

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 296
Tuesday, January 18, 2005, 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

Alberty
Butler
Cuthbertson

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Friday, January 14, 2004 at 1:30 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.

* * * * *

MINUTES

On **MOTION** of **Tyndall**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the Minutes of December 21, 2004 (No. 295).

* * * * *

NEW APPLICATIONS

Case No. 2144

Action Requested:

Variance of the allowable 750 sq. ft. for an accessory building to allow a 900 sq. ft. accessory building in an RS zoned district, 21609 West 14th Street South.

Presentation:

Larry Bush, 21609 West 14th Street South, Sand Springs, Oklahoma, stated he maintains the lawns at Candles Stick Beach. He needs storage space for the lawn equipment. The homeowners' association is in support of this application.

Comments and Questions:

Mr. Walker stated that it appeared the building is already built, and asked if they just wanted to add to the existing building. Mr. Bush replied that the building is already up and he needed relief to keep it this size. Mr. Walker asked for the hardship. Mr. Charney noted the lot is approximately 101' by 154', which is larger than most RS lots.

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, Charney, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of the allowable 750 sq. ft. for an accessory building to allow a 900 sq. ft. accessory building in an RS zoned district, finding the increased land area, on the following described property:

LT 2 BLK 2 CANDLESTICK BEACH, Tulsa County, State of Oklahoma

* * * * *

Case No. 2145

Action Requested:

Variance of required rear yard setback from 40 feet to 15 feet to permit an accessory building in an AG district, SECTION 320.2.A.2 -- Use Unit 6, 580 South 221st Avenue West.

Presentation:

Jerry Oakes, 580 South 221st Avenue West, Sand Springs, Oklahoma proposed to move the accessory building fifteen feet from the rear property line. The presence of lateral lines, a natural run-off, and a 100 year old red oak tree are the hardship for this variance. He has spoken with the neighboring property owner and she is in favor of the application.

Comments and Questions:

Mr. Tyndall asked the location of the utility lines. Mr. Oakes replied that the utilities are at the front of the house. Mr. Hutson asked for the difference in the elevation from the house to the proposed site of the building. Mr. Oakes replied there is about a six to eight foot drop.

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, Charney, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a

Variance of required rear yard setback from 40 feet to 15 feet to permit an accessory building in an AG district, SECTION 320.2.A.2 -- Use Unit 6, finding that to comply with the code would block the natural drainage, on the following described property:

PRT SW NW BEG 264.5 N SE CR TH W 330 N 148 E 330 S 148 POB LESS E 33 RD SEC 3 19 10 1AC, Tulsa County, State of Oklahoma

..*.*.*.*.*.*

Case No. 2146

Action Requested:

Variance of side yard setback from required 15 feet to 6 feet for an existing accessory building in an AG district to allow a lot split -- SECTION 320.2.A.2 & 330. -- Use Unit 6, 18227 South Elwood Avenue.

Presentation:

Rick Brown, 18227 South Elwood Avenue, stated his father-in-law purchased the property and he agreed to split it with him. His father-in-law built a new house next door and they want to split the lot so it is square. He submitted photographs to show the location of existing accessory buildings (Exhibit A-1).

Comments and Questions:

Mr. Walker asked how close the new property line would be to the accessory building in question. Mr. Brown replied that it would be six feet from one corner and 6.8' from the other corner of the building. The propane tank and storm cellar would be seven and one-half feet from the new line.

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, Charney, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of side yard setback from required 15 feet to 6 feet for an existing accessory building in an AG district to allow a lot split -- SECTION 320.2.A.2 & 330. -- Use Unit 6, finding the existing buildings create the hardship, on the following described property:

PRT GOV LT 4 BEG 551S NWC LT 4 TH S656 E664 N656 W664 POB SEC 1 16 12 10.000ACS, Tulsa County, State of Oklahoma

..*.*.*.*.*.*

Case No. 2147

Action Requested:

Variance of the required 30 feet of frontage on a public street or dedicated right-of-way on a lot used for residential purposes to 0 feet to permit a lot split in an AG district -- Section 207 -- Street Frontage Required -- Use Unit 6, N of NE/c W. 51st St. and S. 149th Ave. W.

Presentation:

Brian Cox, 5508 South 151st West Avenue, Sand Springs, Oklahoma, stated he purchased the subject property. The boundary on the east side of the property is 145th West Avenue and on the south is 51st Street. The roads are on the one hundred year plan, but are not constructed at this time. He stated they obtained permission from Sand Springs for water service for residential property. Mr. Cox explained the proposal for a lot-split to create three lots. He submitted a map (Exhibit B-1) to the Board.

Comments and Questions:

Mr. Walker and Mr. Hutson questioned Mr. Cox regarding creating a small subdivision. Mr. Cox identified where he proposed to build and the location of the road easement.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Tyndall**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Charney, Hutson "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of the required 30 feet of frontage on a public street or dedicated right-of-way on a lot used for residential purposes to 0 feet to permit a lot split in an AG district -- Section 207 -- Street Frontage Required -- Use Unit 6, subject to obtaining and filing of record a mutual access easement of 30' width from the corner of Weaver Road to 149th Street and south along the east boundary to 51st Street, finding the county roads are not constructed, on the following described property:

SE SE LESS W480 & LESS N880.26 SEC 29 19 11 18.177ACS, Tulsa County, State of Oklahoma

..*.*.*.*.*.*

There being no further business, the meeting was adjourned at 2:09 p.m.

Date approved: _____

Chair