**COUNTY BOARD OF ADJUSTMENT**
MINUTES of Meeting No. 148
Tuesday, September 15, 1992, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|---|---|---|---|
| Alberty, Chairman | Walker | Jones | Fields, Building Insp. |
| Eller | | Moore | Glenn, Building Insp. |
| Looney | | | Graham, Asst. Dist. Atty. |
| Tyndall | | | |

The notice and agenda of said meeting were posted in the Office of the County Clerk on Thursday, September 10, 1992, at 2:44 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Alberty called the meeting to order at 1:00 p.m.

**MINUTES:**

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** the **Minutes** of August 18, 1992 (No. 147).

## UNFINISHED BUSINESS

**Case No. 1070**

**Action Requested:**

Special Exception to permit dirt mining in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 24., located 2601 West 101st Street South.

**Presentation:**

The applicant, **Gilbert Ogles**, Route 3, Box 222, Cleveland, Oklahoma, was represented by **Roy Johnsen**, 201 West 5th Street, Tulsa, Oklahoma. Mr. Johnsen informed that the application was previously denied, with a 2 - 2 vote and four Board members present. He explained that the case was appealed to District Court and, after discussion, it appeared that the issue might be resolved with certain conditions being imposed on the dirt removal operation; therefore, the Court remanded the case back to the Board for possible reconsideration. He informed that a meeting was held with the Jenks representatives, and several conditions were agreed upon that would limit the proposed operation. Mr. Johnsen

Case No. 1070 (continued)

submitted development standards (Exhibit A-1) and photographs (Exhibit A-2). It was noted by the applicant, that the property is located in a floodplain area, and the intended use is permitted by special exception. Mr. Johnsen stated that there have been no objections to the use from nearby property owners. He informed that Jenks officials are concerned that the dirt business will be a full scale around-the-clock operation; however, this is not the intent of the owner. Mr. Johnsen pointed out that the mining operation is approximately 200' south of the centerline of 101st Street, and barely visible from the street. He reviewed the following development standards with the Board:

1. The mining activities shall be limited to three years from the date of Board approval.

2. The excavation area shall maintain a setback of not less than 200' from the centerline of East 101st Street South.

3. The surface area of the excavation shall not exceed 5 acres.

4. The earth moving equipment shall be limited to one front-end loader, one bulldozer and two trucks.

5. The hours of operation shall be limited to 7:00 a.m. to 5 p.m., Monday through Saturday.

6. Earth removal from the site shall not exceed 200 loads (10 cubic yards per load) per month.

7. During the hours from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 5:00 p.m. loaded trucks shall be routed south bound on Highway 75, or north bound on 33rd West Avenue.

8. Upon completion of excavation, the excavation area shall have a bank slope of not more than 4 to 1, a maximum depth of excavation of 12', and slopes shall be revegetated, by either seeding, sprigging, sodding, or hydro mulch.

9 No fill material shall be brought to the site.

10. The access road shall be surfaced or watered sufficiently to prevent dust from drifting to public right-of-way or adjoining property.

11. Operations shall be conducted in compliance with all applicable County and State laws.

Case No. 1070 (continued)

Mr. Johnsen noted that the condition concerning the route of the trucks was added at the request of Jenks. He stated that the owner will actually be left with a a 4-acre pond, and is proposing to fill the north end of the property for a building site. Mr. Johnsen stated that the intensity of the use has been significantly reduced since the first Board hearing, and he and the Jenks representatives agreed on all points except the request that the property be dedicated to the City of Jenks for park use when the dirt excavation project has been completed. Mr. Johnsen stated that his client is not willing to honor this request.

**Comments and Questions:**

Mr. Alberty stated that a number of Board concerns have been addressed by Mr. Johnsen, and the use seems to be less intense than when it was previously presented.

