

**BOARD OF ADJUSTMENT**  
**MINUTES** of Meeting No. 1170  
Tuesday, September 27, 2016, 1:00 p.m.  
Tulsa City Council Chambers  
One Technology Center  
175 East 2<sup>nd</sup> Street

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
White, Vice Chair Back Bond	Van De Wiele, Chair Flanagan, Secretary	Miller Moye Sparger Foster	Swiney, Legal

The notice and agenda of said meeting were posted in the City Clerk’s office, City Hall, on Wednesday, September 22, 2016, at 10:38 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

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

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Mr. White explained to the applicants and interested parties that there were only three board members presently at this meeting, and if an applicant or an interested party would like to postpone his or her hearing until the next meeting he or she could do so. If the applicant wanted to proceed with the hearing today it would be necessary for him to receive an affirmative vote from all three board members to constitute a majority and if one board member voted no today the application would be denied. Mr. White asked the applicants and the interested parties if they understood. The audience nodded their understanding. Mr. White informed the audience that he would read the case number as listed on the agenda and at that time the applicant or any interested parties may request a continuance or ask to have their case heard today.

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**MINUTES**

On **MOTION** of **BOND**, the Board voted 3-0-0 (Back, Bond, White "aye"; no "nays"; no "abstentions"; Flanagan, Van De Wiele absent) to **APPROVE** the **Minutes** of the September 13, 2016 Board of Adjustment meeting (No. 1169).

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**UNFINISHED BUSINESS**

**22129—Patrick M. Fox**

**Action Requested:**

Special Exception to allow a medical office in the RM-2 District (Section 5.020, Table 5-2); Variance to reduce the required building setback from the abutting R zoned lots occupied by a residence (Section 5.030-B). **LOCATION:** 1715 South Peoria Avenue East **(CD 4)**

**Presentation:**

The applicant has requested a continuance to October 11, 2016 to allow additional time receive approval from the Preservation Commission.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White "aye"; no "nays"; no "abstentions"; Flanagan, Van De Wiele absent) to **CONTINUE** the request for a Special Exception to allow a medical office in the RM-2 District (Section 5.020, Table 5-2); Variance to reduce the required building setback from the abutting R zoned lots occupied by a residence (Section 5.030-B) to the October 11, 2016 Board of Adjustment meeting; for the following property:

**LT 14 BLK 24 & 10' VAC ALLEY; LT 13 BLK 24 & 10' VAC ALLEY, ORCUTT ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

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**NEW APPLICATIONS**

**22133—Wallace Engineering – Jim Beach**

**Action Requested:**

Variance of the required off-street parking spaces for retail sales in the CS District from 70 to 48 (Section 55.020). **LOCATION:** 2432 East 51<sup>st</sup> Street South **(CD 9)**

**Presentation:**

Mr. White informed the audience that this case will be continued because Ms. Back must recuse herself in this case taking the Board down to acting members today which breaks quorum.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

By **EXECUTIVE ORDER** the request for a Variance of the required off-street parking spaces for retail sales in the CS District from 70 to 48 (Section 55.020) will be **CONTINUED** to the October 11, 2016 Board of Adjustment meeting; for the following property:

**N/2 W/2 E/2 NW NW NW SEC 32 19 13, City of Tulsa, Tulsa County, State of Oklahoma**

**22134—Andres Meza**

**Action Requested:**

Special Exception to permit used car sales in the CS District (Section 15.020); Variance to allow outdoor storage and display of merchandise within 300 feet of an abutting R District (Section 15.040). **LOCATION:** 2203 North Lewis Avenue East **(CD 3)**

**Presentation:**

**Andres Meza**, 7330 East 24<sup>th</sup> Street, Tulsa, OK; stated that he would like a continuance to October 11, 2016.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **CONTINUE** the request for a **Special Exception** to permit used car sales in the CS District (Section 15.020); **Variance** to allow outdoor storage and display of merchandise within 300 feet of an abutting R District (Section 15.040) to the October 11, 2016 Board of Adjustment meeting; for the following property:

**LTS 148 & 149 LESS W5 THEREOF BLK 13, TULSA HGTS, City of Tulsa, Tulsa County, State of Oklahoma**

**22135—Stephen Schuller**

**Action Requested:**

**Special Exception** to permit a fence height greater than 8 feet in the required rear yard setback (Section 45.080). **LOCATION:** 5715 East 105<sup>th</sup> Street South (**CD 8**)

**Presentation:**

**Stephen Schuller**, 1100 OneOk Plaza, 100 West 5<sup>th</sup> Street, Tulsa, OK; stated that he would like a continuance to the October 25, 2016 Board of Adjustment meeting.

