



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 13th day of November, 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 OCTOBER 9, 2018.
3. ADMINISTRATION.
 1. NONE.
4. VARIANCES.
 1. HEAR THE APPEAL OF CHARLES E HEDGES III REQUESTING A VARIANCE TO ALLOWABLE ACCESSORY SQUARE FOOTAGE LOCATED AT 621 WEST SPRUCE.
 2. HEAR THE APPEAL OF KEN MCGEE REQUESTING A VARIANCE TO THE SIDE YARD SETBACK LOCATED AT 5522 WEST OWEN K GARRIOTT ROAD.
 3. HEAR THE APPEAL OF TY KNOTT REQUESTING A HEIGHT VARIANCE TO ALLOW A 125' COMMUNICATION TOWER LOCATED AT 1016 SOUTH GARLAND.
 4. 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 9TH DAY OF OCTOBER 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 9th day of October 2018, pursuant to notice given by October 8, 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 8th day of October 2018.

Present: John Arend; Jessica Edwards; Michael Shuck; Mike Stuber; Taylor Venus

Also Present: Karla Ruther, Assistant City Planner

CALL TO ORDER/ROLL CALL.

ADMINISTRATION.

CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF AUGUST 14, 2018.

Motion was made by Jessica Edwards, seconded by John Arend to approve the minutes.

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

Passed

NONE.

VARIANCES.

HEAR THE APPEAL OF RONNIE JONES REQUESTING A VARIANCE TO ALLOWABLE ACCESSORY SQUARE FOOTAGE LOCATED AT 5013 EVANDALE DRIVE.

Motion was made by Jessica Edwards, seconded by John Arend to approve the variance on the basis the peculiarity of the property is older and the subdivision contains larger lots between 1/2 acre and 1 acre, the neighborhood is surrounded by agricultural and other existing buildings in the neighborhood are similar in size. The hardship is that Mr. Jones requires the additional space for his business. The addition would not impair the purposes and intent of the ordinance. The 24 x 30 is the minimum necessary to alleviate the hardship.

Notices were mailed to property owners within 300 feet of the property, there were no protests at the time of the meeting. The notice was published in the Garfield County Daily Legal News on September 27, 2018.

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

Passed

NONE.

SPECIAL EXCEPTIONS.

NONE.

ADJOURN.

Motion was made by John Arend, seconded by Jessica Edwards to adjourn.

The meeting adjourned at 4:14 PM.

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

Passed

Board of Adjustment

4.1.

Meeting Date: 11/13/2018

Submitted By: Karla Ruther, Assistant City Planner

SUBJECT:

HEAR THE APPEAL OF CHARLES E HEDGES III REQUESTING A VARIANCE TO ALLOWABLE ACCESSORY SQUARE FOOTAGE LOCATED AT 621 WEST SPRUCE.

BACKGROUND:

This appeal concerns 621 West Spruce. This is a one-half acre lot that is zoned R-4 Residential Duplex or Two Family Dwelling District. The applicant is seeking a variance that would allow a 1,500 square feet accessory building.

Section 11-16-3 B: of the zoning ordinance states "**Lots one-fourth (1/4) acre and greater, but less than one-half (1/2) acre: 1. The total square footage for all accessory buildings shall not exceed seven hundred twenty (720) square feet.**" Currently there is an existing grade level storm cellar. Refer to the 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

Location Map & site plan

Petition & site plan



Jeffe

W Spruce Ave

621 W Spruce

N Monroe St

W Cherry Ave

N Monroe St



NOV 13 BOA



RECEIVED
SEP 28

BY: [Signature]
4:05 PM

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) 11-16-3-B

Lot 1/4 AC - 1/2 AC Allows 720 S.F.

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; Needed for storage to protect truck and boat from the weather.

B. Such conditions are peculiar to the particular piece of property involved; This property is five lots equaling one half acre and sits on the corner.

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 Improving an older neighborhood to look better

D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. ~~1,500~~ 1,500 - ~~3,000~~ sq ft.

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

4. Address and/or general location of property: 621 W. Spruce

5. Legal description of site: _____

6. Zoning classification of property: _____

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:

Charles E. Hedges III

Printed Name: Charles E. Hedges III

Date: 9/21/18

Address: 621 W Spruce

Email: chuckhedges82@yahoo.com Telephone: 702-278-6865

Cell phone: same

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.

