

# City of Collinsville

## Board of Adjustments

Minutes of the

April 10<sup>th</sup>, 2023

**Regular Meeting**

The meeting was called to order at 6:02 P.M.

Roll Call:

<b>Connie Goad</b>	<b>Present</b>
<b>Sharon Wilkinson</b>	<b>Absent</b>
<b>Tyson Baker</b>	<b>Present</b>
<b>Shelley Nachtigall</b>	<b>Present</b>
<b>5th Board member</b>	<b>Not appointed at this time</b>

### **PUBLIC HEARING**

Reading and consideration for approval of the meeting Minutes from the January 9<sup>th</sup> regular Board of Adjustments meeting

A motion was made by Ms. Goad to approve the meeting minutes. This motion was seconded by Mr. Tyson Baker.

<b>Connie Goad</b>	<b>YES</b>
<b>Tyson Baker</b>	<b>YES</b>
<b>Shelley Nachtigall</b>	<b>YES</b>

### **Agenda Item #4:**

#### **BOA Case No. 346**

The owners of the property, Amy and Kenneth Paul Schisler and Brittany Danielle Shipman of Collinsville, OK, are requesting a review of their special exception request for the parcel that is located at 2520 W Blackjack CT N., Collinsville, Oklahoma. The owners wish to construct a 4,440 SQFT structure in the rear yard of their property which is zoned RS-1.

The staff report was presented by the City Planner, Jessi Stringer: *“The city staff recommends the Board REJECT, or grant CONDITIONAL APPROVAL, for the applicant’s request for the special exception. Staff has compared this request to the other special exceptions granted in residential zoning districts. To date, the requested shop is nearly 3 times the square footage of the largest shop approved for construction in an RS zone since the adoption of the City’s current zoning code. Staff has received concerning remarks from neighbors that the proposed shop is not in harmony with the architectural nature of this neighborhood due to its grand size. The structure’s footprint would be nearly double the footprint of the house on the lot. Staff recommends that the applicant reduce the size of the proposed shop for the purpose of maintaining a harmonious residential appearance in the neighborhood as well as to ease the concerns of the neighbors who fear more commercial-size shops will be built in the area. Staff is*

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*concerned about the negative precedent that will be set if a special exception is granted for a 4,440 SQFT shop in an RS zone.”*

The applicant and resident of the property, Thurston, shared his intentions with the shop, stating it was for recreational purposes only. He shared that he owns a camper, boat, 3 rangers, 2 dirt bikes, mowers, and several other amenities that he does not want lying around his yard. He shared that there are 4 other shops in the area that are taking up more than 20% of their lot, yet his will still be under the 20% threshold. He stated that he has spoke with his neighbors in person and did not hear any objections. He noted that his house is 2 stories and located on a hill, so the shop, though large, would be hidden from view.

Jim Harrison, an adjacent neighbor, stated that he feared a shop this size would become a auto business or something similar.

Doline Colpitt, an adjacent neighbor, stated that though she trusts Thurston's intentions, she fears if they sell the new owners could utilize it as a business.

Pattie Rule shared that she enjoys having Thurston as a neighbor and he makes the neighborhood feel safe. However, she is concerned about the large trucks he occasionally brings home, specifically because the old bridge may not be able to handle the weight. She stated that she trusts it will be kept nice, but she wants to make sure that no businesses come in and hopes that these heavy trucks are not being worked on in a shop that functions as a business.

The City Planner stated that no businesses are allowed within a residential area, and there are safeguards in place to ensure a business would not be operating in these protected residential areas, regardless of who owns the property. She also shared that the city will enforce codes before and after a structure is constructed. She stated that if any neighbor has an issue or fears that a business is operating next door to them, they can call the city and they will handle the situation.

The applicant stated that it was not his intention to run a business. He stated that sometimes he will bring a semi-truck home to check its status before he allows one of his drivers to get in the front seat. He admitted that he does this twice a month at the most. He said he is willing to brick the structure if that is what his neighbors would like to see. He assured the citizens in the room that he will make sure the new structure is aesthetically in harmony with the architecture throughout the neighborhood. Thurston shared his history working in the field and said that a big part of his job was stormwater mitigation, so he is familiar with ensuring that water is flowing appropriately and not onto anyone's land.

A motion was made by Ms. Goad to APPROVE the special exception without exceptions. This motion was seconded by Ms. Nachtigall.

<b>Connie Goad</b>	<b>YES</b>
<b>Tyson Baker</b>	<b>YES</b>
<b>Shelley Nachtigall</b>	<b>YES</b>

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## **Agenda #5:**

### **BOA Case No. 347**

The owners of the property, Israel and Kourtney Flores of Collinsville, OK, are requesting a review of their special exception request for the parcel that is located at 5660 E 144th St. N. Collinsville, Oklahoma. The owners wish to construct a 1,500 SQFT structure on the side yard of their property which is zoned RE (Residential estates District).

The staff report was presented by the City Planner, Jessi Stringer: *“The City Staff recommends the Board APPROVE the applicant’s request for the special exception. Staff has compared this request to the other special exceptions granted in residential zoning districts. There are no detached structures within Cooper Crossing that are of this size, likely because until very recently, their HOA prevented detached structures regardless of the scale. Now that the HOA has dissolved, the present applicants wish to build a detached structure. There are a few detached structures within the neighborhood that are over 600 SQFT. There are none that are larger than 1,250, though. Staff believes the approval of this size structure will set a new precedent for this neighborhood and recommends the Board consider any feedback from the neighbors before approving a structure of this size. However, City Staff does not see any pressing issues with a 1,500 SQFT structure on this particular lot as it does would take up more than 20% of the available rear yard.”*

The applicant, Isreal Flores, shared with the room that he wishes to store a trailer, mowers, and other lawn equipment in the shed. He stated that the design of the structure would match his home in color and likeness.

