

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1199
Tuesday, February 13, 2018, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|--|-----------------------|------------------------------------|-----------------------|
| Van De Wiele, Chair Flanagan, Vice Chair Back, Secretary Ross | Bond | Miller Moye Sparger Ulmer | Blank, Legal |

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on February 8, 2018, at 2:55 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Chair Van De Wiele 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 **FLANAGAN**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the **Minutes** of the January 23, 2018 Board of Adjustment meeting (No. 1198).

Mr. Van De Wiele explained to the applicants and interested parties that there were only four board members present today. Mr. Bond is missing, he was called away to the Court House unexpectedly; Mr. Bond thinks he will be back but given the length of the agenda the meeting may be finished by the time he is able to get back. Any motion will still require an affirmative vote of three of the remaining four members. When there is less than a full Board the Board will entertain a request to continue agenda items to a later meeting date, at which all five members of the Board may be present. 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. The audience nodded their understanding and no one came forward to request a continuance.

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UNFINISHED BUSINESS

22387—The Outsiders Museum Association

Action Requested:

Special Exception to allow a Public, Civic and Cultural Exhibit/Museum Use in an RM-1 District (Section 5.020); Variance to reduce the building setback from East Independence Street North (Section 5.030). **LOCATION:** SE/c of East Independence Street North and North St. Louis Avenue East (CD 1)

Presentation:

Daniel O'Connor, 115 West 5th Street, #1301, Tulsa, OK; stated he would like to build onto the back of the subject property, known as the Outsiders house because it was featured in the 1982 movie classic, The Outsiders. The house is being restored and originally there was a general store that had been there since the 1920s. In 2009 the general store was demolished but the foundation pad still exists. Mr. O'Connor presented pictures to be shown on the overhead projector showing the subject property, starting in 1982. Mr. O'Connor stated that if he is allowed to rebuild the general store property it will aesthetically bring everything back that was seen in the movie, and it would allow two bathrooms to be installed and make the property ADA compliant. Mr. O'Connor stated that he would also like to be able to use the general store building as more gallery space. Aesthetically he will do everything possible to make the property look like it did in the movie. A fence has been erected to divide the subject property from the neighbor's property and will add another fence to the rear to make the lot a safe lot and secure.

Interested Parties:

Ashley Kelley, 804 North St. Louis Avenue, Tulsa, OK; stated she lives across the street from the subject property and she opposes the proposed museum. Ms. Kelley stated that making the house a museum would create revenue, but this is a neighborhood and not a business district. She always thought her home would be a safe place for her children to grown up in and a place where her family could forget about the cares of the world. The proposed museum would break her dreams. The neighborhood already has too much traffic and is congested from unwanted visitors that come to see the subject house now. She has to worry about allowing her children playing outside because of the different people coming into the area and she does not want her children in harm's way. This proposed museum will affect the people that live in the area. Seeing people sitting in parked cars is a daily occurrence and it is scary. Ms. Kelley asks the Board to deny the proposed museum and to not take away the peace of her home from her and her children.

Mr. Van De Wiele asked Ms. Kelley where her house is located in relation to the subject property. Ms. Kelley stated her house is diagonal across the street on the northwest corner of the intersection. Mr. Van De Wiele asked Ms. Kelley if her home faced onto North St. Louis. Ms. Kelley answered affirmatively.

Ms. Kelley stated that when there are events at the subject house there are cars parked up and down the street, on both sides of the street which only allows one car to drive through. The first night the new street sign was installed it was stolen.

Mr. Van De Wiele asked Ms. Kelley if the museum were approved would it help if the hours were restricted. Ms. Kelley stated that she would prefer to have the house moved to a business area, such as Main Street. Ms. Kelley stated that she does not believe the proposed parking lot next to the subject house will be enough either.

