

NOTICE OF A REGULAR MEETING  
OF THE ENID-GARFIELD COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

Notice is hereby given that the Enid-Garfield County Metropolitan Area Planning Commission will meet in regular session at 6:00 PM on the 16th day of March 2015, in the Council Chambers of the City Administration Building at 401 West Owen K. Garriott Road, Enid, Oklahoma, and the Agenda for said meeting is as follows:

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A G E N D A

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- ITEM # 1. Consider the approval of the minutes from the February 17, 2015 regular meeting.
- ITEM # 2. Consider re-appointing Cole Ream to the Historic Preservation Commission.
- ITEM # 3. Consider a **Land Use Amendment** for Hunt Properties, Inc. for property located at 1505 and 1507 West Owen K Garriott Road from Medium Intensity Residential Designation to Medium Intensity Commercial Designation.
- ITEM # 4. Consider a **Rezoning** for Hunt Properties, Inc. for property located at 1505 and 1507 West Owen K Garriott Road from R-7 Residential Multi-Family District to C-3 General Commercial District.
- ITEM # 5. Consider a **Land Use Amendment** for Lance Windel for property located at the southwest corner of Oakwood and Purdue from Medium Intensity Commercial Designation to Low Intensity Residential Designation.
- ITEM # 6. Consider a **Rezoning** for Lance Windel for property located at the southwest corner of Oakwood and Purdue from Agriculture District to R-2 Residential Single Family District.
- ITEM # 7. Consider a **Rezoning** for Greeks, LLC for property located in the 5000 block of East Owen K Garriott Road from I-1 Planned Industrial Park District to I-2 Light Industrial District.
- ITEM # 8. Consider a **Use by Review** for Jeremiah Herrian for property located at 1714 South 4th to provide temporary emergency housing.
- ITEM # 9. Consider a **Variance** for Jeff Coleman located at 119 West Phillips concerning the requirement of a sidewalk paralleling the abutting street.
- ITEM # 10. Consider a **Variance** for Randy R Smith located at 2201 Richland Avenue concerning the requirement of a sidewalk paralleling the abutting street.
- ITEM # 11. Consider a **Variance** for John R Burgett located at 3102 South Garland concerning the requirement of a sidewalk paralleling the abutting street.
- ITEM # 12. Consider a **Variance** for Deborah Givens located at 5505 West Chestnut concerning the requirement of a sidewalk paralleling the abutting street.
- ITEM # 13. Receive the Final Draft of the Envision Enid Comprehensive Plan and conduct a public hearing.
- ITEM # 14. Adjourn.

MINUTES OF A REGULAR MEETING  
OF THE ENID-GARFIELD COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

Notice is hereby given that the Enid-Garfield County Metropolitan Area Planning Commission of the City of Enid and County of Garfield, State of Oklahoma, met in regular meeting in the City Council Chambers of the City Administration Building, located at 401 West Owen K. Garriott Road in the City of Enid, Oklahoma on the 17th day of February 2015 at 6:00 P.M., pursuant to public notice describing the time and place of the regular meeting of the Enid-Garfield County Metropolitan Area Planning Commission pursuant to public notice thereof displayed on the bulletin board at the Administration Building of the City of Enid, Oklahoma in prominent view and which notice was posted prior to 6:00 P.M. on the 13th day of February 2015, a copy of which is attached hereto.

Present: Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Richard Wuerflein and Ex-Officio Dr. David Vanhooser and Ex-Officio James Simunek

Absent: Geoff Helm and Jim Strate, Jr.

**ITEM # 1:** Consider the approval of the minutes from the January 20, 2015 regular meeting.

ACTION TAKEN:

Cole Ream made a motion to approve the January 20, 2015 regular minutes, which was seconded by Don Rose and passed unanimously with the vote being recorded as follows:

AYES: Cody Haney, Marvin Kusik, Cole Ream, Don Rose, and Richard Wuerflein

NAYS: None

**Chris Bauer informed the Planning Commission the sidewalk variances in Items # 5 and # 6 could not be considered since the criteria requires  $\frac{3}{4}$  vote (or seven members) of the Planning Commission and there are only five members present. These items will be carried forward to the March meeting.**

COUNTY INTEREST:

**ITEM # 2.** Consider a **Use By Review** for Nextera Energy to install wind turbines in tracts of land in the North  $\frac{1}{2}$  of Section 21, Township 23 N, Range 5W, in the NW/4 and SE/4 of Section 22, Township 23 N, Range 5W, in the NW/4 Section 27, Township 23 N, Range 5W, in the NE/4 and N/2 of Section 23, Township 23 N, Range 5W located north and east of the Town of Breckenridge between 90th and 114th Streets, Breckenridge and Carrier Roads in Garfield County, Oklahoma.

Chris Bauer gave background information and what had been previously approved for Trade Wind Energy. Approval letters from Vance Air Force Base and Woodring Airport were included in the members' packets. Chris Bauer also informed the Commission the hydrology report had been approved by the Engineering Department.

Richard Wuerflein asked if the wind turbines would be the same height, which Chris Bauer stated affirmative.

