

**COUNTY BOARD OF ADJUSTMENT**

Meeting No. 69  
Tuesday, February 18, 1986, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Chairman Looney Tyndall Walker	Wines	Jones Moore	Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk, as well as in the Reception Area of the INCOG offices, on Friday, February 14, 1986 at 12:10 p.m.

After declaring a quorum present, Chairman Alberty called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of TYNDALL and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to APPROVE the Minutes of January 21, 1986 (No. 68).

UNFINISHED BUSINESS

Case No. 603

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1223 - Request a use variance to permit off-street parking of truck trailers used for storage.

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Use Unit 1223 - Request a variance of the required 75' setback from an abutting R District.

Variance - Section 1223.3 - Use Conditions - Use Unit 1223 - Request a variance of the required screening from an abutting R District.

Variance - Section 1350(c) - Use Unit 1223 - Request a variance of the required all-weather surface for off-street parking, located on the north side of 55th Place, East of 45th West Avenue.

Presentation:

The applicant, William Harrington, was represented by Roy Johnsen, 324 Main Mall, Tulsa, Oklahoma. He informed that his client, O K Fireworks, request a continuance of Case No. 603 to April 15, 1986 to allow re-zoning to be completed, which is set for TMAPC hearing on March 12.

Case No. 603 (continued)

Comments and Questions:

Mr. Jones explained that this case has been previously continued to allow a hearing by the County Commission, who has referred it back to TMAPC. He pointed out that this process has required approximately 1 to 1 1/2 months.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to CONTINUE Case No. 603 to April 15, 1986.

Case No. 623

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in R Districts - Use Unit 5 - Request a special exception to allow for a church and related uses in an R District.

Variance - Section 1205.3(a) - Use Conditions - Use Unit 1205 - Request a variance of the lot area from 1 acre to .4 acre, located at 5948 South 59th West Avenue.

Presentation:

The applicant, B. G. Guthrie, P.O. Box 118, Oakhurst, Oklahoma, submitted a plot plan (Exhibit A-1) and stated that he represents Trinity Temple Church of God. Mr. Guthrie informed that that he has just received the plans for the proposed 2,000 sq. ft. educational building and has not had an opportunity to discuss the plans with the area residents, as was requested by the Board at the last meeting.

Comments and Questions:

Mr. Alberty asked Mr. Edwards, Building Inspector, if he has met with the applicant. Mr. Edwards replied that he has talked with Mr. Guthrie and that he has met all requirements in his office at this time.

Mr. Alberty asked Mr. Jones if the application includes the existing structure and he replied that it does include the existing structure, extending west from 59th West Avenue approximately 100'.

Mr. Alberty asked Mr. Edwards if the applicant has sufficient parking to meet the requirements and he answered in the affirmative.

Protestants:

Richard Ostrander, Route 13, Box 20, Tulsa, Oklahoma, stated that there are other parties interested in the plans and feels that the neighbors should have been contacted as was suggested at the last Board meeting.

Case No. 623 (continued)

Mr. Alberty asked Mr. Ostrander if he is requesting that the case be continued and he replied that he would like for the other residents of the area to have an opportunity to review the plans.

Mr. Guthrie stated that he has just received the plans and would not be opposed to a continuance.

Board Action:

On MOTION of WALKER and SECOND by Tyndall, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to CONTINUE Case No. 623 to March 18, 1986 to allow area property owners sufficient time to review the plot plan for the proposed educational building.

Case No. 632

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Request a variance of setback from abutting residential district from 75' to 30' to allow for a building, located at 4905 West 51st Street.

Presentation:

The applicant, Calvin Cozort, 6218 South Sandusky, Tulsa, Oklahoma, asked the Board to allow a 50' by 100' building at the above stated address. Mr. Cozort stated that he is requesting that the structure be placed parallel with 51st Street in order that equipment stored behind the building will not be visible from the street. A site plan (Exhibit B-1) was submitted.

Comments and Questions:

Mr. Alberty asked the applicant if he owns only one lot and he answered in the affirmative. He informed that there is a truck line business to the east and a house on the property to the north. Mr. Cozort stated that the owner of the house intends to sell his property for industrial use.

Mr. Jones pointed out that this area is designated as industrial in the Comprehensive Plan.

