

NOTICE
GLENPOOL BOARD OF ADJUSTMENT
REGULAR MEETING

A Regular Session of the Glenpool Board of Adjustment will be held at 6:30 p.m. on Monday, June 12, 2017, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

*The Board of Adjustment welcomes comments from citizens of Glenpool who wish to address any item on the agenda. Speakers are requested to complete one of the forms located on the agenda table and return to the Planning Director **"PRIOR TO THE CALL TO ORDER"***

AGENDA

- A) Call to Order – Richard Watts, Chairman
- B) Roll Call, declaration of quorum – Rick Malone, Secretary; Richard Watts, Chairman
- C) Scheduled Business
 - 1) Discussion and possible action to approve minutes from March 13, 2017.
 - 2) Discussion and possible action to approve, conditionally approve, or disapprove: GBOA #453 a request by Steve Cole for a Special Exception per section 11-7-3 (2). to allow a carport on their property described as 725 E. Glenpool Blvd, Lot 38, Block 1 Appaloosa Acres 3rd Addition and is zoned RS-3 (Residential Single Family High Density).
- D) Adjournment

This notice and agenda was posted at Glenpool City Hall Building, 12205 South Yukon Ave, Glenpool, Oklahoma on 6/9/17, at 4:30 pm.

Signed: Rick Malone
City Planner

**MINUTES
GLENPOOL BOARD OF ADJUSTMENT
REGULAR MEETING**

A Regular Session of the Glenpool Board of Adjustment was held at 6:30 p.m. on Monday, March 13th, 2017, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

AGENDA

Commissioners present:

✓ Richard Watts, Chairman
✓ Joyce Calvert, Vice-Chairman
✓ Howard Nelson, Commissioner
✓ Shayne Buchanan, Commissioner
✓ Debra Cutsor, Commissioner

Staff present:

✓ Lynn Burrow, Community Development Director
✓ Rick Malone, City Planner
✓ Lowell Peterson, City Attorney

Also present were:

Phil Morgans, applicant, Dean Sober, Attorney

- A) Vice-Chairman Calvert called the meeting to order at 6:39 p.m.
- B) Rick Malone, secretary called the roll, Vice Chairman Calvert declared a quorum present.
- C) Scheduled Business

- 1) Discussion and possible action to approve minutes from February 27th, 2017.

MOTION: Commissioner Cutsor

SECOND: Commissioner Nelson

To approve minutes as presented.

FOR:

✓ Richard Watts, Chairman
✓ Joyce Calvert, Vice-Chairman
✓ Howard Nelson, Commissioner
✓ Shayne Buchanan, Commissioner
✓ Debra Cutsor, Commissioner

AGAINST:

ABSTAIN:

Motion ✓ carried failed.

D) Adjournment

- Meeting was adjourned at 6:40 p.m.

Signature: Chairman Watts

ATTEST:

Rick Malone, Secretary

TO: GLENPOOL BOARD OF ADJUSTMENT
FROM: RICK MALONE, CITY PLANNER
DATE: June 12, 2017
Re: GBOA-453: A request by Steve Cole for a Special Exception to allow a carport.
LOCATION: 725 E. Glenpool Blvd. Glenpool, Ok 74033
ZONING: RS-3 (Residential Single Family High Density)
SIZE: 65' x Irregular Shaped Lot.
LEGAL: Lot 38, Block 1 Appaloosa Acres Third

BACKGROUND:

The Community Development Department received a phone call requesting information about obtaining a building permit for a carport on the subject tract. After review it was determined that an approval is needed from the Board of Adjustment for a Special Exception per the Zoning Code and the process was explained to Mr. Cole and he proceeded in obtaining the required submittals.

CODE EXCERPTS:

11-7-3: ACCESSORY USES PERMITTED IN RESIDENTIAL DISTRICTS:

Carports allowed in all R districts permitted by special exception requiring board of adjustment approval.

SURROUNDING PROPERTY:

The subject tract is abutted by the following:

- Surrounded by developed single family residential lots zoned RS-3 that was platted as Appaloosa Acres Third Addition filed April 4, 1978.
- There are several carports in the area.

