

**TULSA COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 466**  
Tuesday, March 19, 2019, 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	Tosh, County
Dillard	Crall, Secretary	R. Jones	
Johnston		Sparger	

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, 14<sup>th</sup> day of March, 2019 at 8:41 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 **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney, Crall "absent") to **APPROVE** the Minutes of February 19, 2019 (No. 465).

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Mr. Hutchinson explained to the applicants and interested parties that there were only three 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 all three board members to constitute a majority and if one or two board members voted no today the application fails. Mr. Hutchinson asked if anyone would like to continue their case and if they understood. Mr. Will Wilkins requested a continuance to April 16, 2019 for his case because he would like to have five Board members present; there was opposition to this request. Mr. Hutchinson stated that the Board would hear the interested parties so their comments would be on the record.

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Ms. Jones read the rules and procedures for the Board of Adjustment Public Hearing.

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**UNFINISHED BUSINESS**

**2733 – Will Wilkins**

**Action Requested:**

Variance to allow an accessory building to exceed 750 square feet in an RS District (Section 240). LOCATION: 21521 West 14<sup>th</sup> Street South

**Presentation:**

No presentation was made by the applicant; he requested a continuance to the April 16, 2019 Board of Adjustment meeting.

Mr. Hutchinson stated that the Board will allow the interested parties to come forward to voice their opinion for the record in case they cannot attend next month's meeting.

**Interested Parties:**

**Mary Robinson**, 21670 West 13<sup>th</sup> Place, Sand Springs, OK; stated she does not want to continue this case because she two foster children, an ill aunt, and mentally challenged brother that she takes care of, and the children get out of school around the same time as this meeting. She moved to Candlestick Beach in 1991 and purchased one of the first houses that was built in the addition. There has never been anything that makes her fear that there would be semi-trucks or two-ton trucks coming into the neighborhood as Mr. Wilkins would have for his business. People in the neighborhood have sheds and buildings, and everyone in the community like it as it is. Ms. Robinson read an opposition letter from the York family who was unable to attend today's meeting. Ms. Robinson stated that there are people in the neighborhood that have businesses in their houses like selling Avon or a personal beautician. These are small businesses. Ms. Robinson stated that Mr. Wilkins has his home location address listed on the internet as his business, so the neighbors think that if he builds this large building that eventually he will house his business materials with business vehicles going through the neighborhood, though Mr. Wilkins has never told the neighbors any different. Ms. Robinson thinks the proposed building is too big and too much.

**Sharon Borchers**, 1322 South 217<sup>th</sup> West Avenue, Sand Springs, OK; stated she has taken off work for the last two meetings regarding this case and she thinks it is important that she attend these meetings though it is causing problems at work. Ms. Borchers has lived in Candlestick Beach I for seventeen years and for the last ten years she has been the Treasurer of the Candlestick Beach Home Owner's Association. At the last meeting the Board advised Mr. Wilkins to meet with the HOA to see if a

compromise could be reached, and as today she does not believe Mr. Wilkins has done so. The only correspondence the HOA has had is a three-page list of demands and threatening litigation from Mr. Wilkins attorney requesting HOA documents that could be had at the County Clerk's office. Ms. Borchers stated that as a long-time resident does not feel that Mr. Wilkins wants to work with the Home Owner's Association or the neighbors. Ms. Borchers stated she is offended that she and anyone else was accused of vandalizing Mr. Wilkin's property; the residents are not going to do that.

**Steven Brown**, 21607 West 13<sup>th</sup> Place, Tulsa, OK; stated he does not want to have this case continued because of his wife's medical issues. Mr. Brown stated that at the last meeting the Board asked Mr. Wilkins to present his site plan to them so dimensions could be seen and studied, and he is curious whether he has done so.

Ms. Jones stated there are two plans in the agenda packet on pages 2.19 and 2.20. Mr. Brown stated that the reason he asked is because Mr. Wilkins keeps changing his plans several times.

