

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
AGENDA**

July 30, 2026

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.

- a. Consideration and Approval of Minutes of the July 09, 2026, meeting as presented.

2. Consider Items Removed from Consent

3. Public Hearings

- a. Consideration and Possible Approval of a Variance From Durant Municipal Code §156.035 District Regulations Requirements for Setback, Frontage, and Lot Size for Property Located at 902 NE 4th Street and More Particularly described As:

All that part of Lot 5 in Block 31 lying South of U.S. Highway 70 in the City of Durant, Bryan County, Oklahoma, according to the official plat thereof. Less and Except a strip piece or parcel of land lying in part of Lot 5 in Block 31 of the original Townsite of Durant, Bryan County, Oklahoma, according to the recorded plat thereof, described as follows: Beginning at the Southwest Corner of said Lot 5; thence 19°10'20"E along the West line of said Lot 5 a distance of 38.00 feet to a point on the present South right-of-way line of U.S. Highway 70; thence Northeasterly along said right-of-way line on a curve to the left having a cord bearing of North 84°54'18"E and having a radius of 1960.10 feet an arc distance of 16.45 feet; thence S19°10'20"W 44.76 feet to point on the South line of said Lot 5; thence N70°49'40"W along said South line a distance of 15.00 feet to the Point of Beginning.

4. New Business

ADJOURNMENT

CERTIFICATE

The agenda was posted at 300 W. Evergreen Street by 4:00 p.m. on the 28th of July 2026.



Brandy Stachowski, City of Durant



The City of Durant

Memorandum

Consideration and Approval of Minutes of the July 09, 2026, meeting as presented.

Information / Action Requested

ATTACHMENTS:

1. Board of Adjustments Meeting Minutes 07.09.26 BCS

The agenda was posted at 300 W. Evergreen Street by 4:00 p.m. on the 06th of July 2026.

Brandy Stachowski

Brandy Stachowski, City of Durant

MINUTES OF THE MEETING OF DURANT BOARD OF ADJUSTMENT
July 9, 2026 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 PM

INVOCATION/FLAG SALUTE

Board Member Jones lead 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 Wayne Jones

Board Member Conner Alford

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. Consideration and Approval of Minutes of the June 04, 2026, meeting as presented.
Motion was made by Board Member Jones and seconded by Board Member Davis to approve the Minutes for the June 04, 2026 Meeting as presented.
Motion Passed with the following vote:
Ayes: Rhynes, Davis, Jones, Alford
Nays: None
Abstain: None

2. Consider Items Removed from Consent

3. Public Hearings

- a. Consideration and Possible Approval of a Variance from Durant Municipal Code § 156.065 Metal Buildings and Building Facades In All Commercial, Residential, And Health Facilities Districts for Property Located near West Main and Gates Avenue and More Particularly Described as:

E/2 of Lot 9 and all of Lots 10 and 11 in Block 1, Jennings Heights Subdivision of Bryan County, Oklahoma, according to the official plat and survey thereof. AND Lot 5, Block 1,

Jennings Heights Addition, Bryan County, Oklahoma, State of Oklahoma, according to the official plat thereof. AND A part of Lot 1 in Block 4 of ALBIN'S ACRES ADDITION to the City of Durant, Bryan County, Oklahoma, described as BEGINNING at a point 22 feet West of the Southeast Corner of said Lot 1 in Block 4; Thence North parallel to and 22 feet West of the East line of Lot 1 a distance of 812.18 feet to the South boundary line of the right of way of the St. Louis and San Francisco Railroad; Thence deflecting to the right at an angle of 107 degrees 02 minutes Eastwardly along the South line of said right of way line of said Railroad a distance of 623.08 feet; Thence deflecting to the right 162 degrees 58 minutes West along the North line of the SE/4 SE/4 SW/4 of Section 25, Township 6 South, Range 8 East a distance of 594.3 feet to the Northwest Corner of said 10 acre tract; Thence South along the West line of the SE/4 SE/4 SW/4 a distance of 625 feet to the Southeast Corner of said Lot 1 in said Block 4, Albin's Acres Addition; Thence West 22 feet to the point of beginning, according to the recorded plat thereof, AND Lots 2,3,4,6 and 7 in Block 1 of JENNINGS HEIGHTS ADDITION, and Tract 1, LESS AND EXCEPT the East 132.50 feet thereof and LESS AND EXCEPT the West 87.50 feet of the East 220.00 feet thereof, of JENNINGS HEIGHTS ADDITION, to Bryan County, Oklahoma, according to the recorded plat thereof. AND All of Lot 8 and W/2 of Lot 9, of Block 1, in Jennings Heights Addition to the City of Durant, Bryan County, Oklahoma, according to the recorded plat thereof.

