

**STILLWATER BOARD OF ADJUSTMENT
SPECIAL MEETING OF February 27, 2020
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED February 18, 2020
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Ron Walker
Richard Buchanan
Terri Ventress
Craig Spencer

Staff Present:

Dennis McGrath, Assistant City Attorney
Lanc Gross, Planning Manager
Melissa Higgins, Administrative Assistant

Guests:

Kelly Harris
Jim Brown

Members Absent:

Trey Lester

1. CALL MEETING TO ORDER.

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

The following individuals are sworn in:

Mr. Lanc Gross

Ms. Kelly Harris

Mr. Jim Brown

2. BUSINESS ITEMS FOR DISCUSSION AND POSSIBLE ACTION ON:

- a. The Sticks, LLC, **VARIANCE (VAR19-18)**, requesting review and granting of a variance to Chapter 37, Article III, Section 37-130(4)(c) for curb cut design for driveways/lane requirements for property currently addressed as 821 N Main Street in the Residential Single Family Small Lot (RSS) district. **Harkins**

Lanc Gross, Planner presents staff report. Asks for any questions for staff.

Chair Buchanan asks if the board has any questions for staff. None respond.

Chair Buchanan opens public meeting. Chair Buchanan asks if there is anyone wishing to speak in favor of this item.

Ms. Kelly Harris, 923 S Lowry St, Stillwater, OK, comes to speak on the following:

- Representing the owner.
- Thanks the Board for being accommodating with their schedules to allow for a special meeting.
- Explains the shared access between the applicant and the property owner to the south.
- Goes over how the applicant meets the four criteria.
- Allow existing driveway to remain at 117'
- Here to answer any questions for the board.

Chair Buchanan asks why 117'.

Ms. Harris responds the currently existing cul-de-sac with additional parking and the 117' is the amount of curb opening that abuts the proposed street.

Chair Buchanan asks if they don't intend to put curb across the 117' being mentioned.

Ms. Harris responds that they will be installing mountable curb.

Chair Buchanan asks if they plan to install mountable curb throughout the rest of the development.

Ms. Harris responds affirmatively. Explains that many developers are going to mountable curb so they don't have to tear out and replace a section of curb when putting in a driveway later.

Mr. Spencer asks how the current tenants park in the existing parking on the property to the south currently (ie: straight in).

Ms. Harris responds they park straight in. It's perpendicular all the way around the circle. What's left from applicant's proposed curb line to the adjacent property owner's curb is 43 1/2'. So they have room for the 18' parking space and the 24' back out area. The majority of the tenants will be able to pull straight in and back out and just pull out. There are a few spaces that they may have to use the street just like a normal driveway to back out and then turn to pull away.

Mr. Walker asks what is going on to the east of the curb variance request shown in Ms. Harris' presentation.

Ms. Harris responds there is currently some broken up asphalt. The applicant is maintaining the 27' wide street as shown for fire truck turnaround and drainage that will outlet into the drainage path to the east.

Mr. Walker asks if the mountable curb will stop within that section.

Ms. Harris responds that it will be constructed all the way to the end of the street.

Chair Buchanan asks if the mountable curb will be constructed across the end of the street as well.

Ms. Harris responds no that it will remain open for drainage to exit the street area.

Mr. Walker states that the mountable curb is very practical and would be advantageous for the City as their streets wouldn't get cut up and added on to. Once you have the mountable curb it's hard to define the driveway width.

Mr. Spencer states especially since they call it a "curb cut" but the curb remains the entire way.

Mr. Walker states the only downside to a mountable curb is if it's the type of neighborhood where people will tend to park in the yard. That's why the expressed concern for the section to the east of the curb variance request.

Chair Buchanan asks if the 117' shown would or would not have a mountable curb.

Ms. Harris responds that a mountable curb will be in constructed there.

Mr. Buchanan asks how they plan to differentiate between the access and the rest of the street. It appears that they will have a mountable curb from the beginning at Tyler Street all the way to where it truncates and stops. Asks if there is anything that will actually identify that there is a "curb cut" there.

Ms. Harris responds "better paving." Agrees it will be hard to see that definition.

Chair Buchanan asks if they intend to use the existing surface or change it.

Ms. Harris responds that it depends on the condition of the existing surface.

Chair Buchanan responds it isn't in very good shape.

Mr. Spencer states he's still surprised it's called a curb cut.

Ms. Harris states she was surprised as well. She thought it was just driveway width at the property line.

Mr. Spencer states that it must be because they need access to that part of the property so there has to be a "curb cut".

Chair Buchanan asks if being a "curb cut" puts some kind of restrictions or additional rights by being called a "curb cut" for the 117'. It appears to be just like the rest of the south side of the street.

Mr. Walker states it may be considering a "curb cut" where it connects to driveway and here it basically connects the whole distance.

Ms. Harris shows the Board the portion of "driveway to the street".

Mr. Walker states that on the mountable curb on the northern part of the development they will still be required to maintain driveway standards.

Ms. Harris responds affirmatively.

Chair Buchanan asks for any additional questions for Ms. Harris. None respond.

Chair Buchanan asks for any additional people wishing to speak in favor of the item.

Mr. Jim Brown, 3815 W Eagle Creek Dr, Stillwater, OK, comes to speak on the following:

- Owns property to the south
- Allows tenants to come in and park easily
- Will aid in drainage as the property is currently in a lower area.
- There to answer any questions the Board may have.

Chair Buchanan states that by having the mountable curb on the south side from where the “curb cut” starts all the way to where the street terminates Mr. Brown’s tenants will be able to pull across it and utilize all the parking

Mr. Brown agrees that it will be easier for his tenants to pull in and back out once mountable curb is installed. As well as the added assistance with drainage of runoff getting diverted to the east.

Ms. Ventress asks Mr. Brown how long he has been associated with the property to the south.

Mr. Brown responds approximately twenty years.

Ms. Ventress asks that he is pretty familiar with the water flow in that area and that he feels this would be a big improvement.

Mr. Brown responds affirmatively. States it currently drains down the existing driveway and pools in his parking area.

Ms. Ventress asks if he has any other concerns.

Mr. Brown responds no.

Chair Buchanan asks if any others wish to speak in favor of the item. None respond

Chair Buchanan asks if anyone wishes to speak against the item. None respond.

Chair Buchanan closes the public hearing.

Mr. Gross presents staff alternatives. Asks for any questions. None respond

Chair Buchanan opens for Board discussion.

Mr. Spencer states the circumstances seem strange but it does seem like the best solution.

Mr. Walker states that the fact that they are entitled to do mountable curb is what really helps.

Chair Buchanan discusses the application and how it meets the four required criteria.

Mr. Walker moves to approve the variance and that the four criteria have been met. Let the record show the wording from the letter from Keystone Engineering dated December 11, 2019.

Mr. Walker moved, Mr. Spencer seconded to approve the variance request.

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

Time: 27 Minutes

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

- a. Next Board of Adjustment meeting Thursday, March 05, 2020.

4. **ADJOURNMENT.**

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:58 p.m.

Prepared by – Melissa Higgins, Administrative Assistant

Approved by: [Board approved 03.05.2020 with Corrections.](#)
Stillwater Board of Adjustment