

**STILLWATER BOARD OF ADJUSTMENT
REGULAR MEETING OF DECEMBER 7, 2017
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED December 5, 2017
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Ron Walker
Terri Ventress
Trey Lester
Richard Buchanan
Craig Spencer

Staff Present:

Dennis McGrath, Asst. City Attorney
Lanc Gross, Development Review Manager
Tom Coots, Planner
Cindy Gibson, Administrative Coordinator

Members Absent:

Guests:

Ms. Kristen Hadley
Ms. Brittany Hadley

1. **CALL MEETING TO ORDER.**

Chair Walker calls the meeting to order at 5:30 PM. Chair Walker introduces the board and explains the proceedings for the evening.

The following individuals are sworn in:

Ms. Kristen Hadley

Ms. Brittany Hadley

Mr. Tom Coots

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

- a. Rick & Kristen Hadley, **VARIANCE (PZ.17.2259)**, requesting review and approval for a variance to Sec. 23.356 to allow a waiver to the requirement to construct a sidewalk adjacent to the property addressed as 2310 E. 12th Ave., in the Residential Small Lot Single Family (RSS) district. **Coots**

Tom Coots, Planner presents staff's report.

Chair Walker asks if there are any questions for staff.

Mr. Lester asks if there any sidewalks along this area of 12th Avenue; Tom responds that there isn't any.

Mr. Spencer asks about them being eligible for an exemption due to the size of the property frontage; Tom responds that large lot developments don't have to put sidewalks in, however, this particular lot is below the size for the exemption.

Chair Walker asks if there are any further questions; none respond. Tom hands out two (2) letters that were received late that are in support of this request.

Chair Walker asks if there is any one that wishes to speak in favor of this.

Ms. Kristen Hadley comes to speak on the following:

- This is her daughter's house
- They moved it onto the property
- What should have been a 2 month process has turned into 12 months
- This area has deep ditches

- There is no curb
- There is no sanitary sewer
- Would be hard to make the ditches work so that the sidewalk could be installed

Mr. Buchanan asks if they thought anyone would benefit from the installation of the sidewalk; Ms. Hadley responds no, that it would draw some unwanted attention to the location.

Chair Walker asks if there is any one else that wishes to speak in favor; none respond. Chair Walker asks if there is any one that wishes to speak in opposition; none respond. Chair Walker asks if there are any additional comments from staff.

Tom presents the criteria and alternatives.

Mr. Buchanan asks whether or not this sidewalk would impact drainage. Mr. Buchanan comments about the drainage box just west of this property and how if sidewalk is installed in this area without proper design and consideration, it will exasperate the drainage issue. Tom states that he isn't sure if he can agree or disagree with the statement.

Chair Walker asks if there any more questions for staff; none respond. Chair Walker asks for Board discussion.

Mr. Lester states that he doesn't see an issue with but trying to define the hardship.

Mrs. Ventress discusses an option of applying a conditional approval stating that if sidewalk was installed in the future then the property owner could install it at that time; Mr. Dennis McGrath, Assistant City Attorney advises that this conditional approval is an option.

Board discussion is held about a piece of sidewalk looking funny and at this time, doesn't severe any purpose but someday, this area will develop and sidewalk will need to be installed; the 5 to 6 foot fall on the road sides of this area; the hardship is forcing someone to do something that is unnecessary; and aside from the cost of it, it just isn't necessary; the code is written to address a more intense development that is progressive and there isn't thing intense or progressive in this area; the owner stating that when sidewalks are constructed in this area or when the area further develops, then they will build their sidewalk; peculiar because it's on a dead end street adjacent to the city limits; granting the request won't cause detriment but not granting of the request could cause detriment and impact the drainage.

Mr. Buchanan moved, Mrs. Ventress seconded to approve the request from the requirement to build the sidewalk for the frontage on the property addressed as 2310 E. 12th Avenue based upon the fact that it would cause an unnecessary hardship on the applicant based upon the fact that it's not needed or will not be used there and there is no reason to build it; it is peculiar because it's on a dead end street and is the boundary of the city limits; no sidewalk causes no detriment to the public good but sidewalk could impair drainage; and it is the minimum relief would be to not require them to build it.

Roll Call:	Walker	Ventress	Lester	Buchanan	Spencer
	Yes	Yes	Yes	Yes	Yes

Time: 22 Minutes

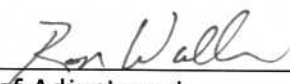
3. **MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:**

- a. Next regular meeting is scheduled for January 4, 2018.

4. **ADJOURNMENT**

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:52p.m.

Prepared by – Cindy Gibson, Admin. Coordinator

Approved by: 
Stillwater Board of Adjustment

