

BOARD OF ADJUSTMENT MEETING AGENDA
JANUARY 8, 2026



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

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

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 listed as presented or as amended by the Board of Adjustment unless the agenda entry specifically states that no action will be taken.

3. Meeting Summary for Review and Possible Action

a.	Special meeting summary of January 16, 2025.
b.	Regular meeting summary of May 1, 2025.
c.	Regular meeting summary of July 10, 2025.
d.	Regular meeting summary of October 2, 2025.
e.	Regular meeting summary of November 6, 2025.

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

a.	Next regular meeting is February 5, 2026.
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5. 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.

**STILLWATER BOARD OF ADJUSTMENT
SPECIAL MEETING OF January 16, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED January 14, 2025
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

John Houck
Jim Rice
Bryan Landford-Loftis
Micah Sexton

Staff Present:

Tammy Ewing, City Attorney
David Barth, Dev. Serv. Director
Cindy Gibson, Admin. Services Mgt.

Guests:

Willie Baker

Members Absent:

1. CALL MEETING TO ORDER.

Chair Houck calls meeting to order at 5:30 pm.

2. EXECUTIVE SESSION

- a. Motion to enter Executive Session pursuant to 25 O.S. §307, B.4 for the purpose of confidential communications between the Board of Adjustment and the Board’s Attorney discussing and conferring on matters pertaining to the litigation case of *Gamma Delta Chapter of Sigma Chi House Corporation and Gamma Delta Investors, LLC, v. City of Stillwater Board of Adjustment*, Payne County District Court Case Number CJ-2024-569, as requested by the Board of Adjustment Attorney.

Chair Houck moved to adjourn to executive session; Mr. Sexton seconded.

Roll Call:	Houck	Rice	Landford-Loftis	Sexton	Vacant
	Yes	No	Yes	Yes	

Time: 2 minutes

3. RETURN FROM EXECUTIVE SESSION

- a. Motion to exit Executive Session and reconvene in Open Session.

Chair Houck moved to reconvene to executive session; Mr. Sexton seconded.

Roll Call:	Houck	Rice	Landford-Loftis	Sexton	Vacant
	Yes	Yes	Yes	Yes	

Time: minutes

- 4. Consideration, discussion, and possible action regarding the litigation case of Gamma Delta Chapter of Sigma Chi House Corporation and Gamma Delta Investors, LLC, v. City of Stillwater Board of Adjustment, Payne County District Court Case Number CJ-2024-56.

Chair Houck states that he would entertain a motion to direct the City Attorney’s office to take action upon the Board’s motion.

Vice-Chair Rice moved that the Board direct the City Attorney’s office to appeal to the Payne County District Court; Mr. Langford-Loftis seconds.

