

**COUNTY BOARD OF ADJUSTMENT**

MINUTES of Meeting No. 286

Tuesday, March 16, 2004, 1:30 p.m.

County Commission Room

Room 119

County Administration Building

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

Walker, Chair  
Hutson, Vice Chair  
Tyndall

Dillard, Secretary  
Charney

Butler  
Beach

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Tuesday, March 9, 2004 at 12:37 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 Walker called the meeting to order at 1:30 p.m.

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**MINUTES**

On **MOTION** of **Tyndall**, the Board voted 2-0-1 (Walker, Tyndall "aye"; no "nays"; Hutson "abstained"; Dillard, Charney "absent") to **APPROVE** the Minutes of February 17, 2003 (No. 285).

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**Case No. 2087**

**Action Requested:**

Variance of land area per dwelling unit from 2.1 to 1 acre to permit two dwelling units on a two acre tract in an AG district. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT, located: 13744 North 97<sup>th</sup> East Avenue.

**Presentation:**

**Tammy Simon**, 13744 N. 97<sup>th</sup> E. Ave., Collinsville, OK, stated they propose a building for a garage, shop and recreation room. It is not intended to be a second residence. They plan to store a small tractor, lawn mower and garden equipment. They desire to have a game room in it. A site plan was provided (Exhibit A-1).

**Comments and Questions:**

Mr. Beach informed the Board this request falls under Section 330 because the plans include a kitchen and a bathroom, and would provide room for a sleep area.

When Mr. West added there is no code limitation to the size of the building. Mr. Hutson asked if this was not to be for rental property. Ms. Simon replied that no one would be living in it.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **Motion** of **Hutson**, the Board voted 3-0-0 (Walker, Hutson, Tyndall "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **APPROVE** a **Variance** of land area per dwelling unit from 2.1 to 1 acre to permit two dwelling units on a two acre tract in an AG district, 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:

Commencing at the SE/c SE/4 of Section 25, T-22-N, R-13-E; thence N 00°01'21" W along the E line of said SE/4 a distance of 645.00' to the POB; thence continuing N 00°01'21"W a distance of 225.00'; thence S 89°54'08" W a distance of 438.15'; thence S 00°01'19" E a distance of 225.00'; thence N 89°54'08" E a distance of 438.16' to the POB, Tulsa County, State of Oklahoma.

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**Case No. 2089**

**Action Requested:**

Use Variance to allow residence on property for security purposes. SECTION 910. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 6, located: 4532 South 265<sup>th</sup> West Avenue.

**Presentation:**

**Larry Westfall**, 3158 S. 57<sup>th</sup> W. Ave., stated he owns the subject property. He submitted an amended site plan Exhibit B-1). He pointed out an existing metal building about 50' X 100'. The proposed building site is 80' from any boundary. It would be about 40' X 60' in size. The purpose is for security reasons. There is an existing stem wall foundation with a 45' setback. He proposed using that foundation, though the setback requirement is greater than 45'.

**Comments and Questions:**

Mr. Beach pointed out that advertisement did not include relief of the required setback. Mr. Walker asked about the materials of the proposed structure. Mr. Westfall replied it would be a pre-fabricated, pre-engineered metal building. There is no garage included. Mr. Westfall asked for a continuance for more relief.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **Motion** of **Tyndall**, the Board voted 3-0-0 (Walker, Hutson, Tyndall "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **APPROVE** a ***Use Variance*** to allow a residence on the property for security purposes, finding it is the only IL property in the area; and finding that functionally the surrounding properties have a residence on them.

On **Motion** of **Hutson**, the Board voted 3-0-0 (Walker, Hutson, Tyndall "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **CONTINUE** Case No. 2089 to the meeting on April 20, 2004, on the following described property:

SE/4 of SE/4 NW/4 Section 30, T-19-N, R-10-E, Tulsa County, State of Oklahoma.

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There being no further business, the meeting was adjourned at 1:49 p.m.

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

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Chair