Rebuttal:

Daniel O'Connor came forward and stated he feels for Ms. Kelley's concerns. Mr. O'Connor stated the neighborhood was filled with crack houses, but when he started cleaning up the subject property it had a trickle-down effect. So far there have only been two events at the house to promote the museum and raise awareness to keep momentum going forward. Mr. O'Connor stated that all he has seen is the neighborhood being cleaned out which makes it a better place to be. Mr. O'Connor stated that there are eight cameras on the subject property, and hopefully if the general store is allowed to be rebuilt there will be another eight cameras. He sees everything, and the traffic Ms. Kelley states she sees he does not see. Mr. O'Connor stated he has done everything in his power to clean up the neighborhood. He hopes to have an off-site parking lot in the future for patrons. Mr. O'Connor stated that for him this is less of a business proposition and more of a "pay it forward" project. Mr. O'Connor stated that he has been going to the subject house since 2009 and people were coming to the house back then; people are going to come whether it is a museum or not.

Mr. Van De Wiele asked Mr. O'Connor what his plans are for the parking and the proposed hours of operation. Mr. O'Connor stated that none of that has been worked out, because the property he has been looking at for off-site parking the people want twice the market value. Mr. Van De Wiele asked Mr. O'Connor if he owned the vacant lot next door. Mr. O'Connor answered affirmatively.

Mr. O'Connor stated that he has combined the two lots and fenced the property, and he plans for that now empty lot to be parking in the future. Mr. O'Connor stated that if a school bus were to come the bus could fit on the lot and be enclosed on the lot, because the neighborhood is still an active area with dogs running loose and people milling about.

Mr. Van De Wiele asked Mr. O'Connor about his hours of operation. Mr. O'Connor stated that it would be like any other business, from 10:00 A.M. to 6:00 P.M., seven days a week unless there is a special event. Mr. Van De Wiele asked Mr. O'Connor if

he had obtained permits through the City for the special events that have been held. Mr. O'Connor answered affirmatively.

Mr. Van De Wiele asked staff what the parking load would be required for the subject property. Ms. Moyer stated the total parking for this use would be five spaces, and the applicant has shown on their site plan at least five spaces on the street. Ms. Moyer stated that on the street parking is permitted.

Mr. Van De Wiele asked Mr. O'Connor if it was his plan to have on street parking, or to have a parking lot on the lot to the south of the subject house. Mr. O'Connor stated that because of ADA he has to provide ramps and other things, and if the lot is needed for parking he could do that. Mr. O'Connor stated that he wants to be a good neighbor and he does not want any problems with the lack of parking. He wants the neighbors to watch out for him as much as he watches out for them.

Mr. Van De Wiele asked Mr. O'Connor how many employees he anticipates having at the subject property. Mr. O'Connor stated the envisions tickets being purchased on line or at the off-site parking lot, but he would have one or two people at the museum during open hours.

Ms. Ross asked if people would be allowed to drive to the house, park, and go to the door and purchase a ticket to see the museum. Mr. O'Connor stated that ideally it would be no, though he cannot stop people from stopping by to see the Outsiders house.

Comments and Questions:

Ms. Back loves the fact that a piece of Tulsa's history is being restored. She loves the applicant's passion for the project. However, she is having a hard time with the fact that it is in the middle of a residentially zoned neighborhood. The more popular the museum becomes the more people will just start to drop by. Ms. Back stated that she understands Ms. Kelley's concerns, but the challenge is public roads are public and people can park on them, so the Board cannot control that. Ms. Back stated that she is undecided, but she is leaning toward a no vote.

Mr. Van De Wiele stated that he has driven by and seen the house, and there is going to happen. It is not much different than people driving by to see the Council Oak tree or Harwelden; that may just be a part of the burden or benefit depending on how you look at it. The building that was the general store has only been gone for about eight years, so the applicant is not truly adding to the property but replacing something. If the applicant were wanting to build something that had never been there he might have an issue with it. Mr. Van De Wiele stated he is inclined to vote in favor of the use. His concern is more about the parking.

Mr. Flanagan stated that he can support this request. The structure was there, and with a new structure in place he believes it will start revitalization in the area. Mr. Flanagan

stated that parking would be his only issue. Mr. Flanagan stated that he can support this request.

Ms. Ross stated that she does not have any problems with the proposed gallery, and she does not have a problem with the five spaces for parking on the street if they were marked as museum parking. Ms. Ross stated that people are going to park to look at the house, regardless, and the museum is going to do as much as they can. The most people are going to do is park, walk around to look at the house and area, and the public is already doing that.