Mr. Walker commented that he is familiar with the area and finds nothing objectionable in the application.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts) of setback from abutting residential district from 75' to 30' to allow for a building; per plot plan submitted; finding that the area has mixed

Case No. 632 (continued)

uses and is designated for industrial in the Comprehensive Plan; on the following described property:

Lot 15, Block 2, Austins Addition, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 633

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RS zoned district to be attached to an existing dwelling.

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request a variance of rear yard setback from 20' to 18', located on the NE/c of 60th and Lansing.

Presentation:

The applicant, Dorothy Twist, 6011 North Lansing, Tulsa, Oklahoma, asked permission to attach a mobile home to an existing dwelling on the subject property. She stated that the house is small and due to family growth, more room is needed.

Comments and Questions:

Mr. Alberty asked Ms. Twist if she has discussed the addition with the Building Inspector and she replied that Mr. Edwards advised her to appear before this Board.

Mr. Alberty asked Mr. Edwards if the addition presents any unusual problems and he replied that there is no problem if the addition is placed on a permanent foundation.

Ms. Twist informed that the added portion will be placed on a concrete block foundation.

Mr. Alberty inquired if the house is connected to the City sewer system and Ms. Twist answered that the house is on the City sewer and water. She stated that Mr. Edwards had informed her that a licensed electrician would be required for wiring the addition.

Mr. Looney asked if there are other mobiles in the neighborhood and Ms. Twist replied that there are 2 mobile homes in the same block and 1 at 60th and Madison.

Mr. Walker asked the applicant to describe the outside appearance of the addition. Ms. Twist stated that the color of the house and the addition will be the same.

Protestants: None.

Case No. 633 (continued)

Board Action:

On MOTION of TYNDALL and SECOND by LOONEY, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; White, "absent") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in Residential districts - Use Unit 1209) to allow a mobile home in an RS zoned district to be attached to an existing dwelling; and to APPROVE a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of rear yard setback from 20' to 18'; subject to Building Permit and Health Department approval; finding that there are other mobile homes in the area and that the granting of the special exception request will not be detrimental to the neighborhood; on the following described property:

The west half of Lots 13, 14, 15, 16, and 17, Block 20, Town of Turley, Tulsa County, Oklahoma.

Case No. 634

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RM-2 zoned district, located at 7706 West 16th Street.

Presentation:

The applicant, Earl Reed, 7706 West 16th Street, Sand Springs, Oklahoma, submitted a site plan (Exhibit C-1) and stated that the Sand Springs Planning Department required a percolation test and proof that the existing septic system is functional. Mr. Reed informed that he has complied with the request and the system met the requirements.

Comments and Questions:

Mr. Jones informed that he has received a telephone call from the Sand Springs Planning Department, who heard this case and voted to approve it subject to strict compliance with the Health Department conditions.

Mr. Alberty asked the applicant if he he will reside in the mobile home and he replied that he lives on the property to the east and his son will live in the trailer.

Mr. Alberty inquired if the two units will be on one septic system and Mr. Reed replied that there are two septic in place on the subject tract. He stated that a house was on the property at one time, but it burned and was not replaced.

Case No. 634 (continued)

Mr. Alberty asked Mr. Reed if there are other mobiles in the area and he answered in the affirmative.

Mr. Jones stated that the subject tract is 50' by 150' and today's standard would require 1/2 acre for a septic system.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RM-2 zoned district; subject to Building Inspector and Health Department approval; finding that there are numerous mobiles in the area and the granting of the special exception request will not be detrimental to the neighborhood; on the following described property:

Lot 162, Block D, Billington Acres Tract, Resubdivision of Tract 6, Tulsa County, Oklahoma.

Case No. 635

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request special exception to allow a mobile home in an RS zoned district.

Variance - Section 208 - One Single-Family dwelling per Lot of Record - Request a variance to allow 2 single-family dwellings per lot of record, located at 2328 South 65th West Avenue.

Presentation:

The applicant, Martha Blaylock, 2328 South 65th West Avenue, Tulsa, Oklahoma, asked the Board to grant her permission to place a 14' by 80' mobile home on 2 1/2 acres that is owned by her mother. She stated that her mother has a home on the subject tract. Ms. Blaylock informed that there are 4 mobile homes in the same block.

Comments and Questions:

Mr. Alberty asked Ms. Blaylock if she will reside in the mobile home and she answered in the affirmative.

Mr. Alberty asked the applicant if there are other lots in the area that have 2 dwelling units and she replied that there are.

