

**COUNTY BOARD OF ADJUSTMENT**  
 MINUTES of Meeting No. 228  
 Tuesday, May 18, 1999, 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	Walker	Arnold	West, Zoning Officer
Dillard		Bruce	Glenn, County
Looney		Stump	Inspector
Tyndall, Chair			

The notice and agenda of said meeting were posted in the Office of the County Clerk on, Thursday, May 13, 1999, at 8:39 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chair Tyndall called the meeting to order at 1:30 p.m.

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**MINUTES:**

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Dillard, Tyndall, "aye"; no "nays", no "abstentions"; Looney, Walker "absent") to **APPROVE** the Minutes of April 20, 1999 (No. 227).

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**UNFINISHED BUSINESS**

**Case No. 1638**

**Action Requested:**

Special Exception to the uses allowed in the AG District to allow an outdoor soccer field (Use Unit 20-Commercial Recreation NEC) and a Variance to the hard surface parking requirements.

**Comments and Questions:**

Mr. Bruce mentioned that this case was before the Board at the last meeting (April 20, 1999) and was continued to this meeting. The applicant was to provide Staff with a revised legal description. Staff has spoken with the applicant and he is in the process of speaking with the residents in the area since there was some opposition to the facility. The applicant has asked for the Board to table the item until the applicant believes he is ready to proceed.

Case No. 1638 (continued)

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Dillard, Tyndall, "aye"; no "nays", no "abstentions"; Looney, Walker "absent") to **TABLE** Case No. 1638 indefinitely.

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**NEW APPLICATIONS**

**Case No. 1643**

**Action Requested:**

Variance to allow two dwelling units per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD**; a Special Exception to allow a mobile home on an RS zoned lot. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and a Variance to the minimum land area per dwelling unit requirements. **SECTION 430. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS**, located 5716 North Norfolk.

**Comments and Questions:**

Mr. Bruce reviewed Staff Comments from the Case Report. Mr. Bruce pointed out to the Board that in additional review, Staff has found that the land area is sufficient and the variance to the minimum land area is moot.

**Presentation:**

The applicant, **Betrece Bishop**, 1507 East 72<sup>nd</sup> Street North, Tulsa, OK 74126, submitted a site plan (Exhibit A-1) and stated that she would like to put a 10' x 50' mobile home on the back of the property. The lot is 60' x 280'. The house on the front is in need of repair and will eventually be replaced. The mobile home will be on the property permanently.

**Comments and Questions:**

Mr. Tyndall asked Ms. Bishop if her property backs up to the railroad and she replied affirmatively.

Mr. Tyndall asked her if the property will be on City utilities and Ms. Bishop replied yes.

Mr. Alberty asked the applicant if the property is used for rental property. Ms. Bishop replied affirmatively.

Mr. Alberty asked Mr. Glenn if the County Inspector's office has had a chance to look at this property and he replied negatively. Mr. Alberty suggested to the applicant that she needs to visit with the County Inspector.

Case No. 1643 (continued)

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 3-0-0 (Alberty, Dillard, Tyndall, "aye"; no "nays", no "abstentions"; Looney, Walker "absent") to **APPROVE** Variance to allow two dwelling units per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD**; a Special Exception to allow a mobile home on an RS zoned lot. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS**, subject to approval by the County Inspector, on the following described property:

Beg. 700' W 399.5' S NE/c SE SE thence W 280' SWly on RY ROW to PT. E 285' N 60' to Beg. Section 1, T-20-N, R-12-E, County of Tulsa, State of Oklahoma.

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**Case No. 1644**

**Action Requested:**

Extension of a use unit variance to permit soil mining in an RS zoned district. This was originally approved for three years and applicant is requesting a three year extension. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 24**, located 14502 S. Garnett.

**Comments and Questions:**

Mr. Bruce reviewed Staff Comments from the Case Report.

**Presentation:**

The applicant, **Watkins Sand Co., Inc.**, was represented by **Terry Fox**, who is a consultant for Watkins Sand Co., Inc. Mr. Fox submitted two aerials, one was from 1995 and one is from 1999 (Exhibit B-2) and a site plan (Exhibit B-1). When Watkins Sand came before the Board in 1996, they had two cases before the Board, one was for a new mining area located in Section 18 and the second was to complete their current mining operation. At that point in time, both applications were approved for a period of three years. There is approximately three acres of sand left to be removed from the area. Mr. Watkins would like an extension of the variance to allow the mining to continue. Mr. Fox asked the Board to consider allowing them to mine within 250' to 300' along the western boundary instead of the original 400' boundary. If they adhere to the 400' boundary, they will have a peninsula sticking out into the water boundary. The 250'-300' boundary would make the shoreline even. This extension request will not entail any new activity and will not increase the size of the project. The request is to

Case No. 1644 (continued)

allow the applicant to take out the road and clean up the property and in order to do that properly, they need more time.

