

**TULSA COUNTY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 516**

Tuesday, February 21, 2023, 1:30 p.m.  
Williams Tower 1  
1 West 3<sup>rd</sup> Street, St. Francis Room  
Tulsa, Oklahoma

**Members Present**

Charney, Chair  
Hutchinson, V. Chair  
Hicks  
Houston  
Tisdale

**Members Absent**

**Staff Present**

S. Miller  
S. Tauber  
J. Hoyt

**Others Present**

Nicholas Williams,  
Legal

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, February 15, at 1:33 p.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.

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

On **MOTION** of **Tisdale**, the Board voted 4-0-1 (Charney, Hicks, Hutchinson, Tisdale all "aye"; no "nays"; Houston "abstained"; to **APPROVE** the Minutes of December 20, 2022 (Meeting No. 514).

On **MOTION** of **Tisdale**, the Board voted 4-0-1 (Charney, Hicks, Hutchinson, Tisdale all "aye"; no "nays"; Houston "abstained"; to **APPROVE** the Minutes of January 17, 2023 (Meeting No. 515).

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**UNFINISHED BUSINESS**

\* \* \* \* \*

**3034 - Ron Sterling**

**Action Requested:**

Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2) **Location:** 26121 W 27th St S **(CD 2)**

**Presentation:**

None

**Interested Parties:**

None

**Comments and Questions:**

None

**Board Action:**

On **MOTION** of **Charney**, the voted Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “aye”; no “nays”; no “abstains”) to **Continue** this Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2) until 3-21-2023.

**LT 8 BLK 1, LAKE SUBURBAN ESTATES, CITY OF SAND SPRING, COUNTY OF TULSA, STATE OF OKLAHOMA.**

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**NEW APPLICATIONS**

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**3042 - Blas Gaytan**

**Action Requested:**

Special Exception to permit an Open-Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1) **Location:** 5825 N. Mingo Rd. **(CD 1)**

**Presentation:**

**Blas Gayton**, 15001 South Columbia Avenue, Bixby, Oklahoma, 74008, stated that he had a big open field, and we do some open rodeos. Through the years there has not been much activity, and it is pretty much empty. So, we've been playing with the idea over lunch, and they kind of want me to open the concept, we will provide Porta John's for people to use the restroom, and we have more than enough parking. We want to have an open-air flea market .

Mr. Charney asked if the existing gravel is there from another from another use.

Mr. Gayton stated that there was no gravel, it is just grass.

Mr. Charney asked him to talk about how the flea market might operate. Would it be a weekly, monthly, one time a month or what?

Mr. Gayton stated that for now he thought the second weekend of the month, so like once a month, until we kind of get some bit more than enough vendors so we can start doing twice a month, and eventually every weekend. But right now, he was targeting just once a month.

Mr. Charney asked Staff if the application before us is for an open-air flea market, is there any corresponding requirement for parking associated with that that we should be considering. If we were to grant to this and try to make certain if we were to go this route, that he is not hamstrung? Because there was a failure to address the type of parking that we would permit any thoughts?

Mr. Hoyt stated that typically it requires an all-weather surface parking. That is not part of the request, but it technically should be, because that is a part of the zoning code requirements.

Ms. Tosh stated that last time there was the Board Action for the special events it was requested then. But that would not be a question she would have been because that was for special events so many times a year versus the possibility of every weekend.

Mr. Charney stated that we could address that in our discussion to give you all a comfort level because we have something here that could be 12 to 24 times a year, maybe. Whereas the other one might have been could have been similar in our minds, depending on because it was more of a rodeo use then if he recalled.

Mr. Gayton stated that it was rodeo and festival.

Mr. Charney asked if they would put up the structures and then they would come down at the end or more permanent structure.

Mr. Gayton stated that they would be more like a tents, no permanent buildings whatsoever.

Mr. Charney asked if they would come down each week or would they be left every weekend.

Mr. Gayton stated that they would bring their own tents, set up, take the tents down and leave every weekend.

Mr. Charney asked if it were important to our group, if we were to grant this that you bring gravel in so that regardless of the weather, that there would be a place to park that would be on mud, tracking mud in and out. Sometimes that is important to us, as you remember from the other one. There was permission asked and so if we were to grant you the right to do the open-air flea market, it might be important for us to know that you did a good job graveling the area to do it in a proper way with enough thickness to where it was truly a solid enough base to people get in and out even if there was some rain. .

