

**COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 234**  
Tuesday, November 16, 1999, 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 Dillard Looney Walker, Chair	Tyndall	Bruce Butler Huntsinger Stump	West, County Inspec.

The notice and agenda of said meeting were posted in the Office of the County Clerk on, Friday, November 12, 1999 at 4:00 p.m., as well as in the Reception Area of the INCOG offices.

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

\*\*\*\*\*

**Minutes:**

**Approval of the minutes of October 19, 1999, Meeting No. 233**

On **MOTION** of **ALBERTY** the Board voted **3-0-0** (Alberty, Dillard, Walker "aye"; no "nays"; none "abstaining"; Looney, Tyndall "absent") to **APPROVE** the minutes of the meeting of October 19, 1999 Meeting No. 233.

\*\*\*\*\*

**UNFINISHED BUSINESS**

**Case No. 1688**

**Action Requested:**

Variance to Section 208 to permit two dwelling units per lot of record and a Variance to Section 207 to reduce the required 30' of frontage on a public street, located 8901 North Hudson Avenue.

**Presentation:**

Mr. Bruce stated that it has come to staff's attention that the applicant's request is to add a third unit and the notice was for two units per lot of record. Staff recommends that this item be stricken and a new notice will be mailed.

**Strike Case No. 1688.**

\*\*\*\*\*

Mr. Looney in at 1:40 p.m.

**Case No. 1683**

**Action Requested:**

Special Exception to Allow mining/dirt removal (non-coal) in an AG zoned district.  
**SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT**, located north and west of the northwest corner of East 56<sup>th</sup> Street North and North Yale.

**Staff Comments:**

Mr. Bruce stated that the area under application is 130 acres and the total ownership is 160 acres. The area mined will be a maximum of 30 acres and in the future there will be a stock pond that will be mined to a depth of a maximum of ten feet. He indicated that the applicant will discuss some minor changes today.

**Presentation:**

**Vance Hall**, representing K. Ross Trucking, Inc., 5615 East 80<sup>th</sup> Place, Tulsa, Oklahoma 74136, submitted a letter of agreement and site plan (Exhibit A-1) and stated he does have some minor modifications to the letter of agreement. Mr. Hall cited the changes to the letter of agreement. Mr. Hall stated that the letter submitted constitutes the agreement reached between his client and the protestant's attorney.

**Comments and Questions:**

Mr. Alberty asked if there is a timetable on when his client will attempt to mine the remaining acreage of the 130 acres that is not under application today. Mr. Alberty further questioned if the mining will be held to the five-foot maximum depth. In response, Mr. Hall stated that his client does not have current plans to mine the remainder of the acreage except to have hauls roads and stockpiles as needed. Mr. Hall indicated that his client will store his equipment on the acreage as well. Mr. Hall stated that the remainder acreage will not be under the application to the Oklahoma State Department of Mines. Mr. Hall indicated that if his client desires to mine the remainder of the acreage he will have to apply for a modification to the mining permit.

**Interested Parties Comments:**

**Dwayne Smith**, 35 East 18<sup>th</sup> Street, Tulsa, Oklahoma 74119, representing Texhoma Royalty Corporation, stated that he did meet with the application and all objections have been resolved. He reported that Texhoma Royalty Corporation withdraws their objection, subject to the condition that all of the conditions in the letter of agreement (Exhibit A-1) are set out as conditions imposed on the special exception by the Board. He requested that the letter of agreement be made a part of the record.

Case No. 1683 (continued)

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** a Special Exception to Allow mining/dirt removal (non-coal) in an AG zoned district. **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT**, subject to the letter of agreement (Exhibit A-1) and subject to detail site plan approval by the Board prior to initiating mining of the area not considered a part of the original 30 acres, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

NE, SW, NE, S/2, SW, NE, NW, SE, NE, SW, SE, E/2, SE of Section 4,  
T-20-N, R-13-3, Tulsa County, State of Oklahoma.

