GRANTOR HAS THE RIGHT TO WITHDRAW OR
RESCIND THIS DEED AT ANY TIME. ANY BE	ENEFICIARY NAMED IN THIS DEED IS HEREBY ADVISED
THAT THIS DEED MAY BE WITHDRAWN OF	R RESCINDED WHETHER OR NOT MONEY OR ANY
OTHER CONSIDERATION WAS PAID OR GIV	VEN.
The State of Oklahoma	I-2013-211090 Book 0935 Pg: 132 12/30/2013 12:53 pm Pg 0132-0132 Fee: \$ 13.00 Doc: \$ 0.00
COUNTY OF McIntosh	Ronda Prince - McIntosh County Clerk State of Oklahoma
Before me, on this day personally a	appearedShauna Belyeu
	the owner of the land described in this deed, and
	subscribed below in their respective capacities, and
	to the witnesses in my presence that the deed is a
	e described therein, and the witnesses declared in the
	and in my presence that the owner of the land
	able transfer-on-death of the real estate described
	anted each of them to sign it as a witness, and that
	in the presence of the owner of the land and in my
presence.	HILL Q
munum.	Maly Desco
MINDROY HAL PORTE	(name of owner)
presence. # 00016019	/s, 117/11
# 00016019	Andry 17 Solf

IN THE DISTRICT COURT COUNTY OF MCINTOSH)

STATE OF OKLAHOMA)
AFFIDAVIT OF PUBLICATION
COOKSON HILLS PUBLISHERS, INC.

dba The Indian Journal and McIntosh County Democrat 109 S. Main, Eufaula, OK 74432 (918) 689-2191

City of Eufaula PO Box 684 Eufaula OK 74432 NO. Public Hrg Notice - Belyeu

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative of Cookson Hills Publishers, Inc., Publisher of the Indian Journal newspaper, a weekly publication that is a "legal newspaper" as that phrase is defined in 25 O.S. § 106, as amended to date, for the City of Eufaula, for the County of McIntosh, in the State of Oklahoma. The attachment hereto contains a true and correct copy of what was published in the regular edition of said newspaper, and not in a supplement, in consecutive issues on the following dates:

PUBLICATION DATES:

IJ: 7/29/2021

Signed and sworn to before me on 7/29/2021.

My Commission expires: April 3, 2022

Commission #06003427

PUBLICATION FEE: \$29.30

Words: 140
Tabular Lines: Column(s): 1
Insertions:

Shown exactly as published in Newspaper

Legal Notice

Published in the Indian Journal, Thursday, July 29, 2021 City of Eufaula

Public Hearing Notice

Notice is hereby given that the City of Eufaula, Oklahoma, will conduct a public hearing on the proposed Zoning Change application of the property located within the City of Eufaula.

The property requesting the zoning change is described as follows:

Legal Description: Lots 3 & 4 BLK 125 Eufaula OT 935/132 954/650

General Location Known as: 413 S Main Street

Current Zoning: R-1 Residential Proposed Zoning: C-1 Commercial Applicant/s: Shauna Belyeu

The public hearing will be held as follows:

August 16, 2021 at 5:30 P.M. Planning and Zoning Commission, Eufaula Community Center, 121 High Street.

September 13, 2021 at 5:00 P.M. Eufaula City Council, Eufaula Community Center, 121 High Street.

At this time any interested citizen of Eufaula, Oklahoma will have the opportunity to be heard regarding the zoning variance request. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Eufaula City Hall at 918-689-2534. A copy of the application is available for public inspection during normal working hours and can be accessed from the Eufaula City Hall at 918-689-2534 or by emailing aa@icityofeufaulaok.com.

SHAUNA BELYEU
Notary Public - State of Oklahoma
Commission Number 06003427
My Commission Expires Apr 3, 2022



July 22, 2021

M K & T RAILROAD

Re: Consideration of Zoning Change application for Nearby Property

Dear Property Owner:

The Planning and Zoning Commission is considering a Zoning Change application for the following property:

Commonly Known as: 413 S Main.

Legal Description: Lot 3 & 4 BLK 125 Eufaula OT 935/132 954/650.

Current Zoning: R-1 Residential.

Proposed Zoning: C-1 Commercial.

