

COUNTY BOARD OF ADJUSTMENT
Meeting No. 91
Tuesday, December 15, 1987, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller Looney, Chairman Tyndall	Alberty Walker	Gardner Jones 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 December 11, 1987 at 1:22 p.m.

After declaring a quorum present, Chairman Looney called the meeting to order at 1:31 p.m.

MINUTES

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** the Minutes of November 17, 1987 (No. 90).

Adoption of Meeting Dates for County Board of Adjustment - 1988 Calendar

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** the 1988 meeting dates for the County Board of Adjustment, as presented.

UNFINISHED BUSINESS

Case No. 775

Action Requested:

Special Exception/Use Variance - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205/1208 - Request a special exception/use variance to allow for a multi-family dwelling for mildly mentally handicapped tenants in an AG zoned district (use does not fall under any definition in Zoning Code for community care homes), located NE/c 211th Street South and South Mingo.

Case No. 775 (continued)

Presentation:

The applicant, Margie Toops, was represented by her husband, Ben Toops, PO Box 813, Sapulpa, Oklahoma, who stated that a facility was constructed at the above stated location several years ago for the purpose of caring for delinquent boys. He informed that the Bethesda Boy's Home was in operation on the property for a number of years, with a group home being the last occupant. He stated that the facility has been vacant for several months. Mr. Toops pointed out that the layout of the facility would prevent its use as a single-family dwelling, and the Boy's Ranch is in need of the funds which would be raised from the rental fees.

Comments and Questions:

Mr. Looney asked Mr. Toops how long the facility has been used for this use, and he replied that the Boy's Ranch began operation in 1971.

Mr. Looney asked if the occupants of the ranch were mildly mentally handicapped, and the applicant stated that the residents of the home were delinquent boys.

In response to Mr. Looney's inquiry as to the number of people that will be housed in the facility, Mr. Toops explained that he is requesting approval from the State for 20 occupants.

Mr. Looney inquired as to the length of time each resident would live in the home, and he replied that he cannot determine the length of time an individual might live in the facility, but it could be long term.

Mr. Jones supplied the Board with a copy of the minutes from the 1983 hearing, and advised that the approval was limited to 12 boys, ages 12 to 17, and subject to the use of the present structure only.

Mr. Tyndall inquired as to the size of the existing structure, and Mr. Toops replied that he cannot state the square footage, but the main floor includes living quarters for 12 boys, with the upstairs consisting of four bedrooms and two baths.

Mr. Tyndall asked the applicant how the proposed operation would differ from a nursing home, and Mr. Toops informed that the residents would come and go at their will. He pointed out that many of the tenants will be employed and have their own transportation, but are in need of somewhere to live at a minimal cost, with meals provided.

Protestants:

Rod Davis, PO Box 11750, Bixby, Oklahoma, stated that he owns property across for the subject tract. He informed that he has lived and maintained a cattle ranch in the area since 1962. Mr. Davis pointed out that the occupants of the Boy's Ranch were not

Case No. 775 (continued)

supervised and wandered aimlessly in the area. He stated that his wife was accosted one evening by some of the youths as she was attempting to enter the front gate to their property. He further stated that the properties in the neighborhood have been devaluated due to the location of the Boy's Ranch in the area. He asked the Board to deny the application.

Jim Allison, 21077 South Mingo, Bixby, Oklahoma, who lives in back of the subject property, stated that the property in question is unsuited for the proposed use. He pointed out that the area is heavily wooded and that the mildly mentally handicapped tenants could get lost without proper supervision. He informed that the facility was heavily damaged by the last tenants and is in bad repair. Mr. Allison explained that frequent flooding occurs in the area, with no access to the property during these times.

Thomas Stoner, Route 1, Bar-B Ranch, Bixby, Oklahoma, stated that he and his wife's parents live on a 3000 acre ranch in the area. He stated that he has had to repair fence damage caused by residents of the Boy's Ranch. He informed that he was present at the 1983 hearing and was not opposed to the operation at that time, but found it did not prove to be compatible with the area. He asked the Board to deny the application.

