

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 316
Tuesday, September 19, 2006, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

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, 14, 2006 at 2:31 p.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 1:30 p.m.

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

MINUTES

On **MOTION** of **Tyndall**, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Hutson, "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the Minutes of August 15, 2006 (No. 315).

Mr. Charney arrived at 1:32 p.m.

NEW APPLICATIONS

Case No. 2227

Action Requested:

Variance of the minimum land area required per dwelling unit from 2.1 acres to 1.1 acres (Section 330), located: 10823 East 156th Street North.

Presentation:

Charles Brazeal, 10823 East 156th Street North, Collinsville, Oklahoma, proposed to place a mobile home on the subject property for family members. His siblings gave him ten feet of easement from their two properties for access.

Comments and Questions:

Mr. Walker noted other small tracts of less than two acres in the area. Mr. Charney asked if they had animals. Mr. Brazeal replied that they have two horses.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Charney**, the Board voted 4-1-0 (Walker, Tyndall, Dillard, Charney "aye"; Hutson "nay"; no "abstentions"; no "absences") to **APPROVE** a Variance of the minimum land area required per dwelling unit from 2.1 acres to 1.1 acres (Section 330, restricted to family only and two horses only, finding abutting one acre tracts and size and configuration of adjacent properties; 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:

BEG 420E SWC SE SW SE TH N505 E240 S355 W150 S150W90 POB LESS S30 THEREOF FOR RD SEC 18 22 14 2.204ACS, Tulsa County, State of Oklahoma

Case No. 2228

Action Requested:

Variance of Section 208 to permit 3 dwelling units on one lot of record in an AG district, located: 20112 South Lewis Avenue.

Presentation:

Glen Mize, 20533 South Lewis, represented his son, Mark. He stated that for many years there were three dwellings on the subject property but now there are two. He informed the Board that they did a major clean-up of the property because it was like a dump.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Tyndall**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a Variance of Section 208 to permit 3 dwelling units on one lot of record in an AG district, finding it would 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:

E/2 N/2 N/2 NE NE SEC 18 16 13 5ACS, Tulsa County, State of Oklahoma

Case No. 2229

Action Requested:

Modification of an existing Special Exception to increase the permitted number of residents from 150 to 289 in an existing treatment center, located: 6101 North Cincinnati Avenue.

Presentation:

Eric Gray, 13401 Railway Drive, Oklahoma City, Oklahoma, stated the request for an increase in the number of residents at the Avalon facility in Turley. He added this is for women exiting the corrections system. The total capacity of the existing facility is 289 and they proposed to fill it. He informed the Board that they are not a prison company and there were no cells, wires or guns at the facility. The female residents have earned the right to live there. He described it as a high quality, clean and organized facility. Mr. Gray assured the Board that they pose no danger to the neighborhood. They have operated for five years with no incidents. There have been rare occurrences of escapes, usually the person involved just does not return after going to work. He had a letter from the sheriff's department that they have received no calls regarding the facility (Exhibit A-1). Civic and community groups hold activities at this facility and church services. They keep the yards well maintained and he showed photographs (Exhibit A-2). The public school system is also in support of the application.

Interested Parties:

T. E. Jones, 440 East 61st Street North, stated he lives across the street from the facility and is opposed to the application. He indicated they do not maintain grounds and that it is hard to rent or sell homes in the neighborhood. He complained of noise from the facility at night, drug dealing, open gates and repeat occupants.

Tony Knauls, 322 North Greenwood, with North Tulsa Heritage, teaches life skills education. They work with Southern Corrections Systems to prepare women with the necessary tools to succeed when they get out on their own. He stated his support for the request.

Eula Mitchell-Snoddey, works with the women to induct them back into society and also after they are discharged. She was in support of the application.

Shana Looper, 511 East 57th Place North, represented Girls Scouts Behind Bars. She informed the Board that they bring in daughters and granddaughters of the

residents into the facility for troop meetings. She stated the facility is maintained and appears like a school. She was in support of the application.

Lea Tompkins, 6501 North Cincinnati, was opposed to the application. She stated they are trying to improve the neighborhood and raise the level of the community.

Meredith Coleman, 6429 South 27th West Avenue, works with the women in a faith-based life skill program. They have professional teachers and provide mentors for the children of the residents. She was in support.

Wanda Walker, 118 East 43rd Place, stated she teaches the women art skills as therapy to express themselves. She has helped women living there to succeed and she expressed her support.

Teresa Brewer, 451 East 61st Street North, stated she lives next door and was opposed to the application. She stated some people abuse the system and if it is more limited it will be better for those who are really working to improve their lives through the facility.

John Starks, 228 East 61st Street North, stated he is an ex-offender and understands the culture. He believes this facility is very helpful to the residents and he stated he was very much in support of this facility.

Ahmad Saeed, 6136 North Cincinnati, stated he owns a convenience store nearby and has hired some of the residents before and found them to be responsible people. He was in support of the application.

Applicant's Rebuttal:

Mr. Gray responded to comments from the interested parties, and stated the grounds are attractive and maintained. He reminded the Board there have been no arrests for drugs there. They do regular and random drug testing. He added that the residents do not pose a threat to children's safety. The school has shown support. The Girls Scouts of America show support by having their program in place at the facility.

Comments and Questions:

Mr. Tyndall asked if this would require the construction of more buildings. Mr. Gray replied they already have 14 dorms that house 20 occupants each. They have plenty of room. Mr. Charney asked if it was limited to female occupants. Mr. Gray stated they only have female occupants at this time but indicated they did not want to limit it to female only. He pointed out that the Fire Marshall would approve them for full capacity.

Board Action:

On **Motion** of **Charney**, the Board voted 4-1-0 (Walker, Dillard, Hutson, Charney "aye"; Tyndall "nay"; no "abstentions"; no "absences") to **APPROVE** a Modification of an existing Special Exception to increase the permitted number of residents from 150 to 289 in an existing treatment center, with conditions: no co-ed occupancy; no increase in the footprint; up to a maximum occupancy of 289, 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:

SW NW LESS W/2 NW SW NW & LESS W50 THEREOF & LESSS30
THEREOF FOR RD SEC 1 20 12 33.368ACS, Tulsa County, State of Oklahoma

Case No. 2230

Action Requested:

Special Exception to permit a mobile home in an RS district (Section 410), located: 1417 East 61st Street North.

Presentation:

Jane Lewis, 324 West 92nd Street North, Sperry, Oklahoma, stated she owns the subject property. She proposed to demolish the existing home and move in a single-wide mobile. She informed the Board she has City sewer.

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 **APPROVE** a Special Exception to permit a mobile home in an RS district (Section 410), with conditions for paved parking, skirting and tie-downs, 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:

LTS 11 & 12 BLK 1 EAST TURLEY ADDN AMD B1&4-5&8 Tulsa County, State of Oklahoma

Case No. 2231

Action Requested:

Special Exception to permit automotive repair (UU17) in a CS district, located: 17628 West 8th Street.

Presentation:

Eric Engel, 243 South 176th West Avenue, Sand Springs, Oklahoma, pointed out the elevation changes and drainage easement. He stated they would not have wrecked vehicles and outside storage. He added that it is a well-built facility. He stated there would not be any auto-body work at this site.

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 **APPROVE** a Special Exception to permit automotive repair (UU17) in a CS district, with conditions to allow maximum of eight vehicles parked overnight, and no outside storage, 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:

LT 1 BLK 4 WEKIWA HILLS Tulsa County, State of Oklahoma

There being no further business, the meeting adjourned at 3:15 p.m.

Date approved: 11-21-06



Chair