

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 5
Tuesday, January 20, 1981, 3:00 p.m.
Room 119, Administration Building
500 South Denver Avenue
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Crowley Dubie, Chairman Martin	Walker Wines	Gardner Hubbard Jones	Allen, District Attorney's Office Edwards, County Building Inspector's Office

The notice and agenda of said meeting were posted in the Office of the Tulsa County Court Clerk on Monday, January 19, 1981, at 2:12 p.m., as well as in the Reception Area of the INCOG Office.

After declaring a quorum present, Chairman Dubie called the meeting to order at 3:19 p.m.

MINUTES:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve the Minutes of November 18, 1980, (No. 3) and December 16, 1980, (No. 4).

UNFINISHED BUSINESS:

21

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) request for an exception to permit a church use and a day care center in an AG District. This property is located at 708 North Atlanta, Owasso, Oklahoma.

Presentation:

Chairman Dubie advised that this Case had been continued from the December 16 meeting in order to allow the applicant to pursue annexation of church property into the City of Owasso. The applicant was not present.

Mr. Jones advised the Board members that neither the City of Owasso nor the applicant had been in contact with the Board of Adjustment Office, and recommended that the Board continue the Case until February 17, 1981. Mr. Jones further advised that he would be in contact with the applicant and/or the City of Owasso.

Protestants: None.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to continue Case Number 21 to February 17, 1981.

Action Requested:

Exception (Section 1420 (f) - Nonconforming Use of Buildings or Buildings and Land in Combination - Under the Provisions of Section 1680 - Exceptions) request for an exception to make an addition to a nonconforming use (15 greenhouses) in an AG District. This property is located at 175th Street South and Highway #75.

Presentation:

Chairman Dubie advised that this Case had been continued from December 16 meeting in order to allow the applicant to return with a plot plan depicting the existing buildings on the tract of land, as well as the proposed addition(s). The applicant was not present.

Protestants: None.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to continue Case Number 22 to February 17, 1981.

Action Requested:

Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to permit a mobile home in an RM-2 District; and a Variance (Section 440.6 - Special Exception Uses in Residential Districts, Requirements- Under the Provisions of Section 1670 - Variances) request for a variance of the one-year time limitation. This property is located at 7703 West 14th Street.

Presentation:

Glen Billingsly, 7703 West 14th Street, was present to address the Board. Mr. Billingsly advised the Board that he owned Lots 32, 33 and 34, and he wished to locate a mobile home on Lot 33. Mr. Billingsly further advised that he had consulted with his neighbors and that the neighbors had no objections.

Protestants: None.

Board Comments:

Chairman Dubie asked Mr. Billingsly if there were other mobile homes in the area. Mr. Billingsly stated that there was one directly behind him.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680 - Special Exceptions) to permit a mobile home in an RM-2 District; and a Variance (Section 440.6 - Special Exception Uses in Residential Districts, Requirements- Under the Provisions of Section 1670 - Variances) of the one-year time limitation, for a period of two years, removal bond required, on the following described property:

25 (continued)

Lot 33, Block 2, Second Lake Subdivision, Tulsa County, Oklahoma.

26

Presentation:

Mr. Jones advised that the applicant wished to withdraw his application.

Board Action:

The Chair, without objection, agreed to the withdrawal of Case No. 26.

27

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) request for permission to locate a mobile home in an RS District; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) request for variance of the one-year time limitation for a mobile home. This property is located at 4424 West 55th Place.

Presentation:

Dolly Pentz, 4424 West 55th Place, was present to address the Board. Ms. Pentz advised the Board that she is moving from her present location in a mobile home park and would like to locate the mobile home on the subject property.

Protestants: None.

Board Comments:

Mr. Crowley asked Ms. Pentz if the mobile home was already on the site. Ms. Pentz replied that it was.

Chairman Dubie asked Ms. Pentz if there were other mobile homes in the area. Ms. Pentz stated that there was one on the lot behind her on West 56th Street.

Chairman Dubie then asked Ms. Pentz what was located on either side of the subject property. Ms. Pentz advised that to the west of her was a home which she owned and which her brother resided in, and to the east of her was a small rental house which, she believed, was unoccupied. Ms. Pentz further advised that in front of the subject property were vacant lots zoned industrial.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS District; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) of the one-year time limitation, for a period of two years, removal bond required, on the following described property:

Lot 10, Block 5, Opportunity Heights Addition to Tulsa County, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) request for permission to locate a mobile home in a residential district; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) for a variance of the one-year time limitation for a mobile home. This property is located at 243 South 72nd West Avenue.

Presentation:

Alvin Beasley, P. O. Box 545, was present to address the Board and submitted a plot plan (Exhibit "A-1"). Mr. Beasley advised the Board that he had purchased the two subject lots for the express purpose of locating a mobile home on the property and residing there upon retirement.

Protestants: None.

Board Comments:

Mr. Crowley asked Mr. Beasley what was surrounding the subject property. Mr. Beasley advised that there were mobile homes behind him, to the north was the Osage County Line, and across the street were residences.

Mr. Martin asked Mr. Beasley if there was any objection to the proposed mobile home on the part of the neighbors. Mr. Beasley replied that there was no objection.

