

**MINUTES**  
**BOARD OF ADJUSTMENT**  
**7:00 P.M., THURSDAY, JANUARY 7, 2016**  
**COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET**  
**JENKS, OKLAHOMA**

Members Present

Paul Greek  
Gina Wilson  
Shari Keathley

Members Absent

Steve Murtha  
Larry Hengst

Staff Present

Robert Bell

The Jenks Board of Adjustment was called to order at 7:02 p.m. on Thursday, January 7, 2016, at Jenks City Hall by Chairman Shari Keathley, and following a roll call a quorum was declared present.

Chairman Shari Keathley requested a review of the minutes from December 3, 2015, Board of Adjustment meeting and asked if there were any corrections or omissions. There were no comments of corrections to the minutes of December 3, 2015. Chairman Shari Keathley declared the minutes approved as written.

**BOARD CASES**

1. JBOA-385 (0873) Request by John Hewitt for an approval of a Variance to Section 430 of the Jenks Zoning Code allowing an encroachment of up to 10 feet in the rear yard of property described as:

Lot 8, Block 6, "Country Meadows", a subdivision of the City of Jenks, Tulsa County, Oklahoma.

General Location: 2891 East 140th Place South.

Robert Bell addressed the Board and stated the subject property is located within the boundaries of the Country Meadows subdivision. Reserve B of the subdivision is located to the east. This reserve is recognized as a part of the stormwater management for the development and is located within the boundaries of the 100 year floodplain. The RS-1 Zoning District specifies each lot shall maintain a 25 foot setback from the rear property line. The subject property is located within the cul-de-sac of East 140<sup>th</sup> Place. The area behind the subject property is within the 100 year floodplain. The depth of the property is deceiving in that the side property lines are at angles from the public right-of-way. The side property line is designated as 118.23 feet. However, the

depth of the property from the road right-of-way is just less than 100 feet. With consideration of the radius of the cul-de-sac from the front building line and the required rear yard, the building area for the lot is constrained to less than 40 feet in depth. The existing residence appears to intermittently encroach within the required rear yard along the south 75 percent of the structure. The proposed addition would expand this encroachment to be no closer than 15 feet of the rear line. The applicant has provided a site plan showing that the location of the structure and where it encroaches into the rear building line setbacks. The plan submitted honors the required setbacks along the roadway and on the side property line. The property to the east is undevelopable due to the floodplain characteristics of the tract. A 15 foot utility easement is located along the rear line of the subject property. This subdivision was created in the late 1970s, and the existing house was built in 1980.

Steve Murtha was declared present at the meeting at 7:06 p.m.

The original design of the parcel does not support a building site and is definitely not conducive to modern design techniques and standards. The variance is considered a minimal request to provide relief to the shape of the lot and the impact of the public road and the depth of the lot. The requested variance does not create any impact upon adjacent properties, and since the front and side setbacks are being maintained the variance has no effect or welfare on the neighborhood. The variance shall also recognize the existing encroachment and area of the new addition. Robert Bell showed where the encroachments are located, the rear property line, reserve area, etc. Staff is supportive of the application and notes that an extraordinary exceptional condition as related to the shape of the lot and recommends that the variance be approved as submitted. Chairman Shari Keathley asked John Hewitt to come forward and speak to the Board about his application. John Hewitt addressed the Board and stated we have wanted to do the addition for a long time, but only when we turned in the permit did we actually realize our existing house was already encroaching on the zoning. In talking with Mr. Bell he said what really should happen even though it does not appear that we are impacting any other properties with what we are wanting to do, for future purposes of lending or someone wanting to finance the home it would be better to go through this procedure of making an official variance application to clean up what has been in violation for 30 years now. Chairman Shari Keathley asked if anyone was present to speak in favor of or opposition to the proposal. There was no one in the audience to come forward. Chairman Shari Keathley closed the floor. Paul Greek made a motion to approve JBOA-385 as recommended by Staff. Seconded by Gina Wilson.

A roll call vote was as follows:

Steve Murtha	Yes
Paul Greek	Yes
Gina Wilson	Yes

Shari Keathley

Yes

Motion carried.

Adjournment. A motion was made to adjourn. Meeting adjourned at 7:12 p.m.