

NOTICE OF MEETING
ZONING BOARD OF ADJUSTMENT

TYPE OF MEETING

REGULAR MEETING	(X)	RESCHEDULED REGULAR MEETING	()
SPECIAL MEETING	()	CONTINUED OR RECONVENED MEETING	()

DATE:	TIME:	PLACE OF MEETING:
<u>7/21/2022</u>	<u>2:30 P.M.</u>	<u>Commission Chambers</u>
		<u>City Hall, 9th & Broadway</u>
		<u>Shawnee, OK 74802-1448</u>

To be completed by person filing notice:

NAME: Rachel Clyne

TITLE: City Planner

ADDRESS: 222 N. Broadway Ave.
Shawnee, OK 74801

PHONE: (405) 878-1672

Filed in the office of the municipal clerk at 10:51 a.m. /p.m. on 7/14/2022

SIGNED: Lisa Lasypne
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 07-14-2022

PERSON FILING NOTICE: /s/ Rachel Clyne

NOTICE VERIFIED BY: Lisa Lasypne

Amended **AGENDA**

ZONING BOARD OF ADJUSTMENT OF SHAWNEE, OK

Regular Meeting
July 21, 2022, at 2:30 P.M.
City Hall, 16 W. 9TH St. Shawnee, OK

- 1) Call to Order
- 2) Roll Call
- 3) Consideration of approval of the minutes of the regular meeting of the Shawnee Zoning Board of Adjustment for November 18, 2021, and for the special meeting on November 23, 2021.
- 4) Case No. **ZBOA01-22** – Public hearing and consideration of a request for a variance of six feet (6') from the 35' front yard setback, allowing a 29' setback for property located at 3 American Way.
Applicant: Indaco Metals
- 5) Community Development Department Updates
- 6) Board Members' Comments
- 7) Adjournment

ZONING BOARD OF ADJUSTMENT

DATE: November 18, 2021

Regular meeting - *DRAFT Minutes*

The Zoning Board of Adjustment met at a regularly scheduled meeting on Thursday, November 18, 2021 at 2:30 p.m. in the Commission Chambers at City Hall, Shawnee, Oklahoma, Pottawatomie County, pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO. 1 Call to Order

Chair Holly Gordon called the November 18, 2021 meeting of the Shawnee Zoning Board of Adjustment to order at 2:30 PM.

AGENDA ITEM NO. 2: Roll Call

Upon roll call, the following Board members were present Holly Gordon, Brandon Dyer, and Crystal Richardson

Board member Mark Cannon was noted as absent.

A quorum was declared present.

AGENDA ITEM NO. 3: Consideration of approval of the minutes from the regular meeting of the Zoning Board of Adjustment on August 19, 2021.

Board member Dyer made a motion to approve the minutes as presented to form, which was seconded by Board member Richardson.

The motion passed 3-0-0.

AYE: Dyer, Gordon, Richardson

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 4: Public hearing and consideration of an application for a Variance at the property located at 2130 W. Benedict Street. Request for a variance from the 175' minimum distance between driveways requirement for property zoned in A-1 (Rural Agricultural District). Case No. ZBOA04-21, Applicant: Freddie White

Chair Gordon read Agenda Item No. 3 and asked for a staff report.

City Planner Rachel Clyne described the request for the variance and worked her way through the staff report. The subject property is located at 2130 W. Benedict Street and is zoned A-1 (Rural Agricultural District). On the 20-acre property, the applicant has recently constructed a single-family residential structure and an accessory building. Before these improvements were made by the applicant, the land was undeveloped but for three (3) accessory structures that were considerably set back (north) from the road (West Benedict Street) and two (2) driveways. Both driveways were paved but have aged and are in disrepair. During the building permitting and inspections process, the applicant was advised by the building inspections staff that only one (1) driveway would be allowed. It is staff's understanding was that the driveway to the west would not be utilized or resurfaced.