STAFF COMMENTS:

- Per Code, this case has been advertised in the newspaper, and the property owners with a 300' radius of the tract have been notified that this case is being heard before the Board of Adjustment.

SPECIAL EXCEPTION:

The board of adjustment shall hold the public hearing and, upon the concurring vote of three (3) members, may grant the special exception after finding:

- The special exception will be in harmony with the spirit and intent of this title.
- Will not be injurious to the neighborhood or otherwise detrimental to the public welfare.


The board, in granting a special exception, shall prescribe appropriate conditions and safeguards and may require such evidence and guarantee or bonds as it may deem necessary to enforce compliance with the conditions:

ATTACHMENTS:

- Case Map
- Subdivision Map



Legend

-  TulsaCounty_Parcels
-  GlenpoolStreets
-  TulZoning_May_11_2017
-  GlenpoolCityLimits
-  TulsaCoSubdivisions

GLENPOOL BOARD OF ADJUSTMENT

12205 South Yukon Ave 2nd Floor Glenpool City Hall - Glenpool, Oklahoma 74033 (918) 209-4610 - Fax (918) 209-4611

APPLICATION INFORMATION

RECEIVED BY: RAN DATE FILED: 4/26/17 HEARING DATE: 6/12/17 CASE NUMBER Q-B-11-453

☒ RESIDENTIAL ☐ NON-RESIDENTIAL ☐ COMBINATION BUILDING PERMIT APPLICATION NUMBER _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 38/1 APPALOOSA ACRES 3RD 1258 GLENPOOL BLVD

LEGAL DESCRIPTION: LOT 38, BLOCK 1 APPALOOSA ACRES 3RD

PRESENT USE: Res PRESENT ZONING 125-7 S-T-R _____

AREA PREVIOUS CASE NUMBERS: _____ COMPREHENSIVE PLAN DESIGNATION: _____

SUBJECT: _____ SURROUNDING: _____

INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: SPECIAL EXCEPTION TO ALLOW CARPORT IN RS DISTRICT

VARIANCE SECTIONS: _____ SPECIAL EXCEPTION SECTIONS: 11-7-3 (2) USE UNIT: _____

LIST THE SPECIFIC SECTIONS OF THE ZONING CODE THAT APPLY TO EACH ACTION YOU'RE REQUESTING.

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	<u>Steve Cole</u>	NAME	<u>Steve Cole</u>
ADDRESS	<u>725 E Glenpool Blvd</u>	ADDRESS	<u>725 E Glenpool Blvd</u>
CITY, ST, ZIP	<u>Glenpool, OK 74033</u>	CITY, ST, ZIP	<u>Glenpool, OK 74033</u>
DAYTIME PHONE	<u>918-291-2053</u>	DAYTIME PHONE	<u>918-291-2053</u>
EMAIL	<u>SKC0416@gmail.com</u>	EMAIL	<u>SKC0416@gmail.com</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE DATE: _____			

DOES OWNER CONSENT TO THIS APPLICATION ☒ YES ☐ NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? OWNER

APPLICATION FEES			
BASE REQUEST	\$ 125.00		<u>125.00</u>
NEWSPAPER PUBLICATION WILL BE BILLED TO THE APPLICANT AND BILL MUST BE PAID PRIOR TO THE BOARD OF ADJUSTMENT MEETING			
300' PROPERTY OWNERS MAILING & POSTAGE	\$1.00 X <u>32</u>	=	NOTICE SUBTOTAL \$ <u>32.00</u>
<input type="checkbox"/> APPLICANT PROVIDED MAIL LIST	RECEIPT NUMBER	TOTAL AMOUNT DUE	\$ <u>157.00</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

BOARD ACTION: _____

FINAL DATE: _____ VOTE: _____ PLAT INVOKED ☐ YES ☐ NO PLAT NAME: _____ WAIVER ☐ YES ☐ NO

PLATTING REQUIREMENT

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:

For any land which has been rezoned upon application of a private party, or for any land which has been granted a special exception by the Board of Adjustment as enumerated within Use Units 2, 4, 5, 8, and 20, no building permit or zoning clearance permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated. Provided that the Planning Commission, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.

