

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 224
Thursday, January 21, 1999, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty Dillard Tyndall, Chair Walker, Secretary	Looney	Arnold Bruce Stump	West, Zoning Officer

The notice and agenda of said meeting were posted in the Office of the County Clerk on Tuesday, January 19, 1999, at 9:17 p.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 1:32 p.m.

MINUTES:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Tyndall, Walker "aye"; no "nays", no "abstentions"; Dillard, Looney "absent") to **APPROVE** the Minutes of December 15, 1998 (No. 223).

UNFINISHED BUSINESS

Case No. 1610:

Action Requested:

Special Exception to permit an existing church and accessory uses in an AG district. **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT – Use Unit 5 OR Variance to expand a nonconforming church use. SECTION 1420. NONCONFORMING USE OF BUILDINGS OR BUILDINGS AND LAND IN COMBINATION**, located 3029 S. 57th W. Ave.

Case No. 1610 (continued)

Comments and Questions:

Mr. Bruce mentioned to the Board that this item has been on the agenda since November of 1998, however, on January 14, the applicant provided some additional information and Staff will provide new notice and recommends continuance until next months meeting.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Tyndall, Walker "aye"; no "nays", no "abstentions"; Dillard, Looney "absent") to **CONTINUE** Case No. 1610 to the meeting of February 18, 1999.

Case No. 1615

Action Requested:

Special Exception, per Section 250.3 to modify the screening requirement for commercially zoned property abutting an R district and a Variance of the all-weather surfacing requirement for off-street parking spaces, located 11710 E. 76th St. N.

Comments and Questions:

Mr. Bruce stated that when Mr. Thompson was before the Board in December his application was for three actions. Items one and two had been noticed and item three had not been noticed and it was continued to today's date. Mr. Bruce mentioned that the applicant is also asking for relief from the all-weather surfacing requirement. Staff does not have any particulars at this time.

Presentation:

The applicant, **Ronald D. Thompson**, 11710 N. 76th Street North, Owasso, stated that there is gravel parking on his property that has been there since he bought the property. Mr. Thompson said that the gravel does not cause any dust or dirt problems. Staff noted that the Board had approved a maximum of six vehicles for sale at this location.

Comments and Questions:

Mr. Alberty asked the applicant to touch on the screening problem. Mr. Thompson explained the layout of the property including the natural vegetation.

Mr. Alberty stated that he usually is a stickler about screening and all-weather surfacing. However, if the Board requires the screening fence and the hard surface, it will make this property look more commercial than it is intended to be. His use is an interim commercial use. Mr. Alberty would like to see the trees and shrubs remain as screening to the east.

Case No. 1615 (continued)

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Tyndall, Walker "aye"; no "nays", no "abstentions"; Dillard Looney "absent") to **APPROVE** Special Exception, per Section 250.3 to modify the screening requirement for commercially zoned property abutting an R district, to permit the existing vegetation to remain, finding that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and a Variance of the all-weather surfacing requirement for off-street parking spaces, finding that it meets the requirements of Section 1670.3, on the following described property:

N/2 W 333.74' NW, NE, NW Less W 40' and N 16.5' thereof for Section 32, T-21-N, R-14-E

NEW APPLICATIONS

Case No. 1618

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**, located 4607 S. 225th W. Ave.

Comments and Questions:

Mr. Bruce explained to the Board that the applicant may be applying for a lot split and there may be some additional variance requests. The case will be renoticed and will come before the Board on February 18, 1999.

Interested Parties:

None.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty Tyndall, Walker "aye"; no "nays", no "abstentions"; Dillard, Looney "absent") to **CONTINUE** Case No. 1618 to the meeting of February 18, 1999.

Case No. 1619

Action Requested:

Special Exception, per Section 1420F, to allow the change of a nonconforming use on a parcel in an AG zoned district. **SECTION 1420. NONCONFORMING USE OF BUILDINGS OR BUILDINGS AND LAND IN COMBINATION – Use Unit 11** OR a Use Variance to have a doctor's office in an AG zoned district. **SECTION 1203.2. Use Unit 3. Agriculture, Included Uses**, located 19215 E. 131st St. S.

