

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 31
Friday, March 18, 1983, 9:00 a.m.
Room 119, Administration Building
500 South Denver Avenue, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Acting Chairman Martin Tyndall	Walker Wines	Gardner Jones Martin	Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk on Wednesday, March 16, 1983, at 2:59 p.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Acting Chairman Alberty called the meeting to order at 9:08 a.m.

MINUTES:

On MOTION of TYNDALL and SECOND by MARTIN, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve the Minutes of February 18, 1983 (No. 30).

MINOR VARIANCES AND EXCEPTIONS:

Case No. 330

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture District - Request for a variance of the lot width minimum from 200' to 132' and 198' and a variance of the lot area minimum from 2 acres to two acres less the dedicated right-of-way in order to permit a lot split. This property is located north of 211th Street and Lewis Avenue.

Presentation:

Ricky Jones submitted an amended lot split application to the Board (Exhibit "A-1") and advised that the lot split will be heard by the Planning Commission on April 6, 1983.

Jim Ham, Rt. 1, Box 125-D, Mounds, Oklahoma 74047, was present and requested that the lot split be approved to allow his brother-in-law to purchase half of the lot.

Protestants: None.

Board Comments:

Mr. Alberty asked the applicant if he had talked with the Health Department concerning the lot split and the proper sewer system which would be needed and Mr. Ham answered in the affirmative and advised that the land did perc. Mr. Alberty advised that this Board can approve the variance subject to the Planning Commission approving the lot split in April.

Case No. 330 (continued)

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District) of the lot width minimum from 200' to 132' and 198' and a variance of the lot area minimum from 2 acres to two acres less the dedicated right-of-way in order to permit a lot split (L-15703), subject to TMAPC approval of the lot split, on the following described property:

The South 330' of the North 528' of the SW/4, NW/4, SW/4 of Section 17, Township 16 North, Range 13 East, Tulsa County, Oklahoma.

Case No. 337

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture District - Request for a variance of the lot width from 200' and 104' and request for a variance of the lot area from 2 acres to 1-acre, more or less, to permit a lot split. This property is located at 10,000 Block of South Elgin Avenue.

Presentation:

Joe Wilkinson, 1721 South Delaware Place, requested the variance to split the subject lot. The approximate 5-acre subject tract has just recently been annexed by the City of Jenks. There is an existing residence on the property and the owner of the property desires to sell a portion of the subject property. The property will be divided to allow an approximate one-acre and a three-acre tract. The case was approved by the Jenks Board of Adjustment and by the Planning Commission.

Acting Chairman Alberty read a letter from the Jenks Board of Adjustment who recommended approval of the application and requested that the applicant dedicate 30' of street right-of-way to the City of Jenks (Exhibit "B-1"). Mr. Wilkinson advised that he would comply with that request.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District) of the lot width from 200' to 104' and a variance of the lot area from 2 acres to 1-acre, more or less, to permit a lot split (L-15721), subject to a 30-foot dedication for street right-of-way, on the following described property:

The N/2, SE/4, NE/4, SW/4 of Section 25, Township 18 North, Range 12 East, Tulsa County, Oklahoma.

Case No. 340

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture District - Request to reduce the minimum required lot area of 2 acres in an AG zoned district to lots of 1.11 and 1.26 acres, and a variance in the minimum required lot width of 200' to lots of 183.18' and 168.18' in width; and a Variance - Section 207 - Street Frontage Required - Request to reduce the minimum required frontage from 30' to 15', all to permit a lot split. This property is located at 21800 Coyote Trail.

Presentation:

Deana Nichols, 21800 Coyote Trail, Sand Springs, Oklahoma 74063, was present and requested that the lot split be granted. Mrs. Nichols and her husband intend to split the 2½ acre tract to allow their friends to buy the back-half and build a house. The Planning Commission has approved the lot split. Mrs. Nichols advised that she had talked to the Health Department concerning a septic system on the back-half of the property which will be approved, subject to approval by this Board.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberly, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District) to reduce the minimum required lot area of 2 acres in an AG zoned district to lots of 1.11 and 1.26 acres, and a variance in the minimum required lot width of 200' to lots of 183.18' and 168.18' in width, and a Variance (Section 207 - Street Frontage Required) to reduce the minimum required frontage from 30' to 15', all to permit a lot split, subject to Health Department approval of the septic system, on the following described property:

Commencing at the Northeast (NE) corner of the Northwest Quarter (NW/4) of Section 27, Township 19 North, Range 10 East, Tulsa County, Oklahoma; thence South 0°01'15" West along the North-South Quarter line of said Section 27 a distance of 765.35'; thence South 62°37'20" West a distance of 207.04' to the point of beginning; thence South 0°01'15" West a distance of 595.00' to the centerline of Coyote Trail; thence South 62°37'20" West along the centerline of Coyote Trail a distance of 207.04'; thence North 0°01'15" East a distance of 595.00'; thence North 62°37'20" East a distance of 207.04' to the point of beginning, LESS the South 50-foot easement. Said tract lies all in the East Half (E/2) of the Northwest Quarter (NW/4) of said Section 27 and contains 2.511 acres, more or less.

