

**TULSA COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 435**  
Tuesday, August 16, 2016, 1:30 p.m.  
Ray Jordan Tulsa County Administration Building  
500 South Denver, Room 119  
Tulsa, Oklahoma

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

Charney, Chair  
Crall, Secretary  
Dillard  
Johnston  
Hutchinson, V.Chair

Miller  
Moye  
Sparger

West, Inspector

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 11<sup>th</sup> day of July, 2016 at 9:43 a.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Chair Charney called the meeting to order at 1:30 p.m.

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**MINUTES**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the Minutes of July 19, 2016 (No. 434).

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**UNFINISHED BUSINESS**

**2586—Kelly Herneisen**

**Action Requested:**

Variance to allow a second dwelling on a single lot of record (Section 208).

**LOCATION:** 8120 East 112<sup>th</sup> Street North

**Presentation:**

The applicant has withdrawn his application.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required; for the following property:

**LT 14 BLK 2, COUNTRYSIDE ESTATES, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**NEW APPLICATIONS**

**2590—Roy Johnsen**

**Action Requested:**

Special Exception to allow mining in the AG District (Section 310, Table 1).

**LOCATION:** 14219 East 66<sup>th</sup> Street North, Owasso

**Presentation:**

The applicant has withdrawn his application.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required; for the following property:

**BEG 867.26W SECR SE TH W30 N1039.93 W630 S1039.98 W210 N1040 W912.65 N937.75 E1323.32 N659.51 E1322.65 S1696.75 W669.31 S34.24 W197.03 S910.77 POB LESS S16.5 W30 E897.26 THEREOF FOR RD & LESS S16.5 W210 E1737.26 THEREOF FOR RD SEC 33 21 14 84.782ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**UNFINISHED BUSINESS**

**2587—Erick R. Bellis**

**Action Requested:**

Variance of the allowable square footage for accessory building(s) in the RS District (Section 240.2.E); Variance to allow a detached accessory building in the side yard (Section 420.2). **LOCATION:** 4752 West 41<sup>st</sup> Street South

**Presentation:**

**Erick R. Bellis**, P. O. Box 9422, Tulsa, OK; stated that he owns all four lots with only the center lot having a mortgage. He wants to place all three lots under one address as one parcel of land.

Mr. Charney asked Mr. Bellis if he was building a structure. Mr. Bellis stated that he was not building anything, the buildings already exist.

Mr. Crall asked Mr. Bellis if the structure that looks like a house is going to be used for storage. Mr. Bellis answered affirmatively and that he would like to make it his wood shop.

Ms. Miller asked Mr. Bellis if he has already combined all the lots. Mr. Bellis answered affirmatively. Mr. Bellis stated the Lot Combination triggered the need for a Variance.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; none “absent”) to **APPROVE** the request for a Variance of the allowable square footage for accessory building(s) in the RS District (Section 240.2.E); Variance to allow a detached accessory building in the side yard (Section 420.2). The hardship is that the Lot Combination created the encroachment and the structures existed prior to the Lot Combination; for the following property:

**PRT LT 1 BEG NWC LT 1 TH S254.68 E76.42 N254.68 W76.42 POB LESS N25 THEREOF FOR RD; PRT LT 1 BEG 76.42E NWC LT 1 TH S254.68 E76.42 N254.68 W76.42 POB LESS N25 THEREOF; PRT LT 1 BEG NEC LT 1 TH S511.7 W305.7 N257.02 E152.84 N254.68 E152.86 POB LESS SLY 257.02 NLY 511.70 ELY 305.70 THEREOF & LESS N25 THEREOF, YARGEE ACRES, OF TULSA COUNTY, STATE OF OKLAHOMA**

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## NEW APPLICATIONS

### 2588—Mike Pennell

#### Action Requested:

Variance to allow a second dwelling on a single lot of record (Section 208).