Roll Call:	Houck	Rice	Landford-Loftis	Sexton	Vacant
	Yes	Yes	Yes	Yes	

Time: 5 minutes

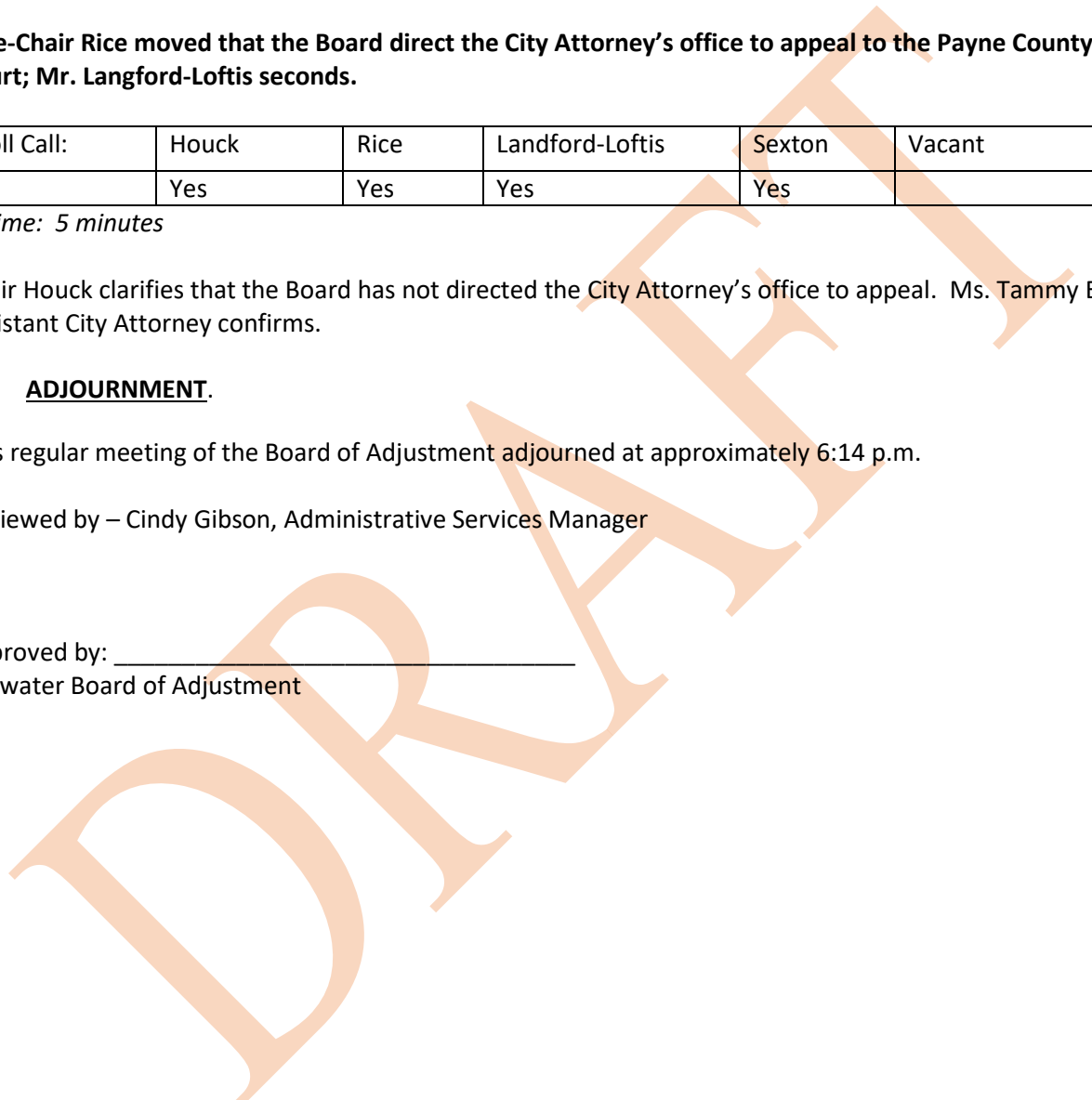
Chair Houck clarifies that the Board has not directed the City Attorney’s office to appeal. Ms. Tammy Ewing, Assistant City Attorney confirms.

5. **ADJOURNMENT.**

This regular meeting of the Board of Adjustment adjourned at approximately 6:14 p.m.

Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by: _____
Stillwater Board of Adjustment



**STILLWATER BOARD OF ADJUSTMENT
 Regular MEETING OF May 1, 2025
 IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
 LAW, THE AGENDA WAS POSTED April 29, 2025
 IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:
 Bryan Landford-Loftis
 Micah Sexton
 Rob Lamecker

Staff Present:
 Tammy Ewing, City Attorney
 David Barth, Dev. Serv. Director
 Joshua Brown, Development Coordinator
 Ally Holle-Maged, Admin. Assistant

Members Absent:

Guests:
 Gabriella Mosquera, James Walker

1. CALL MEETING TO ORDER.

Mrs. Holle-Maged, Admin. Asst. calls meeting to order at 5:30 pm.

2. INTRODUCTION OF MR. ROB LAMECKER

3. Election of Chair:

Mr. Sexton nominates Mr. Landford-Loftis as Chair

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 2 minutes

4. Election of Vice Chair:

Mr. Landford-Loftis Nominates Mr. Sexton as Vice Chair

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 2 minutes

5. PUBLIC HEARING:

Chair Landford Loftis swears in speakers for the Public Hearing:

Gabriella Mosquera, James Walker, Joshua Brown, and David Barth are sworn in.