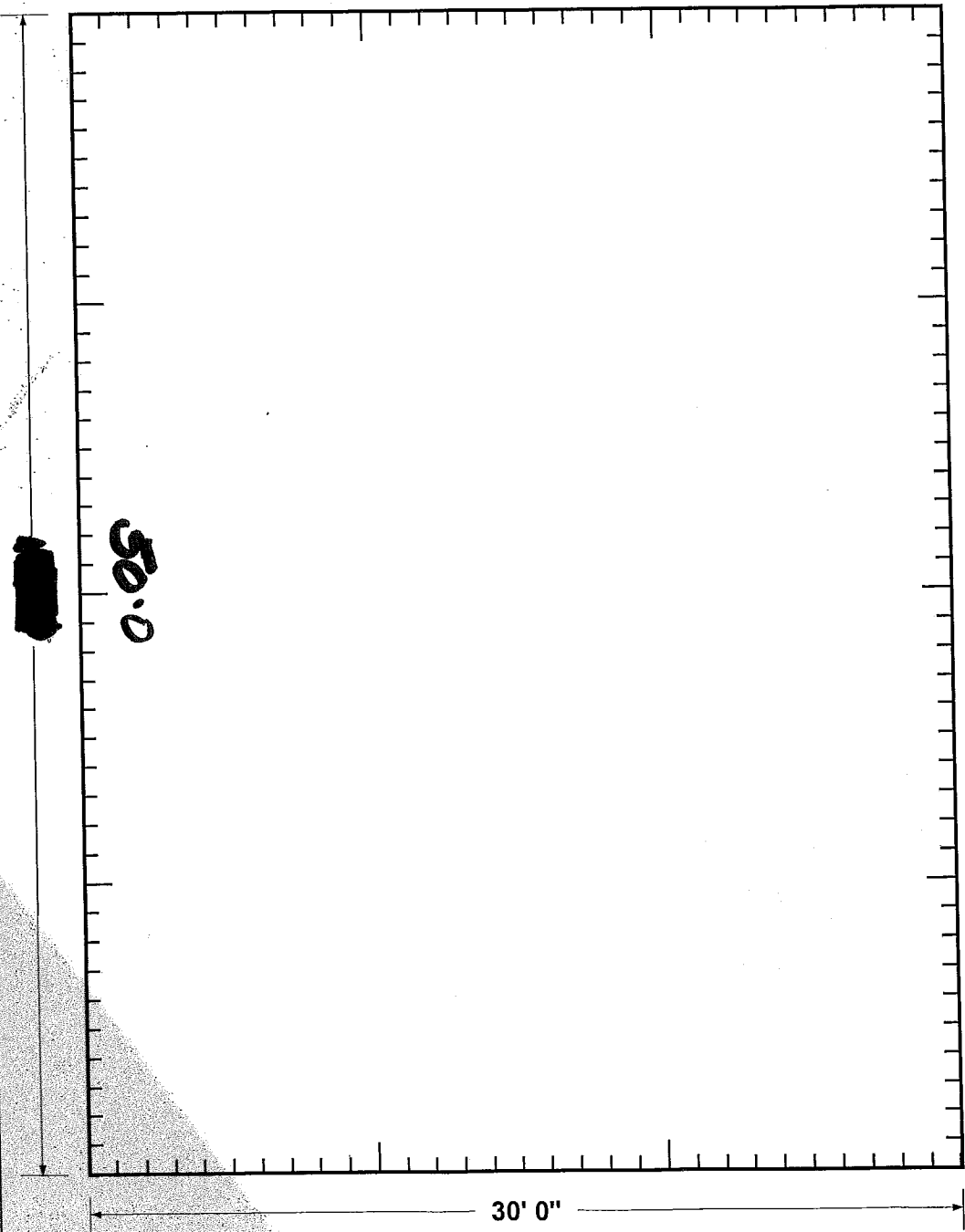
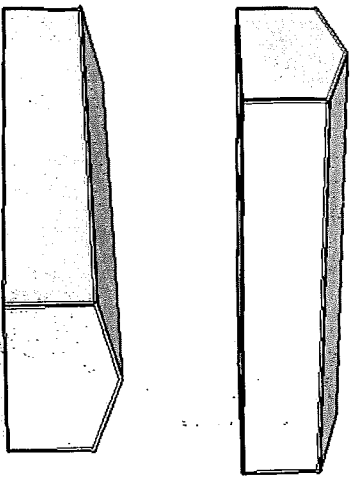
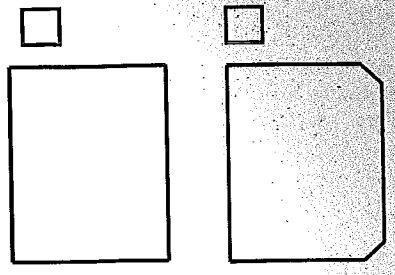
If you have any questions, please contact Community Development at (580) 616-7218

