

# APPLICATION FOR PUBLIC HEARING



918—485—8123

planning@wagonercounty.ok.gov

## WAGONER COUNTY BOARD OF ADJUSTMENT

### I. IDENTIFICATION

BOA #

OWNER:

EMAIL:

PHONE:

PHYSICAL ADDRESS of PROPERTY IN QUESTION:

POINT OF CONTACT (IF DIFFERENT POA REQ.):

EMAIL:

PHONE:

### II. APPLICATION TYPE

CMAPC

WMAPC

APPEAL

VARIANCE

MAP INTERPRETATION

SPECIAL EXCEPTION

Property owner aggrieved by staff decision in administering the county zoning regulations, setbacks, or building line regulations seeking interpretation

Property owner aggrieved by building line or setback regulations enforced by Staff and seeking to vary the regulation

Property owner requests map interpretation of the County Zoning Map

Property owner requests review and issuance of a special use permit in accordance with the permitted uses of the zoning regulations (see permitted use table)

### III. REQUIRED ATTACHMENTS

Site Plan or Plat of Survey

Photo documentation as needed

Filed Property Deed

Power of Attorney (as required)

### IV. REQUIRED TIME FOR APPLICATION SUBMISSION

Applications for public hearing to the Wagoner County Board of Adjustment (WCBOA) must be submitted at least thirty (30) days prior to the next monthly hearing. The WCBOA meetings are held monthly ([schedule](#) can be found on the Wagoner County website)

### V. REQUIREMENTS and REGULATIONS FOR APPLICATION

#### **Title 19 Section 866.15—Appeals and Exemptions from Building Line and Setback Regulations**

After the Council or Board shall have established building or setback lines on such major highways, no new building or structure shall be erected within such building or setback lines in the area and no permit for such building shall be issued by the City Building Inspector as respects the territory over which the municipality shall have enforcement jurisdiction or by the Board to administer and enforce building line and setback regulations and other regulations for the county, as respects the territory over which the county shall have enforcement jurisdiction. The City Board of Adjustment, as respects the territory over which the municipality has jurisdiction, and the County Board of Adjustment, as respects the territory over which the county shall have enforcement jurisdiction, shall hear appeals of any property owner aggrieved by such building line and setback regulations. Each said Board of Adjustment shall have the power to modify or vary the building line or setback regulations in specific cases, in order that unwarranted hardship, which constitutes an unreasonable deprivation of uses as distinguished from a mere grant of privilege, may be avoided, the intended purpose of the regulations strictly observed, and the public welfare and public safety protected.

#### **Title 19 Section 866.23—Appeals to County Board of Adjustment**

Appeals to the county board of adjustment may be taken by any person aggrieved or by a public officer, department, board or bureau affected by any decision of the county inspecting officer in administering the county zoning regulations or building line and setback regulations. Such appeals shall be taken within a period of not more than ten (10) days, by filing written notice with the county board of adjustment and the county inspecting officer, stating the grounds thereof. An appeal from the county board of adjustment shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken shall certify to the board of adjustment that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. The county board of adjustment shall have the following powers and it shall be its duty:

1. To hear and decide appeals where it is alleged that there is error of law in any order, requirement, decision or determination made by the county inspecting officer in the enforcement of the county zoning regulations.
  2. To hear and decide requests for map interpretations or for decisions on other special questions upon which it is authorized to pass by the regulations adopted by the board.
  3. Where, by reason of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under this act would result in peculiar and exceptional difficulties to, or exceptional and demonstrable undue hardship upon, the owner of such property, to authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such demonstrable difficulties or hardships, provided such relief can be granted without substantially impairing the intent, purpose, and integrity of the zone plan or other element of the comprehensive plan as embodied in the zoning regulations and map.
- In exercising the above powers, such board of adjustment may, in conformity with the provisions of this act, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

In acting upon any appeal, such board of adjustment shall, in its consideration of and decision thereon, apply the principles, standards and objectives set forth and contained in all applicable regulations, ordinances and resolutions and in the comprehensive plan.

#### **Title 19 Section 866.29—Publication of Notice of Hearing—Circumstances Requiring Notice to Nearby Real Property Owners**

A. Notice of all public hearings herein provided for shall be given by one publication in a newspaper of general circulation in the municipality and the county at least fifteen (15) days prior to the date of such hearing.

