

BOARD OF ADJUSTMENT MEETING AGENDA
MAY 7, 2026



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

Chair Bryan Langford-Loftis, Vice-Chair Micah Sexton, Rob Lamecker, Mike Woods and Jantzen Harrison

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.

a.	Receive public comment regarding a variance request (VAR26-02) to Chapter 23, Article VI, Division 4, Section 23-151.c.2.b for side yard setback in the Commercial Shopping (CS) district at property addressed as 1431 S. Western Road.	Henry Bibelheimer
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3. Meeting Summary for Review and Possible Action

a.	Regular meeting summary of January 8, 2026.
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b.	Regular meeting summary of March 19, 2026.
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4. Miscellaneous Items from Staff, Board Members or City Attorney for Discussion and Possible Action:

a.	Next regular meeting is June 4th, 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.

CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT
LAND USE APPLICATION COVERSHEET

Board of Adjustment Application: Variance

Title of Subdivision/Plan/Use:

Fountain Square

Address or Description of Property to be Subdivided/Developed:

1431 South Western Road

Number of Acres in Development:

0.34

Number of Lots Created:

0

Current Zoning/Requested Zoning:

Commercial Shopping

Application Request / Project Description:

The applicant request that the side yard of the property be reduced from 15' to 10' to accommodate the encroachment of the existing structure.

Date of Meeting: May 07, 2026
Subject: Variance to Chapter 23, Article VI, Division 4, Section 23-151.c.2.b
Project Name: VAR26-02
Location: 1431 South Western Road

BACKGROUND

This property is located one-quarter mile north of 19th Avenue, on the east side of South Western Road, in the Fountain Square Shopping Center and is addressed as 1431 South Western Road. This property is zoned Commercial Shopping (CS) District. In 2023 the applicant applied for a building permit for an office building at this location. In the approved site plan (attached), the southern side of the structure is shown to have a 15' side setback, which meets the minimum setback requirement.

The applicant had updated plans made, which show a nonconforming 10' side setback on the south side of the lot. The builder used these plans to build the structure without submitting them for staff to review. This discrepancy was not caught until after the structure was built.

CODE APPLICATION

Sec. 23-151. - CS Commercial Shopping District.

(c) *Bulk regulations.* Bulk regulation requirements in the CS district are as follows:

- (2) Setbacks. The following are minimum required setbacks:
 - b. Minimum side 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: April 20, 2026
Attachments: Letter of Justification
Approved Site Plan
Section 23-151

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

The initial plans for the building were prepared in 2019 and project was put on hold. The initial plan showed a 15' side yard setback. In 2023, upon re-draw of the plan to allow for handicap ramp at the front door, the side yard setback was mistakenly changed to 10'. The original plan was submitted for building permit by mistake.

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

The 15' side yard setback in this particular zoning seems somewhat arbitrary.

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

This property is completed as is the adjoining property. There will be no future construction on this lot or on the adjacent lot. There is 30'5" between properties. Fortunately the adjoining structure was built with a 20' side yard.

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

Even though the building is closer to the side lot line, the intent of the ordinance appears to be met with the 30' between buildings. Removing the portion of the building encroaching the setback does not seem a reasonable solution.

Certificate of Completion - OFFICE SHELL
 1509 S. WESTERN
 LOT 5, FOUNTAIN SQUARE

