



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

BOARD OF ADJUSTMENT

NOTICE OF MEETING

Notice is hereby given that the Enid Board of Adjustment will meet in regular session at 4:00 p.m. on the 8th day of August, 2017, in the Lower Level Conference Room in the basement of the City Administration Building, located at 401 W. Owen K. Garriott Road, Enid, Oklahoma, and the agenda for said meeting is as follows:

- AGENDA -

BOARD OF ADJUSTMENT

1. CALL TO ORDER/ROLL CALL.
2. CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF JULY 11, 2017.
3. ADMINISTRATION.
 1. NONE.
4. VARIANCES.
 1. CONSIDER A PARKING VARIANCE FOR DOLPH WOODMAN WITH RITE DEVELOPMENT FOR THE HARRISON COURT SENIOR RESIDENCE LOCATED AT 212 W. BIRCH, WHICH IS ALSO KNOWN AS LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 13 IN RE-PLAT OF BLOCK 3, MURPHY'S ADDITION AND BEGINNING AT A POINT 850.9 FEET SOUTH AND 30 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 22 NORTH, RANGE 6 W. I. M. THENCE EAST 420 FEET, THENCE SOUTH 140.9 FEET, THENCE WEST 420 FEET, THENCE NORTH 140.9 FEET TO THE POINT OF BEGINNING.
 2. CONSIDER A DRIVEWAY SURFACING VARIANCE FOR GINA LEWIS FOR A NEW RESIDENCE LOCATED AT 804 WINDMEER, WHICH IS ALSO KNOWN AS LOTS 1 AND 2, BLOCK 2, GARDEN SUBDIVISION.

3. NONE.
5. SPECIAL EXCEPTIONS.
1. NONE.
6. ADJOURN.

DRAFT

MINUTES OF REGULAR MEETING OF
THE BOARD OF ADJUSTMENT OF THE CITY OF ENID, OKLAHOMA,
HELD ON THE 11TH DAY OF JULY 2017

The Board of Adjustment of the City of Enid, County of Garfield, State of Oklahoma, met in regular meeting in the Lower Level Conference Room of the Administration Building of the City of Enid, located at 401 West Owen K. Garriott Road in said city, at 4:00 P.M. on the 11th day of July 2017, pursuant to notice given by July 10, 2017 to the Clerk of the City of Enid, and pursuant to notice thereof displayed at the entrance to the Administration Building of said city, in prominent view and which notice was posted prior to 4:00 P.M. on the 10th day of July 2017.

Present: John Arend; John Merz; Michael Shuck; Mike Stuber

Absent: Andrew Long

CALL TO ORDER/ROLL CALL.

CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF MAY 9, 2017.

Motion was made by Mike Stuber, seconded by John Arend to approve the May 9, 2017 minutes.

AYE: John Arend, John Merz, Michael Shuck, Mike Stuber

Passed

ADMINISTRATION.

NONE.

VARIANCES.

HEAR THE APPEAL OF BRENT D WILLIAMS WITH EXCEL DEVELOPMENT REQUESTING A VARIANCE FOR THE FRONT YARD SETBACK LOCATED AT 716 EAST OKLAHOMA WHICH IS ALSO KNOWN AS LOTS 8-16, BLOCK 42, ORIGINAL TOWNSITE. THE PROPERTY IS ZONED R-7 RESIDENTIAL MULTI-FAMILY DISTRICT.

Motion was made by John Merz, seconded by Mike Stuber to approve the variance finding: hardship was caused by the ordinance that requires a 20' front yard setback on a two lane street with 100' of right-of-way width; the peculiar condition is the property is the 100' of right-of-way width a long Oklahoma; allowing each apartment building to encroach 8.1' into the front yard setback will not impair the purpose and intent of the ordinance; the encroachment is the minimum necessary is to alleviate the hardship.

