

**COUNTY BOARD OF ADJUSTMENT**  
Meeting No. 115  
Tuesday, December 19, 1989, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Alberty, Chairman Eller Looney Tyndall Walker		Gardner Jones Moore	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, December 15, 1989 at 9:39 a.m.

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

**MINUTES**

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the **Minutes** of November 21, 1989 (No. 114).

**NEW APPLICATIONS**

**Case No. 941**

**Action Requested:**

Special Exception - Section 410, Table 1 - Principal Uses Permitted In Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RS zoning district, located 5912 South 66th West Avenue.

**Presentation:**

The applicant, **Beverly Jones**, 3709 South 29th West Avenue, Tulsa, Oklahoma, requested permission to permanently install a mobile home on her father's property at the above stated location.

**Comments and Questions:**

Mr. Alberty asked if there are other mobile homes in the neighborhood, and the applicant responded that there are several in the neighborhood, and one next door to the subject property.

Case No. 941 (continued)

In response to Mr. Alberty, the applicant replied that the property is served by City sewer and water. She stated that the mobile home will be skirted and tied down.

**Protestants:**

One letter of protest (Exhibit A-1) was received from a resident of the area.

**Applicant's Rebuttal:**

Tim Jones, 3709 South 29th West Avenue, Tulsa, Oklahoma, stated that the mobile home they are proposing to place on the property is comparable to those mobiles in the area, and in much better condition than some of the houses in the neighborhood.

**Board Action:**

On MOTION of TYNDALL, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to APPROVE a Special Exception (Section 410, Table 1 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoning district; subject to skirting being installed; and subject to a Building Permit and Health Department approval; finding that there are numerous mobile homes in the area, and the granting of the request will not be detrimental to neighborhood; on the following described property:

Lots 1 -5, Block 50, Taneha Addition, Tulsa, County, Oklahoma.

**Case No. 942**

**Action Requested:**

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Use Unit 1209 - Request a variance to permit two (2) residences on a single lot of record.

Special Exception - Section 410, Table 1 - Use Units Permitted in Residential Districts - Use Unit 1209 - Request a special exception to permit use of a mobile home as a residence in an RS District, located 2110 East 73rd Street North.

**Presentation:**

The applicant, Bobby J. Webster, 2110 East 73rd Street North, Tulsa, Oklahoma, stated that he owns a house located on a 10-acre tract and asked permission to install a second dwelling unit (mobile home) to be used as a residence for his mother-in-law. He pointed out that she lives in another city, but is in poor health and in need of supervision. Mr. Webster stated that the mobile home will be located directly behind the existing dwelling. A plot plan (Exhibit B-3) was submitted by the applicant. He informed that all surrounding property owners have been informed of his intent, and there has been no opposition to the mobile home. A letter and petition (Exhibit B-2) of support were submitted.

Case No. 942 (continued)

Comments and Questions:

Mr. Jones informed that the south portion of the property has development constraints, due to its location in a floodplain.

Protestants:

Jeff Kirkham, 1727 East 73rd Street North, Tulsa, Oklahoma, stated that the mobile home has already been placed on the property, as is often the case in applications for mobile homes. He commented that the trend toward mobile home use in the area had finally been halted, but voiced a concern that the trend could be reversed if the Board begins to approve them once again. Mr. Kirkham stated that the applicant has failed to demonstrate a hardship, and asked the Board to deny the application.

Joni Graves, stated that she is representing her mother-in-law, Ms. Graves, 2121 East 73rd Street North, Tulsa, Oklahoma, who lives across the street to the north from the mobile home location. She pointed out that the applicant recently purchased the house and was aware that he might need more space for his relative. Ms. Graves pointed out that her mother-in-law feels that the mobile home will be detrimental to the neighborhood.

Applicant's Rebuttal:

Gwenda Webster, wife of the applicant, explained that the mobile home would allow her mother to be independent, but, at the same time, would allow her to be close enough for constant supervision. She submitted photographs (Exhibit B-1), and explained that the mobile home will be well maintained, and will be utilized only during the lifetime of her mother. Ms. Webster stated that, at the time the house was purchased, she was not aware that her mother's health would deteriorate to the extent that she would require constant care.

Additional Comments:

Mr. Looney asked if the mobile home will have a septic tank for sewage disposal, and Ms. Webster answered in the affirmative. She added that the health department has checked the septic tank and approved the system. She pointed out that the property in question is located on a dead end street.

Mr. Alberty stated that the 10-acre tract is large enough to accommodate the two dwelling units, and is abutted on two sides by agricultural zoned property, which would allow mobile home use by right. He further noted that the use is a temporary one for the life of a parent, as opposed to a permanent use.

