

**STILLWATER BOARD OF ADJUSTMENT  
Special MEETING OF March 11, 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  
Mark Nordquist  
Charles "Tim" Hardin

Staff Present:

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

Members Absent:

Dora Busch

Guests:

Greg Roesch  
Sunday Bougher  
Stephen Gose

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

Mr. Stephen Gose

Mr. Greg Roesch

Ms. Sunday Bougher

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

- a. Chandler Signs/Chick-Fil-A, **VARIANCE (VAR20-20)**, requesting review and granting of a variance to Ch. 23, Section 23-198(c)(2) for the number of signs at property addressed as 600 E. Hall of Fame Avenue in the Commercial Shopping (CS) district. **Harkins**

Lanc Gross, Planning Manager presents staff report. Asks for any questions for staff.

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.

Mr. Greg Roesch, 401 N Ann Arbor, Oklahoma City, OK, comes to speak on the following:

- Representing the applicant.
- Signs are same size just updating the logo to corporate standards.
- 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.

Mr. Hardin asks to clarify that the sign locations being request have signs currently there at this time. Mr. Roesch responds affirmatively.

Chair Spencer asks if they are of similar size as well. Mr. Nordquist replies that is his concern as well. Mr. Roesch responds that the signs will be of the same size within an inch or two; explains the changes in the logo to the Board.

Chair Spencer asks staff if the ordinance requiring the variance request was in place when the signs were installed or was it put in place after the fact. Mr. Gross responds that the ordinance was not in place at the time of installation.

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. Gross 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 variance since there is not really any change in what is currently there and was allowed at the time of construction. Chair Spencer agrees.

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

Mr. Nordquist motions to approve the variance having met the four criteria following

1. The hardship being a change to the existing look as the ordinance was put in place after construction of this building.
2. It's peculiar due to the necessity to update the logo to corporate standards
3. The request will not cause a substantial detriment to the public.
4. This is the minimum necessary to alleviate the hardship.

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

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

*Time: 16 Minutes*

- b. SGA Design Group, **VARIANCE (VAR20-22)**, requesting review and granting of a variance to Ch. 23, Section 23-198(c) and (d) for the total surface area of a single sign and number of signs allowed at property addressed as 111 N Perkins Rd in the Commercial Shopping (CS) district. **Harkins**

Lanc Gross, Planning Manager presents staff report. Asks for any questions for staff.

Chair Spencer asks if the signs are new or signs currently in place on the front of the building. Mr. Gross responds affirmatively.

Chair Spencer asks if the only signs being considered are the ones shown on the elevation plan. Mr. Gross responds affirmatively.

Mr. Hardin asks if the applicant is replacing signs or are these additional signs. Mr. Gross responds that the request is for replacement.

Mr. Hardin asks to clarify that these will be the only signs installed on this location. Mr. Gross responds affirmatively.

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. Sunday Bougher, 1437 S Boulder Ave, Suite 550, Tulsa, OK, comes to speak on the following:

- Representing the applicant.
- The signs have not been updated in quite some time and this ordinance was in place when they were originally installed.
- Details architectural feature for main logo sign.
- The request represents 2 ½ % of the building frontage.
- 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.

Mr. Hardin asks if the blue portion of the main logo will be illuminated. Ms. Bougher states that it is a “bump-out” of the existing wall and the only illumination will be the channel letters of the actual logo.

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. Gross 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 variance; the fact that this building is so large and the request is only 2 ½% of the building frontage as well as this building sitting back from Perkins Road, the size would be need for visibility reasons. Chair Spencer agrees.

Mr. Hardin states from a consumer standpoint, the department/directional signage is needed so you know which door to enter and or park based on the desired service.

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

Chair Spencer motions to approve the variance having met the following four criteria:

1. The variance hardship being the inability to re-brand appropriately and to have the signs proportionately fair to the building size.
2. The application is peculiar as there are already signs in place in similar areas.
3. No detriment to the public good.
4. This is the minimum necessary to alleviate the unnecessary hardship.

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

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

*Time: 10 Minutes*

- c. 1614 Overhill RSE, LLC, **VARIANCE (VAR21-01)**, requesting review and granting of a variance to Ch. 23, Section 23-139(d)(a)(1) structure height and front setbacks at property addressed as 515-517-523 W 9th Ave in the Residential Two and Multi-Family (RTM) district . **Harkins**

Lanc Gross, Planning Manager presents staff report. Asks for any questions for staff.

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.

Mr. Stephen Gose, 113 W 8<sup>th</sup> Ave, Stillwater, OK, comes to speak on the following:

- Representing the applicant.
- Details the 60 foot offset and 100 foot right-of-way along 9<sup>th</sup> Avenue.
- Front porch of the new structures are on the 10' setback line along 9<sup>th</sup> Avenue.
- Details how application meets required criteria.
- Shows requested setback line in comparison to neighboring properties.
- Here to answer any questions for the board.

Mr. Hardin asks if the porches are covered. Mr. Gose responds affirmatively.

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

Mr. Hardin asks if there will be any wall/railing structures on the front porches that could later be enclosed. Mr. Gose responds that they are being built at grade and at most will have a step up on to the porch and no other structure will be built.

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. Gross 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.

Chair Spencer discusses the application and how the required criteria are being met as detailed in the applicant justification letter.

Mr. Nordquist states staff noted that this is an in-fill project in their presentation; with such situations as this, in older neighborhoods, a little latitude can be due provided there is no detriment to the public and the request is not out of character for the neighborhood.

Chair Spencer asks if Mr. Hardin has any additional questions or concerns. Mr. Hardin responds that he is okay with approving the variance provided that the porches will not be raised in such a way that would cause any pedestrian issues.

Chair Spencer asks for a motion.

Mr. Nordquist motions to approve the variance citing the justification letter provided from Gose & Associates dated January 5, 2021.

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

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

*Time: 12 Minutes*

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

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

**4. ADJOURNMENT.**

This special meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 6:09 p.m.

Prepared by – Melissa Higgins, Administrative Assistant

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