Motion was made by Board Member Davis and seconded by Board Member Alford to approve the Variance as written in light of the mandatory requirements of the Durant Municipal Code section 156.065 Part D Section 2 pursuant to the determination of the Community Development Director that the requested building materials will create substantial similarity to surrounding structures.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Jones, Alford

Nays: None

Abstain: None

4. New Business

ADJOURNMENT

Motion was made by Board Member Davis and seconded by Board Member Alford to adjourn.

Motion Passed with the following vote:

Ayes: Rhynes, Davis, Jones, Alford

Nays: None

Abstain: None



The City of Durant

Memorandum

Consideration and Possible Approval of a Variance From Durant Municipal Code §156.035 District Regulations Requirements for Setback, Frontage, and Lot Size for Property Located at 902 NE 4th Street and More Particularly described As:

All that part of Lot 5 in Block 31 lying South of U.S. Highway 70 in the City of Durant, Bryan County, Oklahoma, according to the official plat thereof. Less and Except a strip piece or parcel of land lying in part of Lot 5 in Block 31 of the original Townsite of Durant, Bryan County, Oklahoma, according to the recorded plat thereof, described as follows: Beginning at the Southwest Corner of said Lot 5; thence 19°10'20"E along the West line of said Lot 5 a distance of 38.00 feet to a point on the present South right-of-way line of U.S. Highway 70; thence Northeasterly along said right-of-way line on a curve to the left having a cord bearing of North 84°54'18"E and having a radius of 1960.10 feet an arc distance of 16.45 feet; thence S19°10'20"W 44.76 feet to point on the South line of said Lot 5; thence N70°49'40"W along said South line a distance of 15.00 feet to the Point of Beginning.

Information / Action Requested

ATTACHMENTS:

1. BOA-2026-03 Staff Report
2. BOA 2026-03 MAPS
3. BOA2026-03 DEED
4. BOA Questions



THE CITY OF DURANT

Office of Community Development

Date: 7-14-2026
To: Board of Adjustments
Case: BOA-2026-03
From: Paul Cottrell, Community Development.
Re: Setback, Frontage and Lot Size requirements per 156.035 DISTRICT REGULATIONS

Request: Consider a request from the property owner for a variance at the property located at 902 NE 4th Street.

Current Zoning: R-3

Future Land Use: Low Density

Surrounding Properties:

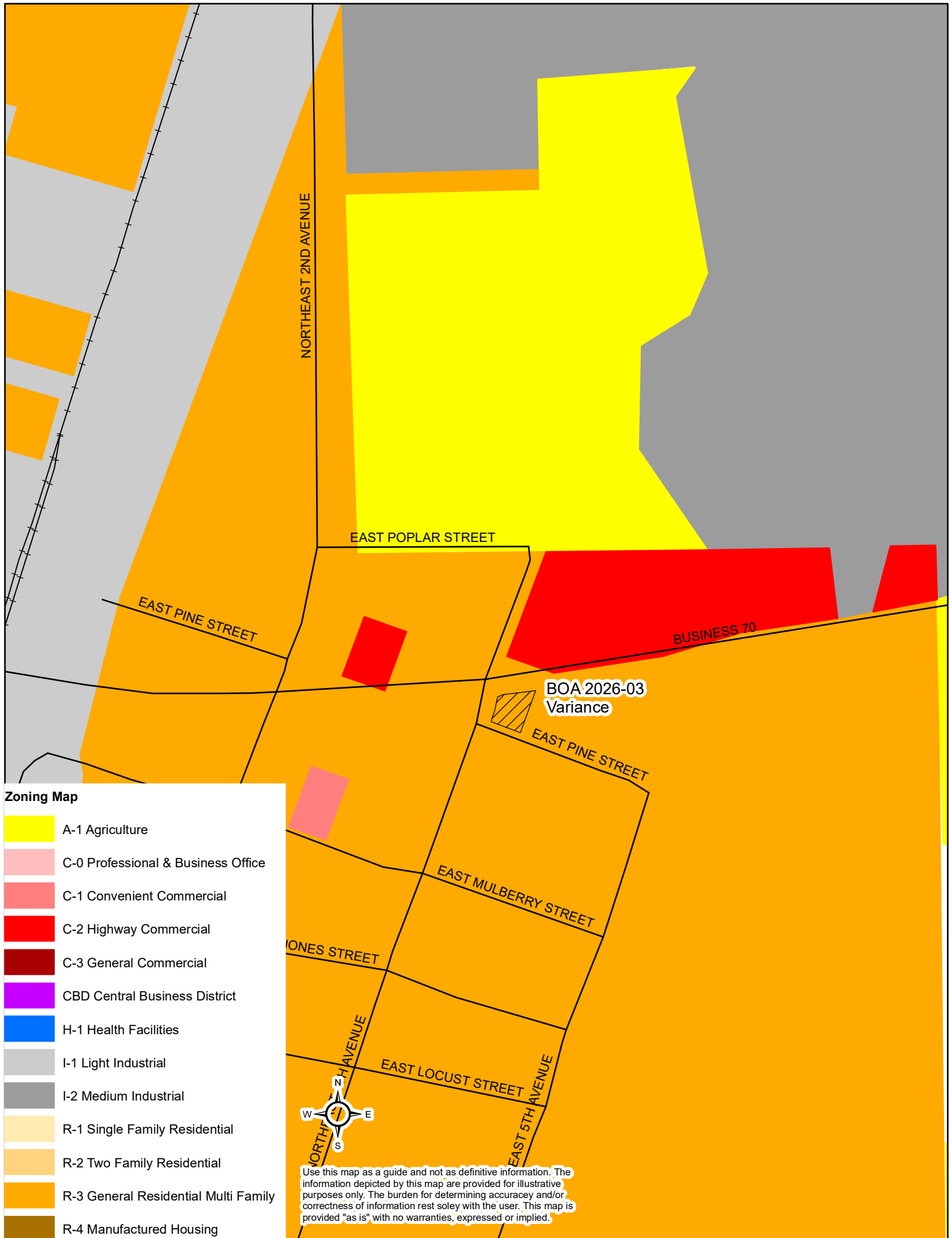
Direction	Zoning	Use
North	C-2	Vacant Commercial
West	R-3	Flood Plain
South	R-3	Single Family
East	R-3	Single Family

Applicant: Bill Cox

Consideration: Applicant approached staff with the desire to build a duplex at the current property. Staff made the applicant aware that a single-family unit could be built due to the age of the property. Applicants expressed a desire to continue to BOA for a possible duplex. Notifications have been made to the surrounding property owners and at the time of this report staff have not received phone calls or letters of support or protest regarding this rezone request.

Analysis: Property is currently 3,790 Sq Ft. Of a required 6k for single family and 8k for duplex, property is a corner lot with 44.76 and 63.24 ft of frontage with a required 50ft for single family and 70ft for duplex.

