



BOARD OF ADJUSTMENT AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

February 17, 2026 - 5:00 PM

Jess Huskey - Chair

Tammy Cook

Cy Valanejad

Frank Young

Charles McDade

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion and consideration and possible action to approve the minutes of the December 16, 2025, Board of Adjustment meeting.
2. (BA-0425) Public hearing, discussion, consideration, and possible action of an application for a special exception to the Midwest City Zoning Ordinance, Section 7.8.2 – Powers Relative to Special Exceptions (G), Provide for fencing in front of front and side setback building lines – concerning the requirement for fence placement and height in front yard areas, for property located at **1295 North Midwest Boulevard** (Mid-America Park).

C. NEW BUSINESS/PUBLIC DISCUSSION.

D. FURTHER INFORMATION.

E. ADJOURNMENT.

**MINUTES OF MIDWEST CITY BOARD OF ADJUSTMENT REGULAR MEETING
December 16, 2025 – 5:00 P.M.**

This regular meeting of the Midwest City Board of Adjustment was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 16, 2025. The following members were present:

Present: Jess Huskey, Chair
 Frank Young
 Cy Valanejad

Absent: Charles McDade
 Tammy Cook

Staff present: Matt Summers – Community Development Director
 Brylee Hester – Planner I
 Zamy Darthard – Planner II
 Don Maisch – City Attorney

A. CALL TO ORDER:

The meeting was called to order by Huskey at 5:01 P.M.

B. MINUTES:

A motion was made by Young, seconded by Valanejad, to approve the minutes of the meeting of November 18, 2025, as presented.

Voting aye: Young, Valanejad & Huskey
Nay: none.
Motion carried.

C. ANNOUNCEMENTS:

None

D. NEW MATTERS:

1. (BA-423) Public hearing, discussion, consideration, and possible action of any possible amendment of an application for a variance to the Midwest City Zoning Ordinance Section 5.7.7(F) – Accessory Structures in Residential Zoning Districts – concerning the location of accessory structures within rear yards for the property located at 6701 SE 5th St.

Brylee Hester presented the staff report. Young asked about utility easements, trees, or fences. Valanejad asked about the layout of the existing structures on the subject property.

The applicants, David & Leslie Weiss, were present and addressed the Board.

A motion was made by Valanejad, seconded by Young, to approve the request because all four criteria for a variance were met.

Voting aye: Young, Valanejad, & Huskey
Voting nay: None.
Motion carried.

E. BOARD DISCUSSION: None

F. PUBLIC DISCUSSION: None.

G. FURTHER INFORMATION: None.

H. ADJOURN: A motion was made by Young, seconded by Valanejad, to adjourn the meeting.

Voting aye: Young, Valanejad, & Huskey
Nay: none.
Motion carried.

The meeting adjourned at 5:20 P.M.

JESS HUSKEY, Chairperson
(MS)

To: Chairman & Board of Adjustment

From: Brylee Hester, Planner I

Date: February 17, 2026

Subject: (BA-0425) Public hearing, discussion, consideration, and possible action of an application for a special exception to the Midwest City Zoning Ordinance, Section 7.8.2 – Powers Relative to Special Exceptions (G), Provide for fencing in front of front and side setback building lines – concerning the requirement for fence placement and height in front yard areas, for property located at **1295 North Midwest Boulevard** (Mid-America Park).

Executive Summary:

The Applicant is requesting consideration of a special exception to permit a 10-foot black vinyl-coated chain-link fence forward of the front building line at 1295 North Midwest Boulevard (Mid-America Park). The subject property is zoned R-6, and the current land use is community recreation. According to the Oklahoma County Assessor, the property is thirty-one (31) acres.

The Applicant is seeking approval of this special exception request to install the aforementioned fence in conjunction with the construction of a public basketball court. The proposed fence is intended to enhance public safety by containing balls within the court, reducing conflicts with adjacent rights-of-way, and providing security for an active recreation facility. Its height is considered appropriate for public-level play and meets the specific needs of the facility.



Staff complied with all state and local notification requirements regarding this application. At the time the staff report was written, staff has not received any public inquiries regarding this request.

Staff recommends approval of this special exception request subject to compliance with Section 7.8.2(G).

