

PUBLIC NOTICE OF MEETING

NOTICE OF A REGULAR MEETING OF CLINTON PLANNING AND ZONING BOARD

CITY OF CLINTON, OKLAHOMA

SEPTEMBER 10, 2024 – 9:00 A.M.

CLINTON CITY HALL

Notice is hereby given that the Clinton Planning and Zoning Board of the City of Clinton, Oklahoma, will convene in a regular meeting in the Council Room of the Clinton City Hall, 415 Gary Boulevard on Tuesday, September 10, 2024, at 9:00 a.m. at which time this board will consider the request of John Seger with Hamilton Health Box is agent on behalf of Judith Stehr's property at 0 South 4th Street, Parcel ID 0990-00-003-009-0-00A-00, Clinton Hayes W 95' of Lots 9-12 Block 3 in the City of Clinton, Custer County, Oklahoma regarding **Application for Use Permitted on Review. The requested intent use is doctor office.**

Any member of the public may attend this meeting and be heard on the matter.

DATE: September 10, 2024

CITY OF CLINTON, OKLAHOMA

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

Posted on the bulletin board in the lobby of the Clinton City Hall

on *August 20*, 2024.

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

I certified that the above notice was mailed to the list of names supplied by the applicant and attached to this document.

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

316 S 4th Street

APPLICATION FOR USE PERMITTED ON REVIEW

- 1. Name of Applicant(s): John Seger
- 2. Address of Applicant(s): 2450 Holcombe Blvd. Houston, TX 77021
- 3. Phone number of Applicant(s): (713) 828-3018
- 4. Owner's Name and Address if other than Applicant: Dani Jurita Stehr
722 S 16th St.
Clinton, OK 73601
- 5. Legal Description of Property (include street address): 0 54th St
Clinton Hayes W 95' of Ltr 9-12 Block 3
- 6. Present Zoning: _____
- 7. Intent Use: Doctor Office
- 8. Applicant must supply a certified list of all owners of property within a radius of 200 feet of the exterior boundary of subject property as per section 25.32 of the Clinton City Code.
- 9. The clerk shall set a date for a hearing before the Planning and Zoning Board and shall mail notices of same to all those names in Item 8 at least twenty (20) days in advance of such hearing.
- 10. The Planning & Zoning Board shall, within forty-five (45) days of the date of application, transmit to the City Council it's report as to the effect of such proposed building or use upon the character of the neighborhood traffic conditions, public utilities and other matter pertaining to the general welfare, and the recommendation of the Planning & Zoning Board concerning the use thereon. Thereupon, the City Council may authorize or deny the issuance of a building permit for the use of land or buildings as requested.
- 11. Filing Fees of \$125.00 to be paid by the Applicant at time of request.

Dated: 8/15/2024

Applicant's Signature: [Signature]

Received by City Clerk: 8/20/2024

Date scheduled for meeting of Planning and Zoning: September 10, 2024

Dear City of Clinton, OK,

This letter is to confirm that John Seger with Hamilton Health Box is acting as an agent on Judith Stehr's property with Parcel ID: 0990-00-003-009-0-00A-00 on in the Use Permitted Upon Review case to allow doctor office use on the property.

A handwritten signature in cursive script, reading "Judith Stehr", written over a horizontal line.

Judith Stehr, Property Owner

8/16/24

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING BOARD
OF THE CITY OF CLINTON, CLINTON, OKLAHOMA
TUESDAY, SEPTEMBER 10, 2024, 9:00 A.M.**

A regular meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday September 10, 2024, at 9:00 a.m. in the City of Clinton Council Room, City Hall. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on Friday, September 6, 2024, at 8:45 a.m.

Members present were Michael Heerwald, Jason Smith, Donna Rother, Julie Strong and Aaron Hemmingway. Others present were Amy Jones, Robert Johnston, Toby Anders, Judy Stehr, John Seger, James Allison, Len Lacefield and others.

1. **Julie Strong, Chairman called the meeting to order at 9:01 a.m.**
2. **Approval of Minutes from March 12, 2024 Special Meeting.**

The Approval of Minutes from March 12, 2024 Special Meeting were presented for review and approval to the Board Members.

Motion was made by Board Member Aaron Hemmingway and seconded by Board Member Donna Rother to approve the minutes of the March 12, 2024 special meeting.

Chairman Julie Strong put the motion to a roll call vote:

Aye: Hemmingway, Rother, Heerwald, Smith, and Strong
Nay: None

Chairman Julie Strong declared the motion carried.

