

MINUTES
CITY OF BETHANY
BOARD OF ADJUSTMENT
APRIL 10, 2025

MEMBERS PRESENT: Matt Goodwin, Chair
James Fenno
Curtis Yates
Wayne Clements

MEMBERS ABSENT: Keith Burlison

STAFF PRESENT: Ray Jones, City Attorney
Elizabeth Gray, City Manager
Brett Crecelius, Comm. Dev. Director
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6709 NW 36th St., Bethany, OK on March 31, 2025 at 4:30 p.m.

Matt Goodwin, Chair called the meeting to order. Wayne Clements gave the invocation. Motion was made by Wayne Clements, seconded by James Fenno to approve the October 10, 2024 Board of Adjustment minutes as emailed. The votes are as follows: AYE- Matt Goodwin, James Fenno, Curtis Yates, Wayne Clements. NAY- None. ABSTAIN-None. The motion carried 4 - 0.

ITEM 1: **BA 25-01**
Consider a request by Jim Young, Applicant and Property Owner for a variance to Sections 158.002 Carport (e) and 158.025(5)(B) for the purposes of constructing a carport within the side yard setback in the R-1, Single Family Residential District at 3212 N. Alexander Ln.

LEGAL DESCRIPTION: Unpltd. Pt Sec 20 12N 4W 000 000 Pt of NE4 Sec 20 12N 4W Beg. 331.44 Ft. S & 24 Ft. E of NW/C of NE4 of SW4 of NE4 Th. E. 303.77 Ft., S. 110 Ft., W. 303.77 Ft. N. 110 Ft. to Beg or TR 21 of E ½ of SW4 of NE4 Alexander Fruitland acres unrec.

(Curtis Yates arrived at 6:24 pm)

ACTION: Brett Crecelius, Comm. Dev. Director presented the staff report to consider a variance request by Jim Young, Applicant and Property Owner to construct a carport within the side yard setback at 3212 N. Alexander Ln. The applicant constructed the 3-car carport and did not realize he needed a permit.

Ray Jones, City Attorney stated from a legal standpoint we do not have an ordinance that regulates 3-car wide carports. However, our ordinance does read if it is single car carport, carport should be no wider than twelve feet. If driveway is double, carport should be no wider than twenty-four feet. With that you can make some deductions as to what would be appropriate according to the structure of our current ordinance if a variance were to be approved.

Mr. Young, Applicant had no comments.

Mr. Mike Boyer, resident of 3205 N. Wilburn spoke in favor of variance request.

Motion was made by Wayne Clements, seconded by James Fenno to approve the variance request for the carport at 3212 N. Alexander Ln. The votes are as follows: AYE- Matt Goodwin, Wayne Clements, James Fenno, Curtis Yates. NAY- None. ABSTAIN- None. The motion carried unanimously 4 - 0.

ITEM 2: **BA 25-02**

Consider a request by Natalie Hisle, Applicant and Property Owner for a special exception to Sections 159.038 and 159.091B) of the Bethany Code of Ordinances for the purpose of using a residential structure for commercial use in the R-1, Single Family Residential District at 6601 NW 42nd St.

LEGAL DESCRIPTION: North Side Addition 002 000 Lots 8 & 9.

ACTION: Brett Crecelius, Comm. Dev. Director presented the staff report to consider a special exception request for the purpose of using a residential structure for commercial use at 6601 NW 42nd St. The applicant is requesting use of this special exception for a bookstore and café. The transition of the property in terms of making property functional as a commercial property will be re-fashioning the front entrance into a commercial store front, remodeling the bathrooms for ADA compliance, adding some signage, and constructing a café and patio on the east side of the building and parking. The applicant did pursue a rezoning application with the Planning and Zoning Commission on March 6, 2025 and City Council on March 15, 2025. Zoning request was denied.

Sam Gresham, Representative for Natalie Hisle, Applicant spoke to the Board of Adjustment. The project is to use building as a bookstore and café. At the rezoning meeting we had a lot of both opponents and a great number of supporters. The supporters seemed to be the neighbors near this property. Mr. Gresham requested approval.

Darla Tompkins, resident of 4305 N. Peniel spoke to the Board of Adjustment about her families history of living in the area. However, due to safety, privacy, accessibility, and productivity

issues, I do not believe 6601 NW 42nd is a good location for business to succeed. I am concerned with the number of children that walk to school.

Mr. Martin, Director of Operations for the Southern Nazarene University spoke to the Board of Adjustment. It seems the intent of a special exception would be for the allowance for a low impact and low traffic sole proprietor type businesses such as a tax accountant or a single attorney. The applicant is looking to operate a business that would have a more significant impact on surrounding residential areas (traffic, parking, food service). He said Southern Nazarene University would respectfully ask the Board to deny the special exception request.

Mr. Lamb, resident of 4307 N. Peniel Ave. requested the Board of Adjustment to approve the special exception request. The applicant's plans would bring value and charm to the area.

Ron Lewis, resident of 4800 N. Donald Ave. spoke against the special exception request. The applicant built a house on NW 42nd and N. Donald. After she put in a little half driveway because there is no parking on NW 42nd Street, I got in an accident there because I could not see back east. She had three cars parked there and I had to pull my car out in the middle of the intersection. He said there is plenty of commercial property in Bethany that could be used for the proposed business.

Ms. Campbell, resident of 6809 NW 45th spoke to the Board of Adjustment. N. Peniel is notorious for flooding and becoming inaccessible for periods of time. Cars parked on the streets could cause possible liability for damaged property for the city or the business who have prior knowledge of this occurrence. I have concerns about the safety of the children, security, privacy issues, and noise and light pollution. She spoke against the special exception request.

Matt Goodwin, Chair spoke about his history with the previous owner of property and living in the area. The proposal could be a beautiful thing in the middle of the neighborhood.

Motion was made by Matt Goodwin to approve the special exception request at 6601 NW 42nd St. No second made. Motion died.

Motion was made by Wayne Clements, seconded by James Fenno to deny the special exception request at 6601 NW 42nd St. The votes are as follows: AYE- Wayne Clements, James Fenno, Curtis Yates. NAY- Matt Goodwin. ABSTAIN- None. The motion carried 3-1-0.

ITEM 3: **BA 25-03**

Consider a request by Southern Nazarene University, Applicant and Property Owner for a variance to Section 153.15(C) of the Bethany Code of Ordinances for the purpose of constructing a sign within the 15-foot setback requirement at 6729 NW 39th Expy.

LEGAL DESCRIPTION: All of Block Nine (9) except the South 110 feet of the North 440 feet of the East 140 feet, in Bethany Addition, to Oklahoma County, Oklahoma, according to the recorded plat thereof.

ACTION: Brett Crecelius, Comm. Dev. Director presented a location plan for the sign and staff report to consider a variance for the purpose of constructing a sign within the 15-foot setback requirement at 6729 NW 39th Expy.

Troy Rhodes, Architect for Southern Nazarene University was present and spoke to the Board of Adjustment.

Matt Goodwin, Chair asked if there would be any visibility problems with the placement of the sign.

Troy Rhodes, Architect for Southern Nazarene University said he doesn't believe there will be any visual limitations.

Motion was made by Matt Goodwin, seconded by Curtis Yates to approve the variance for the purpose of constructing a sign within the 15-foot setback requirement at 6729 NW 39th Expy. The votes are as follows: AYE- Matt Goodwin, James Fenno, Wayne Clements, Curtis Yates. NAY- None. ABSTAIN- None. The motion carried unanimously 4 - 0.

Matt Goodwin, Chair adjourned the meeting.