



City of Bixby Board of Adjustment Meeting Agenda

Tuesday, January 17, 2023

6:00 PM

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

Call to Order

Chairman

Roll Call

OC Walker, Secretary

Consent Agenda

- 1) Discussion, consideration, and possible vote to approve the Board of Adjustment December 20, 2023, Regular Meeting Minutes.

Public Hearing

- 1) Discussion, consideration, and possible vote to approve a variance to allow an accessory building to be located in the property's sideyard located at 14551 East 202nd Street South, Bixby, Oklahoma 74008.
- 2) Discussion, consideration, and possible vote to approve a variance to allow an accessory building to exceed 800 square feet for property located at 11223 South 90th East Avenue, Bixby, Oklahoma. 74008.

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of January 13, 2023, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma 74008.

Respectfully Submitted

OC Walker, City Planner

Persons who require 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
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: The City of Bixby, Board of Adjustment

From: City of Bixby, Planning Department

Date: Tuesday, January 17, 2023

RE: A variance is requested to allow an accessory building to be located on the property's side yard.

Location: 14551 East 202nd Street South, Bixby, OK 74008

STR: Section 15, Township 16N, Range 14E

Applicant: Spencer Woestman, Home Owner

REQUEST: VARIANCE (BXBA-23.02)
A variance is requested to allow an accessory building to be located on the property's side yard.
A variance of the garage and storage.

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

SURROUNDING ZONING; USES:
North: (AG) Agriculture; Vacant
East: (RE) Residential Estates; Single-Family dwelling
South: (RE) Residential Estates; Single-Family dwelling
West: (RE) Residential Estates; Single-Family dwelling

STAFF REVIEW

The applicant is requesting a variance to construct an accessory building over 1,800 square feet. The applicant would like to construct a garage with connecting storage. The proposed structure will be 1,800 square feet. The building is proposed to be located in the “side yard” and according to the zoning code, the accessory building must be located in the rear yard (The boundary of a lot which is the most distant from the most nearly parallel to the front lot line.) Anything accessory building shall require a Variance with the Board of Adjustments. This property is in *The Bixby Ranch Estates* originally zoned (RE) Residential Estates and the lot is five (5) acres. The accessory building meets all code requirements, however, the location of the proposed structure requires a variance.

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

Figure 1: City of Bixby Zoning Map



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 1,800 square feet and located to the East of the property.

PUBLIC COMMENTS: No comments at the 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. Because of extraordinary or exceptional conditions or circumstances that 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 properties 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-23.01 I move that we (approve/deny) a Variance is requested due to the proposed accessory building being 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



AERIAL VIEW OF STREET SHOWING SHED PROXIMTY
TO OTHER NEIGHBORS AND THE STREET

PROPERTY LINE
4.98 Acres

330.24'

Existing Primary
Residence =
2377 Square Feet

Proposed Shed =
1800 Square Feet
w/ 10' lean to

25'-0"

659.33'

659.16'

330.18'

PROPOSED SITE PLAN
14551 E. 202nd Street S.

Lot 4, Block 1, Bixby Ranch Estates, a subdivision of part of NW 1/4 of Section 15, Township 16
North Range 14 East of the Indian Base and Meridian Wagoner County, State of Oklahoma

