

**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, August 14, 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 June 12, 2017.
  - 2)** Discussion and possible action to adopt Resolution No. 17009, whereby the Board of Adjustment affirms its annual review and endorsement of the Code of Ethics, all as required by Section 20 Thereof. (Lowell Peterson, City Attorney)
  - 3)** Discussion and possible action to approve, conditionally approve, or disapprove: GBOA #454 a request for a Special Exception per section 11-9-2 to allow Mini-Storage on their property located east of the northeast corner of 138<sup>th</sup> Place and Elwood Ave and known as Lots 1-4, Block 1 Southwood Center and is zoned CS (Commercial Shopping Center District).
- D)** Adjournment

This notice and agenda was posted at Glenpool City Hall Building, 12205 South Yukon Ave, Glenpool, Oklahoma on \_\_\_\_\_, at \_\_\_\_\_pm.

Signed: \_\_\_\_\_  
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, June 12, 2017, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

**AGENDA**

Commissioners present:

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

Staff present:

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

Also present were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- A)** Chairman Watts called the meeting to order at 6:35 p.m.  
**B)** Rick Malone, secretary called the roll, Chairman Watts declared a quorum present.  
**C)** Scheduled Business

- 1)** Discussion and possible action to approve minutes from March 13, 2017.

**MOTION:** Commissioner Calvert

**SECOND:** Commissioner Cutsor

**TO:** Approve the minutes as written.

**FOR:**

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

**AGAINST:**

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**ABSTAIN:**

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**Motion:**   x   carried        failed

- 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 3<sup>rd</sup> Addition and is zoned RS-3 (Residential Single Family High Density).

**MOTION:** Commissioner Buchanan

**SECOND:** Commissioner Cutsor

**TO:** Approve GBOA#453 as submitted.

  x   Richard Watts, Chairman

  x   Joyce Calvert, Vice-Chairman

       Howard Nelson, Commissioner

  x   Shayne Buchanan, Commissioner

  x   Debra Cutsor, Commissioner

**AGAINST:**

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**ABSTAIN:**

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**Motion:**   x   carried        failed

**D) Adjournment**

- Meeting was adjourned at 6:42 p.m.

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Signature: Chairman Watts

ATTEST:

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Rick Malone, Secretary



## STAFF REPORT

To: PLANNING COMMISSION/BOARD OF ADJUSTMENT  
From: Lowell Peterson, City Attorney  
Date: June 19, 2017  
Subject: Annual Endorsement of the City's Code of Ethics

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### Background:

The City Council adopted the current iteration of the Code of Ethics as the Code of Ethics and Policy Statement for Members of the City Council and the City's boards and commissions by Resolution No. 13-05-01 on May 13, 2013. Section 20 of the Code of Ethics provides that members of the City Council, Planning Commission, Board of Adjustment and any other boards or commissions of the City shall annually review and endorse the Code of Ethics by resolution. The City Council may also consider its own and recommendations from boards and commissions for amending and updating the Code of Ethics as the Council deems necessary and appropriate.

### Staff Recommendation:

Staff recommends that the Council approve and adopt Resolution No. 17009, Annual City Council Resolution Of Endorsement Of Restated Code Of Ethics And Policy Statement For Elected And Appointed Officials And Directing Endorsement By All Boards, Commissions And Agencies Of The City Of Glenpool, Pursuant To Section 20 Thereof,

### Attachments:

Resolution No. 17009, Annual City Council Resolution Of Endorsement Of Restated Code Of Ethics And Policy Statement For Elected And Appointed Officials And Directing Endorsement By All Boards, Commissions And Agencies Of The City Of Glenpool, Pursuant To Section 20 Thereof.

Resolution No. 13-05-01, A Resolution Amending Section 14 Of The Code Of Ethics And Policy Statement For Elected And Appointed Officials Of The City Of Glenpool, As Adopted By Resolution No. 11-09-02, Dated September 19, 2011, And As Amended By Resolution No. 12-03-01, Dated March 19, 2012, And Adopting A Restated Code Of Ethics And Policy Statement

**RESOLUTION NO. 17009**

**ANNUAL CITY COUNCIL RESOLUTION OF ENDORSEMENT  
OF RESTATED CODE OF ETHICS AND POLICY STATEMENT  
FOR ELECTED AND APPOINTED OFFICIALS, AND  
DIRECTING ENDORSEMENT BY ALL BOARDS,  
COMMISSIONS AND AGENCIES OF THE CITY OF  
GLENPOOL, PURSUANT TO SECTION 20 THEREOF**

**WHEREAS**, Section 20 of the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials (“Code of Ethics), “Implementation,” requires members of the City Council, sitting as Councilors and as members of the Board of Trustees for the City’s various public trust authorities, to review and endorse the Code of Ethics by signature on an annual basis; and

**WHEREAS**, Section 20 of the Code of Ethics, “Implementation,” requires the City Council to direct members of the Planning Commission and Board of Adjustment, as well any other administrative bodies of the City, to review and endorse the Code of Ethics by signature on an annual basis.

**IT IS THEREFORE RESOLVED BY THE CITY COUNCIL THAT:**

**Section 1.**

Each member, in their respective capacities identified below, shall sign the following endorsement below affirming that they have had the opportunity to review the foregoing Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool, as required annually, and they reaffirm that they have read, understand and agree to comply with the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool.

I have read, I understand and I agree to comply with the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool.

