

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 862
Tuesday, April 8, 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**

Boulden, Legal
Parnell, NBH
Inspections

The notice and agenda of said meeting was posted in the City Clerk's office, City Hall, on Wednesday, April 2, 2003, at 3:20 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.

REQUEST TO CONTINUE AND CASES TO WITHDRAW

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 application was complicated and needs more relief. Staff has not determined all of the relief needed and recommends a continuance.

Board Action:

On **MOTION** of **Dunham**, 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 on April 22, 2003 to allow time to advertise for all the relief needed.

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MINUTES

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** the Minutes of March 25, 2003 (No. 861).

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UNFINISHED BUSINESS

Case No. 19531

Action Requested:

Appeal of the decision of the Neighborhood Inspector as to alleged violations; Or in the alternative: a Special Exception to permit a home occupation interior design business. SECTION 402. ACCESSORY USES IN RESIDENTIAL DISTRICTS – Use Unit 6, located 3515 S. Lewis.

Mr. Cooper arrived at 1:05 p.m.

Presentation:

Roy D. Johnsen, 201 W. 5th St., Ste. 500, stated he represented Brenda Phillips, an interior designer, who lives in the home of the subject property with her husband. She conducts the business of Brooke Design in an attached garage. They received a notice from Neighborhood Inspections. They share an access from Lewis that divides into their private driveways with their neighbor, shown in photographs (Exhibit A-1). The garage is two-story and is used for an office and to store samples and other business items. Mr. Johnsen stated they do not have retail merchandise on site for customers to come in and purchase.

Comments and Questions:

Ms. Perkins asked if there is an employee outside of family working at this location. Mr. Johnsen replied there is an employee working there. They are now asking for a Special Exception for a home occupation without employees. They also ask for 90 days to relocate the employee and reduce the space used for the business to 500 square feet. They do not stock merchandise on the property to sell but they do sell out of catalogs. He gave an estimate of one delivery per day, and the office is open four days per week, 9:30 a.m. to 4:30 p.m. He stated that clients are seen by appointment only. Mr. Dunham asked how many customers come to this

location per day. Mr. Johnsen responded that his client stated three customers per week by appointment. Mr. White referred to a letter of protest that mentioned two businesses being operated there. Mr. Johnsen replied he did not know the answer to that. He was aware that Mr. Phillips is a general contractor but he does not know how he conducts his business. Mr. Boulden asked if any craftsmen or laborers work there for her business. Mr. Johnsen responded they do not come to this site to work.

Interested Parties:

John Moody, 1924 S. Utica, Ste. 700, for Mr. and Mrs. Brunton, 3507 S. Lewis, that share the access to Lewis. In the beginning the Bruntons did not object to the business, but that has changed since it appears there are several businesses run out of the home. The businesses are At Home, L.L.C., Brooke Design, and Brooke Construction. There are subcontractors and employees going to the house to pick up their checks and other reasons. He informed the Board that the downstairs of the garage has been used for the storage and sales of furniture, antiques and other items. Customers go to the house, purchase items and take them home. He submitted a document from the County Assessor's Office diagramming the garage and photos (Exhibit A-6), which indicates the square footage is about 1,593 square feet. Mr. Moody indicated that unlike a more typical home occupation close to the street, the deliveries and activities are at the interior of the property where it is considered to be more of an intrusion of the residential living space. He showed pictures (Exhibit A-2) of delivery trucks, and several other business vehicles, customers picking up and loading furniture. Mr. Moody stated he understands that Mrs. Phillips travels to Europe and other places to purchase furniture for her business. He indicated that it is shipped and store in the garage office. He was told that they used to have the office and business in a retail building but shut it down, and began running the business from the home. He submitted a document from the Oklahoma Secretary of State showing the businesses listed (Exhibit A-3). He submitted a picture from Tulsa County records of a home built to sell by their construction business (Exhibit A-4) for the purpose of showing another business is being operated out of this home. He submitted numerous letters and petitions in protest from individuals and two home owners associations (Exhibit A-8). They believe these businesses are not conducive to a residential neighborhood and do not follow the zoning code for home occupation. Mr. Boulden noted he had some pages from the phone book and asked about them. Mr. Moody submitted telephone book pages listing the business listings (Exhibit A-5).

