

BOARD OF ADJUSTMENT MEETING AGENDA

JULY 11, 2024



723 S. Lewis St., Room 1122

Stillwater, OK 74074

5:30 PM

Vice-Chair John Houck, Jim Rice, Bryan Langford-Loftis, and Micah Sexton.

Note: Members of the Board of Adjustment and City Staff will gather prior to the regular meeting in Room 1121 beginning at 5:00 p.m. No Board of Adjustment business will be discussed or otherwise acted upon at this time. This is not a closed session, and members of the public and press are welcome to attend.

1. Call Meeting to Order

2. Public Hearing

The Board of Adjustment will hear public comments, discuss, and take action including a vote or series of votes on each item unless otherwise indicated.

a.	Steuer Holding Company (Justin Steuer), VARIANCE (VAR24-04) , requesting review and granting of a variance to Sec. 23.138.c.2 for minimum lot width in the Two-Family Residential (RT) district for property addressed as 1205 S. Duck Street	Jacquelyn Porter
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3. Miscellaneous Items from Staff, Board Members or City Attorney for Discussion and Possible Action:

a.	Next regular meeting is Thursday, August 1st, 2024.
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4. Adjourn

On _____ at _____, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S. Lewis Street, Stillwater, OK.

NOTE: The Board of Adjustment may take action including a vote or series of votes on all items listed on this agenda unless the item specifically indicates that no action will be taken. The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Community Development Desk at least 48 hours prior to the meeting by calling 405.742.8220.

Date of Meeting: July 11, 2024

Subject: Variance to Sec. 23-138(c)(2) for the minimum lot width in the Two-Family Residential District (RT)

Project Name: VAR24-04

Location: 1205 South Duck Street

BACKGROUND

The subject property is located on the southwestern side of Stillwater, near the southeast corner of South Duck Street and West 12th Avenue. The property was recently rezoned from a Small Lot Single-family (RSS) to a Two-Family residential district (RT) to allow the construction of a single duplex for residential infill.

The rezoning made the lot non-conforming due to the lot dimensions being 50 feet by 150 feet. The variance request to Section 23-138(c)(2) allows the minimum lot width to be 50 feet instead of 60 feet to meet bulk standards in the RT zoning district. Section 23-138 requires the lot dimension to be a minimum of 60 feet in width and 100 feet in depth with a minimum lot area of 7,500 square feet. The current property meets the lot coverage minimum and depth.

CODE APPLICATION

Sec. 23-138. - RT Two-Family Residential District.

- (c) Lot size requirements. The lot size requirements in the RT district are as follows:
 - (2) Minimum lot width: 60 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: Jacquelyn Porter, City Planner
Date of Preparation: July 3, 2024
Attachments: Area Map, Application Packet, Letter of Justification



Stillwater OKLAHOMA
stillwaterok.gov

Project Type: Variance (VAR24-04)
Request: Variance to sec23-138(c)2 of the code for lot size requirements in RT being a minimum width of 60 ft
Address: 1205 S Duck St
Applicant: Steuver Holding Company

CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT
BOARD OF ADJUSTMENT APPLICATION

Applications will be accepted Monday through Friday, from 8:30 AM to 11:30 AM
Per Resolution CC-2007-16

_____ Appeal _____ Special Exception X Variance _____ Minor Variance

Title of Subdivision/Plan: Legal: Sunny Side ADD BLK 2 Lot 7
Owner(s) of Property: Stuever Holding Company
Owner(s) Address: Po Box 22 Morrison OK
Owner(s) Phone/Fax/Email: 405-762-1832 justin.stuever@yahoo
Applicant(s) Name: Justin Stuever
Applicant(s) Address: same
Applicant(s) Phone/Fax/Email: same
Location of Property: 1205 S. Duck

Chapter, Article, Section, City Code from which the action is requested: _____
RT- section 23-138 (c) 2

Appeals application submittal requirements:

Applicant	Section 23.68	City
	1.) Completed application form	
	2.) Filing fee - \$140	
	3.) On a separate sheet, state the City's Code Section or the City Administrative Officer's decision or action for which appeal is being sought.	
	4.) Provide justification for the appeal.	

