

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 May 15, 2024 4:00 PM

CITY OF EUFAULA, OK

Community Center
121 High Street
Eufaula, OK 74432



NOTICE AND AGENDA OF MEETING

Monday
May 20, 2024
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 Serina Kleveter
Member Chelsey Lewis

AGENDA
Planning and Zoning Commission
May 20, 2024
5:30 p.m.

1. Call to Order Chairman Sam Sylvester
2. Roll Call /Attendance Executive Assistant Julie Musgraves
3. Approval of Minutes.
 - A. Planning and Zoning Commission meeting April 15, 2024.
4. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of a Zoning Change Application from RS-3 Residential to RM-1 Multifamily at the parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning. Commonly known as 230 JC Watts Jr Ave.
5. Adjournment.

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 April 10, 2024 4:00 PM

CITY OF EUFAULA, OK

Community Center
121 High Street
Eufaula, OK 74432



MINUTES OF MEETING

Monday
April 15, 2024
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.

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Planning and Zoning Commission

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member Serina Kleveter
Member Chelsey Lewis

MINUTES
Planning and Zoning Commission
April 15, 2024
5:30 p.m.

1. Call to Order 5:30PM Chairman Sam Sylvester
2. Roll Call /Attendance Executive Assistant Julie Musgraves
Members Present: Sylvester, Pennington, Linstead, Kleveter. Absent: Lewis
3. Approval of Minutes.
A. Planning and Zoning Commission meeting February 26, 2024.
Motion to Approve Minutes by Linstead, 2nd by Pennington. Roll Call Vote: Yes-
Sylvester, Linstead, Pennington, Kleveter
4. Discussion regarding the conditions for Specific Use Permits.
Discussion.
5. Discussion of the parking and sidewalk codes in the Downtown District.
Discussion. The Commission would like to have a draft brought up for
review the next meeting so the can present to Council.
6. Adjournment.
Motion to Adjourn by Linstead, 2nd by Kleveter. Roll Call Vote: Yes- Sylvester,
Linstead, Pennington, Kleveter



Planning and Zoning Commission Item No. 4

Meeting Date: May 20, 2024

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of a Zoning Change Application from RS-3 Residential to RM-1 Multifamily at the parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning. Commonly known as 230 JC Watts Jr Ave.

Initiator: Tom Boling

Staff Information Source: Julie Musgraves, Executive Assistant.

Background: Tom Boling submitted an application on April 15, 2024 with the intent to rezone the a lot located at 230 JC Watts Jr Ave from R1- Residential to RM-1 Residential Multifamily. The lot measures 4,008 square feet, the zoning code requires a lot size of at least 7,000 sq. ft. for RM-1 Multi-family.

All property owners within a 300-foot radius were notified by mail in a letter dated April 23, 2024. No property owners have contacted the City of Eufaula with written objections to this project.

Attachment: Zoning Change Application, Warranty Deed, Radius List, 300 ft. Radius Letters with Map, and the Indian Journal Publication. Maps with lot width and length, Zoning ordinance on RM-1 Requirements.

CITY OF EUFAULA

APPLICATION FOR ZONING CHANGE

Date: _____

Address or General Description: 230 JC Watts Jr Ave - Vacant lot

Present Zoning: Residential Owner of Record: Charles Columbus Downum Trust

Legal Description of tract under application, if described by meters and bonds, attach plat of survey: Legal W20' N80' of lot 2 + E30' of N80' of lot 3 BIK 39 DT-Eufaula 241/175 703/293

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.

Purchaser

Are there any private or deed restrictions controlling use of tract (If yes, explain): _____

None Known

Responsible party for advertising, zoning change application fee (\$150.00), and any additional fees:

Name: Tom Boling

Address: 3701 NW 192nd Edmond OK 73012

Phone: (405) 203-5247

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

Signed: _____ Date: _____

Printed Name: Tom Boling Phone: (405) 203-5247

Address: 3701 NW 192nd Edmond OK 73012

A. General Description of Property

Size in Acres or Square Feet: 4007.52 sqft

Current Use: Vacant lot

Topography (Flat, Rolling Hills, Etc.): Flat

Frontage Road (Name and Description): JC Watts Jr. Ave - paved

Identify structures and improvements on property: Vacant lot -

City Water: YES NO

City Sewer: YES NO

Identify the use(s) intended for the subject property: Duplex - Multi-family

B. General Description of Adjacent Property

Identify any buildings and give their approximate distance from your property lines: _____

1) 10ft - Vacant house (West)

2) 200ft - Vacant house (East)

Explain the surrounding land uses: Residential and Multi-family

C. Zoning Change Request

Describe the zoning change as it pertains to your property: Changing from R1 to an R2.

Describe the benefits, if any, of your requested zoning change to the adjacent properties and/or to the City of Eufaula: This would raise the value of the surrounding properties. Building here would bring in tax dollars for the City of Eufaula.

Identify how well suited the subject property is for your zoning change request. (Cite such advantages as topography, foliage, soil, drainage, access, distance to centers of population, availability of utilities, etc.) Explain: Drainage is fine. Right off of

paved street, J.C. Watts Jr Ave. Water, Sewer, & elect all
available.

Explain how the proposed change in zoning will affect the road system(s) serving your area:

Will not effect. Will give more tax dollars for maintenance

Give an estimated traffic count (average daily trips) for the proposed zoning change. How will the potential traffic resulting from the increased use or activity be controlled?

Will not impact

Is the proposed zoning change comparable to surrounding permitted uses and the existing development pattern? yes

How will the proposed zoning change be detrimental to property in the same zone or vicinity? (Identify any adverse effects and explain measures you would propose to minimize these effects) Explain:

Will not harm. It will help the community.

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

Recommendation: _____

Vote: _____

Date: _____

Provisions: _____

City Council Action

Action: _____

Vote: _____

Date: _____

Provisions: _____

8

GENERAL WARRANTY DEED

This General Warranty Deed is made on August 9, 2006 between Charles C. Downum a/k/a Charles Columbus Downum, II a/k/a C.C. Downum, a single person ("Grantor"), having a business address of HC 62, Box 47A, Eufaula, Oklahoma, 74432, and the Charles Columbus Downum Revocable Trust dated July 14, 2006 ("Grantee"), having a mailing address of HC 62, Box 47A, Eufaula, Oklahoma, 74432.

Grantor, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee the **surface rights only** to the following described real estate, with all improvements and attachments, situated in **McIntosh County, State of Oklahoma**, to wit:

SEE ATTACHED EXHIBIT A which consists of five pages

TO HAVE AND TO HOLD the described premises forever, free and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of any nature except: None.

Grantor hereby warrants title to the property described above.

No documentary stamps required pursuant to 68 O.S. § 3202.3.

Signed and delivered on the 9th day of August, 2006.

EXHIBIT A
TO GENERAL WARRANTY DEED

MCINTOSH COUNTY, OKLAHOMA

1.	Beginning at the Northwest Corner of the SW/4 SW/4 of Section 22, Township 10 North, Range 17 East; Thence South along Red Bird Road Section line for a distance of 879 feet; Thence due East for a distance of 1320 feet to a point; Thence 219 feet due South to the point of beginning; Thence 660 feet East to a point; Thence 72 feet South to a point; Thence 660 feet West to a point; Thence 72 feet North to the point of beginning
2.	Lot 200 in River Oaks Subdivision, being a subdivision of a part of Section 1, Township 9 North, Range 16 East, IB&M, according to the official plat thereof
3.	Lots 29, 30, 31 and 32 in Block 1, Rainbow Bend, a subdivision of a part of the NW/4 of Section 28, Township 10 North, Range 16 East
4.	A parcel of land situated in the SW/4 SE/4 of Section 1, Township 10 North, Range 16 East, more particularly described as beginning at the Southwest Corner of said SW/4 SE/4 of said Section 1; Thence North from the section line and along the West line of said SW/4 SE/4 a distance of 580.8 feet; Thence East along a line perpendicular with the aforesaid line a distance of 150 feet; Thence South a distance of 580.08 feet to the said South line of said Section 1; and Thence West along such section line a distance of 150 feet to the point of beginning
5.	A tract of land located in the SE/4 SW/4 of Section 1, Township 10 North, Range 16 East, more particularly described as follows: Beginning at the Southeast Corner of said SE/4 SW/4; Thence north 272 feet; Thence West 23 feet; Thence South 272 feet; Thence East 23 feet to the point of beginning
6.	A tract of land located in the SE/4 SE/4 of Section 6, Township 10 North, Range 17 East of the Indian Base and Meridian, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the SW Corner of the SE/4 SE/4 of said Section 6; Thence North along the West line of said SE/4 SE/4 417.50 feet; Thence East, on line parallel to South Section line 417.50 feet; Thence South on line parallel to West line of said SE/4 SE/4 417.50 feet to Section line road; Thence West 417.50 feet to the point or place of beginning
7.	A tract of land situated in the NE/4 NE/4 of Section 34, Township 10 North, Range 16 East of the Indian Base and Meridian in McIntosh County, Oklahoma, better described as follows: Beginning 2009.10 feet North of the Southeast corner of the NE/4 along the East line of Section 34, and South 89 degrees, 48 minutes, 26 seconds West 352.49 feet to the true point of beginning, said point being on the West R/W of the present U.S. 69 Hwy; Thence South 89 degrees, 48 minutes, 26 seconds West 671.16 feet; Thence South 00 degrees, 05 minutes, 46 seconds West 330.00 feet; Thence North 89 degrees, 48 minutes, 26 seconds East 651.11 feet to the West R/W of U.S. 69 Hwy; Thence North 00 degrees, 05 minutes, 46 seconds East along said R/W of U.S. 69 Hwy 43.64 feet; Thence North 04 degrees, 11 minutes, 23

	seconds East along said West of R/W of U.S. 69 Hwy 287.20 feet more or less to the true point of beginning. Said parcel contains 5.00 acres more or less
8.	The NE/4 SW/4 of Section 2, Township 9 North, Range 15 East
9.	#9 is intentionally left blank
10.	A tract of land located in Lot 122, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East of the Indian Meridian, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the Southeast Corner of Lot 122 North 50 degrees, 45 minutes, 39 seconds West 243.85 feet; Thence Northeasterly along the dedicated roadway 51.09 feet; Thence East 169.56 feet; Thence South 200.15 feet to the point of beginning, Less all minerals reservations of record and subject to the rights acquired therein by the United States of America
11.	Lot 60, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
12.	Lots 69 and 70, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
13.	A tract of land lying in Lot 171, Coon Creek Acres, a subdivision of the NE/4 of Section 28, Township 10 North, Range 16 East, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the NE Corner of Lot 171, Thence South 140 feet; Thence West 75 feet; Thence North 140 feet; Thence East 75 feet to the point of beginning, Less all minerals reservations of record and subject to all rights acquired therein by the USA
14.	Lots 10, 11, 119, 120 and 121, Coon Creek Subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
15.	Lots 9 and 10, Block 1, Coon Creek Acres No. 2
16.	Lots 80, 81 and 118 Coon Creek Subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
17.	Lot 121, Coon Creek Acres, being part of the NE/4 of Section 28, Township 10 North, Range 16 East of the Indian Base and Meridian, McIntosh County, Oklahoma, according to the recorded plat thereof; Less and exempt all coal, oil, gas, hydrocarbons and minerals in and under said lands
18.	A tract of land located in Lot 10, Coon Creek Acres, more particularly described as follows: Beginning at a point 195.56 feet North of the SW Corner of said Lot 10; Thence East 167.38 feet; Thence North 110 feet; Thence West 166.64 feet; Thence South 110 feet to the point of beginning according to the recorded plat thereof

VIEW ADDITIONAL LAND RECORDS AT

OKCOUNTYRECORDS.COM

19.	The South 30 feet of the West 100 feet of Lot 6 and the East 101.7 feet of Lot 6 and all of Lot 7 in Block 101, City of Eufaula, according to the official recorded plat thereof
20.	Lots 1, 2, 5 and the East 4.5 feet of Lot 3 and the East 53.2 feet of Lot 4 all in Block 128, City of Eufaula
21.	That part of Lots 1, 2 and 3 in Block 112 of the City of Eufaula, Oklahoma, described as follows: Beginning at the NW Corner of Block 112; Thence South 100.2 feet; Thence East 100 feet; Thence North 100.2 feet to the North line of Block 112; Thence West to the point or place of beginning, in the City of Eufaula according to the official plat thereof
22.	The West 10 feet of the East 103.5 feet of Lots 1 and 2 and the West 10 feet of the East 103.5 feet of the North 28 feet of Lot 3, Block 112, City of Eufaula
23.	Lot 8 in Block 101, City of Eufaula, according to the official plat thereof
24.	The North 115 feet of Lots 4, 5 and 6 in Block 2 of Day Addition to the City of Eufaula, including ½ of all mineral rights
25.	The E/2 of Lot 4 and the E/2 of Lot 5 in Block 32, City of Eufaula
26.	The parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lots 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning
27.	The W/2 of Lot 4 and W/4 of Lot 5; and a part of Lot 7, described as: Beginning at the NW Corner of said Lot 7; Thence going East on the North line thereof a distance of 95.5 feet; Thence South parallel with the East line thereof a distance of 6.5 feet; Thence East parallel to the North line thereof a distance of 24 feet; Thence South parallel to the East line thereof, a distance of 18.5 feet to the South line thereof; Thence West 119.5 feet to the SW Corner thereof; Thence North along the West line thereof a distance of 25 feet to the point of beginning, according to the official plat thereof, All in Block 32, City of Eufaula
28.	A tract of land located in Lot 50 in Coon Creek Acres, a subdivision in McIntosh County, Oklahoma, more particularly described as follows: Beginning at the SW Corner of Lot 49; Thence Southeasterly at an angle of S 14 degrees, 00 minutes, 32 seconds East a distance of 104.35 feet to the point of beginning; Thence Southeasterly along the same angle a distance of 98 feet; Thence East a distance of 139.01 feet; Thence Northerly along the dedicated roadway a distance of 100.69 feet; Thence West a distance of 163.48 feet to the point of beginning
29.	The South 25 feet of Lot 49, Coon Creek Acres and a part of Lot 50, Coon Creek Acres, more particularly described as follows: Beginning at the NW Corner of said Lot 50; Thence South 104.35 feet at an angle of North 14 degrees, 00 minutes, 32 seconds West; Thence East 163.48 feet to a point; Thence North along the platted road 110.11 feet to a point;

	Thence West 231.48 feet to the point of beginning; Coon Creek Acres being a part of the NE/4 of Section 28, Township 10 North, Range 16 East, according to the recorded plat thereof
30.	A tract of land located in Lot 59, Coon Creek Acres, a subdivision of the NE/4 of Section 28, Township 10 North, Range 16 East, more particularly described as follows: Beginning at the Southwest Corner of Lot 59, Thence North 0 degrees, 23 minutes, 11 seconds East 250 feet; Thence North 89 degrees, 36 minutes, 49 seconds West 160 feet; Thence North 72 degrees, 41 minutes, 16 seconds West 123.53 feet to the point of beginning; Thence North 72 degrees, 41 minutes, 16 seconds West 100 feet; Thence South 30 degrees, 41 minutes, 00 seconds West 110 feet; Thence Southwesterly along the dedicated roadway 77.92 feet, Thence along the dedicated roadway on a curve to the right a distance of 42.69 feet; Thence North 23 degrees, 51 minutes, 08 seconds East 109.54 feet to the point of beginning, subject to all mineral reservations of record and rights acquired therein by the USA
31.	Lot 1, Less the North 60 feet thereof in Block 12 in the City of Eufaula
32.	Beginning at the Northwest Corner of the SW/4 of the SE/4 of the SW/4 of Section 35, Township 10 North, Range 16 East and running south 114 feet to Number 9 highway; Thence in a southeasterly direction following the meandering of said Number Nine (9) Highway 177 feet; Thence East 175 feet; Thence North 254 feet; Thence West 303 feet to the beginning
33.	#33 is intentionally left blank
34.	All of Lot 6 and the East 18.7 feet of Lot 7, all in Block 32, City of Eufaula
35.	A tract or parcel of land more particularly described as follows: Beginning at the Northwest Corner of the SW/4 SW/4 of Section 22, Township 10 North, Range 17 East; Thence South along Red Bird Section Line Road for a distance of 879 feet to a point; Thence East 1320 feet; Thence South from a distance of 366 feet to the point of beginning; Thence due East 660 feet; Thence 75 feet due North; Thence 660 feet due West; Thence 75 feet South to the point of beginning. Said tract situated in W/2 SE/4 SE/4 of Section 22. The above description in the Lum and Edith Davis Estates, containing 1 1/8 acres more or less including all mineral rights
36.	The Northerly 330 feet of the Easterly 660 feet of NE/4 NW/4 of Section 35, Township 11 North, Range 15 East of the I.B. & M., McIntosh County, Oklahoma. Better described as the N/2 NE/4 NE/4 NW/4 of Section 35, Township 11 North, Range 15 East, of the Indian Base and Meridian Less and Except all of the Oil, Gas, and other minerals which grantor reserves unto themselves, together with the right of ingress and egress and the use of so much of the surface as is necessary for exploration for, and development and production of, such reserved minerals
37.	Lot 154 in River Oaks, a subdivision, being a subdivision of a part of Section 1, Township 9 North, Range 16 East, IB&M, according to the official plat thereof

38.	The North 45 feet of the East 100 feet of the following described property, to wit: Beginning at a point 204.5 feet North of the Southeast Corner of the NW/4 of the SW/4 of Section 35, Township 10 North, Range 16 East; Thence North 256 feet; Thence West 213 feet; Thence South 256 feet; Thence East 213 feet to the point of beginning
39.	Lot 71, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
40.	A part of Lot 2 in Section 4, Township 9 North, Range 15 East, more particularly described as follows: Beginning at a point, said point being on the Northwest Right of Way of State Highway No. 9 and 754.40 feet South of the NW corner of said Lot 2; thence North a distance of 289 feet; thence East a distance of 84.00 feet; thence North a distance of 22.50 feet; thence East a distance of 13.00 feet; thence Southeasterly 222.00 feet to a point, said point being on the NW right of way of State Highway No. 9 and a distance of 401.00 feet along the Northwest right of way of said highway from the point of beginning; thence Southwesterly along said right of way a distance of 401.00 feet to the point of beginning
41.	#41 is intentionally left blank
42.	A tract of land containing 12.32 acres more or less, in the E/2 NE/4 SW/4 of Section 12, Township 10 North, Range 14 East, more particularly described as follows: Beginning at the Northeasterly corner of the NE/4 SW/4 of Section 12, Thence 889 degrees, 29 minutes, 17 seconds West 402.69 feet along the Northerly line of the NE/4 SW/4 of Section 12, to a point on the centerline of County gravel road, Thence South 30 degrees, 42 minutes, 55 seconds West 194.11 feet along the centerline of the County gravel road, Thence South 12 degrees, 11 minutes 01 seconds West 477.93 feet along the centerline of the County gravel road, Thence South 19 degrees, 54 minutes, 54 seconds East 248.89 feet along the centerline of the County gravel road, Thence South 58 degrees, 02 minutes, 22 seconds East 228.36 feet along the centerline of the County gravel road, Thence South 68 degrees, 40 minutes 06 seconds East 278.03 feet along the centerline of the County gravel road, Thence South 27 degrees 43 minutes 31 seconds East 128.06 feet along the centerline of the County gravel road to a point on the Easterly line of the NE/4 SW/4 of Section 12, Thence North 00 degrees, 15 minutes, 59 seconds East 1207.03 feet along the Easterly line of the NE/4 SW/4 of Section 12, to the point of beginning.
43.	An undivided 1/2 interest in Lot 199, RIVER OAKS ESTATES, a subdivision, annexed to the City of Eufaula
44.	An undivided 1/2 interest in the E 60' Less N 70' of Lot 4, Block 23, Eufaula
45.	#45 is intentionally left blank
46.	W/2 SW/4 of Section 21, Township 10 North, Range 14 East

RE: Variance Application

Seller: Charles Columbus Downum Trust

Address: JC Watts Jr Ave, Eufaula


Legal: W20' N80' OF LOT 2 & E30' OF N80' OF LOT 3 BLK 39 OT-EUFAULA 241/175 703/293

Buyer: Yona Holden Holding Company, LLC | Tom & Gina Boling

The Sellers are aware and in agreement with the Buyers submitting an application with the City of Eufaula for a variance, regarding the minimum lot size requirements for the City of Eufaula.

Authentisign
 04/05/24

Authentisign
Christopher C. Downum, Trustee 04/05/24

Authentisign
 04/05/24

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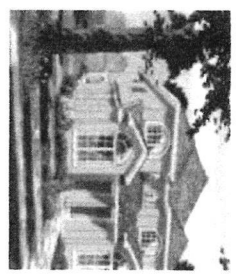
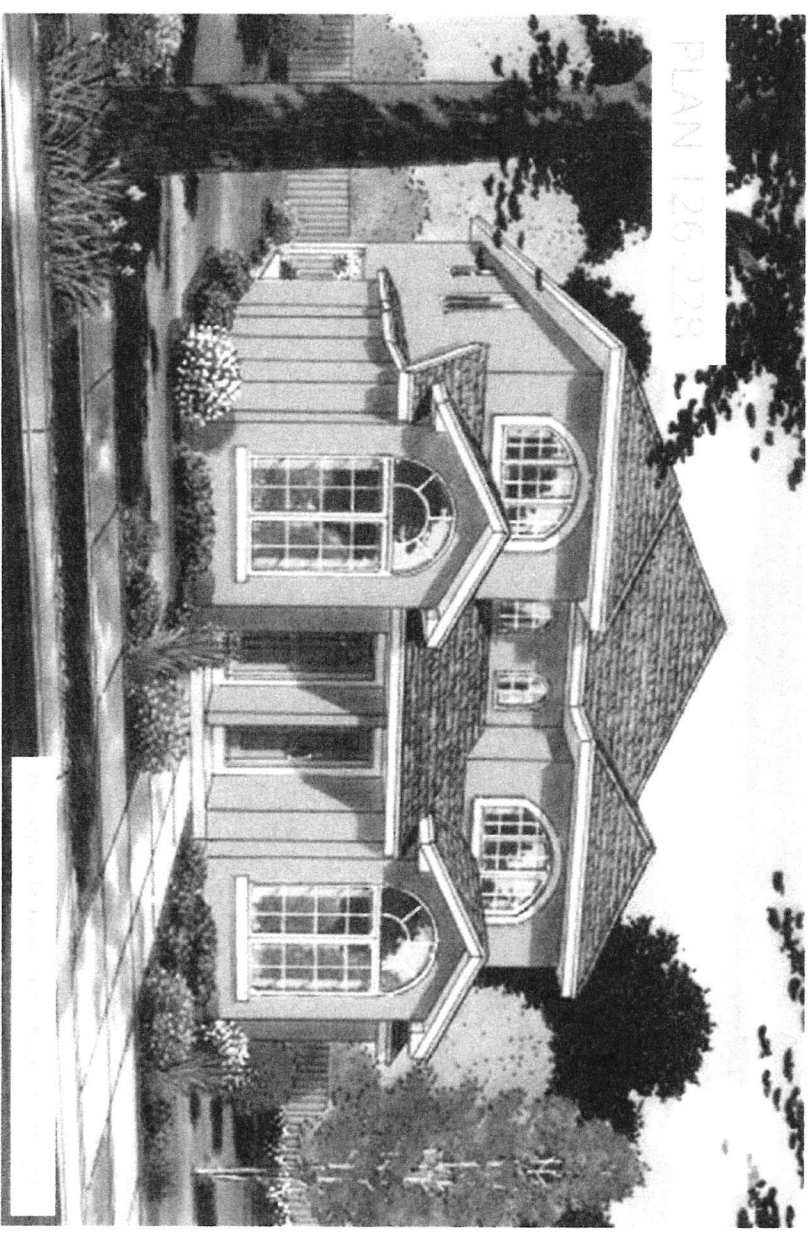
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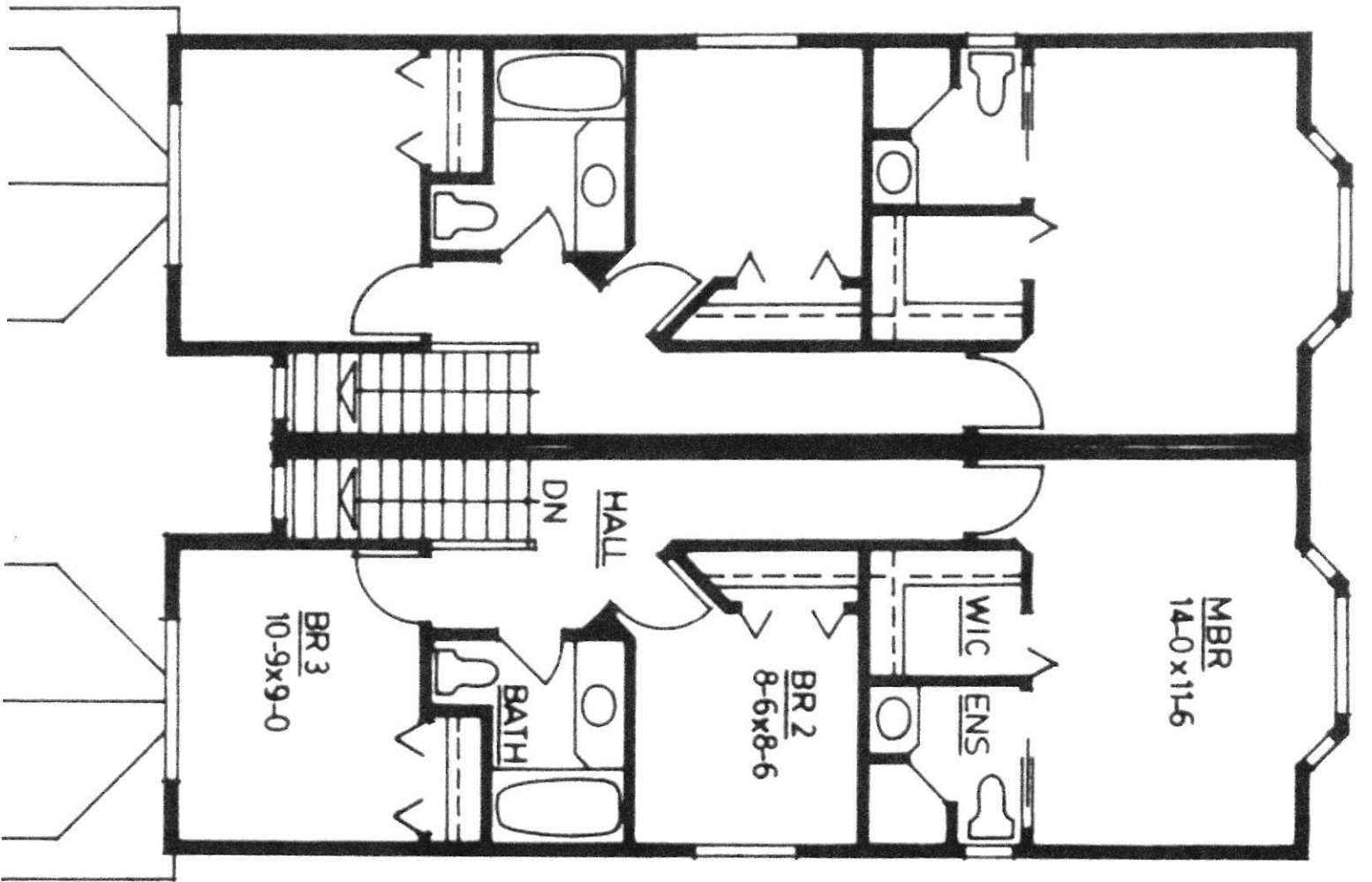
SEARCH



