

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 373
Tuesday, June 21, 2011, 1:30 p.m.
County Commission Room, Room 119
County Administration Building
500 South Denver Avenue

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Chair
Walker, Vice Chair
Osborne, Secretary
Dillard
Tyndall

Cuthbertson
Sparger

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 16th day, of June, 2011 at 9:23 a.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

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 **OSBORNE**, the Board voted 4-0-0 (Charney, Dillard, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **APPROVE** the Minutes of May 17, 2011 (No. 372).

NEW APPLICATIONS

Mr. Osborne entered the meeting at 1:33 p.m.

Case No. 2399—Patricia Evans

Action Requested:

Special Exception to permit a home occupation (beauty salon) in an RS district (Section 420.1) and a Variance to permit a sign for the home occupation (Section 440.B.2). **LOCATION:** 1703 East 56th Street North

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

The Board passed this case to the end of today's agenda to give the applicant time to arrive before the end of the meeting; for the following property:

W220 S990 SW SE LESS W30 & S50 THEREOF FOR RD SEC 6 20 13, OF TULSA COUNTY, OKLAHOMA

2212-A—Lou Reynolds

Action Requested:

Amendment to a condition of a previous approval (permitting a Holiday Attraction in an AG district) to eliminate the five-year time limitation. **LOCATION:** 1517 East 106th Street

Presentation:

Lou Reynolds, 2727 East 21st Street, Tulsa, OK; stated the applicant had requested a special exception from the Board in 2004 for this holiday attraction, and it was granted with a two-year term. The applicant came back after the two years and there was a five-year extension granted. The attraction has run for seven years successfully without complaint.

Mr. Charney asked Mr. Reynolds how the County would deal with an issue if one should arise in the future if the time limitation were to be eliminated. Mr. Reynolds stated the County Inspector could be sent out to see if the applicant complied with the conditions because the only condition that has been requested for amendment is the removal of the time limitation; there can be no alcohol served and the activities have been limited to Thursday through Saturday night.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **APPROVE** the **Amendment** to a condition of a previous approval (permitting a Holiday Attraction in an AG district) to eliminate to 5 year time limitation. The Board has found that there have been no repercussions by allowing this activity, and the applicant has been in full compliance in years past. All other conditions of the previous approval will apply; for the following property:

W 1/2 SW SW SEC 7-21-13, E 1/2 SW SW SEC 7-21-13, OF TULSA COUNTY, OKLAHOMA

2400—Stephen Schuller

Action Requested:

Special Exception to permit a Bed and Breakfast Inn and accessory uses (Use Unit 2) in an AG district. **LOCATION:** 14901 South Lewis Avenue

Presentation:

Case was withdrawn.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No action necessary; for the following property:

S/2 NW/4 SW/4 SW/4 and South 200 feet NW/4 NW/4 SW/4 SW/4 SEC 17 17 13, OF TULSA COUNTY, OKLAHOMA

2401—Smalygo Properties, Inc.

Action Requested:

Variance of sideyard setback from 35 ft. to 20 ft. (Section 430). **LOCATION:**
14942 North 58th Avenue East

Presentation:

Case was withdrawn.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No action necessary; for the following property:

LOT 1 BLOCK 1, OVERLAND PARK II, OF TULSA COUNTY, OKLAHOMA

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Mr. Charney called for the applicant to Case No. 2399 to come forward for presentation.

Case No. 2399—Patricia Evans

Action Requested:

Special Exception to permit a home occupation (beauty salon) in an RS district (Section 420.1) and a Variance to permit a sign for the home occupation (Section 440.B.2). **LOCATION:** 1703 East 56th Street North

Presentation:

The applicant still was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Cuthbertson stated that the applicant was made aware of the hearing today, and they are not here. The Board has two options for this case; if they think they have

enough information to render an appropriate decision today they can do so. Or, if the Board wants to speak with the applicant, they can move this case to the next agenda.

Mr. Osborne stated that he would like to discuss this case with the applicant and would like to see the case moved to the next agenda. Mr. Walker stated that at this point he would be inclined to vote for a denial if the case is not moved to the next agenda.

Board Action:

On **MOTION** of **WALKER**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **CONTINUE** the request for a **Special Exception** to permit a home occupation (beauty salon) in an RS district (Section 420.1) and a Variance to permit a sign for the home occupation (Section 440.B.2) to the next County Board of Adjustment hearing on July 19, 2011; for the following property:

W220 S990 SW SE LESS W30 & S50 THEREOF FOR RD SEC 6 20 13, OF TULSA COUNTY, OKLAHOMA

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NEW BUSINESS:

None.

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OTHER BUSINESS:

None.

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BOARD COMMENTS:

None.

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There being no further business, the meeting adjourned at 1:40 p.m.

Mr. Charney officially re-opened the meeting at 1:41 p.m. to discuss Case No. 2399. After the official closing of the meeting it was discovered there are no applications to be heard by the County Board of Adjustment for the month of July, 2011. For efficiency of Government and this Board, it would be prudent to continue the hearing of Case No. 2399 for 60 days, to August 16, 2011 County Board of Adjustment hearing.

Case No. 2399—Patricia Evans

Action Requested:

Special Exception to permit a home occupation (beauty salon) in an RS district (Section 420.1) and a Variance to permit a sign for the home occupation (Section 440.B.2). **LOCATION:** 1703 East 56th Street North

Presentation:

The applicant still was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **OSBORNE**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker “aye”; no “nays”; no “abstentions”) to **CONTINUE** the request for a Special Exception to permit a home occupation (beauty salon) in an RS district (Section 420.1) and a Variance to permit a sign for the home occupation (Section 440.B.2) to the County Board of Adjustment hearing on August 16, 2011; for the following property:

W220 S990 SW SE LESS W30 & S50 THEREOF FOR RD SEC 6 20 13, OF TULSA COUNTY, OKLAHOMA

There being no further business, the meeting adjourned at 1:43 p.m.

Date approved: Aug 16, 2011
Robert L Walker

Chair