

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 199  
Tuesday, December 17, 1996, 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		Beach Huntsinger	Glenn, Building Inspection

The notice and agenda of said meeting were posted in the Office of the County Clerk on Friday, December 13, 1996, at 2:58 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chair Walker called the meeting to order at 1:32 p.m.

**MINUTES:**

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; none "absent") to **APPROVE** the minutes of November 19, 1996 (No. 198).

**NEW APPLICATIONS**

**Case No. 1468**

**Action Requested:**

Special Exception to allow a manufactured home in an RS zoned district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 19 and a Variance to allow 2 dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6 & 9, located 4603 South 63rd West Avenue.

**Presentation:**

The applicant, **Sharon Wilkinson**, 4603 South 63rd West Avenue, submitted a site plan (Exhibit A-1) and an application for a building permit (Exhibit A-2). Ms. Wilkinson stated she would like to install a trailer home on her land for her mother to live in. Ms. Wilkinson explained that her mother is disabled, 71 years of age and needs constant care.

**Comments and Questions:**

Mr. Alberty asked the applicant how many dwellings or buildings are currently on her property? She stated that there was a house and garage on her property.

Mr. Alberty explained to the applicant that the aerial photograph indicates approximately 6 buildings. Ms. Wilkinson stated that there is a small feed house with pens.

Mr. Walker asked the applicant what the hardship would be for this application? Ms. Wilkinson stated she would like to keep her land under one ownership.

**Protestants:** None.

**Board Action:**

On **MOTION** of **TYNDALL**, the Board voted 5-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to allow a manufactured home in an RS zoned district. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 19 and a **Variance** to allow 2 dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6 & 9; per plan submitted; subject to the trailer having skirting and tie downs; subject to the approval of the Health Department and a building permit; finding that the land is large enough to split into two lots, however the applicant would like to keep the land under one ownership; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

Lots 19-62, Block 48, North Taneha, Tulsa County, Oklahoma.

**Case No. 1469**

**Action Requested:**

Variance to permit 2 dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6, located 9621 North 136th East Avenue.

Case No. 1469 (continued)

**Presentation:**

The applicant, **Kirk Ocobock**, 9621 North 136th East Avenue, Owasso, submitted a site plan (Exhibit B-1) and an application for a building permit (Exhibit B-2). Mr. Ocobock stated he would like to put a workshop on the back half of his property with a mother-in-law quarters above the workshop.

**Comments and Questions:**

Mr. Walker asked the applicant how many acres he owned? He stated he owns 2 1/3 acres of land.

Mr. Looney asked the applicant if in fact his mother-in-law would be living in the quarters above the workshop? He answered affirmatively.

Mr. Walker asked the applicant if there are other tracts of land in his area that have two dwelling units? He stated that directly behind his property he thought there may be more than one dwelling unit on the land, but he is not sure.

Mr. Alberty asked the applicant what the building will look like? He stated it would be built to look like his home (bottom floor brick and second floor panel). He explained that the shop would be on the first level and the residence on the second level.

Mr. Alberty asked the applicant if he had a problem with the condition of approval that the living quarters will be for family members only and cannot be rented at such time the mother-in-law no longer resides in the living quarters? He answered affirmatively.

Mr. Tyndall asked the applicant if he had any idea of how large the building will be? He stated probably a 30' x 30' building.

In response to Mr. Tyndall, Mr. Ocobock stated the shop would be for personal use only.

**Interested Parties:**

**Mr. Floyd Stevens**, 13717 East 96th Street North, stated he is the second lot east from the subject property. He further stated he is not against this application but wanted to know if the applicant had to have an actual lot split.

**Comments and Questions:**

Mr. Beach informed Mr. Stevens that the applicant has not applied for a lot split.

**Interested Parties:**

**Mr. Steve Johnson**, 9810 North 136th East Avenue, stated he lives one block north from the subject property. Mr. Johnson expressed concerns that the living quarters for the mother-in-law could turn into a rental type property. He further expressed concerns that the proposed building be compatible with the rest of the neighborhood and maintain property values. Mr. Johnson stated he did not want the garage/shop turned into a commercial business.

