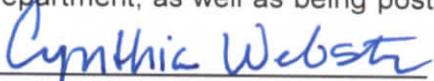


**AGENDA**  
**City of Sand Springs**  
**BOARD OF ADJUSTMENT**  
**Regular Meeting**

March 21, 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 January 28, 2016
4. SSBOA-709 Gary Bottoms STR 15-19N-11E  
  
Board will discuss and consider 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 35x30 (1,050 sf) detached accessory building at property located at 503 W. 31<sup>st</sup> St., zoned RS-3 (Residential Single-Family High Density).
5. SSBOA-710 AAB Engineering, LLC STR 25-19N-11E  
  
Board will discuss and consider the possible approval of a Variance to the Sand Springs Zoning Code Section 5.04A, Table 3, Bulk and Area Requirements in Residential Districts, to allow lot sizes to be developed at a minimum of 21,800 sf, a reduction of 2,200 sf from the required 24,000 sf lot size, in a RE (Residential Estate) district at properties located at 8600 W. 41<sup>st</sup> St.
6. Director's Report
7. Adjournment

This agenda was posted at 2:35 a.m. (p.m.) on March 15, 2016, 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](http://www.sandspringsok.org).

  
Cynthia Webster  
Cynthia Webster

**City of Sand Springs  
BOARD OF ADJUSTMENT  
SPECIAL MEETING MINUTES  
January 28, 2016 – 5:00 p.m.  
Municipal Building  
100 East Broadway, Room 203**

**MEMBERS PRESENT:** Randy Beesley, Chairman 6-0  
Kenny Roberts, Vice-Chairman 6-0  
Larry Johnston, Secretary 5-1  
Dennis Currington 4-2  
Nancy Riley 3-0

**MEMBERS ABSENT:** None

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

The Board of Adjustment met in a special session on January 28, 2016, 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 3:30 p.m., on January 7, 2016, 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](http://www.sandspringsok.org).

**1. Call to Order**

Chairman Beesley called the meeting to order at 5:00 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**

The minutes of the November 16, 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 November 16, 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, aye; Ms. Riley, aye. The motion carried 5-0-0.

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

The minutes of the December 7, 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 December 7, 2015 regular Board of Adjustment meeting, as presented. Mr. Roberts 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, aye; Ms. Riley, aye. The motion carried 5-0-0.

**5. SSBOA-708 - Marlene Gray**

City Planner Brad Bates presented the staff report. Applicant has submitted a request for a Special Exception to allow a carport addition on her property. Applicant's property is approximately midway between Redbud and Skyline on the north side of 40<sup>th</sup> St. At the time residences were built in this general area, most in the early 1950's, homes were generally constructed with either one-car attached or detached garages. Applicant's home has neither an attached nor detached garage. City Planner Bates noted that there are several carports in the area.

There was no one in the audience to speak either for or against the application.

Mr. Roberts made a motion to approve SSBOA-708, as presented. Chairman Beesley 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, aye; Ms. Riley, aye. The motion carried 5-0-0.

**6. SSBOA-704 – Jim Teague**

City Planner Bates advised board members that applicant has withdrawn his request for a Variance to allow a detached accessory building in the required front yard as well as his request for a Variance to reduce the front yard setback, leaving only the request for a Special Exception to allow a 10' tall fence in the required front yard for consideration. Board members were given a handout of the previous and new conceptual drawings. City Planner Bates advised members that 4' high fences were allowed by right in required front yards with no setback, allowing the fence to extend to the property line. The new conceptual drawings submitted show the fence "stair-stepping" with the topography with the fence not exceeding 4' in height in any given area. Not included within the 4' high design is the arched gates surrounded by stacked brick or stone. The gates will be 10' from the ground to the top plate with an additional allowance for either the brick or stone surround.

Applicant was present for questions and had nothing additional to add to the staff report.

No citizens had signed up to speak regarding this agenda item so Chairman Beesley inquired if there were any audience members to speak in support of this application.

Brenda Glass stated that she resides at 1310 N. Northridge Ct., and is the applicant's next door neighbor. Mrs. Glass stated she has no issues with the drawings as presented and thinks the fence will only enhance property values.

There was no one in the audience to speak against the application.

Chairman Beesley stated that he would make a motion to approve the Special Exception request of SSBOA-704 subject to the conceptual site drawings submitted on pages 1, 2, 4, 5 and 6 in the handouts given and subject to the fence "stair-stepping" with no portion of the fence exceeding 4' in height in any given area exclusive of the arched gateways with the brick or stone surround. 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, nay; Ms. Riley, aye. The motion carried 4-1-0.

**7. Director's Report**

City Planner Bates thanked members for being able to attend this Special Meeting.

**8. Adjournment**

There being no further business, the meeting adjourned at the noted time of 5:14 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-709

**TO:** Board of Adjustment Members

**MEETING DATE:** March 21<sup>st</sup>, 2016

**REQUEST:** Special Exception to the Sand Springs Zoning Code, Section 5.03.B.1.d, Accessory Uses Permitted in Residential Districts, to allow a 35x30 (1,050 sf) detached accessory building.