Action is at the discretion of the Board of Adjustment.

Date(s) of Hearing:

Board of Adjustment: February 17, 2026

Date of Pre-Application Meeting: May 5, 2025

Council Ward: Ward 5, Sara Bana

Owner: City of Midwest City

Applicant: Carrie Evenson, Assistant Public Works Director

Zoning Districts:

Area of Request: R-6
North: C-1 and R-HD
South: PUD, C-1, and R-6
East: R-6 and R-HD
West: R-6

Land Use:

Area of Request: Public Park
North: Church and Apartment Complex
South: Apartment Complex, Public Trail, and Single-Family Detached Residential
East: Vacant and Apartment Complex
West: Single-Family Detached Residential

Municipal Code Citation:

7.8- Special Exceptions

7.8.1. Purpose.

The Board of Adjustment is authorized to hear and decide special exceptions to the Zoning Ordinance to allow a use, or a specifically designated element associated with a use, which is not permitted by right in a particular district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment, where specifically authorized by the Zoning Ordinance in 7.8.2. Powers Relative to Special Exceptions (below) and in accordance with the substantive and procedural standards of the Zoning Ordinance.

7.8.2. Powers Relative to Special Exceptions.

Upon appeal, the Board of Adjustment is hereby empowered to permit the following special exceptions:

(G) *Provide for fencing in front of front and side setback building lines.*

To provide for fencing in front of front and side setback building lines under the following conditions:

- (1) Requests for front and side yard fences shall be considered exceptions and shall be processed pursuant to 7.1.5. Appeals (Page 169).
- (2) If fifty (50) percent or more of the property owners within the three hundred (300) foot radius of the area of request object to the proposed fencing, the request must be approved by three-quarters (3/4) vote of the total membership of the Board of Adjustment.
- (3) If approved by the Board of Adjustment, any fencing must also meet the following conditions:

- a. Regardless of the type or height of fence constructed pursuant to this subsection, access for public safety services shall be maintained. Owners assume all responsibility for any losses incurred when the responding public safety services remove any impediment (e.g., locks, chains, animals).
- b. Fencing shall be structurally sound and kept in an attractive state and in good repair at all times.
- c. Front yard fencing must not be sight-proof either by construction or ornamentation and at all times shall allow clear vision while backing onto a street.
- d. Fencing shall contain at least one gate with an unobstructed clear width of three (3) feet at all times. If an archway is placed above the gate, then it shall retain a clearance of no less than seventy-eight (78) inches at all times.
- e. If additional right-of-way or sight triangles are required by the City Engineer, the property owner will dedicate these prior to issuance of a fence permit.
- f. Fence gates shall be constructed in such a manner so as to avoid vehicles having to remain in the paved right-of-way while the gate is being opened and closed.
- g. Fencing shall not obscure or restrict the access to any fire hydrant or any fire connection.
- h. Fencing shall not be located in the street right-of-way. It is the responsibility of the applicant to determine the property boundaries. In the event the fence is constructed in the right-of-way, it is the property owner's responsibility to move the fence.
- i. In the event there is not at least twelve (12) feet between the right-of-way line and the edge of paving, the fencing shall be set back at least twelve (12) feet from the edge of paving.

5.2 Fencing and Screening

Section 5.2.3(B)(2)

Fences extending past front or side building lines including ornamental fences. Except as authorized in 5.2.3(A), fencing and screening requirements for medium and high density residential districts with multifamily uses, properties are permitted to have ornamental fences up to four (4) feet in height located, placed, or erected to the front and side property lines of the residence. Such fences shall meet the following provisions and regulations:

- a. Maximum of four (4) feet in height as measured from the ground level;
- b. A minimum of fifty (50) percent of the total fence area must be open to allow visibility into the front or side yard (i.e. chain-link or picket fence);
- c. Any fence in front of the front or side building line in excess of four (4) feet must be approved, prior to its installation, by the Board of Adjustment pursuant to 7.8.2.(G), Provide for fencing in front of front and side setback building lines.