The new house and new accessory building were constructed on both sides (east and west) of the east existing driveway. The building inspections staff noticed that concrete was being poured in front (south) of the accessory structure. The building inspections staff advised the applicant not to pour any closer

to the street (Benedict) because driveways must be separated in distance by specific number of feet. It is staff's understanding that despite the warning of violation, the paving would be extended to the road (Benedict) and become a driveway. The Building Inspector, Kevin Moore, advised that such action was "*at your own risk*" because it was not in compliance with the Zoning Code. When queried about future consequences, Mr. Moore advised that a variance may be possible but was not guaranteed.

The applicant approached Planning staff to discuss a variance for a reduction in the requirement of the 75' separation between driveways for his property located at 2130 W. Benedict Street. Upon receipt of the application and supporting documents, a notice of a public hearing was published in the newspaper, and notices of a public hearing were mailed to property owners within 300' of the subject property.

Discussion

The Shawnee Zoning Code includes the City's Subdivision Regulations. From those regulations, in **Section 40.2.1 Streets – General Requirements, Table 3 -- Minimum Separation of Driveways**, the distance required between driveways is based upon the type of street. The three (3) street types are Major Arterial, Minor Arterial, and Collector. The coordinating distances are 175', 150', and 75'. According to the 2040 Comprehensive Plan, **FIGURE 4.1: Potential Connectivity Plan - City Core**, West Benedict Street is identified as a *Collector*, which requires a minimum of 75' separation between driveways.

The distance between the west driveway and the accessory building (new) driveway is negligible. As a goodwill gesture, staff agreed to remove the west driveway from the calculations. The "new" driveway serving the accessory building is approximately 30' with a five-foot (5') radius on each side, which equals approximately 40' in width. The distance from the eastern edge of the "new" driveway to the western edge of the existing "house" driveway is approximately fifteen-feet (15').

With the minimum separation requirement of 75', this request is for a variance approximately 60' of separation.

In accord with Oklahoma Statute **11 O.S. 44-107, Section 22-571** of the Shawnee Zoning Code, the Zoning Board of Adjustment (ZBOA) may approve variances only after determining that certain conditions exist.

- 1) The application of the code to the particular piece of property would create an unnecessary hardship;
- 2) Such conditions are peculiar to the particular piece of property involved;
- 3) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the code or the comprehensive plan; and
- 4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

Relating to the four (4) conditions for granting a variance, staff's comments were:

- 1) Requiring 75' distance between driveways on this property creates a hardship. Staff defines unnecessary hardship as: circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable considering the purposes of the Zoning Code.
- 2) Along West Benedict Street from Leo Avenue to the North Canadian River there is one property that has two driveways for a single parcel. A gated parcel of approximately 25-acres located

west of the subject property has a semi-circle drive outside of the gate. The remaining properties have one driveway per parcel.

The distances between driveways vary from hundreds of feet to 30'. Some driveways are side by side, which serve two closely placed residences. The land toward Leo Avenue is typically parcels between 1.5 – 2-acres of land. The smaller tracts of land seemingly have driveways closer to another. Many of the properties along that section of W. Benedict St have single-family homes and one or more accessory buildings. The larger parcels are toward the west, and they range in size from 4 – 6 acres to 25-acre parcels

- 3) Granting the variance would not cause substantial detriment to the public good; however, there is a safety concern should the property be developed, sold, or rezoned in the future. Staff currently does not anticipate a traffic problem with two vehicles leaving from each driveway at the same time without awareness of each other. The purposes and intent of the code or the comprehensive plan would be impaired if the variance is granted. The City adopted the Zoning Code and Comprehensive Plan to establish, maintain, and enforce regulations to protect the health, safety, and welfare of the community.
- 4) If the variance were approved, it would be the “easiest” way to alleviate an unnecessary hardship. Staff finds this hardship to be self-created, so the granting of a variance is not an option.

Planner Clyne reminded the Board members that according to **Section 22-572** of the Zoning Code indicates that burden of truth is on applicant(s) seeking a variance.

