

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 48
Friday, June 15, 1984, 9:00 a.m.
Room 119, Administration Building
500 South Denver Avenue, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Chairman Martin Walker	Tyndall Wines	Gardner Jones Wiles	J. Edwards, Building Insp.

The notice and agenda of said meeting were posted in the Office of the County Clerk on Tuesday, June 12, 1984, at 11:30 a.m., as well as in the Reception Area of the INCOG offices.

Chairman Alberty called the meeting to order at 9:00 a.m.

MINUTES:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve the Minutes of May 18, 1984 (No. 47).

UNFINISHED BUSINESS:

Case No. 433

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Use Unit 1205 - Request for an exception to permit a church use in an AG District under the provisions of Section 1680, located south of the southeast corner of East 191st Street and South Lewis Avenue.

Presentation:

The applicant, John L. Bennett, Route 1, Box 136, Mounds, Oklahoma, was not present.

Protestants: None.

Comments:

Mr. Jones informed this case has been continued for 60 days. The applicant had problems with the Health Department who would not allow them to have a sewage lagoon. The Board granted the applicant 60 days in which to relocate the church. The Staff has not been able to reach the applicant.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to DENY a Special Exception (Section 310 - Principal Uses Permitted in the Agriculture District - under the provisions of Use Unit 1205) to permit a church use in an AG District under the provisions of

Case No. 433 (continued)

Section 1680, on the following described property:

A part of the SW/4 of Section 8, Township 16 North, Range 13 East, Tulsa County, Oklahoma, beginning at a point on the West line of the SW/4, 660' South of the Northwest corner thereof; thence South along the West line of the SW/4, 220'; thence East and parallel to the North line of the SW/4, 880'; thence North and parallel to the West line of the SW/4, 220'; thence West and parallel to the North line to the point of beginning.

NEW APPLICATIONS:

Case No. 459

Action Requested:

Variance - Section 330 - Use Unit 1206 - Request for a variance of the lot width from 200' to 198', of the lot area from 2 acres to 1.36 acres, of land area from 2.2 acres to 1.5 acres, and of the rear yard setback from 40' to 20' all to permit construction of a dwelling in an AG District under the provisions of Section 1670, located north of the NW corner of 131st Street and 145th East Avenue.

Presentation:

The applicant, Virgil Van Dussen, 1620 South Aspen Court, Broken Arrow, represented Bob and Betty Cook, Route 5, Box 553, Broken Arrow. Mr. Van Dussen informed he is aware of the conditions that Broken Arrow recommended to be imposed if this is approved, and he is aware that there is a floodplain on this property. He submitted a plot plan (Exhibit "A-1") and informed that the floodplain goes through the center of the subject property. He described the property and informed that the setback from the street prohibits any kind of housing development on the east side of the drainage ditch. The west side of the property is the only place that a house can be built. They have moved a house onto the property. They would like to add on to the back of the house. He does not see how this would be contrary to the public interest at all. Failure to allow them to do this will place an unnecessary hardship on them. He feels that the basic spirit of the Ordinance of Tulsa County will be observed by allowing this and that substantial justice will be done by granting this variance.

Protestants:

Jack Day, 12808 South 145th East Avenue, informed that his property parallels the acre and a half that the applicant has moved the house onto. He informed that the applicant has a lawsuit against him protesting a portable barn that Mr. Day has on the back of his property. Mr. Van Dussen has put Mr. Day through a lot of expense and hearings over the portable building. Mr. Day informed he got the portable barn approved by Broken Arrow and the Tulsa County Commissioners. Mr. Day informed he is not so concerned about the 40-foot setback because some of the property in this area has been zoned for condominiums. He is concerned that this will be the third dwelling on the property without a lot split or a plat. The Cook's have not gotten a lot split or sought a zoning change because they want to keep the property zoned agriculture. They do not keep up the property and that fact devalues his property. He would like the applicants to get a lot split and have the property reviewed for rezoning because it has never been used for agriculture and probably never will be.