**Comments and Questions:**

Mr. Walker informed Mr. Johnson that if the Board were to approve this application then one of the conditions will be no commercial activity allowed and the living quarters cannot be rented to the public. Mr. Walker stated that deed requirements is not something the Board is authorized to police.

**Applicant's Rebuttal:**

**Mr. Ocobock**, stated he did not have any further statements.

**Comments and Questions:**

Mr. Alberty stated that the subject area is a very nice area with large lots and enough room to accommodate the proposed building. He further stated he could support this application with a condition that the architecture of the structure would be compatible with the architecture of the existing home. Mr. Alberty indicated that the living quarters should be for family members only and that it not be considered for rental property. He further indicated that the hardship is the size of the lot because the zoning is RE, which would allow a density of one dwelling per half acre and Mr. Ocobock has two acres. Technically he could have 3 or 4 dwelling units with a lot split.

Mr. Walker stated he could support this application, however, the applicant needs to return with a detailed site plan.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 5-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; none "absent") to **APPROVE** a **Variance** to permit 2 dwelling units on one lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6; subject to the applicant returning with elevations by submitting to Staff for review; subject to the proposed building being a two-story building with the hobby shop on the first floor and the living quarters on the

Case No. 1469 (continued)

second floor; subject to there being no commercial activity on the property; subject to the living quarters being for family members only; subject to the proposed building having the same architectural and construction materials of the existing dwelling; finding that the hardship is in the fact that the land area of the applicant's lot is large enough to accommodate the two proposed separate dwelling units; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

NE, SE, SE, SW Less 30' for Road, Sec. 16, T-21-N, R-14-E, Tulsa County, Oklahoma.

**Additional Comments:**

Mr. Alberty informed the applicant that he did not need to set this for public hearing, rather he can submit the elevation drawings to the Staff and the Staff will give the drawings to the Board for review.

**Case No. 1470**

**Action Requested:**

Variance to permit the aggregate of detached accessory buildings to exceed the maximum of 750 SF to permit a new building of 1200 SF for a total of 1520 SF.  
**SECTION 240.2.E. YARDS** - Use Unit 6, located 7216 North Peoria.

**Presentation:**

The applicant, **Charles H. Horner**, 7216 North Peoria, submitted a letter of recommendation from the neighbors (Exhibit C-1), application for a building permit (Exhibit C-2) and photographs (Exhibit C-3). Mr. Horner explained that he would like to build a pole barn to store show cars. He stated he has been showing cars for approximately 15 years and he has seven cars currently. Mr. Horner indicated he bought the subject property because he would have room to build the pole barn for storing his show cars. He stated there is currently no garage on the subject property. There is one storage building on the property that measures 12' x 24' and there is a two-horse barn that he is considering removing. Mr. Horner indicated that the show cars are valued from \$60,000 to \$65,000 and need to be stored inside to prevent vandalism.

**Comments and Questions:**

Mr. Looney asked the applicant if he had a problem with the restriction that there will be absolutely no commercial activity? He stated he had no problem with the restriction.

Case No. 1470 (continued)

Mr. Alberty asked the applicant if he had a wooden fence for the south property line? He stated he will install a wooden fence to the south and north.

Mr. Alberty asked the applicant if he was adjacent to a salvage yard to the north? He answered affirmatively.

Mr. Horner stated his neighbor to the south has a garage twice the size of what he has proposed.

Mr. Looney asked the applicant what size of building he would like to build? He stated he would like to build a 30' x 40' building or 1200 SF.

**Interested Parties:**

**Rick Bricksey**, 1612 East 66th Street North, stated he previously owned the subject property for 20 years. He further stated that there are two neighbors on each side of the subject property that has built garages larger than the proposed building. Mr. Bricksey explained that Mr. Horner has improved the lot and the barn will be compatible.

**Eric Vanstone**, representing Robert Utley, stated he is concerned about the 25' private road on the south side of the subject property that services the property inside the railroad tracks. Mr. Utley would like to open up the road in the future to build a home. Mr. Vanstone wanted to make sure the applicant did not build his building or fence in the 25' area that is designated for the road.

**Comments and Questions:**

Mr. Looney asked Mr. Vanstone if there is a road across the railroad tracks? He stated that there use to be a road across the tracks, but it was closed down, however it is still dedicated on the plat as a private road.