Planning Staff Comments:

The City of Midwest City Parks Department is requesting a special exception to permit a 10-foot black vinyl-coated chain-link fence forward of the front building line at 1295 North Midwest Boulevard (Mid-America Park). This request is associated with the construction of a public basketball court between the existing parking lot and N. Midwest Boulevard. Under Section 5.2.3(B)(2), ornamental fencing up to four (4) feet in height is permitted by right. However, any fence beyond the front building line exceeding four (4) feet in height requires Board of Adjustment approval pursuant to Section 7.8.2(G) of the Municipal Code.

Per Section 7.8.2(G), requirements for fences located in front of the front or side building line include, but are not limited to, maintaining emergency access, remaining outside the public right-of-way, providing a gate that is a minimum of 3 feet in width and at least 78 inches in height, ensuring visibility (not sight-proof), and avoiding obstructing fire hydrants or sight triangles.

The proposed fence will meet all applicable requirements. It will be located entirely outside the public right-of-way and will not require any additional right-of-way dedication or sight triangle adjustments. The design is chain-link and vinyl-coated, which will ensure visibility, and a gate meeting the minimum three-foot width and 78-inch clearance will provide safe access to the basketball court for both users and emergency services. These measures ensure compliance with both safety and accessibility standards while supporting the intended recreational use.

The applicant states that the fence is necessary to protect public safety by containing balls within the court, reducing potential conflicts with adjacent rights-of-way, and maximizing both security and accessibility for an active recreation facility. Staff concurs with this assertion. Its height is considered appropriate for public-level play and is consistent with industry standards for outdoor basketball courts. The proposed improvement aligns with the character and other improvements to Mid-America Park.

Staff finds the application satisfies the criteria for granting a special exception established in local and state regulations.

Staff recommends approval of this request for a special exception.

Action is at the discretion of the Board of Adjustment.

Action Required: Approve or reject the application for a special exception to allow for a 10-foot black vinyl-coated chain-link fence forward of the front building line at 1295 North Midwest Boulevard (Mid-America Park).

Please feel free to contact my office at (405) 739-1265 with any questions.

Best,



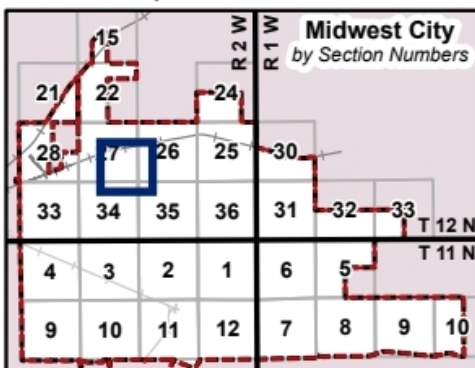
Brylee Hester, Planner I



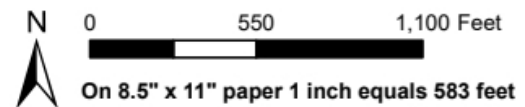
GIS - Information Technology/ Planning & Zoning



