

TULSA COUNTY BOARD OF ADJUSTMENT  
MINUTES (No. 20)  
Friday, April 16, 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 (in at 9:15 a.m.) Walker Wines	Dubie	Compton Gardner Jones Martin	David Carpenter, Dist. Atty's. Office Jack Edwards, Building Insp's. Office

The notice and agenda of said meeting were posted in the Office of the County Clerk on April 14, 1982, at 11:05 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 9:10 a.m.

MINUTES:

On MOTION of WINES and SECOND by WALKER, the Board voted 3-0-0 (Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Dubie, Tyndall, "absent") to approve the Minutes of March 19, 1982, (No. 19).

UNFINISHED BUSINESS:

Case No. 166

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Request for 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 requirement from 300' to 30' from a residence. This property is located at 11515 East 179th Street North and 11617 East 179th Street North.

Presentation:

Mr. Martin advised the Board that Cases No. 166, 170, and 180 would be heard together since they all relate to exploring for gas and oil in the same surrounding areas.

Mr. Gardner suggested that the Board consider approving each one of these applications, unless there were protestants or other interested parties to be heard, since this issue had been heard previously, discussed thoroughly and all parties appear to be in agreement. Mr. Gardner advised that the proposed well would come within 30 feet of the applicant's home.

Protestants: None.

Case No. 166 (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 310 - Principal Uses Permitted in The Agriculture District) for oil and gas extraction in an AG-R District; and a Variance (Section 1224 (a) .3 - Use Conditions - of the setback requirement from 300' to 30' from a residence, as applied for, on the following described property:

Lots 11 and 12, Block 2, North Meadows II Addition in the N/2 of the SW/4 of Section 5, Township 22 North, Range 14 East, Tulsa County, Oklahoma.

Case No. 164

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for permission to locate a mobile home in an RE District. This property is located at 12932 South 152nd East Ave.

Presentation:

Mr. Martin read a letter from the Broken Arrow City Planner stating that their Board of Adjustment reviewed and recommended denial of Case No. 164 (Exhibit "A-1"). Enclosed with the letter was a protest petition.

Laura Foster, 115 West Ithica Place, was present to address the Board expressing a need to help her mother care for Ms. Foster's elderly grandmother. Ms. Foster presented a map of Broken Arrow showing the existing mobile homes in the subject area. She also showed magazine pictures of mobile homes, showing how she plans to improve her mobile home. She stated that she only needs the mobile home for a year.

Mrs. Elton Hall, Laura's mother, was present to address the Board requesting that Laura be permitted to place her mobile home at the subject location to help care for the grandmother and also to help her mother care for her large tract.

Protestants:

Ned Doris, 523 Fairway Drive, President of Indian Springs Home and Landowners Association, was present to address the Board and submitted a protest petition bearing the signatures of approximately 113 people, (Exhibit "A-2"). He felt that the mobile home would devalue the surrounding properties.

Farhad Daroga, Broken Arrow City Planner, was present to address the Board stating that most of the area surrounding the subject area is within the Broken Arrow City Limits. About 15-years ago when Broken Arrow annexed many acres and miles of land the subject property was not annexed. Since that time, the land is only annexed at the request of the property owners. That is the reason that this land is outside the City Limits.

Board Comments:

Mr. Martin felt that if the application was approved that it would set a very serious precedent in the area.

Case No. 164 (continued)

Board Action:

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 deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) for permission to locate a mobile home in an RE District, on the following described property:

A tract of land in the SE/4 of the SE/4 of the SW/4 of Section 3, Township 17 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, described as follows, to wit: Beginning at a point 330' North of the Southwest Corner of the E/2 of the SE/4 of the SW/4 of Section 3; thence East 353.34'; thence North 330' thence West 353.34'; thence South 330' to the point of beginning, LESS Roadway on the East 25' thereof.

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 - Request for more than one dwelling per lot. This property is located between 129th and 145th East Avenues, on 111th East Avenue (south side).

Presentation:

Ricky Jones submitted to the Board a letter of protest from Glenn Anderson requesting that the application be denied (Exhibit "B-1") and a letter from the Broken Arrow Board of Adjustment recommending denial of the case (Exhibit "B-2").