**RE-SUBMITTAL
 AS BUILT**

LANDSCAPE Req'd & AS BUILT

Developed AREA 14,487

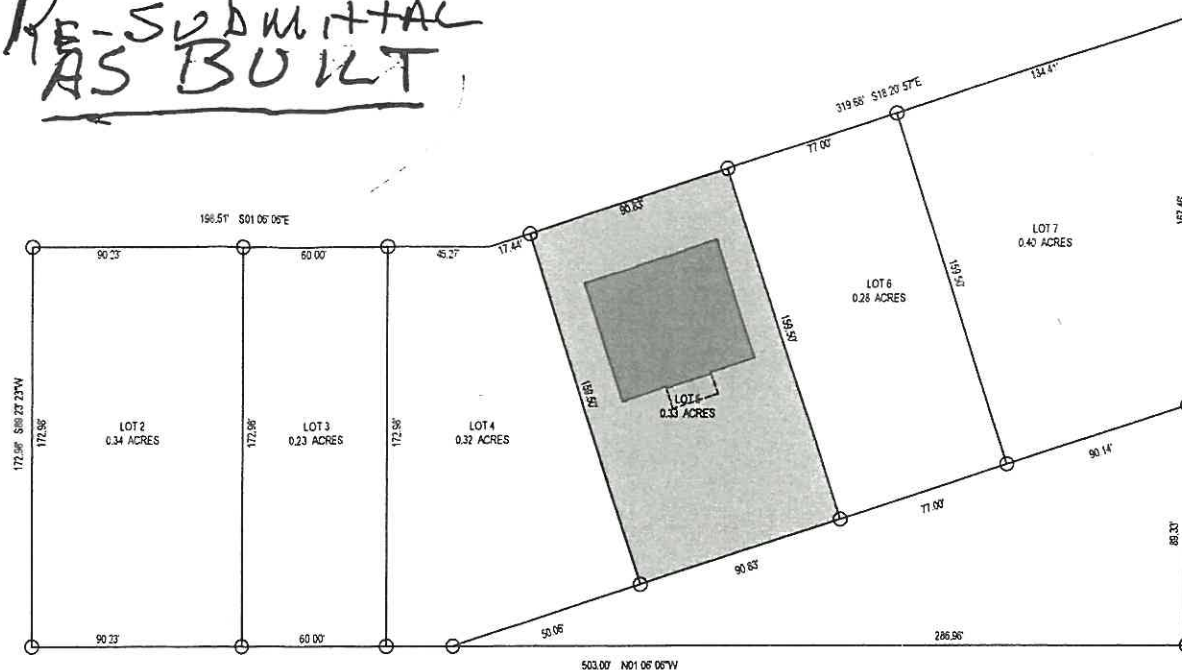
Required AREA 1,304

Required Points 652

Turf 1485x.50 742

Small Shrub 25 225

Points Provided 967

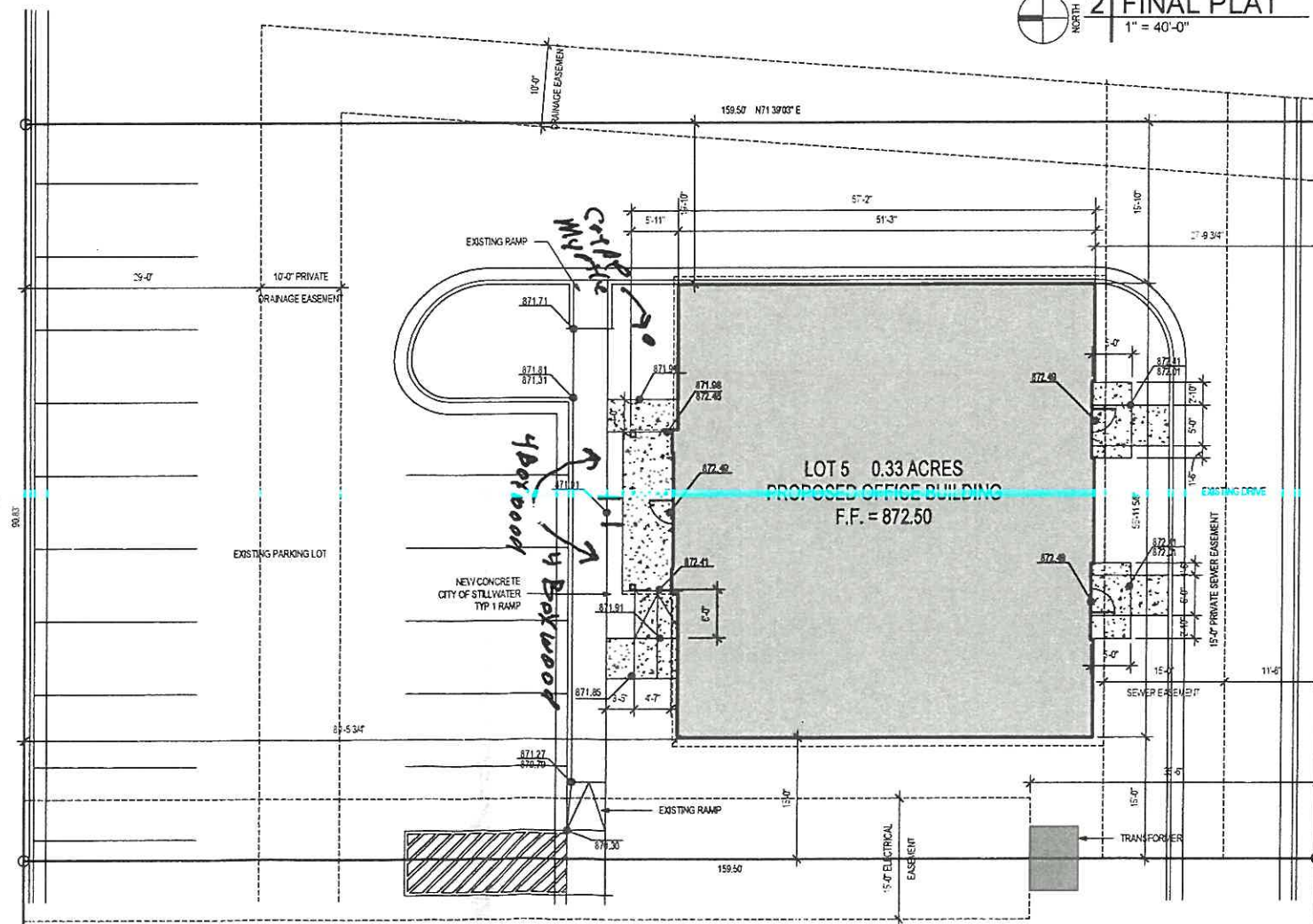


FOUNTAIN SQUARE
 FINAL PLAT
 A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 22
 TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE INDIAN MERIDIAN,
 CITY OF STILLWATER, PATNE COUNTY, OKLAHOMA.

2 | FINAL PLAT
 1" = 40'-0"

Submitted by
 C-Star CONSTRUCTION SERVICES, LLC
 by Dan Williams, Mgr
Dan Williams

S-1-26

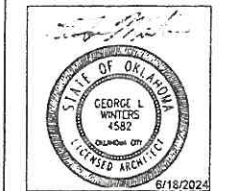


REFER TO CIVIL CONSTRUCTION PLANS FOR
 FOUNTAIN SQUARE, WESTERN ROAD AND 12TH AVENUE
 STILLWATER, OKLAHOMA
 PREPARED BY KEYSTONE ENGINEERING AND
 LAND SURVEYING, INC.

1 | PLOT PLAN
 1" = 10'-0"



816 NORTH WALKER, SUITE 100
 OKLAHOMA CITY, OK, 73102
 VOICE: 405.605.1044
 WWW.STUDIOARC.COM



Fountain Square Office Building
 C-Star Construction, LLC

Stillwater, Oklahoma

Revision		
#	Description	Date

Project Number
 24025
 Sheet Title
 PLOT PLAN PLAT

Date
 June 18, 2024

A1.0

Sec. 23-151. CS Commercial Shopping District.

(a) *Permitted by right.* The following uses will be permitted by right in the CS Commercial Shopping District:

- (1) Bed and breakfast, hotel, motel.
- (2) Beverage services.
- (3) Educational services.
- (4) Financial institutions and services.
- (5) Food services.
- (6) Free-standing self service facilities.
- (7) Information.
- (8) Mixed use.
- (9) Personal and laundry services.
