

**COUNTY BOARD OF ADJUSTMENT**

MINUTES of Meeting No. 167  
Tuesday, April 19, 1994, 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 Walker, Chairman	Tyndall	Moore Russell	Glenn, Building Inspection

The notice and agenda of said meeting were posted in the Office of the County Clerk on Friday, April 15, 1994, at 3:57 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 1:32 p.m.

**MINUTES:**

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Eller, Walker, "aye"; no "nays"; no "abstentions"; Looney, Tyndall, "absent") to **APPROVE** the **Minutes** of March 15, 1994 (No. 166).

**UNFINISHED BUSINESS**

**Case No. 1240**

**Action Requested:**

Variance of the maximum square footage for a detached accessory building from 750 sq ft to 3000 sq ft **Section 420.2.E. Permitted Yard Obstructions** - Use Unit 6, located 5620 North Lewis Avenue.

**Presentation:**

The applicant, **Jeffrey Eagan**, 5620 North Lewis Avenue, was represented by **Lou Goodwin**, who informed that his client is proposing to construct a 40' by 75' accessory building to provide inside storage for restored automobiles. He stated that Mr. Eagan restores automobiles as a hobby and does not propose to conduct any type of business in the building. Letters of support (Exhibit A-2) were submitted.

**Comments and Questions:**

Mr. Walker reviewed the information presented at the previous hearing concerning the storage building, and stated that he was not supportive of the proposed 10' door at that hearing and is not supportive of it today. He pointed out that individuals do not customarily pay for large doors that they do not intend to use, and it appears that a commercial use could be proposed.

Mr. Goodwin stated that the height of the door can be changed to comply with any restrictions imposed by the Board.

Case No. 1240 (continued)

Mr. Alberty noted that the application was continued to allow the applicant sufficient time to submitted a revised plot plan for a smaller building. He pointed out that the size of the proposed storage facility is similar to that of a commercial structure, and is not typically found in a residential development. Mr. Alberty stated that it does not appear that the size of the building has been reduced.

Mr. Goodwin submitted a revised site plan (Exhibit A-1) for a 40' by 60' accessory building, and noted that his client will comply with all Board requirements.

Mr. Eagan stated that he requested the 10' door to provide adequate ventilation during the summer, and noted that there is another large building in the area that contains approximately 2000 sq ft of floor space.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** of the maximum square footage for a detached accessory building from 750 sq ft to 2400 sq ft **Section 420.2.E. Permitted Yard Obstructions** - Use Unit 6; per revised plan submitted; subject to a document prohibiting commercial or industrial use being filed of record in the County Clerk's office; subject to the building being accessory to the residence and limited to restoration and storage of antique automobiles; subject to no outside storage of automobiles or parts; subject to the size of the building being limited to 2400 sq ft, with a 10' side wall and 14' ridge line; subject to doors being a maximum of 8' high and 16' wide; finding that the lot is large enough to support the proposed building; and finding that approval of the application, per conditions, will not cause substantial detriment to the public good, or violate the spirit and intent of the Code; on the following described property:

Lot 13, Block 1, Belflower Heights, Tulsa County, Oklahoma.

**Case No. 1243**

**Action Requested:**

Special Exception to permit church uses in an RE zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located east of NE/c of 129th East Avenue and East 66th Street North.

**Presentation:**

The applicant, **Mingo Holiness Assembly of God**, 9414 East 46th Street North, was represented by **Robert Nichols**, 111 West 5th Street, who submitted a plot plan (Exhibit B-1) and informed that church use was previously approved on the tract. He stated that the use was approved, subject to the applicant returning with a plot plan for Board review. Mr. Nichols informed that future development is not depicted on the plan, but will be submitted for approval before constructions begins. He noted that the structure contains approximately 22,000 sq ft of floor space, with a seating capacity of 400.

**Comments and Questions:**

Mr. Alberty asked if the proposed construction is Phase I of the project, and Mr. Nichols answered in the affirmative.

Case No. 1243 (continued)

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** to permit church uses in an RE zoned district - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted for Phase 1; finding that the use was previously approved, per approval of the site plan; on the following described property:

S/2, SE/4, SW/4, Section 33, T-21-N, R-14-E, Tulsa County, Oklahoma.

