

TULSA COUNTY BOARD OF ADJUSTMENT  
MINUTES (No. 18)  
Friday, February 19, 1982, 9:00 a.m.  
Room 119, Administration Building  
500 South Denver Avenue  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Martin Tyndall Walker Wines	Dubie	Gardner Martin	Reese Edwards, Building Insp.

The notice and agenda of said meeting were posted in the Office of the Tulsa County Clerk on Wednesday, February 17, 1982, at 11:17 a.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Chairman Martin called the meeting to order at 9:15 a.m.

MINUTES:

On MOTION of TYNDALL and SECOND by WALKER, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve the Minutes of October 20, 1981, (No. 14), and November 20, 1981, (No. 15), and December 18, 1981, (No. 16), and January 15, 1982 (No. 17).

UNFINISHED BUSINESS:

Case No. 138

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Request for permission to locate a mobile home in an RS District; and, a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances - Request for a variance to permit two dwellings on one lot located at 5703 West 23rd Street.

Presentation:

Harry Hoyt, P. O. Box 9665, was present to address the Board requesting the proposed exception and variance.

Board Comments:

Mr. Walker asked if there were other mobile homes in the area and Mr. Hoyt stated that there is a mobile home across the street.

Protestants: None.

Case No. 138 (continued)

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS District, and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit two dwellings on one lot for a period of 5 years, on the following described property:

Lot 5, Block 2, 2nd West Tulsa View Acres Addition to City of Tulsa, Tulsa County, Oklahoma.

Case No. 139

Action Requested:

Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680 - Exceptions - Request for an exception to permit a mobile home in an AG-R District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot Of Record - Under the Provisions of Section 1670 - Variances - Request for a variance to permit a mobile home on a lot that has a residence on it located south and east of Mingo Road and 120th Street North.

Presentation:

Mr. Gardner advised that a letter was received from the Owasso Board of Adjustment (Exhibit "A-1") supporting the application.

Joel Money, 1013 North Dogwood, was present to address the Board requesting that his mobile home be permitted on the subject tract which presently has a residence on it. Mr. Money stated that there are several other mobile homes in the area.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve an Exception (Section 310 - Principal Uses Permitted in Agriculture Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680) to permit a mobile home in an AG-R District, and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit a mobile home on a lot that has a residence on it for a period of 5 years, subject to Tulsa City-County Health Department, on the following described property:

The East 180' of the West 856' of the S/2, of the N/2 of the SW/4 of Section 6, Township 21 North, Range 14 East, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 153

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in an Agriculture District - Request for a variance of the frontage requirements in an AG-R District to allow a lot-split located north of the NW corner of 61st Street and 161st West Avenue.

Presentation:

Mrs. Tom Wright, R. #2, Box 196-A, Sand Springs, Oklahoma, was present to address the Board requesting the lot-split so that the individuals who are purchasing a portion of the subject property may obtain a deed.

Remarks:

The Staff advised that the Planning Commission had approved the lot-split January 20, 1982, subject to the approval of the Board.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in an Agriculture District) of the frontage requirements in an AG-R District to allow a lot-split (L-15373) on the following described property:

A parcel of land located in the E/2 of the SE/4 of the SE/4 of Section 31, Township 19 North, Range 11 East, Tulsa County, Oklahoma, more particularly described as beginning at a point on the west line of said SE/4 of the SE/4, said point being 661.67' West and 589.78' North of the SE corner of Said Section 31; thence North along the West line of said E/2 of the SE/4 of the SE/4 a distance of 165'; thence East and Parallel to the South line of said Section 31 a distance of 316'; thence South and Parallel to the West line of said E/2, SE/4, SE/4 a distance of 165'; thence West and Parallel to the South line of said Section 31 a distance of 316' to the point of beginning.

Case No. 160

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Request for a variance of the frontage requirements and the area requirements in an AG District to allow a lot-split located at 15221 South Peoria Avenue.

Presentation:

Ronald Holcomb, 10615 East 30th Street, was present to address the Board requesting that the lot-split be permitted.

Mr. Gardner advised that the Planning Commission met and approved the lot-split February 18, 1982, subject to this Board's approval.

Protestants: None.

Case No. 160 (continued)

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in Agriculture Districts) of the frontage requirements and the area requirements in an AG District to allow a lot-split (L-15387) on the following described Property:

The NW/2 of the SW/4 of the NW/4 of the N/4, Section 19, Township 17 North, Range 13 East, Tulsa County, Oklahoma.

