

Subdivisionandzoning

From: Allen Fuller <allenf97@gmail.com>
Sent: Tuesday, March 30, 2021 4:19 PM
To: Subdivisionandzoning
Subject: Protest of PUD 1813
Attachments: Protest Letter PUD-1813 from Margo McCauley Fuller 2.pdf

Attention City of Oklahoma Subdivision and Zoning:

Please see the letter attached to this email regarding the Protest of PUD 1813 to be submitted to the Planning Commission for Hearing on April 8th, 2021.

Kind Regards,
Margo McCauley Fuller

Attention: Subdivision and Zoning PUD Case 1813

Protest of PUD 1813 to be submitted to Planning Commission for Hearing on April 8

Margo McCauley Fuller
Property Owner within 300 Ft
1570 W. 37th St., Unit 2
Los Angeles, CA 90018-4521
Email: Lady057@yahoo.com

March 29, 2021

RE: CASE NUMBER: PUD-1813 PROTEST
Address: 10317 Hassett Street (also known by
postal service as N. Hassett Road)

To: OKC Planning Commission Members



As a home and land owner (see home above) I have been seriously aggrieved by the illegal operation of a commercial dump site which Mr. Taylor III (applicant) has allowed his son, Charles Zell Taylor IV to operate for years in a residentially-zoned neighborhood. Five acres of my property directly abuts Mr. Taylor's land. The damage I have suffered is significant and I am strongly opposed to PUD-1813, attempting to rezone this R-1 Single-Family Residential District to an agricultural based zoning. Please understand that I am not just claiming to be a substantial interest aggrieved property owner. I distinctly can prove this standing: 1) as a property owner who has a substantial interest in any zoning decisions; and 2) that I am in extreme danger of suffering severe financial damage and irreparable personal loss if the Taylors are granted this PUD rezoning variance.

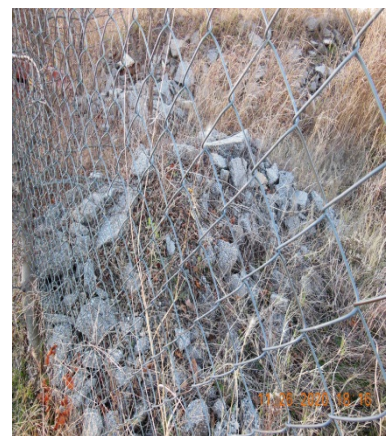
My property is clearly within 300 feet, will be adversely impacted, and includes:

1. A home (market value \$430,500) on 1.58 acres; (photo of home at top of page)
2. 1.63 acres undeveloped to the west of the home;
3. 5.01 acres undeveloped behind the home to the north, abutting Mr. Taylor's land east to west with absolutely no intervening land between the property boundaries. (Photo of damage at abutting



boundary caused by Mr. Taylor's son). The most compelling reasons I strongly object to this flagrant attempt by Mr. Taylor to rezone are as follows:

1. Destruction of Property and Land Erosion. Please see the photographs which demonstrate the solid waste that has been dumped by Mr. Taylor for years, damaging my fence and destroying the land. These piles





of busted concrete, asphalt, and rotting trees have elevated the property so significantly that the land erosion is irreparable. This debris is piled so heavily, it has collapsed the fencing into a mangled mess. This damage is a direct result of Mr. Taylor's son being allowed to utilize his land as an illegal open dump site for construction waste and any other trash or junk he can profit from. Make no mistake, the applicant's son, Charles Taylor IV has operated an illegal dumping business for years; and continues to this very day despite repeated violation notices from

the City of OKC. My financial advisor conducted a survey of my impacted property advising me that clean-up and restoration of this waste will result in a major financial loss from my personal assets; incur significant legal costs for damages and undue stress; and presents a logistical nightmare in any attempts to reverse the destruction. I had plans to sell this abutting five acres to a responsible owner planning to build a home in a residential zone. But, who would invest in new home construction right next door to this chronic nuisance neighbor pounding, sawing, mulching, burning, dumping by heavy hauling equipment with customers coming and going at a firewood production business. Clearly, this irreparable harm obliterates any sense of quality of life denying all surrounding property owners their right to enjoy their homes and properties.



2. **Mr. Taylor's History of Violations of OKC Municipal Codes and Reckless Behavior.** My mother tried repeatedly for years to get the OKC Action Center to stop Mr. Taylor's son to no avail. Fellow neighbors reported him as well without success over and over again. Please note: this was not just one neighbor complaining about wood. These complaints were filed by the large majority of property owners in the community for years. The Action Center never enforced the OKC Municipal Codes that should have protected us from the Taylors.

This past August 2020 when Mr. Taylor's five-acre tract was almost entirely consumed in waste, our homes, cars, and land frequently covered in flying embers and soot from his constant burning, the Department of Environmental Quality intervened. With the Action Center now engaged numerous violations were filed for multiple code infractions. The Taylor's filed their first PUD application PUD-1793 in late October attempting to circumvent compliance and bids from the City to initiate cleanup. Property owners were not notified by Zoning of this application until the week of Thanksgiving with mere days to respond. With this proposed PUD rezoning application the Taylors added another layer of risk to our community – open toxic burning and dumping from a Firewood Production facility. Fires in this area are a major threat, and the excessive burning of unattended wood and tree debris places our entire neighborhood under siege, never knowing if or when an unsupervised ember will ignite a firestorm. Although Mr. Taylor (son) had a burn permit, he was not following required rules, and subsequently was issued a warning notice by the Department of Environmental Quality.