- 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.

Chair Langford-Loftis opened the public hearing and asks staff to present the item.

David Barth, Development Services Director, requested that before the staff report, the applicants be allowed to address questions that could impact the hearing.

Mrs. Gabriella Mosquera asked whether, if the variance request were denied tonight, would there be a required waiting period before reapplying. Ms. Tammy Ewing, Assistant City Attorney responds that if the request were denied, the applicants could not reapply for the same variance under the same section of code.

Vice Chair Sexton commented that if the request were denied, the applicants would have the ability to appeal the decision in district court.

Mrs. Mosquera indicated that they wished to proceed with the public hearing.

Joshua Brown, Development Coordinator, presented staff report; displayed maps showing the property location and surrounding areas, listed nearby businesses, and provided a street view of the location; stated that from the face of the curb to the west sidewalk, the distance is currently 21 feet; and the south parking area is 63 feet from the edge of the curb.

Mr. Brown also noted that the location of the dumpster is proposed to change.

Mr. Brown explained that the variance is being requested to accommodate additional drive-through lanes; specifically, the request is to encroach into the required 2-foot setback by 1.2 feet along the west property line and by 0.6 feet along the south property line.

Vice Chair Sexton asked why a 2-foot setback from parking areas is required. Mr. Brown cited vehicle overhang as one of the reasons for the requirement.

Vice Chair Sexton asked whether granting the variance would result in vehicles potentially hanging over the sidewalk. Mr. Brown clarified that, in this case, the applicant would be required to install curb stops to prevent vehicles from encroaching onto the sidewalk.

Chair Langford-Loftis asked if similar variances had been granted in the past. Mr. Brown responded that he could not recall a comparable case.

Mr. Barth added that the 2-foot buffer is not required when abutting properties are zoned CB (Commercial Business), IL (Light Industrial), or IG (General Industrial); however, the code still stipulates that parking areas must not have vehicle overhangs that cross property lines or sidewalks, regardless of adjacent zoning.

Mr. Barth noted that one alternative could be to relocate the sidewalk along Perkins Road.

Chair Langford-Loftis asked whether that responsibility would fall to the City or the applicant. Mr. Barth responded that sidewalk construction in the right-of-way is typically the responsibility of the developer; however, because Perkins Road is a state highway, additional coordination with the Oklahoma Department of

Transportation (ODOT) would be required.

Mr. Barth also stated that the average vehicle overhang is approximately one foot.

Vice Chair Sexton inquired why the 2-foot buffer exception exists for CB, IL, and IG zoning districts. Mr. Barth responds that CB zoning applies to dense commercial areas like downtown, while IL and IG districts are typically located farther from pedestrian zones.

Ms. Ewing, Asst. City Attorney advised that the buffer zone is traditionally intended to provide a safety margin for pedestrians using the sidewalk.

Mr. Lamecker noted that there is an existing utility easement on the south side of the property and observed that the sidewalk appears to be located near it and asked whether relocating the sidewalk would be restricted due to maintenance concerns, such as the presence of a water line. Mr. Barth responded that he was unsure of the exact location of the water line in relation to the sidewalk but acknowledged that ideally, pavement would not be placed directly over utility lines. Mr. Barth noted, however, that in areas like this, it can be difficult to avoid as utilities are generally preferred to be located in city-owned easements rather than in the state highway right-of-way, which often results in paving over utilities.

Vice Chair Sexton asked who would have the authority to approve the relocation of the sidewalk. Mr. Barth stated that it would require joint approval from the City and ODOT, both of whom would require documentation and review.

Vice Chair Sexton observed that there appears to be a large grass area between the existing sidewalk and Perkins Road, which might make relocation feasible with the proper permits. Mr. Barth agreed that sidewalk relocation could be possible along Perkins Road but noted that the sidewalk along Hall of Fame Avenue is adjacent to the roadway.

Mr. Barth said that City code requires a 6-foot-wide sidewalk but was uncertain of the actual width in this location.

