

COUNTY BOARD OF ADJUSTMENT
Meeting No. 62
Tuesday, July 16, 1985, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Alberty Tyndall, Chairman Martin Walker	Wines	Frank Jones Moore	Edwards, Building Inspector

The notice and agenda of said meeting were posted in the Office of the County Clerk, as well as in the Reception Area of the INCOG offices, on Friday, July 12, 1985 at 11:46 a.m.

After declaring a quorum present, Chairman Tyndall called the meeting to order at 1:34 p.m.

MINUTES:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 3-0-0 (Martin, Tyndall, Walker, "aye"; no "nays": no "abstentions"; Alberty, Wines, "absent") to APPROVE the Minutes of June 18, 1985 (No. 61).

UNFINISHED BUSINESS

Case No. 562

Action Requested:

Special Exception - Section 320 - Accessory Uses in Agriculture Districts - Use Unit 1206 - Request an exception to allow a home occupation to sell automobiles in an AG zoned district.

Variance - Section 440.6 - Special Exception Uses in Residential Districts - Request a variance to allow a sign, an employee other than a family member, and to conduct the business outside of the principal building.

Variance - Section 1340 - Design Standards for Off-Street Parking Area - Request a variance to allow gravel in lieu of an all-weather parking surface, located 3/8 mile east of NE/c Lewis and 151st Street.

Presentation:

The applicant, Kevin Simmons, Route 2, Box 76, Bixby, Oklahoma, informed the Board that he would like permission to display and sell used cars on his property which is located on 151st Street between Bixby and Highway 75. Mr. Simmons stated that he intends to gravel the parking area and set up a portable building on a lot 150' by 150'.

Case No. 562 (continued)

Comments and Questions:

Mr. Walker asked how large the sign for the car lot would be and Mr. Simmons informed that the State has a required sign size for car lots which is approximately 3' by 5'.

Mr. Walker asked the applicant to address the hardship that would justify the granting of the variance. Mr. Simmons replied that he owns the property in question and that he does not have the capital to invest in a car lot at another location. He stated that the neighbors do not object to car sales in the area.

Mr. Simmons stated that Code Enforcement had checked the subject property and asked him to curtail the sales operation until approval for a car lot had been obtained. The applicant informed that at the time of inspection 5 cars were displayed on the lot.

Mr. Martin stated that the purpose of the Board is to protect areas of development in order that they will not be a problem in the future.

Mr. Jones informed that the Comprehensive Plan designates the subject tract as low intensity residential and the commercial zoning would not be in accordance with the land use proposed for the area. He further stated that the north portion of the tract is in a flowway which would not permit any type of construction. Mr. Jones informed that Staff is concerned that since the land is on a state highway, the granting of these types of uses would result in commercial stripping. He stated that there are commercial uses designated on the nodes of the major arterial streets.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Wines, "absent") to **DENY** a **Special Exception** (Section 320 - Accessory Uses in Agriculture Districts - Use Unit 1206) to allow a home occupation to sell automobiles in an AG zoned district; to **DENY** a **Variance** (Section 440.6 - Special Exception Uses in Residential Districts) to allow a sign, an employee other than a family member, and to conduct the business outside of the principal building; and to **DENY** a **Variance** (Section 1340 - Design Standards for Off-Street Parking Area) to allow gravel in lieu of an all-weather parking surface; finding that the applicant failed to demonstrate a hardship that would justify the variances requested; finding that the granting of the special exception would not be in harmony with the neighborhood and would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

SW/4, S/2, E/2, E/2, SW/4 of Section 17, T-17-N, R-13-E, 3/8 mile east of NE/c of Lewis and 151st Street, Tulsa County, Oklahoma.

Case No. 565

Action Requested:

Variance - Section 207 - Street Frontage Required - Use Unit 1206 - Request a variance of the 30' street frontage to permit a private street and a lot split in an AG zoned district.

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Request a variance of the 200' lot width to 165', located south of SE/c of 131st Street and Lewis.

Presentation:

The applicant, Henrietta Bruce, was not present.

Comments and Questions:

Mr. Jones stated he has not been able to contact the applicant. Mr. Jones submitted a letter (Exhibit AA- 1) from the City of Jenks recommending denial of the application.