TOP OF SALE ENDS TOMORROW

PLAN 126-228





- Country -



- State -



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SEND MESSAGE

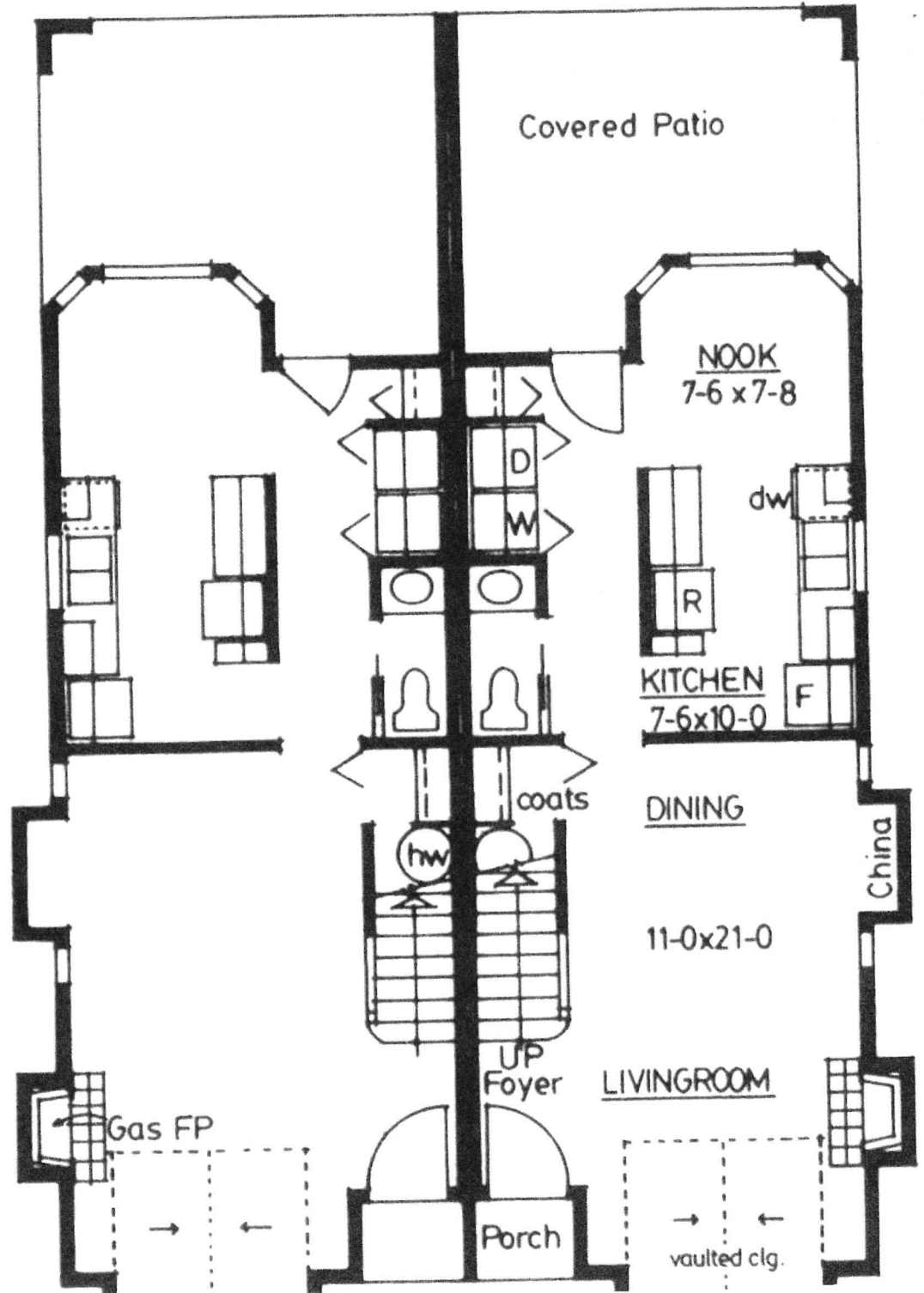
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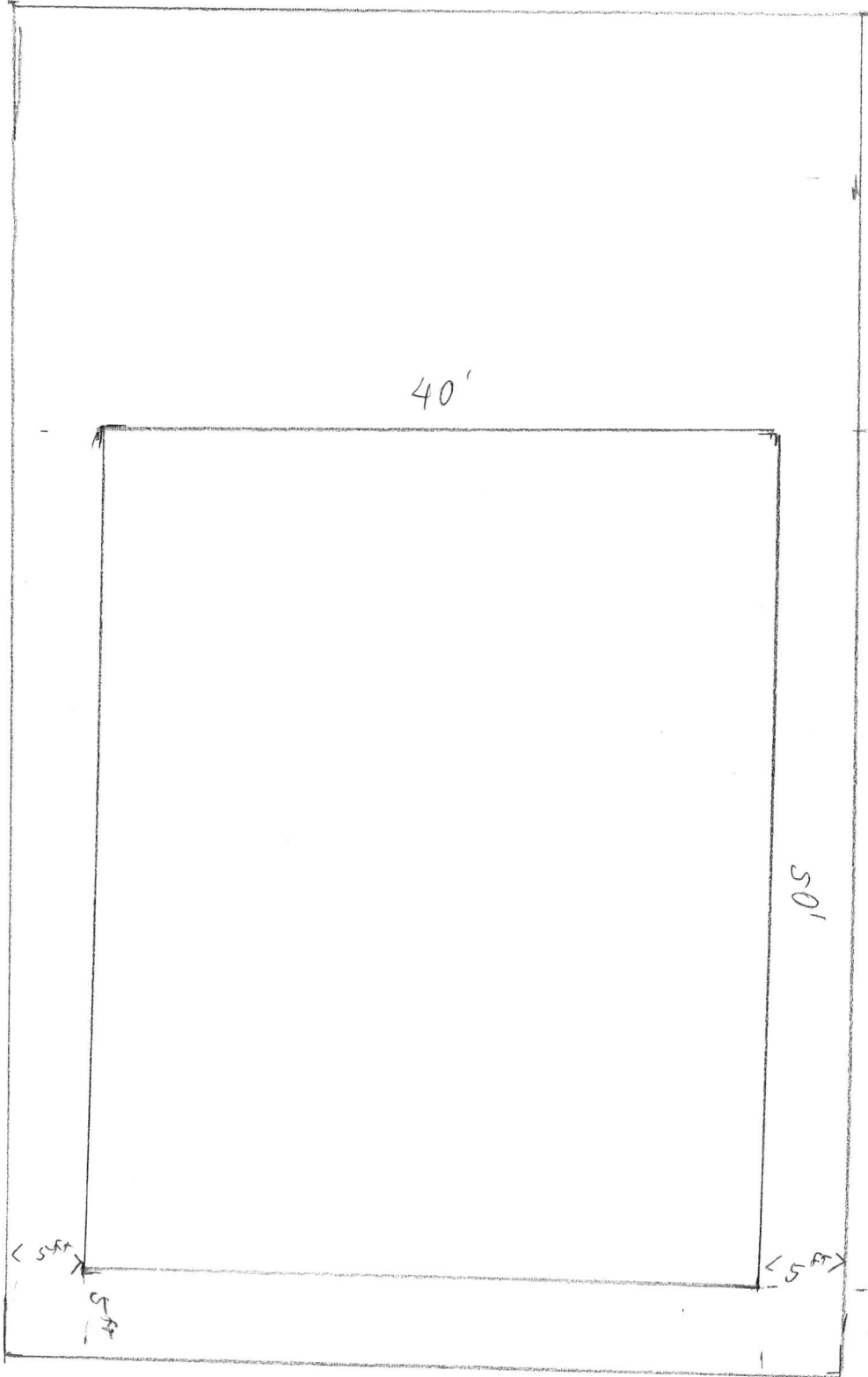
Hours: Mon - Fri 8:30 - 8:30 (EDT)

See our Terms & Conditions and Privacy Policy.



50

JC Watt's



set back
25'

a special
variance is needed
for this site
would be 2,000
single story
or 4,000 two story

80

1-2008-164588 Book 0754 Pg: 625
 09/12/2008 10:47 am Pg 0821-0827
 Fee: \$ 25.00 Doc: \$ 0.00
 Diana Curtis - McIntosh County Clerk
 State of Oklahoma

19.	The South 30 feet of the West 100 feet of Lot 6 and the East 101.7 feet of Lot 6 and all of Lot 7 in Block 101, City of Eufaula, according to the official recorded plat thereof
20.	Lots 1, 2, 5 and the East 4.5 feet of Lot 3 and the East 53.2 feet of Lot 4 all in Block 128, City of Eufaula
21.	That part of Lots 1, 2 and 3 in Block 112 of the City of Eufaula, Oklahoma, described as follows: Beginning at the NW Corner of Block 112; Thence South 100.2 feet; Thence East 100 feet; Thence North 100.2 feet to the North line of Block 112; Thence West to the point or place of beginning, in the City of Eufaula according to the official plat thereof
22.	The West 10 feet of the East 103.5 feet of Lots 1 and 2 and the West 10 feet of the East 103.5 feet of the North 28 feet of Lot 3, Block 112, City of Eufaula
23.	Lot 8 in Block 101, City of Eufaula, according to the official plat thereof
24.	The North 115 feet of Lots 4, 5 and 6 in Block 2 of Day Addition to the City of Eufaula, including 1/2 of all mineral rights
25.	The E/2 of Lot 4 and the E/2 of Lot 5 in Block 32, City of Eufaula
26.	The parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lots 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning
27.	The W/2 of Lot 4 and W/4 of Lot 5; and a part of Lot 7, described as follows: Beginning at the NW Corner of said Lot 7; Thence going East on the north line thereof a distance of 95.5 feet; Thence South parallel with the East line thereof a distance of 6.5 feet; Thence East parallel to the North line thereof a distance of 24 feet; Thence South parallel to the East line thereof, a distance of 18.5 feet to the South line thereof; Thence West 119.5 feet to the SW Corner thereof; Thence North along the West line thereof a distance of 25 feet to the point of beginning, according to the official plat thereof, All in Block 32, City of Eufaula
28.	A tract of land located in Lot 50 in Coon Creek Acres, a subdivision in McIntosh County, Oklahoma, more particularly described as follows: Beginning at the SW Corner of Lot 49; Thence Southeasterly at an angle of S 14 degrees, 00 minutes, 32 seconds East a distance of 104.35 feet to the point of beginning; Thence Southeasterly along the same angle a distance of 98 feet; Thence East a distance of 139.01 feet; Thence Northerly along the dedicated roadway a distance of 100.69 feet; Thence West a distance of 163.48 feet to the point of beginning
29.	The South 25 feet of Lot 49, Coon Creek Acres and a part of Lot 50, Coon Creek Acres, more particularly described as follows: Beginning at the NW Corner of said Lot 50; Thence South 104.35 feet at an angle of North 14 degrees, 00 minutes, 32 seconds West; Thence East 163.48 feet to a point; Thence North along the platted road 110.11 feet to a point;

5

OKCOUNTYRECORDS.COM

1-2008-164588 Book 0754 Pg: 626
 09/12/2008 10:47 am Pg 0821-0827
 Fee: \$ 25.00 Doc: \$ 0.00
 Diana Curtis - McIntosh County Clerk
 State of Oklahoma



	Thence West 231.48 feet to the point of beginning; Coon Creek Acres being a part of the NE/4 of Section 28, Township 10 North, Range 16 East, according to the recorded plat thereof
--	--



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:53



Account List

Account	ParcelID	Current Owner	Legal Description
460023105	1001-00-045-002-0-000-00	OSBORNE, OSCAR QUINTON	LOT 2-4 BLK 45 OT-EUFAULA (OSBORNE PARK)
	Situs		
	Sec/Twn/Rng	% CITY OF EUFAULA	
	Subdivision	PO BOX 684	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	3 Lots		
Account	ParcelID	Current Owner	Legal Description
460023063	1001-00-039-005-0-003-00	WATTS, EMMA	N20' LOT 5 & N20' W20' LOT 6 BLK 39 OT EUFAULA 278/551 683/781
	Situs		
	Sec/Twn/Rng		
	Subdivision	PO BOX 174	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	2 Lots		
Account	ParcelID	Current Owner	Legal Description
460023061	1001-00-039-005-0-001-00	WATTS, EMMA	N60' OF S120' OF LOT 5 & N60' OF S120' OF LOT 6 BLK 39 OT-EUFAULA 683/781
	Situs		
	Sec/Twn/Rng		
	Subdivision	PO BOX 174	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	2 Lots		



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:53

Account List

Account	Current Owner	Legal Description
Account 460034194 ParcelID 1001-00-038-006-0-001-00 Situs 00301 E HARRISON AV E Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0038 / 0006 Lot Size 1 Lots	Current Owner PENDARVIS, RONDALD III & JUSTEENA 4805 CHESTER ST SPENCER OK 73084- Book/Page 1158-0796	Legal Description W70' LOT 6 BLK 38 OT EUFAULA 865/771 960/188 1033/573 1071/413 1158/796
Account 460023069 ParcelID 1001-00-039-008-0-002-00 Situs 00229 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0008 Lot Size 1 Lots	Current Owner SULPHUR SPRINGS BAPTIST CHURCH Book/Page OK 00000-000C	Legal Description E65' S120' OF LOT 8 BLK 39 OT EUFAULA
Account 460023104 ParcelID 1001-00-045-001-0-000-00 Situs 00220 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0045 / 0001 Lot Size 1 Lots	Current Owner PIERCE, CLARENCE LEE & LOU J. 220 BOOKER T. WASHINGTON AVE EUFAULA OK 74432-000C Book/Page	Legal Description LOT 1 BLK 45 OT-EUFAULA 199/382
Account 460023065 ParcelID 1001-00-039-006-0-003-00 Situs 00219 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0006 Lot Size 2 Lots	Current Owner NICHOLS, TERRY 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0923-0614	Legal Description PT LOT 6 & 7 AND ALLEY BLK 39 OT EUFAULA BEG 170'E OF SW/C LOT 5 E50' N150' W50' S150' POB 645/04** 923/614
Account 460023066 ParcelID 1001-00-039-007-0-002-00 Situs 00217 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0007 Lot Size 1 Lots	Current Owner NICHOLS, TERRY D. 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0716-0154	Legal Description PT LOT 7 AND ALLEY BLK 39 OT EUFAULA BEG 220'E OF SW/C LOT 5 E50' N150' W50' S150' POB 645/04 716/154
Account 460023064 ParcelID 1001-00-039-006-0-002-00 Situs 00211 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0006 Lot Size 1 Lots	Current Owner NICHOLS, TERRY 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0640-0317	Legal Description PT LOT 6 BLK 39 & PT ABANDONED ALLEY BEG 120'E OF SW/C LOT 5 E50' N150' W50' S150' POB OT EUFAULA 640/317 645/04
Account 460023062 ParcelID 1001-00-039-005-0-002-00 Situs 00201 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0005 Lot Size 2 Lots	Current Owner STOKES, CAROLYN 516 SO "E" ST EUFAULA OK 74432-000C Book/Page 0411-0668	Legal Description S60' OF S120' LOT 5 S60' OF W20' OF S120' LOT 6 BLK 39 OT-EUFAULA 380/145 411/668
Account 460023052 ParcelID 1001-00-038-005-0-002-00 Situs Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0038 / 0005 Lot Size 1 Lots	Current Owner PIONEER BUSINESS INVESTMENTS LLC 1575 SE HWY 42 SUMMERFIELD FL 34491- Book/Page 1003-0578	Legal Description S40' LOT 5 BLK 38 OT-EUFAULA 943/271 1003/578
Account 460023067 ParcelID 1001-00-039-007-0-003-00 Situs 00206 S "G" ST Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0007 Lot Size 2 Lots	Current Owner SULPHUR SPRINGS BAPTIST CHURCH 229 HARRISON EUFAULA OK 74432-000C Book/Page 0404-0596	Legal Description E30' OF S120' LOT 7 & W20' OF S120' OF LOT 8 BLK 39 OT-EUFAULA 495/207



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:54

Account List

Account	460023055	Current Owner	Legal Description
ParcelID	1001-00-039-001-0-002-00	MCGRIFF, ROOSEVELT	S20' & ABANDONED ALLEY 20X30' IN SE/C & ADJ. 10' OF ALLEY OF LOTS 1-2 BLK 39 OT-EUFAULA
Situs	00207 S "G" ST		
Sec/Twn/Rng		214 W RACE AVE	
Subdivision	EUFAULA		
Block/Lot	0039 / 0001	CHECOTAH	OK 74426-000C
Lot Size	2 Lots	Book/Page	
Account	460023068	Current Owner	Legal Description
ParcelID	1001-00-039-007-0-004-00	MCGRIFF, ROOSEVELT ETAL	ABAN. ALLEY & 30X30 IN NE/C OF LOT 7 & ABAN. ALLEY & N20' OF LOT 8 BLK 39 OT-EUFAULA
Situs	00207 S "G" ST		
Sec/Twn/Rng		214 W RACE AVE	
Subdivision	EUFAULA		
Block/Lot	0039 / 0007	CHECOTAH	OK 74426-000C
Lot Size	2 Lots	Book/Page	
Account	460023072	Current Owner	Legal Description
ParcelID	1001-00-040-002-0-000-00	RAMIREZ, ALFREDO	LOT 2 & S PT LOT 3 & W PT LOT 3 CONTAINING 4305 SQ' BLK 40 OT EUFAULA 472/335 588/115 779/456 799/250 863/373 874/433 (2 HOUSES)
Situs	00220 S "E" ST		
Sec/Twn/Rng		82 N POLK ST	
Subdivision	EUFAULA		
Block/Lot	0040 / 0002	KIOWA	OK 74553-1502
Lot Size	2 Lots	Book/Page	0874-0433
Account	460023036	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-002-00	GAP HAWK, LLC	E67' OF N39' LOT 2 E67' LOT 3 BLK 34 OT EUFAULA 640/716 972/477 1157/526
Situs	00218 E MCKINLEY AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	3405 E LOUISVILLE	
Block/Lot	0034 / 0002	BROKEN ARROW	OK 74014-
Lot Size	2 Lots	Book/Page	1157-0526
Account	460023039	Current Owner	Legal Description
ParcelID	1001-00-034-005-0-002-00	YONA HOLDING COMPANY, LLC	S46' LOT 5 & N23' LOT 6 BLK 34 OT EUFAULA 854/211 AND THE W10' OF ALLEY WAY BETWEEN LOTS 5 & 2 1187/10 1195/588 1195/591
Situs	00109 S "E" ST		
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0034 / 0005	EDMOND	OK 73012-
Lot Size	2 Lots	Book/Page	1195-0591
Account	460023037	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-003-00	JEFFRIES, JERRY LEMON JR. & SANDRA GENE REV. TRUST	W67' E134' N39' OF LOT 2 & W67' E134' OF LOT 3 BLK 34 OT-EUFAULA 610/380 641/190 968/388
Situs	00214 E MCKINLEY AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	409 MILES	
Block/Lot	0034 / 0002	CHECOTAH	OK 74426-1174
Lot Size	2 Lots	Book/Page	0968-0388
Account	460023035	Current Owner	Legal Description
ParcelID	1001-00-034-001-0-002-00	YONA HOLDING COMPANY, LLC	N23' LOT 1 & S46' LOT 2 BLK 34 OT EUFAULA 323/533 AND THE E10' OF ALLEYWAY BETWEEN LOTS 5 & 2 1187/10 1194/88 1195/585
Situs			
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0034 / 0001	EDMOND	OK 73012-
Lot Size	2 Lots	Book/Page	1195-0585
Account	460023041	Current Owner	Legal Description
ParcelID	1001-00-034-006-0-004-00	WILLIAMS, ELLA	E30' OF S60' LOT 6 BLK 34 OT EUFAULA 89/193 97/250 AND THE W10' OF ALLEYWAY BETWEEN LOTS 6 & 1 1187/10
Situs			
Sec/Twn/Rng		% FRANCINE BLACK	
Subdivision	EUFAULA	PO BOX 1992	
Block/Lot	0034 / 0006	OXNARD	CA 93032-000C
Lot Size	1 Lots	Book/Page	
Account	460023056	Current Owner	Legal Description
ParcelID	1001-00-039-002-0-002-00	WATTS, EMMA	E30' N120' LOT 2, BEG. 115'W OF NE/C LOT 1 W50' S150' E50' N150', W50' OF E80' OF ALLEY LOT 2, W20' OF S70' LOT 2, E30' OF S70' LOT 3 BLK 39 OT EUFAULA 683/781
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	PO BOX 174	
Block/Lot	0039 / 0002	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:54

