

**BOARD OF ADJUSTMENT**  
**MINUTES** of Meeting No. 1187  
Tuesday, July 11, 2017, 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 Flanagan, Secretary Back Bond	Van De Wiele, Chair	Miller Moye Sparger Ulmer	Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, July 6, 2017, at 9:57 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. Flanagan explained to the applicants and interested parties that there were only four board members present at this meeting. 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 three board members to constitute a majority and if two board members voted no today the application would be denied. Mr. Flanagan asked the applicants and the interested parties if they understood and asked the applicants or interested parties what they would like to do. The audience nodded their understanding and several interested parties asked to be heard regarding a request for continuance.

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**NEW APPLICATIONS**

**22273—Paul Bush**

**Action Requested:**

Special Exception to permit a Bed and Breakfast (VRBO) on the property (Section 40.060). **LOCATION:** 1533 South Owasso Avenue East **(CD 4)**

**Presentation:**

Staff requests a continuance to the July 25, 2017 Board of Adjustment meeting due to the sign being posted in the incorrect location; this will allow the sign to be posted on the subject property.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-1 (Back, Bond, Flanagan, "aye"; no "nays"; White "abstaining"; Van De Wiele absent) to **CONTINUE** the request for a Special Exception to permit a Bed and Breakfast (VRBO) on the property (Section 40.060) to the July 25, 2017 Board of Adjustment hearing; for the following property:

**LTS 17 18 BLK 6, MORNINGSIDE ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22274—Mark Grimm & Debra Faye**

**Action Requested:**

Special Exception to permit a Bed and Breakfast on the property (Section 40.060). **LOCATION:** 1228 East 20<sup>th</sup> Street South **(CD 3)**

**Presentation:**

The applicant requests a continuance to the August 8, 2017 Board of Adjustment meeting as he is out of town.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-1 (Back, Bond, Flanagan, "aye"; no "nays"; White "abstaining"; Van De Wiele absent) to **CONTINUE** the request for a Special

Exception to permit a Bed and Breakfast on the property (Section 40.060) to the August 8, 2017 Board of Adjustment hearing; for the following property:

**W/2 LT 1 BLK 4, MAPLE HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22275—Mark Grimm & Debra Faye**

**Action Requested:**

Special Exception to permit a Bed and Breakfast on the property (Section 40.060).

**LOCATION: 3163 Woodward Boulevard East (CD 9)**

**Presentation:**

The applicant requests a continuance to the August 8, 2017 Board of Adjustment meeting as he is out of town.

**Interested Parties:**

**Kindler Chase**, 1214 East 32<sup>nd</sup> Place, Tulsa, OK; stated he has taken off work to attend today's meeting and his wife closed her salon to be here also. Mr. Chase stated he was never notified of the hearing being moved other than a sign that is placed on the subject property. No one knew the date was changing. He is opposed to the continuance and wants to have the hearing today.

**Jennifer Howland**, 3171 South Madison Avenue, Tulsa, OK; stated she is opposed to the continuance not only because of the neighbors that are in attendance today, but because of the notice that was given out for this hearing. Ms. Howland wonders if there can be a Special Exception at all for an RS-3 District on a piece of land that is less than 100 feet wide. Ms. Howland is opposed to the continuance.

**Jeff Reh**, 3104 Woodward Boulevard, Tulsa, OK; stated that there are 123 homes in the neighborhood and all the neighbors in attendance today have been working very hard to gather support and everyone has taken time out of their day to attend this meeting. There is a lot of passion among the neighbors when it comes to defending their neighborhood. It is very difficult for people to come to a second meeting and he feels that will damage the neighbor's stance.

Mr. Flanagan stated that the interested parties can give their comments now and it will be a part of the record even if the case is continued. This would be the applicant's first continuance.

