

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 27
Friday, November 19, 1982, 9:00 a.m.
Room 119, Administration Building
500 South Denver, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty (in at 9:20) Tyndall Walker Wines	Martin	Gardner Jones Martin	J. Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk on November 17, 1982, at 2:57 p.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Chairman Walker called the meeting to order at 9:03 a.m.

MINUTES:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 3-0-0 (Tyndall, Walker, Wines "aye"; no "nays", no "abstentions"; Alberty, Martin "absent") to approve the Minutes of October 15, 1982 (No. 26).

UNFINISHED BUSINESS:

Case No. 253

Action Requested:

Variance - Section 208 One Single-Family Residence per lot of record - Request to have two single-family dwelling units on a lot of record. This property is located at 21812 W. 47th Street.

Presentation:

Ms. Eva Henley was not present.

Protestants: None.

Comments:

Mr. Jones noted that this case has been continued several times and the applicant has never contacted the Staff to give additional names for notification.

Board Action:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 3-0-0 (Tyndall, Walker, Wines "aye"; no "nays"; no "abstentions"; Alberty, Martin "absent") to DENY the request for Variance (Section 208 - One Single-Family Residence Per Lot of Record) to allow two single-family dwelling units on a lot of record on the following described property:

Lot 3, Block 2, Herrington Acres Addition to the City of Tulsa.

Case No. 226

Action Requested:

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Request for two dwellings on one lot of record.

Variance - Section 330 - Bulk and Area Requirements in the Agriculture District - Request a variance of the bulk and area requirements to permit a lot split. This property is located south of the SE corner of 121st Street and 145 E. Avenue.

Presentation:

The applicant, Mr. Bob Garrison, was not present.

Protestants: None.

Comments:

Mr. Jones advised this item was continued from October 15, 1982, in order to readvertise for the variance of the Bulk and Area Requirements. Notification has been given and everything is in order.

Mr. Gardner advised that the only questionable matter of this case is the second variance. The Board could approve the second variance subject to the Planning Commission approval of a lot split.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to DENY a Variance (Section 208 - One Single-Family Dwelling Unit Per Lot of Record) for two dwellings on one lot of record; and to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District) of the Bulk and Area Requirements to permit a lot split for 2 lots subject to the Planning Commission approving the lot split, on the following described property:

The south 330' of the W/2, W/2, NW/4, of Section 3, T-17-N, R-14-E, Tulsa County, Oklahoma and containing 5 acres more or less.

Case No. 278

Action Requested:

Variance - Section 310 Bulk and Area Requirement in the AG District. Request a variance of the Bulk and Area Requirement to permit a lot split. This property is located West of the SW/c of 209th West Avenue and Coyote Trail.

Presentation:

The applicant, Mr. Mohammad Emani, was not present.

Comments:

Mr. Jones explained that the applicant has applied for a lot split on the subject property and is going to come back to the Board. The application was not received in time to be heard by the Planning Commission and Mr. Jones suggested this case be continued for one month to give the Planning Commission time to hear the lot split application.

Board Action:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 3-0-0 (Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, Martin, "absent") to continue consideration of Case No. 278 until December 17, 1982.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 292

Action Requested:

Variance - Section 330 Bulk and Area Requirements in the Agriculture Districts - Request a variance of the lot width requirement from 200' to 165' and 135' to permit a lot split. This property is located at the Southwest corner of 101st Street and Garnett.

Presentation:

Mrs. Mary Lemmons, 11512 East 69th Street North (Owasso), owns almost five acres and is requesting a lot split in order to move her daughter's trailer onto one-half of the lot. Mrs. Lemmons' son-in-law has lost his job and this move would help the family out. There are other mobile homes in the area. At the present time, this would not be a permanent arrangement. The Planning Commission has approved the lot split.

Mr. Gardner explained that the lot split was approved with a waiver of the frontage. Each lot has at least two acres. Therefore, the mobile home is permitted as a matter of right. The only issue is the frontage of the lots.

Protestants: None.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin "absent") to approve a Variance (Section 330 Bulk and Area Requirements in the Agriculture Districts) of the lot width requirement from 200' to 165' and 135' to permit a lot split, (L15609), on the following described property:

S/2 of SE/4 of SE/4 of NE/4 of Section 35, T-22-N, R-13-E, County of Tulsa, Oklahoma.

