

**COUNTY BOARD OF ADJUSTMENT**

MINUTES of Meeting No. 275  
Tuesday, April 15, 2003, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

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

Alberty, Chair  
Dillard, Vice Chair  
Walker  
Hutson  
Tyndall

Butler  
Beach

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Thursday, April 10, 2003 at 2:45 p.m., as well as in the Office of INCOG, 201 W. 5<sup>th</sup> St., Suite 600.

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 **Hutson**, the Board voted 3-0-1 (Alberty, Dillard, Hutson "aye"; no "nays"; Tyndall "abstained"; Walker "absent") to **APPROVE** the Minutes of March 18, 2003 (No. 274).

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**Case No. 2035**

**Action Requested:**

Variance on Tract 2 of average lot width from the required 60' to 41.24'. SECTION 430.1. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, and RM Districts – Use Unit 6; a Variance of land area per dwelling unit from 8,400 square feet to 8,145.31 square feet. SECTION 430.1. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, and RM Districts; and a Variance on Tract 3 of average lot width from required 60' to 41.29' all to permit a lot split (#19487) in an RS district. SECTION 430.1. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, and RM Districts, located 916 & 918 N. Willow Rd.

**Presentation:**

**Brett Bland**, 8124 S. Quebec, stated he purchased the property nine months ago. There have been three existing dwellings since the 1950's.

Mr. Walker arrived at 1:34 p.m.

Mr. Bland informed the Board that there was a common septic and waterline between two of the dwellings. The purpose of the application is to make the corrections, and obtain a lot split. He wants to sell one of the dwellings to a relative. They went through the City of Sand Springs for easement and connection to sewer for the smallest property.

**Comments and Questions:**

Mr. Alberty asked if it was all one tract with three dwellings. Mr. Bland replied in the affirmative. He added he wanted to obtain a proper legal description and individual utilities for each property. Mr. Alberty asked if he met with the City of Sand Springs. Mr. Bland responded that he did talk with them and their opinions were varied. They decided not to respond.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **MOTION** of **Hutson**, the Board voted 5-0-0 (Alberty, Walker, Tyndall, Dillard, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** on Tract 2 of average lot width from the required 60' to 41.24'; **Variance** of land area per dwelling unit from 8,400 square feet to 8,145.31 square feet; **Variance** on Tract 3 of average lot width from required 60' to 41.29' all to permit a lot split (#19487) in an RS district, finding a lack of frontage, an existing condition, on the following described property:

Lot 2, Block 3, Charles Page Acres No. 1, Tulsa County, State of Oklahoma.

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**Case No. 2036**

**Action Requested:**

Special Exception to allow Use Unit 24 (Mining and Mineral Processing) to excavate gravel from an AG and IM zoned district W of SW/c W. 26<sup>th</sup> St. & S. 65<sup>th</sup> W. Ave.

**Presentation:**

**Billy Jackson**, 1722 S. Hartford Ave., stated that he purchased the land in 1980 with the intent of putting a shooting range there. Later it was declared a superfund site and he could not proceed with his plans. He stated that out of the original 140 acres he has 21 acres that he would like to use. Most of the top soil was removed. It is mostly rock on top and ¾ of a mile through rock to water and for

sewage. There is electricity and natural gas to the property. The property was previously quarried, and he proposes to quarry for limestone. He stated there is a need for it in west Tulsa. He did not know if the land qualifies by the state specifications. He had discussed the proposal with Bryce Engineering in Sand Springs.

**Comments and Questions:**

Mr. Alberty informed Mr. Jackson that the Board received letters from the City of Sand Springs Board of Adjustment, Loy Calhoun, City Manager, and the Department of Environmental Quality in opposition to the application (Exhibits A-1, A-2, and A-3). Mr. Jackson was not aware of this opposition.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **MOTION** of **Hutson**, the Board voted 5-0-0 (Alberty, Walker, Tyndall, Dillard, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 2036 to the meeting on May 20, 2003.

Gov. Lot 4, Section 18, T-19-N, R-12-E of the IBM Tulsa County, State of Oklahoma, S of gravel road.

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**Case No. 2037**

**Action Requested:**

Variance of lot area from required 2 acres to 1.03 acres. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6; and a Variance of land area from required 2.1 acres to 1.15 acres to permit a lot split. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS, located 6340 W. Edison

**Presentation:**

**Joe Perry**, 6330 W. Edison, stated he has a buyer for a portion of his property but the buyer only wants the house and high ground without the low ground. The Corp of Engineers was not willing to divert the creek. The low area has pecan trees and is a flood zone. Mr. Perry desires to obtain a lot split so he can have access to the property on the other side of the creek.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **MOTION** of **Walker**, the Board voted 5-0-0 (Alberty, Walker, Tyndall, Dillard, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of lot area from required 2 acres to 1.03 acres; and a **Variance** of land

area from required 2.1 acres to 1.15 acres to permit a lot split, subject to a tie agreement of Tract B to the Perry's property to the north, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

A tract of land situated in Lot 4, Section 5, T-19-N, R-12-E, of the IBM Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Commencing at the NE/c of said Lot 4; thence W a distance of 320.45' recorded, (S 88°43'04" W 293.78' measured); thence S a distance of 369.28' recorded, (S 01°16'56" E 375.02' measured) to the POB; thence S 89°29' W a distance of 546.70' recorded, (S 89°13'23" W measured); thence S 22°22' W a distance of 216.09' recorded, (S 22°08'23" W measured); thence N 89°29' E a distance of 546.70' recorded, (N 89°13'23" E measured); thence N 22°22' E a distance of 216.09' recorded, (N 22°08'23" E measured) to the POB.

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There being no further business, the meeting was adjourned at 1:59 p.m.

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

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Chair