Planner Clyne gave her recommendation for **Denial** to the Zoning Board of Adjustment for **ZBOA04-21** a **Variance** of 60' of required 75' distance between driveways at property located at 2130 W. Benedict Street in Shawnee, Oklahoma with the following conditions:

Chair Gordon asked the Board members if there were any questions for staff. Seeing none, she opened the public hearing for ZBOA04-21.

The applicant Freddie White was present and available for questions. Cecil Cole and Rob Morris both directed comments to the Board.

Following substantial discussion amongst Board members, staff, and the applicant, it was suggested that the item be deferred to a future meeting so the Shawnee Building Inspector, Kevin Moore, could attend and participate in the review of ZBOA04-21.

Board member Richardson made a motion to **Defer ZBOA04-21** until a Special Meeting to be called for November 23, 2021, at 3:30 p.m., which was seconded by Board member Dyer.

Following any discussion, the motion passed 3-0-0.

AYE: Dyer, Gordon, Richardson

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 5

Review and Approval of the 2022 Calendar of ZBOA Meeting Dates

Board member Richardson made a motion to Approve the 2022 Calendar of ZBOA Meeting Dates as presented, which was seconded by Board member Dyer.

Following any discussion, the motion passed 3-0-0.

AYE: Dyer, Gordon, Richardson

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 6:

City Planner Report

None

AGENDA ITEM NO. 7:

Board Members' Comments

Chair Gordon expressed she enjoyed serving on the board and commented the ZBOA has been able to help make changes. Board member Dryer stated he appreciated the Board working together.

AGENDA ITEM NO. 8:

Adjournment

The meeting was adjourned by the power of the Chair at 3:34 PM.

Chair/Vice-Chair

/s/ Rachel Clyne
City Planner

ZONING BOARD OF ADJUSTMENT

DATE: November 23, 2021

Special meeting - *DRAFT Minutes*

The Zoning Board of Adjustment met for a special meeting on Thursday, November 23, 2021, at 3:30 p.m. in the Commission Chambers at City Hall, Shawnee, Oklahoma, Pottawatomie County, pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO. 1 Call to Order

Chair Holly Gordon called the November 23, 2021, special meeting of the Shawnee Zoning Board of Adjustment to order at 3:30 PM.

AGENDA ITEM NO. 2: Roll Call

Upon roll call, the following Board members were present Holly Gordon, Brandon Dyer, and Crystal Richardson

A quorum was declared present.

AGENDA ITEM NO. 3: Public hearing and consideration of an application for a Variance at the property located at 2130 W. Benedict Street. Request for a variance from the 175' minimum distance between driveways requirement for property zoned in A-1 (Rural Agricultural District).
Case No. ZBOA04-21, Applicant: Freddie White

Chair Gordon read the agenda and asked for staff to briefly recap the ZBOA meeting on November 18, 2021. Planner Clyne advised the previous meeting had resulted in a deferral of ZBOA04-21 and that Kevin Moore, Building Inspector, was present as requested by the Board members.

The applicant Freddie White was present and available for questions. The Zoning Board of Adjustment members clarified information with Inspector Moore and discussed different options with the applicant and staff.

Chair Gordon made a motion to **Deny ZBOA04-21**.

The motion did not receive a Second; the motion died.

Board member Dyer made a motion to "**Approve** the variance request with the condition of 37' between the eastern edge of the shop driveway to the western edge of the 'to be poured' house driveway and subject to necessary permits and inspections", which was seconded by Board member Richardson. The motion passed 3-0-0.

AYE: Dyer, Gordon, Richardson

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 7 Adjournment

The meeting was adjourned by the power of the Chair at 3:34 PM.

Chair/Vice-Chair

/s/ Rachel Clyne, City Planner



Zoning Board of Adjustment Meeting – 07.21.2022 – City of Shawnee, Oklahoma

Staff Report | ZBOA01-22 | 6' Variance to Front Yard Setback | 3 American Way

To: Shawnee Zoning Board of Adjustment

From: Rachel Clyne, City Planner

Date: 7.8.2022

Subject: ZBOA01-22 – Staff Report - Public hearing and consideration of a request for a variance of six feet (6') from the minimum front yard setback of 35', allowing a 29' setback for the property located at 3 American Way.

