

**COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 142
Tuesday, March 17, 1992, 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	Eller	Gardner Jones Moore	Glenn, Building Insp.

The notice and agenda of said meeting were posted in the Office of the County Clerk on Monday, March 16, 1992, at 1:21 p.m., as well as in the Reception Area of the INCOG offices.

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 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Eller, "absent") to **APPROVE** the **Minutes** of February 4, 1992 (No. 141).

UNFINISHED BUSINESS

Case No. 1062

Action Requested:

Variance of the required lot width from 200' to 165' - **Section 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6.

Variance of the required lot area from two acres to one acre to permit a lot split - **Section 330. BULK AND AREA REQUIREMENTS FOR THE AGRICULTURE DISTRICT** - Use Unit 6, located 17505 South 145th East Avenue.

Presentation:

The applicant, **Lee A. Belmonte**, 17505 South 145th East Avenue, Bixby, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that the applicant has asked that the case be withdrawn, since the lots have been reconfigured and he is no longer in need of the relief requested.

Board Action:

Finding no opposition, Chairman Alberty opted to **STRIKE** Case No. 1062 from the agenda, as requested by the applicant.

Case No. 1064

Action Requested:

Variance of the maximum square footage of floor area for an accessory building from 750 sq ft to 1500 sq ft - **Section 240.2.E Permitted Yard Obstructions** - Use Unit 6.

Variance of the required 55' setback from the centerline of West Edison to 38' - **Section 241. EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS** - Use Unit 6.

Variance to permit an accessory building in the side or front yard - **Section 420.2.A.2 Accessory Use Conditions** - Use Unit 6, located 532 North 72nd West Avenue.

Presentation:

The applicant, **Joe Damer**, 532 North 72nd West Avenue, Tulsa, Oklahoma, informed that he is proposing to construct a building on an existing slab, and that he will remove the other small storage buildings when the new structure is completed.

Comments and Questions:

Mr. Gardner advised that this application was continued from the last meeting because the building site for the 30' by 50' storage facility was on a separate lot from the residence. In regard to the variance of the setback requirement, Mr. Gardner stated that the section line to the north will not be widened, and the major issue in the application is the size of the structure.

Mr. Jones stated that the applicant has obtained a lot split, placing the storage building and the house on the same lot. He informed that Staff has viewed the property and found a large amount of outside storage, and added that the detached accessory building would be large enough to accommodate a business. Mr. Jones stated that the Board could limit the use to storage purposes only.

In response to Mr. Alberty, the applicant replied that the building will be used for storage only.

Mr. Alberty asked Mr. Damer if he is proposing to operate a business in the building, and he stated that the facility will not be used for business purposes, but only for the storage of fuel, cars, a tractor and other farm equipment.

Mr. Walker stated that he has site checked the property, and informed the applicant that he could support the request if the three portable buildings were removed, and the surrounding area was cleared.

Case No. 1064 (continued)

Mr. Damer stated that he is constructing the new building in order to have storage space for some of the materials that are currently stored outside.

Protestants:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, Looney "absent") to **APPROVE** a **Variance** of the maximum square footage of floor area for an accessory building from 750 sq ft to 1500 sq ft - **Section 240.2.E Permitted Yard Obstructions** - Use Unit 6; and to **APPROVE** a **Variance** of the required 55' setback from the centerline of West Edison to 38' - **Section 241. EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS** - Use Unit 6; and to **WITHDRAW** a **Variance** to permit an accessory building in the side or front yard - **Section 420.2.A.2 Accessory Use Conditions** - Use Unit 6; subject to a building permit, and subject to the building being used for personal storage only; subject to no commercial use of the proposed structure; and subject to all existing portable buildings being removed from the premises; finding that the variance to permit the building in the side or front yard is no longer needed because of the lot split; and finding that the property is located in a sparsely settled area, with surrounding agricultural uses, and the storage facility (no commercial use) will not be detrimental to the area, or violate the spirit, purposes and intent of the Code; on the following described property:

The north 157.5' east 264' of Block O less the east 10' thereof for road and all of Block O and north 81' Block P less north 81' east 264' of Block P and less the south 43' east 264' of Block O and less the east 10' north 157.5' of Block O and less the north 157.5 east 264' of Block O, Farm Colony Subdivision, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 1067

Action Requested:

Variance of the required lot width from 200' to 165' to permit a lot split - **Section 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6, located 23418 West Coyote Trail.

