

Meeting Minutes for the
Regular Meeting of the Del City Board of Adjustment

August 12, 2024 – 6:00 p.m.

The Board of Adjustment of the City of Del City met in regular session at City Hall on August 12, 2024. Public Notice of said meeting, setting forth thereon the date, time, place, and agenda for the meeting was posted in prominent public view at the principal office of said City, at least forty-eight hours prior to said meeting, excluding Saturdays, Sundays and Holidays legally declared by the State of Oklahoma. Notice of said meeting, setting forth thereon the date, time, place, and agenda for the meeting was given to the City Clerk at least forty-eight hours prior to said meeting, excluding Saturdays, Sundays, and Holidays legally described by the State of Oklahoma. The following actions were included as items on said agenda.

1. Call to Order

2. Roll Call: Determination of Quorum

Attendance

Roll call conducted and board members present are:

Christy Duane
Joe Satterwhite
Jason Coleman

Board members absent are:

Rex Warlick
Jim Studebaker

Staff present are:

Kyle Gandy, Development Director
Andrew Meyers, City Planner

Quorum was present

3. Pledge of Allegiance

The Pledge of Allegiance was recited, led by Joe Satterwhite

4. Public and Board Member Input

(A maximum of fifteen (15) minutes has been set aside for those wishing to discuss non-agenda items. Citizens may speak for a

maximum of five (5) minutes during this time. Additional time can be granted at the Chair's discretion.)

No public or board member input

5. Consent Docket

Discussion, consideration, and possible action to approve, approve with modifications, or deny the following items.

A. Approve Minutes of the June 6, 2024, Regular Meeting.

Christy Duane made a motion to approve the Consent Docket.
Jason Coleman seconded the motion.

A vote was conducted, and the Consent Docket was passed by a margin of 3-0 (2 absent)

Aye: Christy Duane, Jason Coleman, Joe Satterwhite

Absent: Jim Studebaker and Rex Warlick

The Consent Docket was approved

6.

7. Building Code Variance – BA/BCV 197-24

2208 Vickie Dr.

A. Staff Report

Development Director Kyle Gandy presented to the board the staff report of BA/BCV 197-24 Building Code Variance application to vary Section 5-111 of the Del City Code to allow for the construction of a garage conversion to a bedroom at 2208 Vickie Drive.

B. Public Hearing

Discussion, consideration, possible action to approve or deny holding a public hearing consistent with regard to the above-reference application for Special Exception. Requested by Kyle Gandy, Development Director.

Jason Coleman made a motion to open the Public Hearing on the Building Code Variance, Christy Duane seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite

Absent: Rex Warlick and Jim Studebaker

Public Hearing was opened

Steven Thomas, applicant, addressed the board in reference to the plans for the conversion and the measures in place to remediate the

lost storage from the garage.

Christy Duane made a motion to close the Public Hearing and Jason Coleman seconded the motion.

Aye: Joe Satterwhite, Christy Duane, Jason Coleman
Absent: Rex Warlick and Jim Studebaker

The Public Hearing closed

C. Ruling on Application

Discussion, consideration, possible action to approve, approve with modifications or deny above-referenced application for a garage conversion. Requested by Kyle Gandy, Development Director.

Jason Coleman made a motion to approve the Building Code Variance BA/BCV 197-24, and Christy Duane seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The motion was passed 3-0 (2 absent) and BA/BCV 197-24 was passed.

8. Building Code Variance – BA/BCV 198-24

4508 SE 33rd

A. Staff Report

Development Director Kyle Gandy presented to the board the staff report of BA/BCV 198-24 being a Building Code Variance seeking variance to Section 5-111 of Del City Code to allow for a wall height of twelve (12) feet at 4508 SE 33rd Street.

B. Public Hearing

Discussion, consideration, possible action to approve or deny holding a public hearing consistent with regard to the above-reference application for Special Exception. Requested by Kyle Gandy, Development Director.

Christy Duane made a motion to open the Public Hearing, Jason Coleman seconded the motion.

Aye: Joe Satterwhite, Christy Duane, Jason Coleman
Absent: Jim Studebaker and Rex Warlick

Public Hearing was opened.

The applicant, Ed Faust, addressed the board in relation to the variance being sought. He went over the plans and why this was being sought as well as the plans and that this would have no negative impact on the surrounding area.

Christy Duane made a motion to close the Public Hearing, Jason Coleman seconded the motion.