Nancy Apgar, 3914 S. Norfolk, stated she represented Brookside Neighborhood Association. They believe it is wrong to have a showroom and sales office as a home occupation in a residential district. She stated it would set a precedent and change the livability and quality of life of the neighborhood.

Mary Allison, 2246 E. 32nd Pl., stated she purchased a six-foot hall tree, and a lamp from this home. She added that it is a full-blown business there. She has the same type of business and received fifteen or more deliveries per day at her

business. She stated she has almost been hit more than twice going into the Brunton's driveway by UPS.

Applicant's Rebuttal:

Mr. Johnsen stated that the code does make provision for home occupations in residential areas. This one has made no structural alteration; is quiet; has no machinery; and has one to two deliveries per day. It was said there was furniture display and sales, which he refuted, but they would be agreeable to no furniture display and sales on the premises. They would reduce the use of the garage to 500 square feet for business; and have no employees. He stated he had no knowledge or information of how Mr. Phillips operates his business. Mr. Johnsen added that Mrs. Phillips interior design business is the issue before the Board today. Mr. Boulden asked if Mr. Johnsen thought Mr. Phillips' business is not relevant to the case. Mr. Johnsen responded that he is not sure what Mr. Phillips is doing. He also stated that the code is unclear of when it becomes a home occupation and when it is just a home office. Mr. Boulden asked if he had any evidence to refute that sales have taken place at the residence. Mr. Johnsen replied that he only knows his client told him she does not have items for sale there.

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 **DENY** an Appeal of the decision of the Neighborhood Inspector as to alleged violations; Or in the alternative: a Special Exception to permit a home occupation interior design business, on the property described as follows:

Part of Lots 8 and 9, Beg. NE/c Lot 9 thence S 227.00' W 453.50' N 47.00' NE 21.32' SE 91.06' NEly 164.08' NE 91.49' N 95' E 150.00' POB, Block 4, Oakview Estates 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, 1531 S. Yorktown Ave., submitted photographs Exhibit B-1) of the proposed site. There would be no utilities, just storage. She informed the Board that to comply with the code would cost the applicant half the cost of the building itself. The owner also owns the building across the street. None of the surrounding properties have landscaping. He built the original building twenty years ago before the code requirements.

Comments and Questions:

Mr. Cooper asked for the hardship. Ms. Murphy stated the landscaping would appear unusual amidst the other properties without landscaping. Her client's other property has not been required to have landscaping. They planned to keep the existing trees. The property is 165' wide by 290' deep. He is building to the west side of the property near his other building. On the east side of the property is a 100' wide PSO easement, with 65' of road easement.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-2-0 (White, Dunham, Perkins "aye"; Turnbo, Cooper "nay"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to waive all landscape requirements, or if unacceptable, change hose bib distance requirement to 200', finding the surrounding properties do not have landscaping, and the city owns a lot of the surrounding properties on the following described property:

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.

NEW APPLICATIONS

Case No. 19546

Action Requested:

Variance of the required 100' setback from the centerline of Peoria to 80'. SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS – Use Unit 11, located 6645 S. Peoria.

Presentation:

J.J. Azar, 4130 E. 72nd St., submitted a photograph of the lot, and one of the design proposed for the building (Exhibit C-1). He believes the project would improve the area. The hardship is the lot is only 100' deep.

Interested Parties:

Elizabeth Burnson, 1309 E. 66th Pl., stated she is a neighbor, and has owned her home for 17 years. There is only a bar ditch, no curbs and guttering. She expressed concerns regarding parking, trash, ditches, standing water, and heavy traffic on a two-lane street. She asked if there would be any buffer, screening fence and landscaping. Mr. Dunham explained the applicant would have to meet requirements for drainage per storm water management, landscaping and screening codes.