Staff Recommendation: Overall staff recommend denial of the Duplex and recommend applicant proceeds with a single-family structure.



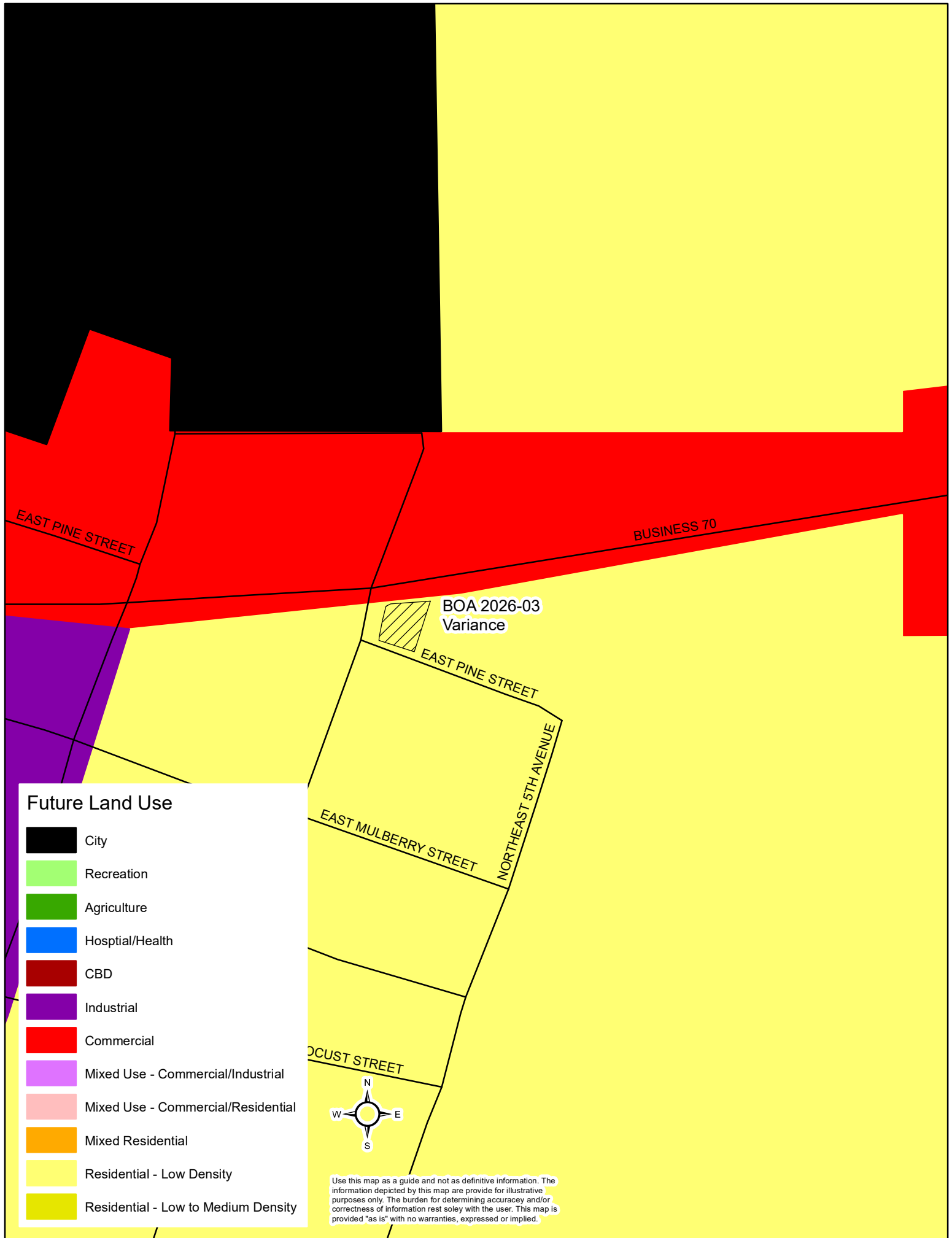
Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
- I-1 Light Industrial
- I-2 Medium Industrial
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 General Residential Multi Family
- R-4 Manufactured Housing

Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is", with no warranties, expressed or implied.