Case No. 459 (continued)

Comments and Questions:

Mr. Jones submitted a letter from the Broken Arrow Board of Adjustment recommending conditional approval of this application (Exhibit "A-2"). Mr. Martin read the letter from Broken Arrow.

Mr. Alberty asked Mr. Day if he has any reason to oppose the 40-foot setback on the property. Mr. Day informed he would like to be reasonable about this, but he would like the Van Dussen's to be reasonable as well. He is mainly concerned about the fact that there has not been a lot split and they keep bringing in houses.

Applicant's Rebuttal:

Mr. Van Dussen informed he does not think that many of Mr. Day's comments relate to the situation at hand. The house they have moved on the property will be over 100 yards from Mr. Day's house. It will not directly affect him. The portable barn the protestant spoke of is within 30 feet of the Cook's house and within 3 feet of the property line.

Comments and Questions:

Mr. Alberty asked Mr. Van Dussen if this is an existing lot of record, and the applicant informed he is not sure. The Cook's are not selling the property. They own 8 1/2 acres which abuts Mr. Day's property and catty-corners the acre and a quarter which they are asking for the variance on. There are two dwellings on the property including the one they are asking the variance for. Mr. Van Dussen informed that he will live in the house that they have moved on the property. They do not want to file a lot split because they want to keep the property under one ownership.

There was a question as to why the applicant did not file for a variance to allow two dwelling units per lot of record.

Mr. Gardner informed he thought the subject tract was a piece of property with no dwelling units on it. If that is not the case, and there is already a house on the property, then the applicant is not properly before the Board.

Mr. Van Dussen described how the lots are situated.

Mr. Day informed he checked with INCOG and was told that no lot split had ever been requested on any of this property.

Mr. Gardner informed the lot has been split, but it has not been properly split with TMAPC approval.

Mr. Van Dussen informed they have moved a house on the lot. They had to take the roof off of the house to move it. They need to go ahead and receive permission to start construction so they can get the roof on the house.

Mr. Edwards informed he issued the applicant a building permit because he was under the impression that it had been split. The property did meet all the criteria. The applicant needs some relief right now because he has already poured the foundation for the house. He thinks the applicant could meet the lot split requirements.

Mr. Gardner informed the lot split should be fairly routine with the variances unless there is a problem with the Health Department.

Mr. Martin informed he cannot see any reason why this Board should be asked to act on this matter without requiring a lot split. He wondered if it would be proper for the Board to allow the applicant to start construction before the lot split was approved. Mr. Edwards informed he would have no problem with that, but the applicant needs to pour a footing. Mr. Martin informed he does not see how the applicant can be allowed to pour a footing unless he has an approved lot split. Mr. Edwards informed the applicant has Health Department approval, and that is the only thing that would stop a lot split.

Mr. Day informed the applicant poured the foundation for the house and was in the process of pouring the foundation for the addition. The County Inspector came out and stopped them. Mr. Day informed he wants the property to be zoned properly. It does not meet agricultural dimensions, and there has never been any agriculture on the property. He would like the property to be zoned for residential so they will have to cut their weeds.

Mr. Gardner informed that if the Building Permit has already been issued, the Board can make a lot split a condition of approval, then the Building Inspector is in a position to keep the applicant from occupying the dwelling unit until he has complied with the lot split. There are no lots in the area that are smaller than the applicants other than the protestant's property to the north and the RS property to the west. In both of those cases, the people were instructed to have the property rezoned.

Mr. Alberty informed if the applicant had the property rezoned, they would not even need to get a variance.

Mr. Van Dussen informed they were concerned that having the property rezoned would take longer than getting a variance approved.

Mr. Martin informed that he thinks the zoning of the property would be consistent with the area and that it should be zoned. He asked if this could be a condition should the Board choose to approve this application.

Mr. Gardner informed the Board could make rezoning the property a condition of approval. When Mr. Day got his property rezoned, there were not any lots that small in the area, and this Board would not have had any basis to grant a variance. Because of smaller lots zoned RE, the Board does have some basis to grant the waivers for a lot smaller than AG. He described the lots in the area that are smaller than 2 acres in size. He informed the Board has the jurisdiction to grant the variance based on the small lots in the area. They also have the power to make it a condition that the property be rezoned.