**LOCATION:** 503 W. 31<sup>st</sup> St., legally described as Lots 7 and 8, Block 1, Prattwood Estates 2<sup>nd</sup> in Section Fifteen (15), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, State of Oklahoma

### Site Conditions:

The property is located on a cul-de-sac at the intersection of S. Maple Dr. and W. 31<sup>st</sup> St. S. This property consists of 2 lots that were combined through the City of Sand Springs in 2010. The property is a total of 30,444sf (.70acres) which is nearly double the size of abutting properties. All properties located in Prattwood Estates 2<sup>nd</sup> Addition are zoned RS-3 (Residential Single-Family) which only requires a lot-area of 6,900 square feet. This lot is over 4 times the size of the minimum allowed lot-area in a RS-3 District. To the north is AG (Agricultural) zoned property and to the northwest is zoned RS-3 as well.

### Applicable BOA Activities in the Area:

None Available

### Zoning Code References:

Section 5.03.B.1.d, of the Zoning Code provides that the Board of Adjustment may modify the detached accessory building size limitations 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 applicant proposes to place a detached accessory building on what is known as Lot-8, Block 1 Prattwood Estates 2<sup>nd</sup>. City Zoning Code requirements would allow for the construction of an 818sf detached accessory building by right. There is currently a storage shed on the property that is planned to be removed upon approval of this request. It is the intent of the applicant to build a 35x30 (1,050sf) 2 car garage that will be used to store a boat and other various items. The applicant wants to do this to get these items out of the elements and help enhance the visual appearance of their property. The applicant has indicated that the structure they intend to build would be built out of customary residential building materials and would complement the existing structure. Furthermore the applicant has stated that the directly affected neighbor does not have any objection or concerns with this request.

Staff feels that the request would not be detrimental to surrounding properties due to the location of the proposed structure and its proximity to only one other property. Additionally, this property is unique due to the size of the lot being well over the required minimum lot size for an RS-3 District. The Zoning Code does not contemplate or consider actual lot size into the allowed size of accessory structures, but instead places a maximum size per zoning district or allows a percentage of the existing structure whichever is greater. This 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.



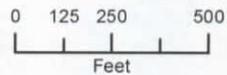
Subject Tract



Subject Tract

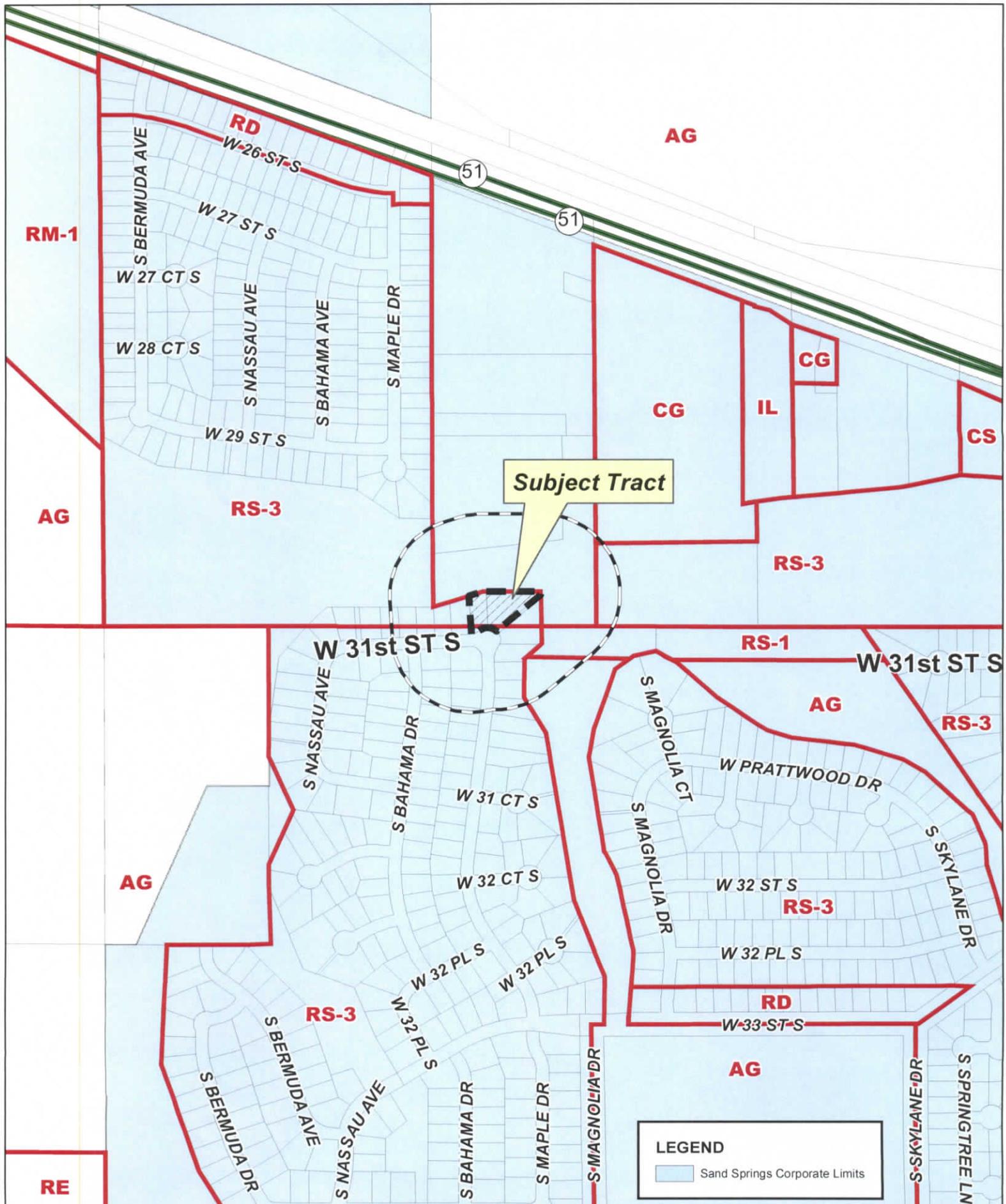
Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2014