Background

The subject property is located at 3 American Way, which is more generally described as northeast of the intersection of Acme Road and OK Hwy-177. The subject property is zoned I-2 (Light Industrial District). The variance request is for a reduction of right-of-way setback by six feet (6'). The applicant for this request is Indaco Metals.

Discussion

On the subject property is a partially constructed $\pm 35,000$ square feet building on approximately ± 7.41 acres. The applicant contacted staff after discovering a measuring mistake made when the subject property was originally surveyed prior to construction. The surveying company was called back some months later to survey for a fire hydrant easement. It was during the second survey that the six-foot (6') error was identified.

Section 22-367 of the Shawnee Zoning Code (Code) provides dimensional standards for properties in Industrial zoning districts. In the I-2 zoning district, the front yard setback is 35'. The partially completed structure has a 29' front yard setback. The request is for a variance of six feet (6') of front yard setback for a property in the I-2 zoning district.

In accord with Oklahoma Statute 11 O.S. 44-107, Section 22-571 of the Shawnee Zoning Code (Code), the Zoning Board of Adjustment (Board) may approve variances only after determining that certain conditions exist.

- 1) The application of the code to the particular piece of property would create an unnecessary hardship;

- 2) Such conditions are peculiar to the particular piece of property involved;
- 3) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the code or the comprehensive plan; and
- 4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

Note that *financial hardship* to the applicant is not a consideration in determining a variance request.

Relating to the four conditions for granting a variance, staff's comments are:

- 1) Requiring the 35' front yard setback for the partial building on this property creates a hardship.
- 2) American Way is a roadway that does not extend beyond the east end of the subject property. It is a dead-end street; a fence and the Timbers residential subdivision are to the east. This segment of American Way provides access to businesses on the north side of the road and to the subject property.

Setbacks are established to keep uses from interfering with another. A front yard setback is designed to keep structures from being constructed in the right-of-way. Although the building encroaches by 6' (six feet), it is beyond concern that the street would need to be widened so that the six feet would impede future development.

The applicant acted in good faith that the licensed professional surveyor had provided a correct legal document by which a building could be staked correctly for construction. The applicant notified the City of the mistake within one day of discovery.

- 3) Granting the variance would not cause substantial detriment to the public good, nor would it impair the intent and spirit of the Zoning Code and Comprehensive Plan.
- 4) The 6' front yard setback variance would be the minimum necessary to alleviate the hardship if granted.

Section 22-572 of the Code indicates that *burden of truth* is on applicant(s) seeking a variance. This is that a hardship exists and that granting the variance is necessary to relieve the hardship. In granting a variance, the Board may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions and safeguards.

Recommendation

Staff recommends **Approval** by the Zoning Board of Adjustment for **ZBOA01-22 a Variance** of 6' (six feet) of required front yard setback to the property known as 3 American Way in Shawnee, Oklahoma with the following conditions:

- Acknowledgment by the applicant(s) that the approval of a Variance does not negate or circumvent the other requirements of development as stated in the City Codes, which includes the Zoning Code and the adopted Building Codes.

- Acknowledgment by the applicant(s) that additional permits may be required, standard inspections will be conducted, and no occupancy in the building until the City issues a Certificate of Occupancy.

Staff completed the required public hearing notifications for this application. All property owners within 300' from the perimeter of the subject property were mailed a public hearing notification letter. A public hearing notice was also published in The County Democrat weekly newspaper. Staff placed a sign providing details and contact information on the subject property.

Recommendation

Staff recommends that the Zoning Board of Adjust **APPROVAL** of **ZBOA01-22** allow a variance of six feet (6') from the minimum front yard setback of 35' for the property located at 3 American Way.