AYE: John Arend, John Merz, Mike Stuber

NAY: Michael Shuck

Passed

**HEAR THE APPEAL OF BRENT D WILLIAMS WITH EXCEL DEVELOPMENT
REQUESTING A VARIANCE FOR THE LANDSCAPE REQUIREMENTS LOCATED AT 716
EAST OKLAHOMA WHICH IS ALSO KNOWN AS LOTS 8-16, BLOCK 42, ORIGINAL
TOWNSITE.**

Motion was made by John Merz, seconded by John Arend to approve a conditional motion to approve the variance provided three additional trees are planted on the site to meet the 11 trees required by one tree every 35' along the parking lot, finding: hardship was caused by the ordinance that requires a 5' landscape strip on a lot that fronts on a two lane street with 100' of right-of-way width; the peculiar condition is the property is the 100' of right-of-way width a long Oklahoma; allowing a 3' landscape strip will not impair the purpose and intent of the ordinance; the 2' reduction is the minimum necessary is to alleviate the hardship.

AYE: John Arend, John Merz, Michael Shuck, Mike Stuber

Passed

SPECIAL EXCEPTIONS.

NONE.

ADJOURN.

Motion was made by John Arend, seconded by John Merz to adjourn the meeting at 4:33 PM.

AYE: John Arend, John Merz, Michael Shuck, Mike Stuber

Passed

Board of Adjustment

4.1.

Meeting Date: 08/08/2017

Submitted By: Chris Bauer, Planning Administrator

SUBJECT:

CONSIDER A PARKING VARIANCE FOR DOLPH WOODMAN WITH RITE DEVELOPMENT FOR THE HARRISON COURT SENIOR RESIDENCE LOCATED AT 212 W. BIRCH, WHICH IS ALSO KNOWN AS LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 13 IN RE-PLAT OF BLOCK 3, MURPHY'S ADDITION AND BEGINNING AT A POINT 850.9 FEET SOUTH AND 30 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 22 NORTH, RANGE 6 W. I. M. THENCE EAST 420 FEET, THENCE SOUTH 140.9 FEET, THENCE WEST 420 FEET, THENCE NORTH 140.9 FEET TO THE POINT OF BEGINNING.

BACKGROUND:

This appeal concerns Harrison Court, a new senior residence at the old Harrison Elementary School site, located at 212 W. Birch. The project contains 36 dwelling units. The property is zoned "R-7" Residential (Multi-Family).

Section 11-12-3: B. of the zoning ordinance states: "Multi-Family; 2 parking spaces per unit". In this case, the applicant is seeking a variance that would allow one parking space per unit. See attached site plan.

A variance may be granted upon the Board of Adjustment finding that:

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship.
2. The 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 purpose and intent of the ordinance.
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

Any person or persons applying to the Board of Adjustment for a variance shall have the burden of showing that all of the criteria above have been met. Please see the attached application for the applicant's response to the criteria.

RECOMMENDATION:

Hear the appeal and take appropriate action.

PRESENTER:

Chris Bauer, Planning Administrator.

Attachments

Variance application
Site Plan



Planning & Zoning Department
Chris Bauer, Planning Administrator
cbauer@enid.org
580-616-7217
PO Box 1768, 401 West Garriott
Enid OK 73702

Zoning Variance Petition

(Due to Community Development 15 days prior to Zoning Board of Adjustment meeting date)

For Board of Adjustment meeting dates visit <http://www.enid.org/index.aspx?page=383>.

1. I, or We, hereby petition the ZONING BOARD OF ADJUSTMENT for a variance to the following provision(s) of the City of Enid Ordinance, Section(s) 11-12-3 Multi-Family; 2 parking spaces per unit in the dwelling with a minimum of 4 _____
2. The Burden of Proof: Any persons applying for a variance shall have the burden of showing that all of the following factors described below have been met. The applicant must respond to each. Additional pages may be added.
 - A. The application of the ordinance to the particular piece of property would create an unnecessary hardship; The cost for the construction of 50% more parking will create an unnecessary hardship on our construction budget
 - B. Such conditions are peculiar to the particular piece of property involved; Harrison Court will be a senior residence and 100% of the residents will have only one vehicle and often times many of the residents have no personal vehicles
 - C. 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 _____
If granted, there will be no impact on the public or residents due to the fact that the extra parking would not be used by the public or residents
 - D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. We feel that in past developments the cost to construct 50% more parking is an unnecessary hardship and the parking would not be utilized to justify those cost that may be incurred
3. Reasons for desiring the variance: Increased construction cost & no use for extra parking
4. I, or we have attached a site plan of the proposed construction.
5. Address and/or general location of property: 212 W Birch Ave.
6. Legal description of site: See Exhibit A (Attached)
7. Zoning classification of property: R-7
8. Please provide zoning variance petition application and a list containing the names and mailing addresses of all owners of property lying within 300 feet of the exterior boundary of the subject property, as certified by a licensed and bonded abstracting company, or title insurance to kruther@enid.org.

