

McAlester Board of Adjustment **NOTICE OF MEETING**



Special Meeting Agenda **Tuesday, July 21, 2026 - 7:00 PM** **City Hall, Council Chambers** **28 E Washington**

CALL TO ORDER AND ROLL CALL

CONSENT AGENDA

1. Approval of the Minutes of the June 22, 2026, Special Meeting.

SCHEDULED BUSINESS

Staff Report on each item of scheduled business shall be presented by staff prior to applicant's discussion with Planning Commission.

1. Public Hearing: Discussion and action on BA #206, requesting a Variance for the following described location: The East-half of Lot 2, Block 220, in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma; Addressed 210 W Monroe Avenue; Current Zoning is R-1B, Single-Family Residential District; Proposed Variance is Section 62-256(d) Area Regulations for (5) Front yard setback where there "will be no less than 25 feet from the street right-of-way line." (6) Side yard setback "for dwellings of one story located on interior lots there shall be a side yard on each side of the main building of no less than five feet..."
2. Staff Reports
3. Remarks & Inquiries by the Board

ADJOURNMENT

McAlester Planning Commission Minutes

Tuesday, June 16, 2026, Regular Meeting

City Council Chambers

6:30 PM

Call to Order

Chairman Emmons called the meeting to order at 6:30 p.m.

Roll Call

Patti Hobbs called the roll and a quorum was present.

Commissioners Present: 6

Mark Emmons

Dewayne Hampton

Levenia Carey

Michael Hull

Lynn Roberts

Karen Stobaugh

Commissioners Absent: 5

Merrie Brenner

Stephanie Giacomo

Jeremy Spiegel

Chris Taylor

Robby VanVekoven

Consent Agenda

Approval of minutes for the Regular Meeting on March 17, 2026.

A motion made by Commissioner Stobaugh was seconded by Commissioner Roberts to approve all items on the Consent Agenda.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

SCHEDULED BUSINESS:

1. Public Hearing: Discussion and possible action on VE #162, a request to close the public ways or easements for the following described area:

Community Development Director, Jayme Clifton explained the staff report and notices to the utilities. There was no objections from the ones that responded, with the exception from PSO/AEP needing to have unobstructed access to their easements (high voltage transmission line along platted 9th Street) with an email attached in the packet. Ms. Clifton went over the maps and the application specifics. It was discussed how the applicant does not own all sides of the streets but no ordinance or state statute to deny him closing. Staff recommends, conditionally, the closing as requested and to add it to the council's agenda that way if approved. The applicant, Lance Yeley of 218 W Jackson, was present to speak on behalf of his application. He spoke about his current and future plans for the parcels he owns and why he wishes for the closings plus he is hoping to purchase more surrounding properties (adjacent) in the future. A few questions from the Commissioners about items on drawings and fences. Mr. Yeley, briefly answered their questions. Next, Terry Fisher of 2500 N 7th Street (neighbor) stated he lives near the property and he has no problem with the closing but expressed displeasure if there was to be a trailer park near his home. He also expressed interest in the City closing the rest of 7th Street; he did not understand why the application did not include the entire area. Planning Commission Chairman, Mark Emmoms, explained that the applicant cannot apply to close an easement or street that does not abut their property. And encouraged Mr. Fisher and other adjacent property owners to apply together or separately because that is the proper process. Lastly, Lana Sanders, daughter of neighbor Myra Sanders of 711 E Park Avenue wanted to make known they did not object to the street closings but do not like the idea of any rezoning of the area to multi-family dwellings near her mother's home; they welcome single-family zoning. A bit of discussion from the Commissioners but mostly to decide what the motion would say.

Public Hearing began at 6:32 p.m. and commenced at 6:50 p.m.

A motion was made by Commissioner Hampton was seconded by Commissioner Carey to approve the application with the stipulations requested by PSO.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

**2. Public Hearing: Discussion and action on Ordinance Amendments of Chapter 62 Article II
Division 3 Board of Appeals**

Ms. Clifton explained attendance requirements and the need for an alternate to step in, specifically, for Building Codes and Fire Codes knowledge. She discussed the changes on the Ordinance Amendments and the example used from the City of Glenpool. Their ordinances and codes, as reference, appear legal and do not go against state statutes (handout was passed out as visual aid). Ms. Clifton stated the Fire Department would like at least an alternated knowledgeable of fire codes; appeals should not be unsafe and could provide alternated proposals. It was discussed, there are still changes needed in Chapter 18 & 50 but those will be seen by City Council. Also, an appeals application will need to be established. There were some questions and comments among the Commissioners.

Public Hearing began at 6:51 p.m. and commenced at 7:05 p.m.

A motion made by Commissioner Hull was seconded by Commissioner Hampton to table this item until the City Attorney had reviewed the requested Ordinance Amendments.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

**3. Public Hearing: Discussion and action on Ordinance Amendments of Sec. 62-1032 Filing of Petitions;
Required Information and of Sec. 62-1033 Fees and Expenses for Opening of Public Ways or Easements**

Ms. Clifton explained the changes needed for the Openings; worded similar to Subdivision Plat notification letters and similar to street closings. Commissioners had minimal discussion and did not see a need to ask City Attorney for clarification.

Public Hearing began at 7:05 p.m. and commenced at 7:07 p.m.

A motion made by Commissioner Stobaugh was seconded by Commissioner Roberts to approve the Ordinance Amendments as presented.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

NEW BUSINESS

Ms. Clifton discussed the six (6) properties the City acquired; all will be zoned Residential. The Economic Development Director, Billy Sumner and herself will be working together on an agreement of Urban Renewal

for the properties; they will not be surplussed. The point of these properties is to be used and all are large enough to built upon. Discussion of fees and previous properties. No action required.

STAFF REPORT

Director Clifton discussed the Land Development Code Kick-Off meeting from the previous week with Freese & Nichols. She explained what was discussed; instead of cleaning up Chapter 62, will just make a Chapter 64, for example. Ms. Clifton asked for recommendations for good Stakeholders, a good mix will get both positive and negative feedback. There will be meetings for the Planning Commissioners and City Council to review drafts. She briefly explained Public Engagement Plan but most meetings will be with the “users” of the codes. There will be a website developed and how that will help with engagement and education of the code updates. Some discussion about current permits and their progress reports; Commissioners mainly wanted to know what new businesses were coming to town.

