



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 10th day of April, 2018, 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 MARCH 13, 2018.
3. ADMINISTRATION.
 1. ELECT A CHAIRPERSON AND VICE CHAIRPERSON.
 2. NONE.
4. VARIANCES.
 1. HEAR THE APPEAL OF CENTRAL CHRISTIAN CHURCH REQUESTING A VARIANCE TO CONSTRUCT AN ACCESSORY BUILDING ON A VACANT LOT AT 1111 WEST RANDOLPH WHICH IS ALSO KNOWN AS LOT 8, BLOCK 7, WAVERLEY ADDITION.
 2. 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 13TH DAY OF MARCH 2018

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 13th day of March 2018, pursuant to notice given by March 12, 2018 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 12th day of March 2018.

Present: Jessica Edwards; Michael Shuck; Mike Stuber; Taylor Venus
Absent: John Arend
Also Present: Karla Ruther, Assistant City Planner

CALL TO ORDER/ROLL CALL.

CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF OCTOBER 10, 2017.

Motion was made by Jessica Edwards, seconded by Michael Shuck to approve the minutes.

AYE: Jessica Edwards, Michael Shuck, Mike Stuber, Taylor Venus
Passed

ADMINISTRATION.

NONE.

VARIANCES.

HEAR THE APPEAL OF JAMES BRYANT REQUESTING A VARIANCE FOR A FENCE TO BE ALLOWED ON A VACANT LOT AT 310 NORTH 17TH WHICH IS ALSO KNOWN AS LOT 3, BLOCK 7, GLENWOOD ADDITION.

Motion was made by Michael Shuck, seconded by Taylor Venus to approve the variance including allowing a privacy fence on the north side of the property. The hardship is the ordinance prohibits fencing a vacant property; the peculiarity is the property is vacant, the fence will not cause substantial detriment to the public good or impair the purpose and intent of the ordinance since the fence is in keeping with the neighboring properties and the minimum necessary to alleviate the unnecessary hardship is there will be visual access in the front with a decorative fence no taller than 36" and a privacy fence on three sides.

Ann Bryant was present. Mrs. Bryant showed additional photos of the property and where the fence was to be located.

AYE: Jessica Edwards, Michael Shuck, Mike Stuber, Taylor Venus

Passed

HEAR THE APPEAL OF JON LIPPARD REQUESTING A VARIANCE FOR AN ACCESSORY BUILDING LARGER THAN ALLOWED AT 4202 UNRUH DRIVE WHICH IS ALSO KNOWN AS LOTS 1 & 2, BLOCK 1, UNRUH'S 2ND ADDITION.

Motion was made by Michael Shuck, seconded by Jessica Edwards to approve the variance to allow a 2,600 square foot accessory building. The hardship is there was a change in the ordinance since the applicant purchased the property and checked with the Code Office as to the size of a building that could be built; the peculiarity is that the property is twice the size of others in the neighborhood; the accessory building will not cause substantial detriment to the public good or impair the purpose and intent of the ordinance since it is consistent with the neighborhood; and the 2,600 square feet is the minimum necessary to alleviate the hardship.

Jon Lippard was present and answered questions from the Board.

Mr. Lippard's neighbor's to the north, Jonathan and Pamela Gove had no objection to the accessory building.

AYE: Jessica Edwards, Michael Shuck, Mike Stuber, Taylor Venus
Passed

NONE.

SPECIAL EXCEPTIONS.

NONE.

ADJOURN.

Motion was made by Taylor Venus, seconded by Michael Shuck to adjourn.

The meeting adjourned at 4:20 PM.

AYE: Jessica Edwards, Michael Shuck, Mike Stuber, Taylor Venus
Passed

Board of Adjustment

3.1.

Meeting Date: 04/10/2018

Submitted By: Karla Ruther, Planning Assistant

SUBJECT:

ELECT A CHAIRPERSON AND VICE CHAIRPERSON.

BACKGROUND:

Andrew Long was elected as chairperson in May 2017 and chose not to be reappointed to the Board when his term expired March 1, 2018. Mike Stuber was elected as vice chairperson at the same meeting.

RECOMMENDATION:

Elect a chairperson and vice chairperson.

PRESENTER:

Karla Ruther, Assistant City Planner.

Board of Adjustment

4.1.

Meeting Date: 04/10/2018

Submitted By: Karla Ruther, Planning Assistant

SUBJECT:

HEAR THE APPEAL OF CENTRAL CHRISTIAN CHURCH REQUESTING A VARIANCE TO CONSTRUCT AN ACCESSORY BUILDING ON A VACANT LOT AT 1111 WEST RANDOLPH WHICH IS ALSO KNOWN AS LOT 8, BLOCK 7, WAVERLEY ADDITION.

BACKGROUND:

This appeal concerns a vacant lot that is part of the Central Christian Church campus located at 1111 West Randolph. The applicant is requesting to construct a 160 square foot accessory building to house necessary lawn care equipment to maintain the lot. The property is zoned R-4 Residential Duplex or Two-Family Dwelling District.

Section 11-16-2 of the zoning ordinance states: **"E. No accessory building shall be constructed upon a residential lot until the construction of the principal building has actually commenced."**

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.

