

COUNTY BOARD OF ADJUSTMENT
Meeting No. 75
Tuesday, August 19, 1986, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Chairman Looney Tyndall Walker	Wines	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, August 15, 1986, at 1:24 p.m.

After declaring a quorum present, Mr. Looney called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of TYNDALL, the Board voted 3-0-0 (Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Wines, "absent") to **APPROVE** the Minutes of July 15, 1986 (No. 74).

UNFINISHED BUSINESS

Case No. 658

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted in Residential District - Use Unit 1220 - Request a use variance to allow for a water recreation facility and other outdoor commercial recreational uses in an RS zoned district, located 1/2 mile south of the SE/c of Garnett and 141st Street.

Presentation:

The applicant, Larry Colt, 14503 South Garnett Road, Broken Arrow, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that this case was approved approximately 3 months ago subject to the applicant returning to the Board with a detail site plan. Mr. Jones stated that attempts to contact Mr. Colt by phone, as well as by mail, have not been successful.

Case No. 658 (continued)

Board Action:

On MOTION of WALKER, the Board voted 3-0-0 (Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Wines, "absent") to **STRIKE** Case No. 658.

Case No. 667

Action Requested:

Special Exception - Section - 910 - Principal Uses Permitted in Industrial Districts - Use Unit 2 and 5 - Request a special exception to allow a Use Unit 2 (firing range) and a Use Unit 5 (police academy) in an IL zoned district, located east of the SE/c of Yale Avenue and 66th Street North.

Presentation:

The applicant, Imel and Garber Architects, 5200 South Harvard, Tulsa, Oklahoma, was represented by Blaine Imel.

Commissioner Roy Gardner explained that there was not a representative from the Police Department at the last Board meeting because they were not aware that there was a protest to the application. He stated that there are 5 criteria that were required by Board action at that meeting, some of which will be very restrictive to the department. He pointed out that the Police Department has spent months trying to locate property that is appropriate for the academy, together with a firing range. Mr. Gardner stated that the department wants to be a good neighbor and will do anything they can to accommodate the land owners as far as comfort level is concerned.

Bob Dick, Police Chief, stated that the firing range that is now in use does not meet the needs of the department and that the property in question is a suitable location. He asked the Board to amend their previous action which required that shooting be done between 7 a.m. and 5 p.m., since the vast majority of shootings occur at night. He pointed out that the officers need to be trained in night firing. Mr. Dick informed that the facility will not be a hazard to the public safety and Mr. Kaczmarek, Range Master, stated that 6 million rounds of ammunition were fired in the last 12 years and only 4 rounds have gone above the berm during that period of time.

Mr. Walker asked Mr. Dick what hours are needed for the shooting range and he replied that the officers shoot until 10 p.m. at the present site.

Mr. Looney inquired as to whether the range will be used 7 days each week and Mr. Dick replied that the department needs the authority to shoot 7 days each week and if there is a problem with the Sunday firing, the surrounding landowners could be notified of the time. He pointed out that the shooting practice is scheduled well in

Case No. 667 (continued)

advance and it would be possible to inform the residents of Bird Creek Ranch of the schedule.

John Kaczmarek, Range Master, stated that the free fall area is safe and at the present location there has never been any contact with a human being or private property. He explained that the airport north/south runway, the Air National Guard and Mingo School are all in the 1-mile radius drop zone of the existing range and a problem has never been reported. Mr. Kaczmarek asked that automatic weapons be allowed for use by specialized teams. He pointed out that these officers have received previous military base training and are master shooters. He explained that machine guns are used in short distance firing and would not be a threat to anyone outside the area.

Comments and Questions:

Alan Jackere, Legal Department, asked Mr. Kaczmarek how the design of the proposed facility compares with others around the nation. He replied that this range is unique in that 12' high side wings will be constructed on each side of the 16' berm which will contain stray shots. He pointed out that if a shot did clear the berm it would drop harmlessly approximately 1 mile down range.

Mr. Walker asked if the time, days of operation and kinds of weapons are the items that are a concern to the police department. Mr. Jackere answered in the affirmative and stated that they are not concerned with the requirement that law personnel only use the range, that the shooting be supervised and that any further expansion be brought before the Board.