REMARKS & INQUIRIES BY THE COMMISSION

Mr. Emmons discussed his notes from the TIF committee meeting (3rd meeting). Commissioners had a few questions about the development at the former OHP property, now owned by RaceTrac and the vacant gas stations. Ms. Clifton briefly spoke about report given to City Council.

Adjournment

Commissioner Hampton made the motion to adjourn. The motion was seconded by Commissioner Carey. Meeting adjourned at 7:33 p.m. Roll was taken.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

Approved:

Planning Commission Chairman

Date

Record No: BA-206

Variance/Exception Application

Status: Active

Submitted On: 6/25/2026

Primary Location210 W MONROE AVE
MCALESTER, OK 74501**Owner**Derek Shaw
west monroe 210 McAlester, OK 74501**Applicant**
 Derek Shaw
 918-916-0260
 highlandridgehomes@gmail.com
 2046 n george nigh expressway
mcalester, OK 74501

PROPERTY INFORMATION : Please complete this section for the subject property which you are requesting an exception/variance for. If the subject property involves separate parcels, please include a description from a survey or abstractors certificate for one legally described property.

ADDRESS OR LOCATION OF PROPERTY ?

210 west Monroe

LEGAL DESCRIPTION:* ?

Easterly 1/2 of Lot 2 in block 220

Attach extended legal description or survey (optional) ?

210 New.pdf

Note: An affidavit of ownership is required. If the applicant is not the owner of the subject property then separate documentation must be provided showing capacity to file the application and agree to conditions of approval.

OWNERSHIP, AS RECORDED ON THE DEED, IS IN THE NAME OF:* ?

Highland Ridge Homes

MAILING ADDRESS OF PROPERTY OWNER(S), ?

2046 n george nigh exp mcalester ok 74501

OWNERS E-MAIL ?

highlandridgehomes@gmail.com

OWNER'S CONTACT PHONE NUMBER ?

918-916-0260

GENERAL PROPERTY DATA**CURRENT ZONING*** ?

R-1B Single-Family Residential

FRONTAGE IN FEET* ?

55.29

DEPTH IN FEET

183.7

TOTAL SQUARE FEET FOR PARCEL*

10156.77

STATEMENT OF APPLICANT

I (we) further acknowledge that I (we) have read the information pertaining to Land Development, Planning, and Zoning Regulations, the specific Zoning Districts and District Regulations, official Future Land Use map and/or Comprehensive Plan and have had sufficient opportunity to inquire with regard to matters set forth therein and, accordingly, understand all applicable procedures and matters relating to this application.

I (we) further acknowledge that submission of this application initiates a process and does not imply approval by City of McAlester or any of its boards, commissions, or staff. That the City of McAlester may not defend challenge(s) to my proposed application and related development authorizations, and that it may be my sole obligation to defend any and all actions and approvals that may authorize the use or development of the subject property.

I (we) understand that this application, attachments, and fees become part of the official records of the City of McAlester and are subject to use in Open Meetings and will be available for Open Records requests.

I (we) hereby agree to allow the placement of a public notice sign (placard), if required, on the subject property at a location to be determined by City staff, and that such sign is the property of the City of McAlester and shall be returned at the conclusion of my (our) application.

I (we) dispose and say that all of the information provided in this application, including information contained in all submittals, attachments, and exhibits, transmitted herewith are true to the best of my (our) knowledge.

I (we) hereby represent that I (we) have the lawful right and authority to file this application.

Digital Signature*



Derek B Shaw

Jun 4, 2026

Application Reviewed and Accepted (Internal Use)

Has the Application been Reviewed and Accepted

Yes

Accepted By

Patti Hobbs

Publication Information

Date Published in Newspaper

07/04/2026

Publishing Fee

53.02

Certified & Regular Mailing Calculation

 Per Sec 62-97(a)(7) Notice of a public hearing shall be given by mailing written notice to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. Notices shall be mailed at least ten (10) days prior to the public hearing.

Total Number of mailed certified notifications 	Total Number of mailed non-certified notifications 
24	4
Date of Mailing 	Board of Adjustment Chairperson 
07/02/2026	Mark Emmons, BOA Chairman
CC: Mayor 	CC: Councilman: Please Choose one 
Justin Few, Mayor	Chris Stone, Third Ward Councilman

Public Hearing Information

Board of Adjustment Hearing Date (Internal Use Only) 
07/21/2026

Attachments

	BLK 220 LOT 2 E2 MIC.pdf BLK 220 LOT 2 E2 MIC.pdf Uploaded by Patti Hobbs on Jul 1, 2026 at 12:57 PM	
	AD202689_publish date 07.04.2026.pdf AD202689_publish date 07.04.2026.pdf Uploaded by Patti Hobbs on Jul 2, 2026 at 3:55 PM	
	BA-206 Mailing Logs_sent 07.02.2026.pdf BA-206 Mailing Logs_sent 07.02.2026.pdf Uploaded by Patti Hobbs on Jul 2, 2026 at 4:00 PM	
	BA-206 Sign Photos_posted 07.02.2026.pdf BA-206 Sign Photos_posted 07.02.2026.pdf Uploaded by Patti Hobbs on Jul 2, 2026 at 4:00 PM	
	Abstractor's Plat & Report 210 Files From Abstractor.pdf Uploaded by Derek Shaw on Jun 25, 2026 at 10:55 AM	REQUIRED
	Site Plan, Plot Plan, or Survey. 210 New.pdf Uploaded by Derek Shaw on Jun 4, 2026 at 7:01 PM	REQUIRED
	Exception or Variance Narrative Variance 210.pdf Uploaded by Derek Shaw on Jun 4, 2026 at 7:02 PM	REQUIRED
	Affidavit of Property Ownership Affidavit 210 Monroe.pdf Uploaded by Derek Shaw on Jun 4, 2026 at 7:03 PM	REQUIRED

Property Address 210 West Monroe Mcalester

The Property owner Respectfully Requests a variance of 15ft in Front Yard and 4 feet on the side yard of the Property.