Mr. Brown stated that he is concerned about if Mr. Wilkins is approved for the Variance but he does not comply with the conditions given by the Board? Mr. Hutchinson stated that Ms. Tosh, the County Inspector, would be the enforcement officer that would enforce the conditions given by the Board. Ms. Tosh stated the building will need to be built according to the plans that are submitted. Ms. Tosh stated that whatever plans are submitted must be approved before the permit is issued, once the permit is issued the County will follow up to make sure the building is built appropriately, or the owner's electric will not be released.

Mr. Brown stated that he is concerned about the building being so big, that it will be hard to make it not look like a commercial building. The building is being placed so that Mr. Wilkins will need to drive around the block and use a driveway that has been placed next to a neighbor's house. He is also concerned about the proposed being right in the middle of the subdivision.

**Robert Stotler**, 1347 South 220<sup>th</sup> West Avenue, Sand Springs, OK; stated he has been the President of the Home Owner's Association for less than two years and he is against the continuance of this case. There are three Variances for buildings that were built in the neighborhood, and of those three Variances there is not one person that came to the Board to protest against them; today there five or six people in attendance and there are numerous signatures against the proposed building. There has not been one set of plans given to the building committee, which Mr. Wilkins is a member, and he knows he needs to do so. When an application is filed, staff publishes official public notices and informs nearby residents and neighborhood associations. Staff then receives appropriate plans and development policies to formulate the case study and staff analysis. Not one time on any of the Variances has the Neighborhood Association been notified; they find out through the grapevine. Mr. Stotler stated that he has spoken to Robi about notifying the Neighborhood Associations, and she does not know where a neighborhood association would go to register for a mailing list. In this case the Home

Owner's Association did not know anything was being built because Mr. Wilkins never submitted plans. Mr. Stotler asked why the Home Owner's Associations in the County are not notified.

Ms. Miller stated the City of Tulsa has a Working in Neighborhoods Department that facilitates the registering of neighborhood associations for the City, and she does not think the County has anything like that. There is no one organizing or collecting that information for the County Board of Adjustment or INCOG to have. The information is not available for them to have.

Mr. Dillard stated the neighborhood is being notified because there are notices mailed to home owners within a 300-foot radius of a subject property is being notified. With that many people the Home Owner's Association is totally aware of it because there is nothing faster than word of mouth.

Mr. Stotler presented a graph that showed home owner's in favor of or not in favor of the proposed building and explained the shadings on the graph. Mr. Stotler stated that he researched Novus Homes and found the business address to be 615 North Cheyenne Avenue, but that house has been sold to another party. So, he did more searching and found Novus Homes listed at 21521 West 14<sup>th</sup> Street, Sand Springs, which is Mr. Wilkins home address; Mr. Wilkins has stated that he is not going to run a business out of that house and there is a sign in the front yard of Mr. Wilkins house promoting his business. Mr. Stotler presented a letter addressed to Mr. Wilkins from the Candlestick Beach Home Owner's Association, and he read the letter to the Board. Mr. Stotler read from the neighborhood covenants. Mr. Stotler stated that the proposed building is the same size as the houses that surround it, so it will be a giant building with a driveway on another street making it look like a stand-alone building. That is not harmonious for the neighborhood. Mr. Stotler stated that a hardship cannot be self-created, and he feels Mr. Wilkins created his own hardship when he purchased the two lots to build his house and the third lot, he purchased, for placing a 2,000 square foot building on creating his own hardship. The residents do not want a giant building in the middle of a neighborhood. Mr. Stotler referred to several photos of existing accessory buildings in the neighborhood that have brick on them, so they blend into the neighborhood. Mr. Stotler stated he inherited these problems and he is just trying to make it right for everyone in the neighborhood and trying to stop the brother-in-law deals from the past and get down to the rules and regulations.

