

COUNTY BOARD OF ADJUSTMENT

MINUTES of Meeting No. 253

Tuesday, June 19, 2001, 1:30 p.m.

County Commission Room

Room 119

County Administration Building

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Alberty, Chair
Tyndall
Hutson

Walker
Dillard, Vice Chair

Butler
Fernandez

West, Co. Inspec.

The notice and agenda of said meeting were posted in the Office of INCOG, 201 W. 5th St., Suite 600, Friday, June 15, 2001 at 8:00 a.m., as well as at the City Clerk's office, City Hall.

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

MINUTES:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **CONTINUE** the May 15, 2001 minutes to the next County Board of Adjustment meeting, June 19, 2001.

UNFINISHED BUSINESS

Case No. 1847

Action Requested:

Variance of Section 240.2.E to permit an accessory building of 2,400 sq. ft. in an RS district. SECTION 240.2. YARDS, Permitted Yard Obstructions -- Use Unit 6; and a Variance to permit the accessory use on a lot adjoining the principal dwelling unit (under common ownership) as the principal and only use on the lot, located 742 N. Willow St.

Presentation:

Diane Fernandez, stated that this case was re-advertised, and it would have been heard by the City of Sand Springs but they did not have a quorum for this particular Board of Adjustment referral.

Ronald Shipman, 724 Willow St., Sand Springs, stated he wants to build a building for equipment for a small siding business, including trailers and

equipment. He owns four lots, and his house is on one of them. He stated that the building would be 260' from the street and at the bottom of a six-foot drop-off to prevent disrupting the view for anyone. He added that he would be willing to put in trees for screening. He discussed with neighbors and they are in support.

Comments and Questions:

Mr. Alberty asked for a hardship. Mr. Shipman stated the hardship would be security. A number of things have been stolen from him. Mr. Alberty asked what type of business Mr. Shipman has. He replied it is a siding business. Mr. Alberty asked where he runs his business. Mr. Shipman replied he runs it out of his home. He takes customer phone calls and goes out to the customers home, the customers do not come to his home.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Tyndall**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **DENY** a **Variance** of Section 240.2.E to permit an accessory building of 2,400 sq. ft. in an RS district; and a **Variance** to permit the accessory use on a lot adjoining the principal dwelling unit (under common ownership) as the principal and only use on the lot, for lack of hardship and finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.

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NEW APPLICATIONS

Case No. 1866

Action Requested:

Variance to permit an accessory structure on a lot that does not contain a principal dwelling unit to permit a lot split. SECTION 420. ACCESSORY USES IN RESIDENTIAL DISTRICTS -- Use Unit 6, located 6505 W. 42nd St.

Presentation:

Ms. Fernandez, informed Board that a letter was submitted to the Board regarding the Sand Springs Board of Adjustment action in support of the application.

Gene Crawford, 6505 W. 42nd St., stated he built a garage without a permit and was not aware of the restriction. He wanted to get a lot-split to build a new house on the other lot.

PROTECTION AND UTILITY FACILITIES, Use Conditions, located N of NE/c W. 131st St. & S. Elwood.

Presentation:

Denny Redmon, 1535 S. Memorial Dr., Ste. 119, submitted a packet of exhibits (Exhibit B-1). He stated Hemphill Corporation proposes to construct a 190' monopole to serve the needs of the Glenpool area. There are two other towers on the property owned by Cricket and AT&T. The height of those towers does not accommodate the needs of their proposed carrier. The surrounding property is zoned AG. This facility would be designed to provide for collocation of six users. An eight-foot chain-link security fence would surround the facility. Access will be west of the existing AT&T fence from the gravel road. The topography of the land is flat with a few trees. The facility would be on a 75' X 75' tract on the ten-acre parent tract. Landscaping will be done as required by Code.

Interested Parties:

James Creekmore, 129th and S. Elwood, stated he lives across the street from the subject property. His concerns were for any hazard to health at this distance and if the tower would interfere with television reception. He complained that he didn't like the presence of two towers and this would make three in front of his home.

The **City of Jenks** recommended approval of the application with the stipulation that landscaping with trees be provided around the entire compound as screening. A letter was submitted to the Board (Exhibit B-2).

Applicant's Rebuttal:

Mr. Redmon stated that the electromagnetic energy from these towers is emitted 190' to 100' in the air. At this level it is not hazardous to health according to our federal government, and it does not cause interference with television reception.