The residence was constructed as a new single family home and is now substantially complete and ready for occupancy. During the Final stages of construction and closing preparations, it was discovered that the home had been placed approximately 15 feet closer to the roadway than permitted by the applicable setback requirements. The encroachment was result of an unintentional contractor error and was not Discovered until Construction was completed.

The requested variance is limited to the existing front yard set back and side yard deficiency. No changes are proposed for the structure, and no additional variances are being requested .

The residence is consistent with character and appearance of the surrounding neighborhood. Several existing homes along the same street at situated at similar distances from the Roadway, and the placement of this home does not appear out of character with the established development pattern of Area. The structure does not interfere with visibility for Motorist or create traffic problems, impede access to neighboring properties.

Granting the variance will not adversely affect the supply light and air to adjacent properties, the public health, safety, comfort, or welfare, Nor will it negatively impact surrounding property Values. The home is quality residential improvement that is compatible with neighboring properties and contributes to positively to the Neighborhood.

Denial of the variance would create an unnecessary hardship for the property owner. The home has been Fully constructed in good faith, significant financial resources have been invested in the Project and correction of setback issue would require extraordinary expence and practical difficulty. Approval of the variance will allow the property to be used as intended with out causing harm to neighboring property owners or the public.

For the reasons, the property owner respectfully requests that the Board Of Adjustment approve the request for 15 ft variance on the front yard and a 4 foot variance on the side yard allowing residence to remain at its current location.

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Affidavit of Property Ownership

This is a required form with most all land use applications. The form is to establish the property owner(s) intention and desire to have the subject property receive approved change(s) that affect land use. This document must be signed by the authorized record property owner(s), notarized, and filed with the application.

I/We Derek Shaw / Highland Ridge Homes, the undersigned owner(s) of record for the following described real property to wit (insert legal description and/or parcel ID number) Easterly 1/2 of Lot two Block two hundred Twenty 220

and further acknowledge and authorize the intention and desire to file for consideration of application(s) for the following:

- | | |
|--|---|
| ☐ Rezone | ☐ Use Permit After Review |
| ☐ Preliminary Subdivision Plat | ☐ Final Subdivision Plat |
| ☐ Planned Unit Development | ☐ Replat/Vacate Subdivision Plat |
| ☐ Close Street/Alley/Easement | ☐ Open Street/Alley/Easement |
| ☒ Variance/Appeal/Interpretation | ☐ Annexation |

I/We acknowledge that any subsequent change of ownership shall immediately be disclosed in writing to the City if such change occurs prior to the public hearing on the application(s). I/we understand that failure to make disclosures may be grounds for an application to become void.

Authorized Agent for Applicant: No ☐ Yes ☒

I/We further authorize Derek Shaw (name of applicant), as the owner (applicant's interest in property) of the property, to process the application(s) with the City. (Provide copy of contract, option agreement, etc.)

I/We are legally authorized to execute this affidavit to bind the described property to the requirements of the application(s) herein.

[Signature]
(Property Owner Signature)

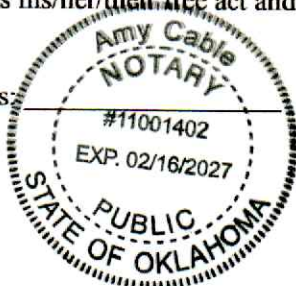
[Signature]
(Property Owner Signature)

State of Oklahoma)

County of Pittsburg)

On this 4th day of June, 2026, before me personally appeared Derek Shaw, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Commission Expires



[Signature]
Notary Public

Revised 03/2024

OWNERSHIP LIST CERTIFICATE

STATE OF OKLAHOMA

Order No.: 3072611909

COUNTY OF PITTSBURG

The undersigned bonded abstractor does hereby certify that the foregoing list of names represents the grantees shown in the most recent conveyances of record. The abstractor does not guarantee the validity of the title of such parties and this instrument is not intended to guarantee title thereto. These conveyances are shown of record in the office of the County Clerk, Pittsburg County, Oklahoma together with the legal description and mailing addresses as shown by the County Assessor and/or Treasurer of each of the following parcels of land:

A 300 foot radius of property owners surrounding the following described property, to wit:

For APN/Parcel ID(s): 15679

The East-Half of Lot Two (2), Block Two Hundred Twenty (220), in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

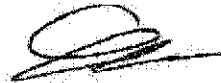
Dated this 11th day of June, 2026.

Countersigned:

Smith Brothers Abstract & Title Co., LLC



Sunnys Christopher
Abstractor License No.: 1317



Lucas Strawn, CEO

OWNERSHIP LIST

Order No.: 3072611909

Through: 06/11/2026

Page No.: 1

OWNER	LEGAL DESCRIPTION
Create Joy LLC 30 East Morris Avenue McAlester, Oklahoma 74501	Easterly 65 feet of Lot 7, in Block 187, South McAlester.
Vickie Bowman Patricia A. Pool 203 West Monroe McAlester, Oklahoma 74501	Westerly 50 feet of Lot 8, in Block 187, South McAlester.
Trustees of the First Pentecostal Holiness Church 221 West Monroe Avenue McAlester, Oklahoma 74501	Westerly 35 feet of the Southerly 100 feet of Lot 5, in Block 187, South McAlester.
Hitchcock Properties LLC P.O. Box 3607 McAlester, Oklahoma 74502	Westerly 5 feet of the Easterly 70 feet of Lot 7, in Block 187, South McAlester.
Kenneth Pierre Nicaud Jr. Tammy Nicaud 201 West Monroe Avenue McAlester, Oklahoma 74501	Easterly 70 feet of Lot 8, in Block 187, South McAlester.
Trustees of the First Pentecostal Holiness Church 221 West Monroe Avenue McAlester, Oklahoma 74501	Easterly 30 feet of the Westerly 65 feet of the Southerly 100 feet of Lot 5, and the Easterly 45 feet of Lot 5, and All of Lot 6, and The Westerly 40 feet of Lot 7, in Block 187, South McAlester.
Jimmy Williamson Etta Williamson 520 East Locust McAlester, Oklahoma 74501	Part of Lots 3 and 4, in Block 188, South McAlester, described as: Beginning at a point on the South Line of Lot 3, said point being 20 feet Northwest of the Southeast Corner of Lot 3; thence Northerly parallel to the East Line of Lot 3 for a distance of 94 feet; thence S 81° 53' 57" E a distance of 39.91 feet; thence S 79° 04' 16" E a distance of 48.15 feet to a point on the East Line of Lot 4; thence Southwesterly along the East Line of Lot 4 a distance of 93.85 feet to the Southeast Corner of Lot 4; thence Northwesterly along the South Line of Lots 3 and 4 a distance of 65.3 feet to the point of beginning.
Larry D. Crawley Brandie J. Crawley 248B Russell Road McAlester, Oklahoma 74501	Westerly 80 feet of Lot 3, in Block 188, South McAlester.
Charlie E. Hale Deborah Ruth Stone	Lot 1, in Block 219, South McAlester.