**Caroline Wall**, 3123 Woodward Boulevard, Tulsa, OK; stated that in the event that she is unable to attend the meeting on August 8<sup>th</sup>, she wants her comments recorded and considered at that time. In follow up to what Mr. Reh said about the 123 home owners, she would like to have clarified if those are the 123 home owners who have objected and signed the petition to deny this request. Ms. Wall stated that she is unfamiliar with

the standard or the factors the Board takes into consideration but she believes that each property and application should be looked at individually, and how it enhances the personal pocketbook of the property owner who makes the request and whether or not the harm to the neighborhood outweighs that. In this specific case she has personally observed the increase of traffic, increase of speed of traffic, trash in the neighborhood, loud and late nights at the subject property. She walks her dog once or twice a day and in nearly four years she does not think she has seen the owner more than once or twice. The house is either vacant or over running with people. There is insufficient parking, trailers will pull up, vans, motor homes, and it is completely incongruent with the purpose and use of the very small neighborhood. The neighborhood is a very small horseshoe and there is essentially only one way in and one way out. The neighborhood has three entrances off Peoria and three entrances off 31<sup>st</sup> Street and Woodward is the main thoroughfare. Everyone that goes to the establishment for the illegal dwelling is driving up and down in front of the homes. There are small children, children on bikes, toddlers on trikes, elderly people walking and it is not congruent to the neighborhood. It is harmful, not only to the property values but to everyone's personal safety and the resident's enjoyment of their neighborhood.

Mr. Bond asked Ms. Wall if she believed this request would be harmful to the essential character of the neighborhood. Ms. Wall stated absolutely. Ms. Wall stated she objects to the continuance and because she will probably not be in attendance on the 8<sup>th</sup> she wanted her comments known.

**Jeff Reh** came forward and wanted to clarify what Ms. Wall stated about the number of houses in the neighborhood. There are signatures from 63 residents stating they are against the Special Exception and those signatures cover 53 properties. Of the houses that were surveyed, ten were rentals and he was unable to get a signature from the owner and only four people refused to sign the petition. Of the remaining houses, he was unable to contact anyone. At last count, 80% of the people he had spoken to has said they do not want this in their neighborhood. Mr. Reh submitted the petition for the record and stated that if the continuance is granted he expects to continue knocking on doors and resubmit the additional information.

**Comments and Questions:**

Ms. Back stated that the Board has heard the resident's comments and they are a part of the record. Even if this case is continued please note the comments are on the record and they will go into the next staff report. Please feel free to continue what you are doing and e-mail things to Ms. Nikita Moye if you cannot attend the next meeting. Without the applicant being present, and the Board cannot verify whether they are in town or not, the Board is inclined to entertain the request for a continuance, at least on the first request.

Mr. Bond agreed with Ms. Back and stated the Board does have procedures they must follow.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 3-0-1 (Back, Bond, Flanagan, "aye"; no "nays"; White "abstaining"; Van De Wiele absent) to **CONTINUE** the request for a **Special Exception** to permit a Bed and Breakfast on the property (Section 40.060) to the August 8, 2017 Board of Adjustment hearing; for the following property:

**LT 12 BLK 2, BROOKSIDE ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma**

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**UNFINISHED BUSINESS**

**22260—Donna Emmons**

**Action Requested:**

Verification of the spacing requirement for an outdoor advertising sign of 1,200 feet from another outdoor advertising sign on the same side of the highway (Section 60.080-F.5); Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 feet from any other digital outdoor advertising sign facing the same traveled way (Section 60.100). **LOCATION:** 10718 East Marshall Street South (CD 3)

**Presentation:**

**Donna Emmons**, 505 N. W. 10<sup>th</sup> Street, Wagoner, OK; stated this is for an outdoor advertising sign located on Highway 169 that was a double faced static board and it has been changed to an LED sign.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 3-0-1 (Back, Bond, Flanagan "aye"; no "nays"; White "abstaining"; Van De Wiele absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing between outdoor advertising signs (for either a dynamic display or conventional billboard) subject to the action of the Board being null and void should another dynamic display and/or standard outdoor advertising sign be erected within the required spacing radius prior to this sign; for the following property:

**LT 1 & PRT VAC E INDEPENDENCE ST N BEG SWC LT 1 TH E546.45 CRV LF47.05 S59.93 W581.90 N30.52 POB ADJ ON S BLK 1, INTERCHANGE BUSINESS PARK, THE, City of Tulsa, Tulsa County, State of Oklahoma**

**22265—Lemuel Adams**

**Action Requested:**

Variance to permit two ground signs on a R zoned lot (Section 60.050-B); Variance to allow two ground signs to be separated by less than 30 feet (Section 60.040-B); Variance to allow a dynamic display sign to exceed 32 square feet in size; Special Exception to permit a dynamic display on a R zoned lot (Section 60.050).