ACTION TAKEN:

Don Rose made a motion to approve the Use by Review, which was seconded by Cody Haney and passed unanimously with the vote being recorded as follows:

AYES: Cody Haney, Marvin Kusik, Cole Ream, Don Rose, and Richard Wuerflein

NAYS: None

City Interest:

**ITEM # 3.** Consider a **Final Plat and Final Site Development Plan** for Esplanade Stonebridge Apartments located at 1120 North Cleveland in the Stonebridge PUD.

Chris Bauer informed the Planning Commission the preliminary plat and site plan had been approved in December 2014. The applicant added a second access for emergency vehicles only. In the final plat, the easements shown are for city water meter access.

Robert Hitt presented a left turn lane option for the Planning Commission to consider in the approved plan which provides for proper access and circulation to the site.

Mr. Hitt corrected the statement concerning the easements shown on the plat, the easements are for access and maintenance of the water meters. The water and sewer will be private lines.

Richard Wuerflein asked for clarification on the storage lane. Mr. Hitt stated it would be similar to the Atwood entrance.

Planning Commission members asked additional questions concerning the storage lane and the emergency access. The questions were answered by Robert Hitt and Chris Gdanski.

Jerald Gilbert, City Manager, stated the City was interested in discussing with the applicant a share in constructing the storage lane. Mr. Gilbert also stated the boulevard for Cleveland is still planned. Mr. Hitt stated it would be a question of timing with the state funding.

Jimmy Stallings, the applicant's engineer, stated the additional storage lane would add additional costs and would prefer cost sharing with the City if this is required prior to the Cleveland widening project.

Don Rose asked if the site would still be gated. Brenda Dill, owner of the project stated this was no longer a gated site.

Rob Camp, Director of Public Works spoke to the Commission concerning the placement of the compactor. Mr. Camp expressed concerns of the safety of his drivers.

Jimmy Stallings stated instead of a dumpster at each building location the compactor was a better solution.

Chris Bauer then informed the Commission that the landscaping for the site exceeds the requirements of the ordinance and is well integrated into the project.

ACTION TAKEN:

Don Rose made a motion to recommend approval of the Final Plat and Final Site Development Plan to the Mayor and Board of Commissioners with the acceleration, deceleration lanes and the additional storage lane to be in place until the Cleveland roadway improvements are completed. The motion was seconded by Cody Haney and passed unanimously with the vote being recorded as follows:

AYES: Cody Haney, Marvin Kusik, Cole Ream, Don Rose, and Richard Wuerflein

NAYS: None

**ITEM # 4.** Consider a **Lot Split** for Greenbrier Nursing Home Number Two, Inc. located at 1225 East Owen K Garriott.

Chris Bauer gave background on the lot split, which will accommodate a hotel and a restaurant.

Richard Wuerflein asked about previous action on this lot. Chris Bauer confirmed that the land use amendment and rezoning were previously heard by the Planning Commission.

ACTION TAKEN:

Cody Haney made a motion to approve the lot split which was seconded by Cole Ream and passed unanimously with the vote being recorded as follows:

AYES: Cody Haney, Marvin Kusik, Cole Ream, Don Rose, and Richard Wuerflein

NAYS: None

**Chris Bauer informed the Planning Commission the sidewalk variances in Items # 5 and # 6 could not be considered since the criteria requires  $\frac{3}{4}$  vote (or seven members) of the Planning Commission and there are only five members present. These items will be carried forward to the March meeting.**

**ITEM # 5.** Consider a **Variance** for Jeff Coleman located at 119 West Phillips concerning the requirement of a sidewalk paralleling the abutting street.

No action could be taken due to lack of seven members for a  $\frac{3}{4}$  vote.

**ITEM # 6.** Consider a **Variance** for Randy R Smith located at 2201 Richland Avenue concerning the requirement of a sidewalk paralleling the abutting street.

No action could be taken due to lack of seven members for a  $\frac{3}{4}$  vote.

**ITEM # 7.** Adjourn.

Cody Haney made a motion to adjourn, which was seconded by Cole Ream and passed unanimously.

The meeting adjourned at 6:37 PM.

**ITEM # 3.**

**CONSIDER A LAND USE AMENDMENT FOR PROPERTY DESCRIBED AS TRACT 5 AND TRACT 5-A IN THE NORTHEAST QUARTER OF SECTION THIRTEEN (13) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA, FROM MEDIUM INTENSITY RESIDENTIAL DESIGNATION TO MEDIUM INTENSITY COMMERCIAL DESIGNATION.**

**BACKGROUND:** This item concerns a property located at 1505 and 1507 Owen K Garriott. The site will consist of 2.28 acres. The request is to change the land use from Medium Intensity Residential Designation to Medium Intensity Commercial Designation. Currently the lot developed as multi-family. If approved, the property will be used for general retail and restaurants.

The property has access to Owen K Garriott Road.

Both water and sewer are available to the property.

**ATTACHMENTS:** Location Map.

**RECOMMENDATION:** Recommend approval to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.



**ITEM # 4.**

**CONSIDER A REZONING FOR PROPERTY DESCRIBED AS TRACT 5 AND TRACT 5-A IN THE NORTHEAST QUARTER OF SECTION THIRTEEN (13) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN FROM R-7 RESIDENTIAL MULTI-FAMILY DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.**

**BACKGROUND:** This is a companion item to Item # 3.

The request is to change the zoning from R-7 Residential Multi-Family District to C-3 General Commercial District. Currently the lot developed as multi-family. If approved, the property will be used for general retail and restaurants.

