



City of Enid  
401 W. Owen K. Garriott Road  
Enid, Oklahoma 73701  
580-234-0400

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BOARD OF ADJUSTMENT

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NOTICE OF MEETING

Notice is hereby given that the Enid Board of Adjustment will meet in regular session at 4:00 p.m. on the 11th day of February, 2020, in the Lower Level Conference Room in the basement of the City Administration Building, located at 401 W. Owen K. Garriott Road, Enid, Oklahoma, and the agenda for said meeting is as follows:

- AGENDA -

BOARD OF ADJUSTMENT

1. CALL TO ORDER/ROLL CALL.
2. ADMINISTRATION.
  1. CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF JANUARY 14, 2020.
3. VARIANCES.
  1. HEAR THE APPEAL OF JESSY DERSHEM WITH NORTHWEST OKLAHOMA BLOOD INSTITUTE REQUESTING A VARIANCE FOR THE FRONT YARD SETBACK LOCATED AT 301 EAST CHEROKEE WHICH IS ALSO KNOWN AS LOTS 5-16, BLOCK 38, TOWNSITE OF ENID. THE PROPERTY IS ZONED C-3 GENERAL COMMERCIAL DISTRICT.
4. ADJOURN.

**Board of Adjustment**

**2. 1.**

**Meeting Date:** 02/11/2020

**Submitted By:** Karla Ruther, Assistant City Planner

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**SUBJECT:**

**CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF JANUARY 14, 2020.**

**BACKGROUND:**

**RECOMMENDATION:**

**PRESENTER:**

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**Attachments**

1-14-2020 Draft BOA Minutes

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# DRAFT

MINUTES OF REGULAR MEETING OF  
THE BOARD OF ADJUSTMENT OF THE CITY OF ENID, OKLAHOMA,  
HELD ON THE 14TH DAY OF JANUARY 2020

The Board of Adjustment of the City of Enid, County of Garfield, State of Oklahoma, met in regular meeting in the Lower Level Conference Room of the Administration Building of the City of Enid, located at 401 West Owen K. Garriott Road in said city, at 4:00 P.M. on the 14th day of January 2020, pursuant to notice given by January 13, 2020 to the Clerk of the City of Enid, and pursuant to notice thereof displayed at the entrance to the Administration Building of said city, in prominent view and which notice was posted prior to 4:00 P.M. on the 13th day of January 2020.

Present: Jessica Edwards; Tillie Sewell; Michael Shuck; Taylor Venus  
Absent: John Arend  
Also Present: Chris Bauer, Planning Administrator  
Scott Morris, Assistant City Manager

## CALL TO ORDER/ROLL CALL.

## ADMINISTRATION.

## CONSIDER APPROVAL OF MINUTES OF THE REGULAR BOARD OF ADJUSTMENT MEETING OF NOVEMBER 12, 2019.

Motion was made by Taylor Venus, seconded by Michael Shuck to approve the minutes.

AYE: Jessica Edwards, Michael Shuck, Tillie Sewell, Taylor Venus  
Passed

## VARIANCES.

## HEAR THE APPEAL OF RONALD MONGOLD REQUESTING A VARIANCE TO THE ALLOWABLE ACCESSORY SQUARE FOOTAGE LOCATED AT 819 WEST ELM.

Motion was made by Taylor Venus, seconded by Jessica Edwards to deny variance, based on a 1,600 square foot accessory building is 150% larger than what is allowed for a lot with less than one-fourth acre.

There were no objections received. The Board discussed the property is peculiar in that it is located across the alley from C-O Commercial Office District. The property is small relative to the applicant's home occupation of restoring multiple Volkswagens at the same time, welding fabrication and concrete business. A Home occupation is not allowed to change the character of the residential dwelling or property.

Jimmy Nicholas asked how much accessory square footage was allowed and if access will be off the alley. Also, he asked why the applicant did not get a building permit? The maximum allowable square footage is 650 square feet. The applicant explained he tried five times to get a permit and was

told no each time.

AYE: Jessica Edwards, Michael Shuck, Taylor Venus

NAY: Tillie Sewell

Passed

**ADJOURN.**

Motion was made by Michael Shuck, seconded by Taylor Venus to adjourn.

