

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 183
Tuesday, August 15, 1995, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty Looney Tyndall, Chairman Walker	Eller	Gardner Beach	Glenn, Building Inspection

The notice and agenda of said meeting were posted in the Office of the County Clerk on Tuesday, August 8, 1995, at 11:01 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **ALBERTY** the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, Looney, "absent") to **APPROVE** the **Minutes** of July 8, 1995 (No. 182).

NEW APPLICATIONS

Case No. 1360

Action Requested:

Special Exception to permit a single-wide mobile home in an RS District, and a variance to permit two dwelling units on one lot of record - **SECTION 410. SPECIAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 1513 East 72nd Street North.

Presentation:

The applicant, **Robert McCormick**, 1513 East 72nd Street North, requested permission to install a mobile home on the subject property to be used while repairing an existing dwelling. He informed that the project will be completed in approximately four years.

Case No. 1360 (continued)

Comments and Questions:

Mr. Tyndall asked if there are other mobile homes and lots with two dwelling units in the area, and the applicant answered in the affirmative.

In reply to Mr. Alberty, the applicant stated that the house is currently unoccupied. He informed that the mobile home is on the property, but is not hooked up to utilities.

Protestants:

None.

Board Action:

On **MOTION** of **ALBERTY** 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 single-wide mobile home in an RS District, and a **variance** to permit two dwelling units on one lot of record - **SECTION 410. SPECIAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9; subject to the mobile unit being permitted for four years only; and subject to the mobile home being removed at any time during the four-year period that the house is ready for occupancy; finding that there are numerous mobile homes in the area and some lots have more than one dwelling unit per lot of record; and finding that temporary approval of the mobile home will not be detrimental to the area, or violate the spirit and intent of the Code; on the following, described property:

W/2 Lot 10, Block 6, Golden Hill Addition, Tulsa County, Oklahoma.

Case No. 1362

Action Requested:

Variance to permit two dwelling units on one lot of record - **SECTION 208 - ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 3208 South 137th West Avenue.

Presentation:

The applicant, **Derrick Stane**, 3208 South 137th West Avenue, requested that two mobile units be permitted on the subject property to provide separate residences for he and his parents. He informed that the two mobile units were moved closer together to reserve a pasture area. A letter of support (Exhibit A-2) and a letter from Sand Springs (Exhibit A-1) recommending approval were submitted. Mr. Stane stated that a 2½-acre tract behind the property will be purchased in the near future and he and his parents will be joint owners of both tracts.

Case No. 1362 (continued)

Comments and Questions:

Mr. Walker noted that he is familiar with the area and that two mobile homes on the property would not be inappropriate.

Protestants:

None.

Board Action:

On **MOTION** of **WALKER** 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 on one lot of record - **SECTION 208 - ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9; subject to a building permit and Health Department approval; and subject to the mobile home being skirted and tied down; finding that approval of the request will not be detrimental to the area; and finding that the tract is large enough to divide into two lots that would comply with Code requirements; on the following described property:

- Beginning at the SW/c of NE/4, NE/4, NW/4, Section 21, T-19-N, R-11-E, thence N1°07'52"W for 145.20'; thence N88°58'04.8"E for 601.00'; thence S0°20'41"W for 145.24'; thence S88°58'05.2"W for 597.26' to the POB, Tulsa County, Oklahoma.

Case No. 1364

Action Requested:

Variance of the required setback from the centerline of 81st West Avenue from 85' to 66' to permit construction of a new residence - **SECTION 330. BULK AND AREA REQUIREMENTS IN AGRICULTURE DISTRICTS** - Use Unit 6, located 5859 South 81st West Avenue.

Presentation:

The applicant, **Michael Caldron**, PO Box 4178, was represented by **Sally Caldron**, who submitted a plot plan (Exhibit B-1) and requested that a new dwelling be permitted at the same location as the previous structure was located. She pointed out that it is their intent to build at the original building location in order to retain existing trees, landscaping and fencing. Ms. Caldron noted that only one corner of the structure will encroach into the required yard.

Comments and Questions:

In reply to Mr. Alberty, Mr. Beach advised that the building wall is not parallel with the street; therefore, only a portion of one corner of the building encroaches into the setback .

