

AGENDA
City of Sand Springs
BOARD OF ADJUSTMENT
Regular Meeting

January 4, 2016, 6:00 p.m.
100 E. Broadway, Council Chambers Room 203

1. Call to Order

2. Attendance

3. Consider Approval of Minutes of BOA Meeting of November 16, 2015

4. Consider Approval of Minutes of BOA Meeting of December 7, 2015

5. SSBOA-708 Marlene Gray STR 29-19N-11E

Board will discuss and consider the possible approval of a Special Exception to the Sand Springs Zoning Code Section 2.12.B.9, Permitted Obstructions in Required Yards, to allow a carport at property located at 311 W. 40th St., zoned RS-3 (Residential Single-Family High Density).

6. Reconsideration of SSBOA-705 Kevin Newport STR 23-19N-11E

Board will discuss and reconsider the possible approval of a Special Exception to the Sand Springs Zoning Code, Section 5.03.B.1.d, Accessory Uses Permitted in Residential Districts, to allow a 60x50 (3000 sf) accessory building in a RS-2 (Residential Single-Family Medium Density) district and a Variance to Section 5.03.B.1.b, Accessory Uses Permitted in Residential Districts, to allow a detached accessory building in the required front yard at property located at 3503 S. Summit Blvd.

7. SSBOA-704 Jim Teague STR 01-19N-11E

Board will discuss and consider the possible approval of a Special Exception to the Sand Springs Zoning Code Section 2.12.B.3, Permitted Obstructions in Required Yards, to allow a 10' tall fence to be located in a required front yard; a Variance to Section 5.03.B.1.b to allow a detached accessory building in a required front yard; and a Variance to Section 5.04, Table 3, to reduce the front yard setback from 25' to 15', all at property located at 1306 N. Northridge Ct., zoned RD (Residential Single-Family Duplex) district.

8. Director's Report

9. Adjournment

This agenda was posted at 9:45 (a.m.) / p.m. on Dec 30, 2015, on the digital display board located in the lobby of the Sand Springs Municipal Building, 100 E. Broadway, Sand Springs, Oklahoma, 74063, by Cynthia Webster, Planning Department, as well as being posted on the Sand Springs Website at www.sandspringsok.org.

Cynthia Webster
Cynthia Webster

**City of Sand Springs
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
November 16, 2015 – 6:00 p.m.
Municipal Building
100 East Broadway, Room 203**

MEMBERS PRESENT: Randy Beesley, Chairman 4-0
Kenny Roberts, Vice-Chairman 4-0
Larry Johnston, Secretary 3-1
Dennis Currington 2-2
Nancy Riley 1-0

MEMBERS ABSENT: None

OTHERS PRESENT: Brad Bates, City Planner
Cynthia Webster, Recording Secretary

The Board of Adjustment met in regular session on November 16, 2015, at 100 E. Broadway, Council Chambers Room 203, Sand Springs, Oklahoma, pursuant to the agenda filed with the City Clerk's office and posted at 2:25 p.m., on November 10, 2015, on the digital display board located in the first floor lobby of the Sand Springs Municipal building, 100 East Broadway, Sand Springs, Oklahoma, 74063, and on the City of Sand Springs Website www.sandspringsok.org.

1. Call to Order

Chairman Beesley called the meeting to order at 6:00 p.m.

2. Attendance

Chairman Beesley called for an individual roll call with members replying in the following manner: Mr. Johnston, here; Mr. Roberts, here; Mr. Beesley, here; Mr. Currington, here.

3. Consider Approval of Minutes of BOA Meeting of August 17, 2015

The minutes of the August 17, 2015, regular Board of Adjustment meeting were presented for members' review and/or approval.

Chairman Beesley made a motion to approve the Minutes of the August 17, 2015 regular Board of Adjustment meeting, as presented. Mr. Johnston seconded the motion.

With no further discussion, Chairman Beesley called for the vote recorded as follows: Mr. Johnston, aye; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington. The motion carried 4-0-0.

4. Oath of Office

City Clerk Janice Almy administered the Oath of Office to new Board of Adjustment member Nancy Riley.

5. SSBOA-703 Justin Tolbert

City Planner Brad Bates presented the staff report. The applicant is proposing to construct duplex dwellings on four lots which were recently created by a lot split. The duplexes will be one story in height with one duplex per lot. The property has dual zoning of OM (Office Medium) and CS (Commercial Shopping) which was not an uncommon practice in the past. The property was originally platted for single family residential before it was rezoned to the present zoning.

Applicant Justin Tolbert was present for any additional questions.

Sandy Barnard was present and stated she owns the property just to the west of the subject property. Ms. Barnard was concerned about drainage problems from new construction. City Planner Bates advised that any drainage issues would be addressed through the permitting process and engineering reports and that the process today is to seek approval to construct duplex dwellings within the current zoning.

Chairman Beesley stated he would entertain any motions at this time. Mr. Johnston made a motion to approve SSBOA-703 as presented. Mr. Roberts seconded the motion.

With no further discussion, Chairman Beesley called for a vote recorded as follows: Mr. Johnston, aye; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington, aye; Ms. Riley, aye. The motion carried 5-0-0.

6. Director's Report

City Planner Bates advised there are four items on the December agenda.

7. Adjournment

There being no further business, the meeting adjourned at the noted time of 6:12 p.m.

Date

Larry Johnston, Secretary

**City of Sand Springs
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
December 7, 2015 – 6:00 p.m.
Municipal Building
100 East Broadway, Room 203**

MEMBERS PRESENT: Randy Beesley, Chairman 5-0
Kenny Roberts, Vice-Chairman 5-0
Larry Johnston, Secretary 4-1
Dennis Currington 3-2
Nancy Riley 2-0

MEMBERS ABSENT: None

OTHERS PRESENT: Brad Bates, City Planner
Daniel Bradley, Assistant City Manager
Cynthia Webster, Recording Secretary

The Board of Adjustment met in regular session on December 7, 2015, at 100 E. Broadway, Council Chambers Room 203, Sand Springs, Oklahoma, pursuant to the agenda filed with the City Clerk's office and posted at 2:35 p.m., on December 2, 2015, on the digital display board located in the first floor lobby of the Sand Springs Municipal building, 100 East Broadway, Sand Springs, Oklahoma, 74063, and on the City of Sand Springs Website www.sandspringsok.org.

1. Call to Order

Chairman Beesley called the meeting to order at 6:00 p.m.

2. Attendance

Chairman Beesley called for an individual roll call with members replying in the following manner: Mr. Johnston, here; Mr. Roberts, here; Mr. Beesley, here; Mr. Currington, here; Ms. Riley, here.

3. Consider Approval of Minutes of BOA Meeting of November 16, 2015

Chairman Beesley advised staff that the Minutes of the Board of Adjustment meeting on November 16, 2015 had not been included in the mailed Agenda packets; therefore this item will be continued to the next regular meeting in January, 2016.

4. 2016 Board of Adjustment Calendar

Board members discussed the proposed meeting dates for 2016. After discussion, Chairman Beesley made a motion to approve the 2016 Board of Adjustment calendar, as presented. Mr. Roberts seconded the motion.

With no further discussion, Chairman Beesley called for a vote recorded as follows: Mr. Johnston, aye; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington, aye; Ms. Riley, aye. The motion carried 5-0-0.

Before starting on the Agenda items, Chairman Beesley advised the audience that the applicant on case SSBOA-704 had requested a continuance and that case would not be heard tonight.

