

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 861
Tuesday, March 25, 2003, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

**MEMBERS
PRESENT**

Dunham, Vice Chair
Cooper
Turnbo
White, Chair
Perkins

**MEMBERS
ABSENT**

**STAFF
PRESENT**

Beach
Butler

**OTHERS
PRESENT**

Romig, Legal

The notice and agenda of said meeting was posted in the City Clerk's office, City Hall, on Thursday, March 20, 2003, at 4:00 p.m., as well as at the Office of INCOG, 201 W. 5th St., Suite 600.

After declaring a quorum present, Chair, White called the meeting to order at 1:00 p.m.

Mr. Jim Beach read the rules and procedures for the Board of Adjustment Public Hearing.

Dunham arrived 1:01 p.m.

Case No. 19543

Action Requested:

Variance to permit an outdoor advertising sign from the permitted 60' height to 100' in height in a CG district. SECTION 1221.F. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, Use Conditions for Outdoor Advertising Signs – Use Unit 21; and a Variance to permit an off-premise business sign and to exceed the height and display area allowed in a CG district. SECTION 1221.E. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, CG, CH, CBD, IL, IM, and IH Use Conditions for Business Signs, located 129th E. Ave. & I-44.

Presentation:

Mr. Beach informed the Board that the notice did not include all of the property, and needs to be continued to April 8, 2003.

Board Action:

On **MOTION** of **Perkins**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **CONTINUE** Case No. 19543 to the meeting of April 8, 2003.

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Cooper arrived at 1:03 p.m.

MINUTES

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the Minutes of March 11, 2003 (No. 860).

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UNFINISHED BUSINESS

Ms. Turnbo announced she would recuse herself from Case No. 19530.
Mr. Cooper abstained from Case No. 19530.

Case No. 19530

Action Requested:

Variance to increase permitted wall sign square footage on the southeast and northeast walls of Southcrest Hospital in PUD 559-A. SECTION 1103.B.2.a. USES PERMITTED IN A PLANNED UNIT DEVELOPMENT, Accessory Uses – Use Unit 5, located 10101 E. 91st St.

Presentation:

Brian Ward, 9520 E. 55th Pl., stated that it has been determined by the sign company for Southcrest Hospital that the proposed sign is the size they need to face U.S. Hwy. 169. A site plan was provided (Exhibit A-1).

Comments and Questions:

Mr. Beach stated that staff has discussed this case. This property is in a PUD and they have submitted for a PUD sign plan approval. They need this relief from the Board before they can move on to the sign plan approval. The code dictates the square footage of the sign based on the linear feet of the wall. In the case of an unusual shaped building such as this it is difficult to determine which walls to count in the linear footage. In the case of a hospital, considered a campus setting, there is more need for signage such as directional signs.

Tony Young, CEO of Southcrest Hospital, 6136 E. 97th St., came before the Board. He informed the Board that the purpose for this request is he has received

OUTDOOR ADVERTISING, CS District Use Conditions for Business Signs, located 6004 S. Memorial.

Presentation:

James Adair, 7508 E. 77th St., stated the subject property is 311' in length. If the two lots were joined the signs would be under the maximum allowed. The lots are split because of the easement causing the hardship for allowable signage. A site plan was provided (Exhibit B-1a and B-1b).

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of maximum display surface area for a sign from 180.99 square feet to 280 square feet, per plan, finding the hardship to be the unusual situation of the lot being split for the easement, and finding it is an improvement over the existing situation, on the following described property:

Lot 13, Block 3, The Falls, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19539

Action Requested:

Special Exception to amend previously approved plans to allow installation of security fencing. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5, located N & W of E. 6th St. & S. Delaware Ave.

Presentation:

Charles E. Norman, 2900 Mid-Continent Tower, for the University of Tulsa, stated the application is to put a security fence at the west boundary of the existing student housing complex. There have been some disturbances, vandalism and theft in the housing complex. The gates would be opened at 7:30 a.m. and closed 30 minutes after sunset. The fence would be stone columns and extruded aluminum with wrought iron appearance. He gave the application details to Maria Barnes, President of the Kendall-Whittier Neighborhood Association. A site plan was provided (Exhibit C-1).

Interested Parties:

Maria Barnes, 2252 E. 7th St., stated the Kendall-Whittier Neighborhood Association, agrees to the six foot fence, gate open during the day, increased security and lighting to the west side of the area and the park. They believe it will have a nice appearance.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of the conditions for a home occupation; to permit the home occupation in a detached garage; and to utilize electrical saws and sanders for making small lamps with wood and stained glass, with conditions for hours of operation 9:00 a.m. to 5:00 p.m., Monday through Friday; for a time limit of five years; and the doors to be closed when power tools are in use, on the following described property:

Lot 5, Block 2, Wilder Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19544

Action Requested:

Variance to waive all landscape requirements, or if unacceptable, change hose bib distance requirement to 200'. SECTION 1002.D.2.c. LANDSCAPE REQUIREMENTS, Miscellaneous Requirements – Use Unit 23, located 9323 E. 44th St. N.

Presentation:

Carla Murphy, the applicant was not present. The case was tabled until later on the agenda.

N 290.00' of S 310.00' of E/2 W/2 NW/4 NE/4 NE/4 of Section 13, T-20-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19545

Action Requested:

Variance of setback requirement of detached accessory buildings from interior lot line for construction of a double garage (to be built over property line). SECTION 210.B.5. YARDS, Permitted Obstructions in Required Yards – Use Unit 6, located 1328 & 1332 S. Indian Ave.

Presentation:

Jimmie C. Wickham, 1332 S. Indian Ave., stated she owns both lots of the subject property. She provided a site plan and photographs (Exhibits E-1 and E-2) with her application. There is a shared driveway between the two houses. She proposes to repair the garages and remodel her two-story house. There is three feet between the garages. She added that she cannot build on the back 30' of lot because of the PSO easement. She contacted all of her neighbors and the neighborhood association and they are in support.

Comments and Questions:

Mr. White asked if there will be a center wall on the property line. Ms. Wickham replied there would be a center fire wall on the property line.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of setback requirement of detached accessory buildings from interior lot line for construction of a double garage (to be built over property line), per plan, with condition for a center wall on the property line, finding it 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, on the following described property:

Lots 7 and 8, Block 11, Amended Plat of Blocks 11 and 12, Norvell Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No.19544

Action Requested:

Variance to waive all landscape requirements, or if unacceptable, change hose bib distance requirement to 200'. SECTION 1002.D.2.c. LANDSCAPE REQUIREMENTS, Miscellaneous Requirements – Use Unit 23, located 9323 E. 44th St. N.

Presentation:

The applicant was not present.

Comments and Questions:

Mr. White asked about the hose bib distance requirements. Mr. Beach explained that the zoning code requires irrigation with an automatic irrigation system or a semi-automatic system or have a hose bib within 100' of all required landscaped areas. Mr. Beach stated that in this case they want a waiver of landscape requirements or be allowed to have a hose bib within 200' of landscaping.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 19544 to the meeting of April 8, 2003.

N 290.00' of S 310.00' of E/2 W/2 NW/4 NE/4 NE/4 of Section 13, T-20-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma.

There being no further business, the meeting was adjourned at 1:46 p.m.

Date approved: April 8, 2003



Chair