\_\_\_\_\_  
Hon. Timothy Lee Fox, Mayor  
Chair of the Glenpool Utility Service Authority,  
Glenpool Industrial Authority and Glenpool  
Cemetery Trust

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hon. Momodou Ceesay, Vice-Mayor  
Vice-Chair of the Glenpool Utility Service

\_\_\_\_\_  
Date

Authority, Glenpool Industrial Authority and  
Glenpool Cemetery Trust

\_\_\_\_\_  
Councilor Brandon Kearns,  
Member of the Glenpool Utility Service  
Authority, Glenpool Industrial Authority and  
Glenpool Cemetery Trust

\_\_\_\_\_  
Date

\_\_\_\_\_  
Councilor Trish Agee  
Member of the Glenpool Utility Service  
Authority, Glenpool Industrial Authority and  
Glenpool Cemetery Trust

\_\_\_\_\_  
Date

\_\_\_\_\_  
Councilor Jacqueline Triplett-Lund  
Member of the Glenpool Utility Service  
Authority, Glenpool Industrial Authority and  
Glenpool Cemetery Trust

\_\_\_\_\_  
Date

Section 2. Members of City boards and commissions, to include without limitation the Planning Commission and Board of Adjustment, shall be provided the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool and requested to affirm the same by the following endorsement.

\_\_\_\_\_  
Hon. Richard Watts  
Chair of the Glenpool Planning Commission  
and the Glenpool Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hon. Joyce Calvert  
Vice-Chair of the Glenpool Planning Commission  
and the Glenpool Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shayne Buchanan  
Member of the Glenpool Planning Commission  
and the Glenpool Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Howard Nelson  
Member of the Glenpool Planning Commission  
and the Glenpool Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debra Cutsor  
Member of the Glenpool Planning Commission  
and the Glenpool Board of Adjustment

\_\_\_\_\_  
Date

The foregoing Resolution No. 17009, Annual City Council Resolution Of Endorsement Of Restated Code Of Ethics And Policy Statement For Elected And Appointed Officials And Directing Endorsement By All Boards, Commissions And Agencies Of The City Of Glenpool, Pursuant To Section 20 Thereof, is hereby adopted by the City Council of Glenpool on this 19<sup>th</sup> day of June 2017.

CITY COUNCIL

\_\_\_\_\_  
Hon. Timothy Lee Fox, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Susan White, City Clerk

\_\_\_\_\_  
Date

Approved as to Form and Substance:

\_\_\_\_\_  
Lowell Peterson, City Attorney

\_\_\_\_\_  
Date

## **RESOLUTION NO. 13-05-01**

### **A RESOLUTION AMENDING SECTION 14 OF THE CODE OF ETHICS AND POLICY STATEMENT FOR ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GLENPOOL, AS ADOPTED BY RESOLUTION NO. 11-09-02, DATED SEPTEMBER 19, 2011, AND AS AMENDED BY RESOLUTION NO. 12-03-01, DATED MARCH 19, 2012, AND ADOPTING A RESTATED CODE OF ETHICS AND POLICY STATEMENT**

**WHEREAS**, the Glenpool City Council established a Code of Ethics and Policy Statement for Members of the City Council and the City's boards and commissions by adoption of Resolution No. 11-09-02 on September 19, 2011;

**WHEREAS**, the Glenpool City Council amended Section 5 of the Code of Ethics by adoption of Resolution No. 12-03-01 on March 19, 2012; and,

**WHEREAS**, the Glenpool City Council now desires to amend Section 14 for the purpose of providing that the City shall pay costs incurred by Council Members when attending the statutorily mandated Institute for Municipal Officials and such other training and seminar opportunities as they may deem appropriate.

### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENPOOL, OKLAHOMA THAT:**

The City Council of the City of Glenpool, Oklahoma hereby adopts a Restated Code of Ethics and Policy Statement for Elected and Appointed Officials of the City of Glenpool, as follows:

#### **POLICY PURPOSE**

The Glenpool City Council has adopted this Code of Ethics and Policy Statement for members of the City Council and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

#### **POLICY STATEMENT**

##### **Preamble**

Residents and businesses of Glenpool are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Glenpool's commitment to the effective functioning of democratic government, this Policy therefore requires that:



- Public officials comply fully and faithfully with all laws and policies affecting the operations of government;
  - Public officials be independent, impartial and fair in their judgment and actions;
  - Public office be used for the public good, not for personal gain; and
  - Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Glenpool and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Glenpool City Council, boards and commissions.
  2. **Comply with the Law.** Members shall comply with the laws of the nation, the State of Oklahoma and the City of Glenpool in the performance of their public duties. These laws include, but are not limited to: the United States and Oklahoma constitutions; the Glenpool City Code of Ordinances; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open processes of government, and, in particular, Title 11, Article X of the Oklahoma Statutes pertaining to the powers and duties of the Council in the Council – Manager form of government.
  3. **Conduct of Members.** The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.
  4. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.
  5. **Conduct of Public Meetings.** Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. This includes a prohibition against text messaging or otherwise conducting private conversations outside the hearing of the public. It further includes a prohibition against all use of cellular telephones by Members of the Council during any public meeting except with respect to emergency situations, as determined by each Member acting in good faith.
  6. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
  7. **Communication.** Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions and which they may have received from sources outside of the public decision-making process.
  8. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or

personal relationship which may give the appearance of a conflict of interest. In accordance with the law and as pertinent to matters under consideration, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist. Because such conflicts inevitably arise at some point, when these issues exist, it is imperative that members mitigate those issues properly.