The zoning surrounding the property is R-2 Residential Single Family and C-1 Light Commercial District across the street to the north, R-2 to the south, C-3 to the west and R-7 to the east.

**ATTACHMENTS:** Location Map.

**RECOMMENDATION:** Recommend approval to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.





**ITEM # 5.**

**CONSIDER A LAND USE AMENDMENT FOR PROPERTY DESCRIBED AS A TRACT OF LAND IN THE EAST HALF (E/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TWENTY-THREE (23) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA, FROM MEDIUM INTENSITY COMMERCIAL DESIGNATION TO LOW INTENSITY RESIDENTIAL DESIGNATION.**

**BACKGROUND:** This item concerns a property located at the southwest corner of Oakwood and Purdue. The request is to change the land use from Medium Intensity Commercial Designation to Low Intensity Residential Designation. Currently the lot is undeveloped. If approved, the property will be used for single family housing.

The property has access to Oakwood and Purdue.

Both water and sewer are available to the property.

**ATTACHMENTS:** Location Map.

**RECOMMENDATION:** Recommend approval to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.



**ITEM # 6.**

**CONSIDER A REZONING FOR PROPERTY DESCRIBED AS A TRACT OF LAND IN THE EAST HALF (E/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TWENTY-THREE (23) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN FROM AGRICULTURE TO R-2 RESIDENTIAL SINGLE FAMILY DISTRICT.**

**BACKGROUND:** This is a companion item to Item # 5.

The request is to change the zoning from Agriculture District to R-2 Residential Single Family District. Currently the lot is undeveloped. If approved, the property will be used for single family housing.

The zoning surrounding the property is Agriculture to the north, R-2 to the south, Agriculture to the east across Oakwood and west.

**ATTACHMENTS:** Location Map.

**RECOMMENDATION:** Recommend approval to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.



**ITEM # 7.**

**CONSIDER A REZONING FOR PROPERTY DESCRIBED AS A TRACT OF LAND IN THE EAST HALF (E/2) OF SECTION ELEVEN (11), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6) WEST, INDIAN MERIDIAN FROM I-1 PLANNED INDUSTRIAL PARK DISTRICT TO I-2 LIGHT INDUSTRIAL DISTRICT.**

**BACKGROUND:** The request is to change the zoning from I-1 Planned Industrial Park District to I-2 Light Industrial District. Currently the lot is undeveloped. If approved, the property will be used for oil field energy industry service yard.

The zoning surrounding the property is I-3 Heavy Industrial District to the north, I-2 to the east, and Agriculture to the west.

**ATTACHMENTS:** Location Map.

**RECOMMENDATION:** Recommend approval to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.



**ITEM # 8.**

**CONSIDER A USE BY REVIEW PETITION SUBMITTED BY JEREMIAH HERRIAN FOR LOTS 1-12, BLOCK 18, GARFIELD ADDITION FOR EMERGENCY HOUSING OF HOMELESS IN THE EVENT OF EXTREME WEATHER CONDITIONS LOCATED AT 1714 SOUTH 4TH.**

**BACKGROUND:**

This petition concerns property located at 1714 South 4th. The property is zoned C-1 Light Commercial District. The property to the west is also zoned C-1 with the surrounding property zoned R-3 Residential Mobile Home Neighborhood District to the north, south and west and R-7 Residential Multi-Family District across the street to the east.

The applicant wants to utilize space in the existing building as emergency housing of the homeless in the event of extreme weather conditions. All utilities, parking, drainage, loading and access exist. There will be no additional traffic to the site. No noxious or offensive emissions, including noise, glare, smoke or dust exist.

**ATTACHMENTS:** Location map, Forgotten Ministries Emergency Housing description.

**RECOMMENDATION:** Approve the Use by Review for emergency housing in extreme weather.

**PRESENTER:** Chris Bauer, Planning Administrator.









### **Forgotten Ministries Emergency Housing in Extreme Weather**

Forgotten Ministries wishes to become a temporary housing resource for those that are without homes on nights that reach extreme weather conditions of 30 degrees and below.

All men and women will be asked to enter the facility by a certain time, and leave the next morning by 8am. We will have transportation to and from our facility to ensure that all that are in need of shelter will be able to utilize the program.

We will have secure lockers for all their belongings, and separate rooms that divide the men and women. Each door into the 2 rooms will have security and possible monitoring systems in order to ensure the safety of our guests.

In the morning, all guests will remove all bedding and be given new bedding to be put on the beds.

This is a need that is not only necessary to accommodate, but crucial to the lives of those that are without homes.



**(Just an example)**

**ITEM # 9.**

**CONSIDER A SIDEWALK VARIANCE FOR JEFF COLEMAN LOCATED AT 119 W PHILLIPS AVENUE, DESCRIBED AS TRACT 334 IN THE NORTHEAST QUARTER OF SECTION THIRTY (30), TOWNSHIP TWENTY-THREE (23) NORTH, RANGE SIX (6) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA.**

**BACKGROUND:**

Mr. Coleman applied for building permit to construct a new residence. Section 10-6-1 A. requires all developments, as defined in 10-4-2, to provide sidewalks that parallel abutting streets. The definition of development includes building permit.