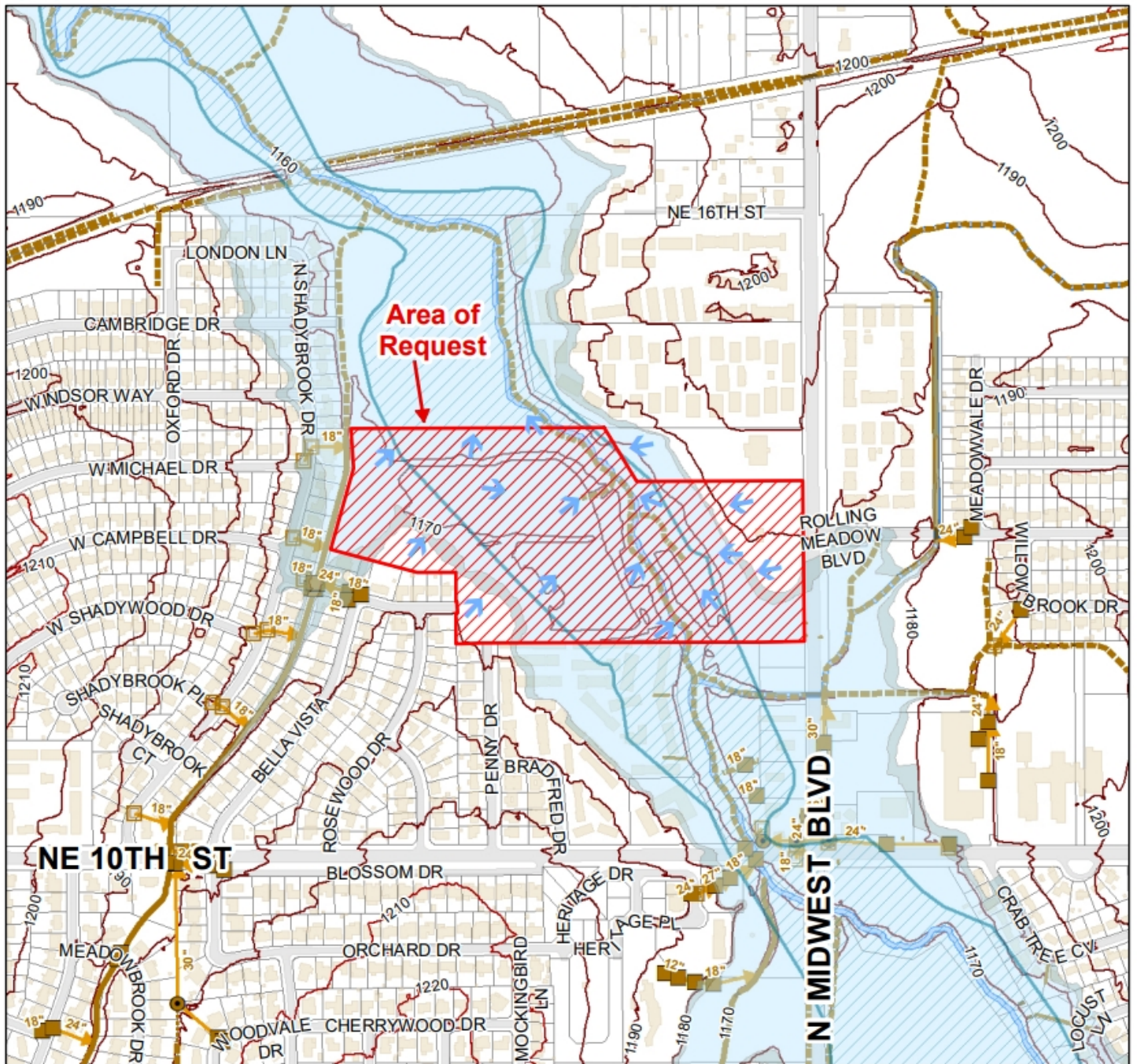
Locator Map



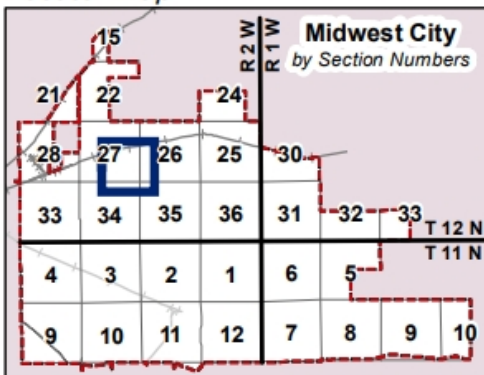
**6/2025 NEARMAP AERIAL
VIEW FOR BA-425
(SE/4, Sec. 27, T12N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



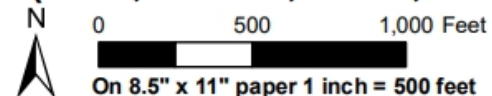
Locator Map



- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

- 2009 FEMA Floodplains**
- 500-yr floodplain
 - 100-yr floodplain
 - 2009 FEMA Floodway
 - Drainage

DRAINAGE LOCATION MAP FOR BA-425 (SE/4, Sec 27, T12N, R2W)



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



BOARD OF ADJUSTMENT APPLICATION

Property Information

Location/Address of Property: Mid-America Park East, 1295 N Midwest Blvd
Legal Description: UNPLTD PT SEC 27 12N 2W 000 000 PT SE4 SEC 27 12N 2W BEG 880FT N OF SE/C SE4 TH W1485FT N290FT W171.8FT NWLY 352.73FT NELY 323.15FT N183.91FT E1033.40FT SE260.12FT E735FT S660.15FT TO BEG EX E50FT TO COUNTY

