

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1144
Tuesday, July 28, 2015, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Henke, Chair Snyder Tidwell, Secretary Van De Wiele White, Vice Chair		Wilkerson Moye Foster Sparger	Swiney, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, July 23, 2015, at 12:31 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

Ms. Moye read the rules and procedures for the Board of Adjustment Public Hearing.

MINUTES

On **MOTION** of **TIDWELL**, the Board voted 4-0-1 (Henke, Tidwell, VanDeWiele, White "aye"; no "nays"; Snyder "abstaining"; none absent) to **APPROVE** the **Minutes** of the July 14, 2015 Board of Adjustment meeting (No. 1143).

UNFINISHED BUSINESS

21914—Khoury Engineering, Inc. – Malek Khoury

Action Requested:

Variance of the required parking from 75 spaces to 58 spaces (Sections 1211.D, 1212.D, and 1214.D). **LOCATION:** W of the SW/c of East 21st Street South & South Harvard Avenue East (**CD 4**)

Presentation:

The applicant has withdrawn this application.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required; for the following property:

LOTS 1, 2, AND 3, BLOCK 3, BONNIE BRAE AND PART OF LOT 4, BLOCK 3, BONNIE BRAE, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: A TRACT OF LAND THAT IS PART OF THE NORTHWEST CORNER OF SAID LOT 4; THENCE NORTH 88°43'31" EAST ALONG THE NORTHERLY LINE OF SAID LOT 4 FOR 9.06 FEET; THENCE SOUTH 01°26'27" EAST FOR 94.76 FEET; THENCE SOUTH 88°37'05" WEST FOR 9.16 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 4; THENCE NORTH 01°22'55" WEST ALONG SAID WESTERLY LINE FOR 94.78 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21928—Will Wilkens

Action Requested:

Special Exception to allow a duplex use in the RS-4 District (Section 401, Table 1);

Variance of front yard setback from 20 feet to 11 feet (Section 403, Table 3);

Variance of the side yard setback from 15'-0" to 4'-11" (Section 403.A.5); Variance from the stated Bulk and Area requirements in Section 404.C.1, 2 & 4.

LOCATION: 1024 North Denver Avenue West (CD 1)

Presentation:

Staff requests a continuance to August 11, 2015. The applicant needs to obtain approval from the Preservation Commission for the development.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Special Exception** to allow a duplex use in the RS-4 District (Section 401, Table 1); **Variance** of front yard setback from 20 feet to 11 feet (Section 403, Table 3); **Variance** of the side yard setback from 15'-0" to 4'-11" (Section 403.A.5); **Variance** from the stated Bulk and Area requirements in Section 404.C.1, 2 & 4 to the Board of Adjustment meeting on August 11, 2015; for the following property:

LT 1 BLK 7, BURGESS HILL ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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NEW APPLICATIONS

21931—David Dryer

Action Requested:

Special Exception to permit new and used car sales in the CS District (Section 701, Table 1); **Variance** to allow open air storage and display of merchandise within 300 feet of a R District (Section 1217.C.2). **LOCATION:** SE/c of East 11th Street South & South 145th East Avenue **(CD 6)**

Presentation:

Staff is requesting a continuance to August 25, 2015 to allow time for the zoning change to take effect.

Interested Parties:

There were interested parties present but did not disagree with the continuance.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Special Exception** to permit new and used car sales in the CS District (Section 701, Table 1); **Variance** to allow open air storage and display of merchandise within 300 feet of a R District (Section 1217.C.2) to the Board of Adjustment meeting on August 25, 2015; for the following property:

LT 1 BLK 1, TOWER VILLAGE CTR ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

UNFINISHED BUSINESS

21919—Whistler Outdoor Advertising, Inc. – John Allred

Action Requested:

Verification of spacing requirement for a digital outdoor advertising sign 1,200 feet from another digital outdoor advertising sign on the same side of the highway and 1,200 feet from another digital outdoor advertising sign facing the same traveled way (Sections 1221.G.9 and 1221.G.10). **LOCATION:** 3218 South 79th East Avenue (CD 5)

Presentation:

John Allred, 11063-B South Memorial, Tulsa, OK; no presentation was made but the applicant was available for any questions.