NEW APPLICATIONS:

Case No. 283

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to allow a mobile home in an RS district. This property is located at 5673 North Utica Place.

Presentation

Patricia Taylor, 5673 North Utica Place, was present requesting permission to place a mobile home on the subject property for herself and her family to reside.

Protestants: None

Comments:

Chairman Walker advised that six (6) written statements had been submitted reflecting their support of the application (Exhibit A-1).

Mr. Alberty asked if there are other mobile homes in the area and Mrs. Taylor stated that there are two in the immediate area at the present time.

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty,

Case No. 283 (continued)

Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a mobile home in an RS district, subject to Tulsa City County Health Department and subject to the issuance of a building permit, on the following described property:

Lot One, Block One, Carr Addition to Tulsa County, State of Oklahoma.

Case No. 284

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial District - Request to allow automobile and mobile home and recreational vehicle sales in a CS district. The property is located at the SW/c of 101st Street and Garnett.

Presentation:

Chairman Walker read a letter from the Owasso Board of Adjustment stating that the application was recommended for approval with the condition that 50' of right-of-way along Garnett be dedicated to the Public, (Exhibit B-1).

Curtis Cook, 10009 North 112th E. Avenue, was present stating that he would be in agreement to the dedication of the 50' of right-of-way if it became a necessity. Mr. Cook is leasing his property to an individual who is presently using the property for commercial purposes as a resale shop. There will be second hand vehicles, mobile and/or motor home sales and other resale items such as used tires and wheels and water heaters.

Protestants: None.

Comments:

Mr. Gardner advised that the Staff would be concerned that the operation not become a salvage operation. He also advised that if the property is subdivided, the 50' right-of-way will be required to be dedicated to the City. The Staff requested that no outside storage be permitted on the subject tract.

Mr. Walker asked how many vehicles would be on the property for resale and Mr. Cook stated that there would be 3 or 4 mobile or motor homes and 3 used cars at the maximum.

Board Action:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 3-1-0 (Tyndall, Walker, Wines, "aye"; Albery, "nay"; no "abstentions"; Martin, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial District) to allow automobile and mobile home and recreational vehicle sales in a CS district, for a two year time limit, that no outside storage be permitted, and that only operable vehicles be permitted on the subject property for resale purposes, on the following described property:

The East 200' of the East 403' of the South 620' of the N/2 of the NE/4 of the SE/4, Section 18, T-21-N, R-14-E, Tulsa County, Oklahoma.

Case No. 285

Action Requested:

Variance - Section 208 One Single-Family Dwelling Per lot of Record - Request to locate two residences on one lot of record.

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to locate a mobile home in an RS district. This property is located at 6005 West 60th Street.

Case No. 285 (continued)

Presentation:

W. E. Riley, 6005 W. 60th Street, Oakhurst, Oklahoma, 74050, was present and submitted a plat (Exhibit (C-1)). Mr. Riley is proposing to place a mobile home on the subject property and advised that his residence is located on the property also.

Protestants: None.

Board Comments:

Chairman Walker asked if there are other mobile homes in the area and Mr. Riley advised that there are five (5) other mobile homes within 300' of the subject property. Chairman Walker also asked if there were other lots that have two dwellings on them and Mr. Riley answered in the affirmative.

Mr. Alberty asked if the mobile home would be used for rental purposes and the applicant answered in the affirmative. Mr. Alberty also inquired as to the sewer system and Mr. Riley stated that the mobile home would be connected to the existing sewer system.

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin "absent") to approve a Variance (Section 208 - One Single Family Dwelling Per Lot of Record) to locate two residences on one lot of record; and a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to locate a mobile home in an RS District, subject to Tulsa City-County Health Department approval and subject to the issuance of a building permit, on the following described property:

Lots 1, 2, 3, 4, Block 2, New Taneha Addition to the City of Tulsa, County of Tulsa, Oklahoma.

Case No. 286

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to locate mobile homes on three tracts in an RS district. This property is located north of the NE/c of 8th Street and Valley Drive.

Presentation:

Chairman Walker read a letter from the Sand Springs Board of Adjustment (Exhibit D-1). The letter states that the Board arrived at a tie vote to recommend approval which indicates no official recommendation.