Case No. 341

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture District - Request for a variance of the frontage requirement from 200' to 165' to permit a lot split located 2 blocks west of 113th East Ave., on 166th Street North.

Case No. 341 (continued)

Presentation:

The applicant, John Collins, was not present.

Ricky Jones advised that the request is a minor variance and the Planning Commission has approved the lot split, subject to this Board's approval and the Health Department approval.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District) of the frontage requirement from 200' to 165' to permit a lot split, subject to the Health Department approval, on the following described property:

The W/2 of the W/2 of the NE/4 of the NE/4 of the NE/4 of Section 18, Township 22 North, Range 14 East, Tulsa County Oklahoma.

NEW APPLICATIONS:

Case No. 328

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to allow a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to allow one mobile home and one single-family dwelling on one lot of record located at 2201 East 56th Street North.

Presentation:

Darlene Ross, 2201 East 56th Street North, was present requesting permission to place a mobile home on the subject property which presently has a residence. The mobile home will be placed behind the existing house.

Protestants: None.

Comments:

Mr. Alberty asked if there are other mobile homes in the subject area and Mrs. Ross answered in the affirmative. Mr. Alberty also inquired as to the Health Department approval and the applicant advised that they have satisfied the Health Department requirements.

Mr. Martin suggested that the approval be a permanent approval to run with this owner only. Mr. Alberty advised that this piece of property has two zoning categories with RS on the frontage and AG zoning on the back portion and did not feel that the approval should be limited.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Special Exception (Section

Case No. 328 (continued)

410 - Principal Uses Permitted in the Residential District) to allow a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow one mobile home and one single-family dwelling on one lot of record), subject to the issuance of a building permit and approval by the Health Department, on the following described property:

The East-Half of the East-Half of the West-Half of the Southeast Quarter of the Southeast Quarter (E/2, E/2, W/2, SE/4, SE/4) of Section 6, Township 20 North, Range 13 East of the I.B. & M. Tulsa County, Oklahoma.

Case No. 329

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow a mobile home in an RS zoned district located at 6003 South 73rd West Avenue.

Presentation:

Roy Lambert, P. O. Box 615, Oakhurst, Oklahoma 74020, requested permission to place the mobile home on the subject property.

Protestants: None.

Board Questions and Comments:

Mr. Alberty inquired about a building permit and the sanitary sewer system and Mr. Lambert advised that he has already received a building permit and also stated that there was an existing sanitary sewer system which was used to install the new mobile home. The Board asked if there are other mobile homes in the area and the applicant advised that there is a mobile home to the side and behind the subject mobile home.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a mobile home in an RS zoned district, on the following described property:

Lots 10 and 11, Block 53, Taneha Addition, Tulsa County, Oklahoma.

Case No. 331

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to allow a mobile home in an RS District located at 4115 South 43rd West Avenue.

Presentation:

Vernon McFarland was present representing Brett Fyffe, 8520 East 12th Street, and requested permission to locate a mobile home on the subject property. Mr. McFarland purchased the subject property from Rudy Buckendorf and one mobile home is presently located on the tract.

Case No. 331 (continued)

There is a packing plant on the subject property which has been located on this site since the mid 1940's. The main purpose in placing the second mobile home on the subject property is to allow Mr. Fyffe to reside on the property for security reasons because Mr. McFarland has had several things stolen at this site. The proposed mobile home is located south of the packing plant.

Protestants:

Laura Buckendorf, 4201 South 43rd West Avenue, advised that she is the former owner of the packing company and expressed her protest to the mobile home. Mrs. Buckendorf presented several photographs showing that the proposed mobile home is located adjacent to her residence. If the mobile home is approved, property values in the area will decrease and a fire hazard will be present as there is not 25' of clearance around the mobile home as required. Mrs. Buckendorf also expressed a concern with the sewer for the mobile home.

