

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9108

CASE NUMBER: CBOA-2863

CZM: 34

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Donald Breadon

ACTION REQUESTED: Use Variance to allow for recreational vehicles (Use Unit 17) in an RMH district (Section 410)

LOCATION: 14600 W 16 ST

ZONED: RMH,AG

FENCELINE: Sand Springs

PRESENT USE: Mobile Home Park

TRACT SIZE: 12.36 acres

LEGAL DESCRIPTION: BEG 1722.18N SWC RIVERSIDE ESTATES ALSO 483.42N NEC RIVERSIDE WEST 660W & 402.18N SECR NE TH N489.89 NW231.13 NW626.11 W160 S540 SE799.93 N32.39 E104 SE61.96 SE47.98 POB SEC 8 19 11 12.363ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2544 November 2015: The Board approved a Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District, on property located at 1400 South 145th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts AG zoning to the north, west, and south. The Arkansas River is to the north and the parcels to the west and south appear to be vacant. The parcel to the east is zoned RMH and is the site of another mobile home park.

STAFF COMMENTS:

The applicant is before the Board requesting a Use Variance to allow for recreational vehicles (Use Unit 17) in an RMH district (Section 410). A Use Variance is required as the proposed RV Park (Use Unit 17) is a use which is not permitted by right in the RMH district because of the potential adverse affects, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The proposed use must be found to be compatible with and non-injurious to the surrounding area. The applicant provided the following statement:

"Respectfully request use variance for current RMH zoning to include lot rental for Recreational Vehicles (RV's) based on the repeated history of planned flooding events. Historical short notice flooding events have not allowed sufficient time to remove homes or tenants' belongings out of harm's way to reduce the disastrous effects of large-scale flooding and displacement to families, the county, and FEMA disaster assistance cost. It is the intent of this variance request to include RV lot rental for the existing mobile home lots with the concept of having a highly mobile response

to short notice flooding events thereby reducing danger and loss to families, our community and federal agencies.

The variance requested is not anticipated to cause detriment to public good considering that it would be simply exchanging the use of areas currently designated area for mobile homes for the use of Recreational Vehicles. Due to the size and amenity difference between the RVs and Mobile Homes it may even bring more spending to the local community as RV's tend to spend more on pre-made meals and outside services like laundry and entertainment.

According to the site plan, each existing lot is designed to be no less than approximately 90' in depth and 40' in width with a 20' x 20' concrete parking area.

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed use is compatible with and non-injurious to the surrounding area.

Sample Motion:

"I Move to _____ (approve/deny) a Use Variance to allow recreational vehicles (Use Unit 17) in an RMH district (Section 410).

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

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan."

2557—Shelby Oakley

Action Requested:

Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207). **LOCATION:** SW of the SW/c of East 131st Street South and South Peoria Avenue, Glenpool

Presentation:

The applicant has requested a continuance to the December 15, 2015 County Board of Adjustment hearing.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** the applicant's request for a Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207) to the December 15, 2015 Board of Adjustment hearing; for the following property:

**PRT NE BEG 826.4N SWC NE TH N165.27 E1321.55 S165.19 W1321.63 POB SEC
12 17 12 5.01ACS, IN TULSA COUNTY, STATE OF OKLAHOMA**

UNFINISHED BUSINESS

2544—Bob Restor

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Action Requested:

Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District (Section 410). **LOCATION:** 1400 South 145th West Avenue, Sand Springs

Presentation:

Bob Restor, 207 North Main, Sand Springs, OK; he represents Mr. David Giles. Mr. Restor stated this is a mobile home park west of Sand Springs off Highway 51 or 145th West Avenue. The mobile home park has existed since the early 1970s with the first mobile home moving in 1969. There were approximately 40 lots established at that time. In the early 1970s mobile homes were smaller than they are today so the sites do not accommodate a modern mobile home. The mobile home park was struck by a tornado in March 2015 and the owner is in the process of cleaning up the debris. Now

CBOA-2544

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he would like to do something a little different with the property by placing RVs on the property because they would fit better into the site sizes. Mr. Giles inherited the mobile home park and he can answer any questions from the Board.

Mr. Hutchinson asked Mr. Restor if the mobile homes in the park were occupied. Mr. Restor deferred to Mr. Giles.

Interested Parties:

David Giles, 14440 West 17th Street, Sand Springs, OK; stated the existing five mobile homes in the park are occupied and they have lived there before the tornado this year. There are eight mobile homes that have been abandoned and they are in the process of being demolished.

Mr. Charney asked Mr. Giles if he was going to remodel or remove the abandoned mobile homes. Mr. Giles stated that he will be removing them.

Mr. Charney asked Mr. Giles if only one RV would allowed on a lot. Mr. Giles answered affirmatively.

Mr. Charney asked about the frequency of turnover in the mobile home park and if there was a current RV park in the area. Mr. Giles stated there is a RV park about three miles to the east of the subject property and it is exclusively an RV park.

Mr. Charney asked Mr. Giles if he planned making the park a mixed use park. Mr. Giles answered affirmatively.