**Case No. 1244**

**Action Requested:**

Use Variance to permit a mobile auto crusher in an IL zoned district - **SECTION 910. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 25, located 7002 North Peoria Avenue.

**Presentation:**

The applicant, **Dama Bogle**, 5710 East 25th Street, was present.

**Comments and Questions:**

Mr. Walker noted that the application was continued to allow sufficient time for the Board to view the site and attend a demonstration of the car crusher. He stated that the noise created by the crusher was minimal and the applicant is providing free pick up of appliances and other discarded metal articles in the area. Mr. Walker stated that it appears that the owner of the business is attempting to work with the community, and he is supportive of a temporary approval to prove compatibility with the neighborhood

Mr. Looney noted that several conditions (Exhibit C-1) were considered by those visiting the site, and stated that he could support the application, per these conditions.

Mr. Alberty and Mr. Eller advised that they would also be supportive of the application on a temporary basis, per conditions.

Mr. Alberty remarked that numerous improvements have been made to the lot and the services provided by the business appear to be beneficial to the community.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Use Variance** to permit a mobile auto crusher in an IL zoned district - **SECTION 910. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 25; finding the use to be compatible with the area, with the following conditions:

1. No business operation to the west of the railroad.
2. Extension of screening approximately 200' on the west boundary, extending from the northwest corner.
3. Complete graveling of site.

Case No. 1244 (continued)

4. Pave main driveway opening and front parking area.
5. Add second entrance north of building to permit trucks to loop through rather than back up on Peoria Avenue.
6. No stacking of crushed cars, or cars waiting to be crushed, above the top of the fence.
7. Crusher to remain at its current location (SW/c of property).
8. Hours of operation being 8 a.m. to 5 p.m., Monday through Saturday.
9. Approval is for two years only from this date.
10. Subject to the crusher being the one currently being used or a similar muffled machine.

North 440' E/2, E/2, SE/4, less .16 acres for road, Tulsa County, Oklahoma.

### NEW APPLICATIONS

Case No. 1246

Action Requested:

Special Exception to permit a mobile home in an RS zoned district, and a variance to permit two dwelling units on one lot of record - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** and **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 9, located 7236 South Trenton.

Presentation:

The applicant, **Gene Terry**, Route 3, Box 749, Sand Springs, Oklahoma, requested permission to install a 14' by 52' mobile home on the subject tract.

Comments and Questions:

Mr. Walker asked if there is a dwelling on the lot, and the applicant stated that there is one house on the property.

In response to Mr. Walker, the applicant stated that the mobile unit will be connected to the City sewer.

Mr. Looney asked if the mobile home will be skirted, and Mr. Terry answered in the affirmative.

Protestants: None.

Board Action:

On **MOTION** of **ELLER**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RS zoned district, and a **variance** to permit two dwelling units on one lot of record - **SECTION 410. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** and **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 unit being skirted and tied down; finding that there are other tracts in the area with more than one dwelling unit; 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:

North 190' of Lot 1, Block 6, Golden Hills, Tulsa County, Oklahoma.

**Case No. 1247**

**Action Requested:**

Variance to permit more than one dwelling on a lot of record, and a variance of land area and lot area per dwelling unit - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** and **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9, located 4321 South 225th West Avenue.

**Presentation:**

The applicant, **Harvey Lambert**, 4321 South 225th West Avenue, Sand Springs, Oklahoma, requested permission to install a mobile home on his property, which will be used as a residence for his mother. A plot plan (Exhibit D-1) and photographs (Exhibit D-2) were submitted.

**Comments and Questions:**

Mr. Alberty asked if the mobile home will align with the existing dwelling, and Mr. Lambert answered in the affirmative.