Mr. Walker made a motion to approve this application, subject to the three conditions recommended by the Broken Arrow Board of Adjustment.

Mr. Alberty asked if the structure is out of the floodplain, and Mr. Edwards informed that it is.

Case No. 459 (continued)

There was discussion about whether or not the property should be zoned.

Mr. Walker's motion died for the lack of a second.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Variance (Section 330 - Under the provisions of Use Unit 1206) of the lot width from 200' to 198', the lot area from 2 acres to 1.36 acres, the land area from 2.2 acres to 1.5 acres, and the rear yard setback from 40' to 20' all to permit construction of a dwelling in an AG District under the provisions of Section 1670, subject to the three conditions recommended by the Broken Arrow Board of Adjustment as follows:

1. The Health Department shall approve plans for the septic system on the tract;
2. The home shall not be placed in a floodplain;
3. A lot split should be required to legally split the property from neighboring tracts;

and subject to the applicant rezoning the property to RE, on the following described property:

The North 198' of the E/2 of the SE/4 of the SE/4 of the SE/4 of Section 4, Township 17 North, Range 14 East, Tulsa County, Oklahoma.

Case No. 460

Action Requested:

Special Exception - Section 410 - Use Unit 1209 - Request for an exception to permit a mobile home in an RS District under the provisions of Section 1680, located east of the SE corner of Garrison Avenue and 66th Street North.

Presentation:

The applicant, Mary Gruenwald, 620 East 66th Street North, informed the house on her property burned down and she would like to put a mobile home on the subject property. She has no other place to live. She owns the subject tract. There are other mobile homes in the area. The closest one is about 1 1/2 blocks from her property. There are homes on the adjoining lots. There has been one complaint from a neighbor which was made as soon as the mobile home was moved on the lot. Ms. Gruenwald informed she has approval for a septic tank and she is aware that she needs to get a building permit if this application is approved. She would like approval granted for permanent use of the mobile home on the property.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions";

Case No. 460 (continued)

Tyndall, Wines, "absent") to approve a Special Exception (Section 410 - under the provisions of Use Unit 1209) to permit a mobile home in an RS District under the provisions of Section 1680, subject to the issuance of a Building Permit and Health Department approval, on the following described property:

The East 73.22 feet of the North-Half of Lot 1, Block 3, LESS the North 25', North Turley Second Addition to Tulsa County, Oklahoma.

Case No. 461

Action Requested:

Special Exception - Section 410 - Use Unit 1205 - Request for an exception to allow a church in an RE District under the provisions of Section 1680, located 1/4 mile East of the SE corner of 76th St. North and 117th East Avenue.

Presentation:

The applicant, Robert L. Hobbs, 6535 East 76th Street North, was present.

Protestants:

There were protestants present.

Comments and Questions:

Mr. Jones submitted a letter of recommendation from the City of Owasso (Exhibit "B-1"). Mr. Martin read the letter which recommended denial of the application. The minutes of the Owasso meeting were attached to the letter.

Mr. Gardner informed that the Board already denied a similar application on this property; therefore, they need to determine whether there is any difference in this case and the previous one. If the applicant did not appeal the decision of the first case in a timely manner, then some decision today would give him the opportunity to appeal. If there are no changes in the case or circumstances, the decision on the case has been made.

Mr. Alberty informed that on November 18, 1983, the Board recommended denial on an identical case on this same piece of property. He asked Mr. Hobbs what new information he has that would merit this case being heard by the Board again.

Mr. Hobbs informed that there are people in the community that want this church to be located on the subject tract. He informed that water drainage on this property is not a problem. The church owns the property.

Mr. Alberty informed that at the previous meeting part of the issue was the fact that the Board did not consider this an appropriate land use for that piece of property. He does not feel that this fact has changed.

