

CITY OF CHOCTAW BOARD OF ADJUSTMENTS

NOTICE OF SPECIAL MEETING

Staff has called for a Special Board of Adjustments meeting.

Date of Meeting: May 21st, 2018

Time of Meeting: 7:00pm

**Place of Meeting: Choctaw City Hall
2500 N Choctaw Road
Choctaw, OK 73020**

The undersigned received notice of the Special Meeting referenced herein prior to the required 48 hour notice and this notice was delivered by email at least 48 hours prior to the special meeting to persons that have requested notice in accordance with the Oklahoma Open Meeting Act.

City Clerk

Date

City of Choctaw
Special Board of Adjustments Meeting
May 21, 2018 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

1. **Call to Order.**
2. **Invocation and Pledge of Allegiance.**
3. **Roll Call.**
4. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
 - 4.1 Conduct public hearing to solicit general public input regarding an application requesting a “variance” of the Uses Permitted per Ordinance Section 12-215 (A) (42) C for a Home Occupancy-Type II.

Applicant: John Spinella
Location: 13449 Fairway Dr.
Current Zoning: Commercial Recreational District (C-R)
Legal Description:
Lot Seven (7), in Block Three (3), of COUNTRY CLUB ESTATES to Choctaw, Oklahoma County, Oklahoma, according to the recorded plat thereof.
 - 4.2 Regular meeting minutes for April 23, 2018.
5. **Commissioner/Staff Remarks:** This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. No action will be taken.
6. **Adjournment:**

This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00pm on May 18, 2018 in accordance with the Oklahoma Open Meeting Act.

Tina Rodriguez, City Clerk

THE CITY OF CHOCTAW ENCOURAGES PARTICIPATION FROM ALL ITS CITIZENS. IF PARTICIPATION AT ANY PUBLIC MEETING IS NOT POSSIBLE DUE TO A DISABILITY, NOTIFICATION TO THE CITY CLERK AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING IS ENCOURAGED TO MAKE THE NECESSARY ACCOMMODATIONS. THE CITY MAY WAIVE THE TWENTY-FOUR (24) HOUR RULE IF SIGNING IS NOT THE NECESSARY ACCOMMODATION.

**USES PERMITTED ON REVIEW
APPLICATION**

(Please Print (Black Ink) or Type)

Applicant: John Spinella

Address: 13449 FAIRWAY DR. CHOCTAW, OK. 73020

Phone: 405-741-3016

Property address: 13449 FAIRWAY DR. CHOCTAW, OK. 73020

Property zoning: SINGLE FAMILY RESIDENTIAL (RS)

What is the "Use Permitted on Review?": HOME OCCUPATION

Code Section No.: _____

The undersigned declares that the above statements and those contained in any exhibits transmitted to the Board of Adjustment are true and correct to the best of my knowledge and that I received a copy of the Policies and Procedures regulating this application.

[Signature]
Signature of Owner or Authorized Agent*

4/6/18
Date

***Owner or authorized agent must be present at public meeting.**

(For Official Use Only)

1804047
n/c
[Signature]

County Parcel Number: _____



CITY OF CHOCTAW

Staff Report



Applicant: **John Spinella**

Location: **13449 Fairway Dr.**

Current Zoning: **C-R "Commercial Recreation District"**

Use Request: **Home Occupation (Type II) – IT Services/Repair**

John and Yvonne Spinella are the owners of this 0.58 acre tract of land, located on Lot 7, Block 3; Country Club Estate to Choctaw Addition. The property is located at 13449 Fairway Drive. The applicant is requesting a Type II Home Occupation to run an Information Technology Services and repair.