Barbara Parks Graham, 901 Valley Drive, Sand Springs, Oklahoma, 74063, was present and submitted two photographs of the proposed two mobile homes to be located on the subject property (Exhibit D-2), a location map showing the residences located on the subject property (Exhibit D-3), and a petition supporting the request with approximately 32 signatures (Exhibit D-4).

Mrs. Graham intends to place her son's single wide mobile home on Lot 12, which is the same lot where a residence is situated and occupied by Mrs. Graham's mother. The proposed double wide mobile home, to be occupied by the applicant, will be placed on Lot 11 and will have a permanent foundation. There are two other residences on Lot 11 and a vacant mobile home which is used for storage. There are two existing septic systems on the property.

Case No. 286 (continued)

Protestants:

Jim McCord, 911 Valley Drive, was present stating that his property adjoins the subject property. There is a large driveway on the subject property which produces a traffic situation and Mr. McCord stated that he objects to the traffic. He also requested that the gas meter be moved because there are two gas meters on the property line.

Board Comments:

Mr. Alberty stated that he did not have an objection to the number of dwelling units on the tract, but was concerned that they be for family and not for rental purposes.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to locate two (2) mobile homes on three tracts in an RS district provided that the use be for family only and should that use of the property terminate, the mobile homes should be removed and that they should not be used for rental purposes, that approval be subject to the County Engineer reviewing the site plan, as to the drainage, on the following described property:

Lots 10, 11 and 12, Block 9, Charles Page Home Acres No. 2, Tulsa County, Oklahoma.

Case No. 287

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request for a garage to be the principal building on a residential lot temporarily.

Variance - Section 240.2 (e) Permitted Yard Obstructions - Request a variance of the maximum footage for a detached accessory building from 750 square feet to 1080 square feet. This property is located at the NE/c of 70th West Avenue and Cameron.

Presentation:

Charlotte Stringer, 6733 West Cameron, Sand Springs, Oklahoma, 74063, was present stating that she has constructed a 1080 square feet garage which she uses for storage of her tractor, motor home, and other personal items on her property. She has a house located on the subject tract but intends to sell that home and build another house in front of the garage in the future.

Protestants:

Calvin Guthridge, 6543 West Cameron, was present and advised the Board of the restrictive covenants in the abstract concerning this particular neighborhood. He stated that he opposed any zoning change which would affect the character of the neighborhood. He advised that the garage structure would not be in harmony with the area because it appears to be a commercial building.

Interested Parties:

Joe Damer, 532 North 72nd West Avenue, was present stating that he is in support of the request because the applicant has improved the property.

Betty Winters, the owner of 6724 West Cameron and 110 North 70th West Avenue, was present stating that she and her husband are supportive of the application since the property has been improved.

Case No. 287 (continued)

Gordon Nicholson, 128 North 70th West Avenue, was present stating that the applicant has made a landfill on the back of the property, improving the drainage, and was therefore in agreement with the request.

Mrs. David Hicks, 6709 West Cameron, was present as an interested party and requested that the integrity of the property be maintained and that the storage building not be used for commercial purposes.

Comments:

Chairman Walker asked the location of the existing house and Mrs. Stringer stated that her house is located on the lot next to the garage on the back of the lot.

Discussion ensued concerning the construction of the garage structure.

Mr. Alberty suggested that the tie contract be executed on the property until the new residential structure is completed on the subject lot.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin "absent") to approve the Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to permit the existing garage structure to be the principal building on a residential lot temporarily; and a Variance (Section 240.2 (e) Permitted Yard Obstructions) of the maximum footage for a detached accessory building from 750 square feet to 1080 square feet, subject to the execution of the tie contract tying the applicant's dwelling to the lot that contains the accessory building, but that this contract might be voided at such time that the residential building is constructed on the lot that contains the accessory building, and that the use is only for storage of the applicants personal items and that it not be used for commercial or industrial purposes, on the following described property:

Lot 10, Block 1, Tingley Acres, Tulsa County, Oklahoma.

Case No. 288

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request to locate a mobile home in an RS district. This property is located at 4152 West 54th Street South.

Presentation:

Edith Cowles, 4146 West 54th Street South, was present representing Mary Cowles who is requesting permission to place a mobile home at the subject location on a permanent basis.

