

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>11/18/2021</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) 878-1616

Filed in the office of the municipal clerk at 1:43 a.m./p.m. on 11/16/2021

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 11-16-2021

PERSON FILING NOTICE: /s/ Rachel Clyne

NOTICE VERIFIED BY: Kelley Metcalf

AGENDA

Zoning Board of Adjustment -- City of Shawnee, OK Regular Meeting

Commission Chambers of City Hall, 16 W. 9th Street
November 18, 2021 at 2:30 P.M.

- 1) Call to Order**
- 2) Roll Call**
- 3) Minutes**
 - Consideration of approval of the minutes from the regular meeting of the Shawnee Zoning Board of Adjustment on **June 17, 2021**.
- 4) Public Hearings**
 - Public hearing and consideration of an application for a **Variance** at 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
- 5) Review and Approval of the 2022 Calendar of ZBOA Meeting Dates**
- 6) City Planner Report**
- 7) Board Members' Comments**
- 8) Adjournment**

ZONING BOARD OF ADJUSTMENT

DATE: August 19, 2021

DRAFT Minutes

The Zoning Board of Adjustment met at a regularly scheduled meeting on Thursday, August 19, 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 August 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 June 17, 2021.

Board member Cannon 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. 3: Public hearing and consideration of an application for a Variance at property located at 33808 Belcher Road. Request for a variance of 149' of street frontage from the minimum requirement of 330' for property zoned in A-1 (Rural Agricultural District).

Case No. **ZBOA03-21**, Applicant: Daniel and Alison Cope

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

City Planner Rachel Clyne described the request for the variance. The subject property is located at 33808 Belcher Road is zoned A-1 (Rural Agricultural District) and is vacant land. On August 4, 2021, the property owners, Daniel and Alison Cope requested a Lot Split of 5-acres from the approximately 13-acres tract belonging to the Cope Family Trust. At the August 4, 2021 meeting of the Shawnee Planning Commission, that Lot Split request received Conditional Approval based upon the decision (approval) made by the Zoning Board of Adjustment at this meeting.

Planner Clyne gave her recommendation for **Approval** by the Zoning Board of Adjustment for **ZBOA03-21** a **Variance** of 149' of required street frontage to the property known as 33808 Belcher Road in Shawnee, Oklahoma with the following conditions:

- Acknowledgement by the applicant(s) that the approval of a Variance does not in any way negate or circumvent the other requirements of development as stated in the City Codes, which includes the Zoning Code and the adopted Building Codes.
- Acknowledgement by the applicant(s) that additional permits are required prior to construction, standard inspections will be conducted, and no habitation on the property until the City issues a Certificate of Occupancy.

Chair Gordon asked the Board members if there were any questions for staff. Seeing none, she opened the public hearing for ZBOA03-21.

The applicants, Daniel and Alison Cope, were present and available for questions. Citizen Pauline Reeves was present and voiced her concerns about the application affecting her property. Once confirming the location of Ms. Reeves property in relation to that of the application, the concerns were assuaged. With no other public input, Chair Gordon closed the public hearing.

Board member Richardson made a motion to recommend **Approval of ZBOA03-21** as presented with conditions, 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. 4

ZBOA07-20 – Variance request for 420 N. Kickapoo Street.
(Previously scheduled for ZBOA meeting on July 15, 2021)

Board member Dyer made a motion to defer the application to the September 16, 2021 ZBOA meeting, which was seconded by Board member Richardson. Following any discussion, the motion passed 3-0-0.

AYE: Dyer, Gordon, Richardson
NAY: None
ABSTAIN: None

AGENDA ITEM NO. 5:

New Business

None

AGENDA ITEM NO. 6:

Board Members' Comments

Chair Gordon stated her appreciation for public participation.

AGENDA ITEM NO. 7

Adjournment

The meeting was adjourned by the power of the Chair at 2:54 PM.

Chair/Vice-Chair

/s/ Rachel Clyne
City Planner



Zoning Board of Adjustment – 11.18.2021 – City of Shawnee, Oklahoma

Staff Report – ZBOA04-21– Variance for Distance Between Driveways – 2130 W. Benedict St.