5. SSBOA-705 - Kevin Newport

City Planner Brad Bates presented the staff report. The applicant is proposing to construct a 60x50 (3000 sf) garage on property located at 3503 S. Summit Blvd. The property is located about halfway between 34th and 38th Streets on the east side of Summit Blvd. The property is located in a RS-2 (Residential Single-Family) district with RS-2 zoning on the north, south and east sides. To the west of the property, across Summit Blvd, the zoning is CG (Commercial General). The residence that sits on this lot was built 170' back from the front setback leaving the yard space in front of the property. The applicant is seeking a Special Exception to allow the 3000 sf garage and a Variance to locate the garage in the required front yard.

Applicant Kevin Newport was present for any additional questions. Mr. Newport stated the building would be a metal building used to store a RV, a boat, trailers and excess personal property.

Ms. Riley asked applicant whether the driveway to the building would be concrete or gravel. Applicant stated he had not made that decision yet. City Planner Bates advised that the driveway would be required to be an all-weather surface and that gravel would not be allowed in the city limits.

Chairman Beesley then called speakers listed in order listed on the Sign-In sheet.

Jeanette Allen spoke for her mother Ruby Allen. The Allens asked applicant if he was proposing the building for commercial use. Mr. Newport stated this property is for personal use and he has no plans for any commercial development.

Mary Sharpe stated there is one property located between her home and the subject location. Ms. Sharpe stated she would not like to see a metal building on the front of the property. She is concerned about property values.

Samuel Myer stated he lives closest to the subject lot and is concerned about drainage issues which are already a problem. Chairman Beesley advised that drainage reports would be required in the permitting process and addressed by Public Works. City Planner Bates stated that no development would be allowed to increase the run-off to another property.

Janice Myer stated that she is also concerned about the appearance of a metal building. She would like to keep the neighborhood appearance without a large metal building.

Ms. Riley asked if there was any way the garage could be pushed back on the property. Mr. Newport stated that with the subject house located on the rear of the property, the only yard is in front. Mr. Newport stated he is proposing to line up the setback of the garage in line with the setback of the church which is two lots to the north.

Mr. Johnston stated he was concerned about the location and the appearance.

Mary Sharpe spoke again and said she would have liked to have met with applicant before the meeting.

Jeannette Allen spoke again and stated even though there is not an official homeowner's association, everyone is concerned about the commercial appearance of the building.

Chairman Beesley asked Mr. Newport if he would like to continue this item to another date so that he can meet with the neighbors. Mr. Newport advised he would like to have a decision tonight.

Chairman Beesley stated he would entertain any motions at this time. Chairman Beesley made a motion to approve SSBOA-705, as presented. Mr. Roberts seconded the motion.

With no further discussion, Chairman Beesley called for a vote recorded as follows: Mr. Johnston, nay; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington, nay; Ms. Riley, nay. The motion failed 3-2-0.

6. SSBOA-706 – Vernon Eldridge

City Planner Bates presented the staff report. The applicant is proposing to build a 600 sf garage, which is allowed by right in a RS-2 (Residential Single-Family) district, with a 576 sf carport and a 30 sf porch. The structure will be stick built from the ground up. City Planner Bates noted that there are many properties in the area with additions either attached or detached.

Applicant and builder Vernon Eldridge was present for questions. Mr. Eldridge stated the building siding and roof would match the home on the property. Mr. Eldridge stated it would be a very nice structure and would add to the property value of the home.

Pete Marriott spoke and stated he was the homeowner's son. Mr. Marriott stated that he and his wife are moving in with his elderly mother and this structure is to accommodate them with the move.

Mr. Johnston made a motion to approve SSBOA-706 as presented. Chairman Beesley seconded the motion.

With no further discussion, Chairman Beesley called for a vote recorded as follows: Mr. Johnston, aye; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington, aye; Ms. Riley, aye. The motion carried 5-0-0.

7. SSBOA-707 – Jesse Skipper

City Planner Bates presented the staff report. The applicant is proposing to construct an indoor sports training facility with batting cages in the building at 1106 W. Wekiwa Rd. The building houses two other of applicant's businesses with the possible addition of another business. The property is zoned IL (Industrial Light) which triggers the need for a Special Exception for this use.

Applicant Jesse Skipper was present for questions. Mr. Skipper explained the design and the layout of the subject property. Applicant stated that with his children in sports, it only makes sense to have this type of facility in Sand Springs which would negate the need to drive to South Tulsa.

Mr. Roberts made a motion to approve SSBOA-707, as presented. Chairman Beesley seconded the motion.

With no further discussion, Chairman Beesley called for a vote recorded as follows: Mr. Johnston, aye; Mr. Roberts, aye; Mr. Beesley, aye; Mr. Currington, aye; Ms. Riley, aye. The motion carried 5-0-0.

8. SSBOA-704 – Jim Teague

The applicant has requested a continuance to the next regularly scheduled meeting.

9. Director's Report

City Planner Bates thanked the Board for their service and advised the next meeting would be January 4, 2016.

10. Adjournment

There being no further business, the meeting adjourned at the noted time of 6:55 p.m.

Date

Larry Johnston, Secretary



CITY OF SAND SPRINGS

100 E. Broadway St. • P.O. Box 338 • Sand Springs, Oklahoma 74063
Phone: 918.246.2500 • sandspringsok.org

STAFF REPORT – SSBOA-708

TO: Board of Adjustment Members

MEETING DATE: January 4th, 2016

REQUEST: Special Exception to the Sand Springs Zoning Code, Section 2.12.B.9, Permitted Obstructions in Required Yards, to allow a carport in an RS (Residential Single-Family) district.

LOCATION: 311 W. 40th St., legally described as Lot 13, Block 2, Riverview Gardens II in Section Twenty-Nine (29), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, State of Oklahoma

Site Conditions:

The property is located on the north side of W. 40th St. S. between S. Redbud Dr. and S. Skylane Dr. The subject property is zoned RS-3 (Residential Single-Family) and is surrounded in all directions with residential zoning and uses. Located catty-corner to the southeast is a house at 306 W 40 ST S that has carport currently. Additionally, in this Township, Section and Range there have been numerous Special Exceptions allowing carports.

Applicable BOA Activities in the Area:

SSBOA-436 306 W. 40th St., Lot 4, Block 1, River View Gardens, Charles and Sharon Cordell; Variance to Section 5.04, Bulk and Area Requirements in Residential districts, to allow infringement in order to construct a carport.
Approved 4-98.

Zoning Code References:

Section 2.12.B.9 of the Zoning Code provides for carports to be allowed by Special Exception.

Special exceptions may be granted by the Board if the request is in harmony with the spirit of the Zoning Code and does not create a detriment to the neighborhood or public good. The Board may place specific conditions or safeguards upon the request as it sees fit. If approved, the applicant has 2 years to utilize the special exception.