Protestants: None

Board Comments:

Chairman Walker asked if there are other mobile homes in the area and Ms. Cowles advised that there are mobile homes south of the subject property on the next block. Chairman Walker asked if the mobile home was on a sewer system and Ms. Cowles stated that the mobile home is on a septic tank system.

Case No. 288 (continued)

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a mobile home in an RS District, subject to Tulsa City-County Health Department approval, and subject to the issuance of a building permit, on the following described property:

Lot 7, Block 16, Opportunity Heights Addition, Tulsa County, Oklahoma.

Case No. 289

Action Requested:

Variance - Section 208 One Single-family Dwelling Per Lot of Record - Request to place two dwelling units (mobile homes) on one lot of record. This property is located at 2625 East 161st Street South.

Presentation:

Ernest Forister, 2625 East 161st Street South, was present requesting permission to place a mobile home on a lot that presently has one mobile home at that location. The subject tract contains 6.7 acres and Mr. Forister's son and family intend to place the additional mobile home on the property because of economic reasons.

Protestants: None.

Board Action:

On MOTION of WINES and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin "absent") to approve a Variance (Section 208 - One Single-family Dwelling Per Lot of Record) to place two (2) dwelling units (mobile homes) on one lot of record, subject to Tulsa City-County Health Department approval and subject to the issuance of a building permit, on the following described property:

A tract of land lying in the W/2, SE/4, SW/4, Section 20, T-17-N, R-13-E, Tulsa, County, Oklahoma, being more particularly described as follows: Beginning at a point 220.17 feet East of the SW/corner of said SE/4, SW/4. Thence N 0°05'29" West a distance of 1326.16 feet, Thence N 89°00'22"E a distance of 220.0 feet, Thence S 0°05'29"E a distance of 1326.29 feet, Thence West a distance of 220.0 feet to the point of beginning containing 6.70 acres more or less.

Case No. 290

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to allow a duplex in an RS district. This property is located North of the NW corner of 65th West Avenue and North Sand Springs Road.

Presentation:

Kenneth Schrader, 6527 W. 3rd Street, was present and submitted a plot plan (Exhibit E-1), and a petition in support of the application signed by approximately 10 property owners in the subject area (Exhibit E-2). Mr. Schrader is proposing to construct a duplex on the property and intends to live in one half of the structure and use the other half for rental purposes.

Case No. 290 (continued)

Protestants: None

Board Action:

On MOTION of TYNDALL and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a duplex in an RS district, subject to the plot plan as submitted, on the following described property:

Part of the S/2 of the NW/4 of Section 5, T-19-N, R-12-E of the Indian Base and Meridan, Tulsa County, Oklahoma, more particularly described as follows, to-wit: Beginning 217.5 feet South of the Northwest Corner of the S/2 of the NW/4; thence North 217.5'; thence East 237.7 feet to the Road Right-of-Way; thence South and West along Right of Way of said County Road to the point of beginning and containing 0.86 acre more or less, Tulsa County Oklahoma, according to the U.S. Government survey thereof.

Case No. 291

Action Requested:

Special Exception - 410 Principal Uses Permitted in the Residential District - Request for a childrens nursery in an RMH district. This property is located at 6230 North Gillette.

Presentation:

Susan Pepper, 1709 South 124th East Avenue, was present requesting permission to operate a childrens day care center in North Tulsa. She advised that she has talked with the State Licensing Department and was advised that the subject area is in need of a day care facility. The Fire Department and Health Department have inspected and approved the proposed building with minor improvements to be made.

Protestants: None.

Board Comments:

Chairman Walker asked how many children would be enrolled in the day care center and Ms. Pepper advised that she would have no more than 25 children enrolled.

Board Action:

On MOTION of ALBERTY and SECOND by WINES, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines "aye"; no "nays"; no "abstentions"; Martin "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) for a childrens nursery in an RMH District, subject to approval of the State Licensing Department and Health Department, on the following described property:

Part of Block 2, Ashley Valley Mobile Village, Tulsa County, Oklahoma.

Case No. 293

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to locate two dwellings on one lot of record. This property is located at 9400 North Harvard Avenue.

Presentation:

John Macario, 9400 North Harvard Avenue, was present stating that he owns a 10 acre tract and he is preparing to build a second dwelling on the back 5 acres. Mr. Macario's son will live in the second dwelling, if approved by the Board. The applicant wishes to retain the property under one ownership rather than split the land at this time.

