

MINUTES of Meeting No. 141
Tuesday, February 4, 1992, 1:00 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller Looney Tyndall	Alberty Walker	Gardner Jones Moore	Fields, Glenn, Building Insp.

The notice and agenda of said meeting were posted in the Office of the County Clerk on Friday, January 30, 1992, at 11:46 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Vice-Chairman Tyndall called the meeting to order at 1:10 p.m.

MINUTES:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **APPROVE** the **Minutes** of January 7, 1992 (No. 140).

NEW APPLICATIONS

Case No. 1062

Action Requested:

Variance of the required lot width from 200' to 165' - **Section 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6.

Variance of the required lot area from two acres to one acre to permit a lot split - **Section 330. BULK AND AREA REQUIREMENTS FOR THE AGRICULTURE DISTRICT** - Use Unit 6, located 17505 South 145th East Avenue, Bixby, Oklahoma.

Presentation:

The applicant, **Lua Belmonte**, 17505 South 145th East Avenue, Bixby, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that the applicant has contacted Staff by phone and requested a continuance of the application until March 17 in order to complete a refinancing process.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **CONTINUE** Case No. 1062 to March 17, 1992, as requested by the applicant.

Case No. 1063

Action Requested:

Variance to allow two dwelling units per lot of record - **Section 208. One Single-Family Dwelling Per Lot Of Record - Use Unit 9**, located 11410 North 145th East Avenue.

Presentation:

The applicant, **Walter Moore**, 11410 North 145th East Avenue, Owasso, Oklahoma, was represented by **Troy Moore**, 27700 East Admiral, Catoosa, Oklahoma, who stated that he is proposing to move his mobile unit to his son's 4.875-acre tract. He submitted photographs (Exhibit A-3) of the surrounding area, and pointed out that the installation of the mobile home at this location will not be detrimental to the neighborhood. Mr. Moore stated that his wife is ill, and requested approval of the variance in order that he can live closer to his son. A plot plan (Exhibit A-1) and a copy of the percolation test (Exhibit A-2) were submitted.

Comments and Questions:

Mr. Gardner pointed out that the tract has sufficient land area to permit two dwellings, but it could not be split into two parcels without Board of Adjustment approval to reduce the required frontage on a dedicated street.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **APPROVE** a **Variance** to allow two dwelling units per lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD - Use Unit 9**; per plan submitted; subject to a Building Permit and Health Department approval; subject to required easements; finding that the tract is large enough to support two dwelling units; and finding that the approval of the variance request will not cause substantial detriment to the neighborhood, or violate the spirit, purpose and intent of the Code; on the following described property:

Beginning 657.78' south NE/c NE/4, thence west 660', south 330', east 660', north 330' to the Point of Beginning, less east 16.5' thereof for road, Section 9, T-21-N, R-14-E.

Case No. 1064

Action Requested:

Variance of the maximum square footage of floor area for an accessory building from 750 sq ft to 1500 sq ft - **Section 240.2.E. Permitted Yard Obstruction** - Use Unit 6.

Variance of the required 55' setback from the centerline of West Edison to 38' - **Section 241. EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS** - Use Unit 6.

Variance to permit an accessory building in the side or front yard - **Section 420.2.A.2. Accessory Use Conditions**, located 532 North 72nd West Avenue.

Presentation:

The applicant, **Joe Damer**, 532 North 72nd West Avenue, Tulsa, Oklahoma, was represented by **Ken Adkison**, 1600 North 70th West Place, Tulsa, Oklahoma. He stated that the applicant has begun construction of a 30' by 50' building near his residence, with the intent of restoring antique and classic automobiles. He pointed out that there are other large agricultural buildings in the area.

Comments and Questions:

Mr. Gardner stated that the building location is on a lot other than the one containing the residence, and Mr. Adkison informed that all of his client's property was purchased in one parcel several years ago. Mr. Gardner pointed out that the portion of the property containing the house was not advertised along with the lot which is to contain the proposed building; therefore, the structure would not be an accessory building, but would become the principal use on that lot. He pointed out that it appears that a portion of the legal was not submitted, and was not published.

