



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 May, 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 APRIL 10, 2018.
3. ADMINISTRATION.
 1. NONE.
4. VARIANCES.
 1. HEAR THE APPEAL OF MATT EASLEY REQUESTING A VARIANCE TO A REAR YARD SETBACK AT 809 CARIBOU CIRCLE WHICH IS ALSO KNOWN AS LOT 14, BLOCK 13, WILDERNESS COVE ADDITION.
 2. NONE.
5. SPECIAL EXCEPTIONS.
 1. NONE.
6. ADJOURN.

Board of Adjustment

4.1.

Meeting Date: 05/08/2018

Submitted By: Karla Ruther, Assistant City Planner

SUBJECT:

HEAR THE APPEAL OF MATT EASLEY REQUESTING A VARIANCE TO A REAR YARD SETBACK AT 809 CARIBOU CIRCLE WHICH IS ALSO KNOWN AS LOT 14, BLOCK 13, WILDERNESS COVE ADDITION.

BACKGROUND:

This appeal concerns an existing residence at 809 Caribou Circle. The applicant is requesting to construct a 733 square foot addition to the existing house. The property is zoned R-2 Residential Single Family Dwelling District.

Section 11-6B-4 A of the zoning ordinance states: "**3. Rear yard: Twenty feet (20').**" In this case the applicant needs a 10' variance in order to build the addition.

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

- Petition & burden of proof
 - Location map
 - Site plan
 - Floor plans, existing & new
-



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) 11-6B-4, Part A, Note 3 - Rear Yard

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; See attached.

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

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 See attached.

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

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

4. Address and/or general location of property: 809 Caribou Circle; Enid, OK 73703

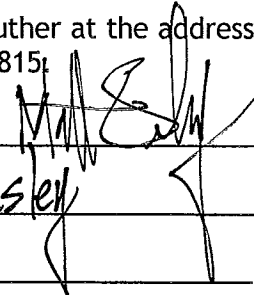
5. Legal description of site: Lot 14, Block 13, Wilderness Cove Addition - NW/4, Section 10, Township 22 North, Range 7 West, Indian Meridian.

6. Zoning classification of property: R-2 Residential (Single-Family) District

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.

RECEIVED APR 23 2018

BY: (Signature)

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: 
- Printed Name: Matt Easley
- Date: April 23, 2018 Address: 809 Caribou Circle
- Email: matt_easley@att.net Telephone: 580-234-0828
- Cell phone: 580-484-5017

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!

Variance Request for 809 Caribou Circle
Zoning Board of Adjustment
April 23, 2018

We, Matt & Heather Easley, respectfully request a variance to the City of Enid Ordinance, Section 11-6B-4 – Area Regulations. We have resided at 809 Caribou Circle since July of 2012. Over the past 6 years we have continued to raise our two young boys as well as welcome our beautiful little girl into our family and home. Over this time we and our children have become close to many of our neighbors. Unfortunately, as a family with three quickly growing children, we are beginning to feel that our house doesn't have adequate space for growth. To help alleviate the stress, and avoid having to relocate our family to a larger home in a different neighborhood, we would like to construct a building addition, no more than 10 feet from the north property line (see attached drawings). Section 11-6B-4, Part A, Note 3 of the City of Enid Ordinance requires a rear yard setback of 20 feet. This creates the Burden of Proof as listed below.

2. The Burden of Proof:

- A. The application of the ordinance to the particular piece of property creates an unnecessary hardship by restricting the amount of property required to construct a "useable" room addition for our family. Our family has grown and we need additional space for our children for activity and study areas. The layout of our house on the property makes it impossible to add space to the bedrooms on the west side of the property. The east side of our property is the best location for outdoor activities and future additions, but given the current layout, it is unfeasible as one would have to pass through the master bedroom to access the addition. Reasonable access to the east side of the house must be through a north addition area. Our immediate needs are for separate study/play areas and access to the east side of our property for patio and outside activity.

- B. Conditions are peculiar to the particular piece of property in the following ways. The existing northwest corner of our house was constructed approximately 16 feet from the north property line. In addition, the rear and/or side walls of several other homes in our area have been constructed closer to the property lines than the area regulation requirements set forth in the city ordinance. For example, the rear walls of the buildings at 810 Caribou Circle and 807 Caribou Circle were constructed approximately 9 feet and 11 feet from the rear property lines, respectively. Also, the side wall of an accessory building located at 809 Bear Run is constructed directly in line with the side property line with no setback. See the attached site plans.

Another condition that is peculiar to our piece of property is the fact that there is a 16 foot "utility easement" located on the south side of the north property lines of our property as well as the property next to ours (810

Caribou Circle). This easement is not continuous to the east or west of the above listed properties. Furthermore, there are currently no utilities located within the easement, and it is highly unlikely that there will ever be any in the future.

