

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 536
Tuesday, October 15, 1:30 p.m.
Williams Tower 1
1 West 3rd Street, St. Francis Room

Members Present

Charney, Chair
Hutchinson, V. Chair
Hicks
Houston
Tisdale

Members Absent

Staff Present

S. Tauber
J. Hoyt
C. Pate

Others Present

Edinborough

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, October 8, 2024, at 10:23 a.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

Mr. Hoyt read the rules and regulations.

After declaring a quorum present, Chairperson Charney called the meeting to order at 1:30 p.m.

On **MOTION** of **TISDALE**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions", and no "absences") to **APPROVE** the Minutes of September 17, 2024 (Meeting No. 535).

UNFINISHED BUSINESS

CBOA 3204 - Gary Stringfellow

Action Requested:

Use Variance to allow Use Unit 13 - Convenience Goods and Services in an RS district to permit a commercial ice and water machine (Section 1213) **Location:** 10831 E 138th St N

Presentation:

The applicant was not present.

Interested Parties:

None.

CBOA 3207 - CJ & Kristi Wiseley

Action Requested:

Variance of the street frontage from 30' to 0' in an AG district (Section 207) and a Variance of the lot and land area per dwelling unit in an AG district (Section 330) to permit a lot split. **Location:** 2212 W 91st St S

Presentation:

Nathan Cross, 2 West 2nd Street, Suite 600, Tulsa, OK, 74103, stated that he was there to represent CJ and Kristi Wiseley on the actions requested. The continuance was because they did not have a drawing from a surveyor with sufficient detail, but it was submitted for the agenda packet. The parents own the lot and want to split the lot so their children can build a house. West 92nd Street dead ends at this property. The issue is dividing the lot so there was street access for both lots. The lot is smaller than what would be allowed by right. They are also trying to work around the mature trees and outbuildings that go with the existing house. Until the lot split is completed, there can be no mutual access granted because under Oklahoma Law you cannot grant an easement to yourself.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Charney stated that he could support this request.

Board Action:

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions", and no "absences") to **APPROVE** Variance of the street frontage from 30' to 0' in an AG district (Section 207) under the following conditions that this lot is divided per the survey and the commitment from the applicant that a mutual access agreement would be made and filed with the County. The hardship was stated to be the that the applicant is trying to save mature trees.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions", and no "absences") to **APPROVE** the Variance of the lot and land area per dwelling unit in an AG district (Section 330) to

NEW APPLICATIONS

CBOA 3212 - Kolbey Pruitt

Action Requested:

Use Variance to allow overnight camping for recreational vehicles (Use Unit 17) in the AG district (Section 310), a Variance from the all-weather parking surface requirement (Section 1340.D) and a Special Exception to permit a fence to exceed 4 ft in height in the front yard setback (Section 240.2). **Location:** 16871 W Wekiwa Rd

Presentation:

Kolbey Pruitt, 19865 West Hickory Drive, Tulsa, Oklahoma 74066, stated that they wanted to open an overnight campground for recreational vehicles. There was an old mobile home that needed to be demolished, but no one has lived on the property for over two years.

Jeff Pruitt, 1817 South Lj Drive, Agra, Oklahoma, 74824 stated that he was Kolbey's father, and they own the property together. The property is on an aerobic system. The number of spaces for RV's will be limited because of the trees that are there.

Mr. Charney stated that there were several things such as the septic system, the numbers of RV's, how they are configured, ingress and egress, are all things that the Board cares about. What you provided the Board was a very intense use of that tract.

Mr. Hutchinson asked if there was going to be an office and security on site, what areas were going to be gravel and if they have ever owned anything like this for recreational vehicles. He also asked Mr. Hoyt if this would normally be rezoned.

Mr. Pruitt stated that there was going to be a security gate, they would like where the RVs are parked would be concrete, but the rest would be gravel, and he currently owned a small RV park close to Cushing, Oklahoma.

Mr. Hoyt stated that typically this would need to be rezoned but given the Comprehensive Plan it would be highly unlikely. It is zoned as Residential and part of the Sand Springs/Tulsa Comprehensive Plan and this is the only other option as opposed to rezoning which is not likely. This would typically require some sort of Commercial Zoning.

Mr. Charney asked if there was a platting requirement that this would trigger if this was granted. He was curious at what point there would be a storm water review.

Mr. Hoyt was not aware of any or what that would be.

Angela Hornelen, 218 West Apache, Norman, Oklahoma 73069, and they own 16919 Wekiwa Road, Sand Springs, Oklahoma 74063 stated their property is directly to the west of the proposed RV park. The drainage ditch is an issue because it is clogged up and they get flooding on their property. It needs to be cleaned out and maintained. They would like for the trees to remain to shield the generator noise and light pollution, and they would like them to build a fence as well to help with that issue. They would also like them to use dark skies lighting. Those are her requests if this proposed use is approved.