Mr. Gardner inquired as to the type of business Mr. Damer is involved in, and Mr. Adkison replied that his client is a highly skilled hydraulic and mechanical technician.

In response to Mr. Gardner's inquiry concerning the sale of restored automobiles, Mr. Adkison replied that some will be sold, some will be displayed in automobile shows and others retained for his client's personal use.

Mr. Gardner stated that Staff has a concern with the use being advertised on a lot other than that of the principal use, and the fact that the building is large enough to be used for a business. He added that the property may be inside the Sand Springs fence line.

Case No. 1064 (continued)

Mr. Adkison stated that he does not think the subject property is inside the Sand Springs fence line.

Mr. Fields informed that the applicant supplied his office with a legal description which included both lots.

Mr. Jones stated that the only legal description in the INCOG file is the one for the lot which will contain the new facility. Mr. Jones informed that the lot containing the house and the one which will contain the proposed building could be tied together with the execution of a tie contract, thus preventing the sale of the accessory building without the residence.

After discussion, it was the consensus of the Board that the application should be continued to allow Staff to determine if the property is in the Sand Springs fence line, and to allow sufficient time to advertise the complete legal description for the property.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **CONTINUE** Case No. 1064 to March 17, 1992, to permit sufficient time for additional research and readvertising of the correct legal description; on the following described property:

All of Block O, less and except the easterly 264' and the northerly 81' of Block P, less and except the easterly 264', in Farm Colony Subdivision, Tulsa County, Oklahoma.

Case No. 1065

Action Requested:

Variance to allow two dwelling units per lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 22123 West 50th Street South.

Presentation:

The applicant, **Virginia Seeling**, 22123 West 50th Street South, Sand Springs, Oklahoma, was represented by **Helen Farbrow**, who stated that she and her mother, Ms. Seeling, are requesting permission to install a second mobile home on approximately 5 acres of land. A petition of support (Exhibit B-1) was submitted.

Case No. 1065 (continued)

Comments and Questions:

In response to Mr. Tyndall, Ms. Farbro stated that there is a mobile home located less than a mile from their property.

Mr. Tyndall inquired as to the reason for the second mobile home, and Ms. Farbro stated that her mother is alone and she would like to live nearby to care for her.

Mr. Eller asked Ms. Farbro if the mobile home in question will have a pitched roof, and she answered in the affirmative.

In response to Mr. Gardner, Ms. Farbro stated that residents were opposed to the three previous applications in the area because the lots were too small to support two dwelling units.

Board Action:

On **MOTION** of **LOONEY**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **APPROVE** a **Variance** to allow two dwelling units per lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9; subject to a Building Permit and Health Department approval; subject to the mobile being permanently installed with a pitched roof and skirting; finding that the tract (approximately 5 acres) is large enough to support two dwelling units; and that the granting of the variance request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

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

Case No. 1066

Action Requested:

Special Exception to permit a mobile home in an RM-2 zoned district - **Section 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9.

Variance to permit two dwellings on one lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 7717 West 16th Street.

Presentation:

The applicant, **Opal Weyant**, PO Box 129, Chouteau, Oklahoma, was not present.

Case No. 1066 (continued)

Comments and Questions:

Mr. Jones explained that Ms. Weyant is elderly and had made arrangements for her grandson to drive her to the meeting, but he was detained and she was unable to find transportation. He informed that the applicant has a health problem and her granddaughter will live on the premises and assist her if this application is approved. Mr. Jones stated that Sand Springs has recommended approval (Exhibit C-1) of the requests.

In response to Mr. Looney, Mr. Jones informed that the mobile will be removed when it is no longer needed.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Alberty, Walker "absent") to **APPROVE** Special Exception to permit a mobile home in an RM-2 zoned district - **Section 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; and to **APPROVE** a **Variance** to permit two dwellings on one lot of record - **Section 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9; subject to the approval being limited to the lifetime of the applicant only; finding that there are other mobile homes in the area, and the temporary use will not be detrimental to the neighborhood; on the following described property:

E/2 Tract 3, Lot 7, Billington's Acre Tracts, Tulsa County, Oklahoma.

There being no further action, the meeting was adjourned at 1:55 p.m.

Date Approved

3/17/92

Wayne Alberty
Chairman