The applicant was not present to address the Board.

Protestants:

Charlotte Hiner, Rt. 1, Box 96, was present to address the Board and submitted a letter with a protest petition enclosed, having approximately 14 signatures (Exhibit "B-3"). They are in protest to the application because of the decrease in value to their property and because the applicant does not have proper utilities there. She stated that there are presently two mobile homes on the subject property which they have no objections to, but do not want a mobile home park on that property.

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 deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to locate a mobile home in an RE District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to permit more than one dwelling per lot, on the following described property:

The North 655.91' of the South 1,925.91' of the W/2 of the W/2 of the W/2 of the NE/4 of Section 33, Township 18 North, Range 14 East of the Indian Base and Meridian in Tulsa County, State

Case No. 158 (continued)

of Oklahoma, and the South 1,270' of the W/2, W/2, W/2, NE/4; and the East 12.5' of the North 1,370.00' of the W/2, W/2, W/2, NE/4, ALL in Section 33, Township 18 North, Range 14 East of the Indian Base and Meridian in Tulsa County, State of Oklahoma.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 174

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Request for a Variance of the minimum lot and land area requirements in an AG District to permit a lot-split. This property is located at 19720 West 11th Street South.

Presentation:

David Raglin, 1002 Forest Drive, Sand Springs, Oklahoma, 74063, was present to address the Board requesting the lot-split so he can build his home on the subject property.

Mr. Martin read a letter from the Sand Springs Planning Commission and from the Minutes of their meeting on March 2, 1982, in which they recommended approval (Exhibit "C-1"). The lot-split on the 2.6 acre tract will create two lots, one to contain 1.5+ acres and the other to contain 1.1+ acres. Four conditions were placed on their recommendation which include: 1. A certified perk test being submitted for the 1.1+ acre lot, 2. a Variance being applied for and received from the Tulsa County Board of Adjustment for minimum required lot area (2.0+ ac.) and land area (2.2+ ac.) for both lots created, 3. a survey being conducted on the legal description for the property being adequate and acceptable to the Regional Planning Commission to determine the exact lot line dimensions for the lots to be created, and 4. language added to the deeds or filed by separate instrument to describe adequately a mutual access and utility easement providing permanent means of egress/ingress to both properties.

Protestants: None.

Board Action:

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 a Variance (Section 330 - Bulk and Area Requirements in Agriculture Districts) of the minimum lot and land area requirements in an AG District to permit a lot-split (SSRL-46), subject to the above conditions stated by the Sand Springs Planning Commission, on the following described property:

The West 208.5' of the E. 244.92' of the NW/4 of the NE/4 of Section 11, Township 19 North, Range 10 East; LESS and EXCEPT the North 770' thereof, Tulsa County, Oklahoma.

NEW APPLICATIONS:

Case No. 169

Action Requested:

Special Exception - Section 320 - Accessory Uses in Agriculture Districts - Request for a home occupation to permit parking and maintaining trucks for a construction company. This property is located west of the NW corner of 161st Street and Lewis Avenue.

Presentation:

Ricky Jones submitted a plot plan of the subject property (Exhibit "D-1").

Mr. Martin read a letter from the Glenpool City Planner stating that the request would not have any immediate impact on their City, and therefore, had no recommendation (Exhibit "D-2").

Scott Keith, 500 West 7th Street, attorney representing the applicant, was present to address the Board. The applicant is requesting permission to operate a home occupation in a medal building which is presently on the rear portion of his property. Mr. Sherment, the applicant, runs a pavement maintenance crew at another location and needs this building to keep his equipment and trucks on the property for repair.

Protestants: None.

Board Comments:

Mr. Martin asked how large the building is and Mr. Keith stated that the building is 40' x 80' with a wooden fence surrounding the building.

Mr. Walker was concerned that the operation might become a salvage. Mr. Keith assured the Board that the purpose is not for salvage, but for maintenance and storage. Mr. Walker advised the applicant and his attorney about the home occupation rules.

Mr. Martin suggested that a time-limit be put on the request if approved.