Nicole McCalip, P.O. Box 1615, Sand Springs, Oklahoma 74063 stated that her main concern was the safety of her children. She turned over 135 signatures from the neighborhood as well as members of the church. She was opposed to this request.

Shanna Underwood, 16910 West Wekiwa Road, Sand Springs, Oklahoma 74063 stated that this proposal would highly affect her neighbors and her and her husband. This is a nice quite country living area. There are only single-family dwellings on each property. There will be more traffic, and the road is not equipped to handle more traffic. She was opposed to this request.

Jeremie Cole, 1345 South Cedarton, Sand Springs, Oklahoma 74020 stated that one of his largest concerns is that where he lives is an RV park with about 50 RVs. They do use the aerobic system and now they smell sewer all the time. The fence is 10 to 12 feet tall, but does not stop any sound or light pollution, nor does it stop any crime. Living next to it is a nightmare. He was opposed to this request.

Bruce Hardy, 17496 West Wekiwa Road, Sand Springs, Oklahoma 74063 stated that he had sent in a letter that had been presented to the Board. His family had lived on their land since 1945, and they strongly opposed the RV park. They used to own a nursery and have since reforested their own property. His main concerns are the flooding contamination, the safety of the ingress and egress of the roads.

Sharla Owen, 385 Chickasaw Road, Sand Springs, Oklahoma 74063 stated that she was born and raised on Wekiwa Road but does not live there now. She started a petition online and received 330 signatures in opposition to this request because she is concerned about the Bald Eagle nesting area that is established along the Arkansas River on the back of these families' properties. 260 of the names on the list are from the local area and the rest are from around the world. She submitted the list to the Board.

Sherri Barrett, 16870 West Wekiwa Road, Sand Springs, Oklahoma 74063 stated that she lived directly across the road from this proposed RV park site. She agreed with everyone that had spoken before her. She called the three RV parks that are down the road all have available spaces. She opposed this request.

and a Special Exception to permit a fence to exceed 4 ft in height in the front yard setback (Section 240.2), finding that no hardship had been proven.

**BEG 873.55S NWC SE TH NE609.88 S414.58 W611.15 N429.30 POB SEC 6 19 11
5.891ACS**

N 240' S 720' W 469.03' E 1130.03' N 1/2 SE SEC. 1-21-13

Mr. Tisdale left the meeting at 2:56 pm.

CBOA 3216 - Caron Escobar

Action Requested:

Special Exception to permit a manufactured home (Use Unit 9) in the RE district (Section 410). **Location:** 21921 W 42nd St S

Presentation:

Caron Escobar, 3907 South 177th West Avenue, Sand Springs, Oklahoma, 74063, stated that she wanted to put a singlewide mobile home to replace the one that was on the property. There is already septic, water, and electricity in the same place that she wants to put the new home. She was aware of the Tulsa County requirements to do with tie downs, skirting, and hard surface parking.

Interested Parties:

No interested parties were present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HICKS**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Hutchinson, all "ayes"; no "nays"; no "abstentions", and Tisdale "absent") to **APPROVE** a Special Exception to permit a manufactured home (Use Unit 9) in the RE district (Section 410) subject to the conditions of tie downs, skirting, hard surface parking and DEQ regulations and requirements being met.

The Board finds that the requested Special Exception 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 following property:

LT 5 BLK 1, OAK FOREST, Tulsa County, State of Oklahoma

CBOA 3218 - John Roach

Action Requested:

Use Variance to allow Use Unit 19 to permit a sports training facility in an AG district (Sec. 310). **Location:** 5525 E 181st St S

Presentation:

John Roach, 5521 East 181st Street, Bixby, Oklahoma, 74008, stated that he wants to put a sports training facility on his property for youth performance training. There will not be more than five cars at a time at the facility. It will not be open to the public.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Edinborough stated that there would need to be a new Certificate of Occupancy.

Mr. Charney stated that he could support this request.

Board Action:

On **MOTION** of **HOUSTON**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Hutchinson, all "ayes"; no "nays"; no "abstentions", and Tisdale "absent") to **APPROVE** a Use Variance to allow Use Unit 19 to permit a sports training facility in an AG district (Sec. 310), finding the hardship to be that the building exist currently with some workouts going on.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

W230 S947 E330 S1320 SW SEC 34 17 13 5ACS, COUNTY OF TULSA, STATE OF OKLAHOMA.

OTHER BUSINESS

Review and Approval of 2025 Meeting Schedule.

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

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There being no further business, the meeting was adjourned at 3:25 p.m.

Date approved: _____

11/19/24

David E. Chorney

Chair