Page : 4

Account List

Account	460023054	Current Owner	Legal Description
ParcelID	1001-00-039-001-0-001-00	WATTS, EMMA	E65' OF N120' & W20' OF N120' OF LOT 1 BLK 39 OT-EUFAULA 683/781
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	PO BOX 174	
Block/Lot	0039 / 0001	EUFAULA	OK 74432-000C
Lot Size	1 Lots	Book/Page 0683-0781	
Account	460023042	Current Owner	Legal Description
ParcelID	1001-00-035-001-0-000-00	TG ENTERPRISE GROUP, LLC	LOT 1-6 BLK 35 OT-EUFAULA (RV PARK) 625/74
Situs	00305 J C WATTS AVE		
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0035 / 0001	EDMOND	OK 73012-
Lot Size	6 Lots	Book/Page 1181-0725	
Account	460023057	Current Owner	Legal Description
ParcelID	1001-00-039-002-0-004-00	DOWNUM, CHARLES COLUMBUS	W20' N80' OF LOT 2 & E30' OF N80' OF LOT 3 BLK 39 OT-EUFAULA 241/175 703/293
Situs		REVOCABLE TRUST	
Sec/Twn/Rng		% TERESA DAVIS	
Subdivision	EUFAULA	RT 6 BOX 372	
Block/Lot	0039 / 0002	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	
Account	460023038	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-004-00	FORTENBERRY, LOREDA	N39' OF W36' LOT 2, W36' LOT 3, ALL LOT 4, N39' LOT 5 BLK 34 OT EUFAULA 723/520 723/657 834/592 AND INCLUDING ALLEY WAY BETWEEN LOTS 3 & 4 1187/10
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	9525 S SOONER RD	
Block/Lot	0034 / 0002	OKLAHOMA CITY	OK 73165-000C
Lot Size	4 Lots	Book/Page 0834-0592	
Account	460023051	Current Owner	Legal Description
ParcelID	1001-00-038-005-0-001-00	LAWS, BESSIE	N60' LOT 5 BLK 38 OT-EUFAULA
Situs	00209 S "G" ST		
Sec/Twn/Rng		C/O SCOTT LAWS	
Subdivision	EUFAULA	1701 LITTLEBOW	
Block/Lot	0038 / 0005	NORTH LAS VEGAS	NV 89084-
Lot Size	1 Lots	Book/Page	
Account	460023060	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-004-00	WARRIOR, PHILLIP & TERRY A.	N80' OF W20' LOT 3 & N80'X 100' OF LOT 4 BLK 39 OT-EUFAULA 406/100
Situs	00211 S "E" ST		
Sec/Twn/Rng			
Subdivision	EUFAULA	211 S "E" ST	
Block/Lot	0039 / 0003	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page 0406-0100	
Account	460023059	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-003-00	OULDS, CHERYL L.	S60' W20' LOT 3 S60' LOT 4 N10' ABANDONED ALLEY LYING S OF LOT 3 & 4 BLK 39 OT-EUFAULA 330/291 652/147
Situs	00215 S "E" ST		
Sec/Twn/Rng		PO BOX 1555	
Subdivision	EUFAULA		
Block/Lot	0039 / 0003	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	
Account	460023050	Current Owner	Legal Description
ParcelID	1001-00-038-002-0-000-00	EUFAULA VILLAGE APTS.	LOT 2-4 BLK 38 & E10' OF ALLEY ADJ W/L LOT 2,N100' OF ALLEY BET. LOT 3-4 BLK 38 OT EUFAULA (APARTMENT) 483/305-8
Situs	00100 E J.C. WATTS JR AV	LIMITED PARTNERSHIP	
Sec/Twn/Rng		% PEARSON PROPERTY MANAGMENT	
Subdivision	EUFAULA	PO BOX 1014	
Block/Lot	0038 / 0002	GUTHRIE	OK 73044-000C
Lot Size	3 Lots	Book/Page 0483-0307	
Account	460023040	Current Owner	Legal Description
ParcelID	1001-00-034-006-0-003-00	PIERCE, JOY	S60' OF LOT 6 LESS E 30' BLK 34 OT EUFAULA 340/502 356/765 427/85
Situs	00206 E J.C. WATTS JR AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	206 JC WATTS	
Block/Lot	0034 / 0006	EUFAULA	OK 74432-000C
Lot Size	1 Lots	Book/Page 0427-0085	



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:55

Account List

Account	460023058	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-002-00	PIERCE, CLARENCE & LOU JEAN	E50' W70' & PT. OF ABANDONED ALLEY OF LOT 3 BLK 39 OT-EUFAULA
Situs	00209 E J.C. WATTS JR AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	116 OPVLIKV DR	
Block/Lot	0039 / 0003	EUFAULA OK 74432-0000	
Lot Size	1 Lots	Book/Page	
Account	460023034	Current Owner	Legal Description
ParcelID	1001-00-034-001-0-001-00	TG ENTERPRISE GROUP, LLC	S60' LOT 1 BLK 34 OT-EUFAULA 564/143
Situs	00213 E J.C. WATTS JR AV		565/113 1181/725 AND THE E10' OF
Sec/Twn/Rng		3701 NW 192ND ST	ALLEYWAY BETWEEN LOTS 1 & 6
Subdivision	EUFAULA		1187/10 1193/479
Block/Lot	0034 / 0001	EDMOND OK 73012-	
Lot Size	1 Lots	Book/Page 1181-0725	
Account	460023073	Current Owner	Legal Description
ParcelID	1001-00-040-003-0-000-00	RAMIREZ, ALFREDO	PT LOT 3 ALL LOT 4 PT LOT 5 BLK 40
Situs	00120 E J.C. WATTS JR AV		BEG NE/C LOT 4 W155.30' S188.67' TO
Sec/Twn/Rng		82 N POLK ST	PT 15.33'N 155.30'W OF SE/C LOT 3 E155
Subdivision	EUFAULA		16' N183.23' POB OT EUFAULA 265/96
Block/Lot	0040 / 0003	KIOWA OK 74553-1502	461/254 465/211 472/335 527/64 588/116
Lot Size	2 Lots	Book/Page 0874-0433	779/456 799/250 863/373 874/432 874/433
Account	460023028	Current Owner	Legal Description
ParcelID	1001-00-033-001-0-000-00	BATSON, WILLIE JR. &	LOT 1 BLK 33 OT-EUFAULA 366/549
Situs	00307 N E		547/86
Sec/Twn/Rng		ROBERTA B. MATHES & ALEX	
Subdivision	EUFAULA	307 SOUTH "G" STREET	
Block/Lot	0033 / 0001	EUFAULA OK 74432-	
Lot Size	1 Lots	Book/Page	
Account	460023033	Current Owner	Legal Description
ParcelID	1001-00-033-005-0-000-00	MATHES, ROBERTA B. &	LOT 5 BLK 33 OT-EUFAULA 397/728
Situs	00104 S "E" ST		384/573 533/371-6
Sec/Twn/Rng		ALEX BATSON	
Subdivision	EUFAULA	307 SOUTH "G" STREET	
Block/Lot	0033 / 0005	EUFAULA OK 74432-	
Lot Size	1 Lots	Book/Page	
Account	460023032	Current Owner	Legal Description
ParcelID	1001-00-033-004-0-000-00	FRANKLIN, SUZANNA J.	LOT 4 BLK 33 OT-EUFAULA 881/619
Situs	00119 E J.C. WATTS JR AV		(SUZANNA FRANKLIN)
Sec/Twn/Rng			
Subdivision	EUFAULA	119 E J.C. WATTS AVE	
Block/Lot	0033 / 0004	EUFAULA OK 74432-0000	
Lot Size	1 Lots	Book/Page 0881-0619	



April 23, 2024

SULPHUR SPRINGS BAPTIST CHURCH
206 S G STREET
EUFAULA, OK 74432

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: 230 JC Watts Jr Ave.

Legal Description: parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning.

Current Zoning: R-1 Residential.

Proposed Zoning: RM-1 Residential Multi Family

Applicant/s: Thomas Boling

Enclosed is a map showing the approximate section being considered for the Zoning Change request.

You are being notified because you are listed as a property owner within a 300-foot radius. 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

The public hearings will be held as follows:

May 20, 2024 at 5:30 P.M. Planning and Zoning Commission, Eufaula Community Center, 121 High Street.

June 3, 2024 at 5:30 P.M. Eufaula City Council, Eufaula City Hall, 64 Memorial Dr.

You are welcome to attend the public meeting and provide comment at the designated time.

Respectfully,
Julie Musgraves
Administrative Assistant
City of Eufaula



ERTIES
NC.

MONSE,
GEORGE
WAYNE

ve

RANDY
LINDA

41

RAMIREZ,
ALFREDO

SDS

SD St

WATTS, J.C. JR.
& FRANKIE

THOMAS,
ERWIN
TIMOTHY &

FRANKLIN,
SUZANNA J.

MATHES,
ROBERTA B. &

J C Watts Jr Ave

RAMIREZ,
ALFREDO

40

RAMIREZ,
ALFREDO

SE St

SE St

SE St

FORTENBERRY,
LOREDA

YONA
HOLDING
COMPANY,
LLC

PIERCE, JOY

WILLIAMS,
JELLA

34

YONA
HOLDING
COMPANY,
LLC

TG
ENTERPRISE
GROUP, LLC

J C Watts Jr Ave

J C Watts Jr Ave

WARRIOR,
PHILIP &
TERRY A.

OULD,
CHERYL L.

WATTS, EMMA

WATTS, EMMA

STOKES,
CAROLYN

PIERCE,
CLARENCE &
LOUJEAN

DOWNUM,
CHARLES
COLUMBUS

39

WATTS, EMMA

NICHOLS,
TERRY

NICHOLS,
TERRY

NICHOLS,
TERRY D.

SULPHUR
SPRINGS
BAPTIST
CHURCH

SULPHUR
SPRINGS
BAPTIST
CHURCH

WATTS, EMMA

MCGRUFF,
ROOSEVELT

MCGRUFF,
ROOSEVELT
ETAL

SULPHUR
SPRINGS
BAPTIST
CHURCH

SULPHUR
SPRINGS
BAPTIST
CHURCH

GAP HAWK,
LLC

SG St

SG St

J C Watts Jr Ave

J C Watts Jr Ave

Eufaula Village
Apartments

EUFULA
VILLAGE
APTS.

LAWS, BESSIE

PIONEER
BUSINESS
INVESTMENTS

PENDARVIS,
RONALD III
& JUSTEENA

MUSCOGEE
CREEK
NATION

CRAWFORD,
THOMAS

CRAWFORD,
THOMAS &
CHERYL

35

TG
ENTERPRISE
GROUP, LLC

2

2c Boling watts. 46.

COUNTY OF MCINTOSH)
STATE OF OKLAHOMA)

PUBLICATION FEE: \$ 57⁰⁰

250 words; 2 tabular lines;
2 column(s); — insertions

IN THE DISTRICT COURT
NO. PUBLIC HEARING NOTICE
W/ MAP

Shown exactly as published in
Newspaper

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

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative 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:

May 2, 2024

[Handwritten Signature]

Signed and sworn to before me on this 2nd day of May, 2024.

[Handwritten Signature]
Notary Public

My Commission expires: April 3, 2026
Commission # 06003427

Legal Notice

Published in the Eufaula Indian Journal,
Thursday, May 2, 2024

**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: parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning.

General Location Known as: 230 JC Watts Jr Ave.

Current Zoning: R1 - Residential.

Proposed Zoning: RM-1 Residential Multi Family

Applicant/s: Tom Boling

The public hearing will be held as follows:

May 20, 2024 at 5:30 P.M. Planning and Zoning Commission, Eufaula Community Center, 121 High Street.

June 3, 2024 at 5:30 P.M. Eufaula City Council, Eufaula City Hall, 64 Memorial Dr.

At this time any interested citizen of Eufaula, Oklahoma will have the opportunity to be heard regarding the zoning change 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.

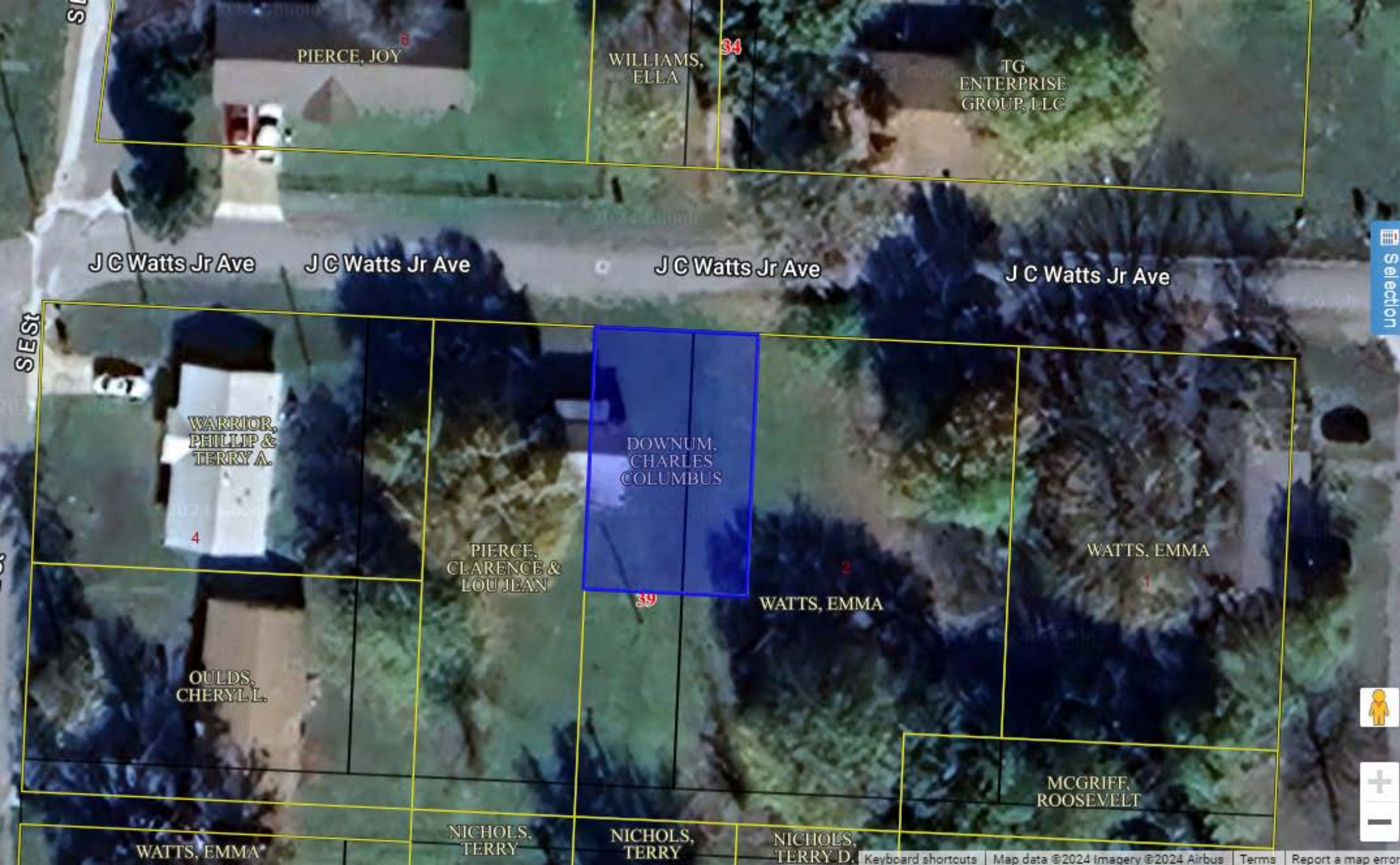


SHAUNA BELYEU

Notary Public - State of Oklahoma

Commission Number 06003427

My Commission Expires Apr 3, 2026



1001-00-039-002-0-004-00

Show Detailed Report

Parcel ID
1001-00-039-002-0-004-00

RPID
460023057

Owner
DOWNUM, CHARLES COLUMBUS

Owner Address
% TERESA DAVIS RT 6 BOX 372
EUFAULA OK 74432-0000

CAMA Acreage
0

Parcel Address
Partial Legal
W20' N80' OF LOT 2 &; E30' OF
N80' OF LOT 3 BLK 39 OT-
EUFAULA 241/175 703/293

Capped Value
981

Selection



Calculated GIS Area
0.092 acres
4,008.6944 sq feet
0.0001 sq miles
372.4203 sq meters
0.0004 sq kilometers



Calculated GIS Length

50.0385 feet

0.0095 miles

15.2517 meters

0.0153 kilometers

CHAPTER 5

RD, RM-1, AND RMHP: RESIDENTIAL TWO-FAMILY, MULTI-FAMILY, MANUFACTURED HOME PARK, MANUFACTURED HOME SUBDIVISION

- 500 General Description – RD: Residential Two-Family
- 502 Permitted Principal Uses
- 504 Permitted Accessory Uses and Structures
- 506 Uses Permitted by Special Exception
- 508 Uses Permitted by Specific Use Permit
- 510 Minimum Yard Requirements
- 512 Minimum Lot Area
- 514 Minimum Lot Width and Frontage
- 516 Maximum Height of Structures
- 518 **General Description – RM-1: Residential Multi-Family**
- 520 Permitted Principal Uses
- 522 Permitted Accessory Uses and Structures
- 524 Uses permitted by Special Exception
- 526 Uses permitted by Specific Use Permit
- 528 Minimum Yard Requirements
- 530 Minimum Lot Area
- 532 Minimum Lot Width and Frontage
- 534 Maximum Height of Structures
- 536 General Description – RMHP: Residential Manufactured Home Park
- 538 Permitted Principal Uses
- 540 Permitted Accessory Uses and Structures
- 542 Uses Permitted by Special Exception
- 544 General Requirements
- 546 Tract Development Standards
- 548 Internal Space Requirements
- 550 Definitions

SECTION 500 GENERAL DESCRIPTION

This residential district is designed to provide for a slightly higher population density than the RS districts, yet be compatible near single-family uses. This district is generally located adjacent to the high density multi-family district and provides a transition from the high density land uses to single family uses.

SECTION 502 PERMITTED PRINCIPAL USES

Principal uses permitted in the RD Residential, Two-Family districts are as follows:

- (a) Any principal use permitted other than by Special Exception, in the RS-3 Residential Single Family district.
- (b) Two-Family/duplex dwellings. (Specific Use Condition)

Use Condition

A Two-Family/duplex dwelling shall:

1. Be attached to a permanent foundation as defined herein;
2. Utilize customary residential exterior finishing materials as defined herein;
3. Have a core area of living space in each dwelling unit at least 600 sq.ft. in size exclusive of an attached garage; and
4. Meet all other City Codes and Ordinances.

SECTION 504 PERMITTED ACCESSORY USES AND STRUCTURES

Accessory uses and structures customarily incident to a permitted principal use in Residential Two Family district are permitted in such districts. In addition, the following uses are permitted as accessory uses:

- (a) Fallout and/or storm shelter.
- (b) Home occupation, subject to the provisions of Section 208.
- (c) Signs subject to the provisions of Chapter 15.
- (d) Family day care home subject to the provisions of Section 236.

SECTION 506 USES PERMITTED BY SPECIAL EXCEPTION

The following uses may be permitted as Special Exceptions by the Board of Adjustment in accordance with the provisions contained in Chapter 18.

- (a) Any uses permitted by Special Exception in the RS-3 Single Family Residential district.

SECTION 508 USES PERMITTED BY SPECIFIC USE PERMIT

The following uses may be permitted as Specific Use Permit by the Planning and Zoning Commission and City Council in accordance with the provisions contained in Chapter 22.

- (a) Any uses permitted by Specific Use Permit in the RS-3 Single Family Residential district.

SECTION 510 MINIMUM YARD REQUIREMENTS

- (a) Front yard - The depth of the required front yard shall be determined in the following manner. Measured from the centerline of the abutting street, add 1/2 of the right-of-way designated on the Major Street Plan or 25 feet if not designated on the Major Street Highway Plan, to a setback of thirty-five (35) feet on arterial streets and twenty-five (25) feet on non-arterial streets. When a lot has double frontage, the front yard requirements shall be provided on both streets.
- (b) Side yard - All buildings shall be setback from the side lot line to comply with the following side yard requirements:
 - (1) For dwellings located on an interior lot, there shall be a minimum side yard of five (5) feet per story or level of structure.
 - (2) For unattached buildings accessory to residential uses on an interior lot there shall be a minimum side yard of five (5) feet per story or level of structure.
 - (3) On any corner lot, the depth of the required exterior side yard shall be determined in the following manner. Measured from the centerline of the abutting street, add 1/2 of the right-of-way designated in the Major Street Plan, or 25 feet if not designated on the Major Street Plan, to a setback of twenty (20) feet on arterial streets and fifteen (15) feet on non-arterial streets. The interior side yard requirements shall be for dwellings and accessory buildings, the same as in (1) and (2) above; for all other principal or accessory building, the same as (4) below.
 - (4) For all other principal or accessory buildings on an interior lot there shall have a minimum setback of fifteen (15) feet.
- (c) Rear yard - There shall be a rear yard for principal buildings of not less than fifteen (15) feet.
 - (1) Unattached buildings of accessory uses may be located in the rear yard, but shall be setback at least five (5) feet from the rear property line or outside any utility easement, whichever is greater.

SECTION 512 MINIMUM LOT AREA

- (a) For each residential structure and buildings accessory thereto, there shall be a lot area of not less than:

- (1) for Single Family dwelling: 5,000 sq. ft.
- (2) for Two-Family dwelling: 8,000 sq. ft.
- (b) Where a lot has less area than herein required and all the boundary lines of that lot touch lands under other ownership on the effective date of this ordinance, that lot may be used for any of the uses, except churches, permitted in the RS-1 district.
- (c) For churches and main accessory buildings, other than a dwelling and buildings accessory to the dwelling, the lot area shall be adequate to provide the minimum yard areas required by this section and the off-street parking areas required in Chapter 14.

SECTION 514 MINIMUM LOT WIDTH AND FRONTAGE

- (a) For residential structures there shall be a minimum lot width at the front building line of the following:
 - (1) for Single Family dwellings: 50 feet
 - (2) for Two-Family dwellings: 80 feet
- (b) For uses other than dwellings, the lot width shall be adequate to provide the minimum side yards required in the Residential Two Family District, Section 510.
- (c) All lots shall abut on a street for a distance of not less than the following:
 - (1) for Single-Family dwellings: 30 feet
 - (2) for Two-Family dwellings: 40 feet

SECTION 516 MAXIMUM HEIGHT OF STRUCTURES

No structures shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

SECTION 518 GENERAL DESCRIPTION – RM-1: RESIDENTIAL MULTI-FAMILY

The RM-1 Multi-Family Residential district is provided to allow medium to high population density along with religious, recreational and educational facilities. The district is generally located adjacent to the commercial districts and permits a transition to the Single Family Residential districts.

SECTION 520 PERMITTED PRINCIPAL USES

Principal uses permitted in the RM-1 Residential, Multi-Family district are as follows:

- (a) Any principal use permitted other than by Special Exception, in RS-3 or RD Residential districts.
- (b) Multi-Family dwellings, apartments, boarding or rooming houses.
- (c) Rowhouses and townhouses within a planned unit development.
- (d) Community group home subject to the provisions of Section 240.
- (e) Elderly/Retirement housing, life care retirement center, licensed by the State of Oklahoma.
- (f) Adult Day Care.

SECTION 522 PERMITTED ACCESSORY USES AND STRUCTURES

Accessory uses and structures customarily incident to a permitted principal use in the Residential Single Family district are permitted in such districts. In addition, the following uses are permitted as accessory uses:

- (a) Fallout and/or storm shelter.
- (b) Home occupations, subject to the provisions of Section 228.
- (c) Roomers and Boarders.

In a dwelling unit occupied as a private residence, one or more rooms may be rented or table board furnished, to not more than: (a) two persons who are non-members of the family occupying said premises as a permitted accessory use; or, (b) more than two persons by special exception requiring Board of Adjustment approval. However, in either case, no window display or sign board shall be used to advertise such use.

- (d) Fraternity or Sorority House.

Fraternity, Sorority: the determination of the applicable bulk and area requirements, a fraternity, sorority, or rooming/boarding house, shall be considered a multifamily dwelling, with each 600 square feet of floor area constituting a one-bedroom dwelling unit.

- (e) Signs subject to the provisions of Chapter 15.
- (f) Family day care home subject to the provisions of Section 236.
- (g) Care Home.

(h) Children's Home (i.e. orphanage).

(i) Children's Day nursery.

SECTION 524 USES PERMITTED BY SPECIAL EXCEPTION

The following uses may be permitted as Special Exceptions by the Board of Adjustment in accordance with the provisions contained in Chapter 18.

(a) Any use permitted by Special Exception in the RS-1, RS-2, RS-3, or RD Residential District.

(b) Social services facilities.

(c) Medical facilities, other than those allowed as permitted uses in the district.

(d) High rise apartments.

(e) Fraternal-organization facilities.

(f) Any public building erected and used by any department of city, county, state or federal government.

(g) Any use permitted as a Special Exception in the RS-3 Single Family Residential district.

(h) Monastery or novitiate.

(i) Assisted Living Center.

SECTION 526 USES PERMITTED BY SPECIFIC USE PERMIT

The following uses may be permitted as Specific Use Permit by the Planning and Zoning Commission and City Council in accordance with the provisions contained in Chapter 22.

(a) Any use permitted by Specific Use Permit in the RS-1, RS-2, RS-3, or RD District.

(b) Institutions of a religious, educational or philanthropic nature.

(c) Emergency and protective shelter.

(d) Nursing home or convalescent home licensed by the State of Oklahoma.

SECTION 528 MINIMUM YARD REQUIREMENTS

- (a) **Front yard** - The depth of the required front yard shall be determined in the following manner. Measured from the centerline of the abutting street, add 1/2 of the right-of-way designated on the Major Street Plan or 25 feet if not designated on the Major Street Plan, to a setback of thirty-five (35) feet on arterial streets and twenty-five (25) feet on non-arterial streets. When a lot has double frontage, the front yard requirements shall be provided on both streets.
- (b) **Side yard** - All buildings shall be setback from the side lot line to comply with the following side yard requirements:
 - (1) For buildings located on an interior lot, there shall be a minimum side yard on both sides of the building of five (5) feet for single and two family dwellings and **ten (10) feet plus five (5) feet for each additional story or part thereof over one for all other principle structures.**
 - (2) For unattached buildings of accessory use, there shall be a side yard of not less than five (5) feet.
 - (3) On any corner lot, the depth of the required exterior side yard shall be determined in the following manner: measured from the centerline of the abutting street, add 1/2 of the right-of-way designated in the Major Street Plan, or 25 feet if not designated on the Major Street Plan, to a setback of twenty (20) feet on arterial streets and fifteen (15) feet on non-arterial streets. The interior side yard shall be the same as for structures on interior lots.
- (c) **Rear yard** - There shall be a rear yard for principle buildings of not less than 20 feet and for garage apartments or detached accessory buildings five (5) feet from the utility easement or ten (10) feet from the rear property line, whichever is greater.