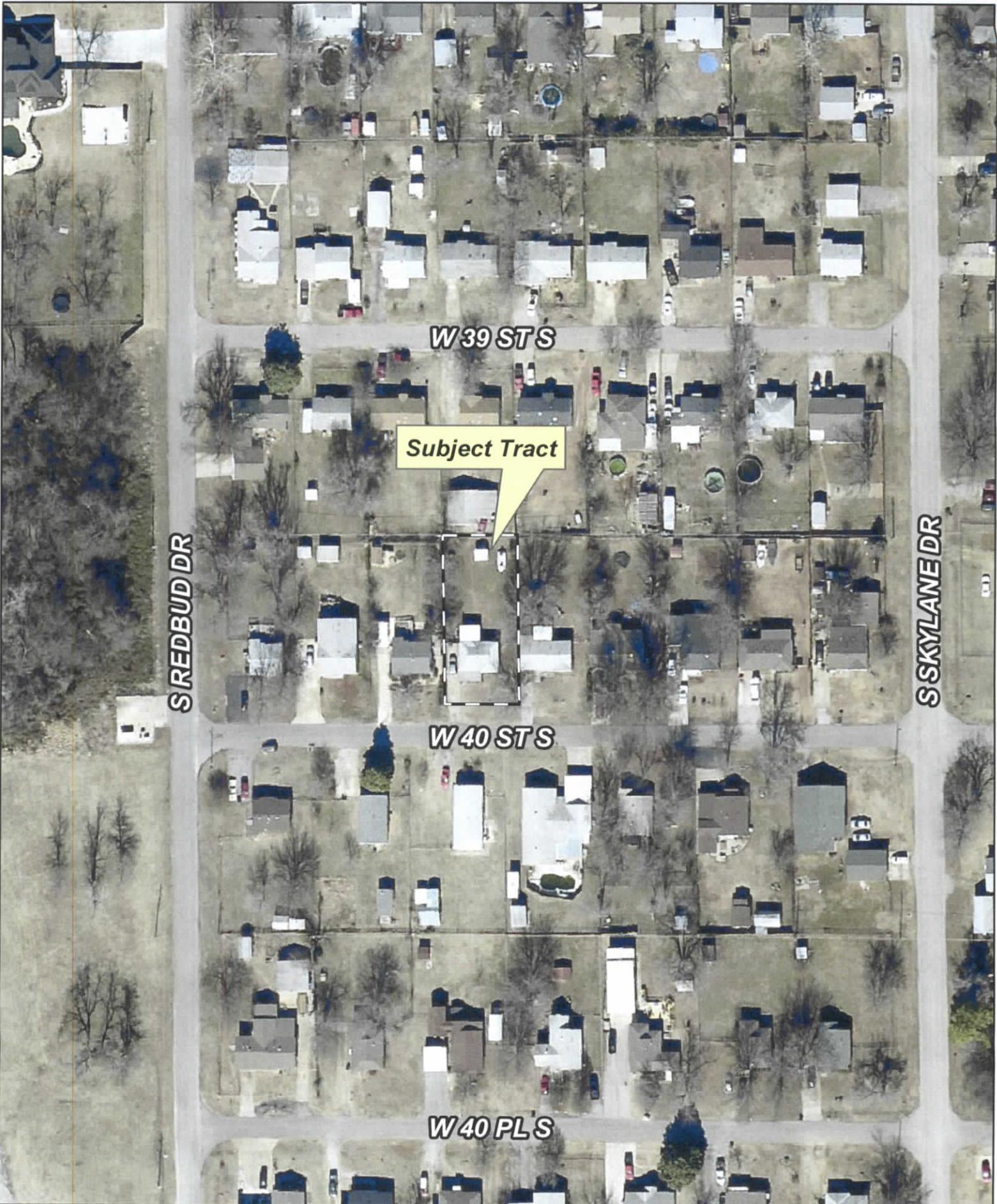
Staff Recommendation:

The subject property is currently zoned residential and has a home that was built in 1953 with 688sf of livable space. At that time garages if contemplated at all were usually

single car garages that didn't allow for much more than one car to be placed in them. This property does not have a single car garage nor does it have a detached accessory garage that were sometimes built or added later. The property is in close proximity to another house that was granted a Special Exception by the Board of Adjustment in 1998.

Staff feels that the request is in harmony with the spirit and intent of the Zoning Code and does not create a detriment to the neighborhood or public good.

Staff recommends **APPROVAL** the Special Exception request as submitted.



W 39 ST S

Subject Tract

S REDBUD DR

S SKYLANE DR

W 40 ST S

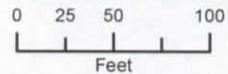
W 40 PLS



Subject Tract

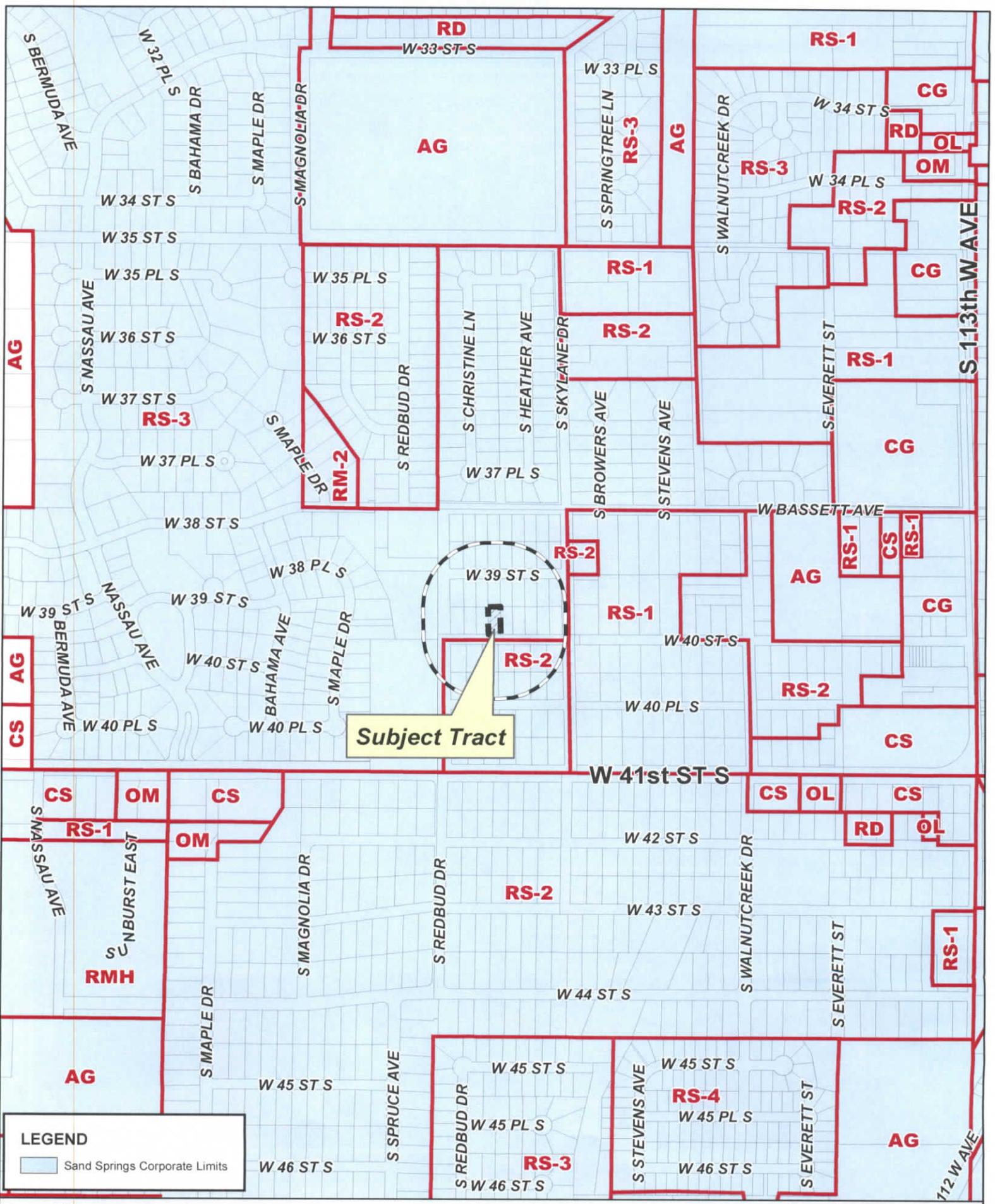
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2014

SSBOA-708



22 19-11





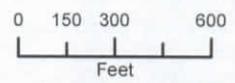
Subject Tract

LEGEND

Sand Springs Corporate Limits



SSBOA-708



22 19-11

15-20235

BUILDING PERMIT APPLICATION

City of Sand Springs, Oklahoma
Sand Springs Fire Department - Neighborhood Services Department

108 E. Broadway, Sand Springs ok 74063
Phone: (918) 246-2500 Ext 2572 Fax: (918) 245-0372

RECEIVED

NOV 12 2015

CITY OF SAND SPRINGS
PLANNING/INSPECTIONS

APPLICATION DATE:

11-9-15

BUILDING LOCATION:

311 W. 40th St.

LEGAL DESCRIPTION:

Lot: 13 Block: 2 Addition: River View Gardens II

(If unplatted, attach legal description)

Section: _____ Township: _____ Range: _____

OWNER:

Manlene Gray

ADDRESS:

Street: 311 W. 40th St.