Presentation:

The applicant, **Jerry Carter**, 23418 West Coyote Trail, Sand Springs, Oklahoma, requested that Case No. 1067 be continued to April 21, 1992 to allow additional time to prepare his case.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **CONTINUE** Case No. 1067 to April 21, 1992, as requested by the applicant.

Case No. 1068

Action Requested:

Variance of the required 200' lot width to 174.64' to permit a lot split - **Section 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6, located East 126th Street North between Mingo and Garnett.

Presentation:

The applicant, **Jeannette Mattingly**, PO Box 2395, Tulsa, Oklahoma, requested permission to split a 10-acre tract into two parcels. She informed that the tract is narrow and, although the two proposed lots can comply with the area requirement, a variance of the lot width is needed.

Comments and Questions:

Mr. Looney asked if both tracts will have an access to the street, and the applicant answered in the affirmative.

Mr. Gardner advised that the tract has sufficient land area for five lots, however, because of the long narrow shape and the width requirement, it is not possible to divide the property into two lots without Board approval.

Protestants:

None.

Case No. 1068 (continued)

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** of the required 200' lot width to 174.64' to permit a lot split - **Section 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6; finding a hardship imposed on the applicant by the long narrow shape of the lot; and finding that approval of the request will not be detrimental to the area, or violate the spirit, purposes and intent of the Code; on the following described property:

A tract of land being a part of Government Lots 3 and 2 lying in the NE/4 of the NW/4 and the NW/4 of the NE/4 of Section 6, T-21-N, R-14-E of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at a point 1288.92' N 89°27'38" W of the northeast corner (iron pin) on the NW/4 of the NE/4 of Section 6; thence N 89°27'38" W a distance of 174.64' to a point; thence S 00°03'42.51" W a distance of 1322.02' to a point; thence S 89°34'42" E a distance of 174.57' to a point (iron pin); thence N 00°03'53" E a distance of 1321.66' to the point of beginning. Said tract containing 5.299 acres more or less and a tract of land being a part of Government Lot 3, lying in the NE/4 of the NW/4 of Section 6, T-21-N, R-14-E of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point 1463.56' N 89° 27'38" W of the northeast corner (iron pin) of the NW/4 of the NE/4 of Section 6, thence N 89° 27'38" W a distance of 174.64' to a point (iron pin), thence S 89° 34'42" E a distance of 174.57' to a point, thence N 00° 03'42.51" E a distance of 1322.02 feet to the point of beginning, tract containing 5.2999 acres more or less.

Case No. 1069

Action Requested:

Variance to permit two dwelling units per one lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9, located 16322 South 183rd East Avenue.

Presentation:

The applicant, **Eric Slagle**, 16322 South 183rd East Avenue, Tulsa, Oklahoma, stated that he is proposing to install a mobile dwelling unit on his property for his brother to use as a residence. Mr. Slagle informed that the property is too narrow for a lot split.

Comments and Questions:

Mr. Alberty asked the applicant if the deed will remain in his name, and he answered in the affirmative.

In response to Mr. Alberty, Mr. Slagle stated that there are other properties in the area that have more than one dwelling per lot.

Mr. Glenn advised that the applicant will be required to obtain an elevation certificate, due to the fact that the property is located in the 100-year floodplain.

Protestants:

None.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** to permit two dwelling units per one lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9; subject to the applicant procuring an elevation certificate; and subject to a building permit and Health Department approval; finding a hardship demonstrated by the narrow shape of the lot; and finding that the tract has sufficient land area to accommodate two dwelling units; on the following described property:

S/2, SE/4, SE/4, NW/4, Section 25, T-17-N, R-14-E,
Tulsa County, Oklahoma.

Case No. 1070

Action Requested:

Special Exception to permit dirt mining in an AG zoned district - **Section 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT** - Use Unit 24, located 2601 West 101st Street South.

Comments and Questions:

Mr. Jones informed that the Jenks Board of Adjustment has heard the case and recommended denial (Exhibit B-1).