Applicant's Rebuttal:

Mr. Azar informed the Board that the water drainage issue has already been addressed. The plans include a screening fence. The project would be an improvement with landscaping, an attractive building, and the property being kept clean.

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 required 100' setback from the centerline of Peoria to 80', finding the property is only 100' deep; existing right-of-way is 30'; and the property to the north already encroaches closer to Peoria than this property would, on the following described property:

Lot 1, Block 2, Dell Rose Place a Resubdivision, Lots 1-3, Block 2, Lots 1-4, Block 1, Keim Gardens, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19547

Action Requested:

Special Exception to allow Use Unit 13 in an OM zoned district as accessory uses to office use. SECTION 602. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS – Use Unit 13, located 4637 & 4641 N. Cincinnati.

Presentation:

Mr. Beach informed the Board, that the wording of the request is not quite correct. It is actually a principal use in an OM district.

Lucius Crosby, 8843 S. 74th E. Ave., stated he is the general contractor for the project. This is a new business development, with space for new businesses to be trained and developed and then move on with their own business.

Comments and Questions:

Ms. Turnbo asked if the beauty shop and barber shop would be used as training schools or will they be privately owned. Mr. Crosby replied they would be privately owned.

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 **Special Exception** to allow Use Unit 13 in an OM zoned district as accessory uses to office use, 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 19 - 22, Block 10, Fairhill II Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19548

Action Requested:

Special Exception to permit children's nursery Use Unit 5. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5, located 2131 E. 31st Pl. N.

Presentation:

Kevin Coutant, 320 S. Boston, Ste. 500, stated he represented his client for a Special Exception for a children's nursery. He submitted a packet of information and a plot plan (Exhibits D-1 and D-2). The site plan was revised to show a 25' setback from the abutting RS on the east boundary, and a 5' landscaping strip along the road. There will also be a screening fence on the north, east and western boundaries.

Comments and Questions:

Ms. Turnbo asked about the age of the children in the nursery. Mr. Coutant responded they would be infants through fifth grade. The hours/days of operation would be 7:00 a.m. to 7:00 p.m.

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 **Special Exception** to permit children's nursery Use Unit 5, per plan, on the following described property:

Lots 18 - 20, Block 6, Beauty Rest Addition, City of Tulsa, Tulsa County, State of Oklahoma.

On **Amended Motion** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to permit children's nursery Use Unit 5, per plan, with conditions for days/hours of operation Monday through Friday, 7:00 a.m. to 6:00 p.m.; for infants through 5th grade, on the following described property:

Lots 18 - 20, Block 6, Beauty Rest Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19549

Action Requested:

Variance of required rear yard from 25' to 15' to permit an addition to an existing dwelling. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6, located 4221 E. 75th Pl.

Presentation:

Dorian C. Kurin, 6528 E. 101st St., Ste. 397, stated he is an architect and builder, representing the Davidsons, owners of the subject property and the property just to the north of it. They propose to add two and one-half feet onto the back of their house. This would still honor the original fifteen-foot rear yard setback line. About eleven feet of dry rot on the porch would be removed before the new portion is added on. The addition would be piered to solid strata to avoid causing soil pressure on the sewer pipe in the easement. A site plan and arguments for the request were provided (Exhibits E-1 and E-2).

Comments and Questions:

Mr. Beach disputed Mr. Kurin's statements regarding the rear yard setback requirements when the house was originally built and asked for documentation. He added that the current zoning requirements for rear yard setback were put in place in 1970.

Interested Parties:

Louis Davidson, 4221 E. 75th Pl., stated he lives in the house on the subject property. He explained the house is built at an angle on an extremely steep hill. They have considered their other lot to be the back yard or essentially they would not have a back yard.

