STILLWATER BOARD OF ADJUSTMENT
Regular MEETING OF May 4, 2023
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AGENDA WAS POSTED May 2, 2023
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:
Brian Wiles
Jim Rice
John Houck

Members Absent:
None

Staff Present:
Tammy Ewing, Legal Counsel
Joshua Brown, Project Manager
Jacquelyn Porter, City Planner
Diana Hood, Associate Planner
Cindy Gibson, Admin. Services Manager

Guests:
Kimberly McCoy
Collette Buxton
Steve Cooper

1. **CALL MEETING TO ORDER.**

Mrs. Cindy Gibson, Clerk calls the meeting to order and explains the proceedings for the evening.

The following individuals are sworn in:
Richard Hammond Joel Quarnstrom Jacquelyn Porter Diana Hood

2. **INTRODUCTION OF NEW BOARD OF ADJUSTMENT MEMBER, MR. JOHN HOUCK.**

Mrs. Gibson introduces Mr. Houck and ask him to tell a bit about himself.

Mr. Houck states that he is returning to serve on the Board of Adjustment for the fourth time, retired from OSU, registered Professional Engineer in Oklahoma and 3 other states, working for a private consortium that is developing the Athletic Village.

3. **ELECTION OF CHAIR**

Mrs. Gibson calls for a nomination for Chair.

Mr. Wiles nominates Mr. Rice. Mr. Rice nominates Mr. Wiles.

Tammy Ewing, City Attorney's Office, discusses nominations, when there is more than one nomination, and everyone being new to the board.

Mr. Rice nominates Mr. Wiles, Mr. Houck seconds. There are no further nominations.

Roll Call:	Wiles	Rice	Houck	Vacant	Vacant
	Yes	Yes	Yes	N/A	N/A

Time: 2 minutes

4. **ELECTION OF VICE-CHAIR**

Mr. Houck states he will accept Vice-Chair if someone would nominate.

Mr. Rice nominates Mr. Houck, Mr. Wiles seconds. There are no further nominations.

Roll Call:	Wiles	Rice	Houck	Vacant	Vacant
	Yes	Yes	Yes	N/A	N/A

Time: 1 minutes

Mrs. Gibson turns the floor over to the new Chair, Mr. Wiles.

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

   a. Coffelt Sign Co. Inc, **VARIANCE (VAR23-02),** requesting review and approval of a variance to Section 23-198 number of signs at property addressed as 504 N Perkins Rd in Commercial Shopping (CS) zoning.

Chair Wiles introduces the agenda item and asks for staff report.

Jacquelyn Porter, City Planner presents staff report and asks if there are any questions for staff; none respond.

Chair Wiles opens the public hearing and asks for the applicant.

Mr. Richard Hammond, Coffelt Sign Company, Emporia, KS comes to speak on the following:

- Here representing Braum's
- This model store has a typical layout
- Most of the signs are being updated and or replaced
- The hamburger sign comes into the business and was a way to increase sales
- These stores are a 3 faceted business with hot food, desserts and now Market Fresh for fresh food
- The Fresh Market has its own separate register
- Current neon band will go away and maybe replaced with a LED in the future

Discussion is held about signs not being put up yet like on W. 6th; and having been confirmed prior to the meeting as Mr. Hammond wasn't aware last time since the window business was the one that put them up.

Vice-Chair Houck asks about the replacements being grandfathered in; Ms. Porter responds that they aren't because the wording is different.

Chair Wiles asks if there is anyone that wishes to speak in opposition of the item; none respond.

Mr. Rice asks about notice; Ms. Porter responds that property owners within 300 feet received notice and printed in the newspaper.

Chair Wiles closes the public hearing and asks staff to present criteria and alternatives. Ms. Porter presents criteria and alternatives. Chair Wiles asks for board discussion.

Vice-Chair Houck asks about the variance granted to the W. 6th Avenue store; Ms. Porter comments that since the application for W. 6th Avenue there has been a sign code update so this application is a request for a different code section.

Mr. Rice talks about the number of businesses being able to have several different signs; Ms. Porter acknowledges.

Chair Wiles asks for additional discussion.