- (10) Personal storage and warehousing.
- (11) Professional and administrative offices and services.
- (12) Retail trade.

(b) *Specific use permit.* The following uses are permitted by specific use permit in the CS district:

- (1) Child and adult care services.
- (2) Construction.
- (3) Health care and social assistance.
- (4) Medical marijuana dispensary.
- (5) Multi-family.
- (6) Public administration and service.
- (7) Telecommunications tower.
- (8) Transportation activities.
- (9) Vehicle and equipment sales and service.

(c) *Bulk regulations.* Bulk regulation requirements in the CS district 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: No maximum limit.
- (2) Setbacks. The following are 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: 15 feet.
 - c. Minimum rear yard: 25 feet.
- (3) Maximum lot coverage: 40 percent

(d) *Exceptions.* The following are the exceptions in the CS district:

- (1) Whenever a structure exceeding one story in height abuts a residential district, a six-foot high landscape buffer shall also be required.
- (2) The rear yard setback of a lot containing a commercial building serviced from the rear shall be no less than 30 feet, said additional footage being necessary to accommodate a 20-foot wide service drive.
- (3) 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.
- (4) Any number of structures or uses may be constructed or established on a single lot, but no single lot shall be smaller than the minimum lot area required to accommodate the principal use/structure and all accessory uses/structures.