Mr. White asked Mr. Schuller his reason for the request after a group in the audience stood in objection to the requested continuance.

Mr. Schuller stated that it is his understanding that under the rules of the Board it is customary to pass and grant a continuance when there are only three members present for a hearing. Mr. Schuller asked the Board to conform to that and continue the case to October 25, 2016.

**Interested Parties:**

**Cynthia Rothenbucher**, 10509 South Joplin Avenue, Tulsa, OK; stated that she objects to a continuance on behalf of herself and the entire group in attendance today in regards to this case. Ms. Rothenbucher stated there have been several letters written to the Board complaining about the subject issue. Ms. Rothenbucher stated that it may be that several people in the group may not be able to attend the next meeting because of prior commitments and several have come to the meeting today and want the issue to be heard.

Mr. White asked Mr. Swiney if the Board could hear what the interested parties had to say today in regards to this case, that way it would be on the record and would become a part of the case file to be reviewed in a month. Mr. Swiney answered affirmatively.

Mr. White informed the interested parties that the Board would not be hearing the case today but could hear their comments in opposition to the request and the comments would become a part of the record for when the case does come back before the Board

for the formal hearing. Mr. Schuller stated that he had no objection to this as long as there were no decisions made today. Mr. White confirmed that there would be no decision made today on this case but the comments would be on the record for future use in the decision to be made on October 25<sup>th</sup>. Ms. Rothenbacher stated that the group would rather not issue any comments as a group because that would give the applicant time to try to work around the comments. Ms. Rothenbacher stated the group will withhold their comments and as many as possible will return to the next meeting regarding this case.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **CONTINUE** the request for a **Special Exception** to permit a fence height greater than 8 feet in the required rear yard setback (Section 45.080) to the October 25, 2016 Board of Adjustment meeting; for the following property:

**LT 7 BLK 4,FOREST PARK SOUTH III, City of Tulsa, Tulsa County, State of Oklahoma**

**22139—Lemuel Adams**

**Action Requested:**

Variance of the permitted display surface area for wall signs in the CS District from 225 square feet to 519.22 square feet (Section 60.080). **LOCATION:** 1116 South Garnett Road East – **Tenant Space:** 1140 South Garnett Road East (**CD 5**)

**Presentation:**

**Lemuel Adams**, 3920 Chandler Road, Muskogee, OK; stated that he like to have a continuance for this case.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **CONTINUE** the request for a **Variance** of the permitted display surface area for wall signs in the CS District from 225 square feet to 519.22 square feet (Section 60.080) to the October 25, 2016 Board of

Adjustment meeting for re-notice purposes per Staff recommendation; for the following property:

**BEG 231.25W & 75S NEC NE TH W34 N10 W385.05 S225 CRV LF 67.55 SE370 CRV LF 77.58 SE202.04 TO NWLY R/W I-44 TH NE ALG R/W 378.65 TO PT 80W EL NE TH N150 W50 NW240.13 ELY59.99 NW193.58 POB SEC 7 19 14 7.411ACS, City of Tulsa, Tulsa County, State of Oklahoma**

**22131—KKT Architects – Nicole Watts**

**Action Requested:**

Special Exception to allow a dynamic display sign in the R District for Union Cedar Ridge Elementary (Section 60.050). **LOCATION:** 9817 South Mingo Road East (CD 7)

**Presentation:**

**Nicole Watts**, KKT Architects, 2200 South Utica Place, Tulsa, OK; stated this sign is for the Union Public Schools. They would like to have a dynamic display sign to replace an existing sign that faces Mingo Road. The proposed sign is approximately the same sign as the existing sign. The new sign would have a rock veneer on the bottom to have it a more residential feel and to blend in with the surrounding neighborhood. The sign will be used for notes to the parents and not any of the crazy things seen on signs occasionally. Ms. Watts stated that she had received a telephone call from the representative of the neighborhood association across the street from the school and she sent her the information and that person was very pleased with what she saw and did not see any issues with the proposed sign.

Ms. Back asked Ms. Watts about the height of the rock base for the proposed sign. Ms. Watts stated the rock back will be 3'-6" to the bottom of the sign.

