

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES OF Meeting No. 219  
Tuesday, August 18, 1998, 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 Looney, Vice Chair Tyndall, Chair Walker	Eller	Arnold Beach Stump	Glenn, County Inspector

The notice and agenda of said meeting was posted in the Office of the County Clerk on Thursday, August 11, 1998, at 9:51 a.m., as well as in the Reception Area of the INCOG offices.

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

**MINUTES:**

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller, Looney "absent") to **APPROVE** the Minutes of July 21, 1998 (No. 218)

**Case No. 1599**

**Action Requested:**

Special Exception to permit a 200' monopole communications tower in an AG zoned district located in the NW/c of the subject tract. **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS – Use Unit 4**, North of northwest corner 209<sup>th</sup> West Avenue & Keystone Expressway.

**Comments and Questions:**

Mr. Beach stated that the applicant has withdrawn this application. There were no interested parties present.

## UNFINISHED BUSINESS

### Case No. 1583

#### Action Requested:

Special Exception to increase the permitted number of residents of a residential and outpatient substance abuse treatment center, transitional living center and halfway house from 150 to 250. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2 & 5**, located NE/c 61<sup>st</sup> St. N. & N. Cincinnati

#### Presentation:

**Gary Parsons** expressed his concern of the neighborhoods' opinion on the company and how it is operated. He stressed that they operate a halfway house, community treatment program, and drug and alcohol treatment and not a prison. They specialize in transitioning offenders that are about to complete their sentence and return to the community. Most of the inmates work either a regular full-time job or on public work crews, and usually out between 7 a.m. and 4 p.m. Mr. Parsons submitted a copy of and reviewed the Avalon Community Services, Inc., booklet, Exhibit A-1. Mr. Parsons informed the Board that the Department of Corrections (DOC) changed their internal classification of inmates so that certain types of offenders cannot serve their sentence in this type of facility.

Mr. Parsons stated that DOC needs additional beds for female offenders, and stressed that their facility will not receive male offenders.

#### Comments and Questions:

In response to Mr. Alberty's questions, Mr. Parson stated that the original request was to house 500 persons. Should the need arise they would propose to build another housing facility for 250 male offenders. Should this application not be approved, they would rebuild the facility to house 150 persons. All the inmates are scheduled to be released, most of them within six months, regardless if they have treatment or not. The inmates know that they are to be released and would like to obtain a job skill, so they apply to live in the halfway housing facilities.

Regarding Mr. Walker's question on the success rate, Mr. Parsons stated that about one-third of the people released from a DOC facility return to prison within three years. Although he did not have statistics with him, he stated that those who go through the halfway house program usually have a higher successful rate.

Mr. Walker asked about the facility housing 'primarily female' offenders. Mr. Parsons responded that they also have a contract with the federal bureau of prisons in which they receive both male and female offenders. Typically there are 20 male and 5 female federal offenders in addition to the state inmate.

Mr. Alberty asked if any of the inmates had committed crimes within the area during their incarceration. He responded that he had no knowledge of any such crimes.

**Interested Parties:**

**Eric Nelson**, 525 S. Main, representing Tulsa Public Schools (TPS), stated that TPS rarely takes a position regarding land use issues. However, there are four schools in the TPS district that are located within a mile of this facility, and the TPS Board passed a Resolution on July 20, 1998, opposing the application due to the potential danger to the students under the TPS's jurisdiction. In order to approve this application the Board of Adjustment must find that the facility is in harmony with the neighborhood, and that it is not dangerous to the neighborhood or detrimental to the public welfare. TPS believes this standard cannot be met. The Oklahoma Statutes has forbidden DOC to operate a facility within 1,000' of a school, and private prison facilities are forbidden to operate within one mile of a school. He added that the inmates will be leaving for and returning from their jobs about the same time that students are arriving and leaving school. He related an incident when the facility was operated as the Freedom Ranch, where an inmate serving time for drugs murdered a church secretary.

**Comments and Questions:**

Mr. Alberty asked for a clarification of the potential danger to the students. Mr. Nelson replied the potential danger would be in having hundreds of inmates traversing to and from work on a daily basis at approximately the same time that elementary students are attending school right across the street. Mr. Alberty asked, assuming TPS is opposed to this location, did they have another location that would be more suitable for a halfway house. Mr. Nelson responded that they did not.