Over 15 property owners, within 300 to 500 feet of the Taylors land strongly united and submitted objection letters upon receipt of the Notice of Hearing. Upon discovering the true condition of the property, the Taylor's attorney filed for withdrawal of this PUD attempt and it was never submitted to the Planning Commission for consideration. Did this stop the Taylor's from operating an illegal business in a residentially zoned neighborhood? The answer is NO. The Taylor's to this very day defiantly continue to subject all surrounding property owners to dump trucks; destruction of the single-lane, dead-end road; toxic air quality and noise pollution; rodent infestations; drainage and erosion of property; exerting an imbalance of hardship on an entire neighborhood. See photographic evidence of dump truck emptying their massive load of trees on March 3, 2021. Does anyone really believe Mr. Taylor is allowing Wichita Tree Service (depicted in photo) to dump loads for free? Our community is no place for



a Firewood Production facility. To even think for one second that Mr. Taylor will conduct his business in a responsible manner is offensive. Clearly his past conduct demonstrates he is only self-serving with no regard for others or respect for City ordinances.

3. Destruction of Private Road and Adjacent Fencing and Easements. N. Hassett Road runs adjacent along the east boundary of my property north to south. The road was built from utility easements, single lane, dead-ends and only for residents who live in the area. The road is not paved nor maintained by the City or County. It must be maintained financially by residents. Time and time again I have had to suffer the financial costs; file insurance claims; and invest time and energy to repair the fencing on my property. All caused by heavy equipment and hauling trucks

that have crashed into the structures or gashed enormous potholes into the easements.

4. **The Proposal Does Not Meet the Criteria for a Rezoning.** This PUD proposal is inappropriate in an area of stability. Mr. Taylor's property would be surrounded by residential property and would be hardly conducive to contributing to a harmonious environmental atmosphere of family living. This purposed rezoning of the property is not compatible with the surrounding properties where new residential homes are being built and others



beautifully restored. (Example of new homes being built within 500 feet of Taylor property)

5. The Proposed Rezoning Is Inconsistent with Public Health, Safety, and the Welfare of Residents. The toxic accumulation of discarded trash, burn fumes, run-off of environmental waste, fire threats, air quality, noise pollution; rodent, mosquitos, snake infestations; exposure to potentially infectious diseases present serious threats. (Multiple violations of Junk and Debris scattered on N. Hassett Road of Mr. Taylor's waste thrown outside his property for Big Trash Pick Up)

6. **Insufficient road infrastructure.** The private single-lane road will not handle the dramatic increase in traffic that will occur if the rezoning is permitted that allows for sales and displays. The street is too narrow, does not allow for any turn lanes, dead ends, and is in desperate need of repair because of drainage problems caused by Mr. Taylor. This road especially will not allow for heavy traffic flow from large hauling



vehicles. If this rezoning is approved and the planned development completed, the residential neighborhood's surrounding the property will witness a dramatic increase in traffic congesting the area, only creating more damages, accidents, and potential injuries, a notable risk to children and other neighborhood pedestrians who frequently ride their bikes or walk their dogs on this rural private road.



7. **The Neighborhood Does Not Support this Project.** Spot zoning for this parcel is not only inappropriate but also circumvents the residential-1-single-family zoning status desired by the majority of community residents where new homes are being



constructed in a lovely culturally diverse neighborhood. A Firewood Production facility is totally inappropriate and is not equally fair to surrounding home and property owners. Just look at these disgraceful signs he erected at the intersection of 100th Street and Hassett Road, for potential buyers of "Charlie's Firewood". And, during both ice storms, this lame road was the conduit for multiple customers flocking to purchase firewood from "Charlie." One, the residents who actually



needed to use the road were unable to access their property; an already damaged private street was further destroyed by excessive traffic driving in and out of Mr. Taylor's firewood operation leaving deep gullies and potholes in their wake amidst extreme weather conditions.

8. **Illegal Operation of Business in a Residential Single 1 Zone.** Mr.

Taylor continues to operate an illegal commercial business in a residentially zoned neighborhood defying code enforcement laws. Why is he allowed to continue illegal operation of a business even after being reported again and again? Further proof – "Charlie's Firewood" website directing customers with fraudulent photos of my mother's front yard well-maintained fence and a lovely rack of wood creating the appearance of a pristine well-run business when in all actuality, this is a dump site.



9. **Neighbors Most Impacted by the Project Are Strongly Opposed to PUD-1813.** Almost every neighbor who lives within 300 - 500 feet of Mr. Taylor's property is adamantly objecting this PUD rezoning variance. To my knowledge not a single property owner within 300 feet has written or voiced support for this illegal business. Mr. Taylor's property is surrounded

on all sides by residentially zoned homes and property owners. It is not harmonious with existing properties. This PUD variance, if approved, would significantly change the spirit of the community; infringe on neighboring property owner's rights to use and enjoyment of their land.

For the foregoing reasons, I respectfully request that the Planning Commission recommend a denial to the City Council regarding PUD-1813. Although I am unable to attend the public meeting on April 8, please know that I most assuredly object to this rezoning. Respectfully, I encourage the Planning Commission to send a clear message that protects and enforces municipal codes. Mr. Taylor should be held accountable – not rewarded for his long history of misconduct. Thank you for the opportunity to voice my strong objections to PUD-1813.

Sincerely,
Margo McCauley Fuller
Home/Property Owner
Within 300 feet directly abutting Taylor's land

cc: Richard Winblad, Winblad Law PLLC

