NOTICE: Posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK on Friday, September 4, 2026, on or before 4:30 p.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 accommodation. The City may waive the 48-hour rule if signing is not the necessary accommodation.

AGENDA
CITY OF BETHANY
BOARD OF ADJUSTMENT
September 10, 2026
6:15 P.M.

CALL TO ORDER
INVOCATION
APPROVAL OF MINUTES OF August 13, 2026, MEETING
BOARD OF ADJUSTMENT BUSINESS
EXPLANATION OF PROCEDURE TO AUDIENCE

ITEM 1:BA 26-06

Consider a request by SSS Fence LLC- Guy Kargl, Applicant and Shawn Bledsoe, Property Owner, for a variance at 3100 N Divis to § 158.037 (B)(1)(2) of the Bethany Code of Ordinances, which stipulates that Fences located in side yards of corner lots abutting the front yards of an adjacent lot are restricted to the same height limits as set forth in division (B)(1). In which fences in front yard setback are limited to 4 feet in height; except fences with greater than 20% opacity shall not exceed three feet in height for that portion of a fence located within five feet of the property line, or 17 feet from the edge of the street pavement, whichever distance is greater.

LEGAL DESCRIPTION: ROCKWELL OAKS Block 001 Lot 001

NEW BUSINESS

ADJOURNMENT UNTIL October 8, 2026

MINUTES
CITY OF BETHANY
BOARD OF ADJUSTMENT
AUGUST 13, 2026

MEMBERS PRESENT:	Matt Goodwin, Chair James Fenno, Vice-Chair Wayne Clements
MEMBERS ABSENT:	Keith Burlison Curtis Yates
STAFF PRESENT:	Ray Jones, City Attorney Brett Crecelius, Comm. Dev. Director Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Friday, August 7, 2026 on or before 4:30 p.m.

Matt Goodwin, Chair called the meeting to order and gave the invocation. Motion was made by Wayne Clements, seconded by James Fenno to approve the May 14, 2026 Board of Adjustment minutes as emailed. The votes are as follows: AYE- Matt Goodwin, James Fenno, Wayne Clements. NAY- None. ABSTAIN- None. The motion carried unanimously 3 – 0.

ITEM 1: **BA 26-04**
Consider a request by Boomtown Sign Co, Applicant and Kevin Chambers, Property Owner, for a variance to § 153.16(D)(2)(a)(1) of the Bethany Code of Ordinances, which stipulates that in the CBD district, each tenant shall be allowed one building-mounted sign for each building elevation. At the location of 6800 NW 39th Expy.

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

ACTION: Motion was made by James Fenno, seconded by Wayne Clements to approve the variance request for 6800 NW 39th Expy. The votes are as follows: AYE- Matt Goodwin, James Fenno, Wayne Clements. NAY- None. ABSTAIN- None. The motion carried unanimously 3 – 0.

ITEM 2: **BA 26-05**

Consider a request by Troy Rhodes, Applicant and Bethany First Church of the Nazarene, Property Owner, for a variance to § 153.16 of the Bethany Code of Ordinances, which stipulates that an illuminated sign shall not be located within 150 feet of a residential zoned property. At the location of 6900 NW 41st St.

LEGAL DESCRIPTION: BETHANY CITY ADD BLK 008 LOTS 1 THRU 16 EX S15FT OF LOT 9 THRU 11 and BETHANY CITY ADD BLK 006 LOTS 1 THRU 12 EX S28.5FT EXEMPT

ACTION: Motion was made Wayne Clements, seconded by James Fenno to approve the variance request for 6900 NW 41st St. The votes are as follows: AYE- Matt Goodwin, James Fenno, Wayne Clements. NAY- None. ABSTAIN- None. The motion carried unanimously 3 – 0.

NEW BUSINESS

None.

Matt Goodwin, Chair adjourned the meeting at 6:39 p.m.

City of Bethany – Board of Adjustment

Staff Report

September 10th, 2026

CASE NO: BA 26-06

Request: Consider a request by SSS Fence LLC- Guy Kargl, Applicant and Shawn Bledsoe, Property Owner, for a variance at 3100 N Divis to § 158.037 (B)(1)(2) of the Bethany Code of Ordinances, which stipulates that Fences located in side yards of corner lots abutting the front yards of an adjacent lot are restricted to the same height limits as set forth in division § 158.037 (B)(1).

