



P.O. BOX 850 | COWETA, OKLAHOMA 74429 | PH. (918) 486-2189 | FAX (918) 486-5366 | www.cityofcoweta-ok.gov

**AGENDA - REGULAR MEETING
COWETA BOARD OF ADJUSTMENT
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, NOVEMBER 18, 2024, 6:00 PM**

I. CALL TO ORDER

II. ROLL CALL - BOARD OF ADJUSTMENT

Joanna Jones ____

Kristi Rentie ____

Jessica Mugg ____

Briana Libey ____

Vacant ____

III. CONSENT

(All matters under the "Consent Calendar" are considered by the Board of Adjustment to be routine and will be enacted by one motion. Any Member may, however, remove an item from consent by request.)

1. MINUTES REGULAR MEETING

APPROVAL OF THE MINUTES OF THE COWETA BOARD OF ADJUSTMENT REGULAR MEETING HELD ON OCTOBER 28, 2024.

Documents:

[BOA MINUTES 10.28.2024.PDF](#)

IV. PUBLIC HEARINGS

1. PUBLIC HEARING CBOA 24-07

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON CBOA 24-07, A REQUEST FOR A REQUEST FOR VARIANCE FROM THE LOCATION OF AN ALLOWED ACCESSORY BUILDING FROM THE REAR YARD TO THE SIDE YARD. (ZONING CODE SECTION: 12-5-10 YARDS; SECTION 12-5-10 B (5) (B) (2).) THE PROPERTY IS ZONED RESIDENTIAL SINGLE-FAMILY (RS-1). THE LOCATION OF THE REQUEST IS 25703 EAST 107TH STREET SOUTH. (TOM E. YOUNG, JR.)

Documents:

[241118 STAFFREP CBOA 24-07 ELLEN KUNZE _TY.DOCX](#)
[CBOA 24-07 LOCATION MAP.PDF](#)
[CBOA 24-07 SITE LOCATION.PDF](#)
[CBOA 24-07 ZONING MAP.PDF](#)
[CBOA 24-07 AERIAL VIEW MAP.PDF](#)

V. ADMINISTRATION

1. CBOA 24-07

DISCUSS AND POSSIBLE ACTION INCLUDING APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL OF CBOA 24-07 A REQUEST FOR A REQUEST FOR VARIANCE FROM THE LOCATION OF AN ALLOWED ACCESSORY BUILDING FROM THE REAR YARD TO THE SIDE YARD. (ZONING CODE SECTION: 12-5-10 YARDS; SECTION 12-5-10 B (5) (B) (2).) THE PROPERTY IS ZONED RESIDENTIAL SINGLE-FAMILY (RS-1). THE LOCATION OF THE REQUEST IS 25703 EAST 107TH STREET SOUTH. (TOM E. YOUNG, JR.)

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VI. ADJOURNMENT

IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PLEASE NOTIFY CITY HALL BY 9:00 A.M. ON THE DATE OF THE MEETING.



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**REGULAR MEETING - MEETING MINUTES
COWETA BOARD OF ADJUSTMENT
COWETA CITY HALL, 310 S. BROADWAY, COWETA, OKLAHOMA**

MONDAY, MAY 20, 2024, 6:00 PM

BOARD MEMBERS PRESENT: Joanna Jones, Krisit Rentie and Tim Ahlstrom.

BOARD MEMBERS ABSENT: Bruce Watkins & Jessica Morris.

I. CALL TO ORDER

The meeting was called to order by chairperson Joanna Jones at 6:00 p.m.

II. ROLL CALL

Roll call taken. Board of Adjustment members were present as shown above.

III. CONSENT

1. Consideration of the minutes of the regular meeting held on April 15, 2024.
Kristi Rentie makes a motion to approve the minutes. Tim Ahlstrom seconded the motion.

Aye: Kristi Rentie
Tim Ahlstrom
Joanna Jones

IV. PUBLIC HEARING ITEMS

Public Hearing CBOA 24-05

Public Hearing to receive public comment on CBOA 24-05, a request for a variance from Section 12-12-4 Design Standards for off-Street Parking Areas; Section 12-12-4 (D) Unenclosed Off Street parking areas shall be surfaced with an all-weather asphalt or concrete material or its equivalent material designed to carry the maximum load normally expected on that surface. The property is zoned Residential Single-Family (RS-1) the location of the request is 14461 South 279th East Avenue.

Joanna Jones closes public hearing.

