

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 344
Tuesday, January 20, 2009, 1:30 p.m.
Lecture Room
Tulsa Central Library
400 Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF	OTHERS
Hutson, Chair Tyndall Walker	Charney, Vice Chair Dillard, Secretary	Butler Cuthbertson	West, Co. Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 16th day, January, 2009 at 10: 14 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 1:30 p.m.

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

MINUTES

On **MOTION** of **WALKER**, the Board voted 3-0-0 (Tyndall, Walker, Hutson "aye"; no "nays"; "abstained"; Charney, Dillard "absences") to **APPROVE** the Minutes of December 16, 2008 (No. 343).

UNFINISHED BUSINESS

Case No. 2213

Action Requested: Variance of the requirement that unenclosed off-street parking areas shall be surfaced with an all-weather material (Section 1340.D), located: 27295 W. Hwy 51

Presentation:

Jim Coleman, 610 North 256th West Avenue, Sand Springs, Oklahoma 74063, withdrew this application.

NEW APPLICATIONS

Case No. 2316

Action Requested:

Special Exception to permit a manufactured home in the AG-R district (Section 310); and a Variance to permit two dwellings on a lot of record (Section 208), located: 11919 North Mingo Road.

Presentation:

David Worth, 11915 North 97th East Avenue, Collinsville, Oklahoma 74021, stated that he would like to move a mobile home onto his parent's property so that they can help him with his daughter while he is at work. He indicated that he helps his elderly parents with their property and home.

Comments and Questions:

Mr. Hutson asked Mr. Worth if he was advised by staff regarding the rules. In response, Mr. Worth answered affirmatively.

Mr. Hutson asked Mr. Worth if the mobile home is already in place. In response, Mr. Worth indicated that the mobile home has been moved in because he didn't know it was against the Zoning Code. He found out that he needed a permit when the mobile needed inspection.

Mr. Worth stated that if this is approved he would skirt the mobile home and build a deck on the front. His parent's driveway has enough space for parking his vehicle.

Mr. Walker asked if there are other mobile homes in the subdivision. In response, Mr. Worth indicated that there are three or four mobile homes in the subject area. Mr. Walker asked if there are other lots with two dwellings on one lot of record. In response, Mr. Worth indicated that there are several lots with two dwellings on one lot of record in the subject area.

Interested Parties:

Flynn Strickland, 11990 North 97th East Avenue, Collinsville, Oklahoma 74021, stated that the previous history on the staff report indicates two mobile home in the subject area and the trailers have been removed. He indicated that there are a couple of trailers on East 120th Street North and one is an older trailer that has not been kept up and there are a couple of new trailers along that street as well. These trailers were allowed in before the area had developed.

Mr. Strickland stated that he has moved into the area within the last five years and he understands that Mr. Worth's trailer is new and looks nice now, but the placement is more of an issue. He expressed concerns that the applicant may drive through the yard rather than the driveway. Mr. Strickland indicated that he is

opposed to the placement of the mobile home. He expressed concerns about his property value lowering. He suggested the mobile be placed behind the house or behind the shop it would then be easier for them to provide an access to it for parking and a pathway.

Bob Maynard, 11909 North 97th East Avenue, Collinsville, Oklahoma 74021, stated that he is north of the subject property and they are nice people. He is concerned about the mobile home and he is not in favor of it. He has lived in the subject area since 1979 and he is opposed to mobile homes in the subject area. There are nice homes being built in the subject area now and mobile homes deteriorate.

Angie Godfrey, 11804 North 97th East Avenue, Collinsville, Oklahoma 74021, provided a protest petition with signatures. Ms. Godfrey read the protest petition. She explained that when she purchased five acres ten years ago there were restrictions and she had to build a 1,750 square foot home. There are a few mobile homes in the area and they have been there for more than 15 years. Growth in the subject area has changed drastically and there are several subdivisions in the area with restrictions. Ms. Godfrey indicated that she is against the mobile home being on the subject property.

Rebuttal:

Mr. Worth stated that he doesn't know how much longer his parents have and living in the same house with his daughter and parents poses problems. He has lived on his own for too long to really live with his parents. The trailer may not be there for a long period of time. He doesn't believe the trailer is in a bad spot and can't be seen by the Godfrey's. In the spring and summer the trees will hide the trailer home from sight. There will be no driving across the lawn because he was raised that one doesn't drive through yards. Mr. Worth concluded that there is no more room to build in the subject area.

Discussion:

Mr. Hutson stated that the applicant could add on to his parent's home and not have to be in front of the Board. Mr. Worth indicated that he couldn't build on for the price he paid for a mobile home.

Mr. Walker stated that he doesn't believe he can support this application because it doesn't fit in the neighborhood. The neighborhood is trying to improve and there is new development in the subject area.

Mr. Cuthbertson stated that the Code requires 1.1 acres per dwelling unit in the AG-R district. They have enough land to split into two equal lots. He doesn't believe the density is the problem as much as it is a manufactured home.

Mr. Tyndall stated that there is no hardship for the land and nothing unusual about it.

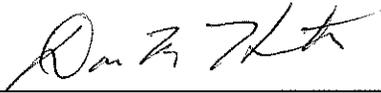
Board Action:

On **Motion** of **WALKER**, the Board voted 3-0-0 (Walker, Tyndall, Hutson "aye"; no "nays"; no "abstentions"; Charney, Dillard "absences") to **DENY**, Special Exception to permit a manufactured home in the AG-R district (Section 310); and a Variance to permit two dwellings on a lot of record (Section 208) finding that the special exception will not be in harmony with the spirit and intent of the Code and would be injurious to the neighborhood, or otherwise detrimental to the public welfare, and finding that there is no hardship for the variance to permit two dwellings on a lot of record on the following described property:

S 220 W 496 S 1/2 N 1/2 SW SEC 6-21-14, Tulsa County, State of Oklahoma.

There being no further business, the meeting adjourned at 1:54 p.m.

Date approved: 2-17-09



Chair