City: Sand Springs State: OK. Zip: 74063

Phone: N/A Fax/Mobile/Pager: 918-636-6469

Email Address: manbar1956@yahoo.com

CONTRACTOR/BUILDER:

Eagle Carpents - Sign Bell - Chris McDonald - 832-605-6000

ADDRESS:

Street: 216 Airport Rd

City: Mt. Airy State: N.C. Zip: 27030

Phone: 336-415-5666 Fax/Mobile/Pager: 336-574-8589

INTENDED USE OF STRUCTURE:

Carpent

TYPE OF PERMIT:

Estimated Cost: \$756.00

LOT INFORMATION:

Frontage: _____ Avg. Depth: _____ Total Area: _____

BUILDING SETBACKS:
(Structure to Lot Lines)

Front: _____ Rear: _____

Left Side: _____ Right Side: _____

BUILDING SIZE:

Width: 12 Length: 21 Height: 6 ft.

No. Floors: 1 Total Building Area: _____

TYPE CONSTRUCTION:

metal Floor: aluminum Roof: metal

EASEMENTS:

(For Office Use Only)

ZONING:

District: _____ Use Unit: _____

CONDITIONS:

LANDSCAPING PLAN:

Parking: _____ Fire Class: _____



How to Compete This Application:

Property owners, builders or contractors may submit a building permit application. All information items should be completed – including the property's legal description. The applicant is responsible for submitting accurate information on the application form. There are several types of permits – including new residential or commercial buildings, additions, remodeling or demolition. All Applications *must* include the estimated cost of the work to be done. This is necessary for record-keeping purposes and does not affect permit fees. Construction items should reflect the materials being used. Most platted properties have utility, access or drainage easements. Permanent structures may not be built on such easements. An insurance certification form must be completed for residential construction activities being done by builders or contractors other than the homeowner.

What Needs To Be Submitted?

Residential- A completed building permit application must include one copy of a detailed site plan showing the permit structure's location on the property in dimensional relation to property lines and other structures. The site plan shall also show the overall height of disturbed soils caused by the structure. One set of construction drawings showing footing, floor, wall and roof plans, as well as electrical, plumbing and mechanical fixtures shall be submitted (no smaller than 11"x17" size), shall be legible, and drawn to the appropriate scale. It is recommended a draftsman, architect or engineer prepares the drawings.

Commercial- A completed building permit application must include two attached detailed site plans showing the permit structures location on the property in dimensional relation to property lines and other structures. The site plan shall also include required parking spaces, as well as drainage, soils disturbance and traffic flow characteristics. A detailed landscaping plan meeting City requirements *must* also be submitted for new commercial work or expansions exceeding 25 percent of the gross floor or lot area. Additionally, two sets of construction drawings must be submitted showing footing, floor, wall and roof plans, as well as electrical, plumbing and mechanical fixture. The plans shall be full-size and drawn to the appropriate scale. These plans shall be professionally prepared, and authenticated when required.

Review, Issuance and Fees:

Once a completed building permit application and all necessary attachments are received, the review process begins for zoning and building code compliance, as well as floodplain and soils disturbance (Earth Change Permit for 6 ft. above or below current grade) clearances. Commercial permits are also reviewed for infrastructure and fire safety issues.

The applicant will be notified when the permit is ready for pickup. All permit and anticipated inspection fees must be paid in full at the time the permit is picked up. A fee schedule is available in the Neighborhood Services Division office located at 108 E. Broadway St., on the City's website.

Important Things to Note:

All items submitted with a building permit application become a part of the building permit and are a public record. All representations made on the building permit application and related documents shall be accurate in relation to the intended construction activities. Applicants shall abide by any and all conditions placed on the issued building permit, as well as any and all laws regulating construction. All electrical, plumbing and mechanical trades must be State licensed and registered with the City of Sand Springs.

Residential- All rough and final inspections must be called in to the city by the permit holder or building contractor (group inspections). For all other stand-alone electrical, plumbing and mechanical inspections, the licensed trade is required to call the City.

Commercial- All commercial inspections are required to be requested by the respective trades.

Issuance of a building permit does not constitute a representation that the use is consistent with all City codes and ordinances. Therefore, property owners or occupants should confirm that the intended use is compatible with all applicable City codes and ordinances.

CONSTRUCTION ACTIVITIES THAT REQUIRE ISSUANCE OF A CERTIFICATE OF OCCUPANCY SHALL NOT BE OCCUPIED UNTIL THE CERTIFICATE OF OCCUPANCY IS ISSUED.

For Further Information or Assistance, Call (918) 246-2500 Ext. 2572



Inspection Fee Computation

Each building permit issued by the City of Sand Springs will include fees for electrical, mechanical and plumbing inspections. These fees are calculated on the size or number of components involved. Please accurately complete the information requested below. This information will be used to determine your specific inspection fees. All information will be verified during the permit review and on-site inspection processes. Your building permit will contain a listing of itemized fees.

A complete fee schedule is available on the City's website or at the Neighborhood Services Division office. All fees must be paid at the time the permit is issued. Fees for additional or rejected inspections will be billed to the building permit applicant and must be paid before a Certificate of Occupancy can be issued.

Your building permit includes fees for the footing, framing and building final inspections, as well as electrical rough, mechanical overhead duct, and plumbing rough and top-out inspections. For new construction, fees are also assessed for temporary construction pole and temp-to-building meter services.

Should you have any questions, please call the Neighborhood Services Division at (918) 246-2500 Ext. 2572

	Existing	Added
• What is the amperage of your electrical service?	_____	_____
• What is the tonnage of your cooling unit(s)?	_____	_____
• How many plumbing fixtures do you have?	_____	_____

Note: If you are remodeling or enlarging a structure but not changing the electrical service, please mark "N/A" and a standard \$28.00 trip fee will be assessed. Please make a similar marking if there is no increase in cooling unit capacity. Plumbing fixtures include sinks, toilets, tubs/showers, dishwashers or other appliances requiring drainage systems.

• *Electrical Contractor _____

Contact Phone: _____

• *Mechanical Contractor _____

Contact Phone: _____

• *Plumbing Contractor _____

Contact Phone: _____

*Required Information

ATTENTION CONTRACTORS

EFFECTIVE NOVEMBER 1, 2009

Senate Bill 306 is an amendment to the Oklahoma Municipal Code that states any entity that issues building permits (*City of Sand Springs, OK*) shall, before issuing a **residential building permit**:

- Verify proof that the **contractor** has general liability insurance
- Verify proof that the **contractor** has worker's compensation insurance

A residential building permit shall be defined as a single-family or a duplex residential structure.