TYPE II HOME OCCUPATION REQUIREMENTS

1. The application shall be renewed annually.
2. Operate entirely within a residential structure or permitted accessory structure.
(Applicant has indicated that the activities will occur within the residence and no accessory building is needed.)
3. Be within an platted area.
(Lot 7; Block 3; Country Club Estate to Choctaw Addition)
4. Use no more than 25% of the floor area of the primary building.
(The occupation will occur within the residence and proposing to use only 180 square feet of the residence. The applicant is allowed up to a maximum of 921 square feet in the residence. There are two accessory structures that are to be used for the Home Occupation.)
5. No remodeling of the exterior of the dwelling.
(Applicant has no plans to remodel)
6. Home Occupation's one un-illuminated and not to exceed 2 ft² sign
(Applicant has indicated to staff that no sign will be used or displayed.)
7. No use or storage of heavy vehicles.
(No heavy vehicles are to be on site nor needed for the type of use for the home occupation business.)
8. No retail selling of merchandise provided that orders are made by telephone.
(Applicant has no plans to have sell merchandise only to provide service)(All of the merchandise is for storage when a repair or install new HVAC equipment)
9. Produce no noise or obnoxious odors.
(Applicant does not forecast any obnoxious odors or noise.)
10. Involve fewer than 10 customers daily entering the premises.
(Applicant has informed staff that he travels to the customer's location. If any work is to be performed at the residence the equipment will be shipped in by the application or parts will be delivered by a professional delivery company (FedEx, UPS, USPS)). The applicant provides a service and they commute to the customer's destination.)
11. Employ no more than 1 person in addition to those who are permanent residents of the dwelling.
(The applicant has indicated that there are two (2) employees but they both resided at the property in question)
12. Off-street Parking.
(The applicant does not need any additional parking, but if needed there is a 2,900 sq. ft parking and driveway space.)(A single parking space is only 200 sq. ft)

POWERS TO GRANT VARIANCES

The Board of Adjustments shall study the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utilities, and other matters pertaining to the general welfare, and authorize or deny the issuance of a permit for the use of land or buildings as requested.

23RD

12"

18"

C-G C-G C-G C-G C-G

R-S

C-R

10" HIWASSEE

R-S

C-R

C-R C-R C-R C-R

FAIRWAY

C-R

R-R

R-S

R-R

R-S

R-R

A-G



City of Choctaw
PO Box 567
2500 N. Choctaw Rd
Ph. (405) 390-8198
Fax: (405) 390-3332



Legend

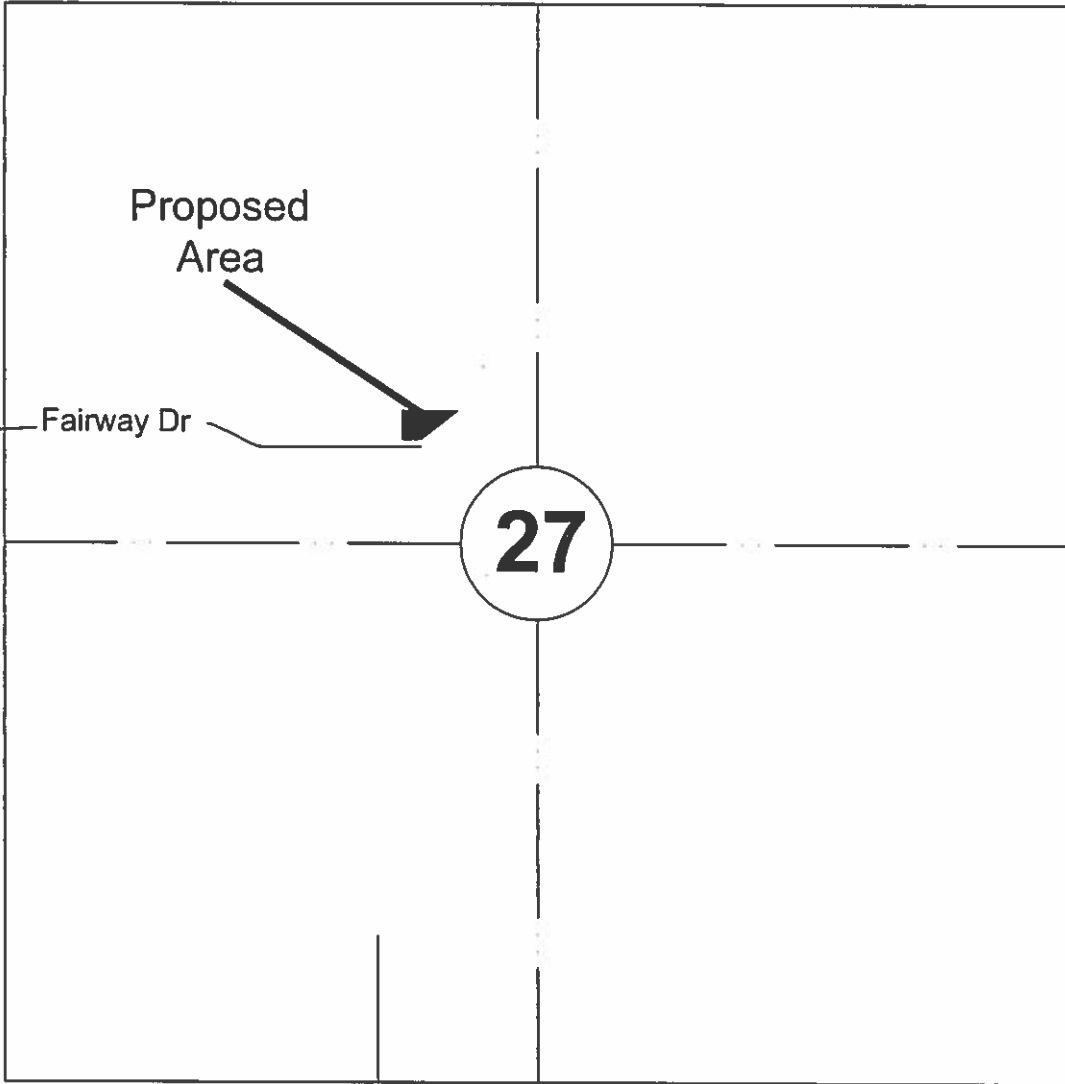
JURIS	Manhole
City of Choctaw	<all other values>
Maintenance Authority	TYPE
City of Choctaw	SANITARY
Air Station	STORM
Sanitary Sewer Main	
Parcel 2013	