Protestants:

Dana Rasure, 1 Boston Plaza, Tulsa, Oklahoma, stated that her clients who own Bird Creek Ranch are concerned with the safety issue. She remarked that the Board heard the case at the last meeting and set the days and hours of operation at that time, which should be final. She informed that a memo from Mr. Kaczmarek stated that very little shooting is done on weekends and after 4 p.m. Ms. Rasure stated that Commissioner Gardner informed her that last year the range was only used 3 times after 4 p.m. and 1 Sunday and asked the Board to limit the number of uses after 4 p.m. and weekends to 10 times each year, with notification of area residents. Ms. Rasure informed that her clients are also opposed to automatic weapons being used in the open. She asked that the insurance be expanded from \$100,00 up, which would cover more thoroughly anyone that might be injured by a stray bullet on her clients ranch. She suggested that the range be open no later than 7 p.m. on a regular basis.

Additional Comments:

Mr. Looney asked Ms. Rasure how many people might be working on the ranch and she replied that one tenant lives approximately 3/4 mile south and east of the berm area and 6 or 8 people work in the fields from time to time.

Case No. 667 (continued)

Mr. Alberty asked who will supply the police department with names of persons to mail a notice of firing practice. Ms. Rasure informed that her client will supply the list.

Mr. Jackere asked Ms. Rasure if the mobile home on her clients property is located in the free fall area and she replied that it is approximately 3/4 mile from the proposed berm and is well within the free fall area.

Ms. Rasure asked that the insurance issue be addressed. Mr. Jackere informed that this issue is beyond the power of this Board, as the State of Oklahoma has set the limits on municipal responsibility.

Mr. Walker commented that he is not convinced that there is a need for firing practice on Sundays and after 4 p.m.

Mr. Alberty remarked that the police department has informed that the officers practice on the firing range during off duty hours and might need to use the range in the evening. He noted that those officers using the range are professionals and not amateurs.

Ms. Rasure informed that her client is opposed to nighttime shooting at the facility.

Board Action:

On MOTION of LOONEY, the Board voted 3-1-0 (Alberty, Looney, Tyndall, "aye"; Walker, "nay"; no "abstentions"; Wines, "absent") to **AMEND** the requirements imposed at the July 15, 1986 Board of Adjustment Meeting to allow hours of operation for the shooting range to be from 6 a.m. to 10 p.m., 7 days each week, with notice being given 4 days in advance to the persons on the list supplied by the protestant when Saturday or Sunday firing is desired; and to allow the firing of rifles, pistols and automatic weapons on the range; and retain the requirements restricting the use of the facility for law enforcement personnel only; requiring that the firing range be properly supervised during hours of operation, and that the applicant return to the Board for future approval of the driving range, with specific design and safety considerations; on the following described property:

All that part of Lot 4, Block 5, Cherokee Expressway Industrial District, an addition in Tulsa County, Oklahoma, according to the official recorded plat thereof, more particularly described as follows, to-wit:

BEGINNING at a point 50.00 feet south of the north boundary and 50.00 feet west of the east boundary of said Lot 4, thence S 1°32'45" E parallel to and 50.00 feet from the east boundary of said Lot 4 a distance of 1202.84 feet, thence S 88°27'15" W a distance of 50.00 feet, thence S 1°32'45" E parallel to the

Case No. 667 (continued)