Mr. Henke stated the Board was in receipt of the applicant's survey on page 4.8 in the Board's agenda packet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) based upon the facts in this matter as they presently exist, the Board **ACCEPTS** the applicant's verification of spacing between outdoor advertising signs, either digital or conventional billboard, subject to the action of the Board being void should another digital outdoor advertising sign be constructed prior to this sign; for the following property:

PRT LT 3 INTERCHANGE PL & PRT LT 3 BEG 1463.24W & 915.74S NEC SEC TH SE261.9 SW311.23 CRV LF87.54 NW291.93 NE244 NELY101.98 NE54 POB & BEG 1364.39W & 831.72S NEC SEC TH SE261.9 SW130 NW261.9 NE130 POB,INTERCHANGE PLACE, INTERCHANGE CTR, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

17647-A—Mike Dwyer

Action Requested:

Modification to a previously approved site plan to permit the addition of a new wrestling/cheer facility at Bishop Kelley High School. **LOCATION:** 3905 South Hudson Avenue East (CD 5)

Presentation:

Mike Dwyer, 1525 West 36th Place South, Tulsa, OK; stated he is the architect on the Bishop Kelly project. They would like to build an approximatel 10,500 square foot wrestling/cheer facility. Wrestling/cheer is not a new activity on campus, but these activities are doubled up in the gym currently. This will be an adjacent practice facility and it is not to house matches.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Modification to a previously approved site plan to permit the addition of a new wrestling/cheer facility at Bishop Kelley High School, subject to conceptual plan 5.19, 5.20 and 5.21. The Board has found that the request is necessary and reasonably related to ensure the proposed modifications are compatible with and non-injurious to the surrounding area and meets the previously granted Board relief and zoning requirements per the Code; for the following property:

BEG 674.75N & 85E SWC SW SE TH E360 S200 E340 S125 E352.24 SE99.17 TO NWLY R/W SKELLY DR TH NELY ALG R/W TO PT ON EL SW SE N TO PT 463N SL SEC NW50.98 N1502 NW106.01 W447.54 S200 W700 S1215.25 POB SEC 22 19 13 41.17ACS, HARMON FOUNDATION SCIENCE CENTER THE RSB L1B1 MID-AM OFFICE PK AM, MID-AMERICA OFFICE PARK AMD RSB L1-2-3 B1, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21929—Heather Bell

Action Requested:

Special Exception to permit a 6 foot wooden privacy fence in the required front yard in the RS-2 District (Section 210.B.3). **LOCATION:** 2645 East 41st Street South (CD 9)

Mr. White recused at 1:11 P.M.

Presentation:

Heather Bell, 2645 East 41st Street, Tulsa, OK; no presentation was made but the applicant was available for any questions.

Mr. Van De Wiele asked Ms. Bell if she was going to extend the fence. Ms. Bell stated that she was not.

Mr. Van De Wiele asked if the wall that parallels the street is connected to the house. Ms. Bell answered affirmatively and that it is part of the original structure; it forms a court yard. The reason she had the privacy fence erected is because the wall is around the master bedroom sliding door and it is for privacy and security.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-1 (Henke, Snyder, Tidwell, Van De Wiele, "aye"; no "nays"; White "abstaining"; none absent) to **APPROVE** the request for a Special Exception to permit a 6 foot wooden privacy fence in the required front yard in the RS-2 District (Section 210.B.3), subject to "as constructed" on page 6.11. The Board has found that the fence connects to the previously constructed wall which is attached to the principle residence and is needed for privacy and screening. Finding the Special Exception 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; for the following property:

E100 N124.59 S174.59 E/2 W/2 SE SW & E140 N124.54 S299.13 E/2 W/2 SE SW & S10 N124.54 S299.13 W164.07 E304.07 E/2 W/2 SE SW & E10 N10 W100 E200 N124.59 S174.59 E304.07 E/2 W/2 SE SW .7283AC, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. White re-entered the meeting at 1:13 P.M.