Mr. Alberty informed the policy of the Board is to follow the recommendation of the outlying communities unless they disagree. The Owasso Board had a unanimous decision for denial and he does not see anything that would change the situation.

Case No. 461 (continued)

Mr. Hobbs asked why INCOG was willing to take his money for his application instead of telling him what his chances were. Mr. Martin informed that INCOG is not required to pass on the feasibility of an applicant's application. It is not their job to decide on the merits of an application. Mr. Martin informed Mr. Hobbs that he has a right to be before the Board, and the Board has a responsibility to make a decision. He informed the applicant that he can appeal the Board's action to District Court. He discussed the applicant's alternatives.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to DENY a Special Exception (Section 410 - under the provisions of Use Unit 1205) to allow a church in an RE District under the provisions of Section 1680, on the following described property:

The West 300.5' of the North 329.93' of the NW/4 of the SE/4 of the NW/4 of Section 32, Township 21 North, Range 14 East of the IBM, Tulsa County, Oklahoma

Case No. 462

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Use Unit 1205 - Request for a variance to permit two dwellings per lot of record in an AG District under the provisions of Section 1670, located north of the NW corner of 76th Street North and College Avenue.

Presentation:

The applicant, Bonnie L. Davis, 8302 North College Avenue, informed they would like to move a mobile home on their property which is 2 1/2 acres in size. The place where the mobile home is sitting does not flood. There is an existing dwelling on the property, and the mobile home will be for her daughter to live in. She would like this to be approved on a permanent basis.

Protestants: None.

Comments and Questions:

Mr. Alberty informed the Board is concerned about the proximity of Byrd Creek to the subject tract.

Mr. Edwards informed that the applicant wants to place the mobile home in the northeast corner of the property and that is out of the floodplain.

Mr. Alberty informed this is an agricultural district so the mobile home is not an issue--the issue is the second dwelling on one lot of record.

Mr. Gardner asked the applicant if there is an access easement to get to the tract from the street that runs north and south. Ms. Davis informed they do have access from the street.

Ms. Davis informed she has checked with the Health Department and they have approved this. They have already put in a septic tank and it has been approved.

Case No. 462 (continued)

Board Action:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - under the provisions of Use Unit 1205) to permit two dwellings per lot of record in an AG District under the provisions of Section 1670, subject to Health Department approval, the issuance of a Building Permit, and subject to the second dwelling unit not be placed within the floodplain, on the following described property:

The South 171 feet of the NE/4 of the NW/4 of the SE/4 of Section 29, Township 21 North, Range 13 East of the IBM, in Tulsa County, Oklahoma.

Case No. 463

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record- Use Units 1206/1209 - Request for a variance to permit two dwellings (1 house, 1 mobile home) per lot of record in an AG District under the provisions of Section 1670, located north of the NW corner of West 51st Street and League Road.

Presentation:

The applicant, Michael A. James, Route 6, Box 112, Sand Springs, Okla., informed they would like to move a mobile home on the back of the subject tract which is five acres in size. The mobile home will be for his daughter to live in. They would like this granted for permanent use. They have had a percolation test run and it has been approved. The access to the property is from 162nd West Avenue--this is a County road.

Protestants: None.

Comments and Questions:

Mr. Alberty informed the applicant could probably split his property and then he would have a separate lot of record for each dwelling. Mr. James informed he would like to keep his ownership intact.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - under the provisions of Use Units 1206/1209) to permit two dwellings (1 house, 1 mobile home) per lot of record in an AG District under the provisions of Section 1670, subject to the issuance of a Building Permit and Health Department approval, on the following described property:

A tract of land in the NE/4 of the SE/4 of Section 30, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows: Beginning at a point 3,210 feet North and 1,339 feet West of the Southeast corner of Section 30; thence North 330 feet; thence East 654 feet; thence South 330 feet; thence West 654 feet to the point of beginning.

Case No. 465

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request for an exception to permit Day Care Center in an RE District, under the provisions of Section 1680, located east of the SE corner of 76th Street North and 116th East Avenue.