NEW APPLICATIONS:

Case No. 148

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Mobile Homes - Under the Provisions of Section 1680 - Exceptions - Request for an exception to permit a mobile home in an RS District located NE of 100th West Avenue and 158th Place.

Presentation:

Joseph Parise, 5760 South 97th West Avenue, was present to address the Board requesting that his mobile home be permitted on the subject property to care for his elderly father. Mr. Parise stated that the mobile home will be on a septic tank system.

Board Comments:

Mr. Walker asked if there were other mobile homes in the area and Mr. Parise advised that there were several in the surrounding area. He also added that he had talked to his neighbors who had no objections to the request.

Protestants: None.

Board Action:

On MOTION of WINES and SECOND by WALKER, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Mobile Homes - Under the Provisions of Section 1680) to permit a mobile home in an RS District, for a period of 5 years, on the following described property:

Lot 5, Block 3, Hill Top Addition to Tulsa County, Oklahoma.

Case No. 149

Action Requested:

Exception - Section 410 - Principal Uses Permitted In Residential Districts - Section 440 - Mobile Homes - Request for an exception to permit a mobile home in an RS District located at 6008 West 60th Street.

Case No. 149 (continued)

Presentation:

Philip Jones, P. O. Box 475, Oakhurst, Oklahoma, was present to address the Board requesting that the mobile home be placed on the subject tract.

Board Comments:

Mr. Walker asked if there were other mobile homes in the area and Mr. Jones advised that there are three (3) mobile homes in the immediate area.

Mr. Martin asked if the property was served by a sanitary system and Mr. Jones advised that there is a septic tank on the property which will be used.

Protestants: None.

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Martin Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Mobile Homes) to permit a mobile home in an RS District, on the following described property:

Lots 4 and 5, Block 12, New Taneha Addition to Tulsa County, Okla.

Case No. 150

Action Requested:

Special Exception - Section 310 - Principal Uses in the Agriculture District - Request to locate a church in an AG District; and a Variance - Section 330 - Bulk and Area Requirements in an Agricultural District - Variance of the frontage requirements in an Agriculture District from 200 feet to 175 feet located at 7200 Block of North Cincinnati Avenue.

Presentation:

L. G. Gardner, 1726 East 26th Place North, was present to address the Board on behalf of New Hope Baptist Church and submitted a plot plan (Exhibit "B-1").

Board Comments:

Mr. Martin asked how much area the church use would involve and the applicant advised that 3 acres would be used for church use.

Mr. Gardner advised that the church would align with the other buildings next to the proposed church. According to the Ordinance, the church would be required to setback 85' from the centerline of Cincinnati Avenue.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Special Exception (Section 310 - Principal Uses in the Agriculture District) to locate a church in an AG District, and a Variance (Section 330 - Bulk and Area Requirements in an Agriculture District) of the frontage requirements in an Agriculture District from 200' to 175', per plot plan submitted, on the following described property:

Case No. 150 (continued)

A tract of land situated in the E/2 of the NE/4 of Section 11, Township 20 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma; commencing at the NE/4 of Said Section 5; thence South along the East line of said Section 5 a distance of 1,733.00' to a point of beginning; thence continuing South along the East line of Said Section 3, a distance of 175.00'; thence West perpendicular to the East line of Section 5 a distance of 750.00' thence North parallel to the East line of Section 5 a distance of 175.00'; thence East to a line of Section 5 a distance of 750.00' to a point on the East line of Section 3, also being the point of beginning.

Case No. 151

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in a Residential District - Request to place a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to place a mobile home on a lot that has a house on it located at the SW corner of 61st Street North and Quincy Avenue.

Presentation:

Richard Shatwell, 6121 North Birmingham, was present to address the Board advising that he had talked with his neighbors and sent them a letter concerning the mobile home being placed on the subject property. Mr. Shatwell advised that the property which he purchased has an old house on it which he intends to improve.

Protestants:

Mrs. Martin Clausen, 6031 North Quincy Avenue, was present to address the Board and advised that not everyone within a 300' radius of the subject property received the notice of publication. She was also concerned that there would be more than one mobile home placed on the subject tract.

Martin Clausen, 6031 North Quincy Avenue, was present to address the Board and submitted four (4) photographs of the subject property (Exhibit "C-1"). Mr. Clausen did not want the mobile home placed on the subject location because the applicant had placed his mobile home there before he had received approval by the Board.

