



City of Bixby Board of Adjustment Meeting Agenda

Monday, September 19, 2022

6:00 PM

**Municipal Building
116 W. Needles Ave., Bixby,
OK 74008**

Call to Order

Chairman

Roll Call

Donna Crawford, Secretary

Consent Agenda

- 1) Minutes from the May 16, 2022, Board of Adjustment Regular Meeting.

Public Hearing

- 1) Discussion, consideration and possible vote to approve variance (BXBA-22.07) for Jef and Jennifer Swanson, property located at 14044 East 210th Street South, Bixby, Oklahoma.
 - 2) Discussion, consideration and possible vote to approve variance (BXBA-22.08) for Penny Properties, LLC., property is located at 116 West Breckenridge Avenue, Bixby, Oklahoma
-

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of 09/16/2022, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Donna Crawford, City Planner

Persons who require a special accommodation to participate in this meeting should contact City Planner OC Walker: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: ocwalker@bixbyok.gov as far in advance as possible and preferably at least 48- hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

City of Bixby Board of Adjustment Meeting Minutes

City Hall Municipal Building

116 W Needles, Bixby, OK 74008

May 16, 2022 6:00 P.M.

The agenda for the regularly scheduled meeting of the Bixby Board of Adjustment was posted on the bulletin board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on May 13, 2022 on or before 5:00 p.m.

Mr. Murray King-Chairman, called the meeting to order at 6:20 pm.

Roll Call taken

Members Present

Murray King

JR Donelson

Richard Altmann

Jeff Sloan

Members Absent

None

Judge Childers administered the Oath of Office to Kaylin Coody

Consent Agenda

Mr. King said Item #1 on the Agenda is:

Approval of Minutes of April 18, 2022, regular meeting

Mr. King asked for a motion to approve the April meeting minutes, and Mr. Donelson made a motion to approve, seconded by Mr. Altmann

Yes: Donelson, Altmann, King,

Abstain: Coody, Sloan

No: None

Motion carried to Approve minutes of April 18, 2022 meeting minutes

Public Hearing

Mr. King said Item #1 on the Agenda is:

BXBA-22.07 Special Exception – Cherie Stunkard

Mr. Donelson recused

Mr. King asked if the applicant is present, and Ms. Stunkard was in attendance. Mr. King asked the staff report to be read. Mr. King asked if the applicant had anything else to add, Ms. Stunkard was in agreement with the staff report. Mr. King asked for a motion, Mr. Altmann made motion to approve, seconded by Mr. Sloan

Yes: Altmann, Coody, King, Sloan

Abstain: No

No: None

Motion carried to Approve the Special Exception

Mr. King said Item #2 on the Agenda is:

BXBA-22.05 Special Exception – Cherie Stunkard

Mr. Donelson remained outside Council Chambers

Mr. King asked the staff report to be read. Mr. King asked if the applicant had anything else to add, Ms. Stunkard was in agreement with the staff report. Mr. King asked for a motion, Mr. Sloan made motion to approve, seconded by Mr. Altmann

Yes: Altmann, Coody, King, Sloan

Abstain: No

No: None

Motion carried to Approve the Special Exception

Mr. Donelson returned to Council Chambers

Mr. King announced Item #3:

BXBA-22.04 Variance – Jake Riffe / Keystone Construction

The staff report was read. Mr. King asked if the applicant is present and Mr. Riffe stepped to the podium to answer any questions the members had. Mr. Altmann made a motion to approve the building line setback from 25ft. to 24ft. to allow a single-family structure, seconded by Mr. King.

Yes: Altmann, Coody, King, Sloan, Donelson

Abstain: No

No: None

No Old Business to discuss

No New Business to discuss

Motion made by Mr. Donelson to adjourn, seconded by Mr. Altmann

Meeting adjourned at 6:38 pm

City of Bixby Board of Adjustment Meeting Minutes

City Hall Municipal Building

116 W Needles, Bixby, OK 74008

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Abstain: Coody, Sloan

No: None

Motion carried to Approve minutes of April 18, 2022 meeting minutes

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Yes: Altmann, Coody, King, Sloan

Abstain: No

No: None

Motion carried to Approve the Special Exception

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Yes: Altmann, Coody, King, Sloan

Abstain: No

No: None

Motion carried to Approve the Special Exception

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Yes: Altmann, Coody, King, Sloan, Donelson

Abstain: No

No: None

No Old Business to discuss

No New Business to discuss

Motion made by Mr. Donelson to adjourn, seconded by Mr. Altmann

Meeting adjourned at 6:38 pm



CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Board of Adjustment

From: City of Bixby, Planning Department

Date: Monday, September 19, 2022

RE: **A variance is requested due to proposed accessory building larger than 800 square feet.**
Variance of the RV Carport and storage.

