

ORDINANCE NO. 2023-02-01

AN ORDINANCE AMENDING THE ZONING OF TONK-BUCCANEER ADDITION OUTLOT C, LESS THE EAST 189.95 FEET, CITY OF TONKAWA, KAY COUNTY, OKLAHOMA (HERINAFTER THE "REAL PROPERTY") IS HEREBY RE-ZONED FROM ITS CURRENT ZONING CLASSIFICATION OF R-1 ZERO LOT LINE RESIDENTIAL DISTRICT TO R-3 MULTIPLE-FAMILY DISTRICT; SAVINGS; SEVERABILITY, REPEALER, AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

WHEREAS, Jimbo Carnley, P.O. Box 1898, Stillwater, Oklahoma 74076 has filed an application to rezone certain real property from R-1 Zero Lot Line Residential District to R-3 Multiple-Family District; and

WHEREAS, public notice was timely published and mailed to the owners of real property located within three hundred feet (300') from the exterior boundary of the real property, and in addition to all persons owning real property within the real property's legal description, advising all noticed that a public hearing on the zoning amendment would be heard on January 23, 2023 at 5:30 p.m., and at the place as identified in the notice; and

WHEREAS, on the 23rd day of January, 2023, pursuant to a properly and timely posted agenda, the Tonkawa Planning Commission met and passed a motion to recommend the zoning amendment to the City Council; and

WHEREAS, on the 21st day of February, 2023, the City Council of the City of Tonkawa, considered the recommendation of the Tonkawa Planning Commission to approve the Application for zoning amendment and formally approved it by at least a majority vote.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONKAWA, OKLAHOMA:

Section I: THAT THE FOLLOWING TRACT OF REAL PROPERTY, LOCATED IN THE CITY OF TONKAWA, KAY COUNTY, STATE OF OKLAHOMA, NAMELY: TONK-BUCCANEER ADDITION OUTLOT C LESS E 189.95', CITY OF TONKAWA, KAY COUNTY, OKLAHOMA IS HEREBY RE-ZONED FROM ITS CURRENT ZONING CLASSIFICATION OF R-1, ZERO LOT LINE RESIDENTIAL DISTRICT TO R-3, MULTIPLE-FAMILY DISTRICT.

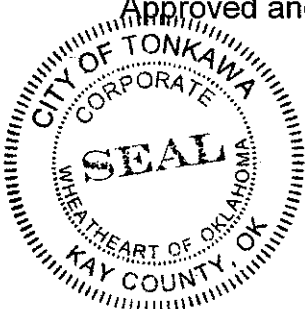
Section II: REPLEAER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III: SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.


Section IV: SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Tonkawa that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.


Section V. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Tonkawa, Oklahoma, and in order to immediately provide for this amended zoning ordinance, an emergency is hereby declared; therefore, this ordinance shall become effective from and after its date of publication.

Approved and executed this 21st day of February, 2023.

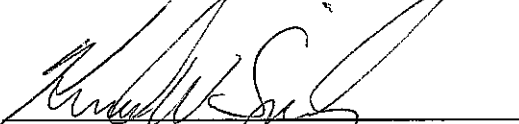


ATTEST (SEAL)


Nancy C. Skipper, City Clerk


W. Lee Stout, City Attorney

CITY OF TONKAWA, OKLAHOMA


Kenneth W. Smith, Mayor