Presentation:

The applicant, **Gilbert Ogles**, Route 3, Box 222, Cleveland, Oklahoma, was represented by **David Phillips**, 200 North Roosevelt, Sand Springs, Oklahoma, who informed that the property in question is located within one-quarter mile of a Creek County landfill. He pointed out that the AG zoned tract is located in the 100-year floodplain and is not large enough to use for agricultural purposes. Mr. Phillips stated that his client is a home builder and is proposing to remove top soil from the property, which will be used to fill in areas around new homesites. He informed that the area will not accommodate heavy trucks, and the dump trucks used in this operation will probably make no more than six trips to the site each day. Mr. Phillips stated that the removal of dirt will create a type of detention pond on the tract, and will not cause flood damage in the area. He added that there have been no neighborhood objections to the project.

Additional Comments:

In response to Mr. Alberty, Mr. Phillips stated that the RE District to the north is vacant, the AG District to the south is also vacant, a residence to the east is unoccupied and to the west is vacant agricultural land.

Mr. Alberty asked if the residential property has been abandoned, and Mr. Phillips stated that he is not sure.

Mr. Looney asked if the operation will be regulated by the Federal Mining Act, and Mr. Phillips stated that posting of a bond and compliance with other guidelines are required by the State.

In response to Mr. Tyndall, Mr. Phillips stated that there are vacant dwellings located in the area.

Mr. Alberty inquired as to the depth of excavation, and Mr. Phillips stated that depth has not been determined, but the water table is near the ground surface at this location.

Case No. 1070 (continued)

Mr. Alberty stated that the Jenks Board of Adjustment voted 5-0-0 to deny the application, and he is inclined to uphold their recommendation.

Ed Gorman, a home builder in the Sand Springs area, stated that he builds approximately 10 houses each year, and is proposing to use the top soil for fill purposes around the construction area. He stated that he conferred with **Roy Tackett**, a State mining inspector for this area, and he indicated that mining would be permitted on the property. He stated that, after that conversation, the property was purchased and a temporary operating permit was obtained from the County. Mr. Gorman stated that he has made a sizable investment in the operation, and asked the Board to approve the application. He pointed out that the surrounding property owners are not opposed to the operation.

Mr. Looney asked how far the mining operation will be from 101st Street, and Mr. Gorman stated that the setback requirement from the street is 60'.

In response to Mr. Looney, Mr. Gorman stated that he would like to sell some top soil to other building contractors after his personal needs have been met.

Mr. Tyndall stated that the proposed excavation project seems to be larger than a six-load-per-day operation, and Mr. Gorman stated that there could be as many as 16 loads on some days, and none on others. He pointed out that dirt would only be removed when it is needed.

Mr. Looney inquired as to the hours of operation, and Mr. Gorman stated that the truckers prefer to haul early in the morning to avoid heavy traffic.

Mr. Glenn stated that the property is located in a regulatory floodplain, and anything that is removed from the property cannot be replaced.

Mr. Looney stated that this type of operation can create an eye sore if conducted improperly.

Mike Wolford, a resident of Sand Springs, stated that he has worked on similar projects at other locations, and the bond money is usually paid for the excavation of one or two acres and further work cannot begin until the previously mined area is reclaimed and inspected by the State.

Case No. 1070 (continued)

Mr. Looney inquired as to the preferred hours of operation, and Mr. Wolford replied that 7:00 a.m. to 5:00 p.m. , Monday through Saturday, would be a normal work week.

Mr. Looney stated that, although he is appreciative of the comments made by the Jenks Board of Adjustment, he finds the proposed operation, with appropriate conditions, to be a good use for the land.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 2-2-0 (Looney, Walker, "aye"; Alberty, Tyndall, "nay"; no "abstentions"; Eller, "absent") to **APPROVE*** a **Special Exception** to permit dirt mining in an AG zoned district - **Section 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT** - Use Unit 24; subject to no commercial operation; a 60' setback from 101st Street; 4 to 1 slopes on the excavation; hours of operation being 7:00 a.m. to 5:00 p.m., Monday through Saturday; no more than 5 acres being excavated at one time without reclamation; no fill materials being brought to the excavation site; all dust from the project being controlled by watering; and compliance with all County requirements.

*The application was denied for lack of three affirmative votes.

Case No. 1071

Action Requested:

Variance of the lot width from 200' to 125'; variance of the lot area from 2 acres to .8 acres; variance of the land area from 2.2 acres to .95 acres - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6, located 1/2 mile east of Lewis on 131st Street South.