The Board reviewed the Zoning Code requirements as provided in the agenda.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Special Exception** to allow 190' cellular tower in an AG zoned district; and a **Special Exception** of the required 110% from AG zoned district from 210' to 59' on north and 48' on south (this is a monopole design), with the condition for landscaping to soften ground and visual effect on the north and west, finding that it 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:

The S/2 N/2 SW/4 SW/4, Section 1, T-17-N, R-12-E, Tulsa County, State of Oklahoma.

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Case No. 1868

Action Requested:

Variance of the required 30' frontage on a public street to 0'. SECTION 207. STREET FRONTAGE REQUIRED -- Use Unit 6, located 11201st N. 41st E. Ave.

Presentation:

Roger McMillan, stated the applicant asked him to speak on his behalf as he is not fluent in English. He submitted an Quit Claim Deed, map, affidavit, photos and grants of easements (Exhibits C-1, C-2, C-3, C-4, C-5, and C-6). He commented that other variances have been approved north of the property.

Comments and Questions:

Mr. Alberty asked if the property would stay under one ownership. Mr. McMillan replied it is for one dwelling and one ownership. He added that Mr. Gomez does not plan to develop the land for more homes. Mr. McMillan stated that he has hauled gravel to help Mr. Gomez maintain the road.

Interested Parties:

Jim Spears, stated that he warned Mr. Gomez that he might have trouble getting utilities and access because Mr. Delk had problems previously. Mr. Spears had complaints that Mr. Gomez has built buildings, prepared for a rodeo pen on the property, has a lot of traffic to his place that is suspicious in nature, and other loud and disorderly conduct. Mr. Gomez offered to buy Mr. Spears' property for less than he paid for it. He identified easements to Mr. Alberty that he and Mr. Delk have maintained.

Tom Baker, 3821 E. 106th St. N., Sperry, Oklahoma, was interested in the purpose of the variance requested. Mr. Alberty responded that the Code requires access to a publicly dedicated roadway. The County Inspector could not issue a permit for construction unless the applicant gets a variance. He asked if it is known what Mr. Gomez plans to develop. He stated there is a horse track on the property.

Mr. Alberty allowed Jim Spears to speak again. Mr. Spears informed the Board that Mr. Gomez had moved a doublewide mobile on the property and put in a lagoon already.

Bill Parker, stated he lives on 116th St. and he has noticed unusual traffic to this property. The dirt roads are not conducive to much traffic. He has noticed an arena and stated that there are several structures on the property. He stated that the property is landlocked.

Comments and Questions:

Mr. Alberty asked Mr. West if he knew of any permits issued for construction on the subject. Mr. West replied that he was not aware of any. He added that the applicant was supposed to go to the Board of Adjustment two or three years ago, but never did.

Applicant's Rebuttal:

Mr. McMillan stated that Mr. Gomez went through all the right channels for utilities and lagoon system, except for electricity. He then was informed he needed a building permit. Mr. Gomez has paid for asphalt for the road improvement, with no reimbursement from the neighbors. He has hauled numerous loads of gravel for the road also. He stated that if Mr. Gomez' land is landlocked then the Delk and Spears property is also landlocked.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **CONTINUE** Case No. 1868 to the meeting on July 17, 2001 to determine if the easements connect and provide roadway easement to 116th St.

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Case No. 1869

Action Requested:

Variance of required 30' of frontage on a public street or dedicated right-of-way. SECTION 207. STREET FRONTAGE REQUIRED -- Use Unit 6, located 4136 S. 78th W. Ave.

Presentation:

Ms. Fernandez stated that the legal description has been revised. It is surrounded by AG zoning and there is no access to 78th W. Ave. 78th W. Ave. is not a County maintained road.

Patricia Sullivan, 406 Angus Dr., Sand Springs, Oklahoma, stated the property was given to her. She stated that the road is private, the lake is at the back of the property. The previous owner offered a 40' private road to be dedicated but the County did not accept it.

Comments and Questions:

Mr. Alberty determined that the road is in place. Ms. Fernandez explained that the history shows her property is slightly smaller than five acres. Mr.

Alberty suggested the 40' roadway easement be dedicated and filed on record, even though Tulsa County would not maintain it.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Variance** of required 30' of frontage on a public street or dedicated right-of-way, contingent on filing 40' dedicated roadway easement, finding it 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:

S/2 S/2 NW NW NW, less E 20' for road; and N/2 S/2 NW NW NW, less E 20' for road; and S 330' W 640' SW NW NW; and NW NW, less E 680' and less N 660' W 640' and less S 330' W 640' SW NW NW, all in Section 30, T-19-N, R-12-E, Tulsa County, State of Oklahoma.

