

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>11.19.2020</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:

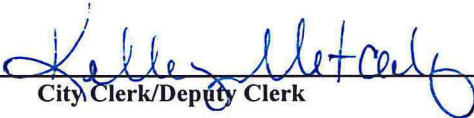
NAME: Rebecca Blaine, AICP,

TITLE: Planning Director

ADDRESS: P. O. Box 1448
Shawnee, OK 74802-1448

PHONE: (405) 878-1616

Filed in the office of the municipal clerk at 1:09 a.m./p.m. on 11.17.2020

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 11-17-2020

PERSON FILING NOTICE: Rebecca Blaine

NOTICE VERIFIED BY: Kelley Metcalf

**AGENDA
CITY OF SHAWNEE
ZONING BOARD OF ADJUSTMENT
NOVEMBER 19TH, 2020 AT 2:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W 9TH ST**

- 1)** Roll Call
- 2)** Consideration of approval of the Zoning Board of Adjustment Calendar of Regular Meetings for 2021.
- 3)** Case #ZBOA10-20 – Public hearing and consideration of approval of a variance request for a secondary driveway for a 0.35-acre R-1 (Single Family Residential District) lot located at 202 N. Tenbrook Avenue.
Applicant: Jerry Tully
- 4)** New Business
- 5)** Commissioners' Comments
- 6)** Adjournment

2021 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS
ZONING BOARD OF ADJUSTMENT

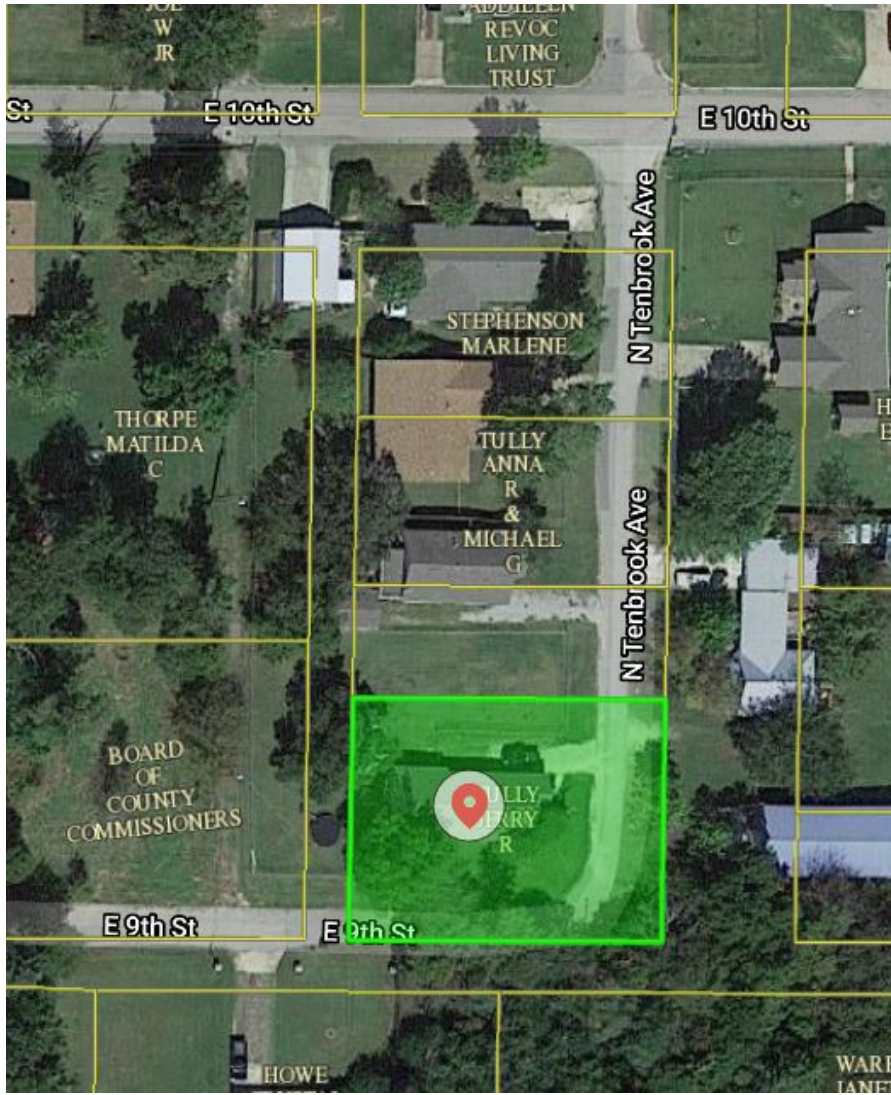
DATE	TIME	PLACE OF MEETING
<u>January 21, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>February 18, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>March 18, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>April 15, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>May 20, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>June 17, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>July 15, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>August 19, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>September 16, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>October 21, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>November 18, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>December 16, 2021</u>	<u>2:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>