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Case No. 635 (continued)

Mr. Looney asked the applicant to address the hardship and Ms. Blaylock informed that she needs to live near her mother in order that she can help care for her children.

Mr. Alberty remarked that the 2 1/2-acre lot could be split to accommodate 3 dwellings.

Protestants: None.

Board Action:

On MOTION of TYNDALL and SECOND by WALKER, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoned district; and to APPROVE a Variance (Section 208 - One Single-Family dwelling per Lot of Record) to allow 2 single-family dwellings per lot of record; subject to the mobile home being used for the family of the applicant and not for rental purposes; subject to Building Inspector and Health Department approval; finding that there are other mobile homes in the area and finding a hardship imposed by the size of the lot; on the following described property:

South 220' north 660' east 3/4, E/2 of the SE/4, of the NE/4, of Section 18, T-19-N, R-12-E, Tulsa County, Oklahoma.

Case No. 636

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RM zoned district, located at 7906 West 18th Street.

Presentation:

The applicant, Marlon Massey, P.O. Box 1272, Sand Springs, Oklahoma, asked the Board to allow him to move a mobile home on 2 lots at the above stated location. He informed that he has acquired a percolation test for the property. Mr. Massey noted that there are trailers adjacent to the lot and others in the area.

Comments and Questions:

Mr. Jones informed that Sand Springs has recommended approval of the application, subject to Health Department approval.

Mr. Alberty asked the applicant if there are structures on the subject tract and he replied that the lots are vacant.

Mr. Alberty asked Mr. Massey if he plans any construction on the tract and he answered that he may build a carport in the future. He pointed out that he does not have access to 79th Street and cannot

Case No. 636 (continued)

make definite plans at this time. Mr. Massey stated that the street is fenced in by a neighbor.

Mr. Looney asked if there were houses on the property at one time and Mr. Massey answered that houses were there, but they have been demolished.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by LOONEY, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RM zoned district; subject to a Building Permit and Health Department approval; finding that the mobile home will not be detrimental to the area; on the following described property

Lots 1 and 2, Block 4, Lake Subdivision to the County of Tulsa, Oklahoma.

OTHER BUSINESS

**Building Inspector Requests an Interpretation to Determine the Use Unit for a Tire Shredder.**

Ed Neibling, 4006 South Sandusky, an agent for the Rooney Company, stated that he is representing his client, Mr. Hux, in a Real Estate transaction. He explained that Mr. Hux was to make a presentation to the Board, but has not arrived.

Mr. Edwards informed that this operation of tire shredding can be accomplished by a machine that is mounted on the back of a semi. He stated that the machine has its own generator and is similar to those that chew up car bodies. He noted that the unit is mobile and when not in use is parked inside a building. He informed that the property is zoned CH and will require a special exception by the Board.

Mr. Alberty asked if the shredded tires will be moved off the property. Mr. Neibling stated that there will be some outside storage which will be concealed from Peoria. Mr. Alberty stated that the issue that is before the Board today is where the use would fit within the structure of the 27 Use Units.

Mr. Edwards pointed out that the decision made by the Board today would determine whether or not the property would need to be rezoned.



Interpretation: Tire Shredder (continued)

Mr. Jones stated that a tire capping business is under Use Unit 25, and that a tire shredder may be under Use Unit 26, which has a moderate amount of objectionable environmental influences, or 27 which has a heavy amount. He stated that the Board will need to determine which use this business is under.

Mr. Edwards informed that, in his opinion, if there is a problem with the application, it is because of the outside storage.

Mr. Walker asked what the noise level of the unit would be and Mr. Alberty replied that the motor is 600 horsepower.

Mr. Alberty commented that, if the unit could be housed within the building and the noise contained, it would probably be Use Unit 25, but, in his opinion, if the noise level is great and tires are stored outside, it would be Use Unit 26.

Mr. Jones pointed out that Use Unit 25 (heavy construction services, roofing, welding, redi-mix plants, stockyards, etc.) requires an exception and Use Unit 26 (auto salvage, junk yard, petroleum refining, salvage yard, smelting, storage of dismantled autos, etc.) requires a variance.

It was determined by the Board that the tire shredder would be under Use Unit 25 if there is no outside junk storage before or after processing, no noise that could be heard outside the building which houses the shredder, and no objectionable environmental influences; otherwise, the shredder would be under Use Unit 26.

There being no further business, the meeting was adjourned at 2:35 p.m.

Date Approved

3-18-86

Wayne Alberty  
Chairman

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