V. ADMINISTRATION

CBOA 24-05

Discuss and possible action including approval, approval with conditions, or denial of CBOA 24-05 a request for a variance from Section 12-12-4 Design Standards for Off-Street Parking Areas; section 12-12-4 (D) Unenclosed Off-Street parking areas shall be surfaced with an all-weather asphalt or concrete material or its equivalent material designed to carry the maximum load normally expected on that surface. The property is zoned Residential Single-Family (RS-1) the location of the request is 14461 South 279th East venue.

Comments: Carolyn Back, Community Development Director noted that the hardship to be the same as the homes from last month's meeting, that being "the road is a private gravel road, has never been maintained by the County or the City. There are no plans by the city to improve the road, and the applicant is still required to provide a hard all-weather parking pad outside of the garage area."

Kristi Rentie made a motion to approve the requested variance based on hardship previously stated. Tim Ahlstrom seconded the motion.

Aye: Tim Ahlstrom
Jessica Morris
Joanna Jones

VI. ADJOURNMENT

The meeting was adjourned by Joanna Jones at 6:10 p.m.

X Joanna Jones Date: 10-28-24
Chairperson

X Kristi Rentie Date: 10/28/24
Secretary



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Memorandum

To: Honorable Chairman, Members of the Board of Adjustment
From: Tom E Young Jr, City Planner
Re: CBOA 24-07
Date: 11/18/24

BACKGROUND

Applicants

Ellen and Cassandra Kunze are seeking; A variance from Section 12-5-10 Yards; A variance from Section 12-5-10 B *Permitted obstructions*: Obstructions are permitted in required yards as follows: (5) Detached accessory buildings may be located in the rear yards of RS districts and shall be regulated as follows: (b) On RS lots containing one-half acre of lot area or greater, detached accessory buildings may be located in the rear yard.

The applicant is seeking a variance from the requirement that requires detached accessory buildings to be located in a rear yard, to allow the new accessory structure to be located on the side yard.

Case Facts

- The location of the request is 25703 East 107th Street South.
- The property is located in Section 26, Township 18 North, Range 15 East.
- The property legal description as:

The North 209 feet of the West 217 feet of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW/4 NW/4 SW/4) of Section Twenty-six (26), Township Eighteen (18), Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, According to the U.S Government Survey Thereof, LESS AND EXCEPT the South 25 feet and the West 25 feet thereof for road.

- The property is zoned Residential Single Family (RS-1).

Pertinent Code

Article 12-3B-9A Grounds for Variance

The Board of Adjustment, upon application, and after hearing, and subject to the procedural and substantive standards hereinafter set forth, may grant such variance from the terms of this title as will not cause substantial detriment to the public good or impair the spirit, purposes and intent of this title 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 this title will result in unnecessary hardship. The Board shall not vary any jurisdictional requirement, such as notice.

Article 12-3B-9C Hearing: Board Action,

The Board shall hold the hearing and, upon the concurring vote of three members, 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 this title would result in unnecessary hardship.
2. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.
3. That 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.
4. That the variance, if granted, would be the minimum necessary to alleviate the necessary hardship.

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.

Article 12-3B-9D Time limitation.

A variance which has not been utilized within one year from date of the order granting the variance shall thereafter be void, provided that the Board has not extended the time for utilization. For the purpose of this subsection, the term "utilization" means actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

The City's legal standard in Zoning Code Section 2170.3 is based on Oklahoma state statute legal standard in 11 O.S. 11 O.S. §44-107:

BOARD ACTION

The Board of Adjustment may vote to approve the variance, vote to deny any variance, or vote to approve the variance with conditions. The Board of Adjustment may consider the following actions;

In the case of CBOA 24-07, I make a motion to _____ A variance from Section 12-5-10 Yards; A variance from Section 12-5-10 B *Permitted obstructions*: Obstructions are permitted in required yards as follows: (5) Detached accessory buildings may be located in the rear yards of RS districts and shall be regulated as follows: (b) On RS lots containing one-half acre of lot area or greater, detached accessory buildings may be located in the rear yard.

Approve the applicant request to allow the new accessory structure to be located on the side yard.

Finding: _____

The concurring vote of at least three (3) members of the board of adjustment is required for approval per code.