To: Shawnee Zoning Board of Adjustment

From: Rachel Clyne, City Planner

Date: November 9, 2021

Subject: ZBOA04-21 – Request for a **Variance** from the 75' minimum distance between driveways requirement, Shawnee, Oklahoma

It is requested that the following information be given formal consideration by the Shawnee Zoning Board of Adjustment at its regular meeting of November 18, 2021.

Background

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.

Variances

To better understand variances, several questions are asked and answered below.

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.

When could a variance be granted?

A variance is granted when a hardship associated with a property is preventing the property from meeting the requirements of the zoning ordinance.

Zoning Codes are intended to preserve and protect property uses and values, and to promote health and general welfare. These provisions should be universally applied. However, sometimes there are extraordinary conditions at a particular property. A variance can be granted after an analysis focused on particular conditions and circumstances of a specific property.

For example, it must be demonstrated to the ZBOA that the applicant is seeking a property right that is generally enjoyed by other property owners in the same zoning district, not some additional privilege not generally enjoyed by others in the area.

What is a hardship?

When conditions of a property are significantly different to other properties in the area.

Special conditions can involve the size, shape, topography or general location. There is a physical constraint which is unique to a property. Special circumstances are not interpreted to be something

intangible, such as lack of knowledge of the code or misinformation at the time of purchase or construction. A hardship is a characteristic of the property, not the person.

What is not a hardship?

1. Economic hardships. For example, adding more units to a building than allowed can generate more income and make the project more economically feasible.
2. Conditions that are created as a result of action by the applicant or owner and not as a result of the land.

Can the ZBOA attach any special conditions or stipulations to a variance?

Yes. The ZBOA may offer reasonable and appropriate conditions or stipulations which will assure that the use of the property will be compatible with surrounding properties and will not alter the essential character of the neighborhood.

What information will the ZBOA consider in reviewing a variance request?

Applicants should present the ZBOA with evidence to establish findings on which a decision can be based. Evidence should relate only to the property, structure, or use proposed. Evidence concerning a person's health, age, family conditions, desires, or other personal needs are not sufficient on their own merits to justify granting of a variance.

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 are:

- 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 with two driveways for a single parcel. A gated parcel of approximately 25-acres located west of the subject property has semi-circle drive outside of the gate. The remaining properties have one driveway per parcel.

The distances between driveways varies 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.

Contextual

Section 22-572 of the Zoning Code indicates that burden of truth is on applicant(s) seeking a variance.

This is that an unnecessary hardship exists and that granting the variance is necessary to relieve the unnecessary hardship. In granting a variance, the ZBOA may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions and safeguards. The ZBOA is tasked with analyzing the facts surrounding the request with a focus on evidence related only to the property, structure, or use proposed.

The applicant was given a TCO (Temporary Certificate of Occupancy) to reside in the house pending application for a variance. If the variance is denied, the applicant must redesign and alter of one or both driveways to become compliant with the Zoning Code and adopted Building Codes. The applicant should be advised that additional permits may be required prior to demo and construction. Standard inspections will be conducted and passed before the City issues a Certificate of Occupancy for the property located at 2130 W. Benedict Street in Shawnee, Oklahoma.

Recommendation

Staff recommends **Denial** by the Zoning Board of Adjustment for **ZBOA04-21** for a **Variance** which reduces the minimum separation between driveways from 75' to 15'.

PLANNING DEPARTMENT
222 N. BROADWAY
SHAWNEE, OK 74801



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

ZONING BOARD OF ADJUSTMENT
PROJECT NO. 20210830 CASE NO. ZBOA04-21

*rec'd RC
need 300'
property owners
list*

NAME OF PROPERTY OWNER: Freddie White

ADDRESS: 2130 W Benedict

CITY: Shawnee STATE: Ok ZIP CODE: 74801

TELEPHONE: (405) 250-2901 EMAIL: Greencam69@outlook.com

APPLICANT'S NAME: _____

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

APPLICANT'S ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: () _____ EMAIL: _____

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

PROPERTY LOCATION (ADDRESS): 2130 W Benedict

LEGAL DESCRIPTION: BEG SW/4 N 1320' E 660' S 1320 W 530' N 200' W 100' 14-10-3 Less tract, Pott County, Ok

(DIMENSIONS OF PROPERTY) AREA: _____ WIDTH: _____

LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: A-1 CURRENT USE: _____

VARIANCE REQUESTED: Keep existing drive that has been on property before purchase. In order to have a drive to the house, not using the drive to the out building. I will redo it in the near future.

