

**TULSA COUNTY BOARD OF ADJUSTMENT**

**MINUTES** of Meeting No. 380

Tuesday, January 17, 2012, 1:30 p.m.

Aaronson Auditorium

Tulsa Central Library

400 Civic Center

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

Charney, Chair  
Dillard

Walker, Vice Chair

Alberty  
Sansone  
Sparger

West, Tulsa County

Osborne, Secretary  
Tyndall

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 12<sup>th</sup> day of January, 2012 at 9:57 a.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

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

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

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**MINUTES**

On **MOTION** of **OSBORNE**, the Board voted 4-0-0 (Charney, Dillard, Osborne, Tyndall "aye"; no "nays"; no "abstentions") to **APPROVE** the Minutes of December 20, 2011 (No. 379).

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**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS**

**Case No. 2415—David M. Dryer**

**Action Requested:**

Variance of the required land area for a lot in an AG District and a Variance of the lot area per dwelling unit in an AG District to permit a Lot-Split (Section 330).

**Location:** 13606 North 88<sup>th</sup> Avenue East

**Presentation:**

**David Dryer**, Attorney, 5110 South Yale Avenue, Suite #430, Tulsa, OK; stated he represents the property owner. Today's request is to allow two dwellings on a 2.51 acre tract. The property owner, the son, wants to be able to move his mother onto the property so she may be close to her son as she ages. The lot meets all other requirements except for the allowance of two dwellings per tract. There will be property frontage and proper access for emergency vehicles. There are other lots in the area that have two dwellings per lot on them, one which is directly adjacent to the subject property. The home will be a newly-built home and the current plan is to face the house to the east. The placement of the house will be consistent with other houses in the area.

Mr. Charney asked Mr. Dryer if the subject property is bounded on two sides by publicly-dedicated roadway, the east side and the north side of the tract, and Mr. Dryer gave affirmation.

**Interested Parties:**

**Cindy Doughty**, 8601 East 136<sup>th</sup> Street North, Collinsville, OK; stated she opposes this request. She has lived in the rural area for more than 20 years and the area is not a subdivision, which is what the approval of this request will allow to happen. Once today's request is approved, it will set a precedent and allow other lot owners to file for a lot-split, thus creating a subdivision. The lots in the area are three-acre and two-acre tracts and she does not want to see the small acreages split into smaller lots.

**Rebuttal:**

Mr. Dryer stated there is no intention to install a trailer house onto the lot because the mother has stated she does not want to live in a trailer but wants to live in a home. There is little difference from two dwellings on one two-acre lot than a house on each separate acre lot.

Mr. Osborne asked Mr. Dryer if the proposed housing was a frame house and Mr. Dryer stated a portion of the house may be modular but it is still a stick-built house that is permanently affixed to the ground.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Dillard, Osborne, Tyndall "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the required land area for a lot in an AG District and a Variance of the lot area per dwelling unit in an AG District to permit a Lot-Split (Section 330) as submitted with the hardship being the large nature of the lot, which will still be approximately 180'-0" x 330'-0" and the fact that the subject property is bound on two sides by publicly-dedicated roadway, which gives the property a unique and peculiar setting. Given the presence of other one-acre lots and/or one-acre per dwelling unit situations in the area this would not be injurious to the neighborhood or detrimental to the public welfare or impair the intent of the code; for the following property:

**PRT SE SW BEG 659.44W & 331.6N SECR E/2 SW E329.72 N331.61 W329.71 S331.61 POB LESS N25 & E25 FOR RD THEREOF SEC 25 22 13 2.14AC, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2416—Ronald L. Hall**

**Action Requested:**

Variance to permit a second dwelling unit on one lot of record (section 208).

Location: 12612 North 143<sup>rd</sup> Avenue East

**Presentation:**

No presentation was made. The staff requests for a continuance to allow for a re-notice because the applicant is going to need additional relief beyond the second dwelling unit per lot of record. Relief for land area per dwelling unit will also be needed.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Dillard, Osborne, Tyndall "aye"; no "nays"; no "abstentions") to **CONTINUE** the request for a Variance to permit a second dwelling unit on one lot of record (section 208) to the Board of Adjustment meeting on February 21, 2012; for the following property:

**S330.5 N991.5 E/2 W/2 SE SE LESS E25 THEREOF FOR RD SEC 33 22 14 2.314ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**NEW BUSINESS**

None.

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**OTHER BUSINESS**

None.

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**BOARD COMMENTS**

None.

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There being no further business, the meeting adjourned at 2:01 p.m.

Date approved: 3-20-2012

  
Chair