PLEASE NOTE:
This map was created solely as a representation use by the City of Choctaw, Oklahoma. The City of Choctaw, Oklahoma assumes no responsibility for the content or accuracy of this map.



R 1 W
N.E. 23rd Street

N. Hiwassee Road



N. Henney Road
12
N

N.E. 10th Street
LOCATION MAP

NOT TO SCALE

City of Choctaw
Regular Board of Adjustments Meeting
April 23, 2018 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

1. Call to Order by **Chair @ 7:00p.m.**
2. Invocation and Pledge of Allegiance given by **Ray Sikes.**
3. **Roll Call:**
 - 4 **Present: Ray Sikes; Harry Taylor; Matt DeToy;**
Lloyd DeShazo
 - 1 **Absent: Dave Murdock****Staff: Chad Denson, City Planner**
4. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
 - 4.1 Conduct public hearing to solicit general public input regarding an application requesting a “variance” of the Required Lot Area and Accessory Building Setbacks per Ordinance Section 12-263 (A) (1) and Section 12-263 (B) (6).
Applicant: Shawn & Mindy Marler
Location: 315 Loran Ln
Current Zoning: Rural Residential District (R-R)
Legal Description:
Part of the Southwest Quarter of Section Thirty-Six, Township Twelve North, Range One West of the Indian Meridian, Oklahoma County, Oklahoma.

Opened Public Hearing @ 7:01pm

Shawn Marler, 315 Loran Ln, spoke for.

Closed Public Hearing @ 7:04pm

MOTION BY Matt DeToy and SECOND BY Harry Taylor... to grant the 0.2 Acre in area and a 5' rear setback variance for the existing accessory building. If the existing accessory is damaged at or above 50% or if the existing accessory building is moved the new accessory building must meet the property's zoning regulation.

MOTION CARRIED:

4 Ayes: Sikes; Taylor; DeToy; DeShazo
0 Nays: None
1 Absent: Murdock

4.2 Regular meeting minutes for March 26, 2018.

MOTION BY Harry Taylor and SECOND BY Matt Detoy... to approve the minutes as presented.

MOTION CARRIED:

4 Ayes: Sikes; Taylor; DeToy; DeShazo
0 Nays: None
1 Absent: Murdock

5. Commissioner/Staff Remarks: This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. No action will be taken.

Chad reminded the Board that next month there would be a special meeting on May 21st and that there would be no regular meeting on May 28th due to the holiday.

6. Adjournment:
Called @ 7:08 p.m.

Board of Adjustments Regular Meeting

April 23, 2018

No.	NAME (PLEASE PRINT)	COMPANY NAME	PHONE NUMBER	E-MAIL ADDRESS
1	Shawn Marler	Marler Enterprises, Inc.	405 409 1441	scripturebug@yahoo.com
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