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

Freddie White
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: 747

ZONING BOARD OF ADJUSTMENT SECRETARY

ZBOA DECISION: _____

202000012173
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWELLEN, COUNTY CLERK
10-28-2020 At 04:11 PM.
WARR DEED 293.75
Instrument PG 1 OF 2
202000012173

Documentary Stamps: \$ 273.75
Property Address: 2130 W. Benedict Street, Shawnee, OK 74801
Mailing Address: Same as above



GENERAL WARRANTY DEED
(Oklahoma Statutory Form)

THIS INDENTURE, made this Oct 22, 2020, between **Roger R. Varner and Anna K Varner, husband and wife**, parties of the first part, party grantor and **Freddie White, a single person**, party of the second part, party grantee.

WITNESSETH: That in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, said party grantor do, by these presents, grant, bargain, sell and convey unto said party grantee, his heirs, executors and administrators, all of the following described real estate, situated in the County of Pottawatomie, State of Oklahoma, to-wit:

Surface Only:

The West 20 acres of the South Half of the Southeast Quarter (S/2 SE/4) of Section Fourteen (14), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, according to the U.S. Government Survey thereof. LESS AND EXCEPT a tract of land beginning at a point 30 feet East of the Southwest corner of the Southeast Quarter (SE/4); thence North 200 feet; thence East 100 feet; thence South 200 feet; thence West 100 feet to the point of beginning.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining forever.

And said party grantor, **Roger R. Varner and Anna K Varner, husband and wife**, their heirs, executors and administrators do hereby covenant, promise and agree to and with said party grantee, at the delivery of these presents that they is lawfully seized in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular, the above granted and described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special assessments not yet due and all the oil, gas and other minerals in and under the described premises which have been previously reserved or conveyed by or to others; and that party grantor will WARRANT AND FOREVER DEFEND the same unto the said party grantee, his heirs, executors and administrators, against said party grantor, their heirs or assigns and all and every person or persons whomsoever lawfully claiming or to claim the same.

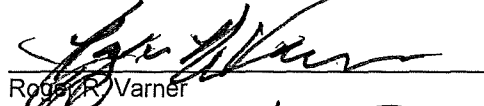
STATE OF OKLAHOMA
Pottawatomie County
Documentary Stamps: \$ 273.75

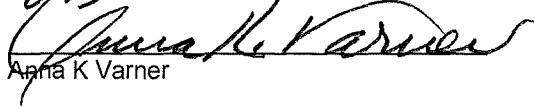
(General Warranty Deed - Oklahoma Statutory Form)
File No. 572501
FirsTitle & Abstract Services, LLC
Alliant National Title Insurance Company

572501

FirsTitle and Abstract Services
118 N. Broadway
Shawnee, OK 74801 20

IN WITNESS WHEREOF, the said parties grantor, has executed or caused to be executed, this instrument the day and year first above written.


Roger R. Varner

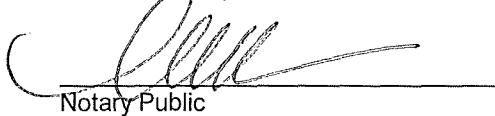

Anna K Varner

STATE OF FLORIDA

COUNTY OF *manatee*

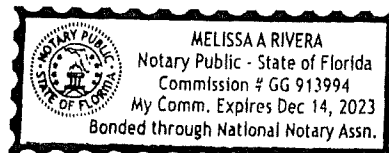
Before me, the undersigned, a Notary Public, in and for said County and State on this 22nd day of October, 2020, personally appeared Roger R. Varner and Anna K Varner, husband and wife to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.


Notary Public

My Commission Expires:

(SEAL)



Rec'd
10/18/21
-RC
2B0404-21
-RC

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:

BEG SW/C SE N1320' E660' S1320' W530' N200' W100' S200' W30' POB

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (3), 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: OCTOBER 1, 2021 at 7:30 AM

First American Title Insurance Company

By: 