**Dennis Strait**, 21521 West 13<sup>th</sup> Place, Tulsa, OK; stated he lives in front of the subject site for the proposed building. He is opposed to the continuance because this needs to be resolved. All the buildings in the area are houses, they are not commercial buildings and he is afraid that is what this will be. Mr. Strait stated that the driveway that Mr. Wilkins wants to install will be right in front of his house. Mr. Strait stated that he believes Mr. Wilkins has a lawn service to tend to his yard so the building is not needed for lawn equipment. He doesn't understand why the building isn't being built next to Mr. Wilkins house and facing the beach instead of facing someone's house. The proposed

building will be what he sees when he looks out his front window, and he is afraid that he will be running his business out of it.

Mr. Hutchinson thanked the interested parties for their comments and stated the Board will keep them under advisement for the meeting next month.

Mr. Wilkins asked the Board if he would have an opportunity to speak directly to what the interested parties discussed today, and then continue the case? Mr. Hutchinson stated that he prefers not to, otherwise the entire case should be heard today. Mr. Wilkins consented.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **CONTINUE** the request for a **Variance** to allow an accessory building to exceed 750 square feet in an RS District (Section 240) to the April 16, 2019 Board of Adjustment meeting with no further continuances; for the following property:

**LT 15 BLK 2; LTS 6 & 7 BLK 2, CANDLESTICK BEACH, OF TULSA COUNTY, STATE OF OKLAHOMA**

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**NEW APPLICATIONS**

**2734—Aloha Surface**

**Action Requested:**

**Variance** to allow 0 feet of frontage on a public street to permit a lot split in an AG District (Section 207). **LOCATION:** 3800 East 171<sup>st</sup> Street South

**Presentation:**

**Aloha Surface**, 402 East 16<sup>th</sup> Street, Owasso, OK; stated the property is to be split according to a trust, and she is the trustee. The existing house will be razed. The property is 10 acres and it will be split into four pieces. The two rear pieces of property which will be 2-1/2 acres each, are not on 171<sup>st</sup> Street. One of the rear pieces will be sold to her niece, and a brother will have the other 2-1/2 acres in the rear. Ms. Surface stated that she has received permission from the water department to add three taps to the property. In general, the piece of property will stay together within the family, but because of the trust she has to split the property into four pieces. Ms. Surface stated there was a survey done allowing for access easements on both sides of the subject property, and there are driveways that do back to the rear properties.

Mr. Dillard asked Ms. Surface if they were recorded easements. Ms. Surface stated that she did not know. Ms. Tosh stated that she looked at the legal description for the property and it is not shown in the legal description for the individual parcels.

Mr. Johnston asked Ms. Surface if the survey had prepared the legal easement. Ms. Surface stated that she did not know.

**Interested Parties:**

**Sherry Surface**, 3800 East 171<sup>st</sup> Street South, Bixby, OK; stated that her uncle sold her the portion of the property that has been designated for her.

**Comments and Questions:**

Mr. Dillard stated that he can support this request subject to the easements be recorded of record.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Variance to allow 0 feet of frontage on a public street to permit a lot split in an AG District (Section 207), subject to conceptual plans 3.12 and 3.13. The Board has found the hardship to be the large tract of land. The easements shown on pages 3.12 and 3.13 be filed at the County Court House before the lot split is approved. The Board finds that this will not be a detriment or impair the purpose, spirit or intent of the Code; for the following property:

**E/2 W/2 NE NW SEC 33 17 13 10ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2735—American Promotional Events**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

**LOCATION:** 4221 East Pine Street North

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a **Special Exception** to permit fireworks stand (Use Unit 2); **Variance** from the all-weather parking surface requirement (Section 1340.D) for a period of 5 years, March 2024; for the following property:

**PRT SW SE BEG 35N SWC SW SE TH N97.35 TO A PT NO SELY R/W OF SL & SF RR TH NE684.63 TH ON CRV RT274.77 SW568.49 W638.69 POB SEC 28 20 13 4.8928ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2736—American Promotional Events**

**Action Requested:**

**Special Exception** to permit fireworks stand (Use Unit 2); **Variance** from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.  
**LOCATION:** 1504 North Yale Avenue East

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; stated that TNT Fireworks has been at this location since 1966.