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 320 - Accessory Uses in Agriculture Districts) for a home occupation to permit parking and maintaining trucks for a construction company for a period of two (2) years, on the following described property:

The West 825' of the SE/4 of the SE/4, LESS the East 211' of the West 231' of the South 518.2' of the SE/4 of the SE/4 of Section 19, Township 17 North, Range 13 East, Tulsa County, Oklahoma.

Case No. 170

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture Districts - Request for permission for oil and gas extraction in an AG-R District. This property is located at 11514 and 11516 East 179th Street North.

Case No. 170 (continued)

Presentation:

Mr. Martin advised the Board that Cases No. 166, 170 and 180 would be heard together since they all relate to exploring for gas and oil in the same surrounding areas.

Mr. Gardner suggested that the Board consider approving each one of these applications unless there were protestants or other interested parties to be heard, since this issue had been heard previously, discussed thoroughly, and all parties appear to be in agreement.

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 Special Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts) for permission for oil and gas extraction in an AG-R District as specified, on the following described property:

Lots 1 & 2, Block 4, North Meadows II Addition, Tulsa County, Oklahoma.

Case No. 171

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a mobile home in an RE District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Request for a variance to allow more than one dwelling on a lot. This property is located NW of 129th West Avenue and West 41st Street.

Presentation:

Mr. Martin read a letter from the Sand Springs Board of Adjustment recommending denial of the application (Exhibit "E-1").

John Smith, 109 West 41st Street, Sand Springs, was present to address the Board requesting permission to place a mobile home on his uncle's property. Mr. Smith stated that the mobile home is presently on the property because he was not aware that he needed the Board's approval. The subject property previously had a mobile home on it for 10 years, therefore, the property already has a septic tank.

Protestants:

Jerry Strout, 13402 West 40th Street, was present to address the Board and submitted a protest petition, bearing approximately 23 signatures (Exhibit "E-2"). The neighbors are opposed to the request because it might set a precedent and also it would decrease their property values. He was also concerned that there would be an increase in traffic on a very narrow road. Mr. Strout stated that about 90% of the neighbors signed the petition.

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 deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) for a mobile home in an RE District;

Case No. 171 (continued)

and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow more than one dwelling on a lot, subject to the mobile home being moved within 6 months, on the following described property:

The West 330' of the North 660' of the South 1,370' of the E/2 of the SE/4 of Section 21, Township 19 North, Range 11 East, Tulsa County, Oklahoma.

Case No. 172

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for permission to locate a mobile home in an RS District. This property is located at 5948-5956 North Rockford Ave.

Presentation:

Bernidine Milstead, 6205 North Yorktown Avenue, was present to address the Board requesting permission to place their mobile home on the subject property permanently. There are other mobile homes in the surrounding area. There is also a sewer line hookup on the property.

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 Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to locate a mobile home in an RS District, subject to the Tulsa City-County Health Department, and subject to obtaining a building permit, on the following described property:

Lots 18, 19, 20, 21, and 22, Block 4, East Turley Addition, Tulsa County, Oklahoma.

Case No. 173

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to locate a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request for a variance to allow more than one dwelling unit on a lot. This property is located at 4300 South 45th West Avenue.

Presentation:

Kevin Duncan, 1734 South 147th West Avenue, Sand Springs, was present to address the Board requesting permission to place his mobile home on the church property. He is the minister for the church and wishes to live on the subject property to care for the property. There are two mobile homes in the surrounding area. Mr. Duncan advised that the other building on the subject property is no longer used as a dwelling, but as a Sunday School Classroom once a week and also for storage.

Protestants: None.

Remarks:

Mr. Gardner advised that since the other building is not used as a residence, the variance is not needed.

Case No. 173 (continued)

Mr. Martin asked if there was a septic tank on the property and Mr. Duncan answered in the affirmative.

Board Action:

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 a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to locate a mobile home in an RS District, for a period of five (5) years, on the following described property:

Beginning at the Southwest corner of Lot 14, Bridges Park Second Addition to the City of Tulsa, Tulsa County, Oklahoma; thence North a distance of 75'; thence East 211.8'; thence South a distance of 75'; thence West a distance of 211.8' to the point of beginning in Section 28, Township 19 North, Range 12 East, Tulsa, Tulsa County, Oklahoma.