\* \* \* \* \*

# HALL GEOLOGICAL SERVICES, LLC

5615 East 80<sup>th</sup> Place

Tulsa, OK 74136

URL: [www.hgs-llc.com](http://www.hgs-llc.com)

(918) 481-5866 Fax: (918) 492-3184

November 16, 1999

Dwight L. Smith, Esq.  
Levinson, Smith, and Abrahamson  
35 East 18<sup>th</sup> Street  
Tulsa, Oklahoma 74119

TRANSMITTED BY FAX

Re: Application for special exception to allow mining/dirt removal (non-coal) in an AG zoned District; parts of Sec. 4, T20N, R13E, Tulsa County, Oklahoma  
CBOA 1683

Dear Mr. Smith:

On November 10, Jean Heinecke and I met with you and Tom Coates to discuss the referenced application for a special exception to zoning. We discussed the concerns that you expressed during the October 19 INCOG Board of Adjustment hearing. At the conclusion of the meeting, we agreed that K. Ross Trucking, Inc. would modify its applications as described herein if your client, Texhoma Royalty Corporation, will cease its opposition to the proposed non-coal (soil) mining operation.

Pursuant to our agreement, I have listed certain details and modifications of the K. Ross Trucking mine plan that may become conditions of 1) the special exception to zoning and 2) the non-coal mining permit. Provided that Texhoma Royalty Corporation agrees in writing that it will not oppose the subject mining operation and the related special exception to zoning, K. Ross Trucking agrees to these provisions:

1. The 160-acre tract described in the initial special exception application and in the initial non-coal mining permit application will be reduced to 130 acres by removing the 30-acre tract in the NE $\frac{1}{4}$  of Section 4 from zoning and non-coal mining permit applications.
2. The active mine area within the 130-acre permit area will be limited to soil mining and to no more than 30 acres, not including access and storage areas where no excavation will occur.
3. K. Ross Trucking may, at its sole discretion, construct a stock pond as a part of the reclamation plan; the depth of the pond below the ground surface will not exceed ten feet and the areal extent of the pond excavation will not exceed five acres.
4. Except for the area of the stock pond described above, the depth of excavation will not exceed five feet below the ground surface. (The K. Ross Trucking non-coal mining permit application describes mining depths of from two to five feet.)
5. The active mining (soil excavation) will be limited to the areas that are determined to contain no wetlands by the U. S. Department of Agriculture Natural Resources Conservation Service or by the U. S. Army Corps of Engineers.
6. Areas disturbed by mining (soil excavation) will be restored to pasture in a manner approved by the Oklahoma Department of Mines.
7. No further special exception applications to allow mining or dirt removal from the 30 excluded acres described above in the NE $\frac{1}{4}$  of Section 4, T20N, R13E, may be presented or considered before January 1, 2015.

K. Ross Trucking

Non-Coal Mining (Soil Excavation)  
Special Exception to Zoning

**Exhibit A-1**

8. The "Site Plan" attached hereto, marked as Exhibit "A" illustrates many of the above conditions, including those set forth in paragraphs numbered one, two and three, and is adopted by this reference.

K. Ross Trucking will not request the modifications to the original applications for special exception to zoning and non-coal mining permit unless Texhoma Royalty Corporation agrees in writing that it will not oppose the non-coal mining (soil excavation) described herein. Please ask your client to confirm the tentative agreement that we reached at the mine site last week.

