

MINUTES
BOARD OF ADJUSTMENT
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, JANUARY 13, 2022 4:15pm

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, Kris Foster and Mike Considine. Absent: Andy Rogers.

Others present: Tom Burchfield, Steve Powell, Officer Devonte Houston and Building Inspector Kenny Young.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF DECEMBER 13TH, 2021 SPECIAL MEETING.

Motion was made by Foster, second by Considine to approve minutes of December 13th, 2021 Special Meeting. Voting yes: Clack, Foster and Considine. Voting no: none.

3. PUBLIC HEARINGS.

a. Enter Public Hearing.

Motion was made by Foster, second by Considine to enter Public Hearing.

Applicant: Tom Burchfield – Lot Numbered Three (3) in Block Numbered Two (2) of the W.L. SMITH ADDITION to the City of Pryor, Mayes County, Oklahoma. According to the official recorded and filed plat thereof. (105 N Mayes). Mr. Burchfield is requesting variances on the side and rear setback on his property.

b. Exit Public Hearing.

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

4. DISCUSSION AND POSSIBLE ACTION ON PUBLIC HEARING FOR APPLICANT TOM BURCHFIELD WHO IS REQUESTING A VARIANCE FOR:

- (1) SIDE SETBACK FOR AN ACCESSORY BUILDING HE BUILT ON AN EXISTING SLAB.**
- (2) REAR SETBACK FOR AN ACCESSORY BUILDING HE BUILT ON AN EXISTING SLAB.**

Motion was made by Foster, second by Considine to table for 90 days. Voting yes: Clack, Foster and Considine.

5. ADJOURN.

Motion was made by Foster, second by Considine to adjourn. Voting yes: Clack, Foster and Considine. 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: 12/30/2021 DATE FILED: _____ HEARING DATE: _____ CASE NUMBER _____

RESIDENTIAL [] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER _____

NEIGHBORHOOD ASSOCIATIONS: NONE

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 329 SE 6th & 331 SE 6th

LEGAL DESCRIPTION: Lot 4, BIKI, Ragsdale Addition ; Lot 5, BIK 1, Ragsdale Addition

PRESENT USE: Residential Lots PRESENT ZONING RS-50 COMPREHENSIVE PLAN DESIGNATION: _____

SURROUNDING ZONING: RS-50 FLOODPLAIN DESIGNATION: none / not flooded

INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: Set a new building line on lots 4 & 5 from 35ft to 29ft. This is still well beyond 25ft city setback requirement. Intent of variance is to preserve large mature trees and to fit driveway & garage to the lot. This also preserves the established neighborhood front lines & keeps with the neighborhood view.

VARIANCE SECTIONS: UD Section 10-19-10 Contextual Setbacks 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>RRR Property Mgt. LLC</u>	NAME _____
ADDRESS <u>2642 W 520</u>	ADDRESS <u>Same</u>
CITY, ST, ZIP <u>Pryor, OK 74361</u>	CITY, ST, ZIP _____
DAYTIME PHONE <u>918-724-0604</u>	DAYTIME PHONE _____
EMAIL <u>dtragsdale1977@gmail.com</u>	EMAIL _____

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE & DATE: Danny Ragsdale 12-29-21

DOES OWNER CONSENT TO THIS APPLICATION [] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES

BASE REQUEST	\$10.00		10 ⁰⁰
ADDITIONAL REQUESTS	\$ 0	APPLICATION SUBTOTAL	\$ 0
NEWSPAPER PUBLICATION	\$		120.00
SIGN POSTING	\$18.50		18.50
300' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)	250 ⁰⁰	FILING FEE	\$ 250 ⁰⁰
1320' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)			
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE <u>34</u>	\$2.18 x <u>34</u>		74.12
1320' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$2.18 x = ..	NOTICE SUBTOTAL	\$
		TOTAL AMOUNT DUE	\$ 472.62

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 10/18/2021

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:

Plat for lots 4 & 5 are a pie shape. By adhering to plat building line of 35 ft it will require removal of 50yr old plus mature trees and set front building line back on said property well behind front housing lines of existing homes. Not variance to continue with established character of the addition.

Applicant Signature: Danny Bagot

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 10th day of February 2022, at 5:30 P.M. in the City Hall Council Chamber, located at 12 North Rowe Street, 2nd floor, Pryor Creek, Mayes County, Oklahoma, the City of Pryor Creek Board of Adjustment will consider variances for front setback for two properties.

LEGAL DESCRIPTION

Ragsdale Addition, Lots 4 and 5 of Block 1 (329 SE 6th and 331 SE 6th)



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

80x120 4600

30% 2880

SURVEY PLAT

ADDRESS:
329 SE 6th Street

PRYOR HEIGHTS SUBDIVISION BLOCK 6

5

4

3

2

5' UTILITY ESMT.

N 90°00'00" E - 126.00'

N 00°00'00" E - 120.00'

33.31'
24.55'

17.5' UTILITY ESMT.



LOT 4
BLOCK 1

PROPOSED HOUSE

35' B.L.

S 35°05'26" W - 163.31'

10.00'

36'
R=75'
34.89'

5.00'

SE 6th ST.

25'

25'

NOTE:

THE SUBJECT PROPERTY DOES NOT LIE IN ZONE X, ACCORDING TO FEMA ON MAP NUMBER 40097C PANEL 0237 E DATED SEPTEMBER 16, 2011

BASIS OF BEARING: FILED PLAT OF THE RAGSDALE ADDITION

LOT 4, BLOCK 1, RAGSDALE ADDITION, CITY OF PRYOR CREEK, MAYES COUNTY, OK



Scale: 1"=30'



INFRASTRUCTURE SOLUTIONS GROUP, LLC
Consulting Engineers

TULSA BRANCH OFFICE
3840 South 103rd East Ave,
Suite 227, TULSA, OK 74146
(918) 664-5500 VOICE
(918) 664-5501 FAX