Mr. White asked Ms. Watts if the rock base would be blocking the view of the traffic. Ms. Watts stated the sign is set back from the sight triangles and believes that the sign will not impact the sight triangle.

**Interested Parties:**

**Ben Reynolds**, 9711 East 99<sup>th</sup> Street, Tulsa, OK; stated he is the President for the HOA of Millicent Crossing which is the neighborhood that could see the display. Mr. Reynolds stated that with the dynamics presented he sees no issues.

**Comments and Questions:**

Ms. Back stated that the only challenge she has is the height, from the ground level up to the base of the dynamic display sign. She believes there is a safety issue because there have been issues in the past with little fingers going into signs. Ms. Back stated that in the future she would like to see signs a little higher.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **APPROVE** the request for a **Special Exception** to allow a dynamic display sign in the R District for Union Cedar Ridge Elementary (Section 60.050), subject to per plan 3.8, 3.9 and the plan submitted today that is tagged as 3.11. The hours of operation for the sign will be 7:00 A.M. to 9:00 P.M.; for the following property:

**LT 1 BLK 1, UNION ELEMENTARY NO 10 ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22132—Lemuel Adams**

**Action Requested:**

**Variance** of the allowable number of ground signs in the CS District from 3 to 5 (Section 60.080-C). **LOCATION:** 11330 & 11322 East 21<sup>st</sup> Street South (**CD 6**)

**Presentation:**

**Lemuel Adams**, 3920 South Chandler Road, Muskogee, OK; stated the client has several existing poles on his site on which sign faces have been blown out of them from storm damage over the years and he would like to replace the signs and add dynamic displays to them. When the permit was submitted it was realized that there are too many signs on the property. The client would like to utilize the existing poles and replace the damaged signs with new signs.

Ms. Back asked staff if the dynamic displays the client is requesting are allowed by right. Mr. Foster answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **APPROVE** the request for a **Variance** of the allowable number of ground signs in the CS District from 3 to 5 (Section 60.080-C), subject to conceptual plans 4.10, 4.11, 4.12, 4.13, 4.14 and 4.15. The hardship is that the signs are existing and the client is not installing any new poles for the dynamic display signs. The Board determines that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for

the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

e. That the variance to be granted is the minimum variance that will afford relief;

f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

**PRT LT 2 BEG NEC LT 2 TH W429.01 S200 W200 S137.24 SE341.23 N73.8 E206.07 N47.56 NE124.83 N191.78 POB LESS BEG SWC LT 1 TH S137.24 SE10.18 N139.14 W10 POB FOR ST BLK 1, RICHARD HENRY ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22136—Robert Guess**

**Action Requested:**

Special Exception to permit a daycare in the OL District (Section 15.020, Table 15-2). **LOCATION:** 2819 North Lewis Avenue East (CD 1)

**Presentation:**

**Robert Guess**, 416 East Latimer Place, Tulsa, OK; stated the existing building on North Lewis used to be a chiropractic office and has been vacant for quite awhile and near several residential areas. Within a mile of subject location there are three two star day care centers but there are no three star day care centers. He is proposing to turn the existing building a three star nationally accredited learning center to help facilitate child care in the neighborhood.

Mr. White asked Mr. Guess if there would be fences installed for the proposed facility. Mr. Guess answered affirmatively. Mr. Guess stated there is an existing rock wall in the front of the building and the playground will be fenced in making it completely separate from the public access.

Mr. White asked Mr. Guess how many children there would be attending the center. Mr. Guess stated that the capacity is approximately 32 children. The age range will be infants up to age three or four.



Ms. Back asked Mr. Guess if the license would allow that many children. Mr. Guess answered affirmatively.

Mr. Swiney asked Mr. Guess what the difference is between a three star and a two star center. Mr. Guess deferred to Ms. Latia Washington.

**Latia Washington**, 216 East 125<sup>th</sup> Place, Jenks, OK; stated there are nationally accredited two star and three star facilities. The difference between a three star and a two star facility is based on how many teachers have a degree, it is the curriculum, and it is how many resources there are for the children. The three star national accreditation programs are called NAEYC and that is what goes beyond the two star rating. If the curriculum is top notch and if the teachers are top in their field that is the difference.

Mr. Swiney asked if there was an inspection or an approval that had to be received. Ms. Washington stated that for a three star rating DHS will come to the facility and perform an inspection and for national accreditation there is an application. Once the application is received the staff would inspect the curriculum and everything that involves the children.

