

COUNTY BOARD OF ADJUSTMENT
Meeting No. 116
Tuesday, January 23, 1990, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty, Chairman Eller Tyndall Walker	Looney	Gardner Jones Moore	Andrew, Building Inspection 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, January 19, 1990 at 9:39 a.m.

After declaring a quorum present, Chairman Alberty called the meeting to order at 1:32 p.m.

MINUTES

On **MOTION** of ELLER, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** the **Minutes** of December 19, 1989 (No. 115).

UNFINISHED BUSINESS

Case No. 945

Action Requested:

Variance of the required 30' of frontage on a public street or dedicated right-of-way to 0' to permit construction of a single-family dwelling - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6, located 1/4 mile west of intersection of 165th Street South and South Peoria Avenue.

Presentation:

The applicant, **Thomas E. Zickefoose**, PO Box 789, Glenpool, Oklahoma, stated that he owns the land surrounding the property in question. He pointed out that he maintains the road, and requested permission to construct a dwelling on three and one-half acres of the land.

Comments and Questions:

Mr. Alberty asked if the property is being split, and Mr. Zickefoose stated that he sold 10 acres, which was later split.

Case No. 945 (continued)

Mr. Gardner advised that the applicant should have a legal instrument that has been filed of record, which will assure access to the property.

The applicant remarked that there is a 60' easement off Peoria Avenue to access the property, but stated that he is not sure the easement has been filed.

Mr. Alberty pointed out that the 40 acres to the west will be landlocked if the easement has not been filed.

Protestants: None.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Variance** of the required 30' of frontage on a public street or dedicated right-of-way to 0' to permit construction of a single-family dwelling - **Section 207. STREET FRONTAGE REQUIRED** - Use Unit 6; subject to an easement, extending from Peoria Avenue to the west side of the subject property, being filed of record; finding that there are similar sized tracts in the area; and the granting of the request will not be detrimental to the area or violate the spirit, purposes or intent of the Code; on the following described property:

The west 220' of the SW/4, SW/4, NE/4, Section 25, T-17-N, R-12-E, Tulsa County, Oklahoma.

Case No. 946

Action Requested:

Special Exception to permit additions to public school facilities - **Section 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 5.

Special Exception to permit additions to public school facilities - **Section 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located NE/c of 65th West Avenue and West 31st Street South.

Comments and Questions:

Mr. Jones informed that Staff has reviewed the plan and advised the applicant to get approval for the master plan, which would prevent his returning to the Board for any future phase of work which conformed to the plan.

Case No. 946 (continued)

Presentation:

The applicant, Leonard Wood, 3424 South 72nd West Avenue, Tulsa, Oklahoma, submitted a master plan (Exhibit A-1) for the proposed additions to the public school facilities.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Special Exception** to permit additions to public school facilities - **Section 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 5; and to **APPROVE** a **Special Exception** to permit additions to public school facilities - **Section 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per master plan submitted; on the following described property:

Part of the SW/4, SW/4 and the W/2, SW/4, SE/4, SW/4, beginning 292.16' east of the SW/c, SW/4; thence east 1357.84', north 660', west 330', north 660', west 1320', south 975', east 292.16', south 231.16', southeasterly approximately 31.1' on a curve 108.5', east 200', south 10', west 346.8', south 24.75' to the Point of Beginning, Section 17, T-19-N, R-12-E, County of Tulsa, State of Oklahoma, containing 42.52 acres; and

Tract 2: Part of the SW/4 of the SW/4, beginning 113.5' east and 24.75' north of the SW/c of the SW/4, SW/4; thence north 100.25', east 18.9', southeasterly on a curve to the right 108.5', southeasterly 83.7', west 177.3' to the Point of Beginning, Section 17, T-19-N, R-12-E, Tulsa County, Oklahoma, containing .21 acres.

OTHER BUSINESS

Executive Session - Review and discussion of pending litigation in regard to CBOA 913 - Jerry Springer (CJ 89 5130).

Board Action:

At 1:45 p.m. Chairman Alberty called for a motion to initiate discussion and review of Case No. 913.

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") begin an executive session to discuss pending litigation in regard to Case No. 913.

Executive Session (continued)

At 2:32 p.m. Chairman Alberty requested that the Board return to regular session, and on **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to authorize an APPEAL of the **Decision** of the District Court in regard to the case of Jerry Springer (CBOA 913).

There being no further business, the meeting was adjourned at 2:35 p.m.

Date Approved February 6, 1990

Walter Alberty
Chairman