

The City of Muskogee encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the Planning Department, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CFR/36).

**AGENDA**  
**MUSKOGEE BOARD OF ADJUSTMENT**  
**FEBRUARY 13, 2024**

*Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item.*

*When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body.*

*Under certain circumstances, items are deferred to a specific date or stricken from the agenda entirely.*

**REGULAR SESSION - 2:00 P.M., 3RD FLOOR, COUNCIL CHAMBERS MUNICIPAL BUILDING, 229 W. OKMULGEE, MUSKOGEE, OKLAHOMA**

**ROLL CALL**

1. Hold a Public Hearing for a Variance Request regarding the Off-Street Parking Required by Use (90-14-10) on the Property Located at 4200 W Okmulgee, or take other necessary action. (Jody King)
  
2. Hold a public hearing and consider approval of a request for a variance to the side yard setback requirements of the PUD for the Walnut Creek Addition, as adopted in Ordinance 4086-A, for a property located at 621 Georgia Place, or take other necessary action. (Jody King)

**ADJOURN**

Meeting Date: 02/13/2024

Initiator: Cathy Sanders, Planning and Community Development Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing for a Variance Request regarding the Off-Street Parking Required by Use (90-14-10) on the Property Located at 4200 W Okmulgee, or take other necessary action. (Jody King)

**LEGAL DESCRIPTION:**

Lots 3 thru Lot 8 and Lots 9 thru 14, less the South 13 feet for street and adjacent vacated alley in Block 33 of CANARD ADDITION, to the City of Muskogee, Muskogee County, Oklahoma.

**BACKGROUND:**

The application was submitted on behalf of the property owner. The medical office was designed in 2011 with a future expansion planned. The original number of parking stalls was calculated based on the square footage of the existing building plus future expansion. For medical offices, the requirement is that for every one-hundred and fifty (150) square feet, there must be one parking spot. Currently, the property size and existing building prohibit adding additional parking stalls when the property is expanded upon. This variance will allow for the medical center to expand their existing office the proposed 4,545 square feet without adding additional parking stalls. Without a variance, this expansion would require an additional 31 parking spaces to maintain a compliant off-street parking count.

Criteria for a variance to be met

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship: *Yes*
  2. Such conditions are peculiar to the particular piece of property involved: *Yes*
  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: *No*
  4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship: *Yes*
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**RECOMMENDED STAFF ACTION:**

Approve the variance request.

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**Fiscal Impact**

**Attachments**

Public Hearing Notice  
Staff Report

Site Picture

Site Plan

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**PUBLIC HEARING NOTICE**

**Applicant(s):** Colony Fine Homes & Jewell L. Daniels, Jr., M.D.

All interested persons are hereby given notice that on **Tuesday, February 13, 2024 @ 2:00 P.M.**, in the Council Chambers of the Municipal Building, located at 229 W Okmulgee Ave., 3<sup>rd</sup> floor, Muskogee, Oklahoma 74401, in accordance with city ordinance 3948-A, § 1(Att.), 9-22-2014, a public hearing will be conducted by the City of Muskogee Board of Adjustment. Two properties will have public hearings:

**621 Georgia Place** within the corporate limits of the City of Muskogee, Muskogee County, State of Oklahoma, to allow for a **variance to the side yard setback on the PUD final plat to allow for a ten (10) foot setback on the south side of the property whereas the current final plat shows a setback of fifteen (15) feet.**

The property being more particularly described as:

**Lot 1, Block 2, Walnut Creek Addition Phase I City of Muskogee, in Muskogee County, State of Oklahoma;**

**4200 West Okmulgee** within the corporate limits of the City of Muskogee, Muskogee County, State of Oklahoma, to allow for a **variance to the Off Street Parking Required by Use (90-14-10), allowing the medical office to maintain the existing off-street parking count while expanding the medical office building.**

The property being more particularly described as:

**Lots 3 thru Lot 8 and Lots 9 thru Lot 14, less the South 13 feet for street and adjacent vacated alley in Block 33 of CANARD ADDITION, to the City of Muskogee, Muskogee County, Oklahoma.;**

And for any other actions as authorized by law, of which all interested persons will take notice.

If you have questions about this notice or need additional information prior to the public hearing, please contact the Planning Department at (918) 684-6232.