Mr. Hutchinson asked Mr. Basse what his hours of operation are for this site. Mr. Basse stated that the stand opens June 20<sup>th</sup> and closes July 6<sup>th</sup>, 10:00 A.M. to 10:00 P.M.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a **Special Exception** to permit fireworks stand (Use Unit 2); **Variance** from the all-weather parking surface requirement (Section 1340.D) for a period of 5 years, March 2024. The days of operation are to be from June 20<sup>th</sup> to July 6<sup>th</sup>. The hours of operation are to be 10:00 A.M. to 10:00 P.M. from June 20<sup>th</sup> through July 2<sup>nd</sup> and July 5<sup>th</sup> and July 6<sup>th</sup>, and 10:00 A.M. to 12:00 midnight July 3<sup>rd</sup> and July 4<sup>th</sup>; for the following property:

**BEG 348.16W & 50N SECR SE SE SE TH N338 E290.21 S163 W167 S175 W123.16 POB SEC 28 20 13 1.581ACS, WEE RANCHO ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2737—American Promotional Events**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

**LOCATION:** 701 West 41<sup>st</sup> Street South

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; stated TNT Fireworks has been at this site since 1987.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 5 years, March 2024. The days of operation are to be from June 20<sup>th</sup> to July 6<sup>th</sup>. The hours of operation are to be 10:00 A.M. to 10:00 P.M. from June 20<sup>th</sup> through July 2<sup>nd</sup> and July 5<sup>th</sup> and July 6<sup>th</sup>, and 10:00 A.M. to 12:00 midnight July 3<sup>rd</sup> and July 4<sup>th</sup>; for the following property:

**SW SW SW LESS S50 & W50 N280 S330 FOR STS SEC 22 19 10  
8.921ACS,TIMBERLING HOLLOW, SOONER MINI STORAGE, SOONER MINI  
STORGE EXT, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2738—American Promotional Events**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

**LOCATION:** 11625 North 113<sup>th</sup> Avenue East

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; stated TNT Fireworks has been at this location prior to 1987.

**Interested Parties:**

**Morgan Pemberton**, Assistant City Planner, City of Owasso, 200 South Main, Owasso, OK; stated the City requested a denial in Case CBOA-2670 in May, 2018, which is a

fireworks stand on North Garnett Road south of Smith Farm Market. The City requested a denial of that application for several reasons and the City of Owasso believes that many of the same circumstances apply to this case. While the subject property is not within Owasso city limits it is within Owasso's fence line, and it is predominately surrounded by property that has been annexed into Owasso's city limits. Also, the subject property is located on the northwest corner of one of Owasso's busiest commercial corridors. The City of Owasso anticipates seeing a considerable amount of development in coming years with the widening of Garnett Road from 96<sup>th</sup> Street North to 116<sup>th</sup> Street North, as well as the widening of 116<sup>th</sup> Street North from Mingo to Garnett Road. The City of Owasso does not allow firework stands to operate within its city limits, and also all parking in the City of Owasso is required to be of a hard-paved surface and no gravel parking is permitted. The subject property in not meeting the standards of the City of Owasso, though technically it is still in the County, it may have a general detrimental affect on property values in the surrounding area. The City of Owasso is also concerned with the specific potential effects of the fireworks stand operating on the subject property, including dust, noise, and increased traffic to an area that is often congested with vehicles. In particular, there is a residential neighborhood that is within the Owasso city limits and it abuts the subject property on the northwest corner. Ms. Pemberton stated that her estimates show that the residential neighborhood is less than 150 feet away from where the fireworks stand is proposed to be located. Amplified noise and dust emanating from the subject property as a result of increased activity on a non-paved surface would be especially detrimental to the existing residential neighborhood. The City of Owasso feels that for the reasons that have been discussed this case does not meet the statutory requirements for a Special Exception or a Variance, and therefore the City of Owasso respectfully requests the Board deny this particular case. Ms. Pemberton stated that if the Board is so inclined to approve this application, the City of Owasso requests the Board consider adding these additional conditions on the subject property: hours of operation be limited from 10:00 A.M. to 7:00 P.M., that no generators be allowed to operate on the property due to the excessive noise they create, that no additional light sources be added on to the subject property over 20 feet in height or closer than 100 feet of the existing residential subdivision, that gravel parking not be allowed and all parking on the subject property would be required to be on a hard surface, that no signs that are not allowed in the Owasso city limits be permitted on the subject property including stand alone banners, flags, portable signs, flashing signs, all credit signs, pennants, ribbons, balloons, inflatables, streamers or strings of light bulbs. The City of Owasso also request that a two-year time limit be added.

