

**MINUTES
BIXBY BOARD OF ADJUSTMENT
BIXBY CITY HALL, COUNCIL CHAMBERS
7 PM, November 5, 2001**

**MEMBERS PRESENT
JEFF WILSON
CARL CARNAHAN
LONNIE JEFFRIES
DAVE HILL**

**STAFF PRESENT
JIM COFFEY**

MEMBER ABSENT

- 1. CALL TO ORDER** Chairman, Jeff Wilson, called the meeting to order at 7:00 PM.
- 2. CONSIDERTION OF MINUTES OF October 1, 2001.**
Dave Hill moved and Carl Carnahan seconded a motion to table the minutes until the next meeting because it appears there is a printing error.
VOTING FOR: Wilson, Carnahan, Hill, and Jeffries
VOTING AGAINST: None
MOTION APPROVED: 4-0-0

3. BBOA 373 Discussion and Possible Action to approve Special Exception to place a temporary sales building for the sale of trucks and horse trailers in a CG (Commercial General) Zone.

The City Planner gave the staff report:

The issue in this case concerns only the placement of a temporary sales building. The applicant can by right sale trucks and horse trailers on the site.

Section 109.0 of the BOCA Building Code, Temporary Structures requires approval of the board for issuance of a permit by the code official for placement of a temporary building. Building inspector and Code Official Greg Myers has requested the approval of the board of adjustment before he issues a permit. The BOCA is adopted by reference in Chapter 5 of the Bixby City Code. A copy of the Section 109 of the BOCA Code is attached.

The staff has received only a few calls concerning this application and the calls were opposed to the sale of trucks and horse trailers which the applicant can do by right. Only one call mentioned the temporary structure and that call was concerning placement on the lot and future development of the shopping area.

The application for building would be reviewed by the Architectural Committee that will require landscaping, lighting, etc., and the lot would be subject to all building restriction of the City Code including but not limited to parking lot surface of asphalt or concrete and no temporary signs. Staff recommends approval.

Chairman Jeff Wilson made note that the applicant had called and was not able to make it to the meeting because of a medical problem. There is also no one present to respond to the public hearing. Where the legal notices sent out. City Planner, yes the item was advertised in the paper and to property owners within 300 feet by mail.

Carl Carnahan asked if a sign was posted. Coffey said it was and Dave Hill said he saw the sign.

Lonnie Jeffries asked if this was new trucks or old truck sale. The Planner indicated that either would be allow in a CG Zone.

Carl Carnahan asked if the Architectural Committee would here this case. Coffey said they would.

Carl Carnahan moved and Lonnie Jeffries seconded the motion to approve.

VOTION FOR: Wilson, Carnahan, Hill, and Jeffries

VOTING AGAINST: None

MOTION APPROVED: 4-0-0

4. OLD BUSINESS: Carl Carnahan questioned what had happened on the Hollis Martin case. Dave Hill asked for a report. Coffey reported that the item was in municipal court and Hollis's attorney had asked for a continuance. Both the building inspector and the planner had been contacted by the City Prosecutor.

Dave Hill said he wanted it on the record that the Board of Adjustment wanted to be updated on the case. He was disappointed

that the item was not going forward and wanted the item to go forward. He did not want to make people mad only to have the item dropped. He wanted to know the date for the continuance. Planner did not know the date for sure. The planner explained the tickets issued by the building official and said he would keep the board updated.

Carl Carnahan asked about district court. Coffey said it could still go to district court. He asked about the fines and Coffey explained they could be as much as \$100 day.

Dave Hill asked for a report at the next meeting.

5. NEW BUSINESS: None

6. ADJOURNMENT: Carl Carnahan moved, Lonnie Jeffries seconded. Motion passed. Adjournment at 7:15 p.m.

Approval

Date