Case No. 1870

Action Requested:

Special Exception to allow a Use Unit 2 fire works tent in an RS zoned district from June 20, 2001 to July 5, 2001. SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS and SECTION 1202.3. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES, Use Conditions - - Use Unit 2; and a Variance of all-weather surface for temporary use. SECTION 1340.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS, located 6605 W. 7th St.

Presentation:

John Tittle, Jr., 10545 Hectorville Rd., Mounds, Oklahoma stated he was told he needed a tent permit to sell fireworks. He leased the property in February 2000 and has a contract with property owner. He has operated fireworks stands for the last five years. He would like to sell fireworks from June 20, 2001 to July 5, 2001.

Interested Parties:

Judy Ford, 473 S. 65th W. Ave., was concerned about the all-weather surface. Mr. Alberty explained that he wants a variance from having to have an all-weather surface. She asked if this application would be for just this season this year. Mr. Alberty responded it would be for just these dates. She asked about hours of operation and the size of the tent. Mr. Alberty stated no hours have been specified and the tent is 30' X 58'.

Robert Jenkins, 6436 W. 6th, was concerned about safety, stating that in past years fireworks were set off too close to the tent.

Gwendolyn Jenkins, 6436 W. 6th, stated concern regarding the bike trail in close proximity to the stand. She stated that in the past the fireworks would be set off too close to her house and her hen house also. She is opposed for safety reasons.

Applicant's Rebuttal:

Mr. Tittle informed the Board that he has a more responsible person managing the stand this year.

Board Action:

On **MOTION** of **Tyndall**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Special Exception** to allow a Use Unit 2 fire works tent in an RS zoned district from June 20, 2001 to July 5, 2001; and a **Variance** of all-weather surface for temporary use, finding it 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:

A part of the SE/4 SE/4 of Section 6, T-19-N, R-12-E of the IBM, described as follows: Beg. at the SE/c of the said described above land, thence W 776.5'; thence N 561'; thence E 776.5'; thence S 561' to POB, Tulsa County, State of Oklahoma.

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Case No. 1871

Action Requested:

Special Exception to allow Use Unit 2 fire works stand in an AG zoned district, June 20, 2001 to July 5, 2001. SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT -- Use Unit 2; and a Variance of all-weather surface for temporary use, located 13607 E. 111th St.

Presentation:

John Tittle, Jr., 10545 Hectorville Rd., Mounds, Oklahoma, stated the same people have run this stand for the last three years. They are very conscientious operators. He has a lease and contract for the tent at this location.

Interested Parties:

Ellen Neal, 11206 S. 92nd E. Ave., Bixby, Oklahoma, wanted to know if this location was within the city limits. Mr. Alberty replied it was not.

NW NW NW SW Section 16, T-19-N, R-12-E, Tulsa County, State of Oklahoma.

Case No. 1873

Action Requested:

The applicant has requested to withdraw the application. Ms. Fernandez stated the staff requests a refund of \$160.00 to the applicant.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **REFUND** of \$160.00 to the applicant.

Case No. 1874

Action Requested:

Special Exception to allow a single-wide manufactured home in an RS zoned district. SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS -- Use Unit 9, located W of NW/c W. 57th St. & S. 97th E. Ave.

Presentation:

J.C. Doyle, 9919 W. 57th St., stated he bought the lot next door. He had previously obtained a special exception for a doublewide mobile home. Now they need an exception for a singlewide. He added there are several mobile homes in the area.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Special Exception** to allow a singlewide manufactured home in an RS zoned district or a doublewide, finding that it 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:

W 100' Lot 4, Block 1, Hill Top Addition, Tulsa County, State of Oklahoma.

Case No. 1875

Action Requested:

Variance to permit more than one single-family dwelling or mobile home on one lot of record to permit three dwelling units. SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD -- Use Unit 6, located 2543 E. 86th St. N.

Presentation:

William Domres, 2425 W. Hwy. 66, Sapulpa, Oklahoma stated he proposes to place a doublewide mobile home on his father's land. There are currently two dwellings on the property.

