

BOARD OF ADJUSTMENT MEETING AGENDA
MAY 1, 2025



723 S. Lewis St., Room 1122 B
Stillwater, OK 74074
5:30 PM

Jim Rice, Bryan Langford-Loftis, Micah Sexton and Rob Lamecker

1. Call Meeting to Order
2. Introduction of New Board of Adjustment Member.

a.	Introduction of Mr. Rob Lamecker.
----	-----------------------------------

3. Election of Chair.
4. Election of Vice-Chair.

5. 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.	Request for a VARIANCE (VAR25-01) to Chapter 23, Sec. 23-211(1)(e)(2) for the Parking and Loading Design Standards for parking area setbacks for property addressed as 600 E. Hall of Fame Avenue in the Commercial Shopping (CS) district.
----	---

6. Miscellaneous Items from Staff, Board Members or City Attorney for Discussion and Possible Action

a.	Next regular meeting is June 5, 2025.
----	---------------------------------------

7. 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: May 1, 2025
Subject: Variance to Chapter 23, Article VIII, Section 23-211(1)e2 for Parking Setback Requirement
Project Name: VAR25-01
Location: 600 E. Hall Of Fame Avenue

BACKGROUND

Chick-Fil-A has recently proposed to modify their site which includes, among other things, an additional dedicated drive-thru aisle. The proposal includes adjustments to the existing parking spaces, dumpster location, and greenspace to allow space for the new aisle. The applicant is requesting a variance for relief from the parking setback requirement of 2 feet. The proposal encroaches into the 2-foot setback by 1.2 feet along the west property line and 0.6 feet along the south property line. The west and south property lines abut public sidewalks. Staff has included site plans for the existing site and the proposed site for review. The existing site plan shows a dedicated drive thru lane beginning where the shopping center parking lot meets the site and then splits into 2 lanes once cars turn south. The proposed site plan includes two dedicated drive thru lanes beginning where the shopping center parking meets the site.

CODE APPLICATION

Sec. 23-211. - Design standards.

All parking areas and associated driving aisles shall be designed and constructed in accordance with the following standards:

(1) *Perimeter requirements.* The relationship of off-street parking and loading areas with adjoining uses and properties shall be regulated as follows:

e. Parking area setbacks:

2. Unenclosed parking areas containing more than six spaces in any district shall also be set back a minimum of two feet from all other property lines except that no such buffer strip is required where the abutting property is in the CB, IL, or IG districts.

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.

RECOMMENDATION

Staff has reviewed the application, letter of justification and other submitted materials, and is of the opinion that the applicant does not meet all four criteria required for granting a variance. Staff recommends denial of this request.

If the BOA grants the variance, the applicant will still need to comply with paragraph 23-211(1)h which states:

Parking spaces and driving aisles shall be provided with a curb, wheel guard, fence, or wall so located that no part of a parked vehicle will extend into or over a sidewalk, property line, or street right-of-way.

Prepared by:	David Barth, Development Services Director
Date of Preparation:	April 28, 2025
Attachments:	Application, Letter of Justification, Existing Site Exhibit, Proposed Site Exhibit

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: Chick-fil-A #1973 - Stillwater, OK
 Owner(s) of Property: Chick-fil-A
 Owner(s) Address: 5200 Buffington Road, Atlanta, GA 30349
 Owner(s) Phone/Fax/Email: _____
 Applicant(s) Name: Chris Sanchez, Interplan LLC Agent
 Applicant(s) Address: 220 East Central Parkway, Suite 4000, Altamonte Springs, FL 32701
 Applicant(s) Phone/Fax/Email: 407.645.5008

 Location of Property: 600 East Hall of Fame Avenue, Stillwater, OK 74075

Chapter, Article, Section, City Code from which the action is requested: _____
Chapter 23 Land Development Code, Article VIII Parking and Loading Standards, Section 23-211.1.e.2 Design Standards

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@stillwaterok.gov .	
	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.) <u>Variances only</u> – Written explanation justifying how the request meets the criteria for approval of a variance. Please see and complete Pages 3 & 4 of this application or feel free to attach separately.	
	8.) Any other documents, information, etc. to assist the Board in making a decision.	

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 Chris Sanchez Date 03.21.2025

Owner/Agent (provide documentation) Chris Sanchez (Letter of Authorization Attached) Date 03.21.2025

For City of Stillwater Use Only: CASE NO.#: _____

Submission Date: _____ Processing Tract: IRC _____, BOA _____
Approval Date: _____ Fees: _____ Number of Copies: _____

Board of Adjustment Applicant's Letter of Justification:

Criteria #1: The application of the ordinance to the particular piece of property would create an unnecessary hardship

<p>The hardship has not been created by Chick-fil-A or any person having an interest in the property. The proposed layout is similar to the</p>
<p>existing layout, with improvements to the number of cars serviced in the drive-thru lanes. Due to the shape of the existing and proposed</p>
<p>site, the proposed layout is the best configuration to provide for maximum drive-thru lane stacking.</p>

Criteria#2: Such conditions are peculiar to the particular piece of property involved

<p>Chick-fil-A typically generates substantially more business than other fast-food restaurants due to their limited menu and speed of</p>
<p>service both inside and at the drive-thru lane. The proposed setback reduction will allow for the best utilization of the site.</p>

Criteria #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

<p>The granting of these variances will not be injurious to other properties within the area. The new layout seeks to provide more parking</p>
<p>and onsite stacking in the drive-thru lanes, reducing any offsite backup. This redevelopment will also reduce wait times in the</p>
<p>drive-thru lane, all of which are aimed to help neighboring properties and to serve the community more effectively and efficiently.</p>

Criteria #4: The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship

The granting of the variances will not be detrimental to the public welfare of the City of Stillwater and will not substantially impair the intent and purpose of the City's Unified Development Code. The intent is rather to improve existing conditions by adding a dual lane drive thru and mitigating traffic congestion during peak hours, allowing for more cars to stack on site rather than on adjacent properties or public roadways. The use of the site will remain the same, but with a new layout providing more onsite stacking, the demand at the drive-thru will be better supported.