SSBOA-709



22 19-11





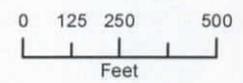
Subject Tract

**LEGEND**

Sand Springs Corporate Limits



**SSBOA-709**



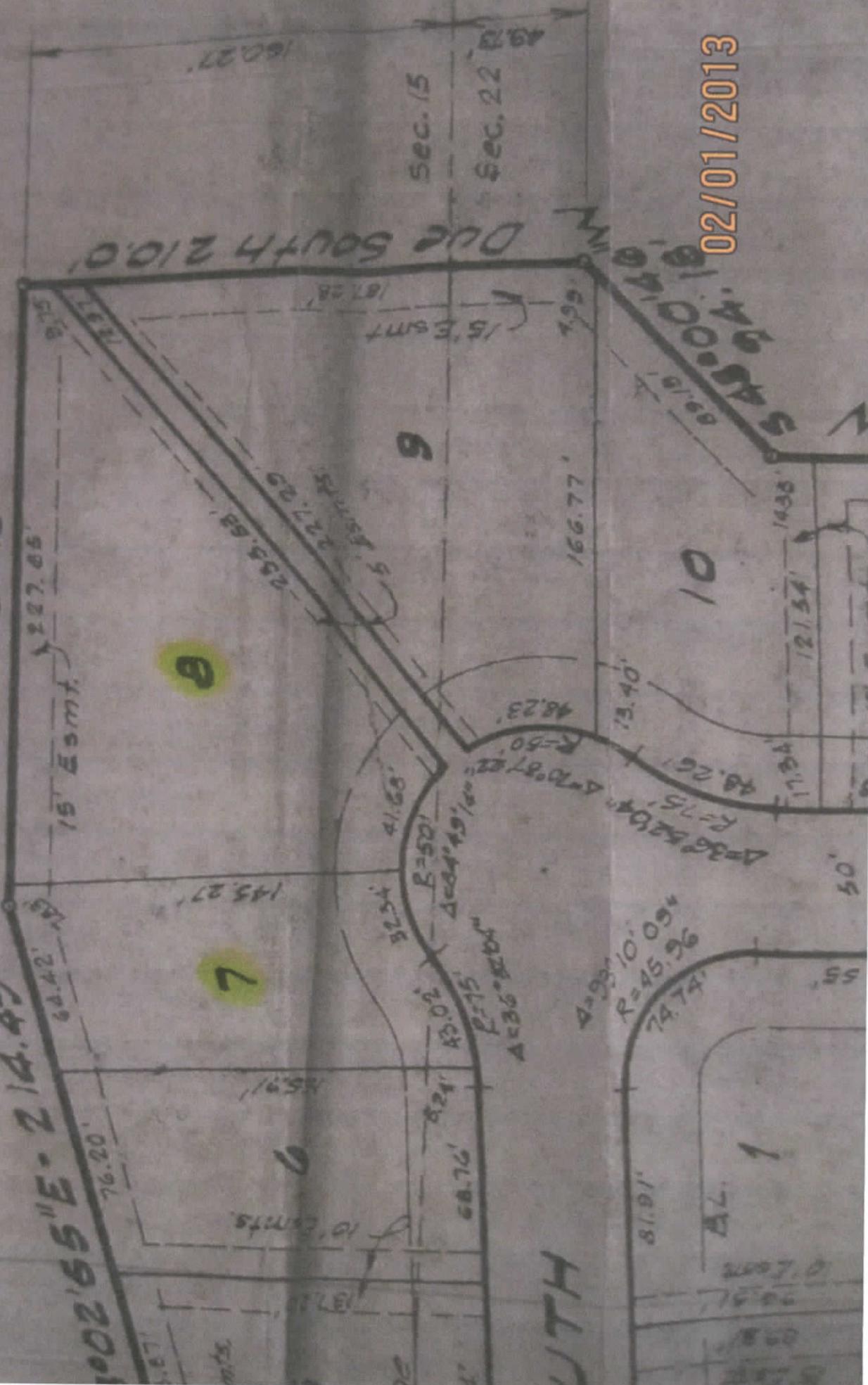
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Point on the East Line  $\frac{1}{4}$  90' North  
 of the SE Corner, S/2, SE, SW, SW,  
 Sec. 15, T19N, R11E.

