

**MINUTES**  
**BOARD OF ADJUSTMENT**  
**SPECIAL MEETING**  
**CITY OF PRYOR CREEK, OKLAHOMA**  
**THURSDAY, NOVEMBER 18<sup>TH</sup>, 2021 5:45PM**

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE BOARD OF ADJUSTMENT MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE ON THE ABOVE DATE AND TIME.

**BOARD MEMBERS:** GERALD CLACK, MIKE CONSIDINE, ANDY ROGERS, KRIS FOSTER

**1. CALL TO ORDER, ROLL CALL AND DECLARE A QUORUM.**

Gerald Clack called the meeting to order and declared a quorum. Members present were Gerald Clack, Andy Rogers, Kris Foster and Mike Considine. Absent: none.

Others present: Mayor Larry Lees, Steve Powell, Becky Orange, Rick Ogg, Ed Dent, Building Inspector Kenny Young.

**2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF SEPTEMBER 23<sup>rd</sup>, 2021 SPECIAL MEETING.**

Motion was made by Rogers, second by Foster to approve minutes of September 23<sup>rd</sup>, 2021 Special Meeting. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

**3. PUBLIC HEARINGS.**

**a. Enter Public Hearing** (Continued from Hearing on November 4, 2021)

Motion was made by Considine, second by Rogers to enter Public Hearing. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

Applicant: Applicant: Butler Homes LLC. Requesting Coverage allowance of 36.5% and reduced setback areas to 17.5%.

Legal: Lot Numbered Two (2) in Block Numbered Fifty-Seven (57) in the Original Town of PRYOR CREEK, according to the United States Government Survey and Plat thereof. (201 S Edith)

Ed Dent spoke against the duplexes, explaining he feels there are enough rentals in the area.

Becky Orange and Rick Ogg explained the need for the duplexes because they often receive calls for rental properties. They also explained the need for the variances to keep the area looking the same.

**b. Exit Public Hearing.**

Motion was made by Rogers, second by Considine to exit Public Hearing. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

**4. DISCUSSION AND POSSIBLE ACTION ON PUBLIC HEARING FOR APPLICANT BUTLER HOMES TO CONSIDER TWO VARIANCES:**

**(1) FOR THE COVERAGE ALLOWANCE FROM 35% TO 36.5% ON DUPLEXES WITH TENTATIVE ADDRESS OF:**

**a. 310 SW SECOND A & B, (PREVIOUSLY LISTED AS A TENTATIVE ADDRESS OF 302 SW SECOND A & B) AND**

**b. 320 SW SECOND A & B, (PREVIOUSLY LISTED AS A TENTATIVE ADDRESS OF 304 SW SECOND A & B) AND**

**(2) TWO REAR SETBACK AREAS REDUCED FROM 20% TO 17.5% ON TENTATIVE ADDRESS OF:**

- a. 310 SW SECOND A & B, (PREVIOUSLY LISTED AS A TENTATIVE ADDRESS OF 302 SW SECOND A & B) AND**
- b. 320 SW SECOND A & B, (PREVIOUSLY LISTED AS A TENTATIVE ADDRESS OF 304 SW SECOND A & B)**

Motion was made by Rogers, second by Foster to approve items 1 and 2 for the variances requested. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

**5. PUBLIC HEARINGS.**

**a. Enter Public Hearing.**

Motion was made by Foster, second by Considine to enter Public Hearing. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

Applicant: Butler Homes – Lot Numbered Two (2) in Block Numbered Fifty-Seven (57 in the Original Town of PRYOR CREEK, according to the United States Government Survey and Plat thereof. (201 S Edith).

Steve Powell explained the need for the variance due to the shape and size of the lot. Butler Homes told the Board that there is a covenant for East Plains stating the homes all need to be at least 1950 sq. ft. The hardship would be trying to fit that size home on this lot with the rear setback as it states at 30%.

