

ORDINANCE NUMBER 985

AN ORDINANCE CHANGING THE ZONING  
FROM I-1(RESTRICTED LIGHT INDUSTRIAL DISTRICT) TO C-5 (HEAVY  
COMMERCIAL DISTRICT) FOR PROPERTY LOCATED IN LOT 18, BLOCK 4, MAKER  
ADDITION OF CLINTON, CUSTER COUNTY, OKLAHOMA;  
AND DECLARING AN EMERGENCY.

**WHEREAS**, the owners of a tract of land located in Lot 18 Block 4 Maker Addition in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from I-1 (Restricted Light Industrial District) to C-5 (Heavy Commercial District); and

**WHEREAS**, the Planning and Zoning Board of said City of Clinton, Oklahoma met on January 9, 2018, 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 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 January 13, 2018; 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, to wit:

Lot 18, Block 4, Maker Addition to the City of Clinton, Custer County, Oklahoma  
be and the same is hereby zoned C-5 (Heavy 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
David Berrong, Mayor

**ATTEST:**

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

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING BOARD  
TUESDAY, JANUARY 9, 2018**

A regular meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday, January 9, 2018, at 9:00 am 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 Thursday, January 4, 2018.

Chairman Julie Strong opened the meeting with the following present:

Members present were: Patch McComas, Matt Graybill, Aaron Hemingway and Julie Strong  
Others Present: Lisa Anders, Toby Anders, Amanda Arvizo, Mark Skiles, Leslie Harrison, Peter Wall, Gary and Rita Steffes and others.

**2. CONSIDER MINUTES OF MEETING ON AUGUST 29, 2017 MEETING**

Motion was made by Aaron Hemingway and second by Matt Graybill to approve the minutes of the previous meeting.

Chairman put the motion to roll call vote:

Aye: Hemingway, Graybill, McComas, Strong  
Nay: None

Chairman declared motion carried.

**3. CONSIDER REQUEST OF LESLIE & JAN HARRISON FOR THE DE-  
ANNEXATION OF 20.862 ACRES OF PROPERTY IN THE SOUTH HALF OF THE  
NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RAGNE 16  
W.I.M., CUSTER COUNTY, OKLAHOMA**

Chairman Julie Strong explained that three request are brought before the board for de-annexation.

City Clerk Lisa Anders confirmed that notices were sent to property owners within 300 feet of the property and no one has responded to the notice.

Motion was made by Matt Graybill and seconded by Aaron Heminway to approve the request to de-annex.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong  
Nay: McComas

Chairman declared the motion carried.

**4. CONSIDER REQUEST OF HINZ AUCTION LAND & CATTLE, LLC FOR THE DE-ANNEXATION OF 16.138 ACRES OF PROPERTY IN THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 16 W.I.M., CUSTER COUNTY, OKLAHOMA.**

Matt Graybill asked Mr. Hinz why he wants his property de-annexed from the City of Clinton.

Mr. Hinz said that he was not requesting water or sewer service from the city and he would have to meet state codes on his construction. He said his business would not generate sales tax since it is all agricultural.

Motion was made by Graybill and seconded by Hemingway to grant the request for deannexation.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong

Nay: McComas

Chairman declared the motion carried.

**5. CONSIDER REQUEST OF PETER WALL FOR THE DE-ANNEXATION OF 20.0 ACRES OF PROPERTY IN THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 16 W.I.M., CUSTER COUNTY, OKLAHOMA**

Peter Wall said his property would be used for the sale of agricultural equipment and not be a sales tax generating business.

Motion was made by Hemingway and seconded by Graybill to grant the request for deannexation.

Chairman put the motion to a roll call vote:

Aye: Hemingway, Graybill, Strong

Nay: McComas

Chairman declared the motion carried.

**6. CONSIDER REQUEST OF GARY AND RITA STEFFES FOR THE REZONE OF LOT 18, BLOCK 4 MAKER ADDITION, CLINTON, CUSTER COUNTY, OKLAHOMA FROM I-1 RESTRICTED LIGHT INDUSTRIAL DISTRICT TO C-5 HEAVY COMMERCIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A TRUCK REPAIR SHOP (300 NORTH 14<sup>TH</sup>)**

Chairman Julie Strong said the Board of Adjustments had granted a variance to the requirement of 22,000 square feet for rezoning.

Building Inspector Toby Anders said the rezoning to C-5 is for the truck repair business. He said he had measured the lot and reviewed the placement of the building on the lot. He said there are no setback requirements for the C-5 zoning.

Motion was made by Graybill and seconded by Hemingway to approve the rezoning of the property at 300 North 14<sup>th</sup> to C-5 as requested.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong

Nay: McComas

Chairman declared the motion carried.

#### **6. ADJOURN**

Motion was made by Graybill and seconded by McComas to adjourn the meeting.

Chairman put the motion to roll call vote:

Aye: Graybill, McComas, Hemingway, Strong

Nay: None

Chairman declared the meeting adjourned at 9:32 am