Due East  
 235.0'

$102.65^{\circ}E = 214.49'$

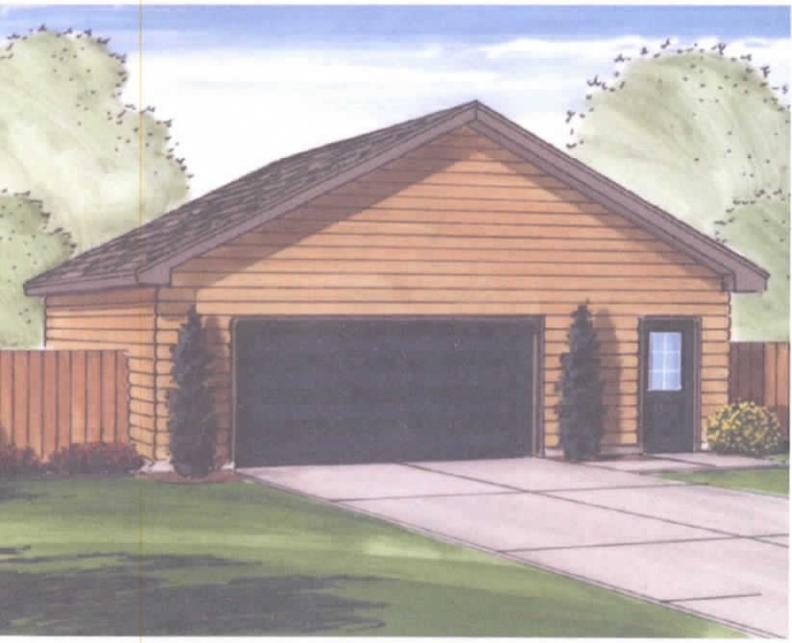








Only neighbor  
connecting to  
the lot for  
the proposed  
garage.  
(The white vehicle is  
parked on our property  
with permission)



Garage Plans | Detached Two-Car Garage Plan with Storage ...  
garageplanshop.com  
may be subject to copyright

visit page



BOARD OF ADJUSTMENT  
APPLICATION FOR A SPECIAL EXCEPTION

ADDRESS OF REQUESTED SPECIAL EXCEPTION: 503 W 31<sup>st</sup> Street

GENERAL LOCATION: 31<sup>st</sup> & Maple

LEGAL DESCRIPTION (or attach separate sheet): Lt 8 Blk 1 Plattwood Estates 2nd

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).

See attached. Special Exception to Allow a 1,050 sq accessory building in an RS-3 District (Sec. 5.03.B.1.d)

( ) RECORD OWNER: Gary & Patricia Bottoms Does Owner consent to this BOA application? yes

( ) APPLICANT: Gary Bottoms PHONE: 918-260-9297

ADDRESS: 503 W 31<sup>st</sup> Street CITY Sand Springs ZIP: 74063

SIGNED: Gary Bottoms Send Bill to:  Owner ( ) Applicant ( ) Other:

THE BOARD OF ADJUSTMENT CAN ONLY APPROVE A SPECIAL EXCEPTION AFTER DETERMINING FROM THE ZONING CODE THAT THE PARTICULAR USE REQUESTED IS IN ACCORDANCE WITH STATE LAW. (11 O.S. Section 44-106 and the Sand Springs Zoning Code Section 17.09)

1. What activities are anticipated on the property concerning the requested use if a Special Exception is granted?  
Storage for boat, yard/pool equipment, seasonal items, trailer, truck

Hours of Operation: N/A Number of Anticipated Customers: N/A Signage? None

Amount of Anticipated Vehicular Traffic: Owner vehicles only Number of Parking Spaces Needed: N/A

Could the following situations become a neighborhood nuisance? Noise No

Traffic/UPS/FedEx pick-ups & deliveries, etc NONE Lights security/motion only

2. What would you do to eliminate any of the above or other potential intrusions in the neighborhood?

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 2/24/16 by CW SPECIAL EXCEPTION: Section 5.03.B.1.d UU # 5  
BOA Hearing Date: 3/21/16 Action:

CONDITIONS:



# 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-710

**TO:** Board of Adjustment Members

**MEETING DATE:** March 21<sup>st</sup>, 2016

**REQUEST:** Variance to the Sand Springs Zoning Code, Section 5.04A, Table 3, Bulk and Area Requirements in Residential Districts, to allow lot sizes to be developed at a minimum of 21,800 sf, a reduction of 2,200 sf, from the required 24,000 sf required lot size in a RE (Residential Estate) district

**LOCATION:** 8600 W. 41<sup>st</sup> St., Part of the Northeast Quarter of Section 25, Township 19 North, Range 11 East, Tulsa County, State of Oklahoma