Presentation:

The applicant, Lu Ann Hennessee, 427 South 12th Street, Collinsville, requested per telephone call to the Staff that this item be withdrawn. A letter is forthcoming.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to withdraw Case No. 465.

Case No. 466

Action Requested:

Special Exception - Section 410 (a) - Principal Uses Permitted in a Residential District - Use Unit 1224 - Request for an exception to permit oil and gas extraction in an RE District under the provisions of Section 1680, located at the SE corner of 191st Street South on Garnett Road.

Presentation:

The applicant, Frank E. Turner, 2761 East Skelly Drive, Suite 700, requested by letter that this application be continued to the July 20, 1984, meeting (Exhibit "C-1").

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to continue Case No. 466 to the July 20, 1984, meeting.

Case No. 467

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in a Residential District - Use Unit 1209 - Request for an exception to permit a mobile home per lot in an RE District, under the provisions of Section 1680.

Variance - Section 430 - Principal Uses Permitted in a Residential District - Use Unit 1209 - Request for a variance of the 150' lot width in an RE District, under the provisions of Section 1670, located west of the SW corner of 225th West Avenue and West 41st Street.

Presentation:

The applicant, Lynn B. Calton, 11004 East 44th Street, submitted a plat (Exhibit "D-1") and informed that the plat has not been filed-- they are in the platting process at this time. He presented a sketch

Case No. 467 (continued)

of the area and informed the percolation tests have been done on the property. They are proposing 8 half-acre lots and 4 one-acre lots. This would meet the requirements of low-density intensity residential use. They need the variance because nine of the lots will not be perfect squares of 150' by 150'. They have restrictive covenants which have been set up to make this a nice neighborhood. They have been told that there will be adequate water in this area. Mr. Calton described the surrounding area and pointed out the general trend of the area--there are several mobile homes already existing.

Comments and Questions:

Mr. Jones informed he and Mr. Edwards have been in contact with the Health Department and they were concerned that the property may not handle the allowed eighteen dwelling units which would fit under an RE classification. If approval is granted, it should be subject to Health Department approval. This property has been zoned RE, but the resolution has not been published yet.

Mr. Alberty asked Mr. Gardner if he knows if there is any problem with the applicant's plat. Mr. Gardner informed he is not aware of any problems with the plat. The applicant wanted to get the property zoned RMH. The major issue at the zoning hearing was the density. He described why the applicant has proceeded as he has. This is a low-density project.

Mr. Alberty informed the control on this would be the septic tank situation. Mr. Gardner informed that another control would be the subdivision plat. This zoning requires the applicant to subdivide into a residential subdivision.

Protestants:

Glen Bartley, Rural Route 2, Box 535, Sand Springs, Oklahoma, described the drainage problem he has on his property. He wanted to know where the applicant was going to drain his water. Mr. Calton described how he plans to address the drainage on the property. Mr. Bartley also had a concern about the density of the development. He was informed by the Staff that there would be only 12 mobile homes on all the property. There will be two lots adjacent to Mr. Bartley's lot.

Gary Wallace, Route 2, Box 580, Sand Springs, Oklahoma, informed when they bought their property is was their understanding that there would just be one single-family dwelling per 2 1/2 acre tract. He was concerned about the traffic problem they have in the area already.

Comments and Questions:

Mr. Alberty informed Mr. Wallace that the property is zoned such that more than what the applicant wants would be permitted. The applicant is actually reducing the density by about 6 lots.

Board Action:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Special Exception (Section 410-Principal Uses Permitted in Residential Districts - under the provisions of Use Unit 1209) to permit a mobile home per lot in an RE District under the provisions of Section 1680, and a Variance (Section 430-

Case No. 467 (continued)

Principal Uses Permitted in a Residential District - under the provisions of Use Unit 1209) of the 150' lot width in an RE District under the provisions of Section 1670, for a total of 12 lots as shown on the plat submitted, subject to Health Department approval, and subject to it meeting all agency requirements, on the following described property:

Beginning at the NE corner of the NW/4 of Section 27, Township 19 North, Range 10 East; thence West 250' to the Point of Beginning; thence West 850'; thence South 545'; thence East 850'; thence North 545' to the Point of Beginning, Tulsa County, Oklahoma.