Board Action:

On MOTION of MARTIN and SECOND by CROWLEY, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in a residential District; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) of the one-year time limitation, for a period of two years, removal bond required, on the following described property:

Lots 9 and 10, Block 2, Twin Cities Subdivision, Tulsa County, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) request for an exception to use property for church use; and an Exception (Section 440.6 - Special Exception Uses in Residential Districts, Requirements - Mobile Homes) to permit a mobile home on church property to be used as a parsonage; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts,

Requirements - Mobile Homes - Under the Provisions of Section 1670 - Variances) to permit a mobile home for a period of more than one year. This property is located at 1416 East 66th Street North.

Presentation:

Mr. Jones submitted to the Board a letter of protest regarding the house and property east of the Turley Pentecostal Evangelistic Center, but not the application of the Church (Exhibit "B-1"). Reverend Bruce Wyatt, Pastor of the Church was present to address the Board and submitted a plot plan (Exhibit "B-2").

Protestants: None.

Board Comments:

Chairman Dubie asked Rev. Wyatt if the Church was in existence on the subject property. Reverend Wyatt advised that it was. Rev. Wyatt further advised that the house and property east of the Church property did not belong to the Church.

Mr. Crowley asked Reverend Wyatt what surrounded the Church property. Rev. Wyatt stated that to the west were residences, on Quaker is a mobile home, on Rockford is a mobile home, and across the street to the north are rent houses/duplexes.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for Church use; and an Exception (Section 440.6 - Special Exception Uses in Residential Districts, Requirements - Mobile Homes) to permit a mobile home on Church property to be used as a parsonage; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Mobile Homes - Under the Provisions of Section 1670 - Variances) to permit a mobile home for a period of two years, per plot plan, removal bond required, on the following described property:

Lots 1, 2, 3, 4, Block 13, Golden Hills Second Addition, Tulsa County, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for permission to operate a home beauty shop in an RE District; and a Variance (Section 440.2 (b) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit a 3' x 5' sign. This property is located at 799 East 76th Street North.

Presentation:

Betty Baker, Route 1, Box #337, Sperry, Oklahoma, was present to address the Board. Ms. Baker advised that the proposed beauty shop

will be located in the existing attached garage and that she will be the only employee. Ms. Baker further advised that the reason for requesting the variance to permit the sign was due to the fact that there are no house numbers in the neighborhood and a customer would not be able to locate the beauty shop without some means of identification on it. Ms. Baker stated that she had consulted with her neighbors and that there was no objection on their part to the operation of a beauty shop.

Protestants: None.

Board Comments:

Brief discussion ensued as to the size sign required to accommodate wording necessary for location purposes.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate a home beauty shop in an RE District; and a Variance (Section 440.2 (b) - Special Exception Uses in Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) to permit a sign not to exceed 2 square feet, on the following described property:

The West 105.2' of the following tract in the S/2 of the SE/4 of Section 25, Township 21 North, Range 12 East of the IBM, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at the Northwest corner of Cedar Hill Subdivision on the North line of the S/2 of the SE/4 of said Section 25; thence South along the West boundary of said Cedar Hill Subdivision, a distance of 839.28' to the point of beginning; thence South along the West line of said Subdivision, a distance of 454.97' to a point 30' North of the South line of said Section 25; thence West parallel to the South line of said Section, a distance of 643.20'; thence North parallel to the West line of Cedar Hill Subdivision, a distance of 455'; thence East 643.20'; to point of beginning, containing 1.1 acre, according to the U. S. Government Survey thereof, and known as 799 East 76th Street North.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) request for permission to locate a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to locate a mobile home on a lot that has a residence on it; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit the mobile home for a period of more than one year. This property is located at 710 Valley Drive, Sand Springs, Oklahoma.

31 (continued)

Presentation:

Minnie Chronister, 710 Valley Drive, Sand Springs, Oklahoma, was present to address the Board.

Protestants: None.

Board Action:

On MOTION of CROWLEY and SECOND by MARTIN, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker Wines, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS District; and a Variance (Section 208 - One Single Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to locate a mobile home on a lot that has a residence on it; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit the mobile home for a period of two years, removal bond required, subject to the approval of septic system by the Tulsa City-County Health Department, on the following described property:

Block 16, Charles Page Home Acres No. 2 Addition, Tulsa County, Oklahoma.

OTHER BUSINESS:

-County Inspector Requests an Interpretation of the Tulsa County Zoning Code.

Chairman Dubie read to the Board members a letter from Don Hallock, County Building Inspector, requesting an interpretation of the zoning classification for territory de-annexed from incorporated cities in Tulsa County, Section 1160, Tulsa County Zoning Code.

Andy Allen, Assistant District Attorney, advised the Board that, if there are no provisions in the present County Zoning Code to cover this subject, he was of the opinion that there is nothing to interpret.

Discussion ensued.

Board Action:

On MOTION of MARTIN and SECOND by CROWLEY, the Board voted 3-0-0 (Crowley, Dubie, Martin, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to reply to the County Inspector that there is nothing in the Zoning Code to interpret and that a recommendation be forwarded to the Board of Tulsa County Commissioners that the County Zoning Code be amended to reflect that de-annexed property remain in the same zoning classification or equivalent classification as it was prior to the deannexation.

-County Inspector Requests an Interpretation as to what Classification is Needed for a "Hot Air Balloon Club."

Mr. Jones advised the Board that the Staff had not received sufficient information to date, and suggested that no action be taken until such information was received.

What Classification is Needed for a "Hot Air Ballon Club" (continued)

The Chair, without objection, agreed to the continuance of this item of business.

There being no further business to come before the Board, the meeting adjourned at 4:24 p.m.

Date Approved February 17, 1981

Robert L. Walker
Chairman