Board Action:

On MOTION of MARTIN and SECOND by WALKER, the Board voted 3-0-0 (Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Wines, "absent") to DENY a Variance (Section 207 - Street Frontage Required - Use Unit 1206) to permit a private street and a lot split in an AG zoned district; and to DENY a Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts) of the 200' lot width to 165'; finding that the applicant was not present at two consecutive Board meetings; on the following described property:

N/2 of the S/2 of the SW/4 of the NW/4, Section 8, T-17-N, R-13-E, Tulsa County, Oklahoma.

Case No. 569

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request an existing mobile home for two years during the construction of a house in an RS zoned district, located at 6462 North Wheeling.

Presentation:

The applicant, Bob King, was represented by Attorney Richard Cleverdon, 202 West 8th Street, Tulsa, Oklahoma, who requested that a mobile home be allowed to remain at the above stated address. Mr. Cleverdon informed that the Kings were previously granted a special exception to park a mobile on the subject tract while constructing a permanent dwelling. He stated that the work on the home has progressed more slowly than anticipated due to a dispute with a neighbor on the utility easements and the destruction of the trailer by a fire. Mr. Cleverdon pointed out that the Kings

Case No. 569 (continued)

are attempting to do most of the construction on the new home without hiring outside help. He stated that there are other mobiles in the area. Photographs were submitted (Exhibit A-1).

Comments and Questions:

Mr. Martin asked when construction was begun on the new home and Mr. Cleverdon stated that the work on the house was started 2 years ago.

Protestants:

Ralph Turley, 6425 North Victor, Tulsa, Oklahoma, informed that the special exception allowing the mobile to be in the subdivision was granted for one year in 1983. He stated that construction on the new house was not started until April or May of this year, which was after the expiration of the time allotted for the mobile. Mr. Turley stated that his fence was torn down during the installation of the sewer and has never been repaired. Mr. Turley pointed out to the Board that there are no mobiles in the subdivision.

Philip Stewart, 6447 North Victor, Tulsa, Oklahoma, stated that he would like to have the holes filled in that were dug during the sewer installation.

Irene Peany, 6448 North Wheeling, Tulsa, Oklahoma, informed the Board that the Kings wanted to lay the sewer 2' in her yard instead of installing it on the easement. She stated the mobile for which the special exception was granted burned after it had been in place for 1 1/2 years and that the one that is located on the property at this time was moved there on May 16, 1985. Ms. Peany said that her fence and yard had been damaged and no repair was made.

Applicant's Rebuttal:

Mr. Cleverdon explained to the Board that the damages done to the neighboring properties would be repaired. He stated that the foundation is poured and the concrete blocks are laid for the new house.

Mr. Martin asked why the construction was spread over such a long period of time and Mr. Cleverdon replied that the sewer is not lined up correctly. He pointed out that the installation was started during the rainy season and the ground was too wet for digging.

Mr. Alberty informed that, in his opinion, the extension would not be justified.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to DENY a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow an existing mobile for two years during the

Case No. 569 (continued)

construction of a house in an RS zoned district; finding that the granting of the special exception would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

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

NEW APPLICATIONS

Case No. 570

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Use Unit 1225 - Request a Variance of the 200' lot width to 172' to permit a lot split in an IM zoned district, located on the SE/c of 21st Street and 49th West Avenue.

Presentation:

The applicant, W. R. Miller, 19802 West Woodlake, Sand Springs, Oklahoma, stated that he obtained a lot split in order to to sell a portion of the 5.6 acres he owns. Mr. Miller informed that he then discovered that the lots were not wide enough and asked the Board to allow a 172' width instead of 200'. TMAPC approved the lot split subject to approval by the Board of Adjustment.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Use Unit 1225) of the 200' lot width to 172' to permit a lot split in an IM zoned district: finding a hardship imposed on the applicant by the shape of the lot; on the following described property:

Beginning at a point 50.0 feet South and 24.75 feet East of the Northwest (NW) corner of Section 16, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County. Said point being on the East Right-of-way line of 49th West Avenue and South Right-of-way line of West 21st Street; thence South 89°53'17" East along said South Right-of-way line of 21st Street a distance of 344.38 feet to a point; thence South 00°10'17" West and parallel to the East Right-of-way line of said 49th West Avenue a distance of 705.4 feet to a point; thence North 89°53'17" West a distance of 344.38 feet to a point lying 24.75 feet East of the West line of said Section 16, said point also lying in the East Right-of-way line of said 49th West Avenue; thence North 00°10'17" East along said Right-of-way line a distance of 705.4 feet North to point of beginning. Containing 5.6 acres more or less.