Mr. Alberty asked Mr. Horner if he is aware of the dedicated roadway on the south side of the property? He answered affirmatively.

Mr. Alberty asked Mr. Horner if he is going to honor the dedicated roadway? Mr. Horner stated he will not be building anywhere near the dedicated roadway.

Mr. Beach stated that according to the Tax Assessor's Map, the subject property does not include the road.

Case No. 1470 (continued)

Mr. Bricksey stated that the road is an undesignated road and it was not left to anyone when the property was platted. He further stated that the road has been under fence by the owner's of this property ever since it was platted. Mr. Bricksey explained that he has looked in the County records and it is not designated nor is it owned by the County. He indicated the road has been maintained by the owners of the property.

Mr. Alberty stated that Mr. Horner indicated he would not be building on the south 25' of the subject property so the issue of how the road is designated is mute.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 5-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; none "absent") to **APPROVE** a **Variance** to permit the aggregate of detached accessory buildings to exceed the maximum of 750 SF to permit a new building of 1200 SF for a total of 1520 SF. **SECTION 240.2.E. YARDS - Use Unit 6**; subject that the accessory building be used to house his automobiles as depicted in his presentation; subject to there being no commercial activity on this property; finding that the area is a mixture of CS, IL & RS districts and the property could be zoned IL based on the existing patterns, but the owner desires to maintain the property as RS district; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

Lot 12, Delaware Gardens, Tulsa County, Oklahoma.

**Case No. 1471**

**Action Requested:**

Variance of the required rear yard from 25' to 3' & side yard from 15' to 3' to permit a detached accessory building. **SECTION 430.1 BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** and a Variance of the maximum 750 SF for a detached accessory building to 2700 SF. **SECTION 240.2.E. YARDS - Use Unit 6**, located 11617 E. 68th St. North.

**Presentation:**

The applicant, **Wayne E. Smothers**, 11617 East 68th Street North, submitted an application for a building permit (Exhibit D-1) and stated he would like to build a building to store his cars that he is rebuilding. He currently has 10 cars and needs this building to store them inside. Mr. Smothers stated he will be putting a fence around the back of the property.

Case No. 1471 (continued)

**Comments and Questions:**

Mr. Walker asked the applicant if he worked at a regular job other than rebuilding cars? He stated he works for a transmission shop.

Mr. Looney asked the applicant how many cars he would like to store? He stated he would store approximately 10 cars.

Mr. Looney asked the applicant if he planned on working on the cars in the proposed building? He stated he would work on his cars only, nothing commercial.

Mr. Alberty asked the applicant what type of material his building would be? He stated it will be a steel frame building the same color as his home (brown with white trim). He further stated the building will be 10' tall.

Mr. Walker stated that there is more square footage proposed than is necessary to store 10 cars and asked the applicant his intentions of such a large building? He stated he wanted to get the building approved for that size, but he may build smaller, it will depend on how much the Bank will loan him. He further stated that with a building that large he could store all of his parts as well as his cars.

Mr. Alberty asked the applicant if he discussed his proposal with his neighbors? He stated the neighbors are not against this application.

Mr. Alberty stated the area is zoned residential, however it is rural in nature. He further stated the applicant has one of the nicest houses on the block. The property owner to the west has a lot of outside storage, which almost appears to be a salvage operation.

Mr. Looney stated that because of the placement of the septic system and the pond, it creates a hardship in the rear yard and side yard.

**Protestants:** None.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 5-0-0 (Alberty, Looney, Tyndall, Walker, "aye"; no "nays", no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required rear yard from 25' to 3' & side yard from 15' to 3' to permit a detached accessory building. **SECTION 430.1 BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** and a **Variance** of the maximum 750 SF for a detached accessory building to 2700 SF. **SECTION 240.2.E. YARDS** - Use Unit 6; subject to there being no outside storage on the property; subject to there being no commercial activity within the property; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:



Case No. 1471 (continued)

W/2, of a tract of land in the S/2, SE/4, NW/4, SW/4, Sec. 32, T-21-N, R-14-E, I.B.M., Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to wit: Beg. at the SE/c of said S/2, SE/4, NW/4, SW/4; thence N for 330.17'; thence W for 330.30'; thence S 330.17' to the S line of said SE/4, NW/4, SW/4; thence E 330.26' to the POB.