Legal Description: ROCKWELL OAKS Block 001 Lot 001

Property Zoning: R-1 (Residential One-family)

Proposed Variance: Requesting a variance to § 158.037 (B)(1)(2)

Surrounding Zoning:

Direction	Zoning
North	R-1 (Residential One-family)
South	R-1 (Residential One-family)
East	R-2 (Residential Two-Family)
West	R-1 (Residential One-family)

Background:

In June code enforcement issued a notice of violation because fence work had been performed without first obtaining the required permit. The contractor then applied for a permit. During the review of the application, staff discovered that the proposed project included the replacement of the existing fence with an 8-foot-tall fence extending forward of the building line. Staff informed the applicant that the permit application could not be approved because the proposed fence did not comply with §158.037(B)(1)(2), which stipulates that fences within the front yard setback are limited to 4 feet in height. Additionally, fences with greater than 20% opacity may not exceed 3 feet in height for the portion of the fence located within 5 feet of the property line, or 17 feet from the edge of the street pavement, whichever distance is greater.

However, staff made it clear that because the fence was a legal nonconforming structure, the portion that previously existed could be replaced in its original location and at its original height as it existed prior to removal. Specifically, there is a portion of the rear yard fence that is permitted to be 8 feet in height. Under the City of Bethany Ordinance, the maximum permitted height for a fence is 8 feet; therefore, the proposed height itself is not the issue for that portion of the fence.

The issue is the location where the applicant proposes to install the 8-foot fence. Because the subject property is a corner lot that abuts the front yard of the adjacent property to the east, the fence is subject to the height restrictions applicable to front yard setbacks. Pursuant to § 158.037(B)(1), fences located within a front yard setback are limited to 4 feet in height. Additionally, fences with greater than 20 percent opacity may not exceed 3 feet in height when located within 5 feet of the property line or within 17 feet of the edge of the street pavement, whichever distance is greater.

Therefore, while an 8-foot fence is generally permitted under the ordinance, the proposed location of the fence falls within an area where more restrictive height limitations apply. As a result, staff informed the applicant that the proposed extension of the 8-foot fence beyond the existing legal nonconforming footprint could not be approved.

***Analysis*:**

A variance can be granted only if ALL of the seven conditions listed below have been met. Please provide a statement after each condition indicating how your request meets each condition.

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building in the same zoning district;

a. 3100 North Divis is an existing structure, with an existing fence. 3100 North Divis faces west, and the neighbor to the east (7117 NW 30TH ST) faces south. It would be normal for the back yard fence at 3100 North Divis to be exactly where the existing fence is now. HOWEVER, since 7117 NW 30TH ST faces south, the Bethany Permit Department is digging in their heels and saying the fence is blocking a sightline from the driveway of 7117 NW 30TH ST. The fence is absolutely NOT blocking a sightline from the driveway of 7117 NW 30TH ST. In fact, the sightline is actually blocked by telephone pole equipment and a junction box!

(2) The special conditions and circumstances do not result from the actions of the applicant;

a. SSS Fence is the applicant. We are a fence contractor. We did not build the property at 3100 North Divis, or the property at 7117 NW 30TH ST, or the existing fence.

(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;

a. The existing fence has been there for 30 years or more, and nobody has complained. The proposed 57-foot extension will not cause any trouble, as it is parallel with the south wall of the home, and is 17 feet from the curb (36 feet from the centerline of the street). Raising the height of the existing fence on the east side of the property, from 6-feet tall to 8-feet tall. Again, this would NOT further block any sightline from NW 30th, Divis, OR the driveway of 7117 NW 30th ST. The property owner at 7117 NW 30th ST says she WANTS the fence extended to 8-feet tall, because it would help keep the sun out of her house, and the existing fence does not block her view when backing out of her driveway, and extending the existing 6-feet tall fence to 8-feet tall would make NO DIFFERENCE in her view when backing out of her driveway.

(4) Literal interpretation of the provisions of the code 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. There would be no unnecessary and undue hardship on the applicant.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

a. True!

(6) The grant of the variance will be in harmony with the general intent and purpose hereof; and

(7) YES! This is what I have been saying from the beginning. The INTENT of the ordinance is what we are asking for!

(8) Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

a. Not at all! The existing fence has been there for 30 years or more, and nobody has been injured or is otherwise detrimental to the public welfare! The proposed 57 foot extension would be parallel with the south wall of the home, and would not cause any problems at all!

***Required Action*:** Hold a public hearing to either grant or deny a variance to § 158.037 (B)(1)(2) of the Bethany Code of Ordinances at 3100 N Divis Ave.

