

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36<sup>th</sup> St., Bethany, OK 73008 on Thursday, April 6, 2023, at 11:00 a.m.

The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The city may waive the 48-hour rule if signing is not the necessary accommodation.

**(BOARD OF ADJUSTMENT MEETING WILL BE HELD IN THE BETHANY CITY HALL COUNCIL CHAMBER - 6700 NW 36<sup>TH</sup> ST., BETHANY, OK 73008)**

**AGENDA**  
**CITY OF BETHANY**  
**BOARD OF ADJUSTMENT**  
**APRIL 13, 2023**  
**6:15 P.M.**

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF MARCH 9, 2023**

**EXPLANATION OF PROCEDURE TO AUDIENCE**

**BOARD OF ADJUSTMENT BUSINESS**

**ITEM 1: BA 23-02**

Consider a request by Joel Nico Gomez, applicant, and the Children's Center, property owner, for permission to construct a sign beyond the property line on a private median.

**LEGAL DESCRIPTION:**

**SW Qtr. Sect. 16-T12N-R4W Bethany City Add. 019 000 PT of BLK 19 BEG 29.42FT S OF NW/C OF  
SD BLK TH SE438.23FT S703.01 W403.32FT N812.14FT TO BEG**

**NEW BUSINESS**

**ADJOURNMENT UNTIL MAY 11, 2023**

**MINUTES**  
**CITY OF BETHANY**  
**BOARD OF ADJUSTMENT**  
**MARCH 9, 2023**

MEMBERS PRESENT:                    Scott Hopkins, Chair  
   James Fenno  
   Louie Allen  
   Matthew Goodwin (New Member)

MEMBERS ABSENT:                    None

STAFF PRESENT:                    Ray Jones, City Attorney  
   Amanda McCellon, Comm. Dev. Director  
   Brendan Summerville, Comm. Dev. Associate  
   Linda Hlinicky, Adm. Assistant

NOTICE:        Agenda posted in the lobby and on the front door of Bethany City Hall,  
   6700 NW 36<sup>th</sup> St., Bethany, OK on Thursday, March 2, 2023 at 11:00 a.m.

   Scott Hopkins, Chair called the meeting to order. Scott Hopkins, Chair welcomed Matthew Goodwin to the Board of Adjustment. James Fenno gave the invocation. Motion was made by James Fenno, seconded by Louie Allen to approve the January 12, 2023 Board of Adjustment minutes as mailed. The votes are as follows: AYE- Scott Hopkins, James Fenno, Louie Allen, Matthew Goodwin. NAY- None. ABSTAIN- None. The motion carried unanimously 4 - 0.

**ITEM 1:**        **BA 23-01**  
   Consider a request by Storm Sherrell, Applicant and Property Owner, for permission to construct a carport at 3005 N Oakridge Drive.

**LEGAL DESCRIPTION:** SW Qtr. Sect. 21-T12N-R4W, Western Oaks 2nd 009 000 S10FT  
   Lot 5 & All Lot 6

**ACTION:**        Brendan Summerville, Comm. Dev. Associate presented the staff report to consider a request to construct a carport past the front build line at 3005 N. Oakridge Dr. The zoning of 3005 N. Oakridge Dr. and surrounding properties was presented along with the carport ordinance by definition. Per the City Inspector's memo the proposed carport would be beyond the required build line and would encroach the ROW.

Brendan Summerville, Comm. Dev. Associate explained there are seven (7) criteria questions all of which the applicant must meet in order to grant a variance. Summerville read the questions with the applicant(s) responses, and the City's responses for each one.

Louie Allen, Boardmember asked about materials that will be used for the carport.

Mr. Griggs, resident of 3005 N. Oakridge Dr. stated the carport roof will be metal just as the poles are, and of the highest standard quality.

Mr. Griggs, resident of 3005 N. Oakridge Dr. stated the City changed the law in 2019 that pushed the public right-of-way to the edge of the street and not the middle of the street. Now I have to apply for a permit.

Ray Jones, City Attorney stated the law with respect to public easements, this lot is in a subdivision that was platted probably in the 1950's. The right-of-way was dedicated as part of the plat, and that is a matter of public record. City ordinance does not change how those easements/rights-of-way are calculated.

Ray Jones, City Attorney explained if the proposed carport is built in the r-o-w that will cause all kinds of problems. Because once the City gets to that point where they have to do utility line maintenance, there would be damage to the structure, and the City will not be responsible for it.

Ray Jones, City Attorney mentioned perhaps there could be a variance to build the carport past the build line toward the r-o-w but not encroach on the r-o-w.

Scott Hopkins, Chair asked applicant if the contractor who put up the carport framework was aware of the specifications and measurements.

Storm Sherrell, Applicant said the contractor did not pull a permit. So, my neighbor stopped by, and he said you need a permit. So, we stopped work and applied for a variance application.

Brian Magirowsky, resident of 6805 NW 29<sup>th</sup> St. feels the proposed carport will fit very well within the neighborhood.

Michael Suriano, resident of 3009 N. Oakridge Dr., and C. Dale German, resident of 3001 N. Oakridge Dr. spoke in favor of the proposed carport.

Scott Hopkins, Chair stated the only issue he sees is that the carport shall not be erected or closer than five feet inclusive of the eaves from the r-o-w line of a public or private street.

James Fenno, Board Member asked if the sides of the carport will be open.

Walter Griggs and Storm Sherrell, residents of 3005 N. Oakridge Dr., both said yes.

After some discussion, a motion was made by Louie Allen, seconded by James Fenno to approve the variance request at 3005 N. Oakridge Dr. The votes are as follows: AYE- Scott Hopkins, James Fenno, Louie Allen. NAY- Matthew Goodwin. ABSTAIN- None. The motion carried 3-1-0.

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NEW BUSINESS

Brendan Summerville, Comm. Dev. Associate informed the Board members that two other variance request(s) have been filed.

Amanda McCellon, Comm. Dev. Director informed the Board of Adjustment members she is planning to hold a BOA Training Session with OML and invite other cities. OML will teach us how to approve variances according to the law.

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Scott Hopkins, Chair adjourned the meeting at 6:56 p.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE



**City of Bethany - Board of Adjustment**

**Staff Report**

**April 13, 2023**

**CASE NO: BA 23-02**

**Request:** Consider a request by Joel Nico Gomez, Applicant, and the Children’s Center, Property Owner, for permission to construct a sign within a private median at 6900 NW 39<sup>th</sup> Expressway.

**Applicant:** Joel Nico Gomez, Applicant, and the Children’s Center, Property Owner.

**Legal Description:** SW Qtr. Sect 16-T12N-R4W Bethany City Add. 019 000 PT OF BLK 19 BEG 29.42FT S OF NW/C OF SD BLK TH SE438.23FT S703.01FT W403.32FT N812.14FT TO BEG

**Property Zoning:** Educational Institutional, E-I

**Proposed Variance:** Permission to construct a sign 16’ beyond the current property line on a privately owned median.

**Surrounding Zoning:**

<b>Direction</b>	<b>Zoning</b>
North	E-I
South	E-I
East	E-I
West	R-1 & C-G

**Analysis:**

The requested variance would allow for the placement of a sign beyond the current property line, however, onto a privately owned median. The proposed location does not interfere with sidewalks or other public access points, and the sign itself fits within the size regulations at 71 ft<sup>2</sup> (§153.16, *C Freestanding Signs, 2 Large-Scale Tenants*, District Regulations).

**Applicant Questions:**

**The following questions are a part of the application that must be submitted for a meeting with the Board of Adjustment. The applicant has answered them to the fullest of their ability. It must be noted that the applicant must meet the requirements of each answer to be considered for a variance to be granted.**

1. Special conditions and circumstances which are peculiar to the land, structure, or building, etc. in the same zoning district:
  - a. The desired location for this signage would allow for optimal visibility while also reserving the surrounding areas which will be utilized for future building sites. The existing layout of the center median is curved in such a way as to restrict the placement of the monument sign fully behind the property line.
  