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 required rear yard from 25' to 15' to permit an addition to an existing dwelling, per plan, with conditions that a tie agreement be completed between Lots 6 and 7; and no additional residence be allowed on Lot 6, finding this is just a two and one-half foot extension of the existing house, and that with the topography and tie agreement it will not be detrimental to the neighborhood, on the following described property:

Southridge Estates 5th Addition Amended, Lot 7, Block 1, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19550

Action Requested:

Variance of the required 95' setback from centerline of 71st Street to 75' in an RS-2 district to permit an addition to the south side of the dwelling. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts, located 6991 S. Oswego Ave.

Presentation:

Stanford Lane, 6991 S. Oswego, stated he owns this property. He asked for a fifteen foot variance rather than a twenty foot variance. He proposes to add a master bedroom suite to the south side of the house. He discovered that his house is over the building line by about one foot. The house is thirty years old and he has lived there since 1990. He explained the existing rear yard utility easements, transformer on electric pole, and on the south side is an easement for a gas main line. He found that the plans he proposed were essentially the only place where he could add onto the house.

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** an **Variance** of the required 95' setback from centerline of 71st Street to 75' in an RS-2 district to permit an addition to the south side of the dwelling, amended to include the addition to the house on the west and east be in line with the existing house and on the south would not encroach on the existing sewer, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan,

Lot 13, Block 4, Windsor Park South, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19551

Action Requested:

Variance of the off-street parking spaces required by Section 1212.D of the Zoning Code for the restaurant use by 10 spaces subject to the site plan approved by the Board for enclosure of the outside dining area. SECTION 1212.D. USE UNIT 12. EATING ESTABLISHMENTS OTHER THAN DRIVE-INS, Off-Street Parking and Loading Requirements – Use Unit 11 & 12, located 3401 – 11 S. Peoria Ave.

Exception to permit a mini-storage in a CS district, with condition for no outside storage, on the following described property:

Beg. 526.00' N SW/c thence E 250.00' N 200.00' W 250.00' S 200.00' POB less W 50.00' thereof, for RD Section 17, T-20-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19553

Action Requested:

Special Exception to permit a children's nursery in an RS-3 district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; and a Variance of special exception use requirements in residential districts of lot size, frontage and setback. SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS, located 634 E. 43rd St. N.

Presentation:

Maurice Williams, 1308 N. Frankfort Ave., stated there will be no physical changes to the house. There will be no signs posted. They propose to pave a circle drive in front of the house for extra parking. They estimate the number of children to be twenty. They will have three employees, the two owners and one other person.

Agravina Williams, 1308 N. Frankfort Ave., stated the hours of operation will be Monday through Friday, 6:30 a.m. to 6:00 p.m. They plan to have 19 – 20 children.

Comments and Questions:

Mr. White questioned how they could get a two-car wide driveway in the front yard. Ms. Williams stated that 90% of the front yard would be used for the driveway. Mr. Beach stated that landscaping would be required as a commercial use and take up a lot of the space. Ms. Perkins asked about the ages of the children. Ms. Williams expects to keep preschool up to about the age of 10 years old. Ms. Perkins asked how they would transport the children before and after school. Ms. Williams replied they would use their commercial fifteen passenger bus. Ms. Perkins asked where it is going to be parked. Ms. Williams stated they have not decided on all the details of their services. She added that they did not have to transport children to and from school, but they would have to have a vehicle for emergency services.

Interested Parties:

There were no interested parties present who wished to speak.

Board discussion ensued.

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 **DENY** a **Special Exception** to permit a children's nursery in an RS-3 district; and a **Variance** of special exception use requirements in residential districts of lot size, frontage and setback, on the following described property:

Lot 41, Block 8, Suburban Acres Second, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19554

Action Requested:

Variance of the total parking spaces required under Sections 1212.D, 1213.D and 1214.D from 98 off-street parking spaces to 84 spaces, located 3330 S. Peoria Ave.