**Mr. Alberty announced he will be abstaining from Case No. 1472.**

**Case No. 1472**

**Action Requested:**

Special Exception to permit an existing residential and out-patient substance abuse treatment center, transitional living center & halfway house permanently and approval of conceptual master plan. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located NE/c 61st Street North & North Cincinnati.

**Presentation:**

The applicant, **N. Kay Bridger-Riley**, 8908 South Yale, Suite 230, submitted a site plan (Exhibit E-1), report with statistics (Exhibit E-2), and a letter of support (Exhibit E-4). Ms. Bridger-Riley stated she represents Freedom Ranch, which is a halfway house. She indicated that the center has done what was asked by the Board two years ago and now requests permanent zoning. Ms. Bridger-Riley explained that the Board instructed Freedom Ranch not to expand the building and it has not been expanded, but has been renovated. The following represents the criteria followed as set out by the Board: Security personnel in each cottage at night; highest resident population 122 and average 100; changed focus of program toward women clients. Ms. Bridger-Riley detailed that \$213,523.00 has been invested in the subject property and there are still improvements that need to be made. She indicated that \$170,800.00 improvements is currently underway. Ms. Bridger-Riley stated that this will bring the total investment to \$759,333.00 in the Turley Freedom Ranch. She commented that the Freedom Ranch has integrated well within the community and 70% of the staff are from North Tulsa. Seventy percent of the residents have family in the North Tulsa area. Ms. Bridger-Riley stated the staff to resident ratio is 1 staff person to every 3.4 residents. She further stated that Freedom Ranch is a non-profit Christian program, which specializes in drug and alcohol treatment. The Turley Freedom Ranch is for residents who are about to be returned to the community. The resident must qualify to be eligible for Freedom Ranch and must reach Community Security Status before coming to Freedom Ranch. Ms. Bridger-Riley detailed the various organizations that regulate Freedom Ranch: Department of Mental Health "DMH", Department of Corrections "DOC", American Correctional Association "ACA". She requested that the Board consider using the ACA, DOC and DMH regulations

if the Board felt that restrictions are necessary on the final zoning of the subject property. Ms. Bridger-Riley asked the Board to approve the permanent zoning on the subject property. There have not been any complaints from citizens or neighbors to the Sheriff's office regarding Freedom Ranch. There have been no reported incidents as a result of the clients committing crimes or disturbances in the neighborhood. Ms. Bridger-Riley reminded the Board that at the first hearing for the temporary zoning the room was full of protestants and today there is only two protestant.

**Mr. Willie Higgins**, Program Director of Freedom Ranch, stated he has worked 20 years with Corrections and the first thing ever considered before placing a facility like Freedom Ranch in the community is to make sure the community wanted the facility in their area. Mr. Higgins indicated that he canvassed the neighborhood for signatures on a petition in favor of the facility (Exhibit E-3). Mr. Higgins explained that he lives on the property of the facility and is readily available. He further explained how he visited with neighbors and schools in area, which have no complaints with Freedom Ranch being in their neighborhood. Mr. Higgins stated there are 45 volunteers who come to interact with the clients of Freedom Ranch. He explained that the 45 volunteers are from the surrounding area and contribute spiritual and emotional support. Mr. Higgins stated he personally screens all of the applications and if there is anything in their application that will cause problems, or not fit in the community, then they are rejected. He further stated that one of the first concerns of a community is the crime rate increasing because of the type of facility coming in. He explained that in 20 years of his dealing with corrections it has never happened, but has been proven that the crime rate usually decreases. Mr. Higgins indicated that most of the clients at Freedom Ranch are women and are mothers of the children in the nearby schools. He stated the women at the facility are the women you see picking up the trash along the City, State and County roadways.

**Comments and Questions:**

Mr. Looney asked Mr. Higgins if he has maintained the security in each of the units at night? He stated that if one of the officers did not show up, then there is a schedule where the other officers have to spend one hour at each unit and rotate throughout the night. He explained that he lives on the subject property and if he is needed he is there immediately.