Walter Harris, 20701 South Mingo, Bixby, Oklahoma, informed that he lives approximately one half mile from the subject property. He pointed out that the personnel in charge would not assume responsibility for the damages caused by boys at the home. Mr. Harris explained that he witnessed the theft of his automobile by one of the occupants, and was not able to recover damages. He stated that he has been awakened in the middle of the night by boys seeking a way to escape from the home, and pointed out that many property owners in the area have been victims of the residents at the ranch.

Applicant's Rebuttal:

Mr. Toops informed that he has had the facility leased to a group home since 1983 and that he was not aware of the incidents that were mentioned. He pointed out that the boys were not locked up and only minimal supervision was required.

Additional Comments:

Ron Fields, Building Inspection, informed that an Occupancy Permit will be required if a sign is installed on the property.

Board Action:

On MOTION of TYNDALL, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **DENY** a **Special Exception/Use Variance** (Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205/1208) to allow for a multi-family dwelling for mildly mentally handicapped tenants

Case No. 775 (continued)

In an AG zoned district (use does not fall under any definition in Zoning Code for community care homes); finding that the use is not compatible with the area; and finding that the area is remote and experiences frequent flooding; on the following described property:

S/2, SW/4, SW/4, SW/4, Section 18, T-16-N, R-14-E, Tulsa County, Oklahoma.

Additional Comments:

Mr. Gardner pointed out that the applicant can continue to use the facility as a residential treatment center, which was previously approved by the Board. He informed that the conditions imposed at that time will still apply. Mr. Gardner explained that, without coming to the Board, the applicant is allowed to have two house parents care for a maximum of five handicapped children in the facility.

Mr. Harris asked how long the previous approval will remain in effect and asked how many individuals are housed in the dwelling. He pointed out that it is difficult to determine the number of persons residing on the premises.

Mr. Gardner advised that most of the facilities of this type are state funded and are regulated by those agencies. He pointed out that the present operation is restricted to a maximum of five handicapped children, per zoning requirements.

Mr. Looney stated that the previous approval does not state a time limitation for the existing operation.

Mr. Gardner informed the interested parties that they can contact the County Building Inspector for a determination as to whether the applicant is meeting the terms of the Ordinance and Board approvals.

Case No. 769

Action Requested:

Use Variance - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1209 - Requests a use variance to allow for a mobile home in a CS District for security reasons.

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow for automotive and allied activities in a CS District, located 7525 North Peoria Avenue.

Comments and Questions:

Mr. Jones informed that the applicant, Rodillah Harlow, contacted Staff and stated that she is ill and unable to attend the meeting.

Case No. 769 (continued)

Presentation:

The applicant, Rhodillah Harlow, was not present, due to illness.

Protestants: None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **CONTINUE** Case No. 769 to January 12, 1987.

Case No. 784

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1227 - Request a special exception to allow for Use Unit 1227 (Heavy Manufacturing) in an IM zoned district, located SE/c 19th Street and South 81st West Avenue.

Presentation:

The applicant, Carol Mulcare, PO Box 837, Sand Springs, Oklahoma, was represented by Cary Clark, 616 South Main, Tulsa, Oklahoma. Mr. Clark submitted a packet (Exhibit A-2) containing a list of metals purchased, a description and location of the business, photographs and an appraisal of the property. He informed that his client has been in the metals business for approximately 20 years and submitted a petition of support (Exhibit A-4) from surrounding neighbors. It was pointed out by Mr. Clark that the bulk of the work is now conducted inside the building, which will continue at the proposed location. He pointed out that metals are not stockpiled, but are shipped out by rail car at such time as a car load is accumulated. Mr. Clark stated that a rail spur will be installed on the property. He explained that cars and appliances are not among the metals collected by his client. It was noted that the Sunbelt Trucking Company, near the subject tract, has a large amount of outside storage, with many old inoperable trucks parked on that property. He pointed out that a blast furnace, rubber manufacturing plant, a steel foundry and many similar operations would be allowed to operate on the property by right. He informed that the business in question, although classed as a heavy industrial use, actually is comparatively light in comparison to those allowed in the IM zone. Mr. Clark stated that the metals business will be open from 8 a.m. to 4:30 p.m., Monday through Friday, and a half day on weekends. He informed that his client would agree to the execution of a document stating that the special exception be limited to their business only, as opposed to the use running with the land. It was pointed out that there is industrial use in the area and a brick manufacturing business is operating across the street from the property in question. Mr. Clark informed that his client will install an 8' screening fence to screen the business in question from abutting properties.