**Interested Parties:**

**Bob Richards**, Jenks City Planner, stated that Jenks is in agreement with all of the development standards referred to by Mr. Johnsen, except the dangerous situation that could be created by trucks, loaded or empty, entering Highway 75. He added that it is Jenks' opinion that the route change should be adhered to during the entire working day, instead of only peak traffic periods. In regard to the ultimate disposition of the property, Mr. Richards stated that Jenks would like to acquire a portion of the tract for park purposes. He requested that the case be referred back to the Jenks Board of Adjustment, if the proposed conditions are acceptable to Mr. Johnsen and the City Board of Adjustment. Mr. Richards stated that the local Board should have some input as to the imposed conditions.

**Additional Comments:**

Mr. Alberty asked Mr. Richards if he is stating that Jenks will support the use if the owner agrees to dedicate the land for use by that City.

Mr. Richards stated that their main concern is that the City not be left with a large, unsightly excavation.

In response to Mr. Alberty's question concerning the Jenks Board of Adjustment hearing the case again, Ms. Graham stated that the District Court has requested that the City Board reconsider the case, and if Jenks has further concerns they can make them know to District Court.

Case No. 1070 (continued)

**Applicant's Rebuttal:**

Mr. Johnsen reiterated that his client will not agree to the dedication of the property as a condition for the requested use. He stated that all trucks, loaded or empty, will be rerouted to alleviate the concerns of the Jenks representatives. Mr. Johnsen stated that he does not feel that the trucks should be rerouted except during peak periods; however, he would amend the hours if the Board finds it necessary.

Mr. Alberty suggested that the development standards be revised to state that all trucks adhere to the proposed routing, whether loaded or empty.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a Special Exception to permit dirt mining in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 24; subject to the following development standards:

1. The mining activities shall be limited to three years from the date of Board approval.

2. The excavation area shall maintain a setback of not less than 200' from the centerline of East 101st Street South.

3. The surface area of the excavation shall not exceed 5 acres.

4. The earth moving equipment shall be limited to one front-end loader, one bulldozer and two trucks.

5. The hours of operation shall be limited to 7:00 a.m. to 5 p.m., Monday through Saturday.

6. Earth removal from the site shall not exceed 200 loads (10 cubic yards per load) per month.

7. During all working hours all trucks, loaded or empty, shall be routed south bound on Highway 75, or north bound on 33rd West Avenue.

8. Upon completion of excavation, the excavation area shall have a bank slope of not more than 4 to 1, a maximum depth of excavation of 12', and slopes shall be revegetated, by either seeding, sprigging, sodding, or hydro mulch.

Case No. 1070 (continued)

9. No fill material shall be brought to the site.

10. The access road shall be surfaced or watered sufficiently to prevent dust from drifting to public right-of-way or adjoining property.

11. Operations shall be conducted in compliance with all applicable County and State laws.

Beginning at a point 852' east of th NW/c of the NW/4 of Section 27, T-18-N, R-12-E, Tulsa County; thence due east along the north line of Section 27 a distance of 664'; thence due south a distance of 628' to the centerline of Polecat Creek, thence westerly along the centerline of Polecat Creek, to a point 852' east and 717' south of the NW/c of Section 27 thence due north a distance of 717' to the Point of Beginning, containing 10.4 acres, more or less, Tulsa County, Oklahoma.

## NEW APPLICATIONS

**Case No. 1103**

**Action Requested:**

Variance to permit two dwelling units per one lot of record - **SECTION 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 6, located 12428 South 129th East Avenue.

**Presentation:**

The applicant, **Patsy Gallagher,** 12428 South 129th East Avenue, Broken Arrow, Oklahoma, was represented by **Pat Kernan**, 2900 4th National Bank Building, Tulsa, Oklahoma. In response to Mr. Kernan, Ms. Gallagher stated that the mobile home in question was moved to the property to serve as a dwelling for her ill parents, who are in need of constant assistance. She stated that both dwellings are located on a tract of land containing 5+ acres. Ms. Gallagher informed that the previous permit for the mobile unit was revoked, due to a Board determination that a mobile home and a dwelling on one lot of record requires Board of Adjustment approval. She stated that a variance has been filed to permit the mobile home to remain. She submitted a petition of support (Exhibit B-2) and photographs (Exhibit B-3) of the mobile home and surrounding property. Ms. Gallagher stated that there is one mobile home currently located on nearby church property, and numerous others in the general area. Ms. Gallagher informed that stated that some of the area residents she asked to file the petition were confused as to the actual request, and had already signed the protest petition. A location map (Exhibit B-4) and a real estate display sheet (Exhibit B-5) were submitted.

