



The City of  
**OKLAHOMA CITY**

FILED

2008 SEP -2 A 10:15

CITY OF  
OKLAHOMA CITY, OKLA  
OFFICE OF  
CITY CLERK

BOARD  
OF  
ADJUSTMENT

AGENDA

1:30 PM/September 4, 2008

**Steven Dobbs, Chair**  
**Rod N. Baker, Vice-Chair**  
**David Wanzer**  
**John Yoeckel**  
**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 (3<sup>rd</sup> 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

SEPTEMBER 4, 2008

- I. CALL TO ORDER
- II. APPROVAL OF THE MINUTES OF THE AUGUST 7, 2008 MEETING
- III. CONTINUANCE REQUESTS/WITHDRAWALS
  - A. Requests by Staff or Applicants
  - B. Requests by Public
- IV. PUBLIC HEARINGS
  - A. 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.)*

- 1. **Case No. 13006:** Request of Love Link Ministries, Inc., for a Variance to the required number of on-site parking spaces and to allow parking and maneuvering in the street right-of-way in the I-2 Moderate Industrial District, located at 1122 Linwood Boulevard.

- B. ITEMS REQUIRING SEPARATE VOTE

- 2. **Case No. 13007:** Request for use variance of Slawson Exploration Co. Inc., for permit to drill an oil/gas well in the AA Agricultural District, located at 13948 SW 29th Street.
- 3. **Case No. 13009:** Request for use variance of Chesapeake Exploration, LLC, for permit to drill an oil/gas well in the PUD-445 Planned Unit Development District, located at 10322 NW 150th Street.
- 4. **Case No. 13010:** Request for use variance of United Production Company, LLC, for permit to drill an oil/gas well in the AA Agricultural District, located at 12505 North Sara Road.
- 5. **Case No. 13003:** Application for Special Exception of Grand Resources, Inc., to allow a salt water disposal well in the AA Agricultural District, located at 15320 Country Edge Drive.

6. **Case No. 12995:** Request for use variance of United Production Company, LLC, for permit to drill an oil/gas well in the R-1 Single Family Residential District, located at 10705 North Mustang Road.
7. **Case No. 13004:** Request of John Colston, for a Variance to the sidewalk requirement and to allow a gravel driveway in the PUD-1340 Planned Unit Development District, located at 5901 South Missouri Avenue.
8. **Case No. 13014:** Request of Quinn & Associates, for a Variance to the sound attenuation construction requirements of the AE-2 Airport Environs Zone, located at 1711 South Meridian Avenue.
9. **Case No. 13005:** Request of Producers Playhouse LLC, for a Variance to the required number of on-site parking spaces in the I-2 Moderate Industrial District, located at 117 NW 142nd Street.
10. **Case No. 13012:** Request of Man Cong Ngo, for a Variance to the required number of on-site parking spaces, the maximum 30 foot driveway width requirement and to allow parking in the street right-of-way in the C-3/UD/TT Community Commercial/Urban Design/Twenty-Third Street Uptown Corridor Districts, located at 822 NW 23rd Street.
11. **Case No. 13008:** Request of Sam Gresham, for a Variance to the required number of on-site parking spaces and the minimum 22 foot two-way drive aisle width in the C-4 General Commercial District, located at 1710 North Broadway Avenue.
12. **Case No. 12973:** Request of I-40 ER Development Group, LLC, for a Variance to the minimum 1,200 foot separation required between non-accessory signs (billboards) in the C-4 General Commercial District, located at 1740 East Reno Avenue.
13. **Case No. 13011:** Request of Diana Salazar, for a Variance to maximum size and the separation requirement between non-accessory signs in the I-3 Heavy Industrial District, located at 5700 South High Avenue.
14. **Case No. 13002:** Appeal of Corey Lamb, regarding the determination of a non-conforming use, located at 1117 NW 38th Street.
15. **Case No. 13013:** Appeal of Lamar Outdoor Advertising, regarding the denial of permit to erect a non-accessory sign (billboard) or a Variance to the spacing and measuring requirements between non-accessory signs, located at 4650 South I-35 Service Road.

16. **Case No. 12983:** Appeal of Mathis Brothers Oklahoma City, LLC, of the decision of an administrative official, regarding the issuance of a citation for displaying an animated sign without a permit for such a sign in the I-2 Moderate Industrial District, located at 3434 West Reno Avenue.
  
17. **Case No. 13001:** Appeal of David and Ambra Gales, of the decision of the Historic Preservation Commission regarding the denial of a Certificate of Appropriateness for covering an existing concrete front porch and sidewalk with flagstone (Case No. HPCA-08-091) or Variance to the requirement for a Certificate of Appropriateness and the provisions and procedures of the Historic Preservation Ordinance, located at 520 NW 40th Street (Crown Heights).

**V. ADDITIONAL ITEMS**

**VI. COMMUNICATIONS AND REPORTS**

- A. Board Committees
- B. Board Members
  1. Resolution of commendation for Don Criswell
- C. Municipal Counselor

**VII. CITIZENS TO BE HEARD**

**VIII. OTHER BUSINESS**

**IX. ADJOURNMENT**