Mr. Hutchinson asked Ms. Pemberton if the hard corner, where the car lot is located, is annexed into the City of Owasso currently. Ms. Pemberton stated that it is not; it is the only corner at that intersection that is not currently in Owasso city limits.

**Rebuttal:**

**Lonnie Basse** came forward and stated that in all the years TNT Fireworks has operated on the subject property, the Church of the Nazarene does this a fund raiser project, TNT has never been made aware of any problems, TNT has never been

approached by the City of Owasso regarding concerns, and he thinks this is an overreach of their authority as the stand is not in the city limits. The City of Owasso has no control over the subject property and should not have any control; if they want control, they should annex the property. Mr. Basse stated that he is unaware of any of the other fireworks stands that are in or near the City of Owasso being given extra requirements.

**Comments and Questions:**

Mr. Dillard stated that he can support this request for three years with the same hours as the other stands presented today; this stand has had no complaints in over 30 years.

Mr. Johnston agreed with the three-year time limit suggested by Mr. Dillard.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 3 years, March 2022. The days of operation are to be from June 20<sup>th</sup> to July 6<sup>th</sup>. The hours of operation are to be 10:00 A.M. to 10:00 P.M. from June 20<sup>th</sup> through July 2<sup>nd</sup> and July 5<sup>th</sup> and July 6<sup>th</sup>, and 10:00 A.M. to 12:00 midnight July 3<sup>rd</sup> and July 4<sup>th</sup>. There are to be no generators used and there is to be no additional lighting. The applicant is to try to place the tent where the customers can park on the parking lot; for the following property:

**BEG SWC SEC E347 N316 W347 S316 POB LESS BEG SWC SW SW SW TH N50 E30 SE28.28 S30 W50 POB SEC 5 21 14 2.46ACS, WEDEL CENTRE, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2739—American Promotional Events**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

**LOCATION:** 19214 East 91<sup>st</sup> Street South

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; stated TNT Fireworks has been at this location since the early 1990s.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 5 years, March 2024. The days of operation are to be from June 20<sup>th</sup> to July 6<sup>th</sup>. The hours of operation are to be 10:00 A.M. to 10:00 P.M. from June 20<sup>th</sup> through July 2<sup>nd</sup> and July 5<sup>th</sup> and July 6<sup>th</sup>, and 10:00 A.M. to 12:00 midnight July 3<sup>rd</sup> and July 4<sup>th</sup>; for the following property:

**E317.5 N343 NE NE LESS N60 & E50 THEREOF SEC 24 18 14 1.737AC, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2740—American Promotional Events**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.  
**LOCATION:** SW/c of East 101<sup>st</sup> Street South & South 129<sup>th</sup> Avenue East

