

BOARD OF ADJUSTMENT MEETING AGENDA
NOVEMBER 6, 2025



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

Chair Bryan Langford-Loftis, Vice-Chair Micah Sexton and Rob Lamecker

1. Call Meeting to Order

2. General Orders

The board will hear a staff presentation and take action including a vote or series of votes on each item listed as presented or as amended or revised by members of the board unless the agenda entry specifically states no action will be taken. The requested action is indicated in each agenda entry but may be amended or revised prior to action by the board.

a.	Review and approval of the 2026 Board of Adjustment Meeting Schedule.
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3. 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.	Receive public comment on a request for a variance (VAR25-07) to Ch. 23, Division 3, Sec.23-137(d)(2)a.1 for minimum front yard setback and Sec. 23-137(d)(2)d.2 for minimum side yard setback in the Small Lot Single-Family Residential (RSS) Zoning District at the property addressed as 702 S West St.	Henry Bibelheimer
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4. Meeting Summary for Review and Possible Action

a.	Regular meeting summary of May 1st, 2025.
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b.	Regular meeting summary of July 10th, 2025.
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5. Miscellaneous Items from Staff, Board Members or City Attorney for Discussion and Possible Action:

a.	Next regular meeting is December 4, 2025.
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6. 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 Development Services Desk at least 48 hours prior to the meeting by calling 405.742.8220.

**SCHEDULE OF REGULAR MEETINGS
FOR THE CALENDAR YEAR OF 2026**

**City of Stillwater
Board of Adjustment**

DATE	TIME	MEETING LOCATION
January 8, 2026 ▲	5:30 PM	Municipal Building
February 5, 2026	5:30 PM	Municipal Building
March 5, 2026	5:30 PM	Municipal Building
April 2, 2026	5:30 PM	Municipal Building
May 7, 2026	5:30 PM	Municipal Building
June 4, 2026	5:30 PM	Municipal Building
July 9, 2026 ▲	5:30 PM	Municipal Building
August 6, 2026	5:30 PM	Municipal Building
September 3, 2026	5:30 PM	Municipal Building
October 1, 2026	5:30 PM	Municipal Building
November 5, 2026	5:30 PM	Municipal Building
December 3, 2026	5:30 PM	Municipal Building

▲ Date changed due to holiday

Submitted By:	C. Gibson
Title:	Administrative Services Manager
Address:	723 S. Lewis

Phone Number:	405.742.8213
Fax Number:	405.742.8321

<p>Approved by the Board of Adjustment on the ____ day of November, 2025. Submitted to and filed with the Stillwater City Clerk's Office on the ____ day of November, 2025.</p>
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Date of Meeting: November 6, 2025
Subject: Variance to Chapter 23, Article VI, Division 3, Section 23-137(d)2a.1 Minimum Front yard, and Section 23-137(d)2d.2 Minimum Side yard abutting a secondary Right-Of-Way (ROW).
Project Name: VAR25-07
Location: 702 South West Street

BACKGROUND

This property is located on the southwest corner of South West Street and West 7th Avenue. This property is zoned Small Lot Single-Family Residential (RSS). Section 23-137(d)2a.1 requires the minimum front yard setback for this property to be 20 feet and Section 23-137(d)2d.2 allows for the side yard setback abutting a secondary right-of-way (ROW) to be 15 feet. Since this property is addressed off South West Avenue, the front yard is along the east side of the lot which requires a 20-foot setback and the setback requirement along the north side of the lot is 15 feet.

Section 23-137 (e) 2 states that:

“For development on property that abuts any local street that currently has 100 feet of continuous right-of-way for the entire block, the front yard setbacks may be reduced by up to 50 percent.”

Both the front and side yards of this corner property abut 100 feet of ROW for the entire block. The above exception does not currently apply to either yard abutting the ROW because Section 23-137 (e) 2 requires 100 feet of continuous ROW for the entire block. The property on the north side of West 7th Avenue, and the property on the east side of West Street, have previously closed 20 feet of ROW, which means that for a portion of the block there exists only 80 feet of ROW.

The applicant has requested to reduce the required setbacks for the front and side yards abutting the ROW by 50%. If the variance is granted, the side yard setback requirement along West 7th Avenue would be reduced to 7.5 feet, and the front yard setback along West Street would be reduced to 10 feet.

CODE APPLICATION

Sec. 23-137. - RSS Small Lot Single-Family Residential District.

(d) *Bulk regulations. Bulk regulations.* Bulk regulation requirements in the RSS districts are as follows:

(2) Setbacks. The following are the minimum required setbacks:

a. Minimum front yard:

1. 20 feet from all property boundaries abutting a right-of-way or road/access easement.

d. Corner lots, optional setback requirements:

2. Minimum side yard abutting a secondary right-of-way or road/access easement not opposite the front yard: 15 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.