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 applicant's request for a Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District (Section 410) with the hardship being the overall configuration of the subject tract that compels smaller units to be located thereon. This approval conditioned that a six foot opaque screening or privacy fence be erected between the subject lot and the residential area to the south; for the following property:

A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Beginning at a point on the South meander line of the Arkansas River which is 716.98 feet North and 546.0 feet West of the East Quarter corner of Section 8; thence North a distance of 130.0 feet to a point on the South bank of the Arkansas River; thence Northwesterly along said bank a distance of 158.0 feet to Northwest corner of Tract "A"; thence South a distance of 85.18 feet to a point on the South meander

AOA-254

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line of the Arkansas River; thence South a distance of 382.82 feet to a point on the Northeasterly right-of-way line on 14th street South; thence South 43°20'45" East along said right-of-way a distance of 166.08 feet to the Southeast corner of Tract "A"; thence North a distance of 391.37 feet to the point of beginning. Containing 1.39 acres more or less. AND A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Beginning at a point on the South meander line of the Arkansas River which is 413.5 feet North and 256.0 feet West of the East Quarter corner Section 8, thence North a distance of 189.0 feet to the South bank of the Arkansas River; thence Northwesterly along said bank a distance of 410.0 feet to the Northwest corner of Tract "B"; thence South a distance of 130.0 feet to a point on the South meander line of the Arkansas River; thence South a distance of 391.37 feet to a point on the Northeasterly right-of-way line of 14th Street South; thence South 43°20'45" East along said right-of-way line to the point of curve of a curve having a radius of 65.94 feet on the North right-of-way line; thence Southeasterly along said curve a distance of 15.78 feet to the Southwest corner of Tract "C"; thence North 413.13 feet to the point of beginning. Containing 4.15 acres more or less. AND A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Beginning at the East Quarter corner of Section 8; thence along the East line of Section 8, a distance of 179.5 feet to a point on the South meander line of the Arkansas River; thence North a distance of 264.0 feet to the South bank of the Arkansas River to the Northeast corner of Tract "C"; thence Northwesterly along said South bank of a distance of 339.5 feet to the Northwest corner of Tract "C"; thence South 189.0 feet to the point on the South meander line of the Arkansas River; thence South a distance of 413.12 feet to a point on a curve on the North side of 14th street South said curve having a radius of 65.94 feet on the North property line; thence Southeasterly around said curve a distance of 73.88 feet to the point of curve; thence East a distance of 200 feet to the point of beginning. Containing 3.6 acres more or less IN TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

2553—Merle Martindale

Action Requested:

Variance of the required front setback in the IM District from 50 feet to 20 feet (Section 930, Table 2). LOCATION: 5001 West 21st Street South