Comments and Questions:

Mr. Alberty asked if the applicant had checked the flood plain. Mr. West stated the location is in the 100-year flood plain. He would just need to elevate the home to be one foot above. Mr. Alberty noted there were greater than ten acres of property. Mr. Alberty advised Mr. Domres to get a percolation test. Mr. Domres replied that it has been done.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a Variance to permit more than one single-family dwelling or mobile home on one lot of record to permit three dwelling units, on conditions of DEQ approval, tie-downs, skirting, and building permit, finding that it 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:

All of SE SW SW lying S of the centerline of Bird Creek and beg. 1147' W of the SE/c SW, thence N 272' W 168' S 272' E 168', to the POB, less S 60' Section 20, T-21-N, R-13-E, Tulsa County, State of Oklahoma.

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Case No. 1876

Action Requested:

Variance of minimum 30' of frontage on a public or dedicated right-of-way to permit access by easement for a lot-split. SECTION 207. STREET FRONTAGE REQUIRED, located 18115 E. 101st St.

Presentation:

Bill and Debbie McCalister, 18215 E. 101st St., stated they purchased the land in 1994 and the adjoining six acres with the plan to build a home and family compound. They now seek access by easement for a lot-split. The soil percolation test has been done and approved; city water taps have been approved pending easement dedication from a neighbor. They do not want to subdivide. There are two other children, which would total four dwellings.

Comments and Questions:

Mr. Alberty asked if they would file the easement with the county for roadway purposes. Mr. McCalister responded that it would be a 20' hard surface road and 30' easement. Mr. McCalister added that he maintains the road.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Tyndall**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Variance** of minimum 30' of frontage on a public or dedicated right-of-way to permit access by easement for a lot-split, per presentation and filing of easements, finding it 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:

NE SW SW, less W 264', Section 24, T-18-N, R-14-E, Tulsa County, State of Oklahoma.

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Case No. 1877

Action Requested:

Special Exception to permit mining of sand and gravel and associated processing in an AG district. SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT and SECTION 1224. USE UNIT 24. MINING AND MINERAL PROCESSING -- Use Unit 24, located SW/c E. 155th St. & 193rd E. Ave.

Presentation:

Mike Odell, 6811 W. 63rd St., Overland Park, Kansas, submitted a packet of exhibits (Exhibit D-1, D-2, D-3). He stated he is the Vice-President for Holliday Sand and Gravel. He stated he met with the property owners. He informed the Board that the size of the property is about 19 1/2 acres. He stated that they would be doing sand removal only, no processing at the

site. They were planning the entrance and exit as far south as possible to be as far as possible from the homeowners' drives. He indicated that the existing plants could not provide enough sand for the Tulsa area. They plan to minimize the use of County roads for trucking sand. The existing trees along the fence line would be left for screening. He stated the plant would be in the flood plain but not in the floodway. The existing homes would be used for offices and would also be left for screening.

Interested Parties:

Dennis Shook, 109 N. Casper St., Wagoner, Oklahoma, submitted photographs (Exhibit D-3). He stated he represented John and Pat Holder and other property owners in the neighborhood. They believe the neighborhood would be adversely affected if the application was approved. He noted the zoning along the turnpike is a mix of R and AG districts. He indicated that the truck traffic would cross the County Line road at about 155th St. The Long Range Transportation Plan 2025 does not include improvements or widening of the two lane road. He estimated 180 – 200 trucks on 193rd E. Ave. per day, from numbers given by the sand company. He reminded the Board that there are only two stop signs at 141st and 193rd St. and at 131st and 193rd and no other traffic control devices on this road. He felt the speed of 18 wheelers would be cause for concern to those living in the area.

Mr. Alberty out at 3:50 p.m.

Mr. Shook reminded the Board that the area is zoned AG not industrial. Holliday Sand and Gravel has an existing plant which has caused the river to erode and old Highway 51 is now closed and not passable. The homeowners are concerned that the second plant could impact properties in the same way.

Mr. Alberty returned at 3:52 p.m.

He expressed concern that calcium chloride would not be effective to prevent dust during the drier season of the year. He also mentioned that homeowners were concerned about decreasing property value.

Pat Boyd, P.O. Box 225, Porter, Oklahoma, stated that this project is not compatible with a residential district.

John Holder, 15353 S. 193rd E. Ave., stated he purchased his property to raise horses. His land has increased in value and he has improved his home considerably. He informed the Board that the current average daily truck traffic only on 193rd E. Ave. is between 119 and 164 trucks.