ATTACHMENTS

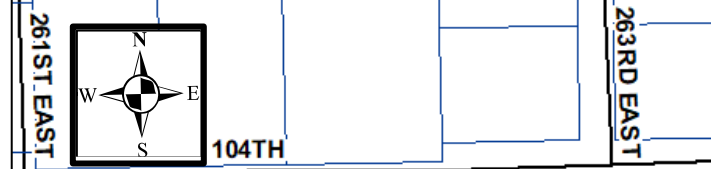
Site Location

Location Map

Aerial view Map

Zoning Map

**CBOA 24-07 VARIANCE SECTION 12-5-10 YARDS
A VARIANCE FROM SECTION 12-5-10 B (5) (b) (2)
DETACHED ACCESSORY BUILDING LOCATION**



Panda Oneta Plant

Ceejay Acres

105TH

Midway Acres

SUBJECT PROPERTY

15E18N27

15E18N26

107TH

257TH EAST

108TH

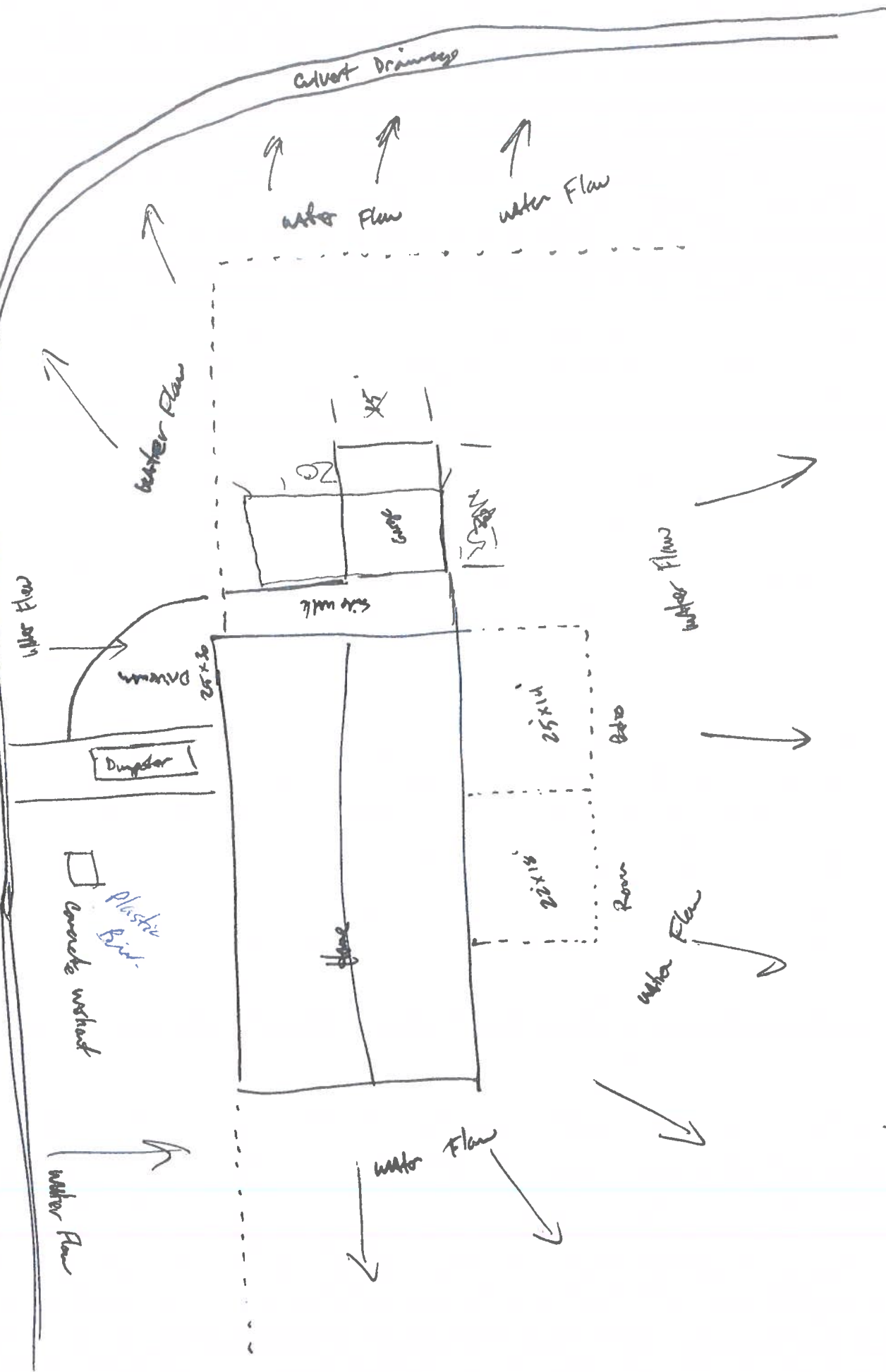
Redhawk Farms

STATE HIGHWAY 51

S. 257th E.

E. 107th S.

culvert



35 feet to property line.