The meeting adjourned at 5:00 pm.

AYE: Jessica Edwards, Michael Shuck, Tillie Sewell, Taylor Venus

Passed

**Board of Adjustment**

**3. 1.**

**Meeting Date:** 02/11/2020

**Submitted By:** Karla Ruther, Assistant City Planner

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**SUBJECT:**

**HEAR THE APPEAL OF JESSY DERSHEM WITH NORTHWEST OKLAHOMA BLOOD INSTITUTE REQUESTING A VARIANCE FOR THE FRONT YARD SETBACK LOCATED AT 301 EAST CHEROKEE WHICH IS ALSO KNOWN AS LOTS 5-16, BLOCK 38, TOWNSITE OF ENID. THE PROPERTY IS ZONED C-3 GENERAL COMMERCIAL DISTRICT.**

**BACKGROUND:**

This appeal concerns a small addition to the Northwest Oklahoma Blood Institute located at 301 East Cherokee. The existing building projects approximately 12 feet into the required front yard setback (i.e. 1,032 square feet) along Cherokee. The applicant is seeking a variance that will allow an additional 300 square feet in the required setback.

Section 11-7D-4: SITE DESIGN REQUIREMENTS: B. Yards: 1. Front Yard: The minimum depth of the front yard shall be twenty five feet (25'), measured from the front property line. See attached site plan.

A variance may be granted upon the Board of Adjustment finding that:

- 1. The application of this title to the particular piece of property would create an unnecessary hardship;**
- 2. Such conditions are peculiar to the particular piece of property involved;**
- 3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this title or the comprehensive plan; and**
- 4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.**

Any person or persons applying to the Board of Adjustment for a variance shall have the burden of showing that all the criteria above have been met. Please see the attached application for the applicant's response to the criteria.

**RECOMMENDATION:**

Consider the variance.

**PRESENTER:**

Chris Bauer, Planning Administrator.