Case No. 1103 (continued)

**Comments and Questions:**

Mr. Alberty asked Mr. Kernan if he is aware that a hardship finding is necessary for the approval of a variance request, and he replied that there have been other variances approved in the area.

In response to Mr. Alberty, Ms. Gallagher stated that the rear portion of the property is used for pasture and, in order for her to care for her parents, it is imperative that the mobile home be located close to her residence.

**Protestants:**

**Louis Levy**, 5314 South Yale, Tulsa, Oklahoma, stated that he is representing and Mrs. Bob Gibson and Ralph Leaderbrand. He explained that Mr. Leaderbrand, Ms. Gibson's father, owns the property to the south of the subject tract, and the Gibsons operate the Peach House at this location. Mr. Levy stated that the protest petition (Exhibit B-1), which accurately described the applicant's intent, was signed by approximately 70 individuals that live within one-quarter mile of the Gallagher property. He pointed out that, if a substandard lot with 161' of frontage is approved for mobile home use at this location, other property owners in the area will seek similar variances. He pointed out that a hardship has not been presented for the variance request. It was noted that the former owners of the property were permitted to create two lots, on of which is the Gallagher property, and now the Gallaghers are requesting a second variance. He pointed out that the documents from previous actions on the property state that the tract in question contains 4.4 acres, excluding the right-of-way.

Mr. Morris, a previous owner of the subject tract, as well as surrounding land, reviewed the history of the property, and stated that he is opposed to mobile home use at this location.

**James Sarty**, 12509 South 129th East Avenue, Tulsa, Oklahoma, stated that he lives across the street from the subject tract. Mr. Sarty informed that he would not be opposed to temporary use of the mobile home during the life of Ms. Gallagher's parents, but would be opposed to the unit being installed permanently.

Case No. 1103 (continued)

**Applicant's Rebuttal:**

Mr. Kernan stated that the subject tract contains 5.05 acres, and pointed out that the mobile home would be permitted by right in the AG District, if located on a single lot of record. He pointed out that the tract in question could be split into two lots that would meet Code requirements as to land area. Mr. Kernan noted that the Gallagher's nearest neighbors are not opposed to the application.

**Additional Comments:**

Mr. Alberty pointed out that each individual application is judged on its own merits, and the decisions made on other cases have no bearing on this decision. He voiced a personal concern with approving any use over the objection of the surrounding neighborhood.

There was discussion concerning the petitions, and the fact that some area residents may have signed both.

In review, Mr. Alberty noted that the Building Inspector issued a permit for the mobile home, based on the literal interpretation of the Code. He advised that the Board then made the determination that an application should be filed for the placement of a mobile home on a lot with an existing dwelling. In review, Mr. Alberty pointed out that the Gallaghers had already installed the mobile home at the time of the Board decision. He informed that a mobile home is permitted by right on a single lot of record in an AG District. Mr. Alberty pointed out that the Gallaghers obtained a building permit and installed the mobile home in good faith; therefore, if the application is denied, they should have a period of time to relocate the mobile unit. He added that a hardship relating to the land must be presented for approval of a variance request.

After a lengthy deliberation, it was the consensus of the Board that, due to the complexity of the case, the application should be continued to the next scheduled Board meeting.

Mr. Kernan requested a continuance of the case, and Mr. Levy voiced an objection to the continuance.

Mr. Jones informed that an appeal has been filed in District Court, pending the outcome of this hearing.

Case No. 1103 (continued)

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **CONTINUE** Case No. 1103 to October 20, 1992, to allow sufficient time for additional research.

Mr. Kernan asked if there will be an opportunity to provide additional information at the next hearing, and Mr. Alberty stated that the public hearing has been closed, and any additional information concerning the case should be sent to the secretary of the Board.

**Case No. 1104**

**Action Requested:**

Variance of the required lot width from 200' to 148', Variance of the lot area from 2 acres to 1 acre and Variance of the land area per dwelling unit from 2.2 acres to 1.0 acre - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6, located 16821 West 21st Street.