**Interested Parties:**

**Jack Henderson**, 2014 N. Rosedale, former NAACP president, stated that the NAACP had been contacted several times from concern citizens regarding this facility. They now have the Tulsa County Jail being built in their front yard, and this facility is in the rear yard. He felt that the hearing should be considering elimination rather than expansion of the facility. He expressed his concern that if this expansion is approved, the applicant will return wanting to expand to the desired 500-inmate capacity. There have been inmates that have escaped from the facility, and people living nearby should not have to worry about going to sleep at night. He admonished the Board to be very careful when making their decision on this application.

**Rodney Ray**, 9705 N. 108<sup>th</sup> E. Avenue, Owasso, Oklahoma, was asked by five families to look into the expansion of this facility, and he interviewed 11 residents, five teachers, and three police officers that work in the area. Communities are not about business, but about the neighborhood, schools, and people, especially when you have your life investment in that community. He has operated a DOC work program for the City of Owasso for eight years. Many times people who have served time for very violent crimes are now serving time for non-violent crimes. He and TPS Dean Thomas are in agreement that elimination should be considered in place of expansion. Citizens should have the right to have confidence in their homeowner investment, to

have confidence in their children's safety, to have pride in their community, and to oppose an inappropriate land use.

**Comments and Questions:**

Mr. Looney asked if the Owasso program had inmates committing crimes during their incarceration. Mr. Ray responded that on two occasions charges were filed against persons while in the program; there were three severe discipline cases; and at least 17 persons were removed from the program for serious violations.

Mr. Alberty asked, assuming that a halfway house is a viable method for returning inmates back into the community, how would a location for operating a halfway house be determined. Mr. Ray responded if the halfway house is being run and considered a business, it should be taken out of the residential neighborhoods and located in a high-density commercial area.

**Interested Parties:**

**Rev. T. E. Jones**, 440 E. 61<sup>st</sup> St. N., stated that his house, across the street from this facility, has been broken into seven times in the past 19 months, and four of his neighbors' houses have been broken into this year. He asked if they are concerned about the neighborhood children, why is there not a fence around the entire property. He has seen prostitution and drugs being used in the vacant houses; the inmates walk in and out as they please. As a former employee at the facility, he has seen as few as three security personnel with over 800 residents and asked how many security persons are at each facility. Morally, we have to invest in the future of our family morals.

**Sharyn Cosby Washington**, 1159 N. Cheyenne, works as a community volunteer and is an approved DOC volunteer and worked at the Freedom Ranch during the transition. She stated that Avalon has improved the facility and is doing a good job. The people in the facility are on their way out, and the programs offered here are to help orient them to being productive citizens. She has no fear in being at the halfway house and even takes her 11-year-old daughter with her on Monday evenings. She stressed that the halfway house is there, it is not leaving, and efforts should be made to making it better. Her house was also broken into when she lived in the area, but it was not by the inmates. Truth in sentencing is going to come and we should be ready when it comes. The inmates are people.

**Rev. Samuel Jamere**, 5914 N. Frankfort Ave., stated that there are four or five churches in the immediate area. The Northgate Action Group has worked hard to re-establish the neighborhood and it appears that the downgrading issues arrive without the community's knowledge and input. The churches are interested in helping the inmates, but they are also concerned about the inmates being in the neighborhood because they minister to the neighborhoods as well. He asked why a correctional facility to rehabilitate people would be located where the crimes exist for which they were incarcerated, such as drugs, gangs, solicited sex, etc. Some residents are moving due to the limited neighborhood police force and the limited DOC security.

### **Comments and Questions:**

Mr. Looney asked where the facility should be located, if not here. Mr. Jamere responded that that would take some consideration, and that the neighborhood, churches, and residences should have a voice in the matter.

### **Interested Parties:**

**Ray Bates**, 6330 N. Utica in Turley, submitted a letter from Bobbie Gray, Exhibit A-3, a member of the TPS Board and the Tulsa Metropolitan Area Planning Commission, and a petition, Exhibit A-4, containing approximately 400 signatures of persons in opposition to of this application. During the discussions regarding the Horace Mann facility, a newspaper article strongly suggested that these type facilities should be located in a large open space or in an industrial area. He pointed out that Freedom Ranch purchased 38.26 acres, but retained five acres when it sold to Avalon, and questioned if Freedom Ranch had future plans to build another facility on that five acres.

**Jeff Kirkham**, 1727 E. 73<sup>rd</sup> St. N., recalled in previous hearings the facility representatives have stated that all the inmates would be non-violent offenders. The inmates may have plea-bargained to receive a sentencing of a non-violent offense.

