

ORDINANCE NUMBER 927

AN ORDINANCE CHANGING THE ZONING  
FROM R-1(SINGLE FAMILY DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT)  
FOR PROPERTY LOCATED IN THE WEST 90 FEET OF LOTS 18, 19 & 20, BLOCK 11,  
HARDEN'S ADDITION (531 SOUTH 10<sup>TH</sup>) TO THE CITY OF CLINTON, CUSTER  
COUNTY, OKLAHOMA;  
AND DECLARING AN EMERGENCY.

**WHEREAS**, the owners of a tract of land located in the west 90 feet of Lots 18, 19, & 20, Block 11, Harden's Addition in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-1 (Single Family District) to C-4 (General Commercial District); and

**WHEREAS**, the Planning and Zoning Board of said City of Clinton, Oklahoma met on October 12, 2010, after due legal notice thereof to all owners of property situated within a radius of 300 feet of subject tract of land and has reviewed the said application and has recommended to this Council that the zoning of such property be approved as requested; and

**WHEREAS**, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on October 20, 2010; and

**WHEREAS**, the matter was discussed in open forum at this Public Hearing before and by the members of the Council and the Council being fully informed in the premises does find that the interest of the City of Clinton will be served best by establishing the subject zoning district as requested in the subject application and as recommended by the Clinton Planning and Zoning Board; and

**NOW THEREFORE**, be it ordained by the City Council of the City of Clinton, Oklahoma that the following described property in the west 90 feet of Lots 18, 19 & 20, Block 11, Harden's Addition (531 South 10th) in Clinton, Custer County, Oklahoma be and the same is hereby zoned C-4 (General Commercial District).

**WHEREOF**, an emergency is hereby declared to exist and the Ordinance shall be in full force and effect from and after its passage and proof of publication.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Allen Bryson, Mayor

**ATTEST:**

\_\_\_\_\_  
Lisa Anders, City Clerk

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING BOARD  
TUESDAY, OCTOBER 12, 2010**

A regular meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday, October 12, 2010 at 9:00am in the City of Clinton Council Room, City Hall. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on October 7, 2010.

Members Present were: Julie Strong, Mariela Acosta, Jay Wyer, and Corky Heard  
Others Present: Lisa Anders, Charles Fry, Teresa Krewall, Toby Anders, Walt Schumacher, Roy Jones, Jr. Darci Baker, LaWanna Lee and others.

**2. CONSIDER MINUTES OF THE SEPTEMBER 14, 2010 MEETING**

Motion was made by Jay Wyer and seconded by Julie Strong to approve the minutes of the previous meeting.

Chairman put the motion to a roll call vote:

Aye: Wyer, Strong, Acosta, Heard  
Nay: None

Chairman declared the motion carried.

**3. CONSIDER THE CONTINUANCE OF THE REQUEST OF HOTELMACHER FOR A PLOT PLAN FOR THE CONSTRUCTION OF A HOTEL, WATER PARK AND RV PARK ON THE SOUTH HALF OF SOUTHEAST QUARTER OF 22-12-17 IN THE CITY OF CLINTON, CUSTER COUNTY, OKLAHOMA (CHAPMAN ROAD)**

Chairman Heard noted that the Plot Plan for the hotel and water park was approved at the September meeting but additional information was needed regarding the RV park. The plans for the RV park were reviewed. It was noted that the plans include 28 sites.

Motion was made by Strong and seconded by Wyer to approve the Plot Plan for Hotelmacher RV park.

Chairman put the motion to a roll call vote:

Aye: Strong, Wyer, Acosta, Heard  
Nay: None

Chairman declared the motion carried.

**4. CONSIDER THE REQUEST OF WILLIAM ROY JONES, JR TO REZONE A TRACT OF LAND LOCATED AT 531 SOUTH 10<sup>TH</sup>, THE WEST 90 FEET OF LOTS 18 TO 20, BLOCK 11, HARDENS ADDITION TO THE CITY OF CLINTON, CUSTER COUNTY, OKLAHOMA FROM R-1 (SINGLE FAMILY DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT) TO ALLOW FOR A RESTAURANT**

Chairman Heard reported that the Board of Adjustments had approved a variance to allow for Spot Zoning at 531 South 10<sup>th</sup> since the property is less than 22,000 square feet. He said the property has been used for commercial purposes for a very long time and is currently zoned residential.

It was noted that the request is to rezone from R-1 to C-4 to allow for a restaurant but Mr. Jones had reported that the plans for the building have changed. The C-4 zoning is a broad zoning but if the future business has a change it use will be necessary to come before the Planning and Zoning Board for review.

Julie Strong asked about the zoning of other properties in the area.

Building Inspector Charles Fry said the other properties are zoned C-4 which is a general type of zoning for businesses.

Motion was made by Wyer and seconded by Acosta to approve the request to rezone the property at 531 South 10<sup>th</sup> from R-1 to C-4.

Chairman put the motion to a roll call vote:

Aye: Wyer, Acosta, Strong, Heard

Nay: None

Chairman declared the motion carried.

**5. CONSIDER THE REQUEST OF CANADIAN ENERGY SERVICES FOR A USE PERMITTED ON REVIEW FOR THE CONSTRUCTION OF A CONTAINMENT BERM AT 3940 CUSTER AVENUE, LOTS 1-2, BLOCK 3, RIVERVIEW INDUSTRIAL SUBDIVISION LOCATED IN THE SW/4 OF 16-12-17 TO THE CITY OF CLINTON, CUSTER COUNTY, OKLAHOMA.**

Chairman Heard reviewed the request by Canadian Energy Services at 3940 Custer Avenue for the construction of a containment berm.

Building Inspector Charles Fry said DEQ and the Fire Chief have reviewed and approved the plans.

Motion was made by Strong and Wyer to approve the Use Permitted on Review for the construction of a containment berm at 3940 Custer Avenue for Canadian Energy Services.

Chairman put the motion to a roll call vote:

Aye: Strong, Wyer, Acosta, Heard

Nay: None

Chairman declared the motion carried.