2. Special conditions and circumstances that do not result from the actions of the applicant:
  - a. The median was constructed in 2017. Community standards for the treatment and development of medically complex children continues to increase. The land available to the applicant to meet that growing demand is significantly restricted.
  
3. Granting the variance requested will not convey on the applicant any special privilege that is denied by ordinance to other lands, buildings, etc. in the same zoning district?
  - a. The requested variance will only affect the real property of the applicant. It will not affect any buildings or structures. The request is being made consistent with the variance process available to all property owners

within the city limits and will not convey any special privileges on the applicant.

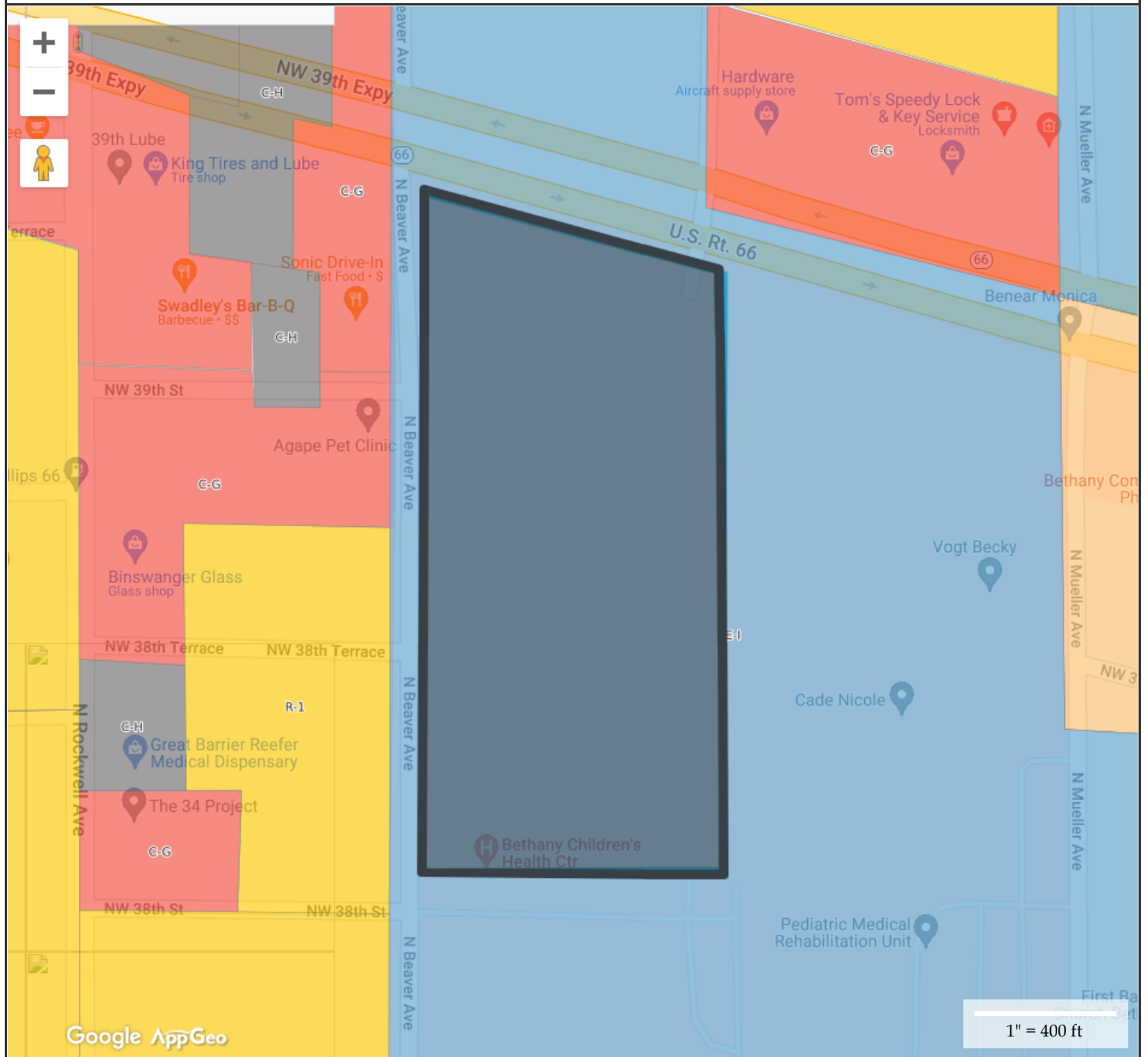
4. Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms hereof and would work unnecessary and undue hardship on the applicant:
  - a. The applicant would incur substantial hardship if applying literal interpretation. The variance will still allow the intent of the ordinance to be met. High visibility of entrance to a business is commonly enjoyed by other properties within the zoning district. In this case, those needing medical care make it especially crucial.
  
5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - a. Correct, this is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  
6. The grant of the variance will be in harmony with the general intent and purpose of the ordinance.
  - a. Correct, this variance will be in harmony with the general intent and purpose of the ordinance.
  
7. Such a variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
  - a. Correct, it would not be injurious to the area involved or the public welfare.

**Required Action:** Hold a public hearing to either grant or deny a variance that would permit the construction of a sign beyond the existing property line on a privately owned median.

**Attachments:**

- Aerial Photograph
- Zoning Map
- Certified Owners List
- Application Documents
  - Application
  - Engineered Drawing of Sign
  - Rendering of the Proposed Sign
- Public Notification

# BA 23-02



### ZONING CODE LEGEND

<span style="color: green;">■</span> A	<span style="color: purple;">■</span> I-L
<span style="color: orange;">■</span> CBD	<span style="color: purple;">■</span> I-R
<span style="color: red;">■</span> C-G	<span style="color: orange;">■</span> PUD
<span style="color: grey;">■</span> C-H	<span style="color: yellow;">■</span> PRD
<span style="color: darkred;">■</span> C-S	<span style="color: yellow;">■</span> R-1
<span style="color: orange;">■</span> C-N	<span style="color: yellow;">■</span> R-2
<span style="color: darkred;">■</span> C-O	<span style="color: yellow;">■</span> R-M
<span style="color: blue;">■</span> C-R	<span style="color: orange;">■</span> RMO
<span style="color: lightblue;">■</span> E-1	<span style="color: purple;">■</span> RHP

### MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

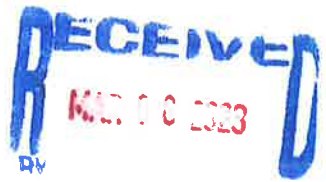
Bethany, Oklahoma makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.





**REQUEST FOR VARIANCE**



(Please print or type.)

DATE FILED: 3-6-2023      CASE NO.: BA 2302  
FEE PAID: \$775.00      REC. NO.: \_\_\_\_\_  
DATE SET FOR HEARING: 4-13-2023

A variance is requested in conformity with the powers vested in the Board of Adjustment of the City of Bethany on the property described below and in conformity with the attached plot plan.

ADDRESS OF PROPERTY: 6900 NW 39th Expressway, Bethany, OK 73008

LEGAL DESCRIPTION: \_\_\_\_\_

BETHANY CITY ADD 019 000 PT OF BLK 19 BEG 29.42FT S OF NW/C OF SD BLK TH SE438.23FT S703.01FT W403.32FT  
N812.14FT TO BEG

State what is the variance requested, giving distances where appropriate. \_\_\_\_\_

The requested variance would allow for the placement of a new monument sign within the private center median located in our driveway that fronts 39th Expressway. The desired placement of the signage extends 16ft over the current property line but would terminate prior to the public sidewalk. This location would not obstruct the use of the sidewalk, nor the view of oncoming traffic.