Mrs. Russell Baker, 1341 East 61st Street North, was present to address the Board and stated that Mr. Shatwell had talked to her about the placement of the mobile home. She expressed a concern about the sewage and water problem in that particular area.

Board Comments:

Mr. Walker asked if there were other mobile homes in the area and Mr. Shatwell stated that there was a mobile home a block away from the subject property.

Mr. Martin advised that if the application was approved that it would be approved for only one mobile home. If Mr. Shatwell intended that more than one mobile home be placed on this particular lot, he would have to come before the Board again.

Case No. 151 (continued)

Board Action:

On MOTION of WALKER and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential District) to place a mobile home in an RS District, and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to place a mobile home on a lot that has a house on it, for a period of 3 years, subject to only one mobile home placed on the subject tract, on the following described property:

Lot 1 and Lot 2, Block 3, East Turley Addition to Tulsa County, Oklahoma.

Case No. 152

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to place an auto repair establishment in a CS District located south of the SE corner of 116th Street North and Garnett Road.

Presentation:

Steven Clark, 11713 East 84th Place North, Owasso, Oklahoma, was present to address the Board requesting that an automotive supply business be placed at the subject location. Mr. Clark advised that the repair portion of the business will be 15% or more of the total volume of the business.

Protestants: None.

Board Comments:

Mr. Walker read a letter from the Owasso Board of Adjustment who recommended approval of the application, subject to the following conditions:

1. Complete a subdivision plat for this property.
2. Locate access points so that they will be compatible with the internal circulation system of the entire commercially zoned area and will not contribute to traffic congestion problems along the strip zoned area of Garnett.
3. Conduct all repair activities inside the building(s) to reduce or eliminate adverse effects of noise of the proposed use.
4. Locate an opaque screening fence along all property lines abutting residential or agriculturally zoned land.
5. Locate exterior lighting so that it shines away from the abutting noncommercial land uses.
6. Treat any future expansion of the auto repair use as a separate Board of Adjustment application to be decided on its own merits.

Case No. 152 (continued)

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to place an auto repair establishment in a CS District, subject to the Owasso Board's conditions stated above, on the following described property:

The North-Half of the Southwest Quarter of the Northwest Quarter of Section 8, Township 21 North, Range 14 East, Tulsa County, Oklahoma.

Case No. 154

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in an Agriculture District - Request for a variance to allow four (4) mobile homes on one lot in an AG District located north and east of 126th Street North and 145th East Avenue.

Presentation:

The applicant was not present to address the Board.

Mr. Martin read a letter (Exhibit "E-1") from Gene Adams, Collinsville City Planner, requesting that this case be continued to March 19, 1982.

Protestants and Interested Party:

There was an interested party present concerning this case.  
There were no protestants present.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to continue this case to the March 19, 1982 meeting.

Case No. 155

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Requests permission for a home occupation in an RE zoned District; and a Variance - Section 240.3 - Use of Yards in R Districts - Request for additional time to remove an existing salvage operation on the subject tract located at 8316 North Florence Avenue.

Presentation:

Billy D. Smith, R.R. #1, Box #455, Sperry, Oklahoma, was present to address the Board requesting that he be permitted additional time to remove an existing salvage operation on the subject property and also that he be allowed a home occupation to work on his own vehicles. Mr. Smith advised that when the salvage is cleared off, fourteen (14) vehicles will remain for him to repair and he will sell most of them.

Protestants:

John Hayes, 8303 North Florence Avenue, Sperry, Oklahoma, was present to address the Board on behalf of himself and others in the neighborhood protesting the application. Mr. Hayes referred to a letter



Case No. 155 (continued)

written by Jack Edwards (Exhibit "F-1") to the applicant on November 17, 1981, giving him 60 days in which to remove his salvage operation.

Board Comments:

Mr. Wines asked Mr. Smith how long he would need to clear off the salvage and Mr. Smith stated that he could have them disposed of within two (2) years.

WINES made a MOTION to approve the application, subject to the removal of the cars within six (6) months.

Discussion ensued as to the length of time for which the applicant should be permitted to clear his land of the salvage.

Board Action:

On MOTION of WALKER and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Variance (Section 240.3 - Use of Yards in a Residential District) for a 90-day extension for the removal of the auto salvage and that the consideration for a home occupation be continued to May 21, 1982, on the following described property:

The North 432.2' of the East 330' of the NW/4 of the NE/4 of the SE/4, LESS the West 17.5', Section 29, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

Case No. 157

Action Requested:

Variance - Section 1224(a).3 - Use Conditions - Request for a variance of the setback line from an incorporated area. (Tulsa City Limits) This property is located north of the NE corner of 56th Street North and Garrison Avenue.