- 9. Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
- 10. Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or other private interests.
- 11. Use of Public Resources.** Members of the City Council, although not members of boards or commissions, shall each be entitled to a single drawer file cabinet to be selected and located by the City Manager in a way that facilitates their service to the public. Assignment and use of such cabinets shall be on a strictly equal basis among all Council members. No Council member shall be provided an office at City Hall or any other City facility, nor will any Council member be issued key(s) to City Hall or any other City facility. Members shall not use public resources that are not equally available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
- 12. Open Record Issues.** It is imperative for all Council, board and commission members to maintain a conscientious awareness that *ALL* written communications coming into their possession or control, regardless of the medium and subject to only limited exceptions, are public records and subject to the Open Records Act if they pertain to: (i) the transaction of public business; (ii) the expenditure of public funds, or (iii) the administering of public property. Technology allows written words to be distributed wide and far. All written notes, text messages and e-mail messages must be treated as potentially public communications, which also means maintaining and/or disclosing them in accordance with applicable law.
- 13. Representation of Private Interests.** In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards or commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
- 14. Expenses.** All non-recurring expenses for which one or more Council, board or commission member(s) expects direct payment by the City and/or to be reimbursed by the City for any or all related costs, must be approved by the Council, board or commission, *before* such non-recurring expense is incurred. *Provided that*, the Council has and does hereby ratify its endorsement that the City shall, without further Council action needed, undertake the payment of all costs incurred by members of the City Council to attend the Institute for Municipal Officials mandated by 11 O.S. § 8-114, and such other training and seminar opportunities as they deem appropriate for the purpose of advancing their knowledge and skills in the performance of their official duties, to

include registration, travel, meals and overnight accommodations (if more than 50 miles from Glenpool, but only within the State of Oklahoma, and any session concludes later than 4:30 p.m.).

- 15. Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Glenpool, nor will they allow the inference that they do.
- 16. Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Glenpool city government as outlined by Title 11, Article X of the Oklahoma Statutes. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except for the purpose of limited verbal inquiry, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. In particular, it is expressly prohibited for Council members to: (i) participate in any manner in internal personnel decisions of any kind; and (ii) direct the functions or duties of staff members who are subordinate to the City Manager in daily administrative matters. (This does not limit the right of Council, board or commission members to consult with the City Attorney regarding the legal propriety of any action taken or contemplated.) In general members will strive to conduct all communications through the City Manager unless such inquiry will require less than one hour's response on the part of the employee. Requests or inquiries requiring more than one hour will be placed on the agenda for Council, board or commission consideration. All inquiries from members directly to staff should be communicated in writing if possible, and employees will be expected to respond to the entire Council when answering.
- 17. Independence of Boards and Commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to influence unduly the deliberations or outcomes of board and commission proceedings. If a Council, board or commission member does have legitimate reason to appear before another of these agencies, the member must clearly state whether her/his statement reflects personal opinion or the official position of the Council, board or commission of which such person is a member.
- 18. Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees and shall in no way create the perception of inappropriate direction to staff.
- 19. Contact with Media.** In most cases, members are encouraged to give no comment to media and refer members of media to City staff who are responsible for the matter under consideration. When giving a statement is necessary or appropriate, it is imperative to remember that the promise any statement is "off the record" is only as good as the memory or character of the reporter. Words and expressions must be chosen with great care to avoid misunderstandings or misconstructions.
- 20. Implementation.** As an expression of the standards of conduct for members expected by the City, the Glenpool Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientation for candidates for City Council, applicants to

board and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood this City of Glenpool Code of Ethics and Policy Statement. In addition, the Code of Ethics shall be annually reviewed and endorsed by the City Council and boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

**21. Compliance and Enforcement.** The Glenpool Code of Ethics expresses standards of ethical conduct expected for members of the Glenpool City Council, boards and commissions. Members themselves have the primary responsibility to enforce compliance with these ethical standards and thereby help to ensure that they are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention. The second in line, when the Mayor's or a chair's actions come into question, would assume the duty of intervening. The City Council may impose various sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment.

And it is further resolved that, in connection with the foregoing reinstatement, the Code of Ethics and Policy Statement does and shall read as set forth above until such time as the same is further amended or repealed.

**ADOPTED** and **APPROVED** by the Council of the City of Glenpool, this 13<sup>th</sup> day of May 2013.

**THE CITY OF GLENPOOL, OKLAHOMA**

/s/

\_\_\_\_\_  
Momodou Ceesay, Mayor

**ATTEST:**

/s/

\_\_\_\_\_  
Susan Clerk, City Clerk

[SEAL]

**APPROVED AS TO FORM:**

/s/

\_\_\_\_\_  
Lowell Peterson, City Attorney

**TO:** GLENPOOL BOARD OF ADJUSTMENT  
**FROM:** RICK MALONE, CITY PLANNER  
**DATE:** July 10, 2017  
**Re:** GBOA-454: A request for a Special Exception to allow a Mini-Storage use in an CS zoning district.  
**LOCATION:** East of the northeast corner of 138<sup>th</sup> Place and Elwood Ave.  
**ZONING:** CS (Commercial Shopping Center District)  
**SIZE:** 4.07 Acres  
**LEGAL:** Lot 1-4, Block 1 Southwood Center.

**BACKGROUND:**

The Community Development Department received a request to develop mini-storage units 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 the applicant and he submitted the required documents.