21265-A—Gregory Helms

Action Requested:

Special Exception to permit a (Use Unit 5) Child Care Center and Church use in the AG District (Section 301); Variance to permit Recreational Vehicles parked on the

site during construction of the facility to be used for dwelling purposes and to be connected to utilities (Section 302.B.3.b); Variance to permit the RV's to be parked on a non-all-weather surface (Section 222). LOCATION: North of the NE/c of East 51st Street South and South 177th East Avenue (CD 6)

Presentation:

Greg Helms, 424 East Main Street, Jenks, OK; stated this project is for Christ Savior Lutheran Church. In June 2011 this case was brought to the Board for approval for the same three items. Since then the three year period has lapsed for the building permit. Now that the project is ready for the facility to be constructed a reapproval of the items is needed. The primary function would be the child care center and church on the weekends and in the evenings. The multipurpose room would function as the sanctuary during church services. The building is approximately 54 feet from the north property line and that setback is about twice of what the actual building setback is for the property. The playground has been located on the south side away from the neighborhood. The building will be full masonry structure with a shingled roof to blend into the residential character of the area. The outdoor recreational area is for the children's activities. The parking spaces have been moved from where they were located on the previous site plan; they are now more than 50 feet away from the residential district. In March the landscape plan was approved and there will be a buffer along the north fence even though the parking has been relocated. Mr. Helms stated that he has spoke with a couple of concerned neighbors addressing their concern over the driveway location. The north drive has been moved on the request of engineering staff so that it is now directly across from the drive on the west side of 177th East Avenue. The other concern of the neighbors was whether there would be a left turn lane onto 177th East Avenue. A few months ago there was an apartment complex planned for the adjacent property and as part of the apartment project there was a left turn lane proposed on 177th East Avenue. When City Council rejected the rezoning application for the apartment complex his firm went to City staff and they said that based on this proposed project's traffic there would be no need for a turn lane. The Lutheran Church has a group, Laborers for Christ, that travels around the country and works on projects as their mission for the denomination. It is proposed that this group would be working on the subject project so there would be up to nine recreation vehicles parked on the site for approximately a year during construction, but this is on a temporary basis while hooked up to utilities. Since this is a construction site there will not be any pavement on the site until after the RVs are gone, and once they are gone the graveled area would be sodded and turned into a parking lot.

Mr. Van De Wiele asked Mr. Helms if the proposed RV parking is because of where the utilities are located. Mr. Helms stated it is because of the stormwater detention area taking up almost the entire back of the property. The stormwater detention is one of the first installations that must be put in, so the RVs could not be placed in that area.

Mr. Henke asked Mr. Helms how many RVs there would be on the site. Mr. Helms stated that the last time the group set up there were up to nine. Mr. Henke asked Mr. Helms how long the project was expected to last. Mr. Helms stated that it would be up

to a year, which is the typical construction duration. Mr. Helms stated the RVs would actually be off the site before the construction is complete.

Mr. Van De Wiele asked Mr. Helms if that would be a year from today. Mr. Helms stated that it would be a year from when the building permit is received.

Mr. Tidwell asked Mr. Helms how many people would be occupying the nine RVs. Mr. Helms deferred to Mr. Duenseng.

Interested Parties:

Marvin Duenseng, 56 East Timberlake Drive, Cleveland, OK; stated he has been a laborer for Christ since 2002 and has been on eight projects all around the country. There will be two people, man and wife, in each RV. There is usually no children because the couples are retired. There will no pets on the project. The group is interested in erecting the building according to the plans until the construction part is complete. The group can be on the project site from three months to a year depending on the size of the building.

Mr. Henke asked if this was consistent in relation to other projects the group has worked on. Mr. Duenseng stated that he has worked on projects that ranged from 14,000 square feet in size to the smallest of 2,500 square feet.