Presentation:

Charles Norman, 2900 Mid-Continent Tower, stated the case is regarding a vacant space in the building used by Delta Café. It is for retail purposes only, not a restaurant or club. There is sufficient parking. He stated that Brookside Merchants Association is in support of the application. A site plan and photos were provided (Exhibits G-1 and G-2).

Interested Parties:

Nancy Apgar, 3914 S. Norfolk, stated the neighborhood association is in support.

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 total parking spaces required under Sections 1212.D, 1213.D and 1214.D from 98 off-street parking spaces to 84 spaces, per plan, with conditions for retail only (U.U. 13 and 14) and would not permit restaurant or club use, finding the hardship to be is the peak hours of the restaurant business and the retail business would be different and there is adequate existing parking to meet the requirements of each, on the following described property:

Lot 8, 9, and 10, Block 2, Pebbles Addition, City of Tulsa, Tulsa County, State of Oklahoma, less and except the E 18.00' of said Lots 9, and 10, and less and except the N 18.00' of said Lot 9.

Case No. 19555

Action Requested:

Special Exception to allow U.S. Cellular to increase its ground space and add outside BTS cabinet. SECTION 1204.C.5. USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES, Use Conditions – Use Unit 4, located E. 81st St. & Harvard.

Presentation:

Kevin C. Coutant, 320 S. Boston, Ste. 500, stated this application is part of the system wide re-engineering of U. S. Cellular. It involves installation of antennas on most of their towers and utility cabinets. This would modify the site plan which was previously approved per plan. The building permit has been issued already but they wanted to go before the Board first and do things right. A site plan and applicant packet was provided (Exhibits H-1 and H-2).

Interested Parties:

Dean Baxter, 8215 S. Gary Ave., asked for a condition for screening fence to be replaced on the west side of the property. Mr. Beach informed Mr. Baxter that the fence has nothing to do with this case. Mr. Beach suggested he call Neighborhood Inspections if he believes the fence no longer meets the screening requirements of the zoning code. A letter of opposition and photos were provided (Exhibits H-3 and H-4).

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 **Special Exception** to allow U.S. Cellular to increase its ground space and add outside BTS cabinet, per plan, 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:

Lot 1, Block 1, Amended Plat of Part of Lot 2, Block 1, Walnut Creek Mall, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19556

Action Requested:

Special Exception to allow U.S. Cellular to add a 12' x 20' Cellxion Equipment Shelter on the west end of its present lease area. SECTION 1204.C.5. USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES, Use Conditions – Use Unit 4, located 1107 S. Florence Pl.

Presentation:

Kevin C. Coutant, 320 S. Boston, stated that U.S. Cellular proposes to replace the existing utility cabinet with a new one, 12' x 20'. It would be the same materials

and style. The antennas need to be added as in Case No. 19555. A site plan and applicant packet was provided (Exhibits I-1 and I-2).

Comments and Questions:

Mr. Beach stated the equipment shelter probably cuts into the required drive aisle space behind the parking spaces on the south side of the parking lot. This would make them non-conforming parking spaces because there has been no variance granted for it. Mr. Coutant responded that to his knowledge the parking is not required for any retail related to it, and not required for compliance by any user.

Interested Parties:

There were no interested parties present who wished to speak.

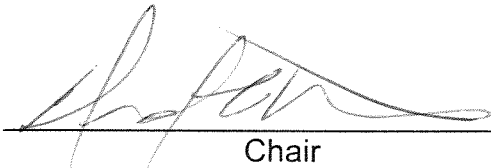
Board Action:

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 **Special Exception** to allow U.S. Cellular to add a 12' x 20' Cellxion Equipment Shelter on the west end of its present lease area, per plan, 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:

Lot 23, Block 1, Pilcher Summit Addition, City of Tulsa, Tulsa County, State of Oklahoma, City of Tulsa, Tulsa County, State of Oklahoma.

There being no further business, the meeting was adjourned at 3:28 p.m.

Date approved: April 22, 2003



Chair