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Case No. 571

Action Requested:

Special Exception - Section 1224 (a).3 - Use Conditions - Request an exception to permit an oil well and storage tanks closer than 200' from any residence in an AG zoned district, located south of SE/c of 146th Street North and Cincinnati.

Presentation:

The applicant, Gary Rotenberg, 300 East Longlake Road, Bloomfield, Michigan, asked the Board to allow oil well storage tanks to remain at their present location. Mr. Rotenberg explained that when the tank battery was constructed he was unaware of the restriction of storage tanks being placed closer than 200' to a residence. He explained that, in his opinion, the present position of the storage facility is much safer than if they were placed on the interior portion of the tract where flooding is prevalent and an oil spill might occur in an extreme high water situation.

Comments and Questions:

Mr. Walker asked how close the tanks are to the houses in the area and Mr. Rotenberg replied that the tank battery is approximately 185 feet from the residence to the south.

Mr. Bob Ward, 1611 South 128th East Avenue, Tulsa, Oklahoma, stated that the present location is the only high spot on the property.

Protestants:

Delbert Barton, 601 West 5th Street, Skiatook, Oklahoma, stated that he owns a mobile home park immediately south of the property in question. Mr. Barton informed that the tank battery is within 50' of his property line and 60' from the mobile homes that are parked on his tract. He stated that he is concerned with the fire hazard oil storage tanks would create.

Mr. Martin asked Mr. McCormick, 100 Union Depot, Tulsa, Oklahoma, an attorney in the audience, about the regulations of tank battery locations near residential areas. Mr. McCormick noted that the main concern may be the location of the oil well near the homes.

Dick Romeyer, 426 North Broadway, Skiatook, Oklahoma, stated that he does not want the tanks moved to the east near his property.

Board Action:

On MOTION of MARTIN and SECOND by ALBERTY, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to CONTINUE Case No. 571 until August 20, 1985 to allow the applicant to procure additional information.

Case No. 572

Action Requested:

Variance - Section 207 - Street Frontage Required - Use Unit 1206 - Request a variance of the 30' street frontage to 0' to allow for a private street in an AG zoned district, located south of SW/c of 121st Street and 129th East Avenue.

Presentation:

The applicant, Leonard Hendrickson, 1404 Quinton, Broken Arrow, Oklahoma, stated that he owns 16 acres at the above stated location. Mr. Hendrickson informed that he is selling a 2 1/2 acre tract of his property to each of his 3 children. The applicant pointed out that he is not financially able to build a road according to county specifications which would give each tract access to 129th East Avenue. The applicant asked permission of the Board to construct a private road on the property until he has sufficient funds to build one that will comply with county requirements.

Comments and Questions:

Mr. Tyndall read a letter from the City of Broken Arrow (Exhibit B-1) recommending denial of the variance.

Mr. Martin asked the applicant if he presented the same facts to the Broken Arrow Board that were presented at the present meeting. The applicant answered that he had presented basically the same facts, but that the Board was concerned that the farm land located behind the subject property would not have street access.

Mr. Martin asked if only family members would build homes on the property in question and the applicant stated that he and his 3 children would be the only occupants of the land.

Interested Parties:

Attorney Joe McCormick, 100 Tulsa Union Depot, Tulsa, Oklahoma, represented Art Morris, who owns property to the west of the subject tract. Mr. McCormick stated that his client is concerned that the applicant will put in a gravel road and create a substandard development which would not be conducive to the neighborhood. He noted that this is a very nice area and would like to ask denial of the variance. Mr. McCormick asked that a dedicated street be constructed which will be compatible with the existing subdivision streets and give access to the property behind the subject tract.

Applicant's Rebuttal:

Mr. Hendrickson stated that Mr. McCormick's concern for the locking of the land behind his property is not valid. He pointed out that he is the second owner and that he has land that he can not utilize without a great expense for a street.