## Planning & Community Development Staff Report

City of Muskogee Board of Adjustment

Tuesday, February 13, 2024 @ 2:00 P.M.

City of Muskogee City Hall, 229 W Okmulgee Ave., 3<sup>rd</sup> Floor Council Chambers

Hold a Public Hearing for a Variance Request regarding the Off-Street Parking Required by Use (90-14-10) on the Property Located at 4200 W Okmulgee.

### Planning Department Analysis

Current Zoning & Use: C-1; Local Commercial

Proposed Zoning & Use: No change; no change

Quarter Section, Range, Township: SE20-18E-15N

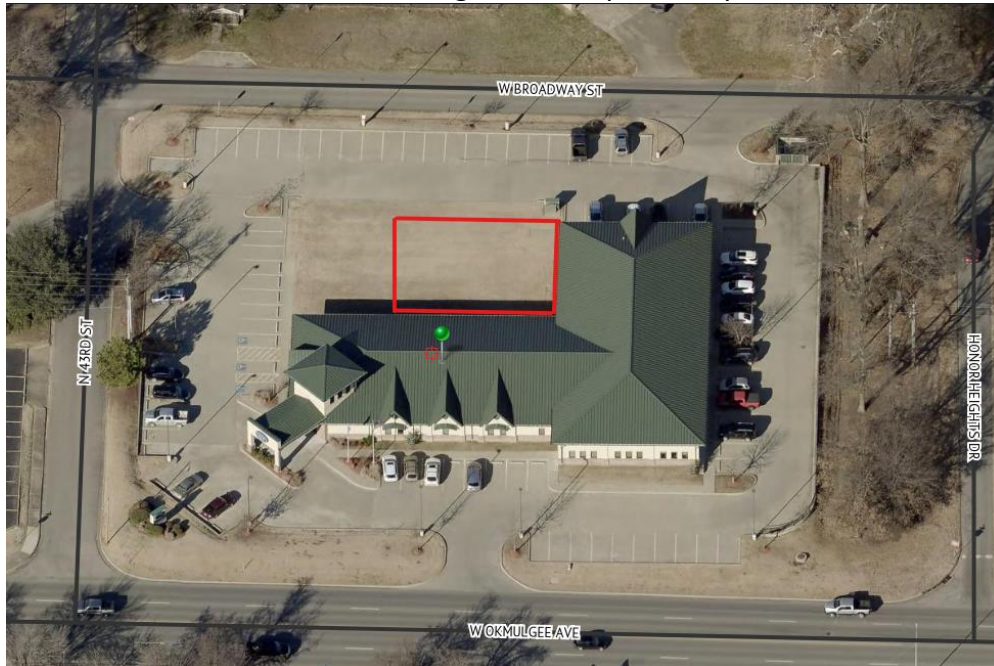
Street Address: 4200 West Okmulgee, Muskogee, OK

Legal Description: Lots 3 thru Lot 8 and Lots 9 thru Lot 14, less the South 13 feet for street and adjacent vacated alley in Block 33 of CANARD ADDITION, to the City of Muskogee, Muskogee County, Oklahoma.