Location: 14044 East 210th Street South, Bixby, OK 74008
Lot Eleven (11), Block Seven (7), Bixby Ranch Estates

STR: Section 16, Township 16N, Range 14E

Applicant: Jef and Jennifer Swanson

REQUEST: **VARIANCE (BXBA-220.7)**
A variance is requested due to proposed accessory building larger than 800 square feet.
Accessory Building (RV carport and storage)

EXISTING ZONING; USE: (RE) Residential Estates; Single-Family dwelling

SURROUNDING ZONING; USES:

North: (RE) Residential Estates; Single-Family dwelling
East: (RE) Residential Estates; Single-Family dwelling
South: (RE) Residential Estates; Single-Family dwelling
West: (RE) Residential Estates; Single-Family dwelling



Figure 1: City of Bixby Zoning Map

STAFF REVIEW

The applicant is requesting a variance to construct an accessory building over 800 square feet. The applicant would like to construct an RV carport with connecting storage. The proposed structure will be 2,000 square feet. According to the zoning code, no accessory building in a Residential District may not exceed 800 square street. Anything over the said amount shall require a Variance with the Board of Adjustments. This property is in *The Bixby Ranch Estates* that originally zoned (RE) Residential Estates and the lot is five (5) acres.

UTILITIES/SITE AREA: The property is served by Rural Water and the property is on septic sewer system.

SITE PLAN:

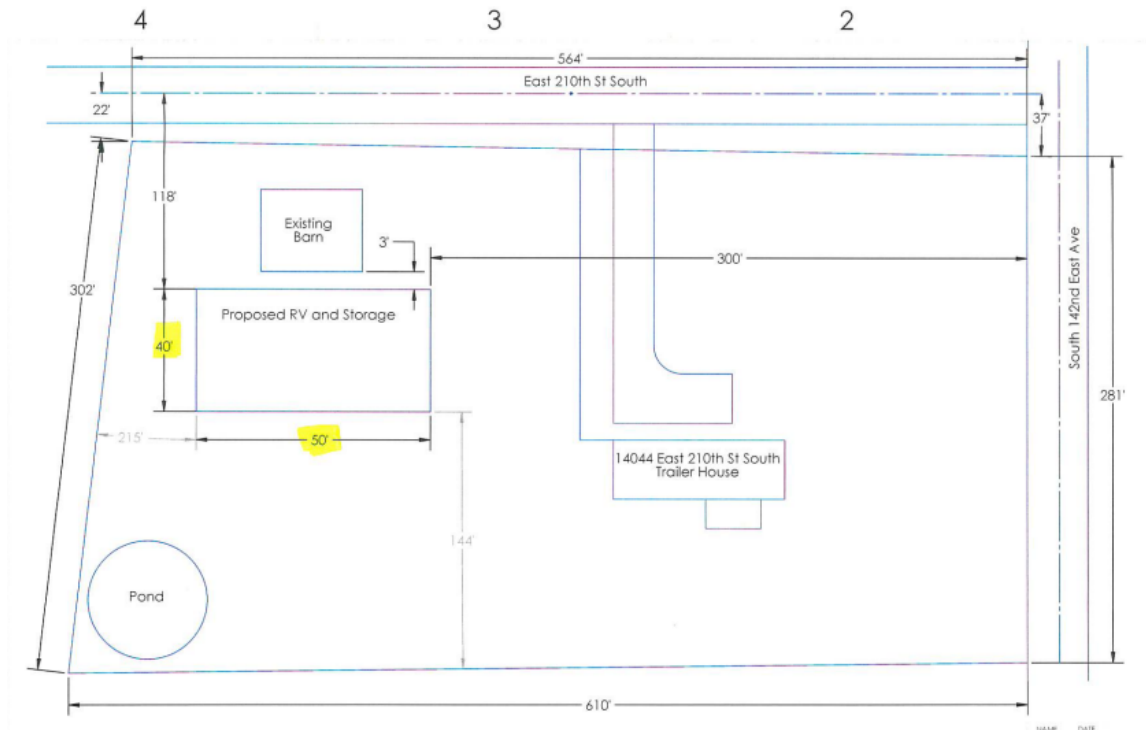


Figure 2: Site Plan

STAFF COMMENTS:

1. The applicant provided a site plan for the subject property and it depicts the location of the proposed building.
2. The proposed building will be 2,000 square feet and located behind an existing barn.

PUBLIC COMMENTS:

No comments at time of this report

VARIANCE ACTION OF BOARD:

The board shall hold the hearing and, upon the concurring vote of three (3) members, may grant a variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of this title or the Comprehensive Plan.

Provided, that the Board, in granting a variance, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

SAMPLE MOTION: *In BOA Case Number BXBA-22.07 I move that we (approve/deny) a Variance is requested due to proposed accessory building larger than 400 square feet.*

- Finding Hardship to be _____.
- Per the Conceptual Plan(s) and/or Figures shown on page(s) _____ of the Agenda Packet.
- Subject to the following conditions _____, (if any).