**CODE EXCERPTS:**

11-9-2: PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS:

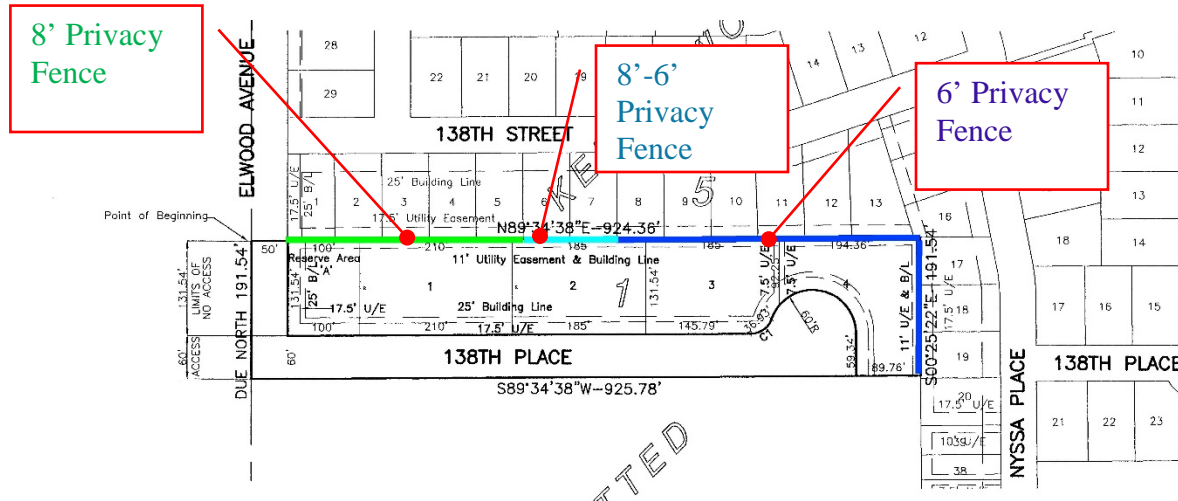
Use Unit 17 (Mini-Storage) is allowed in the CS (Commercial Shopping Center District) by special exception requiring board of adjustment approval.

**USE UNIT 17 CONDITIONS WHEN ALLOWED BY SPECIAL EXCEPTION IN A CS DISTRICT:**

- a. When located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district. By plat the developer is required to install a fence
- b. Within the CS district, there shall be no open-air storage or display of merchandise offered for sale within three hundred feet (300') of an adjoining R district.

**PER SOUTHWOOD CENTER PLAT:**

J. NO BUILDING PERMITS WILL BE ISSUED BY THE CITY OF GLENPOOL IN THIS SUBDIVISION UNTIL SUCH TIME THE REQUIRED PRIVACY FENCE ADJACENT TO KENDALWOOD IV ADDITION HAS BEEN CONSTRUCTED AND ACCEPTED BY THE CITY OF GLENPOOL. SAID FENCE TO BE 8-FEET IN HEIGHT AGAINST LOTS 1 THROUGH 5, FENCING TO TRANSITION FROM 8-FEET IN HEIGHT TO 6-FEET AGAINST LOTS 6 & 7 AND THE REMAINDER OF LOTS 8 THROUGH 13 AND LOTS 16 THROUGH 19 TO HAVE 6-FOOT TALL PRIVACY FENCING. THIS FENCE TO BE MAINTAINED BY THE LANDOWNERS OR PROPERTY OWNERS ASSOCIATION IN THE SOUTHWOOD CENTER.

**SURROUNDING PROPERTY:**

The subject tract is abutted by the following:

- North/East: Developed single family residential lots zoned RM-1 that was platted as Kendalwood IV Addition filed of record on 3/5/84.
- South: By a 25-acre tract which used to be softball fields which is currently vacant, unplatted and zoned CS (Commercial Shopping Center District).
- West: By large lot single family acreages zoned AG, a church zoned CG. There is also a single-family subdivision in the beginning stage of development in the area.

**STAFF COMMENTS:**

- Per Code, this case has been advertised in the Tulsa World 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.
- CS zoning requires a building line setback of 15 feet from all abutting "R" districts and a front building line setback of 25 feet from the 138<sup>th</sup> street property line.