**b. Exit Public Hearing.**

Motion was made by Foster, second by Considine to exit Public Hearing. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

**6. DISCUSSION AND POSSIBLE ACTION ON PUBLIC HEARING FOR APPLICANT BUTLER HOMES WHO IS REQUESTING A VARIANCE INCREASING THE COVERAGE ALLOWANCE FROM 30% TO FIT REQUIRED SQUARE FOOTAGE RESTRICTIONS OF A 1950 SF HOME:**

Motion was made by Considine, second by Rogers to approve the variance of 30% to 36.5%. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

**7. ADJOURN.**

Motion was made by Foster, second by Considine to adjourn. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

# CITY OF PRYOR CREEK BOARD OF ADJUSTMENT

☒ VARIANCE ☐ SPECIAL EXCEPTION

P.O Box 1167, 12 North Rowe Street, Pryor Creek, Oklahoma 74362 - (918) 825-0888 - FAX (918) 825-6577

www.pryorcreek.org

## APPLICATION INFORMATION

RECEIVED BY: 10/22/21 DATE FILED: \_\_\_\_\_ HEARING DATE: \_\_\_\_\_ CASE NUMBER \_\_\_\_\_

☐ RESIDENTIAL ☐ NON-RESIDENTIAL ☐ MIXED USE BUILDING PERMIT APPLICATION NUMBER \_\_\_\_\_

NEIGHBORHOOD ASSOCIATIONS: \_\_\_\_\_

## SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 125 E GRAHAM

LEGAL DESCRIPTION: \_\_\_\_\_

Pryor Original BLK 23 lot 13, 14, 15, & 16 of lot 16

PRESENT USE: BANK PRESENT ZONING CO COMPREHENSIVE PLAN DESIGNATION: \_\_\_\_\_

SURROUNDING ZONING: \_\_\_\_\_ FLOODPLAIN DESIGNATION: \_\_\_\_\_

## INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: TO ALLOW A GROUND SIGN WITH 9.56SQFT OF ACTUAL SIGNAGE  
BE ALLOWED WITHOUT THE INCLUSION OF THE POLE COVER

VARIANCE SECTIONS: \_\_\_\_\_ SPECIAL EXCEPTION SECTIONS: \_\_\_\_\_

LIST THE SPECIFIC SECTIONS OF THE ZONING CODE THAT APPLY TO EACH ACTION YOU'RE REQUESTING.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>A-MAX SIGN CO, INC.,</u>	NAME <u>Yorktown Bank</u>
ADDRESS <u>9520 E 55 PLACE</u>	ADDRESS <u>1913 E Wagon St.</u>
CITY, ST, ZIP <u>TULSA, OK 74145</u>	CITY, ST, ZIP <u>PRYOR OK 74361</u>
DAYTIME PHONE <u>918-622-0651</u>	DAYTIME PHONE _____
EMAIL <u>LORI@AMAXSIGN.COM</u>	EMAIL _____
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: _____	

DOES OWNER CONSENT TO THIS APPLICATION ☒ YES ☐ NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? SIGN INSTALLATION

## APPLICATION FEES

BASE REQUEST	\$10.00		10.00
ADDITIONAL REQUESTS	\$ _____	APPLICATION SUBTOTAL	\$ _____
NEWSPAPER PUBLICATION	\$ <u>105.00</u>		<u>105.00</u>
SIGN POSTING	\$18.50		<u>18.50</u>
300' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)	<u>325.00</u>	FILING FEE	\$ <u>325.00</u>
1320' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)			_____
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$1.83 x <u>37</u> =		<u>67.71</u>
1320' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$1.83 x _____ =	NOTICE SUBTOTAL	\$ _____
		TOTAL AMOUNT DUE	\$ <u>526.21</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

## DISPOSITION

BOARD ACTION: \_\_\_\_\_

FINAL DATE: \_\_\_\_\_ VOTE: \_\_\_\_\_ PLAT INVOKED ☐ YES ☐ NO PLAT NAME: \_\_\_\_\_ WAIVER ☐ YES ☐ NO

**PAID** REVISED 2/23/2016

Board of Adjustment Case Number: \_\_\_\_\_ Date: \_\_\_\_\_, 7:00 p.m.

**City Council Chambers, 12 North Rowe Street**

**A person knowledgeable of the application and the property must attend the meeting to represent the application.**

Site Plans must be submitted at the time of application. Other drawings, photographs or exhibits may be submitted at the hearing.

***VARIANCES:***

**The applicant must prove a hardship to the Board.** The Board of Adjustment is allowed to approve variances only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
2. Application of the zoning ordinance requirements to this particular piece of property will create unnecessary **hardship** to the property, not self-imposed by the owner or developer. This does not include financial hardship to the applicant.
3. There are conditions that are peculiar to this piece of property, which do not apply to other properties in the same zoning district.
4. The variance, if granted, will not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance or the comprehensive plan. However, no variance may be granted for a use of land, buildings or structure that is prohibited by the zoning ordinance.

In granting a variance, the Board may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions.