PROFESSIONAL LAND SURVEYOR'S INSPECTION PLAT
FOR MORTGAGE LOAN PURPOSE



AMERICAN EAGLE
LAND SURVEYING, LLC

2023 West 11th Street Jenks, OK 74037
OFFICE (918)640-4162 FAX (918)894-5248
darrellbible@gmail.com

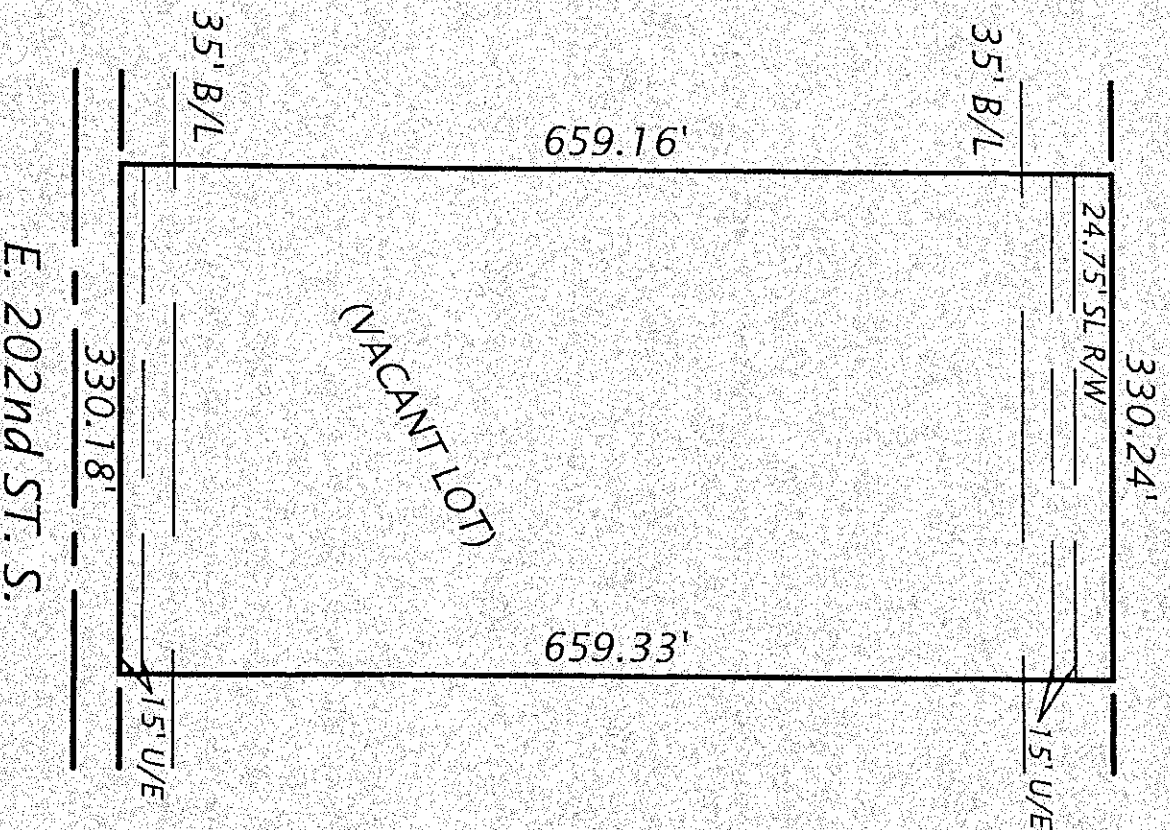
Order No. 1610177
Client: Allegiance Title & Escrow, LLC
Borrower: Spencer Woestman and Jennifer Woestman
File Number: 16-1641

Legal Description

Lot 4, Block 1, Bixby Ranch Estates,
a subdivision of part of NW $\frac{1}{4}$ of Section 15,
Township 16 North, Range 14 East of the Indian Base
and Meridian, Wagoner County, State of Oklahoma.



SCALE
1" = 150'



SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "UNSHADED X" AN AREA OF MINIMAL
FLOOD HAZARD AS SHOWN ON FIRM MAP#400207 0400H, DATED 4/17/12

