

**STILLWATER BOARD OF ADJUSTMENT  
Special MEETING OF DECEMBER 17, 2015  
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING  
LAW, THE AGENDA WAS POSTED December 14, 2015  
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Ron Walker  
Terri Ventress  
Trey Lester (arrived at 5:33 PM)  
Ariel Ross

Staff Present:

Dennis McGrath, Assistant City Attorney  
Aaron Baggarly, Planning Manager  
Patricia Evans, Planner II  
Cindy Gibson, Administrative Coordinator

Members Absent:

Guests:

Mrs. Kelly Harris  
Mr. Yasuto Taguchi, MD  
Mr. Terry Kenzie

1. **CALL MEETING TO ORDER.**

Chair Walker calls the meeting to order at 5:31 PM. Chair Walker introduces the board and explains the proceedings for the evening.

Cindy Gibson, Clerk swears in the following:

Mrs. Kelly Harris      Mr. Yasuto Taguchi, MD      Mr. Terry Kenzie

2. **BUSINESS ITEMS FOR DISCUSSION AND CONSIDER POSSIBLE ACTION ON:**

- a. TRD Ventures, LLC, **VARIANCE and SPECIAL EXCEPTION (PZ-15-2034)** for properties addressed as 1202 and 1208 S. Duck Street, requesting review and granting for:
  - i. A Variance to Chapter 23, Sec. 23.150.c.2.a.1 to allow a reduced front yard setback from 25 to 15 feet for 1202 S. Duck Street; and
  - ii. A Special Exception to Chapter 23, Sec. 23.67.a.6 to extend the zoning classification of Office (O) to 1208 S. Duck Street.

Patty Evans, Planner II presents staff's report on agenda item 2.a.i.

Chair Walker asks if there are any questions for staff; none respond. Chair Walker asks if there is any one that wishes to speak in favor of this item.

Mrs. Kelly Harris of Keystone Engineering, 923 S. Lowry St., comes to speak on the following:

- Staff done a great job in the presentation and bringing out all of the key points
- Here to answer any questions

Chair Walker asks if there are any questions for Mrs. Harrison; none respond. Chair Walker asks if there is any one that wishes to speak in opposition of this item.

Mr. Terry Kenzie, owner of 1219 S. Duck Str., comes to speak on the following:

- Wants an explanation of what this is about
- Wanted to know what business is this – understands now it's a medical office
- How will traffic be handled
- Concerned about the drug issue in the area
- Has a house for sale in this area and wants to be prepared to answer questions for potential buyers
- What is the Master Plan for this area

Patty explains that the Comprehensive Plan does state that this corner lot should be commercial, which office is commercial; this will be a good use for this location as it is very visible; Stillwater Medical Center is building a warm water pool and office further west on 12<sup>th</sup> Avenue; most of the property between Duck and Western along 12<sup>th</sup> is now office or commercial; fits in well in this area; and the building should have some security to help alleviate concerns with drugs.

Patty presents recommendation, which is that staff finds that the applicant has met items 1 through 4. Staff would recommend, if in the Board's opinion, the information provided in the report and by way of testimony, allows the Board to make findings in the applicant(s) favor and grant the variance.

Chair Walker asks for Board discussion; none respond. Chair Walker asks for a motion.

**Ms. Ross moved, Chair Walker seconded to approve the variance and accept staff's recommendation on all four criteria.**

Roll Call:	Walker	Ventress	Lester	Ross	Vacant
	Yes	Yes	Yes	Yes	

*Time: 12 Minutes*

Patty Evans, Planner II presents staff's report on agenda item 2.a.ii.

Chair Walker asks if there are questions for staff.

Mr. Lester asks what is directly south of this property and if there has been any communication from them; Patty responds there is a house and no, those owners were actually the owners of the small lot that was sold to TRD Ventures.

Ms. Ross asks what the consequences are if this is not granted; Patty explains that even if they could get a building to sit on the north portion, they can't use the smaller lot for anything.

Chair Walker asks if there are any other questions for staff; none respond. Chair Walker asks if there is any one that wishes to speak in favor of this item; none respond. Chair Walker asks if there is any one that wishes to speak in opposition of this item or make additional comments.

Mr. Terry Kenzie asks what will happen with the median on Duck Street; Mrs. Harris states that she will meet with Mr. Kenzie after the meeting to discuss these details.

Chair Walker states that this Board does not have an actual plan of the site and building so the question cannot be answered by the Board.

Mr. Kenzie asked about the egress and ingress; Patty responds that the reason we don't have a plan is because the applicant wanted to come to seek approval for the variance and special exception first before proceeding with the cost to design the site that could not be approved or wouldn't work.

Patty comments about the building and site having to go through the Commercial Use-By-Right process to get site and permit approval before construction can begin; there will not another public hearing; once the application is submitted then anyone is more than welcome to visit with staff to look at the site and proposed development.

Mr. Lester asked if staff believed there would be any detriment to traffic in this area with this change; Patty responds no as there is a driveway off of 12<sup>th</sup> Avenue and it may be used, which can be widened, but it should not add any additional traffic than what is on 12<sup>th</sup> now.

Patty presents staff's recommendation, which is that staff finds that the applicant has met items 1 and 2 and staff would recommend that the Board determine, if in the Board's opinion, the information provided in the report and by way of testimony, allows the Board to make findings in the applicant(s) favor and grant the request.

Chair Walker asks for Board discussion.

Mr. Lester and Mrs. Ventress comment held about the location being close to the Library; current traffic; this site not adversely affect the rights of surrounding property owners nor cause detriment to the public health, safety or welfare.

Chair Walker moved, Mr. Lester seconded to approve the special exception based upon staff's findings on criteria 1 and 2.

<b>Roll Call:</b>	<b>Walker</b>	<b>Ventress</b>	<b>Lester</b>	<b>Ross</b>	<b>Vacant</b>
	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	

*Time: 11 Minutes*

3. **MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:**

- a. Next regular meeting is scheduled for January 7, 2016.

4. **ADJOURNMENT**

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:57 p.m.

Prepared by – Cindy Gibson, Admin. Coordinator

Approved by: \_\_\_\_\_  
Stillwater Board of Adjustment