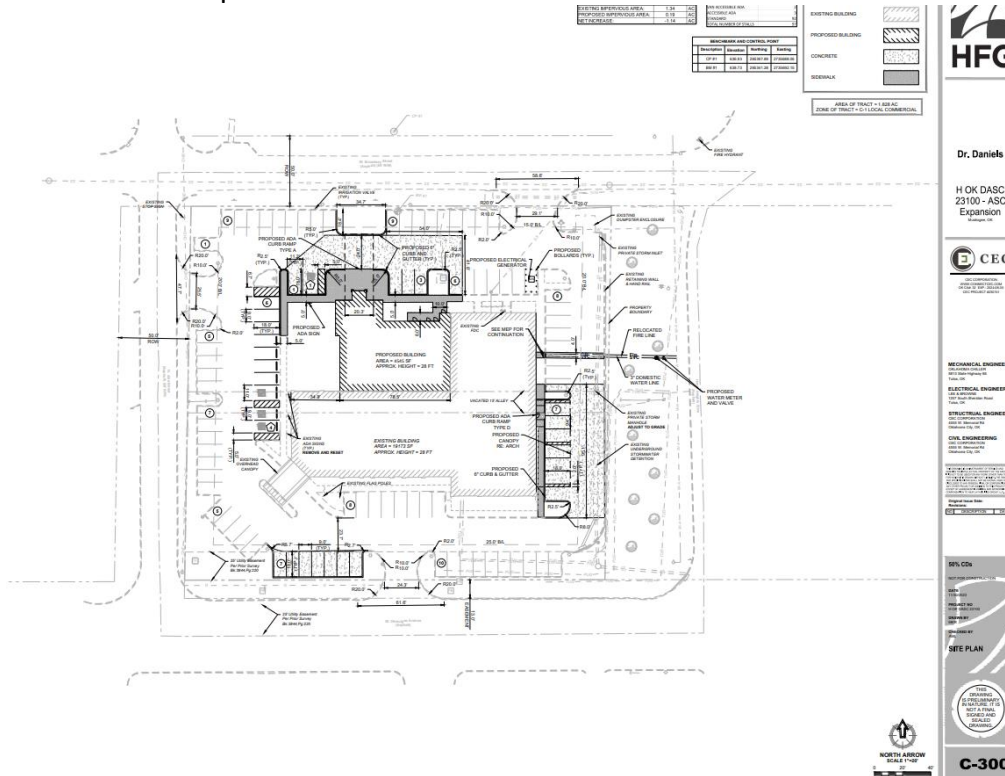
Discussion: The application was submitted on behalf of the property owner. The medical office was designed in 2011 with a future expansion planned. The original number of parking stalls was calculated based on the square footage of the existing building plus future expansion. For medical offices, the requirement is that for every one-hundred and fifty (150) square feet, there must be one parking spot. Currently the property size and existing building prohibit adding additional parking stalls when the property is expanded upon. This variance will allow for the medical center to expand their existing office a proposed 4,545 square feet without adding additional parking stalls. Without a variance, this expansion would require add an additional 31 parking spaces too maintain a compliant off-street parking count.

**RECOMMENDATION:** Approve the request for a variance.

Aerial Picture of 4220 West Okmulgee with depicted expansion area in Red.



Site Plan with Expansion



W BROADWAY ST

N 43RD ST

HONOR HEIGHTS DR

W OKMULGEE AVE





Dr. Daniels

H OK DASC  
23100 - ASC  
Expansion  
Sheet 01

SEE CONSTRUCTION  
NOTES FOR INFORMATION  
OR GO TO CITY STORAGE  
DEPARTMENT WEBSITE

MECHANICAL ENGINEERING

DR. DANIELS  
10100 N. GARDNER  
OVERLAND PARK, MO 66215

ELECTRICAL ENGINEERING

DR. DANIELS  
10100 N. GARDNER  
OVERLAND PARK, MO 66215

STRUCTURAL ENGINEERING

DR. DANIELS  
10100 N. GARDNER  
OVERLAND PARK, MO 66215

CIVIL ENGINEERING

DR. DANIELS  
10100 N. GARDNER  
OVERLAND PARK, MO 66215

Original Issue Date:

Revised:

NOI, CD, 2018

NOT FOR CONSTRUCTION

DATE:

PROJECT NO:

DRAWN BY:

CHECKED BY:

SITE PLAN



C-300



**LEGEND**

EXISTING BUILDING: [Hatched pattern]