### Site Conditions:

The property is located along the south side of 41<sup>st</sup> Street just to the southeast of S. 89<sup>th</sup> W. Ave. This property was annexed into the Sand Springs City Limits on August 24<sup>th</sup>, 2015 at the regularly schedule City Council meeting. The property was rezoned to RE (Residential Estate) at the January 11<sup>th</sup>, 2016 City Council meeting. This property abuts both property within the Sand Springs City Limits and unincorporated parts of Tulsa County. The majority of abutting property is zoned AG (Agricultural) with some CG (Commercial General) property adjacent to the northwest of the property. There are numerous large lot single family homes in the immediate area that are located to the south, southeast, west and northeast of the subject property. The property has some topographic challenges in areas of the property that could make development tough.

### Applicable BOA Activities in the Area:

None Available

### Zoning Code References:

**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

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:**

The subject property is proposed to be developed as an RE (Residential Estate) subdivision that would be built with paved streets, bar ditches, supply City of Sand Springs Water, and utilize DEQ approved aerobic systems. The Sand Springs Zoning Code requires a minimum of 24,000sf of lot-area for a RE Subdivision. Lot-area is defined as "the total horizontal area included within lot lines". The applicant is requesting a reduction of the minimum allowed lot-area in an RE District from 24,000sf to 21,800sf. This reduction does not mean that all the lots would be developed at 21,800sf but it would allow for flexibility in laying out the subdivision in a way that provides the needed lot yield to make this subdivision work. While some lots will be larger and include portions of land that is virtually unbuildable, others will be smaller without excess unusable land. Additionally, DEQ requires a ½ acre of land (21,780sf) to have aerobic systems on a property. The applicant is proposing to keep the lot area above that threshold in order to comply with State Regulations.

Another option that the applicant has to remedy their need to reduce lot area is to rezone to a higher density single-family zoning category. This would probably be to a RS-1 category that only requires 13,500sf per lot. This is a major reduction in lot size in addition to triggering requirements for the developer to then have to build curb and gutter streets with sidewalks. Another, option would be for the developer to do a PUD (Planned Unit Development) that they could then reduce the minimum lot area allowed through. This process follows the same process as a rezoning does and requires the development of bulk area requirements, landscaping requirements, etc. by the developer. Additionally, this becomes an oversight issue for staff to make sure that the PUD Standards are being complied with. Any amendment to the PUD Standards would then require planning commission approval with any major amendments requiring City Council approval. Both of these options seem overly restrictive and onerous to put the applicant through.

Staff feels that the minor reduction of lot-area from 24,000sf by 2,200sf to allow the development of 21,800sf lots is in keeping with the spirit and intent of the Sand Springs Zoning Code. The intent of the RE (Residential Estate) district is to permit the development and conservation of single-family dwellings in large lot urban environments. The RE District is designed to permit the development and conservation of single-family detached dwellings in a suitable environment for family life on large parcels of land at a low rate of urban population density. The reduction of lot-area will not cause a substantial detriment to surrounding properties and the literal enforcement of the code will cause an unnecessary hardship.

Staff recommends **APPROVAL** the variance request as submitted.