Christopher Warren Stone 609 North "A" Street McAlester, Oklahoma 74501	
Charlie E. Hale Deborah Ruth Stone Christopher Warren Stone 609 North "A" Street McAlester, Oklahoma 74501	Lot 2 and the Northerly 50 feet of Lot 3, in Block 219, South McAlester.
Anthony Schoggins 528 North "A" Street McAlester, Oklahoma 74501	Southerly 50 feet of Lot 3 and All of Lot 4, in Block 219, South McAlester.
Charlie E. Hale Deborah Ruth Stone Christopher Warren Stone 609 North "A" Street McAlester, Oklahoma 74501	Lot 1, in Block 220, South McAlester.
Highland Ridge Homes LLC 2046 North George Nigh Expressway McAlester, Oklahoma 74501	Lot 2, in Block 220, South McAlester.
JSW Investments LLC 2046 North George Nigh Expressway McAlester, Oklahoma 74501	East-Half of Lot 3, in Block 220, South McAlester.
Jose Zuniga Monreal 224 West Monroe Avenue McAlester, Oklahoma 74501	Tract in Lot 4, in Block 220, South McAlester, described as: Beginning at the Northwest Corner of Lot 4; thence S 16° 40' 37" W a distance of 81.5 feet; thence S 83° 57' 22" E a distance of 119 feet; thence N 16° 40' 37" E a distance of 81.5 feet; thence N 83° 57' 22" W a distance of 119 feet to the point of beginning.
Grant Jeter Mariah Jeter 233 West Madison Avenue McAlester, Oklahoma 74501	Lot 5; and A tract of land lying in Lot 6, described as: Beginning at the Northeast Corner of Lot 6; thence Westerly along the North Line of Lot 6 a distance of 36 feet to the point of beginning; thence Weserly along the North Line of Lot 6 a distance of 43.4 feet to the Northwest Corner of Lot 6; thence Southerly along the West Line of lot 6 a distance of 192.2 feet; thence Easterly along the South Line of Lot 6 a distance of 80 feet; thence in a Northwesterly Direction in a Straight Line to the point of beginning; in Block 220, South McAlester.
Michelle Wims 13941 FM 730 North Azle, Texas 76020	A tract of land lying in Lot 6, in Block 220, South McAlester, described as: Beginning at the Southeast Corner of Lot 6 for a point of beginning;