Mr. Lamecker said he believed the sidewalk along Perkins Road is 10 feet wide.

Chair Langford-Loftis noted that the staff recommendation includes the following language: "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.'"; and asked whether there were any additional spatial constraints that could affect the ability to grant the variance.

Mr. Barth stated that the parking design standards provide width and length dimensions but do not take wheel stops into account; however, he did not foresee any issues with the ability of vehicles to use the spaces as designed.

Mr. Barth also added that the spacing along Perkins Road is already less than 2 feet, but staff could not locate any record of previously granted variances for the property as the spaces are currently 3in short.

Chair Langford-Loftis asked whether the existing conditions could be considered legally nonconforming. Ms. Ewing, Asst. City Attorney advised that even if the condition were legally nonconforming, that status would be lost due to the proposed changes.

Chair Langford-Loftis then invited the applicant to present.

Ms. Gabriella Mosquera stated that the restaurant requires a third drive-through lane to accommodate traffic volume at this location; explained that the drive-through lanes currently total 540 linear feet and would be extended to 791 linear feet; and the parking lot is also being reconfigured to create a separate walkway for employee safety.

Chair Langford-Loftis noted that the two-foot setback adjacent to the drive-through area is being taken from the employee parking while a substantial buffer still exists between the road and the property, the setback is required from the property line.

Chair Langford-Loftis asked what the applicant considered peculiar about the property. Ms. Mosquera responded that the main constraint is the size of the lot and how much the business has expanded over time.

Chair Langford-Loftis asked if the applicant had considered alternative site plans. Ms. Mosquera said yes, but stated that this configuration best aligns with the code requirements.

Chair Langford-Loftis asked whether the proposed configuration increases the number of parking spaces and if reducing the amount of added parking might help the configuration comply with code. Ms. Mosquera replied that removing parking would make the site noncompliant with required parking minimums.

Ms. Ewing, Asst. City Attorney asked how many parking spaces are required. Mr. Brown explained that the applicant has a shared parking agreement with the adjoining shopping center, which is owned by the same entity and because of this, sufficient parking is available across the combined lots.

Discussion is held regarding adding parking in this case appears to benefit the business owner rather than relieve a hardship, particularly since shared parking is available as an alternative; parking dimension requirements if the applicant were to implement angled or parallel parking on the side where the variance is requested; and about the square footage of the building, but it was clarified that the building size does not affect required parking counts due to the shared parking agreement.

James Walker, also representing Chick-fil-A, came forward to add that multiple configurations had been evaluated; each option required a variance for either setbacks, parking, or greenspace; and believed the setback request was the smallest and most reasonable of those options.

Mr. Walker also emphasized that the reconfiguration is aimed at addressing safety concerns, noting that the current drive-through is highly congested; they are planning to relocate the dumpster pad to improve visibility for vehicles entering and exiting the site; and this change also consumes additional space.

Chair Langford-Loftis pointed out that even if this variance is denied, the applicant still has the option to return with an alternative configuration.

Mr. Sexton asked Ms. Ewing, Asst. City Attorney, whether a condition of approval could require the applicant to move the sidewalk that borders the property, even though the sidewalk is not located on the applicant's property. Ms. Ewing, Asst. City Attorney, responded that such a condition could be imposed.

Mr. Lamaker observed that requiring the sidewalk to be moved might raise concerns with ODOT, especially if the sidewalk ends up encroaching in the other direction. Mr. Barth responds that he did not believe the setback on the opposite side would be a concern; however, because approval from ODOT would be required, there is always the possibility that the request could be denied.

Chair Langford-Loftis stated that he views this variance request as providing more of a benefit to the applicant than relieving a hardship.

Mr. Lamaker agreed, saying he did not see anything peculiar about the property that would justify a variance, and that it appeared to be a business advantage rather than a zoning hardship.

Mr. Sexton acknowledged that the applicant is trying to address an operational issue on an existing site but said that legally he did not believe the request meets the criteria for granting a variance.

Chair Langford-Loftis then invited staff to return and present findings and alternatives.

Mr. Brown presents criteria and alternatives, which are:

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.