Sincerely,  
**Hall Geological Services, LLC**

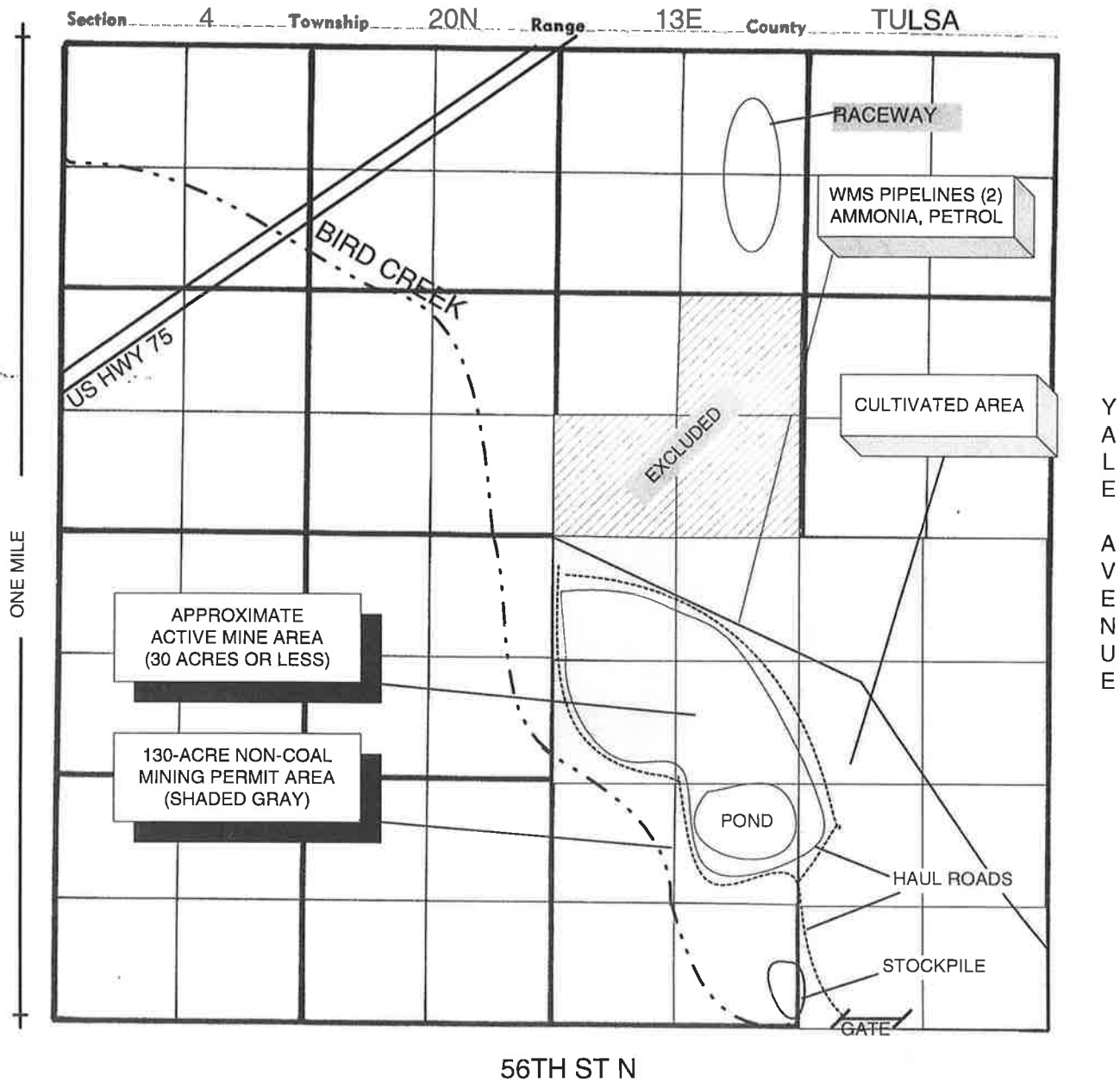


R. Vance Hall, CPG

Attachment: EXHIBIT "A" – SITE PLAN

XC: Jay Stump

**EXHIBIT A**  
TULSA COUNTY BOARD OF ADJUSTMENT (CBOA) - CASE # 1683



**SITE PLAN**

Special Exception Request

**K. ROSS TRUCKING, INC.**

November 1999



**NEW APPLICATIONS**

**Case No. 1685**

**Action Requested:**

Variance to Section 208 to allow two residences per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 6,** located at 409 East 131<sup>st</sup> Street.

**Staff Comments:**

Mr. Bruce stated that the subject property is approximately 3.8 acres in size and located in an area of large acreage parcels with large homes. Currently there is a mobile home and garage on the subject property. A portion of the garage will be converted into a garage apartment.