Comments and Questions:

Mr. Bruce stated that this parcel is located at the northwest corner of 131st Street South and County Line Road (193rd East Avenue) in Broken Arrow. There is an existing house on the property and there is another accessory building on the property. The purpose of the request is to allow a chiropractic office on the property. Staff has spoken with Farhad Daroga of the City of Broken Arrow and he has said although this area is within the County, the Broken Arrow Comprehensive Plan shows commercial uses at this corner in the future. There is some neighborhood commercial to the northeast.

MR. DILLIARD WAS IN AT 1:40 P.M.

Presentation:

The applicant, **Dr. Jimmie Beck**, 13014 S. 193rd E. Ave., submitted a site plan (Exhibit A-1) and stated that he would like to put his chiropractic office there so it will be close to his home and some of his clients live close by also.

Comments and Questions:

Mr. Walker asked Dr. Beck if he has any plans for expansion of the building. Dr. Beck replied that the only expansion will be a 3' or 4' wide porch added onto the front of the building. Dr. Beck mentioned to the Board that the building is setback 94' to the edge of County Line Road and is setback 106' from the centerline of County Line Road. The area proposed for use as parking is 30' wide and the patients are usually scheduled 30 minutes apart. Dr. Beck stated that there will never be more than three or four people there at one time.

Interested Parties:

Mike Lester, 1217 S. Aspen Court, Broken Arrow, stated that he is before the Board on behalf of his family who owns the property. Mr. Lester mentioned that he is not protesting the application and they do believe that this corner will serve as commercial in the future. Their concern is with the parking. Mr. Lester stated that the noticed specified a "doctor office" and did not specify whether human or animal. Mr. Lester would not be opposed to a doctor's office for humans but would be opposed to an animal hospital or a veterinarian office.

Case No. 1619 (continued)

Comments and Questions:

Mr. Alberty pointed out that this use is a less intense use than most commercial uses and the area could justify commercial use. Mr. Alberty supports the use.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty Dillard, Tyndall, Walker "aye"; no "nays", no "abstentions"; Looney "absent") to **APPROVE** a Special Exception, per Section 1420F, to allow the change of a nonconforming use on a parcel in an AG zoned district, finding that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, **SECTION 1420. NONCONFORMING USE OF BUILDINGS OR BUILDINGS AND LAND IN COMBINATION – Use Unit 11** on the following described property:

A tract of land beginning at the SE/c of the SE/4 of the SE/4 of Section, T-17-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma.

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Case No. 1620

Action Requested:

Variance to Section 207, requiring 30' of frontage on a public street or dedicated right-of-way for lots used for residential purposes, the purpose of the request is to permit construction on an existing lot with 25' frontage on 86th St. N. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, located 7302 E. 86th St. N.

Comments and Questions:

Mr. Bruce stated to the Board that this lot is a large 10.7 acre tract situated south of 86th Street North. Mr. Bruce mentioned that the lot is separated from the road by a number of small lots with single family residences on them. There is a 25' panhandle that is part of the lot and not an easement.

Presentation:

The applicant, **Perry W. Newman**, 8361 N. Owasso Expressway, Suite C, Owasso, OK 74055, submitted a site plan (Exhibit B-1) and stated that he is an attorney for the owners Ron Baunman. Mr. Newman stated that the hardship for the property is that he will be required to gain possession of a 5' wide strip x 610' long in order to attach it to his existing 225' road frontage. That will require him to negotiate with Mr. Boston, who is the property owner next to the panhandle for the purchase of that. Mr. Newman pointed out that this property is the only one in the area that has this problem. He is in substantial compliance with the Zoning Code and he is only seeking a slight variance from the ordinance from 30' to 25'.

Case No. 1620 (continued)

Interested Parties:

None.

Comments and Questions

Mr. Alberty asked Mr. Newman when the lot was created. Mr. Newman answered that he purchased the lot in 1995 and he believes that the lot was created in 1961. Mr. Alberty asked Staff if the lot is nonconforming to the extent that the ordinance applies. Mr. Stump believes that the nonconforming section that Mr. Alberty is referring to does not exempt it from lot frontage requirements.