Included in the definition:

- ✓ Construction of a new structure
- ✓ Remodel of an existing structure
- ✓ Addition to an existing structure

Not included under the definition:

- ✓ Carport
- ✓ Patio Cover
- ✓ Storage Building
- ✓ Accessory Building
- ✓ Pool
- ✓ Fence
- ✓ Individual(s) performing the construction or remodeling to his, her or their own existing single-family or duplex structure on their own property (*unless the modifications are being performed by and the permit acquired by a general contractor or subcontractor*)



Residential Buildings Insurance Verification Form

Name of Insured Eagle Carpets
Telephone 1-860-579-8589 Fax _____
Address 210 Airport Rd
City Mt. Airy State NC. Zip 27030
Contractor Federal/State Employer Identification Number (EIN) 56-2028416

Worker's Compensation Information

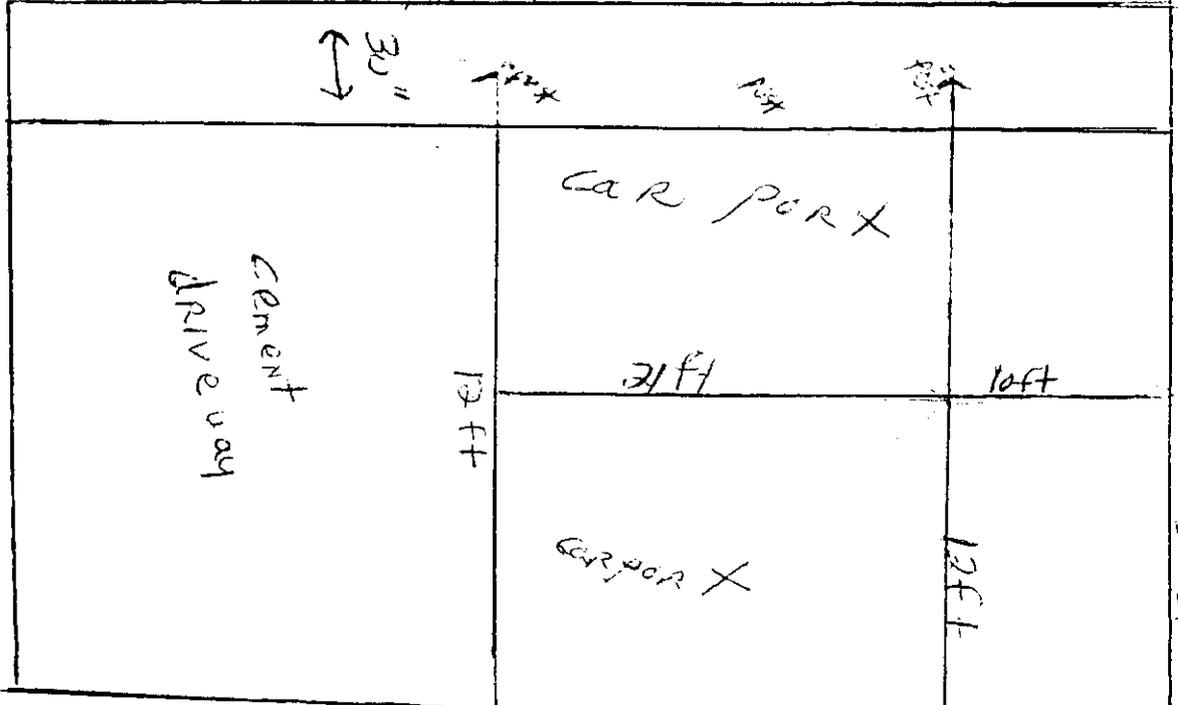
Name of insurer _____
Telephone _____ Contact Person _____
Address _____
City _____ State _____ Zip _____
Policy No. _____ Amount of Coverage _____
Policy Effective Date _____ Policy Expiration Date _____

General Liability Information

Name of Insurer _____
Telephone _____ Contact Person _____
Address _____
City _____ State _____ Zip _____
Policy No. _____ Amount of Coverage _____
Policy Effective Date _____ Policy Expiration Date _____

137.93

Property Line



11000000
311 W. 40th St. New Spring

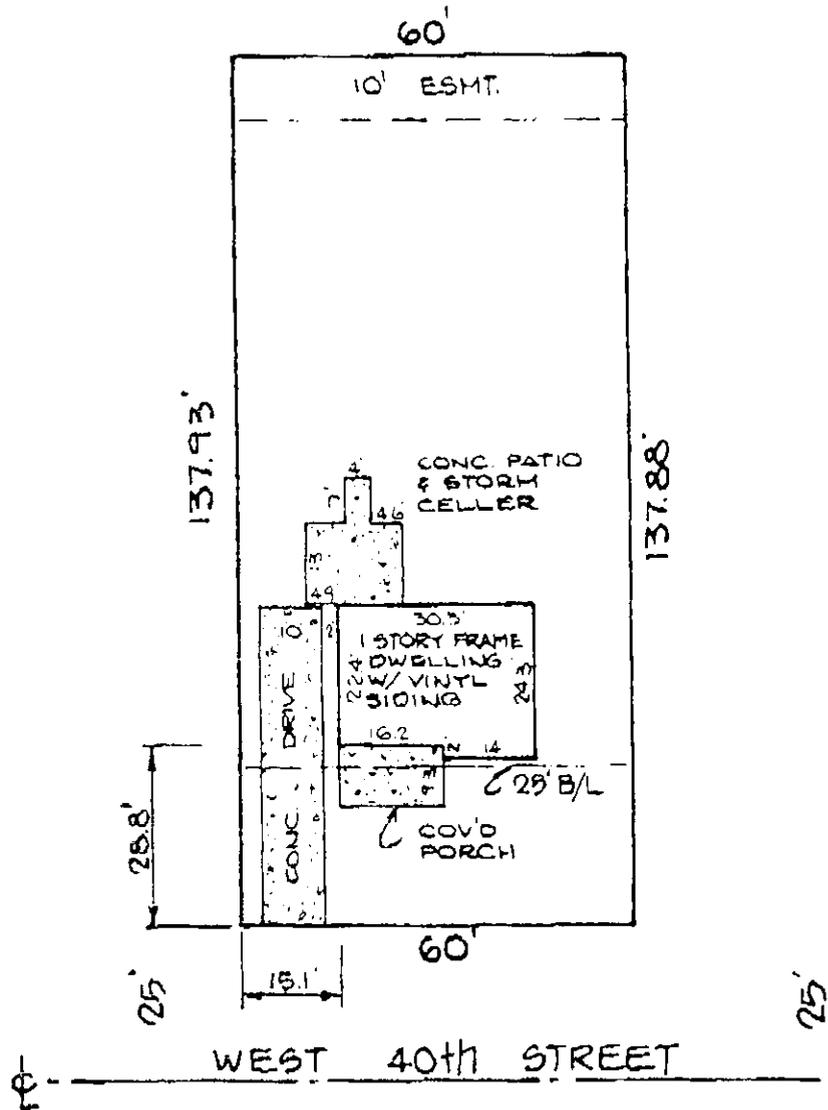
137.88

PLAT OF SURVEY

NOTE: THIS SURVEY IS FOR MORTGAGE LOAN PURPOSES ONLY. NO PINS WERE SET AND SURVEY SHOULD NOT BE USED FOR THE BUILDING OF FENCES OR STRUCTURES.



