

COUNTY BOARD OF ADJUSTMENT
Meeting No. 58
Tuesday, April 16, 1985, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty Martin Tyndall, Chairman Walker Wines	None	Gardner Jones Moore	Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk, as well as in the Reception Area of the INCOG offices, on Friday, April 12, 1985 at 11:50 a.m.

After declaring a quorum present, Chairman Tyndall called the meeting to order at 1:30 p.m.

MINUTES:

On MOTION of ALBERTY and SECOND by MARTIN , the Board voted 5-0-0 (Alberty, Martin, Tyndall, Walker, Wines, "aye"; no "nays": no "abstentions"; to APPROVE the Minutes of March 19, 1985 (No. 58).

UNFINISHED BUSINESS

Case No. 541

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1217 - Request a use variance to allow a car wash in a RS zoned district, located on the South side of Highway 64, West of 161st East Avenue.

Presentation:

The applicant, Clifton Sartin, 3704 West 57th Street, Tulsa, Oklahoma, represented an individual who is attempting to build a car wash in a RS zoned area. Mr. Sartin presented a plot plan (Exhibit A-1) and explained that the entire town of Leonard was zoned residential when Tulsa County took over the zoning in 1980. He stated that several businesses are now in operation along Highway 64.

Comments and Questions:

Mr. Gardner pointed out that eventually the area should be rezoned and if it were, the site in question would be a desirable location to build a car wash. He stated that an interim solution would be to grant a use variance with conditions.

Case No. 541 (continued)

Mr. Martin asked what conditions Mr. Gardner had reference to. Mr. Gardner explained that the hours of operation would need to be considered. A twenty-four hour operation might cause a noise problem for the nearby residents.

Mr. Alberty asked if the town of Leonard has a mayor or City Council and Mr. Sartin said that it does not, and that five or six people in the community make the decisions. Mr. Alberty asked if the lot size would accommodate the customers without backing up traffic on the highway. The applicant pointed out that the lot is approximately 147.5' by 200' and that each self-service bay could hold three waiting cars.

Mr. Wines inquired about the availability of extra parking space and the placement of a screening fence. Mr. Sartin stated that there is adequate parking behind the building and that the neighbors prefer that the screening fence would not be built between the properties.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY the Board voted 5-0-0 (Alberty, Martin, Walker, Wines, Tyndall, "aye"; no "nays"; no "abstentions") to **APPROVE** a Variance (Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1217) to allow the operation of a car wash in a RS zoned district, due to predominance of commercial activity in the area; subject to hours of operation being from 6 a.m. to 10 p.m.; subject to Health Department approval and a Building Permit; and waiver of screening on the East side of the lot; on the following described property:

South 55' of Lots 6-11 and all Lots 12-16 and part of vacated street and alley beginning SE corner Lot 6 thence West 25', South 156', West 122.5', North 211', East 147.5', South 55' to P.O.B. Block 32 Revised Plat of Leonard, Oklahoma, Section 27, T-7-N, R-4-E.

NEW APPLICATIONS

Case No. 547

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Request an exception to allow a mobile home in a RS zoned district.

Variance - Section 208 - One single-family Dwelling Per Lot of Record - Request a variance to permit two dwelling units (1 vacant house, 1 mobile home) per lot of record, located on the SW/c of 66th Street North & Xanthus.

Presentation:

Applicant, Roy Ward, stated that he has purchased property with an existing house which he intends to tear down and replace with a new structure. The applicant pointed out that he would like to place a mobile home on the lot in order that his son would have a place to live while tearing down the house and clearing the debris. Mr. Ward

Case No. 547 (continued)

stated that placement of the mobile will be temporary, as he will have no need for it after the work is completed.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 5-0-0 (Alberty, Martin, Walker, Wines, Tyndall, "aye"; no "nays"; no "abstentions") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209) to allow a mobile home in a RS zoned district; and a VARIANCE (Section 208 - One single-family Dwelling Per Lot of Record) to permit two dwelling units (1 house, 1 mobile home) per lot of record; subject to Health Department approval and Building Permit; and subject to a time limit of three years on the mobile home; on the following described property:

Lot 1, Block 1, Stebbins Resubdivision, Tulsa County, Oklahoma.

Case No. 548

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Use Unit 1206 - Request a variance of the required 200' lot width to permit development of a subdivision in a AG zoned district, located on the NE/c of 211th Street and Mingo.

Presentation:

The applicant, Ivalene Pendegrass, was represented by Gary Howell, 4528 South Sheridan, Tulsa, Oklahoma. Mr. Howell informed that due to existing roadways and easements, which dictate the layout of the plat, some of the lots in the subdivision are less than 200'; the smallest being 131' wide.

Comments and Questions:

Mr. Gardner asked if the lots would meet the acreage requirements. Mr. Howell stated that they would meet the area requirements.

Board Action:

On MOTION of ALBERTY and SECOND by MARTIN, the Board voted 5-0-0 (Alberty, Martin, Tyndall, Walker, Wines "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to APPROVE a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Use Unit 1206) of the required 200' lot width to permit development of a subdivision in a AG zoned district; finding the lots meet the area requirements and the lesser frontage will not be injurious to the area; subject to a plat being approved by TMAC and filed with the County Clerk; on the following described property:

The SW/4 and the W/2 W/2 W/2 W/2 NW/4 SE/4 of Section 18, T16N, R14E - Tulsa County, Oklahoma. Application to plat submitted 3-11-85 under name of "IVY LANE ESTATES". Specifically Lots 6, 7, & 8 Block 1; Lots 1, 2, & 3 Block 2; Lots 1, 2, 3, 5, 6, 11 thru 18 Block 3; and Lots 1 Thru 5 and 7 thru 10, Block 4.