Applicant Information

Name: Carrie Evenson - City Department Company: City of Midwest City		
Mailing Address: 100 N Midwest Blvd		
City: Midwest City	State: OK	Zip: 73110
Phone: (405) 739-1062	Fax:	Email: cevenson@midwestcityok.org

Owner Information

Name: City Parks Department Company: City of Midwest City		
Mailing Address: 100 N Midwest Blvd		
City: Midwest City	State: OK	Zip: 73110
Phone: (405) 739-1293	Fax:	Email: cevenson@midwestcityok.org

Please check the type of appeal:

- Appeal of an administrative or interpretation decision by a City official
- Variance
- Special Exception
- Oil and gas well applications

Please describe how a variance from the terms, standards and criteria pertaining to an allowed use category within a zoning district would meet the criteria required for a variance:

A. Unnecessary hardship – The application of the ordinance to the particular piece of property would create an unnecessary hardship: Mid-America Park Phase 2 proposes a basketball court as illustrated in attached exhibit - between parking lot and N Midwest Blvd. The proposed new court requires 12' tall black vinyl coated chain link fence. This fence is to ensure public safety by containing player ball loss and maximize security. The 12' tall fence is determined appropriate for public court level of play and meets specific needs.



100 N. Midwest Boulevard • Midwest City, Oklahoma 73110

B. Unique property conditions – Such conditions are peculiar to the particular piece of property involved : Park layout for phase 2 includes south parking expansion, pre-fabricated restrooms, entrance monument sign and the new basketball court. Grades always play an important role with any design and Mid-America Park is another example. Park abuts Soldier Creek and associated flood plain. From beginning design - ADA accessibility has been high priority and includes the new basketball court connectivity to park and sidewalks. Basketball courts have a large footprint 110' x 65' with baselines and presents challenge for grades. The park designer has factored everything for court location and accessibility.

C. No Substantial detriment to the public good – 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: The new basketball court will be an asset for the community. The basketball court fence is public safety necessity. The fence is out of street right of way and setback from abutting north property the required 5' or greater. Do not anticipate any vehicle sightline problems, since the fence will not be within street right of way. Fence chain link material will allow visibility to court and park.

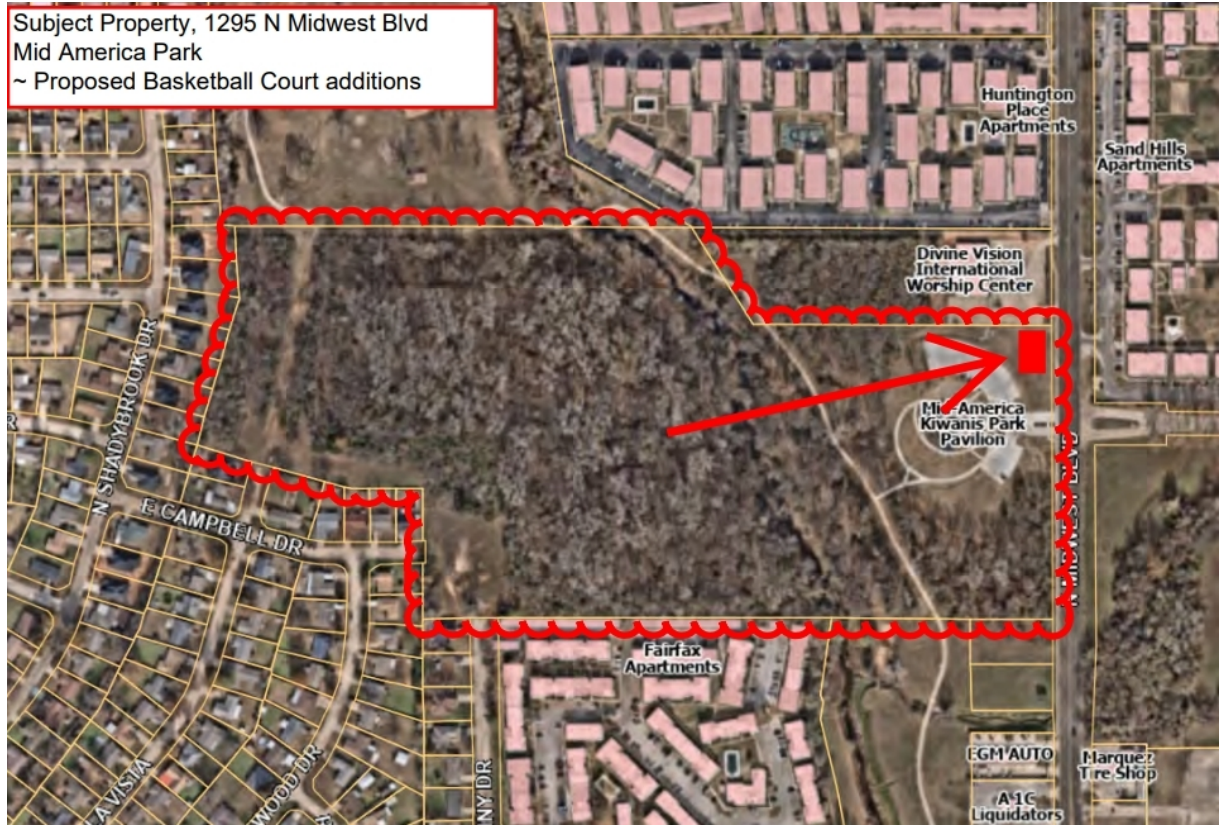
D. Minimum necessary to alleviate the unnecessary hardship – The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship: 12' minimum height black vinyl coated chain link fence to ensure public safety by containing basketball loss and provide security.