- 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 in the following ways. There are currently at least two houses along West Chestnut Ave. that are built closer to the property lines than the area regulation requirements set forth in the city ordinance. For example, the residence at 810 Caribou Circle is constructed approximately 9 feet from the rear property line and the side wall of an accessory building located at 809 Bear Run is constructed directly in line with the side property line with no setback at all. In addition, the right-of-way on West Chestnut Ave. is 90 feet, and with the building addition being constructed with similar materials and in the same style of the existing house, it will not appear to be constructed out of place or too close to the rear property line/fence. Further providing that it will not impair the purposes and intent of the ordinance or the comprehensive plan as similar conditions already exist; one of which is located right next to our property.

- D. The variance, if granted, would be the minimum necessary to alleviate the restriction of property required to construct a useable room addition for our family to continue to reside in the neighborhood and home that we have grown to love.

We respectfully request the allowance to construct the building addition shown on the attached drawings no closer to the rear property line than the home constructed directly next to our property (810 Caribou Circle). For the reasons listed above, we feel that in no way does the proposed addition cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan.

Sincerely,

Matt & Heather Easley

W Chestnut Ave

W

Carlbou Cir

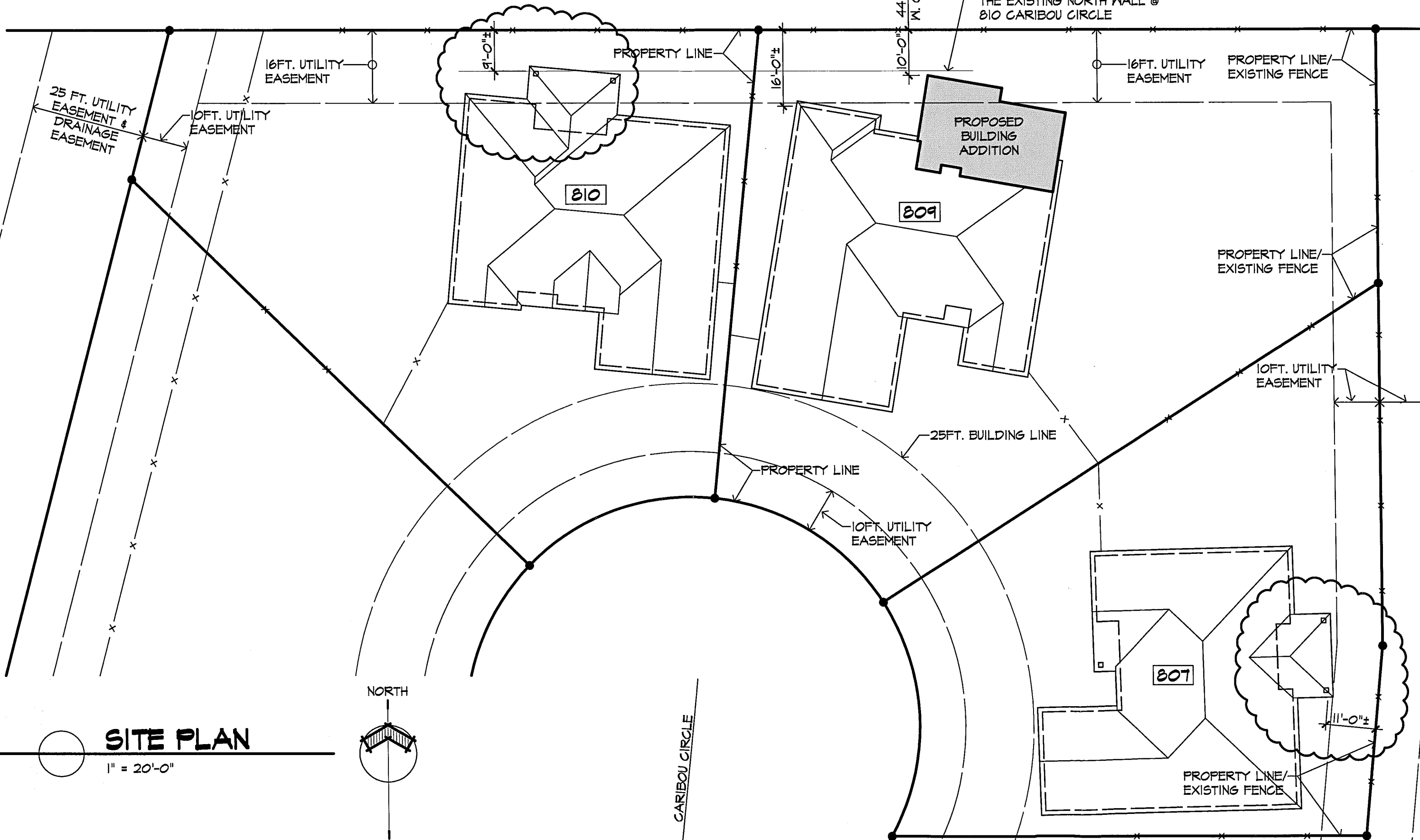
Bear Run



SOUTH EDGE OF WEST CHESTNUT AVE.