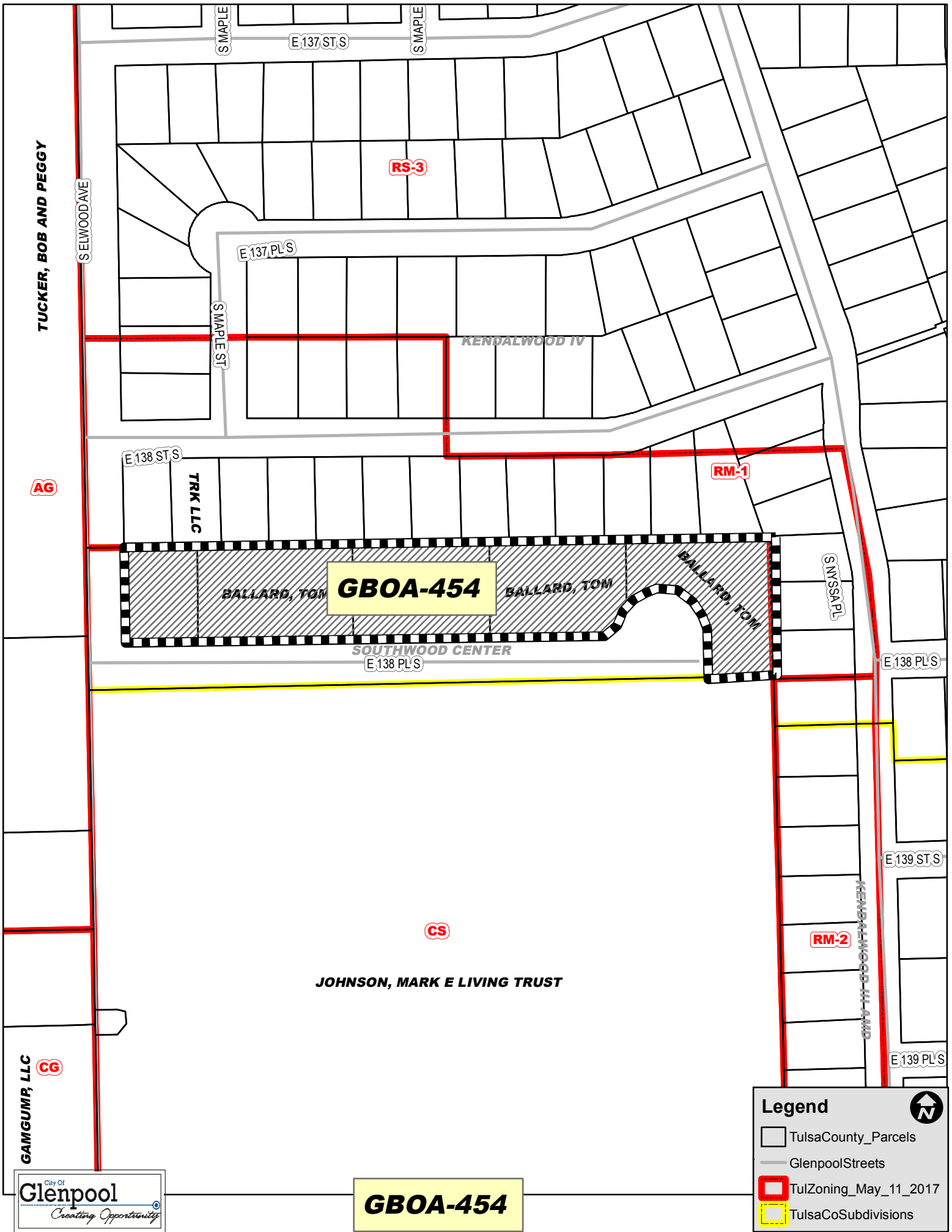
**SPECIAL EXCEPTION:**

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.
- Any development in the commercial zoning district requires the applicant apply for a Site Plan review by the Planning Commission as well.

**ATTACHMENTS:**

- Application
- Case Map
- Concept Plan



# GLENPOOL BOARD OF ADJUSTMENT

12205 South Yukon Ave 2nd Floor Glenpool City Hall - Glenpool, Oklahoma 74033 (918) 322-5409 - Fax (918) 209-4611 [www.glenpoolonline.com](http://www.glenpoolonline.com)

## APPLICATION INFORMATION

RECEIVED BY: W DATE FILED: 6/5/17 HEARING DATE: 7/10/17 CASE NUMBER GB01 454  
[ ] RESIDENTIAL ☒ NON-RESIDENTIAL [ ] COMBINATION BUILDING PERMIT APPLICATION NUMBER \_\_\_\_\_

## SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 138th PLACE & SO. ELWOOD AVE  
LEGAL DESCRIPTION: SOUTHWOOD CENTER, LOT 1, 2, 3 AND 4, BLOCK 1

PRESENT USE: VACANT PRESENT ZONING CS S-T-R 12.17.12

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 A MINI-STORAGE TO BE CONSTRUCTED ON THE SITE.

VARIANCE SECTIONS: \_\_\_\_\_ SPECIAL EXCEPTION SECTIONS: \_\_\_\_\_ USE UNIT: 17

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>JR DONELSON</u>	NAME <u>TJT ENTERPRISES, LLC</u>
ADDRESS <u>12820 S. MEMORIAL, #100</u>	ADDRESS <u>P.O. BOX 250</u>
CITY, ST, ZIP <u>BIXBY, OK 74008</u>	CITY, ST, ZIP <u>INOLA, OK 74036</u>
DAYTIME PHONE <u>918-394-3030</u>	DAYTIME PHONE <u>918-543-7245</u>
EMAIL <u>JRDON@TULSA COXMAIL.COM</u>	EMAIL <u>DEBRA@REDBARNGROUP.CO</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE DATE: <u>JR Donelson</u>	<u>5/19/2017</u>

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

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	\$40 + \$ <u>14</u>	NOTICE SUBTOTAL	\$ <u>614</u>
[ ] APPLICANT PROVIDED MAIL LIST	RECEIPT NUMBER	TOTAL AMOUNT DUE	\$ <u>186.00</u>