LOCATION: 12350 East 136<sup>th</sup> Street South, Broken Arrow

#### Presentation:

**Mike Pennell**, 12350 East 136<sup>th</sup> Street South, Broken Arrow, OK; stated he would like to add a 600 square foot addition to his house to allow his mother-in-law to live with him and his wife. There is a breezeway from the house to his office and he would like to add the addition behind the office so it will present as one continuous flow to the structure.

Mr. Charney asked Mr. Pennell if the roof line would be connected. Mr. Pennell answered affirmatively.

Mr. Charney asked Mr. Pennell if the addition would match the existing house architecturally and aesthetically. Mr. Pennell answered affirmatively.

#### Interested Parties:

There were no interested parties present.

#### Comments and Questions:

None.

#### Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Variance to allow a second dwelling on a single lot of record (Section 208). The addition is to be tied into the existing roofline of the breezeway and that it is architecturally compatible with the existing house. The hardship is the fact that the house is on a corner lot and the roofline and size of the lot will be such that it is in effect a singular dwelling and will not appear as a second dwelling; for the following property:

**LT 1 BLK 3, HICKORY HILLS 3RD ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA**

### 2591—Michelle Bison

#### Action Requested:

Special Exception to permit a manufactured home (Use Unit 9) in the RS District (Section 410, Table 1). LOCATION: 5723 North Norfolk Avenue East

**Presentation:**

The applicant was not present.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; none “absent”) to **CONTINUE** the request for a Special Exception to permit a manufactured home (Use Unit 9) in the RS District (Section 410, Table 1) to the September 20, 2016 Board of Adjustment meeting; for the following property:

**TR BEG 390W & 260S NEC SE SE TH S240 SW328.88 N373.33 E300 POB SEC 1 20 12 2.112ACS, KRUGER TRACTS, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2592—Charles Petit**

**Action Requested:**

Variance to increase the allowable square footage for accessory building(s) to 1,540 square feet (Section 240.2.E); Variance to allow a detached accessory building in the side yard (Section 420.2.A.2). **LOCATION:** 12320 East 136<sup>th</sup> Street South, Broken Arrow

**Presentation:**

**Charles Petit**, 12320 East 136<sup>th</sup> Street South, Broken Arrow, OK; stated he would like to build a garage and a shop. His wife purchased the subject house before they were married and there used to be a large pecan tree in the middle of the front yard so the house sets farther back than the rest of the houses in the subdivision. Also, the previous owners built an addition above the existing garage and placed a pole in the middle of the existing garage so now it is almost useless. The proposed building is similar to buildings that exist in the neighborhood so it will not be out of character. The proposed structure will be used to house a full size pickup truck and another vehicle with an additional room to be used for hobbies.

Mr. Charney asked Mr. Petit if he would be performing any work for third parties or any commercial work in the proposed structure. Mr. Petit stated that he would not and that it will be for his own personal use.

Mr. Crall asked Mr. Petit where the existing garage is located. Mr. Petit stated the existing garage is a side entry of the house and is part of the house.

Mr. Hutchinson asked Mr. Petit if he had a small building in the corner of his lot. Mr. Petit stated there is a small garden shed in the corner but it will eventually be torn down.

Mr. Charney asked Mr. Petit if he had discussed this with the neighbors on each side of him. Mr. Petit stated that he has and the neighbor on the east side has no problem with the proposal, and the house to the west is a rental.

Mr. Charney asked Mr. Petit if the building he was proposing is a metal building over a wooden frame. Mr. Petit answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Variance to increase the allowable square footage for accessory building(s) to 1,540 square feet (Section 240.2.E); Variance to allow a detached accessory building in the side yard (Section 420.2.A.2), subject to no commercial use of the requested accessory building. The hardship is the tree on the existing lot and the location of the driveway; for the following property:

**LT 4 BLK 3, HICKORY HILLS 3RD ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**OTHER BUSINESS**

None.

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**NEW BUSINESS**

None.

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**BOARD COMMENTS**

None.

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There being no further business, the meeting adjourned at 1:58 p.m.

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

9/20/16

*David E. Charny*

Chair