THANK YOU!

Mark All Door & Window Locations and Return to Gober Post Frame

*(Overhead Doors can go on any wall but must be 1' from corner and 1' between doors)
(Walkin Doors may be placed any place in the walls and in the corners)*

Check Which Overhead Door Framing Option that you would prefer



30' x 50'

Gober Post Frame Buildings
12612 Old Hwy 99
Seminole, OK 74868
405-595-0770 Phone
405-382-3732 Fax
www.goberconstruction.com

Drawn With :
Google Sketchup 8
Google Layout 3
Draftsman: Jeff Lewis



Board of Adjustment

4.2.

Meeting Date: 11/13/2018

Submitted By: Karla Ruther, Assistant City Planner

SUBJECT:

HEAR THE APPEAL OF KEN MCGEE REQUESTING A VARIANCE TO THE SIDE YARD SETBACK LOCATED AT 5522 WEST OWEN K GARRIOTT ROAD.

BACKGROUND:

This appeal concerns 5522 West Owen K Garriott where a Swadley's Barbbue will be constructed. The property is zoned C-2 Planned Business Center District. The applicant is seeking a variance that would allow the building to set 19' from the side property line.

Section 11-7C-5 B: of the zoning ordinance states "**B. Minimum Setbacks: All buildings shall be set back not less than fifty feet (50') from any thoroughfare from which there is access. All other buildings shall be set back not less than twenty five feet (25') from a boundary line of such area.**" Refer to the 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