SECTION 530 MINIMUM LOT AREA

- (a) For each dwelling and buildings accessory thereto, there shall be a lot area of not less than:
 - (1) 5,000 square feet: for single family dwelling;
 - (2) **7,000 square feet: for two family dwelling;**
 - (3) 2,500 square feet for each dwelling in a multi-family dwelling
- (a) For other principle uses except dwellings, the lot area shall be adequate to provide the minimum yard requirements of Section 650 and the off-street parking required in Chapter 14.

SECTION 532 MINIMUM LOT WIDTH AND FRONTAGE

- (b) **For dwellings there shall be a minimum lot width at the front building line of the following:**

- (1) 50 feet for single family dwellings on individual lots.
 - (2) 70 feet for two family dwellings on individual lots.
 - (3) 75 feet plus an additional five (5) feet for each additional dwelling over three (3), but in no case greater than 200 feet for multi-family dwellings or group developments other than townhouses or rowhouses.
- (c) For uses other than dwellings, the lot width shall be adequate to provide the minimum side yards required in the Residential Multi-Family district.
- (d) All lots shall abut on a street for a distance of not less than the following:
- (1) 30 feet for single family dwellings on individual lots.
 - (2) 35 feet for two-family dwellings on individual lots.
 - (3) 35 feet plus an additional two (2) feet for each additional dwelling over three (3) but in no case greater than 100 feet for multi-family dwellings or group developments including townhouses and rowhouse developments.

SECTION 534 MAXIMUM HEIGHT OF STRUCTURES

No structures in Residential Multi-Family shall exceed three stories or forty (40) feet in height.

SECTION 536 GENERAL DESCRIPTION – RMHP: RESIDENTIAL MANUFACTURED HOME PARK

Manufactured homes within the City of Eufaula shall be limited to either residential manufactured home park developments in which there is one land owner, or residential manufactured home subdivisions, as set forth below. This zoning district is intended to provide for manufactured homes in a manufactured home park as an alternate living style and dwelling type to conventional multi-family housing. The purpose of this district is to provide a grouping of manufactured home sites within the setting of a manufactured home park which has the necessary improvements and amenities to provide a suitable living environment for its residents. A minimum size for individual manufactured home space is required so that overcrowding is prevented and minimum levels of privacy are maintained. A minimum manufactured home park size is established to assure a desirable residential environment is created and to provide separation from neighboring conventional housing areas.

SECTION 538 PERMITTED PRINCIPAL USES

Principal use permitted in the RMHP Residential, Manufactured Home Park district are as follows:

- (a) One family per single, double or triple wide manufactured home or modular home development that consists of two or more tract(s) under common ownership or control which shall be contiguous or separated only by non-arterial streets or alleys, each placed on permanent foundations, tied-down according to City regulations, with all hitches, wheels and axles removed and the area under the home completely enclosed.
- (b) Public park or playground.

SECTION 540 PERMITTED ACCESSORY USES AND STRUCTURES

Accessory uses and structures customarily incident to a permitted principal use in Residential Manufactured Home Park (RMHP) district are permitted in such district.

Accessory Buildings:

Minimum Area	36 sq. ft.
Maximum Area	100 sq. ft.
Minimum Setback from Space Boundary	5 feet
Minimum Separation from Adjacent Dwelling	10 feet
Maximum Area Under Roof*	45% of the Space

*area under roof is the sum of the square footages of the dwelling plus any carport approved by the Board of Adjustment and outdoor shelters, plus any independent accessory buildings.

SECTION 542 USES PERMITTED BY SPECIAL EXCEPTION

The following uses may be permitted as special exceptions by the Board of Adjustment in accordance with the provisions contained in Chapter 18.

- (a) Those uses permitted as Special Exceptions in the RS-1 Residential Single Family District.
- (b) Those uses allowed as Permitted Principal Uses in the RS-1 Residential Single Family District

SECTION 544 GENERAL REQUIREMENTS

- (a) Minimum internal private street surfacing width of 24 feet that shall be hard surfaced.
- (b) All dwellings shall be placed on permanent foundation, all wheels and axles removed. All dwellings shall be certified and display such certification that they have been constructed and comply with the National Mobile Home Construction and Safety Standards.

- (c) One identification sign may be erected on each perimeter street frontage of a manufactured home park. The sign shall not exceed two tenths of a square foot of display surface area per lineal foot of street frontage; provided however, that in no event shall the sign be restricted to less than 32 square feet nor permitted to exceed 150 square feet of display surface area. The sign shall not exceed 20 feet in height, and illumination, if any shall be by constant light.

SECTION 546 TRACT DEVELOPMENT STANDARDS

Tract Area (min.)	5 acres
Land Area per Dwelling Unit (min.)	6,000 sq. ft.
Tract Width (min.)	200 feet
Setback Abutting a Public Street (min.): Measured from the centerline; add to the distance 1/2 of right of way width designated on Major Street Plan plus the designated distance below, or 25 feet, if not designated on the Major Street Plan:	
Abutting an Arterial or a Freeway Service Road:	35 feet
Not abutting an Arterial or Freeway Service Road:	25 feet
Height of Structures:	20 feet maximum (one story)

Common park/recreational open space and facilities (which may include trails, playgrounds, community buildings and tot-lots) shall be delineated and provided on each development established under these regulations equal to at least 6% of the total gross tract area, exclusive of open area on each space.

SECTION 548 INTERNAL SPACE REQUIREMENTS

Exclusive of Streets and Required Open Space

Minimum Space Width	20 feet
Minimum Space Area	1,500 sq. ft
Side Yards (min.)	
One side yard	5 feet
Other side yard	10 feet
Rear yard	10 feet
Front yard	As figured above in Section 546, Setbacks

Minimum Separation between Dwellings:	15 feet
Minimum Paved Off Street Parking Spaces per dwelling unit:	2

A paved outdoor living area shall be provided on each space and shall be a minimum of 100 square feet and shall have an average dimension of not less than 10 feet. This area may be covered with a roof, subject to limitations imposed by maximum area under roof. Required

parking areas and driveways shall be of all weather all purpose material such as concrete or asphalt.

SECTION 550 DEFINITIONS

Mobile Home: This term used for factory built homes produced prior to June 15, 1976, when the HUD Code went into effect. By 1970, these homes were built to voluntary industry standards that were eventually enforced by 45 states.

Manufactured Home: These are homes built entirely in the factory under a federal building code administered by the U.S. Department of Housing and Urban Development (HUD). The Federal Manufactured Home Construction and Safety Standards (commonly known as the HUD Code) went into effect June 15, 1976. Manufactured homes may be single or multi section and are transported to the site and installed. The federal standards regulate manufactured housing design and construction, strength and durability, transportability, fire resistance, energy efficiency and quality. The HUD Code also sets performance standards for the heating, plumbing, air conditioning, thermal and electrical systems. It is the only federally regulated national building code. On site additions, such as garages, decks and porches, often add to the attractiveness of manufactured homes and must be built to local, state or regional building codes.

Modular Home: These factory built homes are built to state, local or regional code where the home will be located. Modules are transported to the site and installed.

Panelized Home: These are factory built homes in which panels - a whole wall with windows, doors, wiring and outside siding - are transported to the site and assembled. The homes must meet state or local building codes where they are sited.

Pre-Cut Homes: This is the name for factory built housing in which building materials are factory cut to design specifications, transported to the site and assembled. Pre-cut homes include kit, log and dome homes. These homes must meet local, state or regional building codes.

Agenda
Board of Adjustment
May 20, 2024
5:30 p.m.

Board of Adjustment

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member Serina Kleveter
Member Chelsea Lewis

1. Call to Order Chairman Sam Sylvester
2. Roll Call /Attendance Executive Assistant Julie Musgraves
3. Approval of Minutes.
 - A. Board of Adjustment meeting April 15, 2023
4. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of a Zoning Variance/Special Exception Application requesting a variance for lot size and setbacks to build a multifamily duplex at the parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning. Commonly known as 230 JC Watts Jr Ave.
 - a) Conduct a public hearing.
 - b) Take action.
5. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application requesting a Special Use Permit for a short-term residential rental (AirBnB) at the following location: Lot Seven (7), Block One (1), Rainbow Bend Estates, McIntosh County, State of Oklahoma., according to the recorded Plat thereof. Commonly known as 1977 Coon Creek Road..
 - c) Conduct a public hearing.
 - d) Take action.
6. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or

Postponement of an application requesting a Special Use Permit for short-term vacation rentals (AirBnB) at the following location: Lots 34- 45 of Southmore Addition, to the City of Eufaula, McIntosh County Commonly known as 701 S Main St.

- e) Conduct a public hearing.
- f) Take action.

7. Adjournment.

MINUTES
Board of Adjustment
April 15, 2024
5:30 p.m.

Board of Adjustment

Chairman Sam Sylvester
Vice Chairman Brandon Linstead
Secretary Gordon Pennington
Member Serina Kleveter
Member Chelsea Lewis

1. Call to Order 6:00PM Chairman Sam Sylvester

2. Roll Call /Attendance Executive Assistant Julie Musgraves
Members Present: Sylvester, Pennington, Linstead, Kleveter. Members Absent: Lewis

3. Approval of Minutes.
 - A. Board of Adjustment meeting February 26, 2023
Motion to Approve Minutes by Linstead, 2nd by Sylvester. Roll Call Vote: Yes-
Sylvester, Linstead, Pennington, Kleveter

4. Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of a Zoning Variance/Special Exception Application requesting permission to place an off-site sign advertising their business on an existing sign pole at the Northeast corner of 402 South Main St. Description: Lots 2-3 BLK 124 Eufaula O.T. Commonly known as 402 S Main St.
 - a) Conduct a public hearing.
 - b) Take action.
Motion to Approve with the condition that ODOT can remove the sign at anytime by Kleveter, 2nd by Pennington. Roll Call Vote: Yes- Sylvester, Linstead, Pennington, Kleveter

5. Adjournment.
Motion to Adjourn by Pennington, 2nd by Kleveter. Roll Call Vote: Yes- Sylvester, Linstead, Pennington, Kleveter



Board of Adjustment Item No. 4

Meeting Date: May 20, 2024

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of a Zoning Variance/Special Exception Application requesting a variance for lot size and setbacks to build a multifamily duplex at the parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning. Commonly known as 230 JC Watts Jr Ave.

Initiator: Tom Boling

Staff Information Source: Julie Musgraves, Executive Assistant.

Background: Tom Boling submitted an application on April 15, 2024 requesting a variance for lot size and setbacks. The lot that he is wishing to build a duplex on is 4,0008 sq ft. The code requires the lot to be 7,000 sq feet. He is also requesting that we waive the regulatory setbacks and street frontage. The variance will be contingent on whether the lot is rezoned RM-1 Residential Multi Family.

All property owners within a 300-foot radius were notified by mail in a letter dated April 23, 2024. No property owners have contacted the City of Eufaula with written objections to this project.

Attachment: Zoning Change Application, Warranty Deed, Letter of Okay from Owners 300 ft. Radius List, 300 ft. Radius Letters with Map, and the Indian Journal Publication.

CITY OF EUFAULA

APPLICATION FOR ZONING VARIANCE / SPECIAL EXCEPTION REQUEST

Date: _____

Address or General Description: 230 Jc Watts Jr Ave - Vacant lot

Present Zoning: Residential Owner of Record: Charles Columbus Downum Trust

Legal Description of tract under application, if described by meters and bonds, attach plat of survey: Address - 230 Jc Watts Jr Ave -

Legal: W20' N80' of lot 2 & E30' of N80' of lot 3

BLK 39 OT - Eufaula 241/175 703/293

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. Purchaser

Are there any private or deed restrictions controlling use of tract (If yes, explain): _____

None Known

Responsible party for advertising, zoning variance application fee (\$150.00), and any additional fees:

Name: Tom Boling

Address: 3701 NW 19th Edmond OK 73012

Phone: (405) 203-5247

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

Signed: [Signature] Date: _____

Printed Name: Tom Boling Phone: 405 203 5247

Address: 3701 NW 19th Edmond OK 73012

A. General Description of Property

Size in Acres or Square Feet: 50 x 80 = 4,000 sq. Ft

Current Use: residential

Topography (Flat, Rolling Hills, Etc.): Flat

Frontage Road (Name and Description): East J C Watt Jr. Dr

Identify structures and improvements on property: none

Vacant lot

City Water: YES NO

City Sewer: YES NO

Identify the use(s) intended for the subject property: Duplex multi Family

B. General Description of Adjacent Property

Identify any buildings and give their approximate distance from your property lines: _____

- 1) 10ft - Vacant house (West)
- 2) 200ft - Vacant house (East)

Explain the surrounding land uses: Residential and Multi-family

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? no

Does the extraordinary or exceptional conditions or circumstances apply to other property in the same use district? Explain: no

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: no

Describe the variance/special exception as it pertains to your property: lot is
4,000 sq. residential should be 5,000

Describe the benefits, if any, of your requested variance/special exception to the adjacent properties and/or to the City of Eufaula: To improve neighborhood
property and provide tax money for the City

Identify how well suited the subject property is for the requested variance/special exception. (Cite such advantages as topography, foliage, soil, drainage, access, distance to centers of population, availability of utilities, etc.) Explain: Drainage is fine. Right off of
paved street, JC Watts Jr. Water, sewer & electricity all ^{available} available.

Explain how the variance/special exception request will affect the road system(s) serving your area: Will NOT effect. Will give more tax dollars for maintenance

Give an estimated traffic count (average daily trips) for the variance/special exception request. How will the potential traffic resulting from the increased use or activity be controlled? Will not impact

Is the variance/special exception requested comparable to surrounding permitted uses and the existing development pattern? yes

How will the variance/special exception request be detrimental to property in the same zone or vicinity? (Identify any adverse effects and explain measures you would propose to minimize these effects) Explain: Will not have any detrimental effects

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: _____

Board of Adjustment Recommendation

Date: _____

Recommendation: _____

Vote: _____

Provisions: _____

8

GENERAL WARRANTY DEED

This General Warranty Deed is made on August 9, 2006 between Charles C. Downum a/k/a Charles Columbus Downum, II a/k/a C.C. Downum, a single person ("Grantor"), having a business address of HC 62, Box 47A, Eufaula, Oklahoma, 74432, and the Charles Columbus Downum Revocable Trust dated July 14, 2006 ("Grantee"), having a mailing address of HC 62, Box 47A, Eufaula, Oklahoma, 74432.

Grantor, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee the **surface rights only** to the following described real estate, with all improvements and attachments, situated in **McIntosh County, State of Oklahoma**, to wit:

SEE ATTACHED EXHIBIT A which consists of five pages

TO HAVE AND TO HOLD the described premises forever, free and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of any nature except: None.

Grantor hereby warrants title to the property described above.

No documentary stamps required pursuant to 68 O.S. § 3202.3.

Signed and delivered on the 9th day of August, 2006.

EXHIBIT A
TO GENERAL WARRANTY DEED

MCINTOSH COUNTY, OKLAHOMA

1.	Beginning at the Northwest Corner of the SW/4 SW/4 of Section 22, Township 10 North, Range 17 East; Thence South along Red Bird Road Section line for a distance of 879 feet; Thence due East for a distance of 1320 feet to a point; Thence 219 feet due South to the point of beginning; Thence 660 feet East to a point; Thence 72 feet South to a point; Thence 660 feet West to a point; Thence 72 feet North to the point of beginning
2.	Lot 200 in River Oaks Subdivision, being a subdivision of a part of Section 1, Township 9 North, Range 16 East, IB&M, according to the official plat thereof
3.	Lots 29, 30, 31 and 32 in Block 1, Rainbow Bend, a subdivision of a part of the NW/4 of Section 28, Township 10 North, Range 16 East
4.	A parcel of land situated in the SW/4 SE/4 of Section 1, Township 10 North, Range 16 East, more particularly described as beginning at the Southwest Corner of said SW/4 SE/4 of said Section 1; Thence North from the section line and along the West line of said SW/4 SE/4 a distance of 580.8 feet; Thence East along a line perpendicular with the aforesaid line a distance of 150 feet; Thence South a distance of 580.08 feet to the said South line of said Section 1; and Thence West along such section line a distance of 150 feet to the point of beginning
5.	A tract of land located in the SE/4 SW/4 of Section 1, Township 10 North, Range 16 East, more particularly described as follows: Beginning at the Southeast Corner of said SE/4 SW/4; Thence north 272 feet; Thence West 23 feet; Thence South 272 feet; Thence East 23 feet to the point of beginning
6.	A tract of land located in the SE/4 SE/4 of Section 6, Township 10 North, Range 17 East of the Indian Base and Meridian, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the SW Corner of the SE/4 SE/4 of said Section 6; Thence North along the West line of said SE/4 SE/4 417.50 feet; Thence East, on line parallel to South Section line 417.50 feet; Thence South on line parallel to West line of said SE/4 SE/4 417.50 feet to Section line road; Thence West 417.50 feet to the point or place of beginning
7.	A tract of land situated in the NE/4 NE/4 of Section 34, Township 10 North, Range 16 East of the Indian Base and Meridian in McIntosh County, Oklahoma, better described as follows: Beginning 2009.10 feet North of the Southeast corner of the NE/4 along the East line of Section 34, and South 89 degrees, 48 minutes, 26 seconds West 352.49 feet to the true point of beginning, said point being on the West R/W of the present U.S. 69 Hwy; Thence South 89 degrees, 48 minutes, 26 seconds West 671.16 feet; Thence South 00 degrees, 05 minutes, 46 seconds West 330.00 feet; Thence North 89 degrees, 48 minutes, 26 seconds East 651.11 feet to the West R/W of U.S. 69 Hwy; Thence North 00 degrees, 05 minutes, 46 seconds East along said R/W of U.S. 69 Hwy 43.64 feet; Thence North 04 degrees, 11 minutes, 23

	seconds East along said West of R/W of U.S. 69 Hwy 287.20 feet more or less to the true point of beginning. Said parcel contains 5.00 acres more or less
8.	The NE/4 SW/4 of Section 2, Township 9 North, Range 15 East
9.	#9 is intentionally left blank
10.	A tract of land located in Lot 122, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East of the Indian Meridian, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the Southeast Corner of Lot 122 North 50 degrees, 45 minutes, 39 seconds West 243.85 feet; Thence Northeasterly along the dedicated roadway 51.09 feet; Thence East 169.56 feet; Thence South 200.15 feet to the point of beginning, Less all minerals reservations of record and subject to the rights acquired therein by the United States of America
11.	Lot 60, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
12.	Lots 69 and 70, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
13.	A tract of land lying in Lot 171, Coon Creek Acres, a subdivision of the NE/4 of Section 28, Township 10 North, Range 16 East, McIntosh County, Oklahoma, more particularly described as follows: Beginning at the NE Corner of Lot 171, Thence South 140 feet; Thence West 75 feet; Thence North 140 feet; Thence East 75 feet to the point of beginning, Less all minerals reservations of record and subject to all rights acquired therein by the USA
14.	Lots 10, 11, 119, 120 and 121, Coon Creek Subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
15.	Lots 9 and 10, Block 1, Coon Creek Acres No. 2
16.	Lots 80, 81 and 118 Coon Creek Subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
17.	Lot 121, Coon Creek Acres, being part of the NE/4 of Section 28, Township 10 North, Range 16 East of the Indian Base and Meridian, McIntosh County, Oklahoma, according to the recorded plat thereof; Less and exempt all coal, oil, gas, hydrocarbons and minerals in and under said lands
18.	A tract of land located in Lot 10, Coon Creek Acres, more particularly described as follows: Beginning at a point 195.56 feet North of the SW Corner of said Lot 10; Thence East 167.38 feet; Thence North 110 feet; Thence West 166.64 feet; Thence South 110 feet to the point of beginning according to the recorded plat thereof

VIEW ADDITIONAL LAND RECORDS AT

OKCOUNTYRECORDS.COM

19.	The South 30 feet of the West 100 feet of Lot 6 and the East 101.7 feet of Lot 6 and all of Lot 7 in Block 101, City of Eufaula, according to the official recorded plat thereof
20.	Lots 1, 2, 5 and the East 4.5 feet of Lot 3 and the East 53.2 feet of Lot 4 all in Block 128, City of Eufaula
21.	That part of Lots 1, 2 and 3 in Block 112 of the City of Eufaula, Oklahoma, described as follows: Beginning at the NW Corner of Block 112; Thence South 100.2 feet; Thence East 100 feet; Thence North 100.2 feet to the North line of Block 112; Thence West to the point or place of beginning, in the City of Eufaula according to the official plat thereof
22.	The West 10 feet of the East 103.5 feet of Lots 1 and 2 and the West 10 feet of the East 103.5 feet of the North 28 feet of Lot 3, Block 112, City of Eufaula
23.	Lot 8 in Block 101, City of Eufaula, according to the official plat thereof
24.	The North 115 feet of Lots 4, 5 and 6 in Block 2 of Day Addition to the City of Eufaula, including ½ of all mineral rights
25.	The E/2 of Lot 4 and the E/2 of Lot 5 in Block 32, City of Eufaula
26.	The parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lots 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning
27.	The W/2 of Lot 4 and W/4 of Lot 5; and a part of Lot 7, described as: Beginning at the NW Corner of said Lot 7; Thence going East on the North line thereof a distance of 95.5 feet; Thence South parallel with the East line thereof a distance of 6.5 feet; Thence East parallel to the North line thereof a distance of 24 feet; Thence South parallel to the East line thereof, a distance of 18.5 feet to the South line thereof; Thence West 119.5 feet to the SW Corner thereof; Thence North along the West line thereof a distance of 25 feet to the point of beginning, according to the official plat thereof, All in Block 32, City of Eufaula
28.	A tract of land located in Lot 50 in Coon Creek Acres, a subdivision in McIntosh County, Oklahoma, more particularly described as follows: Beginning at the SW Corner of Lot 49; Thence Southeasterly at an angle of S 14 degrees, 00 minutes, 32 seconds East a distance of 104.35 feet to the point of beginning; Thence Southeasterly along the same angle a distance of 98 feet; Thence East a distance of 139.01 feet; Thence Northerly along the dedicated roadway a distance of 100.69 feet; Thence West a distance of 163.48 feet to the point of beginning
29.	The South 25 feet of Lot 49, Coon Creek Acres and a part of Lot 50, Coon Creek Acres, more particularly described as follows: Beginning at the NW Corner of said Lot 50; Thence South 104.35 feet at an angle of North 14 degrees, 00 minutes, 32 seconds West; Thence East 163.48 feet to a point; Thence North along the platted road 110.11 feet to a point;

	Thence West 231.48 feet to the point of beginning; Coon Creek Acres being a part of the NE/4 of Section 28, Township 10 North, Range 16 East, according to the recorded plat thereof
30.	A tract of land located in Lot 59, Coon Creek Acres, a subdivision of the NE/4 of Section 28, Township 10 North, Range 16 East, more particularly described as follows: Beginning at the Southwest Corner of Lot 59, Thence North 0 degrees, 23 minutes, 11 seconds East 250 feet; Thence North 89 degrees, 36 minutes, 49 seconds West 160 feet; Thence North 72 degrees, 41 minutes, 16 seconds West 123.53 feet to the point of beginning; Thence North 72 degrees, 41 minutes, 16 seconds West 100 feet; Thence South 30 degrees, 41 minutes, 00 seconds West 110 feet; Thence Southwesterly along the dedicated roadway 77.92 feet, Thence along the dedicated roadway on a curve to the right a distance of 42.69 feet; Thence North 23 degrees, 51 minutes, 08 seconds East 109.54 feet to the point of beginning, subject to all mineral reservations of record and rights acquired therein by the USA
31.	Lot 1, Less the North 60 feet thereof in Block 12 in the City of Eufaula
32.	Beginning at the Northwest Corner of the SW/4 of the SE/4 of the SW/4 of Section 35, Township 10 North, Range 16 East and running south 114 feet to Number 9 highway; Thence in a southeasterly direction following the meandering of said Number Nine (9) Highway 177 feet; Thence East 175 feet; Thence North 254 feet; Thence West 303 feet to the beginning
33.	#33 is intentionally left blank
34.	All of Lot 6 and the East 18.7 feet of Lot 7, all in Block 32, City of Eufaula
35.	A tract or parcel of land more particularly described as follows: Beginning at the Northwest Corner of the SW/4 SW/4 of Section 22, Township 10 North, Range 17 East; Thence South along Red Bird Section Line Road for a distance of 879 feet to a point; Thence East 1320 feet; Thence South from a distance of 366 feet to the point of beginning; Thence due East 660 feet; Thence 75 feet due North; Thence 660 feet due West; Thence 75 feet South to the point of beginning. Said tract situated in W/2 SE/4 SE/4 of Section 22. The above description in the Lum and Edith Davis Estates, containing 1 1/8 acres more or less including all mineral rights
36.	The Northerly 330 feet of the Easterly 660 feet of NE/4 NW/4 of Section 35, Township 11 North, Range 15 East of the I.B. & M., McIntosh County, Oklahoma. Better described as the N/2 NE/4 NE/4 NW/4 of Section 35, Township 11 North, Range 15 East, of the Indian Base and Meridian Less and Except all of the Oil, Gas, and other minerals which grantor reserves unto themselves, together with the right of ingress and egress and the use of so much of the surface as is necessary for exploration for, and development and production of, such reserved minerals
37.	Lot 154 in River Oaks, a subdivision, being a subdivision of a part of Section 1, Township 9 North, Range 16 East, IB&M, according to the official plat thereof

38.	The North 45 feet of the East 100 feet of the following described property, to wit: Beginning at a point 204.5 feet North of the Southeast Corner of the NW/4 of the SW/4 of Section 35, Township 10 North, Range 16 East; Thence North 256 feet; Thence West 213 feet; Thence South 256 feet; Thence East 213 feet to the point of beginning
39.	Lot 71, Coon Creek Acres, a subdivision of a part of the NE/4 of Section 28, Township 10 North, Range 16 East
40.	A part of Lot 2 in Section 4, Township 9 North, Range 15 East, more particularly described as follows: Beginning at a point, said point being on the Northwest Right of Way of State Highway No. 9 and 754.40 feet South of the NW corner of said Lot 2; thence North a distance of 289 feet; thence East a distance of 84.00 feet; thence North a distance of 22.50 feet; thence East a distance of 13.00 feet; thence Southeasterly 222.00 feet to a point, said point being on the NW right of way of State Highway No. 9 and a distance of 401.00 feet along the Northwest right of way of said highway from the point of beginning; thence Southwesterly along said right of way a distance of 401.00 feet to the point of beginning
41.	#41 is intentionally left blank
42.	A tract of land containing 12.32 acres more or less, in the E/2 NE/4 SW/4 of Section 12, Township 10 North, Range 14 East, more particularly described as follows: Beginning at the Northeasterly corner of the NE/4 SW/4 of Section 12, Thence 889 degrees, 29 minutes, 17 seconds West 402.69 feet along the Northerly line of the NE/4 SW/4 of Section 12, to a point on the centerline of County gravel road, Thence South 30 degrees, 42 minutes, 55 seconds West 194.11 feet along the centerline of the County gravel road, Thence South 12 degrees, 11 minutes 01 seconds West 477.93 feet along the centerline of the County gravel road, Thence South 19 degrees, 54 minutes, 54 seconds East 248.89 feet along the centerline of the County gravel road, Thence South 58 degrees, 02 minutes, 22 seconds East 228.36 feet along the centerline of the County gravel road, Thence South 68 degrees, 40 minutes 06 seconds East 278.03 feet along the centerline of the County gravel road, Thence South 27 degrees 43 minutes 31 seconds East 128.06 feet along the centerline of the County gravel road to a point on the Easterly line of the NE/4 SW/4 of Section 12, Thence North 00 degrees, 15 minutes, 59 seconds East 1207.03 feet along the Easterly line of the NE/4 SW/4 of Section 12, to the point of beginning.
43.	An undivided 1/2 interest in Lot 199, RIVER OAKS ESTATES, a subdivision, annexed to the City of Eufaula
44.	An undivided 1/2 interest in the E 60' Less N 70' of Lot 4, Block 23, Eufaula
45.	#45 is intentionally left blank
46.	W/2 SW/4 of Section 21, Township 10 North, Range 14 East

RE: Variance Application

Seller: Charles Columbus Downum Trust

Address: JC Watts Jr Ave, Eufaula

Legal: W20' N80' OF LOT 2 & E30' OF N80' OF LOT 3 BLK 39 OT-EUFAULA 241/175 703/293

Buyer: Yona Holden Holding Company, LLC | Tom & Gina Boling

The Sellers are aware and in agreement with the Buyers submitting an application with the City of Eufaula for a variance, regarding the minimum lot size requirements for the City of Eufaula.

