

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 161  
Tuesday, October 19, 1993, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Alberty Eller Looney Tyndall Walker, Chairman		Lindersmith Russell	Fields, Glenn, Building Insp.

The notice and agenda of said meeting were posted in the Office of the County Clerk on Friday, October 15, 1993, at 1:46 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 1:30 p.m.

**MINUTES:**

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to **APPROVE** the **Minutes** of September 21, 1993 (No. 160).

**UNFINISHED BUSINESS**

**Case No. 1192**

**Action Requested:**

Special Exception to permit church and accessory uses, to permit an emergency and protective shelter in an AG zoned district and a variance to permit more than one dwelling per lot of record - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 5, located NE/c of West 31st Street South and South 57th West Avenue.

**Comments and Questions:**

Ms. Russell advised that the applicant has requested a continuance of Case No. 1192 to November 16, 1993, and staff is supportive of the continuance to allow sufficient time for proper advertising.

**Protestants:**

Protestants were in attendance.

Case No. 1192 (continued)

**Board Action:**

On MOTION of ALBERTY, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Looney, "absent") to CONTINUE Case No. 1192 to November 16, 1993.

**NEW APPLICATIONS**

**Case No. 1194**

**Action Requested:**

Special Exception to allow raising wild and exotic animals in an AG zoned district - SECTION 340.E.2. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE AGRICULTURE DISTRICTS - Use Unit 3, located 2808 East 151st Street South.

**Presentation:**

The applicant, Dewayne Barnes, 2808 East 151st Street South, Bixby, Oklahoma, stated that he raises other animals, but the animal under consideration at this time is a cougar. Mr. Barnes informed that he is a licensed Oklahoma wildlife breeder, and asked permission to keep the animal on his property.

**Comments and Questions:**

In response to Mr. Walker, the applicant stated that the game warden has inspected and approved the cage.

Mr. Alberty asked the applicant if he will breed the animal, and he replied that breeding could be a long range plan, but the cougar is just kept as a pet at this time.

In reply to Mr. Alberty, the applicant stated that he has to acquire a yearly license and random inspections are made.

**Protestants:**

None.

**Board Action:**

On MOTION of ALBERTY, the Board voted 4-0-0 (Alberty, Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Looney, "absent") to APPROVE a Special Exception to allow the raising of one adult cougar in an AG zoned district - SECTION 340.E.2. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN THE AGRICULTURE DISTRICTS - Use Unit 3; subject to approval by USDA and the State of Oklahoma; subject to each litter being sold prior to maturity; finding that the State inspects the property

Case No. 1194 (continued)

regularly; and finding the use, per conditions, to be compatible with the surrounding agricultural area; on the following described property:

E/2 NE/4 NE/4 NW/4 Section 20-17-13, less the E30' and Less a strip piece of parcel of land described as follows: Beginning at the NW/c of Said E/2 NE/4 NE/4 NW/4 thence East along the north line of said E/2 NE/4 NE/4 NW/4 a distance of 300.98' thence S01°15'06" a distance of 250' thence S88°41'12"W a distance of 300.94' to a point in the west line of said E/2 NE/4 NE/4 NW/4 thence north along the west line of said E/2 NE/4 NE/4 NW/4 a distance of 250.00' to the POB, according to the U.S. Government survey thereof, Tulsa County, Oklahoma.

**Case No. 1195**

**Action Requested:**

Variance of the required setback from the centerline of North 129th East Avenue from 85' to 50' to permit an addition to an existing structure - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6, located NW/c of 176th Street North and North 129th East Avenue.

**Presentation:**

The applicant, **Glen Risley**, Route 1, Box 337, Collinsville, Oklahoma, was represented by **Chris Daniel**, 2431 East 51st Street, Suite 401, who submitted a packet (Exhibit A-1) containing a plot plan and photographs. He explained that his client is proposing to construct a garage, which will be attached to the east end of the existing dwelling. Mr. Daniel noted that Mr. Risley's home is within one mile of the end of 129th East Avenue, and the street is very narrow at this point. He informed that the foundation of the new construction will be 62' from the edge of the road surface, or 70' from the centerline of the street. He pointed out that the topography of the land prevents building at another location on the lot. Mr. Daniel stated that construction was in progress when his client applied for a building permit.

**Comments and Questions:**

Mr. Walker informed that the topography of the land has been introduced as a hardship for the variance request, and noted that the area around the subject property is sparsely developed.

Case No. 1195 (continued)

**Board Action:**

On **MOTION** of **TYNDALL**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, Walker "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required setback from the centerline of North 129th East Avenue from 85' to 50' to permit an addition to an existing structure - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 6; per plan submitted; subject to the applicant acquiring a building permit; finding a hardship demonstrated by the topography of the land; on the following described property:

E/2, SE/4, SE/4, Section 5, T-22-N, R-14-E, of the IBM, less north 429' thereof and less west 293' thereof and less .47 A. for road, Tulsa County, Oklahoma.

