

PROCEEDINGS OF THE ELK CITY BOARD OF ADJUSTMENTS, TUESDAY, SEPTEMBER 29, 2009 AT 6:00 P.M.

## A G E N D A

### NOTICE OF PUBLIC HEARING FOR VARIANCE REQUEST

Petitioner:Wal-Mart Real Estate Business Trust

Address:Generally located SE of I-40, North of 7th Street

Legal Desc:A tract of land lying in the West Half (W/2) of Section Twenty-Four (24), Township Eleven (11) North, Range Twenty-One (21) West of the Indian Meridian, Beckham County, Oklahoma being described as follows: COMMENCING at the Southeast corner of the Southwest Quarter of said Section 24; THENCE North 88°19'20" West, along the south line of said Southwest Quarter, a distance of 1,929.53 feet; THENCE North 01°40'40" East, perpendicular to said south line, a distance of 40.00 feet, to a point on the west Right-of-Way line of Regional Drive and the north Right-of-Way line of EI 110 Road (7th Street), to the POINT OF BEGINNING; THENCE North 88°19'20" West, along the said north Right-of-Way line, a distance of 494.53 feet to a point on the easterly line of an Oklahoma Department of Transportation (ODOT) Right-of-Way recorded in Book 810, Page 155; THENCE Northeasterly, along said ODOT Right-of-Way, the following Three (3) courses: (1.) North 25°09'11" East a distance of 448.29 feet; (2.) North 23°38'33" East a distance of 547.78 feet; (3.) North 23°38'08" East a distance of 171.38 feet to a point on easterly Right-of-Way line of Interstate 40; THENCE Northeasterly, along said easterly Right-of-Way line, the following Two (2) courses: 1. North 40°51'08" East a distance of 1,064.36 feet to a point of curvature to the right; 2. Northeasterly, along said curve, having a radius of 8,476.37 feet (Said curve being subtended by a chord bearing North 46°49'56" East a chord distance of 1,766.14 feet) an arc length of 1,769.35 feet, to a point on the east line of said West Half; THENCE South 00°44'40" West, along said east line, a distance of 549.26 feet to the center of said Section 24; THENCE continuing South 00°44'40" West, along said east line, a distance of 976.31 feet; THENCE North 89°17'15" West a distance of 64.63 feet; THENCE South 40°32'25" West a distance of 863.10 feet; THENCE North 73°15'05" West a distance of 490.81 feet; THENCE North 16°44'55" East a distance of 90.00 feet; THENCE North 73°15'05" West a distance of 513.77 feet; THENCE South 16°44'55" West a distance of 1,344.61 feet, to the POINT OF BEGINNING, containing 2,422,266 square feet or 55.6076 acres more or less.

Variance Request: 30' height requirement to allow a 65' sign along the I40 frontage

Public Discussion

Public Hearing closed.

1.Meeting called to order.

2.Consider and approve or disapprove the minutes of the July 28th meeting.

3.Board to consider and approve or disapprove a Variance Request of Wal-Mart Real Estate Business Trust of 30' on the height requirement.

4.Motion to adjourn meeting.