Case No. 784 (continued)

Comments and Questions:

Mr. Looney stated that the stacking of metals to be shipped out might become a concern for the area. Mr. Clark informed that a standing railroad car would be filled and removed, which would prevent large stacks of metals from accumulating on the lot.

Mr. Looney inquired if the applicant would agree to the stacks of metal being limited to heights no taller than the 8' screening fence, and Mr. Clark answered in the affirmative.

Mr. Tyndall asked if Staff has received a recommendation from Sand Springs concerning the application, and Mr. Jones submitted a letter (Exhibit A-6) from the Sand Springs Board of Adjustment which recommended denial of the special exception request.

Protestants:

Opal Wyant submitted a petition of opposition (Exhibit A-7) and stated that she has been a resident of the Lake Station area for 65 years. She pointed out that the present location of the metal business is very unsightly, with scrap metals visible from the street. Ms. Wyant submitted a schedule (Exhibit A-3) of school bus routes in the area, and stated that she is concerned with the amount of traffic the business will generate and the safety of the school children. She asked the Board to preserve the residential character of Lake Station and deny the application.

William McGinty, 7913 West 16th Street, Tulsa, Oklahoma, stated that he is a homeowner in the area and is concerned with the levee near the subject property. He informed that the levee was seriously weakened in the flood of 1986. Mr. McGinty pointed out that there is a natural water run-off across the middle of the property and if the building is built the natural water course will be blocked, causing a pool to collect at 81st Street. He stated that the levee and the street will be weakened by the pooling of water at this location. He asked that 81st Street be maintained as a dividing line between the residential and IM zoning.

Mary McGinty, 7913 West 16th Street, Tulsa, Oklahoma, stated that the residents of Lake Station are proud of their homes and asked the Board to deny the special exception request for a metal business in their area. She submitted photographs (Exhibit A-1) of S and S Metals present business location.

Commissioner John Selph, 500 South Denver, Tulsa, Oklahoma, stated that Tulsa County is responsible for the levy behind the subject property and the levee is sound. He pointed out that, if the application is approved, the applicant would not be allowed to construct a building near the levee. Commissioner Selph stated that

Case No. 784 (continued)

he is also concerned with the ponding that would occur as a result of the filling in and leveling of the subject tract. He remarked that the area is very flat, with severe drainage problems and stated that he is concerned with a railroad spur to the property and how it might also affect the drainage. It was noted by Commissioner Selph that there is a street right-of-way through the subject tract and if the application is approved, vacating of the street should be initiated by the applicant. He pointed out that the residents of the area are in support of industry, but are opposed to the encroachment of heavy industry closer to the residential area. Commissioner Selph stated that he would prefer that heavy industrial uses be kept to the west of 81st Street.

Applicant's Rebuttal:

Mr. Clark stated that he has not seen hydrology reports that substantiate the fact that drainage will be negatively affected by the construction of a building on the property in question.

Interested Parties:

Joe Fisher, 112 East 12th Street, Sand Springs, Oklahoma, stated that he operates a real estate office in Sand Springs and has been employed by Mr. and Mrs. Mulcare to appraise the subject property. He informed that he has been a resident of the area for many years and has sold and appraised properties there for approximately 20 years. Mr. Fisher pointed out that industry has been in operation on the property for many years and feels the metals business would be appropriate for the area.

