

CBOA-2906

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**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9108

CASE NUMBER: **CBOA-2906**

CZM: 34

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 08/17/2021 1:30 PM

APPLICANT: Russell Bell

ACTION REQUESTED: Special Exception to permit a mobile home (Use Unit 9) in an RS district (Section 410).

LOCATION: 15525 W 19 PL S

ZONED: RS

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 1.25 acres

LEGAL DESCRIPTION: BEG 275E & 292S NWC SE SW TH W135 S258.92 SW60.81 S163.25 SE31.41 N125.64 E148 N348.84 POB SEC 36 19 11 1.252ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2240 April 2007: The Board approved a *Variance* of the maximum permitted dwelling units in an RS district to permit two dwelling units on one lot of 1.25 acres; and a *Special Exception* to permit a mobile home in an RS district, on property located at 15545 West 19th Place South.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts RS zoning to the west, north, and east. It abuts Highway 51 with AG zoning south of the highway.

STAFF COMMENTS:

Special Exception to permit a mobile home (Use Unit 9) in an RS district (Section 410). A special exception is required as the proposed mobile home is a use which is not permitted by right in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.

According to the site plan, the applicant is proposing to place an 80' x 14' mobile home in the center of the property. There is an existing shop located in the northeast portion of the property.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

7.2

Sample Motion:

"Move to _____ (approve/deny) a Special Exception to permit a mobile home (Use Unit 9) in an RS district (Section 410).

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Subject to the following conditions, if any: _____.

In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Presentation:

Curtis Mathes, 4302 South 67th West Avenue, proposed to add a second dwelling for a family member on one lot. He informed the Board that the bedrooms were all on the second floor and not easily accessible to the elderly. He added that he could add-on to the existing house but they did not need more floor space.

Interested Parties:

Cyd Flemons, 4215 South 69th West Avenue, expressed concern that a mobile home would not be consistent with the neighborhood.

Mr. Cuthbertson responded to the comments of the interested party that they could place a mobile home by right in the AG zoning, but the issue is the density and land area per dwelling.

Charles Voss, 4100 South 67th West Avenue, expressed concern if it is temporary or permanent.

Applicant's Rebuttal:

Mr. Mathes stated he would be willing to agree to a temporary approval, though he did not really want that condition.

Mr. Hutson allowed Ms. Flemons to speak again. Ms. Flemons asked if the approval could be temporary and approved for the original use only.

Board Action:

On **Motion of Charney**, the Board voted 4-0-0 (Walker, Tyndall, Hutson, Charney "aye"; no "nays"; no "abstentions"; Dillard "absent") to **APPROVE** a Variance of required 2.1 acres per dwelling unit to permit two dwelling units on a tract of 3.38 acres (Section 330.), subject to the temporary use by Virginia Griffiths until she no longer resides there; finding the size of the tract is peculiar to the area; the heavily wooded nature of the property; and the existing septic fields, the proposed location is reasonable; on the following described property:

E 260 NW SE NE LYING S OF CO HIWAY SEC 30-19-12 Tulsa County, State of Oklahoma

Case No. 2240

Action Requested:

Variance of the maximum permitted dwelling units in an RS district to permit two dwelling units on one lot of 1.25 acres (Section 206); Special Exception to permit a mobile home in an RS district (Section 410), located: 15545 West 19th Place South.

FILE COPY

Presentation:

Sandra Bernard, 15545 West 19th Place South, Sand Springs, Oklahoma, proposed to place a mobile home on this large property for their son and his family. They have shared their plans with the closest neighbors and found them in support.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Walker**, the Board voted 4-0-0 (Walker, Tyndall, Hutson, Charney "aye"; no "nays"; no "abstentions"; Dillard "absent") to **APPROVE** a Variance of the maximum permitted dwelling units in an RS district to permit two dwelling units on one lot of 1.25 acres (Section 206); and a Special Exception to permit a mobile home in an RS district (Section 410), finding the zoning would allow many more dwellings than two, but the desire is to keep it under the same ownership, on the following described property:

BEG NWC W/2 SE SW TH E275 S292 W135 S258.92 SW60.81 S163.25
NW31.41 NW70.17 N727.03 POB SEC 36 19 11 3.123ACS Tulsa County, State
of Oklahoma

On **MOTION** of **Charney**, the Board voted 4-0-0 to go into Executive Session.

