



City of Bixby Board of Adjustment Meeting Agenda

Monday, August 19, 2024

6:00 PM

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

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

- 1) Minutes of January 16, 2024, Board of Adjustment Meeting

Public Hearing

- 1) Variance – BXBA-24.03 | Applicant: Dean and Terri Guthrie

Old Business

New Business

This Notice and Agenda were posted on the bulletin board this day of August 16, 2024, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Assistant Planner Gladys Gill

Persons who require special accommodation to participate in this meeting should contact Assistant Planner Gladys Gill at 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: GGill@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.

BIXBY BOARD OF ADJUSTMENT MINUTES

Tuesday | January 16, 2024 | 6:00 PM

City Hall, Council Chambers | 116 West Needles, Bixby, OK

CALL TO ORDER: 6:00 PM

Roll Call was taken

MEMBERS PRESENT: Kaylin Coody
Mike David
Jeff Sloan
Jason Mohler

MEMBERS ABSENT: Paul Blair

STAFF PRESENT: Gwen Plante, Assistant City Planner
Justin Dowd, City Engineer

Consent Agenda

Board Member Mrs. Coody said Item #1 on the Agenda is:

Approval of Minutes of the October 16, 2023, regular meeting

Mrs. Coody asked for a motion to approve the October 16, 2023 meeting minutes. Board Mr. David made a motion to approve minutes, seconded by Mr. Mohler.

Yes: David, Mohler, Coody

Abstain: Sloan

No: None

Motion carried.

Mrs. Coody said Item #1 on the Public Hearing is:

Discussion and Consideration and possible vote to approve a variance BXBA 24.01 to allow for a reduction in the parking requirements from twenty-five (25) spaces to eight (8) for SME Kubota, located at 6911 E 151st Street South.

The Assistant City Planner, Gwen Plante gave an overview of the project and the request to reduce the number of required parking requirements to eight (8) with one of the spaces being a handicapped parking space. Staff is recommending twelve (12) spaces as a parking requirement. Ms. Plante stated the applicant was available for questions.

Applicant, Ryan McCarty with Select Design gave an overview of the expansion project and answered the Board of Adjustment questions regarding current parking and proposed.

City Attorney, Mr. Phil Frazier stated as a customer at Kubota, most of the customers will not be parking but driving in to pick up or drop off equipment.

Discussion continued.

Mrs. Coody asked for a motion, and Board Member David made the motion to approve variance BXBA 24.01 to allow for the requested variance, allowing eight (8) parking spaces. Board Member Sloan seconded.

Yes: David, Sloan, Mohler, Coody

Abstain: None

No: None

Motion to allow variance is approved for eight (8) parking spaces.

Mrs. Coody said Item #3 on the Agenda is:

Discussion and possible vote to appoint a Chairman and Vice Chairman for the City of Bixby's Board of Adjustment.

Board Member David made the motion to appoint Mrs. Coody as Chairperson of the Board of Adjustment, seconded by Mr. Mohler.

Yes: David, Mohler, Sloan, Coody

Abstain: None

No: None

Mrs. Kaylin Coody is voted in as Chairman of the Board of Adjustment, City of Bixby.

Discussion and possible vote to appoint a Vice-Chairman.

Mr. David made a motion to appoint Mr. Paul Blair as Vice-Chairman of the Board of Adjustment for the City of Bixby.

Yes: David, Sloan, Mohler, Coody

Abstain: None

No: None

Mr. Paul Blair is voted in as Vice-Chairman of the Board of Adjustment, City of Bixby.

Old Business:

None

New Business:

None

Meeting adjourned at 6:16 pm

Kaylin Coody, Chairman

Gwen Plante, Secretary

Pending BOA Approval



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: Joey Wiedel, Development Services Director
Gwen Plante, Assistant City Planner

Date: Monday, August 19, 2024

RE: BXBA 24.03 – Variance, to allow an accessory building to exceed the 800 square feet allowed in an RS-2 (Residential Single Family) District.

Location: 15415 South 37th Court, Bixby, OK 74008
Platted: Lot 17, Block 1, Bixby Meadows Amended

STR: Section 21, Township 17N, Range 13E

Project: Variance, Accessory Building

Applicant: Dean and Terri Guthrie

Staff Review

The applicant has applied for a Variance to exceed the maximum square footage allowed in a residential development for an accessory building.

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

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 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: INCOG 300-foot radius map