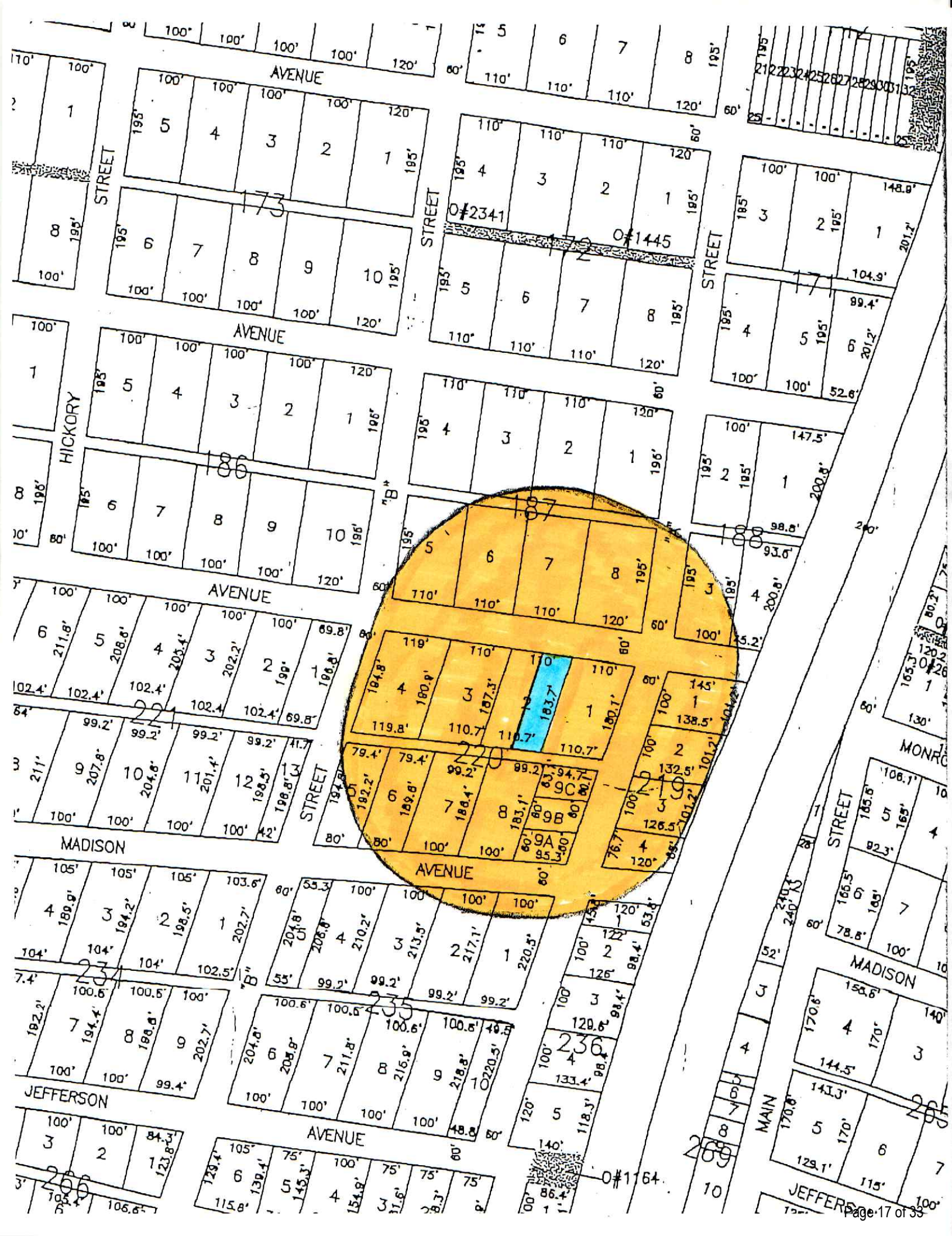
	thence Northerly along East Boundary line of Lot 6 for a distance of 189.6 feet to the Northeast Corner; thence Westerly a distance of 36 feet along the Northerly Boundary line to a point; thence Southeasterly in a straight line to the Southeast Corner, the same being the point of beginning; and A tract in Lot 7, in Block 220, South McAlester, described as: Beginning at a point on the South Line of Lot 7 a distance of 33 1/3 feet West of the Southeast Corner; thence Westerly along the South Line of Lot 7 for a distance of 66 2/3 feet to the Southwest Corner; thence Northerly along the West Line of Lot 7 a distance of 189.1 feet to the Northwest Corner; thence Easterly along the North Line for a distance of 66.14 feet; thence South to the point of beginning.
Ryan Rogers 21 Bois d'Arc Street Savanna, Oklahoma 74565	Easterly 33 1/3 feet of Lot 7 and the Westerly 33 1/3 feet of Lot 8, in Block 220, South McAlester.
Everett Roy Baskin & Rhonda Baskin Watson (TR) 6928 Church Park Drive Fort Worth, Texas 76133	Easterly 66 2/3 feet of Lot 8 and All of Lots 9A, 9B and 9C, in Block 220, South McAlester.
JSW Investments LLC 2046 North George Nigh Expressway McAlester, Oklahoma 74501	East-Half of Lot 3, in Block 220, South McAlester.
Isac Camarillo-Monreal 224 West Monroe Avenue McAlester, Oklahoma 74501	Tract in Lot 4, in Block 220, South McAlester, described as: Beginning at a point on the West Line of Lot 4 a distance of 81.5 feet South of the Northwest Corner; thence S 16° 40' 37" W a distance of 113.3 feet; thence Easterly along the South Line a distance of 119 feet to the Southeast Corner; thence N 16° 40' 37" E a distance of 109.4 feet; thence N 83° 57' 22" W a distance of 119 feet to the point of beginning.
Pamela Green Kevin Green II 200 West Madison McAlester, Oklahoma 74501	Easterly 75 feet of Lot 1, in Block 235, South McAlester. (As measured along the North Line of Lot 1.)
James Rodney Hendrix 1000 North West Street McAlester, Oklahoma 74501	Westerly 50 feet of Lot 2; and All of Lot 3; and Easterly 50 feet of Lot 4; and A tract of land in Lot 4, described as: Beginning at the Southeast Corner of the West-Half of Lot 4; thence in a Northerly direction along the Center Line of Lot 4 for a distance of 208.3 feet to a point on the North Line of Lot 4; thence Westerly along the North Line of Lot 4 for a distance of 10.3 feet;

	thence in a Southeasterly direction in a straight line to a point which is 3.5 feet West of the Southeast Corner of the West-Half of Lot 4; thence Easterly along the South Line of the West-Half of Lot 4 a distance of 3.5 feet to the point of beginning; in Block 235, South McAlester.
KMB Properties LLC 604 East Oklahoma Avenue McAlester, Oklahoma 74501	East-Half of Lot 2 and the Westerly 25 feet of Lot 1, in Block 235, South McAlester.
Chan D. Lee Catrina Lee 513 South "D" Street McAlester, Oklahoma 74501	Lot 1, in Block 236, South McAlester.
Montana McCarty 711 North "A" Street McAlester, Oklahoma 74501	Lots 1 and 2, in Block 187, South McAlester.
Lance W. Yeley Tracy M. Yeley 1208 North Main Street McAlester, Oklahoma 74501	Lot 3, in Block 187, South McAlester.
Olaf Properties LLC 1161 Northeast Creek Avenue McAlester, Oklahoma 74501	Northerly 95 feet of the Westerly 65 feet of Lot 5, in Block 187, South McAlester.
Pittsburg County Commissioners 115 East Carl Albert Parkway McAlester, Oklahoma 74501	Easements, Alleys and Public Ways.
City of McAlester P.O. Box 578 McAlester, Oklahoma 74502	Easements, Alleys and Public Ways.

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 15679

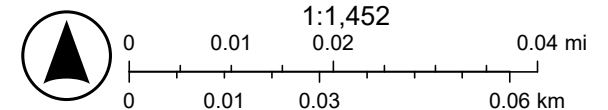
The East-Half of Lot Two (2), Block Two Hundred Twenty (220), in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma.



BA 206 - Area of Request



6/26/2026



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

Conceptual Only

BA 206 - Site Location



6/26/2026

 Pittsburg Parcels



1:1,452
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Microsoft, Vantor

Conceptual Only



Community Development Department

28 E. Washington • PO Box 578 • McAlester, Oklahoma 74502 • 918-423-9300 • FAX 918-421-4970

July 2, 2026

RE: BA Case #206

Dear Property Owner:

A request for variance has been filed with the McAlester Board of Adjustment for the following described property:

LEGAL: The East-Half of Lot Two (2), Block Two Hundred Twenty (220), in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma.

LOCATION: 210 W Monroe Avenue, McAlester, Oklahoma

CURRENT ZONING: R-1B Single-Family Residential District

PROPOSED VARIANCE: Section 62-256(d) Area Regulations for (5) Front yard setback where there "will be no less than 25 feet from the street right-of-way line." (6) Side yard setback a. "for dwellings of one story located on interior lots there shall be a side yard on each side of the main building of no less than five feet..."