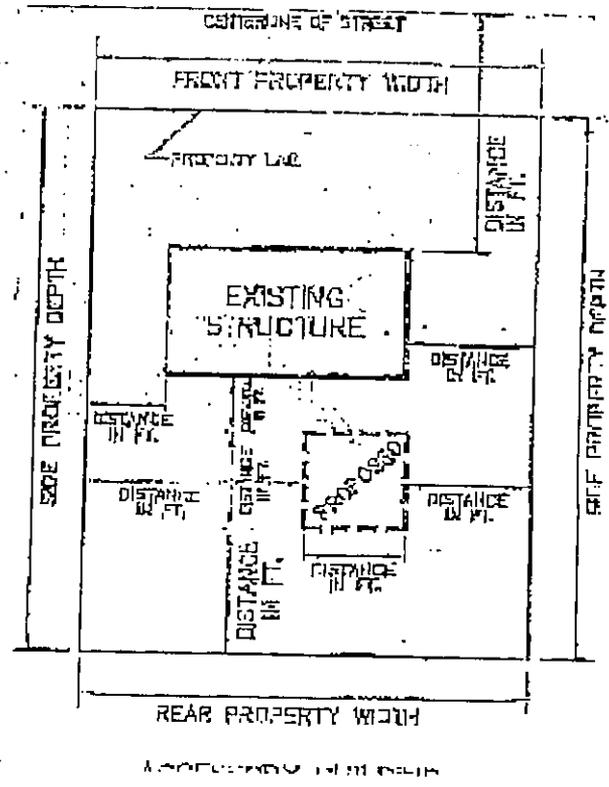
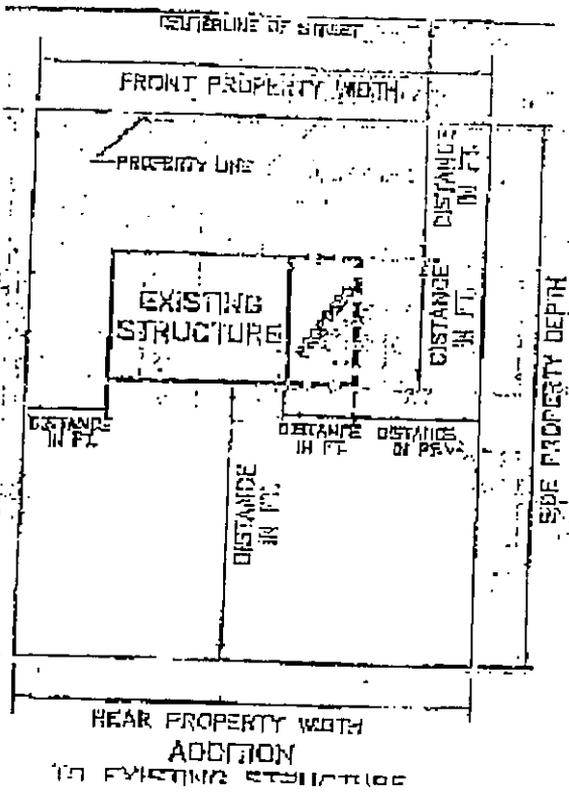
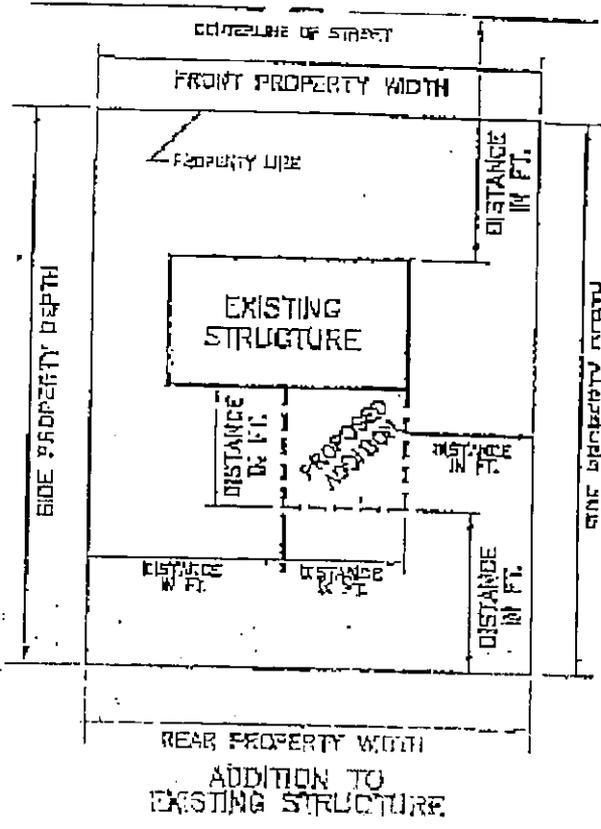
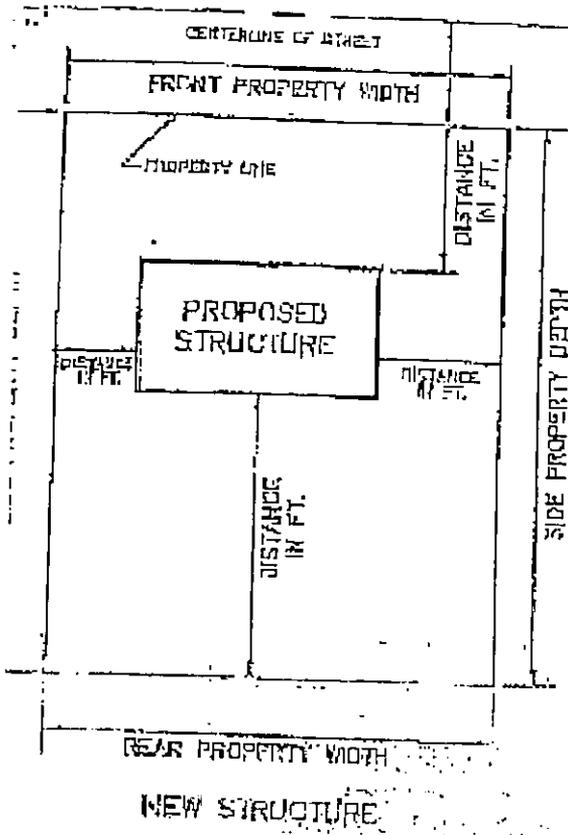
SCALE: 1" = 30'



Note: Subject property lies in Zone C according to the FIRM Community Panel No. 400211-0004-B dated June 15, 1981.

For: Mercury Mortgage Company
 W.O.: 2868
 BK: 92-102
 PG: 49
 Invoice No.: A10477

OWNER Marlene A. Morrison ADDRESS 311 W. 40th St.



**BOARD OF ADJUSTMENT
APPLICATION FOR A SPECIAL EXCEPTION
for a CARPORT**

ADDRESS OF REQUESTED SPECIAL EXCEPTION: 311 W. 40th St. Sand Springs

GENERAL LOCATION: Prattville

LEGAL DESCRIPTION (or attach separate sheet): lot 13 block 2 - Rivenview Gardens II

DESCRIBE SPECIFICS OF THE REQUEST: (Include attachments showing photos, plot plans, distances, dimensions, uses, and other pertinent and factual information. Attach any narratives you wish. An application is not complete until required information is submitted).

Carport - Enclosed on left side
metal

RECORD OWNER: Manlene A. Gray

APPLICANT: Manlene A. Gray PHONE: 918-636-6469

ADDRESS: 311 W. 40th St. CITY Sand Springs ZIP 74063

SIGNED: Manlene A. Gray Send Bill to: () Owner () Applicant () Other

THE BOARD OF ADJUSTMENT MAY APPROVE A SPECIAL EXCEPTION FOR A CARPORT PURSUANT TO SECTION 17.09.

1. Carport materials will be constructed of: metal

Size: 12 x 21 Single or Double carport: Single Color: Pebble Beige - Brown trim

Distance from the front curb: 20' Distance from the side: 25" Distance from the rear: 10 ft.