Name: Rebecca Blaine, AICP
Address: Planning Director
P.O. Box 1448
Shawnee, OK 74802-1448

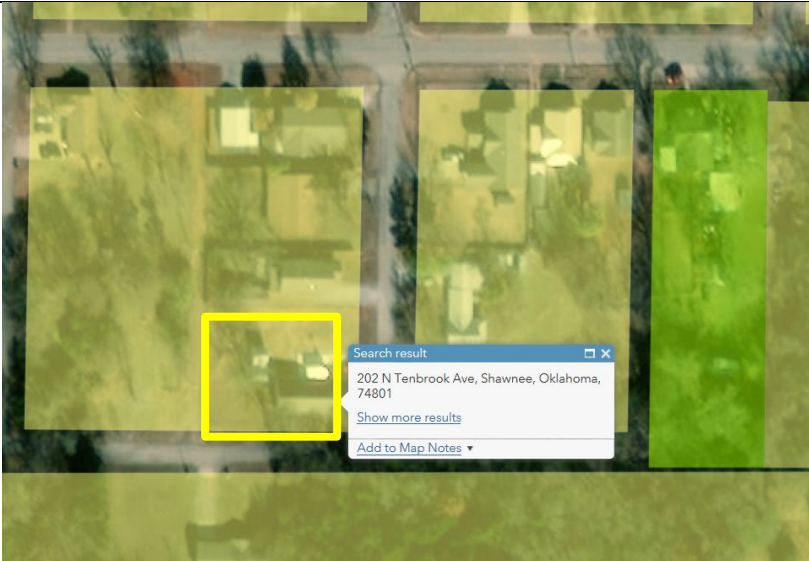
Phone Number: (405) 878-1616

Filed in the office of the municipal clerk at _____ am/pm on the ____ day of November 2020.

Signed _____
Clerk/Deputy Clerk

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # ZBOA10-20 PUBLIC HEARING DATE: November 19th, 2020	
APPLICANT: Jerry Tully				
PROPERTY ADDRESS/LOCATION: 202 N. Tenbrook Avenue				
The applicant, Jerry Tully, is requesting a variance for a secondary driveway for a 0.35-acre R-1 (Single Family Residential District) lot located at 202 N. Tenbrook Avenue.				
EXISTING ZONING: R-1 (Single Family Residential District)	EXISTING LAND USE: Single family residence and detached accessory structure	SURROUNDING ZONING & LAND USE: R-1 (Single Family Residential District) R-3 (Multi Family Residential District)	SUBDIVISION: Oak Park	PROPERTY SIZE: 0.35-acres

STAFF RECOMMENDATION



The applicant has requested a deviation from the Zoning Code to allow for a variance to have a secondary driveway and approach on his residential property to access a newly constructed detached accessory structure. The granting of this variance would not impede the maximum 35% lot coverage for impervious surfaces as set forth in R-1 standards, as the property is comprised of four historic platted lots equating to 0.35-acres.

Staff hereby recommends the Zoning Board of Adjustment approve the requested variance for a secondary driveway approach on this 0.35-acre property.

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

SUBMITTED PLANS

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

PLANNING DEPARTMENT
222 N. BROADWAY
SHAWNEE, OK 74801



PHONE: (405) 878-1616
FAX: (405) 878-1587

RECEIVED
OCT 08 2020
PLANNING / CODE

ZONING BOARD OF ADJUSTMENT

PROJECT NO. 201090 CASE NO. ZBOA09-20

NAME OF PROPERTY OWNER: Jerry R. Tully (Ritchie)

ADDRESS: 202 N. Tenbrook

CITY: Shawnee STATE: Okla. ZIP CODE: 74801

TELEPHONE: (405) 250-9997

APPLICANT'S NAME: Jerry R. Tully (Ritchie)

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

APPLICANT'S ADDRESS: 202 N. Tenbrook

CITY: Shawnee STATE: Okla. ZIP CODE: 74801

TELEPHONE: (405) 250-9997

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

PROPERTY LOCATION (ADDRESS): 202 N. Tenbrook

LEGAL DESCRIPTION: Oak Park Addition, Block 14
Lots 9, 10, 11, 12

(DIMENSIONS OF PROPERTY) AREA: 14,000 WIDTH: 100 ft.