Authentisign
 04/05/24

Authentisign
Christopher C. Downum, Trustee 04/05/24

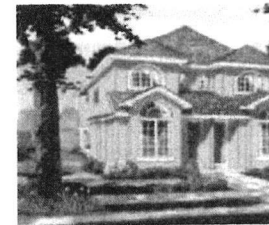
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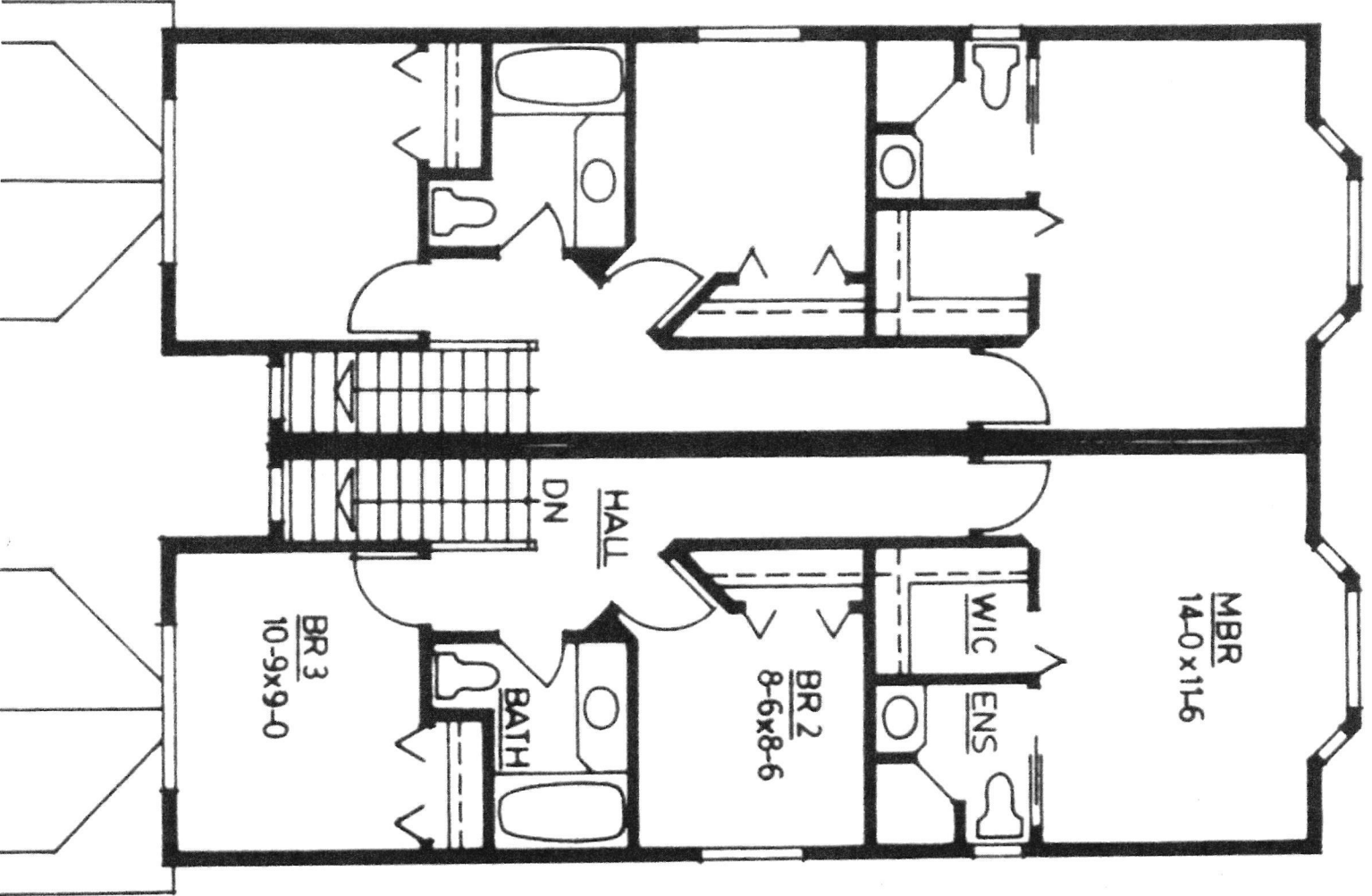
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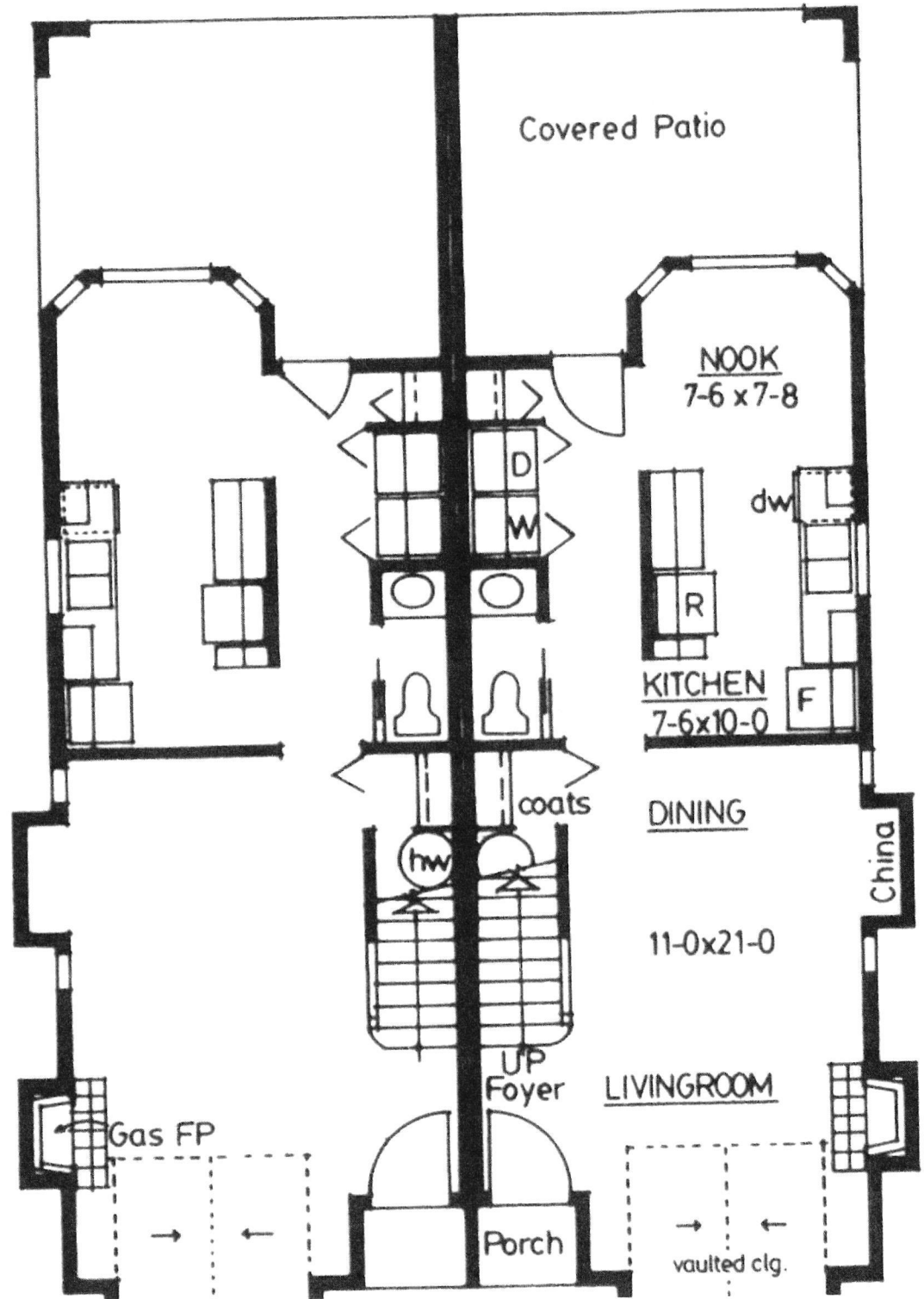
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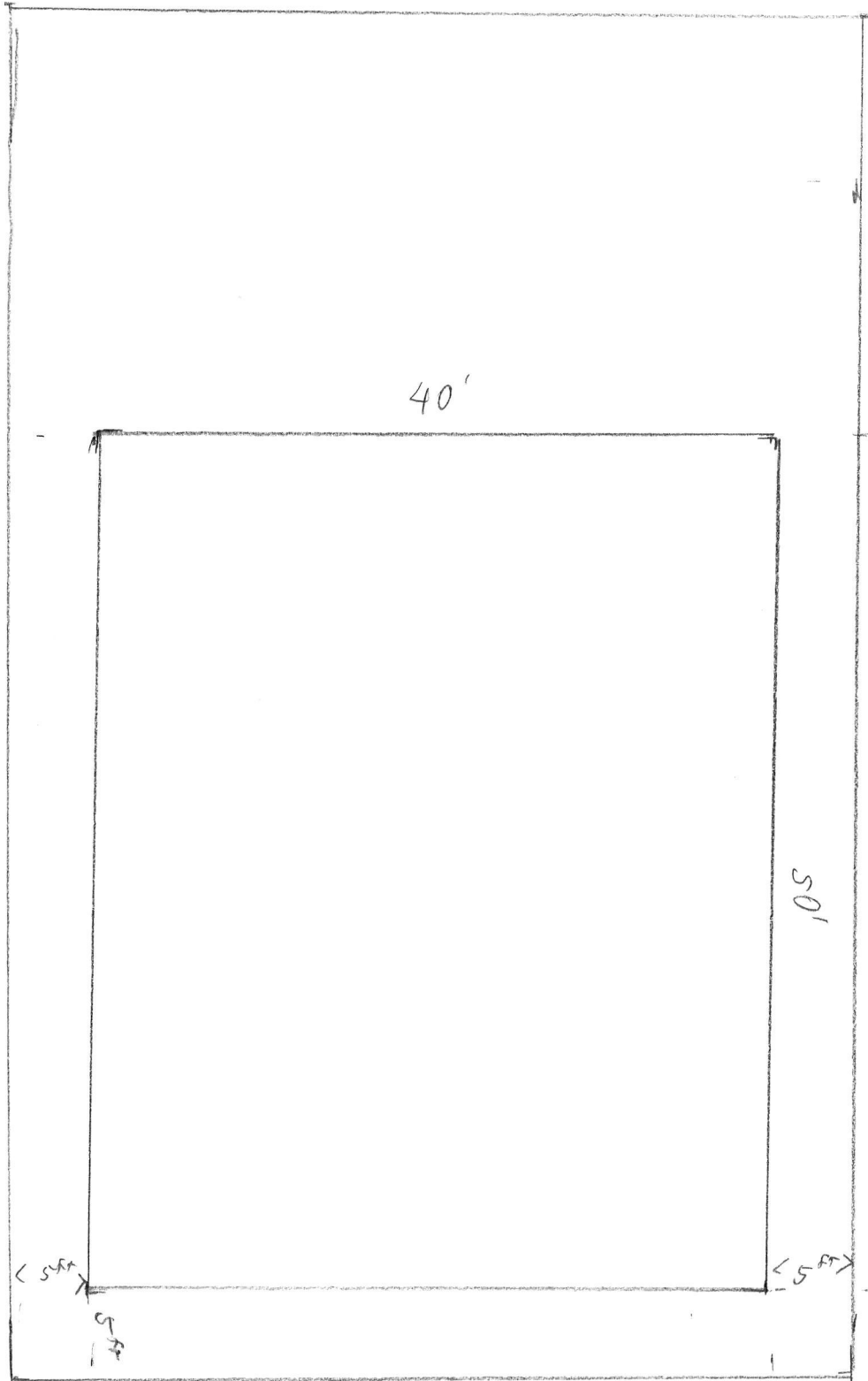
Hours: Mon - Fri 8:30 - 8:30 (EDT)

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50

JC Watt's



set back
25'

a special
variance is needed
for this site
would be 2,000
single story
or 4,000 two story

80

105

80



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:53



Account List			
Account	ParcelID	Current Owner	Legal Description
460023105	1001-00-045-002-0-000-00	OSBORNE, OSCAR QUINTON	LOT 2-4 BLK 45 OT-EUFAULA (OSBORNE PARK)
	Situs		
	Sec/Twn/Rng	% CITY OF EUFAULA	
	Subdivision	PO BOX 684	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	3 Lots		
Account	ParcelID	Current Owner	Legal Description
460023063	1001-00-039-005-0-003-00	WATTS, EMMA	N20' LOT 5 & N20' W20' LOT 6 BLK 39 OT EUFAULA 278/551 683/781
	Situs		
	Sec/Twn/Rng		
	Subdivision	PO BOX 174	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	2 Lots		
Account	ParcelID	Current Owner	Legal Description
460023061	1001-00-039-005-0-001-00	WATTS, EMMA	N60' OF S120' OF LOT 5 & N60' OF S120' OF LOT 6 BLK 39 OT-EUFAULA 683/781
	Situs		
	Sec/Twn/Rng		
	Subdivision	PO BOX 174	
	Block/Lot	EUFAULA	OK 74432-000C
	Lot Size	Book/Page	
	2 Lots		



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Parcel Map and Account Listing

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Account List

Account	Current Owner	Legal Description
Account 460034194 ParcelID 1001-00-038-006-0-001-00 Situs 00301 E HARRISON AV E Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0038 / 0006 Lot Size 1 Lots	Current Owner PENDARVIS, RONDALD III & JUSTEENA 4805 CHESTER ST SPENCER OK 73084- Book/Page 1158-0796	Legal Description W70' LOT 6 BLK 38 OT EUFAULA 865/771 960/188 1033/573 1071/413 1158/796
Account 460023069 ParcelID 1001-00-039-008-0-002-00 Situs 00229 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0008 Lot Size 1 Lots	Current Owner SULPHUR SPRINGS BAPTIST CHURCH Book/Page OK 00000-000C	Legal Description E65' S120' OF LOT 8 BLK 39 OT EUFAULA
Account 460023104 ParcelID 1001-00-045-001-0-000-00 Situs 00220 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0045 / 0001 Lot Size 1 Lots	Current Owner PIERCE, CLARENCE LEE & LOU J. 220 BOOKER T. WASHINGTON AVE EUFAULA OK 74432-000C Book/Page	Legal Description LOT 1 BLK 45 OT-EUFAULA 199/382
Account 460023065 ParcelID 1001-00-039-006-0-003-00 Situs 00219 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0006 Lot Size 2 Lots	Current Owner NICHOLS, TERRY 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0923-0614	Legal Description PT LOT 6 & 7 AND ALLEY BLK 39 OT EUFAULA BEG 170'E OF SW/C LOT 5 E50' N150' W50' S150' POB 645/04** 923/614
Account 460023066 ParcelID 1001-00-039-007-0-002-00 Situs 00217 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0007 Lot Size 1 Lots	Current Owner NICHOLS, TERRY D. 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0716-0154	Legal Description PT LOT 7 AND ALLEY BLK 39 OT EUFAULA BEG 220'E OF SW/C LOT 5 E50' N150' W50' S150' POB 645/04 716/154
Account 460023064 ParcelID 1001-00-039-006-0-002-00 Situs 00211 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0006 Lot Size 1 Lots	Current Owner NICHOLS, TERRY 1121 ELIZABETH DR CHECOTAH OK 74426- Book/Page 0640-0317	Legal Description PT LOT 6 BLK 39 & PT ABANDONED ALLEY BEG 120'E OF SW/C LOT 5 E50' N150' W50' S150' POB OT EUFAULA 640/317 645/04
Account 460023062 ParcelID 1001-00-039-005-0-002-00 Situs 00201 E BOOKER T. WASHINC Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0005 Lot Size 2 Lots	Current Owner STOKES, CAROLYN 516 SO "E" ST EUFAULA OK 74432-000C Book/Page 0411-0668	Legal Description S60' OF S120' LOT 5 S60' OF W20' OF S120' LOT 6 BLK 39 OT-EUFAULA 380/145 411/668
Account 460023052 ParcelID 1001-00-038-005-0-002-00 Situs Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0038 / 0005 Lot Size 1 Lots	Current Owner PIONEER BUSINESS INVESTMENTS LLC 1575 SE HWY 42 SUMMERFIELD FL 34491- Book/Page 1003-0578	Legal Description S40' LOT 5 BLK 38 OT-EUFAULA 943/271 1003/578
Account 460023067 ParcelID 1001-00-039-007-0-003-00 Situs 00206 S "G" ST Sec/Twn/Rng Subdivision EUFAULA Block/Lot 0039 / 0007 Lot Size 2 Lots	Current Owner SULPHUR SPRINGS BAPTIST CHURCH 229 HARRISON EUFAULA OK 74432-000C Book/Page 0404-0596	Legal Description E30' OF S120' LOT 7 & W20' OF S120' OF LOT 8 BLK 39 OT-EUFAULA 495/207



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Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:54

Account List

Account	460023055	Current Owner	Legal Description
ParcelID	1001-00-039-001-0-002-00	MCGRUFF, ROOSEVELT	S20' & ABANDONED ALLEY 20X30' IN SE/C & ADJ. 10' OF ALLEY OF LOTS 1-2 BLK 39 OT-EUFAULA
Situs	00207 S "G" ST		
Sec/Twn/Rng		214 W RACE AVE	
Subdivision	EUFAULA		
Block/Lot	0039 / 0001	CHECOTAH	OK 74426-000C
Lot Size	2 Lots	Book/Page	
Account	460023068	Current Owner	Legal Description
ParcelID	1001-00-039-007-0-004-00	MCGRUFF, ROOSEVELT ETAL	ABAN. ALLEY & 30X30 IN NE/C OF LOT 7 & ABAN. ALLEY & N20' OF LOT 8 BLK 39 OT-EUFAULA
Situs	00207 S "G" ST		
Sec/Twn/Rng		214 W RACE AVE	
Subdivision	EUFAULA		
Block/Lot	0039 / 0007	CHECOTAH	OK 74426-000C
Lot Size	2 Lots	Book/Page	
Account	460023072	Current Owner	Legal Description
ParcelID	1001-00-040-002-0-000-00	RAMIREZ, ALFREDO	LOT 2 & S PT LOT 3 & W PT LOT 3 CONTAINING 4305 SQ' BLK 40 OT EUFAULA 472/335 588/115 779/456 799/250 863/373 874/433 (2 HOUSES)
Situs	00220 S "E" ST		
Sec/Twn/Rng		82 N POLK ST	
Subdivision	EUFAULA		
Block/Lot	0040 / 0002	KIOWA	OK 74553-1502
Lot Size	2 Lots	Book/Page	0874-0433
Account	460023036	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-002-00	GAP HAWK, LLC	E67' OF N39' LOT 2 E67' LOT 3 BLK 34 OT EUFAULA 640/716 972/477 1157/526
Situs	00218 E MCKINLEY AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	3405 E LOUISVILLE	
Block/Lot	0034 / 0002	BROKEN ARROW	OK 74014-
Lot Size	2 Lots	Book/Page	1157-0526
Account	460023039	Current Owner	Legal Description
ParcelID	1001-00-034-005-0-002-00	YONA HOLDING COMPANY, LLC	S46' LOT 5 & N23' LOT 6 BLK 34 OT EUFAULA 854/211 AND THE W10' OF ALLEY WAY BETWEEN LOTS 5 & 2 1187/10 1195/588 1195/591
Situs	00109 S "E" ST		
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0034 / 0005	EDMOND	OK 73012-
Lot Size	2 Lots	Book/Page	1195-0591
Account	460023037	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-003-00	JEFFRIES, JERRY LEMON JR. & SANDRA GENE REV. TRUST	W67' E134' N39' OF LOT 2 & W67' E134' OF LOT 3 BLK 34 OT-EUFAULA 610/380 641/190 968/388
Situs	00214 E MCKINLEY AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	409 MILES	
Block/Lot	0034 / 0002	CHECOTAH	OK 74426-1174
Lot Size	2 Lots	Book/Page	0968-0388
Account	460023035	Current Owner	Legal Description
ParcelID	1001-00-034-001-0-002-00	YONA HOLDING COMPANY, LLC	N23' LOT 1 & S46' LOT 2 BLK 34 OT EUFAULA 323/533 AND THE E10' OF ALLEYWAY BETWEEN LOTS 5 & 2 1187/10 1194/88 1195/585
Situs			
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0034 / 0001	EDMOND	OK 73012-
Lot Size	2 Lots	Book/Page	1195-0585
Account	460023041	Current Owner	Legal Description
ParcelID	1001-00-034-006-0-004-00	WILLIAMS, ELLA	E30' OF S60' LOT 6 BLK 34 OT EUFAULA 89/193 97/250 AND THE W10' OF ALLEYWAY BETWEEN LOTS 6 & 1 1187/10
Situs			
Sec/Twn/Rng		% FRANCINE BLACK	
Subdivision	EUFAULA	PO BOX 1992	
Block/Lot	0034 / 0006	OXNARD	CA 93032-000C
Lot Size	1 Lots	Book/Page	
Account	460023056	Current Owner	Legal Description
ParcelID	1001-00-039-002-0-002-00	WATTS, EMMA	E30' N120' LOT 2, BEG. 115'W OF NE/C LOT 1 W50' S150' E50' N150', W50' OF E80' OF ALLEY LOT 2, W20' OF S70' LOT 2, E30' OF S70' LOT 3 BLK 39 OT EUFAULA 683/781
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	PO BOX 174	
Block/Lot	0039 / 0002	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	



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Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:54