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**Attachments**

Location map & site plan  
BOA application

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E Maine St

C-3

C-3

C-3

C-3

C-3

E Cherokee

Railroad Ave

C-3

C-3

S 3rd St

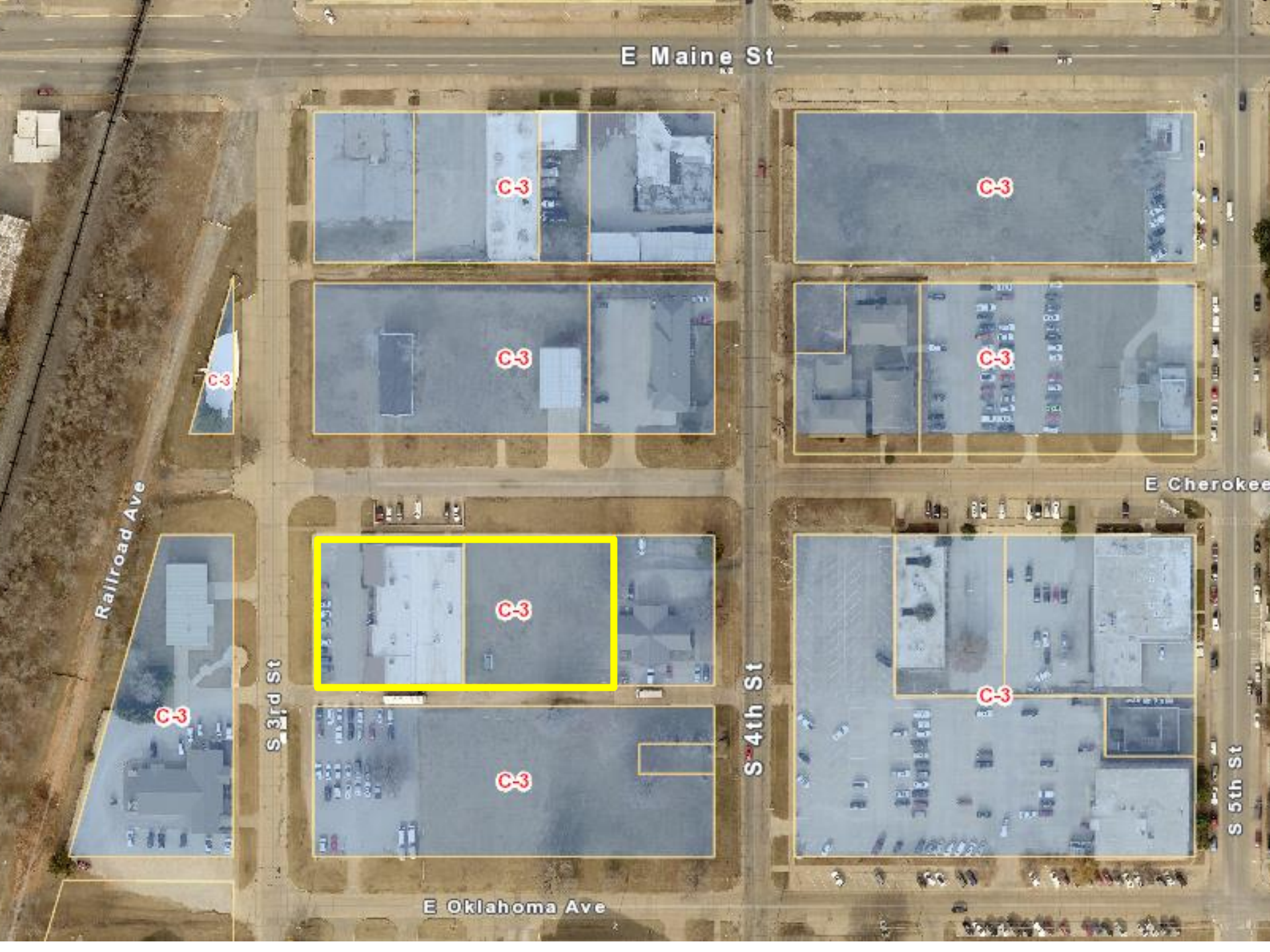
S 4th St

S 5th St

C-3

C-3

E Oklahoma Ave





E Cherokee Ave



S 3rd St

S 4th St



EAST CHEROKEE AVENUE

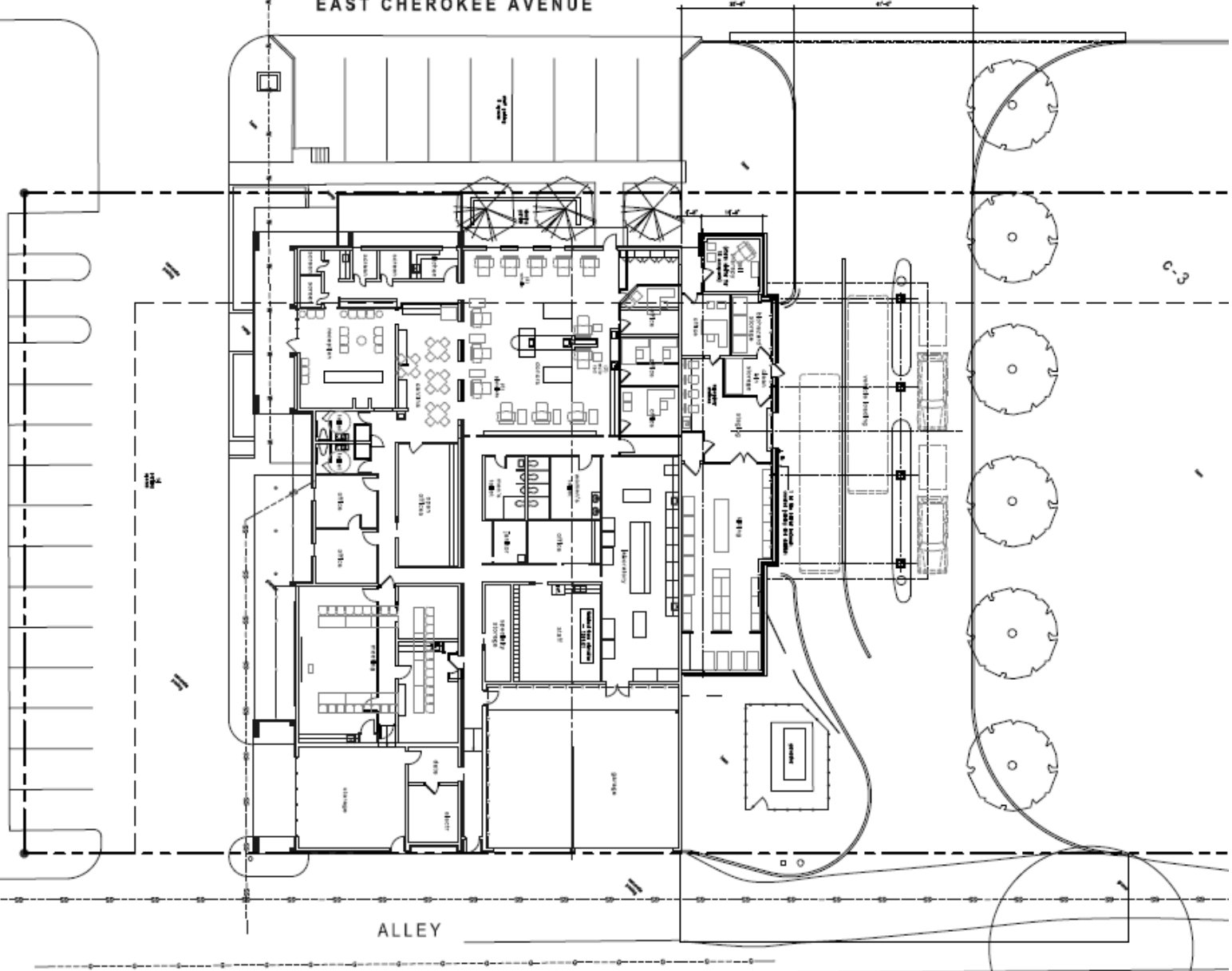
ALLEY

SOUTH THIRD STREET



D

site plan  
1/8" = 1'-0"







Planning & Zoning Department  
Chris Bauer, Planning Administrator  
[cbauer@enid.org](mailto:cbauer@enid.org)  
580-616-7217  
PO Box 1768, 401 West Garriott  
Enid OK 73702

## Zoning Variance Petition

**(Due to Community Development 15 days prior to Zoning Board of Adjustment meeting date)**

For Board of Adjustment meeting dates visit <http://www.enid.org/index.aspx?page=383>.

1. I, or We, hereby petition the ZONING BOARD OF ADJUSTMENT for a variance to the following provision(s) of the City of Enid Ordinance, Section(s) \_\_\_\_\_

\_\_\_\_\_

2. The Burden of Proof: Any persons applying for a variance shall have the burden of showing that all of the following factors described below have been met. The applicant must respond to each. Additional pages may be added.

A. The application of the ordinance to the particular piece of property would create an unnecessary hardship; \_\_\_\_\_

\_\_\_\_\_

B. Such conditions are peculiar to the particular piece of property involved; \_\_\_\_\_

\_\_\_\_\_

C. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan; and \_\_\_\_\_

\_\_\_\_\_

D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

\_\_\_\_\_

\_\_\_\_\_

3. I, or we have attached a site plan of the proposed construction.

4. Address and/or general location of property: \_\_\_\_\_

5. Legal description of site: \_\_\_\_\_

6. Zoning classification of property: \_\_\_\_\_

7. Please provide zoning variance petition application and a list containing the names and mailing addresses of all owners of property lying within 300 feet of the exterior boundary of the subject property, as certified by a licensed and bonded abstracting company, or title insurance to [kruther@enid.org](mailto:kruther@enid.org).

8. Send \$100.00 fee to Karla Ruther at the address above or if you prefer to pay electronically, contact the City Clerk at (580) 616-1815.
9. **NOTE:** For a height variance written approvals from Vance Air Force Base, Enid Woodring Regional Airport and a FAA Determination of No Hazard to Air Navigation are required prior to an item being placed on the agenda.

10. Applicant's signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_ Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Cell phone: \_\_\_\_\_

Section 11-3-10

Appeal Process:

Appeal to the Garfield County District Court by filing a Notice of Appeal with the City Clerk and the Secretary of the Board of Adjustment within ten (10) days of the decision or order of the Board of Adjustment.

If you have any questions, please contact Community Development at (580) 616-7218

THANK YOU!