Additional Comments: (applicant)

The applicant, Carol Mulcare, stated that the old cars and refrigerators that appear to be located on their property are actually on abutting properties and do not belong to them. She explained that the existing building at the present location has 1125 sq. ft. of floor space and is located on 1 1/2 acres, while the building at the new location contains 7738 sq. ft. and is on 5.6 acres of land. She explained that all sorting of metals is done by hand and approximately 2.6 railroad cars are shipped out each month. Ms. Mulcare informed that one crane is used to move the metal and a shredder or crusher will never be used in the business. She stated that approximately 12 racks will be installed outside to display new material that will be offered for sale.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **DENY** a **Special Exception** (Section 910 - Principal Uses Permitted In Industrial Districts - Use Unit 1227) to allow for Use Unit 1227 (Heavy Manufacturing) in an IM zoned district; finding that the heavy manufacturing use would be injurious to the neighborhood; and that the granting of the special exception request would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Case No. 784 (continued)

Lots 10 through 13, Block 4; Lots 1 through 10, Block 7; Lots 18 through 31, Block 6, in Lake Subdivision, an addition in the W/2, NW/4, Section 7, T-19-N, R-12-E, Tulsa County, Oklahoma, containing approximately 5.6 acres.

NEW APPLICATIONS

Case No. 787

Action Requested:

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209 - Request a variance to allow for two dwellings on one lot of record, located 4401 South 261st West Avenue.

Presentation:

The applicant, James Silkey, 4401 South 261st West Avenue, Tulsa, Oklahoma, stated that he and his family are presently residing in a 14 by 80 mobile home at the above stated location. He informed that he has recently purchased a 12 by 68 mobile home and asked permission to attach it to the existing mobile. Mr. Silkey explained that there are five members in his immediate family and his sister, who has had psychiatric treatment, will also be living in the household. He stated that the additional mobile will provide a bedroom for his sister. A drawing (Exhibit X-1) was submitted.

Comments and Questions:

Mr. Jones informed that even if the two mobile homes were attached they would be considered as two separate dwellings on one lot of record, because each unit has a kitchen and bathroom. He stated that the applicant would be willing to remove one kitchen, if the Board makes that a requirement.

Mr. Looney asked if the septic system has Health Department approval, and Mr. Silkey answered in the affirmative.

In response to Mr. Eller's inquiry as to the plan for connecting the two mobile homes, the applicant informed that he has decided to construct a 4' wide by 8' long breezeway between the two units.

Board Action:

On **MOTION** of ELLER, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Variance** (Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209) to allow for two mobile homes on one lot of record; subject to the mobile home units being connected by a 4' by 8' breezeway; subject to Health Department approval and Building Permit; finding a hardship imposed on the applicant by the size (6.7 acres) and shape of the tract; on the following described property:

Tract 25, Beginning 1020' north of the SE/c, NE/4, thence north 210', west 1390', south 210', east 1390' to the Point of Beginning, Section 30, T-19-N, R-10-E, containing 6.7 acres, Tulsa County, Oklahoma.

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Case No. 788

Action Requested:

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

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209 - Request a variance to allow for two dwelling units (1 house, 1 mobile home) on one lot of record, located 4965 South 63rd West Avenue.

Presentation:

The applicant, Linda Decker, 4965 South 63rd West Avenue, Tulsa, Oklahoma, asked the Board to permit her to install a mobile home at the above stated location. She explained that her daughter lives in the existing dwelling and is expecting a second set of twins very soon. Ms. Decker stated that she would like to live near her daughter to assist in caring for the children. A plot plan (Exhibit B-1) was submitted.

Comments and Questions:

Mr. Looney asked the applicant if the mobile home will be located to the rear of the property, and she answered in the affirmative.

Mr. Looney inquired if there are other mobile homes located in the area, and Ms. Decker replied that there are several in the general vicinity.

Board Action:

On **MOTION** of ELLER, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to allow for a mobile home in an RS District; and to **APPROVE** a **Variance** (Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209) to allow for two dwelling units (1 house, 1 mobile home) on one lot of record; subject to mobile home being skirted and tied down; and subject to Building Permit and Health Department approval; finding that there are numerous mobile homes located in the area; and finding a hardship demonstrated by the size of the lot; on the following described property:

Lot 7, Block 2, John Hale Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 789

Action Requested:

Use Variance - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1227 - Request a use variance to allow for an automobile salvage in an AG zoned district, located south of SE/c 156th Street North and US 169.

Comments and Questions:

Mr. Jones stated that Staff has received a letter (Exhibit C-1) from the City of Collinsville recommending denial of the application. He stated that an additional application has been filed which requests an automobile salvage operation on the abutting property to the south. Mr. Jones informed that the hearing on the southern tract will be held at the January meeting.