Please describe the purpose of this appeal: The purpose of this special exception is to allow 12' high black vinyl coated chain fence be installed between public street and park vehicle parking. The property use is public park and park use doesn't meet ordinance definitions of property having front or back yard. Phase 1 park improvements did install an open air pavilion, primary structure by ordinance definition. A primary structure sets criteria for what is considered front yard and back yard. Request this special exception to view property as public park and consider public use space and property layout.

Carrie Evensa
Signature

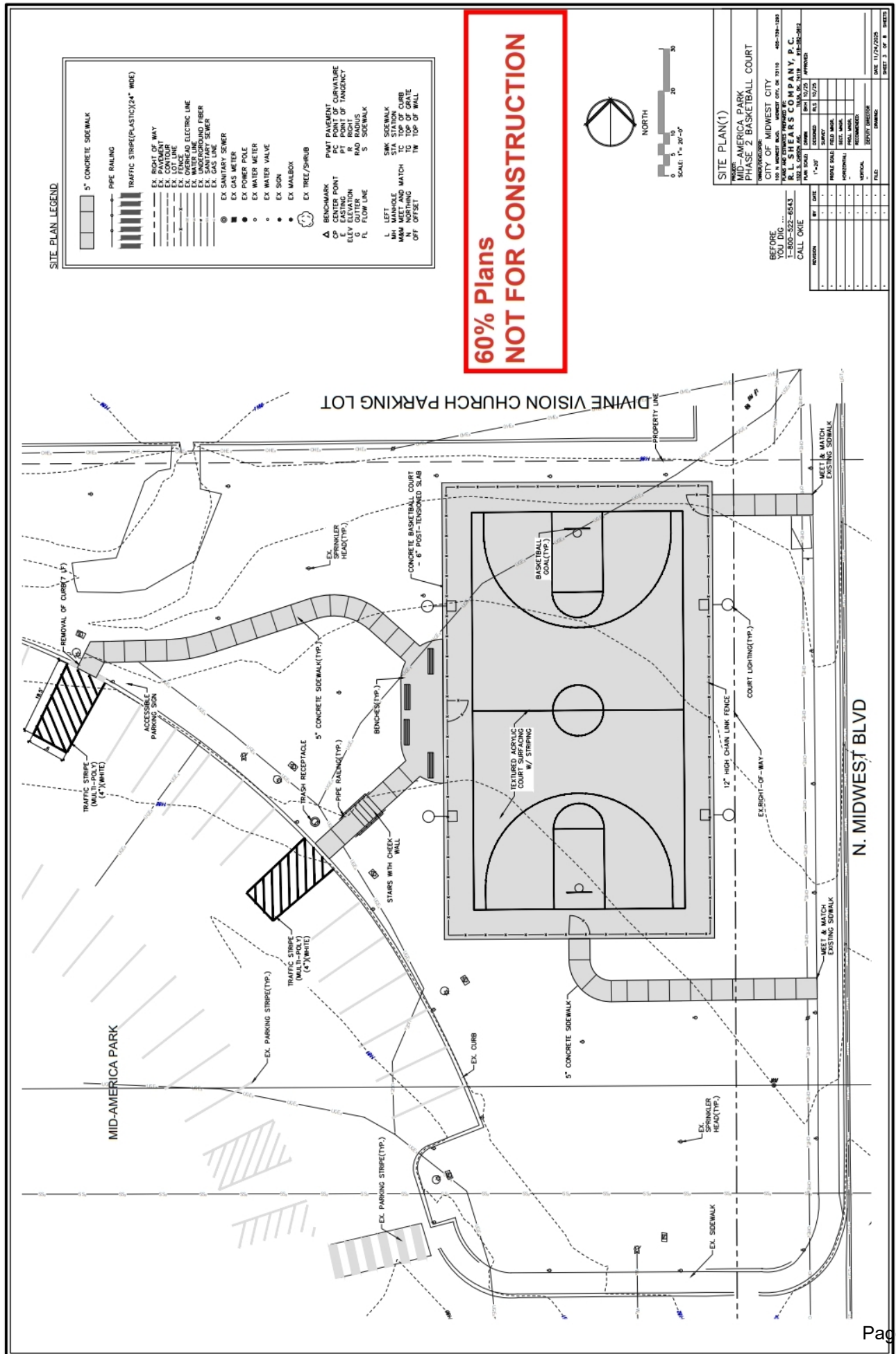
1/14/2026
Date

Subject Property, 1295 N Midwest Blvd
Mid America Park
~ Proposed Basketball Court additions



Subject Property, 1295 N Midwest Blvd
Mid America Park
~ Closer aerial view of proposed
approximate location of Basketball Court

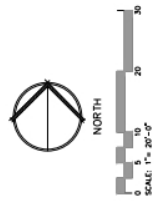




SITE PLAN LEGEND

- 5" CONCRETE SIDEWALK
- PIPE RAILING
- TRAFFIC STRIPE(PLASTIC)(24" WIDE)
- EX. RIGHT OF WAY