Property address: East 202nd Street South, Bixby, Oklahoma

SURVEYORS STATEMENT

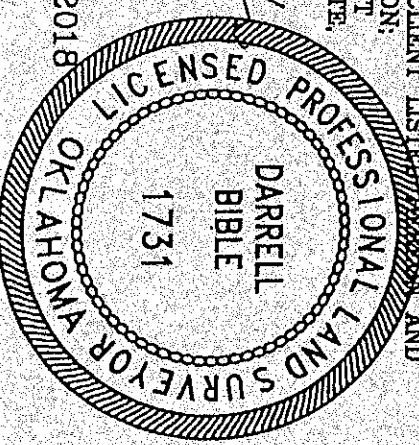
I DARRELL BIBLE PROFESSIONAL LAND SURVEYOR DO HEREBY STATE THAT IN MY PROFESSIONAL OPINION, THE ABOVE
INSPECTION PLAT SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED, THAT IT IS ENTIRELY WITHIN THE
DESCRIBED TRACT BOUNDARIES AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS,
EXCEPT AS INDICATED, FENCING NOT SHOWN. THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAT EASEMENTS
AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY COMMENT FOR TITLE
INSURANCE AND COPIES THEREOF PROVIDED TO US; THAT THIS INSPECTION PLAT WAS PREPARED FOR IDENTIFICATION ONLY
FOR THE MORTGAGEE AND IS NOT A LAND OR BOUNDARY LINE SURVEY. THAT NO PROPERTY CORNERS WERE SET, AND IS NOT
TO BE USED OR RELIED UPON, FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER IMPROVEMENTS, THAT UNDERGROUND
UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY
REQUESTED BY THE CLIENT; THAT THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND
MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION;
AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT
OR FUTURE LAND OWNER OR OCCUPANT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.
CALL OKE BEFORE DIGGING 1-(800)-622-6543

LEGEND

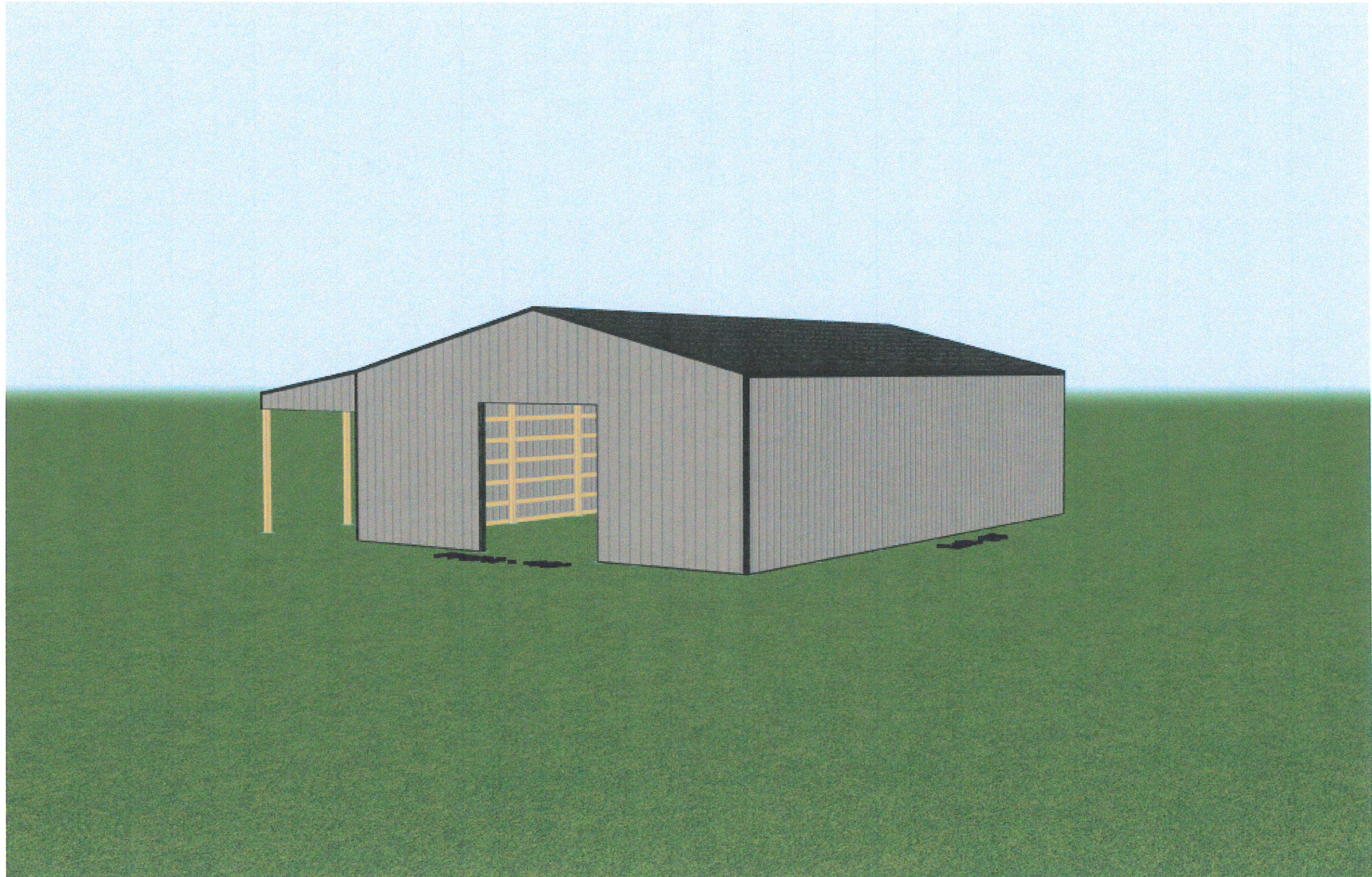
B/L=Building Line
U/E=Utility Esmt.
R/W=Right of Way
D/E=Drainage Esmt.
B/E=Buried Tele. & Elec. Cable Esmt.