Wagoner County Zoning Code—WMAPC Section 6.3—County Board of Adjustment

Wagoner County Zoning Code—CMAPC Chapter 20—Board of Adjustment

[https://www.ok.gov/wagonercounty/Planning\\_and\\_Engineering\\_Services/Planning\\_&\\_Zoning/](https://www.ok.gov/wagonercounty/Planning_and_Engineering_Services/Planning_&_Zoning/)

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### VI. OWNER NARRATIVE

### VII. SAID REAL ESTATE AS DESCRIBED BY THE FOLLOWING LEGAL DESCRIPTION:

IS PRESENTLY ZONED \_\_\_\_\_, WHEREFORE THE PROPERTY OWNER(S) AND/OR LEGAL APPLICANT(S) RESPECTFULLY REQUEST THE APPLICATION FOR PUBLIC HEARING BEFORE THE WAGONER COUNTY BOARD OF ADJUSTMENT BE SET IN ACCORDANCE WITH THE LAW OF THE STATE OF OKLAHOMA AND REGULATIONS SET FORTH IN WAGONER COUNTY BY THE GOVERNING BODY; FURTHERMORE, THE PROPERTY OWNER(S) AND/OR LEGAL APPLICANT(S) STATE THAT DUE NOTICE OF PUBLIC HEARING WILL BE COMPLETED AS OUTLINED IN OKLAHOMA STATE STATUTE TITLE 19, SECTION 866.29. THE PROPERTY OWNER(S) AND/OR LEGAL APPLICANT(S), EACH BEING OF LAWFUL AGE AND EACH BEING FIRST DULY SWORN UPON OATH, STATE THAT THEY HAVE READ THE FOREGOING APPLICATION AND THAT THE STATEMENTS HEREIN ARE TRUE AND CORRECT.

\_\_\_\_\_  
PROPERTY OWNER/LEGAL APPLICANT

\_\_\_\_\_  
PROPERTY OWNER/LEGAL APPLICANT

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_



SEAL



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### VIII. SUGGESTED LEGAL NOTICE

PURSUANT TO O.S. 19, 866.1 TO 866.35, A PUBLIC HEARING WILL BE HELD BY THE WAGONER COUNTY BOARD OF ADJUSTMENT. THE HEARING WILL BE HELD ON \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT 6:00PM AT 301 S GRANT AVENUE, WAGONER, OK (CIVIC CENTER) TO HEAR APPLICATION OF \_\_\_\_\_ FOR A(N)

APPEAL

VARIANCE

MAP INTERPRETATION

SPECIAL EXCEPTION

MORE SPECIFICALLY DESCRIBED AS \_\_\_\_\_  
FOR THE FOLLOWING PROPERTY AS LEGALLY DESCRIBED

THE DESCRIBED PROPERTY IS IN THE \_\_\_\_\_ ZONING DISTRICT. THOSE WHO MAY HAVE AN INTEREST IN THE ABOVE DESCRIBED MATTER MAY APPEAR AND BE HEARD.