east boundary of said Lot 4 a distance of 100.00 feet, thence N 88°27'15" E a distance of 100.00 feet to a point in the east boundary of said Lot 4, 1352.57 feet from the northeast corner thereof, thence S 1°32'45" E along the east boundary of said Lot 4 a distance of 604.64 feet to the southeast corner thereof, thence S 88°41'32" W along the south boundary of said Lot 4 a distance of 1984.14 feet to the southwest corner thereof, thence N 1°29'33" W along the west boundary of said Lot 4 a distance of 369.16 feet to a point in the southerly boundary of Lot 3 of said Block 5, thence N 78°57'45" E a distance of 0.00 feet, thence along the common boundary between Lots 3 and 4 of said Block 5 on a curve to the left having a radius of 653.81 feet a distance of 897.33 feet, thence N 88°45'44" E a distance of 858.15 feet to a point 580.00 feet from the east boundary of said Lot 4, thence N 1°32'45" W parallel to the east boundary of said Lot 4 a distance of 914.03 feet to a point 856.97 feet from the northwest corner thereof, thence N 88°45'44" E parallel to and 50.00 feet from the north boundary of said Lot 4, a distance of 530.00 feet to the point of beginning, containing 2,177,998 square feet or 49.99995 acres, more or less, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 682

Action Requested:

Minor Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 6 and 3 - Request a minor variance of lot width and area in an AG District to permit frontages of 198' and 68.71' and net areas of 1.8 acres and 1.97 acres on a lot split approved by TMAPC, located at 15203 South Peoria Avenue (Bixby address).

Comments and Questions:

Mr. Jones informed that this case was heard and approved by the Technical Advisory Committee on the August 14, 1986, subject to Board of Adjustment and Planning Commission approval.

Presentation:

The applicant, Areta McKenzie, was represented by Nancy Ashmore, P.O. Box 566, Jenks, Oklahoma, who submitted a location map (Exhibit Z-1) and explained that the owner has a contract to sell a house located on 2 acres of a 4-acre tract. She stated that there are other tracts in the area that are approximately the same size as the one in question and asked the Board to allow the lot split. Ms. Ashmore informed that both lots will have road access and have Health Department approval.

Case No. 682 (continued)

Board Action:

On MOTION of WALKER, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Minor Variance** (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 6 and 3) of lot width and area in an AG District to permit frontages of 198' and 68.71' and net areas of 1.8 acres and 1.97 acres on a lot split; subject to approval by TMAPC; finding that there are other lots in the area that are comparable in size to the subject tract; on the following described property:

South 266.71' of the NW/4, NW/4, NW/4 of Section 19, T-17-N, R-13-E, Tulsa County, Oklahoma.

Case No. 683

Action Requested:

Minor Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Request a minor variance of lot width in an AG District to permit 165' lot width on lot-split approved by TMAPC, located at 9010 North 97th East Avenue.

Comments and Questions:

Mr. Jones informed that this case was heard by the Technical Advisory Committee on August 14, 1986 which recommended approval subject to approval by Board of Adjustment and TMAPC.

Presentation:

The applicant, J. T. Edmonson, Route 1, Box 1373, Owasso, Oklahoma, submitted a plot plan (Exhibit X-1) and stated that he purchased the subject tract 5 years ago and the discrepancy in the lot width was not discovered until recently when he made an attempt to refinance the property.

Comments and Questions:

Mr. Alberty asked the applicant if a 50' right-of-way has been given.

Mr. Jones informed that the dedication of the proper right-of-way along the street is one of the conditions of the TAC Committee.

Board Action:

On MOTION of LOONEY, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Minor Variance** (Section 330 - Bulk and Area Requirements in Agriculture Districts) of lot width in an AG District to permit 165' lot width on lot-split; subject to approval by TMAPC; and subject to proper dedication of street right-of-way; on the following described property:

Case No. 683 (continued)

S/2, N/2, NE/4, NE/4, SE/4, Section 24, T-21-N, R-13-E, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 673

Action Requested:

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209 - Request a variance to permit 2 mobile homes per one lot of record, located east side of Dip Creek Road 1 mile south of 51st Street South.

Presentation:

The applicant, Ellen Davis, Route 2, Box 356, Sand Springs, Oklahoma, requested that Application No. 673 be continued to September 16, 1986.

Board Action:

On MOTION of WALKER, the Board voted 3-0-0 (Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, Alberty, "absent") to CONTINUE Case No. 673 to September 16, 1986.

Case No. 674

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential District - Use Unit 1209 - Request a special exception to allow a mobile home in an RS zoned district, located north of the NE/c of Terrace Drive and 4th Street West.

