



BOARD OF ZONING APPEALS

MEETING MINUTES

February 4th, 2026

The duly advertised meeting of the Board of Zoning Appeals was held on February 4th, 2026, at 10:00 a.m. in conference room 1A of the Development Resource Center Building.

Chairman Scott McColpin called the meeting to order at 10:11 AM.

Board Attendance:

- Bob Geier
- Scott McColpin
- Paul Betbeze
- Rudolph Foster
- Joe Manuel
- Lee Brock
- Victoria Johnson
- VACANT
- VACANT

Staff Attendance:

- Staff Presenter: Levi Witt
- Admin: Shelby Ogle
- Zoning Code Inspector: Zachary Wiley
- Assistant Director: Darien Gilkenson
- Transportation Specialist: Caleb Fisher
- Court Reporter: Lori Roberson
- Landscape Architect: Karna Levitt
- City Attorney: Andrew Trundle

Swearing In: Court Reporter Lori Roberson swore in people addressing the Committee.

Rules and Regulations: Chairman Scott McColpin explained the rules and procedures and announced the meeting is being recorded.

Voting Majority: 7 members present - 4 is the majority.

Approve Minutes: Chairman Scott McColpin presented the January 2026 Meeting Minutes to be voted on. No amendments need to be made. *Joe Manuel* motioned to **APPROVE** the January minutes. *Rudolph Foster* seconded the motion. Voice Vote: All in favor. **The motion carries 7-0.**

Chairman Announcements: Next meeting will be Wednesday, March 4th, 2026.

OLD BUSINESS

- BZA-25-100: 8934 Lee Hwy. (D6) - Appeal of Sign Permit Rejection

Request(s): Denial of sign permit SIGN-25-475 for a billboard based on Sec 3-55.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

Zoning Inspector Zak Wiley presented the details of the case to the Board, explaining the basis for the denial of the sign permit under the applicable code restrictions. The Board confirmed that the appeal concerned the rejection of a permit for a new billboard, and Zak identified the proposed billboard location on a map. The City Attorney then read into the record the Board's jurisdiction in hearing and ruling on appeals. Applicant Stephen Blackshear stated that the proposed billboard would not be large due to existing setbacks and the presence of a building on the site. He noted that he assisted in drafting the original sign ordinance and reviewed the timeline of his application's rejection, referencing a code provision stating that if an application is neither approved nor denied within 30 days, it is automatically approved. The Board confirmed with the City Attorney that its authority was limited to determining whether the City erred in denying the application. The Board then asked the applicant to explain why he believed the inspector's decision was in error. Blackshear cited a code exception related to intersections, asserting that it applied to his proposed location, and presented additional arguments in support of his appeal. In response, Zak Wiley addressed the claimed scenic corridor exception, stating that the applicant had referenced the incorrect intersection and that the exception did not apply to the proposed site. The Board also asked whether the billboard would advertise the business located on the parcel, and the applicant confirmed that it would not.

Community Comments:

None.

Board Motion and Vote:

- *Victoria Johnson* made a motion to **DENY** case #: BZA-25-100: 8934 Lee Hwy., that the City Official did not make a mistake in the denial of the sign permit.

Joe Manuel seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: Yes

Lee Brock: Abstains

Victoria Johnson: Yes

The motion carries 6-0-1 abstention.

- [BZA-25-113: 6116 Shallowford Rd Unit 101, \(D6\) - Appeal of an Interpretation of the Sign Code](#)

Request(s): Appeal the interpretation of sign code Sec. 3-177 (5).

Case Presentation and Discussion: Levi Witt presented the case to the Board.

The Board asked whether the applicant had met with Councilwoman Berz regarding the case, and it was confirmed that a meeting had taken place. Assistant Director Darien Gilkenson stated that there had been a modification to the variance request, though the appeal remained active. Applicant Dewayne Mullis, representing the sign company on behalf of the property owner, indicated that he wished to proceed with discussion of the variance request and expressed willingness to withdraw the appeal. The Board agreed to table the appeal in order to first hear the variance request.

- [BZA-25-102: 6116 Shallowford Rd Unit 101, \(D6\) - Relief from Sec 3-187: Increase in Maximum Sign Area](#)

Request(s): Relief from Sec 3-187 Monument Sign Maximum Sign Area for an increase in max sign area from 60 sq ft to 165 sq ft.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

The applicant stated that they met with Councilwoman Berz and, as a result, significantly reduced the proposed sign size. He explained that they will not modify the main structure, will use ground-mounted lighting to illuminate the sign, and will place advertisements on it. The applicant clarified that they are requesting a variance to increase the permitted sign area from 60 square feet to 165 square feet but are no longer seeking a height variance. He also stated that the Councilwoman supports the revised proposal. In response to questions from the Board, he explained that the ground lighting would consist of spotlights directed upward to illuminate the sign.

