

COUNTY BOARD OF ADJUSTMENT
Meeting No. 81
Tuesday, February 17, 1987, 1:30 p.m.
County Commission Room
Room 119
Reconvened Room 124
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Chairman Eller Looney Walker	Tyndall	Gardner Taylor Moore	Ron Fields, Building Inspection

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, February 13, 1987 at 1:14 p.m.

After declaring a quorum present, Chairman Alberty called the meeting to order at 1:30 p.m. Due to a conflict in meeting schedules, the meeting was moved to Room 124 and reconvened at 1:40 p.m.

MINUTES:

On **MOTION** of Looney, the Board voted 5-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** the Minutes of January 20, 1987 (No. 80).

UNFINISHED BUSINESS

Case No. 714

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow for 2 mobile homes on an RM-2 zoned lot.

Variance - Section 206 - Number of Dwelling Units on a Lot - Use Unit 1209 - Request a variance to allow 2 dwellings on 1 lot of record, located at 7526 West 17th Street.

Presentation:

The applicant, Danny Cochran, stated that he was before the Board at the January meeting and asked that both his mother and brother be permitted to place a mobile home on on the property at the above stated location. He informed that the case was continued at that meeting to allow the Board sufficient time to view the property. Mr. Cochran stated that his mother will occupy 1 mobile home, and

Case No. 714 (continued)

after the old house is removed, it will be replaced with a second mobile home for his brother. He informed that a septic tank is in place and an additional septic system will be installed if required.

Comments and Questions:

Mr. Alberty inquired if there are other tracts in the area with 2 dwellings, and Mr. Cochran replied that there are 2 dwellings on tracts both to the East and West of the subject property.

Mr. Looney asked the applicant if his mother needs constant supervision, and he stated that she is elderly and needs someone to live nearby.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to allow for 2 mobile homes on an RM-2 zoned lot; and to **APPROVE** a **Variance** (Section 206 - Number of Dwelling Units on a Lot - Use Unit 1209) to allow 2 dwellings on 1 lot of record; subject to Building Permit and Health Department approval; subject to removal of the existing conventional residence from the property in question; and subject to a 5 year time limit; finding that there are other lots in the area with 2 dwelling units; and finding that the granting of the special exception request will not be detrimental to the neighborhood; on the following described property:

The east 80' of the north 140' of Tract 27, Lot 6, Bellington's Acre Tracts, and addition to Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 717

Action Requested:

Variance - Section 330 - Bulk and Area Requirements In Agriculture Districts - Use Unit 1206 - Request a variance of the lot width from 200' to 150' in an AG zoned district, located approximately 1/4 mile south of 129th East Avenue and 121st Street South.

Presentation:

The applicant, Leonard Hendrickson, 12424 South 129th East Avenue, Broken Arrow, Oklahoma, stated that, due to his age and falling health, he is selling the larger portion of his property. Mr. Hendrickson informed that he is retaining only the tract that is before the Board today, which has a 150' frontage on 129th East Avenue.

Case No. 717 (continued)

Comments and Questions:

Mr. Walker Inquired if this property has been considered by the Board in a prior application.

Mr. Hendrickson replied that he has been before the Board at another time asking to divide the land into several lots and install a private street.

Protestants: None.

Board Action:

On **MOTION** of ELLER, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206) of the lot width from 200' to 150' in an AG zoned district; subject to any other ordinances that might apply; finding that there are other lots in the area that are comparable in lot width or smaller than the lot in question; and finding that the lot meets the land area requirement; on the following described property:

A tract 150' wide by 1,319.51' long, described as follows: Commencing at the NE/c of the SE/4 of the NE/4 of Section 5, T-17-N, R-14-E, Tulsa County, State of Oklahoma; thence S 0°00'44" W 660.39' to the point and place of beginning, thence N 89°27'01" W 1,319.51', thence N 0°00'37" E 150.0', thence S 89°27'01" E 1,319.51', thence S 0°00'44" W 150.0' to the point and place of beginning, containing 4.54 acres more or less, Tulsa County, Oklahoma.

Case No. 718

Action Requested:

Variance - Section 208 - One Single Family Dwelling per Lot of Record - Use Unit 1209 - Request a variance to allow two dwelling units (2 mobile homes) on one lot of record in an AG zoned district, located at 14817 South 161st east Avenue.

Presentation:

The applicant, Alex Buckland, stated that a mobile home is currently in place on his 5-acre tract, and asked the Board to permit a second mobile home to be moved on the back portion of the property. Mr. Buckland informed that his mother will live in the mobile on the front of the lot and he will occupy the one to the rear.

Comments and Questions:

Mr. Alberty inquired if there are other mobile homes in the area, and Mr. Buckland answered in the affirmative.

Case No. 718 (continued)

Mr. Alberty asked the applicant to address the character of the surrounding property, and he informed that the land is predominately agricultural and is very sparsely populated.

Mr. Alberty inquired if the subject property is in the floodplain, and the applicant stated that 2 corners of the property are in the B Zone, but that the mobile would not require elevation.

Mr. Alberty pointed out that, due to the size of the tract, Mr. Buckland could obtain a lot split and have sufficient space for the 2 mobile homes.

Mr. Looney inquired about the water supply for the mobile homes, and the applicant informed that the units would receive water from a sand point well.

Protestants: None.

