

The City of Durant 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 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

## **DURANT BOARD OF ADJUSTMENT**

**5:30 PM**

**Roscoe J. Hatfield  
Council Chambers,  
300 West Evergreen,  
Durant, Oklahoma**

**September 18, 2024**

### **AGENDA**

#### **CALL TO ORDER**

#### **INVOCATION/FLAG SALUTE**

#### **ROLL CALL**

#### **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.*

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

##### **3. Administration**

##### **4. Public Hearings**

- a. Consider and Possible Action on BOA2024-01: MidContinental Real Estate has requested a variance from the Durant Municipal Code §155.068 Building lines shall be provided for all residential subdivisions as follows: A front building line shall be located 30 feet back of the street right-of-way line. The property is located at/or near Wilson and Larkspur Lane and is legally described as follows:

The W/2 W/2 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT THE FOLLOWING 4 TRACTS:

Tract 1: All that part of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as follows: Beginning at the center of said Section 25; Thence North along the quarter section line of said section a distance of 396 feet; Thence East a distance of 110 feet; Thence South and parallel to said quarter section line a distance of 396 feet to a point on the South line of the NE/4 of said Section; Thence West along said section line a distance of 110 feet to the Point of Beginning.

Tract 2: The South 190 feet of the South 396 feet of the West 110 feet of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma.

Tract 3: All that part of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as: Beginning at a point on the South line of the NE/4 of said Section 25, 110 feet East of the center of said Section 25; Thence North parallel to the West line of said NE/4 a distance of 396 feet; Thence East parallel to the South line of said NE/4 a distance of 110 feet; Thence South parallel to the West line of said NE/4 a distance of 396 feet to the South line thereof; Thence West along the South line a distance of 110 feet to the Point of Beginning.

## **ADJOURNMENT**

### CERTIFICATE

The agenda was posted at 300 W. Evergreen St. at 4:00 p.m. on the 17th day of September 2024.

*Melody Mealor*

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Melody Mealor, City of Durant



# The City of Durant

## Memorandum

**Date:** 9/18/2024  
**To:** Mayor and City Council  
**From:**  
**Re:** Administration

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**Council Information / Action Requested**

**City Staff Information / Action Follow-up, if Council authorizes this action:**

**ATTACHMENTS:**



# The City of Durant

## Memorandum

**Date:** 9/18/2024  
**To:** Mayor and City Council  
**From:** Paul Cottrell, Building Inspector  
**Re:** Consider and Possible Action on BOA2024-01: MidContinental Real Estate has requested a variance from the Durant Municipal Code §155.068 Building lines shall be provided for all residential subdivisions as follows: A front building line shall be located 30 feet back of the street right-of-way line. The property is located at/or near Wilson and Larkspur Lane and is legally described as follows:

The W/2 W/2 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT THE FOLLOWING 4 TRACTS:

Tract 1: All that part of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as follows: Beginning at the center of said Section 25; Thence North along the quarter section line of said section a distance of 396 feet; Thence East a distance of 110 feet; Thence South and parallel to said quarter section line a distance of 396 feet to a point on the South line of the NE/4 of said Section; Thence West along said section line a distance of 110 feet to the Point of Beginning.

Tract 2: The South 190 feet of the South 396 feet of the West 110 feet of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma.

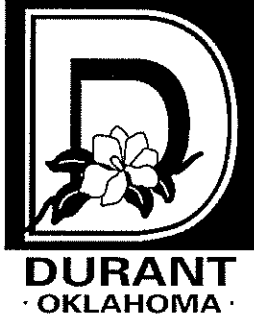
Tract 3: All that part of the SW/4 SW/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as: Beginning at a point on the South line of the NE/4 of said Section 25, 110 feet East of the center of said Section 25; Thence North parallel to the West line of said NE/4 a distance of 396 feet; Thence East parallel to the South line of said NE/4 a distance of 110 feet; Thence South parallel to the West line of said NE/4 a distance of 396 feet to the South line thereof; Thence West along the South line a distance of 110 feet to the Point of Beginning.

### Council Information / Action Requested

### City Staff Information / Action Follow-up, if Council authorizes this action:

#### ATTACHMENTS:

1. Kash Acres Staff Report
2. Re-plat Maps



# THE CITY OF DURANT

## Office of Community Development

Date: 09/17/2024  
To: Board of Adjustments  
Case: PC-2024-32  
From:  
Re: Variance for Building Line Requirements.