PLANNING DEPARTMENT
222 N. BROADWAY
SHAWNEE, OK 74801



PHONE: (405) 878-1672

ZONING BOARD OF ADJUSTMENT
PROJECT NO. 10220546 CASE NO. _____

NAME OF PROPERTY OWNER: INDACO Metals LLC / HILLSIDE PROP

ADDRESS: 3 AMERICAN WAY

CITY: SHAWNEE STATE: OK ZIP CODE: 74804

TELEPHONE: (405) 273-9200 EMAIL: allen.k@indacometals.com

APPLICANT'S NAME: INDACO METALS

APPLICANT'S RELATIONSHIP TO OWNER (S): [CHECK ONE] **SAME** ☒ **AGENT** ☐

APPLICANT'S ADDRESS: 3 AMERICAN WAY

CITY: Shawnee STATE: OK ZIP CODE: 74804

TELEPHONE: (405) 273-9200 EMAIL: allen.k@indacometals.com

(PLEASE COMPLETE FOR THE PROPERTY THAT THE VARIANCE IS REQUESTED FOR.)

PROPERTY LOCATION (ADDRESS): 8 AMERICAN WAY

LEGAL DESCRIPTION: A Part of NW 1/4 SEC 11 T-10-N
R-3-E

(DIMENSIONS OF PROPERTY) AREA: 7.4 ACRE WIDTH: _____

LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: I 2 CURRENT USE: MANUFACTURING

VARIANCE REQUESTED: Variance For Building inside 35
Foot Build Line

COMPLETED APPLICATION AND ALL CORRESPONDING DOCUMENTS
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING TO MAKE THE
AGENDA.

John Fisher
APPLICANT'S SIGNATURE

(OFFICE USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this ____ day of, _____ 20____.

FILING FEE: \$90 + SIGN FEE: \$50

RECEIPT NO: 1649

ZONING BOARD OF ADJUSTMENT SECRETARY

ZBOA DECISION: _____

*3 American Way
Shawnee, Ok 74804*

*(405)-273-9200 Fax (405) 273-9206
Manufacturer & Distributor of Metal Building Products*

Indaco Metals is requesting a variance to the property line setback code for permit No. 20210625. The project address is 8 American Way Shawnee, Oklahoma. The variance request is based for the following explanations:

The project is a new building and was set on the Architect's Site Plan in compliance with the setback code. A survey was requested for the project to ensure the building was properly spotted. The survey company surveyed the property and spotted all the building's footings and piers. An inspection was done on the footings and piers and approved. A document was requested from the survey company stating the building location for the City but got no response.

After around 10-11 weeks of construction on the building, the survey company came again to survey new easement for fire hydrant and building location. It was discovered that the original survey was in error for building location. This placed the building six feet into the 35 feet setback for the city or 29 feet from the property line. The City was immediately notified and they requested we ask for a variance to the 35 feet setback.

We feel the building location is not in any conflict with surrounding businesses or area. It will not inhibit growth in the area or create a hardship on any neighbors. We believed the survey company had the building correct and we are sorry for this mistake.

Signed



Date

6-8-2022

Title

CEO

MacArthur Blvd.