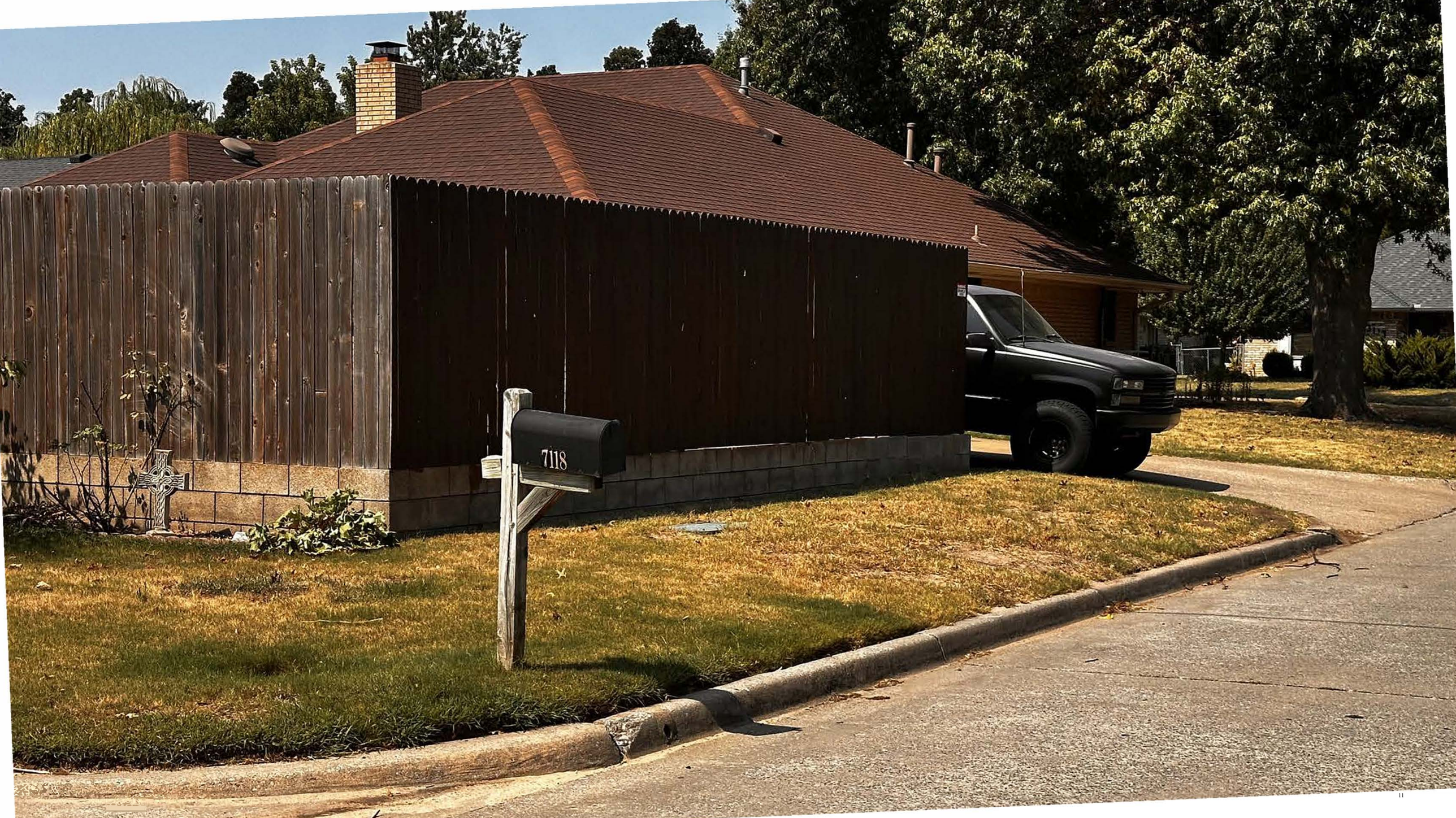
***Attachments*:**

- Photos
- Aerial Photograph
- Zoning Map
- Application
- Owners List
- Public Notification







