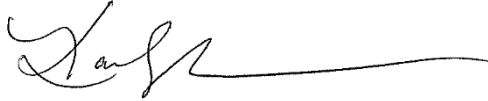


This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 15th day of December, 2022 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 24th day of January, 2023.



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, City of Durant

**MINUTES OF THE MEETING OF DURANT BOARD OF ADJUSTMENT  
January 26, 2023 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 5:35 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

Board Member Conner Alford (appeared at 5:55 p.m.)

Absent:

None

**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 July 28, 2022

- b. Discussion, Consideration and Possible Action on the 2023 Board of Adjustment Regular Meeting Calendar

Motion was made by Vice Chairman Davis and seconded by Board Member Jones to approve both consent items as presented.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Allen, Jones

Nays: None

Abstain: None

## **2. Consider Items Removed from Consent**

### **3. Information Items**

### **4. Public Hearings**

- a. BOA2022-10 Request by Kevin Gordon for a variance to §156.137 Buildings pertaining to allowing more than one principal building on one lot for property located at 2300 Chuckwa Dr.

Danielle O'Neal reviewed with the Board of Adjustment an application for a variance from District Regulations as it pertains to allowing more than one principal building on one lot for property located at 2300 Chuckwa Dr. The applicant approached staff regarding the desire to build a garage style apartment to live in while the demolition and reconstruction of the primary residence occurs. After the reconstruction of the primary residence occurs, the applicant would like to keep the garage style apartment for his children to stay in while they visit. The applicant states in the application that they are planning to live in the garage style apartment for a year while the primary residence is being demolished and reconstructed. After that time, the garage will be used to store equipment in and the living quarters will be used for their children to stay in while they visit. Current ordinances do not allow more than one principal building per lot; therefore, they are asking for a variance to allow both principal buildings to be on this lot. Notifications have been made to the surrounding property owners. The Future Land Use Map has this area as Low to Medium Residential; therefore, the use is in line with the Future Land Use Map. At the time of this report, staff has received two letters of support for this request.

Kevin Gordon, applicant, spoke in favor of this item.

Motion was made by Board Member Alford and seconded by Board Member Jones to approve the request as presented.

Motion Failed with the following vote:

Ayes: Jones

Nays: Davis, Allen, Alford

Abstain: Rhynes

- b. BOA2022-09 Request by Roma's for a variance to § 158.19 Tables (B) Table 2: Setback Requirements pertaining to the maximum sign area requirements for property located at 121 W. Main.

Danielle O'Neal reviewed with the Board of Adjustment an application for a variance from District Regulations pertaining to the maximum sign area requirements for property located at 121 W. Main St. The applicant and a sign company approached staff regarding the desire to place a 72 sq. ft. digital sign that they want to place in their parking lot. The applicant has already talked with the Oklahoma Department of Transportation (ODOT) since there is state highway right-of-way in the area. The sign also had to go before ODOT's Outdoor Advertising group because it was larger than what they allow as well. The Outdoor Advertising group did grant approval as long as there was no "off premise" business advertising that occurred. ODOT has stated the sign will need to stay out of the highway right-of-way. The applicant states in the application that they are requesting a 6 foot by 12-foot digital sign. The applicant stated that it would be placed on a pole in their parking lot in line with the front of their building. The Future Land Use Map has this area as Central Business District; therefore, the use is in line with the Future Land Use Map. Notifications have been made to the surrounding property owners. At the time of this report, staff has received one letter of support regarding this request.

Carl Meade, Street Manager, spoke in opposition of this item.

John Fissel spoke in opposition of this item.

Scott Crain spoke in favor of this item.

Motion was made by Board Member Alford and seconded by Board Member Allen to approve the request as presented.

Motion Failed with the following vote:

Ayes: Rhynes

Nays: Davis, Allen, Alford, Jones

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, Alford

Nays: None

Abstain: None