

**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).
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- 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