

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 395
Tuesday, April 16, 2013, 1:30 p.m.
Williams Tower I
First Floor Conference Room
1 West 3rd Street

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Chair	Osborne, Secretary	Miller	West, Co. Inspector
Dillard	Walker, Vice Chair	Bates	
Draper		Sparger	

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 11th day of April, 2013 at 11:37 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.

MINUTES

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Charney, Dillard, Draper "aye"; no "nays"; no "abstentions"; Osborne, Walker "absent") to **APPROVE** the Minutes of March 19, 2013 (No. 394).

Mr. Charney explained to the applicants that there were only three board members present at this meeting, and if an applicant would like to postpone his or her hearing until the next meeting he or she could do so. If the applicant wanted to proceed with the hearing today it would be necessary for him to receive an affirmative vote from all three board members to constitute a majority and if one board member voted no today the application would be denied. Mr. Charney asked the applicants if they understood and asked the applicants what they would like to do. The applicants nodded affirmatively that they understood Mr. Charney, and no one asked to be continued to the next meeting.

UNFINISHED BUSINESS

NEW APPLICATIONS

Case No. 2461—Lesley Clouse

Action Requested:

Variance to allow a detached accessory structure in an RS District to exceed 750 square feet (Section 240.2.E) and be built at 1,200 square feet. **Location:** 12640 East 131st Street South

Presentation:

Lesley Clouse, 12640 East 131st Street, Tulsa, OK; stated that he wants to replace a smaller building that has been razed with a little larger building for the storage of his lawn equipment, gardening equipment and vehicles.

Mr. Charney asked Mr. Clouse if he was going to use the building as a business or any type of commercial use. Mr. Clouse stated that the building was for his personal use and nothing more.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Charney, Dillard, Draper “aye”; no “nays”; no “abstentions”; Osborne, Walker “absent”) to **APPROVE** the request for a Variance to allow a detached accessory structure in an RS District to exceed 750 square feet (Section 240.2.E) and be built at 1,200 square feet. The lot size is larger enough to accommodate to requested building size, and it is conducive to the surrounding neighborhood; for the following property:

**N312 W200 E1095 N595 N/2 LESS N25 and S25 FOR RD SEC 8 17 14 1.201ACS,
OF TULSA COUNTY, STATE OF OKLAHOMA**

Case No. 2462—Joshua B. and Pamela J. Watson

Action Requested:

Variance of required 25 foot building setback in an RS District (Section 430, Table 3) to 22.7 feet. **Location:** 1116 South 222nd West Avenue

Presentation:

Joshua Watson, 5429 North Highway 97, Sand Springs, OK; stated that he had built a home on top of the building line and now he needs a little over two foot variance. The owner has two property pins and there is a curvature in the road, and he didn't account for the curve in the road. Also, the home had to be set as far forward as possible because there is a 150 foot tower in the back yard.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-0 (Charney, Dillard, Draper "aye"; no "nays"; no "abstentions"; Osborne, Walker "absent") to **APPROVE** the request for a Variance of required 25 foot building setback in an RS District (Section 430, Table 3) to 22.7 feet. The hardship being the structure of the rear yard coupled with the curvature of the road. The home does not present a detriment to the neighborhood or public welfare; for the following property:

LT 5 BLK 1, CANDLESTICK BEACH THIRD ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA

Case No. 2463—Jeremy Richardson

Action Requested:

Variance of the width requirement in an AG district of 150 feet (Section 300, Table 3) to 74.09 feet to allow a Lot-Split. **Location:** 10702 East 131st Street South

Presentation:

J. R. Donelson, 12820 South Memorial Drive, Suite 100, Bixby, OK; stated he is representing Jeremy Richardson. Mr. Richardson purchased approximately 20 acres south of 131st Street between Mingo and Garnett. There is an area on the property that is favorable for building a single family residence and it has been discussed with Mr. Terry West, The house is proposed for the proposed placement on the lot to keep it out of the Haikey Creek flood plain. The applicant would like to install a driveway for the house. The house will be placed approximately 900 feet south of 131st Street South thus allowing him to apply for a lot-split. If he is approved for the lot-split it will leave 16

acres for agricultural purposes. The lot will be approximately 74 feet in width with a 30 foot driveway.

Mr. Charney wanted the applicant to know that the Board does not want to see this lot become a sub-division that isn't truly sub-divided. Mr. Donelson stated the owner does understand and the proposed site for the house is the only building site that is available on this lot.

Mr. Charney asked Mr. Donelson why there is a need to split the lot especially if there is land that is out of the flood plain, and that area will be built on. Is there a transfer of ownership involved? Mr. Donelson stated that at this time there is no transfer of ownership. Mr. Richardson has stated that in the event that there are property owners adjacent to, or individuals that would want to purchase a portion of this land for cattle or horses the lot-split would allow him the opportunity to sale. There will only be one residence with one building permit for this property.

Mr. West stated that he spoke to the present property owner, Mr. Richardson, and with the proposed 30 foot driveway through a regulatory flood plain, it will be necessary to obtain a H & H Report from engineers. Mr. Donelson stated that Mr. Richardson understands that he must have that report. Mr. Donelson stated that Tulsa County is going to install a culvert pipe along 131st Street for the Richardson's, and there will be grading done from there.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-0 (Charney, Dillard, Draper "aye"; no "nays"; no "abstentions"; Osborne, Walker "absent") to **APPROVE** the request for a **Variance** of the width requirement in an AG district of 150 feet (Section 300, Table 3) to 74.09 feet to allow a Lot-Split. The hardship is the unusual configuration of the land coupled with the existence of the floor plain on the land. This piece of property will not receive another lot-split for residential purposes; for the following property:

BEG 675.8E NWC NW NE TH SLY ALG CL CREEK TO SL NW NE TH E TO SECR NW NE TH N TO NL NW NE TH W TO POB SEC 7 17 14 18.327ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

NEW BUSINESS

None.

OTHER BUSINESS

None.

BOARD COMMENTS

None.

There being no further business, the meeting adjourned at 1:50 p.m.

Date approved:

David E. Chorney, Chair
5/21/13

Chair