Tammy Fairchild, 17403 East 49th Street, Tulsa, OK; stated her house is in the The Boulevard which is directly across the street from the proposed development. Ms. Fairchild does not want to speak against the daycare facility but does oppose the Variance allowing the RVs on the property. Ms. Fairchild presented photos taken from her driveway and discussed the relationship of the exit driveway of the proposed project. The Boulevard will have 23 houses located in it with about half of those completed. There are three finished houses that are for sale and two houses under construction. She has concerns about this because these houses will list from \$450,000 and upward, and if there are RVs parked outside the gates to the addition this will hinder the sale of the property. Ms. Fairchild stated that when the proposed project was originally brought before the Board the addition The Boulevard was not even started. When this was originally approved through today there has been considerable change. There has been her development, a large development to the east and another development to the northeast that has been completed during this process. This is no longer a rural type area. The houses on the north will have a buffer because they have a privacy fence in place, but as she drives out of her neighborhood the RVs will be fully exposed to anyone entering or leaving the neighborhood. She would also like to have the consideration of the playground being moved to the rear of the building because when this project was originally approved there were not all the houses that are there today. Ms. Fairchild stated that according to the church's webpage it states they are starting a new church called Ablaze, and that church is currently meeting about 45th and County Line Road which is only 1.3 miles from the subject site. Ms. Fairchild stated that this would possibly be an option for the RV parking since the church is already meeting at the 45th and County Line Road location. The residents in The

Boulevard and the other houses around have a great deal invested in their property and have a concern about RVs being parked on the subject site for almost a year.

Mr. Henke asked Ms. Fairchild when she moved into her house. Ms. Fairchild stated she moved into her house a year ago in December. Mr. Henke asked Ms. Fairchild if she was aware of the church owning the subject property and their intention to develop it. Ms. Fairchild stated she was aware that the church owned the property, but she was not aware that it was going to be a child care facility. Mr. Henke asked Ms. Fairchild if she knew about the previous approval this Board has granted in 2011. Ms. Fairchild stated that she did not know that until the apartments were proposed.

Ms. Fairchild stated that the other serious concern is the traffic because Lynn Lane is currently a narrow two lane road, and for an hour in the morning, 7:00 A.M. to 8:00 A.M., the only way she can get out of her neighborhood is if someone stops to let her out and that is to turn right. The closest fire station is located at 31st and Garnett so the average time to respond is approximately 12 minutes with no problems. The Broken Arrow fire station is only a half mile away, and there is an agreement between the two cities that if they are not busy they will respond, and when they respond they arrive within two minutes. There are children in the daycare so emergency services is a concern. Ms. Fairchild stated that the two major concerns are the traffic and the RVs parked on the subject property deterring the sale of houses.

Mr. Henke asked Ms. Fairchild if her concern about the RVs was for the aesthetics. Ms. Fairchild answered affirmatively. Mr. Henke stated that typically construction projects have at least one trailer on the site. Ms. Fairchild stated that currently there is an assisted living facility being constructed in the area and there is a job trailer parked on that construction site but it is not nine RVs and people living on the site full time.

Mr. Van De Wiele asked Ms. Fairchild if it would be more palatable if the RVs were screened or parked farther away. Ms. Fairchild stated that it is just the idea that they will still be seen as a person is driving north on Lynn Lane. There is nothing there to block the view of the RVs even if they were parked farther away.

Tom Kelley, 17520 East 49th Street, Tulsa, OK; stated he lives in The Boulevard neighborhood and has lived there for a year. He did not know about the church or the apartments. He is not opposed to the church or the day care facility. The issue, in addition to the RVs, is the lack of infrastructure. Traffic is a concern and is heavy during the school year and lessens in the summer. The daycare will have a rush hour that will be a deterrent. He heard at the apartment meeting that there are no plans to do anything with the infrastructure because of the location. Mr. Kelley believes that without a left turn lane this will be a disaster because people will not be able to turn left during the rush and in the school year. He would like to think there is someone responsible to make sure the infrastructure is in place before buildings are allowed to be erected.