Darrell Bible

Darrell Bible
OKLAHOMA REGISTERED
LAND SURVEYOR NO. 1731
CA #6588 EXPIRES 6/30/2018
Final: 1/3/2017









City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: The City of Bixby, Board of Adjustment

From: OC Walker, Development Services Director/City Planner
Gwen Plante, Assistant City Planner

Date: Tuesday, January 17, 2023

RE: BXBA 23.02 – Variance of the maximum allowed square footage for an accessory building from 800 square feet to 1,440 square feet in the Residential Estate District (RE).

Location: 11225 South 90th East Avenue, Bixby, OK 74008
Lot Fourteen (14) Block Two (2), SOUTHWOOD EXTENDED, City of Bixby, Tulsa County, According to the recorded plat thereof

STR: Section 36, Township 18, Range 13, Tulsa County

Project: William Gray, Variance

Applicant: William Gray, Homeowner

Staff Review

The applicant has applied for a Variance of the maximum allowed square footage for an accessory building from 800 square feet to 1440 square feet, located in the rear yard of the Residential Estate District, Southwood Extended Addition.

In the City of Bixby Zoning Code, a Variance is required to prove a hardship.

Hardship: The applicant stated there was no hardship, however building additional garages would enhance the values of the property, and those around it.

The Board of Adjustment 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 a 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 if they deem necessary to enforce.