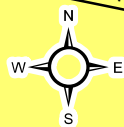


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Future Land Use

-  City
-  Recreation
-  Agriculture
-  Hospital/Health
-  CBD
-  Industrial
-  Commercial
-  Mixed Use - Commercial/Industrial
-  Mixed Use - Commercial/Residential
-  Mixed Residential
-  Residential - Low Density
-  Residential - Low to Medium Density



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MODERN

abstract and title

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **Dakota M. Hodge and Nicole K. Hodge, a married couple**, party/parties of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do(es) by these presents grant, bargain, sell and convey unto **Cox Design LLC, a Limited Liability Company, 1593 SandStone Rd. Durant, OK 74701**, party/parties of the second part, his/her/their grantees and heirs, all of the following described real property and premises, situated in Bryan County, Oklahoma, to wit:

See Exhibit A attached hereto and made a part hereof.

together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

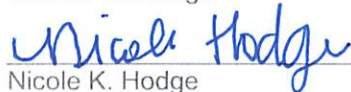
TO HAVE AND TO HOLD said described premises unto said party/parties of the second part, his/her/their grantees and the heirs and grantees of the survivors, forever, free, clear and discharged of and from all former grants, titles, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. Exceptions: Easements and rights of ways of record; oil, gas, and other mineral leases of record; prior oil, gas, and other mineral conveyances or reservations of record; restrictive and protective covenants of record; and applicable zoning ordinances.

Revenue Stamps: \$12.75

SIGNED AND SEALED this the 29th day of May, 2026.



Dakota M. Hodge



Nicole K. Hodge

NOTARY AND ACKNOWLEDGMENT

STATE OF OKLAHOMA

COUNTY OF BRYAN

I, Tessa Jo Cooper, a Notary Public for the County of Bryan and State of Oklahoma, do hereby certify that Dakota M. Hodge and Nicole K. Hodge, a married couple personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 29th of May, 2026.



Notary Public

My Commission Expires: August 4, 2029

(SEAL)

File No.: BRY-260516611



EXHIBIT "A"

All that part of Lot 5 in Block 31 lying South of U.S. Highway 70 in the City of Durant, Bryan County, Oklahoma, according to the official plat thereof. Less and Except a strip piece or parcel of land lying in part of Lot 5 in Block 31 of the original Townsite of Durant, Bryan County, Oklahoma, according to the recorded plat thereof, described as follows: Beginning at the Southwest Corner of said Lot 5; thence 19°10'20"E along the West line of said Lot 5 a distance of 38.00 feet to a point on the present South right-of-way line of U.S. Highway 70; thence Northeasterly along said right-of-way line on a curve to the left having a cord bearing of North 84°54'18"E and having a radius of 1960.10 feet an arc distance of 16.45 feet; thence S19°10'20"W 44.76 feet to point on the South line of said Lot 5; thence N70°49'40"W along said South line a distance of 15.00 feet to the Point of Beginning.

Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: BUSINESS OR TRUST

STATE OF OKLAHOMA)

)

ss.