**LOONEY IN AT 1:45**

**Interested Parties:**

None.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Tyndall, "aye"; no "nays", no "abstentions"; Walker "absent") to **APPROVE** Extension of a use unit variance to permit soil mining in an RS zoned district. This was originally approved for three years and applicant is requesting a three year extension. **SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 24**, subject to the 400' setback on the west being reduced to 250' to align with what is in existence and all other setbacks and conditions shall remain the same, on the following described property:

S/2, NW/4 Section 17, T-17-N, R-14-E, County of Tulsa, State of Oklahoma.

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**Case No. 1645**

**Action Requested:**

Special Exception to allow Temporary Open Air Activities (Use Unit 2). **SECTION 1202. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES – Use Unit 2** and a Variance to the all-weather hard surface parking requirement. The purpose of the request is to allow a one day concert and children's carnival on September 18, 1999. **SECTION 1340.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**, located SE/c Highway 67 and Elwood.

**Comments and Questions:**

Mr. Bruce reviewed Staff Comments from the Case Report.

**Presentation:**

The applicant, **Heather L. Stanton**, 7136 South Yale, Suite 500, Tulsa, OK 74135, submitted a site plan (Exhibit C-1) and stated that she is the Director of Special Projects, for Cox Radio. K95.5 FM radio has been in the community for about 20 years and is currently under new management. As a part of the new company structure, Cox Radio is implementing a philosophy of giving back to the community. One of the things that they would like to do is a free outdoor listener appreciation event. The event will be during daylight hours only to keep the

Case No. 1645 (continued)

event as safe as only. It will be a family event with a children's carnival and three national recording acts.

**Comments and Questions:**

Mr. Alberty mentioned that he is impressed with the application.

Mr. Looney asked if the traffic flow will enter and exit off of Elwood? Ms. Stanton replied affirmatively. They will be using County Sheriffs and Deputies to control the traffic.

**Interested Parties:**

**Ron Horner**, Route 2, Box 46, Glenpool, OK 74033, asked the applicant if the property will be properly cleaned up after the event.

Ms. Stanton mentioned that Cox Radio has given the property owners a trash deposit, so if the property is not cleaned up they have the funds to do so. Ms. Stanton also mentioned that they will hire a charity group to clean up the property and to put money back into the community.

After listening to the presentation, **Mr. Horner** stated that he does not have a problem with the event.

**Board Action:**

On **MOTION** of **LOONEY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Tyndall, "aye"; no "nays", no "abstentions"; Walker "absent") to **APPROVE** Special Exception to allow Temporary Open Air Activities (Use Unit 2). **SECTION 1202. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES – Use Unit 2** and a Variance to the all-weather hard surface parking requirement. The purpose of the request is to allow a one day concert and children's carnival on September 18, 1999. **SECTION 1340.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**, subject to the applicant getting all permitting approved by the County Inspector's office, on the following described property:

NW/c Section 24, T-17-N, R-12-E, County of Tulsa, State of Oklahoma.

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**Case No. 1646**

**Action Requested:**

Variance to Section 208 to allow two dwelling units per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD;** and a Variance to the 2.2 acre minimum land area per dwelling unit in the AG District. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS OR** a Variance of minimum lot width in the AG District from 200' to 146'. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS;** a Variance of minimum lot area in the AG District from 2 acres to 1.61 acres. **BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS;** and a Variance of land area in the AG district from 2.2 acres to 1.81 acres. **BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS,** located E of NE/c E. 136<sup>th</sup> St. N. & N. 141<sup>st</sup> E. Ave.

**Comments and Questions:**

Mr. Bruce reviewed Staff Comments from the Case Report.

**Presentation:**

The applicant, **Patty Armstrong**, 14303 North 136<sup>th</sup> Street, submitted a site plan (Exhibit D-1) and photos (Exhibit D-2). Ms. Armstrong mentioned to the Board that she would like to move her parents onto her property. She will not sell the property or use it for rental property. Ms. Armstrong would prefer not to split the property. There is a creek that runs across the property. The way the creek runs and the way the road is situated, it would be impossible to have two entries to the tract to allow a lot split.

**Interested Parties:**

None.

**Comments and Questions:**

Mr. Alberty mentioned that this seems like a reasonable request and the creek creates a physical impediment to splitting the lot. Due to the fact that they want to keep it under one ownership is support to grant the two units per lot of record.

**Board Action:**

On **MOTION** of **ALBERTY**, the Board voted 4-0-0 (Alberty, Dillard, Looney, Tyndall, "aye"; no "nays", no "abstentions"; Walker "absent") to **APPROVE** Variance to Section 208 to allow two dwelling units per lot of record. **SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD;** and a Variance to the 2.2 acre minimum land area per dwelling unit in the AG District. **SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS** on the following described property:

W 346' E 838.1' S 516.6' SE SE less S 16.5 thereof for road, Section 28, T-22-N, R-14-E, Tulsa County, State of Oklahoma.

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

Date approved: \_\_\_\_\_  
  
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Chair