The former HOA President of Cooper Crossing, Leon bales, approached the podium and shared his support for the structure and others being constructed in the neighborhood.

With no additional comments from the public, Ms. Nachtigall motioned for APPROVAL of the special exception request. There was a second by Mr. Baker.

<b>Connie Goad</b>	<b>YES</b>
<b>Tyson Baker</b>	<b>YES</b>
<b>Shelley Nachtigall</b>	<b>YES</b>

## **Agenda #6:**

### **BOA Case No. 348**

The owner of the property, Joe Crabb Real Property Investments LLC of Collinsville, OK, is requesting a review of their special exception request for the parcel that is located at 1626 W Walnut St. N. Collinsville, Oklahoma.

The staff report was presented by the City Planner, Jessi Stringer: *“The City Staff recommends the Board APPROVE the applicant’s request for the special exception. Staff has compared this request to the other special exceptions granted in residential zoning districts. There are 3 lots directly north of the applicant’s property, which are all zoned R. within a 1/4-mile radius of the applicant’s property, there are 12 multi-family lots. The current Comprehensive Plan for the City beckons developers and builders to address the missing middle housing gap with infill*

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*structures such as duplexes, quadplexes, townhomes, and other multi-family structures within our overwhelmingly single-family heavy zones, such as in Original Town. This development type and location aligns with the solutions in modern planning studies that encourage fringe cities to infill their downtown neighborhoods with multi-family. Staff believes the applicant's requested plan, if granted, would positively address these issues."*

The applicant, Joe Crabb, approached the podium and explained the duplex design. He said it would be a 3 bed 2 bath on each side with garages: about 1,300 square feet. He stated that it would be professionally managed by a property management company as well as maintained by a lawn maintenance company too.

With no comments from the public, Mr. Baker motioned for APPROVAL of the special exception request. There was a second by Ms. Nachtigall.

<b>Connie Goad</b>	<b>YES</b>
<b>Tyson Baker</b>	<b>YES</b>
<b>Shelley Nachtigall</b>	<b>YES</b>

## **Agenda #7: BOA Case No. 349**

The sole owner of the property, Kyle M. Smalygo of Collinsville, OK, is requesting a review of their special exception request for the parcel that is located at 823 S 12 ST W., Collinsville, Oklahoma. The property is currently zoned RM-2 (Residential Multi-Family Medium Density District). The applicant will request to rezone the property to RMH (Residential Mobile Home Park District) pending the Board of Adjustments approval.

*The staff report was presented by the City Planner, Jessi Stringer: "The City Staff recommends the Board APPROVE the applicant's request for the special exception. The applicant is proposing to create the least invasive design allowed within this zone by providing a short-term parking facility for Recreational Vehicles. The property location meets the requirements for both RMH (Residential Mobile Home District) and Use Unit #20. However, the bulk and area requirements for RMH are written for Mobile Homes specifically, which warrants all other use unit requests to be heard before this Board. Staff is supportive of this design as it is minimally invasive compared to other allowable use unit types within RMH. RMH requires a minimum of 5 acres to accommodate a higher density of mobile homes. In this case, however, the property is .68 acres, which warrants far less mobile living than what RMH is written to allow."*

The applicant, Kyle Smalygo, approached the podium and explained the site design. He stated that it would be professionally managed by a property management. He stated that it would serve only 8 short term recreational vehicles at a time. He shared that this a new project concept and they are testing the waters to see how it goes in the long run.

Terry, a nearby neighbor, approached the podium and shared his concern for this shift in density, as he was under the impression this parcel would become home to a duplex. His main concern is with property management and ensuring that the area does not become unsightly.

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A nearby neighbor, Rosemary, shared her concern for her children's safety. She is concerned that the temporary citizens could yield an unsafe environment, unlike permanent citizens who she believes would care more about the neighborhood and town and keeping the area safe and clean.

Darrell Sims who has lived nearby since 1980 shared that he too is concerned for the safety and upkeep of the property if temporary travel vehicles are parked nearby. He believes with good property management and code enforcement through the city, this could be project worth having in the area.

Mr. Smalygo approached the podium again and ensured that appropriate property management would not be an issue and hopes his existing projects speak for themselves. He also stated that he is prepared to pivot his idea with the project if any of the neighbors' fears begin to become a reality. He stated that these vehicles would not be on blocks. He shared that the utilities would be similar to what is seen at state parks: Concrete slab, individual water and sewer service, and 50 amp disconnects.

Ms. Stringer shared with the public that we have code enforcement, and they are welcome to call at anytime if they have a complaint regarding public nuisances.

With no additional comments from the public, Mr. Baker motioned for APPROVAL of the special exception request. There was a second by Ms. Goad.

<b>Connie Goad</b>	<b>YES</b>
<b>Tyson Baker</b>	<b>YES</b>
<b>Shelley Nachtigall</b>	<b>YES</b>

Adjourned at 7:22 PM

**Chairperson:** Connie Goad

**Date:** July 10, 2023