



**ISSUED BY THE COMMUNITY DEVELOPMENT
DEPARTMENT STILLWATER, OKLAHOMA**

Date of Meeting: September 2, 2021
Subject: VARIANCE to Ch 23 Sec. 23-160.d.2.c.2 for rear yard setback requirements of the Land Development Code within the IL (Light Industrial) zoning district
Project Name: Kwik Car Service Center, Keystone Engineering
Location: 820 S Perkins Rd

BACKGROUND

The subject site is a corner lot located on the southwest corner of 8th Avenue and Perkins Road. The property is laid out in the shape of triangle as the property abuts a stream corridor owned by the City of Stillwater. The site is currently zoned IL Light Industrial, and is occupied by a vehicle repair business. IL zoning is located to the north of the property, "P" Public zoning to the west and south, and GC General Commercial to the east.

The Land Development Code prescribes a rear yard setback of 25 feet within the IL zoning district for properties that abut a non-residential zoning district. The applicant has proposed a 20'x32' addition that would be situated on the west side of the current building. However, the proposed addition would extend into the current rear yard setback. Because of this, the applicant is requesting a reduction of the rear yard setback from 25 to 18 feet.

CODE APPLICATION

Sec. 23-160 (d) (2)(c)(2). – Bulk Regulations, Setbacks.
(d) Minimum rear yard: 25 feet.

CRITERIA FOR APPROVAL

The Board of Adjustment must find that each of the following four criteria have been met based on evidence and testimony received from the applicant and during the public hearing. Such approval may be granted in whole, in part, or with reasonable modifications and conditions.

- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship;
- (2) Such conditions are peculiar to the particular piece of property involved;
- (3) 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; and
- (4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

ALTERNATIVES

The Board of Adjustment has the following alternatives of action:

1. Find that each of the criteria for approval of the request is met. The Board will explain how each criterion is met in order to approve the variance(s).

2. Find that each of the criteria for approval of the request is met by imposing modifications or conditions to ensure that the criteria are met. The Board will explain how the criteria are met to grant partial, conditional, or modified approval of the variance(s).
3. Find that one or more of the criteria for approval of the request is not met and deny the request.
4. Table the discussion to a certain date to allow for additional information to be presented.

Prepared by: Rian Harkins, Senior Planner
Date of Preparation: August 24, 2021
Attachments: Area Map, Site Plan and Letter of Justification