- EX. CONTOUR
- EX. LOT LINE
- EX. OVERHEAD ELECTRIC LINE
- EX. UNDERGROUND FIBER
- EX. UNDERGROUND SEWER
- EX. SANITARY SEWER
- EX. GAS METER
- EX. POWER POLE
- EX. WATER METER
- EX. WATER VALVE
- EX. SIGN
- EX. WALBOX
- EX. TREE/SHRUB
- BENCHMARK
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- EV. ELEVATION
- RD. ROAD
- RA. RADIUS
- S. SIDEWALK
- SWK. SIDEWALK
- TC TOP OF CURB
- TT TOP OF GRATE
- N. NORTHING
- TOFF OFFSET
- LEFT
- L. LINE
- MM. MEET AND MATCH
- TOFF OFFSET
- FL. FLOW LINE
- TR. TREE
- PC. POINT OF CURVATURE
- PT. POINT OF TANGENCY
- EV. ELEVATION
- RD. ROAD
- RA. RADIUS
- S. SIDEWALK
- SWK. SIDEWALK
- TC. TOP OF CURB
- TT. TOP OF GRATE
- N. NORTHING
- TOFF. OFFSET
- LEFT
- L. LINE
- MM. MEET AND MATCH
- TOFF. OFFSET
- FL. FLOW LINE
- TR. TREE

60% Plans
NOT FOR CONSTRUCTION



SITE PLAN(1)

PROJECT: MID-AMERICA PARK
PHASE 2 BASKETBALL COURT

CLIENT: CITY OF MIDWEST CITY

DESIGNER: R.L. SHEARS COMPANY, P.C.

DATE: 11/24/2025

SCALE: 1" = 20'-0"

NO.	DATE	BY	DESCRIPTION
1	11/24/2025
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

N. MIDWEST BLVD