Page : 4

Account List

Account	460023054	Current Owner	Legal Description
ParcelID	1001-00-039-001-0-001-00	WATTS, EMMA	E65' OF N120' & W20' OF N120' OF LOT 1 BLK 39 OT-EUFAULA 683/781
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	PO BOX 174	
Block/Lot	0039 / 0001	EUFAULA	OK 74432-000C
Lot Size	1 Lots	Book/Page 0683-0781	
Account	460023042	Current Owner	Legal Description
ParcelID	1001-00-035-001-0-000-00	TG ENTERPRISE GROUP, LLC	LOT 1-6 BLK 35 OT-EUFAULA (RV PARK) 625/74
Situs	00305 J C WATTS AVE		
Sec/Twn/Rng		3701 NW 192ND ST	
Subdivision	EUFAULA		
Block/Lot	0035 / 0001	EDMOND	OK 73012-
Lot Size	6 Lots	Book/Page 1181-0725	
Account	460023057	Current Owner	Legal Description
ParcelID	1001-00-039-002-0-004-00	DOWNUM, CHARLES COLUMBUS	W20' N80' OF LOT 2 & E30' OF N80' OF LOT 3 BLK 39 OT-EUFAULA 241/175 703/293
Situs		REVOCABLE TRUST	
Sec/Twn/Rng		% TERESA DAVIS	
Subdivision	EUFAULA	RT 6 BOX 372	
Block/Lot	0039 / 0002	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	
Account	460023038	Current Owner	Legal Description
ParcelID	1001-00-034-002-0-004-00	FORTENBERRY, LOREDA	N39' OF W36' LOT 2, W36' LOT 3, ALL LOT 4, N39' LOT 5 BLK 34 OT EUFAULA 723/520 723/657 834/592 AND INCLUDING ALLEY WAY BETWEEN LOTS 3 & 4 1187/10
Situs			
Sec/Twn/Rng			
Subdivision	EUFAULA	9525 S SOONER RD	
Block/Lot	0034 / 0002	OKLAHOMA CITY	OK 73165-000C
Lot Size	4 Lots	Book/Page 0834-0592	
Account	460023051	Current Owner	Legal Description
ParcelID	1001-00-038-005-0-001-00	LAWS, BESSIE	N60' LOT 5 BLK 38 OT-EUFAULA
Situs	00209 S "G" ST		
Sec/Twn/Rng		C/O SCOTT LAWS	
Subdivision	EUFAULA	1701 LITTLEBOW	
Block/Lot	0038 / 0005	NORTH LAS VEGAS	NV 89084-
Lot Size	1 Lots	Book/Page	
Account	460023060	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-004-00	WARRIOR, PHILLIP & TERRY A.	N80' OF W20' LOT 3 & N80'X 100' OF LOT 4 BLK 39 OT-EUFAULA 406/100
Situs	00211 S "E" ST		
Sec/Twn/Rng			
Subdivision	EUFAULA	211 S "E" ST	
Block/Lot	0039 / 0003	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page 0406-0100	
Account	460023059	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-003-00	OULDS, CHERYL L.	S60' W20' LOT 3 S60' LOT 4 N10' ABANDONED ALLEY LYING S OF LOT 3 & 4 BLK 39 OT-EUFAULA 330/291 652/147
Situs	00215 S "E" ST		
Sec/Twn/Rng		PO BOX 1555	
Subdivision	EUFAULA		
Block/Lot	0039 / 0003	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	
Account	460023050	Current Owner	Legal Description
ParcelID	1001-00-038-002-0-000-00	EUFAULA VILLAGE APTS.	LOT 2-4 BLK 38 & E10' OF ALLEY ADJ W/L LOT 2,N100' OF ALLEY BET. LOT 3-4 BLK 38 OT EUFAULA (APARTMENT) 483/305-8
Situs	00100 E J.C. WATTS JR AV	LIMITED PARTNERSHIP	
Sec/Twn/Rng		% PEARSON PROPERTY MANAGMENT	
Subdivision	EUFAULA	PO BOX 1014	
Block/Lot	0038 / 0002	GUTHRIE	OK 73044-000C
Lot Size	3 Lots	Book/Page 0483-0307	
Account	460023040	Current Owner	Legal Description
ParcelID	1001-00-034-006-0-003-00	PIERCE, JOY	S60' OF LOT 6 LESS E 30' BLK 34 OT EUFAULA 340/502 356/765 427/85
Situs	00206 E J.C. WATTS JR AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	206 JC WATTS	
Block/Lot	0034 / 0006	EUFAULA	OK 74432-000C
Lot Size	1 Lots	Book/Page 0427-0085	



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 14:07:55

Account List

Account	460023058	Current Owner	Legal Description
ParcelID	1001-00-039-003-0-002-00	PIERCE, CLARENCE & LOU JEAN	E50' W70' & PT. OF ABANDONED ALLEY OF LOT 3 BLK 39 OT-EUFAULA
Situs	00209 E J.C. WATTS JR AV		
Sec/Twn/Rng			
Subdivision	EUFAULA	116 OPVLIKV DR	
Block/Lot	0039 / 0003	EUFAULA OK 74432-0000	
Lot Size	1 Lots	Book/Page	
Account	460023034	Current Owner	Legal Description
ParcelID	1001-00-034-001-0-001-00	TG ENTERPRISE GROUP, LLC	S60' LOT 1 BLK 34 OT-EUFAULA 564/143
Situs	00213 E J.C. WATTS JR AV		565/113 1181/725 AND THE E10' OF
Sec/Twn/Rng		3701 NW 192ND ST	ALLEYWAY BETWEEN LOTS 1 & 6
Subdivision	EUFAULA		1187/10 1193/479
Block/Lot	0034 / 0001	EDMOND OK 73012-	
Lot Size	1 Lots	Book/Page 1181-0725	
Account	460023073	Current Owner	Legal Description
ParcelID	1001-00-040-003-0-000-00	RAMIREZ, ALFREDO	PT LOT 3 ALL LOT 4 PT LOT 5 BLK 40
Situs	00120 E J.C. WATTS JR AV		BEG NE/C LOT 4 W155.30' S188.67' TO
Sec/Twn/Rng		82 N POLK ST	PT 15.33'N 155.30'W OF SE/C LOT 3 E155
Subdivision	EUFAULA		16' N183.23' POB OT EUFAULA 265/96
Block/Lot	0040 / 0003	KIOWA OK 74553-1502	461/254 465/211 472/335 527/64 588/116
Lot Size	2 Lots	Book/Page 0874-0433	779/456 799/250 863/373 874/432 874/433
Account	460023028	Current Owner	Legal Description
ParcelID	1001-00-033-001-0-000-00	BATSON, WILLIE JR. &	LOT 1 BLK 33 OT-EUFAULA 366/549
Situs	00307 N E		547/86
Sec/Twn/Rng		ROBERTA B. MATHES & ALEX	
Subdivision	EUFAULA	307 SOUTH "G" STREET	
Block/Lot	0033 / 0001	EUFAULA OK 74432-	
Lot Size	1 Lots	Book/Page	
Account	460023033	Current Owner	Legal Description
ParcelID	1001-00-033-005-0-000-00	MATHES, ROBERTA B. &	LOT 5 BLK 33 OT-EUFAULA 397/728
Situs	00104 S "E" ST		384/573 533/371-6
Sec/Twn/Rng		ALEX BATSON	
Subdivision	EUFAULA	307 SOUTH "G" STREET	
Block/Lot	0033 / 0005	EUFAULA OK 74432-	
Lot Size	1 Lots	Book/Page	
Account	460023032	Current Owner	Legal Description
ParcelID	1001-00-033-004-0-000-00	FRANKLIN, SUZANNA J.	LOT 4 BLK 33 OT-EUFAULA 881/619
Situs	00119 E J.C. WATTS JR AV		(SUZANNA FRANKLIN)
Sec/Twn/Rng			
Subdivision	EUFAULA	119 E J.C. WATTS AVE	
Block/Lot	0033 / 0004	EUFAULA OK 74432-0000	
Lot Size	1 Lots	Book/Page 0881-0619	



April 23, 2024

MATHES, ROBERTA B. & ALEX BATSON
307 SOUTH "G" STREET
EUFAULA, OK 74432-

Dear Property Owner:

The Board of Adjustments is considering a Zoning Variance application for the following property:

Commonly Known as: 230 JC Watts Ave Jr.

Legal Description: parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning.

Proposed Use: Consideration of a zoning variance application for a variance of the lot size and the setbacks required by City ordinance for the construction of a multi family duplex contingent upon the approval of the zoning change application.

Applicant/s: Tom Boling

Enclosed is a map showing the approximate section being considered for the zoning variance. You are being notified because you are listed as a property owner within a 300-foot radius of the property. 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 Board of Adjustments at the meeting on May 20, 2024 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



ERTIES
NC.
MONSE,
GEORGE
WAYNE

SDS
SD St

THOMAS,
ERWIN
TIMOTHY &
FRANKLIN,
SUZANNA J.
33
MATHES,
ROBERTA B. &

SE St

FORTENBERRY,
LOREDA
YONA
HOLDING
COMPANY,
LLC
34
YONA
HOLDING
COMPANY,
LLC
PIERCE, JOY
WILLIAMS,
JELLA
TG
ENTERPRISE
GROUP, LLC
GAP HAWK,
LLC

35
TG
ENTERPRISE
GROUP, LLC
2

ve

J C Watts Jr Ave

J C Watts Jr Ave

J C Watts Jr Ave

J C Watts Jr Ave

J C Watts Jr Ave

RANDY
LINDA
WATTS, J.C. JR.
& FRANKIE
41
RAMIREZ,
ALFREDO

RAMIREZ,
ALFREDO
4
40
RAMIREZ,
ALFREDO

SE St
SE St

WARRIOR,
PHILIP &
TERRY A.
4
OULDS,
CHERYL L.
PIERCE,
CLARENCE &
LOUJEAN
WATTS, EMMA
WATTS, EMMA
39
WATTS, EMMA
WATTS, EMMA
5
STOKES,
CAROLYN
NICHOLS,
TERRY
NICHOLS,
TERRY
NICHOLS,
TERRY D.
SULPHUR
SPRINGS
BAPTIST
CHURCH
SULPHUR
SPRINGS
BAPTIST
CHURCH

SG St
SG St

Eufaula Village
Apartments
EUFULA
VILLAGE
APTS.
LAWS, BESSIE
38
PIONEER
BUSINESS
INVESTMENTS
PENDARVIS,
RONALD III
& JUSTEENA
MUSCOGEE
CREEK
NATION
CRAWFORD,
THOMAS
CRAWFORD
THOMAS &
CHERYL

20 Boling watts

LeB. F.

COUNTY OF MCINTOSH)
STATE OF OKLAHOMA)

PUBLICATION FEE: \$ 59.00
258 words; 2 tabular lines;
2 column(s); — insertions

IN THE DISTRICT COURT
NO. PUBLIC HEARING NOTICE
W/ MAP

Shown exactly as published in
Newspaper

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

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative 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:

May 2, 2024

[Handwritten Signature]

Signed and sworn to before me on this 2nd day of May, 2024.

[Handwritten Signature]
Notary Public

My Commission expires: April 3, 2026
Commission # 06003427

Legal Notice

Published in the Eufaula Indian Journal,
Thursday, May 2, 2024

**City of Eufaula
Public Hearing Notice**

Notice is hereby given that the City of Eufaula, Oklahoma, will conduct a public hearing on a Zoning Variance Application for property located within the City of Eufaula.

The property requesting the Zoning Variance Request is described as follows:

Legal Description: parts of Lots 2 and 3 and part of abandoned alley Block 39, City of Eufaula, Oklahoma, described as follows: Beginning at a point 170 feet East of the Northwest Corner of Lot 4; Thence Southerly 150 feet; Thence parallel to South line of Lot 2 and 3, 50 feet East; Thence Northerly 150 feet; Thence Westerly 50 feet to the point of beginning.

Commonly Known as: 230 JC Watts Jr Ave.

Proposed Use: Consideration of a zoning variance application for a variance of the lot size and the setbacks required by City ordinance for the construction of a multi-family duplex contingent upon the approval of the zoning change application.

Applicant/s: Tom Boling.

The public hearing will be held as follows:

May 20, 2024, at 5:30 P.M Board of Adjustments, 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.



CHAPTER 18

BOARD OF ADJUSTMENT

- 1800 Establishment of the Board of Adjustment
- 1810 Powers of the Board
- 1820 Proceedings of the Board
- 1830 Notice of Public Hearing
- 1840 Fees
- 1850 Appeals from the City Manager or his Designee
- 1860 Interpretation
- 1870 Variances
- 1880 Special Exception
- 1890 Appeals to the District Court

SECTION 1800 ESTABLISHMENT OF THE BOARD OF ADJUSTMENT

There is hereby established a Board of Adjustment of the City of Eufaula with the powers and duties hereinafter set forth. The Board of Adjustment shall consist of five members, who shall be nominated by the Mayor and confirmed by the City Council and shall serve without pay for a term of three years. Vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term. A Board member may be removed for cause, by the appointing authority after notice, written charges and public hearing. The Board shall organize, elect its chairman, and appoint a secretary and adopt rules necessary to the conduct of its affairs.

SECTION 1810 POWERS OF THE BOARD

The Board shall have the power to hear appeals from the determinations of the City Manager or his designee in enforcing this Code, to grant special exceptions, to grant variances, and to make interpretations of the zoning map and text, in accordance with the substantive and procedural standards hereinafter set forth.

SECTION 1820 PROCEEDINGS OF THE BOARD

Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the acting Chairman, may administer oaths and compel attendance of witnesses. All meetings, deliberations, and voting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record. In all matters, the Board shall decide within 90 days after the filing of an application for relief. The quorum, notice, filing and substantive requirements of the Board shall be set forth in the following sections concerning the Board's exercise of a particular power.

SECTION 1830 NOTICE OF PUBLIC HEARING

The Board of Adjustment shall give notice and conduct a public hearing before acting on any appeal from a determination of the City Manager or his designee, or before granting any Special Exception, or Variance, or Minor Variance, or Exception. The Board shall set forth in an adopted statement of policy a list of Variances and Exceptions which constitute Minor Variances or Exceptions and such statement of policy shall be approved by the City Council of the City of Eufaula.

Ten (10) days notice of public hearing shall be given as follows:

- (a) For Special Exception, Variance or Appeal from a determination of the City Manager or his designee:
 - 1. By publication in a newspaper of general circulation; and
 - 2. By mailing written notice to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property, (where applicable).
- (b) For Minor Variance or Exception by mailing written notice to all owners of abutting property of the subject property. Nothing herein shall preclude the Board of Adjustment from requiring the giving of public notice of hearings to all owners of property within a 300 foot radius of the exterior boundary of the subject property for consideration of a Minor Variance or Exception.

The notice shall contain:

- (a) The legal description of the property and the street address or approximate location of the property.
- (b) The present zoning classification of the property and the nature of the relief sought.
- (c) The date, time and place of the hearing.

The applicant shall furnish or pay the City the cost of obtaining the names and mailing addresses of all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property, or in the case of a Minor Variance or Exception, the owners of abutting property of the subject property: Costs of publication and mailings shall be billed to the applicant.

SECTION 1840 FEES

An application for an appeal from the Building Inspector, City Manager or his designee, or any variance or special exception shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of the City Council of the City of Eufaula.

SECTION 1850 APPEALS FROM THE CITY MANAGER OR HIS DESIGNEE

1850.1 General

An appeal to the Board of Adjustment may be filed by any person aggrieved or by any officer, department, board or bureau of the city affected, where it is alleged there is error in any order, requirement, decision or determination of the City Manager or his designee in the enforcement of this Zoning Code.

1850.2 Notice of Appeal

An appeal shall be filed within ten (10) days from the determination by filing with the City Clerk, a notice of appeal, specifying the grounds thereof. The City Manager or his designee, upon receipt of notice from the City Clerk, shall forthwith transmit to the Secretary of the Board, copies of all the papers constituting the record of said matter. Upon receipt of the record the Secretary shall set the matter for public hearing.

1850.3 Board of Adjustment Action

The Board shall hold the public hearing. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the City Manager or his designee.

1850.4 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the City Manager or his designee, from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order granted by the Board on due and sufficient cause shown.

SECTION 1860 INTERPRETATION

- (a) The Board shall interpret the text of this Code or the Official Zoning Map upon an appeal from a determination of the City Manager or his designee after compliance with the procedural standards of Section 2150.
- (b) Where a question arises as to the zoning district classification of a particular use, the Board of Adjustment, upon written request of the City Manager or his designee may find and determine the classification of the use in question and may, prior to such determination, order the giving of notice and hold a public hearing.

SECTION 1870 VARIANCES

1870.1 General

The Board of Adjustment upon application, and after hearing, and subject to the procedural and substantive standards hereinafter set forth, may grant such variance from the terms of this Code as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of this Code, or the Comprehensive Plan, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition, or circumstance peculiar to a particular property, the literal enforcement of the Code would result in unnecessary hardship. The Board shall not vary any jurisdictional requirement, such as notice.

1870.2 Application

A request for a variance shall be initiated by the filing of an application with the City Manager or his designee and shall be set for public hearing in accordance with the rules established by the Board. The application for a principal use variance shall include information necessary to evaluate such request as the Board of Adjustment may adopt as rules of procedure for granting principal use variances.

1870.3 Board of Adjustment Action

The Board shall hold the hearing and upon the concurring vote of three members may grant a variance after finding:

- (a) That by reason of 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.
- (b) That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district,
- (c) That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.

Provided that the Board in granting a variance shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

1870.4 Time Limitation on Variances

A variance which has not been utilized within one year from date of the order granting the variance shall thereafter be void, provided that the Board has not extended the time for utilization. For the purpose of this provision, utilization shall mean actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion. The utilization of a variance and time limitation of building permit shall not exceed 18 months.

SECTION 1880 SPECIAL EXCEPTION

1880.1 General

The Board of Adjustment upon application and after hearing subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

- (a) Special Exception Uses as designated and regulated within the zoning district's "USES PERMITTED BY SPECIAL EXCEPTION" Section.

The change of a nonconforming use as provided in Section 1620 (f), Chapter 16, Nonconformities.

- (b) The restoration of a partially destroyed structure, containing a nonconforming use as provided in Section 1620 (g), Chapter 16, Nonconformities.
- (c) The restoration of a partially destroyed nonconforming structure as provided in Section 1650, Chapter 16, Nonconformities.
- (d) The modification of a screening requirement, as provided in Section 264, Chapter 2, General Provisions.
- (e) The modification of the parking and loading requirements as provided in Section 1670 (c), Chapter 16, Nonconformities.
- (f) Satellite antennas which do not meet all of the standards as set forth in Section 284 of this Code.

1880.2 Application

A request for a Special Exception shall be initiated by the filing of an application with the City Manager or his designee and shall be set for public hearing in accordance with the rules established by the Board.

1880.3 Board of Adjustment Action

The Board of Adjustment shall hold the hearing, and upon the concurring vote of three members may grant the Special Exception after finding that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Provided that the Board in granting Special Exception shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

1880.4 Time Limitation on Special Exceptions

A Special Exception which has not been utilized within one year from date of the order granting same shall thereafter be void, provided that the Board has not extended the time for utilization. For the purposes of this provision, utilization shall mean actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion. The utilization of a special exception and time limitation of a building permit shall not exceed 18 months.

SECTION 1890 APPEALS TO THE DISTRICT COURT

1890.1 Procedure

An appeal from any action, decision, ruling, judgment, or order of the Board of Adjustment may be taken by any person or persons aggrieved, or any taxpayer or any officer, department, board or bureau of the City to the District Court by filing with the City Clerk within ten (10) days from the date of such action, a notice of appeal, which notice shall specify the grounds of such appeal. No bond or deposit for costs shall be required for such appeal. Upon filing of the notice of appeal, the City Clerk shall forthwith transmit to the Court Clerk of the County, the original or certified copies of all the papers constituting the record in the case, together with the order, decision or ruling of the Board. Said case shall be heard and tried de novo in the District Court of McIntosh County, Oklahoma. An appeal shall lie from the action of the District Court as in all other civil actions. All issues in any proceedings under this Section shall have preference over all other civil actions and proceedings. Costs shall not be allowed against the Board unless it shall appear to the Court that it acted with gross negligence or in bad faith, or with malice in making the decision being appealed.

1890.2 Stay of Proceedings

An appeal to the District Court stays all proceedings in furtherance of the action appealed from unless the Chairman of the Board certifies to the Court Clerk, after notice of appeal shall have been

filed, that by reason of facts stated in the certificate, a stay would cause imminent peril of life or property. In such case, proceedings shall not be stayed other than by a restraining order granted by the District Court.



Board of Adjustment Item No. 5

Meeting Date: May 20, 2024

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application requesting a Special Use Permit for short term residential rental (AirBnB) at the following location Lot Seven (7) Block One (1), Rainbow Bend Estates, McIntosh County, State of Oklahoma, according to the recorded Plat thereof. Commonly known as 1977 Coon Creek.

Initiator: Chris Layman – Layman Enterprises, Inc.

Staff Information Source: Julie Musgraves, Executive Assistant.

Background: Chris Layman – Layman Enterprises, Inc submitted a Special Use Permit on April 23, 2024 for the mentioned property so she can rent the residence as a short-term vacation rental. As of today's date I have received one letter of concern.

Attachment: Application, Warranty Deed, Radius Letters, Indian Journal Publication.

CITY OF EUFAULA

APPLICATION FOR SPECIAL USE PERMIT

LAYMAN enterprises inc. 910 790-1813
Name of Applicant Phone

Po Box 92 Hanna Ok 74845
Address of Applicant

Legal Description of property requesting special use permit:
Lot 7 BLK 1 RAINBOW Bend

Physical address of property: 1977 COON CREEK
Zoning of Property: Res

For the purpose of permitting the applicant to cause said property to be used
for the following purposes, to-wit:

Air BNB / VRBO

[Signature] 4-18-24
Signature of Applicant Date

Said applicant will be considered by the Board of Adjustment at which time, all
persons interested in such change may appear and be heard in support or
opposition of the granting of said special use permit.

Application fee \$200.00

Record and Return to:
Layman Enterprises Inc.

PO Box 92
Hanna, OK 74845

1-2024-001088 Book 1194 Pg 601
03/19/2024 9:19am Pg 0601-0602
Fee: \$20.00 Doc \$195.00
Deena Farrow - McIntosh County Clerk
State of OK mm



WARRANTY DEED

Owner's Policy of Title Insurance issued by Sovereign Title Services as agent for Alliant National Title Insurance Company under file No.: 02-2024-21

Documentary Stamp: \$ 195.00

KNOW ALL MEN BY THESE PRESENCE:

That **Amy Burns and Chad Burns, a married couple** 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 **Layman Enterprises Inc.**, party of the second part, the following described real property and premises situate in McIntosh County, State of Oklahoma to wit:

Lots Five (5), Six (6), Seven (7) and Eight (8), Block One (1), Rainbow Bend Estates, McIntosh County, State of 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. LESS AND EXCEPT any interest in and to oil, gas, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, 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 14 day of March, 2024

Amy Burns

Chad Burns

ACKNOWLEDGMENT

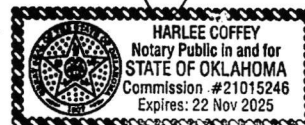
STATE OF OKLAHOMA)
)ss.
COUNTY OF MCINTOSH)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 14 day of March, 2024 personally appeared **Amy Burns and Chad Burns, a married couple** to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that **he/she/they** executed the same as **his/her/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.

(SEAL)

Notary Public:



OAG 2024-2 — NON-EXEMPT BUSINESS/TRUST

Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: NON-EXEMPT BUSINESS OR TRUST

STATE OF OKLAHOMA)

)ss.

COUNTY OF MCINTOSH)

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned Christopher N. Layman
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states:

- I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
- I am a/an President (role, such as titled officer or trustee) of Layman Enterprises Inc. (legal name, along with any trade or fictitious names, of business, trust, or other legal entity) (referred to herein as the "Entity"). I am duly authorized to record this Affidavit on behalf of the Entity, which is taking title to the real property identified in the Deed to which this Affidavit is attached (the "Property"), and to bind the Entity for the consequences of any false statements in this Affidavit.
- This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:
No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.
- The Entity acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.
- If the Entity is a trust, its grantee(s), trustees and all direct and contingent beneficiaries are United States citizens or bona fide residents of the State of Oklahoma. If the Entity is a business, its direct and indirect owner(s) is/are United States citizens(s) or bona fide residents of the State of Oklahoma.
- I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or subject me and/or the Entity to being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Chris
AFFIANT, individually and as authorized agent of the Entity

3-14-24
Date

The foregoing instrument was subscribed and sworn to before me this 14 day of March, 2024, by Christopher N. Layman as President of Layman Enterprises Inc.