Board Action:

On **MOTION** of **WALKER**, the Board voted 4-0-0 (Alberty, Dillard, Tyndall, Walker "aye"; no "nays", no "abstentions"; Looney "absent") to **APPROVE** Variance to Section 207, requiring 30' of frontage on a public street or dedicated right-of-way for lots used for residential purposes, the purpose of the request is to permit residential construction on an existing lot with 25' frontage on 86th St. N., finding that it meets the requirements of Section 1670.3 **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, on the following described property:

The SW/4 of the NW/4 of the NE/4; the W 25' of the W 190' of the NW/4 of the NW/4 of the NE/4 all in Section 26, T-21-N, R-13-E of the IBM, Tulsa County, State of Oklahoma.

Case No. 1621

Action Requested:

Variance to Section 207, requiring 30' of frontage on a public street or dedicated right-of-way for a lot used for residential purposes. The request would allow a minimum of 0' of frontage. **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, located 7650 N. Marion Ave.

Comments and Questions:

Mr. Bruce stated that a request came in on this parcel to place a mobile home on the property. Mr. Bruce does not believe that there are any other dwelling units on the property now. There is an area shown on N. Marion Street and the question is if there is 30' of frontage onto East 76th Street South. There is a 50' deed of dedication to the public on this property.

Mr. Alberty asked Mr. Bruce if the street is improved and Mr. Bruce replied negatively and stated that it has not been accepted by the County.

Case No. 1621 (continued)

Mr. Bruce informed the Board that the submittal shows that the easement was dedicated to the public and has a reference number. The County has not accepted it for maintenance and it is not improved.

Mr. Alberty believes that the Board can discuss this case without the applicant being present. If the land was a dedication or a right-of-way easement that had been accepted by the County, in his mind it satisfies giving access to the dedicated street.

Mr. Bruce stated that Section 207 says that no lot should contain any building used in whole or part for residential purposes unless such lot has a minimum of 30' of frontage on a public street or dedicated right-of-way, etc.

Mr. Tyndall asked Staff why the dedicated area had not been accepted by the County and Mr. West, Zoning Officer, replied because the area had not been improved.

Mr. Stump mentioned that the problem was that everyone could dedicate land to the County for access. If it was not improved, it did not fulfill the intent of the requirement. If the County accepted all the dedications without previous improvements they would be faced with an improvement nightmare.

Interested Parties:

None.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty Dillard, Tyndall, "aye"; no "nays", no "abstentions"; Looney, Walker "absent") to **APPROVE** Variance to Section 207, requiring 30' of frontage on a public street or dedicated right-of-way for a lot used for residential purposes. The request would allow a minimum of 0' of frontage, finding that it meets the requirements of Section 1670.3 **SECTION 207. STREET FRONTAGE REQUIRED – Use Unit 6**, subject to a 50' easement to provide access to East 76th Street North being filed of record and the condition that improvements and maintenance are the applicant's responsibility, on the following described property:

E/2 SW/4 less beg. SW/c thence N 495.22', thence W 680.62';
thence S 165.1' thence W 639.38'; thence S 330.22'; thence E
1,320' to the POB of Section 28, T-21-N, R-13-E.

Case No. 1622

Action Requested:

Variance to permit two dwelling units on one 10 acre tract. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 9** and a Variance of setback from an arterial street from 95' to 54' to permit a mobile home installation. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, located 3800 E. 171st St. S.

Presentation:

The applicant, **H. D. Surface**, 3800 E. 171st St. S., submitted a site plan (Exhibit D-1) and photos (Exhibit D-3) showing the house and the lateral lines.

Comments and Questions:

Mr. Bruce informed the Board that they are in receipt of a protest letter (Exhibit D-2).

Mr. Alberty asked the applicant if there is currently a stick built home on the property and the applicant responded affirmatively. Mr. Alberty asked if the applicant is wanting to put a mobile home on the property and if the mobile home will be for family or for commercial purposes. Mr. Surface responded by saying he would like to put a mobile home on the property for his son to live in. Right now there is no gas or electricity for the mobile home.

Interested Parties:

Mike Easley, 3310 E. 171st St. S., stated that he is concerned with the Board's policies and rules that state that the mobile home should be setback. Mr. Easley submitted photos (Exhibit D-4) of the mobile home and other properties in the area. Most of the families who live in the area, their home are their largest investment and have lived there for many years. The neighbors are upset about the condition of the trailer and about where it sits on the property. The neighbors want the mobile home moved back and the lot-split done properly. Mr. Easley mentioned that 171st Street may be widened in the future and the mobile home may have to be moved back then. There are several mobile homes in the area and they are all in much better condition than the subject mobile home.