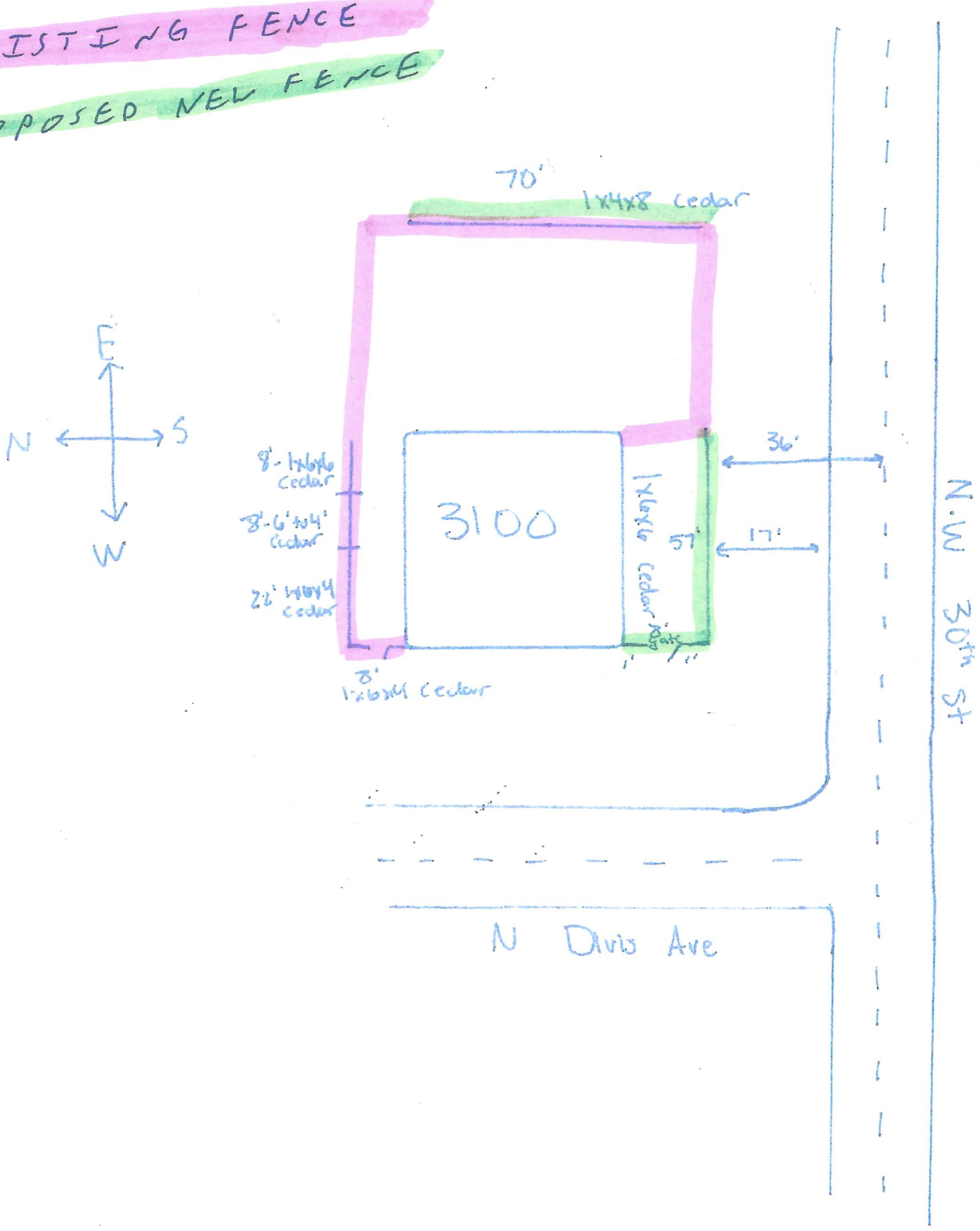

7118

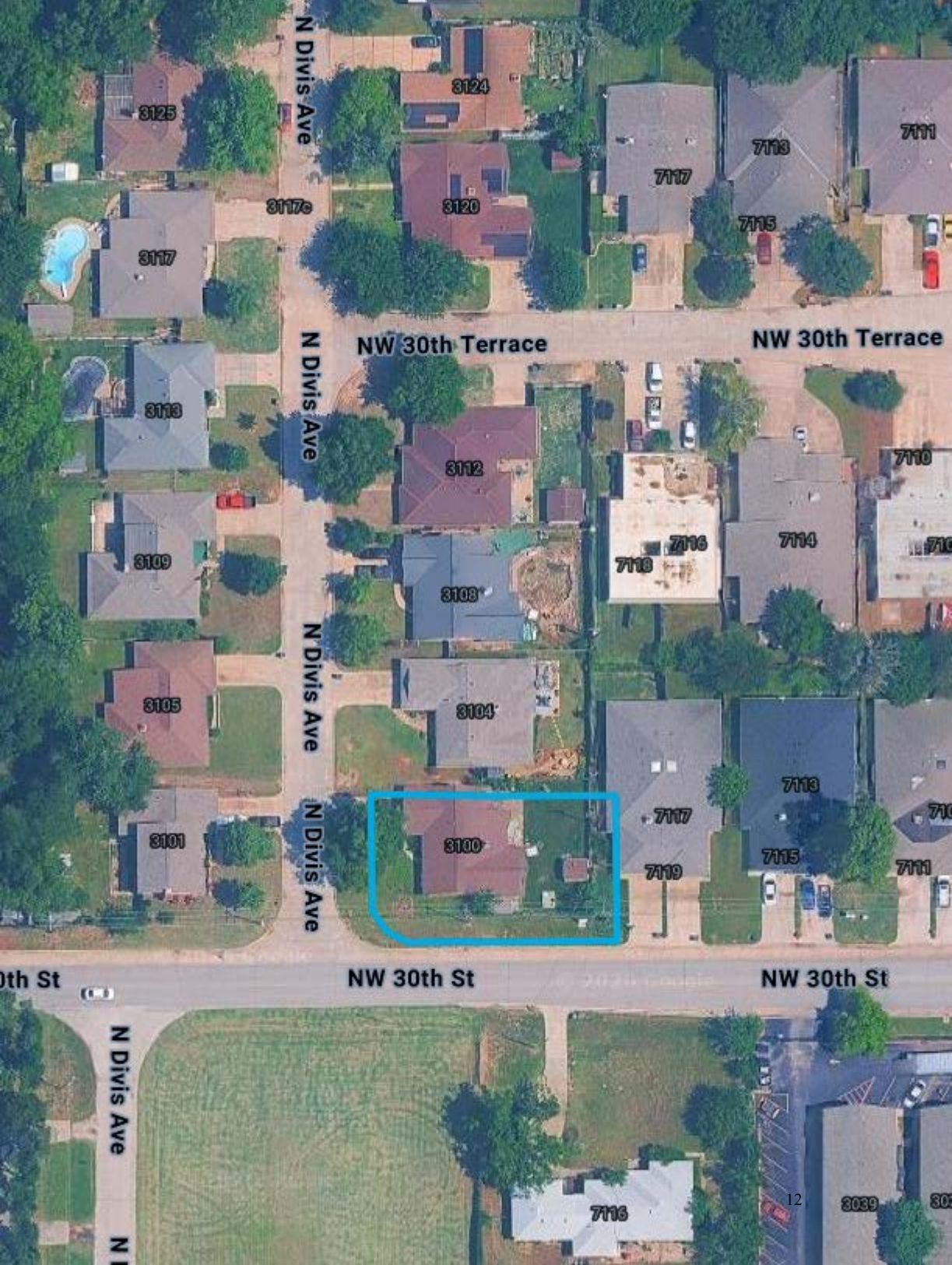
3100 N Divis Ave
Bethany, OK 73008

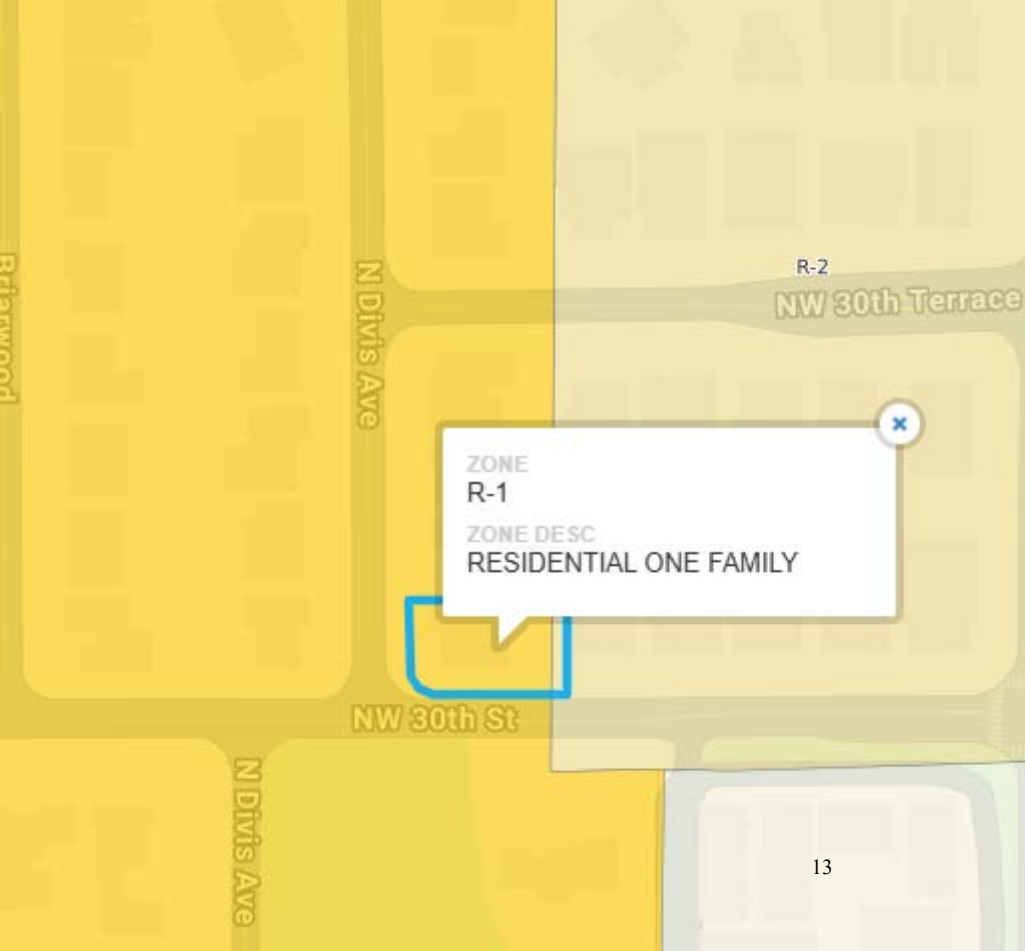
REV 7

EXISTING FENCE

PROPOSED NEW FENCE




N Divis Ave
3124
3125
3120
3117c
3117
7111
7113
7117
7115
NW 30th Terrace
NW 30th Terrace
3113
3112
3109
3108
7116
7118
7114
7110
3105
3104
3101
3100
7117
7113
7115
7119
7111
NW 30th St
NW 30th St
N Divis Ave
7116
3039


Briarwood
N Divis Ave
R-2
NW 30th Terrace
ZONE
R-1
ZONE DESC
RESIDENTIAL ONE FAMILY
NW 30th St
N Divis Ave

FILE #: 26-001250
PERMIT #: BOA26-000001
ADDRESS: 3100 N DIVIS AVE, BETHANY, OK 73008
DESCRIPTION: 3100 North Divis fence on NW 30th Street

Permit Type Board of Adjustment	Application Date 07/06/2026
Subtype Variance	Approval Date
Work Description 3100 North Divis fence on NW 30th Street	Issue Date
Applicant SSS Fence LLC - Guy Kargl [redacted] Home Address: [redacted] Mailing Address: [redacted] Primary Phone: [redacted] Cell Phone: [redacted]	Expiration Date
Status Payment Required	Close Date

REQUEST FOR VARIANCE DETAILS

APPLICANT INFORMATION