**Presentation:**

**Jana Gildon**, 409 East 131<sup>st</sup> South, Jenks, Oklahoma 74037, stated that her mother owns the subject property and she will be living there as well. The existing mobile home is located 400 feet back from the road. The dutch barn is 40 feet from the mobile home and would like to convert it into a garage apartment. She indicated that she will live in the garage apartment and her son will live in the mobile home.

Ms. Gildon stated that the septic system could handle the new addition. She indicated that she does not intend to split the lot and the subject property will remain 3.8 acres.

**Comments and Questions:**

Mr. Alberty stated that he could support this application by virtue of the fact that the subject property is a 3.8-acre tract and the structures are currently existing on the subject property.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** a Variance to Section 208 to allow two residences per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 6,** finding that the structures currently exist on the subject property and the applicant would like to retain the AG zoning, finding that granted request will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan on the following described property:

W 300' of the S 552, W 330' SW, SE, Section 1, T-17-N, R-12-E, Tulsa County, State of Oklahoma.

\* \* \* \* \*

## **Case No. 1686**

### **Action Requested:**

Variance to Section 240.2.E to allow increase to the maximum allowable size of a detached accessory building from 750 square feet to 2520 square feet and a Variance to the definition of accessory, allowing an accessory use on a lot other than the lot occupied by the principal structure, located at 11414 East 140<sup>th</sup> Place North.

### **Staff Comments:**

Mr. Bruce stated that all of the lots are connected and a tie agreement will not be necessary. The subject parcel is approximately one-acre in size and is comprised of six lots. A residence of approximately 2400 square feet, plus the garage area is located on the site.

### **Presentation:**

**Timothy R. Sills**, 11414 East 140<sup>th</sup> Place North, Tulsa, Oklahoma, stated that he would like to build an additional building on the subject property. He explained that the additional building is needed to house a 30-foot boat and miscellaneous items.

### **Comments and Questions:**

Mr. Dillard asked the applicant if the proposed building will be a pole barn. In response, the applicant answered affirmatively.

Mr. Alberty asked the applicant if he would be utilizing the proposed building for commercial use. In response, Mr. Sills answered negatively.

Mr. Alberty asked the applicant if he would have an objection to the Board making a condition upon approval that the proposed building could not be utilized for commercial uses. In response, Mr. Sills stated that he would agree to the condition.

### **INTERESTED PARTIES:**

**Janie Rucks**, 13920 North 115<sup>th</sup>, Tulsa Oklahoma, submitted a photograph of her home (Exhibit B-1) and stated that the proposed size of the building concerns her. She expressed concerns that there will be a commercial business going into the proposed building. She questioned if the proposed building will be on the easement.

Ms. Rucks stated that the proposed building will be across the street from her residence and the proposed building will be larger than her home.

Mr. Alberty asked Ms. Rucks if he had suspicion that there will be a commercial business in the proposed building. In response, Ms. Rucks answered affirmatively.



**Wayne Ferguson**, 14007 North 115<sup>th</sup> East Avenue, Tulsa, Oklahoma, stated that he is east of the proposed building. He expressed concerns that the proposed building will be used for construction storage. He indicated that there would not be ample room for the employees to park and would possibly park in the street.

Mr. Ferguson stated that there is a water shed problem in the subject area and the proposed building will create additional water shed. Mr. Ferguson concluded that the subject building is not compatible with the neighborhood.

Mr. Alberty asked Mr. Ferguson if he had reason to believe that the applicant will use the proposed building for a commercial use. In response, Mr. Ferguson stated that the applicant owns and operates a plumbing business. Mr. Ferguson further stated that he does not believe that the applicant would build such an oversized building for his boat.

Mr. Alberty asked Mr. Ferguson if there is current commercial activity on the subject property. In response, Mr. Ferguson stated that at this time there is no commercial activity on the subject property.

**Applicant's Rebuttal:**

Mr. Sills stated that he does own a plumbing business and he presently does not park any of the business trucks or store materials on his property. He indicated that he does not have any intentions of storing business trucks or plumbing equipment in the proposed building.

**Comments and Questions:**

Mr. Walker asked the applicant why the building needed to be so large. In response, Mr. Sills stated that he could make the building smaller, but would prefer to have the size requested for the extra room.