Applicant/s: Shauna Beyleau

Enclosed is a map showing the approximate section being considered for the specific use permit.

You are being notified because you are listed as a property owner within a 300-foot radius of the public way. If you have questions or would like to submit a comment for the record, please contact us through one of the following options:

Phone: 918-689-2534

Mail: P.O. Box 684, Eufaula, OK 74432 Email: AA@CityofEufaulaOK.com

This item will be considered by the Planning and Zoning Commission at the meeting on August 16, 2021 at 5:30pm at the Community Center, 121 High Street, Eufaula, OK. You are welcome to attend the public meeting and provide comment at the designated time.

Respectfully,
Julie Musgraves
Administrative Assistant
City of Eufaula



Radius Request

From: Musgraves, Julie (aa@cityofeufaulaok.com)

To: assessor46tlw@yahoo.com

Date: Friday, July 16, 2021, 9:13 AM CDT

McIntosh County Assessor's Office

Attention: Trina Williams

Re: 300' Radius Request – Lot Three (3), Block One Hundred Twenty-Five (125) Eufaula OT 935/132 954/650

Mrs. Williams,

The City of Eufaula requests a 300' radius of the property located at: Lot Three (3), Block One Hundred Twenty-Five (125) Eufaula OT 935/132 954/650

Commonly Known as: 413 S Main Street

Additionally, if we could please receive an Excel version copy by email to AA@CityofEufaulaOK.com.

Julie Musgraves Administrative Assistant City of Eufaula aa@CityofEufaulaOK.com

4135. Main St.

McIntosh **Parcel Map and Account Listing** Data provided by Trina Williams County Assessor

Date Time 07/19/2021 10:49:56



Account Li	<u> </u>			
Account	460023512	Current Owner	- 本来区立安	Legal Description
ParcelID	1001-00-128-001-0-001-00	TWO J'S PROPERTIES, LLO	0	LOT 1-2, E4.5' LOT 3 BLK 128 EUFAULA
Situs	00055 FOREST			O.T. 253/580 703/293 770/441 915/212
Sec/Twn/Rng				(NEW SONIC)
Subdivision	EUFAULA	PO BOX 1069		
Block/Lot	0128 / 0001	PAULS VALLEY	OK 73075-000C	
Lot Size	3 Lots	Book/Page 0915-0212		
Account	460023513	Current Owner	2 1 2 1 1	Legal Description
ParcelID	1001-00-128-003-0-002-00	PUBLIC		W88' LOT 3 & W88' LOT 4 BLK 128
Situs				EUFAULA O.T. (17D/350)?
Sec/Twn/Rng				
Subdivision	EUFAULA			
Block/Lot	0128 / 0003		OK 00000-000C	
Lot Size	2 Lots	Book/Page		
Account	460023515	Current Owner	9 144 145	Legal Description
ParcelID	1001-00-129-001-0-000-00	RAGZ PROPERTIES, LLC		LOTS 1-5 LESS PT OF LOT 5(1005/276)
Situs	00111 FOREST AV EUFAULA			BLK 129 & VACATED ALLEY BETWEEN
Sec/Twn/Rng				LOTS 1,2,3,4 & 5 EUFAULA O.T. (Building
Subdivision	EUFAULA	126 W FOLEY		is exempt due to lease to non profit
Block/Lot	0129 / 0001	EUFAULA	OK 74432-000C	medical) 17D/350 305/443 998/52 998/194 1000/121
Lot Size	4 Lots	Book/Page 0998-0194		1000/121