Are you the recorded property owner?
No
Recorded Property Owner Name
Shawn Bledsoe
Recorded Property Owner Mailing Address
3100 North Divis Avenue
Recorded Property Owner Phone Number
[redacted]
Recorded Property Owner Email Address
[redacted]
GENERAL INFORMATION
Property Type
Residential
Ordinance Number
Unknown
State what is the variance requested, giving distances where appropriate.
3100 North Divis fence on NW 30th Street. We simply want to add a 57-foot extension of the EXISTING FENCE, running parallel to NW 30th Street. The fence line is 17 feet from the curb, and 36 feet from the centerline of the street. The existing fence is 6-foot tall privacy fence, and we want to go back with the same material (6-foot tall privacy fence). This 57-foot extension runs parallel with the south wall of the residential building, and would NOT block any sightline from NW 30th or Divis. We also want to raise the height of the existing fence on the east side of the property, from 6-feet tall to 8-feet tall. Again, this would NOT further block any sightline from NW 30th, Divis, OR the driveway of 7117 NW 30th ST. The property owner at 7117 NW 30th ST says she WANTS the fence extended to 8-feet tall, because it would help keep the sun out of her house, and the existing fence does not block her view when backing out of her driveway, and extending the existing 6-feet tall fence to 8-feet tall would make NO DIFFERENCE in her view when backing out of her driveway.
A variance can be granted only if ALL of the seven conditions listed below have been met. Please provide a statement after each condition indicating how your request meets each condition.
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.
3100 North Divis is an existing structure, with an existing fence. 3100 North Divis faces west, and the neighbor to the east (7117 NW 30TH ST) faces south. It would be normal for the back yard fence at 3100 North Divis to be exactly where the existing fence is now. HOWEVER, since 7117 NW 30TH ST faces south, the Bethany Permit Department is digging in their heels and saying the fence is blocking a sightline from the driveway of 7117 NW 30TH ST. The fence is absolutely NOT