Location map

Petition & site plan

R-2

R-4

C-2

C-2

Proposed
Swadley's



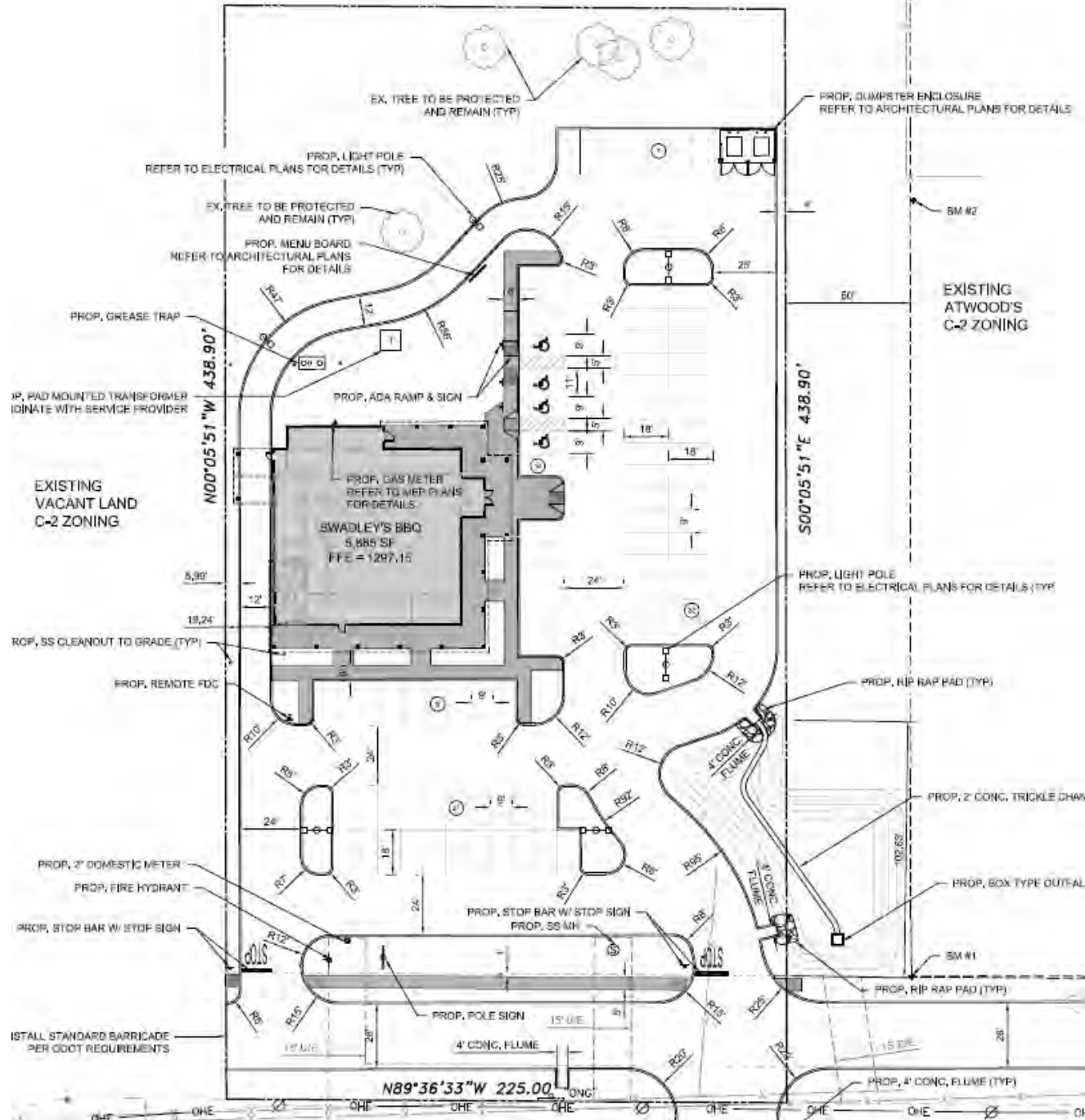
n K Garriott Rd

412

KL Drive

S

S89°36'33"E 225.00'



EX. TREE TO BE PROTECTED AND REMAIN (TYP)

PROP. LIGHT POLE REFER TO ELECTRICAL PLANS FOR DETAILS (TYP)

EX. TREE TO BE PROTECTED AND REMAIN (TYP)

PROP. MENU BOARD REFER TO ARCHITECTURAL PLANS FOR DETAILS

PROP. GREASE TRAP

IP, PAD MOUNTED TRANSFORMER COORDINATE WITH SERVICE PROVIDER

EXISTING VACANT LAND C-2 ZONING

PROP. ADA RAMP & SIGN

PROP. GAS METER REFER TO MEP PLANS FOR DETAILS

SWADLEY'S BBQ
5,885 SF
FFE = 1297.15

PROP. REMOTE FDC

PROP. 2" DOMESTIC METER

PROP. FIRE HYDRANT

PROP. STOP BAR W/ STOP SIGN

INSTALL STANDARD BARRICADE PER COOT REQUIREMENTS

PROP. LIGHT POLE REFER TO ELECTRICAL PLANS FOR DETAILS (TYP)

PROP. RIP RAP PAD (TYP)

PROP. 2" CONC. TRICKLE CHAN

PROP. BOX TYPE OUTLET

PROP. RIP RAP PAD (TYP)

PROP. STOP BAR W/ STOP SIGN

PROP. SS MH

PROP. POLE SIGN

4" CONC. FLUME

4" CONC. FLUME (TYP)

PROP. GUMPISTER ENCLOSURE REFER TO ARCHITECTURAL PLANS FOR DETAILS

BM #2

EXISTING ATWOOD'S C-2 ZONING

BM #1

N00°05'51"W 438.90'

S00°05'51"E 438.90'

N89°36'33"W 225.00'



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) 11-7C-5 B - 25' side building setback requirement

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; This Swadley's BBQ is a prototypical building with an east facing entrance to the building. the parking to serve the building is mostly on the east to serve the east entrance. We do not wish to lose a row of parking on the east and force people to walk from the back of the lot to the front door.

- B. Such conditions are peculiar to the particular piece of property involved; _____
This lot is only 225' wide and the building has an east facing entrance

- 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.