Mr. Dillard asked the applicant if the proposed building would have a gravel or cement floor. In response, Mr. Ferguson stated that he would probably have gravel first and then later pour cement.

Mr. Dillard asked the applicant if the proposed building would have any utilities. The applicant answered negatively.

Mr. Stump stated that the south and east boundaries are streets with a minimal setback of 25 feet. The required setback would be three feet from the western property line.

Mr. Looney asked the applicant for the height of the doors for the proposed building. In response, Mr. Sills stated that there will be a 16-foot width and eight-foot tall door in the front, plus one door for personal entry.

Case No. 1686 (continued)

Mr. Alberty asked the applicant if he considered moving the proposed building further north. Mr. Sills stated that if the proposed building was moved to the north it would encroach on the septic system.

In response to Mr. Alberty, Mr. Sills stated that he would set the proposed building at the minimum setback of 25' from the property line.

Mr. Alberty stated that he understands the neighbors' concerns because they will be affected by this proposal. Typically an accessory building is built in the back yard and not the front yard.

Mr. Alberty asked Mr. Sills how much he would be willing to reduce the building. In response, Mr. Sills stated that he would be willing to reduce the building by ten feet.

Mr. Looney asked the applicant how far he could move the proposed building before encroaching his septic system. In response, Mr. Sills stated that he currently has the pad built, but he could probably move an additional 20 feet before encroaching a lateral line.

Mr. Walker stated that the proposed building would be larger than the homes in the neighborhood and it infringes upon the neighbors' homes. He commented that the proposal is larger than the maximum allowed in a residential area. He indicated that he cannot support this application.

Mr. Alberty stated that the proposed building would be oversized for the existing homes in the subject area. He expressed concerns with the location of the proposed building.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **DENY** a Variance to Section 240.2.E to allow increase to the maximum allowable size of a detached accessory building from 750 square feet to 2520 square feet and **DENY** a Variance to the definition of accessory, allowing an accessory use on a lot other than the lot occupied by the principal structure, finding that the proposal will be detrimental to the neighborhood on the following described property:

Lots 1, 2, 3, 10, 11, 12, Block 8, Highland Park Addition, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**Case No. 1687**

**Action Requested:**

Special Exception to allow a mobile home in an RS zoned district, located at 1638 East 68<sup>th</sup> Street North.

**STAFF COMMENTS:**

Mr. Bruce stated that previously the Board allowed a mobile home on the subject property for a period of one year.

**Presentation:**

**Jane Gragg**, 1636 East 68<sup>th</sup> Street North, Tulsa, Oklahoma, submitted a photograph (Exhibit C-1) and stated that she is representing her daughter Kathey Gragg. She indicated that her daughter purchased the subject property approximately five years ago and was informed that since there was a mobile home on the property previously, then she would be able to have a mobile home on the subject property as well.

Ms. Gragg indicated that her daughter had the land leveled and installed a five-foot cyclone fence around the subject property. She stated that there is a storm cellar installed on the subject property for her daughter's safety.

**Comments and Questions:**

Mr. Walker stated that the Turley area is in a transitional period and other mobile homes are currently in the area.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** a Special Exception to allow a mobile home in a RS zoned district, subject to the mobile home being tied down, skirted and the sanitation system being approved by the Department of Environmental Quality, finding that there has been a mobile home on the subject property previously and finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

East 100.6', Tract 6, Whiteley's & Orr 1 Addition, Tulsa County, State of Oklahoma.

\*\*\*\*\*

## Case No. 1690

### Action Requested:

Special Exception to allow a (Use Unit 5) community center/church in the AG district including children's nursery; chapel; counseling center; community center (recreation space, food & clothing distribution & nurse station), located at 46<sup>th</sup> & North Cincinnati.

### Staff Comments:

Mr. Bruce stated that the subject property is eleven acres in size (660' x 720') and is a portion of a larger ownership, which is located west of the northwest corner of North Cincinnati Avenue and 46<sup>th</sup> Street North. The subject property is bounded on the east by residential housing in the RS-3 district and on the south and west by AG zoning. He indicated that 46<sup>th</sup> Street North bounds the parcel on the north with residential housing in the RS-3 district beyond. The aerial photograph indicates the parcel to be vacant.

