

**MINUTES
BIXBY BOARD OF ADJUSTMENT
BIXBY CITY HALL, COUNCIL CHAMBERS
7 PM, FEBRAURY 3, 2003**

MEMBERS PRESENT STAFF PRESENT MEMBERS ABSENT
JEFF WILSON JIM COFFEY DARRELL MULLINS
CARL CARNAHAN
DAVE HILL
LONNIE JEFFRIES

- 1. CALL TO ORDER 7 PM.**
- 2. CONSIDERTION AN APPROVAL OF MINUTES FROM
JANUARY 6, 2003.**

Commissioner Hill moved and Commissioner Carnahan second for approval.

VOTING FOR: Hill, Carnahan, and Wilson

VOTING AGAINST: None

ABSTAINING: Jeffries

MOTION PASSED: 3-1-0

- 3. BBOA 396 Public hearing, Discussion and possible action to approve a Special Exception to allow automotive indoor storage, and sales under Use Unit 17 Automotive and Allied Act ivies in a CS (Commercial Shopping) Zone at 8307 E 111th Street, Leilani Armstrong & Ibrahim ElAlodallah, applicants.**

Staff Report:

Please refer to the enclosed letter from the applicant concerning their desire to store vehicles indoors and sale a vehicle on occasional basis. No mechanical work would be done on the premise. Staff has no problem with this applicant as long as it does not become a place with mechanical work is done and create a volume of traffic to view and purchase automobiles. The staff believes the following conditions should be placed if approval.

- a. No mechanical work on premises.
- b. No outdoor display or storage

Public Hearing:

LeiLani Armstrong, 8931 S Erre Ave, Tulsa, Oklahoma, explained that her husband wanted an indoor place to occasionally sale a car. He did not want to store the cars on a residential drive and if he sales more than three cars a year he is considered a retail car establishment which he cannot do form the house. He wants to comply with the law.

Dave Hill said he has no problem with the item as long as the restrictions be placed on the item as outlined in a letter to the planner. The restrictions here are no outdoor display and limited sales.

Armstrong said the sale of cars is like a hobby. I do not know how many cars he might sale a year. He does do any maintenance. He does not change oil or do any work on the cars.

Carl Carnahan asked how many cars he planned to put in the building.

Armstrong replied two maybe three.

Carl Carnahan asked if the area was zoned for car sales. The Planner replied that sale of vehicles was under Use Unit 17. A CS Zone will only allow Use Unit 17 items by Special Exception.

Jeff Wilson asked that the building be described because he was not familiar with the building.

Armstrong gave the location and explained the building is similar to a small warehouse with an office in front. It is only about 1000 square feet. It has three outside parking spaces. There are several units and Tim Remy owns the buildings.

Lonnie Jeffries asked if it was next to the vacant lot at 111th and Memorial. The Planner described the location as to the east of that lot.

Jeff Wilson asked if they would put the cars out for sale and Armstrong said no they would be inside the building.

Dave Hill asked about signs and was told it would not be other than the wall sign on building. No neon sign, flashing lights, flags etc.

Carl Carnahan clarified the sign would be a regular business sign on the outside of the building. Signs are regulated by the development.

Neal Trowbridge, 8611 E 106th Street, Bixby, Ok. He represents the executive committee of the Home Owners Association and feels it is not appropriate to grant the Special Exception. We feel that to allow cars for sale sets a bad precedence for the area. It has been indicated that maintenance will not be involved but typically there is always some maintenance, like changing a tire. We are concerned with approving this use.

Even if maintenance is not a concern we still have reservation about allowing a care dealership in the area, and feel it is not appropriate.

Dave Hill asked about the other commercial concerns in the area and about the fact the building in questions is separated from the residential area by an additional building. Neal Trowbridge responded they were concerned about the appropriate use for the area.

Lonnie Jeffries asked the planner what happens if this items is approved and they move out in a period of time. The Planner responded that this is a lease space and the special exemption is only for the present applicants. It is not a Special Exception requested by the property owner for the building.

Carl Carnahan asked how may home owners Trowbridge represented. He responded he represented 215 homes. However, he was not speaking on a unanimous vote of the property owners but for the executive committee.

Marilyn Miller, 11102 S 85th East Ave. said she presented the case to the homeowners executive committee. I did believe there would be maintenance. She wanted only the business that was allowed by the zoning to be allowed on the commercial site. Please consider how you would feel if this business was at your back door.

Carl Carnahan said he would like to see the motion made with the restrictions on outside sales and display. Jeff Wilson was concerned about granting a special exception and worried that this would start and bad application for the area, like the muffler and repair shop across the street to the south. Dave Hill explained that this application would not create traffic problems.

Dave Hill made a motion that the item be approved with the restrictions of on outdoor sales or display and no mechanical work on site. The motion was seconded by Lonnie Jeffries.

VOTING FOR: Hill, Carnahan, and Jeffries

VOTING AGAINST: Wilson

ABSTAINING: None

MOTION PASSED: 3-1-0

Jeff Wilson asked the Planner to draft a letter for signature of the applicant that they understand and submit to the restrictions.

4. BBOA 397 Public hearing, Discussion and possible action to approve a variance from Chapter 2, Section 240e, to construct an addition of 24' x 30' to an existing 24' x 30' detached garage at 9110 E 116th Street South, Jerry Stone, applicant.

Staff Report: In your packet is a map showing the placement of the building with old and new addition. The applicant could build the additional size by right, however when it as an attachment to the old structure it is above the 750 square feet allowed by right. Staff recommends approval.

Jerry Stone, 9110 E 116th Street, Bixby, Ok. I want to build on and I believe it would look better as one building than to have two buildings. I have an antique car I would like to store in the building I also have a racecar and would like more room to store it.

Dave Hill asked if he planned to work on the racecar in the building and Jerry Stone replied not heavy mechanical work. Hill asked what kind of car and Stone replied it was a dirt track car that is not legal on the streets. Hill asked if he plan to run the motor, staring it up, revving it up? Stone replied it had to be pushed to start.

Carl Carnahan asked if the trailer on the site housed the sprint car. Stone said it is in the trailer at this time. Carl stated there is now a four-car garage and this will make about an eight-car garage. Stone replied it would.

Bill Witteman, 9139 E 117th Street, Bixby, Ok. was not sure what he thought about this item, called the planner for information. My concern is that it is a large garage. I live in the subdivision to the south and a unit of that size is

not allowed. You don't know what will be stored in the garage. If it were a commercial storage I would be against it.

Pat Woodward, 9120 E 116th Street. He is the neighbor to the east and he has no problem with the garage, because it shields us from the street to the subdivision to the south.

Hill moved for approval, Jeffries seconded the motion.

VOTING FOR: Hill, Carnahan, Jeffries, Wilson

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 4-1-0

5. BBOA 398 Public hearing, Discussion and possible action to approved a variance from Chapter 2, Section 240e to construct a detached garage of 35.3' x 50.3' at 7712 E 130th Street, William & Sherri Nichols, applicants.

Staff recommends approval.

Bill Nichols said he was the applicant. Dave Hill asked if the large building next to the house was his building and Nichols said it is on the property next door. Hill asked what he planned to do with the building and Nichols responded it was for storage.

Jeffries moved and Hill seconded for approval.

VOTING FOR: Hill, Carnahan, Jeffries, and Wilson

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 4-0-0

6. Old Business: None

7. New Business: None

8. Adjournment

Approval

Date