Case No. 1364 (continued)

Mr. Walker noted that the property is located on a dead end road, with no expansion proposed.

Protestants:

None.

Board Action:

On **MOTION** of **ALBERTY** the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **APPROVE** a **Variance** of the required setback from the centerline of 81st West Avenue from 85' to 66' to permit construction of a new residence - **SECTION 330. BULK AND AREA REQUIREMENTS IN AGRICULTURE DISTRICTS** - Use Unit 6; per plan submitted; finding that the new dwelling will be placed on the same site as the previous structure, which was not constructed parallel with the street; finding a hardship demonstrated by the shape (only one corner encroaches into the setback) and existing improvements on the property; and finding that approval of the request will not cause substantial detriment to the public good, or violate the spirit, purpose and intent of the Code; on the following described property:

W/2, SW/4, SW/4, SW/4 and S/2, E/2, SW/4, SW/4, SW/4, Section 31, T-19-N, R-12-E, IBM, Tulsa County, Oklahoma.

Case No. 1365

Action Requested:

Variance to permit two dwelling units on one lot of record - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 5835½ South Dip Creek Road.

Presentation:

The applicant, **Shelby Flowers**, 1354 South 123rd East Avenue, submitted a plot plan (Exhibit C-1) and informed that there are other tracts in the area with more than one dwelling unit. Mr. Flowers stated that it is important that he live nearby to assist his brother-in-law, who is experiencing some health problems.

Comments and Questions:

In reply to Mr. Alberty, the applicant stated that there are three other houses that currently use the access road.

Mr. Walker stated that he is familiar with the area and noted that there is sufficient land to create two legal lots if the owner was inclined to split the property.

Case No. 1365 (continued)

Protestants:

None.

Board Action:

On **MOTION** of **WALKER** 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 on one lot of record - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9; per plan submitted; subject to a building permit and Health Department approval; finding that the tract is large enough to split into two legal sized lots; and finding that approval of the request will not be detrimental to the area; on the following described property:

Beginning 1200' north of the SW/4, Section 33, T-19-N, R-10-E, Tulsa County, Oklahoma; thence west 1307.93'; thence S36°40'W for 31.17'; thence east 498.02'; thence south 295'; thence east 828.52'; thence north 320' to the POB less the most northwesterly 20' for road and utility purposes, Tulsa County, Oklahoma.

Case No. 1366

Comments and Questions:

Mr. Beach advised that the applicants, **Aderyn Lonigan** and **M. B. Peake**, 3402 South Winston, #302, requested by letter that Case No. 1366 (bed and breakfast) be withdrawn. He informed that the application has been partially processed and suggested that fees in the amount of \$75.00 be refunded to the applicant.

Board Action:

On **MOTION** of **ALBERTY** the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Eller, "absent") to **REFUND** fees in the amount of \$75.00; finding that the application has been partially processed prior to withdrawal.

Case No. 1367

Action Requested:

Special Exception to permit a single-wide mobile home in an RE zoned district, and a variance to permit two dwelling units per lot of record - **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY PER LOT OF RECORD** - Use Unit 9, located east of the southeast corner of 92nd Street North and North Osage Drive.

Case No. 1367 (continued)

Presentation:

The applicant, **Ricky Jobe**, Route 2, Box 255-10, Sperry, Oklahoma, informed that a dwelling is existing on the seven-acre tract and requested that he be permitted to install a mobile home on the property.

Comments and Questions:

In reply to Mr. Alberty, the applicant stated that the mobile unit will be located on the north end of his father's land.

Mr. Alberty noted that the tract is large enough to support two dwelling units.

Board Action:

On **MOTION** of **ALBERTY** 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 single-wide mobile home in an RE zoned district, and a **variance** to permit two dwelling units per lot of record - **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY PER LOT OF RECORD** - Use Unit 9; finding that the tract is large enough to support two dwellings; and finding that approval of the request will not be detrimental to the area; on the following described property:

Beginning 900' east and 175' south of the NW/c, SW/4, NE/4, Section 23, T-21-N, R-12-E, thence west 200', thence south 815', thence east 200', thence north 815', less the north 25', Tulsa, County, Oklahoma.

There being no further business, the meeting was adjourned at 2:50 p.m.

Date Approved

Sept. 19, 1995

John N. Tyndall
Chairman