**Request:** Consider a request for a variance for 3 structures set beyond the building line located at Kash Acres off of Wilson Street near Larkspur Lane.

**Current Zoning:** R-3, General Residential

**Surrounding Properties:**

| Direction | Zoning        | Use                         |
|-----------|---------------|-----------------------------|
| North     | A-1           | Single Family Home          |
| West      | R-1, A-1, R-3 | Single Family Homes         |
| South     | R-3           | Multi-Family                |
| East      | R-1, A-1      | Single Family Home, Pasture |

**Applicant:** Kinion Whittington (Kash Acres)

**Background:** Applicants approached staff after surveyor noticed the structures were built beyond the building lines. Since the structure(s) were already completed it was determined that the case should go before BOA for a variance.

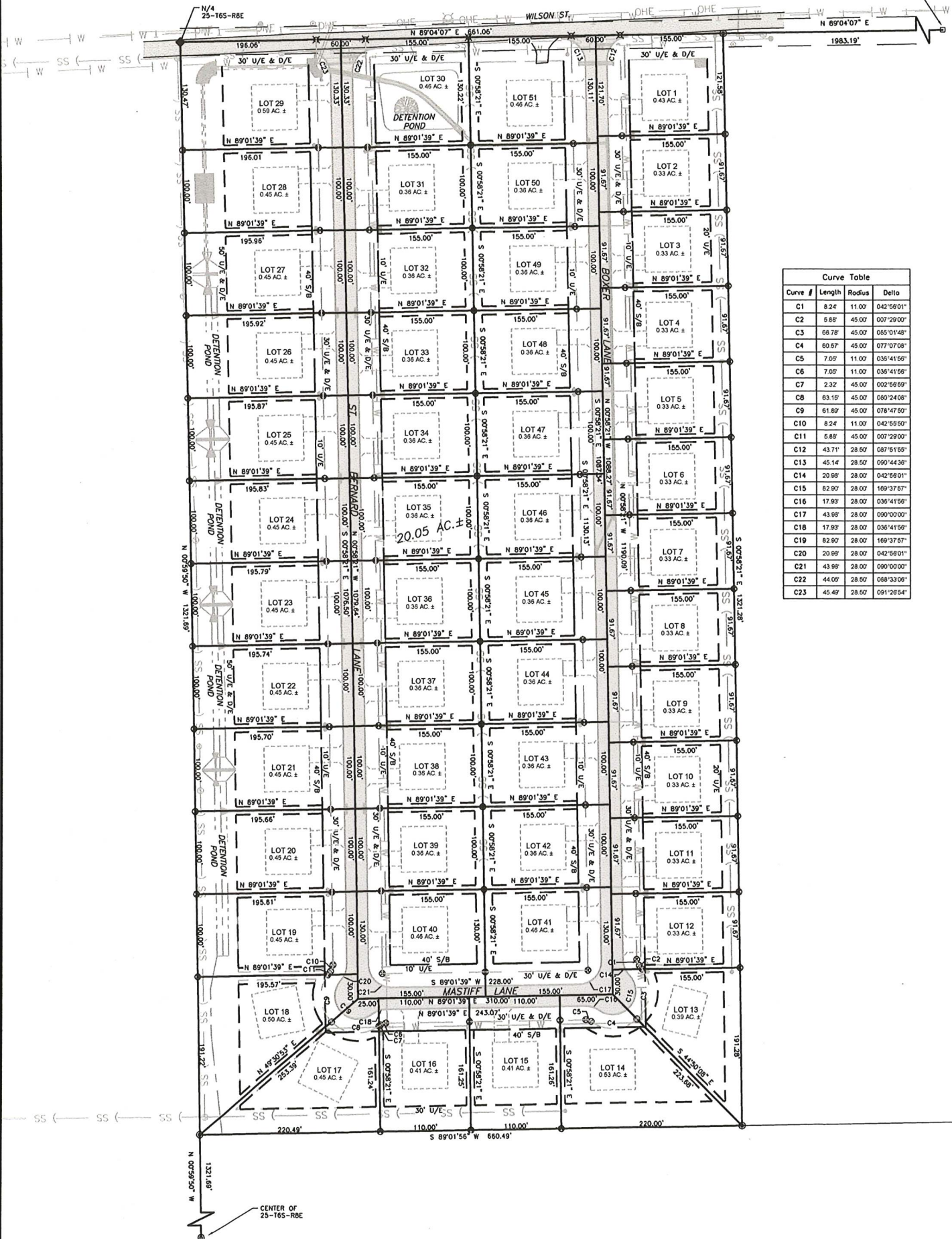
Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this final plat request.