**Presentation:**

The applicant, **Phil Dunbar**, was represented by his wife, who stated that she and her husband are proposing to construct a dwelling on one acre of land recently purchased from **Ralph Sullivent**, Route 4, Box 730, Sand Springs, Oklahoma.

**Comments and Questions:**

Mr. Alberty asked if a new lot is being created, and Ms. Dunbar answered in the affirmative.

Mr. Jones asked the applicant if the one-acre lot was created as a result of a lot split, and she answered in the affirmative.

Mr. Alberty informed that Staff is attempting to determine if the lot is one that is legally recognized by the County. He pointed out that a lot split is not legal unless it has been approved by the County, or Sand Springs, whichever has jurisdiction.

In response to a suggestion that the case be continued, Mr. Dunbar stated that he has a contract to construct a house, which would be delayed by a continuance.

Mr. Sullivent stated that he requested a lot split approximately 6 weeks ago.

Case No. 1104 (continued)

After conferring with the INCOG office, Mr. Jones informed that a lot split has not been filed in that office. He pointed out that the Board can hear the variance request, but a lot split will also be required before a Building Permit will be issued.

Mr. Dunbar stated that he is ready to begin construction and was under the impression he could do so after approval of the variance request.

Mr. Alberty advised that the Board will make a decision as to the variance request, but the Planning Commission will rule on the lot split. He pointed out that there are two lots to the west that have less frontage and are smaller than the one requested in this application.

In response to Mr. Tyndall's question regarding the irregular shape of the lot, Mr. Sullivant explained that the property is located on a hill, and a rock ledge prevents the lots in the area from being divided evenly.

**Board Action:**

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a **Variance** of the required lot width from 200' to 148', a **Variance** of the lot area from 2 acres to 1 acre and a **Variance** of the land area per dwelling unit from 2.2 acres to 1.0 acre - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6; subject to lot split approval by TMAPC; finding a hardship imposed on the applicant by the unusual topography of the land; finding that there are other lots in the area that are smaller and have less lot width than the property in question; finding that the approval of the variance request will not be detrimental to the area; on the following described property:

Beginning 303.20' east SW/c SW/4, SW/4, SE/4, thence east 148', north 382.12', west 80', south 387.71' to Point of Beginning, Section 7, T-19-N, R-11-E, Tulsa County, Oklahoma.

**Case No. 1105**

**Action Requested:**

Appeal the decision of the County Inspector's office to permit the construction of a building - **SECTION 1650. APPEALS FROM THE COUNTY INSPECTOR** - Use Unit 6.

Variance to permit two dwelling units per one lot of record - **SECTION 208 - ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 6, located 13303 North 87th East Avenue.

**Presentation:**

The applicant, **Rick Yeager**, 13303 North 87th East Avenue, Collinsville, Oklahoma, was represented by **Kenneth Miles**, 1700 Bank of Oklahoma Tower, Tulsa, Oklahoma, who explained that the lot in question had two mobile homes in place approximately 15 years ago, and they remained until 1986 when one was removed and an A-frame dwelling was constructed. He informed that the house was constructed without a building permit, which was not discovered until this year when the owners began a second building project without a permit. Mr. Miles informed that it was then discovered that two dwelling units were on one lot of record. He stated that it is his opinion that the use is nonconforming, and a special exception is required instead of a variance.

**Comments and Questions:**

Mr. Alberty asked Mr. Miles if he can submit proof that the two units were on the lot prior to 1980, and he stated that Mr. Fields researched aerial photographs and found that two mobile homes were located on the lot in 1980.

Mr. Fields stated that he researched aerial photographs taken in 1980, 1981, 1983, 1985 and 1987, and the mobile home was in place in 1980 and 1981, but was not there in 1983. He informed that the A-frame dwelling appeared on the 1985 aerial.

In reference to the nonconformity of the structure, Mr. Miles noted that Section 1400.b states that the nonconforming status of a building is lost if the use is discontinued for 36 consecutive months, or 36 months during any four-year period. He pointed out that the dwelling unit was placed on the property approximately 24 months after the mobile home was removed.