FIGURES:

Figure 1: City of Bixby Zoning Map

Figure 2 Site Plan depicting the location of the proposed building

ATTACHMENTS:

Attachment 1: Staff Report

Attachment 2: Photographs of existing property





Before



After



Before



After



Before



After





CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Board of Adjustment

From: City of Bixby, Planning Department

Date: Monday, September 19, 2022

RE: **The property is located in downtown Bixby and is an existing non-conforming use. The small addition to the site will not increase the staff on-site. The current facility with the existing parking spaces and no additional staff will be added.**

Location: 116 West Breckenridge Ave.
Lot(s) 56, 57, 58 and 59, Block 34, Midland Addition

STR: Section 24, Township 17N, Range 13E

Applicant: Wallace Design Collective, Nicole Watts

REQUEST: **VARIANCE (BXBA-220.8)**
The property is located in downtown Bixby and is an existing non-conforming use. The small addition to the site will no increase the staff on-site. The current facility with the existing parking spaces and no additional staff will be added.

EXISTING ZONING; USE: (CS) Office Building

SURROUNDING ZONING; USES:

North: (CS) Commercial Shopping; Single-Family dwelling
East: (RS-3) Single Family Residential; Single-Family dwelling
South: (CG) Commercial; Car Dealership

West: (CG); Commercial; Vacant Lot



Figure 1: City of Bixby Zoning Map

STAFF REVIEW

The applicant is requesting a variance to construct a small office building) approximately 1,250 sq. ft.) To be located in the rear of the property. It will be situated where an existing outbuilding was located, which will be removed for this new building. The existing driveway will not be altered. The plan by the Owner is to continue to have ten (10) employees working at this office, just add some additional space for the staff.

According to the applicant, per section 11-9-11 of the City of Bixby's zoning code, the parking requirements for an office space is 1 space per 300 sq. ft. of floor area. In the existing condition there is 2, 635 sq. ft. of office space which results in 9 parking spaces required on site. With the new building addition there will be a total of 3, 915 sq. ft. of office space with results in 13.05 parking spaces required. Currently the site can park six (60 cars adequately. Thus, currently the site does not provide the required parking spaces per the zoning code. This is a nonconforming use. But can provide the spaces the businesses needs to function.

UTILITIES/SITE AREA: The property is served by Bixby Water and Sanitary Sewer system.

SITE PLAN:

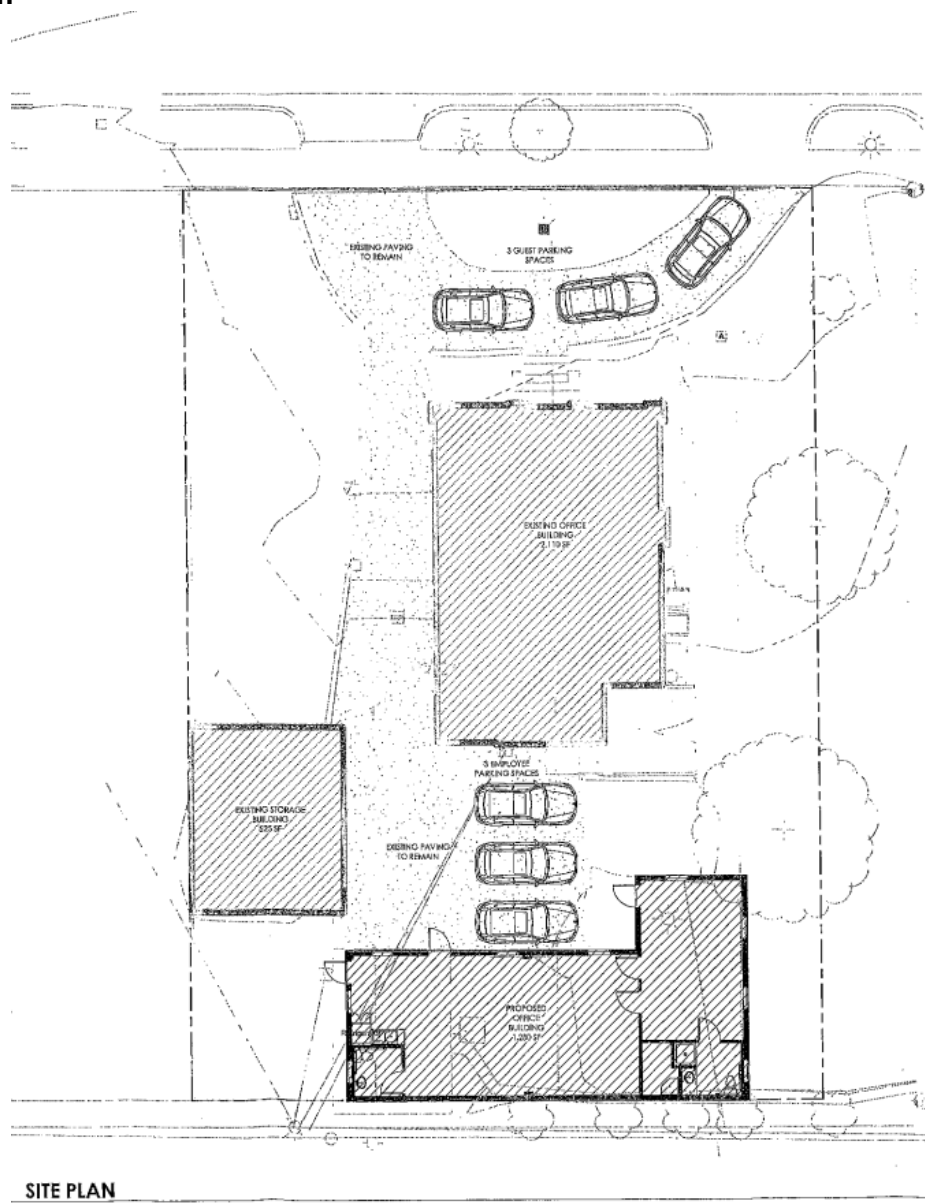


Figure 2: Site Plan

STAFF COMMENTS:

1. The applicant provided a site plan for the subject property and it depicts the location of the proposed building.
2. On-street parking may be used to comply with all parking regulations and conditions.

PUBLIC COMMENTS: No comments at time of this report

VARIANCE ACTION OF BOARD:

The board shall hold the hearing and, upon the concurring vote of three (3) members, may grant a variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of this title or the Comprehensive Plan.

Provided, that the Board, in granting a variance, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

SAMPLE MOTION: *In BOA Case Number BXBA-22.07 I move that we approve/deny a Variance is requested due to proposed accessory building larger than 400 square feet.*

- Finding Hardship to be _____.
- Per the Conceptual Plan(s) and/or Figures shown on page(s) _____ of the Agenda Packet.
- Subject to the following conditions _____, (if any).

FIGURES:

Figure 1: City of Bixby Zoning Map

Figure 2 Site Plan depicting the location of the proposed building

ATTACHMENTS:

Attachment 1: Staff Report

Attachment 2: Photographs of existing property

August 9, 2022

City of Bixby Board of Adjustment
116 West Needles
Bixby, Oklahoma 74008

Re: Jenkins & Kemper, CPA – 116 W Breckenridge

Board of Adjustment-

Jenkins & Kemper, CPA is located at 116 W Breckenridge. The business is situated in a restored residential home that has two small outbuildings in the back yard with an existing half circle driveway in the front and another driveway for parking in the back – see attached survey. Currently there are ten (10) employees who office out of this office and are able to park on site as needed.

Jenkins & Kemper, CPA, is proposing to add a small office building (approximately 1,250 sf) in the back of the property. It will be situated where an existing outbuilding was located, which will be removed for this new building. The existing driveway will not be altered. The plan by the Owners is to continue to have ten (10) employees working at this office, just add some additional space for the staff.

Per section 11-9-11 of the City of Bixby's zoning code, the parking requirement for an office space is 1 space per 300 sf of floor area. In the existing condition there is 2,635 sf of office space which results in 9 spaces required on site. With the new building addition, there will be a total of 3,915 sf of office space which results in 13.05 spaces required. Currently the site can park six (6) cars adequately. Thus, currently the site does not provide the required spaces per the zoning code, thus is a nonconforming use, but can provide the spaces the business needs to function – see attached Site Plan.

Recently the City of Bixby has completed a street scape project in downtown to provide on-site parking. Within a block of this site, there are 85 available parking spaces – see attached Exhibit A. This property is zoned CS but is located in a downtown district. In surrounding jurisdictions, there is a special zoning for downtown districts to waive or reduce parking requirements due to presence of on-street parking, to create a downtown feel.

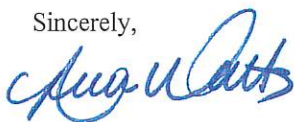
Also, the Owner has an agreement with Crossroads Fellowship Church to allow overflow parking to park in their parking lot across the street – see attached letter.

Therefore, we request a variance to the on-site parking requirement due to the following facts and hardships:

- The site is currently non-conforming to the parking requirements
- The site currently functions on-site for employee and visitor parking
- The owner is not adding additional staff with this addition
- The parking needs will stay relatively the same as existing conditions
- There is adequate on-street parking within walking distance if needed
- There is an agreement with the neighbor across the street to allow overflow parking to park in their lot.

Thank you for your time on this matter.

