

COUNTY BOARD OF ADJUSTMENT
Meeting No. 112
Tuesday, September 19, 1989, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty Eller Tyndall Walker	Looney	Gardner Jones Moore	Ron Fields, Building Inspection Steve Andrew, Building Inspection

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, September 15, 1989 at 1:41 p.m.

After declaring a quorum present, Acting Chairman Alberty called the meeting to order at 1:30 p.m.

MINUTES

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** the **Minutes** of August 15, 1989 (No. 111).

UNFINISHED BUSINESS

Case No. 891

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205 - Request a special exception to allow for a home for abused teenage girls to locate in an AG zoned district.

Comments and Questions:

Mr. Jones, in a brief review of the case, stated that this case was originally scheduled on May 16, 1989 and the applicant was not present; however, Phillip R. Campbell, counsel for Mr. and Mrs. Oylar, was present to protest the application. The hearing was continued to June 20, at which time Mr. Pendergrass was in attendance and presented the case; however, the protestant arrived after the application was heard and approved. Mr. Jones informed that the protestant appealed the case to District Court, and it was heard by Judge Peterson on August 23, 1989, and remanded again to the Board for a rehearing with both the applicant and protestants being allowed to comment. Mr. Jones noted that the Bixby Board of Adjustment previously recommended that the application be approved.

Case No. 891 (continued)

Presentation:

The applicant, **Nelson Pendegrass**, PO Box 26, Bixby, Oklahoma, stated that Southwater was created in 1983 in an effort to provide a safe environment for abused children. He informed that a 12 bed facility is presently in operation in Delaware County, and the property in question became available, and was purchased in 1986 by supporters of Southwater. Mr. Pendegrass stated that the home life is like that of a typical family with five children. Letters of support (Exhibit A-3) and a newspaper article (Exhibit A-5) about Southwater were submitted. He pointed out that the property had been vandalized and a lot of volunteer man-hours and funds have been expended during the renovation, which is nearing completion. Mr. Pendegrass stated that Southwater has had a positive effect on the area.

Additional Comments:

Mr. Alberty asked if the girls are sent to his home by the court, and Mr. Pendegrass stated that he and his wife have a contract with the Department of Human Services (DHS) for specialized foster care. He stated that the girls are victims, rather than offenders.

In response to Mr. Alberty's question concerning nearby residences, the applicant stated that Tony Hall lives one-half mile to the south and west of the subject property, and is the nearest neighbor. He stated that Mr. Hall has numerous types of animals on his property.

Mr. Alberty asked if the tract in question is fenced, and the applicant replied that there is not a fence around the property, but a fence is proposed after the house is completed.

In response to Mr. Walker, the applicant stated that the ages of the girls presently living in his home range from 10 to 17.

Mr. Gardner asked if the applicant is still in agreement with the conditions previously imposed by the Board, and Mr. Pendegrass stated that he is in agreement with the condition that this Board imposed, which restricts the number of girls to 12, and noted that no conditions were imposed by the Bixby Board of Adjustment.

Protestants:

Phillip R. Campbell, 1924 South Utica, Tulsa, Oklahoma, who submitted a plat of survey (Exhibit A-1) and location map (Exhibit A-2), stated that he is representing Robert and Lois Oylar, owners of the property surrounding the subject tract. He noted that the title to the property in question is not in Mr. Pendegrass' name or that of Southwater, and requested that the Board inquire as to the owner. Mr. Campbell asked that the applicant address some of his clients concerns. He inquired as to the reason for the filing of the special exception request, the name of the financial institution that is loaning money for the project, the type of children (abused or delinquent), and the amount of traffic to the property, as well as road maintenance. It was noted that the road

Case No. 891 (continued)

from Highway 64 was constructed by Mr. Oyler and the property has been divided into lots for sale. Mr. Campbell stated that an easement has been granted to access the subject property. He pointed out that there are nice homes in the area and that the property is valuable for residential use.