I hereby certify that I have read and understand the above requirements and that I will plat, replat or have the platting requirements waived for the subject property in case number _____

Steve Cole
Applicant's Signature

4-24-17
Date

MEETING DATE INFORMATION:

Board of Adjustment Case Number: GBon-443 Date: 6/12/17, 6:30pm in the City Council Chambers on the 3rdnd Floor of the Glenpool Conference Center/City Hall located at 12205 South Yukon Ave, Glenpool, Ok 74033. A person knowledgeable of the application and the property must attend the meeting to represent the application. Site Plans must be submitted at the time of application. Other drawings, photographs or exhibits may be submitted at the hearing.

VARIANCES:

The applicant must prove a hardship to the Board. The Board of Adjustment is allowed to approve variances only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. Application of the zoning ordinance requirements to this particular piece of property will create unnecessary **HARDSHIP** to the property. This does not include financial hardship to the applicant.
2. There are conditions that are peculiar to this piece of property, which do not apply to other properties in the same zoning district.
3. The variance, if granted, will not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance or the comprehensive plan.

In granting a variance, the Board may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions.

Please state your hardship:

Applicant Signature: Steve Cole

SPECIAL EXCEPTIONS:

The Board of Adjustment is allowed to approve special exceptions only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. The special exception will be in harmony with the spirit and intent of the Zoning Code.
2. The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

Applicant Signature:

Steve Cole

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF TULSA)

The undersigned bonded abstractor in and for Tulsa County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Tulsa County, Oklahoma, as updated by the records of the County Clerk of Tulsa County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lot Thirty-eight (38), Block One (1), APPALOOSA ACRES THIRD, an Addition in the Town of Glenpool, Tulsa County, State of Oklahoma, according to the recorded Plat No. 3787

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (4), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report; however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: April 13, 2017 at 7:30 AM

First American Title & Trust Company

By:

Linda S. Dunlavy

Abstractor License No. 862

OAB Certificate of Authority # 132

File No. 2235116-TU99



LIST OF OWNERS
300-FOOT RADIUS - REPORT NO. 2235116

SUBJECT PROPERTY:

84860-72-11-38530
38/1 Appaloosa Acres Third
Steve & Shelia Cole
725 E. Glenpool Blvd.
Glenpool, OK 74033

33/1 Appaloosa Acres Third
BMCB Properties LLC
Series B-13611 S. Hickory St.
14609 S. Nyssa Ct.
Glenpool, OK 74033

34/1 Appaloosa Acres Third
Elaine Kay Van Fleet
13621 S. Hickory St.
Glenpool, OK 74033

35/1 Appaloosa Acres Third
Dana Whisenhunt
PO Box 382
Glenpool, OK 74033

36/1 Appaloosa Acres Third
Sharon K. Battenfield
703 E. Glenpool Blvd.
Glenpool, OK 74033

37/1 Appaloosa Acres Third
Robyn L. Hyde
PO Box 193
Glenpool, OK 74033

39/1 Appaloosa Acres Third
Robert & Geraldine Kepler
PO Box 305
Glenpool, OK 74033

1/5 Appaloosa Acres Third
Charles A. Grounds & Ellen F. Grounds, Trustees
of The Charles A. Grounds Revocable Trust
678 W. 126th St.
Jenks, OK 74037

2/5 Appaloosa Acres Third
Susan M. & Bennie J. Smith
13671 S. Hickory St.
Glenpool, OK 74033

24/5 Appaloosa Acres Third
Stanley Lewis & Paula Gladd Moore
Eva Gladd
13678 S. Hickory Pl.
Glenpool, OK 74033

25/5 Appaloosa Acres Third
Valarie D. Woodward
13672 S. Hickory Pl.
Glenpool, OK 74033

26/5 Appaloosa Acres Third
Jeff L. & Sally F. Williamson
10613 E. 34th Pl.
Tulsa, OK 74146

27/5 Appaloosa Acres Third
Charlotte A. Clark
PO Box 806
Glenpool, OK 74033

1/6 Appaloosa Acres Third
Glenpool Properties LLC
17703 S. Tacoma St.
Mounds, OK 74047

2/6 Appaloosa Acres Third
Edgard D. & Linda Faye Sullivan
13653 S. Hickory Pl.
Glenpool, OK 74033