Mr. Looney asked if there has been a lot of construction activity in the last couple of years? Mr. Higgins stated the facility has been renovated, but it has not been expanded.

**Protestants:**

**Terry McKenzie**, 6230 North Frankfort, stated he has lived in the area all of his life. He further stated that the facility has had some problems. He explained that the facility has had some escapes and the last one took a female prisoner with him (the escapee had 56 days left to serve on his time ). There have been several residents walk away from the facility since they have moved into the Turley Freedom Ranch. Mr. McKenzie stated that before the applicant moved to Freedom Ranch in Turley, there was a rape and murder by one of their clients at a church on 12th and Boston. Mr. McKenzie submitted a news clipping regarding the incident at the church (Exhibit E-5). Mr. McKenzie reminded the Board that during the original petition for Freedom Ranch it was agreed that the Sheriff's office would have a area office at the facility, but that has not come about. He questioned if the facility has armed guards? He indicated that he is concerned with the facility being in the neighborhood and that several of his neighbors have moved out.

**Comments and Questions:**

Mr. Walker asked Mr. McKenzie if he had any suggestions on what the facility could do to prevent the clients from walking away? He stated he did not know what to suggest on the walk away situation, but he did not want this facility in his neighborhood.

Mr. Walker asked Mr. McKenzie if the recent escapee committed any crimes before leaving the area? He stated he did not know.

**Protestants:**

**Ray Bates**, 6330 North Utica, Chairman District 24 Planning, stated that he was asked by the neighbors of Turley to express objections to Freedom Ranch. Mr. Bates informed the Board that in spite of the fact that there was a petition signed with over 300 names and 35 people in the audience at the first meeting, it didn't help the neighborhood keep Freedom Ranch out of their backyards. He stated the neighbors are still against the facility, but they felt they would be wasting their time to come down for the meeting today since the facility has been there for two years. Mr. Bates indicated that he has observed the facility over the past two years and that the facility has made an effort to clean the property. He stated that at this point and time the facility is only treating 120 people and one of the concerns of the neighbors is the possibility of the facility expanding. He further stated the neighbors are concerned because the facility is on 40 acres and they are already planning expanding in the near future, which could house as many as 800 to 1000 people. Mr. Bates indicated that he has been in the real estate business and has worked the north side area for 30 years. He further indicated that the north side growth factor is due to too many things that are a detriment to entice growth and in the neighbors opinion the subject facility is a detriment to the neighborhood. He compared the facility to a mini-security prison. He requested the Board (if the Board approves this request) to restrict the number of

Case No. 1472 (continued)

clients allowed to be in the facility due to the sewer problems in the area. He stated a large number of people on the septic system will greatly impact the sewers that are already in bad shape.

**Applicant's Rebuttal:**

Ms. Bridger-Riley stated the person responsible for the incident at the First Methodist Church had no history of violence in his background and he was actually an employee of the Church. She further stated that the incident was considered an employment related matter and the investigation showed that there was no fault on behalf of Freedom Ranch. Ms. Bridger-Riley indicated that Freedom Ranch reported the client missing before anyone knew he was missing. She stated that there is no way to predict random acts of violence. Ms. Bridger-Riley stated that there are men and women at the facility currently and the statistics are on the reports handed out. She further stated the Sheriff's office has been given a place to set up an office, however that has not come about because the Sheriff's Department does not have the budget to do so. She indicated that law officers do come by on a regular basis to visit the facility. Ms. Bridger-Riley stated there have been a few walk away incidents at the facility and that is going to happen from time to time, because this is not a maximum security facility nor is it intended to be. She pointed out the annual payroll, which is being added to the Turley Community and the large number of Staff from the area. She stated that if people are released directly from prison to walk on the streets, they will be in your back yard instead of a halfway house being rehabilitated for living with society.

**Comments and Questions:**

Mr. Looney asked Ms. Bridger-Riley how many residents did the facility plan to add? She requested that if the Board is going to restrict the land, that the Board use the ACA requirements. She indicated that presently the cottages could house up to 35 or 36 residents opposed to the 25 residents currently.