**Analysis:** The main portion of the structure(s) sit behind the building line with only the garages going beyond the building lines. The garages of all 3 structure(s) extend roughly 11 feet beyond the building lines.

**Staff Recommendation:** Staff recommends the approval of the variance. A mistake was made and it would be detrimental to all parties involved to have 3 new homes to set vacant and unused.

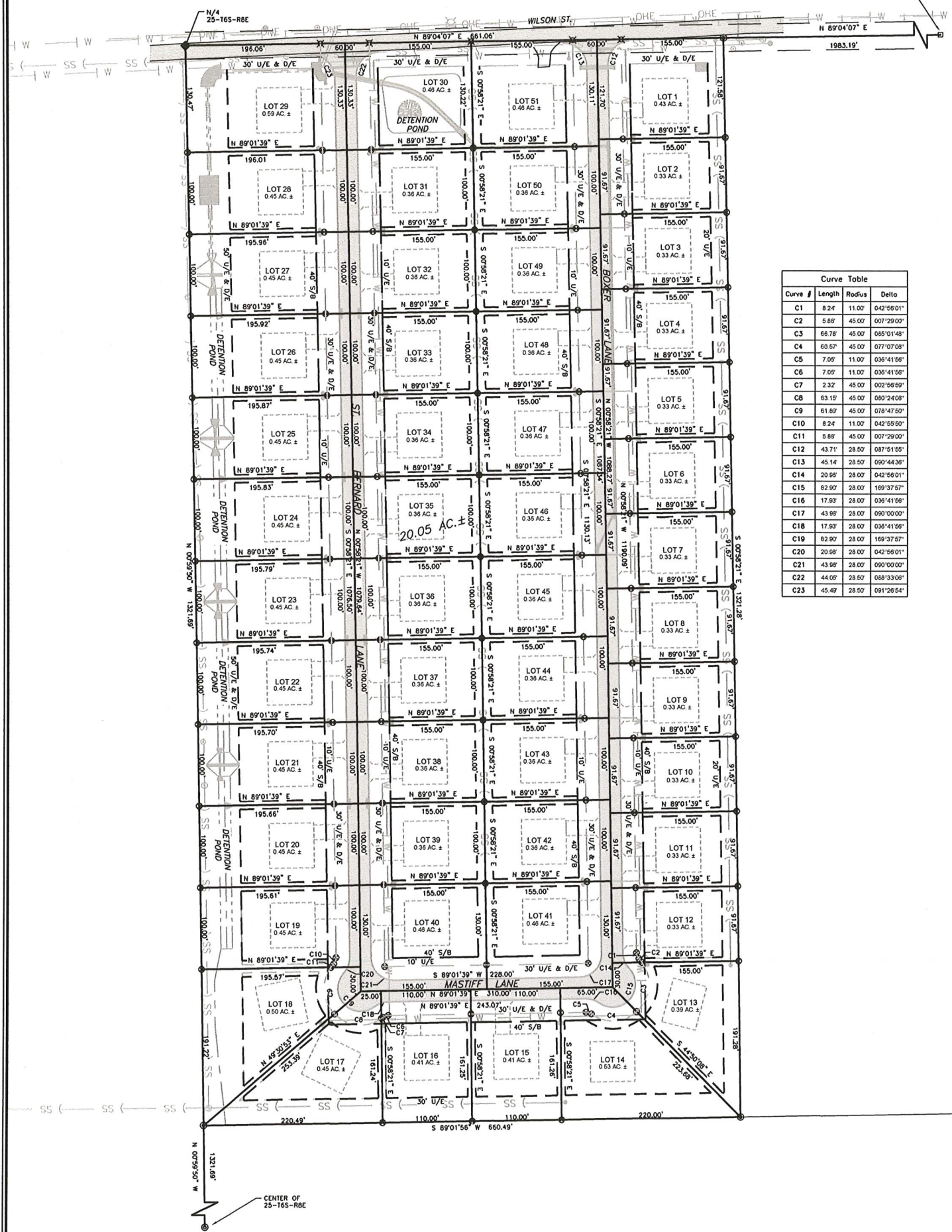
**Required Action:** Hold a public hearing and recommend approval or denial of a variance to change the building line of 3 completed structures. Any specific conditions imposed by the Commission should be read into any approval motion.

