

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 237
Tuesday, February 15, 2000, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Alberty
Dillard
Walker, Chair
Looney

Tyndall

Stump
Bruce

West, Zoning

The notice and agenda of said meeting were posted in the Office of the County Clerk on, Thursday, February 10, 2000 at 4:07 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **Alberty**, the Board voted 3-0-0 (Alberty, Dillard, Walker, "aye"; no "nays", no "abstentions"; Looney, Tyndall "absent") to **APPROVE** the Minutes of January 20, 2000 (No. 236).

UNFINISHED BUSINESS

Case No. 1701

Action Requested:

Variance to Section 240 to permit variance to the maximum size of an accessory building from 750 square feet to 2400 square feet on a lot in the RS district, located at 6344 W. 39th St.

Presentation:

Mr. Bruce pointed out to the Board, that the applicant owns both the parcel in the corner and the one directly to the east. Any action that would allow an accessory use on this parcel would require that the two parcels be tied together; otherwise a use variance would be needed for warehousing uses on the site.

Case No. 1701 (continued)

The applicant, **Allen Hynes**, 6340 West 39th Street, stated that their plan is to build a house on the corner lot eventually. He stated they just need the personal storage space for hobbies until they build their home.

Comments and Questions:

Mr. Dillard asked what would become of the storage building if a house is built. The new house will be the principal dwelling. Mr. Bruce stated that if the applicant decides to sell the parcel on east, he would need to back through the process to remove the tie-agreement. The applicant stated that the storage building would be a 2400 square feet, eight-foot metal building with metal roof, doors, and a slab floor and would not contain a business. There will be no utilities to the building at this time.

Interested Parties/Protestants:

None.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Dillard, Walker "aye"; no "nays", no "abstentions"; Looney, Tyndall, "absent") to **APPROVE** a **Variance** to Section 240 to permit variance to the maximum size of an accessory building from 750 square feet to 2400 square feet on a lot in the RS district, with the conditions that there be no commercial business enterprise in the structure, used solely for the personal use of the family, and the two lots be tied together by a tie-agreement, finding it will not cause detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, regarding the property described as follows:

Beg. 637.80' N X 50' E of the SW/c of SW/4 thence N 240.50' E 192.66' S 240.5' W 192.66' to the POB, Section 20, T-19-N, R-12-E, Tulsa County, Oklahoma

Case No. 1702

Action Requested:

Special Exception to Section 410 to allow a singlewide mobile home in a RS zoned district, located at 5701 S. 107th W. Ave.

Presentation:

Mr. Bruce stated that there is an existing structure, as disclosed by the applicant at the last Board meeting. The applicant indicated then that it is not habitable. The applicant requested that this case be continued to today's meeting.

Cuba Johnson, 5711 South 107th West Avenue, presenting for Danny Taylor stated that a contract was signed and he is ready for the Board to act on his request.

Case No. 1702 (continued)

Interested Parties/Protestants:

None.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Dillard, Walker "aye"; no "nays", no "abstentions"; Looney, Tyndall, "absent") to **APPROVE** a **Special Exception** to Section 410 to allow a singlewide mobile home in an RS zoned district, subject to standard conditions of tie-down, skirting, building permit and sanitation system approval, on the following described property:

S/2 Lot 4 and all Lot 5 less E 5' S/2 Lot 4 and less E 5' and less W 5' S 117' Lot 5 and less W 25' N 88' Lot 5, Block 1, Buford Colony, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 1703

Action Requested:

Use Variance to allow AG uses on a parcel in the RS district, located at 7123 W. Skyline Dr.

Presentation:

Mr. Bruce stated the request is for use variance to allow a pole barn, and horses with the potential for other similar agricultural uses. The parcel contains a single-family residence, is in a residential district and is adjacent to agriculturally zoned areas to the south, west and northwest. A large lot residential area bounds it to the northeast and east.

The applicant, **Jeff Bigby**, P.O. Box 4193, Tulsa, Oklahoma, stated he owns the subject parcel. He stated that the neighbors have similar buildings to the one he wants to build.

