

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 429
Tuesday, February 16, 2016, 1:30 p.m.
Ray Jordan Tulsa County Administration Building
500 South Denver, Room 338
Tulsa, Oklahoma

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Chair	Miller	West, Inspector
Crall, Secretary	Moye	
Dillard	Sparger	
Johnston		
Hutchinson, V.Chair		

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 11th day of February, 2016 at 8:53 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.

Ms. Nikita Moye read the rules and procedures for the County Board of Adjustment Public Hearing.

MINUTES

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the Minutes of January 19, 2016 (No. 428).

UNFINISHED BUSINESS

2557—Shelby Oakley

Action Requested:

Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207). **LOCATION:** SW of the SW/c of East 131st Street South and South Peoria Avenue, Glenpool

Presentation:

The applicant has requested a continuance to the March 15, 2016 Board of Adjustment meeting.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** the request for a Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207) to March 15, 2016 Board of Adjustment meeting; for the following property:

PRT NE BEG 826.4N SWC NE TH N165.27 E1321.55 S165.19 W1321.63 POB SEC 12 17 12 5.01ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2560—Greg Harris

Action Requested:

Special Exception to permit weddings and events (Use Unit 2) in the AG District (Section 310, Table 1); Variance of the all-weather surface requirement for off-street parking areas (Section 1340.D). **LOCATION:** North of the NE/c of East 166th Street North and North 129th East Avenue, Collinsville

Presentation:

The applicant has withdrawn the application.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **ACCEPT** the request for a withdrawal of CBOA-2560; for the following property:

N330 SW SW SEC 9 22 14; S/2 N/2 SW SW SEC 9 22 14 10ACS, IN TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

2562—David Clark

Action Requested:

Variance to reduce the minimum lot area and land area per dwelling unit requirement in an AG District to permit a lot split (Section 330). **LOCATION:** 6410 North 131st Avenue East, Owasso

Presentation:

David Clark, 6324 North 131st East Avenue, Owasso, OK; stated he lives next door to the subject property. When he purchased the property approximately 20 years ago the subject property would not perc so he moved his house to the south end of the lot, but his driveway is on the second lot. He would like to split that lot, which he will have a hearing for that split tomorrow.

Mr. Charney asked Mr. Clark if he was hoping to build a new structure on the new lot that is to be created. Mr. Clark stated that he is going to sell the lot and the person south of subject property is interested in purchasing the subject property and says he will leave it vacant.

Mr. Charney asked if the subject property was currently an unplatted piece of property. Mr. Clark answered affirmatively.

Mr. Clark stated that he cannot go any further west because of the railroad and cannot go any further south either so the lot is restricted in its size.

Mr. Charney asked Mr. Clark if he had heard from any of the neighbors that might be opposed to the proposal. Mr. Clark stated that the neighbors called and asked what his plans were for the property.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Charney stated that he is familiar with the area and there are some larger tract houses on tracts of this size, and he does not think a tract of this size would provided any detriment to the public good or spirit of the code.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a **Variance** to reduce the minimum lot area and land area per dwelling unit requirement in an AG District to permit a lot split (Section 330). Finding that the unusual configuration of the lot bounded by the railroad on one side and a publicly dedicated road on the east side will make it a candidate for a lot split; for the following property:

LOT 1 BLOCK 1, SHERIDAN CROSSING PHASE I, OF TULSA COUNTY, STATE OF OKLAHOMA

2563—John & Micah Hartwig

Action Requested:

Use Variance to permit 4 horses (Use Unit 3) on an RS zoned lot (Section 410).

LOCATION: 4320 South 61st Avenue West

Presentation:

John Hartwig, 6706 Silver Oak Drive, Tulsa, OK; stated he currently lives in a residential neighborhood and they board their horses and would like to be able to keep them on his property. The primary objective of that is to instill the ownership and responsibility in his daughters. With the boarding of the horses there is a separation of the two. The subject property is 4.9 acres and abuts agricultural land which recently was changed to residential, but everything surrounding it is agricultural. This would only be a small hobby location and will not be anything else except the four horses. Mr. Hartwig stated that he sent out a letter in conjunction with the INCOG notification and from that mailing there were several respondents and there was no issue from those responses. He spoke with the three adjoining property owners and they had no issues with the proposal.

Mr. Charney asked if the north boundary of the subject property was where he abutted the more densely populated area. Mr. Hartwig answered affirmatively.

Mr. Hartwig stated that he plans to clear some of the trees but will leave a large margin of wooded area between the subject property and the housing area. Mr. Hartwig stated that he proposes to build a small outbuilding to house the horses in.

Mr. Charney asked if the proposed outbuilding would be on the more southerly side of the subject property. Mr. Hartwig stated there was a drawing presented to show the approximate location of the outbuilding and what the building would look like. Mr. Charney stated that he had that drawing in the agenda packet.

Micah Hartwig, 6706 Silver Oak Drive, Tulsa, OK; stated that Ms. Moye had provided her with a copy of the INCOG mailing list for the people that lived within the proximity of concern, and she mailed out a letter to the people on the list. Ms. Hartwig stated that not one person called her with any negative comments. Ms. Hartwig stated that two neighbors that are outside of the 300 foot mailing radius that stated there did not have disagreements with the proposed use and would were very supportive. There is agriculture all around the area and several property owners in the area have horses.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Use Variance to permit 4 horses (Use Unit 3) on an RS zoned lot (Section 410). Finding that there is uniqueness to the land and large stand of trees for screening between the subject property and the nearest residential portion of the land, and the request is not inconsistent with the surrounding area; for the following property:

PRT E/2 NW NW BEG SWC MEADOWS ADDN TH N150 W300 S150 E300 POB SEC 29 19 12 1.033ACS; PRT NW BEG SECR LT 1 BLK 3 LEWIS TERRACE 2ND ADD TH W632.66 S339.21 NE332.81 N150 E300 N187.72 POB SEC 29 19 12 3.883ACS, THE MEADOWS ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA

OTHER BUSINESS

None.

NEW BUSINESS

None.

BOARD COMMENTS

None.

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

Date approved:

3/15/16

David E. Conway
Chair