Comments and Questions:

Mr. Alberty told Mr. Easley that mobile homes are a use by right in an Agriculture district and that the property contains more than the minimum lot size. Mr. Alberty asked Mr. Easley if his protest is mainly against the setback and Mr. Easley responded affirmatively.

Mr. Alberty stated that he has a real problem with the setback and he asked the applicant to explain why he is asking the Board for the setback.

Applicant's Rebuttal:

Mr. Surface pointed out that if they sit the mobile home back any further it will be sitting over lateral lines. Mr. Alberty stated that the applicant has ten acres of land and wants to know why the applicant can't move the trailer somewhere else on the land. Mr. Surface replied that the trailer will be too far from the road.

Ron Surface, 10126 S. Memorial, Suite C115, stated that the trailer's condition is happened when some kids broke the windows. As soon as they can, they will get the trailer fixed up. When they were informed about the permit process they just put everything on hold until they got the permitting straightened out.

Comments and Questions

Mr. Alberty asked the applicant if they are already hooked up to everything and the applicant responded affirmatively.

Mr. Alberty stated that one of the things that the Code tries to accomplish with setbacks is uniformity and view protection. Mr. Alberty informed the Board that he had a problem with the setback and he is less concerned about the two dwelling units because there is ten acres of land.

Mr. Walker and Mr. Tyndall agreed with Mr. Alberty's statement.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty Dillard, Tyndall, Walker "aye"; no "nays", no "abstentions"; Looney "absent") to **APPROVE** Variance to permit two dwelling units on one 10 acre tract, finding that it meets the requirements of Section 1670.3 **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 9**

AND

DENY a Variance of setback from an arterial street from 95' to 54' to permit a mobile home installation. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, on the following described property:

E/2, W/2, NE, NW, Section 33, T-17-N, R-13-E, Tulsa County, State of Oklahoma.

Case No. 1623

Action Requested:

Variance to the required front yard of a parcel in the AG district abutting an arterial street. The requested variance is from 35' to 20'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, located 10265 N. Sheridan Road.

Comments and Questions:

Mr. Bruce informed the Board that the purpose of the request is to allow an accessory building to encroach into the required front yard. If the request is approved, the building will be a 40' x 50' steel structure.

Presentation:

The applicant, **Mike McCarty**, 10265 N. Sheridan Road, Sperry, OK 74073, submitted a site plan (Exhibit E-1) stated that when he spoke to Mr. Terry West, Zoning Officer, he was informed that the request from 85' to 70'.

Mr. Bruce informed the applicant that Staff has restated the numbers. The application indicates the requested distance from the centerline; the request is to reduce the front yard setback.

Mr. McCarty mentioned that the reason he wants to place the building where it is located on the site plan is because there used to be an old farmhouse there and there is an existing septic system, electric, a well and an existing footing. Mr. McCarty stated that he cannot move the building 15' east because he would be sitting on top of his well and his cellar.

Comments and Questions:

Mr. McCarty informed the Board that he will use the outbuilding for his race cars. He will work on them inside the building. Mr. Alberty asked the applicant if the garage will be used for commercial purposes and Mr. McCarty responded negatively and said that it will be used for his hobby of racing and working on cars.

Mr. Dillard asked Mr. McCarty if it would be safer to move the garage with all of the tools and equipment closer to the house? Mr. McCarty said that he property was fenced and had gates and that was not a concern of his. Mr. McCarty said that behind his house floods every time it rains. Mr. McCarty submitted photos (Exhibit E-2) of his property.

Mr. Tyndall asked the applicant how long the barn has been on the property and the applicant replied for about 100 years. Mr. Walker asked what is inside the old barn. Mr. McCarty informed the Board that he stores hay in the barn for his cattle.

Case No. 1623 (continued)

Mr. Alberty mentioned that he is not sure about the use of the building and the possibility of it turning into a commercial business. If the Building Inspector is confident that the use of the building is going to be noncommercial then he won't touch the use issue. Mr. Alberty is concerned about whether or not it is setback far enough that should the County need to require right-of-way for future expansion and he believes that is does set far enough back. There is an existing structure on the property that sits 2' closer than the proposed building.