Comments and Questions:

Mr. Jones informed that the Sand Springs Board of Adjustment has recommended approval of the special exception request, subject to all County Building Codes.

Presentation:

The applicant, Helen Soles, 407 Terrace Drive, Sand Springs, Oklahoma, was represented by Don Soles who asked the Board to allow him to hook up a mobile home for his daughter on his property at the above stated location. Mr. Soles informed that the mobile home is in place and a permanent porch and skirting will be installed.

Additional Comments:

Mr. Alberty asked the applicant if his daughter will reside in the mobile and he answered in the affirmative.

Case No. 674 (continued)

Mr. Gardner asked Mr. Soles how his daughter will gain access to the property and he replied that she would use his driveway located to the north of the property.

Mr. Alberty asked the applicant if his property extends to Terrace Street and he stated that it does.

Mr. Gardner stated that it appears the applicant will have 2 dwellings on 1 lot and Mr. Soles stated that the lot to the rear of his property where the mobile home will be located is a separate lot.

Mr. Alberty asked if it is deeded as a separate lot and he informed that it is.

Mr. Alberty explained that the lot does not have access to a dedicated street, which would be required if the lot was ever sold. He informed that the applicant may need additional relief to resolve this issue.

Board Action:

On MOTION of WALKER, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential District - Use Unit 1209) to allow a mobile home in an RS zoned district; subject to a time limit of 5 years; subject to Health Department approval and Building Permit; and to **CONTINUE** the balance of the application to allow the applicant to advertise for additional relief for roadway access; on the following described property:

East 135' of Lot 12, Block 20, Charles Page Home Acres No. 2 and Resubdivision part of Block 10 - 12, Tulsa County, Oklahoma.

Case No. 676

Action Requested:

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

Variance - Section 208 - One Single-Family Residence per Lot of Record - Request a variance to allow 2 dwelling units (1 house and a mobile home) on 1 lot of record, located on the SE/c of 73rd Street North and North Trenton.

Presentation:

The applicant, Betty Wilson, 7247 North Trenton, Tulsa, Oklahoma, submitted a location map (Exhibit AA-2) and asked the Board to allow

Case No. 676 (continued)

her to place a mobile home, which will be occupied by her son and his wife, on her property at the above stated location. Ms. Wilson stated that there are several mobiles in the area. She informed that her son is unemployed at this time and needs a place to live.

Comments and Questions:

Mr. Alberty asked the applicant if the mobile home is already located on the lot and Ms. Wilson replied that it is on the lot and that the sewer deposit has been paid, but utilities have not been hooked up.

Mr. Alberty informed that there was a similar application in the area that was denied by the Board in March of this year.

Protestants:

Jeff Kirkham, 1727 East 73rd Street North, Tulsa, Oklahoma, stated that he has lived in the Golden Hills Addition, which is approximately 1 1/2 blocks from the subject property, for the past 13 years. He submitted a copy of a letter (Exhibit AA-1) he received from an unidentified person prior to this meeting. He pointed out that mobile homes in the area decrease property values and asked the Board to deny the application. Mr. Kirkham informed that, since June of this year, junk cars have been parked on the lot in question.

Terry Lowden, stated that he lives on 75th Street North and informed that the mobile homes in the area are causing a decrease in property values.

Floy Lewallen, 1644 East 75th Street North, Tulsa, Oklahoma, stated that there are many nice homes in the area and, in his opinion, the presence of mobile homes will cause property values to decrease.

Applicant's Rebuttal:

Ms. Wilson stated that the mobile home in question is much nicer than some of the homes in the area.

Additional Comments:

Mr. Alberty stated that he is aware that there are mobile homes in the area, but the last 2 mobile home applications have been denied by the Board, which might be an indication that a reversal of the trend is forthcoming.

Board Action:

On MOTION of TYNDALL, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **DENY** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoned district; and to **DENY** a **Variance** (Section 208 - One Single-Family Residence per Lot of Record) to allow 2

Case No. 676 (continued)

dwelling units (1 house and a mobile home) on 1 lot of record; finding that the special exception request would cause substantial detriment to the neighborhood; and finding that a hardship was not demonstrated by the applicant which would warrant the granting of the variance requested; on the following described property:

W/2, N/2 of Lot 6, Block 5, Golden Hill Addition, Tulsa County, Oklahoma.