A variance can be granted only if all of the seven conditions listed below have been met. You are requested to provide a statement after each condition indicating how your request meets each condition. Use additional pages if necessary.

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. \_\_\_\_\_

The desired location for this signage would allow for optimal visibility while also reserving the surrounding areas which will be utilized for future building sites. The existing layout of the center median is curved in such a way as to restrict the placement of the monument sign fully behind the property line.

- 2. The special conditions and circumstances do not result from the actions of the applicant. \_\_\_\_\_

The median was constructed in 2017. Community needs for the treatment and development of medically complex children continues to increase. The land available to Applicant to meet that growing demand is significantly restricted.

- 3. Granting the variance requested will not convey on the applicant any special privilege that is denied by ordinance to other lands, buildings or structures in the same zoning district. \_\_\_\_\_

The requested variance will only affect the real property of the Applicant. It will not affect any buildings or structures. The request is being made consistent with the variance process available to all property owners within the City limits and will not convey any special privileges to Applicant.

- 4. Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms hereof and would work unnecessary and undue hardship on the applicant. \_\_\_\_\_

Applicant would incur substantial hardship if applying the literal interpretation. The variance will still allow the intent of the ordinance to be met. High visibility of entrance to a business is commonly enjoyed by other properties within the zoning district. In this case, those needing medical care make it especially crucial.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. \_\_\_\_\_  
 Correct, this is the minimum variance to accomdate this reasonable use of land, building, or structure
6. The grant of the variance will be in harmony with the general intent and purpose of the ordinance. \_\_\_\_\_  
 Correct, this variance will be in harmony with the general intent and purpose of the ordinance.
7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. \_\_\_\_\_  
 Correct, it would not be injurious to the area involved or the public welfare.

This application shall be accompanied by:

1. A plot plan, showing the boundaries of the property, the location of any buildings or structures which are now on the property, and the proposed location of any buildings or structures for which a variance is being requested. Distances from the outside lines of buildings or structures to property lines must be shown. All plans and papers must be letter size (8½ x 11 inches) or legal size (8½ x 14 inches) wherever possible; and
2. An application fee of **\$344 (res)/\$625 (non-res) plus \$63.00 for Notice of Public Hearing fees;** and
3. A list of the names and addresses of all property owners of record within a 300-foot radius of the exterior boundaries of subject property, certified by a bonded abstractor or the County Assessor of Oklahoma County. Said list, however, shall not be required with applications involving minor variances, where the Board has set forth in its Statement of Policy what constitutes minor variances.

I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Applicant (print name) Joel Nico Gomez  
 Signature of Applicant *Joel Nico Gomez* Date 2/28/2023  
 Address of Applicant 624 Frisco Ridge Rd, Yukon 73099 Phone 405514 0601  
 Property Owner (print name) The Children's Center Inc.  
 Signature of Property Owner *Joel Nico Gomez* Date 2/28/2023  
CEO, The Children's Center Inc.



# City of Bethany

A great place to live, work, shop, and grow a business!

## RULES OF THE BOARD OF ADJUSTMENT THE CITY OF BETHANY, OKLAHOMA

IN CASES OF APPLICATIONS FOR VARIANCES FROM THE TERMS OF THE ZONING ORDINANCE, TITLE XV, BETHANY RECODIFIED ORDINANCES, 2002, AS AMENDED.

1. Every person applying for a variance before the Board of Adjustment must submit all of the following before the application will be placed on the agenda of the Board of Adjustment:
  - a. Written application for a variance. Said application must be complete and furnish all information as required in regular application forms supplied by the Planning Department. Use additional pages if necessary. (NOTE: The applicant is advised to take special care in the preparation of this application form. Copies will be mailed to each member of the Board prior to the public hearing. The Board is not authorized to grant a variance unless certain conditions are met, and this application form gives the applicant a chance to explain in writing how each condition has been met in his particular case. The responses could therefore influence the Board's decision.)
  - b. Plot plan, showing dimensions of lots or land, dimensions and location of all existing buildings, and dimensions and location of all proposed buildings or structures. Distances from the outside lines of buildings and structures to property lines must be shown. All plans and papers must be letter size 8½ by 11 inches) or legal size (8½ x 14 inches) wherever possible.
  - c. Application fee of **\$344 (res)/\$625 (non-res) plus \$150.00 for Notice of Public Hearing fees.**
  - d. A list of names and addresses of all record property owners within a three hundred (300) foot radius of the exterior boundary of the subject property. Said list shall be current and certified by a bonded abstractor or the County Assessor of Oklahoma County.
2. Submit this form, the list and the fee to the Community Development Department at Bethany City Hall, 6700 NW 36<sup>th</sup> St., Bethany, OK 73008. A meeting date will then be set for your variance case to be heard by the Board of Adjustment. The Board meets on the second Thursday of each month at 6:15 p.m. in the Council Chambers, Bethany City Hall, 6700 NW 36<sup>th</sup> Street.

3. The Planning Department will research and analyze each application and will prepare a staff report, which will be mailed to each member of the Board.
4. At the next scheduled Board of Adjustment meeting, each application will be considered at a public hearing. Each applicant will be sent notice of this meeting and he or his representative must be present. The Planning Staff will introduce each request, then the applicant or his representative and any interested citizens will have the opportunity to speak to the Board concerning the application.
5. No member of the Board will listen to any person interested in any case pending before the Board at any time except at scheduled hearings. The Board is a court, constituted as such by law, and the members are the judges. Any attempt to violate this rule will be frowned upon by the members so approached, and such violation may lead to disqualification of such member in the hearing with resultant delay in a decision.
6. All deliberations of the Board shall be conducted, and all of its decisions shall be made, at a meeting that is open to the public. All decisions of the Board shall be made after motion has been made and seconded. The motion which decides the issue shall be in the form of findings of fact and shall state the reasons for the findings by the Board. If conditions are imposed in the granting of a variance, such conditions shall be included in the motion.
7. An appeal from any decision of the Board of Adjustment may be taken by any person or by any officer, department or board of the City of Bethany to the District Court by filing a notice of appeal with the City Clerk and with the Board of Adjustment within thirty (30) days from the date the decision of the Board of Adjustment is rendered, which notice shall specify the grounds of such appeal.
8. Where variances are granted by the Board, the appeal period of thirty (30) days must elapse before any building permits can be issued by the Building Inspector. Where appeals are taken to District Court, no permits shall be issued until the close of all litigation connected therewith.
9. No application which has been heard and decided by the Board of Adjustment shall be resubmitted for a period of six (6) months from such hearing except on the ground of new evidence or proof of changed conditions, and then only upon proper filing of a new application.

RULES ADOPTED THIS 10TH DAY OF MARCH, 1977.



Opposite Side

**Elevation View - Scale: 3/8" = 1'-0"**

-Manufacture and install (1x) double sided internally illuminated monument sign.

Channel cabinets: 3/16" White acrylic with applied translucent vinyl graphics, 1" Black trim cap, 2" Black returns and illuminated with White LED's.

Internally illuminated sign cabinet: 1/8" Routed aluminum painted White (semi-gloss), Clear 3/4" thick push through acrylic logo with applied 60% diffuser applied 2nd surface and illuminated with White LED's. Address is illuminated routed copy, NOT push through.

Translucent vinyl graphics applied to push through acrylic logo and copy.

1 1/2" Aluminum tubing bracing painted Black (semi-gloss).

1/8" Routed aluminum painted B (semi-gloss), White acrylic copy and illuminated with White LED's

Aluminum base painted Duranodic Bronze (semi-gloss).