Mr. Gayton stated that if rain comes, we would not open. So, we will still consider doing some gravel.

Mr. Charney stated that it would be important to us or mostly do it because sometimes it could maybe rain on Tuesday and Wednesday and Thursday and Friday, and not rain on Saturday. It can be messy. We are going to be quiet and see if any other members of our Board would have any questions.

Mr. Hutchinson asked how you would make sure everyone took their tents down and got their stuff off on a weekend so that it's not there throughout the week.

Mr. Gayton stated that most of the time where we have like a festival or rodeo, we have security. Security will be on place, and they will make sure it goes on. He has a couple of shipping containers in case somebody needs to store something we can use that.

Mr. Hicks asked if he was thinking of Saturday and Sunday. Are there particular hours on those days you are thinking of being open.

Mr. Gayton stated that Saturday and Sunday noon to 8:00 p.m.

Mr. Tisdale asked if they have rodeos on this site currently.

Mr. Gayton stated that last year we had two but the prior year and those are normally held three or four.

Mr. Tisdale asked if the flea market would be going on during the rodeo.

Mr. Gayton stated they would be held at separate times.

Mr. Charney stated that the previous exception to allow the rodeo and the gravel lot was on the precise and legal description.

Mr. Gayton stated that the gravel was because he had asked for a dancing ballroom. That was one of the requirements. But we never did that, just rodeo and the festivals.

Mr. Charney stated that it could be important to us before we have a flea market, open air that there truly be gravel, regardless of the ballroom. It may have been the Board's intention for rodeos and for festivals to have it he was not sure. But you seem to recall it was tied to the ballroom.

Ms. Tosh stated just for clarification, she wanted to mention that it was 2012, there was the music festival granted, and that had attached to it the Variances of the all-weather parking lot and then it was in 2004 that it was for the dance hall.

Mr. Houston stated that at this point, you say you have the rodeo two times a year. How many times in the past year was that land used.

Mr. Gayton stated twice last year.

Mr. Charney stated that the music and the rodeo go together. It may be important to our group to know that there is a limited number of times that events could go on. We want to know if this Board says we would want even with a flea market, they may say and the rodeos together a couple of times a month might be 24 times a year. Sometimes that is important to us to know that it is not every day or not every single weekend. Sometimes

that is important. We will see what our Board says. Any other questions from any members of our Board about this application?

**Interested Parties:**

No interested parties were present.

**Comments and Questions:**

Mr. Tisdale stated that he thought Mr. Charney had a good feel for how to shape this.

Mr. Charney stated that he was familiar with this. This area is an isolated area. He did not feel that granting this particular use would be a strong detriment.

Mr. Hutchinson stated that he would feel more comfortable with the gravel parking. Even if it was an open flea market, even if it is every weekend, he was fine with that if it was not there every day, because then he thought people would just store their stuff there.

Mr. Charney stated that Mr. Hutchinson might be comfortable with a with a motion that would allow weekend activities, but no permanent improvements that all had to be pulled up and stored away nicely and neatly during the weeks.

Mr. Houston stated that he did feel that the gravel will be important. It is one thing to have two events in a year, but if you are going to have 12 or 24 or 30 events in a year, then surface becomes important.

Ms. Tosh stated that there was a calculation that when he comes in for permits, we will address that how many porta potties are needed.

**Board Action:**

On **MOTION** of **Charney**, the voted Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “aye”; no “nays”; no “abstains”) to **Approve** a Special Exception to permit an Open-Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1) subject to the following conditions, the first is that there'll be no permanent structures on the site, that the tents that are erected for the for the use each weekend, be taken down and properly stored so that the site looks well-kept during the week. The second one is that it's only weekend operations and the hours be from noon to 8pm, and that there will be a well-constructed gravel parking area that would accommodate the number of cars that you would anticipate.

The Board finds that the requested 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, for the following property:

**N1156.9 BLK 1, NORTHEAST INDUSTRIAL DISTRICT, CITY OF TULSA, COUNTY OF TULSA, STATE OF OKLAHOMA.**

**3043 - Jennifer Jennings**

**Action Requested:**

Special Exception to permit a manufactured home in an RS district (Section 410).