Acme Road

Kickapoo Street

10th Ward

PROJECT LOCATION

11

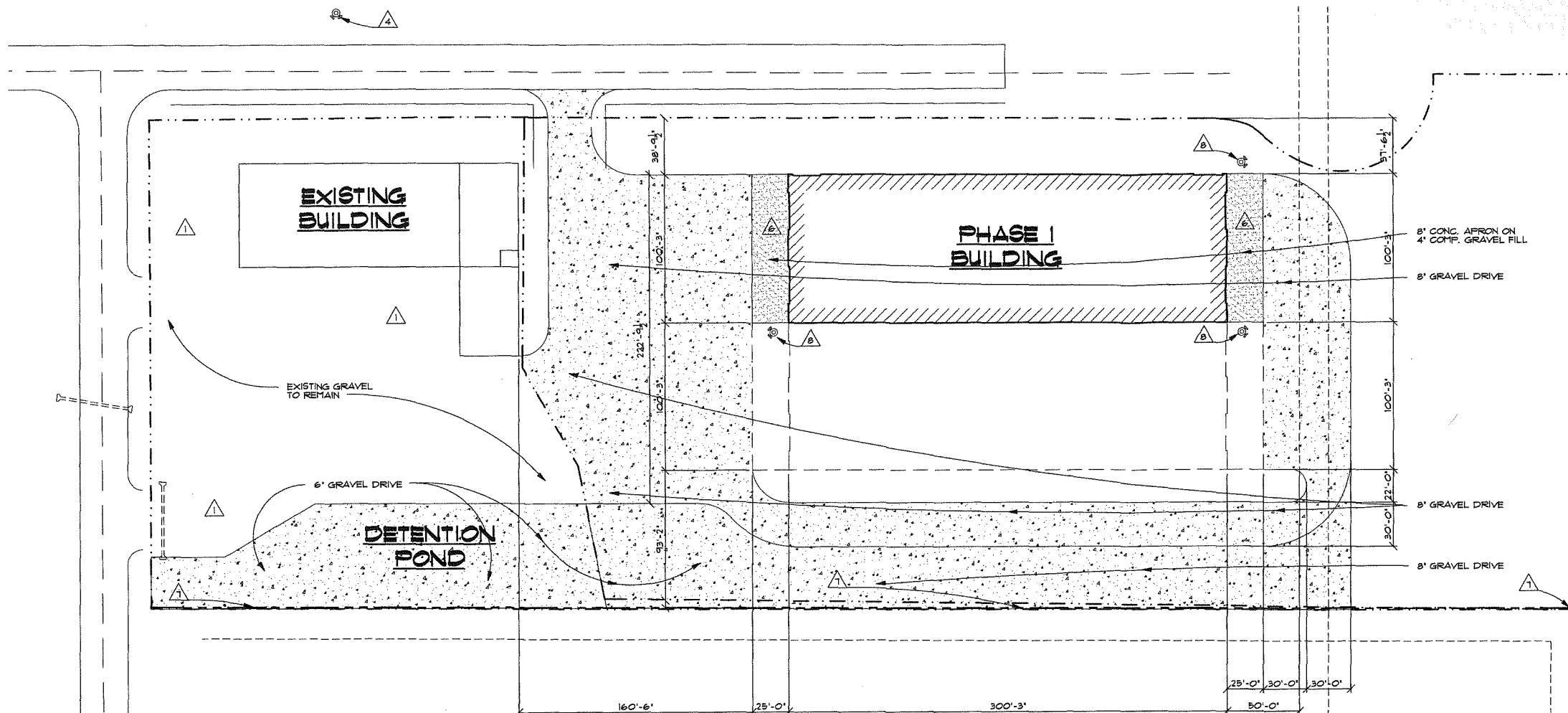
N

Independence Street

R 3 E

Not To Scale





KEY NOTES:

- 1 EXISTING GRAVEL DRIVE
- 2 6' X 6' CONCRETE PAD - SEE B/C1-1 & E/C1-1
- 3 16" DIA. STEEL CULVERT - SEE F/C1-1
- 4 EXISTING FIRE HYDRANT LOCATION
- 5 NEW CONCRETE SIDEWALK REF. B/C1-1
- 6 NEW 6" CONCRETE APRON
- 7 NEW SILT FENCE - SEE E/C1-1
- 8 NEW FIRE HYDRANT LOCATION



REVISIONS:

SITE PLAN & NOTES PH I - INDACO METAL BUILDINGS SHANEE, OKLAHOMA LEAGUE ROAD

COORDINATION NOTES:

COORDINATE CONSTRUCTION ACTIVITIES AS NECESSARY TO INSURE EFFICIENT AND ORDERLY INSTALLATION OF EACH PART OF THE WORK.

COORDINATE CONSTRUCTION OPERATIONS THAT ARE DEPENDENT UPON EACH OTHER FOR PROPER INSTALLATION, CONNECTION AND OPERATION.

COORDINATE SCHEDULING AND TIMING OF REQUIRED ADMINISTRATIVE PROCEDURES WITH OTHER CONSTRUCTION ACTIVITIES TO AVOID CONFLICTS AND INSURE ORDERLY PROGRESS OF THE WORK.