Mr. Alberty asked Mr. Campbell to state the specific objection his client has to the application, and he replied that the best use for the property is residential and the approval of the application would have an adverse affect on his client's property value. Mr. Alberty asked if Mr. and Mrs. Oyler live at this location, and he replied that they do not live on the property, but have a retreat there.

Geraldine Beard, 1240 South 89th East Avenue, Tulsa, Oklahoma, stated that she owns land to the west of the subject property and, although she is opposed to the application, would like to suggest that some conditions be imposed if it is approved. She requested that no additional buildings be placed on the property, and that no additions be made to the existing house. Ms. Beard asked that a maximum of 5 children be allowed in the home.

Mr. Alberty asked Ms. Beard if she lives on her property, and she replied that the property is vacant and was purchased for an investment.

Applicant's Rebuttal:

Mr. Pendergrass explained that the subject property was purchased by supporters of Southwater Corporation, and he was under the impression that Southwater's name was on the deed. In response to Mr. Alberty, the applicant informed that Citizens Security Bank in Bixby is the lending institution. He stated that he has never drawn a salary from Southwater, but is a mortgage banker for a firm in Houston, Texas. It was noted that, due to notification that Southwater might be eligible for a HUD grant, an application was submitted to that agency. One of the qualifications was that the home should be located in a properly zoned district, or have a special exception. Mr. Pendergrass stated that he and his wife have had over 60 children in their home over the years, with some staying as many as four years and some only four weeks. In answer to the question concerning additional traffic and street maintenance, the applicant stated that the parents of the children rarely visit and that he maintains the road leading to the subject property.

Additional Comments:

Mr. Campbell stated that the road beginning at Highway 64 is not maintained by Mr. Pendergrass, but is repaired by Mr. Oyler.

Mr. Walker asked if a sign will be installed on the property, and Mr. Pendergrass replied that there will be no sign.

Case No. 891 (continued)

Interested Parties:

Cheryl Clay stated that, in approximately 1981, Mel Rice had Tulsa County bulldozers working on the road at this location, and that several loads of gravel were hauled to the site by County trucks. She asked Mr. Campbell if Mr. Oylar paid Mr. Rice for these repairs, and he replied that he does not know anything about the repairs. Ms. Clay added that she lives in the area, and that at one time she contacted Mr. and Mrs. Oylar and Ms. Beard concerning the sale of their property to a third party, and neither owner was willing to sell. Ms. Clay stated that she is supportive of the application.

June Johnson, an employee of the Oylers, stated that the easement is across the Oylar property, and it was given for the use of one single-family unit.

Additional Comments:

Mr. Walker stated that he has heard no new evidence presented that would alter his previous decision to approve the application.

Mr. Eller stated that the comments have been repetitious and that he continues to be supportive of the application.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Special Exception** (Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205) to allow for a home for abused teenage girls (as assigned by DHS) to locate in an AG zoned district; subject to a maximum of 12 girls (existing building will accommodate 12 girls), and any conditions imposed by the Bixby Board of Adjustment (none were stated); finding that the granting of the special exception request will not be detrimental to the area; on the following described property:

Part of the SW/4, SE/4, Beginning 661' north, 328.77' east of the SW/c, SE/4, thence north 545.65', east 329.03', south 215.18', east 164.46', south 330.33', west 493.16' to the Point of Beginning, Section 26, T-17-N, R-14-E, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 925

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206 - Request a variance of lot width from 200' to 100' to allow for a lot split, located 8513 West 51st Street.

Presentation:

The applicant, **Marcella Taylor**, 10132 East 22nd Place, Tulsa, Oklahoma, submitted a plat of survey (Exhibit B-1), and requested that the lot width be reduced in order that she can give her daughter 2 1/2 acres of property. She stated that her daughter is proposing to construct a new home at this location.