On **MOTION** of **Charney**, the Board voted 4-0-0 to exit the Executive Session.

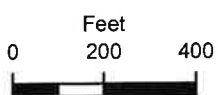
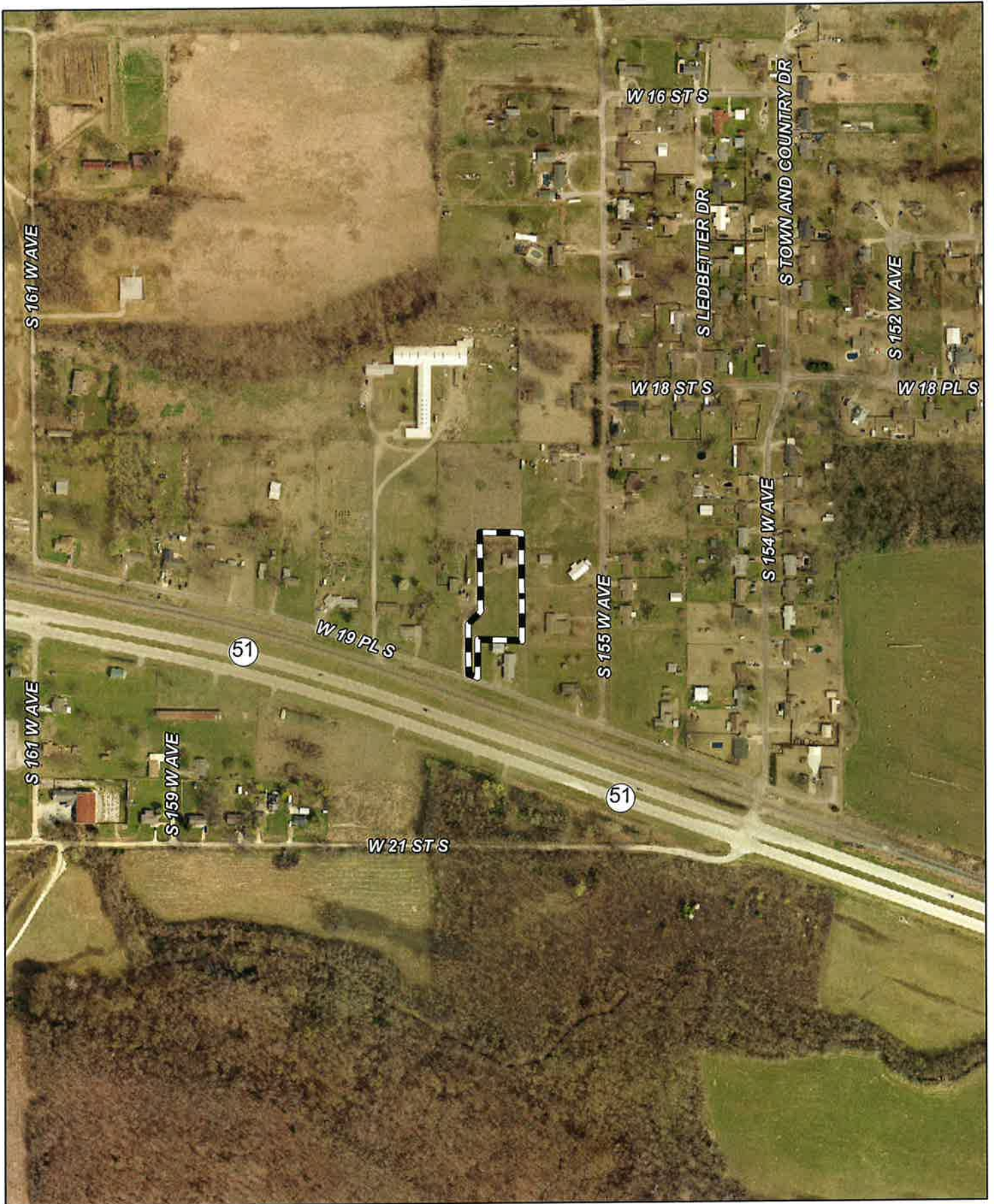
Mr. Cuthbertson announced the Board is out of Executive Session.

On **MOTION** of **Charney**, the Board voted 4-0-0 (Walker, Tyndall, Hutson, Charney "aye"; no "nays"; no "abstentions"; Dillard "absent") that the Tulsa County Board of Adjustment await the court directive in Case No. 2056 to give an order for the Board to proceed in accordance with that court's order.