Case No. 572 (continued)

Additional Comments:

Mr. Alberty pointed out to Mr. Hendrickson that there are county rules that he must be subject to. He further stated that the land could be sold at a later date and cause problems for the area; therefore, a dedicated roadway should be required for development of the tract.

Mr. Alberty suggested that Mr. Hendrickson return to the Broken Arrow Board for consideration of panhandle street approval for the property in question.

Board Action:

On MOTION of ALBERTY and SECOND by WALKER, the Board voted 3-0-0 (Alberty, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, Martin, "absent") to CONTINUE Case No. 572 until August 20, 1985, to allow the applicant to return to the Broken Arrow Board with an alternate consideration for providing access to his property.

Case No. 573

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial Districts - Use Unit 1217 - Request an exception to allow auto sales in a CS (Pending) zoned district.

Variance - Section 1217.3 - Use Conditions - Request a variance to permit open air storage and display of merchandise within 300' of an adjoining R district, located on the NE/c of Peoria and 69th Street North.

Presentation:

The applicant, Frank Oates, 1532 East 69th Street North, Tulsa, Oklahoma, stated that he has owned the property at the above stated location since 1978. Mr. Oates informed that he started a used car business on the property at the time of purchase, and then rented the property to be used for the sale of automobiles on several other occasions. He informed the Board that he was not aware that the lot was not zoned for used auto sales and asked the Board to allow him to reopen and operate his business in the CS zoned district. Mr. Oates informed that to the north of his property a car lot is in operation at this time.

Comments and Questions:

Mr. Alberty informed Mr. Oates that a solid screening fence would be required on the north and east of the car lot. Mr. Oates stated that the north boundary is grown up with hedge and the lot would not be visible from that direction.

Mr. Alberty asked the applicant what type of surface is on the lot and he stated that there has always been gravel on the car lot. Mr. Alberty informed that a hard surface cover (dust free) would be required for the tract.

Case No. 573 (continued)

Protestants:

Glenna Cooley, 7128 North Peoria, Tulsa, Oklahoma, stated that someone had parked disabled automobiles on the lot in question for 5 years. She stated that she is not against a used car lot, but would protest the storing of inoperable vehicles on the lot.

Additional Comments:

Ricky Jones informed that the Planning Commission does not have a problem with the Use Unit 17 in the area, but determined that CS zoning is as high as they can recommend. He further noted that the applicant is only advertised for car sales and not repair.

Applicant's Rebuttal:

Mr. Oates stated that he does not intend to have junk cars on the lot.

Board Action:

On MOTION of ALBERTY and SECOND by WALKER, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts - Use Unit 1217) to allow auto sales in a CS (Pending) zoned district; finding that the use will not be detrimental to the area and is in harmony with the spirit and intent of the Code and the Comprehensive Plan; subject to no disabled automobiles being parked on the lot; and to APPROVE a Variance (Section 1217.3 - Use Conditions) to permit open air storage and display of merchandise within 300' of an adjoining R district; finding that the use has been in existence for several years; finding that automobile sales requires the display of the vehicles on the lot; on the following described property:

South 100' of Lot 8, Block 9, Golden Hills Addition, Tulsa County, Oklahoma.

Case No. 574

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Request an exception to allow a mobile home in an RS zoned district, located at 5436 South 107th West Avenue.

Presentation:

The applicant, Faye Brown, 5436 South 107th West Avenue, Tulsa, Oklahoma, stated that her house was vandalized and burned. Ms. Brown informed that she then bought a mobile home to move on the lot and after the purchase found that she could not place the mobile in the RS zone without acquiring a special exception.

Case No. 574 (continued)

Comments and Questions:

Mr. Martin asked Ms. Brown if there are other mobiles in the area and she answered that there is one to the north of her property and one on 55th Street.

Mr. Martin asked Ms. Brown how long she would park the mobile on the subject tract. Ms. Brown answered that she would need to park the mobile on the lot permanently.

Mr. Walker informed that he is familiar with the area and would see no reason for not approving the special exception.

Board Action:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 4-0-0 (Alberty, Martin, Walker, Tyndall, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209) to allow a mobile home in an RS zoned district; finding that the granting of the special exception would not be detrimental to the area and would be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

South 50' of Lot 10 and all of Lot 11, Block 5, Buford Colony 2nd Addition, Tulsa County, Oklahoma.