0 Feet
250 500



Subject
Tract

CBOA-2863

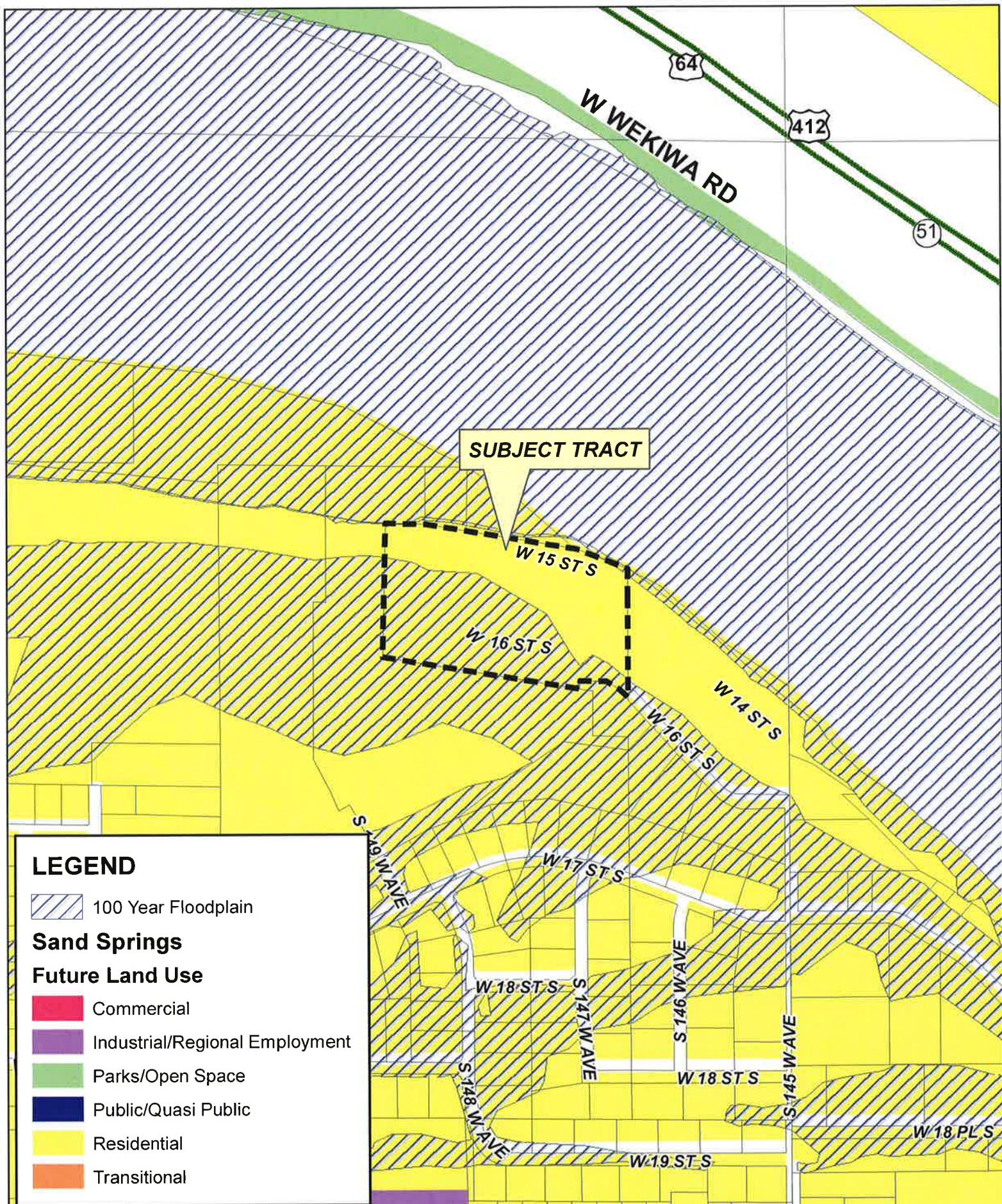
19-11 08

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

Aerial Photo Date: February 2018

7.7



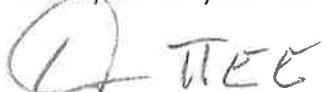


Variance Hardship Request:

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Thank you for your consideration,

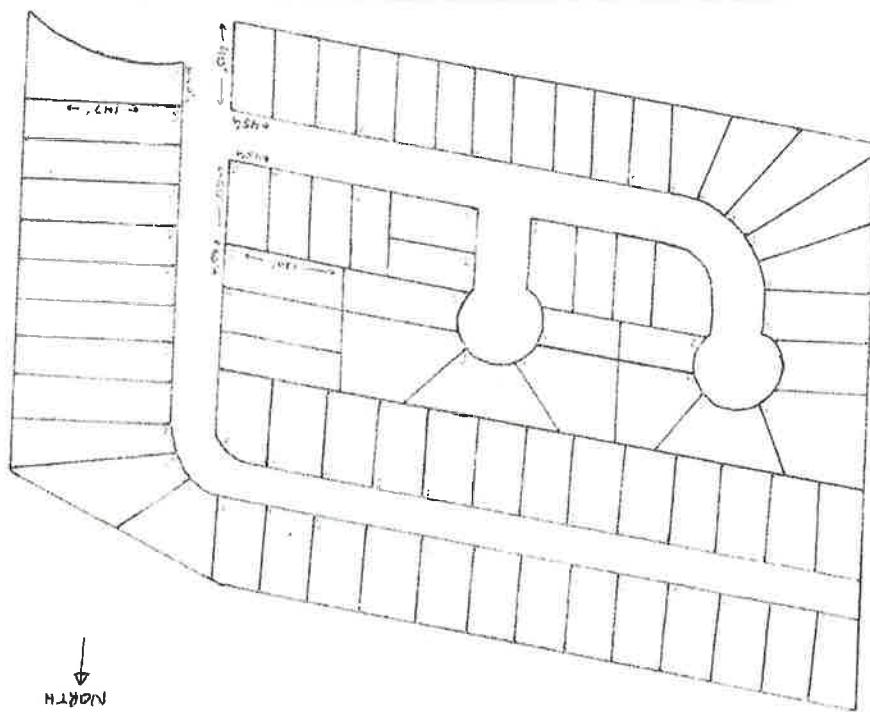
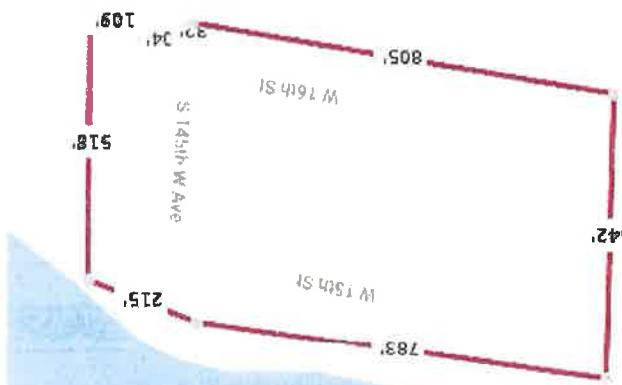


Donald Breadon Trustee,
Asian Orphans Group

7.10

Map data ©2020
100 yards

Google



a 20' x 20' concrete parking area.

Each existing lot is designed to be no less than approximately 90' in depth and 40' in width with
Sight Plat: (north up)