Mr. Tyndall asked Ms. Bridger-Riley what is Therapeutic Foster Care Cottages? Mr. Dave King, President of Freedom Ranch, 16 East 16th Street, stated that the Therapeutic Foster Care has nothing to do with the Department of Corrections, it is used by DHS to place children with Foster Parents who have special training to meet the children's needs.

Ms. Bridger-Riley stated that at First Wings of Freedom Program, located at 12 East 12th Street, the women actually have their children with them. She further stated in addition to the women getting treatment for drug and alcohol abuse, the children receive therapy and treatment. She indicated that this type of treatment has been found to break the cycle of drug and alcohol abuse from generation to generation. Because of the success of this program, the decision was made to go to all female residents at the Freedom Ranch facility.

Case No. 1472 (continued)

Mr. Looney stated he is not sure he would be in favor of increasing the number of residents allowed at the facility and he is not ready to approve the conceptual plan at this time. He commented that the two year record seems to be good. He asked the applicant if she would have a problem if the Board made a condition that Freedom Ranch maintain a central security office in the event the Sheriff's office decides to install someone at the facility? She stated that that would be fine and that they are required under the code to have security.

Mr. Looney asked the applicant if the building is able to accommodate the increase to 35 residents in a cottage, which would be a 175% increase? Mr. King stated that with the renovations the cottages can accommodate 35 residents. He further stated that the agencies that monitor and audit the facility would not allow that many residents unless the facility met all of their specifications.

Mr. Looney asked the applicant if it is the facilities contention to continue the security at night in the individual buildings as it was specified in the prior approval? He answered affirmatively.

Mr. Walker asked the applicant if there is an ACA requirement for the ratio of staff to resident? Mr. Higgins stated that the usual ratio is one to eight in corrections.

Mr. Looney stated that the average for the facility has been 1 staff member to 3.4 residents and that is far better then the 1 staff member to 8 residents.

Mr. Higgins stated that one staff to 3.4 residents is unheard of in State Correctional facilities and so Freedom Ranch exceeds the normal ratio.

Mr. Walker asked the applicant how the percentage of residents with family residing in the area is calculated? Mr. Higgins stated that the information came directly from the residents that are currently in the program. He further stated that it is expected that a resident will probably go back to the same area where the family resides after being released.

Mr. Higgins stated that a facility such as Freedom Ranch will never house 800 to 1000 residents, because it is a community base facility. He further stated the State and Federal Government does not want this type of facility to grow to that capacity.

Mr. Walker stated he could support a five (5) year extension of this facility. He further stated the facility has a good ratio of residents from the area and the facility does not need to be treating people from other areas. He commented that he is not ready to approve the conceptual plan because he does not understand all of the notations on the drawings.

Case No. 1472 (continued)

Mr. Looney stated he could support the continuation of the facility, but he is not ready to give unrestricted, permanent approval to the time period. He further stated that this is an accountability matter and he could support five years extension of time. Mr. Looney indicated he would like to put a limitation of no more than 150 residents, which would be 30 per cottage versus the 25 per cottage. This would be a 50% increase from the current average. Mr. Looney stated he could probably approve the conceptual site plan, but nothing specific. He further stated that the applicant should come back before the Board in each instance that they want to do a particular building project for the Board's approval.

Mr. Tyndall stated the facility has done a good job, but he is not ready to approve the conceptual master plan without specific numbers because of security concerns. He further stated he is not opposed to a continuation as it stands currently. Mr. Tyndall commented he still has concerns with permanent security on the premises.

Mr. Eller stated he could support the five year extension and then come back with plans when they are ready to enlarge the facility.

Mr. Beach commented that the applicant is asking for permanent approval and he needed some clarification on what the Board is ready to approve. He asked the Board if they were talking about approving the existing use on a permanent basis and having the applicant come back before the Board with specific requests for the items indicated currently on the master conceptual plan? He further asked the Board if it is necessary to limit the facility to five years or would it be appropriate to grant the facility a permanent status and the applicant coming back before the Board with an expanded plan? Mr. Walker stated his comment was based upon limiting the current use to no more than 5 years and then laying that aside and then address the conceptual plan.

Mr. Looney stated that if the Board limits the facility to five (5) years of use, it could be hard for the facility to plan anything in the near future.