**LOCATION:** South of the SW/c of East 7<sup>th</sup> Street South and South Garnett Road East (CD 3)

**Presentation:**

**Lemuel Adams**, 8531 South Jamestown Avenue, Tulsa, OK; stated this is an existing sign that he would like to remove the face and replace it with a LED. The existing ground sign is used for advertising the client's Bingo games and has agreed to remove it if necessary. There is only a small strip of land next to the road for the subject property's frontage.

Ms. Back asked Mr. Adams what the total square footage of the dynamic display is. Mr. Adams stated the LED sign is 8.4 feet wide and 4.2 feet tall.

Mr. White asked Mr. Adams if he was aware of the operating times stipulated in the zoning code. Mr. Adams answered affirmatively and stated the sign will also automatically brighten or dim based on the outside lighting.

Ms. Back asked Mr. Adams to state his hardship for the Variance requests. Mr. Adams stated the hardship is the fact that the subject property was zoned residential and it is a commercial property. Mr. Adams stated that his client has told him that no new residential properties have been built in the past ten years, and there are only churches and schools around the subject property. The one house on the corner is owned by the Moose Lodge and no one is living in the house.

**Interested Parties:**

**Jay Jones**, 8777 South Toledo, Tulsa, OK; stated the Moose Lodge is a volunteer fraternal veterans oriented non-profit organization and has been in Tulsa since 1958 and in the subject facility since 1982 with 1,100 members. The Moose Heart Moose Haven Lodge raises abandoned, unwanted and abused children, from babies through high school, in their facility located in Illinois. There is a fully accredited school with a new cafeteria which feeds them, and the children live in group homes. If a person has been a Moose member for at least ten years they are taken care of by having a place to go live in Florida at no cost to the member. The Moose Lodge also supports several worthwhile organizations, i.e., Big Brothers and Big Sisters. The charter does not allow

advertisement but they can promote. The Lodge can promote the Boy Scout meeting that will be at the Lodge on the LED display and that cannot be done with a standard sign. The Bingo sign can be incorporated into the LED sign. The LED sign will allow the promotion of activities. The Moose Lodge is attempting to attract younger members and the LED sign will help greatly with this. There is a residence that is 2/10 of a mile away and the resident is a Moose member who has no problem with the sign. The center is bordered by two churches and one school directly across the street. The sign will not be visible to the residents in the area. The sign represents a significant investment and commitment from the Moose members, and if the organization is to be viable in the future the sign is important to the lodge's very survival.

Ms. Back asked Mr. Jones to explain what the brick structure is that is in front of the facility near the sign pole. Mr. Jones stated that originally there was going to be a sign on the brick structure base but now it will be a base for a bronze moose statue that will be lighted.

**Comments and Questions:**

Ms. Back stated that she would be inclined to deny the Variance for the smaller sign to help clean up the area so that it will not detract from the proposed moose statue.

**Board Action:**

On **MOTION** of **BACK**, the Board voted to **DENY** the request for a Variance to permit two ground signs on a R zoned lot (Section 60.050-B); Variance to allow two ground signs to be separated by less than 30 feet (Section 60.040-B) and to **APPROVE** Variance to allow a dynamic display sign to exceed 35.28 square feet in size; Special Exception to permit a dynamic display on a R zoned lot (Section 60.050). The Board has found the hardship to be that this is a residentially zoned lot which only allows for a 32 square foot sign which is on a piece of property that is used for commercial use, and is on a street that fronts a lot of commercial uses. The approval will be per conceptual plan shown on 2.20 and 2.22 of the agenda packet. The Board finds that the requested 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. The Board finds 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:

**LTS 1 & 2 LESS E162 LT 1 & LESS E15 LT 2 BLK 2, EAST ELEVENTH PARK SUB,  
City of Tulsa, Tulsa County, State of Oklahoma**