Interested Parties:

None.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty Dillard, Tyndall, Walker "aye"; no "nays", no "abstentions"; Looney "absent") to **APPROVE** Variance to the required front yard of a parcel in the AG district abutting an arterial street. The requested variance is from 35' to 20' finding the hardship to be the fact that there is an existing structure that sits closer to than what the proposed building does, **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, on the following described property:

NW/4, SW/4 NW/4 of Section 14, T-21-N, R-13-E, Tulsa County,
State of Oklahoma.

Case No. 1624

Action Requested:

Plot plan review to satisfy conditions of approval of CBOA 1472. The submitted plan indicates a maximum of 150 beds. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2**, located NE/c 61st St. N. & N. Cincinnati.

Comments and Questions:

Mr. Bruce informed the Board that the application is to satisfy conditions on a previous approval (CBOA 1472).

Mr. Alberty asked Mr. Bruce if he has reviewed the site plan and does he find it acceptable. Mr. Bruce replied that he has reviewed the plan. It is consistent with requirements of the Board's previous action regarding numbers of users. The plan shows one building with space for 150 beds.

Case No. 1624 (continued)

Mr. Alberty mentioned to the Board that in previous actions on this property he has abstained on some and on others he has not. Mr. Alberty informed the Board that he will not be abstaining from the case today because the use has already been approved and the Board is just approving a site plan based upon previous approval.

Presentation:

The applicant, **Steve Powell**, 10830 E. 45th Street, Suite 204, Tulsa, OK 74146, submitted a site plan (Exhibit F-1) and stated that in December, 1996 this Board reviewed and approved a conceptual plan and granted a special exception for this property. One of the provisions of the previous approval was when further detail site plans were available the Board had the right to review the plans for compliance. Mr. Powell mentioned to the Board that they have eliminated the cottage concept and have chosen a self contained single housing unit for the purpose of housing all of the residents. This concept will help them be able to provide better security and will allow the facility to provide all other services within one building. The plan before the Board represents an entirely new building and will be state of the art. It will meet all the local, state and federal enforcement requirements. The existing cottages and the existing administration building will no longer be in service and will be removed once the new facility is complete. However, the facilities will continue to be in use during construction. Mr. Powell stated that under Use Unit 2 there is a required 85' front setback and they will provide 287'. The side setback requirement is 55' and they will utilize 313'. The back setback requirement is 20' and they will provide 797' or 540' to the existing shop that is currently located there. There is a requirement for 35 parking spaces and they will provide 37 associated directly with the building. At a future date, they may add an additional 9 parking spaces behind the structure near the gymnasium. There will be two handicapped spaces provided and two loading berths. All utilities will be provided by the City of Tulsa. Mr. Powell informed the Board that access to the site will be from all-weather asphalt driveways. Mr. Powell asked the Board to approve the revision of the site plan so they can proceed to the permit portion of this project as soon as possible.

Comments and Questions:

Mr. Alberty asked Mr. Powell if the facility is one story and Mr. Powell answered affirmatively.

Interested Parties:

Ray Bates, 6330 N. Utica, Turley, OK, stated that he has been before the Board on several occasions to protest this facility. Mr. Bates did not understand what was just presented. In 1996, Mr. Bates believes that facility was approved for only 125 beds and not 150. He stated that at the last hearing on this property they were denied for expansion of the number of beds.

Case No. 1624 (continued)

Mr. Alberty stated that in 1994 the facility was approved for 125 beds and in 1996 the number of beds was increased to 150. The issue of a halfway house and treatment center has already been approved and the only issue before the Board today is to approve the site plan. The site plan would allow them to take out the cottages and build one single structure. The Board said that if there are any changes to the plan that was approved in 1996, that they have to come back and comply with the condition that any changes have to be approved by this Board. The applicant is not changing the use or changing the number of beds.

Mr. Bates restated all of his previous concerns about the facility. He believes that a new building with all of the old buildings torn down will be a great improvement to the area. Mr. Bates realizes that the facility is there to stay and the new building will be an asset.