(Ord. No. 3023, § 1(23.151), 3-3-2008; Ord. No. 3051, § 20, 12-15-2008; Ord. No. 3104, § 1, 6-21-2010; Ord. No. 3141, § 1, 6-27-2011; Ord. No. 3221, § 14, 2-21-2013; Ord. No. 3416, § 3, 9-17-2018)

STILLWATER BOARD OF ADJUSTMENT
 Regular MEETING OF January 8, 2026
 IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
 LAW, THE AGENDA WAS POSTED January 8, 2026
 IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:
 Bryan Langford-Loftis
 Micah Sexton
 Rob Lamecker

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

Members Absent:

Guests:

1. CALL MEETING TO ORDER.

Chair Langford-Loftis calls meeting to order at 5:46pm

2. Public Hearing.

No items for Public Hearing.

3. Meeting Summary for Review and Possible Action:

- a. Special meeting summary of January 16, 2025.

Vice Chair Sexton notes that the “to executive session” should be changed to “from executive session”.

Vice Chair Sexton moves to approve the minutes as with the mentioned amendment. Member Lamecker seconds.

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

Time: 1 minute

- b. Regular meeting summary of May 1, 2025.

Mr. Lamecker moves to approve the minutes as presented. Vice Chair Sexton seconds.

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

Time: 1 minute

- c. Regular meeting summary of July 10, 2025.

Mr. Lamecker moves to approve the minutes as presented. Vice Chair Sexton seconds.

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

Time: 1 minute

- d. Regular meeting summary of October 2, 2025.

Mr. Lamecker moves to approve the minutes as presented. Vice Chair Sexton seconds.

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

Time: 1 minute

- e. Regular meeting summary of November 6, 2025.

Vice Chair Sexton moves to approve the minutes as presented. Mr. Lamecker seconds.

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

Time: 1 minute

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

Legal advises the board that there may be some changes to how minutes are processed.

- a. Next Board of Adjustment meeting Thursday, February 05, 2026.

- 5. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 5:53 p.m.

Prepared by –Cindy Gibson, Administrative Services Manager

Approved by: _____
Stillwater Board of Adjustment

STILLWATER BOARD OF ADJUSTMENT
Regular MEETING OF March 19, 2026
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED March 12, 2026
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:

Bryan Langford-Loftis
Mike Woods
Jantzen Harrison

Staff Present:

Tammy Ewing, City Attorney
David Barth, Dev. Serv. Director
Henry Bibelheimer
Ally H Maged, Admin. Assistant

Members Absent:

Micah Sexton
Rob Lamecker

Guests:

1. CALL MEETING TO ORDER.

Chair Langford-Loftis calls meeting to order at 5:33pm

2. Introduction of New Board of Adjustment Members

- a. Introduction of newly appointed member, Mike Woods.
- b. Introduction of newly appointed member, Jantzen Harrison.

3. Public Hearing.

- a. Receive public comment on a request for a variance (VAR25-08) to Ch. 23 Art. VI Sec.23-140(d)(2)a.1 Front Yard Setbacks for all property boundaries abutting a right-of-way or road/access easement in Multi-Family Intermediate (RMI) Zoning District at the property addressed as 721 W. 9th Ave.

Mr. Henry Bibelheimer, Senior Planner, presents the item and asks if there are any questions.

The following inquiries were asked:

- Confirmed that the north side (9th Avenue side) is the only side receiving the setback variance.
- Asked how this building compares to the surrounding addresses and their setbacks.
- Asked if any alternatives were provided by staff to the applicant.
- Asked whether the existing structure will remain and if there are any requirements for separation between the structures.

Mr. Bibelheimer confirmed the location and stated that staff had provided the applicant with alternatives; confirmed that separation requirements between the two buildings would not apply in this case; and deferred to the applicant to speak on the relationship of the building to surrounding properties.

Mr. Stephen Gose, Gose & Associates, 113 E. 8th Ave., comes to speak on the following:

- Noted that this lot is in an older area of town where all surrounding buildings extend to the property line.
- Stated that the Right of Way (ROW) for this road is larger than when it was originally platted; stated that closing the ROW for this one house, but not for the rest of the block, would be impractical.
- Noted there will be a deck on the south side of the building that will prevent the building from being moved back.

Mr. Langford-Loftis asked about the size of the deck and the distance between the structures.; Mr. Gose responded the deck is approximately 15 feet and there is about 30 feet between the homes.

