

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 358  
Tuesday, March 16, 2010, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building  
500 South Denver

**MEMBERS PRESENT   MEMBERS ABSENT   STAFF PRESENT   OTHERS PRESENT**

|                    |                |             |                     |
|--------------------|----------------|-------------|---------------------|
| Osborne, Secretary | Charney, Chair | Alberty     | West, Co. Inspector |
| Tyndall            |                | Zezulka     |                     |
| Walker, Vice Chair |                | Cuthbertson |                     |
| Dillard            |                |             |                     |

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 4th day, March, 2010 at 2:58 p.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Vice Chair Walker called the meeting to order at 1:34 p.m.

Mr. Cuthbertson read the rules and procedures for the County Board of Adjustment Public Hearing.

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**MINUTES**

On **MOTION** of Tyndall, the Board voted 4-0-0 (Tyndall, Walker, Osborne, Dillard "aye"; no "nays"; no "abstained" Charney "absent") to **APPROVE** the Minutes of February 16, 2010 (No. 357).

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**NEW APPLICATIONS**

**Case No. 2363**

**Action Requested:**

Variance of the front yard requirement abutting an arterial street from 35 ft. to 5 ft.; a Variance of the required yard abutting a non-arterial street (to the east) from 25 ft. to 5 ft.; and a Variance of the rear yard requirement from 20 ft. to 10 ft. (Section 430); all to permit a single-family dwelling in an RS district., located at 15728 E. 167<sup>th</sup> St. S.

**Presentation:**

**Eddie Reynolds**, 15576 S. 289<sup>th</sup> E. Ave., Coweta, Oklahoma 74429; this property is located in Leonard, Oklahoma. The applicant owns five 25 foot wide lots. In 1954, the State Highway took 65 feet across the front of all five lots. A survey revealed that the applicant only had the depth of 53 feet on the lots. Other properties in the area have a zero setback from the street. The applicant proposed a five-foot setback from the arterial street. The applicant also proposed a ten-foot setback for the rear yard and a five-foot setback on the (east) required yard abutting a non-arterial street. The applicant is requesting all three variances to build a single-family dwelling.

**Comments and Questions:**

**Mr. Osborne** asked if on the plan submitted, the area showing Reynolds Construction Co., is the proposed structure. Mr. Reynolds confirmed that is the proposed structure.

**Mr. Alberty** stated that after the Oklahoma Department of Transportation acquires property for easements, the remedy then falls to the landowner.

**Interested Parties:**

There were no interested parties.

**Board Action:**

On **Motion of Osborne**, the Board voted 4-0-0 (Walker, Tyndall, Osborne, Dillard "aye"; no "nays"; no "abstentions" Charney " absent") to **APPROVE Variance** of the front yard requirement abutting an arterial street from 35 ft. to 5 ft.; a **Variance** of the required yard abutting a non-arterial street (to the east) from 25 ft. to 5 ft.; and a **Variance** of the rear yard requirement from 20 ft. to 10 ft. (Section 430); all to permit a single-family dwelling in an RS district., located at 15728 E. 167<sup>th</sup> St. S., finding that the hardship was brought about by the Oklahoma Department of Transportation to the lot; per conceptual plan submitted.

LT 1 LESS N55 THEREOF BLK 29, LT 2 LESS N55 THEREOF BLK 29, LT 3 LESS N55.1 THEREOF BLK 29, LT 4 LESS N55.2 THEREOF BLK 29, LT 5 LESS N55.3 THEREOF BLK 29, LEONARD, Tulsa County, State of Oklahoma.

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**Case No. 2364**

**Action Requested:**

**Special Exception** to permit a manufactured home in the RS district (Section 410), located at 5706 N. Norfolk Ave.

**Comments and Questions:**

**Mr. Cuthbertson** addressed the Board. Legally the Board cannot hear this case today. It was determined after notification that the legal discription used to advertise was

incomplete. The legal discription provided by the Accessor, as well as the legal deed, are incorrect. Unfortunately, this case must be continued.

**Board Action:**

On **Motion of Osborne**, the Board voted 4-0-0 (Walker, Tyndall, Osborne, Dillard "aye"; no "nays"; no "abstentions" Charney "absent") to **CONTINUE** the Special Exception to permit a manufactured home in the RS district (Section 410), located at 5706 N. Norfolk Ave., until April 20, 2010.

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**NEW BUSINESS**

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There being no further business, the meeting adjourned at 1:48 p.m.

Date approved: \_\_\_\_\_

4/20/10



Chair