***THE MOTION FAILED DUE TO A LACK OF A SECOND***

On **MOTION** of **BOND**, the Board voted 3-1-0 (Bond, Flanagan, White "aye"; Back "nay"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Variance to permit two ground signs on a R zoned lot (Section 60.050-B); Variance to allow two ground signs to be separated by less than 30 feet (Section 60.040-B); Variance to allow a dynamic display sign to exceed 32 square feet in size; Special Exception to permit a dynamic display on a R zoned lot (Section 60.050). The Board has found the hardship to be the frontage of the property and the fact that it is zoned residential lot. The approval will be per conceptual plan shown on 2.20 and 2.22 of the agenda packet. The Board finds that the requested 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. The Board finds 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:



**LTS 1 & 2 LESS E162 LT 1 & LESS E15 LT 2 BLK 2, EAST ELEVENTH PARK SUB,  
City of Tulsa, Tulsa County, State of Oklahoma**

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**NEW APPLICATIONS**

**22249—Josh Hamilton**

**Action Requested:**

Variance to allow outdoor storage and outside display of merchandise within 300 feet of the abutting R District (Section 15.040-A). **LOCATION:** 708 South Sheridan Road East (CD 5)

**Presentation:**

**Josh Hamilton**, 4105 South Redwood Avenue, Broken Arrow, OK; stated he was before the Board about three years ago and received approval to be a car lot with inside storage. He did that until February of this year when he was broke into and has been broke into seven times. He actually caught one of the assailants because he was on the roof the building camping and had pulled the copper from the air conditioning. A week later another offender broke through the roof and did about \$16,000 damage to the concrete roof. He had to pull all the cars from the interior of the building and placed them on the lot so he had a fence erected but it was two feet within the right-of-way. When the City Inspector came out about the fence he mentioned the fact that he could not store cars outside. He discovered that by having the cars outside was good for business so now he would like to continue having the cars outside. The roof repairs were just finished so he can move the old cars that are in front of the building out in the next 60 days. He will place them either in the back of the building where they cannot be seen or placed inside the building.

Mr. White asked Mr. Hamilton about the security of his vehicles that are on the lot. Mr. Hamilton stated that since he has erected the fence he has not had any problems.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Variance to allow outdoor storage and outside display of merchandise within 300 feet of the abutting R District (Section 15.040-A), subject to conceptual plan 3.26 in the agenda packet. The Board finds the hardship to be the current layout and security fence on the

applicant's property. In granting the Variance the Board finds 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:

**N 100 OF W 165 OF E 180 BLK 59, GLENHAVEN, City of Tulsa, Tulsa County, State of Oklahoma**

**22276—Fred Frampton**

**Action Requested:**

Variance to allow an accessory structure to exceed 18 feet in height, exceed one-story, and exceed 10 feet at the top of the top plate (Section 90.090-C); Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B). **LOCATION:** NW/c of East 16<sup>th</sup> Street South and South College Avenue East **(CD 4)**

**Presentation:**

The applicant was not present. The Board chose to move this case to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.

**22277—Rigoberto Flores**

**Action Requested:**

Special Exception to permit a fence in the front setback higher than 4 feet (Section 45.080-A). **LOCATION:** 2312 North Birmingham Avenue East (CD 3)

**Presentation:**

**Rigoberto Flores Rodriguez**, 2312 North Birmingham Avenue, Tulsa, OK; stated the reason he erected the six foot fence is because his house was broke into two times.