Protestants: None.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eiler, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Variance** (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206) of lot width from 200' to 100' to allow for a lot split; subject to approval of the lot split by the City of Sand Springs; finding a hardship imposed on the applicant by the long narrow shape of the existing lot to be split; and finding that there are other lots in the area that have similar widths, and that the granting of the variance will not be detrimental to the neighborhood, or impair the spirit, purposes or intent of the Code; on the following described property:

A tract of land located in the SE/4 of Section 25, T-19-N, R-11-E of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows, to-wit: Beginning at the SW/c of the SE/4, of said Section 25; thence S 89°23'03" E a distance of 200.0' to the true Point of Beginning; thence N 0°30'29" E a distance of 876.98'; thence S 89°23'03" E a distance of 99.34'; thence S 0°30'29" W a distance of 876.98'; thence N 89°23'03" W a distance of 99.34' to the Point of Beginning, containing 2.0 acres, more or less, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 923

Action Requested:

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

Variance - Section 208 - One Dwelling per Lot of Record - Use Unit 1209 - Request a variance to allow for two dwellings on one lot of record, located 5620 South 66th West Avenue.

Presentation:

The applicant, **Ova Minardi**, 4901 East 25th Place, Tulsa, Oklahoma, stated that she is representing her brother, Clinton Rogers. She explained that he owns five lots at the above stated location, and requested permission to replace a burned house with a mobile home. She stated that there is one house remaining on the property.

Comments and Questions:

Mr. Alberty asked if there will be one dwelling and one mobile home on the property, and the applicant answered in the affirmative. In response to Mr. Alberty, Ms. Minardi stated that her brother previously lived in the burned-out house and will occupy the mobile home if the application is approved. She informed that the house is used for rental property.

Mr. Gardner asked if the mobile home will be installed on the single lot on the west side of the property, and Ms. Minardi stated that the mobile will be on the west lot behind the lot where the house burned.

Protestants: None.

Board Action:

On **MOTION** of ELLER, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to allow for a mobile home to locate in an RS District; and to **APPROVE** a **Variance** (Section 208 - One Dwelling per Lot of Record - Use Unit 1209) to allow for two dwellings on one lot of record; subject to Health Department approval and Building Permit; finding that the mobile home will replace a burned-out house and the number of dwelling units on the lots will not be increased; on the following described property:

Lots 20 - 25, Block 34, Tanaha Addition, Tulsa County, Oklahoma.

Case No. 924

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow for a mobile home in an RS zoned district, located 4505 West 59th Street.

Presentation:

The applicant, Fred Setzer, 8104 East Admiral Place, Tulsa, Oklahoma, submitted a plot plan (Exhibit C-1) and stated that he is representing Mr. and Mrs. Galther, owners of the subject tract. He informed that there is presently an old house on the property, which will be removed and replaced with a manufactured house and a two-car garage.

Comments and Questions:

Mr. Alberty inquired as to the type of foundation the manufactured house will have, and if the old house will be removed before the new unit is installed. Mr. Setzer replied that the unit will be installed on a concrete foundation, and will not be placed on the lot until the house is removed.

Protestants: None.

Board Action:

On **MOTION** of ELLER, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow for a mobile home (double-wide manufactured home) in an RS zoned district; per plot plan submitted; subject to Building Permit and Health Department approval; finding that the new unit will replace an old existing house, and will not be detrimental to the neighborhood, as there are other mobile homes in the area; on the following described property:

Lot 2, Geurin Resubdivision of the North 1262.7' of Block 6, and the north 713.8' of Block 5, Bozarth Acres Addition, Tulsa County, Oklahoma.

Case No. 926

Action Requested:

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1206 - Request a variance to allow two dwelling units on one lot of record, located south of the SE/c of 8th Street and Valley Drive.

Presentation:

The applicant, Joe Fisher, was not present.

Case No. 926 (continued)

Comments and Questions:

Mr. Jones stated that Staff has received a letter (Exhibit D-1) from the applicant requesting that Case No. 926 be withdrawn.

Protestants:

One protestant was present but, due to the request for withdrawal of the application, did not choose to speak.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **WITHDRAW** Case No. 926, as requested by the applicant.

Case No. 927

Action Requested:

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

Variance - Section 430.1 - Bulk and Area Requirements in the Residential Districts - Request a variance of the required 60' of lot width to 55' and of the required 6900 sq ft lot area to 2750 sq ft, located 7115 West 60th Street South.