**Client:**  
Bethany Children's Pharmacy  
**Job Location:**  
6770 NW 39th Expy  
Bethany, OK 73008  
**Sales Rep:**  
Mir Khezri  
**Designer:**  
Dallas Brewer

**Drawing No:**  
101922-01

**File Name:**  
BCHC-MON-04.cdr

**Date:**  
10-19-2022

**Scale:**  
Noted

**Approved By:**

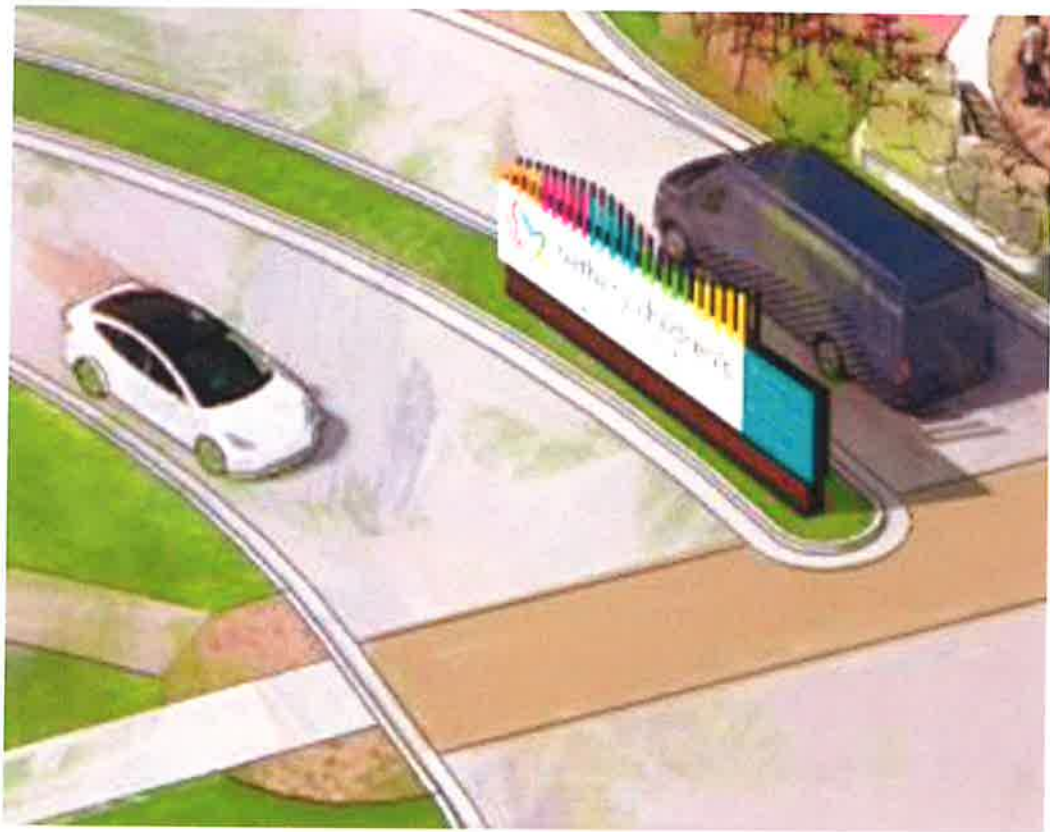
**Date Approved:**

**Color Swatches**  
May vary from actual color  
Verify with customer



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www.acuraneonic.com





BA 23.02

# Larry Stein Oklahoma County Assessor's Office



## Ownership Radius Report

This Official Report is for Account Number R170129290 and is a 300-foot radius from the outside of the polygon. If the minimum number of different owners was not reached it was extended by 100-foot increments until the required number of different owners was reached, or the maximum distance was reached. This report does not constitute a legal survey or document, for definitive description of real property and ownership; consult the deeds recorded in the Oklahoma County Clerks Office. **Official Record of this Certified Radius Report will expire 30 days from the date of creation stamped on the back of this sheet.**

Oklahoma County Assessor's  
300ft Radius Report  
2/24/2023

R170300350	REGIS INN LLC	C/O SONIC RESTAURANTS INC	11601 N 74TH PL	SCOTTSDALE AZ	85260	ROBERTS SUB BLK 21	001	000	ROBERTS SUB BLK 21 001 000 LOTS 1 THRU 5 & LOTS 27 THRU 30	7000 NW 39TH EXPY BETHANY	Cm EA 8	C1349.5	180763	7
R170301750	SWADLEYS SMOKED MEATS INC		7156 NW 80TH ST	OKLAHOMA CITY	73132	ROBERTS SUB BLK 21	001	000	BETHANY CITY ADD 019 000 N812.14FT TO BEG W403.32FT	4000 N ROCKWELL AVE BETHANY	Cm EA 8	C350.5	180767	7
R170129290	THE CHILDRENS CENTER INC		6800 NW 39TH EXPY	BETHANY OK	73008-2513	BETHANY CITY ADD 019	001	000	BETHANY CITY ADD 019 000 N812.14FT TO BEG W403.32FT	6900 NW 39TH EXPY BETHANY	Cm EA 8		180711	0
R170300350	REGIS INN LLC	C/O SONIC RESTAURANTS INC	11601 N 74TH PL	SCOTTSDALE AZ	85260	ROBERTS SUB BLK 21	001	000	ROBERTS SUB BLK 21 001 000 LOTS 1 THRU 5 & LOTS 27 THRU 30	7000 NW 39TH EXPY BETHANY	Cm EA 8	C1349.5	180763	7
R170300700	BROOKSTART INVESTMENTS LLC		PO BOX 30172	EDMOND OK	73008-0003	ROBERTS SUB BLK 21	001	000	ROBERTS SUB BLK 21 001 000 LOTS 6 7 8 9 10 & 11	7010 NW 39TH EXPY BETHANY	Cm EA 8	C426.3	180764	7
R170122735	BETHANY FIRST CHURCH OF THE NAZARENE		6789 NW 39TH EXPY	BETHANY OK	73008-2697	BETHANY CITY ADD 007	011	011	BETHANY CITY ADD 007 011 N96.5FT OF S120.5FT	6825 NW 39TH EXPY BETHANY	Terr 3	R2861.00	180556	0
R170122720	BETHANY FIRST CHURCH OF THE NAZARENE		6789 NW 39TH EXPRESSWAY	BETHANY OK	73008	BETHANY CITY ADD 007	010	010	BETHANY CITY ADD 007 010 N92.5FT OF S120.5FT	6829 NW 39TH EXPY BETHANY	Cm EA 8	Retail Store	180554	7
R170122960	DB CLINIC LLC		6801 NW 39TH EXPY	BETHANY OK	73008-2501	BETHANY CITY ADD 007	000	000	BETHANY CITY ADD 007 000 LOTS 13 THRU 16 EX S15FT	6801 NW 39TH EXPY, Unit A BETHANY	Cm EA 8	C341.31	180558	7
R170122800	DB CLINIC LLC		6801 NW 39TH EXPY	BETHANY OK	73008-2501	BETHANY CITY ADD 007	012	012	BETHANY CITY ADD 007 012 EX S20FT	UNKNOWN	Cm EA 8	C1111.00	180557	7
R170122730	BETHANY FIRST CHURCH OF THE NAZARENE		6789 NW 39TH EXPRESSWAY	BETHANY OK	73008	BETHANY CITY ADD 007	000	000	BETHANY CITY ADD 007 000 N55FT OF LOTS 10 & 11	0 UNKNOWN BETHANY	Terr 3		180555	0
R170424950	J & K FINE PROPERTIES VII LLC		12824 ST ANDREWS DR	OKLAHOMA CITY	73120	BEAVERS SUB BLK 22	022	000	BEAVERS SUB BLK 22 022 000 LOTS 12 13 & 14 EX S28.5FT	7009 NW 39TH EXPY BETHANY	Cm EA 8	C1066.00	180834	7
R170122240	BETHANY FIRST CHURCH OF THE NAZARENE		6789 NW 39TH EXPY	BETHANY OK	73008	BETHANY CITY ADD 006	000	000	BETHANY CITY ADD 006 000 EX S28 5FT EXEMPT	0 UNKNOWN BETHANY	Oklahoma		180544	0