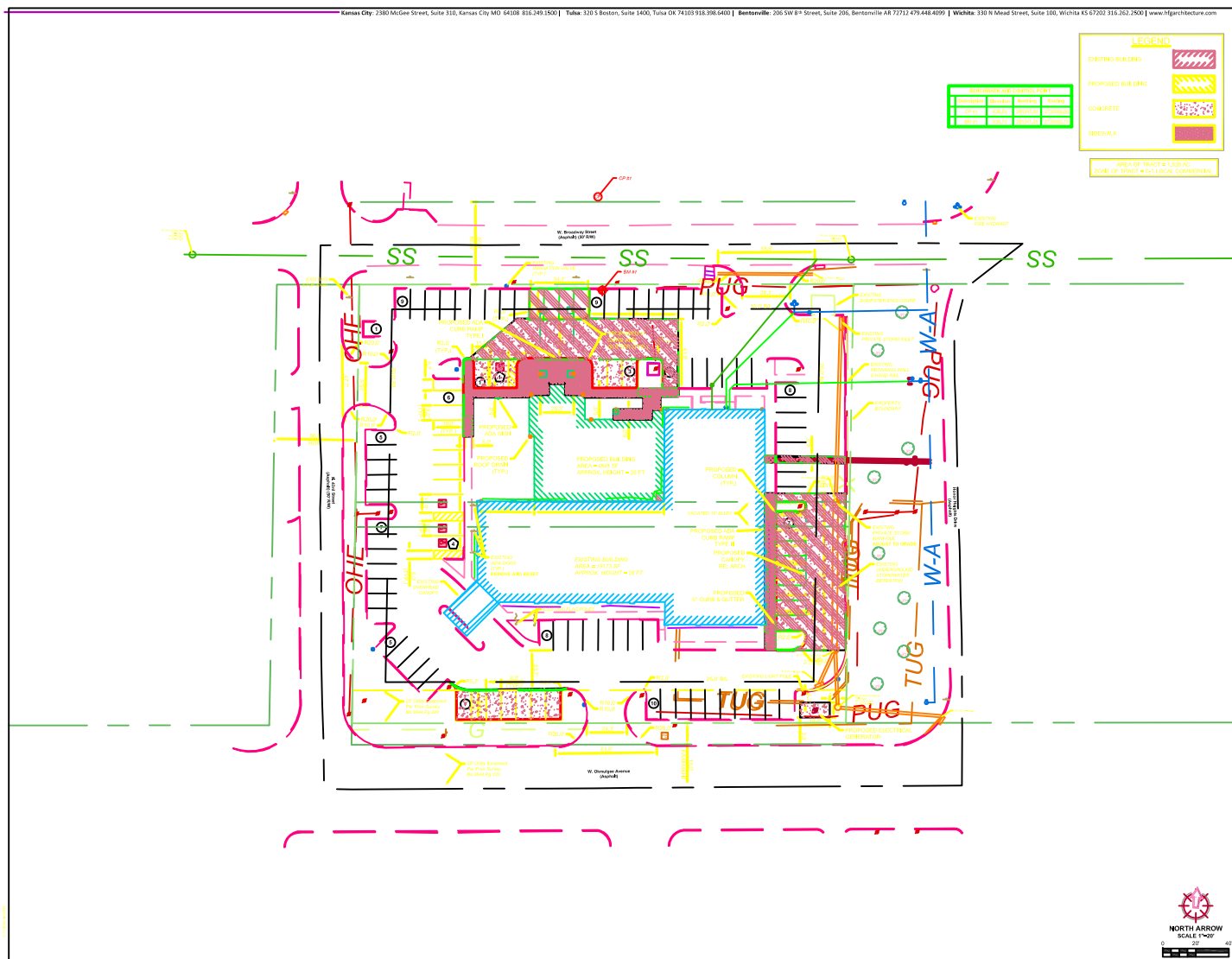
PROPOSED BUILDING: [Yellow hatched pattern]

CONCRETE: [Dotted pattern]

SEWER: [Blue hatched pattern]

AREA OF TRACT B - 5.52 AC  
CORE OF TRACT - 0.1 LOCAL COMMERCIAL

EXCHANGE AND CONTROL POINT			
DISCHARGE	INTAKE	INTAKE	DISCHARGE
INLET	OUTLET	OUTLET	INLET





**BOA**

**2.**

**Meeting Date:** 02/13/2024

**Initiator:** Roger Kolman, Assistant City Manager

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**Information**

**AGENDA ITEM TITLE:**

Hold a public hearing and consider approval of a request for a variance to the side yard setback requirements of the PUD for the Walnut Creek Addition, as adopted in Ordinance 4086-A, for a property located at 621 Georgia Place, or take other necessary action. (Jody King)

**LEGAL DESCRIPTION:**

Lot 1, Block 2 Walnut Creek Addition, Phase I, City of Muskogee, in Muskogee County, State of Oklahoma.

**BACKGROUND:**

The application was submitted on behalf of the property owner. This home was constructed outside the proposed building envelope, over the required side yard setback. The variance will allow for the finished home to come into compliance with the PUD for the subdivision and the final plat filed for that subdivision.

