



The City of
OKLAHOMA CITY

BOARD
OF
ADJUSTMENT

AGENDA

1:30 PM/April 15, 2010

Rod N. Baker, Chair
David Wanzer
Jim Allen
Jeff Austin
Michael E. Dunn

This public hearing is being broadcast live on CITYVUE 20 (Cox Cable) and will be replayed tonight at 6:35 p.m. Parking validation for the Sheridan-Walker Parking Garage can be obtained from the City Council Office (3rd floor, north end).

It is the policy of the City to ensure that communications with participants and members of the public with disabilities are as effective as communications with others. Anyone with a disability who requires an accommodation, a modification of policies or procedures, or an auxiliary aid or service in order to participate in this meeting should contact the ADA Planning Department Coordinator at 297-1685 or TDD 297-2020 as soon as possible but not later than 48 hours (not including weekends or holidays) before the scheduled meeting. The Planning Department will give primary consideration to the choice of auxiliary aid or service requested by the individual with disability. If you need an alternate format of the agenda or any information provided at said meeting, please contact the ADA Planning Department Coordinator listed above 48 hours prior to the scheduled meeting.

INFORMATION ABOUT BOARD OF ADJUSTMENT MEETINGS

The Board of Adjustment meets on the first and third Thursday of each month at 1:30 pm in the Council Chambers, Third Floor, Municipal Building, 200 North Walker Avenue. A schedule of meetings is available in the Planning Department.

PUBLIC HEARING ITEMS

The Oklahoma City Municipal Code charges the Board of Adjustment with the authority to hear several different types of requests which are as follows:

Special Exception. This request permits consideration of a specific land use as enumerated in the Zoning Code after a review and approval by the Board and after meeting all required conditions.

Variance. In any specific case where the literal enforcement of the Zoning Code regulations would cause an unnecessary or unusual hardship, upon application, the Board may vary or modify that regulation.

Oil/Gas Related Cases. Any request devoted to subsurface mining, storage and transmission of oil and gas and the production of such.

Appeal from the decision of the Director. The Director, or his/her designee, is responsible for the enforcement of the development regulation of the Zoning Code. Any decision of the Director may be appealed to the Board by persons affected by the decision.

ADDRESSING THE BOARD OF ADJUSTMENT

The applicant will be requested to present their case first. Following the applicant's presentation, the public will be called upon to present testimony, for or against, the stated request. Each person who speaks should first state their name and address. Each person shall be given the opportunity to present their case once, as succinctly as possible. All parties should limit their remarks to five minutes. Large groups who want to address the Board should choose one spokesperson. After protestant's remarks, the applicant will be entitled to one brief rebuttal.

BOARD ACTION

After the case has been fully presented, the Board will vote to approve, approve conditionally, or deny the request. A concurring vote of three members is required to approve, defer or deny an item. If the request is approved, you may seek a building permit, if applicable, to use the property in accordance with the Board's approved action. If denied, you may: (1) Appeal the decision of the Board to the District Court of Oklahoma County (any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of the municipality may appeal any decision of the Board to District Court of Oklahoma County pursuant to the requirements set forth in Section 59-4250.10.F of the Oklahoma City Municipal Code, 2007), or (2) Re-apply after a minimum of six months, providing the request is different, or the physical facts in the area have changed. If an appeal is filed with the District Court of Oklahoma County, the Board may enter into a settlement of the case. Should the Board of Adjustment's decision regarding an application be appealed to the District Court, all interested and affected persons that were originally notified and persons who made an official appearance before the Board will be notified by regular mail to inform them of the appeal.

For more information about the Board of Adjustment, call 297-2417 (TDD 297-2020)

AGENDA

OKLAHOMA CITY BOARD OF ADJUSTMENT

April 15, 2010

COUNCIL CHAMBERS (1:30 PM)

I. CALL TO ORDER

II. [APPROVAL OF THE MINUTES OF THE APRIL 1, 2010 MEETING](#)

III. CONTINUANCE REQUESTS/WITHDRAWALS

A. Requests by Staff or Applicants

B. Requests by Public

IV. PUBLIC HEARINGS

C. CONSENT DOCKET

(Items on the Consent Docket will be voted on as a group, unless a member of the Board or the audience requests separate action at this time. Items pulled from the Consent Docket will be heard in the order they appear on the agenda.)

D. ITEMS REQUIRING SEPARATE VOTE

1. [Case No. 13240: Request for use variance of Stephens & Johnson Operating Company, for permit to drill an oil/gas well in the I-2 Moderate Industrial District, located at 8200 South Bryant Avenue.](#)
2. [Case No. 13241: Request for use variance of Stephens & Johnson Operating Company, for permit to drill an oil/gas well in the PUD-1404 Planned Unit Development District, located at 8040 South Eastern Avenue.](#)
3. [Case No. 13242: Request for use variance of Stephens & Johnson Operating Company, for permit to drill an oil/gas well in the I-2 Moderate Industrial District, located at 8500 South Bryant Avenue.](#)
4. [Case No. 13243: Request for use variance of Stephens & Johnson Operating Company, for permit to drill an oil/gas well in the I-2 Moderate Industrial District, located at 8504 South Bryant Avenue.](#)

5. [Case No. 13238: Request of Sheridan Redevelopers, LLC, for a Variance to permit installation of a temporary parking lot in the DBD/DP Overlay District, located at 419/421 West Sheridan Avenue.](#)
6. [Case No. 13239: Request of Midwest Tile, Marble & Granite, Inc., for a Variance to permit the outside display of granite slabs in the I-1 District, located at 9601 North Robinson Avenue.](#)
7. [Case No. 13246: Application for Special Exception of Barbara Wischart, to allow a mobile home to serve as a temporary second dwelling to relieve a medical hardship in the R-1 Single Family Residential District, located at 11601 North Westminster Road.](#)
8. [Case No. 13229: Request of 308 Design Collaborative, for a Variance to permit the installation of a new parking lot with an alternative surface in the DBD District, located at 714 West Sheridan Avenue.](#)
9. [Case No. 13236: Request of Russell Gornichec, for a Variance to permit the encroachment of a swimming pool into the rear yard setback and the platted rear building line in the PUD-783 District, located at 17217 & 17221 Hawks Ridge Lane.](#)
10. [Case No. 13244: Appeal of Bert & Mary Bowman, of the decision of the Historic Preservation Commission regarding the denial of a Certificate of Appropriateness to construct an addition to the rear of the house located at 524 NW 17th Street.](#)

V. ADDITIONAL ITEMS

VI. COMMUNICATIONS AND REPORTS

E. Board Committees

F. Board Members

G. Municipal Counselor

VII. CITIZENS TO BE HEARD

VIII. OTHER BUSINESS

IX. ADJOURNMENT