25703 E. 107th S.

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A VARIANCE FROM SECTION 12-5-10 B (5) (b) (2)
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IH

Panda Oneta Plant

IL

RS-1

105TH

Midway Acres

SUBJECT PROPERTY

15E18N26

105TH

RM-1

RMH

RS-1

107TH

257TH EAST

CG

RM-1

STATE HIGHWAY 51

Legend

ZONE_TYPE

- RS-1 - RESIDENTIAL SINGLE FAMILY
- RMH - RESIDENTIAL, MANUFACTURED HOME
- RM-1 RESIDENTIAL MULTI-FAMILY
- IL - LIGHT INDUSTRIAL
- IH - HEAVY INDUSTRIAL
- CG - GENERAL COMMERCIAL
- AG - AGRICULTURE DISTRICT

AG

RS-1

108TH

Redhawk Farms

IL

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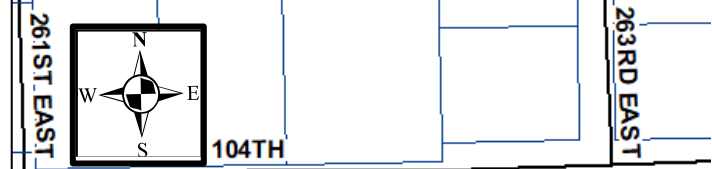
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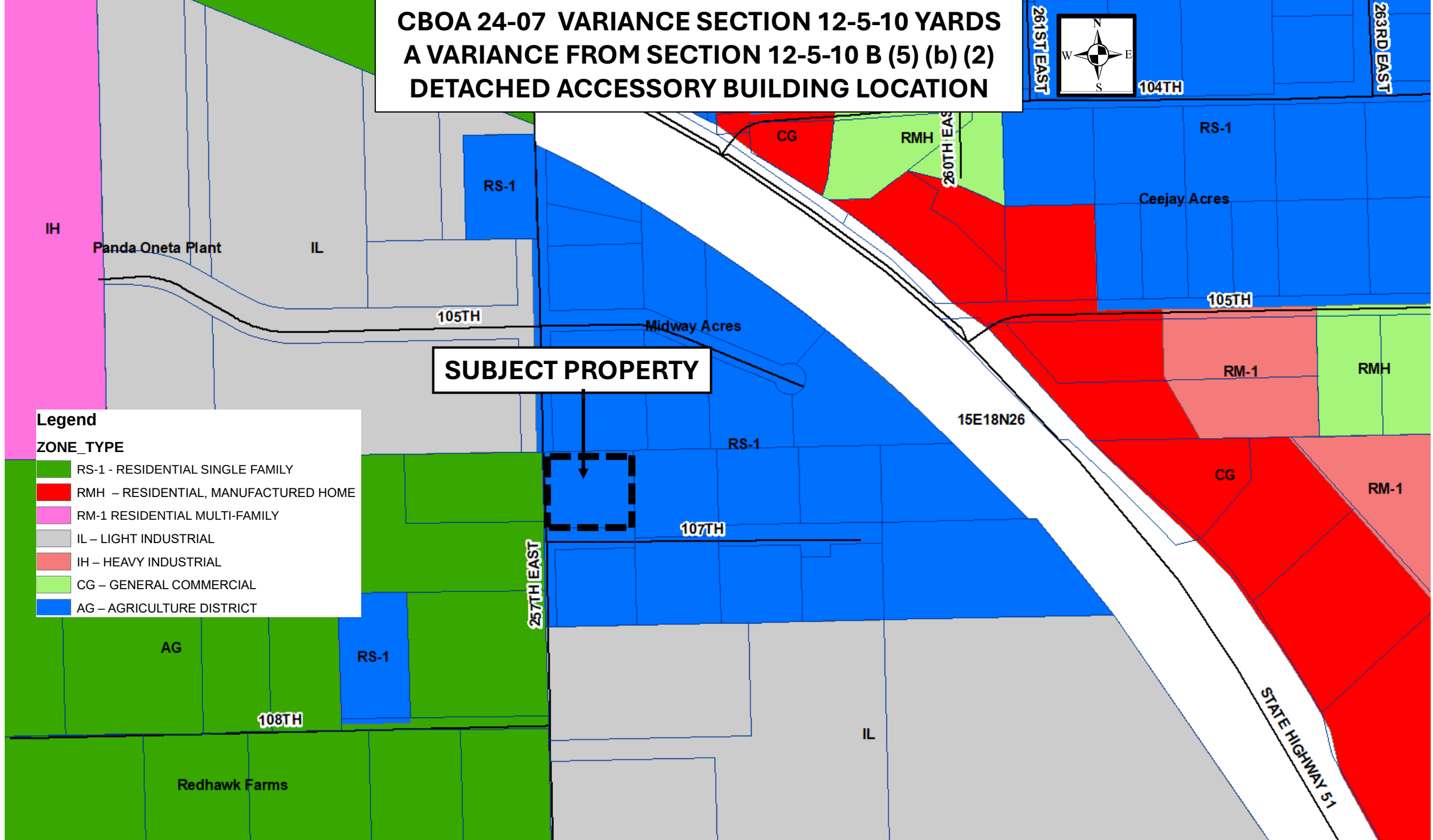
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Legend