Case No. 942 (continued)

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 208 - One Single-Family Dwelling Per Lot of Record - Use Unit 1209) to permit two (2) residences on a single lot of record; and to **APPROVE** a **Special Exception** (Section 410, Table 1 - Use Units Permitted In Residential Districts - Use Unit 1209) to permit use of a mobile home as a residence; subject to the use being limited to the lifetime of the applicant's mother-in-law; subject to skirting being installed; and subject to a Building Permit and Health Department approval; finding that the large tract is sufficient in size to accommodate two dwelling units; and that the temporary use will not be detrimental to the area; on the following described property:

NE/4, SW/4, NE/4, Section 31, T-21-N, R-13-E, Tulsa County, Oklahoma.

**Case No. 943**

**Action Requested:**

Variance - Section 330, Table 3 - Bulk and Area Requirements in Agricultural Districts - Request a variance to reduce lot width from required 200' to 150'.

Variance - Section 330, Table 3 - Bulk and Area Requirements in the Agricultural Districts - Use Unit 1206 - Request a variance to reduce minimum lot area from required 2 acres to  $\pm$  1 acre for lot split, located 176th Street North and West 129th East Avenue.

**Presentation:**

The applicant, **Steven Lamar**, was represented by **Sally Simons**, 12303 East Skelly Drive, Tulsa, Oklahoma. She explained that the applicant's father is proposing to give each of his five children a portion of his property, and the one-acre tract set aside for the applicant has 150' of frontage, instead of the required 200'. She asked the Board to grant a variance of the required minimum lot width.

**Comments and Questions:**

Mr. Alberty inquired as to the frontage of the lots to the east of the subject tract, and Mr. Jones stated that they appear to be approximately 165' wide. He pointed out that there are two lots nearby on 129th East Avenue that are smaller than the lot in question.

Mr. Looney asked if City water is available, and Simons answered in the affirmative.

Case No. 943 (continued)

**Board Action:**

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 330, Table 3 - Bulk and Area Requirements in Agricultural Districts) to reduce lot width from required 200' to 150'; and to **APPROVE** a **Variance** (Section 330, Table 3 - Bulk and Area Requirements in the Agricultural Districts - Use Unit 1206) to reduce minimum lot area from required 2 acres to + 1 acre for a lot split; subject to TMAPC approval; and subject to a Building Permit and Health Department approval; finding that there are lots in the near vicinity that are smaller than the tract in question, and the granting of the variance request will not be detrimental to the area; on the following described property:

E/2, E/2, SW/4, SE/4 of Section 5, T-22-N, R-14-E, Tulsa County, Oklahoma.

**Case No. 944**

**Action Requested:**

Variance - Section 330, Table 3 - Bulk and Area Requirements in Agricultural Districts - Use Unit 1206 - Request a variance to permit reduction of required 200' lot width to 190', located east of NE/c 136th Street North and North Mingo.

**Presentation:**

The applicant, **Donald L. Hutchinson**, 13998 North 92nd Street, Tulsa, Oklahoma, stated that he purchased the tract in question approximately two years ago, and now plans to construct a house on the property. He pointed out that the lot is long and narrow, with 190' frontage on 136th Street North.

**Comments and Questions:**

Mr. Looney asked if there is a problem with flooding, and the applicant stated that there are no water problems on the property.

**Board Action:**

On **MOTION** of **WALKER**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 330, Table 3 - Bulk and Area Requirements in Agricultural Districts - Use Unit 1206) to permit reduction of required 200' lot width to 190'; subject to Building Permit and Health Department approval; finding that there are numerous lots near the subject tract that have similar widths; and the granting of the variance request will not cause substantial detriment to the area, or impair the spirit, purposes or intent of the Code; on the following described property:

South 660' of east 190' of Lot 4, Section 30, T-22-N, R-14-E, Tulsa County, Oklahoma.

Case No. 945

Action Requested:

Variance - Section 207 - Street Frontage Required - Use Unit 1206 - Request a variance to permit construction of single-family dwelling with 0' frontage on a dedicated street, located 1/4 mile west of intersection 165th Street South and Peoria.

Presentation:

The applicant, **Thomas E. Zickefoose**, was not present.

Comments and Questions:

Mr. Jones informed that the application was taken too late to complete the advertising portion of the case, and suggested that Case No. 945 be continued to January 23, 1990. He stated that the applicant has been notified of the need for a continuance.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 945 to January 23, 1990.

OTHER BUSINESS

Review and Approval of 1990 Meeting Schedule

Board Action:

On **MOTION** of **ELLER**, the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the 1990 meeting schedule (Exhibit D-1) as presented.

There being no further business, the meeting was adjourned at 2:04 p.m.

Date Approved

Jan. 23, 1990

Wayne Alberty  
Chairman