

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 164
Tuesday, January 4, 1994, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller Tyndall Walker, Chairman	Alberty Looney	Gardner Moore Russell	Glenn, Building Inspection

The notice and agenda of said meeting were posted in the Office of the County Clerk on Thursday, December 30, 1993, at 1:07 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 **TYNDALL**, the Board voted 3-0-0 (Eller, Tyndall, Walker, "aye"; no "nays"; no "abstentions"; Alberty, Looney "absent") to **APPROVE** the Minutes of December 21, 1993 (No. 163).

UNFINISHED BUSINESS

Case No. 1212

Action Requested:

Special Exception to permit a mobile home in an RS zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9, located NW/c of West 36Th Street and South 63rd West Avenue.

Presentation:

The applicant, **Edwin Shaddox**, 2613 South 67th West Avenue, was not present.

Comments and Questions:

Ms. Russell informed that the applicant is proposing to install a double-wide mobile home on the subject property and is not in need of the relief requested.

Chairman Walker advised that Case No. 1212 is **WITHDRAWN**.

Case No. 1219

Action Requested:

Special Exception to permit CB sales and repair in an IL zoned district - **SECTION 910. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 14, located 6015 South 49th West Avenue.

Presentation:

The applicant, **Ross Burnham**, 1123 East 34th Street, was not present.

Case No. 1219 (continued)

Comments and Questions:

Ms. Russell informed that the applicant has requested that Case No. 1219 be continued, due to illness.

Protestants:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Alberty, Looney, "absent") to **CONTINUE** Case No. 1219 to February 15, 1994.

NEW APPLICATIONS

Case No. 1221

Action Requested:

Use Variance to permit an office and storage of equipment in an AG zoned district - **PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 11 and 23, located 715 East 131st Street South.

Presentation:

The applicant, **Bob Farrell**, 611 East 146th Street, Glenpool, Oklahoma, was not present.

Comments and Questions:

Ms. Russell advised that the applicant no longer has an interest in purchasing the subject property, and requested that the application be withdrawn and fees be refunded. She noted that the application has been processed, and suggested that only the public hearing portion of the fee be refunded.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Alberty, Looney, "absent") to **WITHDRAW** Case No. 1221, and **REFUND** \$25.00, the public hearing portion of the fee.

Case No. 1222

Action Requested:

Variance to permit two dwelling units on one lot of record, variance of lot area from 2 acres to 1.605 acres and variance of land area from 2.2 acres to 1.605 acres, located west of the SW/c of East 122nd Street and North 145th East Avenue.

Presentation:

The applicant, **Bobby R. Schlack**, 726 West Commercial, Broken Arrow, Oklahoma, was represented by **Michael McCann**, 7672 East 58th Place, who informed that Donald Schlack is autistic and requires 24-hour supervision. He explained that Donald's brothers are caring for him and it is necessary that an additional dwelling unit be placed on the property for their residence.

Case No. 1222 (continued)

Comments and Questions:

In response to Mr. Walker, Mr. Gardner pointed out that there are other lots in the area that are smaller than the one in question.

Protestants:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Alberty, Looney, "absent") to **APPROVE** a **Variance** to permit two dwelling units on one lot of record, variance of lot area from 2 acres to 1.605 acres and variance of land area from 2.2 acres to 1.605 acres; subject to a building permit and Health Department approval; finding that the tract is large enough to support two dwellings, and there are lots in the area that are smaller than the one in question; 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:

South 660', west 220', east 1760', S/2, NE/4 less north 25' for road, Section 4, T-21-N, R-14-E, Tulsa County, Oklahoma.

Case No. 1223

Action Requested:

Special Exception to permit a mobile home in an RS zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9, located 404 North Terrace Drive.

Presentation:

The applicant, **Gerald Casey**, PO Box 222, Sand Springs, Oklahoma, informed that the church owns the lot in question and is requesting permission to install a mobile home for use as a parsonage.

Comments and Questions:

Mr. Walker asked if a mobile home was previously located on the lot, and Mr. Casey stated that a dilapidated house was previously on the lot, but it has been removed.

Protestants:

None.

Board Action:

On **MOTION** of **TYNDALL**, the Board voted 3-0-0 (Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Alberty, Looney, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RS zoned district for **three years only** - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9; subject to a building permit and Health Department approval; finding that there are other mobile units in the general area and that the temporary use will not be detrimental to the neighborhood; on the following described property:

Lot 7, Block 21, Charles Page Home Acres No. 2 and Resub B-10-12, Tulsa County, Oklahoma.

Case No. 1224

Action Requested:

Special Exception to permit a mobile home in an Ag-R zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 9, located 20812 West Coyote Trail.

Presentation:

The applicant, **Reta Beiswenger**, 20812 West Coyote Trail, Sand Springs, Oklahoma, requested permission to install a 16' by 80' mobile home on the subject property. She informed that there was previously a mobile home on the lot; however, the old mobile has now been removed and Board approval is required to install the new unit. A plot plan (Exhibit A-1) was submitted.

Comments and Questions:

Mr. Walker remarked that he is familiar with the area and pointed out that there are numerous mobile homes in the neighborhood.

Protestants:

Ms. Russell informed that a letter of protest has been received from **Lester Furr**, who noted that there are nice homes in the neighborhood and the installation of additional mobile homes will have a negative impact on property values.

Board Action:

On **MOTION** of **ELLER**, the Board voted 3-0-0 (Eller, Tyndall, Walker "aye"; no "nays"; no "abstentions"; Alberty, Looney, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an Ag-R zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 9; subject to the mobile being skirted and tied down; and subject to a building permit and Health Department approval; finding that a mobile home has been located on the property for several years, and approval of the request will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

TR 1B Dondonna Acres, Beginning 1215.56 S NWC th E459.93 NW300 SW368.26 POB, and TR 2 Dondonna Acres, Beginning 1215.56S NWC NW th S210 E615.57 NW261.89 W459.93 POB, less W30 and TR Beg SECR thereof thence W approx. 10.25N approx. 14.26 SE approx. 17.75 POB, Section 26-19-10, Tulsa County, Oklahoma.

OTHER BUSINESS

1171 - Frank Hixon - Discussion of District Court appeal.

Ricky Jones, INCOG, informed that the Board of Adjustment decision regarding Case No. 1171 has been upheld by Judge Peterson on November 24, 1993.

There being no further business, the meeting was adjourned at 1:54 p.m.

Date Approved 2-15-94


Chairman