MINUTES OF THE MEETING OF THE ZONING BOARD OF ADJUSTMENT

Tuesday, February 26, 2019 - 4:00 p.m.
Council Chamber
City Hall

Pursuant to notice, the Zoning Board of Adjustment of the City of St. Joseph met in the Council Chamber, City Hall, on Tuesday, February 26, 2019 at 4:00 p.m.

<table>
<thead>
<tr>
<th>Name</th>
<th>Members’ Term Attendance (mtgs attended-mtgs absent)</th>
<th>End of Current Term of Office</th>
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<tbody>
<tr>
<td>MEMBERS PRESENT:</td>
<td></td>
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<tr>
<td>Terry Hall</td>
<td>24-1</td>
<td>6/22/20</td>
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<tr>
<td>G. Brent Powers</td>
<td>21-3</td>
<td>2/22/21</td>
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<tr>
<td>Jeff Penland</td>
<td>22-4</td>
<td>5/12/19</td>
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<td>Byron Myers Sr.</td>
<td>12-6</td>
<td>2/23/19</td>
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<tr>
<td>Terri Lowdon</td>
<td>13-1</td>
<td>3/14/21</td>
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<tr>
<td>MEMBERS ABSENT:</td>
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Four members constitute a quorum (Four votes required to approve a request).

OTHERS PRESENT: Nic Hutchison, City Planner
               Amber Lattin, Assistant City Planner
               Bryan Carter, City Attorney
               Rebecca Shipp, Executive Secretary

Powers called the meeting to order at 4:01 pm.

(Verbatim transcript starts)

Powers: Alright. I would like to call the February 26th 2019 Zoning Board of Adjustment meeting to order. I am G Brent Powers. I’m the chair of the board. Certified copies of Chapters 11, 26 and 31 are available and hereby entered into evidence. Can we have a roll call please?


Powers: We do have a full quorum. At this time, I’d entertain a motion to move our routine business to uh, take place after we hear the case that’s pending before us. Do I have such a motion?

Hall: So moved

Lowdon: Second

Powers: Have a second. All in favor say aye.

**All present respond aye verbally, in unison**

Powers: Opposed same sign

**silence**
Powers: Ok moving right along. The first case and I believe it is the only case today is case number 2470 which is a request for a variance from Section 31-130 (c) (2) (a-h) and any and all other sections of Chapter 31 of the Code of Ordinances necessary to allow installation of a 9x20’ sign on an existing free standing pole sign. Uh, I did not uh, read the rules of conduct but I, uh, don’t think that’s gonna be relevant today so I’m gonna waive the reading of those. Um, so, if you’re going to speak on behalf of the request, we’re going to have to put you under oath. Does the City have a report on this?

Lattin: We do.

Powers: Go right ahead.

Lattin: The subject property is currently zoned M-1 Light Manufacturing, and currently operates as a truck service station. The existing building on the site has been there for a number of years, but due to rebranding the applicant is requesting new additional signage. The property is located adjacent to Interstate 29 off of South Leonard Road. The adjacent intersection is compact with the on/off ramps of Interstate 29 and South Leonard Road intersections. Due to the buildings location and the elevation change, the applicant is seeking a variance to allow for a 186 square foot sign to be placed on the existing 90ft pole sign located at the subject property. The existing 90ft, 5ft pole sign received a variance in February, 2002 in order to increase the multi-tenant sign from 188 square feet to 906 square feet. The 2002 variance allowed for the installation of the existing digital display. The requested 186 square foot sign will be 7ft x 20ft 7in in size, and will be mounted 2ft below the existing Arby’s sign. Um, so staff recommends approval of, uh, the variance.

Powers: Anyone have questions for the City?

Powers: Hearing none, would anyone like to speak on behalf of the request? Anyone like to speak against the request?

Powers: Would you state your name and address please?

My name is Steve Walters. I’m the Real Estate Project Managers for Loves, Oklahoma City, Oklahoma.

Powers: Do you swear to tell the truth so help you God?

Walters: *responded yes away from the microphone*

Powers: I don’t have any questions. I thought the City Staff did an excellent job on this and it surly makes our job uh, as a volunteer board easy. Anyone have any comments? Questions? Suggestions?

Penland: I agree

Walters: The only thing I would like to ask, I just saw it, on the first page, up there under where it says case number,

Powers: uh-huh

Walters: It says 9x20 and then on the back page it says on the paragraph she just read is says

Penland: 7x20

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Walters: I believe it is 7x20

Hutchison: Yeah it was probably a typo

Walters: okay, I was just making sure that if it was approved a certain way that

Hutchison: Well, actually, yeah, so, the rendering that is attached to the staff report, it indicates that it’s a 9x20

Walters: okay

Hutchison: There could have been a reduction after the submission

**inaudible, Walters speaking away from microphone**

Lowdon: Well if we approve a 9x20, a 7x20 will be fine

Powers: Yeah

*laughter*

Walters: I just wanted to make sure there wasn’t any issues

Powers: you can always make it smaller if we approve a bigger one

Walters: Alright

Powers: Uh, so, would like to remind the board if you are voting in favor of this request, you are finding the five magic factors that we have to find to be true in order to uh, approve the variance. With that said, um, do we need a motion to approve or we just call

Myers: Motion to approve

Powers: okay

Hall: I’ll second it

Powers: roll call please

**VOTE: Lowdon-yes, Hall – yes, Penland – yes, Myers – yes, Powers – yes. Yes-5, No-0 Motion passes**

Powers: It has been approved. Thank you very much

Walters: Thank you. I appreciate your time

Powers: Good luck

Lowdon: That was easier than you thought it would be huh? I hope you didn’t come all the way from Oklahoma for this.
Walters: Oh, I did
* laughter*

Walters: Thanks you guys, have a great day

Powers: Okay thank you, good luck. Alright,

*Miscellaneous discussion by board members not related to approved motion

Powers: well, it looks to me that the next item up would be the approval of minutes from August 28, 2018 which was, what, almost six months ago, right? Wow. Um, I would entertain a motion to approve those minutes

Myers: I’ll blow the dust off and move to approve

Powers: okay, second?

Penland: second

Powers: All those in favor say aye

**All present respond aye verbally, in unison**

Powers: Opposed same sign

**silence**

Powers: Next is the election of officers which I have no idea how we do

Lowdon: Have we ever done it, oh, yeah, I guess we have. Well, I move that we have Brent Powers be re-elected.

Hall: I’ll second

Penland: All in favor say aye

**All present respond aye verbally, in unison**

Powers: Okay. Thank you by the way.

Myers: Does that include double salary?

*laughter—miscellaneous discussion among board members not related to motion approved*

Powers: Is that it?

Shipp: Vice Chair, please

Powers: Oh, I would like to nominate whoever we had in the past which is Terry Lowdon

Hall: No, it was me

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Lowdon: Yeah, I’ve been chair once before. Let’s continue with what we’ve got

Powers: Are you

Hall: I’m Vice Chair

Powers: Oh okay

Lowdon: That was a long time ago that I was. I’ll make a motion

Powers: Ok Terri

**inaudible-several speaking at once**

Shipp: Who was the second?

Penland: me

Powers: All in favor say aye.

**All present respond aye verbally, in unison**

Powers: Opposed same sign

**silence**

Powers: Very good

(Verbatim transcript ends)

Meeting adjourned 4:10 pm

Minutes respectfully submitted

Rebecca Shipp