44'-0"± TO C. OF W. CHESTNUT AVE.

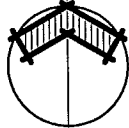
APPROXIMATE LOCATION OF THE EXISTING NORTH WALL @ 810 CARIBOU CIRCLE



SITE PLAN

1" = 20'-0"

NORTH



CARIBOU CIRCLE

810

809

807

PROPOSED BUILDING ADDITION

PROPERTY LINE

16 FT. UTILITY EASEMENT

PROPERTY LINE/EXISTING FENCE

25 FT. UTILITY EASEMENT & DRAINAGE EASEMENT

10 FT. UTILITY EASEMENT

PROPERTY LINE/EXISTING FENCE

10 FT. UTILITY EASEMENT

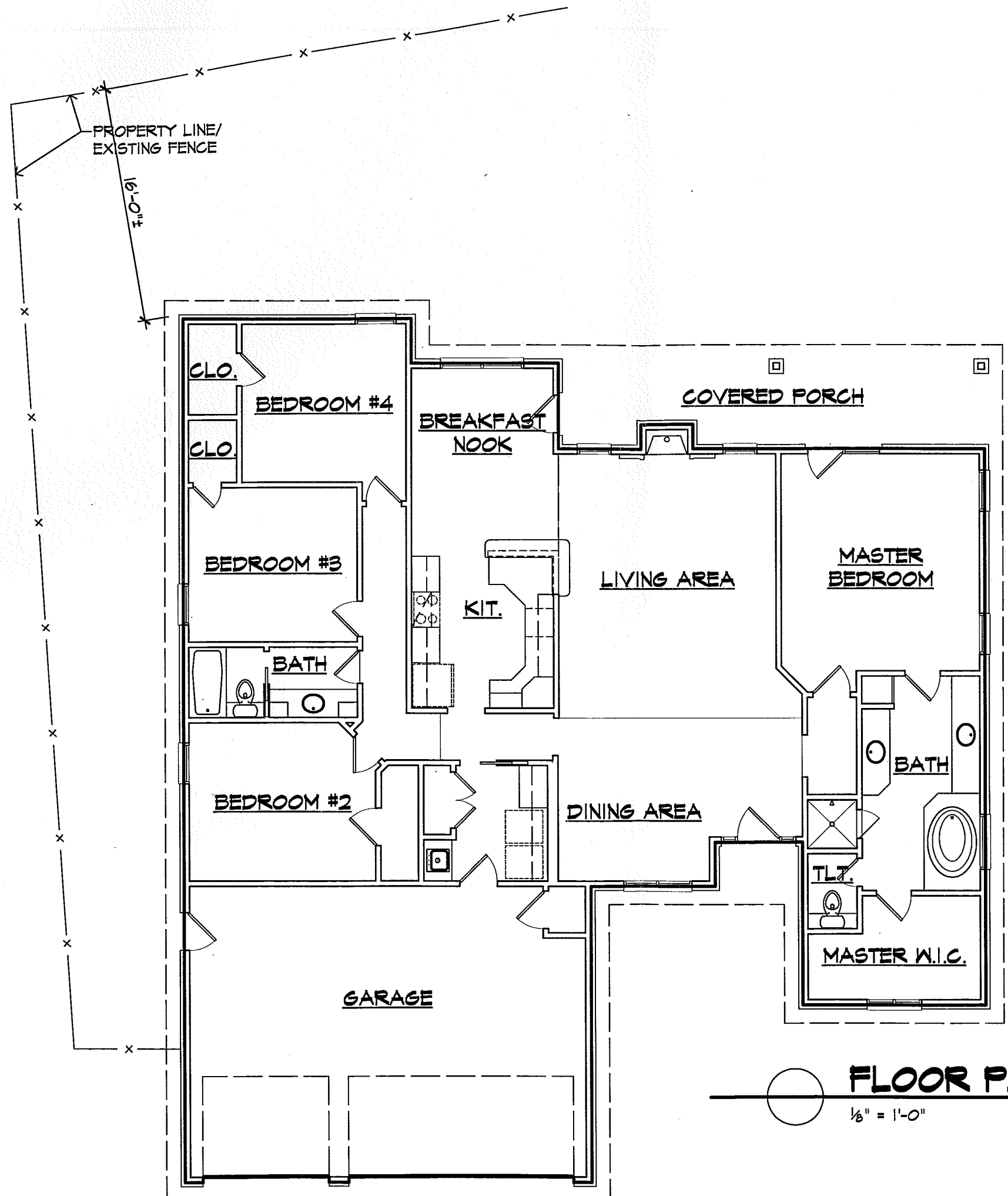
25 FT. BUILDING LINE

PROPERTY LINE

10 FT. UTILITY EASEMENT

PROPERTY LINE/EXISTING FENCE

11'-0"±



FLOOR PLAN - EXISTING
 1/8" = 1'-0"

