

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 333
Tuesday, February 19, 2008, 1:30 p.m.
Aaronson Auditorium
Tulsa Central Library
400 Civic Center

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Chair
Dillard
Hutson
Tyndall, Vice Chair
Walker

Alberty
Butler
Cuthbertson

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Friday, February 15, 2008 at 10:54 a.m., as well as in the Office of INCOG, 201 W. 5th St., Suite 600.

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

Mr. Cuthbertson read the rules and procedures for the County Board of Adjustment Public Hearing.

MINUTES

On **MOTION** of **Hutson**, the Board voted 5-0-0 (Tyndall, Charney, Walker, Dillard, Hutson "aye"; no "nays"; "abstained"; no "absences") to **APPROVE** the Minutes of January 15, 2008 (No. 332).

NEW APPLICATIONS

Case No. 2289

Action Requested:

Variance of the minimum required land area per dwelling unit in an AG district (Section 330) from 2.1 acres to 1 acre to permit a second dwelling, located: 21311 Campbell Creek Road.

Presentation:

Jeremy Wahl, 21311 West Campbell Creek Road, proposed to move a second dwelling onto the subject property.

Comments and Questions:

Mr. Charney asked about the boundaries of the property with frontage on the curved road. Mr. Wahl acknowledged there is an extensive amount of frontage but was not certain he could claim it for gross land area. Mr. Walker noted a lot of mixed use in the area, and several properties have more than one dwelling. He added that the subject property has an inordinate amount of easement taken off of it.

Interested Parties:

Michael Ford, 2404 South Willow Avenue, Broken Arrow, Oklahoma, 74012, as the lender, was in support of the application.

Comments and Questions:

Mr. Cuthbertson heard someone mention a lot-split, and he stated they did not request enough relief for a lot-split.

Brenda Wahl, owner, 21311 West Campbell Creek Road, indicated they did not understand the difference in getting approval with or without a lot-split. The Board and staff explained it to her.

Board Action:

On **Motion** of **Walker**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the minimum required land area per dwelling unit in an AG district (Section 330) from 2.1 acres to 1 acre to permit a second dwelling, finding the unique pie-shaped configuration and the extensive frontage, on the following described property:

LT 7 BLK 1 Hickory Ridge Estates Addn Tulsa County, State of Oklahoma

OTHER BUSINESS

Mr. Alberty informed the Board Members of the subjects to be covered at the TMAPC Training Session. He added that Mr. Iski would present information regarding refining motions.

On **Motion** of **Hutson**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to go into Executive Session regarding Case No. 2056.

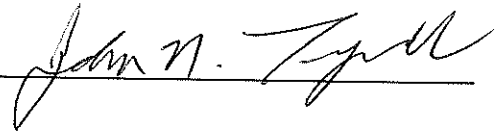
Public Hearing re-opened.

On **Motion of Charney**, seconded by Walker, the Board voted by roll-call: Walker, Tyndall, Dillard, Hutson, Charney "aye", unanimously 5-0-0 with no "nays"; no "abstentions"; and no "absences", regarding TCBOA Case No. 2056, Sam Perryman and Ray Bagwell v. Tulsa County Board of Adjustment, that the presently constituted Board of Adjustment has the power to make the findings of fact that the judge ordered this Board to make in the remanded case. Secondly, the Board has the existing resources consisting of the discussion among the existing Board members coupled with a review of the transcripts of the original hearings, to make the findings without further evidence or testimony or exhibits from the parties. The findings will be made, in accordance with the judge's directive, and will be presented at the next scheduled Board meeting on March 18, 2008.

On **Motion of Hutson**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **Adjourn** at 2:57 p.m.

Date approved:

3-18-08



John N. Tyndall

Chair