ZONE_TYPE

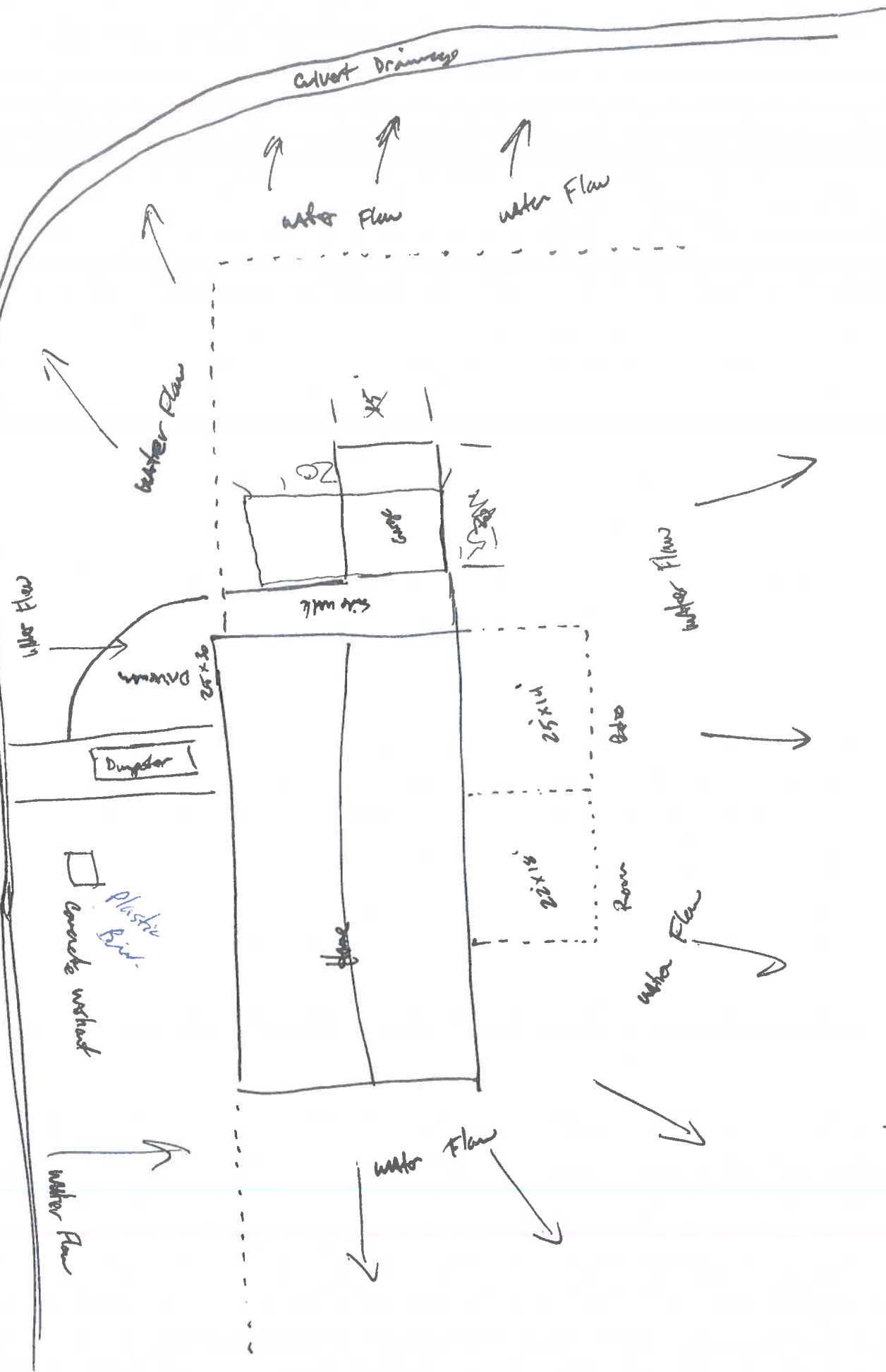
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