**Location:** 1110 E 59th PI N (CD 1)

**Presentation:**

**Jennifer Jennings**, 1309 East Reno Street, Broken Arrow, Oklahoma, 74012, stated that their goal in purchasing this property from an auction and it is down the street from their church. We went out and saw that there were people squatting on the property. It was in a bad way. We found out that the sheriff's department was involved with the property, and so is the Health Department trying to get it cleaned up and emptied out. We realized quickly that we needed to do something. And so, we took a look at this property right down the street from where we spend a good amount of our time and energy and resources. We basically wanted to put in some safe housing. We have the lot cleared off and we did go ahead and put a mobile home on it without knowing that we were supposed to come here first and so we know that you know if it needs to be moved. We will do whatever we need to do to make that happen. We can get electric water everything hooked up to it. Which really would be great because right across the backyard on the very backside is a girl's home. And just down the street is a charter school Legacy Charter School. We really do want to make this an area that is a place that is attractive and to families and where there is a home that they can afford. We could not place a stick-built house on the area and rent it out to a family at a cost. Which is why we put the mobile home on it. It is a nicer one. It is large three bedroom.

Mr. Charney asked if she knew if this area has access to sanitary sewer or would it be a septic system.

Ms. Jennings stated that it is sewer.

Mr. Charney asked if this board were to grant the Special Exception, and it was important to us that you have certain requirements for manufactured homes, skirting, that it would be properly tied down, that there be a concrete or asphalt pad to park the vehicles on. If we have certain requirements, he wanted to make certain that I hear you say yes, you will do those if we were to allow this use?

Ms. Jennings stated that all of that has already been provided.

Mr. Charney stated that this is to allow affordable housing for people to rent the mobile home in the area.

Mr. Hicks asked if on the plan it shows a garage. Is that existing or new?

Ms. Jennings stated that it is existing. It needs a new door on it. And it needs a few slats on the side of it.

Mr. Hicks asked Staff, it looks like it is three feet off the property line. Is that correct?

Ms. Jennings stated that could be that she had to learn how to try to do something to scale. She was not sure if that was correct.

**Interested Parties:**

No interested parties were present.

**Comments and Questions:**

Mr. Charney stated that it is grandfathered in being a preexisting structure.

Mr. Charney stated that he felt like there has been a strong effort made to improve the condition. He thought we are going to see more and more requests as housing, it becomes less and less affordable in the stick-built world and try to provide some affordable housing in some way.

Mr. Hutchinson stated that they have enhanced the property. Even though it is a mobile, if it is done correctly, he thought it will help enhance this area, and hopefully keep the vagrants and migrants away to keep everything nice.

**Board Action:**

On **MOTION** of **Hutchinson**, the voted Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “aye”; no “nays”; no “abstains”) to **Approve** a Special Exception to permit a single wide mobile home and an RS district, per the Conceptual Plan as shown on 5.7 of the Agenda packet, subject to the following conditions, that they follow the Tulsa County codes of hard surface, tie downs, skirting, and EPA codes.

The Board finds that the requested 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, for the following property:

**LTS 20 THRU 22 BLK 12, TURLEY-ORIGINAL TOWN, CITY OF TULSA, COUNTY OF TULSA, STATE OF OKLAHOMA.**



### **3044 - Steven Graves**

#### **Action Requested:**

Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310). **Location:** 5403 S. 113th W. Ave. **(CD 2)**

#### **Presentation:**

**Steven Graves**, 1607 North Elm St. Jenks, Oklahoma, 74037, stated that he would like to do is build a build pre-engineered building 100 by 100. He would like to partition it off in four sections, he would like to rent three of the sections which would be 2500 square feet a piece. He would like to keep one section for him to do automotive repairs to tinker around with cars.

Mr. Charney stated that it is a residential district today and so we have a lot of questions about injecting commercial uses into that we must think about it. That is part of what we are here today to do. We will start with the building that you had proposed to construct on it is consistent with the one that was in our packet. Is that a concrete or metal building?

Mr. Graves stated that it is a pre-engineered metal, steel framed building. The four bays will be twenty-five feet in width each, twenty-five feet by 100 feet. What you see in the picture is what it is going to look like the same thing. That is a picture that he took of a building that is in Jenks.

Mr. Charney stated that it looked to him as though there might be immediately on your South a residential structure.

Mr. Graves stated that there are a few houses in there. To the south there is a house he thought there are three to four houses. North of me there is nothing but land and raw. land and then maybe a little structure a little there. There is a rundown trailer house that needs to be taken care of.