Height: 6' Will an RV be parked there? NO

2. Builder/Contractor: Eagle Carports

3. Has anyone expressed opposition to your request? NO If so, what was the reason? _____

4. If a Special Exception is granted, could it cause substantial detriment to the public good, or impair the purpose, spirit and intent of the Zoning Code, the Zoning District, or Comprehensive Plan? NO

***** APPLICANT: DO NOT WRITE BELOW THIS LINE *****

Application received 11/17/15 by: CW SPECIAL EXCEPTION: Section 2.12.B.9 UU # 5

BOA Hearing Date: 01/04/2016 Action: _____

CONDITIONS: _____

Brad T. Bates

From: NACAPPRAISAL@aol.com
Sent: Tuesday, December 29, 2015 12:22 PM
To: Brad T. Bates
Subject: Cancellation to be on monday's agenda

Brad,
Thanks for the information to be able to change the plans to actually build a dwelling with a large garage instead of the route of going through the board of adjustments. Unless you know of a reason to attend the meeting, you can cancel my application.
Thanks,
Kevin Newport



CITY OF SAND SPRINGS

100 E. Broadway St. • P.O. Box 338 • Sand Springs, Oklahoma 74063
Phone: 918.246.2500 • sandspringsok.org

STAFF REPORT – SSBOA-705

TO: Board of Adjustment Members

MEETING DATE: January 4th, 2016

REQUEST: Special Exception to the Sand Springs Zoning Code, Section 5.03.B.1.d, Accessory Use Conditions Permitted in Residential Districts, to allow a 60'x50' (3000 sf) detached accessory building in a RS-2 (Residential Single-Family Medium Density) district; and a variance to Section 5.03.B.1.b, Accessory Use Conditions Permitted in Residential Districts, to allow a detached accessory building in the required front yard in a RS-2 district.

LOCATION: 3503 S. Summit Blvd, legally described as S128.58 W340, Lot 7, Block B, Garden Heights Addition in Section Twenty Three (23), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, State of Oklahoma.

Site Conditions:

The property is located along the east side of S. Summit Blvd about halfway between 34TH St. and 38th St. (two lots south of Garden Heights Freewill Baptist Church). The Property is zoned RS-2 (Residential Single-Family). To the north, south and east of the property is RS-2 zoned property. On the west side of Summit Blvd. is CG (Commercial General) zoned property. Located to the north of the subject tract is a single-family house and multi-family dwelling which together comprises over 3,300sf of dwelling space on a lot that is about 9,000sf less than the subject tract. Additionally, north of the subject tract is a church that is located in an RS-2 District and has a 7,500sf building, a 12,633sf main building, and 1,216sf residence located on 2.1acres. The CG zoned property on the west side of Summit Blvd. could have a variety of uses from shopping and eating establishments to office, automotive, and hotel & motel.

Applicable BOA Activities in the Area:

SSBOA-651 3219 Summit Blvd, Lot B, Block 4, Rock Hill Resub C, Jeff Glore. Request for Variance to Section 2.12B, Permitted Obstructions in Required Yards, to allow 30' X 25' accessory building in the rear yard. Property is zoned RS-2.
BOA March 21, 2011 Approved 4-0-0 as requested.

- SSBOA-646 3217 Rawson Rd., S/2 Lot 6 and all Lot 7 less S30, Block 2, Rock Hill Resub, Block E, Garden Heights Addition, Joseph and Shelly Jones. Request for Variance to Section 2.12B, Permitted Obstructions in Required Yards, to allow a 30' X 40' metal garage building in side/front yard.
BOA September 20, 2010 Approved 4-0-0 as requested.
- SSBOA-643 3405 S. 113th W. Ave., W200 of S100, Lot 6, Block 12, Rock Hill Resub J, Chris Grayson. Request for Variance to Section 2.12B, Permitted Obstructions in Required Yards, for addition of an 18' X 40' (720 s.f.) carport structure. A 13' X 23' (299 s.f.) garage structure exists in the back yard. (New structure would exceed allowable 750 s.f. total aggregate by 269 s.f. Zoning is RS-2.
BOA June 8, 2010 Approved 4-0-0 as requested.
- SSBOA-524 3807 S. Summit Blvd, Lot 5, Block A, Garden Heights, William Talley; Variance pursuant to Section 2.11.B, Permitted Obstructions in Required Yards, to allow construction of an 864 s.f. accessory carport (24' X 36') in the rear yard which is larger than the allowed 600 s.f., and pursuant to Section 5.03, Accessory Use Conditions in Residential Districts, to permit detached accessory buildings in the aggregate to exceed 750 s.f. of floor area.
Approved 11-02.
- SSBOA-380 3403 Rawson Road; Dean Williams, Variance to allow a 1,200 s.f. detached accessory building.
Approved 9-94. (Lot Combination obtained 3-96.)

Zoning Code References:

Section 5.03.B.1.d of the Zoning Code provides for accessory structures to be larger than allowed per zoning district designation subject to a Special Exception being granted by the Board of Adjustment.

Special exceptions may be granted by the Board if the request is in harmony with the spirit of the Zoning Code and does not create a detriment to the neighborhood or public good. The Board may place specific conditions or safeguards upon the request as it sees fit. If approved, the applicant has 2 years to utilize the special exception.

Section 17.08 of the Code, the Board of Adjustment (Board) may grant such **variance** from the terms of the Code as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code, or the Comprehensive Plan, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition, or circumstance peculiar to a particular property, the literal enforcement of the Code will result in unnecessary hardship.

The Board may grant a **variance** after finding:

1. That by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardships;
2. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and
3. That the **variance** to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code or the Comprehensive Plan.

Staff Recommendation:

Application was heard by the Board of Adjustment on December 7th, 2015 and was denied due to a failed motion for approval and no additional motions being made. The applicant requested that the item be placed on the agenda with proper notice given to the public for reconsideration. That applicant was in discussions with property owners in the immediate area to try and work out difference and take suggestions that they would be in favor or.

The subject property is zoned RS-2 and would allow for a 600sf of accessory building/buildings. Due to the proximity to other properties that have been built out to much higher densities and the location of commercial property across the street the suggested size of the proposed structure can be found to be in harmony with the spirit of the Zoning Code and does not create a detriment to the neighborhood or public good.

The request as submitted would meet all the bulk area requirements for setbacks etc. for a principal structure. The property is unique in the sense that the existing home is built about 170' back from the required setback. The majority of the lot that is left for construction is the front portion of the lot which is unique and peculiar to this lot. This creates an extraordinary and exceptional circumstance that would not apply to other lots where structures were built further forward towards the required building setback. Seeing that the requested proposed location of the structure can meet the required setbacks of a principal structure, the proposed location of the structure would not cause a substantial detriment to the public good and the literal enforcement of the terms of the Code would result in unnecessary hardship.

Staff feels that the request is in harmony with the spirit and intent of the Zoning Code and does not create a detriment to the neighborhood or public good.

Staff recommends **APPROVAL** the Special Exception as submitted.

Staff recommends **APPROVAL** the Variance as submitted finding the following:

1. Variance request as submitted finding by extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, and building the literal enforcement of the terms of the Code would result in unnecessary hardships;

2. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and
3. That the **variance** to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code or the Comprehensive Plan

Brad T. Bates

From: jt@ilrpro.com
Sent: Wednesday, December 30, 2015 8:42 AM
To: Brad T. Bates
Subject: Re: Board of Adjustment

Yes I would. Thank you.

1-212-335-0339 .

<http://internationallaborrelations.com>, <http://www.spartasolutions.com/> CONFIDENTIALITY NOTICE: This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

On Dec 30, 2015, at 8:39 AM, Brad T. Bates <btbates@sandspringsok.org> wrote:

Would you like to ask for a continuance until the March meeting referenced below? I need to know what you would like to do with your application today. Tomorrow is New Years Eve and numerous people will be out of the office and Friday we are closed. We have to have the Agenda posted today as a result of that.

Brad Bates

City Planner - Planning Department
P.O. Box 338
Sand Springs, OK 74063
btbates@sandspringsok.org
PH: 918-246-2575 FX: 918-246-2575

From: Brad T. Bates
Sent: Tuesday, December 29, 2015 4:45 PM
To: jt@ilrpro.com
Subject: RE: Board of Adjustment

Then the item would be delayed until March (3/21/2016). The Board of Adjustment only meets once a month.