McIntosh Parcel Map

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date

07/19/2021

Time

10:49:56

Account Li	Data provided by Trina Williams Count	, ,	Time 10:49:56 Page: 2
Account	460037727	Current Owner	Legal Description
ParcellD	0000-02-09N-16E-3-018-00	RAGZ PROPERTIES, LLC	BEG NE/C BLK 129 OTA EUFAULA CITY
Situs	0000-02-09N-10E-3-018-00	TAGET NOT ENTILES, ELO	THENCE S874200E 60' TO NW/C BLK 128
Sec/Twn/Rng	2 ON 16F		THENCE S021827W 223.31' TO SET
Subdivision	2-9N-16E	126 W FOLEY	MAGNAIL W/SHINER THENCE CURVE
Block/Lot		EUFAULA OK 74432-000C	RIGHT RADIUS 5690.15' ARC 41.03'
Lot Size	0.0000 4		CHORD BEARING & DISTANCE OF
	0.2300 Acres 460023509	Book/Page 0998-0194 Current Owner	S023050W 41 02' TO SET #3 RERAR ON
Account			Legal Description
ParcelID	1001-00-125-004-0-000-00	BELYEU, SHAUNA LYNN	LOT 4 BLK 125 EUFAULA O.T. 935/132 954/650
Situs			954/650
Sec/Twn/Rng			
Subdivision	EUFAULA	P. O. BOX 1354	
Block/Lot	0125 / 0004	EUFAULA OK 74432-000C	
Lot Size	1 Lots	Book/Page 0954-0650	
Account	460023514	Current Owner	Legal Description
ParcelID	1001-00-128-004-0-002-00	TWO J'S PROPERTIES, LLC	E53.2' LOT 4, LOT 5 BLK 128 OT
Situs			EUFAULA 253/580 703/293 770/441
Sec/Twn/Rng			915/212
Subdivision	EUFAULA	PO BOX 1069	
Block/Lot	0128 / 0004	PAULS VALLEY OK 73075-0000	
Lot Size	2 Lots	Book/Page 0915-0212	
Account	460023500	Current Owner	Legal Description
ParcelID	1001-00-124-001-0-000-00	WILKERSON & WILKERSON L.L.C.	LOT 1 BLK 124 EUFAULA O.T. 361/646
Situs	00418 S MAIN ST	1/2 INT, & DONALD B WILKERSON	547/442 849/36 855/799 (MAIN ST
Sec/Twn/Rng		LIVING TRUST 1/2 INT. %JOYCE WHITE	LAUNDRY EXPRESS)
Subdivision	EUFAULA	1604 LADY LANE	
Block/Lot	0124 / 0001	SHAWNEE OK 74804-000C	
Lot Size	1 Lots	Book/Page 0849-0036	
Account	460023504	Current Owner	Legal Description
ParcelID	1001-00-124-006-0-002-00	WILKERSON & WILKERSON L.L.C.	E2 OF S70' LOT 6 BLK 124 EUFAULA O.T
Situs	00104 FOREST	1/2 INT & DONALD B WILKERSON	621/324 849/36 855/799
Sec/Twn/Rng	00104 FOREST	LIVING TRUST 1/2 INT %JOYCE WHITE	
Subdivision	ELIEALII A	1604 LADY LANE	
Block/Lot	EUFAULA 0124 / 0006	SHAWNEE OK 74804-000C	
Lot Size		Book/Page 0849-0036	
Account	1 Lots 460023508	Current Owner	Legal Description
ParcelID		BELYEU, SHAUNA LYNN	LOT 3 BLK 125 EUFAULA O.T. 935/132
Situs	1001-00-125-003-0-000-00	BELTEO, SHAONA LINN	954/650
	00413 S MAIN ST		304/000
Sec/Twn/Rng		D 0 D0V 4054	
Subdivision	EUFAULA	P. O. BOX 1354	
Block/Lot	0125 / 0003	EUFAULA OK 74432-000C	
Lot Size	1 Lots	Book/Page 0954-0650	Land Basedation
Account	460023507	Current Owner	Legal Description
ParcelID	1001-00-125-001-0-001-00	PIPPENGER, JEFFREY W	N60' LOT 1 BLK 125 EUFAULA O.T.
Situs	00401 S MAIN ST		544/719 (EUFAULA PHARMACY) 1101/84 (EXEMPT - RENTING TO STIGLER
Sec/Twn/Rng			HEALTH & WELLNESS 68 OS 2887(8)(9)
Subdivision	EUFAULA	119482 S 4160 RD	11L/1L111 & VVLLLINLOG 00 03 2007 (0)(9)
Block/Lot	0125 / 0001	EUFAULA OK 74432-	
Lot Size	1 Lots	Book/Page 1101-0084	
Account	460023502	Current Owner	Legal Description
ParcelID	1001-00-124-004-0-000-00	LINSTEAD PROP. L.L.C.	LOT 4 BLK 124 OT EUFAULA 366/628
Situs	00113 OAK		494/116 (OAK PLAZA)
Sec/Twn/Rng			
Subdivision	EUFAULA	PO BOX 894	
Block/Lot	0124 / 0004	EUFAULA OK 74432-000C	
Lot Size	1 Lots	Book/Page 0494-0116	
Account	460023506	Current Owner	Legal Description
ParcelID	1001-00-125-001-0-000-00	ODOM & COBURN INVESTMENTS	S10' LOT 1 ALL OF LOT 2 BLK 125 OT
Situs	00403 S MAIN ST	SSSM & SSSSM MARKET MENTO	EUFAULA 383/423 401/695 410/628
Sec/Twn/Rng		A PARTNERSHIP	(OPTOMETRIST)
•		A PARTNERSHIP	
Subdivision	EUFAULA	742 N YORK	
Diam'r.			
Block/Lot Lot Size	0125 / 0001 2 Lots	MUSKOGEE OK 74403-0000 Book/Page 0410-0628	