Ms. Back wonders if the general store has to be restored to be a part of Tulsa history. The house is a big part of the history, but she does see the Board's approval would increase the impact on the neighborhood. Ms. Back stated she is not against the proposal because the applicant has done a wonderful job in restoring the house and bringing more attention to this treasure that Tulsa has. But the Board also must balance it. The house is located in the middle of a residential neighborhood, and we as representatives of the Board of Adjustment feel is the right balance. Why couldn't the house be made the museum?

Mr. Van De Wiele asked Ms. VanValkenburgh about the street parking issue. Ms. VanValkenburgh stated the Code provides that the street parking spaces can be used to count toward the required parking.

Ms. Ross asked Mr. O'Connor to come forward and explain exactly what would be in the museum. Mr. O'Connor stated the house is window rich and wall poor because it is a 100-year-old house; it was moved from 7th & Elgin and moved to the present location. There are a lot of posters, a lot of wardrobe, S. E. Hinton has donated a lot of collections and she has been very involved. The back building enables the addition of two bathrooms; the house only has one bathroom. The house has been remodeled to look like a movie set; it looks like you have walked into the movie. The building in the back will allow an ADA ramp also. The rest of the building will provide wall space for hanging collectible items. Ms. Ross asked Mr. O'Connor how many people he would anticipate on a bus. Mr. O'Connor stated that he thinks there would be about 20 people, because the house can't hold more than that.

Board Action:

On **MOTION** of **FLANAGAN**, the Board voted 3-1-0 (Flanagan, Ross, Van De Wiele "aye"; Back "nay"; no "abstentions"; Bond absent) to **APPROVE** the request for a Special Exception to allow a Public, Civic and Cultural Exhibit/Museum Use in an RM-1 District (Section 5.020); Variance to reduce the building setback from East Independence Street North from 25 feet to 6 feet (Section 5.030). The Board has found the hardship to be the rebuilding a non-conforming structure that was previously in place, subject to the conceptual plan submitted today. The applicant is to have at least five parking spaces on the subject property. Access to the museum is limited to appointment only and not walk-up traffic. The museum will operate between the hours of 10:00 A.M. and 6:00 P.M., seven days a week. 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. 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:

LT-15-BLK-10; LT-14-BLK-10, INGRAM-LEWIS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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NEW APPLICATIONS

22389—Stephanie Coughran

Action Requested:

Special Exception to permit an addition to the rear of non-conforming structure (Section 80.030-D); Variance to increase the permitted size of a sign or nameplate in the RS-3 District (Section 60.030-C). **LOCATION:** 6504 East 5th Street South (CD 3)

Presentation:

Stephanie Coughran, 6504 East 5th Street, Tulsa, OK; stated she has a home-based business that is a barber shop, and she has been operating the business for 12 years. Her house on the corner and faces Sheridan. Ms. Coughran stated that she has applied for a permit to expand the house. Ms. Landers, who has filed a complaint about the sign, has lived two blocks from that sign for 12 years, so she doesn't understand the complaint, because the sign was erected in 2006. Ms. Coughran stated that there have

been no complaints regarding the sign or her business. Ms. Coughran stated she is in compliance with the state's rules and regulations. The removal of her sign would mean her clients would not realize she is still in business. Ms. Coughran requested the Board's approval of her sign and presented a list of signatures of neighbors showing approval of the request.

Mr. Van De Wiele asked Ms. Coughran if she was attempting to add more onto the property, and if so what is it she is trying to add on to. Ms. Coughran answered affirmatively and stated she wanted to add on a bedroom and a bathroom, because the current house is only about 800 square feet.

Mr. Van De Wiele asked Ms. Coughran if the roofline and exterior materials were going to be the same as the existing house. Ms. Coughran answered affirmatively and stated that she has been advised to that by a professional builder.

Ms. Ross stated that Ms. Landers has sent in an e-mail stating that she does not disapprove of the addition, but she is asking that the addition be professionally built and that the sign be moved to face Sheridan. Ms. Ross asked Ms. Coughran if she had any issues about moving the sign. Ms. Coughran stated that she does not.

Mr. Van De Wiele asked Ms. Moyer if Ms. Coughran was allowed one wall sign that could be up to 32 square feet. Ms. Moyer stated that this is a residential lot zoned RS-3, so it is considered a nameplate, and a name plate cannot exceed two square feet.

