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Associates

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March 18, 2020

Board of Adjustment
City of Stillwater
723 South Lewis Street
Stillwater, Oklahoma 74074

**RE: Variance Request – 23-121(b) - Fence
2217 North Briarwood Drive**

Dear Board members,

Our Client, KMR Development, LLC / Freedom Homes Company, LLC, is requesting a variance to Section 23-121(b)(2)d.2 of the Stillwater City Code for the development of a single-family residential structure at 2217 North Briarwood Drive. The variance sought is allow a six (6) foot fence within the front yard setback along a secondary frontage. A survey of the property showing the location of the fence is included with this request

The legal description of the subject property is “Lot 1, Block 5, Eastridge Second Section”.

A building setback variance to 23-121(b) is requested to allow for a six (6) foot fence to be located within the front yard setback along the Swim Avenue frontage.

In accordance with the requirements for the following support information is being provided.

“The application of the ordinance to the particular piece of property would create an unnecessary hardship.”

The house at this location is located within the front yard setback along Swim Avenue which is a secondary frontage; a separate variance request is being proceeded to address this issue. Strict adherence to Section 23-121(b) would require the fence to be located 15-feet off of the north property line to comply with 23-137(d)(2)d.2 which would not line up with the north wall of the house. Our Client feels that the current location of the home gives the homeowner the most use of their back yard and the encroachment is minimal.

“Such conditions are peculiar to the particular piece of property involved.”

As previously stated the house at this location has been constructed within the code minimum building setback and a request is being proceed to address that issue. The current location of the fence provides for the most use of the associated back yard and its location does not impede the sightline of vehicles traversing the adjacent roadways.



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“Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the Comprehensive Plan.”

The encroachment is minimal and will not cause any detriment to the public good or impair any portion of the Comprehensive Plan.

“The variance if granted, would be the minimum necessary to alleviate the unnecessary hardship.”

The variance request for the setback is the minimum necessary to alleviate the hardship.

Should you have any questions please feel free to contact me at 405.743.4907

Sincerely,

Gose & Associates (CA #1604)

Stephen C. Gose, P.E.

Project Manager

cc: Jimbo Carnely, KMR Development, LLC / Freedom Homes Company, LLC