Chair Langford Loftis motions to deny the variance because it does not meet all four (4) standards as the request is granting a benefit to the business vs a hardship to the property and the request is not the minimum necessary as there are other parking options. Mr. Lamecker Seconds.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 1 hour 5 minutes

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

- a. Legal makes a clarification on a point that was made in the previous special meeting of January 2025 that an abstention is not a no vote.

The board members make a clarification that it is essential a no vote as 3 yeases are needed for an approval and therefor an abstention would be a denial.

Members request clarification that if they have a conflict of interest and need to recuse themselves would that mean there is unable to be a quorum and the item could need to be tabled until there was another person on the board.

Ms. Ewing, Asst. City Attorney suggest coming to them to discuss the specifics if those circumstances arise.

- b. Staff asks if any members know anyone who would like to apply to be on the board please direct them to the city.
- c. Next Board of Adjustment meeting Thursday, June 05, 2025.

4. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 6:45 p.m.

Prepared by – Alexandria Holle-Maged, Administrative Assistant
 Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by: _____
 Stillwater Board of Adjustment

**STILLWATER BOARD OF ADJUSTMENT
Regular MEETING OF July 10, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED July 7, 2025
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Bryan Landford-Loftis
Micah Sexton
Rob Lamecker

Staff Present:

Tammy Ewing, City Attorney
David Barth, Dev. Serv. Director
Joshua Brown, Development Coordinator
Ally Holle-Maged, Admin. Assistant

Members Absent:

Guests:

Jerry Stahl, representing the applicants (Metzger Construction)
Daniel Driscoll, neighboring property owner at 6305 W. Mesa Circle

1. CALL MEETING TO ORDER.

Chair Langford-Loftis calls the meeting to order at 5:30pm and explains the proceedings for the evening.

The following are sworn in:

- David Barth, Development Services Director
- Jerry Stahl, representing the applicants (Metzger Construction)
- Daniel Driscoll, neighboring property owner at 6305 W. Mesa Circle

2. PUBLIC HEARING:

- a. Receive public comment regarding a Variance (VAR25-03) to City Code, Chapter 23, Section 23-136(d)2.b and Sec. 23-136(d)2.c for setbacks in the Large Lot Single Family Residential (RSL) zoning district and to Chapter 37, Sec. 37-135 Table/Figure A for maximum residential driveway slope requirements at property addressed as 6309 W. Mesa Circle.

Chair Langford-Loftis opened the public hearing and invited staff to present the item.

David Barth, Development Services Director, presents staff report and highlights the following:

- The home was completely destroyed in the March 14, 2025 wildfire.
- Hidden Oaks subdivision was developed prior to annexation and without zoning compliance; now zoned as RSL (Large Lot Single-Family).
- The original home encroached approximately 13 feet into the rear setback but complied with side yard requirements.
- The proposed home is slightly wider and less deep, reducing the rear setback encroachment to ~5 feet and introducing a new side yard encroachment of ~2 feet.
- The existing driveway remains and was encouraged to be preserved post-fire to avoid complex reconstruction and possible impacts to underground infrastructure (notably a city water line and

- shallow communication lines).
- Driveway slope currently exceeds 15%, and staff noted the importance of minimizing grading to avoid damage to utilities and drainage systems.
 - Staff confirmed the situation is unique due to fire loss, terrain slope, and the presence of nonconforming infrastructure.
 - Staff recommended approval of the variances based on these findings and the four statutory criteria.

Chair Langford-Loftis and other members emphasized the hardship was not self-imposed and rooted in the annexation and destruction of the original home.

Board discuss is held regarding acknowledgement the peculiarity of the lot, impact of terrain and trees, and the practicality of retaining portions of the existing driveway; assistant city attorney clarified that the existing driveway is a nonconforming legal structure and, if retained, does not trigger full compliance; how slab foundations were likely compromised due to extreme temperatures during the fire, supporting the need for full reconstruction; and board members expressed a desire to maintain the integrity of the lot while recognizing the impracticality of full compliance under the circumstances.