The Planning Commission must find all of the following before a variance can be granted:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

**ATTACHMENTS:** Variance Petition, Location Map, Photographs, Site Plan, Sidewalk Ordinance, 10-4-2 Definitions.

**RECOMMENDATION:** Make recommendation to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.



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

VARIANCE PETITION

(Due 20 days prior to Metropolitan Area Planning Commission meeting date)

Location: 119 W. Phillips (street address):

Legal description: Tract 334 NE/4 <sup>30-</sup> 23-4

Current zoning of property: R-1

Variance Request: SIDEWALK

Section: 10-4-1 A.

Reasons for desiring approval of the Variance are as follows: (additional pages may be added) Phillips  
Road is dirt

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

I, or We, hereby petition the Metropolitan Area Planning Commission for a variance to the following provision(s) of the City of Enid Ordinance, Section 12-1-8.

The Planning Commission may recommend a variance from the title when, in its opinion, undue hardship any result from strict compliance. In recommending any variance, the Planning Commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required herein below, the Planning Commission shall take into account the nature of proposed land use and the existing use of land in the vicinity, the number of persons to reside or work in the property subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the Planning Commission.

Dated this 21 day of JAN, \_\_\_\_\_.

Applicant's signature: Jeff Coleman

Telephone: 542-1391

Printed Name: JEFF COLEMAN

Email: Jeff.Coleman@DestechDesign.com

Address: 119 W. Phillip

Date of Hearing set for the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

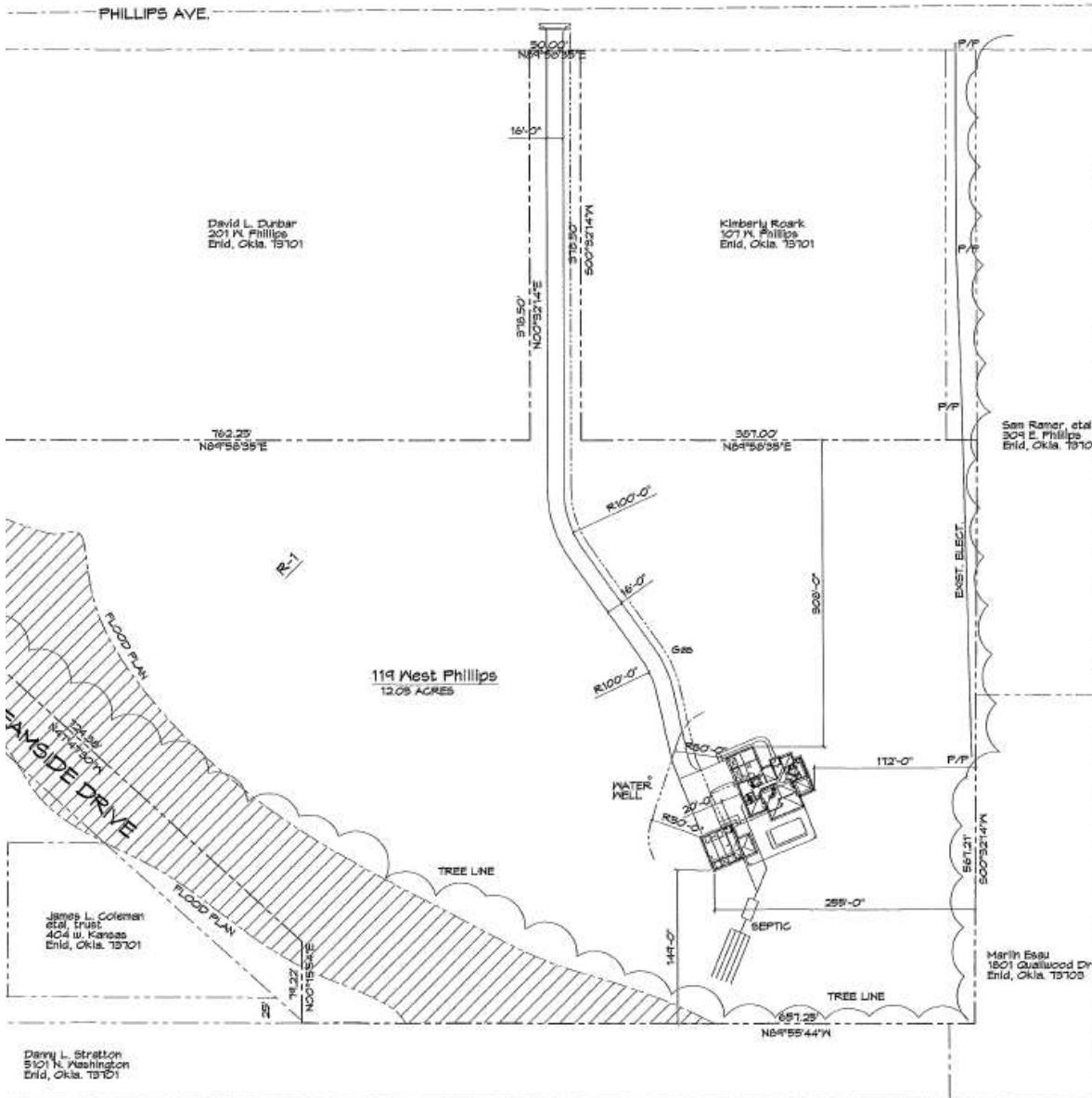
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Clive A. Humphrey, et al. Trust  
 % Laron Leske Trust 1521  
 Milton Road, Grand Rapids, OH, 43922



**PLOT PLAN**  
**JEFF & KIM COLEMAN**  
**ENID, OKLAHOMA**

**NOTICE**  
 This drawing has not been published and is the property of the surveyor. It is to be used only for the purpose for which it was prepared and is not to be construed as a representation of the law of the enacting state.

