

**MINUTES**  
**Bixby Board of Adjustments**  
**7:00 PM**  
**116 WEST NEEDLES**  
**BIXBY, OKLAHOMA**  
**MONDAY**  
**June 5, 2006**

**Members Present:**  
**Jeff Wilson**  
**Dave Hill**  
**Murray King**  
**Lonnie Jeffries**  
**Darrell Mullins**

**Staff Present:**  
**Jim Coffey**  
**Janae Beebe**

**Members Absent:**  
**none**

**1. Call to Order**

Chairman Wilson called meeting to order at 7:00 pm.

**2. Approval of Minutes for May 1, 2006**

King motioned for approval, Hill seconded.

**VOTING FOR: Mullins, Hill, Jeffries, King, Wilson**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 5-0-0**

**3. Election of Officers:**

- a. **Chair: Mr. Wilson was nominated to continue as Board Chairman, no other candidates were presented. Vote was 4-0, with Wilson abstaining.**
- b. **Vice Chair: Mr. Mullins was nominated to continue as Board Vice Chairman, no other candidates were presented. Vote was 4-0, with Mullins abstaining.**
- c. **Secretary: Mr. Coffey was nominated to continue as Board Secretary, no other candidates were presented. Vote was 5-0.**

- 4. BBOA 443: Discussion and action on a variance to chapter 4 section 11-7B-4, Bulk Area Requirement, to allow an encroachment on the building line setback of approximately six (6) inches on lot 7, block 6, Amended Legacy Park, also known as 8727 E. 101<sup>st</sup> Place S. David Alexander, Eagle Custom Homes, Applicant.**

**STAFF REPORT**

**Construction of the home is complete and the corner of the garage is encroached about 6 inches into the Building Set Back Line. Changes at this point are virtually impossible and the encroachment is minor. It would be a hardship to remove the area of encroachment because it would mean a major reconstruction of the garage and the roof line over the living areas. It is difficult to see and aligns well with other properties when you look at it from any angle. Request such as this item have been greatly reduced because the builders are taking more care in the field and inspectors are trying to address problems before they are constructed. Staff recommends approval.**

## **PUBLIC HEARING**

**Mr. Mullins:** directed a question to Mr. Coffey asking if about the policy instituted last August in which new construction had to comply with building line setbacks and someone from the City would inspect it.

**Mr. Coffey:** stated that the Building Inspector is now more meticulous about new construction regarding setbacks, and pointed out that this is the first case in almost a year dealing with a building line variance.

**Mr. Mullins:** asked if Eagle Custom Homes had made previous similar requests for variances on other properties.

**Mr. Coffey:** “not to my knowledge.”

**Mr. Mullins:** expressed his concern since most of these type of cases have come from the Legacy Park subdivision.

**Mr. King:** asked how something like this happens; “was it just a wrong measurement?”

**Mr. Coffey:** the encroachment did not come to light until a mortgage survey was done; it most likely was just a wrong measurement

**John Fingerlin, 9010 E. 101<sup>st</sup> St.:** a concerned neighbor and adjoining property owner to the East. Mr. Fingerlin presented an issue to the Board about the fence on the applicant’s property which appears to be encroaching onto Mr. Fingerlin’s property. The Board of Adjustments, however, does not have jurisdiction over private property disputes and could not act on Mr. Fingerlin’s issue. Mr. Coffey did take his contact information to give to Mr. Alexander so the two could work out the issue.

Hill made a motion to **CONTINUE TO THE NEXT MEETING** since the applicant was not present to answer questions.

Wilson stated that the applicant did not fill in the application form fully either.

Hill’s motion to continue was

**VOTING FOR: Mullins, Hill, King, Jeffries, Wilson**

**VOTING AGAINST: none**

**ABSTAINING: none**

- 5. BBOA-444: Discussion and action on a special exception to section 11-7B-2, Use Unit 5, section 11-9-5, Community Services and Similar uses, to allow a fire station on a residential lot. Lot 1, Block 4, Houser Addition. City of Bixby, Applicant.**

## **STAFF REPORT**

**One of the items approved by voters in a recent bond proposal was the construction of a Fire Station on 121<sup>st</sup> Street. There is presently a Fire Station on the adjacent lot that received a Special Exception when the station was constructed. The adjacent lot was purchased by the City for the expansion. The new Station will span both lots, one with a Special Exception and an adjacent lot were the Special Exception is sought. In view of the need to improve the Fire Station, safety concerns, and the vote of the people by a wide majority, the staff recommends approval.**

**PUBLIC HEARING**

No public comment

Hill made a motion to **APPROVE** the special exception, King seconded.

**VOTING FOR: Mullins, Hill, King, Jeffries, Wilson**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 5-0-0**

5 **Old Business:** none

6 **New Business:** none

7 **Adjournment**

Approved \_\_\_\_\_ Date \_\_\_\_\_