ALL Variance and Special Exception application submittal requirements: Ch. 23, Article 3

Applicant	Section 23.65, 23.67	City
	1.) Completed application form	
	2.) Filing fee - \$140	
	3.) A typewritten and electronic/digital copy of the legal description of the subject property, capable of being reproduced and emailed to digitals@stillwater.org .	
	4.) A typewritten list and electronic/digital data capable of being reproduced as mailing labels, certified by the Payne County Assessor, a licensed abstractor, attorney, engineer or architect, of all property owners within three hundred (300) feet of the subject property. The ownership list shall have been prepared no more than thirty (30) days prior to submission.	
	5.) Copy of existing or proposed restrictive covenants that apply to the property that is subject to the requested action, if applicable.	
	6.) Original mortgage or field survey, if applicable.	
	7.) Variances only – Letter explaining how the request meets the criteria for approval of a variance.	
	8.) Any other documents, information, etc. to assist the Board in making a decision.	

RECEIVED
03/15/24

Findings Necessary for Granting Variances

In determining whether or not the variance should be granted, the Board of Adjustment shall consider and record in the official minutes of the meeting, the extent to which the evidence demonstrates that:

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.

Certification:

I (We) do hereby certify that the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I (We) do hereby understand that a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations. This application must be completed, signed, and dated by the applicant(s) and the owner(s).

Applicant

 Date 3-15-24

Owner/Agent (provide documentation)

same as above Date _____

For City of Stillwater Use Only:

CASE NO.#: _____

Submission Date: _____

Processing Tract: IRC _____, BOA _____

Approval Date: _____

Fees: _____ Number of Copies: _____

SUNNY SIDE ADD BLK 2 LOT 7

1205 S DUCK STILLWATER,OK

THIS LOT IS CURRENTLY ZONED RSS. I AM ASKING FOR IT TO BE REZONED TO RT.

THE LOT TO THE NORTH WHICH IS 317 W 12TH IS OWNER BY STILLWATER GIRLS INC. IT IS NOT A SINGLE FAMILY HOME AND IS ZONED RSS. IT IS LIKELY USED AS A PLACE FOR MEETINGS BY THIS ORGANIZATION. I AM ASKING TO REZONE MY LOT FROM RSS TO RT.

1202 S DUCK WHICH IS NW OF MY LOT IS ZONED OFFICE. I FEEL THAT MY LOT WOULD ALLOW FOR A TRANSITION BETWEEN THE 12TH AVE CORRIDOR TO RSS SOUTH OF MY LOT.

12TH AVE IS LIKELY TO TRANSITION INTO MORE COMMERCIAL AND OFFICE PARCELS IN THE FUTURE AND AS YOU CAN SEE THE STILLWATER GIRLS INC PROPERTY (RSS) IS PROBABLY NOT ZONED CORRECTLY FOR TODAY'S USE.

I AM ASKING FOR ONLY 1 VARIANCE FOR MY LOT. MY LOT IS 50X150 (7500 SQFT) AND THE MINIMUM FOR RT IS 60X100 (6000 SQFT). I AM ASKING FOR A VARIANCE ON THE WIDTH MINIMUM FROM 60FT TO 50FT.

IF YOU TAKE A LOOK AT ONE OF MY OTHER PROJECTS A COUPLE OF BLOCKS EAST YOU WILL GET AN IDEA OF HOW THIS LOT CAN ALSO SUPPORT RT. I BUILT A DUPLEX AT 1205 S HUSBAND PLACE ON A LOT THAT IS 50X150 WHICH IS WHAT I AM ASKING FOR. THIS HAS NOT ONLY HELPED THE APPEARANCE OF THE NEIGHBORHOOD BUT HAS ALSO HELPED SUPPORT INFILL ON AN EMPTY CITY LOT AND THERE WAS PLENTY OF ROOM AND WAS SUPPORTED BY THE NEIGHBORS.

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