Case No. 677

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Request a variance of the required 150' of lot frontage to 80'.

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow mini-storage in a CS (pending) zoned district, located north of the NE/c of Peoria and 71st Street North.

Presentation:

The applicant, LaVina Smithers, P.O. Box 480826, Tulsa, Oklahoma, submitted a plot plan (Exhibit A-2) and explained that she had previously planned to build a mini-storage facility on the subject property, but since CG zoning is required for the mini-storage, is now planning to construct a building for used furniture sales.

Comments and Questions:

Mr. Gardner informed that that the applicant had applied for Commercial Zoning because she wanted to build a mini-storage on the lot, which she could accomplish by acquiring a special exception from this Board. He stated that CS zoning for the property was approved by the Planning Commission, subject to City Commission approval. Mr. Gardner pointed out that the applicant can have the used furniture sales by right, but is in need of a variance of the required 150' lot frontage.

Mr. Alberty asked Ms. Smithers if she is planning to build a mini-storage at this time and she answered that she is not, but is asking permission to do so at some future date.

Mr. Alberty inquired as to the other uses located in the area and the applicant stated that there is a garage and tire sales business to the south.

Mr. Gardner informed that everything west of Peoria is planned for industrial and on the east side of Peoria is commercial. Special exceptions have been granted by the Board of Adjustment for a automobile repair and tire sales.

Case No. 677 (continued)

Mr. Jones pointed out that, if approved, the applicant has 3 years in which to utilize the special exception or it becomes void.

Protestants:

Glenna Cooley, 7128 North Peoria, Tulsa, Oklahoma, stated that she lives in the area and is pleased that Ms. Smithers bought the property and is improving the lot, but is concerned that there will be outside storage if a used furniture store is opened. She stated that, in her opinion, the lot is too small for this type of business. Photographs (Exhibit A-3) and a petition of opposition (Exhibit A-1) were submitted.

Mr. Alberty pointed out that outside display of merchandise would not be permitted by the Zoning Code if the application is approved.

Applicant's Rebuttal:

Ms. Smithers stated that the house on the property has been demolished and only a mobile home remains on the lot. She stated that she does not intend to operate the furniture business, but will lease the building for this use.

Mr. Walker asked if a furniture store and mini-storage are both planned for the lot and the applicant informed that she plans to construct a building for one of the businesses, but is not sure which one at this time.

Mr. Gardner stated that the Board could consider the mini-storage, with stipulations that the applicant return to the Board at a later date with detail plans and that notice be given again in order that interested parties would be informed of the action.

Mr. Alberty pointed out to the applicant that any decision made by this Board will be subject to County Commission approval of the zoning.

Mr. Edwards stated that, if the application is approved by the County, platting will be required.

Board Action:

On MOTION of LOONEY, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements in Commercial Districts) of the required 150' of lot frontage to 80'; finding a hardship imposed by the shape and size of the lot; subject to the approval of CS zoning by the County Commission; and to **APPROVE** a **Special Exception** (Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217) to allow mini-storage in a CS (pending) zoned district; subject to approval of CS zoning; subject to applicant returning to the Board with a site plan for approval; and subject to proper notification of surrounding property owners when site plan is reviewed; finding that

Case No. 677 (continued)

there is mixed zoning in the area and the special exception request does not cause substantial detriment to the neighborhood and is in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

South 80' of east 190' of Lot 6, Block 7, Golden Hill Addition, Tulsa County, Oklahoma.

Case No. 678

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of the required 50' setback from the centerline of South 41st West Avenue to 34.5' to allow for an existing structure, located at 4030 West 45th Place.

Presentation:

Norma Byrd, 4030 West 45th Place, Tulsa, Oklahoma, was represented by Carl Oarton, 1021 North 57th West Avenue, Tulsa, Oklahoma, who stated that he built the home at the above stated location and a variance was acquired at that time for a 36' setback instead of the needed 34.5'. Mr. Byrd stated a mistake was made in measurements and asked the Board to approve the requested setback variance in order that the lenders requirements can be satisfied. A plat of survey (Exhibit B-1) was submitted.