Mr. Daniel Driscoll, 6305 W. Mesa Circle, expressed full support for the variances and confirmed that utility lines are shallow and cross both properties. Mr. Driscoll stated the proposed encroachments did not affect him and praised the applicant's approach.

Chair Langford-Loftis asks if there are any further questions for the applicant; none respond. Chair Langford-Loftis asks if there is anyone that wishes to speak in favor or opposition of this item; none respond. Chair Langford-Loftis closes the public hearing asks for alternatives and recommendation.

Mr. Barth returns and presents criteria, alternatives and staff's recommendation, which are:

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.

**Mr. Sexton moves to approve the variance requests, Mr. Lamecker seconds based on the following:
 Variance to Chapter 23, Article V, Division 4, Section 23-136(d)2b for Side Yard Setback Requirement:**

- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship; Due to the Stillwater Fires.**
- (2) Such conditions are peculiar to the particular piece of property involved; Due to the orientation of the existing drive.**
- (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; There is no detriment to the neighbors.**
- (4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.**

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Variance to Chapter 23 Section 23-136(d)2c for Rear Yard Setback Requirements.

- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship; Due to the Stillwater Fires.**
- (2) Such conditions are peculiar to the particular piece of property involved; Due to the property previous encroachments.**
- (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; Due to there not being neighbors on the abutting southern property to affect.**
- (4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.**

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Variance to Chapter 37, Article III, Division 3, Section 37-135 as it pertains to driveway slope requirements.

- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship; Due to the Stillwater Fires**
- (2) Such conditions are peculiar to the particular piece of property involved; Due to the existing City Waterline's location.**
- (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. The minimum necessary being a variance to allow for a driveway slope up to 18.5%.**

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

The board expressed appreciation for the thoughtful redesign and noted the distinction between rebuilding a

destroyed home versus building a new speculative home and commended the applicant's efforts to remain within zoning constraints where possible.

Time: 1 hour 9 minutes

- b. Receive public comment regarding a Variance (VAR25-04) to City Code Chapter 37, Sec.37-135, Table/Figure A for maximum residential driveway slope requirements at the property addressed as 1709 S Hidden Oaks Drive.

Chair Langford-Loftis opened the public hearing and invited staff to present the item.

David Barth, Development Services Director, presents staff's report and highlights the following:

- Similar context to the previous request: home destroyed in March 2025 wildfire, located in Hidden Oaks.
- This property has a unique, nearly square shape with minimal buildable depth due to setback requirements.
- The existing driveway is steeper than 15%, and the remaining portion from the prior structure shows a slope of ~24%.
- Proposed new house design relocates the garage 12 feet closer to the street, reducing the required driveway slope across most of the surface.
- Staff noted that moving the house further back would trigger encroachment into the rear setback, raising stormwater and grading concerns.
- There is a known water line beneath the driveway, and likely shallow communication lines as well.
- Staff recommended approval of a driveway slope variance, citing unique conditions and efforts to minimize impact.

Chair Langford-Loftis asks if there are any questions for staff; none respond. Chair Langford-Loftis asks the applicant to come forward.

Jerry Stahl, 5623 E. 19th Avenue, comes to speak on the following:

- Confirmed the house was redesigned to reduce the slope as much as possible.
- Despite improvements, utilities near the approach (especially communication lines) pose a risk of damage if excessive excavation is done.
- The goal is to maintain a ~15% slope overall, but the first 10 feet may need to be as steep as 24%.
- Reiterated that existing slab was unusable due to post-tension damage and insurer requirements.

Board discussion is held regarding potential consequences of hitting fiber or water lines during construction; clarified that variance would only apply to the first 10 feet from the street approach, with remaining driveway expected to remain within 15%; acknowledged that the configuration was the best achievable under the circumstances and would not pose harm to the public or future development; and Board appreciated the applicant's flexibility and commitment to improving compliance compared to the pre-fire structure.

Chair Langford-Loftis asks if there are any further questions for the applicant; none respond. Chair Langford-Loftis asks if there is anyone that wishes to speak in favor or opposition of this item; none respond. Chair Langford-Loftis closes the public hearing asks for alternatives and recommendation.