Mr. White stated the Board has received the pictures of the fence that were submitted and it is a good looking fence.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Special Exception to permit a fence in the front setback higher than 4 feet (Section 45.080-A), and the fence is approved as built. The Board finds 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:

**LT 66 & N 5 LT 65 BLK 6, TULSA HGTS, City of Tulsa, Tulsa County, State of Oklahoma**

**22278—Tom Neal**

**Action Requested:**

Special Exception to allow a carport in the street setback in the R District (Section 90.090-C1); Variance to reduce the interior setback for a detached accessory building from 3 feet to 2 feet (Section 90.090-C-2.b). **LOCATION:** 1629 South Trenton Avenue East (CD 4)

**Presentation:**

**Tom Neal**, 2507 East 11<sup>th</sup> Place, Tulsa, OK; stated this is the Swan Lake tight neighborhood and it is a non-conforming lot, 50'-0" x 100'-0" on the corner. The original Model T garage is long gone and the home owner would like to add a carport and a garage. To fit this in the carport and garage are intruding into the required side street

yard triggering the Special Exception. The construction is also subject to the preservation review and he has been before the sub-committee and received unanimous approval. It was at the preservation commission's suggestion to widen the garage to 12 feet so the car doors could be opened. Mr. Neal stated the hardship to be that this is a small lot.

Ms. Back asked Mr. Neal if he had a copy of the Historic Preservation letter that he could leave with the Board. Mr. Neal stated that he did not. Ms. Back asked Mr. Neal to e-mail a copy of the letter to Ms. Moyer at INCOG for the case file.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **FLANAGAN**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Special Exception to allow a carport in the street setback in the R District (Section 90.090-C1); Variance to reduce the interior setback for a detached accessory building from 3 feet to 2 feet (Section 90.090-C-2.b), subject to conceptual plan 9.11 and 9.12 in the agenda packet. The Board has found the hardship to be the existing lot size and the age of the property. The Board finds 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. In granting the Variance the Board finds 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:

**W 100 LT 9 BLK 14, ORCUTT ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22280—D-A-C Events**

**Action Requested:**

Special Exception to allow an Indoor Commercial/Assembly and Entertainment Use (Event Center) in the IL District (Section 15.020). **LOCATION:** 4955 South Memorial Drive East, Unit F **(CD 7)**

**Presentation:**

**Saul Resendiz**, 105 East Granger Street, Broken Arrow, OK; stated the request is to be able to use the facility for small birthday parties, showers, and weddings.

Mr. White asked Mr. Resendiz if he wanted to continue doing what he is already doing in the facility. Mr. Resendiz answered affirmatively. Mr. White asked if there would be any changes to the operation. Mr. Resendiz stated there would not be any changes.

Ms. Back asked Mr. Resendiz if he was the previous owner or if he had just purchased the property recently. Mr. Resendiz stated that he is a new owner.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **FLANAGAN**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Special Exception to allow an Indoor Commercial/Assembly and Entertainment Use (Event Center) in the IL District (Section 15.020), subject to conceptual plan 10.11, 10.12 and 10.13 in the agenda packet. The approval is subject to the business closing no later than 2:00 A.M. In granting a Special Exception, the Board finds 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 6 8 & 9 LESS W110 S150 LT 6 BLK 4, SECOND RESEARCH & DEVELOPMENT CTR RESUB, City of Tulsa, Tulsa County, State of Oklahoma**

**22276—Fred Frampton**

**Action Requested:**

Variance to allow an accessory structure to exceed 18 feet in height, exceed one-story, and exceed 10 feet at the top of the top plate (Section 90.090-C); Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B). **LOCATION:** NW/c of East 16<sup>th</sup> Street South and South College Avenue East **(CD 4)**

**Presentation:**

The applicant was not present. The Board chose to move this case to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **CONTINUE** the request for a Variance to allow an accessory structure to exceed 18 feet in height, exceed one-story, and exceed 10 feet at the top of the top plate (Section 90.090-C); Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B) to the July 25, 2017 Board of Adjustment meeting; for the following property:

**LT 21 BLK 2, AVONDALE ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

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**OTHER BUSINESS**

None.

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**NEW BUSINESS**

None.

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**BOARD MEMBER COMMENTS**

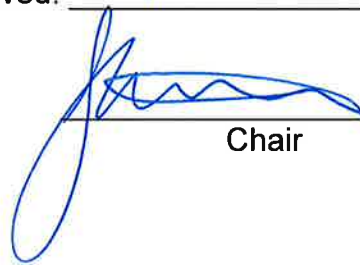
Mr. Bond apologized for missing the last two meetings but he had National Guard duty.

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There being no further business, the meeting adjourned at 2:10 p.m.

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

7/25/17



Chair