Presentation:

Mr. Hill, 4500 South Garnett Road, Suite 608, was present to address the Board representing Dendron, Inc., requesting to drill two (2) oil wells on the southeast quarter (SE/4) of the subject property. The applicant advised that the wells have been approved by the Corporation Commission.

Protestants:

William D. Borders, 612 West 13th Street, Attorney-at-Law, was present to address the Board on behalf of Halbert Brannon, the owner of the 5-acre tract adjacent to the subject property. Mr. Borders advised that having oil wells in the subject area would be inconsistent with the area and would decrease the value of the houses in the area. Mr. Borders also advised that proper notice was not given to the church, which is within the 300' radius. He, therefore, asked for a continuance of the case.

Mrs. Halbert Brannon, 1609 Harned Drive, Bartlesville, Oklahoma, was present to address the Board and was concerned that the oil wells would decrease the value of their property. She was also concerned about the operators of the well and that the equipment be kept off of her property.

Case No. 157 (continued)

Faye Johnson, 5911 North Garrison Place, was present to address the Board concerning the decrease in property value.

Comments:

Mr. Garnder handed the Board a list of names of individuals who received notice concerning this particular case (Exhibit "G-1"). He advised the Board that the church was aware of the application since they had requested a continuance of the case, even though they had not received mailed notices.

Mr. Walker asked how much footage was requested for the variance. Mr. Hill stated that they are requesting a 300' setback from the City Limits.

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Variance (Section 1224(a).3 - Use Conditions) of the setback line from an incorporated area, subject to a 300' setback limitation from the incorporated area, on the following described property:

The NW/4 of the SW/4 of the SE/4 and the SE/4 of the SW/4 of the SE/4 of Section 1, Township 20 North, Range 12 East, in Tulsa County, Oklahoma.

Case No. 158

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to locate a mobile home in an RE District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Requests more than one dwelling per lot located between 129th East Avenue and 145th East Avenue on 111th East Avenue.

Presentation:

Mr. Martin advised that the Broken Arrow Planning Commission had requested a two-month continuance on this case.

The applicant was present to address the Board and had no objections to the continuance.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to continue this case to April 16, 1982.

Case No. 159

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Requests permission for oil and gas extraction in an AG-R District; and a Variance - Section 1224(a).3 - Use Conditions - Request for a variance of the setback requirements from 300'

Case No. 159 (continued)

from a residence to 200' from a residence located East of the NE corner of 111th East Avenue and 166th Street North.

Presentation:

Mr. Martin read a letter (Exhibit "H-1") from the Collinsville Board of Adjustment requesting a continuance of this case.

The applicant was not present to address the Board.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 3-0-1 (Martin, Tyndall, Walker, "aye"; no "nays"; Wines, "abstaining"; Dubie, "absent") to continue this item to March 19, 1982.

\*Refer to page 14 concerning Case No. 159.

Case No. 161

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request for Truck Customizing Business in a CS District (Automotive & Allied Activities) located on the NE corner of 211th Street and 33rd West Avenue.

Presentation:

Kenneth Stainer, 320 South Boston Avenue, Suite 1018, was present to address the Board representing the John Rutledge family. The applicant is requesting that Use Unit 17 - Automotive and Allied Activities - be permitted on the 10-acre subject tract. Mr. Stainer advised that the business would be basically customizing of pickup trucks and recreation vehicles, which would all take place within the shop. There will be no outside storage. Mr. Stainer stated that the Glenpool Planning Commission approved the application.

Staff Comments:

Mr. Gardner advised that the County Commission recently approved this particular area for CS zoning. The applicant does have the commercial building and use on the subject property which was there prior to the zoning, therefore, the applicant needs a special exception.

Mr. Gardner suggested that if the application is approved that a condition be imposed requiring all work to be done within the building as so stated by the applicant.

Board Action:

On MOTION of WALKER and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) for Truck Customizing Business in a CS District (Automotive and Allied Activities), subject to no outside storage being permitted, and subject to all work being done within the building, on the following described property:

The NE/4 of the NE/4 of the SE/4 of Section 15, Township 16 North, Range 12 East, LESS 101.8' for road, in Tulsa County, Oklahoma.

