

COUNTY BOARD OF ADJUSTMENT

MINUTES of Meeting No. 337

Tuesday, June 17, 2008, 1:30 p.m.

County Commission Room

Room 119

County Administration Building

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Chair
Tyndall, Vice Chair
Walker

Dillard
Hutson

Alberty
Butler
Cuthbertson

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Thursday, June 12, 2008 at 11:37 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 1:30 p.m.

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

MINUTES

On **MOTION** of **Walker**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **APPROVE** the Minutes of April 15, 2008 (No. 335).

On **MOTION** of **Tyndall**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **CONTINUE** the Minutes of May 20, 2008 (No. 336) to the meeting on July 15, 2008.

NEW APPLICATIONS

Case No. 2285-A

Action Requested:

Special Exception to permit a church and accessory uses (Use Unit 5) in an AG district. (Section 310), located: 3621 South 61st West Avenue.

Presentation:

Jerry Thames, 2202 South 65th West Avenue, Tulsa, Oklahoma, stated the first time this case was presented the Board requested the applicant to return with plans to include lighting, parking, drainage and access.

Comments and Questions:

Mr. Cuthbertson stated the drainage is an issue that is worked out through the permitting process. The County Engineer will deal with the drainage issues. He referred to the lighting and stated the main concern was that the lighting would be shielded down and away from residences. Mr. Cuthbertson also noted the plan does not show access to 36th Street at the northwest corner, where it turns north to 61st Avenue, though there is a driveway. He suggested that it would help distribute church traffic more evenly, and it could have a gate with a lock. He questioned if they were going to remove the driveway. Mr. Thames did not think they planned to eliminate that driveway. They have talked with the County about opening up the street, and he thought the applicant would be receptive to it.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Walker**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **APPROVE** Special Exception to permit a church and accessory uses (Use Unit 5) in an AG district. (Section 310), with conditions for the lighting directed down and away from the residential properties so that the lighting element is not visible to residential; and for access in the northwest corner of the property be tied-in to the publicly dedicated street, 36th and 61st West Avenue, on the following described property:

N/2 NE SW LESS E40 THEREOF FOR ST SEC 20 19 12 20.00ACS , Tulsa County, State of Oklahoma

Case No. 2296

Action Requested:

Variance of the 30 ft. of frontage requirement to permit a lot for residential uses (Section 207), located: 4355 South 61st Avenue West.

Presentation:

Herman Reavis, 4355 South 61st West Avenue, Tulsa, Oklahoma, 74107, pointed out the ½ acre panhandle. He explained that he and his neighbor would like to square off their properties.

Comments and Questions:

Mr. Cuthbertson stated this allows a lot-split and lot combination. Mr. Charney noted this would allow the conveyance of the 1/2 acre and a remaining roadway and utility easement to his property.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Walker**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **APPROVE** a Variance of the 30 ft. of frontage requirement to permit a lot for residential uses (Section 207), finding the hardship to be the unusual configuration of the land; and finding there is an existing roadway easement to the remaining tract, on the following described property:

PRT SE NW BEG 200S NEC SE NW TH W666.33 S100 E666.33 N100 POB SEC 29 19 12 1.53ACS, PRT SE NW BEG 200S NEC SE NW TH W666.33 S100 W217.67 S100 E884 N200 POB LESS PRT BEG 200S NEC SE NWTH W666.33 S100 E666.33 N100 POB SEC 29 19 12 2.03ACS, Tulsa County, Oklahoma

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Case No. 2297

Action Requested:

Special Exception to permit mini-storage use in the OL district (Section 610) to permit an existing storage building, located: 403 South 176th Avenue West.

Presentation:

The applicant requested prior to the meeting, a continuance to the meeting on July 15, 2008. The applicant was not present.

Interested Parties:

The Chair recognized an interested party that was present for the hearing.

Jay Beck, 209 South 176th Place West, stated there is a mini-storage at 129th and one at 209th. He mentioned a problem with property value from an existing waste landfill operation.

Comments and Questions:

Mr. Cuthbertson clarified for the Board that the application was to permit an existing metal building on the subject property, not necessarily for a commercial mini-storage. Mr. Beck stated he did not have a problem with the existing building, just a possible more intensive use.

Board Action:

On **MOTION** of **Tyndall**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **CONTINUE** to the meeting on July 15, 2008, regarding the following described property:

LT 4 BLK 2, WEKIWA HILLS, Tulsa County, State of Oklahoma

Case No. 2298

Action Requested:

Variance of the maximum permitted floor area for a detached accessory building in the RS district (Section 240.2.E), located: 5633 South 167th West Avenue.

Presentation:

Terry Crambrink, 350 South 41st West Avenue, Tulsa, Oklahoma, 74127, stated he applied for building permits, and he was directed to this Board. He proposed to store his antique cars, a boat, and a motorcycle. He stated his lot is about one acre and he proposed to build a 1,974 sq. ft. home.

Comments and Questions:

Mr. Walker noted the size of the accessory building was compatible with the lot size. Mr. Charney stated the lot is several times larger than the minimal lot size in this zoning district.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Tyndall**, the Board voted 3-0-0 (Tyndall, Charney, Walker, "aye"; no "nays"; "abstained"; Dillard, Hutson "absent") to **APPROVE** a Variance of the maximum permitted floor area for a detached accessory building in the RS district (Section 240.2.E), with conditions not to exceed 1,500 sq. ft.; and no commercial uses associated with it, finding the size of the lot, on the following described property:

LT 2 BLK 2 OAK HAVEN II, Tulsa County, State of Oklahoma

There being no further business, the meeting adjourned at 2:00 p.m.

Date approved: 8/19/08
David E. Charney
Chair