9. Send \$100.00 fee to Karla Ruther at the address above or if you prefer to pay electronically, contact the City Clerk at (580) 616-1815.

10. Applicant's signature:  _____

Printed Name: Dolph Woodman (Rite Development)

Date: 7/5/2017

Address: P.O. Box 350, Republic, MO 65738

Email: dwoodman@woodco.info

Telephone: 417-695-2100x105

Cell phone: 417-880-8016

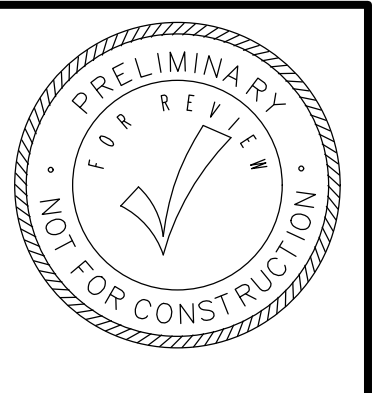
Section 11-3-10

Appeal Process:

Appeal to the Garfield County District Court by filing a Notice of Appeal with the City Clerk and the Secretary of the Board of Adjustment within ten (10) days of the decision or order of the Board of Adjustment.

If you have any questions, please contact Community Development at (580) 616-7218

THANK YOU!



HARRISON SCHOOL APARTMENTS & RENOVATION ENID, OKLAHOMA



WALLACE ARCHITECTS, L.L.C.
MISSOURI STATE CERTIFICATE OF AUTHORITY: 2003019614

COPYRIGHT © 2016

1ST ISSUE

REVISIONS	
△	
△	
△	
△	

SHEET NO.

JOB NO.
3409

27 JUN 17



NOTE: THE FOLLOWING POINTED & ADDITIONAL SITE AMENITIES WILL BE INCORPORATED INTO THE FINAL CONSTRUCTION DOCUMENTS:

1. FENCED DOG PARK
2. STORM SHELTER THAT MEETS OR EXCEEDS FEMA GUIDELINES
3. SMOKE FREE POLICY BUILDINGS
4. INDOOR FITNESS CENTER W/EQUIPMENT
5. ON-SITE COMPUTER WORKSTATIONS W/INTERNET ACCESS (COMPUTERS MUST BE PROVIDED & DEDICATED TO TENANTS)

BLDG. 1: 2-BR 6-PLEX - (6) UNITS
 BLDG. 2: 2-BR 8-PLEX - (8) UNITS
 BLDG. 3: 2-BR 4-PLEX - (4) UNITS
 (18) TOTAL UNITS

RENOVATED SCHOOL BUILDING
 (4) 2-BR UNITS
 (14) 1-BR UNITS

PARKING PROVIDED:
 (18) OFF-SITE PARKING SPACES
 (28) ON-SITE PARKING SPACES
 (46) TOTAL PARKING SPACES INCLUDING ACCESSIBLE PARKING, RESIDENTIAL PARKING & COMMUNITY PARKING

NOTE: THE FOLLOWING SITE/LANDSCAPING SUSTAINABLE DESIGN MEASURES WILL BE INCORPORATED INTO THE FINAL CONSTRUCTION DOCUMENTS:

1. PARKING LOT LIGHTING SHALL BE LED.
2. DROUGHT TOLERANT PLANTINGS & GRASS TO LIMIT NEED FOR WATERING.

SITE PLAN

© 2016 Google

Board of Adjustment

4.2.

Meeting Date: 08/08/2017

Submitted By: Chris Bauer, Planning Administrator

SUBJECT:

CONSIDER A DRIVEWAY SURFACING VARIANCE FOR GINA LEWIS FOR A NEW RESIDENCE LOCATED AT 804 WINDMEER, WHICH IS ALSO KNOWN AS LOTS 1 AND 2, BLOCK 2, GARDEN SUBDIVISION.