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

## DISPOSITION

BOARD ACTION: \_\_\_\_\_

FINAL DATE: \_\_\_\_\_ VOTE: \_\_\_\_\_ PLAT INVOKED [ ] Y [ ] N PLAT NAME: \_\_\_\_\_ WAIVER [ ] Y [ ] N



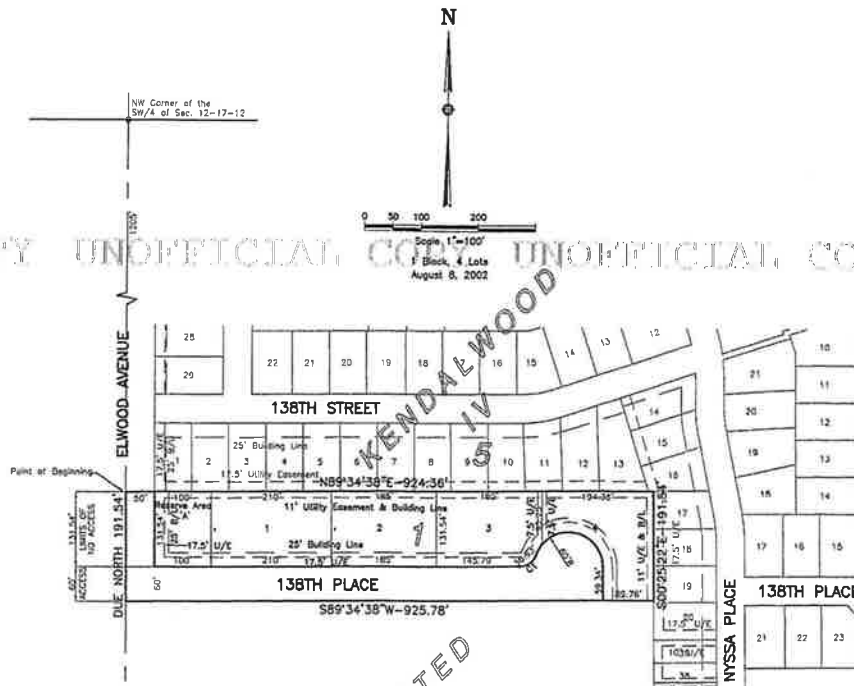
THIS MAP WAS PREPARED BY THE TULSA COUNTY PLANNING COMMISSION AND IS NOT A LEGAL INSTRUMENT.



6145

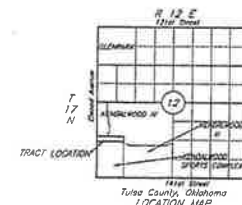
# SOUTHWOOD CENTER

AN ADDITION TO THE CITY OF GLENPOOL, OKLAHOMA, BEING IN THE W/2 SW/4 OF SECTION 12, T-17-N, R-12-E, TULSA COUNTY, OKLAHOMA. CONTAINING 4.07 ACRES.



OWNER:  
TOM BALLARD  
512 N. FORREST  
JENKS, OK 74037  
(918) 299-1775

ENGINEER/SURVEYOR:  
SPRADLING & ASSOCIATES, INC.  
1660 E. 71st St., Suite 2P-2  
Tulsa, Oklahoma 74136  
(918) 496-2464/Office  
(918) 496-2465/Fax



## LEGAL DESCRIPTION

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SW/4) OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID W/2 SW/4; THENCE SOUTH ALONG WEST LINE OF SAID W/2 SW/4 A DISTANCE OF 1200 FEET TO THE POINT OF BEGINNING; THENCE N89°34'38"E A DISTANCE OF 924.36 FEET; THENCE S00°25'22"E A DISTANCE OF 101.54 FEET; THENCE S89°34'38"W A DISTANCE OF 923.78 FEET TO A POINT ON THE WEST LINE OF SAID W/2 SW/4; THENCE NORTH ALONG SAID LINE A DISTANCE OF 191.55 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 4.07 ACRES MORE OR LESS.

FLOOD NOTE:  
THIS PROPERTY IS IN ZONE "X"-AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN.  
FROM FLOOD INSURANCE RATE MAP-TULSA COUNTY COMMUNITY PANEL NO. 40183000  
MAP REVISED SEPTEMBER 22, 1999

BENCH MARK:  
BM158, APPROXIMATELY 1100 FT. EAST OF 1/4 SECTION CORNER 10/15, T17N, R12E, ON SOUTH SIDE OF 141ST ST. A CHISELED "X" ON TOP AT CENTER OF CONCRETE HEADWALL OF CULVERT. ELEVATION 711.29

OIL/GAS WELLS:  
NO EXISTING OIL OR GAS WELLS WITHIN TRACT AS INDICATED BY OKLAHOMA CORPORATION COMMISSION

LEGEND:  
U/E-UTILITY EASEMENT  
B/L-BUILDING LINE

## FINAL PLAT CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE GLENPOOL PLANNING COMMISSION ON

9/3/07  
DATE

*[Signature]*  
CHIEF OF PLANNING OR SECRETARY

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE GLENPOOL CITY COUNCIL ON

10/4/07  
DATE

*[Signature]*  
CITY CLERK

THIS APPROVAL SHALL NOT BE INTERPRETED TO MEAN STREETS, SANITARY SEWERS, STORM DRAINAGE OR OTHER UTILITIES ARE CONSTRUCTED AS SHOWN ON THIS PLAT.

ATTEST:  
*[Signature]*  
CITY CLERK

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURES ARE NOT ENDORSED BY THE CITY MANAGER.

*[Signature]*  
CITY MANAGER

CERTIFICATE  
I hereby certify that all real estate taxes levied on this plat have been paid as reflected by the current tax roll. Security as required has been provided in the amount of \$ 500.00 per tract herein set out.  
To be applied to 20 07 taxes. This certificate is NOT to be construed as a receipt of 20 07 taxes in full but is given in full satisfaction of the amount of the security deposit.