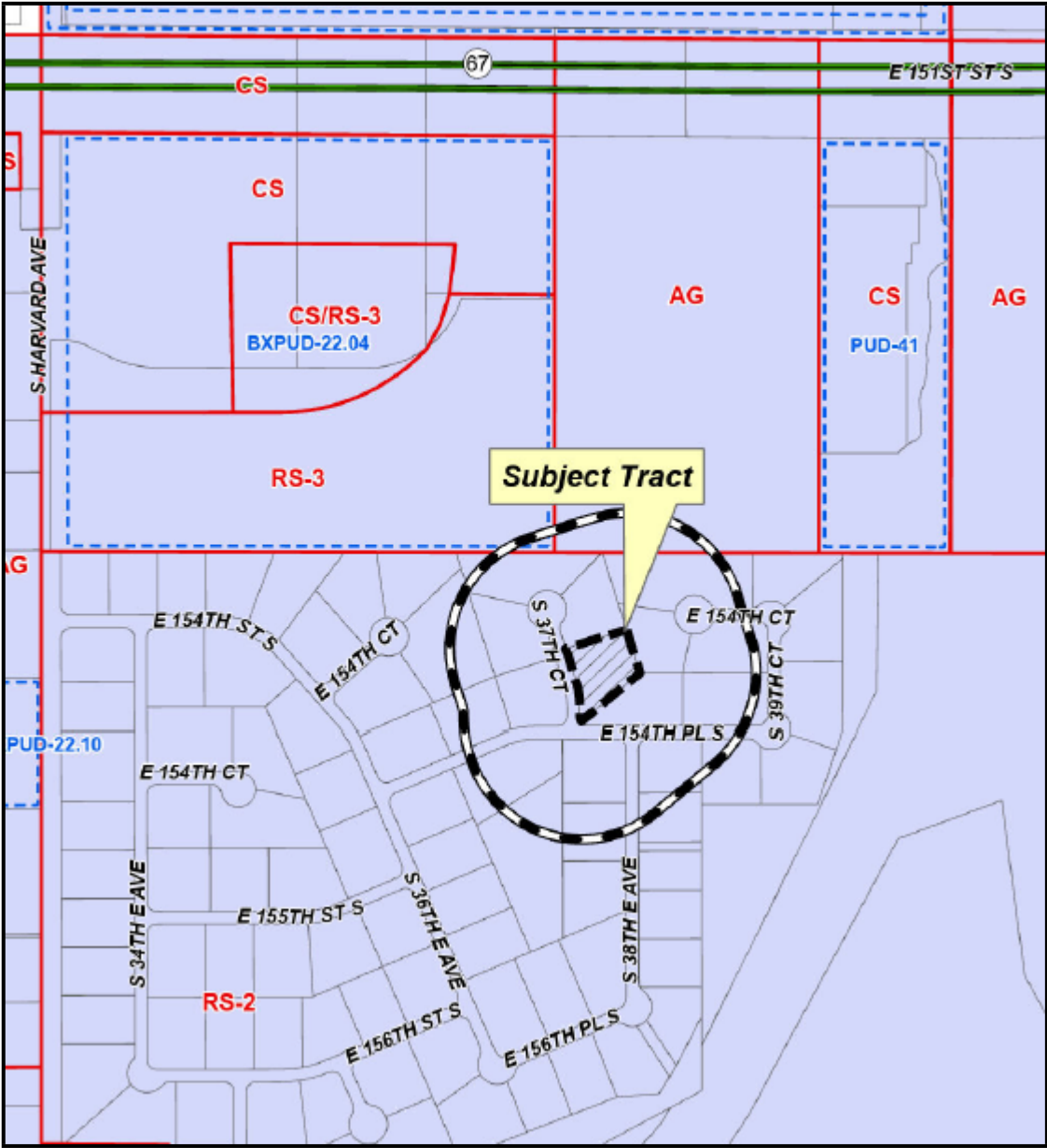
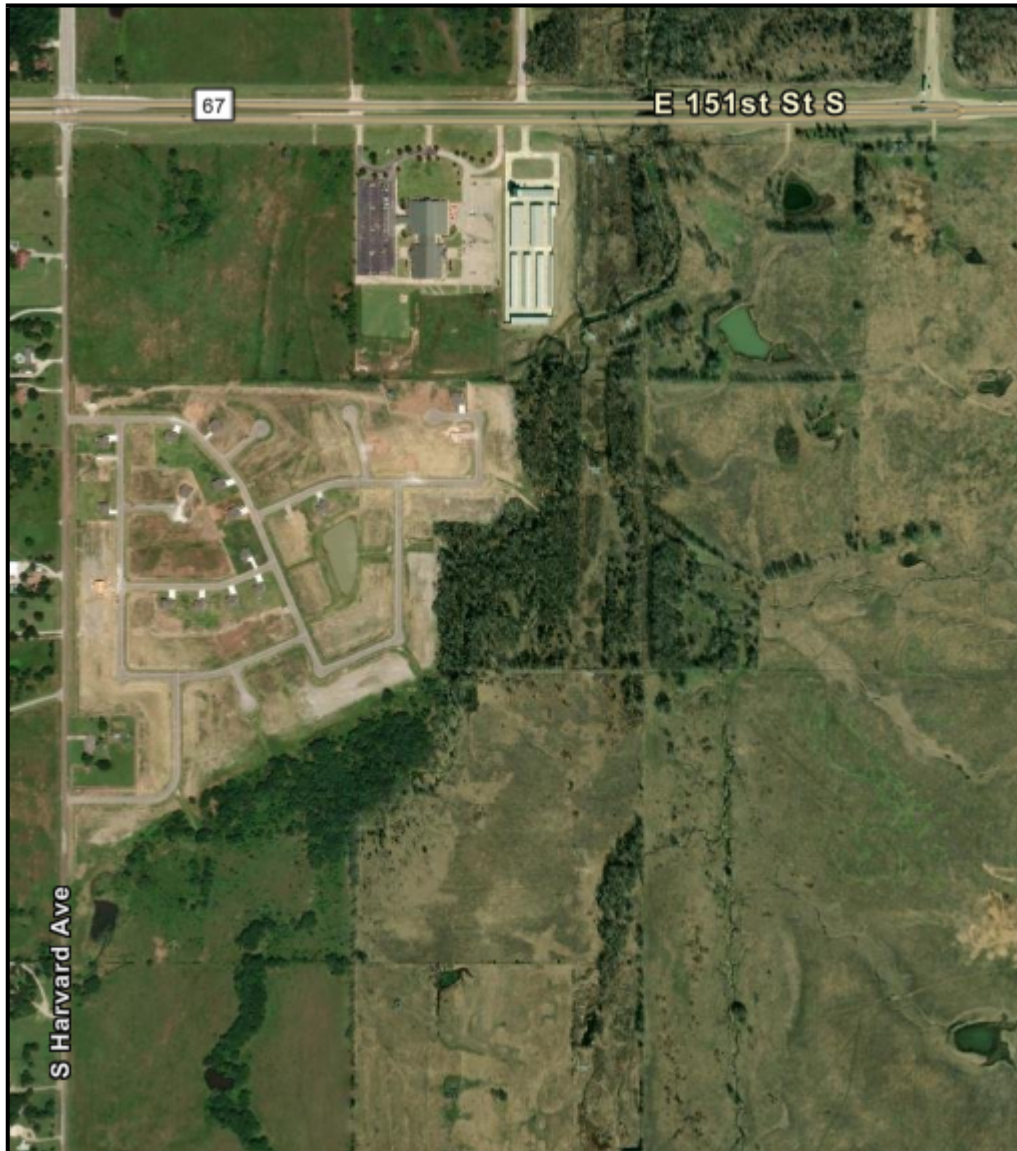


