

**MINUTES
BIXBY BOARD OF ADJUSTMENT
BIXBY CITY HALL, COUNCIL CHAMBERS
7 PM, MAY 5, 2003**

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

1. CALL TO ORDER

2. APPROVE MINUTES FOR April 7, 2003

Dave Hill moved and Lonnie Jeffries seconded for approval

3. BBOA 402 Discussion and possible action to approve a variance from Chapter 4, Section 430, Bulk Area Requirements, set back requirements, Fox Hollow LLC, applicant.

STAFF REPORT: Fox Hollow has requested that Lots 18 & 19, Block 1; and Lots 1 through 13, Block Two, receive a variance from the front building line set back. The lots in question are RS-2 lots while the rest of the subdivision is RS-3. The Building Line set back for a RS-3 zoned lot is 25 feet, while the building line set back for a RS-2 lot is 30 feet. The lots in question were zoned RS-2 to insure larger lots and possibly houses at the request of North Heights Subdivision. North Heights was concerned about the lots at their border that were smaller than those in North Heights. A Set back in the front of 25 feet would possible move the house further away from North Heights. The calls received from North Heights to date were positive. The developer is requesting that all lots in the sub division have the same front set back line. The staff recommends approval.

No one present to respond to public hearing.

Dave Hill moved and Carl Carnahan seconded for approval.

VOTING FOR: Carl Carnahan, Dave Hill, Lonnie Jeffries, Darrell Mullins, and Jeff Wilson

VOTING AGAINST: None

ABSTAINING: Jeff Wilson

MOTION PASSED: 5-0-0

4. BBOA 403 Discussion and possible action to approve a variance from Chapter 2, Section 240e, to construct a detached garage of approximately 1200, at 13616 S Mingo, Wilma Blair & Karen Brant, applicants.

Staff Report: The detached garage for the property at 13616 S Mingo is appropriate and to date no calls have been received. However, the property is within the 100-year floodplain. Our ordinance requires special consideration for structures in the floodplain including elevation of building one foot above Base Flood Elevation or Flood proofing measures. Ordinance 8-72 Enclosures. “New construction and/or substantial improvements with fully enclosed areas, located below the lowest floor, and subject to flooding, shall be designed to automatically equalize hydrostatic floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: (1) A minimum of two (2) openings having a total of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. (2) The bottom of all openings shall be no higher than one foot (1) above grade. (3) Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.” Application would have to be reviewed to determine the resulting effect on the floodplain and permit would be contingent on that review. There are other non-conforming structures in the area, but at present a permit would have to adhere to the present ordinance.

Scott Brant, 13616 S Mingo, Bixby, Ok. He drove the neighborhood and took pictures of other structures but was not aware of the floodplain requirements.

An explanation of building to the floodplain followed with a discussion between the City Planner and the Board. The conclusion was the applicant would have to comply with the flood ordinance to build.

Dave Hill, asked the applicant if he would comply with the ordinance and he said he would.

Jeff Wilson, asked the planner he plans would still need to be approved. The Planner said they would and he would give the plan to the City Hydrologist.

Dave Hill moved and Darrell Mullins seconded for approval.

VOTING FOR: Carl Carnahan, Dave Hill, Lonnie Jeffries, Darrell Mullins, and Jeff Wilson

VOTING AGAINST: None

ABSTAINING: Jeff Wilson

MOTION PASSED: 5-0-0

- 5. BBOA 404 Emergency Discussion and possible action to approve a variance from Chapter 10, Section 1021.3 a, to allow a directional sign with company information in the City of Bixby road right of way for Kimberly Clark. Placed on agenda by Phil Frazier, City Attorney.**

Staff Report: Request is made to allow Kimberly Clark to have a directional and information sign within the City of Bixby Right of Way. There is often a problem with large trucks not being able to locate Yale Place to make the turn into Kimberly Clark off State Highway. The trucks then might try to turn around in a residential area or go around a mile section on small county roads. It is to the benefit of the City to have a sign to help locate the plant. The City Attorney was contacted and places the item on the agenda as an emergency (see attached letter). Staff recommends approval.

Dave Hill, asked what would be on the sign. Planner explained it would be information signs with the company logo.

A discussion followed on the placement of the sign and it was indicated by the planner that the sign would be outside the state right of way but possible in the City Right of way.

Carl Carnahan moved and Dave Hill seconded for approval.

VOTING FOR: Carl Carnahan, Dave Hill, Lonnie Jeffries, Darrell Mullins, and Jeff Wilson

VOTING AGAINST: None

ABSTAINING: Jeff Wilson

MOTION PASSED: 5-0-0

6. Old Business: None

7. New Business: None

8. Adjournment

Approved _____ **Date** _____