My Commission Expires: 21015246
My Commission Number: Nov 22 25

Harlee Coffey
NOTARY PUBLIC



our listings

● Verification required



herman Retreat
Eufaula, OK

● Unlisted



Lake Eufaula at RainBow Bend Est
Eufaula, OK



McIntosh
Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024
Time 12:24:29

Map Image



Account List

Account	Current Owner	Legal Description
Account 460024277	Current Owner	Legal Description
ParcelID 1210-00-001-005-0-000-00	LAYMAN ENTERPRISES, INC.	LOT 5-8 BLK 1 RAINBOW BEND
Situs HC 62 BOX 69AA		ESTATES JJ6-87 428/81 428/653 441/308
Sec/Twn/Rng		495/87 495/421 496/227 530/10 619/275
Subdivision RAINBOW BEND	PO BOX 92	788/498 789/332 793/364 793/365 816/620
Block/Lot 0001 / 0005	HANNA	827/101 954/120 1194/601 1194/603
Lot Size 4 Lots	Book/Page 1194-0601	
Account 460024296	Current Owner	Legal Description
ParcelID 1210-00-002-001-0-000-00	SYBERT, RICK & SHONSY REV LIVING TRUS	LOTS 1-2 AND BLK 2 RAINBOW BEND
Situs 02007 E RAINBOW BEND		368/645 569/484 580/276 620/223 636/639
Sec/Twn/Rng	2007 E RAINBOW BEND	983/689 984/743 AND LOTS 22-23 BLK 2
Subdivision RAINBOW BEND	EUFAULA	RAINBOW BEND 368/645 569/484
Block/Lot 0002 / 0001	Book/Page 1169-0564	580/276 636/639 984/743 1169/564
Lot Size 4 Lots		
Account 460024306	Current Owner	Legal Description
ParcelID 1210-00-002-019-0-000-00	HAWKINS, CARRIE B & ZACHARIAH FOUNTA	LOTS 19-21 BLK 2 RAINBOW BEND
Situs 02011 E RAINBOW BEND		368/464 412/710 457/343 458/461 586/316
Sec/Twn/Rng	1732 S YORKTOWN AVE	594/477 763/24 763/120 824/251 847/648
Subdivision RAINBOW BEND	TULSA	867/121 1136/601 1152/620
Block/Lot 0002 / 0019	Book/Page 1136-0601	
Lot Size 3 Lots		



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 12:24:30

Account List

Account	Current Owner	Legal Description
Account 460024300 ParcelID 1210-00-002-007-0-000-00 Situs Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0002 / 0007 Lot Size 3 Lots	Current Owner HAWKINS, CARRIE B & ZACHARIAH FOUNTA 1732 S YORKTOWN AVE TULSA OK 74104- Book/Page 1136-0601	Legal Description LOTS 7-9 BLK 2 RAINBOW BEND 619/584 763/24 780/205 867/122 1136/601 1152/620
Account 460003657 ParcelID 0000-21-10N-16E-4-001-00 Situs 416001 E 1170 RD Sec/Twn/Rng 21-10N-16E Subdivision Block/Lot Lot Size 3.6400 Acres	Current Owner B-DANIEL PROPERTIES, LLC 503 N MAIN EUFAULA OK 74432- Book/Page 1098-0688	Legal Description BEG SE/C SE SE SE W250' N400' E60' N200' E50' SE'LY TO 400'N & 50'W OF SE/C E50' S400' POB SEC 21-10-16 706/89-90 1015/759 <> AND BEG SE/C SE SE SE W170' POB N32' W80' N168' W200' S200' E280' POB LESS.06A SEC 21-10-16 530/10 610/260 1102/515
Account 460024275 ParcelID 1210-00-001-003-0-000-00 Situs Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0001 / 0003 Lot Size 1 Lots	Current Owner FEWELL, ROBERT M. & LYNNE L. 2030 RAINBOW BEND EUFAULA OK 74432-000C Book/Page	Legal Description LOT 3 BLK 1 RAINBOW BEND 685/32 709/420
Account 460024276 ParcelID 1210-00-001-004-0-000-00 Situs Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0001 / 0004 Lot Size 1 Lots	Current Owner FEWELL, ROBERT M. & LYNNE L. 2030 RAINBOW BEND EUFAULA OK 74432-000C Book/Page 0569-0673	Legal Description LOT 4 BLK 1 RAINBOW BEND 685/32 709/420
Account 460024279 ParcelID 1210-00-001-009-0-000-00 Situs 01818 N RAINBOW BEND Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0001 / 0009 Lot Size 2 Lots	Current Owner SMITH LIVING TRUST 2199 MORAN RD CHOCTAW OK 73020-000C Book/Page 0703-0548	Legal Description LOT 9 E2 LOT 10 BLK 1 RAINBOW BEND 703/518 703/548
Account 460003696 ParcelID 0000-27-10N-16E-2-004-00 Situs 01908 COON CREEK RD Sec/Twn/Rng 27-10N-16E Subdivision Block/Lot Lot Size 1.0000 Acres	Current Owner DANIEL, BRENT & SHONTEL 1908 COON CREEK RD EUFAULA OK 74432-000C Book/Page 0526-0356	Legal Description BEG NW/C S000530W 380.56' POB S000530W 208.71' S895430E 208.71' N000530E 208.71' N895430W 208.71' POB SEC 27-10-16 526/356
Account 460024281 ParcelID 1210-00-001-013-0-000-00 Situs Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0001 / 0013 Lot Size 3 Lots	Current Owner U.S.A. 00000-000C Book/Page	Legal Description LOT 13, 14 & 15 BLK 1 RAINBOW BEND
Account 460024298 ParcelID 1210-00-002-005-0-000-00 Situs 02082 W RAINBOW BEND Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0002 / 0005 Lot Size 4 Lots	Current Owner COGBURN, DENVER L. & LAVONNE K. 2082 W RAINBOW BEND EUFAULA OK 74432-000C Book/Page 1045-0082	Legal Description LOT 3-6 BLK 2 RAINBOW BEND 281/58 283/411 559/594 581/510 829/71 832/487 1045/82 <>
Account 460024280 ParcelID 1210-00-001-012-0-000-00 Situs 01868 N RAINBOW BEND Sec/Twn/Rng Subdivision RAINBOW BEND Block/Lot 0001 / 0012 Lot Size 1 Lots	Current Owner THATCHER, JOHNNY & MARY 46025 W 261 ST S DEPEW OK 74028-421E Book/Page 1007-0574	Legal Description PT OF LOT 11 BEG SE/C LOT 12 N ALONG E/L TO N/L OF LOT 12 E9.27' S010342W 143.52' TO POB & ALL OF LOT 12 BLK 1 RAINBOW BEND 623/615 703/518 775/791 994/809 1007/574



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 12:24:30

Account List

Account	460037593	Current Owner	Legal Description
ParcelID	1210-00-001-010-0-000-00	SYBERT, RICK & SHONSY REV LIVING TRUS	W/2 LOT 10 & PT. 11 BEG NE/C LOT 11 THENCE N893015W N'LINE 60.73' S040332W 143.52' SW/C OF LOT 11 S893541E S'LINE LOT 11 70' SE/C OF LOT 11 N002117E 143.13' POB ALL IN BLK 1 RAINBOW BEND 994/110 1169/566
Situs			
Sec/Twn/Rng		2007 E RAINBOW BEND	
Subdivision	RAINBOW BEND		
Block/Lot	0001 / 0010	EUFAULA	OK 74432-
Lot Size	2 Lots	Book/Page	1169-0566
Account	460024274	Current Owner	Legal Description
ParcelID	1210-00-001-001-0-000-00	FEWELL, ROBERT M. & LYNNE L.	LOT 1-2 BLK 1 RAINBOW BEND 685/32 709/420
Situs	02030 E RAINBOW BEND		
Sec/Twn/Rng		2030 RAINBOW BEND	
Subdivision	RAINBOW BEND		
Block/Lot	0001 / 0001	EUFAULA	OK 74432-000C
Lot Size	2 Lots	Book/Page	0709-0420
Account	460031705	Current Owner	Legal Description
ParcelID	0000-27-10N-16E-2-009-00	DANIEL, BRENT & SHONTEL	BEG NW/C & BEG S000530W 380.56' S895430E 208.71' POB S895430E 291.29' S000530W 208.71' N895430W 291.29' N000530W 208.71' POB SEC 27-10-16 764/499
Situs			
Sec/Twn/Rng	27-10N-16E		
Subdivision		1908 COON CREEK RD.	
Block/Lot		EUFAULA	OK 74432-000C
Lot Size	1.3900 Acres	Book/Page	0764-0499
Account	460003700	Current Owner	Legal Description
ParcelID	0000-27-10N-16E-2-008-00	SINOR, CHRISTOPHER J & APRIL M	BEG NW/C S000530W 380.56' S895430E 500' N000530E 380.56' N895430W 500' POB SEC 27-10-16 698/39 874/790 925/18 934/196 1000/152 1144/676
Situs	01960 COON CREEK RD		
Sec/Twn/Rng	27-10N-16E		
Subdivision		19600 COON CREEK RD	
Block/Lot		EUFAULA	OK 74432
Lot Size	4.3700 Acres	Book/Page	1144-0676
Account	460032758	Current Owner	Legal Description
ParcelID	0000-27-10N-16E-2-014-00	DANIEL, BRENT R. & SHONTEL S.	BEG NW/C NW S000531E 589.27' POB N895424E 499.87' S000531E 449.75' S895424W 499.84' N000531W 449.55' POB SEC 27-10-16 813/629 933/810
Situs	01900 COON CREEK RD		
Sec/Twn/Rng	27-10N-16E		
Subdivision		1908 COON CREEK RD	
Block/Lot		EUFAULA	OK 74432-000C
Lot Size	5.1600 Acres	Book/Page	0933-0810
Account	460003661	Current Owner	Legal Description
ParcelID	0000-22-10N-16E-3-001-00	TAYLOR, EMERY (ETAL)	SW SW LESS 24.85A USA SEC.22-10-16 ID#ALS10593 TAG#H298424 T#460902330004 1141/330
Situs	416169 E 1170 RD		
Sec/Twn/Rng	22-10N-16E		
Subdivision		% SHARLENE CRABTREE	
Block/Lot		2009 PRAIRIE GRASS DR	
Lot Size	15.1500 Acres	RAYMORE	MC 64083-000C
		Book/Page	
Account	460003659	Current Owner	Legal Description
ParcelID	0000-22-10N-16E-1-001-00	U.S.A.	ALL ELSE SEC.22-10-16 49/76 50/148 51/167 58/343 61/174 61/169 67/105
Situs			
Sec/Twn/Rng	22-10N-16E		
Subdivision			
Block/Lot			00000-000C
Lot Size	427.1600 Acres	Book/Page	
Account	460003656	Current Owner	Legal Description
ParcelID	0000-21-10N-16E-1-001-00	U.S.A.	ALL ELSE SEC.21-10-16
Situs			
Sec/Twn/Rng	21-10N-16E		
Subdivision			
Block/Lot			00000-000C
Lot Size	636.3500 Acres	Book/Page	



April 23, 2024

TAYLOR, EMERY (ETAL) SHARLENE CRABTREE
2009 PRAIRIE GRASS DR
RAYMORE, MO 64083-0000

Dear Property Owner:

The Board of Adjustments is considering Special Use Permit application for the following property:

Commonly Known as: 1977 Coon Creek Road

Legal Description: Lot Seven (7) Block One (1), Rainbow Bend Estates, McIntosh County, State of Oklahoma, according to the recorded plat thereof.

Proposed Use: Applicant is requesting a Special Use Permit to offer a short-term residential rental (AirBnB) at the above location.

Applicant/s: Chris Layman – Layman Enterprises, Inc.

Enclosed is a map showing the section and proposed location being considered for Special Use Permit.

You are being notified because you are listed as a property owner within a 300-foot radius of the property. 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 Board of Adjustments at the meeting on May 20, 2024 , at 5:30pm at the Community Center, 121 High Street, Eufaula, OK. You are welcome to attend the public meeting and provide comments at the designated time.

Respectfully,
Julie Musgraves
Administrative Assistant
City of Eufaula

U.S.A.

B-DANIEL
PROPERTIES,
LLC

TAYLOR,
EMERY (ETAL)

E1170 Rd

U.S.A.

THATCHER,
JOHNNY &
MARY

SYBERT, RICK
& SHONSY
REV LIVING
TRUST

SMITH LIVING
TRUST

LAYMAN
ENTERPRISES,
INC.

Coon Creek Rd

SINOR,
CHRISTOPHER
J & APRIL M

RICKS, JUDY
ANN TRUST

RICKS, BRUCE
L. & JUDY A.

HIGGINS,
HASKELL M &
BRENDA S

HIGGINS,
HASKELL M &
BREND S

U.S.A.

SIMON,
ELIZABETH

Rainbow Bend

COGBURN,
DENVER L. &
LAVONNE

SYBERT, RICK
& SHONSY
REV LIVING
TRUST

Rainbow Bend

FEWELL,
ROBERT M. &
LYNNE L.

FEWELL,
ROBERT M. &
LYNNE L.

FEWELL,
ROBERT M. &
LYNNE L.

Coon Creek Rd

DANIEL,
BRENT &
SHONTEL

DANIEL,
BRENT &
SHONTEL

HAWKINS,
CARRIE B &
ZACHARIAH
FOUNTAIN

HAWKINS,
CARRIE B &
ZACHARIAH
FOUNTAIN

Rainbow Bend

BRAMLETT,
JANET K &
CHELI HUNT

DANIEL,
BRENT R. &
SHONTEL S.

BAUGH
BRIA

Sup Layman 7F

COUNTY OF MCINTOSH)
STATE OF OKLAHOMA)

PUBLICATION FEE: \$ 5303
193 words; 2 tabular lines;
2 column(s); — insertions

IN THE DISTRICT COURT
NO. PUBLIC HEARING NOTICE
W/ MAP

Shown exactly as published in
Newspaper

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

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative 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:

May 2, 2024

[Handwritten Signature]

Signed and sworn to before me on this 2nd day of May, 2024.

[Handwritten Signature]
Notary Public

My Commission expires: April 3, 2026
Commission # 06003427

Legal Notice

Published in the Eufaula Indian Journal,
Thursday, May 2, 2024

**City of Eufaula
Public Hearing Notice**

Notice is hereby given that the City of Eufaula, Oklahoma, will conduct a public hearing on a Special Use Permit Application for property located within the City of Eufaula.

The property requesting the Special Use Permit is described as follows:


Lots Five (5), Six (6) Seven (7) and Eight (8), BLK One (1) Rainbow Bend Estates, McIntosh County, Oklahoma.
Commonly Known as: 1977 Coon Creek Road.

Proposed Use: Applicant is requesting a Special Use Permit to offer a short-term residential rental (AirBnB)

Applicant/s: Christopher Layman - Layman Enterprises Inc.

The public hearing will be held as follows:
May 20, 2024, at 5:30 P.M Board of Adjustments, Eufaula Community Center, 121 High Street.

At this time any interested citizen of Eufaula, Oklahoma will have the opportunity to be heard regarding the Special Use Permit 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.



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Musgraves, Julie <aa@cityofeufaulaok.com>

Special permit Air BnB short term rental

1 message

lavonne cogburn <quiltingfool2@yahoo.com>
To: AA@cityofeufaulaok.com

Mon, May 6, 2024 at 1:02 PM

My husband and I live in Rainbow Bend Estates in the city of Eufaula. I received a letter from the city of Eufaula regarding a special use permit to a property very close to my home.

My concern for the use of short term rental Air BnB, is the excess traffic and noise generated by people who basically rent short term to party on the lake. Anyone using the beaches in rainbow bend would be directly in front of my home adjacent to my property line that butts up to the corp of engineers property. They would probably cross my property to access the beach as it is the shortest route to the beach. While I have no problem with people enjoying the lake life (that's why we bought our property) this is a residential area and many of the residents are retired and elderly. Since this is the city limits would the noise restrictions apply? Would the speed limits apply? Vehicles drive around the circle here so fast I fear they are going to miss the curves and turns , and have missed them many times ending up in my yard!

We've enjoyed our quiet lake life here for over 25 years and I hate to have weekend loud parties with the fear of people becoming as we old folks say too roudy!

I do understand that property owners have the right to rent out their properties, and would hope that they would be responsible for any damage to the residents and neighbors property by their short term rental clients.

I understand that there is already a property in my neighborhood that is slotted for short term rental and Air BnB use. This property is on the east end of the block with the beach access across from it. I don't expect to be able to hear the loud noise from this one though! However, I hope the same consideration would be extended to that property as well.

Thank you for allowing us to state our views! My husband is very ill and in a hospital bed and loud noises upset him tremendously. We both do enjoy watching the young people play in the water and ion the beach in frot of our home. The only issue is late night noises! If the city ordinance can be enforced about the noise and excess speeding traffic all should be fine.

Thank you

Denver and Lavonne Coburn

2082 rainbow bend
Eufaula, OK 74432

Sent from Yahoo Mail for iPhone



Board of Adjustment Item No. 6

Meeting Date: May 20, 2024

Agenda Item Memo

Item Title: Consideration of Acceptance, Approval, Adoption, Rejection, Amendment, and/or Postponement of an application requesting a Special Use Permit for short term vacation rental cabins (AirBnB) at the following location: Lots 34- 45 of Southmore Addition, to the City of Eufaula, McIntosh County

Commonly known as 701 S Main St.

Initiator: Tim Albro – Eufaula Public Market

Staff Information Source: Julie Musgraves, Executive Assistant.

Background: Tim Albro – Eufaula Public Market submitted a Special Use Permit on April 22, 2024 for the above property for the construction of 19 cabins for the purpose of short term vacation rentals (AirBnB)

Attachment: Application, Warranty Deed, Radius Letters, Indian Journal Publication.

CITY OF EUFAULA

APPLICATION FOR SPECIAL USE PERMIT

Eufaula Public Market 4056978776
Name of Applicant Phone


701 S. Main St Eufaula Ok 74436
Address of Applicant

Legal Description of property requesting special use permit:
Bearings are based on the east line of lots 25-28
of Southmore addition to the city of Eufaula McIntosh
County, state of Oklahoma. Bearing being N0 3° 51' 29" E.

Physical address of property: 701 S. Main
Zoning of Property:

For the purpose of permitting the applicant to cause said property to be used for the following purposes, to-wit:

19 ~~25~~ tiny cabins on lots approximately 35-45

 4-22-27
Signature of Applicant Date

Said applicant will be considered by the Board of Adjustment at which time, all persons interested in such change may appear and be heard in support or opposition of the granting of said special use permit.

Application fee \$200.00

State of Oklahoma }
County of McIntosh }

Concession Agreement

THIS AGREEMENT made and entered into this 16th day of June, 2023, by and between the City of Eufaula, from now on called City and Eufaula Public Market, 116559 S. 4249 Rd, Eufaula, Oklahoma, 74432 hereinafter called Concessionaire, WITNESS:

1. That said, City, in consideration of the covenants and agreements hereinafter set forth, does by these presents grant exclusive licenses and concession rights unto Concessionaire, a concession grant to be located at the below-described property, Eufaula, Oklahoma, on Lake Eufaula, and held by the City under a lease from the Corps of Engineers, as hereinafter set forth.

Concessioner agrees to lease the following described property to the Concessionee, to wit:

See Attached Legal Description/Map

In consideration of this Agreement, the Concessionee shall pay the Concessioner:

\$1500.00 for the first year, increasing \$150.00 per year through year five.

\$3000.00 for the first year of the five-year renewal period, increasing \$150.00 per year through year five of the renewal period.

\$4500.00 for the first year of the second five-year renewal period increasing \$150.00 per year through year five of the renewal period.

Said payments shall begin on the 15th day of June 2023 and shall be paid on the 15th day of June each year during the lease.

This Agreement may not be assigned or sublet by Concessionee without the prior written approval of the Concessioner. The Concessioner may not unreasonably withhold consent to an assignment or subletting by the Concessioner.

It is agreed that Concessionee shall be in default if Concessionee shall fail to pay the rent, or any installments thereof as aforesaid, at the time the same shall become due and payable, and such failure shall continue for five (5) days after written notice thereof is given to Concessionee by Concessioner; and/or (ii) Concessionee shall violate or fail or neglect to keep and perform any of the conditions and agreements, or rules and regulations contained or referred to herein on the part of Concessionee to be kept and performed, and such violation or failure shall continue for ten (10) days after written notice thereof is given to Concessionee by Concessioner unless Concessionee is taking reasonable steps to cure the default.

2. To have and to hold the same the said Concessionaire from the 16th day of June 2023 to the 16th day of June 2028. The agreement may be renewed for three (3) additional five (5) years terms. In consideration of the premises herein set forth, Concessionaire agrees to pay the City Utility charges for services rendered by the City.

3. That the Concessionaire shall have the right to occupy the following described real estate, to wit:
And shall have and maintain:

Property and maintenance of constructed structures:

Any additions, remodel, modifications, or changes shall be approved by the City of Eufaula and the Corps of Engineers.

4. The City reserves the right to amend, modify, or change the property boundaries with 30 days written notice. Such amendment, modification, or change shall be such that it will not preclude or eliminate the existing ice machine structure.

5. Concessionaire agrees to regularly, as needed, police and maintain the area in this grant, keeping same free from any trash, waste, or any unsightly or unhealthy accumulations and keep grass and vegetation mowed and maintained in an attractive manner.

6. It is mutually covenanted and agreed that all equipment, buildings, and all other property erected on said leased premises by Concessionaire may be removed by it the termination of this Concession Agreement or any extension thereof, even though the same may be attached to said premises.

7. It is further agreed that at the expiration of this lease, Concessionaire shall have the option of renewing this Concession Agreement as provided in Section 2, under same covenants and agreements herein set forth, provided that City and Concessionaire may arbitrate and re-negotiate. Concessionaire shall notify the City of the desire to renew or not renew at least ninety (90) days before the expiration of said term. In the event Concessionaire fails to notify the City, the City may terminate this agreement at the expiry of then expiring term.

8. That both parties agree that any modification or changes in the original contract-lease with the United States of America, or conditions or rules now existing or modified by the United States of America shall be binding on the parties hereto, and such shall supersede and control all situations, provisions of this agreement to the contrary, notwithstanding.

9. The Concessionaire shall in no way, manner, or scheme discriminate against any group of people because of race, color, sex, or national origin and shall abide by all of the laws of the United States and the State of Oklahoma relating to anti-discriminating practices, commonly called "Civil Rights" laws.

10. It is further agreed that the City may terminate this Concession Agreement upon the failure of Concessionaire to faithfully perform any of the terms and conditions of this lease, and that at the end of this lease, or upon sooner termination thereof Concessionaire shall give peaceable possession of the premises to City. Upon the breach hereof at any time, said City may declare this Concession Agreement at an end, void, and re-enter and recover possession by forcible entry and detainer subject only to Concessionaire's right to rectify the said breach within 30 days.

11. The covenants and agreements of this lease shall extend to and be binding upon the heirs, successors, executors, and assigns of the parties hereto.

City of Eufaula

J. Todd Warren
J. Todd Warren, Mayor

Attest:

Valarie Cox

Valarie Cox, City Clerk



Eufaula Public Market

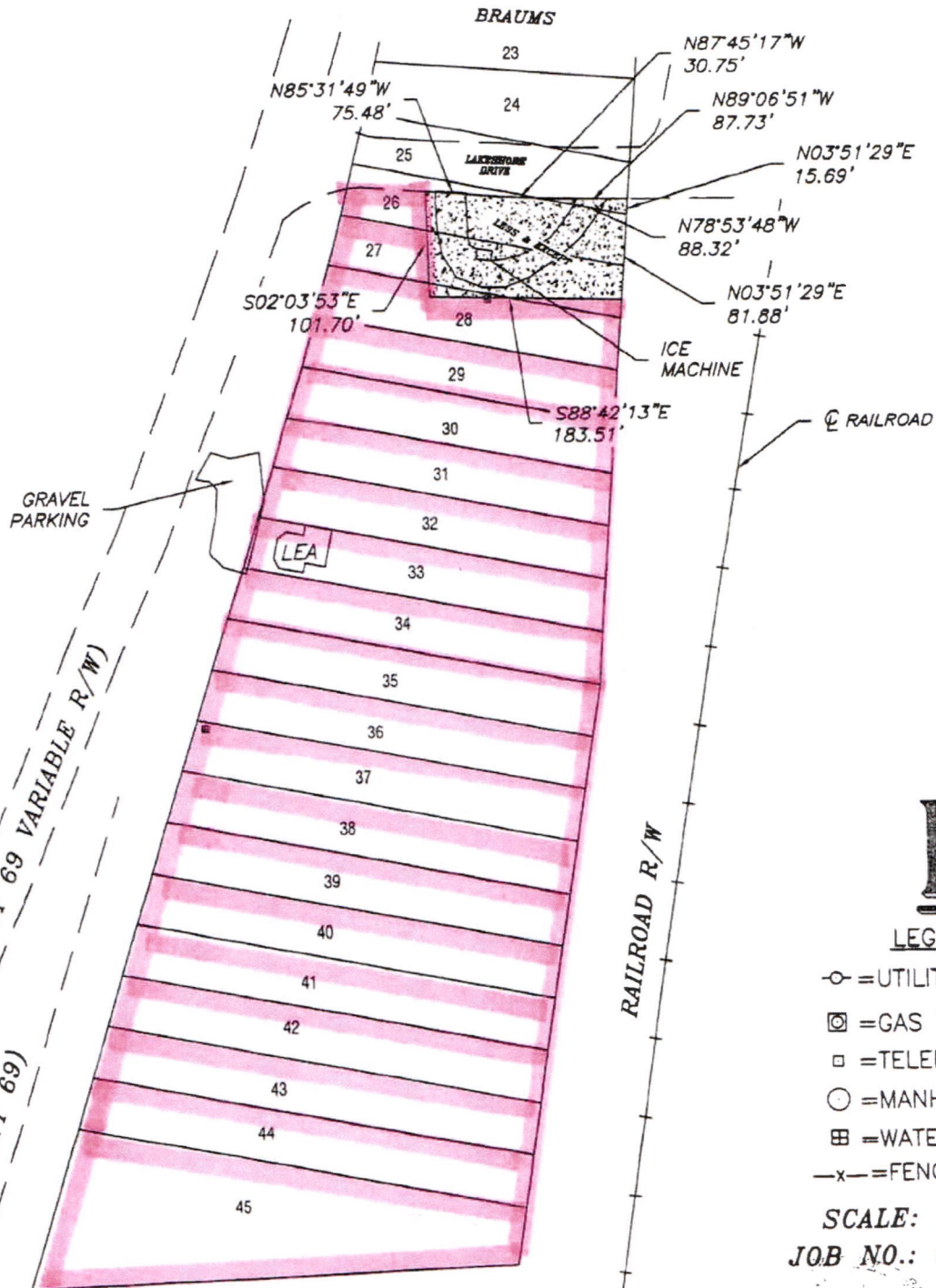
Jennifer Albro
President, Owner

Subscribed and sworn to by Jennifer Albro sident. Jennifer Albro, this 16
day of June, 2023.

