

MINUTES
BOARD OF ADJUSTMENT
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, FEBRUARY 10, 2022 5:30pm

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, Mike Considine and Andy Rogers.

Others present: Danny Ragsdale and Steve Powell.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF JANUARY 13TH, 2022 SPECIAL MEETING.

Motion was made by Foster, second by Considine to approve minutes of January 13th, 2022 Special Meeting. Voting yes: Clack, Foster, Considine and Rogers. Voting no: none.

3. PUBLIC HEARINGS.

a. Enter Public Hearing.

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

Applicant: RRR Property Management LLC – Lot Numbered Four (4), Block Numbered One (1) and Lot Numbered Five (5), Block Numbered One (1), in the RAGSDALE ADDITION to the City of Pryor Creek, Mayes County, State of Oklahoma. (329 SE 6th and 331 SE 6th). Builder is asking for amendment to plat requirements of 35 feet to be 29 feet (code requires 25 ft). (There was a scrivener’s error for the word, “Amendment,” and minutes will reflect that the word, “Adjustment,” should have been used). Mr. Ragsdale told the Board he wanted to leave the mature trees and strive to keep these houses in line with the neighborhood since they are on the curve.

b. Exit Public Hearing.

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

4. DISCUSSION AND POSSIBLE ACTION ON PUBLIC HEARING FOR RRR PROPERTY MANAGEMENT LLC, WHO ARE REQUESTING VARIANCES FOR:

- (1) FRONT SETBACK AMENDMENT OF 329 SE 6TH FROM 35 FT. PLAT REQUIREMENT TO 29 FEET (CODE REQUIRES 25 FT). (THERE WAS A SCRIVENER’S ERROR FOR THE WORD, “AMENDMENT,” AND MINUTES WILL REFLECT THAT THE WORD, “ADJUSTMENT,” SHOULD HAVE BEEN USED).**
- (2) FRONT SETBACK AMENDMENT OF 331 SE 6TH FROM 35 FT. PLAT REQUIREMENT TO 29 FEET (CODE REQUIRES 25 FT). (THERE WAS A SCRIVENER’S ERROR FOR THE WORD, “AMENDMENT,” AND MINUTES WILL REFLECT THAT THE WORD, “ADJUSTMENT,” SHOULD HAVE BEEN USED).**

Motion was made by Rogers, second by Foster to approve variance (1) and (2) stating there was a scrivener's error for the word, "Amendment," and minutes will reflect that the work, "Adjustment," should have been used). Voting yes: Clack, Foster, Considine and Rogers.

5. ADJOURN.

Motion was made by Rogers, second by Foster 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.pryorok.org

APPLICATION INFORMATION

RECEIVED BY: DC DATE FILED: 8/16/21 HEARING DATE: _____ CASE NUMBER _____
 [] RESIDENTIAL [] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER _____
 NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: _____
 LEGAL DESCRIPTION: 105 North Mayes St.
LOT 3 BLOCK 2 SUBDIVISION WITH SMITH ADDITION
 PRESENT USE: _____ PRESENT ZONING _____ COMPREHENSIVE PLAN DESIGNATION: _____
 SURROUNDING ZONING: _____ FLOODPLAIN DESIGNATION: _____

INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: _____

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>Tom Burchfield</u>	NAME <u>Same</u>
ADDRESS <u>105 N. Mayes St.</u>	ADDRESS <u>Same</u>
CITY, ST, ZIP <u>Pryor OK. 74361</u>	CITY, ST, ZIP <u>Same</u>
DAYTIME PHONE <u>918-530-0084</u>	DAYTIME PHONE <u>Same</u>
EMAIL <u>Tdbpryor@yahoo.com</u>	EMAIL <u>Same</u>

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

X SIGNATURE & DATE: _____

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

APPLICATION FEES			
BASE REQUEST	\$10.00		<u>10.00</u>
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$ _____
NEWSPAPER PUBLICATION	\$		<u>105.00</u>
SIGN POSTING	\$18.50		<u>18.50</u>
Review letter fee from City Reviewer for BOA Meeting	\$125.00		\$ 125.00
300' PROPERTY OWNERS LIST			<u>250.00</u>
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	<u>2.18x27</u> \$2.04x27	\$	<u>58.86</u>
		NOTICE SUBTOTAL	
		TOTAL AMOUNT DUE	\$ <u>442.36</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 3/18/2021

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:

~~I WANT A 16x20 SHED ON A EXISTING 16x23 CONCRETE SHED STOPPED BEFORE I COULD CONVERT THE EXISTING BUILDING THAT IS 7x13' WAS GOING TO HAVE A FREEZING BETWEEN THE TWO BUILDINGS~~

Applicant Signature: _____

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

GREEN COUNTRY SURVEYING

P.O. Box 445 21 North Vann Pryor Creek, Oklahoma 74362 (918) 825-6575

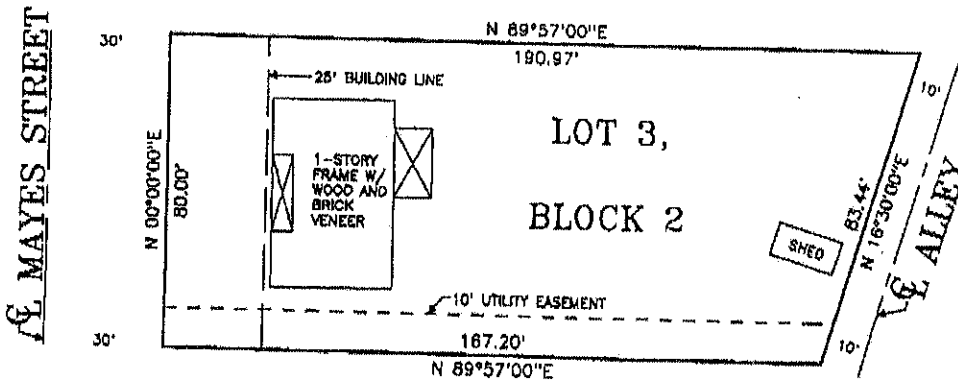
CUSTOMER:

PNC Mortgage Corp.
of America

BORROWER:

Thomas D. Burchfield
105 North Mays Street
Pryor, Oklahoma 74361

REGISTERED LAND SURVEYOR'S INSPECTION PLAT AND CERTIFICATE FOR MORTGAGE LOAN PURPOSES



CERTIFICATE


This plat is made for and at the request of John & Bob & Jo Realty
for mortgage loan purposes only covering property described as:

Lot Numbered Three (3), Block Numbered Two (2) of the W. L. SMITH ADDITION to the City of Pryor,
Moyas County, Oklahoma. According to the official recorded and filed plat thereof.

Subject Property lies in Flood Zone "X" or outside the 500 Year Flood Plain as per Flood Insurance Rate
Map dated 7/16/'87, Community-Panel #400117 0002 B.

I hereby certify that the above inspection plat shows the improvements as located on the premises described, that they are entirely
within the described tract boundaries, and that there are no encroachments thereon except as indicated; that the above plat shows
all recorded plat easements and other such easements as have been disclosed and furnished us by lender; that this plat was
prepared for identification purposes only for the Mortgage and is not a land or property line survey; that the proper corners were
set, and it is not to be used or relied upon for the establishment of fence, building or other improvements; that the responsibility is
assumed herein or hereby to the present or future land owner or occupant.

WITNESS my hand and seal this 11th day of May, 1998.


G. Michael Finnell, R.P.L.S. #1107
C.A.#2425



THOMAS D. BURCHFIELD
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04/26/2021 08:18



04/26/2021 08:18