

**TULSA COUNTY BOARD OF ADJUSTMENT**

**MINUTES** of Meeting No. 388

Tuesday, September 18, 2012, 1:30 p.m.  
County Commission Room, Room 119  
County Administration Building  
500 South Denver Avenue

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

Draper	Charney, Chair	Back
Osborne, Secretary	Dillard	Sparger
Walker, Vice Chair		

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 13<sup>th</sup> day of September, 2012 at 1:45 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 1:30 p.m.

Ms. Back explained the rules and procedures for the County Board of Adjustment Public Hearing.

Mr. Walker explained to the applicant that there were only three board members present at this meeting, and if the applicant would like to postpone his hearing until the next meeting he could do so. If the applicant wanted to proceed with the hearing today it would be necessary for him to receive an affirmative vote from all three board members to constitute a majority and if one board member voted no today the application would be denied. Mr. Walker asked the applicant if he understood and asked the applicant what he would like to do. The applicant stated that they would like to proceed with the hearing today.

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**MINUTES**

On **MOTION** of **DRAPER**, the Board voted 2-0-1 (Draper, Walker "aye"; no "nays"; Osborne "abstaining"; Charney, Dillard "absent") to **APPROVE** the Minutes of August 21, 2012 (No. 387).

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**UNFINISHED BUSINESS**

**2438—David Woods**

**Action Requested:**

Variance from the requirement that a lot have a minimum of 30 feet of frontage on a public street or dedicated right-of-way (Section 207). **Location:** 5875 South 157<sup>th</sup> West Avenue

**Presentation:**

No presentation was made. The applicant has requested a continuance to the October 16, 2012 Board of Adjustment meeting, because he is still working on the ingress/egress research.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **OSBORNE**, the Board voted 3-0-0 (Draper, Osborne, Walker "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **CONTINUE** the request for a Variance from the requirement that a lot have a minimum of 30 feet of frontage on a public street or dedicated right-of-way (Section 207) to October 16, 2012; for the following property:

**N220 E495 NE SW SW SEC 32 19 11 2.50ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**NEW APPLICATIONS**

**2439—Judy McGuire**

**Action Requested:**

Use Variance to allow a mobile home (Use Unit 9) in a CS District for a ten (10) year period (Section 710). **Location:** 6006 South 63<sup>rd</sup> West Avenue

**Presentation:**

No presentation was made. The applicant has withdrawn the application.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board Action required on this case.

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**UNFINISHED BUSINESS**

**Case No. 2437—Douglas R. Lane**

**Action Requested:**

Variance of the maximum permitted floor area from 750 square feet to 1,772 square feet for a detached accessory building in an RS district (Section 240.2.E). **Location:** 3173 South 59<sup>th</sup> West Avenue

**Presentation:**

**Doug Lane**, 3173 South 59<sup>th</sup> West Avenue, Tulsa, OK; stated he wants to build a 30'-0" x 50'-0" pole barn with a metal exterior, which is to be placed on the east side and toward the rear of his property. This pole barn will be used to store personal items indoors, i.e., a trailer, mower, gardening equipment, etc. There are several similar buildings within a few blocks of his property so it would not be out of character for the area.

Mr. Walker asked Mr. Lane if he had spoken with his neighbors in regards to his project. Mr. Lane stated he spoke with the neighbor that lived directly behind his property. Mr. Lane explained that because he worked very early in the morning he rarely saw or spoke to the other neighbors.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **OSBORNE**, the Board voted 3-0-0 (Draper, Osborne, Walker “aye”; no “nays”; no “abstentions”; Charney, Dillard “absent”) to **APPROVE** the request for a **Variance** of the maximum permitted floor area from 750 square feet to 1,772 square feet for a detached accessory building in an RS district (Section 240.2.E). The hardship is the fact that the lot is oversized, and backs up to a creek. The 1,772 total square feet is comprised of two separate buildings on the property. The building will not create a substantial detriment to the public good or harm the existing character of the neighborhood; for the following property:

**LT 11 BLK B, BERRY HILL GARDENS, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**NEW BUSINESS**

None.

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**OTHER BUSINESS**

**2439—Judy McGuire**

**Action Requested:**

Use Variance to allow a mobile home (Use Unit 9) in a CS District for a ten (10) year period (Section 710). **Location:** 6006 South 63<sup>rd</sup> West Avenue

**Presentation:**

No presentation was made. The applicant has withdrawn the application and requests a refund of \$450.00.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Mr. Osborne asked Ms. Back if the refund amount requested was pro-rated, to take care of any expenses the County has incurred. Ms. Back stated the mailings, the newspaper notification and some of staff's time used to work on the case to the point of the withdrawal are covered.

**Board Action:**

On **MOTION** of **DRAPER**, the Board voted 3-0-0 (Draper, Osborne, Walker "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **APPROVE** the request for a refund of \$450.00; for the following property:

**LTS 1 & 2 BLK 9, NEW TANEHA, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**BOARD COMMENTS**

None.

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There being no further business, the meeting adjourned at 1:44 p.m.

Date approved: David E. Charney  
10/16/12  
Chair