COORDINATE CONSTRUCTION ACTIVITIES TO ENSURE THAT OPERATIONS ARE CARRIED OUT WITH CONSIDERATION GIVEN TO CONSERVATION OF ENERGY, WATER AND MATERIALS.

REQUIRE THE INSTALLER OF EACH COMPONENT TO INSPECT BOTH THE SUBSTRATE AND CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED. DO NOT PROCEED UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED IN AN ACCEPTABLE MANNER.

COMPLY WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS AND RECOMMENDATIONS IN THE CONSTRUCTION AND INSTALLATION OF THE WORK.

INSPECT MATERIALS AND EQUIPMENT IMMEDIATELY UPON DELIVERY AND AGAIN PRIOR TO INSTALLATION. REJECT DAMAGED AND DEFECTIVE ITEMS.

STORE PRODUCTS AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS.

PROVIDE ATTACHMENT AND CONNECTION DEVICES AND METHODS NECESSARY FOR SECURING WORK. SECURE WORK TRUE TO LINE AND LEVEL. ALLOW EXPANSION AND BUILDING MOVEMENT.

PROVIDE UNIFORM JOINT WIDTHS IN EXPOSED WORK. ARRANGE JOINT IN EXPOSED WORK TO OBTAIN THE BEST VISUAL EFFECT.

RECHECK MEASUREMENTS AND DIMENSIONS, BEFORE STARTING EACH INSTALLATION.

INSTALL EACH COMPONENT DURING WEATHER CONDITIONS AND PROJECT STATUS THAT WILL ENSURE THE BEST POSSIBLE RESULTS. ISOLATE EACH PART OF THE COMPLETED CONSTRUCTION FROM INCOMPATIBLE MATERIALS AS NECESSARY TO PREVENT DETERIORATION.

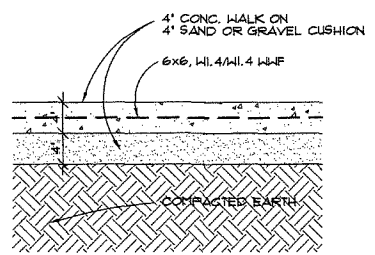
COORDINATE TEMPORARY ENCLOSURES WITH REQUIRED INSPECTIONS AND TESTS TO MINIMIZE THE NECESSITY OF UNCOVERING COMPLETED CONSTRUCTION FOR THAT PURPOSE.

WHERE MOUNTING HEIGHTS ARE NOT INDICATED, INSTALL INDIVIDUAL COMPONENTS AT STANDARD MOUNTING HEIGHTS RECOGNIZED WITHIN THE INDUSTRY FOR THE PARTICULAR APPLICATION INDICATED.

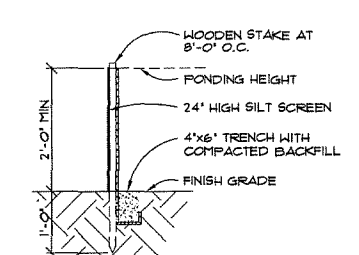
DURING HANDLING AND INSTALLATION, CLEAN AND PROTECT CONSTRUCTION IN PROGRESS AND ADJOINING MATERIALS IN PLACE. APPLY PROTECTIVE COVERINGS WHERE REQUIRED TO ENSURE PROTECTION FOR DAMAGE OR DETERIORATION AT SUBSTANTIAL COMPLETION.

CLEAN AND MAINTAIN COMPLETED CONSTRUCTION AS FREQUENTLY AS NECESSARY THROUGH THE REMAINDER OF THE CONSTRUCTION PERIOD. ADJUST AND LUBRICATE OPERABLE COMPONENTS TO ENSURE OPERABILITY WITHOUT DAMAGING EFFECTS.