Comments and Questions:

Mr. Stump asked if raising horses were the only agricultural activity, would the applicant be satisfied to have the variance limited to that purpose. Mr. Bigby replied he would agree to that.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Walker, Looney "aye"; no "nays", no "abstentions"; Tyndall, "absent") to **APPROVE** a **Use Variance** to allow AG uses on a parcel in the RS district, with the condition that it be limited to raising of horses and construction of a pole barn per the applicant's presentation, finding the parcel is surrounded by AG zoned property, for the following described property:

Case No. 1703 (continued)

Beg. at a point 1205.70' S of the NW/c of the NE of Section 30, T-19-N, R-12-E, of the IBM, Tulsa County, State of Oklahoma; thence S 614.30'; thence E 640.00' to the centerline of Skyline Dr.; thence Ely along the centerline of said county road a distance of 423.50'; thence N 608.00' parallel to the W 1060.00' to the POB, with the W 40.00' dedicated for roadway and Beg. at a point 794.70' S of the NW/c of the NE of Section 30, T-19-N, R-12-E, of the IBM, Tulsa County, State of Oklahoma; thence S 410.94'; thence E 1060.00'; thence N 410.94'; thence W 1060.00' to the POB, with the W 40.00' dedicated for roadway

Case No. 1704

Action Requested:

Special Exception to Section 410 to permit construction of a single-family dwelling in an RMH district, located at 4412 S. 203rd W. Ave..

Presentation:

Mr. Bruce stated that the subject parcel is something less than 1 acre in size and is located at the southeast corner of West Coyote Trail and South 203rd West Avenue. The parcel is one of three large lots zoned RMH (residential mobile home) at this location, a portion of a fourth is similarly zoned. The area to the west and across Coyote Trail is zoned AG, the lots to the east across 203 Ave are zoned RMH with AG land beyond. A portion of the lot to the south is zoned RMH with residential estate zoning beyond.

The applicant, **Barbara Poteet**, 4412 South 203rd West Avenue, stated that the parcel is one acre and a half, rather than less than one acre. A mobile home is now on the property and only until the house is built.

Interested Parties/Protestants:

None.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Dillard, Walker, Looney "aye"; no "nays"; no "abstentions"; Tyndall; "absent") to **APPROVE** a **Special Exception** to Section 410 to permit construction of a single-family dwelling in an RMH district, with the condition to remove the existing mobile home after completion of the home construction, finding that it 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 for the property described as follows:

Lot 1, Block 1, C Bar C Ranch First Addition, Tulsa County, State of Oklahoma

Case No. 1705

Action Requested:

Variance of Section 206 to permit two dwelling units on one lot of record in an AG district, approximately 4.8 acres in size, located at 5739 S. 81st W. Ave.

Presentation:

Mr. Bruce stated that the subject parcel is approximately 4.8 acres in size and is located north of the northeast corner of West 61st Street South and South 81st

Ave West. It and the other parcels on the east side of 81st Ave are located in the AG district with the RS district across the street to the west. The parcels on the east side of 81st Ave are of a size similar to the subject parcel; the parcels to the west are of approximately 2 acres in size. An existing barn and residence are present on the site. The request would allow 2 dwelling units to be placed on the subject property; the property is large enough to accommodate the minimum land area per dwelling unit.

The applicant, **Virgil Halcomb**, 5739 South 81st West Avenue, stated that he and his son have purchased the subject parcel and want to place a mobile home on the north side of the property.

Comments and Questions:

Mr. Walker read a letter of protest from Mr. Brian E. Collum, owner of property to the north of the subject parcel. Mr. Halcomb replied that there is only one residence on the property, and it is the only structure used for a dwelling. Mr. Dillard stated that it appears that lots to the west of the subject parcel have multiple structures. He asked if any of those lots have multiple dwellings.

Stephen Halcomb, 5739 South 81st West Avenue, son of the applicant, stated that across the street and north of the subject parcel is a property with three residences in use. He stated that directly across the street there is a mobile home, approximately the same model as Mr. Halcomb's. He informed the Board that the soil percolation test failed and so they put in a wetland system, which did pass. He also informed the Board that the lease was up, on the property where the mobile was parked and it had to be moved before the Board meeting.

Mr. Bruce commented that the Mr. Collum wanted it to be clear that his letter was a concern, not a protest.

Board Action:

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Walker, Looney "aye"; no "nays", no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** of Section 206 to permit two dwelling units on one lot of record in an AG district, approximately 4.8 acres in size, with standard requirements for tie-down, skirting, and approval of sanitation system, finding that the lot size is appropriate for two dwelling units on the property described as follows:

Case No. 1705 (continued)

The S/2 of the SW of the NW of the SW of Section 31, T-19-N, R-12-E, of the IBM,
Tulsa County, State of Oklahoma.

There being no further business, the meeting was adjourned at 2:05 p.m.

Date approved: 3/21/00
Robert L Walker
Chair