Mr. Barth presents criteria, alternatives and staff recommendation which are:

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.

Mr. Lamecker moves to approve the variance request, Mr. Sexton seconds the variance to Chapter 37, Section 37-135:

- (1) The application of the ordinance to the particular piece of property would create an unnecessary hardship; Due to the Stillwater Fires.**
- (2) Such conditions are peculiar to the particular piece of property involved; Due to the unknown location of utilities as well as the size and shape of the property.**
- (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; There is no detriment to the neighbors. Due to there not being objections from neighbors.**
- (4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. The minimum necessary being an allowance for up to a 24% grade for the first 10 feet from the street approach.**

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

The board acknowledged the tragedy and complexity involved in rebuilding post-wildfire; noted that these kinds of variances are justified due to hardship and not a self-imposed design flaw; and expressed appreciation for the thoroughness of the application and anticipated similar requests from other property owners in the

subdivision.

Time: 39 minutes

3. Meeting Summary for Review and Possible Action:

- a. Regular meeting minutes of September 12th, 2024.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 2 minutes

- b. Regular meeting minutes of October 3rd, 2024.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 2 minutes

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

- a. Next Board of Adjustment meeting Thursday, August 07, 2025.

4. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 7:19 p.m.

Prepared by – Alexandria Holle-Maged, Administrative Assistant

Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by: _____
Stillwater Board of Adjustment

STILLWATER BOARD OF ADJUSTMENT
 Regular MEETING OF October 2, 2025
 IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
 LAW, THE AGENDA WAS POSTED September 30, 2025
 IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:
 Bryan Landford-Loftis
 Micah Sexton
 Rob Lamecker

Staff Present:
 Tammy Ewing, City Attorney
 David Barth, Dev. Serv. Director
 Joshua Brown, Development Coordinator
 Henry Bibelheimer, Senior Planner
 Ally Holle-Maged, Admin. Assistant

Members Absent:

Guests:

1. CALL MEETING TO ORDER.

Chair Langford-Loftis calls meeting to order at 5:37pm and explains the proceedings for the evening.

2. Election of Chair:

Chair Langford-Loftis asks for a nomination.

Mr. Lamecker nominates Mr. Langford-Loftis as Chair, Mr. Sexton seconds.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 3 minutes

3. Election of Vice Chair:

Chair Langford-Loftis asks for a nomination.

Mr. Landford-Loftis nominates Mr. Sexton as Vice Chair. Mr. Langford-Loftis seconds.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 3 minutes

4. General Orders:

- a. Discussion and possible action to adopt a Board of Adjustment policy regarding procedure and process for minor administrative variance(s).

Mr. Henry Bibelheimer, Senior Planner, presents staff report and comments that historically, prior to 2020, the Development Services Director could approve an administrative variance up to one foot, applying the same four variance standards required for Board of Adjustment variances; and in 2020, the code was amended to allow administrative variances up to three feet, but that provision had a sunset clause of 4 months; and recently, staff realized state law requires that authorization for administrative variances be set by Board of Adjustment policy, not solely in the land development code.

Mr. Bibelheimer states that staff is presenting this policy for board's adoption to allow the Development Services Director to approve a minor administrative variance of up to one foot or 10% of the required setback, whichever is greater, subject to the same variance criteria; in most typical residential setback situations (e.g., five-foot side setbacks), the practical cap would be one foot; the 10% prong mainly addresses larger setbacks (e.g., a 75-foot industrial setback abutting residential), where 10% would be 7.5 feet; those are uncommon; most cases presented are small, often less than one foot; and the policy also includes safeguards (e.g., no increases to allow lot coverage beyond code, stormwater considerations) to ensure no adverse impacts on neighbors or overall development.

Board discussion is held regarding the three-foot allowance that existed briefly in code but expired; the new policy would reduce that to one foot or 10%, whichever is greater and why 10%; provides limited flexibility where setbacks are unusually large; otherwise, one foot governs typical cases; and staff is comfortable with one foot as the standard, with the 10% backup only in larger-setback contexts.