We are requesting a 6' relief from the required 25'. Making it a 19' building setback

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

4. Address and/or general location of property: West of Atwood's parking lot near Garner and Hwy 412

5. Legal description of site: See attached

6. Zoning classification of property: C-2 and surrounded by C-2

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: 

Printed Name: Kew R. McCreary

Date: 10-1-18 Address: 432 S. Mustang Rd. Yukon, OK 73099

Email: kmccre@mcgcre.com Telephone: (405) 265-3200

Cell phone: (405) 203-2451

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!

Board of Adjustment

4.3.

Meeting Date: 11/13/2018

Submitted By: Karla Ruther, Assistant City Planner

SUBJECT:

HEAR THE APPEAL OF TY KNOTT REQUESTING A HEIGHT VARIANCE TO ALLOW A 125' COMMUNICATION TOWER LOCATED AT 1016 SOUTH GARLAND.

BACKGROUND:

This appeal concerns 1016 South Garland. The property is zoned C-3 General Commercial District. The applicant is seeking a variance that would allow a 125' tall communication tower.

Section 11-7-D 4: of the zoning ordinance states "**A. Height: No building shall exceed thirty five feet (35') in height, measured from the mean elevation of the lot.**"

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.**

Vance Air Force Base reviewed the communication tower location and height and do not anticipate the development or construction process will affect the mission. Woodring Municipal Airport approves the communication tower location and height.