Comments and Questions:

Mr. Jones informed that Jenks has recommended approval of the application (Exhibit C-1), subject to an approved percolation test, dedication of additional right-of-way along 131st Street to provide 50' and access being limited to one 40' entry per lot.

Case No. 1071 (continued)

Presentation:

The applicant, **Stephen Oakley**, 11944 South 1st Street, Jenks, Oklahoma, stated that he is aware of the conditions, and informed that the land slopes from the east to west, which is the reason for one lot being larger than the other. He stated that there are numerous similar size lots in the housing addition across the street to the north.

Comments and Questions:

Mr. Alberty asked the applicant if he lives on the property, and he replied that he is proposing to construct a dwelling on one of the lots.

Protestants:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** of the lot width from 200' to 125'; variance of the lot area from 2 acres to .8 acres; variance of the land area from 2.2 acres to .95 acres - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6; subject to Health Department approval of the sewage disposal system; dedication of additional right-of-way along 131st Street to provide 50'; property access being limited to one 40' entry per lot; finding a hardship demonstrated by the slope of the land and limited safe access points to the street; on the following described property:

North 330' of the east 395' of the NE/4, NW/4, Section 8, T-17-N, R-13-E, Tulsa County, Oklahoma.

Case No. 1072

Action Requested:

Variance of the required 30' of frontage on a public street or right-of-way to permit 4 lots - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6, located NE/c of Highway 169 and 161st Street North.

Comments and Questions:

Mr. Jones advised that portions of the property are located in a regulatory floodway and the 100-year floodplain (Exhibit D-1).

Case No. 1072 (continued)

Presentation:

The applicant, **Jeanette Mattingly**, PO Box 2395, Tulsa, Oklahoma, submitted a plat of survey (Exhibit D-2) and stated that the tract in question is being split into 4 lots, one of which is located in the regulatory floodway. She informed that the land is wooded and a creek flows across the property on the north.

Comments and Questions:

Mr. Alberty asked if the owner of the property would be amenable to splitting the property into only three lots, and Ms. Mattingly stated that this has been considered since it was found that one lot is in the floodway.

James R. Colpitt, Collinsville, Oklahoma, stated that the southern portion of three of the lots is not in the floodplain and suitable for building sites. He informed that an existing road has been upgraded to serve the lots.

Mr. Alberty asked if an easement will be filed of record to assure access to all lots, and Ms. Mattingly replied that the easement will appear on the deed.

Mr. Gardner stated that normally a roadway easement across the entire property is filed of record to assure access to all lots.

Mr. Glenn informed that his map differs from the one supplied by the applicant.

Mr. Alberty suggested that the case be continued to the next meeting to permit the building inspector sufficient time to review the elevations supplied by Mr. Colpitt.

Mr. Colpitt explained that one lot has a contract for sale, and asked that the one tract that is not included in the floodplain be approved at this time.

Mr. Gardner pointed out that the building inspector does not have the authority to issue a building permit in an area that the FEMA maps have designated as a floodway.

Interested Parties:

Don Clapsaddle, 16012 North 145th East Avenue, Collinsville, Oklahoma, stated that he is representing his sister-in-law, who owns property adjoining the tract in question. He stated that development of the property would be beneficial to the area, and that he is supportive of the application.

Case No. 1072 (continued)

Pam Edwards, prospective buyer of the property, stated that the lot she is interested in purchasing has the highest elevation and will not flood. She asked that the variance of the frontage for this lot be approved at this time, in order that her family can continue negotiations to close the transaction.

Mr. Gardner stated that he is also concerned with dividing the tract into four lots, since one lot would be totally in the floodway. He suggested that this lot could be sold with an adjoining lot, which would insure upkeep of the property.

Mr. Alberty advised that the Board could approve two lots, the lot Ms. Edwards is purchasing and the remainder of the tract, until such time as the elevation question is resolved.

In response to Mr. Walker, Mr. Colpitt stated that the entire tract contains 17 acres and each of the two east lots contain four acres.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** of the required 30' of frontage on a public street or right-of-way to permit 2 lots (Lot A being one lot and Lots B, C and D being one lot (Exhibit D-2)) - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6; subject to a mutual access easement extending along the front of Lot A all the way to US Highway 169 being filed of record; and to **CONTINUE** the balance of the application to April 21, 1992 to permit further study as to the feasibility of splitting the larger tract (B, C and D) into smaller lots; finding a hardship imposed on the applicant by the creek and the location of portions of the land in the 100-year floodplain and a regulatory floodway; on the following described property:

Tract A

The east 264.0' of the S/2, SW/4, NE/4, Section 16, T-22-N, R-14-E of the Indian Base and Meridian, Tulsa County, Oklahoma, containing 4 acres.