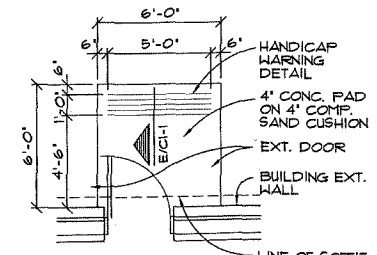
A SITE PLAN
C1-1 SCALE: 1" = 40'-0"



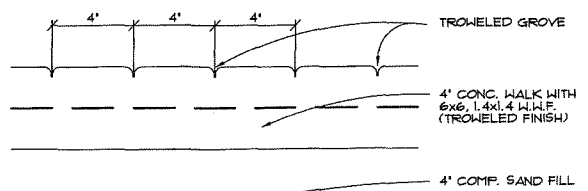
B WALK SECTION
C1-1 SCALE: 3/4" = 1'-0"



C SILT FENCE DETAIL
C1-1 SCALE: 3/4" = 1'-0"



D 1/4" PAD PLAN
C1-1 SCALE: 1/4" = 1'-0"



E HANDICAPPED WARNING DETAIL
C1-1 SCALE: 3" = 1'-0"



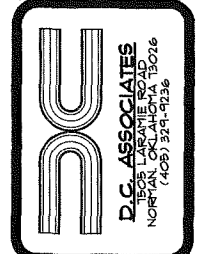
ARCHITECT REVIEW NOTE

DURING CONSTRUCTION, OWNER SHALL OBTAIN ARCHITECT'S APPROVAL PRIOR TO PERFORMING WORK WHICH DOES NOT COMPLY WITH CONSTRUCTION DOCUMENTS. THIS REVIEW SHALL BE ONLY FOR COMPLIANCE WITH APPLICABLE BUILDING CODE REQUIREMENTS.

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SHEET: **C1-1**

SHEET ___ OF ___

DATE: 4-11-22

JOB NO. _____



PUBLIC HEARING

For more information

Community Development Department
Annex Building
222 N. Broadway Avenue
Shawnee, OK 74801

405-878-1672

ZONING BOARD OF ADJUSTMENT

Thursday, July 21, 2022

City Hall at 16 W. 9th Street, Commission Chambers
2:30 PM



ZBOA01-22 | 3 American Way | Variance to ROW Setback

Project Information

Request: Request for a Variance to the 35'
Setback from the Right-of-Way by 6'

Applicant: Indaco Metals, LLC/Hillside Properties

Location: 3 American Way

Case #: ZBOA01-22



Frequently Asked Questions

What is a Variance?

A variance is permission granted by the Zoning Board of Adjustment (ZBOA) to waive or alter a requirement of the zoning ordinance.

The Zoning Board of Adjustment can adjust the standards of the zoning ordinance where exceptional and extraordinary circumstances apply to a property. This exceptional and extraordinary circumstance is known as a hardship. The ZBOA can vary the strict application of height, area, setback, yard, parking, or density requirements of the zoning ordinance.

Why did I receive a letter?

You own property within 300 feet of the subject property.

How do I make comment on the request?

Try to attend the public hearing if you are able. Staff will also accept written comments for those who cannot attend. Call the Community Development at 405-878-1672 or contact the City Planner at rachel.clyne@shawneeok.org.

What if I cannot attend the hearing?

Staff will accept written comments. You may also have a neighbor or friend attend the hearing to represent your interests at the meeting.

How will this request affect me?

Every property is different.

Contact the Community Development for more information if you have concerns about any impact on you.

Legal Description:

A tract of land described as Beginning at a point 1063.29 feet South 00°20'41" West and 1666.25 feet South 89°47'19" East from the Northwest Corner of the Northwest Quarter (NW/4) of Section 11, Township 10 North, Range 3 East of the Indian Meridian, Pottawatomie County, Oklahoma;

Thence South 89°47'19" East a distance of 737.38 feet;

Thence on a curve to the right having a radius of 33 feet for a distance of 27.76 feet;

Thence on a curve to the left having a radius of 66 feet for a distance of 159.18 feet;

Thence South 89°47'19" East a distance of 100.00 feet;
Thence South 00°18'05" West for a distance of 363.00 feet;
Thence North 89°47'19" West for a distance of 976.12 feet;

Thence North 00°07'39" East for a distance of 330.00 feet to the Point of Beginning.

ZBOA01-22