Case No. 575

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Use Unit 1206 - Request an exception for a home occupation to permit a telephone to be used for waste service pickup in an RS zoned district, located at 5902 North Peoria.

Presentation:

The applicant, Darlene Anderson, 1402 East 56th Street North, Tulsa, Oklahoma, submitted photographs (Exhibit C-1) and stated that she would like permission to have a telephone, to be used for a trash service, at the above stated address. Ms. Anderson informed that there would be 2 trash trucks parked on the subject property. She pointed out that the existing house is in very bad repair and that she would improve the structure and the lot if allowed to have the home occupation. She noted that the purchase of the property is contingent upon the approval of truck parking on the fenced lot.

Protestants:

Richard Wiles, 1506 North Norfolk, Tulsa, Oklahoma, stated that he is a former refuse worker and that the location is not fenced and is not appropriate for parking trash trucks.

Gwinn Cooley, 7128 North Peoria, Tulsa, Oklahoma, submitted letters of protests (Exhibit C-2) stated that she lives in the area and agreed that the property is in bad repair. She pointed out that

Case No. 575 (continued)

there are several trash companies that serve the community and does not feel that another one is needed. Ms. Cooley informed that she is against the trucks being parked on the lot.

Minnie Morton and Beatrice Tune, 1415 East 59th Street North, Tulsa, Oklahoma, pointed out that the odors from the refuse trucks would be offensive to the neighbors.

Shirley Neeley, 5942 North Owasso, Tulsa, Oklahoma, noted that she lives within 300' of the the subject property and was not notified of the hearing. Ms. Neeley informed that she would like to protest the location of the trash service.

William Patterson, 3215 East 39th Street, Tulsa, Oklahoma, represented Mr. Moscus who owns property to the north of the subject tract. Mr. Patterson informed that the tenants who rent the properties have informed Mr. Moscus that they would move if the trash service is allowed to locate in the area. Mr. Patterson pointed out that there is also a health consideration with the refuse trucks parked near the homes.

Fran Hope, 6610 South 66th East Avenue, Tulsa, Oklahoma informed the Board that the property in question is fenced.

Jo Boyd, 6024 North Madison, Tulsa, Oklahoma, informed the Board that she had inspected the location where Ms. Anderson's trucks are being stored at this time and found that the grass was approximately 5' tall on the lot. She stated that she is concerned that the property in question will have the same appearance if the trucks are allowed to park there.

There were numerous protestants in the audience who signed a petition (Exhibit C-3).

Interested Parties:

Dennis Anderson, 8131 East 171st Street South, Tulsa, Oklahoma, pointed out that the trash trucks are parked on his property at the present time. Mr. Anderson informed that the trucks are washed every month and are kept clean.

Applicant's Rebuttal:

The applicant stated that she had no idea that the moving of the trash trucks to the area would be such an issue. She stated that she would like to move on the property in question and be a good neighbor.

Additional Comments:

Mr. Alberty pointed out that the applicant could operate a refuse business immediately to the north of the subject property which is zoned high intensity commercial and would not have a need to come before the Board.

Case No. 575 (continued)

Board Action:

A motion by Mr. Martin for denial of the request died for lack of a second.

On MOTION of WALKER and SECOND by ALBERTY, the Board voted 3-1-0 (Alberty, Walker, Tyndall, "aye"; Martin, "nays"; no "abstentions"; Wines, "absent") to APPROVE a Special Exception (Section 420 - Accessory Uses in Residential Districts - Use Unit 1206) for a home occupation to permit a telephone to be used for waste service pickup in an RS zoned district; and to APPROVE a Variance (Section 440 - Special Exception Uses in Residential Districts, Requirements) to allow parking of vehicles in conjunction with home occupation in an RS zoned district; subject to no more than 2 trash trucks being parked on the subject property; on the following described property:

South 16' of Lot 7 and all of Lots 8 through 14, Block 13, Original Town of Turley, Tulsa County, Oklahoma.

Case No. 576

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Use Unit 1209 - Request a variance of the bulk and area requirements to permit a lot split in an AG zoned district.