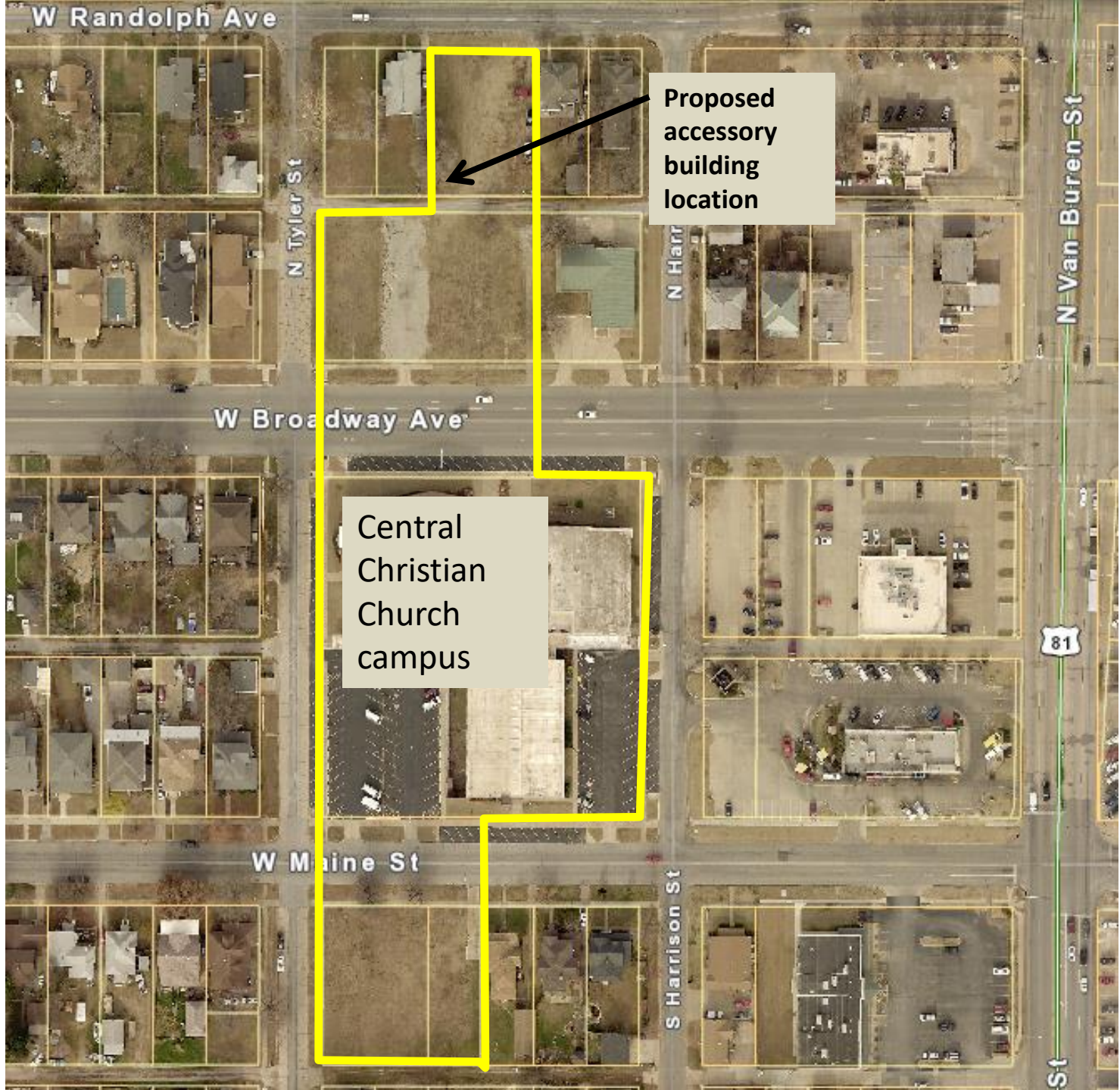
PRESENTER:

Chris Bauer, Planning Administrator.

Attachments

Location map

Application



W Randolph Ave

N Tyler St

N Harr

N Van Buren St

W Broadway Ave

Central
Christian
Church
campus

81

W Maine St

S Harrison St

St

Proposed
accessory
building
location



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) 11-16-2 "E"

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. See attached Ex. "A"

A. The application of the ordinance to the particular piece of property would create an unnecessary hardship; _____

B. Such conditions are peculiar to the particular piece of property involved; _____

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 _____

D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. _____

3. I, or we have attached a site plan of the proposed construction.

4. Address and/or general location of property: 1111 W, Randolph.

5. Legal description of site: Lot 8, Block 2, Waverly Addn.

6. Zoning classification of property: Residential R-4

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: *Darrell Herndon*

Printed Name: Darrell Herndon, Co-chair Property Dept. Central Christian Church.

Date: March 5, 2018 Address: 1305 Sunrise Drive

Email: Coach D5A@aol.com Telephone: 242-6906

Cell phone: 580 541-7245

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!

Ex. "A" To Zoning Variance Petition:

2-A. The unnecessary hardships is caused by the lack of storage space for yard care equipment on the Church property situated on the South side of West Broadway.

B. The site on which the accessory building is to be located has no present structure that can be used for storage of yard care equipment.

C. Accessory building will be located to the rear of Lot 8, Block 7, of the Waverly Addition and will not interfere with the existing use of adjoining property owners.

D. The Church has no structure on the subject lot, which can be used to store the yard care equipment which presently must be moved across West Broadway to the subject property.

End of Exhibit A