**Case No. 1196**

**Action Requested:**

Special Exception to permit a mobile home in an RS zoned district - **Section 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9, located 4500 West 59th Street.

**Presentation:**

The applicant, **Vaunda Richardson**, Box 1852, Rose Oklahoma, submitted a plot plan (Exhibit B-3) and requested permission to install a mobile home at the above stated address. She informed that the tract is currently overgrown with trees and brush, and the clearing of the property will upgrade the neighborhood. A location map (Exhibit B-1) and photographs (Exhibit B-2) were submitted.

**Comments and Questions:**

Mr. Walker asked if the mobile home has been installed, and Ms. Richardson replied that she has not made preparation for installing the unit, because they have been awaiting the Board's decision.

In response to Mr. Walker, the applicant stated that the mobile home will have city sewer and water hookups.

**Protestants:**

None.

Case No. 1196 (continued)

**Board Action:**

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, Walker "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RS zoned district - **Section 430. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 9; per plan submitted; subject to the mobile unit being skirted and tied down; and subject to the applicant acquiring a building permit; finding that there are other mobile homes in the area, and approval of the request will not be detrimental to the neighborhood; on the following described property:

Tract 7, Geurin Resubdivision of north 1262.7' of Block 6 and the north 713.8' of Block 5, Bozarth Acres, Tulsa County, Oklahoma.

**Case No. 1197**

**Action Requested:**

Special Exception to permit a mobile home in an AG-R District, and a variance to permit two dwelling units on one lot of record - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9, located 13215 North 95th East Avenue.

**Presentation:**

The applicant, **Keaton Littlefield**, 13215 North 95th East Avenue, stated that the mobile home hookups were already in place when he purchased the property. Mr. Littlefield explained that he previously lived in the mobile home at another location, and it has been moved to the subject property.

**Comments and Questions:**

Mr. Walker asked if there are currently two dwellings on the subject property, and the applicant replied that there is currently one house and one mobile home on the property.

**Protestants:**

**Virginia Kinney**, 13146 North 97th East Avenue, stated that a property owner near her daughter's home was required to remove an existing mobile after his house was constructed. She submitted letters of protest (Exhibit C-1) from surrounding property owners.

Case No. 1197 (continued)

Mr. Alberty advised Ms. Kinney that a mobile home is not permitted in the AG-R zoned area without Board of Adjustment approval. He added that there are numerous mobile homes in the area, and the lot is large enough to accommodate two dwelling units.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, Walker "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an AG-R District, and a **variance** to permit two dwelling units on one lot of record - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS and SECTION 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9; subject to a building permit and Health Department approval; and subject to the mobile home being skirted and tied down; finding that mobile home use is prevalent in the area, and that the tract has sufficient land area to accommodate two dwelling units; on the following described property:

Part of SE/4, NE/4, beginning 957.31' north and 354.72' west SE/c, NE/4, thence south 331.60', west 359.72', north 331.60', east 359.72' to POB less west 30' for road, Tulsa County, Oklahoma.

**Case No. 1198**

**Action Requested:**

Special Exception to permit a mobile home in an AG-R District, and a variance to permit two dwelling units on one lot of record - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS and SECTION 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9, located 9912 East 156th Street North.

**Presentation:**

The applicant, **Lowell Mansfield**, 8812 East 156th Street North, Collinsville, Oklahoma, submitted a plot plan (Exhibit D-1), and informed that he is proposing to move a mobile home on a portion of a 5-acre tract owned by his father. Mr. Mansfield informed that a mobile home was previously located on the property, and he is proposing to install his mobile at the same location.

**Comments and Questions:**

In response to Mr. Looney, the applicant stated that the mobile home will utilize an existing septic system, and water is available.

Case No. 1198 (continued)

Mr. Tyndall asked if there are other mobile homes in the area, and the applicant replied that there are none in the immediate area, but there are mobile units to the west of the subject property.

**Protestants:**

None.

**Board Action:**


On MOTION of ALBERTY, the Board voted 4-0-0 (Alberty, Eller, Looney, Tyndall, Walker "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an AG-R District, and a variance to permit two dwelling units on one lot of record - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS and SECTION 208. ONE SINGLE-FAMILY DWELLING UNIT PER LOT OF RECORD** - Use Unit 9; per plan submitted; subject to a building permit and Health Department approval; and subject to the mobile home being skirted and tied down; finding that the tract is large enough to accommodate two dwelling units; and finding that the use will not be detrimental to the area or violate the spirit and intent of the Code; on the following described property:

W/2, NE/4 10 A. of Lot 1, less .12 A. for road,  
Section 19, T-22-N, R-14-E, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:10 p.m.

Date approved

11-16-93

  
Chairman