05.21.85:060(3)

Case No. 551 (continued)

Presentation:

The applicant, Claud Massey, was represented by his stepson, Kenneth Moore, 14523 Alfalfa Lane, Sand Springs, Oklahoma, who presented to the Board a plot plan (Exhibit D-1) for a proposed 30' by 40' metal garage. Mr. Moore pointed out that the applicant is without a job and the mechanic shop would be his principal source of income.

Comments and Questions:

Mr. Martin pointed out that the Board does not ordinarily make this type of concession in a residential zoned neighborhood. Mr. Moore explained that the appearance of the building will be that of an ordinary garage and that there will not be a sign on the property.

Mr. Martin asked if the hours of operation would be later than 10 p.m. Mr. Moore pointed out that most of the repair would be done during the day and assured the Board that the business would not be open past 10 o'clock.

Mr. Jones presented the Board with a letter from the City of Sand Springs recommending the approval of the proposed garage (Exhibit D-2).

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 5-0-0 (Alberly, Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; no "absentees") to **APPROVE** a **Special Exception** (Section 420 - Accessory Uses in Residential Districts - Use Unit 1206) to allow a home occupation for a mechanics shop in a RS zoned district; and a **Variance** (Section 430 - Bulk and Area Requirements in Residential Districts) of the 50' setback from the centerline of Katy to 25' and of the rear yard setback from 20' to 10' to permit construction of an accessory building; and a **Variance** (Section 240.2 - Permitted Yard Obstructions) to permit a 1200 sq. ft. accessory building to be located in the side yard; finding that a hardship is imposed on the applicant by the narrow shape of the lot and the fact that the lot is also adjacent to the expressway; subject to no placement of a sign on the property and no outside storage of materials; subject to the garage closing by 10 p.m; on the following described property:

All of that part of Reserve in Hall's Garden Addition to the Town of Sand Springs, Tulsa County, Oklahoma, described as follows, to-wit: Beginning on the South line of said Reserve 150' Northwesterly from the intersection of said Southerly line with Northerly prolongation of the Western line of the Alley in Block One (1) of said Hall's Garden Addition; thence Northwesterly along said Southerly line of said reserve a distance of 200 feet; then Northeasterly at right angles to last described course a distance of 50 feet to the Northerly line of said reserve; thence Southeasterly along said Northerly line, a distance of 200 feet; thence Southerly a distance of 50 feet to the point of beginning.

05.21.85:060(6)

Case No. 552

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request an exception to permit a mobile home in an RS zoned district, located at 6508 North St. Louis.

Presentation:

The applicant, Clare Mathews, 6502 North St. Louis, stated that she had permission to park a mobile home at the above stated address in 1981. She stated that she moved away and has now returned to care for her mother who is ill and would again like permission to have a mobile on the lot.

Comments and Questions:

Mr. Martin asked if there are other mobiles parked in the area. Ms. Mathews informed that there is one directly behind her on Rockford and three just one block East on Trenton.

Mr. Wines inquired if the mobile home would be on a sewer and Ms. Mathews informed that it would be connected to the city sewer.

Board Action:

On MOTION of ALBERTY and SECOND by WINES, the Board voted 5-0-0 (Alberty, Martin, Tyndall, Walker, Wines, aye"; no "nays"; no "abstentions"; no "absentees") to APPROVE a **Special Exception** - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to permit a mobile home in an RS zoned district; subject to Health Department approval and Building Permit; on the following described property:

Lots 1 and 2, Block 2, Phillips Farm, Tulsa County, Oklahoma.

Case No. 553

Action Requested:

Variance - Section 208 - One Single-family Dwelling Per Lot of Record - Use Unit 1206/09 - Request a variance to permit two dwelling units (1 existing home, 1 mobile home) per lot of record in an AG zoned district.

Presentation:

The applicant, Richard Rake, 15610 North 145th East Avenue, stated that he would like to have permission to park a mobile home next door to his existing home at the above stated address. Mr. Rake pointed out that his son is divorced and has three small children to support. The applicant stated that his son's job requires irregular hours and since he and his wife help take care of the grandchildren while their father is at work, it would be convenient if they lived nearby.

Comments and Questions:

Mr. Martin inquired if this would be a permanent location for the mobile and Mr. Rake stated that he would like to have it approved as a permanent location.

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 5-0-0 (Alberty, Martin, Walker, Wines, Tyndall, "aye"; no "nays"; no "abstentions"; no "absentees") to APPROVE a Variance (Section 208 - One Single-family Dwelling Per Lot of Record - Use Unit 1206/09) to permit two dwelling units (1 existing home, 1 mobile home) per lot of record in an AG zoned district; subject to occupancy of the mobile home by only the applicants son and family; and subject to Health Department approval and Building Permit; on the following described property:

A 5 acre tract of land situated in the East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Sixteen (16), Township Twenty-two North (22N), Range Fourteen East (14E), Tulsa County, State of Oklahoma more particularly described to-wit: Beginning at a point on the East line of said E $\frac{1}{2}$ SE $\frac{1}{4}$ said point of beginning being 659.94 feet North of the Southeast (SE) corner of said E $\frac{1}{2}$ SE $\frac{1}{4}$; thence West a distance of 661.37 feet to a point; thence North a distance of 329.96 feet to a point; thence East a distance of 661.22 feet to a point on the East line of said E $\frac{1}{2}$ SE $\frac{1}{4}$; thence South along East line of E $\frac{1}{2}$ SE $\frac{1}{4}$ a distance of 329.97 feet to the point of beginning according to the U.S. Government Survey thereof. Subject to roadway on the East and subject to a water line easement on the East 35 feet thereof.

There being no further business, the meeting was adjourned at 2:40 p.m.

Date Approved _____



04.16.85:58(8)