**Presentation:**

**Lonnie Basse**, American Promotional Events, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 5 years, March 2024. The days of operation are to be from June 20<sup>th</sup> to July 6<sup>th</sup>. The hours of operation are to be 10:00 A.M. to 10:00 P.M. from June 20<sup>th</sup> through July 2<sup>nd</sup> and July 5<sup>th</sup> and July 6<sup>th</sup>, and 10:00 A.M. to 12:00 midnight July 3<sup>rd</sup> and July 4<sup>th</sup>; for the following property:

**NE NE LESS N24.75 & W24.75 THEREOF & LESS BEG 24.75S & 24.75E NEC NE TH S419.19 N140.83 N178.89 NW105.91 W273.88 WLY201.59 E564.21 TO POB & LESS PRT NE NE BEG 659.77W NEC NE TH W659.77 S1321.49 E1319.87 N409.03 W448 N252 W211.85 N660.89 TO POB LESS N2, RABBIT RUN, OF TULSA COUNTY, STATE OF OKLAHOMA**

**2741—Karen & Wayne Bridgeman**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

LOCATION: 4515 East Pine 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 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **CONTINUE** the request for a Special Exception to permit fireworks stand (Use Unit 2); Variance from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years to the April 16, 2018 Board of Adjustment meeting; for the following property:

**W 270 S 240 SW SE SE LESS S 50 FOR ST. SEC 28-20-13; PRT SW SE BEG 50N  
SECR SW SE TH W226 NE242.74 E160 S233.59 POB SEC 28 20 13 1.03AC, OF  
TULSA COUNTY, STATE OF OKLAHOMA**

**2742—Nick Dyer**

**Action Requested:**

Special Exception to permit a single-family dwelling (Use Unit 6) in a CS District (Section 710). LOCATION: 20117 South Peoria Avenue East

**Presentation:**

**Nick Dyer**, 1831 East 122<sup>nd</sup> Street, Jenks, OK; stated he purchased the subject property across from the Long Horn Ranch, and he and his wife wanted to move there for their retirement. He did not realize the property was zoned commercial until he was denied his building permit; about 2/3 of the property is zoned commercial and 1/3 of the property is not zoned commercial. The portion of the property not zoned commercial is low and not suitable for building on.

Mr. Johnston asked Mr. Dyer if the access would be off 201<sup>st</sup>. Mr. Dyer stated that the access will be off Peoria.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **JOHNSTON**, the Board voted 3-0-0 (Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Charney, Crall “absent”) to **APPROVE** the request for a Special Exception to permit a single-family dwelling (Use Unit 6) in a CS District (Section 710); for the following property:

**NW NW NW LESS S330 THEREOF SEC 18 16 13 5.00ACS, OF TULSA COUNTY, STATE OF OKLAHOMA**

\* \* \* \* \*

**OTHER BUSINESS**

**Teresa Tosh**, County Inspector, to discuss the appeal process for an Appeal of a County Official’s Administrative Decision.

**Presentation:**

**Teresa Tosh**, Director of County Inspections, 633 West 3<sup>rd</sup> Street, Tulsa, OK; stated that her office is trying to clean things up, and the fireworks stands are an example. For so many years it was a running joke with the fireworks stands was to come into the office and say they were grandfathered in. Some of the stands have been in the same location for many years but they were not being operated by the original people but had been passed down through the years with no proper approvals given. Ms. Tosh stated that her office has sought the help of Nolan Fields in the District Attorney’s office to make sure that there is the proper documentation and proper procedures. The Inspections Office will probably start upsetting people and there will be more appeals of cases, because there are notices and violations being put into place. The inspections office will soon be able to write proper restrictive citations. The citations will also have a monetary value that will be enforceable. Ms. Tosh stated that her office is working with the District Attorney’s office on what the outcome will be if the land owner does not pay a fine; it will work much like tax liens on property. The inspections office will give the land owner every opportunity to comply with the citation.

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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 3:11 p.m.

Date approved: 4/16/19  
David E. Cherry  
Chair