My Commission Expires 01-30-24

Julie Archer
Notary Public.





LEGEND

- = UTILITY POLE
- ⊠ = GAS METER
- = TELEPHONE BOX
- = MANHOLE
- ⊞ = WATER METER
- x- = FENCE LINE

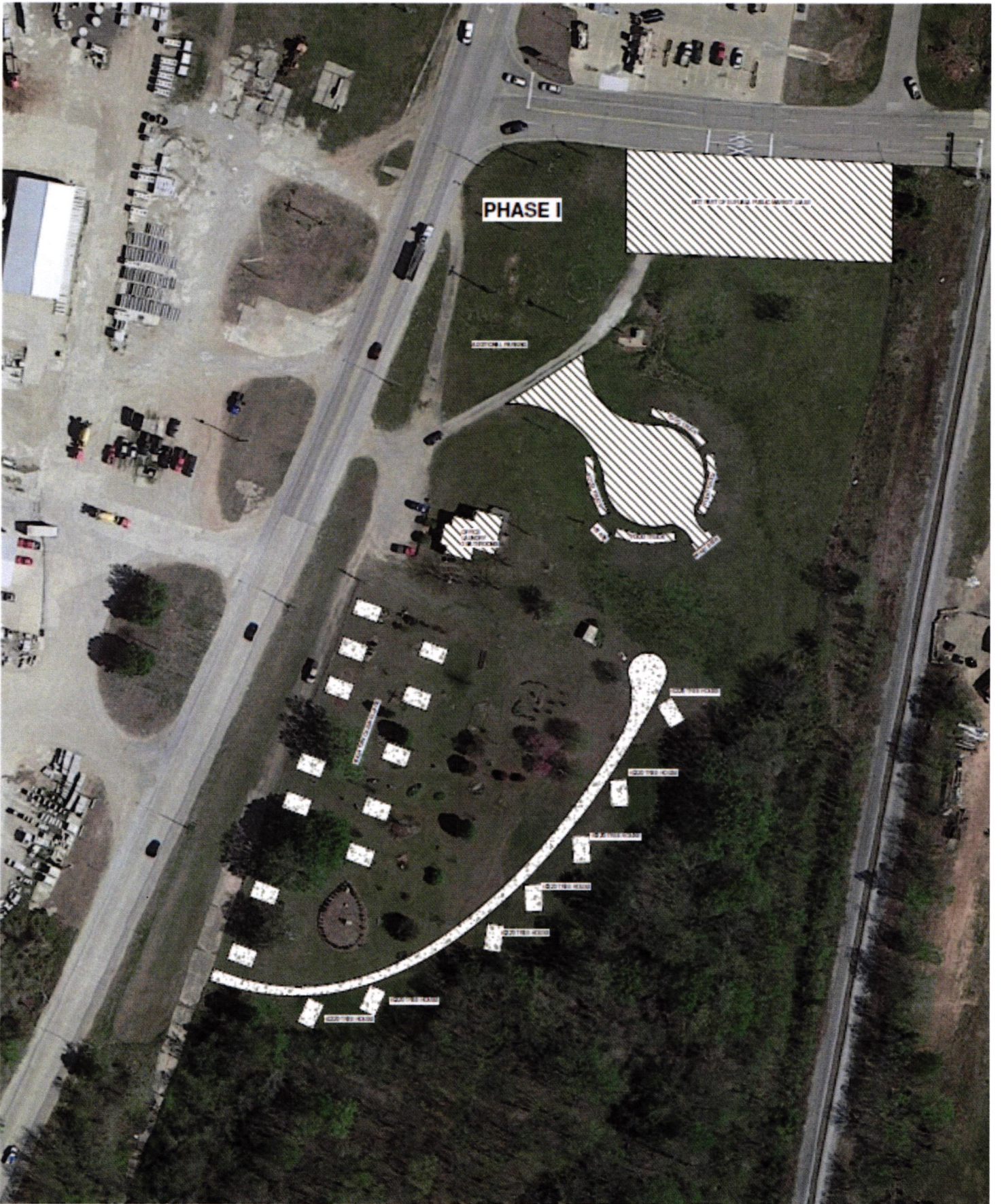
SCALE: 1" = 150'
JOB NO.: 022307

2-24-2023

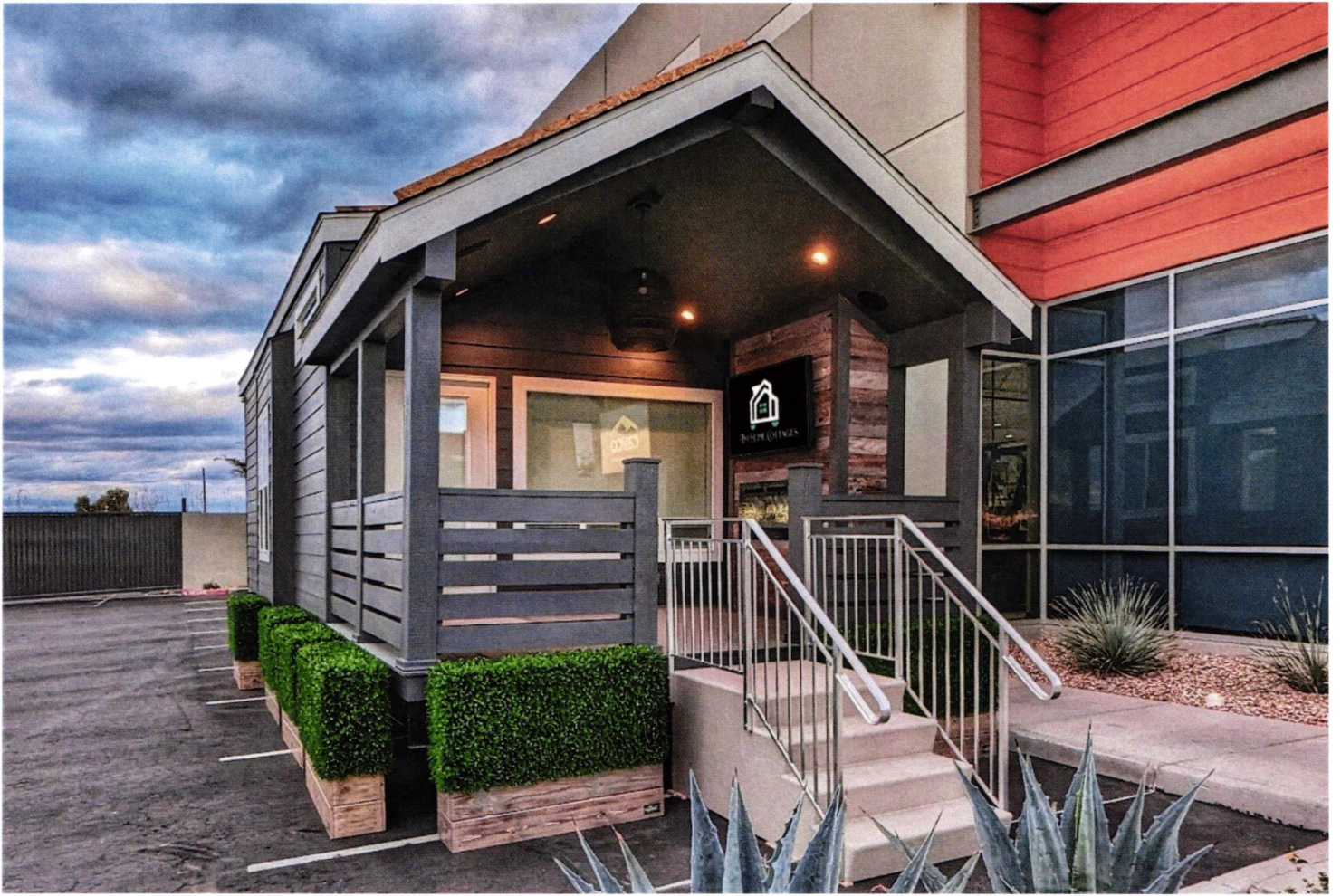
DATE

KEVIN E. SINGLETON, L.S. 1461

FOR CITY OF EUFaulA



SITE PLAN PHASE III
1" = 50.0'











McIntosh

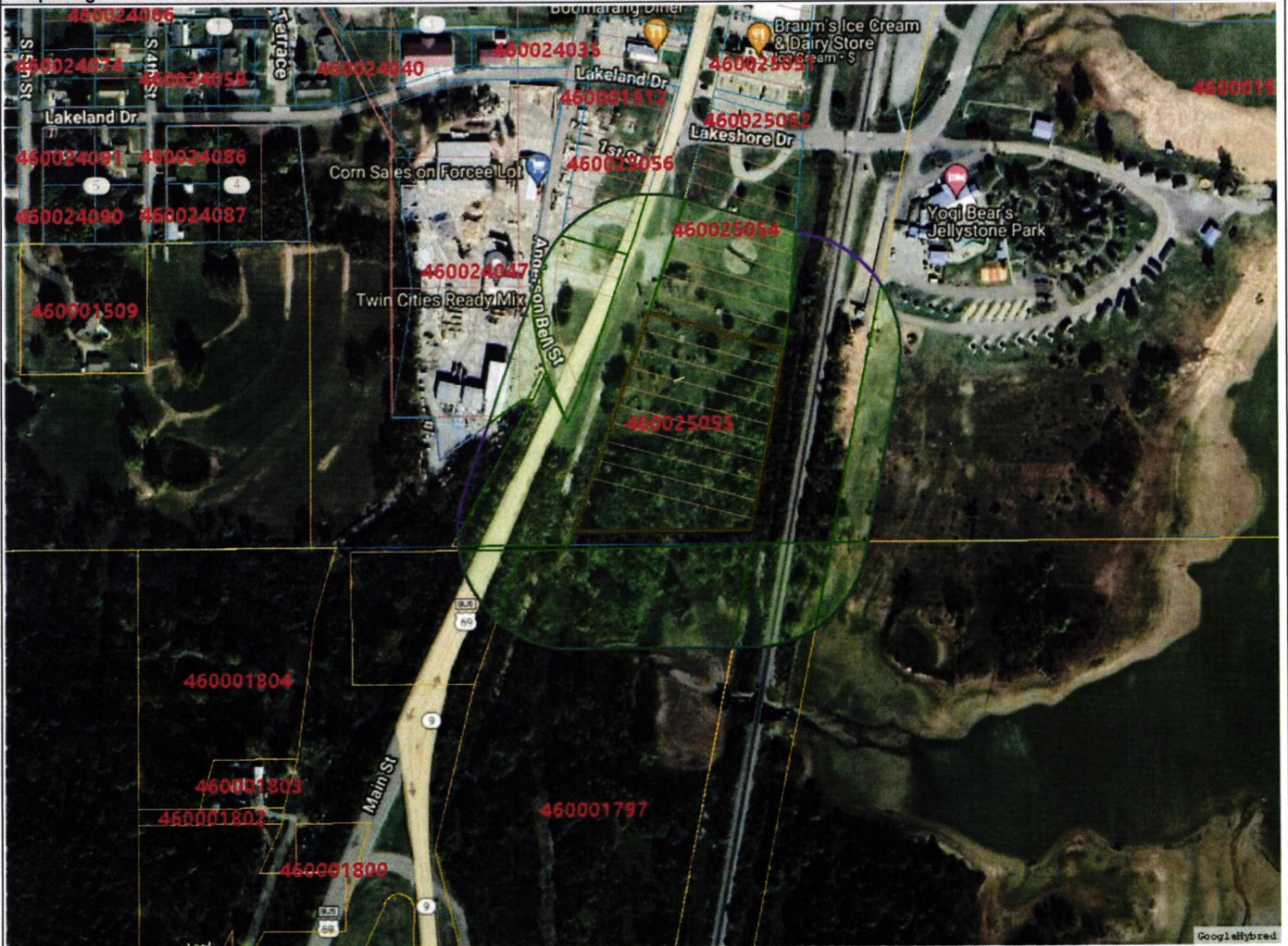
Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 13:12:39

Map Image



Account List

Account	460001512	Current Owner	Legal Description
ParcelID	0000-02-09N-16E-3-008-00	STATE OF OKLAHOMA -HIGHWAY #9	IN SW,SE, SEC 2-9-16
Situs			
Sec/Twn/Rng	2-9N-16E		
Subdivision			
Block/Lot	0000 / 0000	00000-000C	
Lot Size	7.1800 Acres		
Account	460001797	Current Owner	Legal Description
ParcelID	0000-11-09N-16E-2-009-00	U.S.A.	TRACT IN N2 SEC.11-9-16
Situs			
Sec/Twn/Rng	11-9N-16E		
Subdivision			
Block/Lot	0000 / 0000	00000-000C	
Lot Size	17.6200 Acres		
Account	460001785	Current Owner	Legal Description
ParcelID	0000-11-09N-16E-1-005-00	M K & T RAILROAD	SEC.11-9-16
Situs			
Sec/Twn/Rng	11-9N-16E		
Subdivision			
Block/Lot		00000-000C	
Lot Size	25.0000 Acres		



McIntosh

Parcel Map and Account Listing

Data provided by Trina Williams County Assessor

Date 04/22/2024

Time 13:12:40

Account List

Account	Current Owner	Legal Description
Account 460001781 ParcelID 0000-11-09N-16E-1-001-00 Situs Sec/Twn/Rng 11-9N-16E Subdivision Block/Lot Lot Size 130.2500 Acres Book/Page 00000-000C	U.S.A.	ALL ELSE SEC.11-9-16
Account 460038491 ParcelID 1300-00-000-046-0-001-00 Situs 00710 S MAIN Sec/Twn/Rng Subdivision SOUTHMORE Block/Lot 0000 / 0046 Lot Size 0.9800 Acres Book/Page 1087-0485	SCHWARZ BROTHERS PROPERTIES LLC 102 W. ASHLAND AVE. MCALESTER OK 74501-	LOTS 46-48 & SOUTH PRT LOT 49 & TRACT FOR VACATED ROAD EASEMENT IN S/2 SEC 2-9-16. SOUTHMORE ADD. ORDINANCE #18-09 01 (SEE FULL SCANNED LEGAL) 1045/340 1056/677 1056/674 1087/485
Account 460025054 ParcelID 1300-00-000-025-0-000-00 Situs Sec/Twn/Rng Subdivision SOUTHMORE Block/Lot 0000 / 0025 Lot Size 11 Lots Book/Page 00000-000C	U.S.A.	LOT 25-35 SOUTHMORE 101/218
Account 460025055 ParcelID 1300-00-000-036-0-000-00 Situs Sec/Twn/Rng Subdivision SOUTHMORE Block/Lot 0000 / 0036 Lot Size 10 Lots Book/Page 00000-000C	U.S.A.	LOT 36-45 SOUTHMORE
Account 460025056 ParcelID 1300-00-000-049-0-000-00 Situs Sec/Twn/Rng Subdivision SOUTHMORE Block/Lot 0000 / 0049 Lot Size 8 Lots Book/Page 00000-000C	FORESEE READY MIX PO BOX 246 EUFAULA OK 74432-000C Book/Page	N PT OF 49 & LOT 50-57 & SOUTHMORE LESS STREET EASEMENT 352/560 357/259
Account 460024047 ParcelID 1130-00-001-014-0-001-00 Situs 00710 S MAIN Sec/Twn/Rng Subdivision INDUSTRIAL PARK Block/Lot 0001 / 0014 Lot Size 8 Lots Book/Page 1087-0485	SCHWARZ BROTHERS PROPERTIES LLC 102 W. ASHLAND AVE. MCALESTER OK 74501-	BEG SE/C LOT 8 S 060347W 332.60' SE/C LOT 11 THENCE CURVE LEFT W/CHORD S105616E 199.26' RADIUS 340.75' ARC 202.22' EASTERN CORNER LOT 13 S184755W 95' S834753W 30' S534755W ALONG S'RLY LINE LOTS 13-15 251.93' N 065929W 767.20' N294736W 149.65'
Account 460001522 ParcelID 0000-02-09N-16E-4-001-00 Situs Sec/Twn/Rng 2-9N-16E Subdivision Block/Lot Lot Size 108.9600 Acres Book/Page 00000-000C	U.S.A.	ALL ELSE, SEC 2-9-16



April 23, 2024

STATE OF OKLAHOMA -HIGHWAY #9
00000-0000

Dear Property Owner:

The Board of Adjustments is considering Special Use Permit application for the following property:

Commonly Known as: 701 S Main St

Legal Description: Lots 34- 45 of Southmore Addition, to the City of Eufaula, McIntosh County

Proposed Use: Applicant is requesting Special Use Permits to offer 19 short-term vacation rental cabins (AirBnB) at the above location.

Applicant/s: Tim Albro- Eufaula Public Market

Enclosed is a map showing the section and proposed location being considered for Special Use Permit.

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

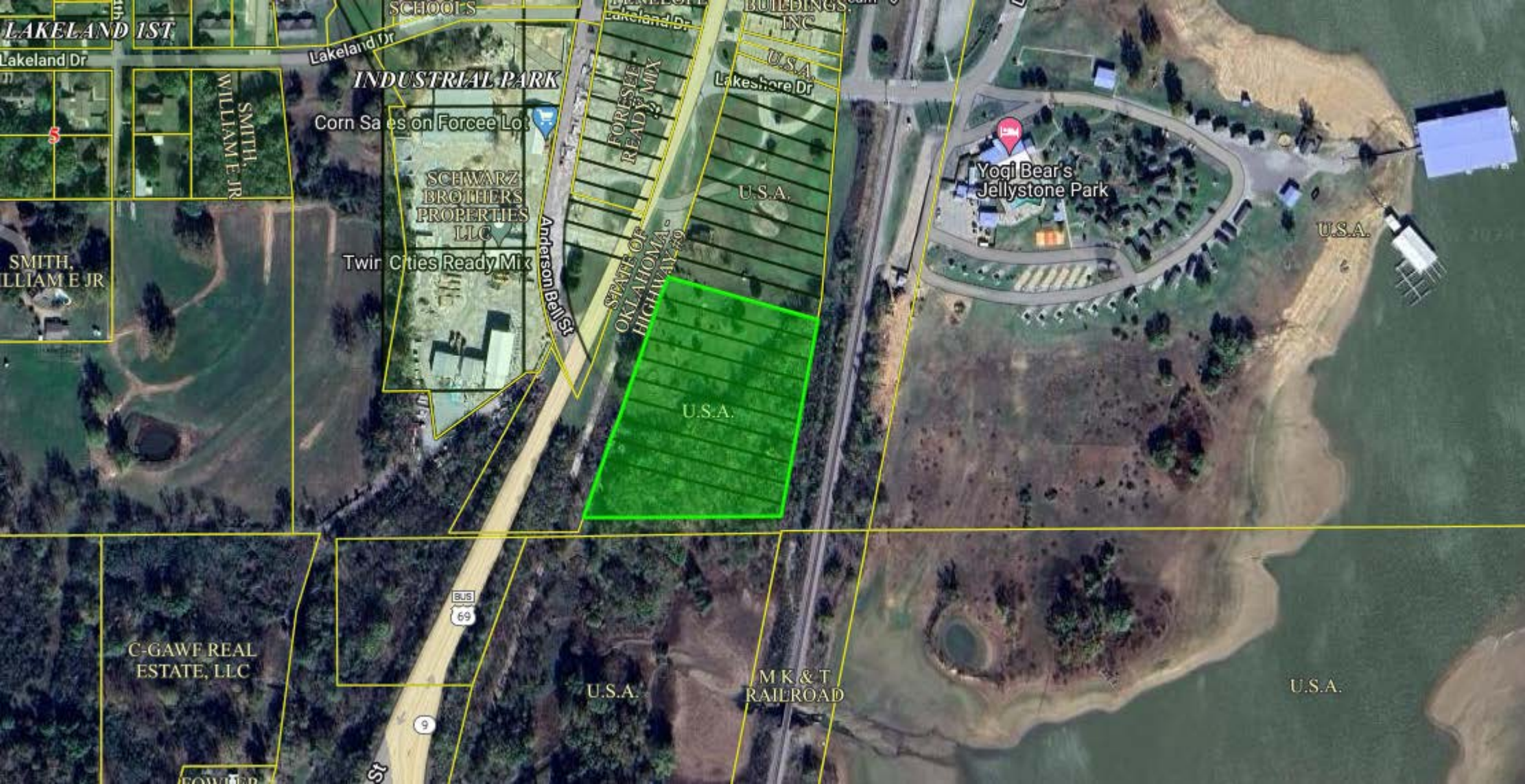
Phone: 918-689-2534

Mail: P.O. Box 684, Eufaula, OK 74432

Email: AA@CityofEufaulaOK.com

This item will be considered by the Board of Adjustments at the meeting on May 20, 2024 , at 5:30pm at the Community Center, 121 High Street, Eufaula, OK. You are welcome to attend the public meeting and provide comments at the designated time.

Respectfully,
Julie Musgraves
Administrative Assistant
City of Eufaula



LAKELAND 1ST

Lakeland Dr

SMITH, WILLIAM E JR

SMITH, WILLIAM E JR

INDUSTRIAL PARK

Corn Sales on Forcee Lo

SCHWARZ BROTHERS PROPERTIES LLC

Twirl Cities Ready Mix

Anderson Bell St

STATE OF OKLAHOMA HIGHWAY 69

U.S.A.

SCHOOLS

BUILDINGS, INC

Lakeshore Dr

U.S.A.

Lakeland Dr

FORESEE READY MIX

Yogi Bear's Jellystone Park

U.S.A.

C-GAWF REAL ESTATE, LLC

BUS 69

9

U.S.A.

M K & T RAILROAD

U.S.A.

POWER

St

SLIP ALORO EPM
main

82

COUNTY OF MCINTOSH)
)
STATE OF OKLAHOMA)

PUBLICATION FEE: \$ 50³⁹

188 words; 2 tabular lines;
2 column(s); - insertions

IN THE DISTRICT COURT
NO. PUBLIC HEARING NOTICE
W/ MAP

Shown exactly as published in
Newspaper

SEE ATTACHED

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

I, Daphanie Hutton, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative 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:

May 2, 2024

[Handwritten Signature]

Signed and sworn to before me on this 2nd day of May, 2024.

[Handwritten Signature]
Notary Public

My Commission expires: April 3, 2026
Commission # 06003427

Legal Notice

Published in the Eufaula Indian Journal,
Thursday, May 2, 2024

City of Eufaula
Public Hearing Notice

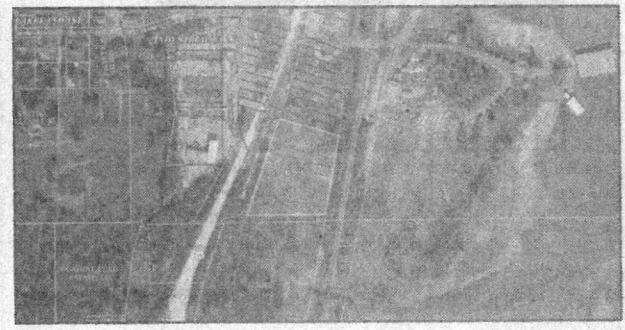
Notice is hereby given that the City of Eufaula, Oklahoma, will conduct a public hearing on a Special Use Permit Application for property located within the City of Eufaula.

The property requesting the Special Use Permit is described as follows:

- Lots 34- 45 of Southmore Addition, to the City of Eufaula, McIntosh County
- Commonly Known as: 701 S Main St.
- Proposed Use: Applicant is requesting a Special Use Permit to offer 19 short-term vacation rental cabins (AirBnB)
- Applicant/s: Tim Albro - Eufaula Public Market

The public hearing will be held as follows:
May 20, 2024, at 5:30 P.M Board of Adjustments, Eufaula Community Center, 121 High Street.

At this time any interested citizen of Eufaula, Oklahoma will have the opportunity to be heard regarding the Special Use Permit 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.



LPXLP