



DEVELOPMENT
SERVICES

**Board of Adjustment Minutes
June 5, 2023**

The City of Yukon Board of Adjustment held a meeting June 5, 2023, at 6:00 p.m. in the Centennial Building at 12 South 5th Street.

ROLL CALL: (Present) Joe Horn, Chairman
Sherry Huston, Vice-Chairman
Ken Smith
(Absent) Buddy Carpenter
Rhonda Dennis

OTHERS PRESENT: Mitchell Hort, Assistant City Manager
Amanda Burton, Secretary
Attorney Rinehart

INVOCATION: Chairman Horn
FLAG SALUTE: Chairman Horn

1. ITEM: APPROVAL OF THE MINUTES OF MAY 1, 2023, MEETING

Vice-Chairman Huston motioned to approve the minutes of the May 1, 2023, meeting.

Seconded by Ken Smith.

The Vote:

Ayes: Horn, Huston, Smith

Nays: 0

Vote: 3-0

Motion Carried

2. ITEM: VISITORS

None

3. ITEM: TO HEAR A REQUEST BY LINDA TRIPP FOR A VARIANCE FOR INSTALLING A 20 X 20 RESIDENTIAL CARPORT ON CITY OF YUKON ORDINANCE APPENDIX A 602.31 (F) AND 602.4 (2) (a) (iv) (ALL CARPORTS MUST COMPLY WITH SIDE YARD AND REAR YARD SETBACK

REQUIREMENTS OF THE DISTRICT WITHIN WHICH IT LIES. A CARPORT MAY EXTEND BEYOND THE REQUIRED FRONT YARD SETBACK PROVIDED THAT, OF THE FRONT YARD SETBACK, NO PART OF THE CARPORT MAY EXTEND INTO THE FIVE (5) FEET NEAREST THE STREET AND NO PART THEREOF EXTENDS INTO ANY SIGHT TRIANGLE; ENCROACHING APPROXIMATELY FOUR (4) FEET IN THE SIDE YARD SETBACK, LOCATED AT 217 E. BASS AVENUE.

LOT TWENTY-THREE (23), OF BLOCK ELEVEN (11), IN YUKON HILLS, AN ADDITION TO THE CITY OF YUKON, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Chairman Horn asked if there is someone here to represent this agenda item.

Resident, Linda Tripp, stated that she is there in attendance.

Chairman Horn then asked Ms. Tripp to please step forward and state her name and address and to state her case.

Linda Tripp then stated that she is Linda Tripp. She said that she lives at 217 E. Bass Avenue. She said that last month she was granted a variance for the side setback, but then her contractor told her that the carport would work better if they could have 20-foot width instead of 18-foot width. She explained that this would be so that the contractor would not have to dig up concrete to put in posts, and it would also give it more balance. She stated that this does not change the property sidelines, and that it extends it to the front of the house.

Vice-Chairman Huston asked which side the contractor wanted to extend.

Ken Smith verified that it would be going East, toward the big tree.

Linda Tripp agreed that it would be to the East.

Chairman Horn asked if the West side of the carport will be on the property line, or will it be a foot inside the property line?

Linda Tripp said that the carport will be pretty close to the property line.

Ken Smith stated that it is not that close to the property line but said that it is well within the 5-foot neighboring property line that the board granted the variance for the last time.

Linda Tripp stated that the contractor wanted to move it over so that it is in front to the edge of the drive.

Chairman Horn questioned that the West side will not change from what the board granted?

Linda Tripp stated, no, that the West side will not change.

Assistant City Manager, Mitchell Hort, stated that Chairman Horn was correct. He verified that the additional width that they are asking for is going toward the tree or the center of the lot. He then stated that the board granted the 18-foot width before but now the resident wanted to go to 20-foot width which is additional.

Ken Smith stated that he had no problem with the 18-foot by 20-foot carport last time. He stated that last time, he was a proponent to pass that variance. He said that he understood that the resident wants a bigger carport, but he said that the reasoning used to try to change the variance the board granted last month is not valid. He said that he went and took measurements, and he knew for a fact that you can put a 20-foot by 18-foot carport over that driveway with posting outside the existing drive. He said

that he is not saying that he is opposed to a 20-foot by 20-foot carport, but he said that the reasoning provided for it is not valid.