Case No. 1105 (continued)

**Protestants:**

**Ray Lohman**, 13309 North 87th East Avenue, Collinsville, Oklahoma, pointed out that the address listed for the property appears to be in error. He stated that the A-frame was placed on the property illegally, since the owner did not acquire a building permit. Mr. Lohman stated that the tract in question is uphill from his property, and voiced a concern that the septic system would drain toward his home if it could not adequately support the proposed addition. He asked that the structural, electrical and septic systems be inspected.

Mr. Alberty asked Mr. Lohman if there are other lots in the area with two dwelling units, and he answered in the affirmative.

Mr. Fields stated that there are two sections in the Code that deal with legal nonformance, one dealing with the structures, which states that removal causes the loss of nonconformity, and the other deals with use of land and buildings, and a 36 month period is allowed to resume the use or lose the nonconformity. Mr. Fields stated that he cited Mr. Yeager for having two dwellings on one lot of record, and he has appealed to the Board, requesting that the use be found nonconforming. He informed that inspections have been made on all new construction. He further noted that Mr. Yeager has stated that, if the structure is not found to be nonconforming and the variance is denied, he will remove the mobile home from the property.

Mr. Alberty asked Mr. Fields if he will be able to inspect the 90% of the building that has already been completed, and he replied that the structure will be inspected to the best of his ability.

In response to Mr. Alberty, Mr. Jones informed that the use continues to be a nonconforming use if it was existing prior to 1980, but it appears that the nonconforming status was lost by the removal of one mobile home. In regard to the special exception requested by Mr. Miles, he stated that it seems that a variance is required in this case.

Mr. Miles asked if the mobile homes were occupied prior to the time one was removed, and he answered in the affirmative.

Case No. 1105 (continued)

In response to Mr. Alberty, Mr. Miles stated that the mobile home was removed from the lot before the dwelling was constructed. He informed that the existing house is located at basically the same location as the previous mobile home, and is utilizing the same septic system.

In regard to the exact address for the subject property, Mr. Miles stated that the address was acquired from the Post Office, and may not be accurate.

Mr. Tyndall stated that there seems to be some confusion as to the proper procedure to determine nonconformity; however, it has been the practice of the Board to find that mobile home use is no longer nonconforming after the unit has been removed from the property.

Mr. Miles pointed out that the A-frame has been at this location for approximately 7 years, and the existing mobile unit has been in place for approximately 15 years. He stated that the property, as it exists, constitutes a hardship, because the two dwellings are practically grandfathered in because of the passage of years.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **UPHOLD** the Decision of the County Building Inspector, and to **DENY** a request to permit the construction of a building - **SECTION 1650. APPEALS FROM THE COUNTY INSPECTOR** - Use Unit 6; and to **APPROVE** a **Variance** to permit two dwelling units per one lot of record - **SECTION 208 - ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 6; subject to Health Department approval, and subject to County inspections; finding a hardship demonstrated by the fact that two dwelling units have been on the lot for approximately 15 years; finding that there are other lots in the area with two dwellings; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Beginning 1127.44' south NE/c NW/4 thence west 659.68', south 198.96', east 659.68', north 198.96' to the Point of Beginning, less west 25' for road, Section 36, T-22-N, R-13-E, Tulsa County, Oklahoma.

**Case No. 1106**

**Action Requested:**

Variance of the public street frontage required on Tract I from 30' to 24.75', and on Tract II from 30' to 0' - **SECTION 207. STREET FRONTAGE REQUIRED** - Use Unit 6, located 19420 West Wekiwa Road, Sand Springs.

**Protestants:**

Mr. Jones informed that one letter of protest (Exhibit D-1) has been received.

**Comments and Questions:**

Mr. Jones informed that the Sand Springs Board of Adjustment did not hear the case, due to lack of a quorum.