Presentation:

The applicant, **Bobby Burrow**, 7116 West 60th Street, Tulsa, Oklahoma, requested permission to install a mobile home on the property in question. He explained that a house was presently located on the lot, but it was destroyed by a fire and the debris has now been removed. Mr. Burrow stated that a 12' by 60' or a 14' by 55' mobile unit is proposed.

Comments and Questions:

Mr. Alberty inquired as to the size of the property, and the applicant stated that the deed states that he owns the east 55' of Lots 12, and 13, but his measurements show the size to be 75' by 75'. Mr. Alberty pointed out that the case report states that the tract is 50' by 55', which would not accommodate a mobile home with the dimensions previously stated.

There was discussion as to the correct size of the lot, and whether or not the setback requirements can be met.

Case No. 927 (continued)

Mr. Fields supplied evidence that the actual size of the lot is 50' by 55'.

Mr. Jones suggested that the case could be continued to allow the applicant sufficient time to determine what type of structure could be placed on the lot.

Protestants: None.

Board Action:

On MOTION of WALKER, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **CONTINUE** Case No. 927 to October 17, 1989, to allow the applicant sufficient time to confer with the Building Inspector and determine what size structure can be placed on the lot and meet the required setbacks.

Case No. 928

Action Requested:

Use Variance - Section 310 - Permitted Uses in the Agriculture District - Use Unit 1225 - Request a use variance to permit a dump truck service facility in an AG District.

Variance - Section 1340 - Design Standards for Off-Street Parking - Request a variance to allow gravel parking instead of dust free all-weather surface, located 321 East 136th Street North.

Presentation:

The applicant, Rod Hunt, 1415 East 136th Street North, Skiatook, Oklahoma, stated that he is proposing to move a mobile home to the property in question, and requested permission to operate his dump truck service at the same location.

Comments and Questions:

In response to Mr. Alberty, the applicant stated that he will have three dump trucks parked on the property, but only two are operable. He informed that he also has a bulldozer, with attachments, which is used in his business. Mr. Hunt stated that he hauls dirt, gravel and sand.

Mr. Alberty read a letter of referral (Exhibit E-1) from Skiatook, which stated that the application was not heard at their Board of Adjustment meeting, due to lack of quorum, but those members in attendance were supportive of the business. An expressed concern of the members present was prohibiting the business from evolving into a salvage yard, as there are residences surrounding the property. The letter stated that three surrounding property owners were present and voiced their approval of both variances.

Case No. 928 (continued)

Mr. Alberty inquired if there are other structures on the property, and Mr. Hunt replied that there is an existing 20' by 30' building on the property, which will be used as a garage.

Mr. Walker asked how much of the tract will be graveled, and the applicant stated that he will gravel approximately one acre on the back portion of the property.

Mr. Tyndall asked the applicant to explain the operation of a dump truck service facility, and he replied that the only part of the operation that will be conducted on the subject property is the parking of the equipment, which consists of three dump trucks and a bulldozer, with attachments.

Mr. Gardner stated that the business is similar to a home occupation, except for the fact that the garage is not large enough to store all of the equipment inside.

Mr. Eller stated that he is familiar with Mr. Hunt's business operation, and finds the property to be appropriate for the intended use.

Protestants: None.

Board Action:

On **MOTION** of ELLER, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Use Variance** (Section 310 - Permitted Uses in the Agriculture District - Use Unit 1225) to permit a dump truck service facility in an AG District; and to **APPROVE** a **Variance** (Section 1340 - Design Standards for Off-Street Parking) to allow gravel parking instead of dust free all-weather surface; subject to Building Permit and Health Department approval; and subject to a maximum of three dump trucks and a bulldozer, with a box blade and backhoe; finding that the use is compatible with the area and, although the property is zoned agricultural, it is located at a commercial node and the proposed business would be allowed by right if zoned CG; on the following described property:

The north 200' of the west 600' of the NW/4, NW/4, NW/4, Section 36, T-22-N, R-12-E, of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the US Government Survey thereof.