Case No. 468

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Request for an exception to allow a mobile home in an RS District under the provisions of Section 1680, located west of the southwest corner of 76th Street North and Victor Avenue.

Presentation:

The applicant, Roger D. McKinney, 1704 East 76th Street North, informed the subject tract is owned by his mother-in-law. He lives next door to the subject tract. The mobile home will be for his use. There are other mobile homes in the area--one is adjacent to his mother-in-law's property. He described where other mobile homes are located. He will be connecting to a sanitary sewer system, and he would like approval for permanent use.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - under the provisions of Use Unit 1209) to allow a mobile home in an RS District under the provisions of Section 1680, subject to the issuance of a Building Permit and Health Department approval, on the following described property:

Lot 7, Block 1, Golden Hills Addition to Tulsa County, Oklahoma.

Case No. 469

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agricultural District - Use Unit 1220 - Request for an exception to permit a new identification sign as an accessory use in an AG District under the provisions of Section 1680, a Variance - Section 320.2 (b) (2)- Accessory Signs in AG and AG-R Districts - Use Unit 1221 - Request for a variance to permit a sign larger than 32 sq. ft. of display surface area and taller in height than 15 feet, and a Variance - Section 1221.4 - AG District Use Conditions - Use Unit 1223 - Request for a variance to permit outdoor advertising and changing message sign, located at the northwest corner of 21st Street and Yale Avenue.

Presentation:

The applicant Pat Lloyd, Expo Square, Box 4735, informed he is the General Manager of the Tulsa County Public Facilities Authority. The applicant of record is the Authority. Mr. Lloyd submitted a drawing of what the proposed sign will look like (Exhibit "E-1") and 6 photographs of the existing sign (Exhibit "E-2"). The existing sign was constructed in the mid '70s as part of an effort to try to improve the overall appearance of the fairgrounds. The Authority feels that the proposed sign will improve the overall appearance of the fairgrounds even more. The sign will become property of the Authority if it is approved and will be managed and operated by the Authority. The sign will be programmable. The primary purpose for the sign, in addition to providing advertisement for the fairground, is to provide a means of advertising for events at the fairgrounds. They feel that having this sign will help reduce the visual clutter around the perimeter of the fairgrounds. Mr. Lloyd informed they are not going into this from a profit-making standpoint, but they would like to charge to pay for the cost of the electricity.

Protestants: None.

Comments and Questions:

There was discussion about the nature of the sign and how it will affect traffic in the area. Mr. Lloyd described the proposed sign which is three sided. The existing sign is about 40 feet high, and the proposed sign will be 34 feet high. The new sign will be quite a bit wider than the existing sign. The sign will be all aluminum and it will be entirely back lit. There will not be any spotlights.

Mr. Gardner informed that the reason for the third variance is the fact that sponsors are actually outdoor advertising. The other variance and special exception could be justified by the size of the subject tract.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Martin, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, Wines, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in the Agricultural District - Under the provisions of Use Unit 1220) to permit a new identification sign as an accessory use in an AG District under the provisions of Section 1680, a Variance (Section 320.2 (b) (2) - Accessory Signs in AG and AG-R Districts - Under the provisions of Use Unit 1221) to permit a sign larger than 32 sq. ft. of display surface area and taller in height than 15 feet, and a Variance (Section 1221.4 - AG District Use Conditions - under the provisions of Use Unit 1223) to permit outdoor advertising and changing message sign, subject to the submitted plans, on the following described property:

The South 110' of the East 110' of the SE/4 of the SE/4 of Section 9, Township 19 North, Range 13 East, Tulsa County, Oklahoma, less the South 60' thereof and less the East 60' thereof.

There being no further business, the Chair adjourned the meeting at 10:30 a.m.

Date Approved

July 20, 1984

Wayne Alberty

Chairman