COUNTY OF BRYAN)

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned WILLIAM C. COX, JR.
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I am a/an MEMBER (role, such as titled officer or trustee) of COX DESIGN LLC (legal name, along with any trade or fictitious names, of business, trust, or other legal entity) (referred to herein as the "Entity"). I am duly authorized to record this Affidavit on behalf of the Entity, which is taking title to the real property identified in the Deed to which this Affidavit is attached (the "Property"), and to bind the Entity for the consequences of any false statements in this Affidavit.
3. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:
No alien or any person who is not a citizen of the United States or foreign government adversary shall acquire title to or own land in this state either directly or indirectly through a business entity, trust, or foreign government enterprise, except as hereinafter provided, but they shall have and enjoy in this state such rights as to personal property as are, or shall be, accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce or has a national security agreement with the Committee on Foreign Investment in the United States (CFIUS) in accordance with federal law.
4. The Entity acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of 60 O.S. § 121 or any other state or federal law.
5. If the Entity is a trust, its grantor(s), trustees and all direct and contingent beneficiaries are United States citizens or bona fide residents of the State of Oklahoma. If the Entity is a business, its direct and indirect owner(s) is/are United States citizens(s) or bona fide residents of the State of Oklahoma.
6. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or subject me and/or the Entity to being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

William C. Cox, Jr.
AFFIANT, individually and as authorized agent of the Entity

5-29-26
Date

The foregoing instrument was subscribed and sworn to before me this 29th day of May,
2026, by WILLIAM C. COX, JR.

Tessa Jo Cooper
NOTARY PUBLIC

My Commission Expires: 8/04/29

My Commission Number: 25009168



Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: BUSINESS OR TRUST

STATE OF OKLAHOMA)
)
COUNTY OF BRYAN) ss.
TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned WILLIAM C. COX, III
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I am a/an MANAGER/MEMBER (role, such as titled officer or trustee) of COX DESIGN LLC (legal name, along with any trade or fictitious names, of business, trust, or other legal entity) (referred to herein as the "Entity"). I am duly authorized to record this Affidavit on behalf of the Entity, which is taking title to the real property identified in the Deed to which this Affidavit is attached (the "Property"), and to bind the Entity for the consequences of any false statements in this Affidavit.
3. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:
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FURTHER AFFIANT SAYETH NOT.

[Signature]
AFFIANT, individually and as authorized agent of the Entity

05/29/2026
Date

The foregoing instrument was subscribed and sworn to before me this 29th day of May, 2026, by WILLIAM C. COX, III.

[Signature]
NOTARY PUBLIC

My Commission Expires: 8/04/29

My Commission Number: 25009168



Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: BUSINESS OR TRUST

STATE OF OKLAHOMA)

)

SS.

COUNTY OF BRYAN)

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned TAYLOR ANTHONY COX
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I am a/an MEMBER (role, such as titled officer or trustee) of COX DESIGN LLC (legal name, along with any trade or fictitious names, of business, trust, or other legal entity) (referred to herein as the "Entity"). I am duly authorized to record this Affidavit on behalf of the Entity, which is taking title to the real property identified in the Deed to which this Affidavit is attached (the "Property"), and to bind the Entity for the consequences of any false statements in this Affidavit.
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6. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or subject me and/or the Entity to being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Taylor Cox
AFFIANT, individually and as authorized agent of the Entity

5-29-26
Date

The foregoing instrument was subscribed and sworn to before me this 29th day of May, 2026 by TAYLOR ANTHONY COX.

Tessa Jo Cooper
NOTARY PUBLIC

My Commission Expires: 8/04/29

My Commission Number: 25009168





THE CITY OF DURANT

Office of Community Development

The governing board of the city, known as the Board of Adjustment, has the authority to make decisions on administrative matters and hold quasi-judicial hearings. Their primary role is to carefully examine the facts and evidence presented by the individual or organization seeking a variance, which is an exception to the established zoning regulations. The board has the power to grant a variance if they determine that strictly enforcing the zoning ordinance would create an unnecessary hardship for the property owner or prevent them from using their land in a way that is constitutionally permissible. The board will thoroughly investigate the details of the case, asking probing questions to ascertain whether the criteria for granting a variance have been met. Their goal is to make a fair and impartial assessment based on the specific circumstances. Be prepared to answer the questions below.

Board of Adjustments Questions

- 1) The application of the ordinance 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 ordinance or the comprehensive plan; and
- 4) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.