W 41st ST S

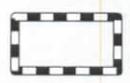
S 89 W AVE

S 78 W AVE

Subject Tract

S 81st W AVE

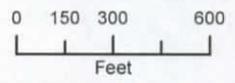
S 83 W AVE



Subject Tract

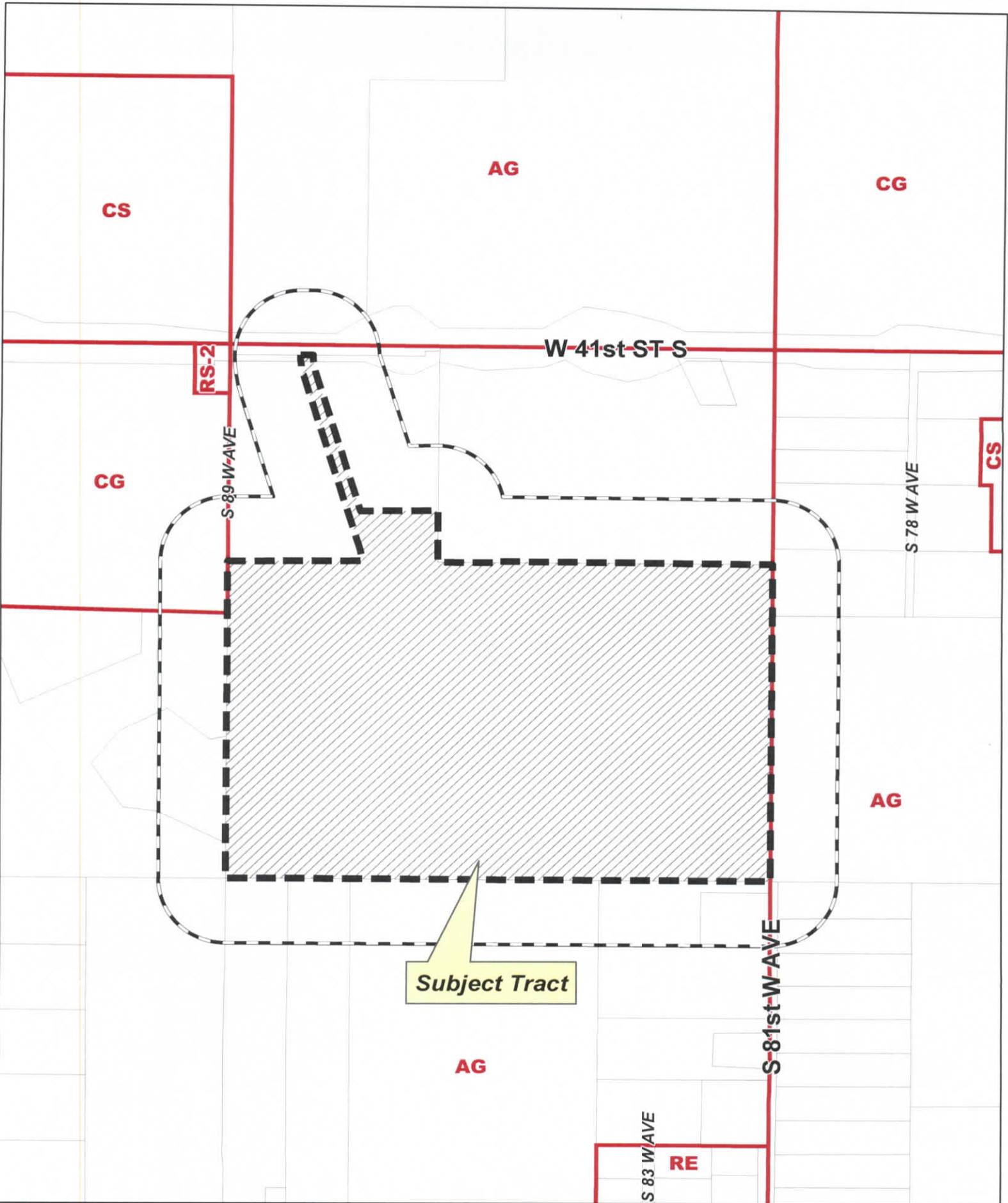
Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2014

SSBOA-710



19-11 25