NE CORNER  
25-165-RBE



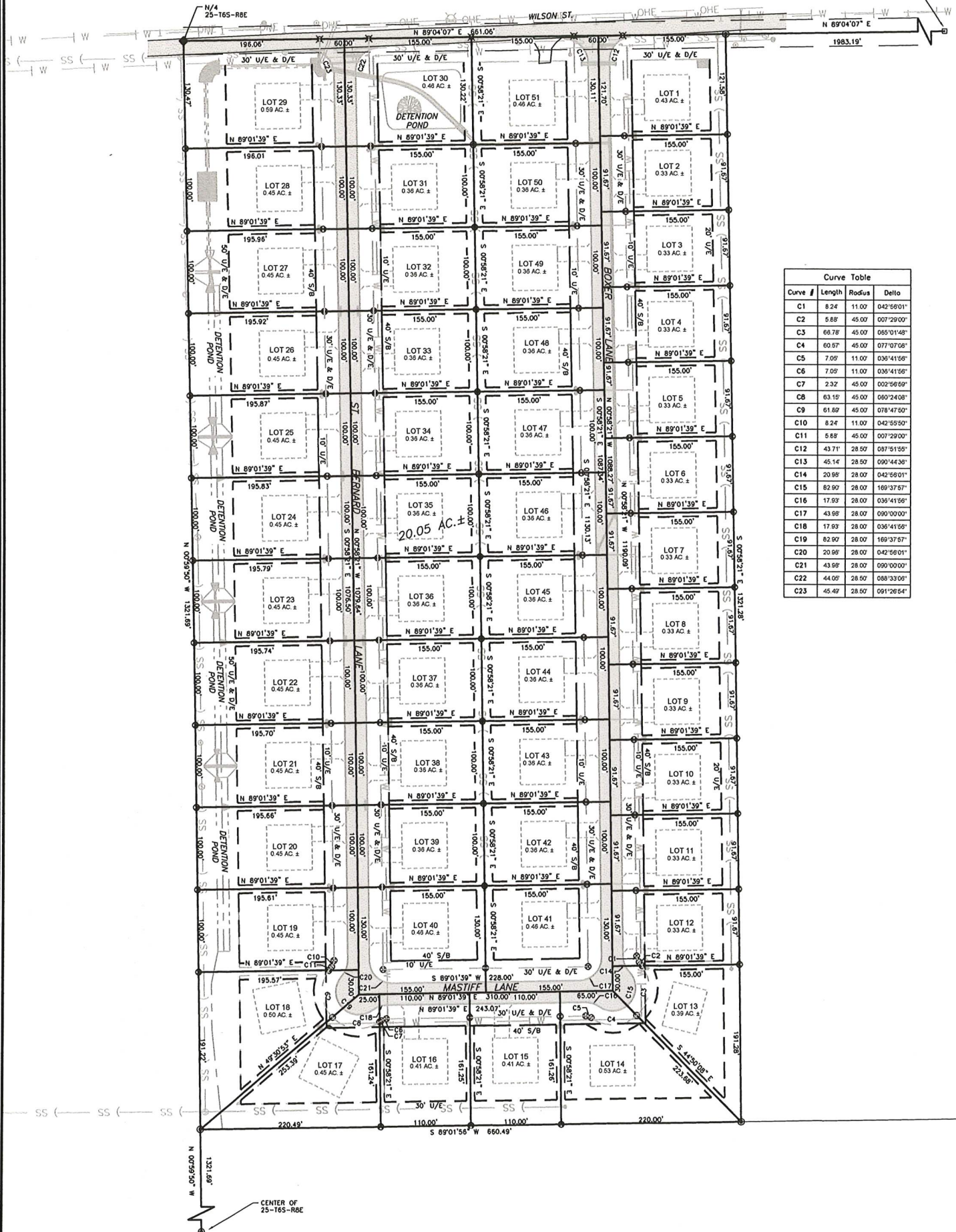
| Curve Table |        |        |            |
|-------------|--------|--------|------------|
| Curve #     | Length | Radius | Delta      |
| C1          | 8.24   | 11.00  | 042°56'01" |
| C2          | 5.88   | 45.00  | 007°29'00" |
| C3          | 68.78  | 45.00  | 065°01'48" |
| C4          | 60.57  | 45.00  | 077°07'08" |
| C5          | 7.05   | 11.00  | 036°41'56" |
| C6          | 7.05   | 11.00  | 036°41'56" |
| C7          | 2.32   | 45.00  | 002°56'59" |
| C8          | 63.15  | 45.00  | 060°24'08" |
| C9          | 61.89  | 45.00  | 076°47'50" |
| C10         | 8.24   | 11.00  | 042°56'00" |
| C11         | 5.88   | 45.00  | 007°29'00" |
| C12         | 43.71  | 28.50  | 087°51'55" |
| C13         | 45.14  | 28.50  | 090°44'38" |
| C14         | 20.98  | 28.00  | 042°56'01" |
| C15         | 82.90  | 28.00  | 169°37'57" |
| C16         | 17.93  | 28.00  | 036°41'56" |
| C17         | 43.98  | 28.00  | 090°00'00" |
| C18         | 17.93  | 28.00  | 036°41'56" |
| C19         | 82.90  | 28.00  | 169°37'57" |
| C20         | 20.98  | 28.00  | 042°56'01" |
| C21         | 43.98  | 28.00  | 090°00'00" |
| C22         | 44.05  | 28.50  | 068°33'08" |
| C23         | 45.49  | 28.50  | 091°26'54" |