BACKGROUND:

This appeal concerns a new residence located at 804 W. Windmeer. The property is zoned "A" Agricultural.

Section 11-12-4: C. of the zoning ordinance states: "Surfacing: Parking spaces, driveways and approaches to parking spaces and driveways shall be hard surfaced to prevent the raising of dust. Materials approved to prevent the raising of dust are concrete, asphalt, paving stones and brick". In this case, the applicant is seeking a variance that would allow a gravel driveway. See attached location map.

A variance may be granted upon the Board of Adjustment finding that:

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship.
2. The 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 purpose and intent of the ordinance.
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

Any person or persons applying to the Board of Adjustment for a variance shall have the burden of showing that all of the criteria above have been met. Please see the attached application for the applicant's response to the criteria.

RECOMMENDATION:

Hear the appeal and take appropriate action.

PRESENTER:

Chris Bauer, Planning Administrator.

Attachments

Application

Location Map



Planning & Zoning Department
Chris Bauer, Planning Administrator
cbauer@enid.org
580-616-7217
PO Box 1768, 401 West Garriott
Enid OK 73702

Zoning Variance Petition

(Due to Community Development 15 days prior to Zoning Board of Adjustment meeting date)

For Board of Adjustment meeting dates visit <http://www.enid.org/index.aspx?page=383>.

1. I, or We, hereby petition the ZONING BOARD OF ADJUSTMENT for a variance to the following provision(s) of the City of Enid Ordinance, Section(s) per code 11-12-4C,
surfacing driveway is required to be hard
surface to prevent the raising of dust. Ag property
2. The Burden of Proof: Any persons applying for a variance shall have the burden of showing that all of the following factors described below have been met. The applicant must respond to each. Additional pages may be added.
 - A. The application of the ordinance to the particular piece of property would create an unnecessary hardship; The hard surface requirement creates
unnecessary hardship on our property with 10 acres
 - B. Such conditions are peculiar to the particular piece of property involved; 10 acre
farm ~~and~~ with a gravel driveway is the standard
for farms that are agriculture
 - C. 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 The purpose of
the ordinance is to prevent the raising of dust.
In our case, there is 10 acres for the dust to settle on.
And will not be detrimental to my neighbors.
 - D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.
single car driveway. The speed on our
driveway will be 5-8 miles per hour
3. I, or we have attached a site plan of the proposed construction.
4. Address and/or general location of property: 804 Windmead Ave, Enid, OK 73701
5. Legal description of site: Lots 1 and 2 Block 2 Garden subdivision
SW 4 30-23-60
6. Zoning classification of property: "Ag"
7. Please provide zoning variance petition application and a list containing the names and mailing addresses of all owners of property lying within 300 feet of the exterior boundary of the subject property, as certified by a licensed and bonded abstracting company, or title insurance to kruther@enid.org.

8. Send \$100.00 fee to Karla Ruther at the address above or if you prefer to pay electronically, contact the City Clerk at (580) 616-1815.

9. Applicant's signature: Gina Lewis

Printed Name: Gina Lewis

Date: July 21, 2017

Address: 2820 W. Randolph Ave, Enid
73703

Email: gina_l_2004@yahoo.com Telephone: _____

Cell phone: 580-747-8698

Section 11-3-10
Appeal Process:

Appeal to the Garfield County District Court by filing a Notice of Appeal with the City Clerk and the Secretary of the Board of Adjustment within ten (10) days of the decision or order of the Board of Adjustment.

If you have any questions, please contact Community Development at (580) 616-7218
THANK YOU!



Site

N Van Buren St

Windmeer Ave

N Monroe St

1000
1100
1200
1300
1400
1500
1600
1700
1800
1900
2000
2100
2200
2300
2400
2500
2600
2700
2800
2900
3000
3100
3200
3300
3400
3500
3600
3700
3800
3900
4000
4100
4200
4300
4400
4500
4600
4700
4800
4900
5000
5100
5200
5300
5400
5500
5600
5700
5800
5900
6000
6100
6200
6300
6400
6500
6600
6700
6800
6900
7000
7100
7200
7300
7400
7500
7600
7700
7800
7900
8000
8100
8200
8300
8400
8500
8600
8700
8800
8900
9000
9100
9200
9300
9400
9500
9600
9700
9800
9900
10000