Mr. Van De Wiele stated he has concerns about the sign clutter that is shown in the photos provided the Board in their agenda packet. Ms. Coughran stated she has removed all the signs except for the sign that states "Stephanie's 5th Street Barber Shop".

Mr. Van De Wiele stated that his other concern is people parking in the yard. Mr. Van De Wiele stated that under the zoning code, anything that a vehicle is driven or parked on must be concrete or asphalt. Mr. Van De Wiele informed Ms. Coughran that her clients need to park either in the driveway or on the street. Ms. Coughran acknowledged the statement.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Ms. Ross stated she has no issues if the one sign is moved to face Sheridan and the other signs are removed, and there is no parking in the yard.

Ms. Back stated that it would help her with the hardship for the Variance request, if the sign were situated toward the main thoroughfare.

Board Action:

On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to permit an addition to the rear of non-conforming structure (Section 80.030-D); **Variance** to increase the permitted size of a sign or nameplate in the RS-3 District (Section 60.030-C) from two square feet to eighteen square feet. The Board has found the hardship for the Variance to be an 18 square foot sign and the visibility being difficult to be seen from Sheridan because of the distance set back from Sheridan, and the positioning of the business facing the side street. The approval is subject to the conceptual plan on 3.10 for the addition, and 3.11 for the sign that reads "Stephanie's 5th Street Barber Shop". The other two signs are to be removed and not be reinstalled. The materials for the construction of the new structure are to match the existing house and the roofline to match the existing roofline of the house. 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. 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:

LT 11 BLK 5, SHERIDAN HILLS, City of Tulsa, Tulsa County, State of Oklahoma

22390—Timothy Hayes

Action Requested:

Variance of the minimum lot width from 60 feet to 50 feet to permit a lot split in an RS-3 District (Section 5.030). **LOCATION:** 1425 East 35th Place South (**CD 9**)

Presentation:

Timothy Hayes, 3025 South Trenton Avenue, Tulsa, OK; stated he purchased the subject property about six months ago, and it is 100' x 140'. He is requesting a lot split to make the property into two 50' x 140' lots adjacent to each other.

Mr. Van De Wiele asked Mr. Hayes if he had anything from the neighbors regarding the request. Mr. Hayes stated the neighbor to the east is in favor of the proposal.

Mr. Hayes stated that he does not have any immediate plans to build on the subject property; he purchased them for his family and himself.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Variance** of the minimum lot width from 60 feet to 50 feet to permit a lot split in an RS-3 District (Section 5.030). The Board has found the hardship to be the platting of the property took place prior to Zoning Code, and the majority of the lots in the neighborhood are 50 feet wide. The approval is subject to conceptual plan 4.9 of the agenda packet. 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:

LT 4 BLK 6, OLIVERS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22391—Deborah Everett

Action Requested:

Special Exception to allow a Bed and Breakfast (short-term rental) in a RS-3 District (Section 5.020). **LOCATION:** 5726 East 51st Street South (CD 9)

Presentation:

Deborah Everett, 5726 East 51st Street, Tulsa, OK; stated she has lived in the house since the 1990s and she raised her family there. The house has three living areas, four bedrooms, four baths, six exterior doors, an office/den, five patios and a circular driveway. She has had roommates in the past, and then she decided to try Airbnb. The house faces 51st Street and is not in a subdivision and is on a large lot. Ms. Everett stated she lives in the house, so it will be owner occupied.

Mr. Van De Wiele asked Ms. Everett if she planned to continue to live in the house even while she is using it as an Airbnb property. Ms. Everett answered affirmatively.

Ms. Ross asked Ms. Everett how many square feet the subject house is. Ms. Everett stated that it is about 3,000 square feet.

Mr. Van De Wiele asked Ms. Everett if there was only one kitchen facility in the house. Ms. Everett stated there is a main kitchen with a kitchenette off the den, and the house was built with a mother-in-law suite that has a small kitchen.

Mr. Flanagan asked Ms. Everett if any of her guests would be parking in any part of the neighborhood or will the parking be all self-contained within the circular drive. Ms. Everett stated the circular drive is huge and it would be a long walk to her house if they did park in the neighborhood.