Dated: 24-Aug-07  
Frank Smith  
Tulsa County Treasurer

CURVE TABLE					
Curve No.	Length	Radius	Delta	Tangent	Chord
C1	38.83'	30'	20°31'44"	21.21'	34.64'

### **SPECIAL CERTIFICATE**

The TULSA ABSTRACT & TITLE COMPANY, a duly qualified and bonded abstract Company within and for the County of Tulsa, State of Oklahoma, does hereby certify:

There is shown herein a true and correct list of owners of record:

A 300 foot Radius surrounding a tract of land described as follows:

**All of SOUTHWOOD CENTER, an Addition to the City of Glenpool, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.**

As shown by the current years tax rolls as the date of this certificate in the office of the County Treasurer within and for Tulsa County, Oklahoma

AND

That said list also shows the last GRANTEES of record in the Office of the County Clerk within and for Tulsa County, State of Oklahoma.

ADDRESSES given in this report are not certified to.

This certificate certifies to Tulsa County Treasurer 2016 Tax Rolls and last Grantees of record of the Tulsa County Clerk as of **May 16, 2017 at 7:59 A.M.**

IN WITNESS WHEREOF, the TULSA ABSTRACT & TITLE COMPANY has caused these presents to be signed, and its corporate seal to be affixed this **24<sup>th</sup> day of May, 2017.**

TULSA ABSTRACT & TITLE COMPANY

By

  
Vice-President

**No. 454394**



## Names and Addresses

TJT Enterprises  
15499 East 590 Road  
Inola, OK 74036-3209

Mark E. Johnson Living Trust  
C/O Mark E. Johnson, Trustee  
20070 East 72<sup>nd</sup> Street North  
Owasso, OK 74055

Eddie Duane Terry  
13916 South Nyssa Place  
Glenpool, OK 74033-3103

Catherine P. Nichols and  
Richard D. Nichols  
3319 West Green Way  
Sapulpa, OK 74066

George A. Garner and  
Cathy L. Garner  
13888 South Nyssa Place  
Glenpool, OK 74033

Jack M. Peeks  
13866 South Nyssa Place  
Glenpool, OK 74033

Anthony Alan Jones  
1207 East 139<sup>th</sup> Street  
Glenpool, OK 74033

Michael Terrence Cain and  
Susan Denis Cain  
1701 Country Club Drive  
Okmulgee, OK 74447-7101

## Legal Description

Lots 1, 2, 3, 4,  
Block 1,  
and  
Reserve "A",  
SOUTHWOOD CENTER

Beginning SWC SW, N1250' E925.77' S1250'  
W935' POB,  
Less Beginning 785.02' N SWC SW, E30' NE19.14'  
N16.76' NW11.55' W30' S33.89' to POB,  
Less S50' thereof for road,  
12-17-12

Lot 14,  
Block 1,  
KENDALWOOD III AMENDED

Lot 15,  
Block 1,  
KENDALWOOD III AMENDED

Lot 16,  
Block 1,  
KENDALWOOD III AMENDED

Lot 17,  
Block 1,  
KENDALWOOD III AMENDED

Lot 1,  
Block 2,  
KENDALWOOD III AMENDED

Lot 2,  
Block 2,  
KENDALWOOD III AMENDED



Muscogee (Creek) Nation Housing Division  
P.O. Box 297  
Okmulgee, OK 74447

Lot 28,  
Block 3,  
and  
Lot 11,  
Block 4,  
and  
Lots 8 and 18,  
Block 5,  
and  
Lot 22,  
Block 6,  
KENDALWOOD IV

Chris V. Bart and  
Shelly R. Bart  
13794 South Maple Street  
Glenpool, OK 74033

Lot 29,  
Block 3,  
KENDALWOOD IV

Robert James  
1068 East 137<sup>th</sup> Place  
Glenpool, OK 74033

Lot 1,  
Block 4,  
KENDALWOOD IV

Sheryl A. Ward  
1082 East 137<sup>th</sup> Place  
Glenpool, OK 74033

Lot 2,  
Block 4,  
KENDALWOOD IV

Kasey Mae Clark and  
Jason Clark  
1096 East 137<sup>th</sup> Place South  
Glenpool, OK 74033-3210

Lot 3,  
Block 4,  
KENDALWOOD IV

Jeremie J. Johnson and  
Melissa G. Johnson  
1110 East 137<sup>th</sup> Place  
Glenpool, OK 74033

Lot 4 and W/2 of Lot 5,  
Block 4,  
KENDALWOOD IV

Ryan Wayne Jones and  
Ronnie G. Jones and  
Beverly J. Jones  
1124 East 137<sup>th</sup> Place  
Glenpool, OK 74033

Lots 5 and 6,  
Less W12' of Lot 5,  
Block 4,  
KENDALWOOD IV

Donald Wade Bell and  
Angela L. Bell  
1152 East 137<sup>th</sup> Place  
Glenpool, OK 74033

Lot 7,  
Block 4,  
KENDALWOOD IV



Robert Haskell Williams and  
Zenobia Ann Williams  
1085 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 19,  
Less W4' thereof,  
Block 4,  
KENDALWOOD IV

Jimmie L. Olinske and  
Marilyn R. Olinske, Trustees  
Jimmie L. and Marilyn R. Olinske  
Revocable Trust  
1071 East 138<sup>th</sup> Street North  
Glenpool, OK 74033

W4' Lot 19 and all of Lot 20,  
Block 4,  
KENDALWOOD IV

Nancy A. Sudduth  
1057 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 21,  
Block 4,  
KENDALWOOD IV

Ronald J. Newman and  
Mary L. Newman  
1043 East 138<sup>th</sup> Street  
Glenpool, OK 74033-3156