✓

Oklahoma County Assessor's  
300ft Radius Report  
2/24/2023

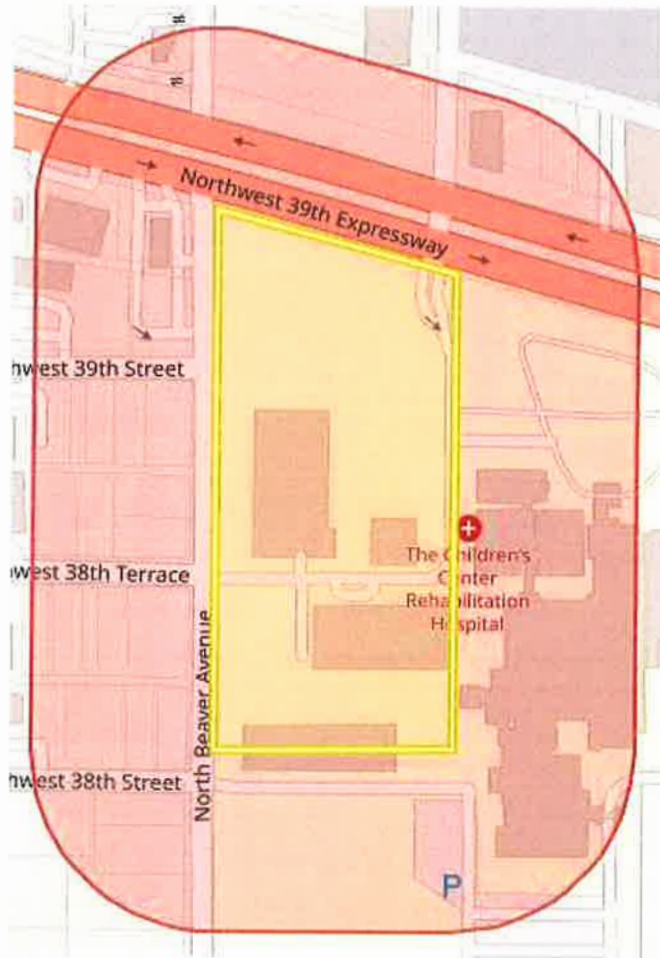
accountno	name1	name2	mailingaddress1	city	state	zipcode	subname	block	lot	legal	location	ecomarea	nbhd	netassesse	propertyid	vipp
R170129382	GUTIERREZ VELASCO FRANCISCO J	RUIZ DIAZ AMICELI Y	3806 N ROCKWELL AVE	BETHANY	OK	73008	BETHANY CITY ADD	021	000	BETHANY CITY ADD 021 000 N28FT LOT 1 RIKERS SUB & 592FT OF W1489.55FT BLK 21	3806 N ROCKWELL AVE BETHANY	Terr 3	R2861.00		180717	0
R170129380	ALLEN DALE G & HELEN J		805 ROYAL LN	YUKON	OK	73099-4223	BETHANY CITY ADD	021	000	BETHANY CITY ADD 021 000 S92FT OF E189.55FT EX N30FT OF E150FT PLUS N28.5FT LOT 19 RIKER SUB BLK	3807 N BEAVER AVE BETHANY	Terr 3	R2861.00		180716	0
R170129370	TARBOX GENE CURTIS & SHIRLENE		3811 N BEAVER AVE	BETHANY	OK	73008-3333	BETHANY CITY ADD	021	000	BETHANY CITY ADD 021 000 S52FT OF N120FT E150FT S212FT & N30FT OF E150FT S92FT E189.55FT	3811 N BEAVER AVE BETHANY	Terr 3	R2861.00		180714	0
R170129372	WEST PLACE PROPERTIES LLC		PO BOX 374	CHANDLER	OK	74834	BETHANY CITY ADD	021	000	BETHANY CITY ADD 021 000 E150FT OF N68FT OF S212FT EX N12FT	3813 N BEAVER AVE BETHANY	Terr 3	R2861.00		180715	0
R170129400	SHORT J H JR & JANET		3810 N ROCKWELL AVE	BETHANY	OK	73008-3370	BETHANY CITY ADD	021	000	BETHANY CITY ADD 021 000 PRT OF BLK 21 BEG NW/C E&W 229.1FT & N&S 120FT EX N12FT	3810 N ROCKWELL AVE BETHANY	Terr 3	R2861.00		180718	0
R170308400	J & K FINE PROPERTIES VI LLC		12824 ST ANDREWS DR	OKLAHOMA CITY	OK	73120	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 29 & 30	3901 N BEAVER AVE BETHANY	Terr 3	R2861.00		180791	0
R170308050	BUMPUS JOHN W SR TRS	BUMPUS JOHN W SR TRUST	7707 WEST BRITTON RD, Unit 1609	OKLAHOMA CITY	OK	73132	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 27 & 28	7003 NW 38TH ST BETHANY	Terr 3	O1001.00		180790	0
R170307350	BUMPUS JOHN W SR TRS	BUMPUS JOHN W SR TRUST	7707 W BRITTON RD, Unit: 1609	OKLAHOMA CITY	OK	73132-1531	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 23 THRU 26	0 UNKNOWN BETHANY	Terr 3			180789	0
R170307000	THE CHILDRENS CENTER INC		6800 NW 39TH EXPY	BETHANY	OK	73008-2513	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 16 THRU 22	3818 N ROCKWELL AVE BETHANY	Cm EA 8	C341.11		180788	0
R170305600	SCHLUTER PROPERTIES LLC		7916 NW 23RD ST STE 156	BETHANY	OK	73008-4950	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 1 2 3 & 4	3911 N BEAVER AVE BETHANY	Terr 3	R2861.00		180782	0
R170305945	EDWARDS JAMES T	EDWARDS JAN M	4004 PATTY LN	BETHANY	OK	73008	ROBERTS SUB BLK	003	000	ROBERTS SUB BLK 21 003 000 LOTS 5 & 6	7004 NW 38TH TER BETHANY	Terr 3	R2861.00		180783	0