Steven Walker, 15511 S. 193rd E. Ave., pointed out the sod farms and indicated the plant would ruin the view and beauty of the property. He noted previous concerns and suggested this is not a good location. He indicated the nuisances it would cause to health by mosquitoes and noise. He was concerned about hours of operation and lighting.

Beverly Hefley, 15606 S. 193rd E. Ave., **Mel Chambers**, 15238 S. 193rd E. Ave., **Brenda Chambers**, 15238 S. 193rd E. Ave., **Pat Bouie**, 15495 S. 193rd E. Ave., **Mrs. L.C. New**, and **Pat Holder**, 15353 S. 193rd E. Ave., all had similar concerns to those previously listed.

Jo Caruthers, spoke in support of the application, stating the trucking is necessary to transport the sand. He stated that the company does everything they can to be good neighbors. He informed the Board that Tulsa really needs this sand supply.

A letter of support was submitted (Exhibit D-4). Letters and petitions of opposition were submitted (Exhibits D-5, D-6).

Applicant's Rebuttal:

Mr. Odell commented that the company is in favor of any transportation improvements that will increase safety. He informed the Board that Keystone Dam causes the erosion. He stated that the existing plants cannot keep up with the supply of sand needed for the Tulsa area. He indicated that this site was the only one available at this time. The Department of Environmental Quality has inspected and approved. Mr. Odell stated there would be no open pits and the settling ponds are not stagnant and fill up with sand with water flowing through them so they are very clean. He added that they do pay sales tax on the sand.

Comments and Questions:

Mr. Tydall asked about the hours of operation. Mr. Odell responded hours of operation would be 6:00 a.m. to 6:00 p.m., Monday through Friday, a half day on Saturday. They realize that this is early in the morning but they have a shortage of trucks. He added that they will haul a certain amount of sand per day, whether it is in twelve hours or eight hours. The plant will be closed on Sunday and holidays.

Board discussion ensued.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Special Exception** to permit mining of sand and gravel and associated processing in an AG district, per presentation, finding that it 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 the Fraction Section 24, T-17-N, R-14-E, Tulsa County, State of Oklahoma, described as follows: Commencing at a point on the NE/c SE/4 NE/4 of said Section 24 a distance of 1010' to the POB; thence W along the N line of the SE/4 NE/4 of said Section 24, also known as the N line of Lot 5, a distance of 560' to a point on the Wly high bank of the Arkansas River; thence W along the SE/4 NE/4 of said Section 24 a distance of 1140' more or less to a point along the centerline of the Arkansas River; thence SEly along the centerline of the Arkansas River and its meandering thereof a distance of 4100' more or less to a point on the S line of said Section 24; thence E along the S line of said Section 24 a distance of 900' more or less to a point on the Wly high bank of the Arkansas River; thence NWly along the Wly high bank of the Arkansas River and its meandering thereof to a point that is on the S line of said Lot 5; thence E along the S line of said Lot 5 a distance of 750' more or less to a point that is 720' more or less W of the E line of said Section 24; thence NWly along a line that is parallel to the Arkansas River a distance of 1300' more or less to the POB.

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Case No. 1878

Action Requested:

Variance of the required 30' frontage on a public street to 0'. SECTION 207. STREET FRONTAGE REQUIRED -- Use Unit 6, located 11908 N. Oswego.

Presentation:

Linda Vestal, 11908 N. Oswego, Sperry, Oklahoma, stated her request.

Comments and Questions:

Mr. Alberty asked if this was like a family compound. Ms. Vestal replied that it was and her sisters and father are all around it. He asked how she accesses the property. She responded from 116th and 41st and 119th and 41st on New Haven. She submitted a letter showing approval for a rural water tap (Exhibit E-1). She added that she was going to put in an aerobic system for sewage. Mr. Alberty advised Ms. Vestal to file the roadway that would lead from the nearest public right-of-way to her property with a minimum width of 30' and utility easements of record.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Alberty, Tyndall, Hutson "aye", no "nays"; no "abstentions"; Walker, Dillard "absent") to **APPROVE** a **Variance** of the required 30' frontage on a public street to 0', with the conditions for DEQ approval, building permit, and filing of roadway easement for record, finding it 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:

N/2 W/2 E/2 NE/4 SW/4, of Section 4, T-21-N, R-13-E, of the IBM, Tulsa County, State of Oklahoma.

There being no further business, the meeting was adjourned at 4:45 p.m.

Date approved: 7/17/01

Wayne Alberty
Chair