CS

AG

CG

RS-2

W 41st ST S

CG

S 89 W AVE

S 78 W AVE

CS

AG

Subject Tract

AG

S 81st W AVE

S 83 W AVE

RE

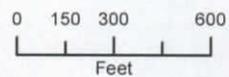


300' Radius



Subject Tract

SSBOA-710



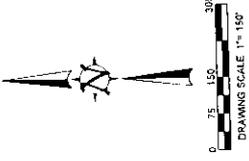
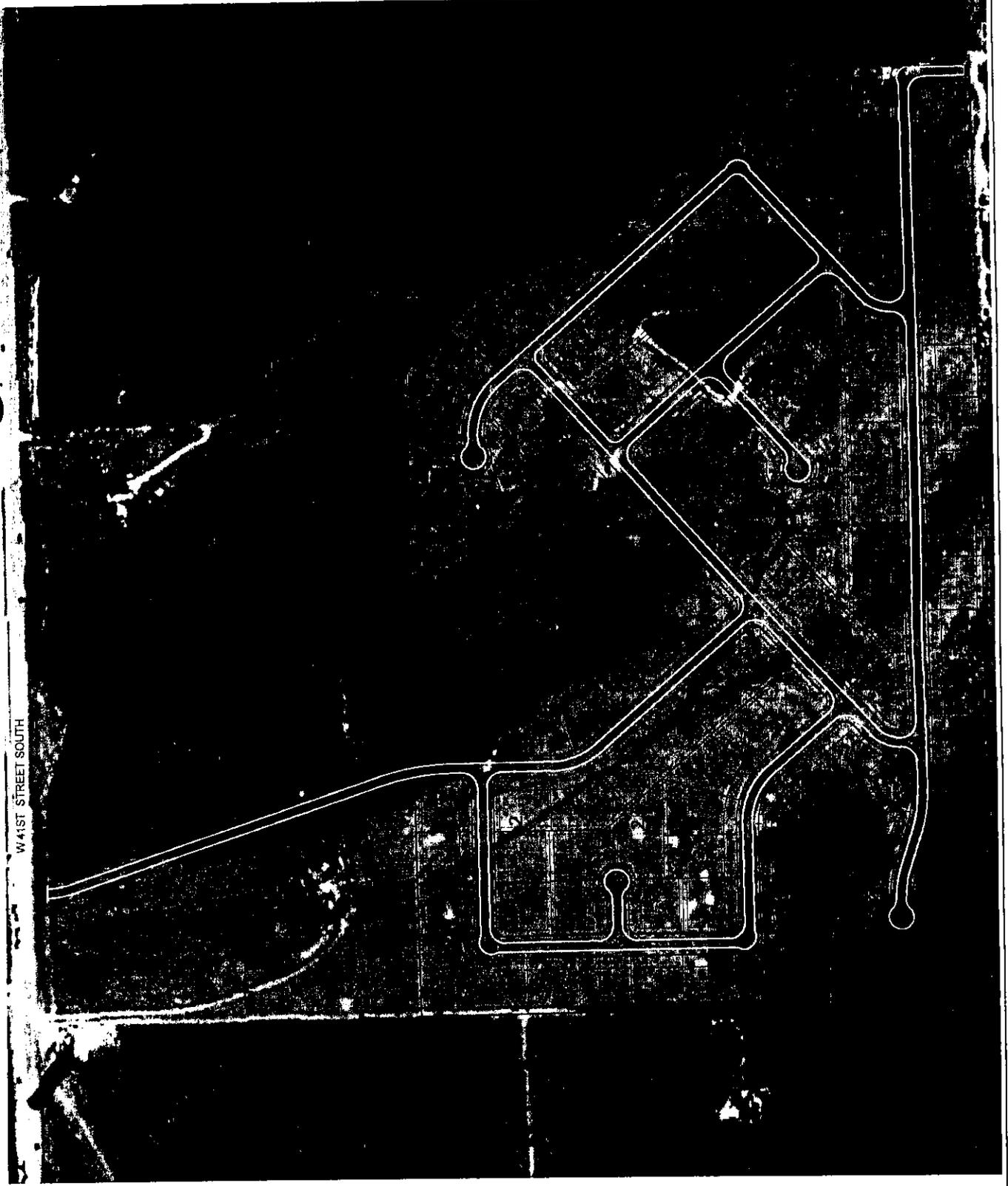
19-11 25