Chairman Horn stated that the resident also said it is for aesthetics as well to balance the size.

Linda Tripp verified that that is true. She said that the contractor wanted to go to what they call a bird box, and it is actually going to be about 13 inches.

Assistant City Manager, Mitchell Hort, said that one of the things that was given to him by the contractor, Dave Davis, is the accessibility which is being able to get into the cars. That was one of the reasons that the contractor, Dave Davis, told Mitchell that this plan would be better, although he did not think that this information made it into the application.

Assistant City Manager, Mitchell Hort, then repeated that this would be for access into the vehicle, when vehicles are side by side and you are trying to get in between them. That is one of the things that the contractor, Dave Davis, advised.

Chairman Horn stated that the contractor, Dave Davis, is a reputable carport builder.

Ken Smith asked if Linda had plans to extend her driveway to the East as well at some point?

Linda Tripp stated she did not have plans to extend her driveway unless she needed to extend it.

Ken Smith said that he was not stating that the resident needed to extend her driveway for this project at all, but he wanted to know if this was part of the motive because it would give her 2-foot of covered block from the porch.

Linda Tripp said that if she needed to, she could fill it in with brick to make it a hard surface.

Ken Smith said that the only reason he thought of that is if she wanted more room to park her car and wanted to move to the right, that even though the carport is going there, does not mean she could park her car on the soft side. He said that she still has to have the solid surface.

Linda Tripp said that it makes it easier at the door to get in and out.

Ken Smith then asked Assistant City Manager, Mitchell Hort, if that was a requirement.

Assistant City Manager, Mitchell Hort, then verified that that is correct, that a parking surface has to be a solid surface, concrete or asphalt, that the car parks on if it is able to be parked.

Chairman Horn asked if there was any further discussion.

Vice-Chairman Huston verified if this is not just so that the contractor does not have to set the posts in the concrete, it is more or less comfort for two cars parked there and being able to get out more comfortably?

Assistant City Manager, Mitchell Hort, said that according to the contractor, Dave Davis, when he talked to him last week, access to the vehicles was the main concern when they park side by side. It is about being able to get some space in there.

Ken Smith stated that the posts on the West side are going to be the same place that the board talked about last month. He said that the posts will be right next to, but not on top of, the existing driveway. He also said that there is room on that side to dig holes, set a post, and pour concrete. He then verified that aesthetics and convenience are part of it.

Chairman Horn then asked again if there is any further discussion.

Vice-Chairman Huston asked again if there was anything else on their end that would affect the boards' decision?

Ken Smith said that the only thing that he could see is if the passenger side, two wheels of whatever vehicle is in the driveway on the East side is parked on a soft surface because that would violate the city code.

Assistant City Manager, Mitchell Hort, confirmed it would violate the city code.

Ken Smith reiterated that Linda would still have to park in the same area as an 18-foot by 20-foot carport.

Chairman Horn stated that before he moved any further, he said that he would say that there are only 3 board members there at the meeting, and he said that there must be a unanimous vote for them to approve the item. He said that if the vote is not unanimous, then it will not pass.

Ken Smith then asked if they could table the item, could it come before the board next month again?

Assistant City Manager, Mitchell Hort, then answered by stating that they could continue it.

Ken Smith then motioned to continue the item to next month's meeting when they have more than 3 board members here. He said that he knew that they had a quorum, but he felt that the odds were not as good as when they have a full board.

Chairman Horn stated that he did not have a problem with continuing the item. He said that he felt that it was to the resident's benefit to continue it.

Ken Smith then asked Chairman Horn if he would be open to a motion to continue.

Chairman Horn stated that the floor was open for a motion.

Ken Smith motioned to continue the item.

Seconded by Vice-Chairman Huston.

The Vote:

Ayes: Horn, Huston, Smith

Nays: 0

Vote:3-0

Motion Carried

4. ITEM: NEW BUSINESS

None

5. ITEM: OPEN DISCUSSION

None

6 .ITEM: ADJOURNMENT - NEXT MEETING JULY 3, 2023

6:13 p.m.