Interested Parties:

Emily Bales, 5807 East 52nd Street, Tulsa, OK; stated she lives on a corner lot at 52nd and Irvington Avenue, and have lived in the neighborhood for 42 years. Ms. Bales stated that about 20 years ago the Board rejected an application for the subject property to become a law office. It was rejected because of traffic concerns and there are all single-family houses around it; there are no apartments in the entire neighborhood and Ford Properties has duplexes nearby.

Mr. Van De Wiele stated that in 1995 the Board of Adjustment approved a Special Exception for a home occupation law office for a one-year period, but the part time employee was denied. Ms. Bales stated that she was informed that the request failed.

Ms. Bales stated that the neighbors never realized there was a law office in the house, but with this request being a hotel type business would be later hours. Ms. Bales stated that there is a major amount of traffic in the area, and there is a bus stop in front of the

subject property, and Memorial High School and Key Elementary students walk to that bus stop. There is no flow to the traffic because Hudson and a lot of streets do not go straight through. Ms. Bales stated that she is also concerned about the front yard area, because the front yard looks exactly like a German Beer Garden. She is concerned that the next step would be a liquor license or outdoor music.

Mr. Van De Wiele stated a liquor license request would not come before the Board of Adjustment, and the idea of having special events at a bed and breakfast has not been requested on this application and could not be approved today.

Ms. Bales stated that the neighborhood is a nice area but at night it is not a safe area. The man across the street from her was mugged for his Corvette, and he has since moved away. Even with all the parking Ms. Everett has in the front of her house, the guests will not be safe after dark. Ms. Bales stated that the subject house is set back far on the lot and is close to the houses located on South Hudson Place, so they should be concerned about the noise.

Ms. Ross asked Ms. Bales if she was concerned about the guests causing additional traffic. Ms. Bales answered affirmatively. Ms. Ross asked Ms. Bales if she anticipates that there will be multiple guests staying at the house with multiple cars at the same time. Ms. Bales stated that Ms. Everett certainly has the space.

Ms. Bales stated that she does not want a business in a residential neighborhood.

Paul Hahn, 5517 South Hudson Place, Tulsa, OK; stated his concerns about himself and his family, and he has lived in his house for five years. In the last six months he has three security incidences at his house, and one of them happened last week. He has found people looking over his fence in the last six months. Mr. Hahn stated that he does not care if it is Ms. Everett's house or someone else's house, he does not want a business in his neighborhood. He does not want the increased traffic. Mr. Hahn stated that he echoes Ms. Bales concerns about the children at Key Elementary and Memorial High School, because he sees close calls with cars every day. Four or five cars may not make a difference but all it takes is one car, and his daughter was hit by a car in the neighborhood last year. He does not want any business in the neighborhood. Mr. Hahn stated there are six hotels at I-44 and Yale, there is no need for more temporary living space in the area. Mr. Hahn stated with the new Case center, tennis center and the library there and the facilities in Lafortune Park this proposal will increase traffic that is there already making a safety hazard for everyone. Zonings are established for a reason and that is to preserve my residential experience. As a tax paying citizen of Tulsa, he does not want a business in his neighborhood for a lot of reasons. Having a business on the subject property would violate his expectations as a citizen that has purchased a house in the neighborhood, and lives there, that did not have a business there to begin with. Incremental changes threaten his expectations.

Rebuttal:

Deborah Everett came forward and stated she does not plan to have any entertainment and no alcohol. There is at least 100 feet from the street to where the cars would be parked. The property is tree lined and fenced, and the house is not in the neighborhood. She is the only house on 51st Street and three duplexes are adjacent to her property; all the other structures are businesses. Ms. Everett stated that the school bus and the city bus stop in front of the duplexes not in front of her driveway.

Ms. Ross asked Ms. Everett if she anticipated her guests to be a couple or two single people that wanted to stay. Ms. Everett stated that she plans to rent two bedrooms, so it will not be like a hotel.

Mr. Flanagan asked Ms. Everett if it would be a maximum of six people at a time. Ms. Everett stated the house could accommodate ten people easily, but she anticipates a couple. Ms. Everett stated 51st Street is a busy street, but it is geared toward business, and she is not going into the neighborhood.