Brad Bates

City Planner - Planning Department
P.O. Box 338
Sand Springs, OK 74063
btbates@sandspringsok.org
PH: 918-246-2575 FX: 918-246-2575

From: jt@ilrpro.com [<mailto:jt@ilrpro.com>]
Sent: Tuesday, December 29, 2015 4:32 PM
To: Brad T. Bates
Subject: Re: Board of Adjustment

I have a trip out of the country schedule for February 13 and won't be returning until February 22.

1-212-335-0339 .

<http://internationallaborrelations.com>, <http://www.spartasolutions.com/> CONFIDENTIALITY

NOTICE: This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

On Dec 29, 2015, at 2:54 PM, Brad T. Bates <btbates@sandspringsok.org> wrote:

The meeting would not be until February 15th, 2016 @ 6:00pm at City Hall.

Brad Bates

City Planner - Planning Department
P.O. Box 338
Sand Springs, OK 74063
btbates@sandspringsok.org
PH: 918-246-2575 FX: 918-246-2575

From: jt@ilrpro.com [<mailto:jt@ilrpro.com>]
Sent: Tuesday, December 29, 2015 12:18 PM
To: Brad T. Bates
Subject: Re: Board of Adjustment

I have gotten in contact with the neighbors we've had two meetings so far I think we're moving in the right direction. I have an architect working on the renderings. That's the good news the bad news is I will be out of town on the fourth and won't be back until the 10th or 12th. Is it possible to move our date?

1-212-335-0339 .

<http://internationallaborrelations.com>, <http://www.spartasolutions.com/> CONFIDENTIA

LITY NOTICE: This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

On Dec 29, 2015, at 8:43 AM, Brad T. Bates <btbates@sandspringsok.org> wrote:

Hello,

I wanted to check in with you about the Board of Adjustment hearing coming up on Jan. 4th 2016. Have you been able to get with the neighbors and get some architectural drawings for them to look at? Are you going to be available for the hearing? The Board of Adjustment granted your previous continuance request, but I'm not sure whether or not they will grant another without further information. Please let me know what the status of your project is and if you will be in attendance or not on the Jan. 4th.

Brad Bates

City Planner - Planning Department
P.O. Box 338
Sand Springs, OK 74063
btbates@sandspringsok.org

PH: 918-246-2575 FX: 918-246-2575



CITY OF SAND SPRINGS

100 E. Broadway St. • P.O. Box 338 • Sand Springs, Oklahoma 74063
Phone: 918.246.2500 • sandspringsok.org

STAFF REPORT – SSBOA-704

TO: Board of Adjustment Members

MEETING DATE: January 4th, 2016 (Continued from December 7th, 2015)

REQUEST: Special Exception to the Sand Springs Zoning Code, Section 2.12.B.3, Permitted Obstructions in Required Yards, to allow a 10' tall fence in a required front yard; a Variance to Section 5.03.B.1.b, Accessory Uses Permitted in Residential Districts, to allow a detached accessory building in the required front yard; and a Variance to Section 5.04 Table 3, Bulk and Area Requirements in Residential Districts, to reduce the required front yard setback from 25' to 15' in a RD (Residential Duplex) District.

LOCATION: 1306 N. Northridge Ct., legally described as Lots 3, 4 and 5, Block One (1), Northridge Estates Amended, a replat of Northridge Estates, Plat #5395, an Addition to the City of Sand Springs in the Southwest Quarter of Section One (1), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, State of Oklahoma.

Site Conditions:

The property is located in Northridge Estates Amended on Northridge Court. This street is a very short cul-de-sac that the subject property is located on. The property is zoned RD (Residential Duplex) but was platted for Residential Single-Family. All surrounding property in the area is zoned for a variety of residential uses. Within Northridge Estates there were 10 lots platted, of which there are a total of 5 houses built. The subject property is unique because it is a combination of 3 lots that were consolidated and comprises a total of 1.21 acres of land. There is some drastic topography found on Lots 4 & 5 that slopes downhill to the west and northwest.

History:

The Applicant requested a continuance until the next available meeting through correspondence with staff at the December 7th, 2015 meeting. The Board of Adjustment granted the continuance request to be placed on the January 4th, 2016 meeting date.

Applicable BOA Activities in the Area:

None Available

Zoning Code References:

Section 2.12.B.3 of the Zoning Code provides for 4' Tall Fences to be allowed in required front yards but this requirement may be modified by a Special Exception being granted by the Board of Adjustment.

Special exceptions may be granted by the Board if the request is in harmony with the spirit of the Zoning Code and does not create a detriment to the neighborhood or public good. The Board may place specific conditions or safeguards upon the request as it sees fit. If approved, the applicant has 2 years to utilize the special exception.

Section 17.08 of the Code, the Board of Adjustment (Board) may grant such **variance** from the terms of the Code as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code, or the Comprehensive Plan, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition, or circumstance peculiar to a particular property, the literal enforcement of the Code will result in unnecessary hardship.

The Board may grant a **variance** after finding:

1. That by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardships;
2. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and
3. That the **variance** to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code or the Comprehensive Plan.

Staff Observation:

The applicant began construction of a privacy fence and small storage building located in the front yard of his house in early 2015 not knowing that a building permit was required by the City of Sand Springs. Additionally, at that time the lots that are owned by the applicant were not combined through any sort of formal process with the City of Sand Springs. At this time the applicant was notified by city code enforcement of multiple code infractions and instructed to cease any construction until issues were resolved and a formal building permit was applied for and approved. Today this application is before you to try and resolve some of the issues that were created by beginning the construction process before receiving all the appropriate approvals from the City of Sand Springs.

Here are the requests under consideration:

1. Special Exception to allow a 10' tall fence in a required front yard.
2. Variance to allow a detached accessory building (small shed/garage) in the required front yard.
3. Variance to reduce the required front yard setback from 25' to 15' in a RD (Residential Duplex) District.

Request #1 is to allow a 10' tall fence to be constructed in the required front yard. The tallest portion of the fence will actually be the wooden entry gates and the frame around it with the remainder of the fence being around 8' with some spots that fluctuate due to the wall being built along a slope. The majority of the wall is below the grade that the existing house and is built at a downward angle. The proposed fence would not impede any sightline angles due to lot being located on cul-de-sac or cause an obstruction that could that might create a threat to public safety. Additionally, the majority of the property is already fenced with a similar fence that includes wooden gates in various places at smaller scales.

Request #2 is a variance to allow a detached accessory building (small shed/garage [7x15= 105sf]) in the required front yard. A small pad was built up to construct a shed/garage that is built onto the end of the proposed fence to sort of book end the fence and tie it into. This structure is intended to be more of an architectural element that brings some cohesion between the wall, the house and other existing elements that have been constructed to-date. A detached accessory building by City of Sand Springs Zoning Requirements could be built on this property and could be in excess of 1,200sf. The City of Sand Springs Zoning Code allows for an accessory building to be constructed that does not exceed 40% of the principal structure (3,021sf).

Request #3 is a variance to reduce the required front yard setback from 25' to 15' in a RD (Residential Duplex) District. The subject property is unique due to several factors which include the grade of the lot that slopes from east to west and south to northwest. There is also a rather large drainage easement that runs through the backyard of the applicant's property that is specific to this site within the neighborhood. These issues could pose a problem with the construction of buildings due to the amount of fill and compaction that might be required to do so. Additionally, the before mentioned shed/garage is the only structure that would be would built beyond the building setback as the fence/wall is not governed by the same setbacks as a structure.