

COUNTY BOARD OF ADJUSTMENT

MINUTES of Meeting No. 287
Tuesday, April 20, 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
Dillard, Secretary
Tyndall
Charney

Butler
Beach
Alberty

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Thursday, April 15, 2004 at 3:22 p.m., as well as in the Office of INCOG, 201 W. 5th St., Suite 600.

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

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REQUEST TO CONTINUE AND CASES TO WITHDRAW

Case No. 2089

Action Requested:

Variance of the required 75' setback from abutting AG zoned property to 43' to permit new construction.

Presentation:

Mr. Beach informed the Board the case was continued today, but has since been withdrawn.

Board Action:

There was no need for Board action regarding 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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MINUTES

On **MOTION** of **Hutson**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the Minutes of March 16, 2004 (No. 286).

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NEW APPLICATIONS

Case No. 2090

Action Requested:

Special Exception to allow U.U. 15 in a CS zoned district (Electrical Contractor); and a Special Exception to allow a non-all-weather parking surface, located: 4830 West 41st Street South.

Presentation:

Robert Lawson, 4019 S. 55th W. Ave., stated he has a small electrical contracting business. He stated it used to be a paint and body shop. Mr. Lawson informed the Board the parking lot is gravel as of two months ago. He has been conducting the business for about two years at this location. In response to questions he stated this is just the warehouse with a small office and space to park company vans at night. They built a privacy fence on the back of the property and fencing around the rest of the property.

Interested Parties:

Cheryl Jason, 4826 W. 41st St. S., asked where the business would be on the property. She had no objection to the business as it exists.

Board Action:

On **Motion** of **Hutson**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson and Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a ***Special Exception*** to allow U.U. 15 in a CS zoned district (Electrical Contractor), with condition that screening fence be constructed for all property abutting residential district; and to **DENY** a ***Special Exception*** to allow a non-all-weather parking surface, on the following described property:

N/2 less E 90.00' thereof and less w 25.00' thereof and less N 25.00' E 190.70' W 215.70' N/2 Lot 2, Tulsa County, State of Oklahoma.

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Case No. 2091

Action Requested:

Special Exception to permit church and accessory church uses in an AG district. SECTION 310. PRINCIPAL USES PERMITTED IN AGRICULTURE DISTRICTS – Use Unit 5, located: 11400 East 116th Street North.

Presentation:

Donald Cason, 10631 E. 113th St. N., stated he is the pastor of Hope Chapel Four Square Church. They propose to use a modular building on a permanent foundation behind the church building for a youth meeting hall. It has an office on one end and a storage room on the other end. They are going through the platting process now. Mr. Cason added they will have tie-downs and skirting.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Hutson**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson and Charney “aye”; no “nays”; no “abstentions”; no “absences”) to **APPROVE** a ***Special Exception*** to permit church and accessory church uses in an AG district, per plan, finding it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

E/2 NW NW NW, Section 8, T-21-N, R-14-E, Tulsa County, State of Oklahoma.

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Case No. 2092

Action Requested:

Special Exception to allow a manufactured home in an RS-zoned district. SECTION 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 9, located: 1665 East 75th Street North.

Presentation:

Tracy M. Hipp, 1525 E. Willis, Hominy, Oklahoma, proposed to move a single-wide mobile home on the subject property. There are other mobile homes in the area.

Comments and Questions:

Mr. Walker asked what plans Mr. Hipp had for a driveway. Mr. Hipp replied it was a dirt drive. He had not planned for any surface material. He added he could put down gravel but it would take some time for him to put in an all-weather-surface. Mr. West stated the zoning code requires an all-weather-surface and gravel is not in compliance.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dillard**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson and Charney “aye”; no “nays”; no “abstentions”; no “absences”) to **APPROVE** a **Special Exception** to allow a manufactured home in an RS-zoned district, with conditions for: two paved parking spaces, skirting, tie-downs, DEQ approval, on the following described property:

Lot 35, Block 1 A, Golden Hill Addition, Tulsa County, State of Oklahoma.

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Case No. 2093

Action Requested:

Variance of the allowable square footage for an accessory building from 1,200 sq. ft. previously approved (CBOA No. 1935) to 1,700 sq. ft., located: 6510 North Rockford.

Presentation:

Jerry Kidd, 6510 N. Rockford Pl., proposed to add ten feet to the length of the garage and four feet to the width for a larger truck and some storage of dry goods for their concession business.

Comments and Questions:

Mr. Walker noted that the original approval for this structure had conditions not to add a bath or kitchen; and not to use for commercial use. Mr. Kidd explained they want to store paper goods for a mobile concession business that they take to other locations. Mr. Walker asked for their plans for the remaining lots. Mr. Kidd replied that they have considered putting a house on the two south lots. He mentioned the run-off creek that separates the property. He added that they bought the extra lots so no one would be living so close to them.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Charney**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson and Charney “aye”; no “nays”; no “abstentions”; no “absences”) to **APPROVE** a **Variance** of the allowable square footage for an accessory building from 1,200 sq. ft. previously approved (CBOA No. 1935) to 1,700 sq. ft., with conditions from previous Case No. 1935: no bath or kitchen and no commercial use; finding one

ownership for the three northerly lots with allowable square footage, on the following described property:

Lots 6 and 7, Block 1, Phillips Farm Addition, Tulsa County, State of Oklahoma.

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Case No. 2094

Action Requested:

Special Exception to permit tent sales of fireworks from June 21st to July 5th for a period of ten years in an AG district. SECTION 310. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS, 14003 East 116th Street North.

Presentation:

Janet Frazier, 14003 E 116th St. N., Collinsville, Oklahoma, church is located on the property. They have run fireworks stands for a number of years and for the last two years it has been at this location. They discovered they did not have approval so they applied for this special exception.

Comments and Questions:

Mr. Walker asked about setbacks. Mr. West replied there is a required 85' setback

Mr. Charney stated he would abstain from this case.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Hutson**, the Board voted 4-0-1 (Walker, Tyndall, Dillard, Hutson and "aye"; no "nays"; Charney "abstained"; no "absences") to **APPROVE a Special Exception** to permit tent sales of fireworks from June 21st to July 5th for a period of five years in an AG district, finding it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

Lot 1, Block 1, Crossroads Christian Center, Tulsa County, State of Oklahoma.

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There being no further business, the meeting was adjourned at 2:27p.m.

Date approved: _____

Chair