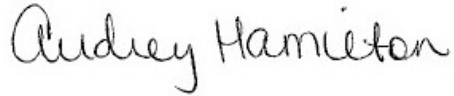


This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 19th day of November, 2021 and that an agenda of said meeting was posted at the place of such meeting at 11:00 a.m. on the 21st day of July, 2022.



Audrey Hamilton, City of Durant

**MINUTES OF THE MEETING OF DURANT BOARD OF ADJUSTMENT
July 28, 2022 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma**

CALL TO ORDER

Chairman Rhynes called the meeting to order at 5:30 p.m.

INVOCATION/FLAG SALUTE

Board Member Jones provided the invocation. Chairman Rhynes led the flag salute.

ROLL CALL

Present:

Board of Adjustment Chairman David Rhynes
Board of Adjustment Vice Chairman Mike Davis
Board Member Mike Allen
Board Member Wayne Jones

Absent:

Board Member Conner Alford

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

a. Consider Approval of Regular Meeting Minutes of May 19, 2022

Vice Chairman Davis moved to amend the minutes and remove Item 1a from the Consent Items.

2. Consider Items Removed from Consent

Vice Chairman Davis moved to amend the Regular Meeting Minutes of May 19, 2022 to

reflect that the Board of Adjustment did consider the applicability of section 157.30 of the Durant Code of Ordinances to those circumstances.

Motion was made by Vice Chairman Davis and seconded by Board Member Allen to amend the minutes as requested.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Allen, Jones

Nays: None

Abstain: None

3. Information Items

4. Public Hearings

- a. BOA2022-07 Request by Durant Main Street Coffee for a variance to §156.035 District Regulations pertaining to the front and rear setback requirements for property located near Main Street and Radio Road

Danielle O'Neal reviewed with the Board of Adjustment an application for a variance from District Regulations as it pertains to the front and rear yard setback requirements for property located near Main Street and Radio Road. The applicant approached staff regarding the desire to plat this property and move the center lot line 40 feet to the East in order to make the triangle shaped lot larger. A final plat was approved by City Council at their July meeting. Council also approved a Revocable Permit for a parking lot that will be located in the Right-Of-Way of Main Street. The setbacks for the triangle piece were determined to be a front setback that runs along Main Street, a rear setback that runs along the North side of the property and a side setback that runs along the East side of the property. Therefore, the front setback would be 25 feet and the rear would be 20 feet. As a note, since the property was platted and the line was moved, the property will not be considered an existing lot of record. The applicant states in the application that they are requesting the front setback be reduced to 15 feet and the rear setback be reduced to 10 feet. They further explain that this would allow the buildable area to be increased. Notifications have been made to the surrounding property owners. The Future Land Use Map has this area as Commercial; therefore, the use is in line with the Future Land Use Map. At the time of this report, staff has not received any letters or comment cards regarding this request.

Steve Harriman, applicant, spoke in favor of this item.

Motion was made by Board Member Jones and seconded by Vice Chairman Davis to approve the 15 foot variance for the front setback and 10 foot variance on the rear setback contingent upon the size of the buildable area being kept to no more than 3,500 square feet.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Allen, Jones

Nays: None

Abstain: None

5. New Business

There was no new business.

ADJOURNMENT

Motion made by Vice Chairman Davis and seconded by Board Member Jones to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Allen, Jones

Nays: None

Abstain: None