

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 33
Friday, May 20, 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 Martin Walker, Chairman Wines	Tyndall	Gardner Jones Martin	J. Edwards, Building Insp.

The notice and agenda of said meeting were posted in the Office of the County Clerk on Tuesday, May 17, 1983, at 10:03 a.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Chairman Walker called the meeting to order at 9:10 a.m.

MINUTES:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve the Minutes of April 15, 1983 (No. 32).

MINOR VARIANCES AND EXCEPTIONS:

Case No. 352

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Request for a variance of the minimum required lot width in an AG District from 200' to two lots each having lot widths of 180' to permit a lot split located at 5100 South 225th West Avenue.

Presentation:

The applicant, Bruce Winland, was not present.

The Staff advised that the Planning Commission approved the lot split on the subject property at the May 4, 1983 meeting. Both lots contain two acres and have received Tulsa City-County Health Department approval.

Protestants: None.

Board Action:

On MOTION of ALBERTY and SECOND by Martin, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts) of the minimum required lot width in an AG District from 200' to two lots each having lot widths of 180' to permit a lot split (L-15770) on the following described property:

Lot 8, Block 1, Herrington Acres Addition, Tulsa County, Oklahoma.

Case No. 355

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an AG-R District located south of the southwest corner of Coyote Trail and 252nd West Avenue.

Presentation:

Mrs. Kenneth Price, Rt. #1, Box 142, Cleveland, Oklahoma, requested permission to locate a mobile home on the 2 1/2 acre subject tract. There are many other mobile homes in the area.

Protestants: None.

Board Action:

On MOTION of ALBERTY and SECOND by WINES, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an AG-R District, subject to Tulsa City-County Health Department approval and the issuance of a Building Permit, on the following described property:

The South 330 feet of the North 990 feet of the West 380 feet of the NE/4 of the SW/4, LESS the East 25 feet thereof for Road, Section 29, Township 19 North, Range 10 East, Tulsa County, Okla.

Case No. 358

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS District located at 6022½ South 71st West Avenue.

Presentation:

Latha Bryant, 6002 South 70th West Avenue, was present and requested permission to place a mobile home on the subject tract. There is a sewer system on the property presently. There are numerous mobile homes in the area. The applicant intends to rent the mobile home for a 2-year period.

Protestants:

Gloria Slavens, 5921 East 70th Street, was present and advised she owns four lots in the subject area where she intends to construct residences on those lots. She is opposed to the mobile home being granted as it will decrease property values in the area.

Comments:

Mr. Martin advised the Board has approved 16 mobile homes in the surrounding area in the past.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve a Special Exception (Section 410 -

Case No. 358 (continued)

Principal Uses Permitted in the Residential District - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an RS District, for a two (2) year period, on the following described property:

Lots 15, 16, 17, Block 55, New Taneha Addition, Tulsa County, Oklahoma.

UNFINISHED BUSINESS:

Case No. 344

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to allow a mobile home in an RS District located at 6420 North Quincy Avenue.

Presentation:

Bob McClure, 6420 North Quincy Avenue, requested permission to place a mobile home on the property in order to care for his mother, who resides at 6347 North Quincy. Mr. McClure intends to place the mobile home on a permanent foundation.

Protestants: None.

Board Comments and Questions:

Mr. Walker asked if there are other mobile homes in the area and Mr. McClure answered in the affirmative. Mr. Walker also inquired as to the sewer system and the applicant advised there is a sewer line on the property.

Discussion ensued concerning the time limit for other approved mobile homes in the area. Mr. Jones advised the mobile home located at 6414 North Quincy was approved with no specific time limitation.

Board Action:

On MOTION of ALBERTY and SECOND by MARTIN, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye" no "nays"; no "abstentions"; Tyndall, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to allow a mobile home in an RS District with no time limitation, subject to the issuance of a Building Permit, on the following described property:

Lot 26, Block 17, Golden Hills Second Addition, Tulsa County, Oklahoma.

NEW APPLICATIONS:

Case No. 353

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1204 - Section 440.7 - Request for a Use Unit 4 (Fire Station) in an RS District located at the southwest corner of 12th Street and Commercial Avenue.

Presentation:

Ben Jarnagon, Route 2, Box 82, Collinsville, Oklahoma, was present and requested permission to locate a fire station on lots 7 and 8 of the subject property. The proposed building will be constructed of blocks with a metal roof or an all-metal building. There was no plot plan available for the Board's review.

Protestants: None.

Comments and Questions:

Mr. Martin read a letter from the Collinsville City Planner in connection with proposed rural fire station (Exhibit "A-1"). The Planner requested that a 25' setback from the two platted streets adjacent the fire station, a minimum 10' setback from the platted alleyway and a turn-around of driveway facility be constructed for the fire vehicles to eliminate 12th Street from being utilized for this purpose.

The Board was concerned that the applicant had no plot plan. Since he was unaware that one was needed, it was suggested that the application be approved, subject to review and approval by the Collinsville City Planner.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1204 and Section 440.7) to permit a Use Unit 4 (Fire Station) in an RS District, subject to a plot plan being submitted to the Collinsville City Planner for his review and approval, per his recommendations as stated in the letter referred to, on the following described property:

Block 1, Santa Fe Addition to Collinsville, Oklahoma, Tulsa County, Oklahoma.

Case No. 256

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Use Unit 1217 - Section 440.2 - Request to allow a home occupation; and a Variance - Section 440.2 (c) - Special Exception Use in Residential Districts, Requirements - Request to allow outside storage of autos; and a Variance - Section 240.2 (e) Permitted Yard Obstructions - Request to exceed 750 square feet for detached accessory building; and a Variance - Section 1340 (d) - Design Standards for Off-Street Parking Areas - Request to allow parking on non-dust-free surface. This property is located at 5645 North Elwood Ave.