\_\_\_\_\_  
PROPERTY OWNER/LEGAL APPLICANT

\_\_\_\_\_  
PROPERTY OWNER/LEGAL APPLICANT

PROPERTY OWNER/LEGAL APPLICANT MAILING ADDRESS: \_\_\_\_\_

SUBMIT TO [LEGALADS@TULSAWORLD.COM](mailto:LEGALADS@TULSAWORLD.COM)  
ANY QUESTIONS, PLEASE CALL 918-581-7323



# FEE SCHEDULE

WAGONER COUNTY PLANNING		
PERMIT/INSPECTION/FINE TYPE	REQUIRED DOCUMENTATION	\$\$
NEW BUILDING PERMIT—RESIDENTIAL	SEE BUILDING PERMIT	\$100 – LESS THAN 1000SF \$200 – 1000SF TO 2000SF \$300 – 2000SF TO 3000SF \$400 – 3000SF AND UP
NEW BUILDING PERMIT—COMMERICAL OR INDUSTRIAL	GEOSPATIAL SITE PLAN TO SCALE DRAINAGE PLAN CONSTRUCTION PLANS	\$500 OR \$0.25 PER SQUARE FOOT UP TO \$2500, <i>WHICHEVER IS GREATER</i>
NEW ADDITION PERMIT—RESIDENTIAL	ADDITION SQUARE FOOTAGE CONTRACTORS	\$50 – LESS THAN 500SF \$100 – 500SF TO 1000SF <i>GREATER THAN 1000SF USE NEW CONSTRUCTION FEE SCHEDULE</i>
SWIMMING POOL PERMIT	\$50	
POND PERMIT IN NON-AGRICULTURAL ZONES	DRAINAGE PLAN	\$200
FLOODPLAIN PERMIT	CONTACT FLOODPLAIN ADMINISTRATOR	\$100 – 2 OR FEWER LOTS \$250 – 3 TO 24 LOTS \$500 – 25+ LOTS
MOBILE HOME INSTALLATION PERMIT	SEE BUILDING PERMIT	\$100
UTILITY PERMIT	SEE UTILITY PERMIT	\$25
INSPECTIONS	REQUIRED WORK LIST FOUND ON INSPECTION FORM  *INSPECTION FEES ONLY APPLY IF ADDITIONAL INSPECTION TRIP IS REQUIRED  NOTE: INITIAL FEES PAID INCLUDE PERMIT FEE + REQUIRED INSPECTION FEES + STATE FEE. IF ADDITIONAL INSPECTIONS ARE REQUIRED (RE-INSPECTION OR ADDITIONAL TRIPS) THOSE FEES WILL BE ASSESSED PRIOR TO ISSUANCE OF CERTIFICATION OF COMPLIANCE  **OPTIONAL	\$40—EROSION/SEDIMENTATION CONTROL* \$40—TEMPORARY DRIVEWAY CULVERT* \$40—BUILDING LINE VERIFICATION* <b>\$40—FOOTING/PIERS/RUNNERS</b> \$40—IN-SLAB PLUMBING/GAS* <b>\$40—FRAME</b> <b>\$40—ROUGH TRADES</b> \$40—ROUGH ELECTRICAL (IN-FRAME)* \$40—ROUGH PLUMBING (IN-FRAME)* \$40—PLUMBING/GAS PRESSURE TEST* \$40—ROUGH MECHANICAL (IN-FRAME)* \$40—TBC (TEMPORARY ELECTRICAL)* \$40—ELECTRICAL DITCH \$40—PERMANENT ELECTRICAL METER* \$40—PLUMBING TOP-OUT* \$40—GAS LINE—GAS DITCH \$40—PERMANENT GAS METER* <b>\$40—FINAL/CERTIFICATE OF OCCUPANCY</b> \$40—FINAL PLUMBING* \$40—FINAL MECHANICAL* \$40—FINAL ELECTRIC* \$40—IN-GROUND POOL SHELL/DECK BOND \$40—SOLAR PANELS \$40—WATER HEATER REPLACEMENT** \$40—ROOF REPLACEMENT* \$25—OMMA CERTIFICATE OF COMPLIANCE REVIEW
CONTRACTOR AUTHORIZATION	LICENSE INFORMATION	\$100 ANNUALLY
STATE FEE	\$4	
INFRASTRUCTURE CONSTRUCTION PERMIT*** (SUBDIVISIONS OF LAND, PUBLICALLY DEDICATED TRANSPORTATION INFRASTRUCTURE, AND PUBLIC EASEMENTS)	DRAINAGE REPORT CONSTRUCTION PLANS SWPPP GEOTECHNICAL RECOMMENDATION	\$500 – 2 OR FEWER LOTS \$1000 – 3 TO 25 LOTS \$2000 – 25 TO 100 LOTS \$3000 – 100 LOTS AND UP
RE-INSPECTION FINE	\$50 – FIRST OFFENSE; \$100 – SUBSEQUENT OFFENSES	
NO PERMIT FINE	\$250	
RE-PERMITTING FEE (EXPIRED PERMITS)	\$100	
RE-ZONING APPLICATION	SEE APPLICABLE ZONING CODE	\$50
VARIANCE/APPEAL REQUESTS (BoA)		\$50
SUBDIVISION APPLICATION FOR PLAT WAIVER (REQUIRES PC REVIEW)	GEOSPATIAL SITE PLAN TO SCALE	GEOSPATIAL SITE PLAN TO SCALE
PRELIMINARY PLAT	SEE SUBDIVISION REGULATIONS	\$250
FINAL PLAT	SEE SUBDIVISION REGULATIONS	\$250

EXAMPLE: NEW HOME 1500SF = PERMIT + INSPECTIONS + STATE FEE = \$200 + \$180 + \$4

\*\*\*ONLY APPLICABLE IF PLATTING IS REQUIRED