Mr. Alberty noted that the property across the street is zoned for mobile home use and, if the subject property had the same zoning classification, several mobile homes could be installed on the tract by right.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** to permit two dwelling units on a lot of record, and a **variance** of land area and lot area per dwelling unit - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** and **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9; subject to a building permit and Health Department approval; finding that RMH zoned property across the street is permitted to develop at a greater density by right than that requested by the applicant; and finding that approval of the request will not be detrimental to the area; on the following described property:

Part of NW/4, beginning 1068.77' south of the NW/c thence east 534.85', south 317', west 531.80', north 317', Section 27, T-19-N, R-10-E, Tulsa County, Oklahoma.

**Case No. 1248**

**Action Requested:**

Variance to permit two dwelling units on one lot of record, variance of lot area and a variance of land area per dwelling unit - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** and **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9, located 21125 Campbell Creek Road.

Case No. 1248 (continued)

**Presentation:**

The applicant, **Dyton Willis**, Route 3, Box 480, Sand Springs, Oklahoma, requested permission to install a mobile home on his property to be used as a dwelling for his son. He explained that, due to his wife's illness, it is imperative that his son live nearby to assist in her care. A plot plan (Exhibit E-1) was submitted.

**Comments and Questions:**

Mr. Walker asked if there are other lots in the area with two dwelling units, and he answered in the affirmative. He informed that there are numerous mobile homes in the area.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** to permit two dwelling units on one lot of record, **variance** of lot area and a variance of land area per dwelling unit - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** and **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** - Use Unit 9; per plan submitted; subject to the mobile unit being tied down and skirted; subject to a building permit and Health Department approval; and subject to the mobile home being occupied by family members only; finding that there are other tracts in the area with two dwelling units; and finding that approval of the request will not be detrimental to the area; on the following described property:

Lot 5, Block 1, Hickory Ridge Estates, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 1249**

**Action Requested:**

Variance of the required lot width, lot area and land area to permit a lot split - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6, located southwest corner of East 76th Street North and North Iroquois.

**Presentation:**

The applicant, **Ralph Friend**, 12103 East 29th Court, informed that he is proposing to acquire a lot split and sell a portion of his 2½-acre tract. He informed that there was a similar lot split on property to the south of the subject tract.

**Protestants:**

None.

Case No. 1249 (continued)

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** of the required lot width, lot area and land area to permit a lot split - **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT** - Use Unit 6; per plan submitted; finding that a similar lot split was granted on land to the south; and that approval of the request will not be detrimental to the area; on the following described property:

NW/4, NW/4, NW/4, NE/4, Section 36, T-21-N, R-12-E, Tulsa County, Oklahoma.

**Case No. 1250**

**Action Requested:**

Variance to permit two dwelling units on one lot of record - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6, located 13031 North 143rd East Avenue, Collinsville, Oklahoma.

**Presentation:**

The applicant, **Ruth Harris**, Route 2, Box 262, Collinsville, Oklahoma, stated that she received two abstracts when she purchased the property, and was not aware that the two lots were actually one tract. She requested that two dwelling units be permitted on the property.

**Comments and Questions:**

Mr. Walker pointed out that the tract is large enough to split into two separate lots, with both lots complying with Code requirements.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** to permit two dwelling units on one lot of record - **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6; finding that the tract is large enough to divide into two separate lots, 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:

North 440' E/2, E/2, SE/4, less .16 acres for road, Tulsa County, Oklahoma.

**Case No. 1251**

**Action Requested:**

Variance of the maximum 32 sq ft for an identification sign to 60 sq ft, and a variance of the required setback from the centerline of North 129th East Avenue from 50' to 30' - **SECTION 320.2 ACCESSORY USE CONDITIONS** and **SECTION 1221.3.G. GENERAL USE CONDITIONS FOR BUSINESS SIGNS** - Use Unit 5, located 9341 North 129th East Avenue.

Case No. 1251 (continued)

**Presentation:**

The applicant, **Arvle Knight**, P.O. Box 504, Owasso, Oklahoma, submitted a plot plan (Exhibit G-1) requested permission to install a new 5' by 12' sign for an existing church facility. He informed that the old 4' by 8' sign has been removed. Mr. Knight pointed out that installation at the required 50' setback would cause the sign to be in the middle of the parking lot. He noted that placing the sign at the requested 30' setback would cause it to align with existing trees and the church sign approximately 300 yards down the street.