A Public Hearing will be held by the McAlester Board of Adjustment on Tuesday, July 21, 2026, after 6:30 p.m., immediately following the Planning Commission Meeting, in the City Council Chambers, Municipal Building, located at 28 E. Washington Avenue, McAlester, Oklahoma. At that time, you may submit your views on the matter in person or by representative. You may also write to the Community Development Department prior to the Public Hearing. **Written responses should be received by Wednesday, July 15, 2026.**

If you know of any interested property owner who, for any reason, has not received a copy of this letter, it would be appreciated if you would inform them of the time and place of the Public Hearing.

Sincerely,

A handwritten signature in blue ink that reads "Patti Hobbs".

Patti Hobbs
Executive Asst./Planning Tech.

Enclosed: Area of Request Map & Site Location Map

CC: Justin Few, Mayor
Chris Stone, Third Ward Council
Mark Emmons, Board of Adjustment Chairman



Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt.														
CITY OF MCALESTER Community Development PO Box 578 McAlester OK 74502		☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☐ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail		☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery														
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee				
1.	Mayor Justin Few 1423 Timber Ln. McAlester, OK 74501																	
2.	Chris Stone Third Ward Council 609 N A Street McAlester, OK 74501																	
3.	Mark Emmons Board of Adjustment Chairman 504 E. Wyandotte Ave. McAlester, OK 74501																	
4.	Highland Ridge Homes LLC c/o Derek Shaw 2046 N George Nigh Expressway McAlester OK 74501																	
5.	9589 0710 5270 3070 4208 36 Pittsburg County Commissioners Board County Courthouse 115 E. Carl Albert Parkway McAlester, OK 74501																	
6.	9589 0710 5270 3070 4208 43 JSW Investments LLC 2046 N George Nigh Expressway McAlester, OK 74501																	
7.	9589 0710 5270 3070 4208 50 Olaf Properties LLC 1161 Northeast Creek Avenue McAlester, OK 74501																	
8.	9589 0710 5270 3070 4208 67 Lance W Yeley Tracy M Yeley 1208 North Main Street McAlester, OK 74501																	
Total Number of Pieces Listed by Sender 8	Total Number of Pieces Received at Post Office (8)	Postmaster, Per (Name of receiving employee) YH W																



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1.	9589 0710 5270 3070 4208 74	Create Joy LLC 30 East Morris Avenue McAlester, OK 74501														
2.	9589 0710 5270 3070 4208 81	Vickie Bowman Patricia A Pool 203 W Monroe McAlester, OK 74501														
3.	9589 0710 5270 3070 4208 98	Trustees of the First Pentecostal Holiness Church 221 West Monroe Avenue McAlester, OK 74501														
4.																
5.	9589 0710 5270 3070 4209 04	Hitchcock Properties LLC PO Box 3607 McAlester, OK 74502														
6.	9589 0710 5270 3070 4209 11	Kenneth Pierre Nicaud Jr. Tammy Nicaud 201 West Monroe Avenue McAlester, OK 74501														
7.	9589 0710 5270 3070 4209 28	Jimmy Williamson Etta Williamson 520 East Locust McAlester, OK 74501														
8.	9589 0710 5270 3070 4209 35	Larry D Crawley Brandie J Crawley 248 B Russell Rd McAlester, OK 74501														
Total Number of Pieces Listed by Sender 7		Total Number of Pieces Received at Post Office (7)		Postmaster Per (Name of receiving employee) CAH W												



Handling Charge - if Registered and over \$50.00 in value

Adult Signature Required

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Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling



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1. 9589 0710 5270 3070 4209 42	Charlie E Hale Deborah Ruth Stone, Christopher Warren Stone 609 North "A" Street McAlester, OK 74501															
2. 9589 0710 5270 3070 4209 59	Anthony Schoggins 528 North "A" Street McAlester OK 74501															
3. 9589 0710 5270 3070 4209 66	Jose Zuniga Monreal 224 West Monroe Avenue McAlester, OK 74501															
4. 9589 0710 5270 3070 4209 73	Grant Jeter Mariah Jeter 233 West Madison Avenue McAlester, OK 74501															
5. 9589 0710 5270 3070 4209 80	Michelle Wims 13941 FM 730 North Axle, Texas 76020															
6. 9589 0710 5270 3070 4209 97	Ryan Rogers 21 Bois d'Arc Street Savanna, OK 74565															
7. 9589 0710 5270 3070 4210 00	Everett Roy Baskin & Rhonda Baskin Watson (TR) 6928 Church Park Drive Fort Worth, TX 76133															
8. 9589 0710 5270 3070 4210 17	Isac Camarillo-Monreal 224 West Monroe Avenue McAlester, OK 74501															
Total Number of Pieces Listed by Sender 8	Total Number of Pieces Received at Post Office (8)	Postmaster, Per (Name of receiving employee) <i>[Signature]</i>														

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1. 9589 0710 5270 3070 4210 24	Pamela Green Kevin Green II 200 West Madison McAlester, OK 74501															
2. 9589 0710 5270 3070 4210 31	James Rodney Hendrix 1000 North West Street McAlester, OK 74501															
3.																
4. 9589 0710 5270 3070 4210 48	KMB Properties LLC 604 East Oklahoma Avenue McAlester, OK 74501															
5. 9589 0710 5270 3070 4210 55	Chan D Lee Catrina Lee 513 South "D" Street McAlester, OK 74501															
6. 9589 0710 5270 3070 4210 62	Montana McCarty 711 North "A" Street McAlester, OK 74501															
7.																
8.																
Total Number of Pieces Listed by Sender 5	Total Number of Pieces Received at Post Office (5)	Postmaster, Per (Name of receiving employee) CAH W														



Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

BA #206 SIGN PHOTOS – POSTED July 2, 2026

210 W Monroe Avenue, McAlester, Oklahoma

The East-Half of Lot Two (2), Block Two Hundred Twenty (220), in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma.



CASE #206

7/10/26

RECEIVED
JUL 13 2026
Planning & Community
Development Department

Community Development Dept,

My name is Amanda (aka) Olaf Properties owner of 724 NB St. Writing in regards, RE: BA Case #206.