7

Oklahoma County Assessor's  
300ft Radius Report  
2/24/2023

R170305950	EDWARDS JAMES T & JAN M	4004 PATTY LN	BETHANY	OK	73008	ROBERTS SUB BLK 21	003	007	ROBERTS SUB BLK 21.003 007	7006 NW 38TH TER BETHANY	Terr 3	R2861.00	180784	0
R170306300	RANGEL JUAN ROJAS	7008 NW 38TH TER	BETHANY	OK	73008-3351	ROBERTS SUB BLK 21	003	000	ROBERTS SUB BLK 21.003 000 LOTS 8 & 9	7008 NW 38TH TER BETHANY	Terr 3	R2861.00	180785	0
R170306650	MORRIS JANET L & EDWARD	7010 NW 38TH TER	BETHANY	OK	73008-3351	ROBERTS SUB BLK 21	003	000	ROBERTS SUB BLK 21.003 000 LOTS 10 & 11	7010 NW 38TH TER BETHANY	Terr 3	R2861.00	180786	0
R170305300	EDWARDS JAMES T & JAN M	4004 PATTY LN	BETHANY	OK	73008-3079	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 S 1/2 LOTS 26 THRU 30	7001 NW 38TH TER BETHANY	Terr 3	D2861.00	180781	0
R170305250	REEVES MYRON K & LYNN C	3915 N BEAVER AVE	BETHANY	OK	73008-3335	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 N 1/2 LOTS 26 THRU 30	3915 N BEAVER AVE BETHANY	Terr 3	R2861.00	180780	0
R170305000	HENBEST DERRY	7005 NW 38TH TER	BETHANY	OK	73008-3364	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 E 1/2 LOT 23 & ALL LOTS 24 & 25	7005 NW 38TH TER BETHANY	Terr 3	R2861.00	180779	0
R170304900	GILMORE SEAN & MAHA	11916 SAWGRASS RD	OKLAHOMA CITY	OK	73162-1035	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 ALL LOTS 21 & 22 & W 1/2FT LOT 23	7009 NW 38TH ST BETHANY	Terr 3	R2861.00	180778	0
R170304250	SHADARAM HAMID J	10208 SHADOWVIEW DR	OKLAHOMA CITY	OK	73159-7568	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 LOTS 16 THRU 20	3914 N ROCKWELL AVE BETHANY	Cm EA 8	C325.5	180777	7
R170303150	BARN OWL PROPERTIES LLC	5380 ARROWHEAD RD NE	PIEDMONT	OK	73078	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 LOTS 1 THRU 3	7000 NW 39TH ST BETHANY	Terr 3	R2861.00	180770	0
R170303155	BARN OWL PROPERTIES LLC	7000 NW 39TH ST	BETHANY	OK	73008	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 LOTS 4 & 5	7002 NW 39TH ST BETHANY	Terr 3		180771	0
R170303500	3D PROPERTIES LLC	9213 NW 75TH ST	YUKON	OK	73099	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 LOTS 6 & 7	7004 NW 39TH ST BETHANY	Terr 3	D2861.00	180772	0
R170303550	OWENS DELONG DANA	9213 NW 75TH ST	YUKON	OK	73099	ROBERTS SUB BLK 21	002	008	ROBERTS SUB BLK 21.002 008	7006 NW 39TH ST BETHANY	Terr 3		180773	0
R170303700	SWADLEYS SMOKED MEATS INC	7156 NW 80TH ST	OKLAHOMA CITY	OK	73132-4149	ROBERTS SUB BLK 21	002	000	ROBERTS SUB BLK 21.002 000 LOTS 9 THRU 11 & N50FT OF LOTS 12 THRU 15	4000 N ROCKWELL AVE BETHANY	Cm EA 8	CMISC	180774	7
R170129280	THE CHILDRENS CENTER INC	6800 NW 39TH EXPY	BETHANY	OK	73008-2513	BETHANY CITY ADD	019	000	BETHANY CITY ADD 019 000 BLK 19 EX BEG 29.42FT S OF NW/C OF SD BLK TH SE438.23FT S703.01FT W403.32FT N812.14FT TO BEG	6800 NW 39TH EXPY BETHANY	Cm EA 8	CRAREXMF	180710	0

X



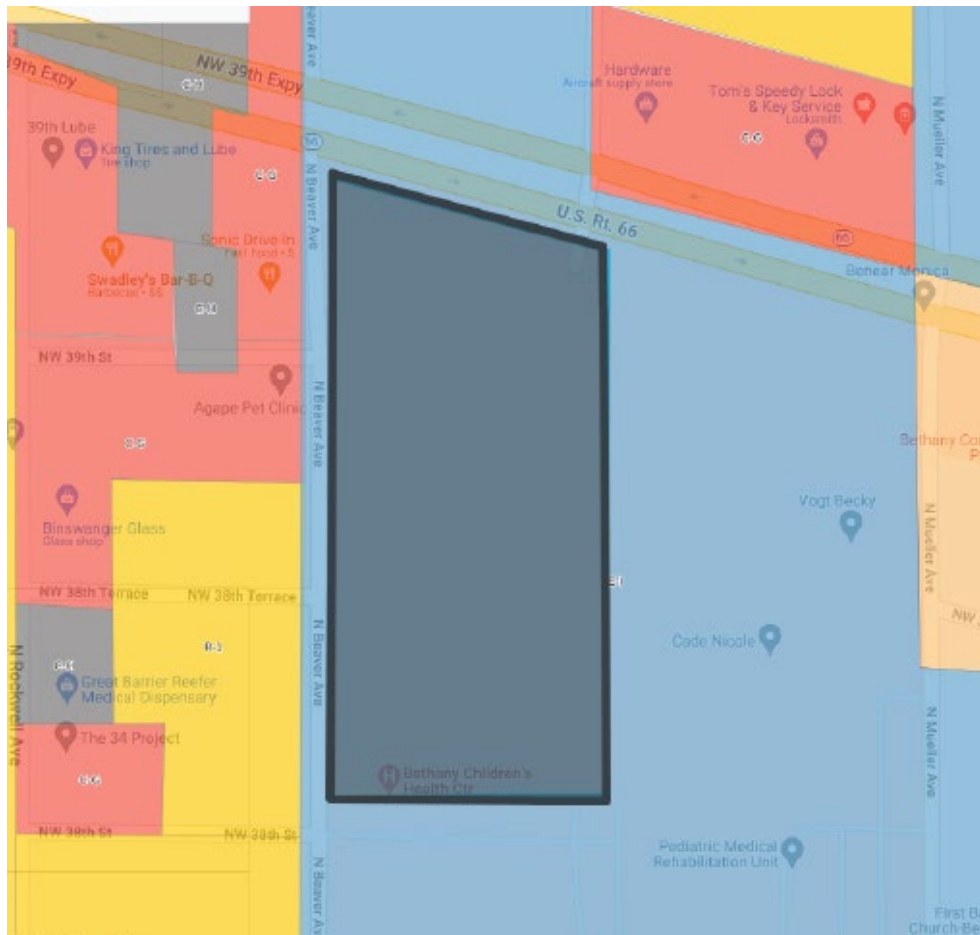
## NOTICE OF PUBLIC HEARING

On Thursday, April 13, 2023, at 6:15 p.m. the Bethany Board of Adjustments will, during its regular session, hold a public hearing at Bethany City Hall at 6700 NW 36<sup>th</sup> St., Bethany, OK 73008 for the following: Consider a request by Joel Nico Gomez, applicant, and the Children's Center Inc., property owner, for permission to construct a monument sign within their respective driveway median.

The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

### LEGAL DESCRIPTION:

SW Qtr. Sect 16-T12N-R4W Bethany City Add. 019 000 PT OF BLK 19 BEG 29.42FT S OF NW/C OF SD BLK TH SE438.23FT S703.01FT W403.32FT N812.14FT TO BEG





March 27, 2023

**NOTICE OF HEARING**

**The Board of Adjustments**

Dear Property Owner,

This notice is to inform you that a neighboring property owner has filed an application with the Bethany Board of Adjustments for a variance. All variance applications within the city limits are reviewed by the Board of Adjustments at a public hearing to determine whether the proposal meets the criteria for approval and is appropriate for the City of Bethany.

Attached to this notice is information on the hearing dates, the location of the property, and the variance that is requested. During the public hearings, the applicant for the variance presents his case, and all interested property owners in the surrounding area are invited to appear and state whether they are for or against the proposal. Please see the following pages for greater detail on this particular case.

Your participation in these proceedings can affect the outcome.

If you have any questions regarding this notice, please contact the Community Development Director; call (405) 789-6005.