Case No. 929

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the Agriculture District - Use Unit 1206 - Request a variance of the required 200' lot width to 175', and a variance of the minimum 2 acre lot area to .95 acre to permit a lot split, located west of the SW/c of East 96th Street North and North Harvard Avenue.

Comments and Questions:

Mr. Jones informed that the Planning Commission will hear the application on September 20, 1989.

Presentation:

The applicant, **Gloria Lindsay**, was represented by **Burl Lindsay**, Route 1, Box 410, Sperry, Oklahoma, who stated that he is proposing to either build or move a home on the subject property. He pointed out that the variance of the minimum 2-acre lot area is no longer needed, as the lot area has been expanded to meet requirements.

Comments and Questions:

Mr. Jones informed that the lot split application was sent to the City/County Health Department and it was determined by that agency that the property under application could not pass the percolation test. He stated that the applicant then met with a Health Department representative, and an additional portion of land was added to the south. Mr. Jones stated that the addition did not change the width of the lot, but allowed the property to pass the perk test, and increased the total amount of land to 2 1/2 acres, which meets the Code requirement for land area.

Mr. Alberty stated that the records reflect that there is a mobile home located on the lot, and the applicant replied that he lives in the mobile home, but it will be removed and replaced with a house. Mr. Alberty advised that additional relief will be required if the mobile home and the house are both on the lot at the same time.

Protestants: None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in the Agriculture District - Use Unit 1206) of the required 200' lot width to 175', and **STRIKE** a **Variance** of the minimum 2 acre lot area to .95 acre to permit a lot split; subject to TMAPC approval; and subject to a Building Permit and Health Department approval; finding that, although the tract does not have the required lot width, it does have more than the required lot area; on the following described property:

A tract of land beginning at the NW/c, NE/4, NE/4, NE/4 of Section 20, T-21-N, R-13-E, of the Indian Base and Meridian, thence east 175', thence south 252', thence west 175', thence north 252' to the Point of Beginning, all in Tulsa County, Oklahoma, according to the US Government Survey thereof.

Case No. 930

Action Requested:

Special Exception - Section 310 - Permitted Use in the Residential Districts - Use Unit 1205 - Request a special exception to permit an addition of a family life center (classrooms, gymnasium, fellowship hall) to an existing church, located 3110 South 65th West Avenue.

Presentation:

The applicant, **Roy Dale Smith**, 3110 South 65th West Avenue, Tulsa, Oklahoma, submitted a plot plan (Exhibit F-1) for an addition to a church building at the above stated location. He explained that the church is experiencing some growth and requested permission to add a 60' by 80' fellowship room to the existing building.

Comments and Questions:

Mr. Alberty asked if the new addition will displace required parking spaces, and the applicant replied that the addition will be constructed in an open area that is now grass. He noted that the church owns approximately an acre of land across the street, which is presently used for parking and can supply additional parking spaces if needed.

In response to Mr. Alberty, Mr. Smith stated that there will be no school at this location.

Protestants: None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Special Exception** (Section 310 - Permitted Use in the Residential Districts - Use Unit 1205) to permit the addition of a family life center (classrooms, gymnasium, fellowship hall) to an existing church; per plot plan submitted; finding that the sanctuary will not be increased, and that the granting of the special exception request will not be detrimental to the area; on the following described property:

A parcel of land situated in the NE/4, NE/4, Section 19, T-19-N, R-12-E, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point on the east line of Section 19, T-19-N, R-12-E, Tulsa County, State of Oklahoma, which said Point of Beginning is 74.00' south of the NE/c of said Section 19; thence south on the east line of said Section 19 a distance of 375.00'; thence west on a line parallel to and 449.00' south of the north line of said Section 19 a distance of 210.00'; thence north on a line parallel to the east line of said Section 19 a distance of 375.00' to and intersecting a line parallel to and 74.00' south of the north line of said Section 19; thence east on a line parallel to the north line of said Section 19 a distance of 210.00' to the Point of Beginning, containing 1.81 acres, more or less, Tulsa County, Oklahoma.

Case No. 914

Action Requested:

Detail Site Plan Review.