**Comments and Questions:**

Mr. Alberty stated that he is familiar with the area and it appears that the sign to the south was installed at the proper setback. He pointed out that the proposed sign location is in the County right-of-way and, if approved, a removal contract would be required to ensure that the sign would be removed at the owners expense if the land is needed for future improvements.

Mr. Alberty asked if the sign can be placed in the landscaped areas between the drive and the parking lot, and Mr. Knight stated that there are large power poles in these areas.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** of the maximum 32 sq ft for an identification sign to 60 sq ft, and a **variance** of the required setback from the centerline of North 129th East Avenue from 50' to 30' - **SECTION 320.2 ACCESSORY USE CONDITIONS** and **SECTION 1221.3.G. GENERAL USE CONDITIONS FOR BUSINESS SIGNS** - Use Unit 5; per plan submitted; subject to a removal contract being filed of record in the County Clerk's office; and subject to County Engineer approval; finding that the sign would be in the parking lot if installed at the required setback, and that approval of the request, per conditions, will not be detrimental to the area; on the following described property:

Lot 1, Block 1, Owasso Assembly of God, Tulsa County, Oklahoma.

**Case No. 1252**

**Action Requested:**

Use Variance to permit office use and storage of equipment in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 14, located 715 East 131st Street South.

**Presentation:**

The applicant, **Bob Farrell**, 611 East 146th Street, Glenpool, Oklahoma, was represented by **Ed Poston**, 4157 South Harvard, who advised that his client was previously before the Board to request an electrical business on an 8-acre tract. He explained that his client is now requesting that his business be permitted to operate only on the front 2½ acres of the property. Mr. Poston stated that Mr. Farrell will park his trucks in the building and move his office to this location. He pointed out



Case No. 1252 (continued)

that the landscaping business, which previously occupied the property, parked equipment outside and had customers visiting the site. Mr. Poston noted that the previous use was much more intense than the electrical business operated by his client. He pointed out that there has been no neighborhood opposition to the application. A packet (Exhibit H-1) was submitted, which contained the history of the property, the intended use and photographs.

**Comments and Questions:**

Mr. Looney asked if vehicles will be stored outside, and Mr. Poston stated that all trucks will be parked inside the building. He added that temporary meter poles can also be stored inside.

Mr. Looney and Mr. Alberty stated that they were opposed to the previous application because of the size of the tract under application.

**Interested Parties:**

**Robert DeBolt**, 10615 South 33rd West Avenue, stated that he is the pastor of the church to the west of the subject property, and the church is supportive of the application if all materials and vehicles are store inside the building.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a Use Variance to permit office use and storage of equipment in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS - Use Unit 14**; subject to all vehicles or materials being stored inside the building; finding the use, as presented, to be compatible with the surrounding area and in harmony with the spirit and intent of the Code; on the following described property:

A part of the SW/4, SE/4, Section 1, T-17-N, R-12-E of the IBM, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at the SE/c of said SW/4, SE/4 of said Section 1; thence S89°45'27W a distance of 330.18', thence N0°00'29W a distance of 1,324.56', thence N89°44'51E a distance of 330.24', thence S0°00'29"E a distance of 1,324.61' to POB, Tulsa County, Oklahoma.

**Case No. 1253**

**Action Requested:**

Special Exception to permit residential use in a CS zoned district - **SECTION 610. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS - Use Unit 6**, located 18548 North Peoria.

**Presentation:**

The applicant, **Gary Imel**, P.O. Box 599, Skiatook, Oklahoma, requested permission to move a house on commercially zoned property. He stated that a mobile home was previously on the tract and a vacant 18' by 42' store building is existing.

Case No. 1253 (continued)

**Comments and Questions:**

Mr. Alberty asked if the building will remain, and the applicant replied that he plans to use the structure for storage.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** to permit residential use in a CS zoned district - **SECTION 610. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 6; finding the use to be compatible with the area, and in harmony with the spirit and intent of the Code; on the following described property:

NE/4, NE/4, NE/4, NE/4, Section 1, T-22-N, R-12-E, Tulsa County, Oklahoma.