LENGTH: 560 ft. FRONTAGE: 100 ft.

CURRENT ZONING: R-1 CURRENT USE: Re

VARIANCE REQUESTED: Second driveway to building.

APPLICATION, OWNERSHIP LISTING AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

Jerry R. Tully
APPLICANT'S SIGNATURE

(OFFICE USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 8 day of, October 20 20.

FILING FEE: \$90.00
RECEIPT NO: 02472016

ZONING BOARD OF ADJUSTMENT SECRETARY

ZBOA DECISION: _____

FILE DATE: 01/15/2003 FILE TIME: 01:51
POTTAWATOMIE COUNTY, NANCY BRYCE - COUNTY CLERK

PAGE #: 0001 OF 0002
RECE#: 2003 668 **

Return To:
Jerry R. Tully and Amanda Tully
202 N. Tenbrook
Shawnee, OK 74801

**JOINT TENANCY
WARRANTY DEED**

File No.: **OK02-106498-SH01 (DKB)**

Doc Stamps: **\$exempt**

Tax ID#: **2010-00-014-009-0-000-00**

That **Jerry R. Tully s/p/a Jerry Richard Tully and Amanda Tully, Husband and Wife**, party(ies) of the first part, in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **Jerry R. Tully and Amanda Tully**, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor, party(ies) of the second part, the following described real property and premises situate in **Pottawatomie** County, State of **Oklahoma**, to wit:

Lots Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Fourteen (14), OAK PARK ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

Property Address: **202 N. Tenbrook, Shawnee, OK 74801**

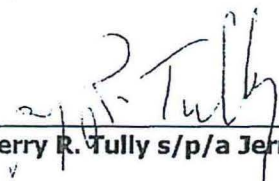
Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs, successors and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

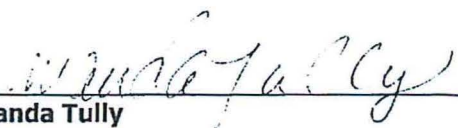
EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record.

Exempt from documentary stamps per section 3202 paragraph 4

Signed and delivered this **January 09, 2003**.



Jerry R. Tully s/p/a Jerry Richard Tully



Amanda Tully



SH106498/Tully

As of: 5/29/2020

Property Owner**Name:** TULLY JERRY R**Property Information****Physical Address:** 202 TENBROOK N**Mailing Address:** 202 N TENBROOK

SHAWNEE, OK 74801

Type: (RI) Res. Improv.**Tax Dist:** (93SHA) Shawnee SD**Millage Rate:** 104.41**Subdivision:** Oak Park (Shawnee)**Block / Lot:** 014 / 009**Size (Acres):** 0.000**Extended Legal:** OAK PARK BLK 14 LOTS 9 THRU 12**Market and Assessed Values:**

	Taxable Market Value	Full Assessed (12.00% Market Value)
Land:	11,156	1,339
Building:	43180	5182
Total:	54,336	6,521
Exemptions:		-1,000
Net Assessed:		5,521

Land:

Land Use	Size	Units
Land-(2010)	4.00	LT

Taxes:

Estimated Taxes:	\$576	Note: Tax amounts are estimates only. Contact the county treasurer for exact amounts.
Exemptions:	1,000	

Deed Transfers:

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
10/26/2009	2010	12346	NA	0.00	\$0	TULLY JERRY R		
1/30/1995	2394	94	Warr. Deed	31.50	\$21,000	TULLY JERRY & MISTY		