Mr. Bruce stated that the Information submitted by the applicant indicates that the proposed use is a community outreach in affiliation with Victory Christian Center. The proposed 48,000 (400' x 120') square foot structure would include space for children's nursery, chapel, counseling center, recreation (basketball, volleyball, etc.), food and clothing distribution and a nurse's station. The area north of the structure between it and 46<sup>th</sup> Street will include outdoor recreation space. Parking is proposed on both the north and south sides of the structure.

Mr. Bruce commented that the applicant has also indicated that the remainder of the ownership will be donated to Victory Christian Center in the event that the eleven-acre parcel is developed with the proposed uses. The staff's understanding is that there is no intent to split the property at this time.

### Presentation:

**Bruce Edwards**, 8411 South Toledo, Tulsa, Oklahoma, stated that he is representing Victory Christian Center, Inc. Stated that Victory Christian Center would like to have a Care Center on the north side of Tulsa. He explained that the church would help with food, clothing, counseling, medical and legal assistance for the poor and needed families. He indicated that the activities would be during the daytime and some inside activities in the evening hours.

Mr. Edwards explained that the current site of Victory Christian Center is approximately fifteen miles from the subject location and it is difficult for the individuals to make the trip to the current center. He stated that Victor Christian Center could meet the needs of the people on the north side better if the proposal is approved.

Mr. Edwards stated that the owners of the property approached the church and offered the subject property for the church's use.

**Comments and Questions:**

Mr. Looney asked the applicant if the church will be expanding in the near future. Mr. Edwards stated that the expansion would depend on needs. Mr. Edwards proposed that a building measuring 100' x 120' would be built first and expand as if the need arises. Mr. Edwards indicated that part of the proposed building will be two-story for offices and distribution center.

Mr. Looney asked Mr. Edwards if the proposed building would have living quarters. In response, Mr. Edwards stated that at this time there are no plans for living quarters. Mr. Edwards explained that the center would like to be able to provide a refuge for anyone experiencing violence at home, but only a temporary shelter.

Mr. Walker asked the applicant if he plans to install a screening fence abutting the residential area. In response, Mr. Edwards stated that there will be a screening fence on the east side to provide sufficient separation. Mr. Edwards indicated that there will be a line of trees planted as well as the fence to add to the separation from the residential area.

Mr. Walker asked the applicant if there will be lighting for the outdoor recreation use area. Mr. Edwards stated that at this time there are no plans to install lighting and the outdoor recreation area would be a daytime activity.

Mr. Looney asked the applicant if there will be lighting on the parking area. Mr. Edwards answered affirmatively. Mr. Edwards indicated that he would be willing to cooperate with the neighbors regarding the lighting so that it will not be intrusive. Mr. Edwards stated that the parking lot will be a good distance from the residential area.

Mr. Walker asked Mr. Edwards what type of traffic volume he expects for the center. In response, Mr. Edwards stated that he does not perceive a great deal of traffic because the majority of the people served by the center do not own vehicles. Mr. Edwards commented that the traffic would be mostly the employees, delivery vehicles, etc.

Mr. Alberty stated that he is excited to see this application and he commended the Victory Christian Center. He concluded that he is in support of this application.

**INTERESTED PARTIES COMMENTS:**

**Martha Cobb**, stated that she owns the subject property with her sister. She explained that she wanted to do something to help the north side of Tulsa. She commented that the Victory Christian Center does good work and the family decided to donate the subject property to the center.

**Billie Joe Dougherty**, Pastor of Christian Victory Center, Inc., stated that the center would like to build out the entire plan quickly. He indicated that the residents in the subject area are in support of the proposal.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** a Special Exception to allow a (Use Unit 5) community center/church in the AG district including children's nursery; chapel; counseling center; community center (recreation space, food & clothing distribution & nurse station), per site plan as presented, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

A part of NE/4 of Section 14, T-20-N, R-12-E of the IBM, Tulsa County, Oklahoma, more particularly described as follows, to-wit: Beginning at a point in the N boundary line of said Section 14, 810.00' W of the NE/c thereof, and 40.00' N of the NW/c of the Valley View Acres Addition, an addition in the City of Tulsa, thence S 0°12'00" W along the W boundary line of said Valley View Acres Addition a distance of 660.00'; thence due W a distance of 720.00'; thence N 0°12'00" E a distance of 660.00' to the N boundary line of said NE/4; thence due E along the N boundary of said NE/4 a distance of 720.00' to the point of beginning.

