

MINUTES
BOARD OF ADJUSTMENT
6:00 P.M. THURSDAY, FEBRUARY 14, 2019
COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET
JENKS, OKLAHOMA 74037

The Jenks Board of Adjustment was called to order at 6:03 p.m. on February 14, 2019, at Jenks City Hall by Chair Shari Keathley. A roll call vote was taken as follows:

Present

Gina Wilson
Larry Hengst
Paul Greek
Erik Enyart
Chair Shari Keathley

Absent

None

Staff Present

Jim Beach
Brandon Macy

Request to approve minutes of January 17, 2019. Gina Wilson made a motion to approve the minutes of January 17, 2019. Paul Greek seconded the motion. A roll call vote of members was taken as follows:

YEA: Wilson, Hengst, Greek, Enyart, Keathley

NAY: None

Motion carried.

Old Business

1. **JBOA-419: Request by Zoya Allen for a variance of the required fence setback. General Location: 2601 E. 137th Street S**

Jim Beach presented his staff report. Erik Enyart recused himself due to a conflict of interest. Zoya and Mark Allen addressed the Board about their application and answered questions. Paul Greek made a motion to approve JBOA-419 granting a variance of the required fence setback from 45 feet to 25 feet finding that the following facts, favorable to the property owner, have been established:

- A. That by the reasons of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the code would result in unnecessary hardship.
 - B. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.
 - C. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of the code, or the comprehensive plan.
 - D. Any variance granted shall be the minimum amount needed to provide relief.
- Larry Hengst seconded the motion. A roll call vote of members was taken as follows:

YEA: Wilson, Hengst, Greek, Keathley
NAY: None

Motion carried.

New Business

1. **JBOA 19-01: Request by Green Spaces Outdoor for a variance of required rear yard to permit extension of covered patio. General Location: 2106 W 117th Pl S.**

Jim Beach presented his staff report. Tyler from Green Scapes Outdoor gave information about the application to the Board and answered questions. Jerod McCaw [HOA President – Elwood Park] spoke in favor of application. Erik Enyart made a motion to approve JBOA 19-01 (file subsequently renamed JBOA 19-422) granting a variance of the required rear yard setback finding that the following facts, favorable to the property owner, have been established:

- A. That by the reasons of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the code would result in unnecessary hardship.
 - B. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district.
 - C. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of the code, or the comprehensive plan.
 - D. Any variance granted shall be the minimum amount needed to provide relief.
- . Gina Wilson seconded the motion. A roll call vote of members was taken as follows:

YEA: Wilson, Hengst, Greek, Enyart, Keathley
NAY: None

Motion carried

Other Business.

Adjournment. The Jenks Board of Adjustment adjourned at 6:41 p.m.