Mr. Hutchinson asked if he has any potential clients that are looking at the three bays.

Mr. Graves stated that the other three spots are going to be warehouse like Heat and Air. His son mentioned they may have nice boxing gym, but basically a heat and air or like a construction contractor, someplace where they want to store their air conditioning units and park their tractor inside, or their work to store tools and equipment and stuff inside warehouse. He does have a heat and air guy that wants to be part of that. Now his own part is he is into older restoration, classic cars, and muscle cars. He wants to be able to tinker with his cars and have a safe place to keep them under a roof. He just

needs 2500 square feet. He was hoping the other three rental areas, going to cover my cost of staying there.

Mr. Hutchinson stated his concern is we do not to end up with 20 cars on the outside all the time that are broken down being worked on and stuff like that, that is more of a blight of the area. If they were stored in back, it would be easier because he knows you may have four or five muscle cars working on part one of them out getting the motor out. and

Mr. Graves stated that was a good concern. If you would see on the site plan there is 120 feet of the east of the building which be on the back side. There is nothing behind me but rocks and a big steep incline. He has the last semi level area on the hill. And once you go past my property line, probably 25 feet, you are going to run into these big boulders kind of like you see in Sand Springs. Then it starts dropping from there. Then you run into that creek area down there. That is probably about 300 feet from my property line.

Mr. Hutchinson stated that 120-foot east of your proposed building is still relatively flat. You would be able to store outside.

Ms. Miller stated that no outdoor storage would be allowed.

Mr. Tisdale stated that he likes collecting and building on old cars. What will be the hours of operation because sometimes you are building old cars, some of them have loud engines, so that could be a noisy situation.

Mr. Graves stated he would like to work 8:00 to 6:00. But to say that he would not be down there at eight o'clock. He would not work after 10 p.m. It is more of a hobby shop than it is of a business. The business is the warehouse. He just wants to improve this property. He would rather improve it with the with the building. Something that he and his family gets use out of, and is going to make me a little bit money.

Mr. Hicks asked if he knew which bay spot he wanted to use.

Mr. Graves stated that he wanted to use the north one, the furthest away. He wants to put a privacy fence on the south side. That is if my neighbor would want a privacy fence or see my building.

Ms. Tosh stated that there can be screening requirements for different uses between residential and the use he is using.

Mr. Graves stated that was for the south side. North and east of him, there is nothing but trees, rocks, and a hill. West of him is the highway.

Mr. Charney stated that one of the concerns that we have whenever we are looking at allowing a commercial use in a residential area, remember that is our starting point.

There is a neighbor immediately to the south. Have you spoken to any of the residential neighbors?

Mr. Graves stated that he had spoken to one gentleman.

Mr. Charney stated that we are going to hear from another person here and, we have received a letter as well, from someone saying they were a little bit concerned that there is going to be a significant noisy automotive use right next door to us, which is a reasonable thing that we should consider. Some of these questions are about no outside storage, no noise past 6 p.m., things of that nature could make a difference to us. Outside storage, no noise past a certain time screening fences, those are all impactful. We are honor bound to protect against if there is a residential use nearby. That would mean maybe we will consider this, but it would need to be with restrictions that still honor that use and that could be that they need quiet there could be daytime sleepers. It is a residential use area. So, do you hear that and are you willing to comply if we come up with these reasonable restrictions to do such so that we are not impairing the residential use immediately to your south? Your tenants would need to be that too because you are going to be the furthest away from them. We would want to make certain that southernly most tenant was not a sandblasting operation or something very load. You would need to govern and police that because that might be a condition in our granting.

Mr. Graves stated he understood totally. He will police whoever is in those buildings. There would be no sandblasting or body shops.

Mr. Hicks stated that he noticed on the picture example, there looks like there is wall lighting on the wall shooting out the canopies. What are your plans for exterior lighting?

Mr. Graves stated that was his plan, but he would see that on the south side it might not be appropriate. He stated that he could work through any of this stuff. He never thought about that. But he would not want it to shine on his house.

Mr. Houston stated that you have a heating and air conditioning friend who may be leasing one of those bays. They are not going to do any assembly manufacturing.

Mr. Graves stated they would store their units, trucks, equipment, and no assembly. They do residential heating. All their work is done outside in the field. In the area, there is a fabrication place, industrial fabrication down the street. It does produce a lot of noise. This will not be producing any noise. If you heard anything, it is going to be somebody pulling out of the driveway going down the street.