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 & site plan

Petition

Vance letter

W Owen K Garrio

Drive

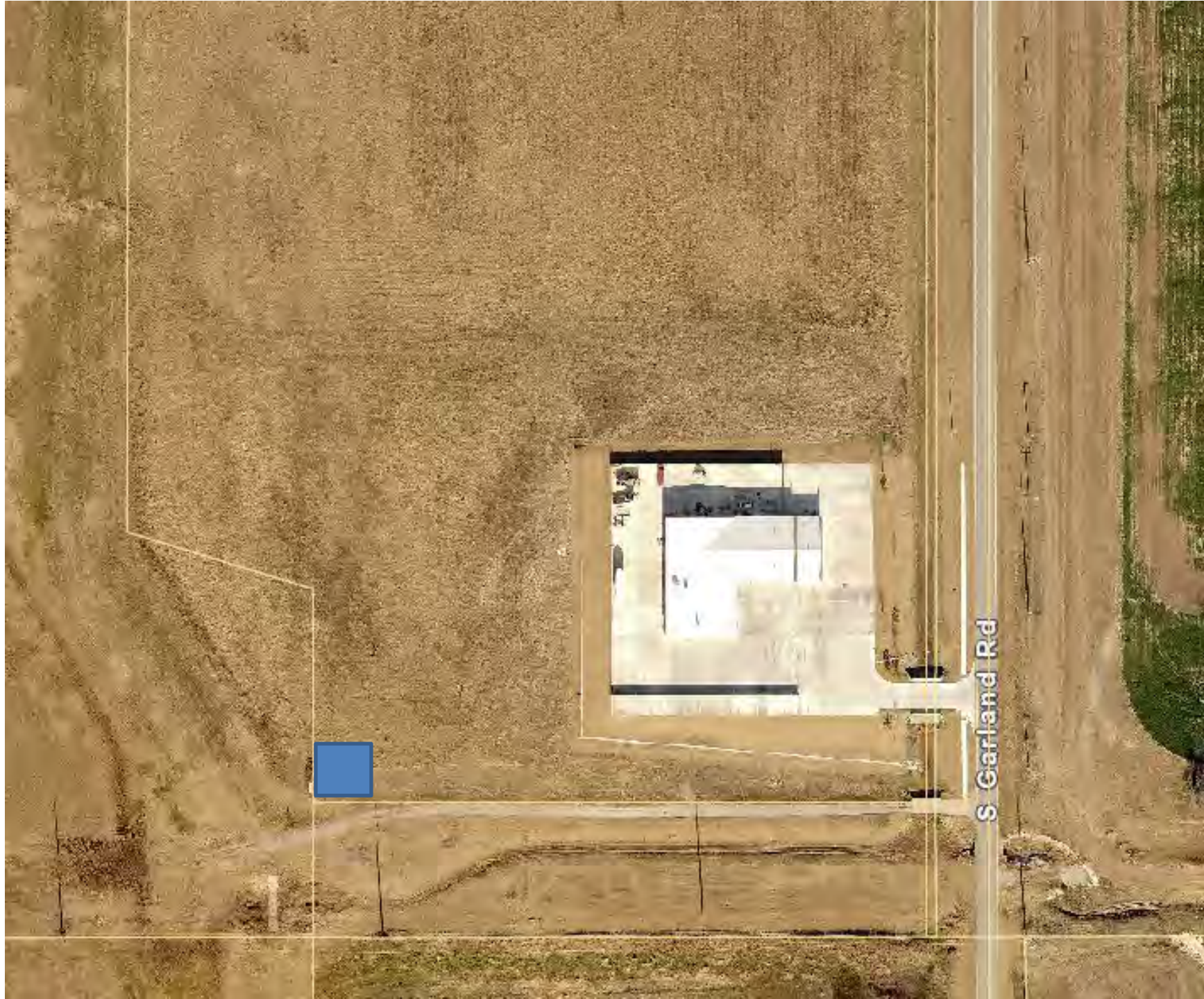
Frontage Rd

Lowes Drive

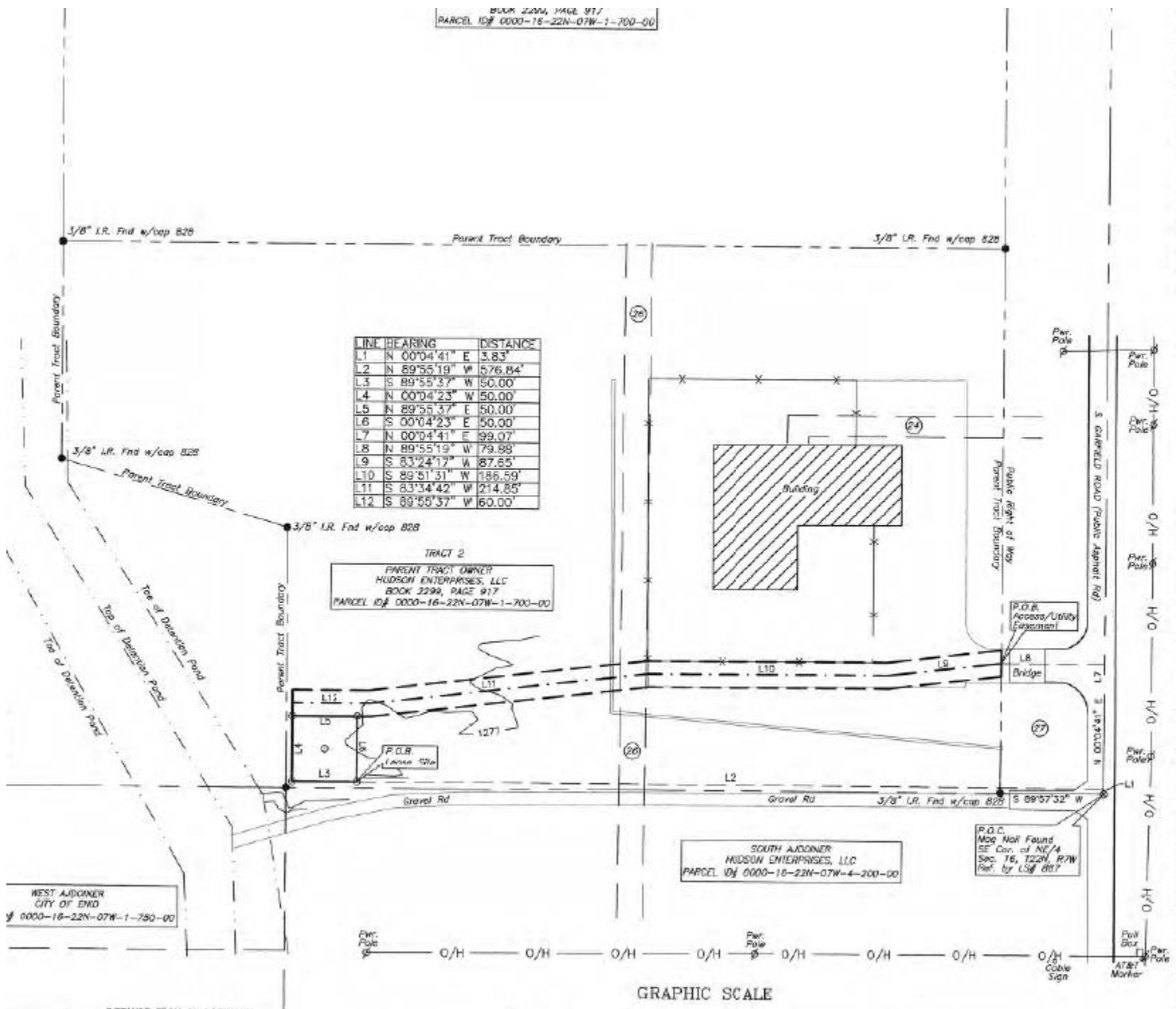
MILL RD

Garland Rd





S Garland Rd



LINE	BEARING	DISTANCE
L1	N 00°04'41" E	3.83'
L2	N 89°55'19" W	576.84'
L3	S 89°55'37" W	50.00'
L4	N 00°04'23" W	50.00'
L5	N 89°55'37" E	50.00'
L6	S 00°04'23" E	50.00'
L7	N 00°04'41" E	99.07'
L8	N 89°55'19" W	79.88'
L9	S 83°24'17" W	87.65'
L10	S 89°51'31" W	186.59'
L11	S 83°34'42" W	214.85'
L12	S 89°55'37" W	60.00'

TRACT 2
 PARENT TRACT OWNER
 HUDSON ENTERPRISES, LLC
 BOOK 2294, PAGE 917
 PARCEL ID# 0000-16-22N-07W-1-700-00

SOUTH ADJONER
 HUDSON ENTERPRISES, LLC
 PARCEL ID# 0000-16-22N-07W-4-200-00

P.O.B.
 Map Not Found
 SE Cor. of N1/4
 Sec. 16, T22N, R7W
 Ref. by L5# 887

WEST ADJONER
 CITY OF ENO
 # 0000-16-22N-07W-1-750-00

GRAPHIC SCALE



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) 11-7D-4:A

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; AT&T has identified a need for a new tower on the West side of the city of Enid
AT&T has recognized the growth of the city and has identified a need for expanded coverage to adequately serve the city
 - B. Such conditions are peculiar to the particular piece of property involved; _____
The location proposed has long been farming and commercial property. The proposed location will not impose on any residential structures.
 - 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 proposed tower will not interfere with the public or the comprehensive plan of the community.
 - D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.
The tower height of 125' has been determined to be the minimum height possible to obtain coverage