Mr. White asked if the inspections were periodic. Ms. Washington stated that the accreditation is given for three years and then for five years. During that time span the curriculum must be turned in along with all the other necessary paperwork that is required.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **APPROVE** the request for a **Special Exception** to permit a daycare in the OL District (Section 15.020, Table 15-2), subject to conceptual plan 8.13. Finding that 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:

**LTS 10 & 11 BLK 4, THE BEN C FRANKLIN ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

## 22138—Chad Khoury

### Action Requested:

Verification of the 300 foot spacing requirement for a bar from public parks, schools, and religious assemblies and 50 feet from an R-zoned lot; Variance to allow a bar within 300 feet of a public park (Section 40.050-A). LOCATION: 321 East Mathew Brady Street North (CD 4)

### Presentation:

**Chad Khoury**, 11805 Dalton Drive, Oklahoma City, OK; stated he worked with the Ross Group extensively to create a concept that would be in the spirit of the Brady Arts District. There were many discussions on how to make the project a jazz lounge and make the project very art centered. There will choreography, modern dance, music, theatre cabaret and all sorts of fun things. The John Hope Franklin Memorial Park is within 300 feet of the subject site and the project is excited to be in the vicinity of the park because it is felt that Brady is a very diverse area. The memorial is also a public park and it is well secured with a fence. The memorial park's hours of operation is that they close at 8:00 P.M. and the proposed project would have hours of operation starting at approximately 7:30 P.M. The patrons of the bar would be parking near the baseball stadium and in the front of the subject building. The owners do not anticipate any loitering from anyone. The owners believe the park is so secure that the lounge would not pose any real concerns.

Mr. White asked staff about the language in the Spacing Verification and the Variance. The Variance covers something that is forbidden and the Spacing Verification is another language; can the standard language be used in this request. Mr. Swiney stated that if the Variance request fails then the bar cannot go forward and therefore the Verification would be moot. Mr. Swiney suggested the Board decide on the Variance request first and if the Variance were passed then the Verification would be ruled upon and accepted.

Ms. Miller stated that it was the intent on the agenda that the phrase "public parks" be taken off the Verification request because of the Variance. If the Variance is approved the Board is only verifying that the proposed bar is 300 feet from either schools or religious assemblies.

Mr. Bond asked Mr. Khoury what would be seen from the proposed bar when looking south. Mr. Khoury stated that a person looking south would only see what is currently in place. There will not be any outdoor patios or fences planned for the rear portion. There will only be what currently exists. The building is approximately 100 feet deep and is about 200 feet from the property line and Reconciliation Park, but from the front where the patrons will access the subject building it is almost 300 feet from the park.

Mr. White asked Mr. Swiney for guidance on the hardship. Mr. Swiney stated that in looking at the request, as Ms. Back mentioned, this whole area is full of entertainment venues, there is a lot of artistic activity and there is a lot of evening activity. Trying to

get another entertainment venue into the area becomes difficult and that is the practical difficulty that is mentioned in the Code. Mr. Swiney stated that as he was reviewing the case he tried to imagine what the rationale is for such a law that says a bar has to be 300 feet from a public park. It can be imagined what the Code is trying to avoid. The Code does not want a family playing in a park to be exposed to what is essentially an adult activity. Mr. Khoury has correctly pointed out that the park closes at 8:00 P.M. which the approximate time the bar opens therefore, that evil that the Code is trying to avoid has been avoided. Mr. Swiney stated the Board could make out a case of practical difficulty as per the Code based on the physical surroundings of the neighborhood if the Board so chooses.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **APPROVE** the request for a Variance to allow a bar within 300 feet of a public park (Section 40.050-A). Section 70.130-H of the Code states that no variance may be approved unless the Board determines that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- e. That the variance to be granted is the minimum variance that will afford relief;
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

**PRT LT 1 BEG SECR LT 1 TH SW85 NW50 NE84.91 SE50 POB & PRT LT 2 & PRT VAC ALLEY BEG NEC LT 2 TH SE100 SW150 NW95 NE64.99 NW5 NE85 POB & LT 3 & E10 VAC ALLEY ADJ ON W BLK 25, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma**

On **MOTION** of **BACK**, I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of the 300 foot spacing requirement from schools and religious assemblies and 50 feet from an R zoned lot; for the following property:

**PRT LT 1 BEG SECR LT 1 TH SW85 NW50 NE84.91 SE50 POB & PRT LT 2 & PRT VAC ALLEY BEG NEC LT 2 TH SE100 SW150 NW95 NE64.99 NW5 NE85 POB & LT 3 & E10 VAC ALLEY ADJ ON W BLK 25, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma**

**22140—Lemuel Adams**

**Action Requested:**

Variance to allow a dynamic display sign within 200 feet of the R District (Section 60.100-F); Variance to permit a dynamic display within 50 feet of a driving surface of a signalized intersection (Section 60.100-D). **LOCATION:** 2415 East Admiral Place North (CD 3)

**Presentation:**

**Lemuel Adams**, 3920 South Chandler Road, Muskogee, OK; stated the client has an existing structure and he would like to add a dynamic display to the structure. The display will be equipped with a brightness sensor so that it will automatically brighten or dim based on the light outside. The sign will be scheduled to turn off after the store closes at 9:00 P.M. and the sign will turn back on at 7:00 A.M.

Mr. White asked Mr. Adams to state the hardship in the case. Mr. Adams stated the hardship is the existing sign is too close to the intersection and the residential district. To move the sign back into the parking lot would place the sign where the cars drive or park.

Mr. White asked Mr. Adams if there were any other restrictions on moving the sign back, other than moving into the drive area. Mr. Adams stated that would be the only restriction; his client does not want to move the sign into the drive or parking area.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Ms. Back stated that she has safety concerns with this sign because it is so close to the intersection. The dynamic display sign colors would be close to the signal light of the intersection which draws attention away from the intersection. She knows that the Board in the past has not allowed such a sign at the intersection of 91<sup>st</sup> and Yale and at 71<sup>st</sup> and Memorial because they were too close to a signalized intersection. Ms. Back

believes the applicant could move the sign back because they do have the room to move it back; it is not like it is held back by the topography of the site though they would lose parking spaces.

Mr. White stated that he too has concerns with the sign being too close to the driving surface. The two cases that Ms. Back referred to were denied by the Board because of the signalized intersection and the brightness of the lights. Mr. White stated that because of the lights elevating the sign would be of no value so the sign would need to be moved to the north and east.

Mr. Bond agreed with Mr. White and Ms. Back.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **DENY** the request for a Variance to allow a dynamic display sign within 200 feet of the R District (Section 60.100-F); Variance to permit a dynamic display within 50 feet of a driving surface of a signalized intersection (Section 60.100-D). The denial is based on safety issues and the need for an expressed hardship; for the following property:

**ALL LTS 1 THRU 11 & PRT LTS 12 THRU 14 & ALL LTS 15 THRU 24 BEG NEC LT 1 TH S595 NWLY272.46 NW14.19 N540 E279 POB BLK 1, SCHLUMP ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

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**OTHER BUSINESS**

**Review** of the 2017 proposed meeting dates for the Board of Adjustment.

Ms. Miller reminded the Board that last year when they reviewed the proposed 2016 dates, they decided that in November and December there would only be one meeting each of those months because of the holidays. So far it has not been decided how that will work but that is how it was decided to proceed, and if there is an issue it will be communicated to the Board.

Mr. White asked Ms. Miller if that notification would be as the situation develops. Ms. Miller answered affirmatively. Ms. Miller stated that Board could do something similar for the proposed 2017 calendar by only have the November 7<sup>th</sup> and December 12<sup>th</sup> meeting.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Bond, White “aye”; no “nays”; no “abstentions”; Flanagan, Van De Wiele absent) to **ACCEPT** the proposed meeting dates

for 2017 for the City Board of Adjustment as presented in the agenda packet with the removal of November 21, 2017 and December 26, 2017.

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**NEW BUSINESS**

None.

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**BOARD MEMBER COMMENTS**

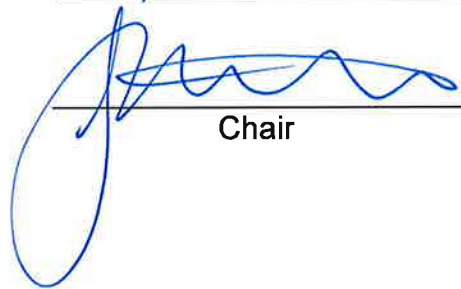
None.

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There being no further business, the meeting adjourned at 2:00 p.m.

Date approved: \_\_\_\_\_

10/11/16



\_\_\_\_\_  
Chair