Date

07/19/2021

Time

10:49:56

Account 460023424 Current Owner Legal Description E158.5**OF S89*LOT 4 BLK 114 C E178.4**Unit 14-004-0-002-00 O0020 W OAK S87TH EAST AVE E158.5**OF S89*LOT 4 BLK 114 C EUFAULA S100-0-014.00 OK 74008-	age:3
Situs 00020 W OAK 11769 S 87TH EAST AVE 1015/146-154 101	
11769 S 87TH EAST AVE	
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Block/Lot 1 Lots Book/Page 0997-0680	
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Situs O0110 OAK Sec/Twn/Rng INC. MISSOURI CORPORATION PO BOX 9167 SPRINGFIELD MC 65801-9167 SPRINGFIELD SPRINGFIELD MC 65801-9167 SPRINGFIELD MC 65801-9167 SPRINGFIELD SPRINGFIEL	
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Lot Size	
Account 460023501 Current Owner Legal Description ParcelID 1001-00-124-002-0-000-00 WILKERSON, DONALD B LIVING TR LOT 2-3 BLK 124 EUFAULA O.T. 3 849/36 863/613 855/799 (EUFAUL MART) Situs 00402 S MAIN ST 1/2 INT & JOYCE GALE WHITE TRUST 1/ MART) 849/36 863/613 855/799 (EUFAUL MART) Subdivision Block/Lot D124 / 0002 5HAWNEE OK 74804-000C 0K 74804-000C Lot Size 2 Lots Book/Page 0863-0613 Legal Description Account 460023419 Current Owner Legal Description ParcelID 3itus Sec/Twn/Rng STUART, DOYLE W. & DEBRA L. S33' LOT 2 ALL LOT 3 BLK 113 CEUFAULA 711/274 (LAKEVIEW B SHOP) & INCLUDING A 50'X150' ON EAST SIDE. Subdivision Block/Lot 0113 / 0002 EUFAULA OT11-0274 OK 74432-000C Lot Size 1 Lots Book/Page 0711-0274 Book/Page 0711-0274 Legal Description Account 460023511 Current Owner Legal Description LOT 1 & 2 BLK 127 EUFAULA OT1	
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Sec/Twn/Rng	
Subdivision EUFAULA	
Block/Lot 0126 / 0001 00000-000C	
Lot Size 2 Lots Book/Page	



Resining 413 S main

1 message

Jeff Pippenger <jeffpippenger@gmail.com>
To: "aa@cityofeufaulaok.com" <aa@cityofeufaulaok.com>

Wed, Jul 28, 2021 at 12:39 PM

To whom it may concern;

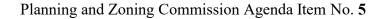
I believe 413 S Main needs to be reasoned to commercial. It will only help in the further commercial development of Eufaula.

Warm regards,

Jeff Pippenger

--

Sent from Gmail Mobile





Meeting Date: August 16, 2021

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application for Zoning Change from C-1 Commercial to IL- Industrial Light at the following location: a tract of land situated in the SW/4 of the NW/4 of Section 35, Township 10 North, Range 16 East of the IBM, McIntosh County, State of Oklahoma, better described as follows: Beginning at the point on the West line of the NW/4, 601.10 feet North of the Southwest Corner thereof; thence S 89degrees 55 minutes 25 seconds East a distance of 398.75 feet; thence N 00 degrees 04 minutes 35 seconds East parallel to said West line a distance of 137.20 feet; thence N 89 degrees 55 minutes 25 seconds W a distance of 398.75 feet to a point on said West line; thence S 00 degrees 04 minutes 35 seconds W along said West line a distance of 137.20 feet to the Point of Beginning. Commonly known as 800 Birkes Road.