Ron Fields, Building Inspection, submitted a copy of the memo (Exhibit C-2) describing the complaint received from Ms. Creekmore.

Presentation:

The applicant, J. B. Terrell, 212 Sunset Drive, Tulsa, Oklahoma, stated that his business has been in operation at the present location for approximately 7 years and that a salvage business was already in operation when he purchased the property. Mr. Terrell stated that he was not aware that the land was not properly zoned until he was cited. The applicant stated that he will move the entire business out of Tulsa County if the Board will allow him until June 15 to vacate the premises.

Protestants:

Greta Creekmore, a land owner in the area, submitted a petition of opposition (Exhibit C-3), and stated that the applicant began to move heavy equipment to the property in 1981. She informed that Mr. Terrell has never had a license to sell used parts. Ms. Creekmore pointed out that fuel left in the inoperable vehicles could be hazardous to the surrounding property owners if a fire should spread to the area. She explained that the area is saturated with salvage operations and asked that the application be denied.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **DENY** a **Use Variance** (Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1227) to allow for an automobile salvage in an AG zoned district; finding that the salvage business is detrimental to the area and allowing the applicant until June 15, 1988 to remove all salvage from the property

Part of the N/2, NE/4, beginning 330.46' south of the NW/c, N/2, NE/4; thence east 330.80'; south 330.61', west 330.78', north 330.46' to the Point of Beginning less the west 50' thereof for highway, Section 21, T-22-N, R-14-E, Tulsa County, Oklahoma.

Case No. 790

Action Requested:

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209 - Request a variance to allow for two dwellings (1 house, 1 mobile home) on one lot of record, located 1/2 mile west of 177th West Avenue, south of Coyote Trail.

Presentation:

The applicant, Jay Oaks, Rt. 3, Box 223-C, Sand Springs, Oklahoma, stated that his son is about to begin his studies with the Osteopathic School of Medicine and is in need of a place to live while in school. Mr. Oaks submitted a plot plan (Exhibit D-1) and asked the Board to allow him to place a second mobile home on his property. He explained that the distance from the road to his son's mobile home will be approximately 100', with his mobile being located 360' from the street.

Comments and Questions:

Mr. Looney asked if there are other mobile homes in the area, and he answered in the affirmative.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Variance** (Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1209) to allow for two dwellings (1 house, 1 mobile home) on one lot of record; subject to the applicant acquiring a Building Permit and Health Department approval; finding that there are other mobile homes in the area; and finding a hardship demonstrated by the size (4.16 acres) and the long, narrow shape of the lot; on the following described property:

All of the west 145' of the NE/4, Section 25, T-19-N, R-10-E, which lies south of the Coyote Trail Road, Tulsa County, Oklahoma.

Case No. 791

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow for an automotive and allied activity in a CS zoned district, located 206th Street South and US Highway 75.

Presentation:

The applicant, Johnny Rutledge, PO Box 580, Mounds, Oklahoma, asked permission to conduct a used car sales business on his property at the above stated location. Mr. Rutledge informed that he is in need of relief from this Board before he can make application for a sales license.

Case No. 791 (continued)

Comments and Questions:

In response to Mr. Looney's Inquiry, Mr. Rutledge informed that the business will operate Monday through Saturday, 8:00 a.m. to 6:00 p.m.

Mr. Fields asked if there will be inoperable vehicles or junk stored on the property, and Mr. Rutledge replied that the vehicles displayed on his lot will all be in working order.

Mr. Tyndall remarked that allied activities could cover a broad area of uses, and asked what other types of sales will be included.

Mr. Rutledge replied that he might occasionally sell a boat, and asked permission to conduct this type of sales activity.

Protestants: None.

Board Action:

On **MOTION** of ELLER, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Special Exception** (Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217) to allow for an automotive and boats sales activity in a CS zoned district; subject to automobile and boat sales only; subject to required license and proper rest room facilities; finding that the granting of the special exception request will not be detrimental to the area, and will be in harmony with the spirit and intent of the Code; on the following described property:

Tract 1, Beginning at a point 90.0' N 89°54'39" W of the NE/c, SE/4, Section 15, T-16-N, R-12-E, thence N 89°54'39" W 403.53', thence S 00°37'19" E 272.03', thence S 89°54'39" E 402.46', thence N 00°23'49" W 272.02' to Point of Beginning, containing 2.52 acres. Tract is subject to a 30' road and utility easement on the north side.