Julie Jordan

Abstractor License No. 4071

OAB Certificate of Authority # 017

File No. 2682339-OK99

OWNERSHIP LIST**ORDER NO 2682339 SH99**

DATE PREPARED: October 13, 2021

EFFECTIVE DATE: October 1, 2021 at 7:30 am

OWNER	LOT	BLK	ADDITION
1 WHITE FREDDIE 2130 W BENEDICT SHAWNEE, OK 74801-0000			BEG SW/C SE N1320' E660' S1320' W530' N200' W100' S200' W30' POB (14-10N-3E)
2 RAPP WILLIAM T JR REVOCABLE TRUST P O BOX 37 SHAWNEE, OK 74802-0037	11 LESS TR. BEG NE/C LOT 11 W214' S407' SE ALG N R/W OF OCA &; A RR 214' ETC	11	COCHRAN
3 COLE LECIL & ELIZABETH 2127 W BENEDICT SHAWNEE, OK 74801-0000	BEG NE/C BLK 11 W214' S407' SE ALG N R/W OF OCA &; A RR A DIST 214' N414' POB	11	COCHRAN
4 ON POINTE EQUITY 19223 CHARLESTON PT SHAWNEE, OK 74801-0000	A TR BEG NW/C LOT 1 COCHRANE ADDN TH S ALG W LN LOT 1 414' TH EAST- ERLY ALG RW LN 104.77' TH N418.39' TO N LINE LOT 1 TH W 104.67' TO POB	1	COCHRAN
5 MCDONALD JAMES RUSSELL & ELIZABETH ANN 2121 W BENEDICT SHAWNEE, OK 74801-0000	1 BEG NW/C LOT 1 S414' E484.5' N403' E159' N33' W TO POB LESS 1 AC DES AS BEG NW/C LOT 1 TH S414' ON N RW RR TH EASTERLY ALG RW 104.77' TH N 418.39' TO N LINE OF LOT 1 TH W 104.67' POB &; COCHRAN 1.5A IN BEG 33'S NE/C LOT 1 W159' S403' TO RR R/W SE ALG R/W TO E LINE LOT 1 N421' PB	1	COCHRAN
6 MARCHANT KENNETH RW & SAMATHA 2120 W BENEDICT ST SHAWNEE, OK 74801-0000			BEG SW/C SE SE N1320' W429' S1320' E429' POB (14-10N-3E)
EXECUTIVE HOME RENTALS LLC P O BOX 3861 SHAWNEE, OK 74802-3861			BEG 429'W SE/C SW SE N330' W132' S330' E132' POB (14-10N-3E)
3 CARTER ROBERT & LISA 2128 W BENEDICT SHAWNEE, OK 74801-0000			E 7 AC OF W 27 AC OF S/2 SE LESS BEG 429'W SE/C SW SE N330' W132'S330'E132' (14-10N-3E)

9	CARTER JESSICA N 2202 W BENEDICT SHAWNEE, OK 74801-0000		BEG 30'E SW/C SE N200' E100' S200' W100' POB (14-10N-3E)
10	MANEK SAMUEL J & JERRI D 15201 ACME RD SHAWNEE, OK 74804-0000		A TR OUT OF LOT 1, 2, & 3 ON BOTH THE R &; L BANK OF THE NORTH FORK OF THE CANADIAN RIVER BEG AT A PT 1812' N SW/C &; RUNNING TH EASTERLY AT AN ANGLE TO THE RIGHT OF 80*9' DIS 1270' TH SE AT A ANGLE TO THE RIGHT 48*34' A DIS 975' TH SE 37*37' 212' TH E167' TO THE CENTER OF THE OLD CHANNEL OF RIVER TH N ON A MEANDERING LINE ALG CENTER LINE OF RIVER TO A PT 108'W NE/C SW E108' TO THE NE/C SW TH N TO THE NE/C SE NW TH W TO THE NW/C SW NW TH S TO POB LESS A TR OF LAND BEG AT THE NE/C S/2 NW TH W550' S1190' E550' N1190' POB LESS 5AC WD- 2004/1564 (14-10N-3E)
11	HANKS NATHAN 15002 COKER RD SHAWNEE, OK 74801-0000		BEG 1812'N SW/C SW SEC 14 TH EASTERLY AT AN ANGLE TO THE RIGHT 80*9' A DIS 1270' TH SOUTHEASTERLY AT AN ANGLE TO THE RIGHT 48*34' A DIS 975' (THIS POINT BEING 79' NORTHEAST OF THE LEFT BANK OF PRESENT NORTH CANADIAN RIVER)TH SOUTHERLY AT AN ANGLE OF 37*37' A DIS 212' TO POINT ON THE SOUTH LINE OF NE SW OF SAID SEC 14 TH DUE E 167' TO THE CENTER OF THE OLD CHANNEL OF THE NORTH FORK OF CANADIAN RIVER BEING 233' W OF THE SE/C NE SW OF SAID SECTION 14 TH NORTHERLY ON A MEANDERING LINE ALONG SAID CENTER LINE OF SAID OLD RIVER CHANNEL TO A POINT 108' W OF NE/C SW OF SEC 14 TH DUE E108' TO THE NE/C SW TH STO THE NE/C OF SE SW OF SAID SEC 14 TH W 233' TO THE CENTER OF OLD CHANNEL OF THE NORTH FORK O (14-10N-3E)
12	DEROSIER BRENDA D & GARY LEE 971 SOUTH RANGE ROAD MCLOUD, OK 74851-0000		LOT 6 OF SW LB N CANADIAN RIVER (14-10N-3E)
13	DIXON DICK L 2225 W BENEDICT SHAWNEE, OK 74801-0000		BEG NE/C NW S422.5' WLY206' N422.5' E206' POB (23-10N-3E)