RECOMMENDATION

Staff has reviewed the application, letter of justification and other submitted materials, and is of the opinion that the applicant meets all four criteria required for granting a variance. Staff recommends approval of this request.

Prepared by: Henry Bibelheimer, Senior Planner
Date of Preparation: November 3, 2025
Attachments: Application, Letter of Justification, Conceptual Exhibit,
Section 23-137(d)2a.1 and d.2

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 Variance Minor Variance

Title of Subdivision/Plan: 702 South West Street
 Owner(s) of Property: University Mills II, LLC - Danita Witt
 Owner(s) Address: P.O. Box 2015, Stillwater, OK 74076
 Owner(s) Phone/Fax/Email: danitaf@okabstract.net / (405) 742-8658
 Applicant(s) Name: Gose & Associates / Stephen C. Gose, P.E.
 Applicant(s) Address: 113 E. 8th Ave., Stillwater, OK 74074
 Applicant(s) Phone/Fax/Email: 405.743.4907 / stephen@gose-associates.com

Location of Property: 702 South West Street

Chapter, Article, Section, City Code from which the action is requested:
23-137(d)(2)a.1 and d.2

Appeals application submittal requirements:

Applicant	Section 23.68	City
<input type="checkbox"/>	1.) Completed application form	
<input type="checkbox"/>	2.) Filing fee - \$140	
<input type="checkbox"/>	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.	
<input type="checkbox"/>	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
<input checked="" type="checkbox"/>	1.) Completed application form	JB
<input checked="" type="checkbox"/>	2.) Filing fee - \$140	
<input checked="" type="checkbox"/>	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 .	JB
<input checked="" type="checkbox"/>	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.	JB
<input type="checkbox"/> N/A	5.) Copy of existing or proposed restrictive covenants that apply to the property that is subject to the requested action, if applicable.	N/A
<input checked="" type="checkbox"/>	6.) Original mortgage or field survey, if applicable.	JB
<input checked="" type="checkbox"/>	7.) Variances only – Letter explaining how the request meets the criteria for approval of a variance.	JB
<input checked="" type="checkbox"/>	8.) Any other documents, information, etc. to assist the Board in making a decision.	JB

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:

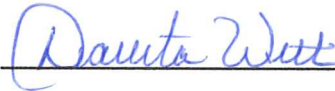
I (We) do hereby certify that the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I (We) do hereby understand 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 09/03/2025

Owner/Agent (provide documentation)



Date 09/03/2025

For City of Stillwater Use Only:

CASE NO.#: _____

Submission Date: _____

Processing Tract: IRC _____, BOA _____

Approval Date: _____

Fees: _____



Gose & Associates

ENGINEERING • PLANNING • LAND SERVICES

September 3, 2025

Board of Adjustment
City of Stillwater
723 South Lewis Street
Stillwater, Oklahoma 74074

**RE: Variance Request – 23-137(d)(2)a.1 & d.2
702 South West Street**

Dear Board Members,

Our Client, University Mills II, LLC, is requesting a variance to Sections 23-137(d)(2)a.1 and d.2 of the City Code for the development of a proposed single-family residential project at 702 South West Street. The lots within the developed area were platted as 25-foot by 140-foot parcels in 1891 when the current bulk standards were not applicable. The current zoning designation is Small Lot Single-Family District (RSS). A variance is being sought for the minimum front yard abutting the primary right-of-way setback (West Street), reducing it from 20 feet to 10 feet and the secondary right-of-way setback (7th Avenue), reducing it from 15 feet to 7.5 feet. Existing homes on the west side of the block, including this parcel, are set back 10- to 18-feet from the West Street right-of-way line. Existing homes on the south side of the block are set back 2- to 11-feet.

The legal description of the subject property is as follows:

THE EAST 90 FEET OF LOTS ONE (1) AND TWO (2), BLOCK TWENTY-FOUR (24), ORIGINAL TOWN, NOW CITY OF STILLWATER, PAYNE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

A variance to 23-137(d)(2)a.1 to allow a minimum front yard abutting a primary right-of-way, of 10 feet instead of 20 feet and to 23-137(d)(2)d.2 to allow a minimum front yard abutting a secondary right-of-way, of 7.5 feet instead of 15 feet.

Section 23-137(e)(2) allows for a 50% setback reduction when the adjacent local street right-of-way has a continuous 100-foot right of way for the entire block. In this case two different partial right-of-way closures closed 20-feet on the east side of 7th Avenue and 20-feet on the north side of 7th Avenue between West Street and the alley.