that will allow AT&T to provide the customer service that has been set forth for industry standards.
3. Reasons for desiring the variance: Tower height of 125'
4. I, or we have attached a site plan of the proposed construction.
5. Address and/or general location of property: 1016 S Garland Rd. Enid, OK 73703
6. Legal description of site: S16, T22N, R7W
7. Zoning classification of property: C-3
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: Ty Knott

Date: 10/16/18

Address: 1561 S Boston Ave. Tulsa, OK 74119

Email: ty.knott@branchcomm.net

Telephone: _____

Cell phone: 918-698-2940

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!



DEPARTMENT OF THE AIR FORCE

71ST FLYING TRAINING WING
VANCE AIR FORCE BASE OKLAHOMA

Colonel Corey A. Simmons
Commander
71st Flying Training Wing
246 Brown Parkway, Suite 224
Vance AFB, OK 73705-5015

Mr. Chris Bauer
City of Enid Planning Administrator
P.O. Box 1768
Enid, OK 73702-1768

Dear Mr. Bauer

In response to the City of Enid's request, members of the Vance Installation Encroachment Management Team (IEMT) have evaluated the proposed 125 foot monopole tower to be constructed by Hudson Enterprises just south of Wal-Mart on West Owen K Garriot in Enid. Vance received information about the project from Mr. Ty Knott in November 2017. Based on the information provided, we do not anticipate that the development or its construction process will affect our mission.

If you have any additional questions or concerns, you may contact the Vance Airspace Office at (580) 213-6276 or via e-mail at VanceAirspace@us.af.mil.

Sincerely

A handwritten signature in black ink, appearing to read "C.A. Simmons", is written over a large, stylized, and somewhat illegible signature graphic.

COREY A. SIMMONS
Colonel, USAF
Commander

Develop, Deliver, Deploy...To Fly, Fight, and Win!