SITE PLAN

# Teel Ridge

W 41ST STREET SOUTH



AAB Engineering, LLC



Engineering • Surveying • Land Planning  
115 West 21st Street, Suite 200, Oklahoma City, Oklahoma 73102  
Tel: 405.521.1111 Fax: 405.521.1111  
www.aabeng.com  
OK License No. 103851-4-23 Ex. 0181514-238

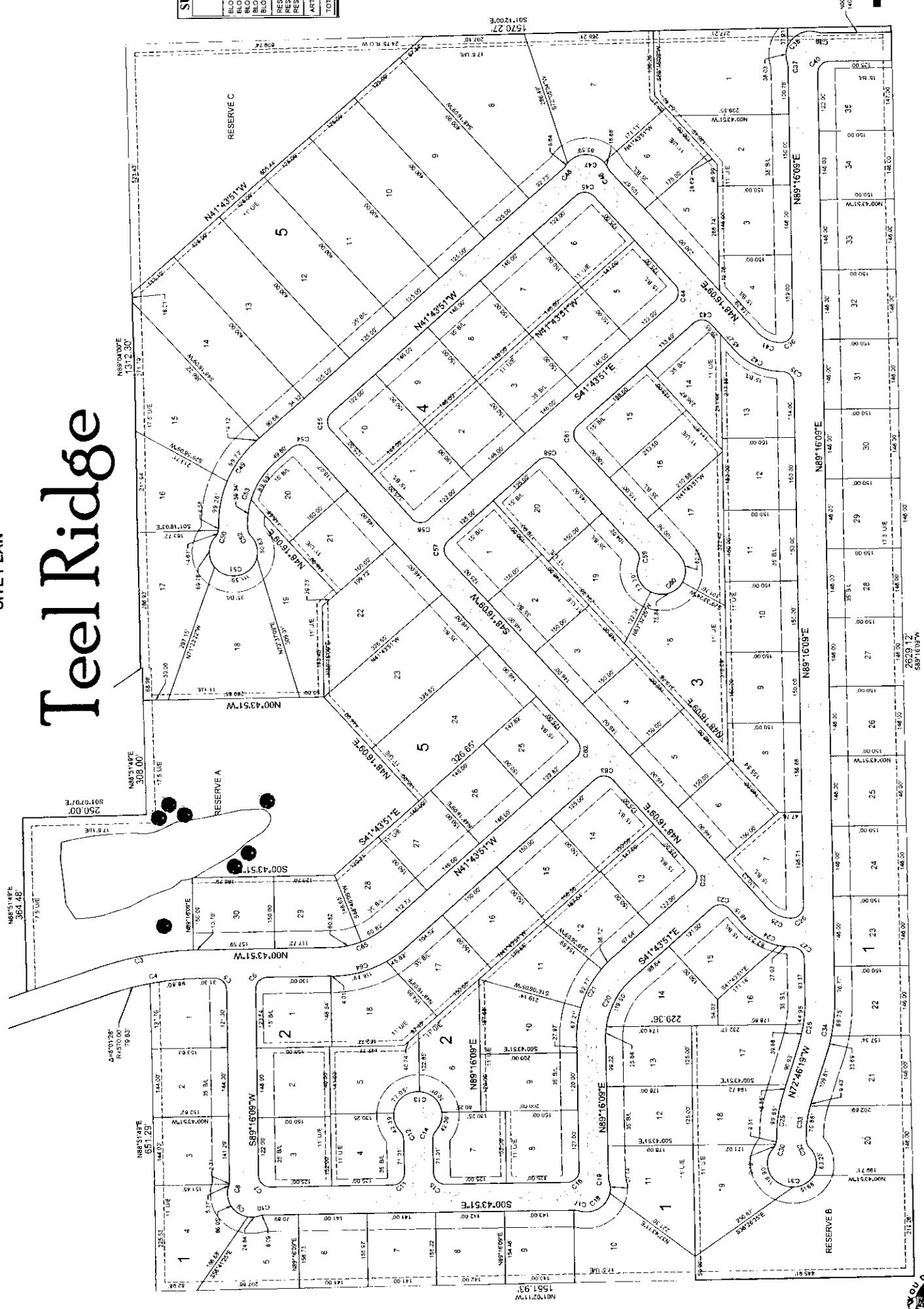


SITE PLAN

# Teel Ridge



SUBDIVISION STATISTICS	
SUBDIVISION CONTAINS ONE HUNDRED THIRTEEN (13) LOTS IN FIVE (5) BLOCKS AND THREE (3) RESERVE AREAS	
BLOCK 1	18.88 ACRES - 35 LOTS
BLOCK 2	9.62 ACRES - 18 LOTS
BLOCK 3	11.33 ACRES - 20 LOTS
BLOCK 4	11.33 ACRES - 20 LOTS
BLOCK 5	25.28 ACRES - 30 LOTS
RESERVE A	4.33 ACRES
RESERVE B	1.78 ACRES
RESERVE C	3.86 ACRES
ARTERIAL INTERNAL STREET R.O.W.: 11 ACRES	
TOTAL	86.91 ACRES - 113 LOTS



AAB Engineering, LLC  
**AAB**  
 Engineering • Surveying • Land Planning  
 P.O. BOX 100000  
 1500 CALDWELL BL., SUITE 200  
 OKLAHOMA CITY, OKLAHOMA 73114-1000  
 PHONE: (405) 941-1100 FAX: (405) 941-1140



SEE ATTACHMENT

BOARD OF ADJUSTMENT  
APPLICATION FOR A VARIANCE

ADDRESS OF REQUESTED VARIANCE: Southwest corner of 89th West Avenue + 41st St. South

LEGAL DESCRIPTION (or attach separate sheet): See Attached

DESCRIBE SPECIFICS OF THE REQUEST: (Include attachments showing uses, distances, dimensions, plot plans, photos, and other pertinent information. An application is not complete until all information is attached).

Reduced minimum lot size for properties within the subdivision to 21800 sf. per the attached subdivision layout.

( ) RECORD OWNER: Gibson + Powell Investments LLC Does Owner consent to this BOA application? X

( ) APPLICANT: AAB Engineering, LLC PHONE: (w) 514-4283 (c) 693-5105 (h) \_\_\_\_\_

ADDRESS: PO BOX 2136 CITY Sand Springs ZIP: 74063

SIGNED: [Signature] Send Bill to: ( ) Owner  Applicant ( ) Other: \_\_\_\_\_

THE BOARD OF ADJUSTMENT WILL ONLY APPROVE VARIANCES AFTER DETERMINING FROM THE EVIDENCE AND ARGUMENTS PRESENTED THAT THE CONDITIONS LISTED BELOW EXIST IN ACCORDANCE WITH STATE LAW (11 O.S. Section 44-107 and the Sand Springs Zoning Code Section 17.08).

IT IS A REQUIREMENT OF OKLAHOMA STATE LAW THAT THE MINUTES OF A MEETING AT WHICH A VARIANCE IS GRANTED SHALL SHOW THAT EACH ELEMENT LISTED BELOW WAS ESTABLISHED AT THE PUBLIC HEARING. PLEASE STATE HOW THE FOLLOWING STATEMENTS APPLY TO YOUR REQUEST AND SATISFIES EACH OF THESE CONDITIONS. (See attached, "What is a Variance?")

1. By reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, how would the literal enforcement of the Zoning Code requirements on this property create an unnecessary hardship?

The steep grades prescribe a layout that does not lend itself to rigidly meet the 24000 sf. minimum lot size.

2. Are there extraordinary or exceptional conditions or circumstances that apply to you which do not apply to other property in the same zoning district?

The extreme grade and relatively shallow rock formations constrain the road layout within the subdivision. The layout shown necessitates a reduction in the lot square from 24000 sf to 21,800 sf.

3. If the Variance is granted, could it cause substantial detriment to the public good, or impair the purpose, spirit and intent of the Zoning Code or Comprehensive Plan?

No, the average lots size within the development is well in excess of 24,000 mini

4. Would the Variance, if granted, be the minimum necessary to alleviate the unnecessary hardship?

Yes, granting relief of the minimum lot sf to 21,800 is the minimum variance that would alleviate the hardship

Application received 2/25/16 by: CW BOA Hearing Date: 3/21/16  
Action: \_\_\_\_\_ CONDITIONS: \_\_\_\_\_