**Case No. 1260**

**Action Requested:**

Special Exception to permit commercial recreation (basketball/softball/soccer fields and concessions) in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 20, located 13132 North Yale Avenue.

**Presentation:**

The applicant, **Dan Overholt**, 17512 East 88th Street, Owasso, Oklahoma, submitted a plot plan (Exhibit J-1) and explained that he is proposing to construct a baseball complex and a concession area on the subject property.

**Comments and Questions:**

In response to Mr. Walker, the applicant stated that he had initially planned to purchase approximately 7 acres, but has made arrangements to buy an additional 2½ acres for parking.

Mr. Alberty advised that, if approved, platting will be required prior to any development on the property.

Ms. Russell remarked that it will be necessary to advertise the additional 2½-acre tract that the applicant is proposing purchase.

**Protestants:**

None.

Case No. 1260 (continued)

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** to permit commercial recreation (basketball/softball/soccer fields and concessions) in an AG zoned district - **SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 20; and to **CONTINUE** the balance of the application to May 17, 1994 to permit advertising for an additional 2½ acres; subject to platting; and subject to the applicant returning with a detail site plan for Board review; finding the use to be consistent with the surrounding area; on the following described property:

Beginning 2364.3 south NE/c of Section 33, thence west 625.6' to east ROW line U.S. Highway 75, thence southwesterly 459.8', east 744', north 455.0' to POB less east 30' for road, Section 33, T-22-N, R-13-E, Tulsa County, Oklahoma.

**Case No. 1261**

**Action Requested:**

Variance of the required 30' of frontage on a public street - **SECTION 208. STREET FRONTAGE REQUIRED** - Use Unit 6, located north of 116th Street North and East of North Harvard.

**Presentation:**

The applicant, **Brian Wakley**, 8327 North 116th East Avenue, Owasso, Oklahoma, informed that his property is accessed by a mutual access easement, which is filed of record.

**Comments and Questions:**

Mr. Alberty asked if the road will be maintained by the County, and the applicant stated that the road will be privately maintained.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** of the required 30' of frontage on a public street - **SECTION 208. STREET FRONTAGE REQUIRED** - Use Unit 6; finding that a mutual access easement has been filed of record, and that the street will be privately maintained (no County maintenance); on the following described property:

SE/4, SE/4, NW/4, Section 4, T-21-N, R-13-E, Tulsa County, Oklahoma.

**Case No. 1262**

**Action Requested:**

Variance to permit a 120' tower - **SECTION 220.C. HEIGHT LIMITATIONS** - Use Unit 2, located East 161st Street South and South Lewis Avenue, Glenpool, Oklahoma.

**Presentation:**

The applicant, **U. S. Cellular**, 4200 East Skelly Drive, Suite 920, was represented by **Charles Greenough**, 320 South Boston, Suite 500, who requested permission for his client to construct a 120' cellular tower on the subject property. He informed that a 10' vertical antenna will be installed at the top of the tower, with a total height of 130'. A plot plan (Exhibit K-1) was submitted.

**Comments and Questions:**

Mr. Alberty asked if the land surrounding the tower is undeveloped, and Mr. Greenough answered in the affirmative.

**Doyle Groat**, 5322 East 44th Street, stated that the proposed tower location is to the rear of the property, which prevents vandalism and makes it less visible to the public.

Mr. Looney noted that the height of the tower was advertised as 120', and Mr. Groat advised that the additional 10' antenna may not be needed.

Mr. Alberty stated that, if the 120' tower is approved, the Board could continue the remainder of the application to permit readvertising for the 10' antenna.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Eller, Looney, Walker, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Variance** to permit a 120' tower - **SECTION 220.C. HEIGHT LIMITATIONS** - Use Unit 2; per plan submitted; and to **CONTINUE** the balance of the application to May 17, 1994 to permit advertising for extended height; finding the use to be compatible with the surrounding area; on the following described property:

West 825' SE/4, SE/4, less east 594', south 880' thereof and less east 211', west 231', south 518.2', Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 3:10 p.m.

Date Approved

5/17/94

  
Chairman