COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 358
Tuesday, March 16, 2010, 1:30 p.m.
County Commission Room
Room 119
County Administration Building
500 South Denver

MEMBERS PRESENT  MEMBERS ABSENT  STAFF PRESENT  OTHERS PRESENT
Osborne, Secretary  Charney, Chair  Alberty  West, Co. Inspector
Tyndall
Walker, Vice Chair  Zezulka
Dillard  Cuthbertson

The notice and agenda of said meeting were posted at the County Clerk’s office, County Administration Building, 4th day, March, 2010 at 2:58 p.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Vice Chair Walker 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 Tyndall, the Board voted 4-0-0 (Tyndall, Walker, Osborne, Dillard "aye"; no "nays"; no "abstained" Charney "absent") to APPROVE the Minutes of February 16, 2010 (No. 357).

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NEW APPLICATIONS

Case No. 2363
Action Requested:
Variance of the front yard requirement abutting an arterial street from 35 ft. to 5 ft.; a Variance of the required yard abutting a non-arterial street (to the east) from 25 ft. to 5 ft.; and a Variance of the rear yard requirement from 20 ft. to 10 ft. (Section 430); all to permit a single-family dwelling in an RS district, located at 15728 E. 167th St. S.

03/16/2010/358(1)
Presentation:
Eddie Reynolds, 15576 S. 289th E. Ave., Coweta, Oklahoma 74429; this property is located in Leonard, Oklahoma. The applicant owns five 25 foot wide lots. In 1954, the State Highway took 65 feet across the front of all five lots. A survey revealed that the applicant only had the depth of 53 feet on the lots. Other properties in the area have a zero setback from the street. The applicant proposed a five-foot setback from the arterial street. The applicant also proposed a ten-foot setback for the rear yard and a five-foot setback on the (east) required yard abutting a non-arterial street. The applicant is requesting all three variances to build a single-family dwelling.

Comments and Questions:
Mr. Osborne asked if on the plan submitted, the area showing Reynolds Construction Co., is the proposed structure. Mr. Reynolds confirmed that is the proposed structure.

Mr. Alberty stated that after the Oklahoma Department of Transportation acquires property for easements, the remedy then falls to the landowner.

Interested Parties:
There were no interested parties.

Board Action:
On Motion of Osborne, the Board voted 4-0-0 (Walker, Tyndall, Osborne, Dillard "aye" no "nays"; no "abstentions" Charney "absent") to APPROVE Variance of the front yard requirement abutting an arterial street from 35 ft. to 5 ft.; a Variance of the required yard abutting a non-arterial street (to the east) from 25 ft. to 5 ft.; and a Variance of the rear yard requirement from 20 ft. to 10 ft. (Section 430); all to permit a single-family dwelling in an RS district, located at 15728 E. 167th St. S., finding that the hardship was brought about by the Oklahoma Department of Transportation to the lot; per conceptual plan submitted.

LT 1 LESS N55 THEREOF BLK 29, LT 2 LESS N55 THEREOF BLK 29, LT 3 LESS N55.1 THEREOF BLK 29, LT 4 LESS N55.2 THEREOF BLK 29, LT 5 LESS N55.3 THEREOF BLK 29, LEONARD, Tulsa County, State of Oklahoma.

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Case No. 2364
Action Requested:
Special Exception to permit a manufactured home in the RS district (Section 410), located at 5706 N. Norfolk Ave.

Comments and Questions:
Mr. Cuthbertson addressed the Board. Legally the Board cannot hear this case today. It was determined after notification that the legal description used to advertise was
incomplete. The legal description provided by the Accessor, as well as the legal deed, are incorrect. Unfortunately, this case must be continued.

**Board Action:**
On Motion of Osborne, the Board voted 4-0-0 (Walker, Tyndall, Osborne, Dillard "aye"; no "nays"; no "abstentions" Charney "absent") to CONTINUE the Special Exception to permit a manufactured home in the RS district (Section 410), located at 5706 N. Norfolk Ave., until April 20, 2010.

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**NEW BUSINESS**

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There being no further business, the meeting adjourned at 1:48 p.m.

Date approved: 4/20/10

Chair

03/16/2010/358(3)