Vice-Chair Houck comments about wanting to move this request forward, this is a typical Braum's venue; signage is basically same;

Mr. Rice comments that it is an un-necessary hardship if the business isn't able to market their different offers and if there were different stores, there would be multiple signs; conditions are peculiar to this piece of property as it sets further back from the road so it needs to be more visible; relief, if grant, would not create substantial detriment to the public good; and the relief, is the minimum necessary.

Mr. Rice moved to approve VAR23-02 based on it is an un-necessary hardship if the business isn't able to market their different offers and if there were different stores, there would be multiple signs; conditions are peculiar to this piece of property as it sets further back from the road so it needs to be more visible; relief, if grant, would not create substantial detriment to the public good; and the relief, is the minimum necessary, Vice-Chair Houck seconded.

Roll Call:	Wiles	Rice	Houck	Vacant	Vacant
	Yes	Yes	Yes	N/A	N/A

Time: 22 minutes

b. Joel Quarnstrom, **VARIANCE (VAR23-04)**, requesting review and granting of a variance to Sec. 23-121(b) for front yard fence regulations at property addressed as 201 S. Doty Str., in the Residential Single Family Small Lot (RSS) district.

Diana Hood, Associate Planner presents staff's report.

Vice-Chair Houck clarifies the property on the north side along Maple Street, the fence would extend along the property boundary, the two (2) blue lines being the western boundary of the fence, and the red line representing the property line is clear of the sight triangle.

Mr. Rice asks about front yard and what determines that; Ms. Hood responds that this property has two (2) sides fronting a street creating the two (2) front yards.

Chair Wiles asks if there are any further questions for staff; none respond. Chair Wiles opens the public hearing and asks the applicant to come speak.

Mr. Joel Quarnstrom, 201 S. Doty comes to speak on the following:

- Wants to construct a taller fence to keep the dog in and from jumping the fence
- Will be constructed with wood
- Planning to have a six (6) foot fence
- Explains the color lines on the submitted site plan
- Wants to respect the site triangle for safety
- Confirms that the two blue lines on the site plan do represent fence

Chair Wiles asks if there are any questions for the applicant, none respond. Chair Wiles asks if there is anyone else that wishes to speak in favor of this item; none respond. Chair Wiles asks if there is anyone that wishes to speak in opposition of this item; none respond. Chair Wiles closes the public hearing and asks staff to present criteria and alternatives.

Ms. Hood presents criteria and alternatives.

Ms. Tammy Ewing, City Attorney discusses the proposed text amendment for fences and where it is at in the process of review and adoption.

Chair Wiles asks for board discussion.

Vice-Chair Houck discusses the sight triangle for the neighbor leaving their driveway to the east.

The board discusses the sight triangle height being three (3) feet and the code already allowing a four (4) foot high fence.

Vice-Chair Houck comments that he was able to visit with the neighbor to the south and another neighbor on the porch and talked to them about it and what they thought and they agreed it is compatible with other fences in the neighborhood so believes this meets criteria #2.

Mr. Rice comments about it being a corner lot which makes it peculiar; discusses the possible condition to ensure it is no taller than a six (6) foot fence; the setback as proposed is the minimum relief necessary to alleviate the hardship.

Mr. Rice moved to approve variance VAR23-04 based upon the four (4) criteria having been met as discussed; Vice-Chair Houck seconded.

Roll Call:	Wiles	Rice	Houck	Vacant	Vacant
	Yes	Yes	Yes	N/A	N/A

Time: 21 minutes

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

   a. Regular Meeting Minutes of July 7, 2022.
   b. Special Meeting Minutes of August 25, 2022.
   c. Regular Meeting Minutes of October 6, 2022.
   d. Regular Meeting Minutes of January 5, 2023.

Board discussion is held regarding having not reviewed the minutes and would prefer to table.

Vice-Chair Houck moved to table approval of the minutes until June 1, 2023, Mr. Rice seconded.

Roll Call:	Wiles	Rice	Houck	Vacant	Vacant
	Yes	Yes	Yes	N/A	N/A

Time: 2 minutes

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

   a. Next Board of Adjustment meeting Thursday, June 01, 2023.

4. **ADJOURNMENT**.

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 6:21 p.m.

Prepared by – Cindy Gibson, Administrative Services Manager

Approved by: ______________________
Stillwater Board of Adjustment