Variance - Section 207 - Street Frontage Required - Request a variance of the 30' street frontage to 0', located east of NE/c of 201st Street and Elwood.

Presentation:

The applicant, Jerry Mashburn, 201st Street and Elwood, Jenks, Oklahoma, informed the Board that he has a mobile home parked at the above stated location and has no road frontage. The applicant stated that he has been granted an easement from his cousin to gain entry to his property.

Comments and Questions:

Ricky Jones informed that the staff recommendation for the Planning Commission meeting is for approval. He noted that the owner would not be able to split more lots on the subject tract without a subdivision plat.

Mr. Edwards noted that the applicant would need Board approval for ingress and egress to the property in question.

Board Action:

On MOTION of ALBERTY and SECOND by MARTIN, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to CONTINUE Case No. 576 until August 20, 1985 to allow TMAPC to hear the case.

Case No. 577

Action Requested:

Variance - Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206 - Request a variance of the size of a detached accessory building from 750 sq. ft. to 2800 sq. ft. to allow for a workshop and storage of personal automobiles in an RS zoned district, located at 742 Willow Street.

Presentation:

The applicant, Ronald Wood, 1221 1/2 Garfield, Sand Springs, Oklahoma, stated that he is the prospective buyer of the property at the above stated address. Mr. Wood asked the Board to allow him to build a 2800 sq. ft. workshop and garage for his motorcycle, boat, van and cars. The applicant stated that there are rental trailers on the property at this time.

Comments and Questions:

Mr. Jones informed the Board that the town of Sand Springs recommended approval of the request.

Mr. Alberty asked Mr. Wood to state his occupation and he replied that he is an electrical contractor, but pointed out that he does not keep supplies at his home. Mr. Wood informed that he would park the vans used for business purposes in the garage.

Mr. Alberty inquired as to the future use for the subject tract. Mr. Wood answered that he intends to build a home on the land at a future date, but the rental trailers would remain until the property is paid off.

Board Action:

On MOTION of ALBERTY and SECOND by WALKER, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Variance (Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206) of the size of a detached accessory building from 750 sq. ft. to 2800 sq. ft. to allow for a workshop and storage of personal automobiles in an RS zoned district; subject to storage of personal vehicles only; subject to no commercial activity on the lot; on the following described property:

Lot 4, Block 6, Charles Page Sub. #1, Tulsa County, Oklahoma.

Case No. 578

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Use Unit 1206 - Request a variance of the 200' lot width to 100' and of the lot and land area to permit a lot split in an AG zoned district, located west of SW/c of 201st Street and Elwood.

Case No. 578 (continued)

Presentation:

The applicant, Loretta Cotner, Route 1, Box 173, Mounds, Oklahoma, informed the Board she is dividing the land in question in two portions for her daughters. Ms. Cotner stated that due to flooding on one end of the property, a lot split is necessary to enable each daughter to have an elevated portion of land to place a mobile home.

Board Action:

On MOTION of ALBERTY and SECOND by MARTIN, the Board voted 4-0-0 (Alberty, Martin, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Wines, "absent") to APPROVE a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Use Unit 1206) of the 200' lot width to 100' and of the lot and land area to permit a lot split in an AG zoned district; finding a hardship imposed on the applicant by the irregular shape of the tract; on the following described property:

That part of the East Half of the Southeast Quarter (E/2 SE/4) of Section 11, Township 16 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma, lying South of the center line of a county road and described as: Beginning at the Southwest corner of said E/2 SE/4; thence North 331.62 feet to the centerline of a county road; thence North 62°46' East along said centerline 469.07 feet; thence South 545.58 feet to the South line of said Section 11; thence West 417.42 feet to the point of beginning, according to the U.S. Government Survey thereof.

Case No. 579

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Request an exception to permit a mobile home in an RS zoned district, located south of SW/c of Victor and 66 Street North.

Presentation:

The applicant requested that Case No. 579 be withdrawn.


Board Action:

On MOTION of WALKER and SECOND by MARTIN, the Board voted 3-0-0 (Tyndall, Martin, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Wines, "absent") to WITHDRAW Case No. 579.

There being no further business, the meeting adjourned at 4:20 p.m.

Date Approved

8-20-85


Chairman