Case No. 175

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to relocate a mobile home in an RS District. This property is located at 426 South 72nd West Avenue.

Presentation:

Tamera Wright, 512 South 72nd West Avenue, was present to address the Board requesting permission to place her mobile home on her mother-in-law's property. Ms. Wright stated that there are other mobile homes in the surrounding area.

Protestants:

Robert Robison, 428 South 72nd West Avenue, was present to address the Board stating a concern with a drainage problem which exists. Mr. Robison suggested that the applicant put drainage on the south side of their property line down to the creek. He stated that their surface water comes on his property and gets in his garden.

Board Comments:

Mr. Martin suggested that the applicant grade the back of the subject property so that the water will flow into the creek.

Board Action:

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 a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to relocate a mobile home in an RS District, subject to the property being graded so that the drainage problem can be solved, on the following described property:

The West 140' of Lot 22, Block 7, Twin Cities Addition to the City of Tulsa, Tulsa County, Oklahoma.



Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for permission for oil and gas extraction in an RS District; and a Variance-Section 1224 (a) .3 - Use Conditions - Request for a variance of the 1,230' from any incorporated area, 300' from any residences and 165' from any lease line. This property is located South of 46th Street North and Osage County.

Presentation:

Bill Bryan, 10234 South 68th East Avenue, attorney representing Delbert Barnes Drilling and Production Company was present to address the Board and submitted 21 pictures of the subject property (Exhibit "F-1"), and a Journal Entry of Judgement (Exhibit "F-2") concerning a court action that was filed dealing with the use of the road. He proceeded to read paragraphs 5 and 6 of the Journal Entry.

Mr. Bryan stated that the tract is subject to existing oil and gas wells at the present time. The applicant is requesting to drill four wells with all of them being located 165' from the boundary line except one. There are presently 17 existing producing wells in the surrounding area. All of the wells went before the Corporation Commission and they approved drilling the wells at this location.

Mr. Bryan stated that when the applicant was before the Board in December 1981, the Board approved the application subject to two conditions. The conditions were that they get approval from the Corporation Commission and also that they address the problem of ingress and egress by access to the property from the south. The access became impossible from the south, therefore, they contacted the County Attorney.

David Carpenter, Assistant District Attorney, was present to address the Board stating that the road in question has been maintained by the county for about 10 years. He stated that if a parcel become landlocked without ingress or egress a way of necessity is implied over the other parcels that are not landlocked so the interior parcels can have adequate ingress and egress.

Reba Terry, 5893 South Joplin Avenue, was present to address the Board and submitted three (3) pictures depicting the tree and road in question (Exhibit "F-3"). Ms. Terry stated that she was in favor of the request and asked the Board for a clarification as to whether the applicant can use the only road to the subject property for ingress and egress.

Calvin George Stout, representing R. M. Teel Company, was present to address the Board assuring them that the Company tried to solve the problem of finding another possible avenue of ingress and egress into the subject property before they took legal steps to solve it.

Protestants:

Kent Moreland, 201 West 5th Street, attorney representing a number of property owners in the immediate area, was present to address the Board and submitted eighteen (18) pictures of the subject property (Exhibit "F-4"), and several affidavits from those in the immediate area (Exhibit "F-5"). Mr. Moreland advised that the Teel Company failed to get an alternate access into the property and proceeded to use the road which runs through Joan Harris' property and did some damage to a tree

located on the northwest corner of the property. He stated that the road in question is not adequate to serve the additional traffic to serve the oil operation. He advised that the applicant has violated the Board's action of the previous meeting.

Clyde Lofton, 5619 South 93rd East Avenue, was present to address the Board and submitted four (4) pictures of Lot 7 (Exhibit "F-6"). Mr. Lofton stated that he was opposed to the one well which will be in violation of the 165' from the boundary line.

Joan Harris, Route 8, Box 410, was present to address the Board in protest to the application. Ed Turnquist was present to address the Board stating that the one well will be less than 165' from his property line and he opposes the request.