As an owner within the neighborhood I think the revitalization of the area is wonderful. Besides being an owner. I am a Real Estate Broker, Builder, and Developer myself. In regard to this particular property. I have some questions for the commission. Why weren't sight plans required before construction? There has been multiple inspections of the property, should this have been noted during foundation inspection by the city? It seems to me the home is already built, due to failures of the commission; any and all variances should be granted.

The average home owner in the area may be unaware of the typical building protocols; so opinions may vary for lack of knowledge. The current builder should not have this property be delayed any longer; due to improper commission protocols or failures.

Warm Regards,

Olaf Properties

Olaf Properties LLC
Amanda Lil



BOARD of ADJUSTMENT STAFF REPORT July 21, 2026

TO: Members of McAlester Board of Adjustment
FROM: Jayme Clifton, Community Development Director
DATE: July 16, 2026
SUBJECT: Request for Variance – BA 206

1. APPLICATION SUMMARY

Applicant: Derek Shaw of Highland Ridge Homes
Location: 210 W Monroe Ave, McAlester, Oklahoma
Legal: The East-Half of Lot Two (2), Block Two Hundred Twenty (220), the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma.

Current Zoning: R-1B Single-Family Residential District

General Description: A variance is requested from Section 62-256(d) Area Regulations for (5) Front Yard Setback, where the “front yard setback will be no less than 25 feet from the street right-of-way line.” And (6) Side yard setback a. “for dwellings of one story located on interior lots there shall be a side yard on each side of the main building of no less than five feet...” The new home was built with a front yard setback of only 10 feet and the home’s position creates a 15 foot variance from the building line required by area regulations plus the garage encroaches on the side yard setback by 1 foot, leaving only 4 feet of the required 5 feet side yard setback.

2. NOTIFICATIONS

General Notifications:

Posting of Sign on Property	July 02, 2026
Publication in McAlester News Capital	July 04, 2026

Notification to Property Owners within 300 Feet:

Mailed Certified Return Receipt	July 02, 2026
Property Owners within 300 feet	24
Notification receipts received	19
Notification Returned Unclaimed	1
Notifications Still Out	4 (as of 07/17/2026)

3. ATTACHMENTS

Application with Project Narrative and Survey/Site Plan
Abstractors Ownership List Certificate
Area of Request & Site Location Maps

Notice to Surrounding Property Owners
Firm Mailing Book for Accountable Mail
Affidavit of Publication for Notice of Hearing
Picture of Sign Posted on Property
Written Responses from Surrounding Property Owners

4. BACKGROUND

Highland Ridge Homes, Derek Shaw recently built a new home on a previously vacant lot on the subject property. After the home was completed, it was discovered the front yard setback was way over the 25 foot building line. The applicant stated that they believe their concrete subcontractor mistakenly measured incorrectly, resulting in the improper placement of the home. The applicants are requesting a variance to legalize the existing structure.

Area Regulation	Required by Ord	Current Setback	Requested Variance
Front Yard	25 feet	15 feet 3 inches	10 feet
Side Yard	5 feet each side (interior lots)	4 feet	1 foot

5. ANALYSIS

The Board of Adjustment's authority to grant a variance is limited to specific situations. The following analysis is based on the legal criteria that must be met for a variance to be approved.

A. Unnecessary Hardship

- Finding: This standard requires the applicant to prove that, without the variance, they are deprived of any reasonable use of their land. It is not sufficient for the ordinance to simply make the desired use more expensive or inconvenient.
- Staff Analysis: The applicant states that their hardship is self-created, which is a result of an unintentional contractor error. Without the variance, the applicants will have a newly constructed home that is essentially unsellable, creating a significant financial hardship.

B. Peculiar Conditions

- Finding: The hardship must arise from a condition that is unique to the property itself and not generally shared by other properties in the area. This can include factors like lot size, shape, or topography.
- Staff Analysis: The property is located on a slant-shaped lot, but sufficient size. No other unique factors to the lot.

C. Public Health, Safety, and General Welfare

- Finding: Per Sec 62-97 (c), the Board must determine the effect of the proposed change on the public health, safety, comfort, morals, and general welfare of the people of the city. Granting the variance should not cause substantial detriment to the public good or impair the intent of the City's Comprehensive Plan.

- Staff Analysis:
 - **Supply of Light and Air:** The home's position does not create any type of obstacle to light or air.
 - **Congestion in Public Streets:** The street is lightly traveled, and the home's position creates no traffic congestion.
 - **Public Safety from Fire and Other Hazards:** The home's position does not appear to create any public safety or fire hazard.
 - **Established Property Values:** The home is a new addition to the established neighborhood and is an example of the importance of adding residences in areas that still have remaining lots available.
 - **Other Factors (Welfare, Comfort, Morals):** The home appears to be a bit closer to the street but does not visually look uncomfortable with the other homes on the street; it doesn't crowd any other residences.

D. Minimum Necessary Variance

- Finding: Any variance granted must be the minimum adjustment necessary to alleviate the proven hardship. The Board cannot grant more relief than is required to allow for the reasonable use of the property.
- Staff Analysis: The violation is 10 feet in the front and 1 foot on the west side, and the applicant did not catch the violation earlier during the concrete forming process. If the error had been caught, the applicant would have lessened the size of the backyard and located the house further back on the lot.

6. STAFF RECOMMENDATION

Based on the analysis of the four required findings, staff recommends approval of a front yard setback of 10 feet and side yard setback of 1 foot with conditions of the variance request.

While the hardship is self-created due to a contractor error, staff finds that the complete structure does not negatively impact public health, safety, or welfare. It seems the new home is visually consistent with the neighborhood, does not impede light or air, creates no traffic or safety hazards, and has no adverse effect on surrounding property values. Granting the variance would alleviate a significant and unintended financial hardship for the applicant without causing detriment to the public good.