blocking a sightline from the driveway of 7117 NW 30TH ST. In fact, the sightline is actually blocked by telephone pole equipment and a junction box!
The special conditions and circumstances do not result from the actions of the applicant.
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 existing fence has been there for 30 years or more, and nobody has complained. The proposed 57-foot extension will not cause any trouble, as it is parallel with the south wall of the home, and is 17 feet from the curb (36 feet from the centerline of the street). Raising the height of the existing fence on the east side of the property, from 6-feet tall to 8-feet tall. Again, this would NOT further block any sightline from NW 30th, Divis, OR the driveway of 7117 NW 30th ST. The property owner at 7117 NW 30th ST says she WANTS the fence extended to 8-feet tall, because it would help keep the sun out of her house, and the existing fence does not block her view when backing out of her driveway, and extending the existing 6-feet tall fence to 8-feet tall would make NO DIFFERENCE in her view when backing out of her driveway.
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.
There would be no unnecessary and undue hardship on the applicant.
The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
True!
The grant of the variance will be in harmony with the general intent and purpose of the ordinance.
YES! This is what I have been saying from the beginning. The INTENT of the ordinance is what we are asking for!
Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
Not at all! The existing fence has been there for 30 years or more, and nobody has been injured or is otherwise detrimental to the public welfare! The proposed 57 foot extension would be parallel with the south wall of the home, and would not cause any problems at all!
DOCUMENTS
Legal Description of Property
WP50 Oklahoma County Assessor Real Account Detail.pdf
Please note the Plot plan should include 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 also be shown.
Plot Plan
3100 N Divis REV 7.pdf
List of Property Owners Within 300 Feet of the exterior boundaries of subject property
Neighbors.xlsx
Property Owner Signature giving expressed permission for applicant to make this application.
3100 N Divis REV 7.pdf
Additional Documents
3100 N Divis REV 7.pdf
Can You See The Two Cars.jpeg
Existing Fence.jpeg
Fence Extension Will NOT Further Block Sightline 1 of 2.jpeg
Fence Extension Will NOT Further Block Sightline 2 of 2.jpeg
Intersection.jpeg
Not Enforced 1 of 2.jpeg
Not Enforced 2 of 2.jpeg
Fence Variance Letter Bledsoe.pdf
ACKNOWLEDGEMENT
I understand for my application to be heard at the next Board of Adjustment meeting, the completed application, accompanying information, and filing fees must be submitted before 12:00 noon the day of the deadline.
Checked
I (we) certify that all the above statements and the statements contained in any plans submitted herewith are true to the best of my (our) knowledge and belief.
Checked
SIGNATURE
Applicant Signature

FEES

Fee	Description	Quantity	Amount	Total
Notice of Public Hearing				$250.00
Residential Variance Fee				$344.00
			Plan Check Fees	$594.00
			Permit Fees	$0.00
			Total Fees	$594.00

PAYMENTS

[redacted]

Amount Paid $594.00

Balance Due $0.00

Neighbor Name	Address
LEE WILLIAM F III	7117 NW 30TH ST
BROWN TIMOTHY A & W DARLENE	3104 N DIVIS AVE

BOARD OF ADJUSTMENT APPLICATION NOTIFICATION

DATE: 8/24/26 **(MAP ON BACK)**

Dear Property Owner:

A. Board of Adjustment Application

1. Case No.: BA 26-06
2. Location of Property: 3100 N Divis Ave
3. Legal Description: ROCKWELL OAKS Block 001 Lot 001
4. Present Zoning: R-1 (Residential One-family)