**SECRETARY,  
BOARD OF ADJUSTMENTS**

(SEE LOCATION MAP ON NEXT PAGE)

**VARIANCE CASE INFORMATION**

**A. Variance Proposal**

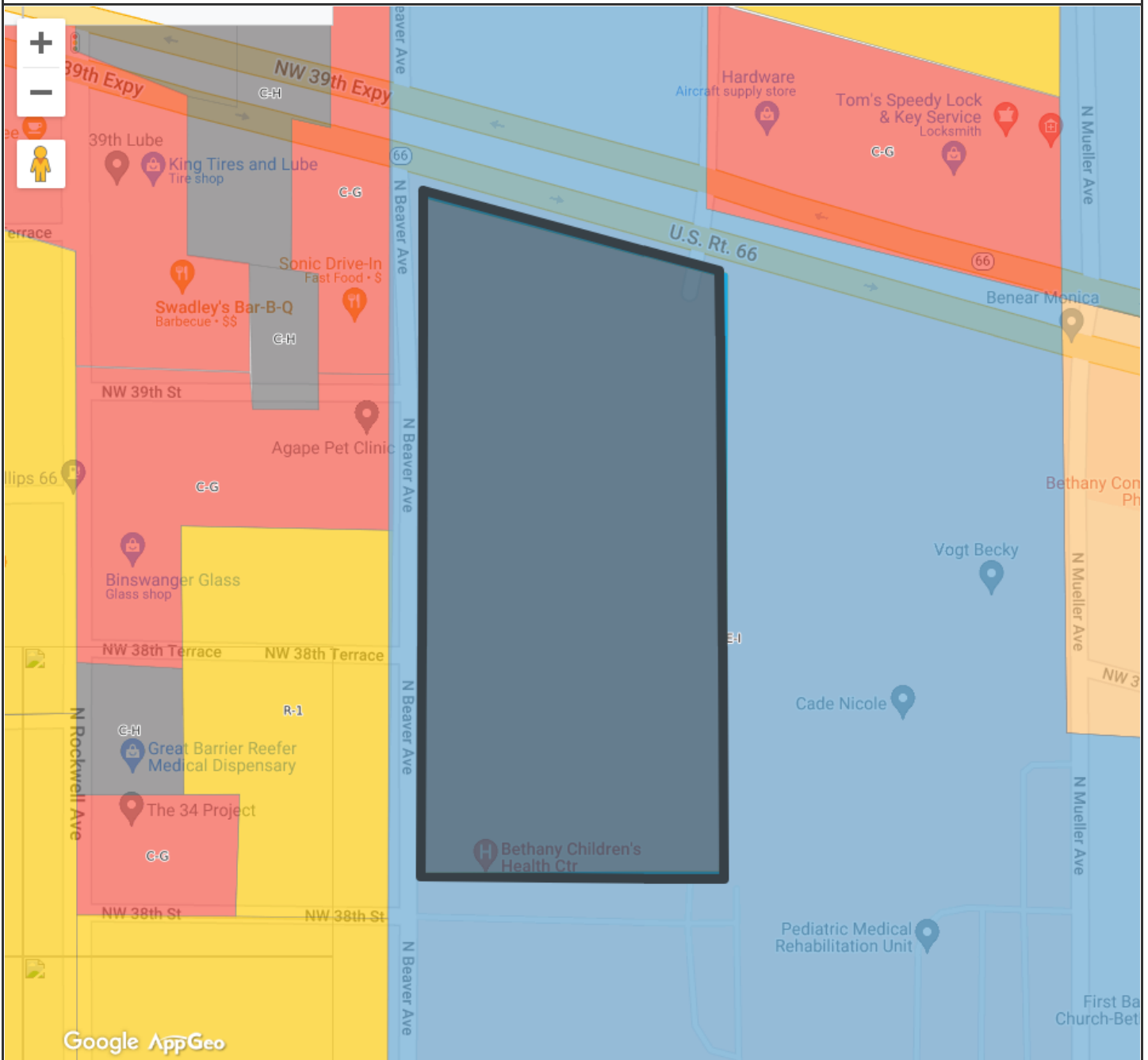
1. Case No.: BA 23-03 .
2. Location of Property: 6900 NW 39th Expy., Bethany, OK 73008 .
3. Legal Description: SW Qtr. Sect 16-T12N-R4W Bethany City Add. 019 000 PT of BLK 19 BEG 29.42FT S of NW/C of SD BLK TH SE438.23FT S703.01FT W403.32FT to BEGINNING.
4. Present Zoning: Educational-Institutional (E-I) .
5. Applicant's Request: Permission to construct a monument sign inside the front median.

**B. Hearing Schedule**

1. The Board of Adjustments hearing on the proposed variance will be held on **Thursday, APRIL 13, 2023** at 6:15 P.M. At this hearing, any interested citizens will have the opportunity to speak to the Board concerning the proposed variance. The Board will vote on whether to recommend approval or disapproval of the proposed variance. **IF YOU HAVE AN OPINION ON THE APPLICATION, YOU SHOULD ATTEND THIS HEARING.**

**C. Location of Hearings**

The Board of Adjustments meeting will be held in the Bethany City Hall Council Chamber, at 6700 NW 36th St., Bethany, Oklahoma.



ZONING CODE LEGEND

<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> A	<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> I-L
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> CBD	<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> I-R
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> C-G	<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> PUD
<span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> C-H	<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> PRD
<span style="display:inline-block; width:15px; height:15px; background-color:darkred; border:1px solid black;"></span> C-S	<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> R-1
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> C-N	<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> R-2
<span style="display:inline-block; width:15px; height:15px; background-color:darkred; border:1px solid black;"></span> C-O	<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> R-M
<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> C-R	<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> RMO
<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> E-I	<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> RHP

MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Bethany, Oklahoma makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

1" = 400 ft

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# Bethany Board of Adjustments

