

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 312
Tuesday, May 16, 2006, 1:30 p.m.
Aaronson Auditorium
Tulsa Central Library
400 Civic Center

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Hutson, Chair
Charney, Vice Chair
Dillard, Secretary
Tyndall
Walker

Alberty
Butler
Cuthbertson

West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Thursday, May 11, 2006 at 8:28 a.m., as well as in the Office of INCOG, 201 W. 5th St., Suite 600.

After declaring a quorum present, Chair Hutson called the meeting to order at 1:34 p.m.

Mr. Cuthbertson read the rules and procedures for the County Board of Adjustment Public Hearing.

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MINUTES

On **MOTION** of **Walker**, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Hutson "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the Minutes of April 18, 2006 (No. 311).

Charney arrived at 1:36 p.m.

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NEW APPLICATIONS

Case No. 2208

Action Requested:

A Variance of the maximum size permitted for an accessory building in an RS district from 750 to 1,500 sq. ft., located: 5633 South 89th Avenue West.

Mr. Cuthbertson informed the Board that Case No. 2208 may not be advertised correctly. He stated the applicant was attempting to add a 1,500 sq. ft. building in

place of one of the existing accessory buildings. The zoning code considers the total square footage of all the accessory buildings in the RS district. The applicant proposed to keep two of the existing buildings. This would make the aggregate square footage for accessory buildings greater than 1,500 sq. ft.

Presentation:

Denny Bullington, 5633 South 89th West Avenue, proposed to remove a 1,200 sq. ft. building and build a 1,500 sq. ft. building.

Comments and Questions:

Mr. Walker asked if Mr. Bullington leased any other land. Mr. Bullington replied he leases the property across the street, about 65 acres. He added he owns forty acres on South 81st. The Board members agreed the case needs to be re-advertised. Mr. Alberty advised the applicant to obtain a better site plan with surveyed dimensions because he would need one for a permit. He added that it should also include the existing buildings, dimensions, location, an indication of buildings to be removed and show where the new building is going to be located.

Mr. Bullington stated he did not know he was in residential zoning. He stated he had informed all of the neighbors and they indicated support.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Walker**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 2208 to the meeting on June 20, 2006, on the following described property:

S/2 NW NW SE LESS W 25 FOR ST SEC 36-19-11, Tulsa County, State of Oklahoma

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Case No. 2209

Action Requested:

Variance of the required 30 ft. frontage on a public street to 0 ft Section 207, located: North and West of the NW/c of E. 86th St. N. and N. Sheridan Rd.

Presentation:

Patrick Hilberling, 12405 East 90th Street North, stated he purchased this property to build a home. He made inquiries with all of the attorneys and two abstract companies before purchase regarding road and utilities easements and he was told everything was good to build. After purchase Mr. West informed him that he did not have the required 30 ft. frontage on a public street. He provided a deed and right-of-way easement (Exhibit A-1 and A-2).

Board discussion ensued.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Charney**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the required 30 ft frontage on a public street to 0 ft Section 207, as submitted, finding the hardship partially being the land-locked nature of the twenty acres from an arterial street, given the existence of a permanent easement of record, on the following described property:

E1/2NWSE SEC. 22-21-13, Tulsa County, State of Oklahoma

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There being no further business, the meeting adjourned at 1:56 p.m.

Date approved: _____

Chair