**Rev. Milton Goodwin**, 216 E. 54<sup>th</sup> St. N., wears two hats, one as a resident and the other as a member of the McLain Advisory Council. He asked the Board to take into consideration that the inmates are allowed to leave the facility, unescorted, and that a drug addict will do whatever is necessary to obtain funds to support their habits.

**Larcia Parsley**, 4708 N. Lewis Ave., representing the Families of Murdered Children organization, stated that the youth are facing troubled times and that increasing the number of inmates will not help the community. The youth needs recreational facilities, such as movie theater or skating rink, not a correctional facility. She urged the Board to deny the application.

### **Applicant's Rebuttal:**

Andrew Murphey addressed the legality question of the correctional facility being located within one mile of a school. He read from the Oklahoma Statutes, recorded as Exhibit A-2, that states a prison is specifically prohibited within one mile of any elementary or secondary school. However, Avalon operates a halfway house, not a prison.

Referring to the murder of the church secretary, Mr. Parsons stated that it was an incident that you would hope to never happen. As a result, DOC changed how the inmates were classified, and placed a higher priority on clean conduct of the inmates, the crime committed, and their history. The inmates' behavior is monitored and they are frequently tested for drugs, and are returned to a higher security facility if they violate the rules. Avalon did make a \$1 million investment in the property thinking it was properly zoned. While a profit is made, it is not big; personnel is in the business

not to make money but because they desire to make a difference in the residents. Mr. Parson stated that they plan to make an additional \$2 million investment for new construction and improvements.

**Comments and Questions:**

In response to Mr. Looney's questions, Mr. Parson stated that he has no knowledge of drug deals being made by the inmates, but if they are caught doing so they will be removed from the facility. He believes the overall behavior has improved under their operation since October 1997. And he expects the supervision will improve once the staff is operating out of one building rather than five. There are activities during the evenings and on weekends to allow the inmates out on the grounds.

Mr. Walker referred to comments made about the inmates leaving on the backside of the property and asked if regular counts were made. Mr. Parsons responded affirmatively and added that emergency procedures are put into effect immediately if it appears that someone is not present.

Mr. Alberty pointed out that several issues were mentioned today, including the neighborhood, DOC, people who operate the facility, etc. However, this Board is charged with determining the appropriateness of this land use, and this Board, at a previous hearing, made that decision. Today we are being asked if it is appropriate to expand what has already been approved. After listening to all comments, he is against expanding this facility.

Mr. Walker stated that he could relate with the comment that if the numbers are doubled, the risk is doubled. He believes the area carries a sufficient burden at this time. Mr. Looney replied that the facility appears to operate satisfactorily with the currently approved number of residents. He concurs that problems that do not exist now could be created if the numbers were increased. Mr. Tyndall stated that he also is opposed to increasing the numbers.

**Board Action:**

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **DENY** a Special Exception to increase the permitted number of residents of a residential and outpatient substance abuse treatment center, transitional living center and halfway house from 150 to 250. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2 & 5** on the following described property:

The SW/4 of the NW/4 of Section 1, T-20-N, R-12-E of the IBM, Tulsa County, Oklahoma, together with all surface and mineral rights less and except the W/2 of the NW/4 of the SW/4 of the NW/4 of Section 1, T-20-N, R-12-E of the IBM, being a 5 acre tract.

## NEW APPLICATIONS

### Case No. 1593

#### Action Requested:

Variance of required 200' lot width to 130'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** and a Variance of the required land area from 2.2 to 2.1 acres per dwelling unit. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, located 5605 S. 81<sup>st</sup> W. Ave.

#### Presentation:

**Patricia Lambert**, 5603 S. 81<sup>st</sup> W. Ave., stated that she wants to obtain a lot split to have two separate deeds for the two dwellings. She referred to the site plan, Exhibit B-1.

#### Comments and Questions:

Mr. Alberty asked how the configurations of the tracts were derived. Ms. Lambert responded that the location of the septic tank and lateral lines that extend to the width of the property constituted the configuration. She clarified that there are no plans for the back portion of Tract B, they were trying to meet the 2.2 acreage requirement.

Mr. Beach expressed staff's concern that they would want to split that back portion off at a future date.

#### Interested Parties:

None.

#### Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Variance of required 200' lot width to 130'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** and a Variance of the required land area from 2.2 to 2.1 acres per dwelling unit. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** finding that the dwelling exist and the land area is not affected, and that no further splits be allowed on the following described property:

N/2, NW, NW, SW Sec. 31, T-19-N, R-12-E less and except the S 25' for private road and less and except the W 50' for right-of-way, Tulsa County, Oklahoma.

## Case No. 1594

### Action Requested:

Special Exception to permit a church and accessory uses in an RS zoned district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5** and a Special Exception to permit a carport on a lot other than the lot containing the principal use. **SECTION 240.2.H. YARDS, Permitted Yard Obstructions**, located 13026 W. Southard

### Presentation:

**Rev. Charles P. Craig** stated that he came before the Board regarding the church's parking area in April, at which time other issues were brought forth. As a result of that meeting, they now have a drainage plan but the improvements have not yet begun. His request today, the same as in April, is permission to have a carport to park the church van under. Referring to the site plan, Exhibit C-1, he pointed out that asphalt has been laid where the carport would be erected.

### Interested Parties:

Mr. Tyndall stated that the City of Sand Springs Board of Adjustment voted to recommend approval of this application, Exhibit C-2.

### Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Special Exception to permit a church and accessory uses in an RS zoned district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5** and a Special Exception to permit a carport on a lot other than the lot containing the principal use. **SECTION 240.2.H. YARDS, Permitted Yard Obstructions** noting that the applicant has completed all the items requested by the Board on the following described property:

All of Lots 13 & 14 and the E 61' of Lot 15 in Block 7 of Charles Page Home Acres Subdivision No. 1, an addition in Tulsa County, Oklahoma and all of Lots 4 & 5 in Southard Addition, a resubdivision of Lots 10, 11 & 12 in Block 7 of Charles Page Home Acres Subdivision No. 1, Section – A; Tulsa County, Oklahoma.

## Case No. 1595

### Action Requested:

Variance of the required lot width in an AG zoned district from 200' to 175' and 132'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6**; a Variance of lot area in AG zoned district from 2.0 AC to 1.0 AC , 1.65 AC and 1.33 AC. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**; and a Variance of land area per dwelling unit



from 2.2 acres to 1.08 AC, 1.77 AC and 1.43 AC. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, located NE/c E. 134<sup>th</sup> St. & S. 121<sup>st</sup> E. Ave.

**Presentation:**

**Larry Toering** presented seven photographs of the area, Exhibit D-2, and informed the Board that a water line was being installed on 121<sup>st</sup> St. making water available to all three lots. Referring to the site plan, Exhibit D-1, he explained that his son currently lives in Tract A with plans to build a larger house on Tract B-3, Tract B-1 is vacant, and he lives in the house on Tract B-2. The Park at Oak Grove development is located across the street and is being sold in ¾ to 1½-acre lots. He stated that there are no plans to further reduce the lot size, and noted that the lots would be compatible with the Rambling Oaks Estates and Hickory Hills developments.

**Comments and Questions:**

Mr. Walker asked why he had not rezoned the property. Mr. Toering stated that Tract A had approval to be split as a one acre tract, and he was unaware of any other methods to consider.

Mr. Alberty stated that perhaps the Board reviews these cases differently than staff, and noted that the applicant should have applied to rezone this property rather than to split it with variances under the agriculture zoning.

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Variance of the required lot width in an AG zoned district from 200' to 175' and 132'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6**; a Variance of lot area in AG zoned district from 2.0 AC to 1.0 AC , 1.65 AC and 1.33 AC. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**; and a Variance of land area per dwelling unit from 2.2 acres to 1.08 AC, 1.77 AC and 1.43 AC. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** finding that the existing RS-3 lots to the north and east are smaller than the requested variances and that the lots would be consistent with the neighborhood on the following described property:

A tract of land in the SW/4 of the NE/4 of Section 8, T-17-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, and being more particularly described as follows to-wit: Beginning at a point 132.00' S of the NW/4 of Rambling Oak Estates, an addition in Tulsa County, State of Oklahoma, according to the recorded Plat No. 3649; thence S 0°01'13" E, along the W line of said Rambling Oak Estates, a distance of 526.13' to the SW/c of Lot 1, Block 1, of said Rambling Oak Estates; thence N 89°01'29" W, a distance of 331.27'; thence N

0°08'11" E, parallel to and 50.0' Ely of the W line of said SW/4 of the NE/4 a distance of 522.64' to a point; thence S 89°37'43" E, parallel to the N line of the SW/4 of the NE/4 a distance of 330.17' to the point of beginning, said tract containing 3.98 acres more or less.