Mr. Van De Wiele asked Ms. Miller if there was anything happening at the City to address this situation. Ms. Miller stated there have been meetings, and discussions are still being held it is just that other projects have taken priority currently.

Comments and Questions:

Mr. Van De Wiele stated that typically he has been against the bed and breakfast requests, but the hand full that he has supported have the same characteristics of Ms. Everett's house. He cannot imagine how this house was built, it must have been before the neighborhood originated. If this were in the middle of the neighborhood he could not support the request, but this is almost a neighborhood of one house. Plus, the fact that this will be an owner-occupied situation. Those are the two things that have been common to the applications that he has supported. Mr. Van De Wiele stated that he does not have a concern about this use creeping into the neighborhood. From a traffic standpoint, whether it is Ms. Everett with four roommates, a family with three teenage drivers, or an Airbnb with a couple of guests the traffic impact on 51st Street is negligible. Mr. Van De Wiele stated he will support the applicant's request provided that it remains owner occupied and there is a time limit placed on the request.

Mr. Flanagan agree with Mr. Van De Wiele. Mr. Flanagan thinks a five-year time limit would be best.

Ms. Ross agreed.

Ms. Back agreed and stated that she too wants it to remain owner occupied. Ms. Back stated that this house is on the fringe and against a major arterial road, and it does not have access to any road that goes into the neighborhood. That is something that helped her make her decision of support.

Board Action:

On **MOTION** of **FLANAGAN**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to allow a Bed and Breakfast (short-term rental) in a RS-3 District (Section 5.020), subject to a five-year time limit that will expire February 12, 2023. In addition to the time limit that will expire in 2023 the subject property is to be owner occupied. 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; for the following property:

N228.45 E135 W/2 W/2 NW NE LESS N50 THEREOF FOR ST SEC 34 19 13 0.55 AC, PARK PLAZA THIRD, PARK PLAZA PLACE, PARK PLAZA SECOND, City of Tulsa, Tulsa County, State of Oklahoma

22393—Douglas Gorman

Action Requested:

Special Exception to permit Manufactured Home sales in a CS zoning district (Sections 15.020 and 35.050-Q5) **LOCATION:** 9528 East Admiral Place South (CD 3)

Presentation:

Douglas Gorman, 4428 West Kent Circle, Broken Arrow, OK; stated the subject property was originally the Robert Hall Clothing Store in the 1960s and fronts on the traffic circle. Mr. Gorman stated that he acquired the subject property in 1995. He was approved to have manufactured housing sales in 1993, but he did not own the subject property at that time. In 1998 the industry hit a low with national shipments going from 400,000 a year to 40,000 a year. In the meantime, the building that was on the subject property deteriorated and he did not have the finances to repair a building that was not being used. He is now operating under the name of Freedom Homes and the intent is to build a new office building on the subject property.

Ms. Back asked Mr. Gorman if he had plans to clean up the lot along with building a new building. Mr. Gorman stated there is about \$500,000 being invested in the property along with the building.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special**

Exception to permit Manufactured Home sales in a CS zoning district (Sections 15.020 and 35.050-Q5). 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; for the following property:

**PRT RESERVE B BEG 1639.70N & 100W SECR NE SEC 1 19 13 TH W227.16
N251.18 E98.13 SE TO EL RESERVE B S TO POB LESS N30 FOR ST,
MEADOWOOD ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

OTHER BUSINESS

None.

NEW BUSINESS

None.

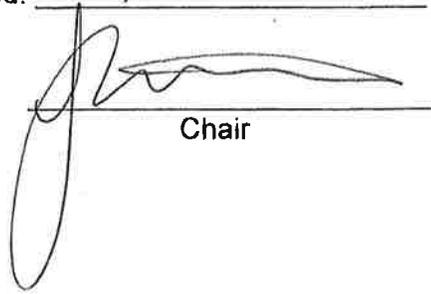
BOARD MEMBER COMMENTS

Ms. Miller stated that she would like to have a Work Session at the INCOG offices on March 13, 2018 at 11:00 A.M. with lunch being served. The Board agreed.

There being no further business, the meeting adjourned at 3:02 p.m.

Date approved: _____

2/27/18



Chair