OWNERSHIP LIST

ORDER NO 2560204-SH99

DATE PREPARED: October 7, 2020

EFFECTIVE DATE: September 16, 2020 at 7:30 am

OWNER	LOT	BLK	ADDITION
TULLY JERRY R 202 N TENBROOK SHAWNEE, OK 74801	9-12	14	OAK PARK
CAN DO REALTY SOLUTIONS LLC P O BOX 21207 OKC, OK 73156	7-8	14	OAK PARK
TULLY ANNA R & MICHAEL G 212 N TENBROOK SHAWNEE, OK 74801	4-6	14	OAK PARK
STEPHENSON MARLENE 1825 E 10TH SHAWNEE, OK 74801	1-3	14	OAK PARK
THORPE MATILDA C 223 N ROOSEVELT SHAWNEE, OK 74801	13-19	14	OAK PARK
BOARD OF COUNTY COMMISSIONERS 325 N BDWY SHAWNEE, OK 74801	20-24	14	OAK PARK
DOMBEK SYBIL & GENE BURROWS 417 S LINDALE SHAWNEE, OK 74801	12	15	OAK PARK
STURGILL ERIC & OR GAYLENA 2402 LEO SUN ST SHAWNEE, OK 74804	10-11	15	OAK PARK
FOSTER MARK & NAOMI SCHEUERMAN & TERRY SCHEUERMAN 210 N ROOSEVELT SHAWNEE, OK 74801	6-9	15	OAK PARK
SCOTT KENDRA & WILLIAM JERRY BRADFORD III 218 N ROOSEVELT SHAWNEE, OK 74801	4-5	15	OAK PARK
BROWN ALICE ELAINE 209 N KIMBERLY SHAWNEE, OK 74801	1-3	15	OAK PARK
ORANGE SHALANDA & JOE W JR 1802 E 10TH SHAWNEE, OK 74801	S/2 28 & ALL LOTS 29 THRU 32	11	OAK PARK
ASHWORTH BILL J & ADDILEEN REVOC LIVING TRUST 1121 W DEWEY SHAWNEE, OK 74801	12-16	11	OAK PARK
HARRIS EBONY P O BOX 1069 SEMINOLE, OK 74818	W100' LOTS 1 THRU 6	13	OAK PARK

402 RESOURCES LLC 1705 FAIRCLOUD DR EDMOND, OK 73034	W150' LOTS 7 & 8 & ALL LOTS 9 THRU 12	13	OAK PARK
CHANCELLOR JERALD L & KATHY D 1915 E 10TH SHAWNEE, OK 74801			BEG 660'W SE/C NE NE N330' E132' S330' W132' POB (20-10N-4E)
LAWRENCE TIMOTHY J & CONNIE J 1812 E MAIN SHAWNEE, OK 74801			BEG 330'W NE/C SE NE S660' W330' N660' E330' POB (20-10N-4E)
WARE JANET R - 508 N POTTENGER SHAWNEE, OK 74801			29-SU E1/2 NW SE NE (20-10N-4E)
HOWE CRYSTAL 1805 E 9TH SHAWNEE, OK 74801			BEG 150'S NW/C W1/2 NW SE NE S243' E330' N393' W180' S150' W150' POB (20-10N-4E)
BOARD OF COUNTY COMMISSIONERS 325 N BDWY SHAWNEE, OK 74801			BEG NW/C W1/2 NW SE NE E150' S150' W150' N150' POB. (20-10N-4E)
HOUSING AUTH OF ABST P O BOX 425 SHAWNEE, OK 74802			BEG 700'N & 1320'W SE/C NE N620' W271' S200' W80' S420' E351' POB (20-10N-4E)
SHAWNEE, OK 74801BROWN FRANCES & LINDA S SLOAN & STEVEN E BROWN 1913 E 10TH SHAWNEE, OK 74801	E43' 1-8	13	OAK PARK
RAWLS STEPHEN D & KATHRYN M 1911 E 10TH ST SHAWNEE, OK 74801	E50' OF W150' LOTS 1 THRU 6	13	OAK PARK



First American Title Insurance Company

123 West Highland

Shawnee, OK 74801

Phone: (405)275-0266 / Fax: (866)721-6216

PR: SOCENT

Ofc: 2199 (542)

Final Invoice

To: Ritchie J. Tully
202 N. Tenbrook
Shawnee, OK 74801

Invoice No.: 542 - 219954665

Date: 10/07/2020

Our File No.: 2560204-SH99

Title Officer:

Escrow Officer:

Customer ID: AD5247525

Liability Amounts

Attention:

Your Ref.:

RE: **Property:**
202 N. Tenbrook, Shawnee, OK 74801

Buyers: Jerry R. Tully

Sellers:

Description of Charge	Invoice Amount
Ownership Report	\$400.00

INVOICE TOTAL **\$400.00**

Comments:

Thank you for your business!

To assure proper credit, please send a copy of this Invoice and Payment to:

Attention: Accounts Receivable Department

PO Box 776119

Chicago, IL 60677-6119

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lots 9 through 12, Block 14, Oak Park, to Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