Sincerely,



A. Nicole Watts, P.E., CFM
Associate



A heart for Bixby in the heart of Bixby

100 W Dawes
Bixby, Ok. 74008
(918) 369-9111
xroadsfellowship.org

Dr. Larry G. DeLay - Senior Pastor

Jason Lee - Associate Pastor \ Youth
Director

Mandy Anders - Childrens Director

August 8, 2022

To whom it may concern:

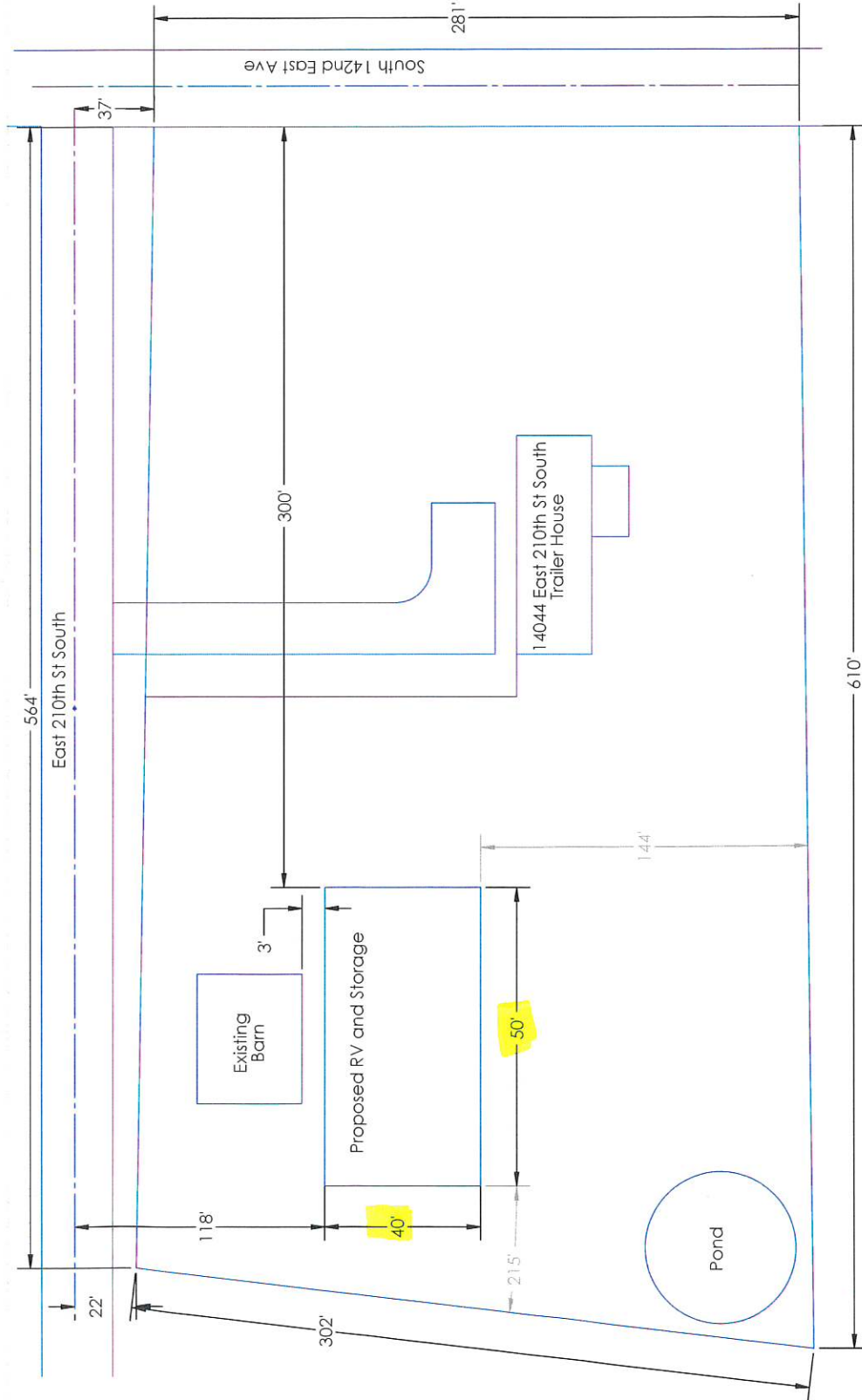
Over the past nine years, we have given permission to employees of Jenkins & Kemper, CPAs to park in our private parking lot at 100 W Dawes Ave during business hours. It is our intention to continue this arrangement for the foreseeable future. Please feel free to contact me with any further questions. Thank you and have a good day.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Lee", with a long, sweeping horizontal line extending to the right.