3/6 Appaloosa Acres Third
Nick C. & Lori D. Chandler
13669 S. Hickory Pl.
Glenpool, OK 74033

4/6 Appaloosa Acres Third
Joseph A. & Amanda Moore
13675 S. Hickory Pl.
Glenpool, OK 74033

97211-72-11-33780
97211-72-11-13780
The Bob & Peggy Tucker Family Revocable Trust
2212 S. 9th St.
Broken Arrow, OK 74012

14/9 Brentwood II
Edward J. Jr. & Shelley A. Lisee
13575 S. Hickory Pl.
Glenpool, OK 74033

15/9 Brentwood II
Martin L. & Karie M. Brown Revocable Living Trust
11725 S. Elm St.
Jenks, OK 74037

14/7 Brentwood II
Jeffrey S. Jenkins
692 E. 135th St.
Glenpool, OK 74033

15/7 Brentwood II
Betty Benton
1817 S. Maple Ave.
Broken Arrow, OK 74012

27/7 Brentwood II
Juan & Kara Medina
673 E. 135th Pl.
Glenpool, OK 74033

28/7 Brentwood II
Scott A. Adams
681 E. 135th Pl.
Glenpool, OK 74033

29/7 Brentwood II
Kenneth G. Smith
Sanda K. Rogers
693 E. 135th Pl.
Glenpool, OK 74033

30/7 Brentwood II
Betty Benton, Trustee of The Betty Benton Revocable Trust
1817 S. Maple Ave.
Broken Arrow, OK 74012

13/8 Brentwood II
Shanna Bias
668 E. 135th Pl.
Glenpool, OK 74033

14/8 Brentwood II
Frances Anderson
678 E. 135th Pl.
Glenpool, OK 74033

15/8 Brentwood II
Arnold Glen Jr. & Johnna D. Smith
688 E. 135th St.
Glenpool, OK 74033

16/8 Brentwood II
David Lee & Connie Jean Stockton
698 E. 135th Pl.
Glenpool, OK 74033

17/8 Brentwood II
Everett & Sharon Caldwell
708 E. 135th Pl.
Glenpool, OK 74033

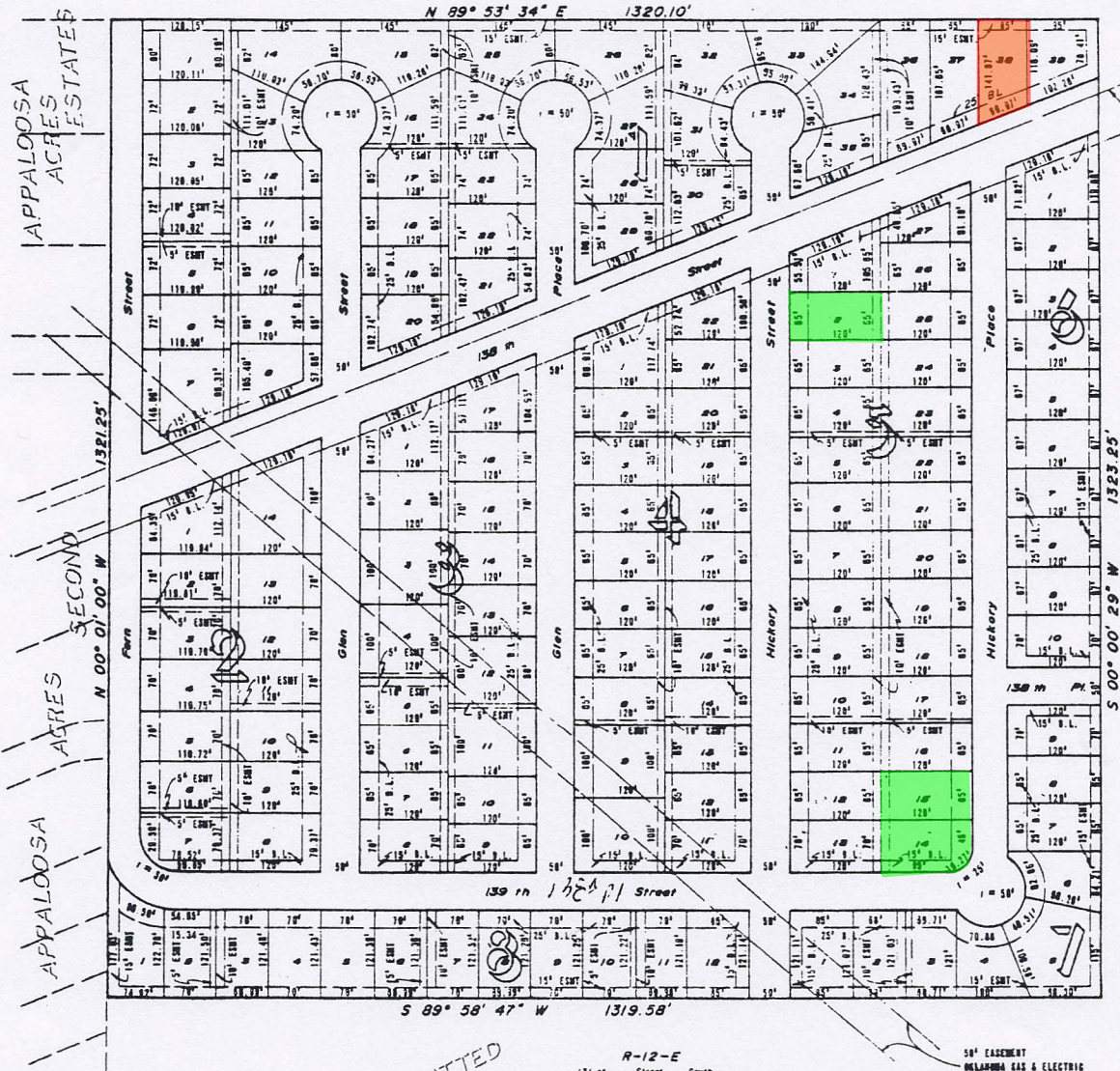
18/8 Brentwood II
Jeffrey S. & Gina K. Cossey
718 E. 135th Pl.
Glenpool, OK 74033

