

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 320  
Tuesday, January 16, 2007, 1:30 p.m.  
Aaronson Auditorium – Tulsa Central Library  
400 Civic Center

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

Charney, Vice Chair	Hutson, Chair	Alberty	West, Co. Inspector
Dillard, Secretary	Walker	Butler	
Tyndall		Cuthbertson	

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Wednesday, January 10, 2007, at 3:42 p.m., as well as in the Office of INCOG, 201 W. 5<sup>th</sup> St., Suite 600.

After declaring a quorum present, Vice-Chair Charney 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.

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**MINUTES**

There were no minutes presented for approval on the agenda.

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**REQUEST TO CONTINUE AND CASES TO WITHDRAW**

**Case No. 2241**

**Action Requested:**

Variance of the lot area from 2 acres to 1.28 acres (Section 330); Variance of the land area from 2.1 acres to 1.48 acres (Tract B) and a Variance of the land per dwelling unit from 2.1 acres to 1.15 (Tract A) (Section 330), located: 6123 East 167<sup>th</sup> Place South.

**Presentation:**

The Board received a request for continuance to the meeting on February 20, 2007.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **Motion** of **Dillard**, the Board voted 3-0-0 (Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Walker, Hutson "absent") to **APPROVE** a **CONTINUANCE** of Case No. 2241 to the meeting on February 20, 2007, on the following described property:

PRT NW SW BEG 718S NWC SW TH E350.36 N457.39 SW TO WL SW S POB  
SEC 26 17 14 3.29AC LEONARD, Tulsa County, State of Oklahoma

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**NEW APPLICATIONS**

**Case No. 2242**

**Action Requested:**

Special Exception to permit a church in an AG district (Section 310), located: South of the southwest corner of East 201<sup>st</sup> Street and South 2<sup>nd</sup> East Avenue.

**Presentation:**

**Kevin Hutchinson**, 20117 South Main, Mounds, Oklahoma, represented Johnnie Christian. They proposed to build a church in an AG district. It is a 50' x 100' metal building but they did not have a rendering. The congregation is approximately 48 people.

**Comments and Questions:**

Mr. Charney asked about South 2<sup>nd</sup> East Avenue, if it was an improved road. Mr. Hutchinson replied that it is a fair gravel road. Mr. Cuthbertson responded that it is not a public road. Mr. Charney asked about lighting and found the applicants have not planned for that yet. Mr. Hutchinson responded to Mr. Charney's questioning that this would be an improvement to the neighborhood. The nearest residences are two mobile homes and the property was in disrepair. Mr. Dillard and Mr. Charney stated they needed more information before making a decision. They were interested in lighting, parking, condition and maintenance of the road and drive. Mr. Cuthbertson informed the applicant of the need for public access to meet the County standards, such as, all-weather surface. He added the platting process would be necessary.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **Motion** of **Tyndall**, the Board voted 3-0-0 (Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Walker, Hutson "absent") to **CONTINUE** Case No. 2242 to the meeting on February 20, 2007, on the following described property:

PRT W/2 SE SW BEG 500E & 150S NWC THEREOF TH W291S250 E291 N250  
POB SEC 12 16 12 1.67AC Tulsa County, State of Oklahoma

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**Case No. 2243**

**Action Requested:**

Special Exception to permit a private airstrip in an AG district (Section 310), located 5415 East 191<sup>st</sup> Street South.

**Presentation:**

**Brian Curthoys**, 601 South Boulder, Suite 400, proposed to have a grass airstrip for an ultra-light plane or single engine aircraft, for client, David Haas. He has a hanger/ workshop already located on the property. They do not plan to light the tract. They would use the strip infrequently. Mr. Curthoys indicated the planes proposed for use would not make any more noise than a tractor. He stated it would be in harmony with the large surround tracts. The strip would be used for personal and family use only. He submitted photographs (Exhibit A-1). Mr. Cuthoys stated the strip would not be used for commercial purposes.