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Case No. 162

Action Requested:

Variance - Section 1224(a).3 - Use Conditions - Request for a variance of the setback from an incorporated area from 1,320' to 380' and from 1,320' to 750' located at the NW corner of Peoria Avenue and 141st Street.

Presentation:

Mr. Garnder submitted a letter from the Glenpool Board of Adjustment stating that a hearing was held concerning this matter (Exhibit "I-1") and another communication stating that the Glenpool Board recommends approval of the case with two conditions being imposed (Exhibit "I-2").

David Garrison, 324 Main Mall Building, Suite 611, was present to address the Board requesting a variance to drill two (2) oil wells. Mr. Garrison stated that the two proposed wells will be drilled in the SE/4 of the subject tract where there is currently a producing oil field.

Protestants: None.

Board Comments:

Mr. Martin read a communication from the City of Glenpool. The Glenpool Board of Adjustment recommended approval with the following conditions:

- a. The pumping units be sufficiently fenced to keep out children and livestock; and
- b. the pumping units be painted as mentioned by Mr. David Garrison of Thompson-Monteith.

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Variance (Section 1224(a).3 - Use Conditions) of the setback from an incorporated area from 1,320' to 380' and from 1,320' to 750', subject to the Glenpool Board's conditions stated above, on the following described property:

The NW/4 of the NW/4 of the SE/4 of Section 12, Township 17 North, Range 12 East, and the NW/4 of the SE/4 of the SE/4 of Section 12, Township 17 North, Range 12 East, ALL being located in Tulsa County, Oklahoma.

Case No. 163

Action Requested:

Variance - Section 1224(a).3 - Use Conditions - Request for a variance of the setback requirements from 1,320' to 1,150' and from 1,320' to 95' located at the NW corner of Peoria Avenue and 131st Street and the SW corner of Peoria Avenue and 121st Street.

Presentation:

Marvin Brotherton, a representative of the Bureau of Indian Affairs from Okmulgee was present to address the Board.

Case No. 163 (continued)

David Garrison, 324 Main Mall Building, Suite 611, was present to address the Board and advised that the southern location which is requested, needs to be changed from 1,320' to 1,120' instead of the proposed 1,150'.

Board Comments:

Mr. Martin read a letter (Exhibit "J-1") from the Jenks Planning Commission who recommended approval of the well drilling on the two subject tracts, subject to the following conditions:

1. That the drilling pits be reclaimed within eight (8) weeks of the well drilling completion.
2. That formation fracturing, if any, be done during the day-light hour.
3. That electric well pumps be used.
4. That special consideration be given by the County Board to the moving of the well access road on the southern tract so that it is at least two hundred (200) feet east of the west property line of the tract, or that the ingress to the well be from Peoria Avenue with the road proceeding westward to the well site.

Protestants: None.

Board Action:

On MOTION of WALKER and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, "absent") to approve a Variance (Section 1224(a).3 - Use Conditions) of the setback requirements from 1,320' to 1,120' and from 1,320' to 95', subject to the conditions listed above, specified by Jenks Planning Commission, on the following described property:

The SE/4 of the NE/4 of the NE/4 of Section 1, Township 17 North, Range 12 East and the NW/4 of the SE/4 of the SE/4 of Section 1, Township 17 North, Range 12 East, all being located in Tulsa County, Oklahoma.

Case No. 166

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Request permission for oil and gas extraction in an AG-R District; and a Variance (Section 1224(a).3 Use Conditions- Variance of the setback requirement from 300' to 30' from a residence located at 11515 East 179th Street North and 11617 East 179th Street North.

Presentation:

Mr. Martin read a letter (Exhibit "K-1") from the Collinsville Board of Adjustment requesting a continuance of this case.

Protestants: None.

Case No. 166 (continued)

Board Action:

On MOTION of WALKER and SECOND by TYNDALL, the Board voted 3-0-1 (Martin, Tyndall, Walker, "aye"; no "nays"; Wines, "abstaining"; Dubie, "absent") to continue this case to March 19, 1982.

Case No. 159

Presentation:

B. G. Whorton, representing Cole Exploration Company, appeared late in the meeting to address the Board after the motion for a continuance. Mr. Whorton requested that the Board reopen and hear the case today.

Board Comments:

The Board did not feel that they should go back and hear the case because the Collinsville Board of Adjustment had requested a continuance. They were also concerned that other interested parties may have been present at the beginning of the meeting when it was decided to continue the application.

There being no further business, the meeting adjourned at 11:40 a.m.

Date Approved

March 19, 1982

William G. Foster

Chairman