Case No. 356 (continued)

Presentation:

Richard McGuire, 5801 North Elwood Avenue, was present and requested permission to construct a building large enough for the storage and restoration of automobiles. Presently the applicant owns approximately twelve (12) automobiles which are located at this site. There is presently a 20' x 12' building on the property, but the applicant proposes to construct a 40' x 60' steel building for his automobiles. When the new building is constructed the smaller structure will be torn down.

Protestants:

Victor Castaldi, 5809 North Elwood Avenue, submitted a protest petition bearing approximately twelve (12) signatures of property owners in the surrounding area (Exhibit "B-1"). He advised the subject property is an eyesore to the neighbor and felt that if the application is approved property values would decrease. Presently there are several cars located on the property and grass and trees are growing around the vehicles.

Paul Cull, 5804 North Denver Avenue, was present and submitted four (4) photographs of the subject property and one (1) of his residences (Exhibit "B-2"). Mr. Cull, who lives directly behind the subject property, stated that he is strongly opposed to the application as it will cause property devaluation. The subject property presently appears to be a salvage yard with the automobiles parked outdoors.

Jewel Cull, 5804 North Denver Avenue, was concerned with the zoning of the property which does not permit more than one accessory building per acre.

Chairman Walker was concerned because the applicant had requested a variance to allow outside storage of automobiles and advised that ordinarily all work is performed inside the structure and no outside storage is permitted. Mr. McGuire advised that the request for outside storage would only be utilized until the proposed structure is completed. Mr. McGuire also advised the variance to allow parking on a non dust-free surface would only apply until the construction of the building is finished.

Mr. Gardner inquired if the automobiles are operable and the applicant advised that some of the automobiles are operable and some are inoperable.

Mr. Martin stated that he could not support the application as it endangers the property values in the immediate area. He also felt that the proposed use is not consistent with the zoning.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to DENY a Special Exception (Section 420 - Accessory Uses in Residential Districts - Under the Provisions of Use Unit 1217 and Section 440.2) to allow a home occupation; and a Variance (Section 440.2 (c) - Special Exception Use in Residential Districts, Requirements) to allow outside storage of automobiles; and a Variance (Section 240.2 (e) - Permitted Yard Obstructions) to exceed 750 square feet for detached accessory building; and a Variance (Section 1340 (d) - Design

Case No. 356 (continued)

Standards for Off-Street Parking Areas) to allow parking on non dust-free surface, on the following described property:

Lots 4 and 5, Block 4, Vining Acres Addition, Tulsa County, Okla.

Case No. 357

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Section 1209 - Section 440.6 - Request to permit a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to permit two dwellings per lot of record located at 4347 South 49th West Avenue.

Presentation:

Mr. Martin read a letter written by Terry Young on behalf of Mrs. Stewart requesting that the application be approved and a waiver of all fees because the application is truly a hardship (Exhibit "C-1").

Edna Stewart, 4347 South 49th West Avenue, was present and requested permission to locate a mobile home on the subject property because her residence is in poor condition. Mrs. Stewart's husband is presently in a nursing home. The applicant requested that the application be approved which would allow her husband to come home because of financial reasons.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Section 1209 and Section 440.6) to permit a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to permit two dwellings per lot of record, and to refund the fees, on the following described property:

Lot 14, Block 1, Bridges Third Subdivision, Tulsa County, Okla.

OTHER BUSINESS:

Case No. 347

Action Requested:

Request clarification and review of plans on Case No. 347.

Presentation:

Mr. Ricky Jones advised that the Board previously approved the application to allow an auto repair shop on the subject property at the April 15, 1983 meeting. Mr. Edwards, Building Inspector, who was presented with the plot plan for the subject property felt that the Board would want to review the plans.

Tom Stumpf, Route 1, Box 145, Skiatook, Oklahoma 74070, was present and submitted the plans showing the location of the proposed structure (Exhibit "D-1").

Case No. 347 (continued)

Mr. Walker reviewed the April 15, 1983 minutes for the Board's benefit. Mr. Edwards advised in the previous hearing the applicant indicated he would locate the building in the middle of the tract, but the plans show the structure to be 40' from Highway 20. The Board inquired if construction had begun and Mr. Stumpf stated that the structure had not been started and could be placed anywhere on the tract. Mr. Walker was concerned that the building was not located as reflected at the previous hearing. The applicant apologized for being misunderstood at the April 15, 1983 meeting and wishes to comply with the Board's restrictions. Chairman Walker suggested that the structure be located at the back or at the middle of the property.

Board Action:

On MOTION of ALBERTY and SECOND by MARTIN, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to approve the new structure (body shop) to be setback a minimum of 90' from Highway #20 right-of-way.

Case No. 204

Action Requested:

Communication concerning Case No. 204.

Presentation:

Georgina Landman, 707 South Houston, Suite 301, attorney representing the applicant, Carl Wright, was present and submitted a letter requesting that the matter be continued to the next meeting (Exhibit "E-1").

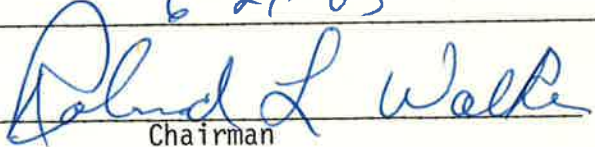
Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 4-0-0 (Alberty, Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to continue this case to the June 17, 1983 meeting.

The meeting was adjourned at 10:35 a.m.

Date Approved _____

6-24-83

Chairman