Mr. Looney asked Ms. Bridger-Riley what the facility could live with as far as extensions and approvals of the facility? Ms. Bridger-Riley stated that a time limitation on the zoning will inhibit the facility from receiving grants. She further stated a time limitation knocks you out of qualifying for loans and grants for large building projects. She requested that the zoning permit be approved permanently and provide some sort of mechanism for the facility to come back to the Board before expanding. Ms. Bridger-Riley further requested the Board to use the three regulating bodies standards and restrictions that monitor the facility.

Case No. 1472 (continued)

Mr. Glenn suggested the Board approve the special exception permanently and approve the conceptual plan subject to a plot plan review per building; subject to building code occupancy law per unit. He stated that those two conditions will limit the maximum number of residents.

Mr. Walker stated that the Board allowed this facility in Turley in spite of the protestants who did not want this facility in their neighborhood and the Board needs to give some protection to the people of Turley.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-1 (Looney, Tyndall, Walker, "aye"; no "nays", Alberty "abstention"; none "absent") to **APPROVE** a **Special Exception** to permit an existing residential and out-patient substance abuse treatment center, transitional living center & halfway house permanently and approval of conceptual master plan. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2; subject to a limitation of no more than 150 residents for treatment at anyone time; subject to the applicant coming back before the Board of Adjustment in the future for any expansion of buildings and providing detailed plans; subject to a plot plan review; subject to the Board being provided all of the necessary numbers of residents that each facility will house; subject to Board of Adjustment approval for any increases of residents over 150; subject to the facility maintaining a central security office that can be utilized by the Sheriff's Department if they so desire; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

SW, NW, Sec. 1, T-20-N, R-12-E, Tulsa County, Oklahoma.

**OTHER BUSINESS**

**Item Number 7:**

Approval of Special Policy regarding cellular towers.

**Comments and Questions:**

Mr. Beach stated the Board indicated that they would like a policy that requires future applicants that apply for any form of approval for a telecommunications antenna to provide a map of their existing locations all over the Tulsa County. Mr. Beach informed the Board that there is one representative in the audience, Lee Ann Fager/SW Bell Services, who would like to speak on this subject.

**Ron Looney - Out 3:25 p.m.**

Item No. 7 (continued)

**Interested Parties:**

**Ms. Lee Ann Fager/SW Bell Services**, 11529 East Pine, stated she needed clarification of the new policy. She understood that the Board was asking for a map depicting all of the applicant's tower locations within the boundaries of Tulsa County. She asked if the Board is actually asking for a map depicting the location of the applicant's towers within the unincorporated portions of the county or the areas that the Board has jurisdiction over?

In response to Ms. Fager, Mr. Walker stated the request was specifically for the unincorporated area.

In response to Mr. Walker, Ms. Fager stated that SW Bell Services has no problem with that request and have complied by submitting a map to INCOG.

Mr. Beach stated the map indicates SW Bell Services' towers that have been approved by the Board of Adjustment.

In response to Mr. Beach, Ms. Fager stated the map does include all of the towers located in the unincorporated portions of Tulsa County, but does not include the City of Tulsa.

In response to Mr. Glenn, Ms. Fager stated the map does not include any towers they have co-located with.

in response to Ms. Fager, Mr. Walker stated the Board would want the co-location information as well. The Board would like the telecommunication companies to share the towers in order to reduce the number of towers.

**After a lengthy discussion**, the Board decided to table the discussion and/or action regarding approval of a Special Policy regarding cellular towers to January 23, 1997, at 1:30 p.m. to enable the Staff to provide guidelines at the next meeting for interim use until there is a new ordinance.

**Item Number 8:**

Discussion of possible training session for the Board of Adjustment members.

**Presentation:**

Mr. Beach stated that the Staff at INCOG is trying to conduct a joint training session between the County Board of Adjustment and the City Board of Adjustment.



Item No. 8 (continued)

**Comments and Questions:**

The Board agreed that the first week in February would be an appropriate time for the joint training session with City Board of Adjustment, however they requested that a member from the County Inspection Office, District Attorney's Office and Code Enforcement be present at the training session as well.

There being no further business, the meeting was adjourned at 3:50 p.m.

Date approved: Jan 23, 1997  
Robert L Walker  
Chair