

MINUTES
BOARD OF ADJUSTMENT
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
MONDAY, MARCH 18TH, 2024 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: SCOTT CRAFT, STACEY BARKER, KENNY LITTLEFIELD, BRIANA BRAKEFIELD, HALEY DARNELL

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

Craft called the meeting to order and declared a quorum. Members present were: Scott Craft, Briana Brakefield, Kenny Littlefield and Haley Darnell. Absent: Stacey Barker.

Others present: Mayor Zac Doyle, Building Inspector Kenneth Young, Mack Eardman, Reagan Eardman, Sarah Sherwood, Dora Branham, Jamie Looney, Jamie Jackson, Jamie Roth, Michelle Boger, Debbie Pilant, Pattie Jobe, Jeffery Boger, JoEllen Williams, Wanda Cummings and Terry Aylward.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF FEBRUARY 22ND, 2024 SPECIAL MEETING.

Motion was made by Brakefield, second by Darnell to approve minutes of February 22nd, 2024 Special Meeting. All voted yes.

3. PUBLIC HEARING.

a. Enter Public Hearing.

**APPLICANT: SARAH SHERWOOD FOR OWNER OF PROPERTY BRETT FLEAK FOR SPECIAL EXCEPTION FOR A RESIDENTIAL CARE FACILITY:
LEGAL: LOTS ONE (1) AND TWO (2), IN BLOCK TWO (2) OF THE COLONIAL ESTATES ADDITION, TO THE TOWN OF PRYOR CREEK, MAYES COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF. (SCRIVENER'S ERROR - ADDRESS: 901 COLONIAL DR).**

Motion was made by Brakefield, second by Littlefield to enter into Public Hearing. No vote was taken.

b. Exit Public Hearing.

Motion was made by Brakefield, second by Littlefield to exit Public Hearing. All voted yes.

4. DISCUSSION AND POSSIBLE ACTION ON PUBLIC HEARING FOR SARAH SHERWOOD FOR OWNER OF PROPERTY BRETT FLEAK FOR SPECIAL EXCEPTION FOR A RESIDENTIAL CARE FACILITY:

Motion was made by Brakefield, second by Littlefield to approve the special exception. Voting yes: Brakefield, Littlefield. Voting no: Craft, Darnell.

Tie vote. The board discussed and decided to call another meeting with a quorum of five to determine the outcome of the request. Date chosen was March 28th, 2024 at 5:30pm. All voted yes.

5. ADJOURN.

Motion was made by Brakefield, second by Littlefield to adjourn. All voted yes.

MINUTES WRITTEN BY DEPUTY CLERK SHERYL LAUE

CITY OF PRYOR CREEK BOARD OF ADJUSTMENT

[] VARIANCE [X] 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: SL DATE FILED: 2/2/24 HEARING DATE: _____ CASE NUMBER: _____
 [X] RESIDENTIAL [] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER: _____
 NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 901 Colonial Dr Pryor, Ok 74361
 LEGAL DESCRIPTION: The home is a residential home that has been used for decades as a residential care facility.

PRESENT USE: Residential Care Facility- no current tents PRESENT ZONING: Residential R5 COMPREHENSIVE PLAN DESIGNATION: _____
 SURROUNDING ZONING: Mixed FLOODPLAIN DESIGNATION: _____

INFORMATION ABOUT YOUR REQUEST A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: Would like acceptance to utilize the space as a residential assisted living. Residential Assisted Living provides a safe space for populations aged 55 and up who are unable to care for themselves and rely on caregivers, making them a protected and vulnerable population under the Fair Housing Act.

VARIANCE SECTIONS: _____ SPECIAL EXCEPTION SECTIONS: _____

* home.easerealestate@gmail.com

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Sarah Sherwood</u>	NAME <u>Brett Fleak</u>
ADDRESS <u>3904 Morrison Cir</u>	ADDRESS _____
CITY, ST, ZIP <u>Norman OK 73072</u>	CITY, ST, ZIP _____
DAYTIME PHONE <u>209-843-1792</u>	DAYTIME PHONE <u>1-918-530-9212</u>
EMAIL <u>info@heartlandsuites.com</u>	EMAIL <u>Brettfleak@gmail.com</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>Sarah Sherwood, 1/31/24</u>	

DOES OWNER CONSENT TO THIS APPLICATION [X] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Lease-Option Tentant