Initiator: Kara Young and Brent Locke.

Staff Information Source: Julie Musgraves, Administrative Assistant.

Background: Kara Young and Brent Locke submitted an application for Zoning Change on July, 16, 2021 to rezone the following property from C-1 commercial to IL Industrial Light: a tract of land situated in the SW/4 of the NW/4 of Section 35, Township 10 North, Range 16 East of the IBM, McIntosh County, State of Oklahoma, better described as follows: Beginning at the point on the West line of the NW/4, 601.10 feet North of the Southwest Corner thereof; thence S 89degrees 55 minutes 25 seconds East a distance of 398.75 feet; thence N 00 degrees 04 minutes 35 seconds East parallel to said West line a distance of 137.20 feet; thence N 89 degrees 55 minutes 25 seconds W a distance of 398.75 feet to a point on said West line; thence S 00 degrees 04 minutes 35 seconds W along said West line a distance of 137.20 feet to the Point of Beginning. Commonly known as 800 Birkes Road.

All property owners within a 300-foot radius were notified by mail in a letter dated July 19, 2021. As of August 9, 2021 no property owners have contacted the City of Eufaula.

Attachment: Zoning Change Application, Deed, Letter of Permission from the Property Owner, Indian Journal Publication, 300 ft. Radius Letters, 300 ft. Radius List.

CITY OF EUFAULA

APPLICATION FOR ZONING CHANGE

Date: 01.14.2021
Address or General Description: 600 Birkes Rd. fold Movie Theater Present Zoning: Owner of Record: Linsto ad Prop
Present Zoning:Owner of Record:Owner of Record:
Legal Description of tract under application, if described by meters and bonds, attach plat of survey:
If applicant is other than owner, please indicate interest (purchaser, lessee, agent for, other). Attach documentation of interest and documentation from the owner of record authorizing this specific use permit. Brent Locke, Kara Joung
Are there any private or deed restrictions controlling use of tract (If yes, explain): Yes Brandon Linstend owns the building & Mas the deed.
Responsible party for advertising, zoning change application fee (\$150.00), and any additional fees:
Name: Brent Locke, Kara Young
Name: Brent Locke, Kara Young Address: 41 Pine Eufaula, OK 74432
Phone: 281 · 662 · 817 (Brent) 918 · 617 · 3896 (Kara)
I do hereby certify that the information herein submitted is complete, true and accurate.
Signed: De K _ Kong Young Date: 07.16.2021
Printed Name: Phone:
Address: 41 Pine Eufaula, OK 74432

A. General Description of Property

Size in Acres or Square Feet: 3,000 og . It
Current Use: Vacant
Topography (Flat, Rolling Hills, Etc.): Flat
Frontage Road (Name and Description): Birkes Rd.
Movie theater building Improvements will be made for building to be used for a MJ grow.
City Water: YES NO
City Sewer: YES NO
Identify the use(s) intended for the subject property: Building will be remodeled for a grow fairlity to produce Cannabis plants

B. General Description of Adjacent Property

Identify any buildings and give their approximate distance from your property lines:
Escalated Greens is about a quater sule from property.
Explain the surrounding land uses: Bill board sign, old house
C. Zoning Change Request
Describe the zoning change as it pertains to your property: It is yound commercial and we need to be yould
inclustrial
Describe the benefits, if any, of your requested zoning change to the adjacent properties and/or to the City of Eufaula: Commission undustry grow
will bring a lot of sevenue to the
wy.

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Applicant: Do NOT Write Below This Line

Application received by:	Date:
Tract Acreage:	Public Hearing Date:
Section:	Township:
Range:	Present Zoning:
Application Number:	Fee Receipt No:
Planning Commission Recommendation	City Council Action
Recommendation:	Action:
Vote:	Vote:
Date:	Date:
Provisions:	Provisions:

Property Located at: 800 Birkes Rd

To Whom it May Concern:

I Brandon F. Linstead, Ownerand Managing member of Linstead Prop LLC. Give Kara Young and Brent Locke permission to pursue a zoning variance for the purpose of a Marijuana Grow Facility.