Brief discussion is held about Process & transparency:

- An administrative hearing is required by statute; abutting property owners receive notice.
- The Development Services Director must make written findings under the same variance criteria; those orders (granting or denying) will be provided to board members for awareness.
- Appeals: If an administrative variance is denied, the applicant may appeal to the Board. If granted, it would come to the Board only if properly appealed (e.g., by an affected neighbor), consistent with standard appeal procedures.

Further discussion is held regarding the policy helping to address situations where a rezoning would cure lot coverage limits but introduces a minor setback nonconformity (e.g., three inches) under the new district; the approach: Planning Commission can recommend rezoning conditioned on securing the variance; and the Director could process an administrative variance contingent on rezoning approval by Council.

The Board of Adjustment oversight:

- To ensure ongoing oversight without overburdening Council, the Board discussed an annual review by the Board and a longer sunset to force periodic Council action only if changes are made or the sunset triggers.
- Notices of the Director's administrative hearings would not automatically be sent to board members to avoid complications if a case later appears before the Board, but decisions/orders will be shared.

Discussion is held regarding the fees and that until and/or unless a separate minor-variance fee is added to the City fee schedule, the standard variance fee applies, as staff time, noticing, and hearings are still required.

Ms. Tammy Ewing, Assistant City Attorney, added language that will be inserted verbatim and the document

will be provided for the Chair’s signature and forwarded to City Council for policy approval.

Mr. Lamecker moved, seconded by Vice-Chair Sexton to approve the policy regarding minor administrative variances as written on pages 4–5 of the packet, with the following additions:

- **This policy will be reviewed annually by the Board of Adjustment beginning in 2026.**
- **In the event of no prior termination by the Board of Adjustment, the policy will terminate on December 31, 2030.**

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 40 minutes

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

- Next Board of Adjustment meeting Thursday, November 06, 2025.
- Members encouraged continued outreach; operating with only three members makes unanimous votes necessary and can be a heavy lift on complex or contentious items.

4. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 6:23 p.m.

Prepared by – Alexandria Holle-Maged, Administrative Assistant

Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by: _____

Stillwater Board of Adjustment

STILLWATER BOARD OF ADJUSTMENT
 Regular MEETING OF November 6, 2025
 IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
 LAW, THE AGENDA WAS POSTED November 4, 2025
 IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:
 Bryan Landford-Loftis
 Micah Sexton
 Rob Lamecker

Staff Present:
 Tammy Ewing, City Attorney
 David Barth, Dev. Serv. Director
 Cindy Gibson, Admin. Assistant

Members Absent:

Guests:

1. CALL MEETING TO ORDER.

Chair Langford-Loftis calls meeting to order at 5:30pm

2. General Orders:

- a. Review and approval of the 2026 Board of Adjustment Meeting Schedule.

Chair Langford-Loftis asks if there are any questions or adjustments; none respond.

Mr. Lamecker moved to approve the 2026 Board of Adjustment Meeting Schedule as presented; Mr. Sexton seconded.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 2 minutes

3. Public Hearing:

- 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.

Mr. Sexton states that he must recuse himself as the applicant is a client and believes he has a conflict of interest.

Ms. Tammy Ewing, Assistant City Attorney, explains that they can't have action with less than three (3) votes and explains the difference between tabling versus continuing an item.

Mr. Lamecker moved to continue VAR25-07 to the December 4th, 2025 meeting. Mr. Sexton seconds.

Roll Call:	Langford-Loftis	Sexton	Lamecker	Vacant	Vacant
	Yes	Yes	Yes		

Time: 5 minutes

4. Meeting Summary for Review and Possible Action:

- a. Regular meeting summary of May 1st, 2025.
- b. Regular meeting summary of July 10th, 2025.
- c. Regular meeting summary of October 2nd, 2025.

Mrs. Cindy Gibson, Clerk, announces that minutes were accidentally not included in the agenda packet, therefore, no action will be taken.

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

- a. Next Board of Adjustment meeting Thursday, December 04, 2025.

6. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 6:23 p.m.

Prepared by –Cindy Gibson, Administrative Services Manager

Approved by: _____
Stillwater Board of Adjustment