Comments and Questions:

Mr. Alberty asked the interested parties to please limit their comments to the site plan only. The use has already been approved and will not go away. All the Board is considering today is the approval of the site plan.

Interested Parties:

Jeff Kirkland, 1727 E. 73rd Street North, Tulsa, OK, 74130, stated that he is concerned about the security of the facility. Mr. Kirkland is concerned about who is running the facility, whether it is Avalon or Tulsa Corrections or some unnamed company.

T.E. Jones, 440 E. 61st Street North, which is across the street from the subject site. Mr. Jones that he does not believe that this facility should be here. The old buildings do need to be torn down. Along with the improvements he is concerned about the security. Mr. Jones asked the Board to deny the facility because of its proximity to schools.

Mr. Walker out at 3:05 p.m.

Rev. Milton Goodwin, 216 E. 54th Street North, mentioned to the Board that has been before the Board previously concerning this site and the proposed facility. Mr. Goodwin does not want the facility in the area.

Applicant's Rebuttal:

Mr. Alberty asked Mr. Powell who the operator of the facility will be and he also asked him to explain the security measures of the new facility. Mr. Powell let Mr. Gary Parsons of Avalon Corrections Services answer the questions.

Gary Parsons, stated that he is Vice President of Avalon Correctional Services out of Oklahoma City, 2709 Berkshire Way, Oklahoma City, OK. Mr. Parsons informed the Board that the parent company is Avalon Community Services. Some of their centers were established years ago under the title of their company which was Southern Corrections. Southern Corrections is a wholly owned subsidiary of Avalon now. Mr. Parsons believes that their downtown facility is still listed under the old name of Southern Corrections. They are both one and the same. Mr. Parsons mentioned to the Board that the primary intent is to improve the security by pulling all of the staff out of the other areas and concentrating them in one location behind more secure doors and better designed security will make a big difference security wise. There are some features in the new building that they do not have in the existing buildings. They will put a camera system in that will show the area outside the building as well as the corridors inside the building. The staff can monitor movement within the building from a central control area. Alarms will be installed on the doors and if the doors are breached during the night it will sound an alarm. The staff meets all requirements of the Department of Corrections and the American Correctional Association which does a periodic review of their operations. The level of security of the people who will be housed at the facility are classified as community security. There are two different classes of security at the facility. One class is eligible for work release already and they leave the facility during the day to go to work at a regular job in the community and they are nearing the completion of their sentence. The other class is call prisoner public works. They meet the same time requirements but they are not ready for work release and they are put on prisoner public works program. They also leave the facility and work on public work crews that work for the County and the City and other governmental entities. Mr. Powell mentioned to the audience that they are not closed to anyone wishing to visit the facility or just sitting down and talking about the facility.

Comments and Questions

Mr. Alberty stated that he realizes that there are valid concerns that were stated and he believes that the operators of the facility understand this because it is their business. The issue of the number of beds has previously been resolved and the facility has been approved for 150 beds. That issue is not up for discussion today. The issue before the Board is a new site plan. Mr. Alberty thinks that the new facility not only enhances the property and provides better security. The fact that they are investing money in north Tulsa is a plus.

Mr. Alberty asked Mr. West if he has reviewed the site plan and does he have any problems with it? Mr. West responded that this is the first time he has seen it and it looks okay. Mr. West stated that when they make application for their building permits he will scrutinize it much closer.

Case No. 1624 (continued)

Mr. Alberty recognized a question from Mr. Bates as to whether or not the old cottages will be torn down. Mr. Alberty replied that the buildings being torn down is part of Avalon's proposal.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty Dillard, Tyndall, "aye"; no "nays", no "abstentions"; Looney, Walker "absent") to **APPROVE** Plot plan review to satisfy conditions of approval of CBOA 1472. The submitted plan indicates a maximum of 150 beds. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2**, on the following described property:

The SW/4 of the NW/4 of Section 1, T-20-N, R-12-E of the IBM, less the W 50' and the S 30' thereof, Tulsa County, State of Oklahoma, said parcel containing 33.37 acres, more or less and 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, less the W 50', said tract being 4.24 acres more or less.

There being no further business, the meeting was adjourned at 3:25 p.m.

Date approved:

February 18, 1999

John M. Tyndall
Chair