Community Comments:

None.

Board Motion and Vote:

- *Victoria Johnson* made a motion to **APPROVE** [case #: BZA-25-102: 6116 Shallowford Rd. Unit 101](#), for an increase of max sign area from 60 sq ft to 165 sq ft according to the site plan submitted at the meeting.

Paul Betbeze seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: Yes

Lee Brock: Yes

Victoria Johnson: Yes

All in favor. **The motion carries 7-0.**

- [BZA-25-113: 6116 Shallowford Rd Unit 101, \(D6\) - Appeal of an Interpretation of the Sign Code](#)

Request(s): Appeal the interpretation of sign code Sec. 3-177 (5).

Case Presentation and Discussion: Levi Witt presented the case to the Board.

The Applicant stated that they would like to withdraw the case.

Community Comments:

None.

Board Motion and Vote:

- Chair Scott McColpin made a motion to **WITHDRAW** case #: [BZA-25-113: 6116 Shallowford Rd Unit 101](#), without prejudice.

Joe Manuel seconded the motion.

Voice Vote:

All in favor. **The motion carries 7-0.**

5 minute break.

NEW BUSINESS

- [BZA-25-111: 7437 Shallowford Rd. \(D4\) - Relief from Minimum Off-Street Parking Requirements](#)

Request(s): Complete relief from CCC Table 38-53.1: Off-Street Vehicle and Bicycle Parking Requirements: Dwelling-Townhouse - 2 per dwelling unit.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

Applicant Jens Christensen, representing Habitat for Humanity, explained that due to the lot's topography, they are unable to locate required parking spaces directly on the parcel. He stated that they previously met with the neighborhood and the Councilperson and agreed to limit land disturbance on the rear half of the property because of a creek running through the lot and the significant drop in elevation. He emphasized that the proposal is for an affordable housing development consisting of townhomes and that they are seeking to preserve as much green space as possible. Although they will exceed the required number of parking spaces, the parking will be located on an adjacent lot rather than on the same parcel as the structures, as typically required by code. The Board confirmed that 50 parking spaces are proposed between the two buildings, with parking situated on the neighboring lot. Joseph Parks, the project's civil engineer, was also present. In response to questions, the applicant clarified that the development is not a horizontal property regime and that each homeowner will own their unit outright. Transportation Specialist Caleb Fisher stated that the proposed entrance road will be public and is acceptable from a transportation standpoint. When asked about fencing along the main road, the applicant noted that fencing has not yet been fully considered but that the homes will be set back to help mitigate noise concerns, and that transportation staff expressed concern that fencing could create sight visibility issues.

Community Comments:

None.

Board Motion and Vote:

- *Chair Scott McColpin* made a motion to **APPROVE** case #: BZA-25-111: 7437 Shallowford Rd., relief from the CCC Table 38-53.1: Off-Street Vehicle and Bicycle Parking Requirements based on the site plan that shows 50 parking spots and based on the topographical hardship.

Paul Betbeze seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: Yes

Lee Brock: Yes

Victoria Johnson: Yes

The motion carries 7-0.

- **BZA-25-112: 407 Old Mountain Rd. (D7) - Setback Reduction Variance**

Request(s): Reduction in the interior side setback from 5 feet to 1 foot.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

Applicant Doug Dunn presented to the Board that he is proposing to construct a one-bedroom, one-bath cottage to use as a rental. He explained that the lot is very narrow and contains a wet weather conveyance, which he is attempting to avoid disturbing as much as possible. Using GIS, he showed the Board the location of the stream and the related topographical constraints, noting that the flattest portion of the lot is at the top, where he intends to place the small structure. He also identified where his residence is located in relation to the proposed project. When the Board referenced the request as being for an ADU, Dunn clarified that it is not an accessory dwelling unit but rather a primary structure. In response to questions, he explained that a wet weather conveyance is an area that carries water during heavy rains and confirmed that while construction is not permitted within it, building up to its boundary is allowed. He further identified the specific location of the request on the site plan and described additional site constraints, including a large boulder and the slope of the land, which require the house to be positioned at an angle. Finally, he stated that he has granted and recorded an easement to himself for driveway access and utilities, and indicated the proposed driveway location.

Community Comments:

None.