Nancy Lyons, 21360 East 44th Street, Broken Arrow, OK; stated she has lived in the community for 20 years and in her house for 15 years. She is part of the Ablaze Church

that started eight years ago. The picture of the church sign that was shown is in the parking lot of the County Line Baptist Church. Ablaze Church uses their facility on Saturday evenings and have for several years. There is a large area next to County Line Baptist Church that has horses and cattle on it, the other side of the church has housing and the church parking lot is not very large. Ms. Lyons stated that she does not think that moving the RVs to where Ablaze Church sign is located would be a possibility. Ablaze Church and the Ablaze Christian Academy have been in the community for eight years. Ms. Lyons stated that she was a high school teacher and close by is the high school which has 3,000 students on campus every day. At least 2,000 of the students drive. It does not matter whether it is Lynn Lane or County Line Road or 51st or 61st or 71st, they all become congested just before 8:00 A.M. The parents of children will drop their children off in the morning but they will be coming back in later in the day, not when school is letting out for the day. There are two Christian daycare centers in the area; the Emmanuel Luthern Church and Rhema. Emmanuel Luthern Church has a 20 page waiting list and this daycare will be serving a need of the area for parents who want a Christian education for their children. All of the housing that has been built in the area are young people with children. There is no daycare north of 71st Street currently so there is a need for more daycare on the north side so it is a good area to locate in.

Mr. Van De Wiele asked Ms. Lyons how critical is it that the laborers are involved in the project. Ms. Lyons stated it is a major labor cost savings because they charge a very minimal fee compared to a local construction company. Mr. Van De Wiele asked Ms. Lyons if the laborers were not allowed to stay on the site in their RVs would they not come to build the project. Mr. Duensing stood up and said that it is correct, the laborers would not come to the project site.

Rebuttal:

Greg Helms came forward and stated that all the utilities are existing on the north property line and that is a result of the apartments that are no longer going in.

Mr. Van De Wiele asked Mr. Helms if the RVs could be placed more to the east side, closer to the stormwater detention area. Mr. Helms stated that he thought it could be a possibility as long as everything stayed west of the easement.

Mr. Helms stated that church would be open to installing some chainlink panels or something for about 100 feet to screen the RVs.

Mr. White asked of the stormwater detention area was an easement of record. Mr. Helms stated that it will be after the August 19th Planning Commission meeting.

Mr. Van De Wiele asked if that was an actual easement area or if an actual detention pond was going to be dug. Mr. Helms stated that the land is very flat so in order to disperse the water it will be slightly dug out and made wide. The detention area extends all the way to utility easement and is approximately 17 feet from the fence. One of the first things that must be constructed is the detention area so as the property is improved there is no increase in the stormwater.

Mr. Van De Wiele asked Mr. Helms if the project would be going to permitting relatively soon. Mr. Helms stated that the permit has been applied for; that is how he found out that he needed to come before the Board of Adjustment. Mr. Van De Wiele asked Mr. Helms how soon construction would be started. Mr. Helms stated it should start this fall.

Mr. White asked Mr. Helms if the RVs were motorhomes or travel trailers. Mr. Helms stated that it is a mixture of fifth wheels and motorhomes. Mr. White stated that the fifth wheels would have a tow vehicle and those would also be parked on the site. Mr. Helms agreed and stated that the RV would also have a car being pulled. Mr. White asked Mr. Helms what the length of the vehicles would be. Mr. Helms deferred to Mr. Duenseng. Mr. Duenseng stated the RVs that are involved in the project range from 26 feet to 36 feet in length, the fifth wheels will range from 32 feet to 56 feet including the tow vehicle and the travel trailers also vary in length. Mr. Duenseng stated that he drives a 1-TON Ford diesel pickup that pulls a RV for a length of 56 feet, but the RV is only 32 feet in length.

Ms. Fairchild asked if the group had encountered this type incident before, not being allowed or able to park on the construction site. Mr. Duenseng shook his head no.

Mr. White asked Mr. Helms if he had met with the neighbors as a group or as a neighborhood to the north and the west. Mr. Helms stated that he had not. Mr. Helms stated that the trailers will not be on site until they are ready to start framing the building. There will be a couple of months of construction that occurs before the trailers appear.

