

TULSA COUNTY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 36  
Friday, July 15, 1983, 9:00 a.m.  
Room 119, Administration Building  
500 South Denver Avenue, Plaza Level  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Martin Tyndall (in at 9:15 a.m.) Walker Wines	Alberty	Gardner Jones Martin	J. Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk on Tuesday, July 12, 1983, at 11:30 a.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 MARTIN and SECOND by WINES, the Board voted 3-0-0 (Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, Tyndall, "absent") to approve the Minutes of June 17 (No. 34) and June 24, 1983 (No. 35).

MINOR VARIANCES AND EXCEPTIONS:

Case No. 370

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record- Request to allow two dwelling (one house and one mobile home) units per lot of record, located at 6405 North 129th East Avenue.

Presentation:

S. A. Friend, 6405 North 129th East Avenue, was present and submitted a plat of survey (Exhibit "A-1"). Mr. Friend proposes to place a mobile home on the subject lot for security reasons. The applicant's son resides in the house located on the property, therefore, there will be two dwellings on a 2 1/2 acre tract.

Protestants: None.

Comments and Questions:

Chairman Walker inquired as to the septic system and Mr. Friend advised there is an existing septic system on the property which will serve both residences.

Discussion ensued concerning a time limit being placed on the approval and the Board decided that a time limit would not be necessary as the property is zoned AG.

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 3-0-0 (Martin, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, Tyndall,

Case No. 370 (continued)

"absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow two dwelling units (one house and one mobile home) per lot of record, subject to Tulsa City-County Health Department approval, on the following described property:

A tract of land lying in the NW/4 of Section 4, Township 20 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, described as follows, to wit: BEGINNING 1,284' South of the Northwest corner of said Section 4; thence East 364.05' to the West Railroad Right-of-Way; thence Southeasterly along the West Railroad Right-of-Way 285'; thence West 420.1'; thence North 280.0' to the Point of Beginning, Owasso, Oklahoma, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof.

Case No. 371

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS District; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to permit two dwelling units on one lot of record (one existing house and one proposed mobile home), located at 756 East 77th Place North.

Presentation:

James Van Winkle, 756 East 77th Place North, was present and requested permission to place a mobile home on the subject property to house his disabled mother-in-law and father-in-law. The mobile home will be located approximately 150' from Mr. Van Winkle's existing residence located on the 2 1/2 acre subject tract. The applicant presented the Board with photographs of other mobile homes in the area and several letters from property owners stating their support of the application.

Protestants: None.

Interested Party:

Frank Crouch, 723 East 77th Place North, stated he was not opposed to the application, but was concerned that approval of the mobile home would set a precedent in the area. Mr. Martin advised if the Board approved this application a precedent would not be set because others in the area desiring to place a mobile home on their lot are required to receive Board of Adjustment approval.

Comments and Questions:

Chairman Walker asked if other mobile homes are located in the immediate area and Mr. Van Winkle answered in the affirmative and advised the closest mobile home is located within 220' of the property.

A time limit was discussed and Mr. Van Winkle requested that the application be granted for an indefinite period. It was later suggested that approval be limited to the occupancy of Mr. Van Winkle's mother-in-law and father-in-law.

Case No. 371 (continued)

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an RS District; and a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to permit two dwelling units on one lot of record (one existing house and one proposed mobile home), subject to limiting the mobile home use to the applicant's mother-in-law and father-in-law, on the following described property:

Lot 3, Block 2, Cedar Hill 2nd Addition to the County of Tulsa, Oklahoma.

UNFINISHED BUSINESS:

Case No. 347

Action Requested:

Review of Case No. 347.

Presentation:

Mr. Jones advised the Building Inspector has requested that this matter be continued to the August 19, 1983 meeting.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, "absent") to continue the review of Case No. 347 to the August 19, 1983 meeting.

Case No. 369

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS District, located at 6462 North Wheeling Avenue.

Presentation:

Richard Cleverdon, 202 West 8th Street, attorney representing Bobby Joe King, submitted a petition in support of the application bearing 6 signatures (Exhibit "B-1") and photographs indicating the surrounding sites (Exhibit "B-2"). Mr. King purchased the subject property in October 1981, with the intention of constructing a single-family dwelling on the lot. Mr. King still plans to construct the residence, but because of financial difficulty will be unable to build the house for approximately 2 years. Mr. Cleverdon advised the applicant is requesting permission to locate a mobile home on the property until such time a residence is constructed.

The mobile home has been placed on the property because the applicant was not aware that Board of Adjustment approval was necessary until

Case No. 369 (continued)

he attempted to obtain a building permit. The mobile home has not been connected to the sanitary sewer system at this time. Because the sanitary sewer was placed at an unusual location the applicant has the choice of connecting onto the sanitary sewer of the immediate south neighbor, Ms. Peavy, which would require additional granting of an easement or to go further south to the sanitary sewer easement connection.

Protestants or Interested Parties:

Phillip Stewart, 6446 North Victor, stated he lives just west of the subject property and is opposed to the application because the subject area is platted for houses only. If the application is approved it would decrease property values by allowing mobile homes in the subdivision.

Ralph Turley, 6425 North Victor, stated the restrictive covenants prohibit mobile homes from being placed in the subject area. He, too, was fearful that property values would decrease if the application is approved.

Irene Peavy, 6448 North Wheeling, expressed her concern about the subject matter. She advised she had talked with the City Engineer concerning the easement and was informed that 2' of her property would be required for the dedicated easement. She was later informed by letter that a 7' x 15' strip of land would be required. She expressed her concern and fear that a portion of her land would be taken without her knowledge.

Applicant's Rebuttal:

Mr. Cleverdon apologized to Ms. Peavy for any inconvenience caused or any misunderstanding. He advised Finley Engineering would conduct the easement survey which would be subject to approval by the County Engineer. He also stated the engineer would not proceed with the easement without Ms. Peavy's consent.

Mr. Cleverdon advised the applicant is suffering a hardship as he and his wife are living with his parents and do not have adequate housing at present. The applicant intends to construct a good quality single-family dwelling within a two-year period.

Discussion:

Discussion ensued concerning the time period as requested. Chairman Walker stated he understood the impact of mobile homes in the neighborhood and was both sympathetic with the neighborhood and the applicant. He advised he would be supportive of a one-year temporary approval with the condition that the proposed residence is underway. If at the end of one year the applicant has not begun construction the approval would expire and the mobile home would be removed at that time.

Board Action:

On MOTION of MARTIN and SECOND by TYNDALL, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Alberty, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home

Case No. 369 (continued)

in an RS District, for a one-year period, subject to Tulsa City-County Health Department approval, on the following described property:

Lot 1, Block 3, Stebbins Resubdivision, Tulsa County, Oklahoma.

Case No. 372

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS District, located north of the NE corner of South 61st West Avenue and West 59th Street South.

Presentation:

MeLvin Martin, P. O. Box 151, Oakhurst, Oklahoma, 74050, was present and requested permission to place a mobile home on the subject property. The mobile home which will be located on Lot 11 will be occupied by Mr. Martin's daughter, who can care for her grandmother who lives in a mobile home on Lot 12. There are other mobile homes in the area.

Protestants: None.

Board Action:

On MOTION of MARTIN and SECOND by WINES, the Board voted 4-0-0 (Martin, Tyndall, Walker, Wines, "aye"; no "nays"; no "abstentions"; Albery, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an RS District, subject to Tulsa City-County Health Department approval, on the following described property:

Lot 11, Block 2, New Taneha Addition, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 10:10 a.m.

Date Approved \_\_\_\_\_

  
Chairman