To ensure the variance does not further encroach into the front yard or side yard, staff recommend the following condition(s):

1. No permanent structures, including but not limited to porches, decks, awnings, or other additions, shall be constructed or placed forward of the existing front building line of the primary residence.
-

7. REQUIRED FINDINGS OF FACT

Per Sec 62-97 (c), every ruling made upon any appeal must be accompanied by a written finding of fact based upon the testimony received at the hearing. The ruling must specify the reason for granting or denying the appeal, variance, or exception. *[This section to be fulfilled by the Board of Adjustment. Staff will incorporate the statements into the meeting minutes.]*

A. Based on the testimony received, the Board of Adjustment finds that: *[Summarize the key facts and testimony presented that support the Board's decision.]*

B. Therefore, the reason for [granting/denying] this variance is: *[Clearly state the specific reasons for the decision, referencing the analysis criteria (hardship, peculiar conditions, public welfare, etc.).]*

McAlester Board of Adjustment

Minor Variance Report – July 21, 2026

MVA	Applicant	Requested	Location	Subdivision	Setback Reduction	Lot Dimension	Off-Street Parking	Decision
MVA-1	Teresa Markum	02/24/2025	401 E Seneca Ave; W LY 80' of Lot 4, BLK 587	South McAlester	SY			Denied B
MVA-2	Curtis Woods Wallace Retail	04/03/2025	830 S George Nigh Expwy; Part of N 391' of Lot 76 lying E of US69, & N 391' of the S 670.4' of Lot 77 all in Townsite Add #4	Townsite Addition #4			Retail	Denied B
MVA-3	Casey & Derrick Smith	07/29/2025	3202 N B St; N 80' Lot 4, BLK 36	North McAlester	FY			Withdrawn
MVA-4	Steve Woodley	09/01/2025	513 Garden Ln; NLY 60' of the SLY 75' of Lot 10 in BLK 5 Lampton Addition	Lampton Addition	FY			Denied B
MVA-5	Matt Graves/AIP Caring Hands	06/18/2026	1825 E Van Buren Ave; WLY 500' of Lot 22 & WLY 500' of Lot 27 in Townsite Addition No. 5	Townsite Addition #5				Approved A
MVA-6	Steve Woodley	05/28/2026	511 Garden Ln; NLY 15' of Lot 10 & the SLY 41' of Lot 9 Lampton Addition	Lampton Addition	FY			Withdrawn
MVA-7	Derek Shaw	06/04/2026	210 W Monroe Ave; ELY ½ of Lot 2, BLK 220	South McAlester	FY			Denied B

Key: FY-Front Yard / SY-Side Yard / RY-Rear Yard / LW-Lot Width / LF-Lot Frontage / LA-Lot Area/Use / Parking listed by space requirement types /
 Denied A-Failed to meet criteria / Denied B-Exceeded MV threshold / Approved A-Approved / Approved B-Approved with conditions



ADMINISTRATIVE DECISION NOTICE

Administrative Adjustment / Minor Variance – Ordinance No. 2843 (Section 62-97)

Application Information

Case / Application No: MVA-5

Applicant / Owner: Matt Graves, Architects in Partnership (AIP) on behalf of Caring Hands Healthcare Centers, Inc.

Property Address: 1825 E Van Buren Avenue

Legal Description: THE WESTERLY 500 FEET OF LOT 22 AND THE WESTERLY 500 FEET OF LOT 27, IN TOWNSITE ADDITION NO.5, PITTSBURG COUNTY, STATE OF OKLAHOMA

Current Zoning: C-5 Highway Commercial & Commercial Recreation

Nature of Request

Type of Adjustment

- ☐ **Setback Reduction:** Front setback (max 5 ft) / Side or Rear setback (max 20% in R-districts)
- ☐ **Lot Dimension:** Lot width/frontage (max 10%) / Lot area and use (max 5%)
- ☒ **Off-Street Parking:** Required off-street parking spaces (max 10%)

Specific Request

Request for a maximum 10% administrative reduction to the baseline off-street parking requirements of Sec. 62-474 as amended by Ord. No. 2851. Applicant's request states that strict application of the code requires 1 space per 200 sq. ft. of gross floor area, totaling 204 spaces for the 40,551 sq. ft. combined medical and dental office facility. The requested 10% variance reduces the required minimum to 183 spaces.

Administrative Determination

☒ **APPROVED**

The requested variance meets all statutory de minimis criteria, preserves neighborhood character, and is officially approved as submitted.

☐ **APPROVED WITH CONDITIONS**

The requested variance is approved subject to the standard and special conditions outlined in this document.

Application: MVA-5

☐ **DENIED**

The requested variance fails to meet the criteria specified under Ordinance No. 2843 or exceeds the administrative threshold. Request shall be reviewed by the Board of Adjustment.

Findings of Fact & Rationalization

Justification based on Section 62-97 regarding whether the adjustment is de minimis, its impact on adjacent properties, and conformity with neighborhood character:

The request is for a 10% reduction in required off-street parking, which is at the maximum allowable administrative cap established by Sec. 62-97. This appears to be a minor variance that does not fundamentally alter the underlying zoning regulations.

The applicant has submitted a revised site plan demonstrating the addition of 9 parking spaces to the layout. This proactive design adjustment directly satisfies the new 183-space compliance baseline established under the minor variance. The subject site encompasses a 16.46-acre parcel. The reduction will not generate vehicle congestion on public streets or negatively change local traffic patterns. Secondary acreage remains available for physical expansion if unforeseen demand arises.

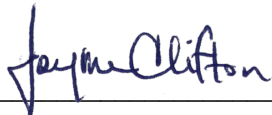
In compliance with Sec. 62-97(b)(8), official written notices were mailed on June 18, 2026, to the eleven (11) adjacent property owners of record. The public review window officially closed on Friday, June 26, 2026. The Community Development Department received no written comments, inquiries, or formal objections from adjacent neighbors or public entities.

Conditions of Approval / Reasons for Denial

Any binding conditions imposed on the approval, or detailed reasons for denial:

This minor variance applies strictly to the current building permit configuration for the 36,260 square foot medical facility and the 4,288 square foot dental office.

Under ordinance provisions, the applicant or any interested party aggrieved by the final administrative decision holds the right to appeal the decision to the Board of Adjustment.



Community Development Director (or Designee) Signature

07/06/2026

Date of Decision