In accordance with the requirements, the following support information is being provided.

“The application of the ordinance to the particular piece of property would create an unnecessary hardship.”

This is a unique property with regard to the current bulk standards because the area was platted well before the current zoning code and bulk standards were established. The variance for the

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www.gose-associates.com**



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minimum setback allows for use of the existing platted lots as currently developed with minimal building setbacks where the original right-of-way was 100-feet versus current standards that would have 50- or 60-foot rights of way and are in general compliance with the future land use in the Comprehensive Plan.

As currently written, the City Code does not have any provisions for infill developments such as this and the Planned Unit Development section (23-306(b)) does not allow for the submittal of a Planned Unit Development for developments less than one (1) acre in size.

In addition, the properties to the north and east vacated 20-feet of the right-of-way adjacent to their properties which nullified the ability for this parcel to utilize the automatic 50% reduction in front setbacks typically allowed by Section 23-137(e)(2).

“Such conditions are peculiar to the particular piece of property involved.”

As discussed in the above section, these lots were platted well before the current bulk standards were even considered. The variances also allow the character of the existing neighborhood to be maintained and grants this property owner the exception for automatic reductions that was voided by the property owners to the north and east when they closed 20-feet of the right-of-way.

“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.”

These variance requests should not adversely affect the surrounding properties and will not impair their future development. The C3 plan calls for this area to be High Density which has a residential density range of 12 to 150 units per acre. The proposed development is consistent with the high density recommended in the C3 Plan.

“The variance if granted, would be the minimum necessary to alleviate the unnecessary hardship.”

This variance request is the minimum necessary to alleviate the hardship.

Should you have any questions please feel free to contact me at 405.743.4907.

Sincerely,

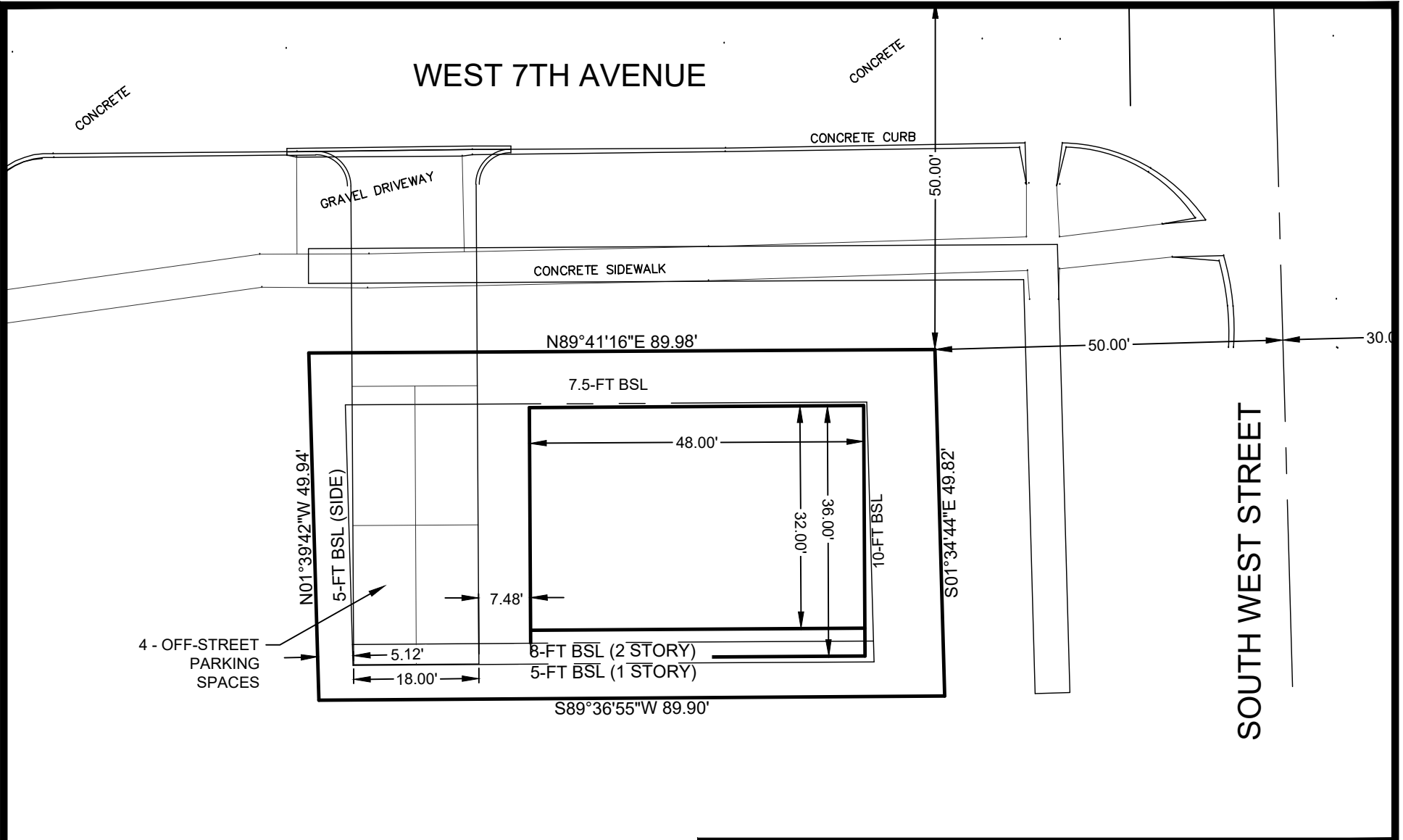
Gose & Associates (CA #1604)