Sandra Nusbaum, the daughter of Mrs. Buckendorf, stated that on the original homestead which was next to the mobile home was also confronted with theft and security problems. She did not feel that the proposed security system would solve the theft problems. She requested that the application be denied.

Roy Hallford, 4102 South 43rd West Avenue was present in protest to the location of the mobile home on this property. Mr. Hallford advised that the property values would decrease if the mobile home is approved.

Comments:

Mr. Alberty asked if there are other mobile homes in the area and Mr. McFarland answered in the affirmative. Mr. Alberty also asked if the mobile home is presently located on the subject property and the applicant answered in the affirmative and stated that utilities have not yet been connected.

Discussion ensued concerning the packing company and Mr. McFarland advised that he intends to enlarge the facility in the near future. The Staff advised that if the applicant wishes to enlarge this non-conforming building he must come before the Board and would be required to show a hardship. Mr. McFarland advised that he did not want to cause problems in the neighborhood and would abide by the Board's decision. Mr. Martin stated that he could not be in support of the application because of the affect it would have on property values in the area.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to deny a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to allow a mobile home in an RS District, on the following described property:

A tract of ground situated in Block 13, Bridges Park Addition, Tulsa County, Oklahoma, according to the Recorded Plat thereof, and being more particularly described as follows, to wit:

Case No. 331(continued)

Beginning at the Southeast corner of Block 13; thence North a distance of 39.1'; thence in a Southeasterly direction a distance of 222.87' to a point on the West property line of Block 13 - 34.0' from the Southwest corner of Block 13 as measured along the West line of Block 13; thence Southerly along said West line a distance of 34.00' to the Southwest corner of Block 13; thence East along the South line of Block 13 a distance of 225.6' to the point of beginning, containing in all 8,176.38'.

Case No. 332

Action Requested:

Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request for a Variance to allow a 1,500 square-foot accessory building in the rear yard for storage located at 1401 East College Avenue.

Presentation:

Mr. Albery read a letter from the Broken Arrow Board of Adjustment who recommended approval of the request, subject to the 1,500 square-foot building be allowed only behind the home and located a minimum of 10' from any side or rear lot line and that no commercial activity be permitted in the structure (Exhibit "C-1").

Donald Trogdon, 1401 East College, Broken Arrow, Oklahoma 74012, advised that he intends to construct a 1,500 square-foot accessory building on the property at the same location that a 15' x 23' building previously existed. The building will be used for storage purposes.

Protestants: None.

Board Comments:

Mr. Martin advised that he was familiar with this particular area and advised that the proposed building will be an asset to the neighborhood.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Albery, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 240.2 (e) - Permitted Yard Obstructions) to allow a 1,500 square-foot accessory building in the rear yard for storage purposes, per the Broken Arrow recommendations that the accessory building be allowed only behind the house and that it be located a minimum of 10' from any side or rear lot line and that no commercial activity be permitted in the structure, on the following described property:

Beginning at the NW corner of the NE/4 of the NE/4 of the SW/4; thence East 165'; thence South 792'; thence West 165'; thence North 792' to the Point of Beginning, Section 12, Township 18 North, Range 14 East, Tulsa County, Oklahoma.

Case No. 333

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to allow two dwelling units on one lot of record located at 12900 South Elwood Avenue.

Case No. 333 (continued)

Presentation:

Mr. Alberty read a letter from the Jenks Board of Adjustment who heard the case and recommended approval of the application (Exhibit "D-1").

Vada Joy Graham, 12900 South Elwood Avenue, was present requesting permission to place a mobile home on the 10-acre subject tract for her mother to reside in.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow two dwelling units on one lot of record, subject to the issuance of a building permit and approval of the Health Department, on the following described property:

The S/2, N/2, SW/4, SW/4, of Section 1, Township 17 North, Range 12 East, Tulsa County, Oklahoma.

Case No. 334

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to allow two dwelling units on one lot; and a Special Exception- Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow a mobile home located at 6701 North Norfolk Place.

Presentation:

Frances Overton, 6701 North Norfolk Place, submitted a petition in support of the application signed by approximately thirteen (13) property owners in the surrounding area (Exhibit "E-1"). The applicant's granddaughter intends to place a mobile home on the subject property.

Protestants: None.

Board Comments and Questions:

Mr. Alberty inquired as to the sanitary sewer and Ms. Overton advised that the mobile home is connected to the sanitary sewer system on the property.