Comments:

Mr. Gardner stated that most of the protestants are in protest to the access, but do not have opposition to the wells since there are already 17 wells in the surrounding area. The applicant has stated that they tried to find another way into the property. The Board only needs to decide if they are going to permit four (4) more wells in that area.

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 Districts) for oil and gas extraction in an RS District; and a Variance (Section 1224 (a) .3 - Use Conditions) of the 1,320' from any incorporated area, 300' from any residences, and 165' from any lease line, subject to none of the wells being any closer than 150' from any residences, on the following described property:

Starting at the Southeast corner of Lot 7; thence North 370' to a point of beginning; thence West 295.6'; thence North 370'; thence East 295.6'; thence South 370' to a point of beginning; and starting at the Northwest corner of Lot 7; thence East along the North line of Lot 7 a distance of 435.19' to a point; thence South a distance of 256' to a point of beginning; thence South and parallel to the West line of Lot 7 a distance of 391.42' to a point; thence East and parallel to the North line a distance of 213' to a point; thence North and parallel to the West line 391.42' to a point; thence West and parallel to the North line 213' to a point of beginning; and starting at the Southeast corner of Lot 7; thence North 370' to a point of beginning; thence West 295.6'; thence North 370'; thence East 295.6' thence South 370' to a point of beginning; ALL properties above described being in the NW/4 of the SE/4 of Section 14, Township 20 North, Range 12 East, an RS District, Tulsa County, Oklahoma.

Case No. 176

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to locate a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request for a variance to allow 2 dwelling units on a lot of record. This property is located at 473 South 65th West Avenue.

Presentation:

Judith Ford, 472 South 65th West Avenue, was present to address the Board requesting permission for a mobile home to be placed on the subject property. Ms. Ford's sister will be living in the mobile home and it will not be rented to anyone else. There is a septic tank and gas hook-up on the subject property.

Protestants: None.

Board Comments:

Mr. Martin asked if there were other mobile homes in the surrounding area and Ms. Ford stated that there are 6 mobile homes within 300'.

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 410 - Principal Uses Permitted in Residential Districts) to locate a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow two (2) dwelling units on a lot of record, subject to the occupancy being limited to the one family stated above (Ms. Ford's sister), on the following described property:

The South 100 feet of Lot 29, Partridge Addition, Tulsa County, Oklahoma.

Case No. 178

Action Requested:

Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Request for a variance to allow a mobile home in an Industrial District. This property is located at the NW corner of North Peoria and 56th Street North.

Presentation:

Barbara Wells, 5602 North Peoria Avenue, was present to address the Board requesting permission to place her mobile home on the subject property for security reasons. She owns a service station at the corner of 56th Street and North Peoria Avenue and would like to have the mobile home on the property to watch over the station.

Protestants: None.

Board Comments:

Mr. Martin asked if there were other mobile homes in the surrounding area and Ms. Wells stated that there were none in that area.

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

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Case No. 178 (continued)

"absent") to approve a Variance (Section 910 - Principal Uses Permitted in Industrial Districts) to allow a mobile home in an Industrial District, for a period of two (2) years, on the following described property:

Tract I, Kruger Tracts Addition, Tulsa County, Oklahoma.

Case No. 179

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request to allow a disposal of municipal solid waste by incineration in an IM District. This property is located at the SW corner of 21st Street and Ykron Avenue.

Presentation:

Ben McGill was present to address the Board representing Ed Drake, Steam Supply Corp., 4425 East 31st Street. The purpose of the request is to allow his client to build a facility to dispose of municipal solid waste by incineration. The surrounding area is mostly industrial in nature with the closest resident being approximately one (1) mile away from the subject property. The purpose of the plant is to burn the waste. Mr. McGill submitted eight (8) letters of support concerning the proposed use (Exhibit "G-1").

Protestants: None.

Interested Party:

There was a woman present who had some concerns about the traffic, but was not opposed to the application.

Board Comments:

Mr. Martin read two of the letters of support concerning the facility.

