

Draft until approved at the next meeting:

STILLWATER BOARD OF ADJUSTMENT

Special MEETING OF June 3, 2021

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING

LAW, THE AGENDA WAS POSTED June 1, 2021

IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:

Craig Spencer
Dora Busch
Mark Nordquist
Charles "Tim" Hardin

Staff Present:

Dennis McGrath, Assistant City Attorney
Lanc Gross, Planning Manager
Melissa Higgins, Administrative Assistant

Guests:

Anders Herpolsheimer
Dan & Sarah Donovan

Members Absent:

1. CALL MEETING TO ORDER.

Chair Spencer calls the meeting to order at 5:30 PM. Chair Spencer introduces the board and explains the proceedings for the evening.

The following individuals are sworn in:

Mr. Lanc Gross

Mr. Anders Herpolsheimer

Mr. Dan Donovan

Mrs. Sarah Donovan

2. BUSINESS ITEMS FOR DISCUSSION AND POSSIBLE ACTION ON:

- a. Ron's Sign Co, **VARIANCE (VAR21-06)**, requesting review and granting of a variance to Section 23-200(c) for number of signs allowed at property addressed as 4545 W 6th Avenue in the Commercial General (CG) district. Gross

Lanc Gross, Planning Manager presents staff report and asks for any questions for staff; none respond.

Chair Spencer opens public meeting. Chair Spencer asks if there is anyone wishing to speak in favor of this item.

Mr. Anders Herpolsheimer, with Ron's Sign, 1329 S Handley St., Wichita, KS 67212, comes to speak on the following:

- Representing the applicant.
- Only one sign is illuminated; all others are directional references and size requested allows customers to see from afar.
- Details how application meets required criteria.
- Here to answer any questions for the Board.

Mr. Hardin asks if the banner sign mentioned in the application is part of the variance request; Mr. Herpolsheimer responds that it has already been removed and was only temporary.

Chair Spencer states the previous request for the site on North Perkins Rd included elevations and asks if this request included them as well; Mr. Gross responds that they were not included.

Chair Spencer asks for any questions of the applicant; none respond. Chair Spencer asks if there is anyone else wishing to speak in favor of the item; none respond. Chair Spencer asks if there is anyone wishing to speak in opposition of the item; none respond. Chair Spencer closes the public hearing.

Mr. Gross presents staff alternatives to the Board and asks if there are any questions for staff; none respond.

Chair Spencer thanks staff and opens Board discussion.

Mr. Nordquist asks if this request is essentially the same as the North Perkins Road request; Mr. Gross responds affirmatively.

Chair Spencer states that the applicant's justification letter seems to detail the hardships being met.

Mr. Nordquist motions to approve the variance having met the four criteria following

1. The hardship being unable to complete brand management.
2. It's peculiar due it being a large building and site making it unique.
3. The request will not cause a substantial detriment to the public.
4. This is the minimum necessary to alleviate the hardship.

Mr. Nordquist moved, Chair Spencer seconded to approve the variance request.

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

Time: 14 Minutes

- b. Daniel & Sarah Donovan, **VARIANCE (VAR21-07)**, requesting review and granting of variance to Section 23-121(b) fence height and setback requirements per City Code to allow for a six foot fence within the front yard setback at property addressed as 4922 N Barrett Ct in the Residential Single Family Small Lot (RSS) district. **Gross**

Lanc Gross, Planning Manager presents staff report and asks for any questions for staff.

Chair Spencer asks which direction the front door is facing; Mr. Gross responds Barrett Court.

Chair Spencer asks for any further questions for staff; none respond.

Chair Spencer opens public meeting. Chair Spencer asks if there is anyone wishing to speak in favor of this item.

Mr. Dan & Mrs. Sarah Donovan, 4922 N Barrett Ct, Stillwater, OK 74075, comes to speak on the following:

- They are the applicant.
- The road continues to the West and is a high truck traffic dirt road.
- Details how application meets required criteria.

- Here to answer any questions for the Board.

Chair Spencer asks if the fence is a lower elevation than Richmond Road; Mr. Donovan responds that it is level with Richmond Road and the south side of the property has the lower slope.

Mr. Hardin asks if the proposed fence will stay behind the East elevation along Barrett Court; Mr. Donovan responds affirmatively that it will be about 10-12 feet behind the front of the house.

Mr. Nordquist asks if the east boundary of the fence will remain the same and who maintains the north boundary beyond the proposed fence line; Mr. Donovan states that he currently mows about 8 feet beyond the proposed fence line for line of sight and to keep the dust from dirt road traffic down as well.

Mr. Nordquist reiterates the intent to keep a safe line of sight.

Chair Spencer asks for any further questions for the applicant.

Mr. Hardin asks if there is a concrete pathway on the property; Mr. Donovan responds that there is a sidewalk along the North side of Richmond Road.

Chair Spencer asks for any further questions of the applicant; none respond. Chair Spencer asks if there is anyone else wishing to speak in favor of the item; none respond. Chair Spencer asks if there is anyone wishing to speak in opposition of the item; none respond. Chair Spencer closes the public hearing.

Mr. Gross presents staff alternatives to the Board and asks if there are any questions for staff; none respond.

Chair Spencer thanks staff and opens Board discussion. Chair Spencer asks for any questions or discussion.

Mr. Nordquist states he has no questions; Chair Spencer responds that it seems pretty straightforward.

Mr. Hardin motions to approve the variance having met the following four criteria:

1. The variance hardship being privacy and proximity to the dirt road.
2. The application is peculiar due to corner lot location.
3. No detriment to the public good.
4. This is the minimum necessary to alleviate the unnecessary hardship.

Mr. Hardin moved, Vice-Chair Busch seconded to approve the variance request.

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

Time: 13 Minutes

3. MEETING SUMMARY FOR DISCUSSION AND POSSIBLE ACTION:

- a. Special Meeting Summary of April 15, 2021.

Chair Spencer motions to approve the meeting summary as presented.

Chair Spencer moved, Mr. Nordquist seconded to approve the meeting summary of April 15, 2021 as presented.

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

Time: 1 Minute

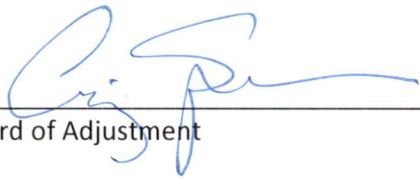
4. **MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:**

a. Next Board of Adjustment meeting Thursday, July 01, 2021.

4. **ADJOURNMENT.**

This special meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 5:59 p.m.

Prepared by – Melissa Higgins, Administrative Assistant

Approved by: 
Stillwater Board of Adjustment