Brandon F. Linstead

V. President Linstead Prop LLC

(405)819-5454

008

WARRANTY DEED

(Individual - Corporation)

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STATE OF OKLAHOMA, McIntosh County
Filed for record on theda
of Oceanist, 20 01, at 3:10Ph
Book 587 , at Page 360
Documentary Stamps: \$_55\50
Documentary Stamps: \$Shirley Irvin, County Clerk
Deput

KNOW ALL MEN BY THESE PRESENTS:

That **The Peoples National Bank of Checotah**, **Oklahoma**, a Corporation, Party of the First Part, in consideration of Ten Dollars (\$10.00) and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **Linstead Prop.**, **L.L.C.**, whose address is: P.O.B. Party of the second Part, the following described real property and premises situate in McIntosh County, State of Oklahoma, to-wit:

A tract of land situated in the SW/4 of the NW/4 of Section 35, Township 10 North, Range 16 East of the IBM, McIntosh County, State of Oklahoma, better described as follows: Beginning at a point on the West line of the NW/4, 601.10 feet North of the Southwest Corner thereof; thence S 89 degrees 55 minutes 25 seconds East a distance of 398.75 feet; thence N 00 degrees 04 minutes 35 seconds East parallel to said West line a distance of 137.20 feet; thence N 89 degrees 55 minutes 25 seconds W a distance of 398.75 feet to a point on said West line; thence S 00 degrees 04 minutes 35 seconds W along said West line a distance of 137.20 feet to the Point of Beginning.

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 party of the Second Part, its heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this day of Augus,

SS

The Peoples National Bank of Checotah, Oklahoma

Sh Vice Presiden

STATE OF OKLAHOMA

COUNTY OF Mullian.

CORPORATION ACKNOWLEDGMENT

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

My Commission Expires: 2-33-02

Notary Public in and for State

Vickey Steele Muskogee County

Jotary Public

of Oklahoma

IN THE DISTRICT COURT COUNTY OF MCINTOSH) STATE OF OKLAHOMA

AFFIDAVIT OF PUBLICATION COOKSON HILLS PUBLISHERS, INC. dba The Indian Journal and McIntosh County Democrat 109 S. Main, Eufaula, OK 74432 (918) 689-2191

City of Eufaula PO Box 684 Eufaula OK 74432 NO. Zoning Variance Hrg - Locke & Young

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative of Cookson Hills Publishers, Inc., Publisher of the Indian Journal newspaper, a weekly publication that is a "legal newspaper" as that phrase is defined in 25 O.S. § 106, as amended to date, for the City of Eufaula, for the County of McIntosh, in the State of Oklahoma. The attachment hereto contains a true and correct copy of what was published in the regular edition of said newspaper, and not in a supplement, in consecutive issues on the following dates:

PUBLICATION DATES:

Signed and sworn to before me on 7/22/2021.

My Commission expires: April 3, 2022

Commission #06003427

PUBLICATION FEE: \$29.00

Words: /8 Tabular Lines: Column(s): / Insertions:

SHAUNA BELYEU Notary Public - State of Oklahoma Commission Number 06003427 My Commission Expires Apr 3, 2022 Shown exactly as published in Newspaper

Legal Notice

Published in the Indian Journal, Thursday, July 22, 2021 City of Eufaula

Public Hearing Notice

Notice is hereby given that the City of Eufaula, Oklahoma, will conduct a public hearing on the proposed Change Zoning application of the property located within the City of Eufaula.

The property requesting the zoning change is described as follows:

Legal Description: BEG 601.10'N OF SW/C NW S895525E 398.75' N00435E 139.89' N895525W 398.75' S139.98' POB LESS .30A N895525W SEC 35-10-16 461/428 563/413 568/624 587/360-1.

General Location Known as: 800 Birkes Road

Current Zoning: C1- Commercial Proposed Zoning: IL - Industrial Light

Applicant/s: Brent Locke and Kara Young

The public hearing will be held as follows:

August 16, 2021 at 5:30 P.M. Planning and Commission, Eufaula Community Center, 121 High Street.