BA 23-02

13 April 2023

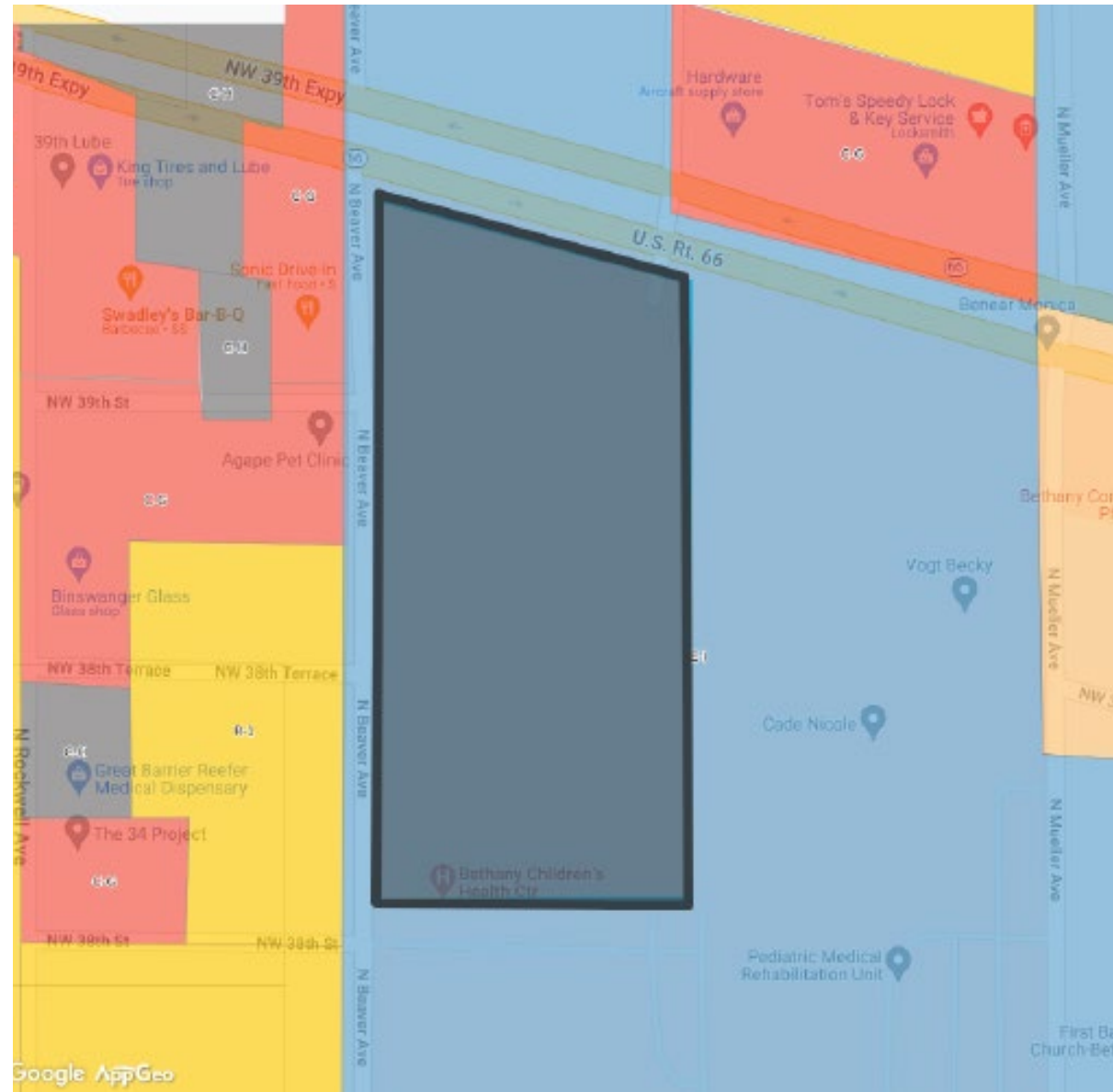
# Request

Consider a request by Joel Nico Gomez, applicant, and the Children's Center, property owner, for permission to construct a sign beyond the property line on a private median.

Legal Description:

SW Qtr. Sect 16-T12N-R4W Bethany City Add. 019 000 PT OF BLK 19 BEG 29.42FT S OF NW/C  
OF SD BLK TH SE438.23FT S703.01FT W403.32FT N812.14FT TO BEG

# Surrounding Zoning



# Aerial Map

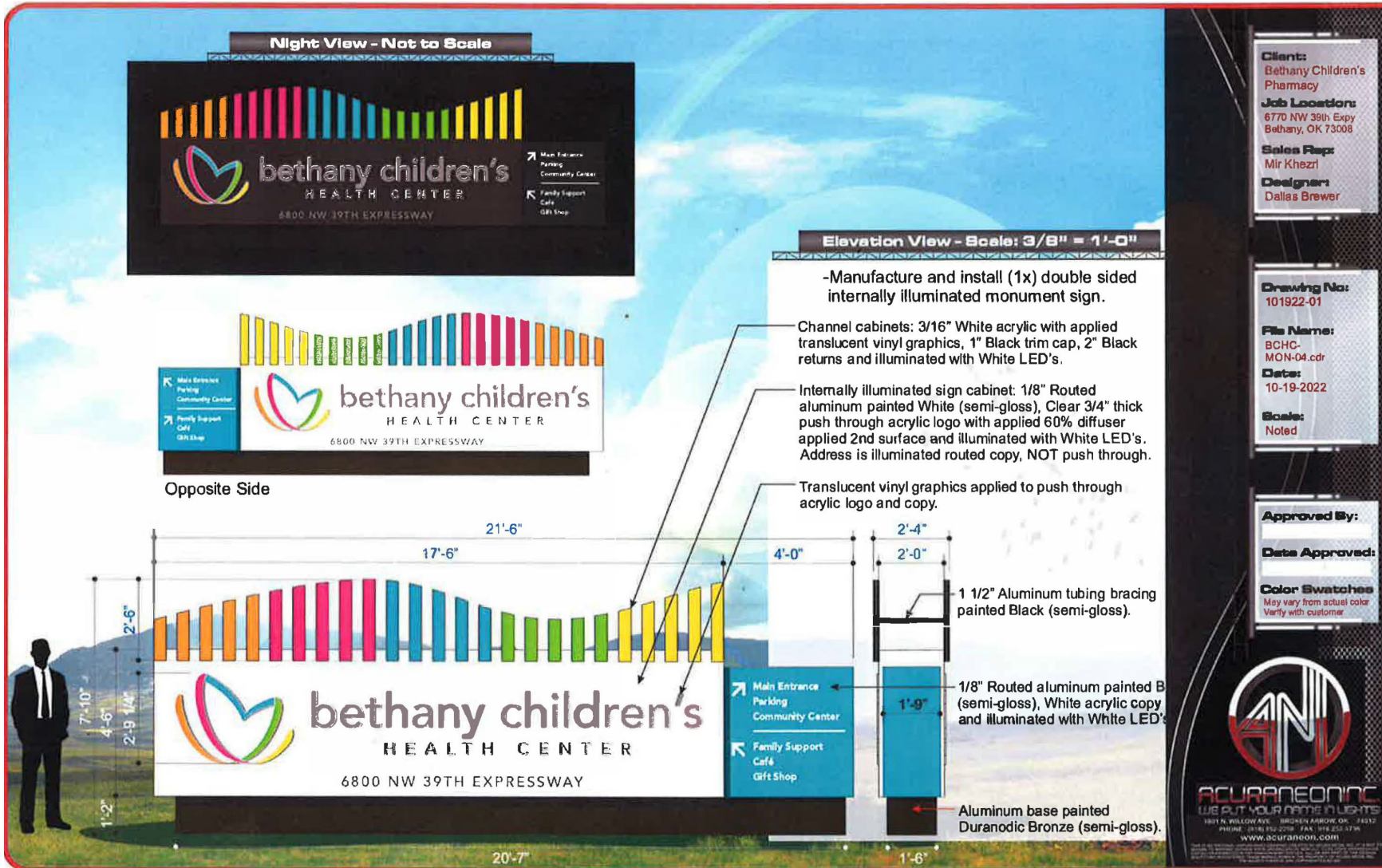


# Aerial Map



# Street View of Site





# Sign Design

# Ordinance & Analysis

## §153.16 – Freestanding Signs

- The applicant is classified as a Large-Scale Tenant.
- Placement of the sign must not conflict with existing setbacks or sight triangle.
  
- The size and design meet ordinance criteria, however, the proposed placement does not.
- The unique nature of the site and driveway prevent the sign from being affixed to a more southern location.

# Ordinance & Analysis

1. Special conditions and circumstances which are peculiar to the land, structure, or building, etc. in the same zoning district;
  - **Applicant:** The desired location for this signage would allow for optimal visibility while also reserving the surrounding areas which will be utilized for future building sites. The existing layout of the center median is curved in such a way as to restrict the placement of the monument sign fully behind the property line.
2. Special conditions and circumstances that do not result from the actions of the applicant;
  - a. **Applicant:** The median was constructed in 2017. Community standards for the treatment and development of medically complex children continues to increase. The land available to the applicant to meet that growing demand is significantly restricted.

# Ordinance & Analysis

3. Granting the variance requested will not convey on the applicant any special privilege that is denied by ordinance to other lands, buildings, etc. in the same zoning district;

- a. Applicant: The requested variance will only affect the real property of the applicant. It will not affect any buildings or structures. The request is being made consistent with the variance process available to all property owners within the city limits and will not convey any special privileges on the applicant.

4. Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms hereof and would work unnecessary and undue hardship on the applicant;

- a. - Applicant: The applicant would incur substantial hardship if applying literal interpretation. The variance will still allow the intent of the ordinance to be met. High visibility of entrance to a business is commonly enjoyed by other properties within the zoning district. In this case, those needing medical care make it especially crucial.

# Analysis Continued

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
  - a. - Applicant: Correct, this is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  
6. The grant of the variance will be in harmony with the general intent and purpose of the ordinance;
  - a. - Applicant: Correct, this variance will be in harmony with the general intent and purpose of the ordinance.
  
7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
  - Applicant: Correct, it would not be injurious to the area involved or the public welfare.