**PLAN NOTES:**

**ITEM # 10.**

**CONSIDER A SIDEWALK VARIANCE FOR RANDY SMITH LOCATED AT 2201 RICHLAND AVENUE, DESCRIBED AS LOT 2, BLOCK 2, RICHLAND ACRES ADDITION.**

**BACKGROUND:**

Mr. Smith applied for building permit to construct a 2,400 square foot shop building. Section 10-6-1 A. requires all developments, as defined in 10-4-2, to provide sidewalks that parallel abutting streets. The definition of development includes building permit.

The applicant submitted a petition with 14 signatures opposing the sidewalk.

The Planning Commission must find all of the following before a variance can be granted:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

**ATTACHMENTS:** Variance Petition, Location Map, Photographs, Site Plan, Petition, Sidewalk Ordinance and 10-4-2 Definitions.

**RECOMMENDATION:** Make recommendation to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.





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

VARIANCE PETITION

(Due 20 days prior to Metropolitan Area Planning Commission meeting date)

Location: 2201 Richland Ave, Enid, OK (street address):

Legal description: Block 2 Lot 2 Richland Acres

Current zoning of property: R1

Variance Request: SIDEWALK VARIANCE

Reasons for desiring approval of the Variance are as follows: (additional pages may be added) See attached pages.

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

I, or We, hereby petition the Metropolitan Area Planning Commission for a variance to the following provision(s) of the City of Enid Ordinance, Section 12-1-8.

The Planning Commission may recommend a variance from the title when, in its opinion, undue hardship any result from strict compliance. In recommending any variance, the Planning Commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required herein below, the Planning Commission shall take into account the nature of proposed land use and the existing use of land in the vicinity, the number of persons to reside or work in the property subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the Planning Commission.

Dated this 27 day of January, 2015.

Applicant's signature: Randy R Smith

Telephone: 580-977-8778

Printed Name: RANDY R SMITH

Email: GUNRUNNERS@SUDDENLINK.NET

Address: 2201 RICHLAND AVE

Date of Hearing set for the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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# 2201 RICHLAND AVE PROJECT

## SIDEWALK VARIANCE

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1. Richland acres addition is a semi-rural area with only ten homes on a one mile road.
2. Sidewalk would be out of place, myself and my neighbors moved here for the rural acreage look and feel as appose to urban sidewalks and street curbs. Some of the property on Richland is only used for grazing livestock.
3. I would have the only sidewalk on this road for many years and maybe rest of my days, this would look out of place.
4. This would be a great financial hardship on my family to also fund this sidewalk while attempting to improve to my property. Also the cost of mature tree removal that may be required.
5. My property is 208 feet wide, the cost will be substantial. Most homeowners on this road have this property width or greater.