14
ROMBERG DONALD F & KATHY A
2231 W BENEDICT
SHAWNEE, OK 74801-3125

BEG 206'W NE/C NW S422.5' W432'
NELY469' E188' POB
(23-10N-3E)

NOTICE OF A PUBLIC HEARING

City Of Shawnee, Oklahoma

Case #ZBOA04-21

In accordance with 11 O.S. 44-108 and City of Shawnee Zoning Code Sec. 22-573, requests for VARIANCES require notification of a PUBLIC HEARING.

Case number ZBOA04-21 is for a **variance to the minimum of 175' separating driveways**

The property is located at **2130 W. Benedict St., Shawnee, OK.**

Current zoning is **A-1 (Rural Agricultural District).**

Proposed zoning is **no change**

Applicant is **Freddie White.**

The public hearings for **ZBOA04-21** will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

November 18, 2021 at 2:30 p.m. City of Shawnee Zoning Board of Adjustment meeting

Attendance at the public hearing is not mandatory but all interested parties are encouraged to attend. Questions about the application are directed to the City of Shawnee Planning Department at 405-878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Office/Annex Building located at 222 N. Broadway

Presented for post and publication on October 21, 2021, by Rachel Clyne, City Planner.



FREDDIE WHITE
2130 W BENEDICT
SHAWNEE, OK 74801

JAMES & ELIZABETH MCDONALD
2121 W BENEDICT
SHAWNEE, OK 74801-0000

JESSICA N CARTER
2202 W BENEDICT
SHAWNEE, OK 74801-0000

WILLIAM RAPP TJR REVOCABLE TRUST
PO BOX 37
SHAWNEE, OK 74802-0037

KENNETH RW & SAMATHA MARCHANT
2120 W BENEDICT ST
SHAWNEE, OK 74801-0000

SAMUELJ & JERRI D MANEK
15201 ACME RD
SHAWNEE, OK 74804-0000

LECIL & ELIZABETH COLE
2127 W BENEDICT
SHAWNEE, OK 74801-0000

EXECUTIVE HOME RENTALS LLC
PO BOX 3861
SHAWNEE, OK 74802-3861

NATHAN HANKS
15002 COKER RD
SHAWNEE, OK 74801-0000

ON POINTE EQUITY
19223 CHARLESTON PT
SHAWNEE, OK 74801-0000

ROBERT & LISA CARTER
2128 W BENEDICT
SHAWNEE, OK 74801-0000

~~HANKS NATHAN 15002 COKER RD
SHAWNEE, OK 74801-0000~~

DIXON DICK L
2225 W BENEDICT
SHAWNEE, OK 74801-0000

DONALD F & KATHY A ROMBERG
2231 W BENEDICT
SHAWNEE, OK 74801-3125

300' Property Owners' list
ZBOA04-21
10.28.2021



ZBOA04-21 -- 2130 W. Benedict St. (Top) existing west "house" driveway
(Bottom) "new" accessory bldg. driveway



ZBOA-07-21 – 2130 W. Benedict St.

“Street view” Google Map dated March 2021 for context

*Notice photo is cut and spliced (by Google Maps)

Makes a triple cab truck and breaks the white road stripe