Case No. 293 (continued)

Protestants: None.

Board Comments:

Mr. Alberty asked the applicant if he would site the building in a location so that dedication of a road way would be possible if needed and Mr. Macario answered in the affirmative.

Board Action:

On MOTION of WINES and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to locate two dwellings on one lot of record, on the following described property:

N/2, N/2, SE/4, NE/4 of Section 20. T-21-N, R-13-E, Tulsa County, Oklahoma.

Case No. 294

Action Requested:

Special Exception - Section 310 Principal Uses Permitted in the Agriculture Districts - Request to locate a mobile home in an AG-R District. This property is located at 13321 North 91st East Avenue.

Presentation:

Neil York, 301 South 22nd Street, Collinsville, Oklahoma, was present requesting permission to place a mobile home on a vacant lot which was platted in 1972. Mr. York advised that there are approximately 33 other mobile homes in this area.

Protestants: None.

Board Comments:

Chairman Walker asked if there was a septic system on the property for the mobile home and Mr. York answered in the affirmative.

Mr. Gardner inquired as to the drainage on the property and Mr. York assured the Board that the home would be placed on the high ground.

Board Action:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts) to locate a mobile home in an AG-R District, subject to approval by Tulsa City-County Health Department, and subject to the issuance of a building permit, on the following described property:

The West 616.94 feet of the East 1948.32 feet of the South 197.80 feet of the North 1345.60 feet of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-six (36), Township Twenty-two North (22N), Range Thirteen East (13E), Tulsa County, State of Oklahoma according to the U. S. Government Survey thereof, Subject to a roadway easement on the West 30 feet thereof and subject to a 10-foot water line easement on the East 10 feet of the West 40 feet thereof. Subject to a 10-foot utility easement on the East 10 feet thereof, County of Tulsa, Oklahoma.

Case No. 295

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request to locate a mobile home in an RS district.

Variance - Section 440.6 (a) Use Conditions - Request a variance of the one year time limit to an indefinite period of time. This property is located at 4424 West 55th Place.

Presentation:

Doly Pentz, 4424 W. 55th Place, was present requesting permission to locate her mobile home at the subject property for an indefinite period of time. She advised that the Board approved it previously for a two year period with a removal bond required.

Protestants: None.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "abstentions"; Martion "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a mobile home in an RS district; and a Variance (Section 440.6 (a) Use Conditions) of the one year time limit to an indefinite period of time and to allow the release of the removal bond, on the following described property:

Lot 10, Block 5, Opportunity Heights Addition to Tulsa County, Oklahoma.

Case No. 296

Action Requested:

Variance - Section 208 One Single-family Dwelling Per Lot of Record - Request to locate two dwellings on one lot. This property is located at 11402 South 193rd East Avenue.

Presentation:

Chairman Walker read a letter from the Broken Arrow Board of Adjustment recommending denial of the referral case and suggested a lot split be applied for (Exhibit F-1). A petition in support of the request was attached to the letter with 12 property owner's signatures.

Jeanette Forbes, 11402 South 193rd East Avenue, Broken Arrow, was present requesting permission to place a mobile home on a lot that has an existing house. The mobile home, which will be used for her son, will not be a permanent residence.

Protestants:

George W. Easley, Jr., P. O. Box C, Broken Arrow, Oklahoma, was present and inquired as to the lot size required if a private water and sewer system are on one lot. He also advised that there are very few mobile homes in the surrounding area and felt that the proposed mobile home would not be in keeping with the general character of the neighborhood.

Discussion:

Discussion ensued concerning the lot size needed for a private water and sewer system. The septic tank system was also discussed.

Board Action:

On MOTION of ALBERTY and SECOND by WINES, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to locate two dwellings on one lot of record for a period of two years, subject to Tulsa City-County Health Department approval of the septic tank system, and subject to the issuance of a building permit, on the following described property:

The East 563' of the S 325' of the NE/4 of the NE/4, Section 36, T-18-N, R-14-E, less the N 25' for Road, County of Tulsa, Oklahoma.

Case No. 297

Action Requested:

Variance - Section 208 One Single-Family Dwelling Per lot of Record - Request for two dwellings on one lot of record. This property is located at 1804 East 106 Street.