Randy R. Smith  
580-977-8778  
580-237-8224

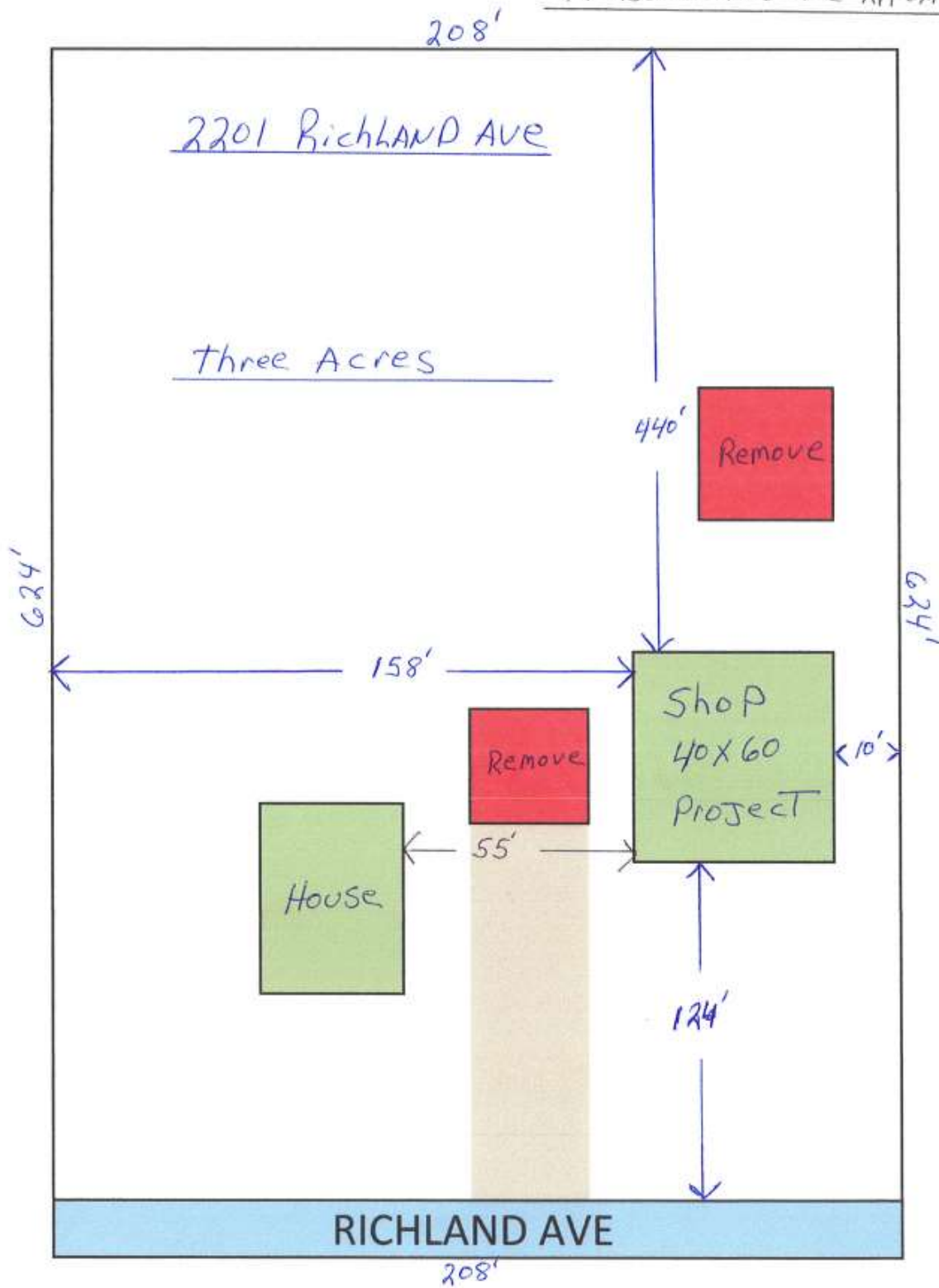


2201  
Richland





Measurements are Approximate



**RICHLAND ACRES**

**RESIDENTS APOSED TO SIDEWALK**

	NAME	ADDRESS	PHONE	SIGNATURE
1	Ronald R. Hall	2225 Richland Ave	580-234-5093	Ronald Ray Hall
2	Joe Bill Kline	2325 Richland Ave	580-237-0732	Joe Bill Kline
3	Jayme VonSchrittz	1821 Richland Ave	580-554-8823	Jayme VonSchrittz
4	Cyndy Meyer	1801 Richland Ave	580-242-2520	Cyndy Meyer
5	ROBIN BENCH	1511 RICHLAND AVE	580-233-8748	<del>Robin Bench</del>
6	Susana Bench	1511 Richland Ave	580-233-8948	Susana Bench
7	Karen Spain	2600 S. Taylor	580-540-4551	<del>Karen Spain</del>
8	Zack Daniel	1905 Richland Ave	918-325-0241	Zack Daniel
9	April Daniel	1905 Richland Ave	918-325-0464	April Daniel
10	Deana Smith	2261 Richland Ave	580-237-8224	Deana Lynn Smith
11	Tommy Rose	1901 RICHLAND	580-402-5274	Tommy Rose
12	Peggy Rose	1901 Richland	(580) 484-6483	Peggy Rose
13	JEFF BAKER	2309 RICHLAND	918-855-0721	Jeff Baker
14	RAND, R SMITH	2201 RICHLAND	580-237-8224	Rand R Smith
15				

**ITEM # 11.**

**CONSIDER A SIDEWALK VARIANCE FOR JOHN L BURGETT LOCATED AT 3102 SOUTH GARLAND, DESCRIBED AS A TRACT IN THE SOUTHEAST QUARTER OF SECTION TWENTY-ONE (21), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA.**

**BACKGROUND:**

Mr. Burgett applied for building permit to construct a new residence. Section 10-6-1 A. requires all developments, as defined in 10-4-2, to provide sidewalks that parallel abutting streets. The definition of development includes building permit.

The Planning Commission must find all of the following before a variance can be granted:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

**ATTACHMENTS:** Variance Petition, Location Map, Photographs, Site Plan, Sidewalk Ordinance, 10-4-2 Definitions.

**RECOMMENDATION:** Make recommendation to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.





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

VARIANCE PETITION

(Due 20 days prior to Metropolitan Area Planning Commission meeting date)

Location: 3102 S. GARLAND (street address):

Legal description: TRACT OF LAND SE/4 21-22-7

Current zoning of property: A9

Variance Request: SIDEWALK

Section: 10-6-1: A.

Reasons for desiring approval of the Variance are as follows: (additional pages may be added) THIS SIDEWALK WILL NEVER BE USED SEE ATTACHED REASONS

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

I, or We, hereby petition the Metropolitan Area Planning Commission for a variance to the following provision(s) of the City of Enid Ordinance, Section 12-1-8.

The Planning Commission may recommend a variance from the title when, in its opinion, undue hardship any result from strict compliance. In recommending any variance, the Planning Commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required herein below, the Planning Commission shall take into account the nature of proposed land use and the existing use of land in the vicinity, the number of persons to reside or work in the property subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the Planning Commission.