September 13, 2021 at 5:00 P.M. Eufaula City Council, Eufaula Community Center, 121 High Street.

At this time any interested citizen of Eufaula, Oklahoma will have the opportunity to be heard regarding the zoning variance request. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Eufaula City Hall at 918-689-2534. A copy of the application is available for public inspection during normal working hours and can be accessed from the Eufaula City Hall at 918-689-2534 or by emailing aa@cityofeufaulaok.com.



July 19, 2021

REIL ROCK PRODUCTS, INC. PO BOX 1030 EUFAULA 74432-0000

Re: Consideration of Zoning Change application for Nearby Property

Dear Property Owner:

The Planning and Zoning Commission is considering a Zoning Change application for the following property:

Commonly Known as: 800 Birkes Rd.

Legal Description: BEG 601.10'N OF SW/C NW S895525E 398.75' N00435E 139.89' N895525W 398.75'

S139.98' POB LESS .30A SEC 35-10-16 461/428 563/413 568/624 587/360-1.

Current Zoning: C-1 Commercial.

Proposed Zoning: IL – Industrial Light.

Applicant/s: Brent Locke and Kara Young.

Enclosed is a map showing the approximate section being considered for the specific use permit.

You are being notified because you are listed as a property owner within a 300-foot radius of the public way. If you have questions or would like to submit a comment for the record, please contact us through one of the following options:

Phone: 918-689-2534

Mail: P.O. Box 684, Eufaula, OK 74432 Email: AA@CityofEufaulaOK.com

This item will be considered by the Planning and Zoning Commission at the meeting on August 16, 2021 at 5:30pm at the Community Center, 121 High Street, Eufaula, OK. You are welcome to attend the public meeting and provide comment at the designated time.

Respectfully, Julie Archer Administrative Assistant City of Eufaula



300' Radius

From: Musgraves, Julie (aa@cityofeufaulaok.com)

To: assessor46tlw@yahoo.com

Date: Friday, July 16, 2021, 4:01 PM CDT

McIntosh County Assessor's Office

Attention: Trina Williams

Re: 300' Radius Request – BEG 601.10'N of SW/C NW S895525E 398.78' N00435E 139.89' N895525W 398.75' S139.98' POB LESS .30A SEC 35-10-16 461/428 563/413 568/624 587/360-1

Mrs. Williams,

The City of Eufaula requests a 300' radius of the property located at: A tract of land situated in the SW/4 of the NW/4 of Section 35, Township 10 North, Range 16 East of IBM, McIntosh County, State of Oklahoma, better described as follows: Beginning at a point on the West line of the NW/4, 601.10 feet North of the Southwest Corner thereof; thence S 89 degrees 55 minutes 25 seconds East a distance of 398.75 feet; thence N 00 degrees 04 minutes 35 seconds East parallel to said West line a distance of 137.20 feet; thence N 89 degrees 55 minutes 25 seconds W a distance of 398.75 feet to a point on said West line; thence S 00 degrees 04 minutes 35 seconds W along said West line a distance of 137.20 feet to the Point of Beginning.

Commonly Known as: 800 Birkes Road

Additionally, if we could please receive an Excel version copy by email to AA@CityofEufaulaOK.com.

Julie Musgraves Administrative Assistant City of Eufaula aa@CityofEufaulaOK.com

800 Dirkes Kd.

McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date Time 07/19/2021 10:34:24