Mr. Martin suggested that the approval be limited to the granddaughter and her family occupying the mobile home.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow two dwelling units on one lot; and a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a mobile home, subject to the use of the mobile home being limited to the applicant's granddaughter and her family's occupancy, and that the property would

Case No. 334 (continued)

revert to its original land use status should they move from the mobile home, subject to the issuance of a building permit, on the following described property:

A parcel or tract of land lying West of the Midland Valley Railroad Right-of-Way and being in the W/2 of the SE/4 of the SE/4 of Section 36, Township 21 North, Range 12 East of the I.B. & M., Tulsa County, Oklahoma, being more particularly described as follows, to wit: Beginning at a point 1,005.14' West and 986.34' North of the SE corner of Section 36, Township 21 North, Range 12 East of the I.B. & M., Tulsa County, Oklahoma; thence North and parallel to the East line of said Section 36, a distance of 102.89'; thence East and parallel to the South line of said Section 36, a distance of 142'; thence South and parallel to the East line of said Section 36 a distance of 102.89'; thence West and parallel to the South line of said Section 36, a distance of 142' to the point of beginning.

Case No. 335

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to allow two dwellings on one lot of record; and a Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow a mobile home located at 9723 West 61st Street.

Presentation:

Sherman Bellew, P. O. Box 185, Oakhurst, Oklahoma 74050, was present and requested permission to place a mobile home on the back portion of the subject tract. Mr. Bellew's residence is located on the front portion of the property. The applicant advised that he had visited his neighbors concerning the mobile home and they have no objections.

Protestants: None.

Comments:

The Board advised the applicant that Health Department approval and a building permit is required for the mobile home.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow two dwellings on one lot of record; and a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a mobile home, subject to the issuance of a building permit and approval of the Health Department, on the following described property:

Lot 11, Block 4, Hill Top Addition, Tulsa County, Oklahoma.

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to permit a mobile home in an RS District located at 6506 North Utica Avenue.

Presentation:

David Longley, Star Route A, Box 105-L, Skiatook, Oklahoma 74070, was present and requested permission to locate a mobile home on the subject property. Mr. Longley advised that he has talked with his neighbors concerning the placement of the mobile home and they have no objections.

Protestants: None.

Board Questions:

Mr. Martin asked if there are other mobile homes in the area and Mr. Longley answered in the affirmative. Mr. Alberty inquired as to the sewer system and the applicant advised that he intends to hook into the existing sewer system on the subject property.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, Wines, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to permit a mobile home in an RS District, subject to the issuance of a Building Permit and approval of the Health Department, on the following described property:

That part of Lot 3, Section 6, Township 20 North, Range 13 East of the Indian Base and Meridian, situated in Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows: Beginning 660 feet North of the Southeast corner of said Lot 3; thence West to the East boundary line of Block 4, Phillips Farm Addition; thence North along the East line of said Block 4, to the North line of said Lot 3, approximately 646 feet, more or less; thence East along the North line of said Lot 3 to the Northeast corner thereof; thence South along the East line of said Lot 3; approximately 646 feet, more or less, to the point and place of beginning, LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

Beginning at a point on the North line of Section 6, Township 20 North, Range 13 East, which is 2,143.8 ft. East of the Northwest corner of said Section 6 and is the intersection of the East line of the Phillips Farm Addition as shown on Plat No. 1041, Recorded No. 453.524, Tulsa County; thence South parallel to the West line of the said Section 6 and along the East line of said Phillips Farm Addition 30 feet to the South boundary of the county road easement; thence continue the last described course 187.8 feet to an iron pin; thence East parallel to the North line of said Section 6, 6,200 feet to an iron pin; thence North parallel to the West line of said Section 6, 187.8 feet to the South line of the county road easement; thence continue the last described course 30 feet to the North line of said Section 6; thence West

Case No. 336 (continued)

along said North line of said Section 6, 6,200 feet to the point of beginning.

Case No. 338

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to permit a mobile home in an RS District located at 6921 West 61st Street.

Presentation:

The applicant, Wanda Mae Massey, was not present.

Jack Edwards, Building Inspector, advised that there are several mobile homes in the subject area. Mr. Gardner suggested that if the application be approved that it be subject to approval by the Health Department.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 3-0-0 (Alberty, Martin, Tyndall, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to permit a mobile home in an RS District, subject to Health Department approval and subject to the issuance of a Building Permit, on the following described property:

Lots 20 and 21, Block 55, Tahaha Addition of the City of Tulsa, Tulsa County, State of Oklahoma.

There being no further business, the Chair adjourned the meeting at 10:20 a.m.

Date Approved 4-15-83


Chairman