

**COUNTY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 335  
Tuesday, April 15, 2008, 1:30 p.m.  
County Commission Room  
Room 119  
County Administration Building

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

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

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Thursday, April 10, 2008 at 3:17 a.m., as well as in the Office of INCOG, 201 W. 5<sup>th</sup> St., Suite 600.

After declaring a quorum present, 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**

On **MOTION** of **Hutson**, the Board voted 3-0-0 (Tyndall, Walker, Hutson "aye"; no "nays"; "abstained"; Charney, Dillard "absent") to **APPROVE** the Minutes of March 18, 2008 (No. 334).

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**NEW APPLICATIONS**

**Case No. 2292**

**Action Requested:**

Variance of the minimum required lot area, land area per dwelling, and lot width to permit a lot split in the AG district (Section 330) to permit a second dwelling, located: 11214 South 26<sup>th</sup> Avenue West.

Mr. Hutson informed the applicant that there must be a quorum of three to approve a case and that if one member voted no, his case would not be approved. He added that the applicant could continue his case until next meeting. The applicant wanted to present his application.

**Presentation:**

**Demetrius Thompson**, 11214 South 26<sup>th</sup> West Avenue, Sapulpa, Oklahoma, 74066. He proposed to build a separate structure on AG zoned property. The other property to the north is 11204 South 26<sup>th</sup> West Avenue in the lot split. The pipeline easements that run diagonally through the property will prevent any further division to develop in AG or residential districts. They proposed to place a mobile home on 3/8's of an acre and construct a home on the remaining 1.998 acres. The utilities have been obtained. He indicated that the subdivision across the street from the subject property has lots smaller than what they are asking for. They do not plan to develop any further.

**Interested Parties:**

**Jeff Zoller**, 11312 South 26<sup>th</sup> West Avenue, stated he owns the property directly south of the subject property. He was in favor of one home on the two and three-eighths acres. He expressed concern this would start a precedent, causing sewage problems, multiple mobile homes, and an increased density of homes. He stated that the smaller lots are on property annexed into the City of Jenks.

**Maggie Parks**, 11434 South 26<sup>th</sup> West Avenue, stated she has lived there for 30+ years. She petitioned every neighbor and none of them are opposed to this application. She was not concerned about the aerobics sewage system.

**Larry Cagle**, 6701 East Forest Ridge, Broken Arrow, Oklahoma, stated he is the builder and designer of the house. He added that he built a similar house and it will increase the value of the property. The aerobic system they will use is so effective it is the only type allowed in the state of Texas.

**Applicant's Rebuttal:**

Mr. Thompson responded that they plan to retire on this property and want it to be a family compound.

**Comments and Questions:**

Mr. Hutson confirmed that Mr. Thompson deeded the 3/8 acre to his son and that the utilities were all operational. Mr. Thompson replied in the affirmative. He added that a mobile home was previously on that same site. He informed the Board that through the permitting and mortgage process they discovered the need for relief from the Board of Adjustment to complete their plans.

Mr. Walker stated he could support the application. Mr. Tyndall stated there is a lot of activity north and east of the subject property. He noted the smaller lots in the area to the south. The area is in transition. He understood this is a family compound situation and it is not going to increase the density to any great degree.

**Board Action:**

On **Motion of Hutson**, the Board voted 3-0-0 (Tyndall, Walker, Hutson "aye"; no "nays"; "abstained"; Charney, Dillard "absent") to **APPROVE** Variance of the minimum required lot area, land area per dwelling, and lot width to permit a lot split in the AG district (Section 330) to permit a second dwelling; per plan, with conditions that both pieces of property be restricted from use for any type of livestock operation, pet horses, goats, pigs or other; the two tracts are not to be subdivided again while AG; any subdivision would have to go through the zoning process; a private family garden and aerobic system are allowed; finding the pipeline divides the property and 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:

BEG NEC S/2 NE NW TH W340.20 S308.95 NELY340.22 N300.56 POB SEC 34  
18 12 1.998ACS, Tulsa County, State of Oklahoma

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**NEW BUSINESS**

Mr. Cuthbertson reminded the Board members about a training session they discussed previously. They need to agree on a Board of Adjustment meeting date and staff would serve lunch during the training.

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There being no further business, the meeting adjourned at 2:15 p.m.

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

6/16/08

  
Chair