

**MINUTES
BOARD OF ADJUSTMENT
REGULAR MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, MARCH 7th, 2016 AT 7:00 P.M.**

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE BOARD OF ADJUST MET IN REGULAR SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE ON THE ABOVE DATE AND TIME.

BOARD MEMBERS: GERALD CLAK, DARRELL MOORE, TRAVIS NOLAND, HARRIETT DUNHAM, CONNIE MUSGRAVE

1. CALL MEETING TO ORDER, ROLL CALL AND DECLARE A QUORUM.

At 7:00 p.m. Co-Chairman Darrell Moore called the meeting to order and declared a quorum. Members present in addition to Darrell Moore were: Travis Noland, Harriett Dunham and Connie Musgrave. Members absent: Gerald Clack. Others Present: Staff Secretary Nena Roberts, Building Inspector / Code Enforcement Officer Doug Moore, Terry Alyward with The Paper, Applicant John Sanford, Applicant Shannon Wallace, Applicants Patricia and M. Dwayne Moffett, Eddie Peters, Janice Sanders and Roland Sanders.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES.

a. JANUARY 4TH, 2016 REGULAR MEETING.

Motion was made by Noland and second by Dunham to approve the minutes of January 4th, 2016 regular meeting. Minutes approved with all voting yes.

3. PUBLIC HEARINGS

a. Applicant: Rise Broadband; The South Half of U.S. Government Lot Three (3) and the North Half of the North Half U.S. Government Lot Four (4), of Section Eighteen (18), Township Twenty-one (21) North, and Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma, LESS AND EXCEPT that part occupied by Railroad right-of-way, AND LESS AND EXCEPT one-half acre in the Southeast corner of said tract reserved for cemetery purposes, Pryor Creek City, Mayes County, Oklahoma, has requested a special exception for a Telecommunication Facility use within a General Agricultural (A-G) District (Sections 10-8A-2, of the *Pryor Creek City Code*) and from the zoning code height regulations of the General Agricultural (A-G) District (Sections 10-8A-3 B4, of the *Pryor Creek City Code*).

b. Applicant: John Stanford Architect; a tract of land that is the East 200 feet of Lot Six (6) of Block One (1), "Wal-Mart Supercenter #22-01" an addition to the city of Pryor Creek being a part of the N/2 of the NE/4 of Section 36, T-21N, R-18-E of the Indian Base and Meridian, Mayes County, State of Oklahoma, said tract of land being more particularly described as follows: Point of Beginning at the Northeast corner of said Lot 6; Thence S01°36'11"E a distance of 413.75 feet to the Southeast corner of Lot 6; Thence along the South line of Lot 6 N88°30'55"E a distance of 200.00 feet; Thence N01°36'11"W a distance of 413.78 feet to the North line of Lot 6:

Nena Roberts

Thence S88°30'21"W a distance of 200.00 feet to the Point of Beginning. Having an area of 82753 square feet or 1.8998 Acres, has requested a special exception from the zoning code height regulations of the Automotive and Commercial Recreational (C-A/R) District (Sections 10-10D-3 B4 of the Pryor Creek City Code).

1. Motion was made by Noland and second by Dunham to come out of Hearing for discussion and possible actions. All voted yes.

4. Old Business.

a. Rise Broadband request for a special exception for a Telecommunication Facility use within a General Agricultural (A-G) District (Sections 10-8A-2, of the Pryor Creek City Code) – Discussion and possible action.

1. Motion was made by Noland and second by Dunham to table special exception for a Telecommunication Facility use within a General Agricultural (A-G) District until the April 4th Regular Meeting, and requested documentation from Mr. Wallace for proposed equipment co-location. All voted yes.

b. Rise Broadband request for a special exception from the zoning code height regulations of the General Agricultural (A-G) District (Sections 10-8A-3 B4, of the Pryor Creek City Code) – Discussion and possible action.

1. Motion was made by Noland and second by Dunham to table special exception from the zoning code height regulations until the April 4th Regular Meeting. All voted yes.

c. John Stanford Architect request for a special exception from the zoning code height regulations of the Automotive and Commercial Recreational (C-A/R) District (Sections 10-10D-3 B4 of the Pryor Creek City Code) – Discussion and possible action.

1. Motion was made by Noland and second by Dunham to approve height special exception to exceed 35'. All voted yes.

d. Appeal request from decision of Building Inspector – Discussion and possible action.

1. A presentation was made to Board members from Developer Patricia Moffett to appeal a decision made by Building Inspector Doug Moore to build an east-west sidewalk on the southwest corner at her new duplexes at 18 N. Coo Y Yah. She stated her contractor wondered why she had to build a "sidewalk to nowhere" due to no connecting sidewalks. Mrs. Moffett did put in a north-south sidewalk replacement along Coo Y Yah. Mr. Moore argued that he was following protocol from the former Building Inspector which required sidewalks be built where there are existing sidewalks. He stated there used to be connecting sidewalks but they are no longer there or are in disrepair. Patricia stated the new duplexes built by another contractor at 6th and Vann streets does not have a new sidewalk. Board Member Harriett Dunham noted that there are not new sidewalks in the new housing development at Brassfield Estates

either. Board Member Travis Noland stated to Mr. Moore that “we are in a new era” and from this point forward consistency and fairness to all according to the codes needs to be practiced.

Motion was made by Dunham and second by Noland to grant the Moffett’s appeal in not being required to build an east-west sidewalk at this time. All voted yes.

5. NEW BUSINESS.

No new business.

6. ADJORN.

Motion made by Noland and second by Musgrave to adjourn from the Board of Adjustment Regular Meeting at 7:55 p.m. All voted yes.

Nena Roberts