19/8 Brentwood II
Jeremy W. Durham
728 E. 135th Pl.
Glenpool, OK 74033

APPALOOSA ACRES THIRD

AN ADDITION TO THE TOWN OF GLENPOOL, OKLAHOMA.
LOCATED IN THE NW/4 OF THE SE/4 OF SECTION 11, T-17-N,
R-12-E, TULSA COUNTY, OKLAHOMA.
CONTAINING 40.06 ACRES MORE OR LESS.

UNPLATTED

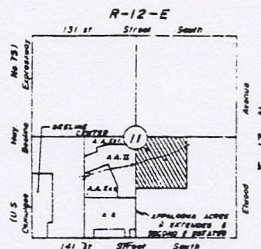


OWNER:

NORMA NICHOLS INC. & D.O.
NICHOLS INVESTMENTS & DEVELOPMENT
P.O. Box 129-A
GLENPOOL, OKLAHOMA 74033
Phone: 918-298-4458 or 3645



UNPLATTED



ENGINEER:

SPRADLING & ASSOCIATES
5157 EAST 51st STREET
TULSA, OKLAHOMA 74133
Phone: 918-622-7274

Drawing No. 77060

TO: GLENPOOL BOARD OF ADJUSTMENT
FROM: RICK MALONE, CITY PLANNER
DATE: June 12, 2017
Re: GBOA-453: A request by Steve Cole for a Special Exception to allow a carport.
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LEGAL: Lot 38, Block 1 Appaloosa Acres Third

BACKGROUND:

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CODE EXCERPTS:

11-7-3: ACCESSORY USES PERMITTED IN RESIDENTIAL DISTRICTS:

Carports allowed in all R districts permitted by special exception requiring board of adjustment approval.

SURROUNDING PROPERTY:

The subject tract is abutted by the following:

- Surrounded by developed single family residential lots zoned RS-3 that was platted as Appaloosa Acres Third Addition filed April 4, 1978.
- There are several carports in the area.

STAFF COMMENTS:

- Per Code, this case has been advertised in the newspaper, and the property owners with a 300' radius of the tract have been notified that this case is being heard before the Board of Adjustment.

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ATTACHMENTS:

- Case Map
- Subdivision Map