**Please state your hardship:**

Per Chapter 12 of the zoning code, the code is too restrictive for a business to have a ground sign that includes a pole cover. As the pole cover was designed to accent and appeal to the public eye but also to hide the pole as well as electrical components of the sign. Each of the parcels are very small in town and the businesses do not want to sell or move to allow other businesses to obtain larger parcels.

Applicant Signature: \_\_\_\_\_

*Sari Worthington*

***SPECIAL EXCEPTIONS:***

The Board of Adjustment is allowed to approve special exceptions only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. The special exception will be in harmony with the spirit and intent of the Zoning Code.
2. The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Further, if the **special exception** is for "**special residential facilities**" the following factors shall be considered. Please be ready to address each of these items at the hearing:

- |   |  |
|---|--|
| A. Size of the facility;                            | F. Compliance with state licensure and certification requirements;   |
| B. Number of staff and staff-to-client ratio;       | G. Proximity to similar uses;  |
| C. Levels of treatment;                             | H. Distance from sensitive uses (single-family residential districts, schools, parks, child day care centers). |
| D. Location of site in relation to needed services; |  |
| E. City infrastructure in the area;                 |  |

In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

**If your application is approved, you may need additional permits.** Contact the City of Pryor Creek Building Inspector's Office at (918) 825-1679.

**City of Pryor Creek  
P.O. Box 1167  
12 North Rowe Street  
Pryor Creek, Oklahoma 74362  
(918) 825-0888 FAX: (918) 825-6577**

# NOTICE OF PUBLIC HEARING

## BEFORE THE CITY OF PRYOR CREEK BOARD OF ADJUSTMENT

Notice is hereby given that on the 13th day of December 2021, at 5:30 P.M. in the City Hall Council Chamber, located at 12 North Rowe Street, 2<sup>nd</sup> floor, Pryor Creek, Mayes County, Oklahoma, the City of Pryor Creek Board of Adjustment will consider a variance to allow a ground sign with 59.2 sq ft of actual signage to be allowed.

### LEGAL DESCRIPTION

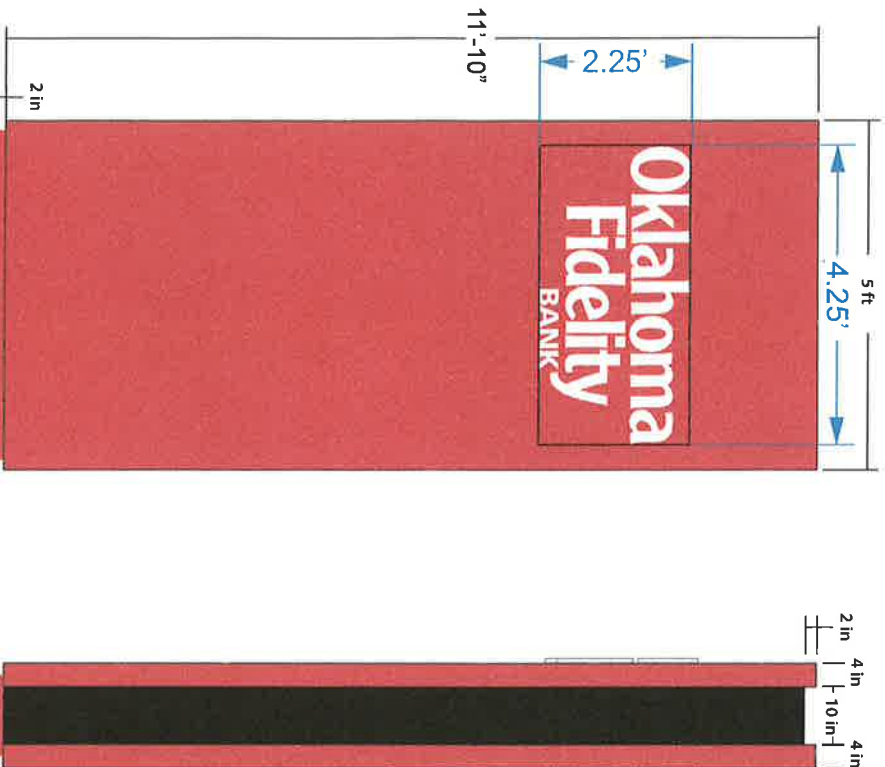
PRYOR ORIGINAL BLK 23 LOT 13,14,15, E 16' OF LOT 16. KNOWN AS 125 E GRAHAM



Anyone requiring special accommodations pursuant to the Americans with Disabilities Act should notify City of Pryor Creek at 918-825-0888.