Case No. 1073

Action Requested:

Use Variance to permit a beauty shop in an AG-R zoned district - Section 310. **PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS - Use Unit 13.**

Variance of the all-weather surface parking - **Section 1340. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS,** located 19122 East 91st Street South, Broken Arrow, Oklahoma.

Presentation:

The applicant, **Dianna Payne**, 19122 East 91st Street South, Broken Arrow, Oklahoma, requested permission to operate a beauty shop in her home. She informed that there will be one employee in the business. A petition of support (Exhibit F-1) was submitted.

Comments and Questions:

Mr. Tyndall asked the applicant if the property in question is located in the Broken Arrow fenceline, and she answered in the affirmative. She added that the application was not heard by Broken Arrow because the case was inadvertently omitted from their agenda.

Mr. Gardner advised that, if inclined to approve the beauty shop, the Board could approve it as a home occupation, with conditions, instead of a use variance. He pointed out that a precedent would not then be set for other use variances in the area.

Mr. Alberty asked the applicant if she is familiar with the Home Occupation Guidelines, and she answered in the affirmative.

Mr. Gardner asked if the beauty shop will be located in the garage, and Ms. Payne stated that it will be in the garage, but the exterior of the house will not be altered.

In response to Mr. Tyndall, Mr. Jones informed that the Broken Arrow planner informed that he would write a letter in regard to Broken Arrow's position concerning the case, but Staff has not received the letter.

Ms. Payne stated that she attended the Broken Arrow Board of Adjustment and was told that they did not receive paper work concerning the case.

In regard to the parking area, the applicant stated that she has a long driveway, a portion of which will be doubled to provide additional parking.

Case No. 1073 (continued)

Mr. Tyndall stated that he is somewhat concerned that Broken Arrow has not commented on the case.

Ms. Payne stated that she left her phone number with a representative at the Broken Arrow meeting, and advised that she would be available to discuss the matter at any time.

Protestants:

None.

Board Action:

On MOTION of LOONEY, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Special Exception** to permit a beauty shop as a home occupation in an AG-R zoned district - **Section 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 13; and to **APPROVE** a **Variance** of the all-weather surface parking - **Section 1340. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**; and to **APPROVE** a **Variance** of **Section 440.B.1. Special Exception Uses in Residential Districts, Requirements**, to permit an employee; subject to the existing driveway being doubled to add sufficient customer parking; subject to one employee only; and subject to strict adherence to all other Home Occupation Guidelines; finding that the use, as presented, will not detract from the residential character of the neighborhood, or violate the spirit and intent of the Code; on the following described property:

A part of the NE/4 of the NE/4 of Section 24, Township 18 North, Range 14 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, to wit: Beginning at a point 743.93' West of the Northeast corner of said Section 24; thence S 0°22'40" E a distance of 562.16'; thence due West parallel to the North line of Sec. 24 a distance of 189.07'; thence N 0°22'40" W a distance of 562.16'; thence due East along the North line of Sec. 24, a distance of 189.07' to the point of beginning, and containing 2.440 acres, Tulsa County, Oklahoma.

Case No. 1074

Action Requested:

Variance of the required 30' of frontage on a public street or dedicated right-of-way to 0' - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6, located 16310 East 176th Street South.

Comments and Questions:

Mr. Jones informed that the Bixby Board of Adjustment has recommended approval of the application (Exhibit E-1).

Presentation:

The applicant, **Jeffrey Wagnon**, 408 South Riverview, Bixby, Oklahoma, stated that he is proposing to build a home on his property that does not have frontage on a public street.

Comments and Questions:

In response to Mr. Alberty, the applicant stated that a private road has been constructed to serve his property. He informed that a private access agreement has been filed of record.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** of the required 30' of frontage on a public street or dedicated right-of-way to 0' - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6; per plot plan submitted; subject to a road access easement to serve the property being filed of record; on the following described property:

East 331' of west 1012' of north 331' of SW/4, Section 35, T-17-N, R-14-E, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 3:25 p.m.

Date Approved

April 21, 1992

Steve Alberty
Chairman