**Comments and Discussion:**

The Board discussed that applicants should be advised of the option to seek rezoning of their property at the time of application. Staff agreed that the applicants should be made aware of the choices to request a zoning ordinance change or to ask for a variance of the zoning ordinance of their property. It was suggested that cases, such as the subject application, should be considered a Special Exception rather than a Variance, noting that it is hard to find hardships for some of the Bulk and Area Requirement requests.

**Case No. 1596**

**Action Requested:**

Variance to allow two dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 6** and a Special Exception to allow a mobile home in an RS district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS**, located 5745 S. 105<sup>th</sup> W. Ave.

**Presentation:**

**Stacey Pickens**, 5743 S. 105<sup>th</sup> W. Ave., stated that he desires to place a mobile home on this property. His brother had a mobile home there previously, but it was removed. Since the removal of the mobile home a perc test has been done, and an electric pole erected. Mr. Pickens requests permission to place a mobile home there for he and his wife to reside in. A site plan was recorded as Exhibit E-1

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Variance to allow two dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 6** and a Special Exception to allow a mobile home in an RS district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** finding that several mobile homes exist in the area and had previously been on the subject property on the following described property:

Lot 5, Block 2, Buford Colony 3<sup>rd</sup> Addition, Tulsa County, State of Oklahoma.

**Case No. 1597**

**Action Requested:**

Variance of required 30' frontage on a public street or dedicated right of way to permit a lot split. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, located 925 E. 161<sup>st</sup> St. N.

**Presentation:**

**John D. Owens**, 1415 S. Troost, stated that he owns four acres of property with a three-bedroom house. His neighbor is retired and has expressed interest in selling off the back five of his ten acres. He would like to purchase the five acres and attach it to his property to have more pasture land for his horses. Mr. Owens explained that he has a road easement on his property for his neighbor because the road dead-ends at the corner of his joint property line, leaving the neighbor without street access. In order to obtain a lot split of the back five acres, they need to receive approval of the 0' street frontage for the neighbor's property. The site plan has been recorded as Exhibit F-1.

**Comments and Questions:**

In response to the Board's questions, Mr. Owens stated that the General Warranty Deed includes the easement. The back five acres will be attached to his property.

After discussion of the requests, the Board determined that a lot split is needed because the resulting neighbor lot would not be over five acres, and that the neighboring lot requires a variance of the street frontage to be in compliance with the Zoning Code requirements.

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Variance of required 30' frontage on a public street or dedicated right of way to permit a lot split. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6** finding that the 0' street frontage was already in existence and that an easement has been filed to provide access to the street on the following described property:

S/2, SE/4, SW/4, NE/4, Section 13, T-22-N, R-12-E Tulsa County, State of Oklahoma.

## Case No. 1598

### Action Requested:

Variance of required street frontage of 30' to 0'. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, located 3708 E. 113<sup>th</sup> St. N.

### Presentation:

**William Delk**, P.O. Box 1014 in Sperry, stated that they purchased the land not knowing that street frontage was required to live on it. They have placed their house on the property, had all the utilities hooked up, and have an easement to pass through a 40-acre tract, which he leases, to access his property. However, due to not having street frontage, his family had to move in with his parents. His site plan was recorded as Exhibit G-1.

### Comments and Questions:

In response to the Board's question, Mr. Delk stated that the easement was included in his Warranty Deed. He added that he has inquired about buying part of the 40-acre tract but the owner was not interested in selling at this time.

### Interested Parties:

None.

### Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **APPROVE** a Variance of required street frontage of 30' to 0'. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6** finding that the easement was in existence on the following described property:

N 396' of the W/2 SE/4 NW/4 Section 9, T-21-N, R-13-E, Tulsa County, State of Oklahoma.

## Case No. 1589

### Action Requested:

Minor Special Exception to approve an amended site plan for Solid Rock Fellowship Church. **SECTION 910. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5**, located N of W. 61<sup>st</sup> St. S. & 65<sup>th</sup> W. Ave.

### Comments and Questions:

Mr. Beach stated that the applicant was not present, however, the Board could act on this application if they desired. Mr. Glenn stated that they are having a problem with obtaining a water tap. He was under the impression that the applicant may want to make changes to the site plan.

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; Eller "absent") to **CONTINUE** case 1589 to September 15, 1998.

There being no further business, the meeting was adjourned at 3:55 p.m.

Date approved: 10-20-98

  
Chair