

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 180  
Tuesday, May 16, 1995, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Alberty Eller Looney Tyndall, Chairman Walker		Beach Moore	Glenn, Building Inspection

The notice and agenda of said meeting were posted in the Office of the County Clerk on Friday, May 12, 1995, at 12:05 p.m., as well as in the Reception Area of the INCOG offices.

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

**MINUTES:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** the **Minutes** of April 18, 1995 (No. 179).

**UNFINISHED BUSINESS**

**Case No. 1336**

**Action Requested**

Variance of the required 30' of frontage on a public road to permit the subdivision of a 10-acre tract into 3 tracts - Use Unit 6, located east of the SE/c North Yale and 86th Street North.

**Presentation:**

The applicant, **Ronnie Chaloupek**, 6443 North 137th East Avenue, was not present.

**Board Action:**

On **MOTION** of **ALBERTY** the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **DENY** Case No. 1336; finding that the applicant failed to appear at two consecutive meetings; on the following described property:

W/2, E/2, NW/4, NW/4, Section 27, T-21-N, R-13-E, Tulsa County, Oklahoma.

## NEW APPLICATIONS

### Case No. 1342

#### Action Requested:

Variance to permit two dwelling units on one lot of record, variance of lot area from 2 acres to 1.98 acres and a variance of land area from 4.4 acres to 2.08 acres - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD; SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9, located 12910 North 139th East Avenue, Collinsville, Oklahoma.

#### Presentation:

The applicant, **Ronald Simpson**, 12910 North 139th East Avenue, Collinsville, Oklahoma, submitted a plot plan (Exhibit A-1) and requested permission to install a mobile home near his residence in order to provide living quarters and care for his parents. He informed that they are ill and in need of his assistance. Mr. Simpson stated that the mobile home will be removed when his parents are no longer in need of a home.

#### Comments and Questions:

Mr. Walker asked if there are other mobile homes in the neighborhood, and the applicant replied that there are other lots in the area that have two dwelling units and some are mobile homes.

#### Protestants: None.

#### Board Action:

On **MOTION** of **ALBERTY** the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** a **Variance** to permit two dwelling units on one lot of record, **variance** of lot area from 2 acres to 1.98 acres and a **variance** of land area from 4.4 acres to 2.08 acres - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD; SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9; per plan submitted; subject to a building permit and Health Department approval; subject to the mobile home being skirted and tied down; and subject to the use being temporary, with the mobile home being occupied by the applicant's parents only and being removed when they are no longer in need of the dwelling; finding that there are other mobile units in the area, and that approval of the temporary use will not be detrimental to the neighborhood; on the following described property:

South 188.68' of the north 566.04' of the W/2, W/2, SE/4 less the east 25' fo: road and less the west 180' of the south 188.68' of the north 566.04' of the W/2, W/2, SE/4, Section 33, T-22-N, R-14-E of the IBM, Tulsa County, Oklahoma.

**Case No. 1343**

**Action Requested:**

Special Exception to permit mobile home use in a RS District - **SECTION 410 - PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9, located 1344 East 63rd Street North.

**Presentation:**

The applicant, **Koy Ackerman**, 1344 East 63rd Street North, requested permission to install a mobile home on his property. He informed that the unit will be used as a dwelling for his daughter and granddaughter.

**Comments and Questions:**

In reply to Mr. Walker, the applicant stated that the subject property consists of two lots, with utilities serving each separate lot. He noted that there are numerous mobile homes in the area.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **WALKER** the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit mobile home use in a RS District - **SECTION 410 - PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; subject to a building permit and Health Department approval; and subject to the unit being skirted and tied down; finding that there are numerous mobile homes in the area, and the proposed use will be compatible with the neighborhood; on the following described property:

NW/c of the east 20 acres, Lot 5, thence 150', thence south 163', thence west 150', thence north 163' to the POB, Tulsa County, Oklahoma.

**Case No. 1344**

**Action Requested:**

Special Exception to permit a 180' antenna in an AG zoned district - **SECTION 220. HEIGHT EXCEPTIONS** - Use Unit 4, located 1 mile west of South 41st Street and West 137th West Avenue.

**Presentation:**

The applicant, **Robert Hinton**, 4923 South Lakewood, submitted a plot plan (Exhibit B-1) and informed that his client, U S. Cellular, is purchasing a 2.98 acre tract to be used for the installation of a self-supporting transmission tower. He requested that the proposed use be approved.

Case No. 1344 (continued)

**Comments and Questions:**

Mr. Alberty asked if the area is primarily undeveloped, and the applicant answered in the affirmative. He noted that the antenna will be 900' from the nearest road and US Cellular has acquired an easement to West 41st Street.

In reply to Mr. Alberty, Mr. Hinton informed that U. S. Cellular has not made application for a lot split.

Mr. Alberty questioned if additional Board relief will be required during the lot-split process.