Jason Lee
Associate Pastor
Crossroads Fellowship Church
100 West Dawes
Bixby, OK 74008
918-625-3700
1978JasonLee@Gmail.com

4 3 2 1

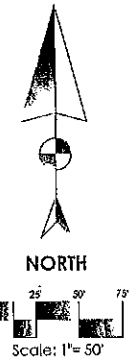


NAME DATE
DRAWN
CHECKED
ENG APPR.
MFG APPR.
O.A.
COMMENTS:

TITLE:
14044 E 210th St S
SIZE DWG. NO. **B** REV

SCALE: None SHEET 1 OF 1

SOLIDWORKS Educational Product. For Instructional Use Only. 3 2 1



- PUBLIC ON STREET PARKING SPACES IN SOUTH ZONE: 95
- SHARED PARKING SPACES WITH CROSSROADS FELLOWSHIP CHURCH: 20
- PUBLIC ON STREET PARKING SPACES IN NORTH ZONE: 53



T Architecture, LLC
1319 E. 6th St.
Tulsa, OK 74120
PH. 918.764.9996



Wallace Design Collective, PC
structural-civil-landscape-survey
122 North Main Street, Suite 100
Tulsa, Oklahoma 74103
918.584.5958 800.364.5858
oklahoma ca #1480 exp 6/30/23

NOT FOR CONSTRUCTION



ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF BIXBY STANDARDS AND SPECIFICATIONS (INCLUDING O.D.G.T. 2019 EDITION)

DRAWN FOR:

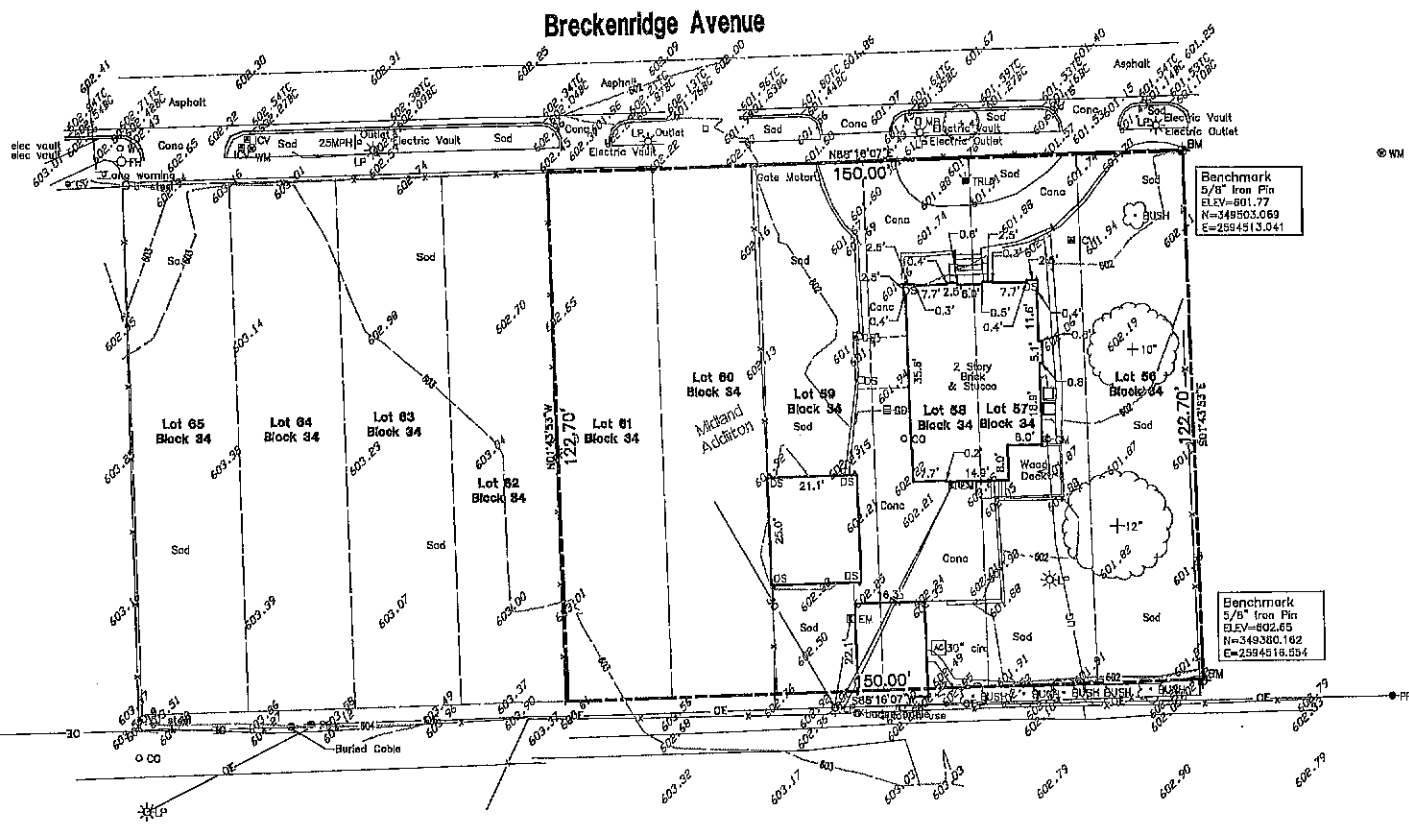
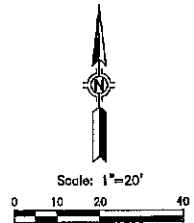
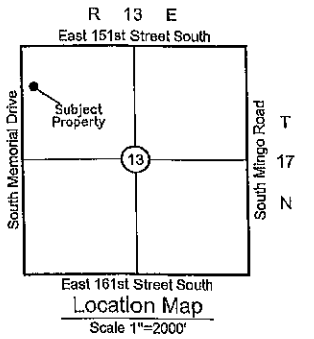
JENKINS AND KEMPER
OFFICE ADDITION