Presentation:

The applicant, **Ted Allen**, was not present.

Comments and Questions:

Mr. Jones stated that he has been unsuccessful in attempts to reach the applicant by phone.

Mr. Gardner informed that Ms. Munding, an interested party, is in St. John's Hospital, and requested that she be allowed to review the plot plan before its approval. He stated that Ms. Munding's son is representing her today.

Mr. Jones pointed out that the Board approved the western theme park, with basically the same uses that have been conducted at this location for several years. He stated that a plot plan is to be submitted for Board review before any additional construction begins. He noted that the applicant submitted a plot plan at the previous meeting and stated that, since all proposed uses are on the original plan, he does not see the need for drawing up a second plot plan. Mr. Jones stated that, since interested parties are present, the Board may want to hear their concerns, but Mr. Allen may not seek Board approval for the construction of additional buildings for a number of years. He pointed out that Mr. Allen will not be able to add additional uses without further Board approval.

Mr. Alberty stated that the applicant has failed to submit a detail site plan (only concept plan), and the Board does not have a detail plan to review at this time.

Mr. Gardner stated that Ms. Munding has informed that some activities which have taken place on the subject property, such as rock concerts, were not reported at the previous hearing. He noted that she owns property in the area, and is concerned with this type of activity reoccurring.

Mr. Jones stated that the protestants will be notified if Mr. Allen returns to the Board with additional construction or uses on the subject property. He noted that the protestants can monitor the activities conducted at the Allen Ranch, and the Building Inspector can be notified if there is new construction, or uses, on the property, other than those listed by Mr. Allen at the hearing.

Protestants:

Linus P. Munding, 3703 South Victor, Tulsa, Oklahoma, stated that he has a newspaper article from a 1986 edition which covers a rock concert that was held on the subject property. Also, he asked if the existing lagoon system is approved, and Mr. Alberty pointed out that the City/County Health Department can answer any questions concerning sewage systems. Mr. Munding stated that, according to his research, the Allen Ranch has numerous outstanding debts, and questioned Mr. Allen's ability to finance the project.

Case No. 914 (continued)

There were other protestants in the audience that did not address the Board.

Board Action:

After discussion, it was the conclusion of the Board that a detail site plan for additional uses has not been submitted, and that it will be required for approval before the applicant can construct additional buildings or use the property for recreational purposes as presented to the Board in the concept plan.

Election of Officers

Acting Chairman Alberty called for nominations for the office of Chairman of the County Board of Adjustment. Mr. Eller nominated Mr. Alberty and, there being no further nominations, Mr. Alberty was approved by acclamation.

On **MOTION** of **ELLER**, the Board voted 3-0-1 (Eller, Tyndall, Walker, "aye"; no "nays"; Alberty, "abstaining"; Looney, "absent") to **ELECT** Mr. Alberty as Chairman of the County Board of Adjustment.

The Acting Chairman then called for nominations for Vice-Chairman, and Mr. Walker nominated Mr. Tyndall. There being no further nominations, Mr. Tyndall was approved by acclamation.

On **MOTION** of **WALKER**, the Board voted 3-0-1 (Alberty, Eller, Tyndall, "aye"; no "nays"; Walker, "abstaining"; Looney, "absent") to **ELECT** Mr. Tyndall as Vice-Chairman of the County Board of Adjustment.

Mr. Alberty called for nominations for Secretary, and Mr. Eller nominated Mr. Walker, with Mr. Walker nominating Mr. Eller for the same office.

The Board voted 1-3-0 (Walker, "aye"; Alberty, Eller, Tyndall, "nay"; no "abstentions"; Looney, "absent") for Mr. Eller as Board Secretary.

The Board voted 3-0-1 (Alberty, Eller, Tyndall, "aye"; no "nays"; Walker, "abstaining"; Looney, "absent") to **ELECT** Mr. Walker as Secretary to the County Board of Adjustment.

There being no further business, the meeting was adjourned at 3:15 p.m.

Date Approved 10-17-89


Acting Chairman

9:19.89:112(14)