Lot 22,  
Block 4,  
KENDALWOOD IV

Jack Ray Runnels, Jr. and  
Teresa Washington Runnels  
P.O. Box 64  
Glenpool, OK 74033

Lot 1,  
Block 5,  
KENDALWOOD IV

TRK, LLC  
1028 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 2,  
Block 5,  
KENDALWOOD IV

Clayton W. Davis and  
Sarah E. Davis  
1042 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 3,  
Block 5,  
KENDALWOOD IV

Matthew R. Jones  
1056 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 4,  
Block 5,  
KENDALWOOD IV

David J. Berry  
1070 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 5,  
Block 5,  
KENDALWOOD IV



Ted Auerbach and  
Suzanne Auerbach  
1084 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 6,  
Block 5,  
KENDALWOOD IV

Deborah Holt  
1102 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 7,  
Block 5,  
KENDALWOOD IV

Brandon J. Phillips  
1130 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 9,  
Block 5,  
KENDALWOOD IV

Cathy S. Tidwell  
1144 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 10,  
Block 5,  
KENDALWOOD IV

Jerry D. Thompson and  
Barbara A. Thompson, Trustees  
Jerry D. and Barbara A. Thompson Trust  
20 Trail Ridge Road  
Sapulpa, OK 74066

Lot 11,  
Block 5,  
KENDALWOOD IV

Allen Dale Koss and  
Janice P. Koss  
1162 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 12,  
Block 5,  
KENDALWOOD IV

Roy Lee Bryan  
1176 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lot 13,  
Block 5,  
KENDALWOOD IV

Matthew Jack Collier and  
Alaina Marie Collier  
1190 East 138<sup>th</sup> Street  
Glenpool, OK 74033

Lots 14 and 15,  
Block 5,  
KENDALWOOD IV

Margaret A. Johnson and  
John W. Johnson  
13846 Nyssa Place  
Glenpool, OK 74033

Lots 16 and 17,  
Block 5,  
KENDALWOOD IV

Clifford Leon Patrick II and  
Diane M. Patrick  
13856 South Nyssa Place  
Glenpool, OK 74033

Lot 19,  
Block 5,  
KENDALWOOD IV



Erin B. Lynch  
13860 South Nyssa Place  
Glenpool, OK 74033

Lot 20,  
Block 5,  
KENDALWOOD IV

Kenneth William Walters and  
Patricia Gail Walters  
13796 South Nyssa Court  
Glenpool, OK 74033-3233

Lot 11,  
Block 6,  
KENDALWOOD IV

Crystal L. Love and  
Matthew D. Love  
4936 Fairview Road  
Bartlesville, OK 74006-6822

Lot 12,  
Block 6,  
KENDALWOOD IV

Stephen Christopher Hackler  
13822 South Nyssa Court  
Glenpool, OK 74033

Lot 13,  
Block 6,  
KENDALWOOD IV

William Alan West and  
Tamara L. West  
13834 South Nyssa Court  
Glenpool, OK 74033

Lot 14,  
Block 6,  
KENDALWOOD IV

Chad Daniel Heilmann and  
Reena Louise Heilmann  
1229 East 138<sup>th</sup> Place  
Glenpool, OK 74033

Lot 15,  
Block 6,  
KENDALWOOD IV

Denny J. Basse and  
Lisa H. Basse  
1217 East 138<sup>th</sup> Place  
Glenpool, OK 74033

Lot 16,  
Block 6,  
KENDALWOOD IV

Gary D. Taylor and  
Reba N. Taylor  
1203 East 138<sup>th</sup> Place  
Glenpool, OK 74033-3180

Lot 17,  
Block 6,  
KENDALWOOD IV

Chad A. Carpenter and  
Stacy D. Carpenter  
13835 Nyssa Place  
Glenpool, OK 74033

Lot 18,  
Block 6,  
KENDALWOOD IV



Donald Legendre and  
Tamara Legendre, Trustees  
Legendre Family Trust  
P.O. Box 1275  
Glenpool, OK 74033

Lot 19,  
Block 6,  
KENDALWOOD IV

Keith E. Wagnon and  
Kalee J. Wagnon  
13811 South Nyssa Place  
Glenpool, OK 74033

Lot 20,  
Block 6,  
KENDALWOOD IV

Judith A. Furry  
13797 South Nyssa Place  
Glenpool, OK 74033

Lot 21,  
Block 6,  
KENDALWOOD IV

Crystal Graham  
1202 East 138<sup>th</sup> Place  
Glenpool, OK 74033

Lot 21,  
Block 7,  
KENDALWOOD IV

Kenneth W. Hofstrom and  
Elizabeth L. Hofstrom  
1216 East 138<sup>th</sup> Place  
Glenpool, OK 74033

Lot 22,  
Block 7,  
KENDALWOOD IV

Jeffery S. Gourd and  
Venessa L. Gourd  
1230 East 138<sup>th</sup> Place  
Glenpool, OK 74033

Lot 23,  
Block 7  
KENDALWOOD IV

The Bob and Peggy Tucker Family Trust  
2212 South 9<sup>th</sup> Street  
Broken Arrow, OK 74012

NE SE,  
11-17-12

Dana Renea Compton and  
Daniel Lee Compton and  
Donald Ray Lattie  
13830 South Elwood Avenue  
Glenpool, OK 74033

N261.66' E500' SE SE,  
11-17-12

Kevin A. Varnell and  
Deborah Ann Varnell  
13930 South Elwood Avenue  
Glenpool, OK 74033

N130.83' S261.66' N523.32' E500' SE SE,  
11-17-12