112 W BRECKENRIDGE AVE
BIXBY, OKLAHOMA 74008

ISSUE LOG		
NO.	REVISION	DATE

PROJECT NUMBER: 2240271
ISSUE: EXHIBIT
DATE: 08/09/2022
DRAWN BY: MLM
CHECKED BY: ANW
SHEET TITLE:

Board of Adjustment
Exhibit A



Benchmark Notes
Benchmark 5/8" Iron Pin
ELEV=601.77
N=348503.069
E=2594513.041
Benchmark 5/8" Iron Pin
ELEV=602.65
N=349380.162
E=2594518.554

Legend		
AGC	ACCESS	OT
A/C	AIR CONDITIONER	OU
BLDG	BUILDING	PV
B/L	BUILDING SETBACK LINE	PP
BW	BOTTOM OF WALL	PVC
CMP	CORRUGATED METAL PIPE	RCB
CL	CENTERLINE	RCP
CO	SEWER CLEAN-OUT	RR
CO/C	CONCRETE	R/W
CPED	CABLE TELEVISION PEDESTAL	SC
DOCI	DOUBLE GRATE DROP INLET	SD
DS	DOWNSPOUT	SDMH
EM	ELECTRIC METER	SGDI
EPED	ELECTRIC PEDESTAL	SPHD
ESMT	EASEMENT	SS
EX	EXISTING	SSLI
FF	FINISH FLOOR	SSMH
FH	FIRE HYDRANT	TC
FL	FLOWLINE (INVERT)	TO
FNC	FENCE	TOCI
FND	FOUND	TH
FP	FLAGPOLE	TP
G	GUTTER	TPED
GL	GROUND LIGHT	TR
GM	GAS METER	TSMH
GP	GUARD POST	TRSL
GR	GAS RISER	TW
GRY	GUY DOWN	TYP
ICV	IRRIGATION CONTROL VALVE	UC
IP	IRON PIN	UG
UNA	UNITS OF NO ACCESS	UE
UP	UTILITY EASEMENT	UT
MA/E	MUTUAL ACCESS EASEMENT	UTMH
MB	METAL BOX	W
ML	METAL LID	WM
MW	MONITOR WELL	WV
OC	OVERHEAD CABLE	WW
OE	OVERHEAD ELECTRIC	WING WALL
OGE	OGE ENERGY CORPORATION	XPMR
ONG	OKLAHOMA NATURAL GAS	

Legal Description
LOTS FIFTY-SIX (56) THROUGH SIXTY-ONE (61), BLOCK THIRTY-FOUR (34), MIDLAND ADDITION, CITY OF BIXBY, TULSA COUNTY, ACCORDING TO THE RECORDED PLAT THEREOF.

Topographic Survey
of
Lots 56-61
Block 34
Midland Addition
Tulsa County, Oklahoma

Surveyor's Certification
WE, BENNETT SURVEYING, INC., HEREBY CERTIFY THAT THE TOPOGRAPHICAL INFORMATION HEREON REPRESENTS A SURVEY PERFORMED UNDER OUR DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

THIS TOPO SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 6TH DAY OF JUNE, 2022.



BY: CLIFF BENNETT
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1815

REVISIONS	BY	DATE
1	CLB	07/05/22
2	CLB	07/05/22
3	CLB	07/05/22
4	CLB	07/05/22
5	CLB	07/05/22
6	CLB	07/05/22
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99	CLB	07/05/22
100	CLB	07/05/22