**Comments and Questions:**

Mr. Charney asked about the number of residences north and south of the strip. Mr. Curthoys agreed there is one home on 191<sup>st</sup> to the south and one a few hundred feet to the north.

**Interested Parties:**

**Roy Crabtree**, 13207 East 68<sup>th</sup>, Broken Arrow, Oklahoma, expressed concern this would decrease the property value of his mother's home immediately south of the airstrip. He questioned the frequency of flights. He wanted to know if the strip could be expanded and the volume of traffic.

**Applicant's Rebuttal:**

Mr. Curthoys responded that they have no plans for commercial use of the airstrip. They would only use the strip during the best of weather and on any given day there would be no more than five take offs and landings.

**Board Action:**

On **Motion** of **Dillard**, the Board voted 3-0-0 (Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Walker, Hutson "absent") to **APPROVE** a Special Exception to permit a private airstrip in an AG district (Section 310), with conditions for a grass runway, strip for use by single-engine or ultra-light planes only; no lighting of runway; no commercial use; limited to five years and a rough log of flights, with a review by the County Board of Adjustment at the end of the five years, finding the special exception 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:

S50 E/2 E/2 NW NE SW & E/2 E/2 SW NE SW&E/2 E/2 NW SE SW & E/2 NE SW SE SW & W/2 NE SW SE SW LESS N280 THEREOF & SE SW SE SW LESS S50 FOR RD SEC 3 16 13 8.751ACS Tulsa County, State of Oklahoma

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**Case No. 2244**

**Action Requested:**

Modify an approved site plan for church use in an AG district, located: 15710 South Peoria Avenue.

**Presentation:**

**Mike McClendon**, 4901 South Lyons, Broken Arrow, Oklahoma, proposed to modify a previously approved site plan from 2005. They planned to build a parsonage instead of a multi-purpose building. A site plan was provided (Exhibit B-1).

**Comments and Questions:**

Mr. Charney asked if the parsonage would be a single-family dwelling, to which Mr. McClendon replied that it would be. Mr. Cuthbertson clarified that the Board needs to determine that the modified plan is in keeping with the previously approved special exception. He informed them the parsonage would be accessory to the church.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **Motion** of **Dillard**, the Board voted 3-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the modification of an approved site plan for church use in an AG district, with the change of use from a multi-purpose building to a parsonage as presented, finding it in keeping with the previously approved special exception, on the following described property:

Lot 1, Block 1, Holy Apostles Church Addn, Tulsa County, State of Oklahoma

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**Case No. 2245**

**Action Requested:**

Variance of the minimum permitted land area per dwelling in an AG district from 2.1 acres to 2 acres to permit a lot split (Section 330), located: North of the northwest/corner of East 191<sup>st</sup> and South Yale Avenue.

**Presentation:**

**Royce Skocdopole**, 14314 South 50<sup>th</sup> East Avenue, Bixby, Oklahoma, stated he owns four acres. He stated there are two water taps to the property. He informed the Board there was a mobile home on the property at one time. He proposed to get a lot-split to sell two acres.

**Comments and Questions:**

Mr. Cuthbertson stated the 2.0 acre land area was the only thing that triggered this application. He meets all other requirements. Both of the lots would have the necessary frontage.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **Motion** of **Tyndall**, the Board voted 3-0-0 (Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Walker, Hutson "absent") to **APPROVE** a Variance of the minimum permitted land area per dwelling in an AG district from 2.1 acres to 2 acres to permit a lot split (Section 330), finding the minimal difference from the land area required; and finding the variance 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 396N SECR SE TH W330 N528 E330 S528 TO POB LESS E50 THEREOF  
SEC 4 16 13 Tulsa County, State of Oklahoma

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**OTHER BUSINESS**

**Election of Officers**

Chair, Vice-Chair and Secretary

**Board Action:**

On **MOTION** of **Dillard**, the Board voted 3-0-0 (Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Walker, Hutson "absent") to **APPROVE** Charney as Chair, Tyndall as Vice-Chair, and Walker as Secretary for 2007.

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There being no further business, the meeting adjourned at 2:35 p.m.

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

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Chair