NE CORNER  
25-165-RBE



| Curve Table |        |        |            |
|-------------|--------|--------|------------|
| Curve #     | Length | Radius | Delta      |
| C1          | 8.24   | 11.00  | 042°56'01" |
| C2          | 5.88   | 45.00  | 007°29'00" |
| C3          | 66.78  | 45.00  | 035°01'48" |
| C4          | 60.57  | 45.00  | 077°07'08" |
| C5          | 7.05   | 11.00  | 035°41'56" |
| C6          | 7.05   | 11.00  | 035°41'56" |
| C7          | 2.32   | 45.00  | 002°56'59" |
| C8          | 63.15  | 45.00  | 080°24'08" |
| C9          | 61.69  | 45.00  | 078°47'60" |
| C10         | 8.24   | 11.00  | 042°56'01" |
| C11         | 5.88   | 45.00  | 007°29'00" |
| C12         | 43.71  | 28.50  | 087°51'55" |
| C13         | 45.14  | 28.50  | 090°44'30" |
| C14         | 20.95  | 28.00  | 042°56'01" |
| C15         | 62.90  | 28.00  | 169°37'57" |
| C16         | 17.93  | 28.00  | 039°41'56" |
| C17         | 43.95  | 28.00  | 090°00'00" |
| C18         | 17.93  | 28.00  | 039°41'56" |
| C19         | 62.90  | 28.00  | 169°37'57" |
| C20         | 20.95  | 28.00  | 042°56'01" |
| C21         | 43.95  | 28.00  | 090°00'00" |
| C22         | 44.05  | 28.50  | 038°33'05" |
| C23         | 45.49  | 28.50  | 091°26'54" |

NE CORNER  
25-165-R8E



| Curve Table |        |        |            |
|-------------|--------|--------|------------|
| Curve #     | Length | Radius | Delta      |
| C1          | 8.24   | 11.00  | 042°56'01" |
| C2          | 5.88   | 45.00  | 007°29'00" |
| C3          | 66.78  | 45.00  | 055°01'48" |
| C4          | 60.57  | 45.00  | 077°07'08" |
| C5          | 7.05   | 11.00  | 036°41'56" |
| C6          | 7.05   | 11.00  | 036°41'56" |
| C7          | 2.32   | 45.00  | 002°56'59" |
| C8          | 63.19  | 45.00  | 060°24'08" |
| C9          | 61.69  | 45.00  | 078°47'50" |
| C10         | 8.24   | 11.00  | 042°56'01" |
| C11         | 5.88   | 45.00  | 007°29'00" |
| C12         | 43.71  | 28.50  | 087°51'55" |
| C13         | 45.14  | 28.50  | 090°44'38" |
| C14         | 20.95  | 28.00  | 042°56'01" |
| C15         | 62.90  | 28.00  | 169°37'57" |
| C16         | 17.93  | 28.00  | 036°41'56" |
| C17         | 43.68  | 28.00  | 090°00'00" |
| C18         | 17.93  | 28.00  | 036°41'56" |
| C19         | 62.90  | 28.00  | 169°37'57" |
| C20         | 20.95  | 28.00  | 042°56'01" |
| C21         | 43.68  | 28.00  | 090°00'00" |
| C22         | 44.00  | 28.50  | 058°33'08" |
| C23         | 45.49  | 28.50  | 091°26'54" |