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Acco	uni	l I i	et
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Account Li	st		
Account	460003925	Current Owner	Legal Description
ParcelID Situs	0000-35-10N-16E-2-016-00 00800 BIRKES RD	LINSTEAD PROP.L.L.C.	BEG 601.10'N OF SW/C NW S895525E 398.75' N00435E 139.89' N895525W 398
Sec/Twn/Rng Subdivision	35-10N-16E	PO POV 204	75' S139.98' POB LESS .30A SEC 35-10 16 461/428 563/413 568/624 587/360-1
Block/Lot		PO BOX 894 EUFAULA OK 74432-0000	780/9(THEATRE)
Lot Size	0.9800 Acres	Book/Page 0587-0360	
Account	460032288	Current Owner	Legal Description
ParcellD Situs	0000-35-10N-16E-2-033-00	REIL ROCK PRODUCTS, INC.	BEG 601.10'N 303.39'E SW/C S895525E 93.36' N000435E 139.89' N895525W 93
Sec/Twn/Rng	35-10N-16E		36' S000435W 139.89' POB SEC 35-10-16
Subdivision Block/Lot		PO BOX 1030 EUFAULA OK 74432-0000	780/9
Lot Size	0.3000 Acres	Book/Page	
Account	460003927	Current Owner	Legal Description
ParcelID Situs	0000-35-10N-16E-2-018-00	REIL ROCK PRODUCTS, INC.	TRACT IN SW SW NW BEG 254' N000435E ALONG W SEC LINE &
Sec/Twn/Rng	35-10N-16E		N895447E 398.75' POB N000435E 436.97'
Subdivision Block/Lot		PO BOX 1030 EUFAULA OK 74432-0000	N895447E 261.25' S000435W 436.97 S895447W 261.25'POB SEC 35-10-16
Lot Size	2.6200 Acres	Book/Page 0863-0713	495/12 863/712 863/713 884/646



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date

07/19/2021

Time

10:34:24

Account	460003928	Current Owner	Legal Description
ParcellD Situs Sec/Twn/Rng Subdivision Block/Lot Lot Size	0000-35-10N-16E-2-019-00	REIL ROCK PRODUCTS, INC. PO BOX 1030 EUFAULA OK 74432-000C Book/Page 0550-0246	BEG SW/C NW N00435E 254.19' \$895311E 203.87' POB \$895311E 194.30' N000900E 346.96' N895414W 194.30' \$000900W 346.96' POB LESS .79A SEC 35-10-16 488/69 550/246 743/393
Account	460003923	Current Owner	Legal Description
ParcelID Situs Sec/Twn/Rng Subdivision Block/Lot Lot Size	0000-35-10N-16E-2-014-00 35-10N-16E 2.4200 Acres	U.S.A. IN TRUST CREEK NATION PO BOX 580 OKMULGEE OK 74447-000C Book/Page 0891-0642	BEG W/4C N000435E 254.60'POB N000435E 346.50'S895556E 204.45' S000435W 346.50' N895556W 204.45'POE & BEG SW/C NW N000435E 254' N895457E 204.45'POB N000435E 346.50' N895447E 99'S000435W 346.50' S895447W 90'POB SEC 35-10-16
Account	460003918	Current Owner	Legal Description
ParcelID Situs Sec/Twn/Rng Subdivision Block/Lot Lot Size		HARRIS, WANDA A. LIFE ESTATE DOUGLAS & BETTY HOWELL HC 63 BOX 248 EUFAULA Ok 74432-0000 Book/Page	BEG.1901.7'S NW/C NW E208.7' N208.7' W208.7' S208.7' POB SEC 35-10-16 161/246 487/675-77
Account	1.0000 Acres 460003922	Current Owner	Legal Description
ParcelID Situs Sec/Twn/Rng Subdivision Block/Lot Lot Size	0000-35-10N-16E-2-013-00	UNITED STATES OF AMERICA IN TRUST FOI THE MUSCOGEE (CREEK) NATION PO BOX 580 OKMULGEE OK 74447- Book/Page 1075-0518	
Account	460003919	Current Owner	Legal Description
ParcelID Situs Sec/Twn/Rng Subdivision Block/Lot Lot Size	0000-35-10N-16E-2-037-00	EUFAULA INDUSTRIAL AUTHORITY 00000-0000 Book/Page	W2 NW LESS TRACTS SEC 35-10-16 538/526 560/275 1072/488
Account	460039063	Current Owner	Legal Description
ParcelID Situs Sec/Twn/Rng Subdivision Block/Lot	0000-34-10N-16E-1-010-00	STATE OF OKLA HWY 69	HWY 69
Lot Size	24.1700 Acres	Book/Page	



Planning and Zoning Commission Agenda Item No. 6

Meeting Date: August 16, 2021

Agenda Item Memo

Item Title: Review, discuss and receive feedback of the use and implementation of traffic control measures and devices, including speed bumps on residential streets.

Initiator: Staff

Staff Information Source: Julie Musgraves, Administrative Assistant.

Background: Staff has received numerous complaints about the excessive speed of traffic down residential roads. Specifically, Clifford Seals Ave and E Street.

Attachment: None