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 910 - Principal Uses Permitted in Industrial Districts) to allow a disposal of municipal solid waste by incineration in an IM District, on the following described property:

Approximately 21 acres of the NW/4 of the NE/4 of Section 15, Township 19 North, Range 12 East; beginning at the northeast corner of the NW/4 of the NE/4; thence South 850'; thence West 1,035'; thence North 850'; thence East 1,035' to the point of beginning, Tulsa County, Oklahoma.

Case No. 180

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agricultural Districts - Request for oil and gas extraction in an AG-R District; and a Variance - Section 1224 (a) .3 - Use Conditions - Request for a variance for oil and gas production and storage facilities from 300' to 30' of any existing residence. This property is located at 128th Street North and Garnett Road.

Case No. 180 (continued)

Presentation:

Mr. Martin advised the Board that Cases No. 166, 170, and 180 would be heard together since they all relate to exploring for gas and oil in the same surrounding areas.

Mr. Gardner suggested that the Board consider approving each one of these applications unless there were protestants or other interested parties to be heard, since this issue had been heard previously, discussed thoroughly, and all parties appear to be in agreement.

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 a Special Exception (Section 310 - Principal Uses Permitted in the Agricultural Districts) for oil and gas extraction in an AG-R District; and a Variance (Section 1224 (a) .3 - Use Conditions) for oil and gas production and storage facilities from 300' to 30' of any existing residence, on the following described property:

Lots 1, 2, 3, 4, 5, 6, and 7, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, and 13, 14, 15, Block 2, Lots 1, 2 and 3, Block 3, and Lots 3, 5, and 6, Block 4, North Meadows II Addition, Tulsa County, Oklahoma.

Case No. 181

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request for a variance to allow more than one dwelling per lot of record; and a Variance - Section 440.6 - Special Exception Uses in Residential Districts - Request to allow mobile home for five years. This property is located at 1508 East 67th Street North.

Presentation:

Rose Marie Thelander, 1405 East 67th Street North, was present to address the Board requesting permission to place a mobile home on her mother's land for five (5) years for financial reasons. Ms. Thelander stated that there are three (3) other mobile homes in the surrounding 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 a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) for a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow more than one dwelling per lot of record; and a Variance (Section 440.6 - Special Exception Uses in Residential Districts) to allow a mobile home for five (5) years, on the following described property:

The E/2 of Lot 4, Block 3, Golden Hill Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 181 (continued)

NOTE: Latter variance was not needed since County Zoning Code, Section 440.6 had been amended eliminating the mandatory 1-year time limit.

Case No. 184

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Request to allow a mobile home in an AG-R District. This property is located at 209th Street South and 142nd East Avenue.

Presentation:

Dale Pitman, 803 North Winston Avenue, was present to address the Board requesting that he be permitted to place his mobile home at the subject location. There are several other mobile homes in the surrounding area. A square mile of the subdivision in which Mr. Pitman lives is designated for mobile homes. He advised the Board that there is a septic tank system on the property.

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 Permitted in Agriculture Districts) to allow a mobile home in an AG-R District, on the following described property:

Lot 3, Block 6, Bixby Ranch Estates Addition, Tulsa County, Okla.

Case No. 185

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a mobile home in an RS District. This property is located at the NE corner of 54th Place South and 113th West Avenue.

Presentation:

Earl Rose, Sr., Route 9, Box 522-D, was present to address the Board requesting the Board's permission to place his mobile home on this tract. There are other mobile homes in the surrounding area.

Board Comments:

Mr. Martin asked if there was a septic tank system on the property and Mr. Rose answered in the affirmative.

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 a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) for a mobile home in an RS District, on the following described property:

Lot 5, Block 3, Buford Colony Second Addition, Tulsa County, Okla.

OTHER BUSINESS:

Communication:

Communication concerning Board of Adjustment Case #124.

Presentation:

Ricky Jones advised that Case No. 124 is related to Case No. 177 dealing with the drilling of oil and gas wells. He advised that it was not longer germane since the Board, under Case No. 177, permitted 41st Street North to be used for access to the well sites in the area.

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 strike this item from the agenda since the Board allowed 41st Street North to be used for access to well sites in the area under Case No. 177.

There being no other business, the Board adjourned the meeting at 12:05 p.m.

Date Approved

May 21, 1982

William G. Lytle  
Chairman