Board Motion and Vote:

- *Paul Betbeze* made a motion to **APPROVE** case #: BZA-25-112: 407 Old Mountain Rd. for a reduction in the right side setback from 5ft to 1ft, per the site plan submitted and based on the hardship of the topography and the wet weather conveyance.

Lee Brock seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: No

Lee Brock: Yes

Victoria Johnson: Yes

The motion carries 6-1.

- BZA-25-114: 3652 Sapulpa St. (D5) - Special Exception for a Group Home: For-Profit

Request(s): Special exception for a Group Home: For-Profit in the RN-1-6 zone.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

Applicant Lakeisha Cannon presented to the Board her plans to open a group home for intellectually disabled adults. She explained that she is currently subcontracting with another company but intends to establish her own home, bringing her current clients and admitting new individuals. The home will have 24-hour staffing, with a caregiver assigned to each shift, though supervisors will not reside on the property. When asked, Cannon stated that the home will accommodate up to five residents, with two rooms large enough for dual occupancy and one room for a single resident. She noted that she has been operating similar services since 2020 and purchased her home in 2018. In response to questions about neighbors, she indicated that two neighbors were present at the meeting and that there have been no prior issues; she clarified that all residents will be adults, and some neighbors are unaware of her plans. The Board also inquired about staff qualifications, and she confirmed that all employees supervising the residents will have experience working with this population.

Community Comments:

Neighbor Riley Walker stated that some residents received public notification letters regarding the case. Having lived in the neighborhood since the 1970s, he met with the applicant to understand her plans and subsequently drafted a petition to gauge neighborhood support, allowing him to speak on their behalf. He reported that nine respondents all opposed the group home request, though he personally expressed reluctance to disagree with the applicant, whom he likes. Another neighbor, Mr. Williams, who lives uphill, voiced concern that the group home could negatively impact property values and stated that he is opposed to the proposal.

Applicant Response:

The applicant responded that, in light of neighbors' concerns about potential decreases in property values, she has made improvements to the home that have actually increased its value. She emphasized that neighbors were unaware of her activities and noted that she has successfully housed individuals for six years without causing any issues within the neighborhood.

Board Motion and Vote:

- *Rudolph Foster* made a motion to **DENY** case #: BZA-25-114: 3652 Sapulpa St.

Joe Manuel seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: Yes

Lee Brock: Yes

Victoria Johnson: Yes

The motion carries 7-0.

- BZA-26-2: 2706 Dodds Ave. (D8) - Relief from Build-To Zone Requirement

Request(s): Relief from the front setback Build-To Zone requirement for the TRN-3 zone.

Case Presentation and Discussion: Levi Witt presented the case to the Board.

Applicant Donna Shepherd informed the Board about the affected parcels, noting that a public alley runs along the rear of the project. She explained that the project began prior to the new zoning code, which under the prior code allowed averaging of setbacks. When asked by the Board for the reason for the variance request, she stated that a land disturbance permit had been submitted under the old code, but building permits could not be obtained within the six-month grace period. She emphasized that the project has vested rights through a recorded plat and reviewed applicable zoning code requirements. The Board discussed with Shepherd the property's vested rights and hardship, and she confirmed that access to all structures would be provided via a widened 20-foot alley, which she will donate land for, with no access from the main road, Dodds Avenue. Transportation Specialist Caleb Fisher indicated there are no concerns regarding increased alley traffic, noting that it meets requirements and functions as a slow-access alley. Shepherd stated that no neighbors have expressed concerns about the design. The Board asked why building permits could not be pulled sooner, and she explained delays related to utilities and alley improvements. Finally, the Board discussed the setbacks in relation to neighboring houses and confirmed with the applicant that the topography off Dodds Avenue and the site conditions constitute the hardship for the property.

Community Comments:

None.

Board Motion and Vote:

- Lee Brock made a motion to **APPROVE** case #: BZA-26-2: 2706 Dodds Ave., relief from TRN-3 Build-To-Zone front setback from 15 ft (+/- 5ft) to 66.3 ft (+/- 5ft) due to the topography.

Victoria Johnson seconded the motion.

Roll Call Vote:

Bob Geier: Yes

Scott McColpin: Yes

Paul Betbeze: Yes

Rudolph Foster: Yes

Joe Manuel: Yes

Lee Brock: Yes

Victoria Johnson: Yes

The motion carries 7-0.

**Chair Scott McColpin motioned to adjourn the meeting.
The meeting was adjourned at 12:34 PM.**



Scott McColpin, Chairman

4-Mar-2026
Date



Shelby Ogle, Admin

3/4/26
Date