3. **Request of John Seger with Hamilton Health Box, Agent on behalf of Judith Stehr property at South 4th Street & Court Avenue, Parcel ID 0990-00-003-009-0-00A-00, the W 95' of Lots 9-12 Block 3, Clinton Hayes Addition to the City of Clinton, Custer County, Oklahoma regarding an Application for a "Use Permitted on Review". The intended use is a doctor's office.**

Code Official Toby Anders reported that this request is based upon the intended use not being listed as an authorized use under Tourist Commercial (C-3) zoning but can be authorized as a "Use Permitted on Review" per Section 11-2-2 of the *Clinton City Code*.

Mr. John Seger with Hamilton Health Box is agent on behalf of Judith Stehr's property at 0 South 4th Street Clinton, Custer County, Oklahoma and is present to speak to the board members regarding an application for a "Use Permitted on Review". The intended use is doctor's office. He stated that he represents the real estate company and Mrs. Judith Stehr regarding this request. Mr. Seger stated that this would be a modular unit. A similar

business has been established in Hobart, OK. A Drawing was provided with the lot diagram of how the building would set and the driveway of the business. Mrs. Stehr spoke regarding her support of the use of her lot that is being sold to Health Box. This is an urgent care/telehealth type medical practice that would be occupying the property. Len Lacefield, Clinton Regional Hospital CEO, asked for more information of the type of practitioners and telehealth services that would be available. Seger said that he was a real estate agent and that he would put the medical people in contact with Lacefield.

City Clerk Amy Jones reported that she did not receive any calls or letters regarding the public hearing. Mr. Allison stated that his only concern was the possible traffic issue with Bar-S. Mr. Anders provided Mr. Allison a copy of the lot drawing and he did not have any other concerns after reviewing the lot drawing.

Motion was made by Board Member Aaron Hemmingway and seconded by Board Member Jason Smith to recommend to the City Council approval of the "Use Permitted on Review" request by John Seger with Hamilton Health Box as agent on behalf of Judith Stehr for the property at South 4th Street & Court Avenue, Parcel ID 0990-00-003-009-0-00A-00, (W 95' of Lots 9-12 Block 3, Clinton Hayes Addition) to the City of Clinton, Custer County, Oklahoma. The intended use is a doctor office.

Chairman Julie Strong put the motion to a roll call vote:

Aye: Hemmingway, Rother, Heerwald, Smith, and Strong
Nay: None

Chairman Julie Strong declared the motion carried.

4. Potential Amendments to Section 11-9-1 A (3) of the Clinton City Code Regarding Fence Height Restrictions and the Designation of Authorized Fence Materials in Residential Zoned Areas.

City Manager Johnston presented the potential amendments to Section 11-9-1 A (3) of the *Clinton City Code* regarding fence height restrictions and the designation of authorized fence materials in residential zoned areas. He stated that a situation had been brought to our attention in the Sights Acres Addition regarding the topography of the land diminishes the privacy benefit of having the city code authorized six-foot fence. This situation caused further research to commence regarding fence requirements used by other cities; many cities now allow up to an eight-foot fence. They also have specifications as to the authorized fence composition, *i.e.* wood, plastic, and/or brick which our present code does not address.

Discussion was held regarding the current code and what possible changes might need to be made. The board asked if the staff could do further research as to what other communities fence codes require/allow for further review/action at the next meeting.

Motion was made to table the Potential Amendments to Section 11-9-1 A (3) of the Clinton City Code Regarding Fence Height Restrictions and the Designation of Authorized Fence Materials in Residential Zoned Areas and for staff to provide suggested wording for changing our code.

Chairman Julie Strong put the motion to a roll call vote:

Aye: Hemmingway, Rother, Heerwald, Smith, and Strong
Nay: None

Chairman Julie Strong declared the motion carried.

5. Forthcoming Request to Close by Ordinance the 100 Block of East Frisco (Information only)

City Manager Johnston presented information regarding a forthcoming request to close the 100 Block of East Frisco by ordinance. Some property abutting this street is changing hands soon and it is anticipated that the new owners will request the street closure to accommodate their new business plans. Previously Farmrail/Grainbelt had went through this process to close the block of Frisco adjacent to their property. Once/if the request is received, notice will be given to adjacent property owners and utility companies before a public hearing is scheduled. By closing the street by ordinance, the City Council could reopen it by ordinance at a future date if circumstances warrant.

Information only, no action.

6. ADJOURN

Chairman declared the meeting adjourned at 9:45 a.m.

September 10, 2024, Approved Date

Julie Strong, Chairman