

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 262  
Tuesday, March 19, 2002, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

**MEMBERS PRESENT   MEMBERS ABSENT   STAFF PRESENT   OTHERS PRESENT**

Alberty, Chair	Tyndall	Butler	Raines, Co. Inspect.
Dillard, Vice Chair		Fernandez	
Walker			
Hutson			

The notice and agenda of said meeting were posted in the Office of INCOG, 201 W. 5<sup>th</sup> St., Suite 600, Monday, March 11, 2002 at 2:00 p.m., as well as at the City Clerk's office, City Hall.

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

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**MINUTES:**

On **MOTION** of **Walker**, the Board voted 4-0-0 (Alberty, Dillard, Walker, Hutson "aye"; no "nays", no "abstentions"; Tyndall "absent") to **APPROVE** the Minutes of February 20, 2002 (No.261).

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**UNFINISHED BUSINESS**

**Case No. 1941**

**Action Requested:**

Variance of the required 2.2 acres of land area per dwelling unit. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6 and 3; and a Variance of the required 2 acres of lot area to allow a lot-split (L/S #19352). SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS, located 14618 S. 145<sup>th</sup> E. Ave.

**Presentation:**

**Huber Willis**, 15209 S. 145<sup>th</sup> E. Ave., stated he owns the property and would like to get a lot-split. He sold the rest of the property, but was not aware of the required property size for a lot-split. The deeds have been drawn up, and an application has been filed with the planning commission, but has not been heard yet.

**Comments and Questions:**

Mr. Alberty noted there is an acre difference in the required land for a lot-split. He stated he could not support the application.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Walker**, the Board voted 4-0-0 (Alberty, Walker, Dillard, Hutson "aye"; no "nays"; no "abstentions"; Tyndall "absent") a to **DENY** a **Variance** of the required 2.2 acres of land area per dwelling unit; and a **Variance** of the required 2 acres of lot area to allow a lot-split (L/S #19352), finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

A part of the SE/4 SE/4 being described as follows, Beg. at the SE/c of said SE/4 SE/4; thence N 275.00'; thence W 200.00'; thence S 275'; thence E 200.00' to the POB, Tulsa County, State of Oklahoma.

**Case No. 1942**

**Action Requested:**

Variance of minimum lot width from 150' to 145' on Lots 1-5 and 11-16. SECTION 430. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS – Use Unit 6, located ¼ mile E of NE/c N. Mingo & 156<sup>th</sup> St. N.

**Presentation:**

**Bryan Green**, 14693 E. 445 Rd., stated he was representing the applicant. Mr. Smalygo is planning a subdivision in the Collinsville area. The engineering design has been completed. There is a flood plain to the north, which has confined the layout. They discovered the requirement for a 50' road dedication on one piece of land.

**Comments and Questions:**

Mr. Alberty informed Mr. Green that all of the properties would be required to provide a 50' road dedication. The Board discussed the fact that professionals should be familiar with the codes regulating subdivision of property.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Walker**, the Board voted 4-0-0 (Alberty, Walker, Dillard, Hutson "aye"; no "nays"; no "abstentions"; Tyndall "absent") to **DENY** a **Variance** of minimum lot width from 150' to 145' on Lots 1-5 and 11-16, finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the property described as follows:

A part of the SE/4 SW/4 of Section 18, T-22-N, R-14-E, Tulsa County, State of Oklahoma, more particularly described as follows: Beg. at the NW/c SE/4 SW/4; thence N 89°58'08" E and along the Nly line of said SE/4 SW/4 for 496.11' to the NW/c of the E/2 E/2 W/2 of said SE/4 SW/4; thence S 0°05'17" E and along the Wly line of said E/2 E/2 W/2 for 1321.07' to the SW/c of said E/2 E/2 W/2; thence S 89°57'17" W and along the Sly line of said Section 18 for 496.11' to the SW/c of said SE/4 SW/4; thence N 0°05'17" W and along the Wly line of said SE/4 SW/4 for 1321.20' to the POB, said tract contains 15.05 acres more or less.

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**Case No. 1943**

**Action Requested:**

Special Exception to construct a 300' self-supporting cellular transmission tower on property zoned AG. SECTION 1204.C.3.2. USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES, located Tulsa State Fairgrounds/Expo Square.

**Presentation:**

**John Brightmire**, 320 S. Boston, Ste. 500, submitted a packet of information (Exhibit A-1) to the Board. The application is for a 300' galvanized steel, self-supporting lattice cell tower. The site is on .3 acres of the fairgrounds property to the north and west. There are no residential structures for more than 548' north. The nearest residential district is 548' to the north. There is an existing tower about ¾ mile to the southwest. The OSU Extension Center is located to the north then residential across 15<sup>th</sup> Street. Fairgrounds property surrounds it on the east, west and south. The surrounding topography is flat with very few trees. The proposed tower would accommodate six carriers. No building is planned; and all required buildings/equipment cabinets were to be located on the site. There is a 40' access and utility easement running east from the site then north to 15<sup>th</sup> Street. The tower is necessary to provide coverage and capacity for the fairgrounds and surrounding area. The landscaping will be done as required. They plan to build a six-foot chain link fence with three rows of barbed wire at the top.

**Comments and Questions:**

Mr. Dillard suggested that a nine-foot fence and barbed wire would be better at this site. Ms. Fernandez informed the Board that the notices were sent to a radius of 300' from the outside perimeter of the fairgrounds, which was extra notice in this case.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dillard**, the Board voted 4-0-0 (Alberty, Walker, Dillard, Hutson "aye"; no "nays"; no "abstentions"; Tyndall "absent") to **APPROVE** a **Special Exception** to construct a 300' self-supporting cellular transmission tower on



with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and a **Variance** for existing parking within required front yard area, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

A tract of land being a part of the NW/4 of Section 5, T-19-N, R-12-E of the IBM, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows: Commencing at the SW/c of said NW/4; thence N 88°44'32" E along the S line of said NW/4 for 355.00' to the POB of said tract of land; thence N 0°58'30" W and parallel with the W line of said NW/4 for 398.26'; thence S 89°01'30" W for 330.00' to a point that is 25.00' E of said W line NW/4; thence N 0°58'30" W and parallel with said W line for 27.20' to a point of curve; thence NEly along a curve to the right having a central angle of 22°22'00" and a radius of 548.00' for 213.92' to a point of tangency; thence N 21°23'30" E along said tangent for 279.03'; thence N 89°01'30" E for 356.85'; thence S 0°58'30" E and parallel with said W line NW/4 of 891.17' to a point on said S line NW/4; thence S 88°44'32" W along said S line for 174.26' to the POB of said tract of land, containing 6.684 acres more or less.

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There being no further business, the meeting was adjourned at 2:02 p.m.

Date approved: 4/16/02

Wayne Alberty  
Chair