Criteria for a variance to be allowed

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship: *Yes*
2. Such conditions are peculiar to the particular piece of property involved: *Yes*
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: *Yes*
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship: *Yes*

**RECOMMENDED STAFF ACTION:**

Staff recommends approval of the requested variance.

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**Fiscal Impact**

**Attachments**

621 Georgia Place

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## Planning & Community Development Staff Report

City of Muskogee Special Call Session of the Board of Adjustment

Tuesday, February 13, 2024 @ 2:00 P.M.

City of Muskogee City Hall, 229 W Okmulgee Ave., 3<sup>rd</sup> Floor Council Chambers

Consider a request located at 621 Georgia Place for a variance to the street side setback as agreed to in ordinance 4086-A for the Walnut Creek Planned Unit Development (PUD).

### Planning Department Analysis

Current Zoning & Use: PUD; single family home

Proposed Zoning & Use: No change; no change

Quarter Section, Range, Township: NW32-19E-15N

Street Address: 621 Georgia Place, Muskogee, OK











Legal Description: Lot 1, Block 2, Walnut Creek Addition Phase I City of Muskogee, in Muskogee County, State of Oklahoma.

Discussion: The applicant is requesting a variance to the street side setback. Ordinance 4086-A passed January 13, 2020, reclassified the previous zoning of "A-Agriculture" to Planned Unit Development (PUD). Ordinance 4086-A does not specify the zoning requirements for the PUD. In the final plat of Walnut Creek Addition Phase I, the street side setback shows to be fifteen (15) feet from the property line. Upon completion of the structure at 621 Georgia Place, a survey was conducted by Coffman Surveying showing the structure to be five (5) feet over the setback line.

**RECOMMENDATION:** Approve the request for a variance.

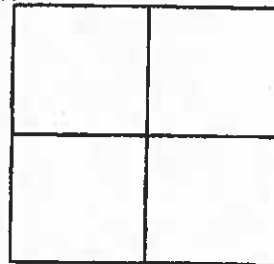


LEGEND

- IRON PIN 
- FENCE 
- ELEVATION 
- SECTION LINE 
- EASEMENT LINE 
- ELECTRIC LINE 
- WATER LINE 
- TELEPHONE LINE 
- GAS LINE 
- SANITARY SEWER 

MORTGAGE INSPECTION REPORT

R E

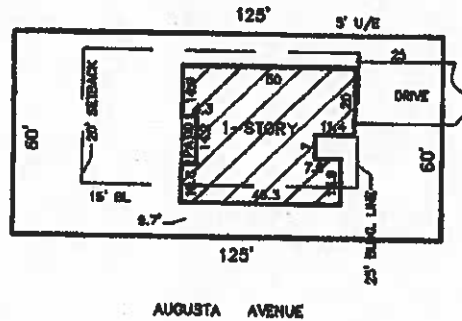


T  
N



SCALE 1" = 30'

SECTION \_\_\_\_\_  
COUNTY \_\_\_\_\_



GEORGIA PLACW

AUGUSTA AVENUE

BUYER: JASON K. BAKER

ADDRESS: 621 GEORGIA PL., MUSKOGEE, OKLAHOMA 74403

DESCRIPTION:

LOT 1, BLOCK 2, WALNUT CREEK ADDITION PHASE I, CITY OF MUSKOGEE,  
IN MUSKOGEE COUNTY, STATE OF OKLAHOMA.

CERTIFICATE

I hereby certify that the above inspection plat shows the improvements as located on the premises, described; that they are entirely within the described tract boundaries, and that there are no encroachments thereon except as indicated; that the above plat shows all recorded plat easements and other such easements as have been disclosed and furnished us by the lender; that this plat was prepared for identification purposes only for the Mortgagee and is not a land or property line survey; that no property corners were set, and it is not to be used or relied upon for establishment of fence, building or other improvement lines. No responsibility is assumed herein or hereby to the present or future land owner or occupant.

**COFFMAN SURVEYING**

218 EASTSIDE BLVD.  
MUSKOGEE, OK 74403  
(918)-682-6144  
GAP 2100

*Lynn Coffman*  
REGISTERED PROFESSIONAL LAND SURVEYOR - LS 121  
DATE 11-20-23 W.O.# 18887