**Interested Parties:**

**James Lee Robbins**, 5237 South 113 West Avenue, Sand Springs, Oklahoma, 74063, stated that he has out there about 30 years. He built his house built in 1999. He has raised five kids have five grand and he has six grandkids. That street is a dead-end street. When there is an accident on the highway, people come down through there, but

they can't get out, they have to turn around. There is not a lot of traffic on that street. Also, with the fabrications that he was talking about these trucks that will be coming through our street will get torn up because up there where the other building is the street always need repaired. It is a side street, it is a quiet area, and we enjoy it out there.

Mr. Charney stated that Mr. Rawlins was one house further south. Your concern would be the street and he heard him questioning whether the street can handle increased truck traffic, and this the street dead ends going on to the north.

Mr. Houston asked what the surface of that road is.

Mr. Rawlins stated that it is concrete, and it needs repairs.

Mr. Tisdale asked if there was very much noise from the fabrication business.

Mr. Rawlins stated that they could hear noise. We can hear it and after a while you just get used to it.

Mr. Rawlins stated that he wanted the Board to know that he and Mr. Graves spoke and either way it goes that there would not be any problems.

Mr. Charney stated that was what we encourage. It is very important to us that the person who is doing this, do it consistent with manners that will not create a bunch of heartache for nearby folks. We like it when folks like you nearby, come to tell us your thoughts, share with us what you are thinking, and it helps us sometimes fashion the best response. So, thank you, sir. Thank you.

Mr. Charney stated that before we call you back up, he would want you to note for the record that we did receive a letter from the Nobels. They expressed their top two or three principal items were lighting, noise, whether there would be on street parking, outdoor storage and they do some sleeping during the day. They are an elderly couple in their 80s. They expressed all the legitimate concerns that many people would have, if they felt like there was going to be a use that is not residential nearby. That could be the source of some conditions, if we were to grant that might we think might be reasonable conditions.

**Rebuttal:**

Mr. Braves stated that he had not thought about the lighting. That is a good concern. He could put the lighting on the other side and leave that dark. He wanted to go there and build something nice. We are going to have good relationships. He always does everywhere he goes.

Mr. Hutchinson asked if there is going to be enough room in the front on the parking lot with just 30 feet from the site plan?

Mr. Graves stated that he was not sure. Part of you see is 30 foot, and part of that is 50 foot. He did not know if he could park on that easement on the front.

Mr. Charney stated that he encouraged him to seek a counsel on that. You might hear that surface uses of it will be permitted. We are the last to give legal advice. He would want you to explore that because Mr. Hutchinson's thoughts are legitimate. You would want to make certain that there is enough there, and it could be you have more land there than you recognize for parking.

Mr. Hutchinson stated that let us say you were not able to park on there. You could look at moving the building a little bit further back to have more parking.

Ms. Tosh stated that there would be a concern, like what was mentioned earlier, say it is a heat and air business or contractors of sorts. A lot of times, that is where they want to park their equipment and trailers and that is all outside storage, that is not allowed.

Mr. Hutchinson stated that he appreciated you bringing that to his attention earlier.

Ms. Tosh stated that there might be a couple to three vehicles for each of those spaces. It would not be unreasonable to have even be more vehicles per space.

Mr. Hutchinson stated that it would be wise for him to seek legal counsel before permit was issued to make sure he could use that front for additional parking, even though he cannot store trucks and trailers like that.

Mr. Charney asked Mr. Graves if he was hearing what our concern are. We would like for there to be adequate parking. You can tell neighbors, if properly planned and parked and wouldn't be obstructing the street. That is a fair request. And then the second one is recognizing for your tenant base, that a trailer with a bunch of stuff on a parked outside overnight would probably be in violation of what we are seeking, which is no outside storage. A truck parked there one thing, but you may be with 100 feet of depth, there might be room to pull the trailer, they probably want you for security anyway, maybe pull the trailer in.

Mr. Graves stated that he has 25 foot on the south side, and they could get to the fact I have 75 foot on the north side that could be utilized as parking as well. He thought, somebody in a permit department would be bringing this issue of parking. He was going to rely on their suggestions.