There being no further business, the meeting adjourned at 2:56 p.m.

Date approved: Feb. 20, 2007


Chair



Subject Tract

CBOA-2906

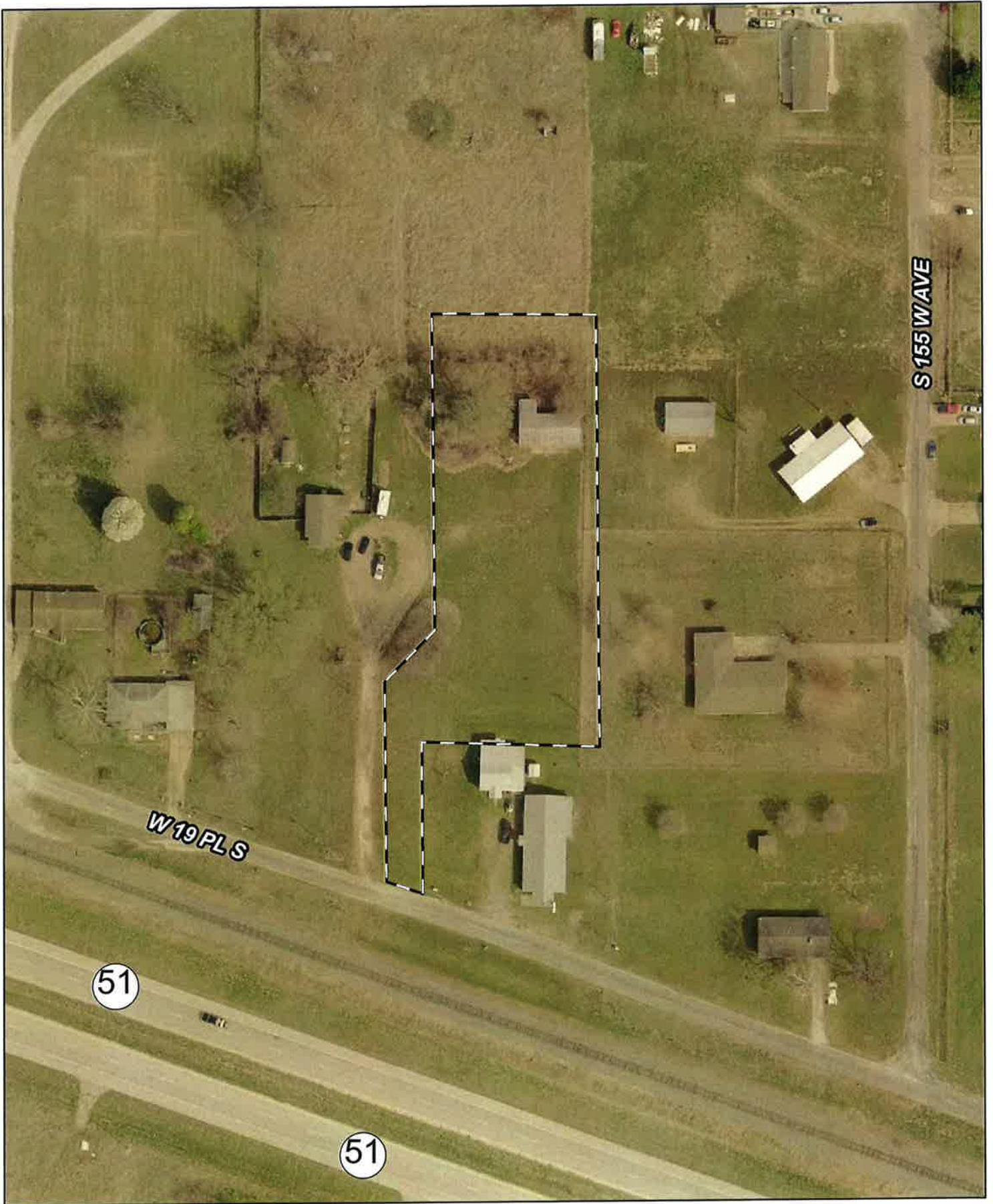
19-11 08

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



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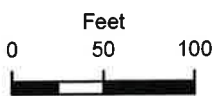


W19 PLS

S 155 WAVE

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Subject Tract

CBOA-2906

19-11 08

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Aerial Photo Date: 2020/2021

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