Board Action:

On **MOTION** of LOONEY, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** (Section 208 - One Single Family Dwelling per Lot of Record - Use Unit 1209) to allow two dwelling units (2 mobile homes) on one lot of record in an AG zoned district; subject to Building Permit, Health Department approval and floodplain requirements; finding a hardship demonstrated by the large size of the tract; and finding that there are other mobile homes in the area and that all of the property abutting the subject tract is zoned AG; on the following described property:

Beginning at the NW/c of the S/2 of the SW/4, thence south 330', east 660', north 330', west 660' to the Point of Beginning, Section 14, T-17-N, R-14-E, Tulsa County, State of Oklahoma.

Case No. 719

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1212 - Request a special exception to allow for a restaurant in an IL zoned district.

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Use Unit 1212 - Request a variance of setback from the property line from 25' to 15' to allow for construction of proposed restaurant, located NE/c 49th West Avenue and 60th Street.

Presentation:

The applicant, B. D. Jones, 6905 East 106th Street, Tulsa, Oklahoma, was represented by Sam West, who submitted a packet (Exhibit A-1) containing project data, a plot plan and photographs, and informed

Case No. 719 (continued)

that the site in question has been used, until recently, for an oil field pipe salvage yard. He stated that there are 2 lots to the east of the subject property, with a house on one lot and a salvage yard on the other, Inman Trucking located to the south and a Quik Trip convenience store on the northwest corner of the intersection. Mr. West pointed out that there is a McDonald's Restaurant and The Waffle House in the area. He informed that the proposed 6,000 sq. ft. restaurant will be located 15' from the south property line and will have 13 parking places in the fueling area, parking in the rear for 22 trucks, and additional parking for the restaurant. Mr. West stated that there are presently 3 driveways to 49th Street, which will be reduced to 2 driveways, one proposed on the corner and one to the south. He pointed out that the property slopes to the northeast and drainage is toward the northeast corner.

Comments and Questions:

Mr. Alberty asked Mr. West if there is a storm sewer in place, and he informed that there is not one that he is aware of.

Mr. Looney asked where the 50' building line would be on the property, and he replied that it would be in the middle of the proposed restaurant.

Mr. Gardner informed that the building line setback requirement would be 50' from the centerline of 60th Street, so the applicant is asking for a 10' variance on the south. He advised that the restaurant use would be compatible with the industrial zoning and consistent with the area.

Mr. Walker asked Mr. West if a tractor trailer rig could make a right turn from 60th Street to 29th Street and stay in the proper lane of traffic, and he replied that the turn can be completed in the proper lane.

Mr. Fields, of the Building Inspection Department, asked if the location of the restaurant sign has been determined.

The applicant replied that there will be 2 signs on the property which will conform to the Code.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** (Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1212) to allow for a restaurant in an IL zoned district; and to **APPROVE** a **Variance** (Section 930 - Bulk and Area Requirements in Industrial Districts - Use Unit 1212) of setback from the property line from 25' to 15' to allow for construction of proposed restaurant; subject to County approval of drainage and proper access control; finding that there are other restaurants located in the area; and the granting of the variance

Case No. 719 (continued)

of setback will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code; on the following described property:

Lots 9 through 12, Block 3, Bozarth Acres Addition, Tulsa County, Oklahoma.

Case No. 720

Action Requested:

Variance - Section 930 - Bulk and Area Requirements In Industrial Districts - Use Unit 1225 - Request a variance of setback from abutting R District from 75' to 20' to allow for construction of a building.

Variance - Section 1225.3 - Use Conditions - Use Unit 1225 - Request a variance of the screening requirements, located SE/c of 69th Street North and U. S. 169.

Presentation:

The applicant, Mike Cook, 3115 North Woodline, Sand Springs, Oklahoma, was represented by the owner of the property, Ms. Bob Thomas. She submitted a plat of survey (Exhibit B-1) and informed that Mr. Cook has been hired to construct a 40' by 50' building on her lot at the above stated location.

Comments and Questions:

Mr. Alberty asked the applicant if the neighbors to the east are aware of the proposed construction. Ms. Thomas informed that her daughter rents the house to the east and that none of the property owners have voiced an objection to the construction of the new building.

Mr. Looney inquired if the building will be used to service the trailers, and Ms. Thomas replied that it will be used to service the trailers and will also have office space.

Mr. Alberty asked Ms. Thomas if there will be doors on the east side of the building, and she informed that the east side of the building will be a solid wall.

Mr. Gardner advised that screening will be required on the east and south boundary of the property in question, and asked the applicant if there will be outside storage on the lot.

Ms. Thomas informed that there will be trailers on the lot, but no outside storage of parts. She pointed out that the neighbors to the east and south do not want screening installed between their lots and the subject property.

Case No. 720 (continued)

Protestants: None.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** (Section 930 - Bulk and Area requirements in Industrial Districts - Use Unit 1225) of setback from abutting R District from 75' to 20' to allow for construction of a building; and to **APPROVE** a **Variance** (Section 1225.3 - Use Conditions - Use Unit 1225) of the screening requirements; subject to Building Permit; subject to no outside storage of repair materials, or in the alternative the required screening fence is installed on the east property line if any portion of the lot is used for work or the outside storage of materials; requiring that the east portion of the building will be a solid wall with no doors or windows; finding that there are multiple zoning classifications in the area and other buildings in the surrounding neighborhood that are as close to the residential lot line as the building in question; on the following described property:

Lot 1 and the N/2 of Lot 2, Jonesville Addition, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:20 p.m.

Date Approved 3-17-87

Wayne Alberty
Chairman