\* \* \* \* \*

**Case No. 1691**

**Action Requested:**

Special Exception to allow a mini-storage in a CS district and a Variance to waive the all-weather surface until warm weather, located west of northwest corner West 41<sup>st</sup> Street & South 137<sup>th</sup> West Avenue.

Case No. 1691 (continued)

**Staff Comments:**

Mr. Bruce stated that the subject parcel is approximately 5 acres in size (307' x 709') and is located west of the intersection of South 137th Avenue West and West 41<sup>st</sup> Street South. The parcel is recently zoned CS with AG zoning surrounding it. Residences are evident to the east and west with 41<sup>st</sup> St to the south and large lot residential uses beyond. The area to the north appears to be primarily vacant.

Mr. Bruce stated that the site plan indicates that the existing residence will remain, that several buildings will be removed, and that the storage facilities will be located to the northern portion of the site. The plan also indicates that the wall of the storage structures will be utilized as screening along the western boundary and along a significant portion of the northern boundary.

**Comments and Questions:**

Mr. Walker stated that he has known the applicant for several years.

**Presentation:**

**Keith R. Schultz**, 1411 West 41<sup>st</sup> Street, Tulsa, Oklahoma, submitted a site plan (Exhibit D-1) and stated that the subject property was recently rezoned CS. He indicated that he talked with the neighbors regarding the screening and the neighbors stated that there is no need for a fence.

**Staff indicated that the Code did not require screening against the AG district.**

**Comments and Questions:**

In response to Mr. Walker, Mr. Schultz stated that the subject area is planned to be commercial and the City of Sand Springs was in support of the subject property being zoned CS. Mr. Schultz indicated that there were no protestants during the rezoning hearing.

Mr. Looney asked the applicant how large the mini-storage would be. In response, Mr. Schultz stated that there will be between 80 to 100 units. Mr. Schultz stated that the largest unit would be 12' x 26' with a 10' door for boat storage and a 10' x 10' would be the smallest unit.

Mr. Schultz indicated that he will always live on the subject property as long as he owns it.

Mr. Alberty asked the applicant if the County Building Inspector has reviewed his plans. In response, Mr. Schultz answered negatively.

Case No. 1691 (continued)

Mr. Schultz asked if he could build up to the property line on commercial property. In response, Mr. Stump answered affirmatively, providing that there are no easements or utility lines in the way.

**Board Action:**

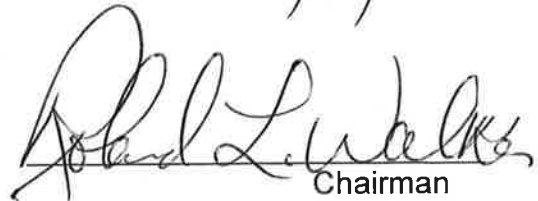
On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Walker aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** a Special Exception to allow a mini-storage in a CS district and a Variance to waive the all-weather surface until warm weather, subject to a building permit and all Code requirements met, subject to the all-weather surface being provided no later than June 30, 2000, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and finding that the granted request will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan on the following described property:

Lot 4, Bowles Acres in the S/2 of the SW/4 of Section 21, T-19-N, R-11-E, Tulsa County, State of Oklahoma, more particularly described as follows: Beginning at a point 921.6' E of the SW/c of Section 21, T-19-N, R-11-E; thence N 708.7'; thence E 307.2'; thence S 708.7'; thence W 307.2' to the point of beginning.

\*\*\*\*\*

There being no further business, the Chairman declared the meeting adjourned at 2:40 p.m.

Date approved: 12/21/99

  
Chairman