Case No. 792

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow for a mobile home in an RE zoned district, located SE/c of 191st Street and Garnett Road.

Presentation:

The applicant, William Scott Owens, PO Box 323, Bixby, Oklahoma, was represented by his father, Reed Owens, 11707 East 201st Street, Bixby, Oklahoma. He informed that his son is proposing to install a mobile home in the approximate center of his 160 acre farm at the above stated location.

Protestants: None.

Case No. 792 (continued)

Board Action:

On **MOTION** of ELLER, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to allow for a mobile home in an RE zoned district; subject to a Zoning Clearance Permit and Health Department approval; on the following described property:

N/2, SW/4, NW/4, Section 8, T-16-N, R-14-E, Tulsa County, Oklahoma.

Case No. 794

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1205 - Request a special exception to allow for a day care center in an RS zoned district, located 613 East 59th Place North.

Presentation:

The applicant, Cecelia Walker, 613 East 59th Place North, Tulsa, Oklahoma, was represented by her son, Carl Walker, who asked permission to operate a day care center at the above stated address.

Comments and Questions:

Mr. Looney asked Ms. Walker how many children will be enrolled at the center, and she replied that the State has required a maximum of 21 children.

Mr. Looney inquired if playground facilities are available, and Ms. Walker replied that she has adequate playground space and equipment.

In response to Mr. Looney's question concerning days and hours of operation, the applicant informed that the center will be open 24 hours each day, with the exception of Sunday.

Mr. Looney inquired as to the number of employees for the nursery, and the applicant replied that she expects to employ approximately 13 people, with parking available on a vacant lot across the street.

Mr. Jones pointed out that only one parking space is required per 1000 sq. ft. of floor space, which would probably be provided on the same lot with the house.

Mr. Gardner asked if the vacant lot is to the east of the proposed nursery, and Ms. Walker answered in the affirmative.

Protestants: None.

Case No. 794 (continued)

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205) to allow for a day care center in an RS zoned district; subject to Occupancy Permit; finding that the day care center will be compatible with the neighborhood; on the following described property:

Lot 15, Block 3, Suburban Hills Addition, Tulsa County, Oklahoma.

Case No. 795

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 Dwelling per Lot of Record - Use Unit 1209 - Request a special exception to allow for 2 dwellings (1 house, 1 mobile home) on one lot of record, located 2703 East 61st Street North.

Presentation:

The applicant, Marie M. Robinson, 2703 East 61st Street North, Tulsa, Oklahoma, asked permission to place a mobile home on the back portion of the property at the above stated location. She stated that the septic system has been approved by the Health Department.

Comments and Questions:

Mr. Gardner asked if there is a street on the western boundary of the property, and the applicant replied that Birmingham Street runs along the west boundary.

Mr. Looney asked if there are other mobile homes in the area, and Ms. Robinson stated that there are mobiles located in the next block on Atlanta.

Protestants: None.

Board Action:

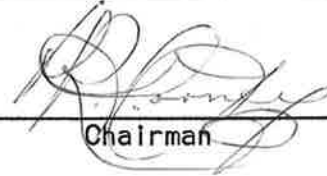
On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoned district; and to **APPROVE** a **Variance** (Section 208 - One Single - Family Dwelling per Lot of Record - Use Unit 1209) to allow for 2 dwellings (1 house, 1 mobile home) on one lot of record; subject to Health Department approval and a Building Permit; finding a hardship demonstrated by the size and shape of the tract; and finding that there are other mobile homes in the area; on the following described property:

Case No. 795 (continued)

The west 100', east 166', S/2, E/2, W/2, SE/4, NW/4 and the north 415', east 66', S/2, E/2, W/2, SE/4, NW/4, Section 5, T-20-N, R-13-E, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 3:42 p.m.

Date Approved 1-19-88


Chairman