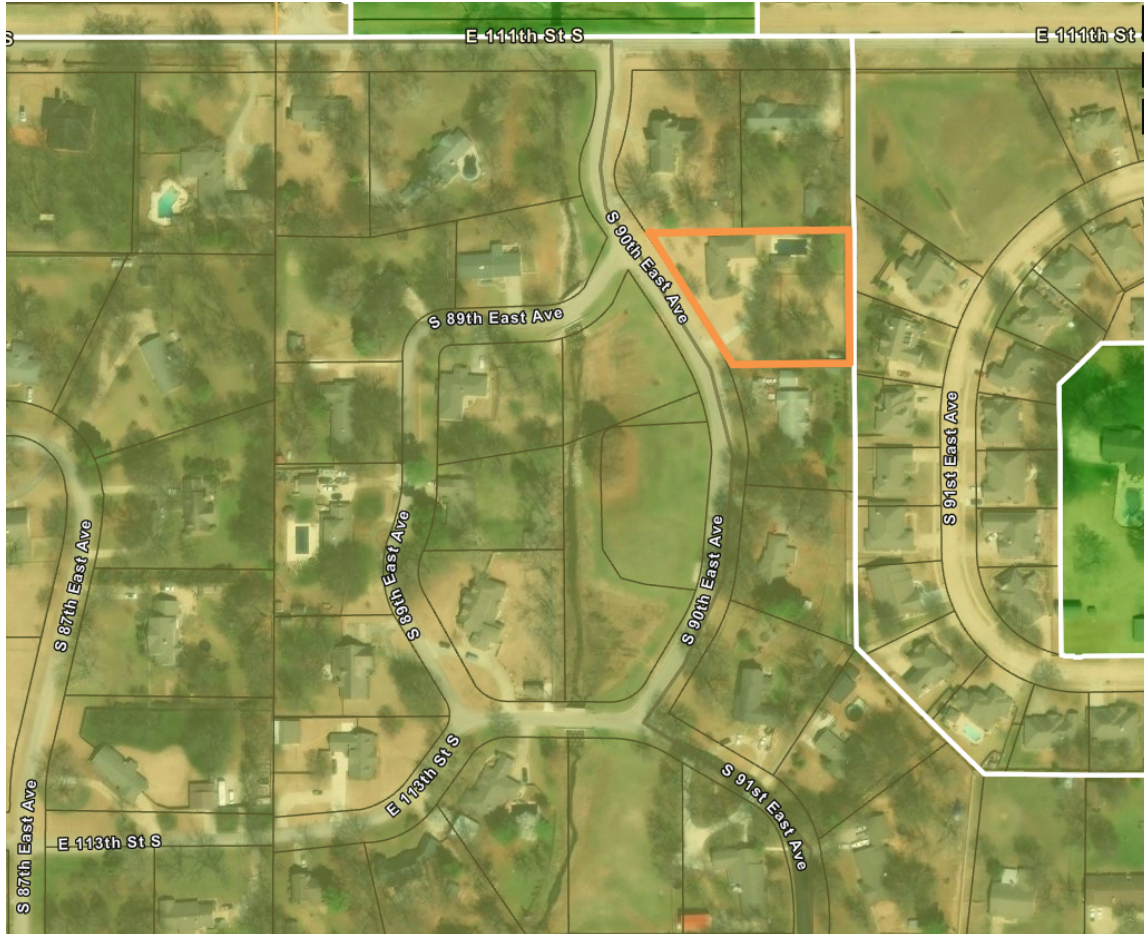


Figure 1: City of Bixby Zoning Map

Existing Zoning; Use:

(RE); Residential Estate District, Single-Family dwellings

Abutting Zoning; Uses:

(RE) Residential Estate District, Single-Family dwellings

Public Comments: No comments were received at the time of writing this Staff Report.

Staff Comments:

1. The application provided a site plan for the subject property and it depicts the location of the proposed building.

2. The proposed building will be 1440 square feet and located to the south of the house in the rear yard.
3. According to the plat for Southwood Extended addition:

PROTECTIVE COVENANTS

...“All Lots in the Addition, except Block One (1) or unless designated otherwise on the approved plat, shall be known and described as Residential Lots and shall be used for Residential purposes only. No structure shall be erected, altered, placed, or permitted to remain on any Residential building plot other than a single-family dwelling and a private Two (2) car garage. All building exterior wall areas shall have (50%) of the exterior wall area constructed of masonry. The resident may construct a tool house providing construction and architecture conforms with the dwelling.

No building, exclusive of open porches shall be located nearer to the front line nor nearer to the side street line than the building lines shown on the Recorded Plat. No building shall be near than Five (5) feet to any side Lot line.

No more than One (1) Residence or structure shall be erected on any Lot as now platted, except Block One (1), No dwelling shall be erected on any Lots the ground floor of the main structure of which, exclusive of open porches and garage is less than Twelve Hundred (1200) square feet in area. No dwelling shall be erected on Lots Eleven (11) through Fifteen (15), Block Two (2), all Blocks Three (3), Four (4), and Five (5), the ground floor of the main structure of which, exclusive of open porches and garages less than Fifteen Hundred (1500) square feet in area. “...

Variance Action of the Board:

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three (3) or more members, may grant the 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 properties in the same district.
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- 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

Attachments:

Exhibit A: Aerial Photo of the subject lot

Untitled Map

Write a description for your map.

Legend

 11225 S 90th E Ave

 11225 S 90th E Ave

Google Earth

Image Landsat / Copernicus

200 ft