Presentation:

Johnny Clark, P. O. Box 150, Sperry, Oklahoma 74073, was present requesting permission to locate a mobile home on the subject property, which belongs to his mother-in-law. The subject property is 5 acres in size and the mobile home would be located at the far end of the tract behind the existing residence.

Case No. 297 (continued)

Protestants: None.

Board Comments:

Chairman Walker asked if there are other mobile homes in the area and Mr Clark answered in the affirmative. Chairman Walker also inquired as to the requested time frame of the mobile home and Mr. Clark advised that it would be a permanent residence.

Board Action:

On MOTION of ALBERTY and SECOND by WINES, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) for two dwellings on one lot of record, subject to Tulsa City-County Health Department approval and subject to the issuance of a building permit, on the following described property:

E/2, W/2, E/2, NW/4, NE/4, Section 18, T-21-N, R-13-E; County of Tulsa, Oklahoma.

Case No. 298

Action Requested:

Variance - Section 330 Bulk and Area Requirements in the AG District - Request a variance of the Bulk and Area Requirements in an AG district to permit a lot split. This property is located North of the NE/c of 51st and 163rd West Avenue.

Presentation:

Sandra Harden, Rt. 3, Box 158-R, Sand Springs, Oklahoma, was present requesting that the lot be split to allow three lots, each containing 1.6 acres. The subject tract presently contains 4.8 acres. Mrs. Harden was advised that the lot split was granted by the TMAPC in 1978 but the deed was never stamped.

Protestants: None

Comments:

Ricky Jones stated that he had been advised that the Sand Springs Board of Adjustment approved the application but has not received a written statement to that affect.

Board Action:

On MOTION of ALBERTY and SECOND by TYNDALL, the Board voted 4-0-0 (Alberty, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Martin, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the AG District) of the Bulk and Area Requirements in an AG district to permit a lot split on the following described property:

A Tract of land located in the E/2 SE/4 Section 30, T-19-N, R-11-E of the Indian Base and Meridian, in Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows, to-wit:

BEGINNING at a point in the East line, said point being 990 feet North of the Southeast corner of said SE/4; thence West and

Case No. 298 (continued)

parallel to the South line of said SE/4, a distance of 635 feet to a point; thence South and parallel to the East line of said SE/4, a distance of 330 feet to a point; thence East and parallel to the South line of said SE/4, a distance of 635 feet to a point in the East line of said SE/4; thence North along the East line of said SE/4 a distance of 330 feet to the point and place of beginning.

Case No. 304

Action Requested:

Special Exception - Section 310 Principal Uses Permitted in the Agriculture District - Request for a water them park, accessory uses will include Administration office, snack bar, maintenance building, arcade and gift shop. This property is located at the NE/c of 21st Street and Yale Avenue.

Presentation:

The applicant, Howard Eichenbaum, was not present.

Chairman Walker read a letter from Melvin Rice, Chairman to the Board of County Commissioners, requesting that the case be continued for at least one month during which time Tulsa County, owners of the real estate, may file a substitute application (Exhibit G-1).

Protestants:

Eugene Colleoni, District #4, Chairman to the Greater Tulsa Council, was present stating that the protestants are in support of the continuance and requested that the case be continued to the January 21, 1983 meeting. He also requested the Staff to place a notice in the newspaper to allow for proper advertising in the subject area.

Louise McKay, 1752 South Fulton, was present stating that many of the property owners within 300' of the subject property did not receive notice of the application.

Pryor Price, a merchant in the immediate area, requested that the case be continued to the January 21, 1983 meeting.

Staff Comments:

Ricky Jones advised that notice is given in the legal portion of the newspaper but additional advertisement is not the responsibility of the applicant. If the Staff made an exception for this request, it could set a precedent. The Board members felt that a precedent would be set if this request was granted.

Ricky Jones also advised that it is incumbent upon the applicant to provide the Staff with property owners names within 300' of their property. The Staff sent notice to the names provided by the Assessors Office. He invited the protestants to add additional names to the list including other property owners within 300' from the subject property.

Case No. 304 (continued)

Board Action:

On MOTION of TYNDALL and SECOND by WINES, the Board voted 3-0-0 (Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, Martin, "absent") to continue this item to the January 21, 1983 meeting.

The meeting was adjourned at 11:15 a.m.

Date Approved Jan 21, 1983
Roland L. Walker
Chairman