5. Nature of Application: Consider a variance to§ 158.037 (B)(1)(2) of the Bethany Code of Ordinances, which stipulates that Fences located in side yards of corner lots abutting the front yards of an adjacent lot are restricted to the same height limits as set forth in division (B)(1). In which fences in front yard setback are limited to 4 feet in height; except fences with greater than 20% opacity shall not exceed three feet in height for that portion of a fence located within five feet of the property line, or 17 feet from the edge of the street pavement, whichever distance is greater.
6. Bethany Ordinance in Question: §158.037 (B)(1)(2)

B. Hearing Schedule

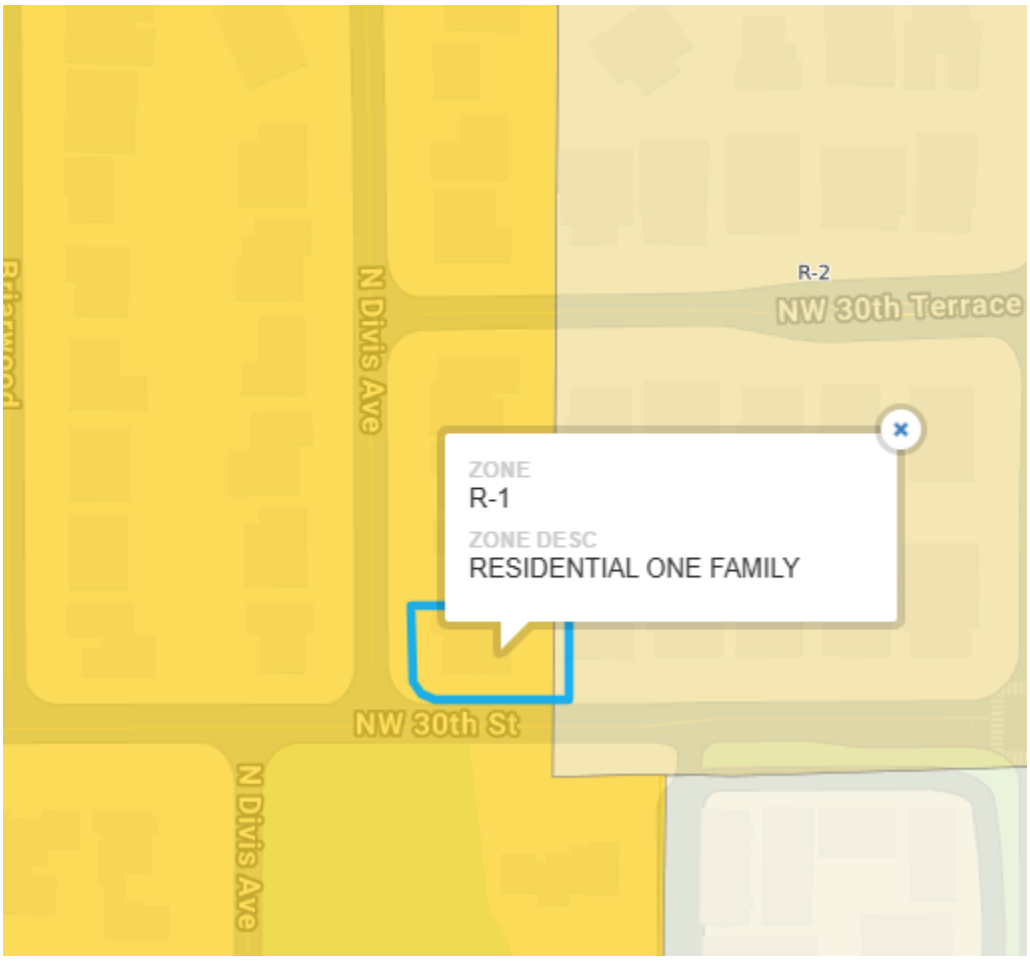
An application has been filed asking for the above-mentioned relief.

The Bethany Board of Adjustment will conduct a public hearing on September 10th, 2026, at 6:15 P.M. concerning the application. At this hearing, any interested citizen will be given the opportunity to speak to the Board concerning the proposed action. Any action taken by the Board will be final except by appeal to District Court. **IF YOU HAVE AN OPINION ON THE APPLICATION, YOU SHOULD ATTEND THIS HEARING.**

C. Location of Hearings

The Bethany Board of Adjustment will during its regular session hold a public hearing at Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008

D. Map


R-2
NW 30th Terrace
N Divis Ave
ZONE
R-1
ZONE DESC
RESIDENTIAL ONE FAMILY
NW 30th St
N Divis Ave