Mr. Glenn advised that the applicant will be required to have a lot split and an access easement.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY** the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a 180' antenna in an AG zoned district - **SECTION 220. HEIGHT EXCEPTIONS** - Use Unit 4; and **CONTINUE** the remainder of the application to June 20, 1995 to determine if additional relief is required; per plan submitted; finding that the land at this location is primarily undeveloped, and the proposed use will be compatible with the area; on the following described property:

SE/4, NW/4, SW/4, SE/4, Section 20, T-19-N, R-11-E of the IBM, Tulsa County, Oklahoma.

**Case No. 1345**

**Action Requested:**

Special Exception to permit a mini-storage facility in a CS zoned district, and a variance of the screening requirements - **SECTION 710. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17, located south of the southwest corner of 4th Street and Walnut Avenue, Sand Springs, Oklahoma.

**Presentation:**

The applicant, **Ronald Cole**, 6700 Silver Oak Drive, was not present.

**Comments and Questions:**

Mr. Tyndall asked if Sand Springs had made a recommendation, and Mr. Beach advised that Sand Springs has recommended approval (Exhibit C-1) of the request.

Case No. 1345 (continued)

**Protestants:**

Protestants were in attendance and did not object to the continuance.

**Earl Hokam**, 1110 Keystone Expressway, stated that he was told that the applicant has not inquired further concerning the property, and that his intent to go forward with the project may have changed.

**Board Action:**

On **MOTION** of **ALBERTY** the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 1345 to June 20, 1995.

**Case No. 1347**

**Action Requested:**

Variance of required lot width in an RE zoned district from 150' to 120' - **SECTION 430. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, located southwest corner of East 86th Street North and North Quebec Avenue.

**Presentation:**

The applicant, **Bill Kelley**, PO Box 983, Owasso, Oklahoma, submitted a plot plan (Exhibit D-1) and informed that the variance was previously approved, however, it was not utilized within the three-year approval period and has lapsed. He requested that the same application be approved to allow the project to move forward.

**Comments and Questions:**

Mr. Alberty noted that the same application was approved in 1991 and there have been no changes in the plan.

**Board Action:**

On **MOTION** of **ALBERTY** the Board voted 5-0-0 (Alberty, Eller, Looney, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of required lot width in an RE zoned district from 150' to 120' - **SECTION 430. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the use was found to be appropriate in 1991 (3-year approval period lapsed) and the plan has not changed since that time; on the following described property:

Commencing at the NW/c of the NW/4, NE/4, Section 28, T-21-N, R-13-E; thence S°05'05"E a distance of 55' to the POB; thence due east a distance of 300.47'; thence S0°03'45"W a distance of 384.82'; thence S89°39'35"E a distance of 659.20'; thence S0°03'45" a distance of 15'; thence S89°39'35"E a distance of 219.60'; thence S21°12'21"E a distance of 213.25'; thence on

Case No. 1347 (continued)

a curve to the right a radius of 854.93' a central angle of 19°54'40" a distance of 297.10'; thence S1°55'43"E a distance of 372.29'; thence N89°59'35"W a distance of 1324.28'; thence N0°05'05"W a distance of 1265.70' to the POB, Tulsa County, Oklahoma.

### Case No. 1348

#### Action Requested:

Special Exception to permit a mobile home in an RS zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 7214 North Trenton.

#### Presentation:

The applicant, **Frankie Maxwell**, PO Box 704, Sperry, Oklahoma, requested permission to install a new mobile home at the above stated location. She informed that the unit will serve as her permanent residence, and noted that there are numerous mobile homes in the immediate area.

#### Comments and Questions:

Mr. Looney asked if there are other structures on the lot, and the applicant stated that there was a dilapidated house on the lot that has been demolished.

Mr. Alberty asked Ms. Maxwell if she owns two lots, and she answered in the affirmative.

#### Protestants:

**Jeff Kirkham**, 1727 East 73rd Street North, stated that he lives near the proposed location of the mobile home and is opposed to the application. He stated that the installation of the unit will decrease property values in the neighborhood, and noted that the area is gradually becoming a mobile home park by the one-by-one approval of mobile homes. Mr. Kirkham asked the Board to preserve the neighborhood by denying the application.

**Maxine Eberhardt**, 7407 North Victor, noted that there is a mobile home park nearby and that the residential neighborhood is not an appropriate location for the installation of a mobile home.

#### Applicant's Rebuttal:

Ms. Maxwell stated that the protestants do not live within the 300' of her property, and the nearby property owners that were notified have not protested the application.

In reply to Mr. Alberty, the applicant stated that the proposed mobile home is 16' by 80' and will be skirted and tied down.

Case No. 1348 (continued)

**Board Action:**

On **MOTION** of **WALKER** the Board voted 3-2-0 (Looney, Tyndall, Walker, "aye"; Alberty, Eller, "nay"; no "abstentions"; none "absent") to **DENY** a **Special Exception** to permit a mobile home in an RS zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 6; finding the use to be incompatible with the neighborhood; on the following described property:

South 50', north 100', Lot 12, Block 6, Golden Hill Addition and south 55', north 155', Lot 12, Block 6, Golden Hill Addition, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:22 p.m.

Date Approved \_\_\_\_\_

*2/20/95*

*John Tyndall*  
\_\_\_\_\_  
Chairman