2.25' X 4.25' = 9.56 SQ FT



EXISTING



DAY

**"All noted dimensions are approximate and may be modified slightly during manufacturing to allow proper component usage".**

**SPECIFICATIONS:**  
INTERNALLY ILLUMINATED DOUBLE FACE PYLON SIGN WITH ROUTED PUSH THRU COPY, ILLUMINATED FILLER PANELS, PAINTED BOTTOM REVEAL, END FILLERS.

1/2" CLEAR MATTE ACRYLIC DECORATED SECOND SURFACE WITH WHITE DIFFUSER FILM FILLERS TO BE 3/16" CLEAR ACRYLIC WITH TRANSLUCENT CARDINAL RED VINYL ON SECOND SURFACE AND BLACK PERFORATED VINYL ON FIRST SURFACE. CABINET AND BOTTOM REVEAL PAINTED TO MATCH PMS 187 RED.

COLORS: 187 RED, 3630-53 RED, WHITE, PERFERATED BLACK

<b>CUSTOMER:</b> OKLAHOMA FIDELITY BANK	
<b>NAME:</b>	KATIE GROVER
<b>LOCATION:</b>	125 E GRAHAM PRYOR, OK
<b>DATE:</b>	07-19-21
<b>DESIGN NO.:</b>	CC-38543
<b>ARTIST:</b>	BS
<b>SCALE:</b>	3/8" = 1'

**APPROVED:**

**DATE:**



**LUMINOUS Neon Inc**  
ART & SIGN SYSTEMS

# CITY OF PRYOR CREEK BOARD OF ADJUSTMENT

☒ VARIANCE ☐ SPECIAL EXCEPTION

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## APPLICATION INFORMATION

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☐ RESIDENTIAL ☐ NON-RESIDENTIAL ☐ MIXED USE BUILDING PERMIT APPLICATION NUMBER \_\_\_\_\_

NEIGHBORHOOD ASSOCIATIONS: \_\_\_\_\_

## SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 1913 S ELLIOTT

LEGAL DESCRIPTION: PRYOR ACREAGE SEC 20-21-19 S 200' OF N 390' OF W 268' SWNWSW

PRESENT USE: BANK PRESENT ZONING CO COMPREHENSIVE PLAN DESIGNATION: \_\_\_\_\_

SURROUNDING ZONING: \_\_\_\_\_ FLOODPLAIN DESIGNATION: \_\_\_\_\_

## INFORMATION ABOUT YOUR REQUEST

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APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>A-MAX SIGN CO, INC.,</u>	NAME <u>YORKTOWN BANK</u>
ADDRESS <u>9520 E 55 PLACE</u>	ADDRESS <u>1913 ELLIOTT ST</u>
CITY, ST, ZIP <u>TULSA, OK 74145</u>	CITY, ST, ZIP <u>PRYOR OK 74361</u>
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DOES OWNER CONSENT TO THIS APPLICATION ☒ Y ☐ N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? SIGN INSTALLATION

APPLICATION FEES			
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300' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)	<u>175.00</u>	FILING FEE	\$ <u>175.00</u>
1320' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)			_____
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$1.83 x <u>16</u> =		<u>32.94</u>
1320' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$1.83 x _____ =	NOTICE SUBTOTAL	\$ _____
		TOTAL AMOUNT DUE	\$ <u>341.44</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

## DISPOSITION

BOARD ACTION: \_\_\_\_\_

FINAL DATE: \_\_\_\_\_ VOTE: \_\_\_\_\_ PLAT INVOKED ☐ Y ☐ N PLAT NAME: \_\_\_\_\_ WAIVER ☐ Y ☐ N

**PAID**

REVISED 2/23/2016

Board of Adjustment Case Number: \_\_\_\_\_ Date: \_\_\_\_\_, 7:00 p.m.

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Applicant Signature: \_\_\_\_\_

*Lori Worckington*

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City of Pryor Creek  
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12 North Rowe Street  
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(918) 825-0888 FAX: (918) 825-6577