Aye: Christy Duane, Jason Coleman, Joe Satterwhite.
Absent: Jim Studebaker and Rex Warlick

The Public Hearing was closed.

C. Ruling on Application

Discussion, consideration, possible action to approve, approve with modifications or deny above-referenced application which seeks to vary the requirements of Section 5-111 of the Del City Code to allow for 12' walls. Requested by Kyle Gandy, Development Director.

Christy Duane made a motion to approve the Building Code Variance BA/BCV 198-24, Jason Coleman seconded the motion.

Aye: Christy Duane, Joe Satterwhite, Jason Coleman
Absent: Rex Warlick and Jim Studebaker

The motion passed 3-0 (2 absent) and BA/BCV 198-24 was passed.

9. Building Code Variance – BA/EX 199-24

2800 Dave Smith Dr.

A. Staff Report

Development Director Kyle Gandy presented to the board the staff report on BA/EX 199-24 a Special Exception that would grant the use of an Adult Day Care at 2800 Dave Smith Avenue.

B. Public Hearing

Discussion, consideration, possible action to approve or deny holding a public hearing consistent with regard to the above-reference application for Special Exception. Requested by Kyle Gandy, Development Director.

Christy Duane made a motion to open the Public Hearing, and Jason Coleman Seconded.

Aye: Christy Duane, Jason Coleman, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The Public Hearing was opened.

The applicant, Constance Henderson, addressed the board in relation to the request for the Special Exception for an Adult Day Care.

Jason Coleman made a motion to close the Public Hearing and Christy Duane seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The Public Hearing was closed.

C. Ruling on Application

Discussion, consideration, possible action to approve, approve with modifications or deny above-referenced application which seeks Special Exception to the City of Del City Zoning Ordinance to allow for an adult day care to be built in A-C Commercial. Requested by Kyle Gandy, Development Director.

Christy Duane made a motion to approve the special exception BA/EX 199-24 and Jason Coleman seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick.

The motion was passed 3-0 (2 absent) and BA/EX 199-24 was passed.

10. Building Code Variance – BA/VAR 200-24
3222 and 3226 SE 15th St.

D. Staff Report

Development Director Kyle Gandy presented the Staff Report on BA/VAR 200-24 to the board regarding using commercially zoned properties as residences located at 3222 and 3226 SE 15th Street.

E. Public Hearing

Discussion, consideration, possible action to approve or deny holding a public hearing consistent with regard to the above-reference application for Special Exception. Requested by Kyle Gandy, Development Director.

Jason Coleman motioned to open the Public Hearing and Christy Duane seconded the motion.

Aye: Christy Duane, Jason Coleman, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The Public Hearing was opened.

The applicant, Victor Herrera, with help from his brother in-law as a translator, addressed the board regarding the use of the properties as residences. Andy Fugate addressed the board in support of Mr. Herrera. There were citizens of Smith Village that spoke, their testimonies will be stricken from the record as they are not citizens of Del City. Mike Smith addressed the board as a pastor of the church near the properties in support of Mr. Herrera.

Jason Coleman made a motion to close the Public Hearing and Christy Duane seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The Public Hearing was closed.

F. Ruling on Application

Discussion, consideration, possible action to approve, approve with modifications or deny above-referenced application which seeks to use properties located in the A-C Arterial Commercial zoning district as residences. Requested by Kyle Gandy, Development Director.

Christy Duane made a motion to table the Zoning Code Variance until the September meeting and Joe Satterwhite seconded the motion.

Aye: Jason Coleman, Christy Duane, and Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The motion passed 3-0 (2 absent) and the zoning code variance BA/VAR 200-24 was tabled until the September BOA meeting.

11. Board Member Input

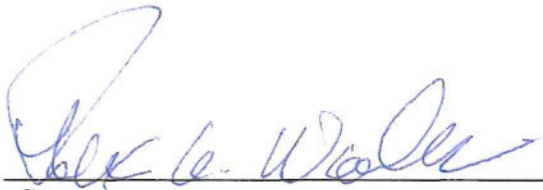
12. Adjournment

Jason Coleman made a motion to adjourn the meeting and Christy Duane seconded the motion.

Aye: Jason Coleman, Christy Duane, Joe Satterwhite
Absent: Jim Studebaker and Rex Warlick

The motion passes by a margin of 3-0 (2 absent) and the meeting was adjourned at 7:36 p.m.

APPROVED THIS 9 DAY OF September, 2024.


Secretary


Chairman