Figure 2: Aerial Map of Bixby Meadows



Existing Zoning; Use:

(RS-2) Single-Family; Single –Family Dwelling

Abutting Zoning; Use:

North: (RS-2) Single-Family; Residential Single-Family dwelling

East: (RS-2) Single-Family; Residential Single-Family dwelling

South: (RS-2) Single-Family; Residential Single-Family dwelling

West: (RS-2) Single-Family; Residential Single-Family dwelling

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

Staff Comments:

According to the applicant in the submitted summary, Mr. Guthrie was under the impression by a representative of Shaw Homes that a 1500-square-foot shop building would be allowed to be built on his property.

Mr. Guthrie understands that any outbuilding of any size must have written approval of the Architectural Committee and all driveways to the outbuilding must be concrete, no gravel or asphalt.

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 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-24.03 I move that we (approve/deny) the Variance to exceed the 800 square feet allowed in an RS-2 District located at 15415 South 37th Court, Bixby, OK 74008, with the following conditions:

Figures:

Figure 1: INCOG 300 foot radius map

Figure 2: City of Bixby Aerial Map of Bixby Meadows

Attachments:

Exhibit A: Letter from Homeowner

Exhibit B: Outbuilding Criteria

Exhibit C: Site Plan, Pre-Construction Drainage, Erosion Control, Post Construction Drainage

Continued from Item #4

Our understanding when purchasing the property was that we had the ability to build a shop of substantial size, specifically up to 30X50 feet, as confirmed by Chad Lane of Shaw Homes and subsequently by other representatives.

Despite our thorough inquiries and receiving assurances both verbally and in writing, we were recently informed about a zoning restriction that prohibits us from building the 24X50 structure we intended. This news has come as a disappointment, particularly because it significantly impacts our plans for utilizing the property effectively.

We feel that we took all necessary steps to clarify our options before finalizing our purchase, relying on the information provided to us by Shaw Homes representatives. However, the discrepancy between what we were told and the actual zoning restrictions now poses a challenge that we were not prepared for.

We are currently incurring an additional monthly expense for boat storage due to this situation, which is not only inconvenient but also financially burdensome. Moreover, it means that we are unable to realize our original plans for the property, which is disappointing given our initial excitement about being part of the Bixby Meadows community.

Outbuilding Criteria - Bixby Meadows

No Outbuilding of any size or kind may be installed without the prior written approval of the Architectural Committee. All driveways to outbuildings must be concrete, no gravel or asphalt.

Metal buildings – Outbuildings may be allowed provided they are of a two-tone color scheme as shown below. The maximum dimensions of any outbuilding shall be 20 ft. wide and 40 ft. deep. The wall height shall not exceed fourteen feet high (14 ft). The outbuilding shall have a concrete floor supported by concrete footings and shall not exceed eight hundred square feet (800).

Other buildings - Outbuildings under 150 square feet shall be permissible provided the exterior siding is painted to match the main home and the roof is covered with composite roofing shingles that match the main home. A concrete footing concrete slab must be installed under outbuildings. A manufactured two-tone vinyl outbuildings may be considered by the architectural committee, see below.