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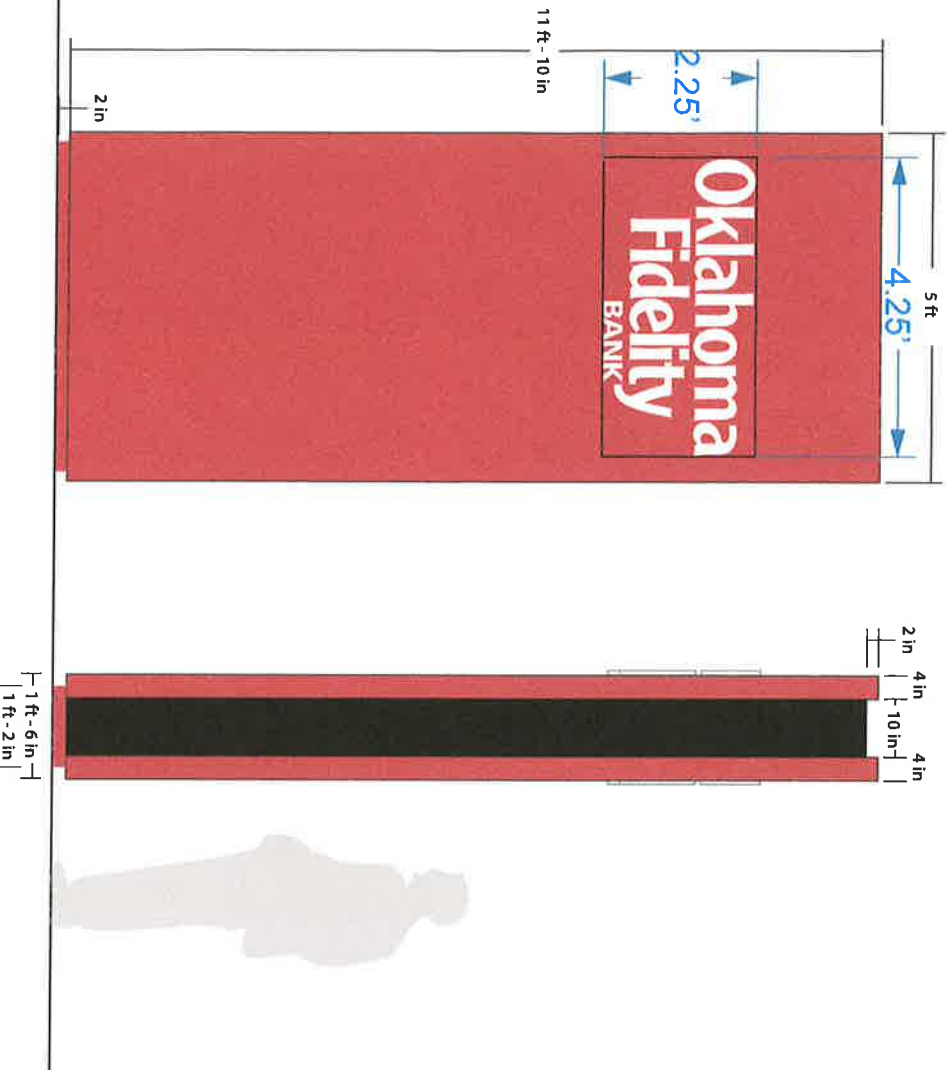
S 200' OF N 390' OF W 268' SWNWSW IN SECTION 20, TOWNSHIP 21 NORTH, RANGE 19 EAST  
KNOWN AS 1913 S ELLIOTT



Anyone requiring special accommodations pursuant to the Americans with Disabilities Act should notify City of Pryor Creek at 918-825-0888.



2.25' X 4.25' = 9.56 SQ FT



DAY



EXISTING

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**SPECIFICATIONS:**

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<b>CUSTOMER:</b> OKLAHOMA FIDELITY BANK	
<b>NAME:</b>	KATIE GROVER
<b>LOCATION:</b>	1913 S ELLIOTT PRYOR, OK
<b>DATE:</b>	07-19-21
<b>DESIGN NO.:</b>	CC-38544
<b>ARTIST:</b>	BS
<b>SCALE:</b>	3/8" = 1'

**APPROVED:**

**DATE:**



**LUMINOUS Neon Inc.**  
ART & SIGN SYSTEMS



## City of Pryor Creek

12 North Rowe - PO Box 1167  
Pryor Creek, Ok 74362  
Tel 918-825-0888 Fax 918-825-6577  
[www.pryorcreek.org](http://www.pryorcreek.org)

For Board of Adjustment Meeting  
December 13, 2021

### Staff Report:

These signs are standard signs used at Fidelity Bank sites in the region. The enclosure of the signposts with a similar material as the actual sign implies a surface area much larger than the sign letters and symbol shows. Staff concern is in the future this "unused" area could be used either for temporary or some form of permanent addition of letters or symbols making the sign display area the full amount shown from ground to top of sign.

Staff could support these signs with the provision that the lower 5'6" of the sign area be off limits to any display of letters or symbols temporarily or permanently added to the sign's face (either side)

Steve Powell