Mr. Van De Wiele asked what the length would be for the travel trailers and vehicles to be parked on the site. Mr. Helms stated that it would be almost to the north drive.

Comments and Questions:

Mr. White stated that he would like to see a meeting happen with the neighborhood, rather than this Board present a solution, because they are not that far apart. The residents to the east are only one mile from the County line and that road is not going to be developed in the near future.

Mr. Henke stated that he is having a problem in overturning the Board's decision that was issued in 2011. There are new home owners in the area who have come to what they would consider a newly created problem that had the requisite approval, and now Mr. Helms is back before the Board indicating that the time limitation has expired. The church is agreeable with the screening and they are now ready to get started on the project. If the houses had been in existence and the home owners had been there and then the church was wanting to develop the property it would have been a different scenario.

Mr. Van De Wiele stated that he agrees with Mr. Henke. If the proposed gravel RV temporary parking could be slid further east, even though it can be seen from 51st Street or 177th East Avenue, but as the building is constructed that will provide a natural

screening. This is a project that the Board considered in 2011 and he can sympathize with the neighbors to the west but it is a temporary situation. Mr. Van De Wiele stated that he does not think this is different than other construction sites, whether it is a construction office or a RV that someone is spending the night in.

Mr. Tidwell stated that the residents from The Boulevard, when they exit the neighborhood will initially see what looks like a travel trailer parking lot or a sales lot. After a couple of months people will realize it for what it is, and he thinks it needs to be moved back further with a barrier of some sort.

Ms. Snyder stated she thinks the project definitely needs screening out of respect. She can understand that the residents think it will do to the value of their property, but it is temporary. During construction a site is a mess anyway and there are trailers at sites. She feels that the easy fix would be screening and a time limit. She is in favor of the project.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to **CONTINUE** the request for a **Special Exception** to permit a (Use Unit 5) Child Care Center and Church use in the AG District (Section 301); **Variance** to permit Recreational Vehicles parked on the site during construction of the facility to be used for dwelling purposes and to be connected to utilities (Section 302.B.3.b); **Variance** to permit the RV's to be parked on a non-all-weather surface (Section 222) to the August 11, 2015 Board of Adjustment meeting; for the following property:

COMM 1976.15SW & 660N & 660SW & 275.44N SECR SW TO POB TH N275 NE635.05 S275 SW635.06 POB LESS W50 THEREOF SEC 25 19 14 3.694ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21932—Steve Hahn

Action Requested:

Variance to allow an electronic message center within 200 feet of an R District (Section 1221.C.2.c). **LOCATION:** 902 South Sheridan Road East **(CD 5)**

Presentation:

Steve Hahn, 8323 East 12th Street, Tulsa, OK; no presentation was made but the applicant was available for any questions from the Board.

Ms. Snyder asked Mr. Hahn to state his hardship. Mr. Hahn stated that he has asked the landlord if the sign could be moved and they told him the sign has been in there since it was Lee's Chicken House, and the landlord has owned the property since 1935.

Mr. Henke asked Mr. Hahn if he is saying he asked to have the sign moved outside the 200 foot radius of the residential district. Mr. Hahn answered affirmatively.

Mr. Hahn stated that he is not prepared to make a presentation in this case because he thought Crown Neon Signs was going to be attending and make the presentation.

Mr. White stated that he has no problem with the sign itself because it has been in existence for many years, but the Board needs a hardship for the requested digital portion of the sign. Mr. Hahn stated there is a restaurant located at 4th and Sheridan and they have a digital board, and they actually back up to a housing addition.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Variance** to allow an electronic message center within 200 feet of a R District (Section 1221.C.2.c) to the August 11, 2015 Board of Adjustment meeting; for the following property:

**PRT BLK 60 BEG NEC TH SW153.20 S150 E150 N178.07 POB .56AC,
GLENHAVEN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

OTHER BUSINESS

None.

NEW BUSINESS

None.

BOARD MEMBER COMMENTS

None.

There being no further business, the meeting adjourned at 2:11 p.m.

Date approved: _____

8/11/15

Frank X. Hill, Jr.

Chair