Board Action:

On MOTION of WALKER, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to **APPROVE** a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of the required 50' setback from the centerline of South 41st West Avenue to 34.5' to allow for an existing structure; finding a hardship demonstrated by the corner lot location and the fact that 41st West Avenue is an unimproved dead-end street at this location; on the following described property:

Lot 6, Block 2, Vera Faye Addition, Tulsa County, Oklahoma.

Case No. 679

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205 - Request a special exception to allow a church building and related uses (day care center) in an AG zoned district, located east of the NE/c of 129th East Avenue and 106th Street North.

Case No. 679 (continued)

Presentation:

The applicant, Leonard Pirtle, P. O. Box 50, Owasso, Oklahoma, was not present.

Board Action:

On MOTION of WALKER, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to CONTINUE Case No. 679 to September 16, 1986.

Case No. 680

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RS zoned district, located at 4443 West 56th Street.

Presentation:

The applicant, Chris Kaufman, 6928 South Evanston, Tulsa, Oklahoma, was represented by Lance Larey, 6121 East 32nd Street, Tulsa, Oklahoma, who informed that the land in question is owned by Mary Weaver. Mr. Larey stated that Ms. Weaver has lived at the present location for a long period of time. He informed that recently the home on the property was destroyed by fire and asked that the removal of the house and placement of a mobile home be permitted. Mr. Larey stated that Ms. Weaver is quite elderly and would like to remain in the neighborhood. He noted that there are other mobile homes in the general area.

Comments and Questions:

Mr. Gardner pointed out that this is a transitional area and planned for industry.

Protestants: None.

Board Action:

On MOTION of TYNDALL the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in a Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoned district; subject to a Building Permit and Health Department approval; finding that there other mobile homes in the area, which is in transition to industrial; and finding that the granting of the special exception requested will not be detrimental to the neighborhood and is in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Case No. 680 (continued)

Lots 18 and 19, Block 5, Opportunity Heights Subdivision, Tulsa County, Oklahoma.

Case No. 681

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted In Agriculture Districts/Section 1205.3 - Use Conditions - Use Unit 1205 - Request a special exception to allow a church in an AG zoned district, located approximately 1/2 mile north of 86th Street North, west side of 145th East Avenue.

Comments and Questions:

Mr. Jones informed that the legal description was in error and has been amended. He stated that a larger parcel of land was advertised of which the subject 5-acre tract was a portion, and that the Board should make any action subject to the amended legal.

Presentation:

The applicant, John Hay, Jr. for Nazarene Church, was represented by Wilbur Sites, 11206 North 106th East Avenue, Owasso, Oklahoma, who asked the Board to allow the construction of a building in an Agriculture District.

Comments and Questions:

Mr. Alberty asked Mr. Sites if he has an amended legal description and he answered in the affirmative.

Mr. Alberty inquired if a plot plan is available and Mr. Sites informed that plans have not been finalized.

Mr. Alberty informed that, if this Board is inclined to approve the church use, any action taken today should be conditioned upon the applicants returning at a later date with definite plans. He further informed that a subdivision plat is required prior to acquiring a Building Permit.

Board Action:

On MOTION of WALKER, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, Wines, "absent") to **APPROVE** a **Special Exception** (Section 310 - Principal Uses Permitted In Agriculture Districts/Section 1205.3 - Use Conditions - Use Unit 1205) to allow a church in an AG zoned district; subject to the amended legal description; subject to the applicant returning to the Board with site plans before beginning construction; and subject to compliance with County platting requirements; on the following described property:

Case No. 681 (continued)

N/2, SE/4, NE/4, SE/4, Section 21, T-21-N, R-14-E, containing 5 acres more or less according to the U. S. Government Survey thereon. Less and except all oil, gas, and other minerals heretofore reserved and all easements of record, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 4:00 p.m.

Date Approved Sept. 16, 1986

Wayne Albee
Chairman