APPLICATION FEES			
BASE REQUEST	\$10.00		10'
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$ 0
NEWSPAPER PUBLICATION	\$		\$ 168
SIGN POSTING	\$18.50		18.50
300' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)		FILING FEE	\$ 300 ⁰⁰
1320' PROPERTY OWNERS LIST (SUPPLIED BY APPLICANT)			
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$2.18 x 37 = \$ 97.68		97.68
1320' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	\$2.18 x = \$	NOTICE SUBTOTAL	\$ 0
			TOTAL AMOUNT DUE \$ 594.18

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



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:

All hardships apply. Home is too large for single family. This was shown by being on market for over a year. An abandoned home does not benefit community. Home was built as a residential care home, designed for a vulnerable population. A population that has built the community in which we love and deserves a place to safely reside

Applicant Signature: Darrah Shewett

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

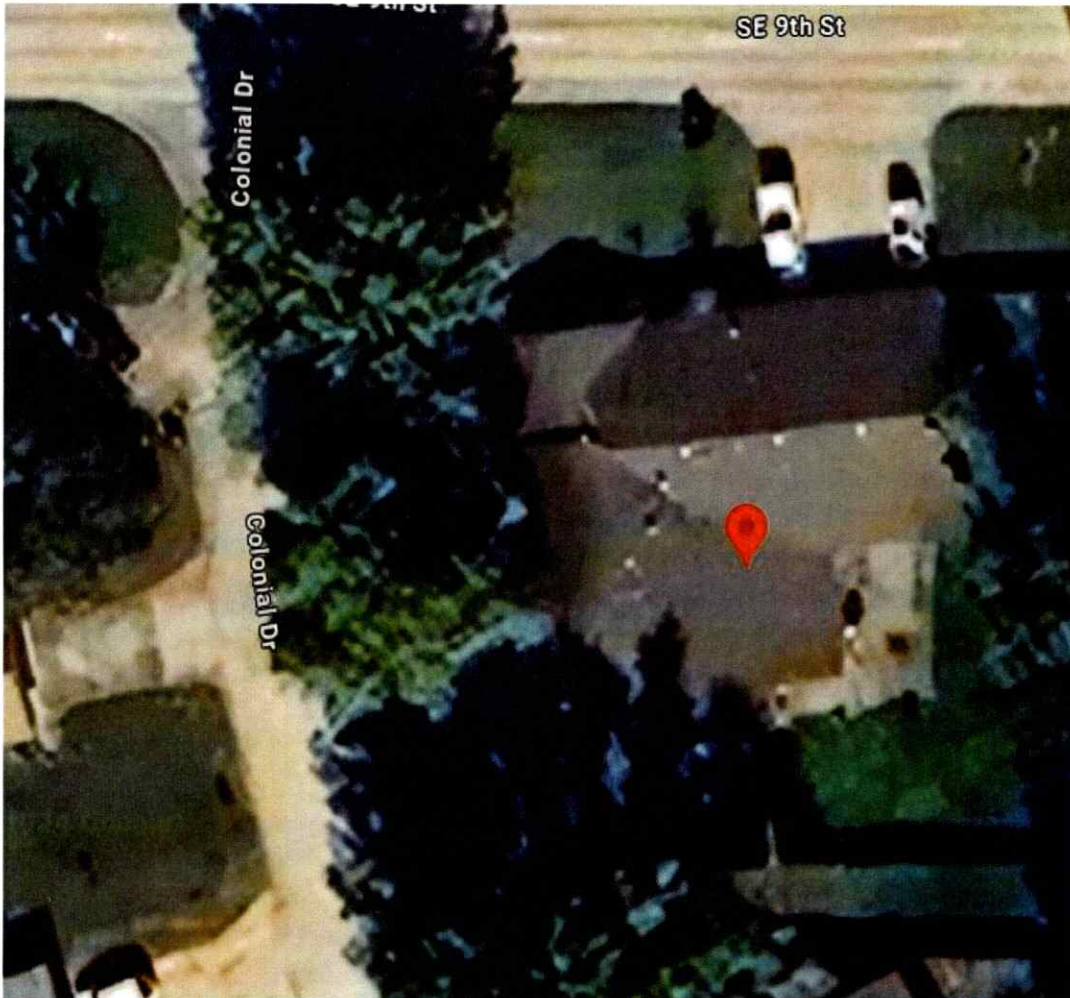
NOTICE OF PUBLIC HEARING

BEFORE THE CITY OF PRYOR CREEK BOARD OF ADJUSTMENT

Notice is hereby given that on March 18th, 2024 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 a special exception at the location of 901 Colonial Dr. for a residential care facility. This property is zoned RS (Residential Single)

LEGAL DESCRIPTION

Lots One (1) and Two (2), in Block Two (2) of the Colonial Estates Addition, to the Town of Pryor Creek, Mayes County, Oklahoma according to the recorded plat thereof.



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