Mr. Woods asked Mr. Gose to expand on the "unnecessary hardship." Mr. Gose stated that the standards constitute a hardship within the context of the neighborhood due to the size of the original lot.

Mr. Langford-Loftis clarified that they are requesting a variance for an additional 10 feet and asked why that would be more favorable. Mr. Gose replied that their goal is redevelopment and they are trying to match the aesthetics of the current neighborhood; additionally, noted that if they move the building back, they may need to place parking in the front off 9th Avenue, which would not match surrounding drives.

Mr. Woods asked if they could hear the next variance regarding the parking request before voting on this item. Ms. Tammy Ewing, Asst. City Attorney advised that the board can make a motion to postpone the vote on this item, hear the second item, and then return to this matter later in the meeting.

Mr. Langford-Loftis asked if there were any other speakers for this item.

Mr. Cory Williams, 621 S. Husband, on behalf of the owner:

- Stated that he specializes in infill development and preservation.
- Cited a similar property (1005 S. Duck) where he had to request the same variances.
- Pointed out that the rest of the houses on the street have approximately a 3-foot setback.
- Stated a building of this size is required for the project to be financially viable.
- Expressed a desire not to shrink the backyard to ensure tenants have space for pets.

Mr. Langford-Loftis asked the applicant to expand on why they cannot move the building back. Mr. Williams responds that he believes it will create a "cavity" at the front of the lot and negatively affect the sightline of the neighborhood; and added that it would negatively affect the integrity of the neighborhood and mentioned they submitted multiple variations of this lot to the city, all of which required at least one variance.

Mr. Woods asked about the parking or drive requirements for the front of the property. Mr. Gose advised that parking in the front would not be a requirement, but they would likely need to install at least a new drive.

Mr. Langford-Loftis asked if "integrity" is part of the criteria for rendering a decision. Ms. Ewing advised it is not in the criteria.

Mr. Woods asked why nearby new homes have smaller setbacks. Mr. Bibelheimer stated that since those are on local streets, they qualify for the automatic reduction variance.

Mr. Langford-Loftis commented that he is struggling to find a way to state that the hardship applies to this property specifically rather than being a general code issue. Mr. Williams stated his belief that the hardship from the code applies specifically to infill development and since the city is working on a code update we have to decide if these lots will just be left vacant in the meantime.

Ms. Ewing stated she does not believe the failure to update the code constitutes a hardship. Mr. Bibelheimer confirmed that the City is currently working on a rewrite of the code.

David Barth, Development Services Director, advised that the upcoming updates will address issues within the infill area and that the City aims to promote more affordable housing.

Mr. Woods stated his belief that the four criteria for approval have been met.

Mr. Harrison inquired about the potential negative impacts if the request is not approved.

Mr. Langford-Loftis clarified that his focus must remain on the specific requirements for approval, rather than hypothetical outcomes or past precedents; emphasized that the board is evaluating this specific property to determine if it meets the requirements for a variance; and furthermore, he noted that a monetary opportunity does not qualify as grounds to grant a variance.

Mr. Langford-Loftis explained that at least three affirmative votes are required for approval and suggested that tabling the item until a full board is present might increase the likelihood of a "yes" vote. Mr. Langford-Loftis then asked the applicant for his opinion on tabling the matter.

Mr. Williams stated that he would prefer to table the item until more board members are present.

Mr. Harrison Motions to table the item until the next meeting. Mr. Woods seconds.

Roll Call:	Langford -Loftis	Sexton	Lamecker	Woods	Harrison
	Yes	Absent	Absent	Yes	Yes

Time: 47 minutes

- b. Receive public comment on a request for a variance (VAR26-01) for Ch. 23 Art. VIII Sec.23-210(c) Parking Location Standards in Multi-Family Intermediate (RMI) Zoning District at the property addressed as 721 W. 9th Ave.

Ms. Ewing states that the previous motion was for both items.

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

Ms. Ewing advises the board that there may be some changes to how minutes are processed.

- a. Next Board of Adjustment meeting Thursday, April 02, 2026.

- 5. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned at approximately 6:19 p.m.

Prepared by – Alexandria Holle-Maged, Administrative Assistant

Reviewed by - Cindy Gibson, Administrative Services Manager

Approved by: _____
Stillwater Board of Adjustment

DRAFT