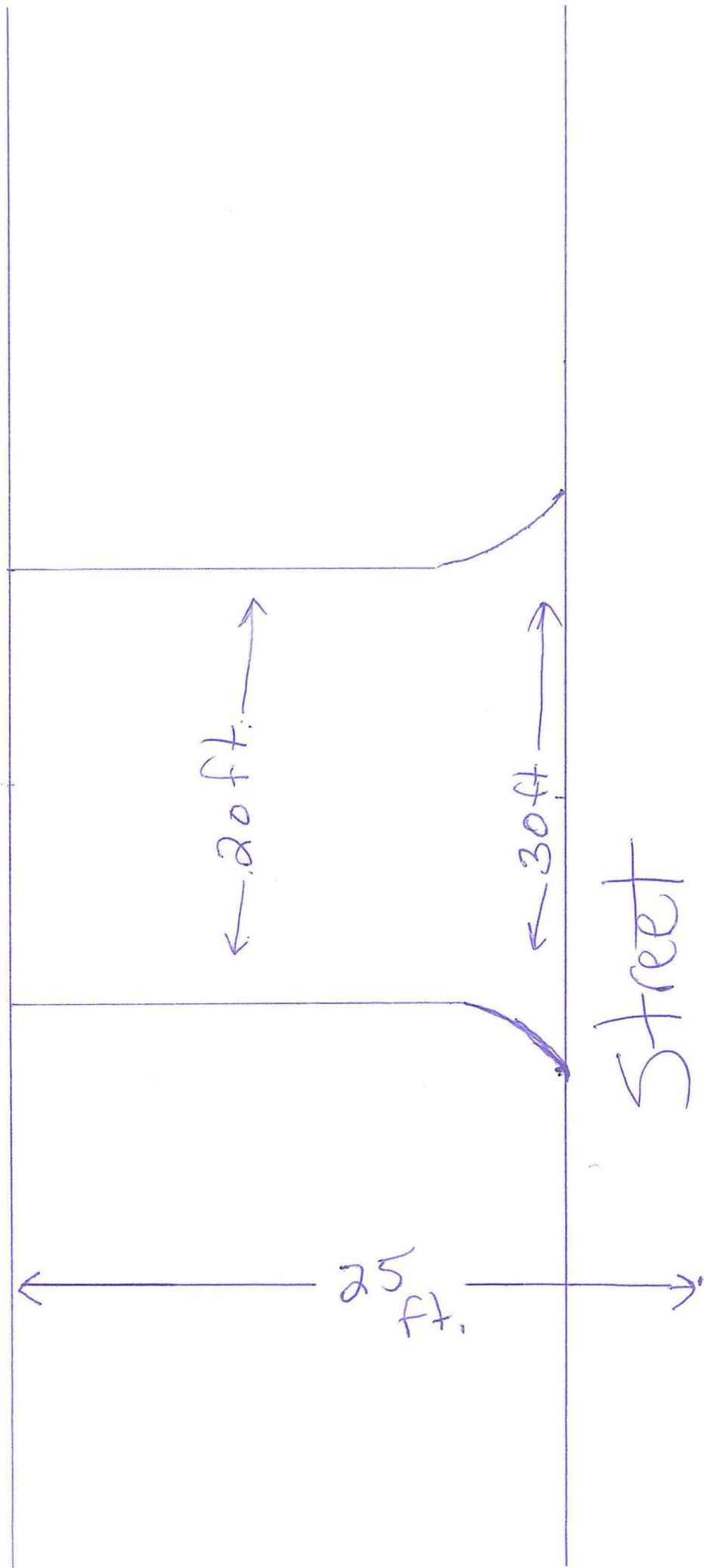
and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: SEPTEMBER 16, 2020 at 7:30 AM

First American Title Insurance Company

By: 
Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 017
File No. 2560204-SH99





CENTRAL
DISPOSAL
405-275-5854
877-344-7236



CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #ZBOA10-20

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed variance of property located within the City of Shawnee.

The property requesting a variance is described as follows:

General Location Known As:	<u>202 N. TENBROOK AVE.</u>
Current Zoning Classification:	<u>R-1 (Single Family Residential District)</u>
Requested Variance:	<u>Variance for allowance of a second driveway</u>
Applicant:	<u>Jerry Tully</u>

The public hearing will be held by the Zoning Board of Adjustments as follows:

LOTS NINE (9), TEN (10), ELEVEN (11), AND TWELVE (12), BLOCK FOURTEEN (14), OAK PARK ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

November 19th, 2020 AT 2:30 P.M.: CITY OF SHAWNEE ZONING BOARD OF ADJUSTMENTS

The item will be heard by the Zoning Board of Adjustments in the Commission Chambers located inside of City Hall at 16 W. 9th Street, Shawnee, OK 74801.

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to be heard regarding the variance. The Board reserves the right to limit discussion and debate on the proposed variance in the public hearing, in which event those persons speaking in support or opposition of the proposed variance will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) business days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 405-878-1616. A copy of the application is available electronically for public inspection during normal working hours and can be accessed from the Planning Department Office at 405-878-1616 or by e-mailing rebecca.blaine@shawneeok.org.

Witness my hand this 9th day of November 2020.

Rebecca Blaine, Planning Director