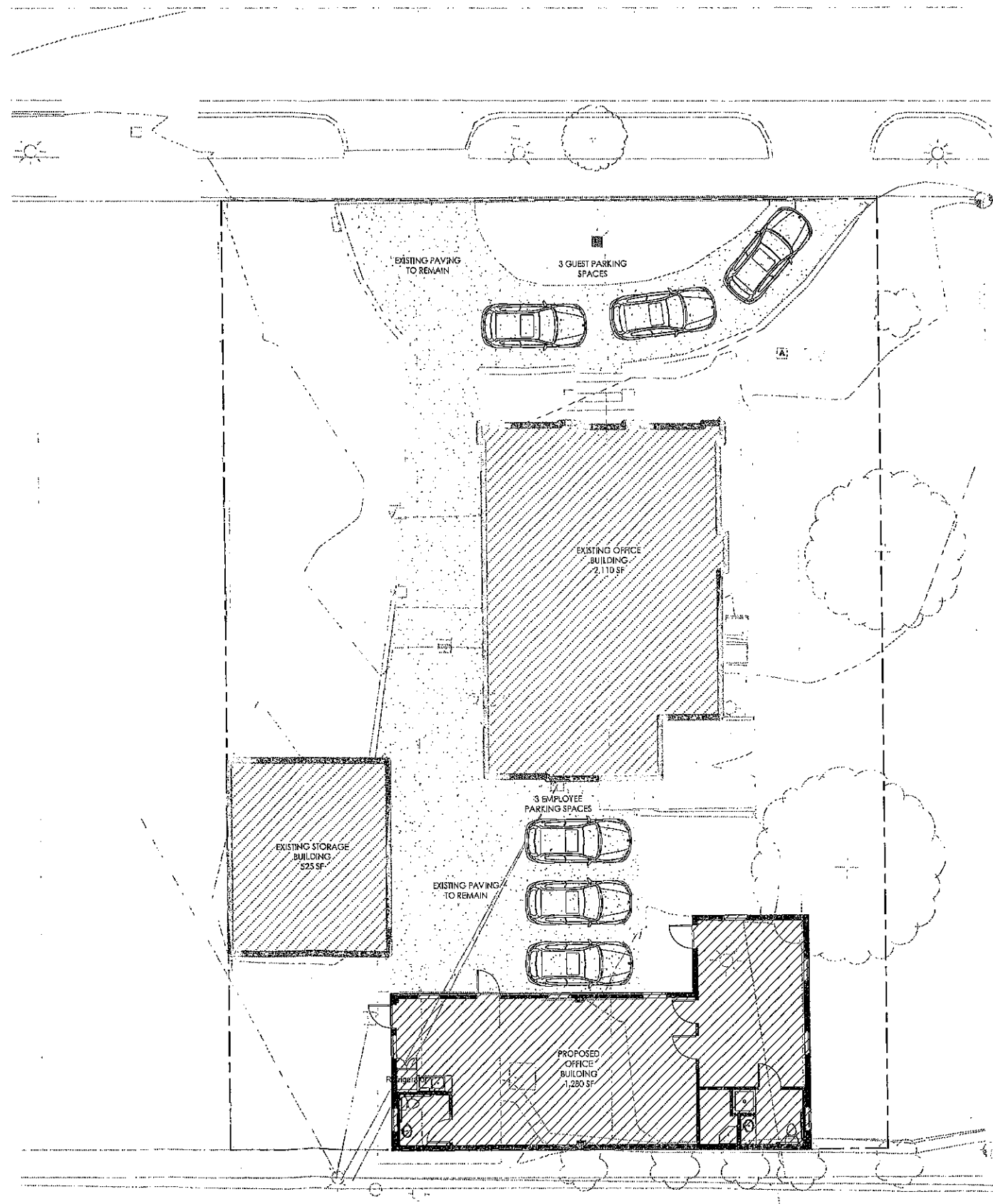


Utility Statement
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.

- Notes
1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
 2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM, THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAN.
 3. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. (CALL "OKIE" BEFORE DIGGING)
 4. THE VERTICAL DATUM FOR THIS SURVEY IS BASED ON GPS DATA (NAVD83).
 5. THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD83.

C:\Users\phil.conley\Documents\BIXBY CPA OFFICE ADDITION_MODEL\BSP101.dwg

PARKING COUNT RATIO:
2,635 SF [EXISTING BUILDINGS] + 1,280 SF [NEW BUILDING] = 3,915 SF TOTAL
BIXBY ZONING CODE (11-F-11: USE UNIT 11: OFFICES AND STUDIOS
OTHER USES: 1 PER 500 SF FOR THE FIRST 30,000 SF
3,915 SF / 500 SF = 13.05 PARKING SPOTS



1Architecture, LLC
1319 E. 6th St.
Tulsa, OK 74120
PH. 918.764.9996

DRAWN FOR:
BIXBY CPA OFFICE

OFFICE ADDITION

112 W BRECKENRIDGE AVE
BIXBY, OKLAHOMA 74008

NO.	REVISION	DATE

PROJECT NUMBER:
2205-023
ISSUE:
STATUS
DATE:
DATE
DRAWN BY:
ND
CHECKED BY:
ND

SHEET TITLE:

**ARCHITECTURAL SITE
PLAN**



ASP101

1 SITE PLAN
1/8" = 1'-0"