Stephen C. Gose, P.E. (OK22808)

Project Manager

cc: Larry Witt, University Mills II, LLC

WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY GOSE & ASSOCIATES, SHALL BE WITHOUT LIABILITY TO GOSE & ASSOCIATES.



APPROXIMATE HOUSE DEPTH - 48-FT, EAST-WEST
 APPROXIMATE HOUSE WIDTH - 36-FT ONE STORY, 32-FT TWO STORY

BUILDING FOOTPRINT EXHIBIT
702 SOUTH WEST STREET
SCALE: 1"=20' @ 8.5"x11"
DATE: 09/09/2025
JOB NO: 1154.03



Gose & Associates
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113 E. 8th Avenue Stillwater, OK 74074 PH (405) 743-4907 CA 1640
www.gose-associates.com

VAR25-07

RECEIVED
 By CGibson at 10:20 am, Sep 22, 2025

Sec. 23-137. - RSS Small Lot Single-Family Residential District.

- (a) *Permitted uses.* The following uses are permitted in the RSS Small Lot Single-Family Residential District:
- (1) Conventional single-family.
 - (2) Residential design manufactured homes.
- (b) *Specific use permit.* The following uses are permitted by specific use permit in the RSS district:
- (1) Accommodation: Bed and breakfast only.
 - (2) Child and adult care services.
 - (3) Educational services.
 - (4) Townhomes.
 - (5) Churches and other religious institutions.
 - (6) Cemeteries and incidental accessory uses.
- (c) *Lot size requirements.* The lot size requirements in the RSS district are as follows:
- (1) Minimum lot area: 5,000 square feet.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: 100 feet.
- (d) *Bulk regulations.* Bulk regulation requirements in the RSS districts are as follows:
- (1) The maximum structure height as measured from the finished floor elevation of the first floor to the highest point of the roof: 35 feet.
 - (2) Setbacks. The following are the minimum required setbacks:
 - a. **Minimum front yard:**
 1. 20 feet from all property boundaries abutting a right-of-way or road/access easement.
 2. 10 feet from all property boundaries abutting an alley.
 - b. Minimum side yard:
 1. Residential structures: Five feet.
 2. All other uses: 15 feet.
 - c. Minimum rear yard: 20 feet.
 - d. Corner lots, optional setback requirements:
 1. Minimum front yard: 20 feet from all property boundaries abutting a right-of-way or road access easement.
 2. **Minimum side yard abutting a secondary right-of-way or road/access easement not opposite the front yard: 15 feet.**
 3. Minimum rear yard: 20 feet.

4. Minimum side yard abutting another lot or parcel: Five feet.

(e) *Exceptions.* The following are the exceptions in the RSS district:

- (1) For all structures, the minimum side yard for this district shall be increased an additional three feet for each adjacent story above the first story.
- (2) For development on property that abuts any local street that currently has 100 feet of continuous right-of-way for the entire block, the front yard setbacks may be reduced by up to 50 percent.
- (3) No interior side yard is required on one side for zero lot-line dwellings. The opposite side yard for zero lot-line dwellings shall not be less than ten feet.
- (4) Townhomes are exempt from the lot size and lot coverage requirements; any exterior buildings shall have a minimum side setback of eight feet.
- (5) Not more than one principal structure shall be located on a lot, unless specifically exempted by this chapter.

(Ord. No. 3023, § 1(23.137), 3-3-2008; Ord. No. 3051, § 15, 12-15-2008; Ord. No. 3118, § 2, 12-20-2010; Ord. No. 3221, § 8, 2-21-2013; Ord. No. 3461, § 1, 11-30-2020)