

**STILLWATER BOARD OF ADJUSTMENT  
Special MEETING OF March 4, 2021  
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING  
LAW, THE AGENDA WAS POSTED March 2, 2021  
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Craig Spencer  
Dora Busch  
Mark Nordquist  
Charles “Tim” Hardin

Staff Present:

Dennis McGrath, Assistant City Attorney  
Lanc Gross, Planning Manager  
Rian Harkins, Sr. Planner  
Melissa Higgins, Administrative Assistant

Members Absent:

Guests:

Kelly Harris

**1. CALL MEETING TO ORDER.**

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

The following individuals are sworn in:

Mr. Lanc Gross

Ms. Kelly Harris

Mr. Rian Harkins

**2. MISCELLANEOUS ITEMS FROM THE BOARD FOR DISCUSSION AND POSSIBLE ACTION:**

- a. Welcome to new Board of Adjustment Member, Mr. Charles T. “Tim” Hardin.
- b. Election of Chair.

Chair Spencer states he is willing to continue on as Chair.

Mr. Nordquist nominates Mr. Spencer to continue as Chair.

**Mr. Nordquist motions, Ms. Busch seconded to approve Mr. Spencer as Chair.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 3 Minutes*

- c. Election of Vice-Chair.

Chair Spencer nominates Ms. Busch as Vice-Chair.

**Chair Spencer moved, Mr. Nordquist seconded to approve Ms. Busch as Vice-Chair.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 1 Minutes*

3. **BUSINESS ITEMS FOR DISCUSSION AND POSSIBLE ACTION ON:**

- d. JBJR, LLC., **SPECIAL EXCEPTION (SEBOA21-01)**, requesting review and granting of a special exception to Ch. 23, Section 23-67(a)(6) to permit extension of a zoning district at property addressed as 1940 W 26th Ave in the Residential Two Family (RT) and Residential Single Family Small Lot (RSS) zoning district . Harkins

Rian Harkins, Sr. Planner presents staff report. Asks for any questions for staff.

Ms. Busch asks if the setback variance is for a house or garage. Mr. Gross clarifies that the request is for the house. Chair Spencer notes this is a special exemption request, and that any variance requests are on the agenda for the next Board of Adjustment meeting.

Chair Spencer asks for clarification that the point of concern listed in the staff report is for informational purposes only and what zoning category the applicant is requesting. Mr. Harkins responds affirmatively and that the applicant is requesting RSS (Residential Single Family Small Lot).

Mr. Nordquist asks why the applicant is going through this process as opposed to doing a map amendment to rezone the property. Mr. Harkins responds that code allows this process as it is one tract of land as well as this was the direction given by City Council to the applicant when trying to rezone property of a similar situation.

Chair Spencer asks if when the applicant is ready to create buildable lots would they be required to go through the standard development process or does this application negate that. Mr. Harkins responds affirmatively that the applicant would have to still go through the standard development process and that this action was strictly for the zoning of the property.

Chair Spencer asks for any further questions for staff; none respond.

Chair Spencer opens public meeting. Chair Spencer 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 applicant.
- Clarifies to the Board that the applicant intends to continue on with the single family residential as was done for Teal Ridge 5<sup>th</sup> Section.
- Details how application meets required criteria.
- Here to answer any questions for the board.

Chair Spencer asks if there are any questions for the applicant.

Vice-Chair Busch asks if the applicant intends to build duplex/4-plex structures or only single family residences. Ms. Harris responds that they intend to keep with only single family residences as would be allowed by the RSS zoning.

Chair Spencer asks for any further questions of the applicant; none respond.

Chair Spencer asks if there is anyone else wishing to speak in favor of the item; none respond.  
Chair Spencer asks if there is anyone wishing to speak in opposition of the item; none respond.  
Chair Spencer closes the public hearing.

Mr. Harkins presents staff alternatives to the Board and asks if there are any questions for staff; none respond.

Chair Spencer thanks staff and opens Board discussion.

Mr. Nordquist states he is comfortable with granting the special exception. Vice-Chair Busch agrees.

Chair Spencer discusses the application and how the required criteria are being met.

Mr. Nordquist motions to approve the special exception having met the two criteria following

1. The special exception will not adversely affect the adjacent property owners as there is the same zoning in the surrounding properties.
2. The request will not cause a substantial detriment to the public.

**Mr. Nordquist moved, Chair Spencer seconded to approve the special exception request.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 15 Minutes*

**4. MEETING SUMMARY FOR DISCUSSION AND POSSIBLE ACTION:**

- a. Special Meeting Summary of November 5, 2020

Chair Spencer asks for any questions/comments; none respond.

**Chair Spencer moved, Vice-Chair Busch seconded to approve the special meeting summary of November 5, 2020.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Abstain	

*Time: 2 Minutes*

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

- a. Next Board of Adjustment meeting Thursday, April 01, 2021.

**6. ADJOURNMENT.**

This special meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:51 p.m.

Prepared by – Melissa Higgins, Administrative Assistant

Approved by: Approved by Board of Adjustment at the 04.15.2021 virtual meeting.  
Stillwater Board of Adjustment