

**STILLWATER BOARD OF ADJUSTMENT
REGULAR MEETING OF JULY 9, 2015
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED July 7, 2015
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Trey Lester
Robert Williams
Terri Ventress

Members Absent:

Ron Walker
Josh Marler

Staff Present:

Dennis McGrath, Assistant City Attorney
Aaron Baggarly, Planner Manager
Tom Coots, Planner
Cindy Gibson, Administrative Coordinator

Guests:

Mr. James Patrick Rogers

1. **CALL MEETING TO ORDER.**

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

Cindy Gibson, Clerk swears in the following:

Mr. James Rogers Mr. Tom Coots

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

- a. James P. Rogers, **VARIANCE-BOARD OF ADJUSTMENT (PZ-15-1981)**, requesting review and granting of a variance to Sec 23.138 (D) (2) (A) to allow reduced front yard setbacks at property addressed as 1124 S. Husband St. in the RT , Residential One and Two Family district. **Coots**

Tom Coots, Planner I presents staff's report and findings.

Discussion is held regarding the property being a corner lot; the address not determining the front of the property; the length of the property not determining the front; and that any side that abuts a street right-of-way or road access easement can be the front. Tom continues and states that the RSS districts allows some relief in that the one front has to be 20 feet and the other side can be 15 feet but this is not present in the RT district.

Tom states that the only relief being requested is for the front yard setback along 12th to allow the building to be placed at a 2 foot setback from the 12th Avenue right-of-way. Tom clarifies that the applicant is asking for an 18 foot variance to the required 20 foot setbacks.

Mr. Lester asked about the intent of the special purpose overlay (SPO) district; Tom explains that the SPO was setup, which is also referenced as the Business Improvement District #1 (BID #1), to facilitate and enhance the development of the downtown area of Stillwater and when the plan was composed it was mainly geared towards commercial development with the idea of those buildings being right on the property lines. Tom states the SPO does not allow residential uses so staff was referencing the RT district codes, which is the underlying district. Tom reiterates that basically the idea was to develop the downtown area of Stillwater in a downtown type fashion so having buildings closer to property lines would enhance that.

Mr. Lester comments that the thought was, that even though this is residential, it would match a little better for potential businesses that could come later; Tom responds yes.

Vice-Chair Williams asks if there are any other questions for staff; none respond. Vice-Chair Williams asks if there is anyone that wishes to speak in favor of this variance request.

Mr. James Rogers comes to the podium and speaks on the following:

- Handed out an elevation of the building on the property
- The property is long and narrow; most of the properties along there face Husband Street
- Not for sure how the zoning applies now but most of the houses are right on the property line so they were built before the codes were in place
- Thought the best thing for this area would be for the structure, with porches, to face 12th
- Spent a lot of time trying to figure out the right look for this property
- To get this accomplished, need the 18 foot variance
- Believes this fits the BID District and gives a better look to the neighborhood as you pass by
- Asks for the relief
- Doesn't seem to be any neighbor in attendance to show opposition

Vice-Chair Williams asks if there are any questions for Mr. Rogers; none respond. Mr. Rogers states that it is going to be of very high quality construction and very durable.

Vice-Chair Williams asks if there is anyone that wishes to speak in opposition to this variance; none respond. Vice-Chair Williams asks for Tom to return for staff's recommendation.

Tom states that after reviewing the four criteria, staff finds that the applicant has met all four and recommend that the Board further review the request to 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.

Vice-Chair Williams asks if there are any more questions for staff; none respond. Vice-Chair Williams asks for Board discussion.

Mr. Lester moved, Mrs. Ventress seconds to approve the requested based upon staff's findings and adopt all of staff's findings on all four criteria.

Roll Call:	Walker	Williams	Ventress	Lester	Marler
	Absent	Yes	Yes	Yes	Absent

Time: 16 Minutes

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

- a. Next regular meeting is scheduled for August 6, 2015.

4. **ADJOURNMENT**

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:48 p.m.

Prepared by – Cindy Gibson, Admin. Coordinator

Approved by: _____
Stillwater Board of Adjustment

DRAFT