Dated this 25 day of FEB., 2015. 918 606-5778  
Applicant's signature: John L. Burgett Telephone: 918 622-5914 H  
Printed Name: JOHN L. BURGETT Email: jlburgett@yahoo.com  
Address: 12804 E. 33 Pl Tulsa, OK 74146  
Date of Hearing set for the 16 day of MARCH, 2015.

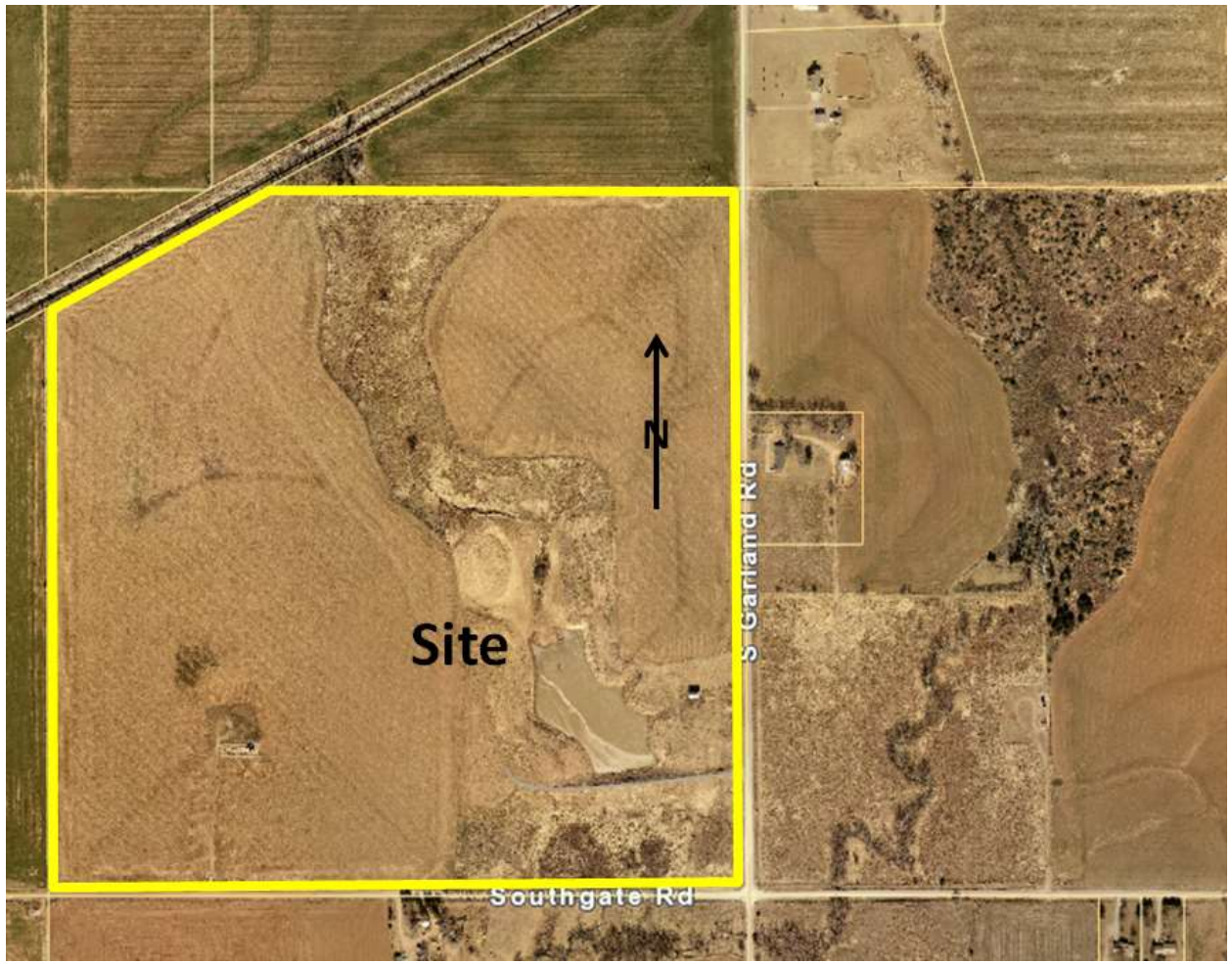
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Variance Petition for John L. Burgett  
3102 S. Garland