Mr. Charney stated that you are the record owner of the property subject to a pipeline easement or two by ONG and other utilities. You still have the right to use the surface subject to their right to come in and repair and replace and whatever the case might be. But that is for you to determine. We are just suggesting to you that make certain it is parked adequately, and that your users know that outdoor trailer storage would not be permitted.

Mr. Tisdale stated that he encourages him to talk with the Nobles. You may be able to work something out to get them get a comfort level with them.

Mr. Houston stated that it was difficult to tell how near to the neighbor on the south to their home will that privacy fence be.

Mr. Graves stated that he had given that thought also. Mr. Noble has a chain link fence, that is probably three or four foot so he would have to come off that a few feet to be able to get access to maintenance the fence and build a fence. That would be something that he would like to discuss with them. They may want to take the chain link fence out . If he was living there, he would like to take the chain link fence out and put a nice fence up, but that would be something he wanted to talk with them about.

Mr. Houston stated that apparently the fence on the other side of their home is a privacy fence, next to Mr. Rawlins. One of their concerns was having their view virtually blocked on both sides of their home. That is why he was asking how far away from their home your privacy fence would be. He wondered if it may be possible to do some blue spruce or something like so when they do look out, it would be pretty. They said it with a seven foot privacy fence on both sides, they would feel blocked in.

Mr. Charney stated that our point is that there would need to be some screening. If we were to make a motion to approve this, it might be requiring you to visit with your neighbor to the south and determine an appropriate screening method that seems compatible. It could be a combination of privacy fence, maybe stopping it at a certain point, if that is their desire. But it is going to take some cooperative spirit here is what he is hearing. He respected the letter they wrote in a very respectful tone. He thought it requires a bit of a deft touch by you to go and let them know you care as a good neighbor.

Mr. Rawlins stated that one of my other concerns is people coming off the highway and coming up to steal. If they come down this steal, they are going to come back. He was broken into four or five years ago. There is someone living off in the woods right now. People are roaming all the time. It is a big concern.

### **Comments and Questions:**

Mr. Hutchinson stated that he could support them. This was right off Highway 97. It is almost like a service road there. He understands that it dead ends. This is a very high traffic area. There was a lot of commercial intentions going on. He is proposing is to work with the neighbor the best he can.

Mr. Tisdale stated that he had a different view. He thought this idea is good. He thought that some of the concerns in the letter such as having a commercial building that close to a residential area. He would feel more comfortable if a little bit more work was done with the neighbors before approval. He did not think that we have a contentious

situation listening to the objection that was in there. He is not against it. He just that that better interaction could get to a happy medium 30 days or so. If that does not throw your project off. He felt that with a lot better communication they could come up with a project that will work.

Mr. Hicks agreed with Mr. Tisdale. He thought a solution can be made to these concerns brought up. For me personally, my concern is lighting, noise, screening, and he could see their concern with a fence, probably spending the same amount of money using some evergreen trees may look real nice improvement.

Mr. Charney stated that we have seen a 30-day continuance allow that applicant to get with that neighbor, and have it fashioned in a way that is everyone is happy. The top two concerns in the letter are a matter of public record and you can say here is how we are not going to have a noise issue, we are going to have hours of operation, it is going to be light warehouse use, not fabrication and is not manufacturing. Talk to them about your thoughts are on lighting because we do not want to put lighting there, we want to do it and help me with your screening. You could come back, and you have spoken with the Nobles, and you have spoken with the neighbor to the north of the south of the Nobles. We have got a plan here that will allow this use in this residential district. We have done that before, sir, just to let you know, it's not uncommon. That is one option. He could be supportive of a have a continuous with a suggestion.

Ms. Miller stated that the Nobles also mentioned the parking. So maybe this will give him time to figure that out.

**Board Action:**

On **MOTION** of **Charney**, the voted Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “aye”; no “nays”; no “abstains”) to **CONTINUE** a Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310), until April the 18th which will be held at the Downtown Tulsa City County Library 400 Civic Center. in the Aronson auditorium, for the following property:

**N/2 LT 3 BLK 3; S/2 LT 3 BLK 3, BUFORD COLONY SECOND ADDN, CITY OF SAND SPRINGS, COUNTY OF TULSA, STATE OF OKLAHOMOA.**

**OTHER BUSINESS**

None

**NEW BUSINESS**

None

**BOARD MEMBER COMMENTS**

None

There being no further business, the meeting adjourned at 1:50 p.m.

Date approved: 3/21/23

David E. Chorney Chair