**Presentation:**

The applicant, **Henry Miller**, 19420 Wekiwa Road, Sand Springs, Oklahoma, stated that his wife sold their son the existing home and five acres on the back portion (Tract II) of the property in question. He explained that the house was constructed without frontage on a public street, and requested a variance for the back tract (Tract II), as well as the remaining tract (Tract I), which only has 24.75' of street frontage. Mr. Miller informed that he is proposing to build a house on Tract I at some future date, and will grant a 30' easement to permit street access for the back tract. A plot plan (Exhibit D-2) was submitted.

**Additional Comments:**

Mr. Alberty asked Mr. Miller if the easement has been filed of record, and he replied that it has not been filed.

**Board Action:**

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a **Variance** of the public street frontage required on Tract I from 30' to 24.75', and on Tract II from 30' to 0' - **SECTION 207. STREET FRONTAGE REQUIRED** - Use Unit 6; subject to a 30' access easement to Tract II being filed of record; on the following described property:

Tract 1: Beg., NE/c Gov't Lot 1, then S 498', W 265', S 822', W 235', N 866', E 235', N 498', E 265' to POB, Section 11-19-10 and Tract 2: Beg. 498', S of NE/c Gov't Lot 1, then 822', West 265' then S 822', then E 265' then N 822', to POB, Section 11-19-10, Tulsa, County, Oklahoma.

**Case No. 1107**

**Action Requested:**

Special Exception to permit a mobile home in an RE zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9, located NE/c South 169th West Avenue and West 41st Street South.

**Presentation:**

The applicant, **Ken Butler**, 1156 East 61st Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit H-1), and stated that he is representing Synar Land Company. He explained that the company is proposing to divide a ten-acre parcel into four 2½-acre tracts, which will be identical to a previous project that was approved across the street. Mr. Butler stated that the four previously approved lots are occupied.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RE zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9; per plan submitted; finding that mobile use is a use by right in the abutting AG District, and that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

W/2, W/2, SW/4, SE/4, Section 19, T-19-N, R-11-E, Tulsa, County, Oklahoma.

**Case No. 1108**

**Action Requested:**

Special Exception to permit a mobile home in an RS District - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9, located 6023 North Quincy.

**Presentation:**

The applicant, **Otis Williams**, PO Box 6339, Tulsa, Oklahoma, stated that he is representing the owner of the subject property. He asked the Board to approve the installation of a mobile home on two lots next door to his client, in order that she can provide support for her elderly sister. Mr. Williams stated that the mobile home (Exhibit F-1) will be skirted and made to look permanent.

Case No. 1108 (continued)

**Comments and Questions:**

Mr. Alberty asked the applicant if there are other mobile homes in the area, and he answered in the affirmative.

In response to Mr. Looney, Mr. Williams stated that there are no structures on the property.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RS District - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9; subject to a Building Permit and Health Department approval; finding that other mobile homes are currently located in the area; on the following described property:

Lots 50 and 51, Amended Survey of Blocks 1, 4, 5 and 8, East Turley Addition, Tulsa County, Oklahoma.

## OTHER BUSINESS

**Case No. 1035**

**Action Requested:**

Consideration of detail site plan for Discoveryland approved by the Board on August 20, 1991.

**Comments and Questions:**

Mr. Jones advised that the Board has previously approved a conceptual master plan, with the stipulation that the Board review each area of development as it occurs.

**Presentation:**

The applicant, **W. T. Jefferies**, 2502 East 71st Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit E-2) for the "Way Out West" music and dinner barn.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **APPROVE** a detail site plan for the "Way Out West" music and dinner barn, as submitted.

**Election of Officers**

**Board Action:**

On **MOTION** of **TYNDALL**, the Board voted 3-1-0 (Eller, Looney, Tyndall, "aye"; Alberty, "nay"; no "abstentions"; Walker, "absent") to **REELECT** Mr. Wayne Alberty as Chairman of the Tulsa County Board of Adjustment.

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **ELECT** Mr. Ron Looney as Vice-Chairman for the Tulsa County Board of Adjustment.

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, "aye"; no "nays"; no "abstentions"; Walker, "absent") to **REELECT** Mr. Roland Walker as Secretary for the Tulsa County Board of Adjustment.

Date Approved 10/29/92

Wayne Alberty
Chairman