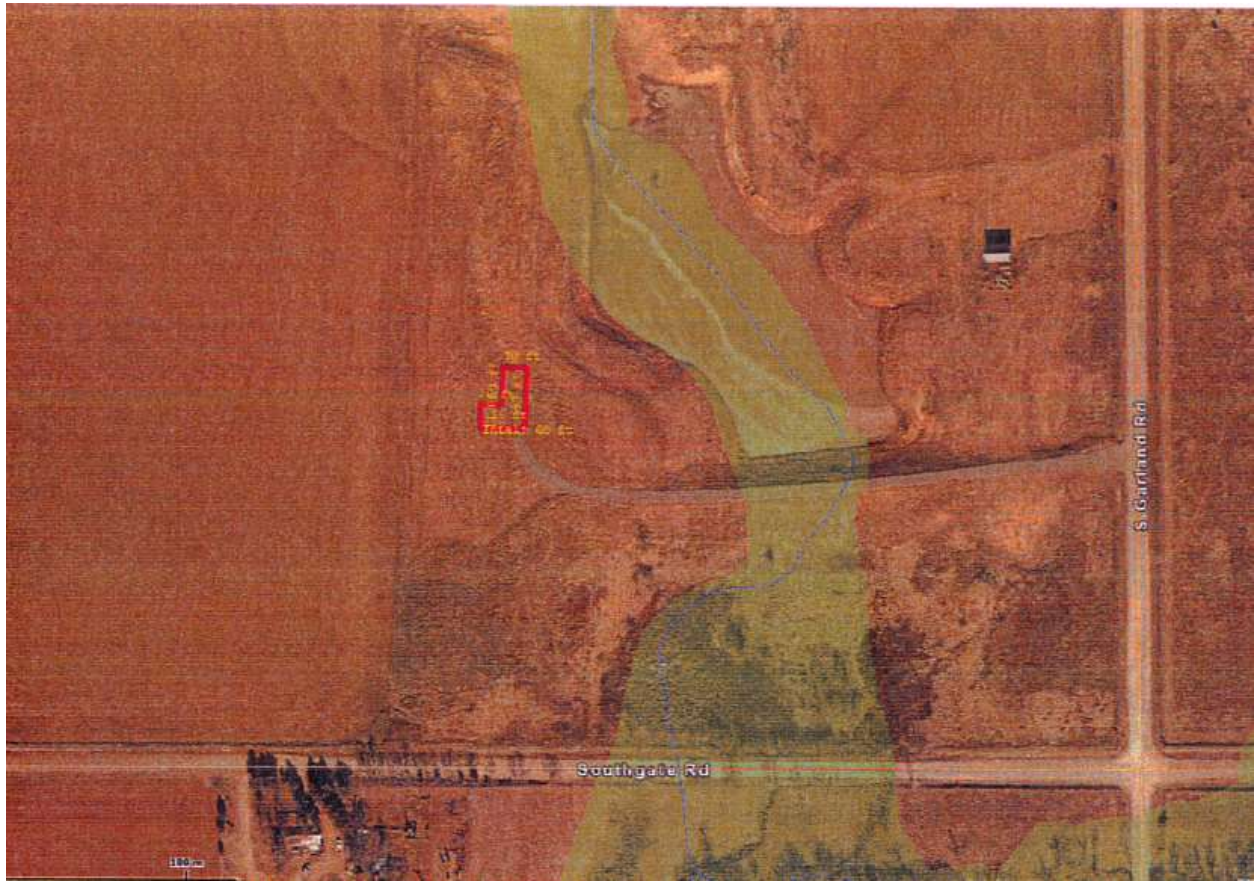
Reasons for sidewalk not being used, continued from first page.

1. This is an area zoned agricultural and that is its use.
2. Our house will be located at the end of 2 miles of dirt road.
3. Within two to three years, the weeds will take over and the sidewalk will not be accessible.
4. There will be no maintenance on the sidewalk.
5. This farm is in our family, and by owning it, no plans will ever be made to put in other homes, so a sidewalk will never be attached on either end.









**ITEM # 12.**

**CONSIDER A SIDEWALK VARIANCE FOR DEBORAH GIVENS LOCATED AT 5505 WEST CHESTNUT, DESCRIBED AS NOLAN'S 1ST LOT 2, ENID, OKLAHOMA.**

**BACKGROUND:**

Ms. Givens applied for building permit to construct a 40' x 60' shop building. Section 10-6-1 A. requires all developments, as defined in 10-4-2, to provide sidewalks that parallel abutting streets. The definition of development includes building permit.

The Planning Commission must find all of the following before a variance can be granted:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

**ATTACHMENTS:** Variance Petition, Location Map, Photographs, Site Plan, Sidewalk Ordinance, 10-4-2 Definitions.

**RECOMMENDATION:** Make recommendation to the Mayor and Board of Commissioners.

**PRESENTER:** Chris Bauer, Planning Administrator.





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

## VARIANCE PETITION

(Due 20 days prior to Metropolitan Area Planning Commission meeting date)

Location: 5505 W. Chesnut Ave (street address):

Legal description: Nolans 1st lot

Current zoning of property: Zone R1

Variance Request: Sidewalk variance

Section: 10-6-1:A

Reasons for desiring approval of the Variance are as follows: (additional pages may be added) No room in front of property- drainage ditch in front by road.

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

I, or We, hereby petition the Metropolitan Area Planning Commission for a variance to the following provision(s) of the City of Enid Ordinance, Section 12-1-8.

The Planning Commission may recommend a variance from the title when, in its opinion, undue hardship any result from strict compliance. In recommending any variance, the Planning Commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required herein below, the Planning Commission shall take into account the nature of proposed land use and the existing use of land in the vicinity, the number of persons to reside or work in the property subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the Planning Commission.

Dated this 27 day of February, 2015.

Applicant's signature: Deborah Givens

Telephone: 580-747-9287

Printed Name: Deborah Givens

Email: d.givens@xpresswellnessurgentcare.com

Address: 5505 W. Chestnut Ave

Date of Hearing set for the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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W. CHESTNUT

