

**TULSA COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 461**  
Tuesday, October 16, 2018, 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**

Hutchinson, V.Chair	Charney, Chair	Miller
Crall, Secretary		Ulmer
Dillard		Sparger
Johnston		

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 11<sup>th</sup> day of October, 2018 at 9:08 a.m., as well as in the Office of INCOG, 2 West Second Street, Suite 800.

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

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**MINUTES**

On **MOTION** of **JOHNSTON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the Minutes of September 18, 2018 (No. 460).

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Mr. Hutchinson explained to the applicants and interested parties that there were only four board members present at this meeting. If an applicant or an interested party would like to postpone his or her hearing until the next meeting he or she 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 three board members to constitute a majority and if two board members voted no today the application fails. Mr. Hutchinson asked if anyone would like to continue their case and if they understood. The audience nodded their understanding and no one requested a continuance.

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**UNFINISHED BUSINESS**

**2688—Heartland Fireworks, LLC**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in an AG District (Section 310). **LOCATION:** 11508 East 116<sup>th</sup> Street North

**Presentation:**

The applicant was not present. Mr. Hutchinson moved this item to the end of the agenda to allow the applicant time to arrive.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.

**2689—Heartland Fireworks, LLC**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in an CS District (Section 710). **LOCATION:** 11290 West 51<sup>st</sup> Street South

**Presentation:**

The applicant was not present. Mr. Hutchinson moved this item to the end of the agenda to allow the applicant time to arrive.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.

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**NEW APPLICATIONS**

**2719—Kevin Coutant**

**Action Requested:**

Variance to allow an accessory building to exceed 750 square feet (Section 240).

**LOCATION:** 3197 South 61<sup>st</sup> Avenue West

**Presentation:**

**Kevin Coutant**, 2 West 2<sup>nd</sup> Street, Suite 700, Tulsa, OK; stated the property is currently used as a single-family residence. The property is a large lot and is oddly shaped running very narrow north and south. The house on the property is situated on a corner. The outbuilding that is shown in the aerial photo is gone because of a fire. The proposal is to erect an accessory building that will be 30'-0" x 60'-0". The building will be used for storage and a personal use shop and vehicle parking. Mr. Coutant presented a petition signed by neighbors showing their support.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a Variance to allow an accessory building to exceed 750 square feet to 1,800 square feet (Section 240), subject to conceptual plan 4.10 of the agenda packet. The Board finds the hardship to be the unique physical dimensions of the subject property; for the following property:

**LT 14 BLK A, BERRY HILL GARDENS, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**UNFINISHED BUSINESS**

**2688—Heartland Fireworks, LLC**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in an AG District (Section 310). **LOCATION:** 11508 East 116<sup>th</sup> Street North

**Presentation:**

The applicant was not present.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **DENY** the request for a **Special Exception** to permit a fireworks stand (Use Unit 2) in an AG District (Section 310) due to lack of attendance. The Board has given the applicant ample time to attend the last three meetings and the applicant has not attended the last three meetings; for the following property; for the following property:

**W285.2 NE NW NW LESS N16.5 THEREOF SEC 8 21 14 4.213ACS, HOPE CHAPEL, FBC OWASSO MISSION, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2689—Heartland Fireworks, LLC**

**Action Requested:**

**Special Exception** to permit a fireworks stand (Use Unit 2) in an CS District (Section 710). **LOCATION:** 11290 West 51<sup>st</sup> Street South

**Presentation:**

The applicant was not present.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **DENY** the request for a **Special Exception** to permit a fireworks stand (Use Unit 2) in an CS District (Section 710) due to lack of attendance. The Board has given the applicant ample time to attend the last three meetings and the applicant has not attended last three meetings; for the following property; for the following property:

**LOT 8 BLK 2, BUFORD COLONY SECOND ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**OTHER BUSINESS**

**REVIEW** 2019 proposed meeting dates.

**Board Action:**

On **MOTION** of **CRALL**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **APPROVE** the proposed 2019 meeting dates as presented.

**ELECTION OF OFFICERS:**

**Current Positions Held:**

David Charney – Chair  
Don Hutchinson – Vice Chair  
Don Crall – Secretary  
Gene Dillard  
Larry Johnston

**Board Action:**

On **MOTION** of **CRALL**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **NOMINATE** and **ACCEPT** Mr. David Charney as Chair for the 2018-2019 term.

**Board Action:**

On **MOTION** of **JOHNSTON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **NOMINATE** and **ACCEPT** Mr. Don Hutchinson as Vice Chair for the 2018-2019 term.

**Board Action:**

On **MOTION** of **JOHNSTON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney “absent”) to **NOMINATE** and **ACCEPT** Mr. Don Crall as Secretary for the 2018-2019 term.

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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 1:45 p.m.

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

11/20/18  
Ward E. Channery  
Chair