

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 205
Thursday, February 5, 1976. 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Blessing Guerrero Purser, Mrs. Smith (in 1:45)	Jolly, Chairman	Edwards Etter, Mrs. Gardner Jones	Jenkins, Building Inspector's Office Pauling, Legal Dept.

Acting Chairman Guerrero called the meeting to order at 1:40 p.m. and declared a quorum present.

MINUTES:

On MOTION of BLESSING, the Board (3-0) approved the Minutes of January 8, 1976 (No. 203) and the Minutes of January 22, 1976 (No. 204).

UNFINISHED BUSINESS

8873

Action Requested:

Variance (Section 201.2 - Flood Hazard Area Maps Adopted - Under the Provisions of Section 1670) to add an addition to the existing building in a designated flood hazard area; and an Appeal (Section 1650-Appeals from the Building Inspector) for refusing to issue a permit to enlarge an existing commercial structure in an IL District located at 4702 South 103rd East Avenue.

Presentation:

Bill Buffington, the applicant, was not represented.

Mr. Gardner requested that the subject application be continued to February 19, 1976, advising that the matter had been referred to the Planning Commission by the City Commission.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) continued application 8873 to February 19, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

8894

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 75' to 14' in an IL District located at 6404 East Archer Street.

Presentation:

A. C. Saint submitted a plat of survey (Exhibit A-1), advising that he is proposing to construct a mini-storage facility on the subject property and that the subject application had been continued to this date in order that the development plans might be provided for the information of the Board and for the City Engineer's review regarding drainage. Mr. Saint requested that the application be approved, subject to the approval of the City Engineer, noting that he had just received his plat of survey and had not had sufficient time in which to present it to the City Engineer. Upon questioning by the Board as to why he had not prepared a plot plan, Mr. Saint advised that he had not wanted to go to the expense of additional paperwork until such time as he is aware of what is permitted.

Board Member Smith advised Mr. Saint that the Board must have a plot plan showing specifically the development that is proposed and drainage facilities to be provided. Mr. Smith pointed out that the Board, at the previous hearing of the application, had recommended a 5' setback on the west, a 25' setback on the north, a solid wall on the west property line, and no access or doors to the west of the structures. He suggested that the application be continued to March 4 in order that the applicant might provide a plot plan for the Board's review prior to approving the application.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (4-0) continued application 8894 to March 4, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

8902

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for the main campus for the Tulsa Boys' Home--cottage housing concept with central administration area--in an AG District located southeast of Highway 51 and 137th West Avenue.

Presentation:

William Doyle, representing the Tulsa Boys' Home, submitted the site plan (Exhibit B-1), advising that the Home desires to relocate on the subject property which is 95 acres in size, zoned AG and located south of Highway 51 not within the City limits, but within Tulsa County. The Exception is being requested in order that the campus construction might take place to include campus cottages, a dining hall and administration building. Mr. Doyle noted that he had met with the Sand Springs Planning Commission and it was the consensus of the Commission that the use would be compatible with the City's growth.

The Staff submitted a memorandum (Exhibit B-2) from the Sand Springs Planner, Gene Adams, advising that the application had been referred to the Sand Springs Board of Adjustment and given total support. The Board recommended that the site development plan be approved to include the location of all buildings and structures on the tract; the approval of the paving and drainage plans by the County Engineer's Office; the establishment of minimum floor elevations for all buildings and structures as established by the County Engineer's Office and contours at two-foot intervals; the approval of the water and sewer plans by the City of Sand Springs and the City-County Health Department; and the coordination with the City of Sand Springs Fire Marshall regarding location of fire hydrants. Also submitted was a Resolution (Exhibit B-3) from the Sand Springs Board of Adjustment advising that Board is in full support of the subject application.

Mr. Adams advised the Board that the matter had been referred to the Sand Springs Board of Adjustment, Planning Commission and City Council, noting that all three agencies were in support of the request. Since the water, sewer, police and fire services are to be provided by Sand Springs, the Sand Springs Board of Adjustment recommended that the site development plan be provided including the five provisions as presented within the memorandum. The property is located within the Fisher Creek bottom area--a portion within a flood hazard area; however, if the property is developed similiar to a planned unit development with clustered structures on the higher portion of the tract all requirements regarding flooding would be met. Mr. Adams noted that this type of development is appropriate for this area in relationship to the surrounding development and the size of the tract.

Mr. Gardner suggested that the Board establish a setback on each boundary in addition to any other standards recommended and desired by the Board for development as proposed. With regard to the drainage and water plans, Mr. Gardner pointed out that the approval could be approved subject to platting or conditions could be placed upon the approval which would meet the requirements found in the platting process without actually platting the property.

Mr. Adams advised that condition #1 was recommended in order that the County might know where the structures were being proposed for drainage and elevation purposes, pointing out that it was not Sand Springs intent to require a platting of the property but if the provisions stated were incorporated as a part of the approval the requirements of a plat would be met.

Mr. Doyle advised that the site plan presented shows the proposed development located just north of the southwest corner of the property. Upon questioning he noted that he would have no objection to the approval being in concept and that he would provide copies of the site plan for the files. He stated, however, that he would not want to be tied to a specific plot plan at this time and that he would have no objection to a 50' setback for right-of-way purposes and a 50' setback for structures from 137th West Avenue.

Protests: None

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 310 - Principle Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for the main campus for the Tulsa Boys Home (cottage concept with central administration area), subject to a concept plan being submitted for the files; a 50' dedication and additional 50' setback from 137th West Avenue; a 75' setback from the south property line; approval of the paving and drainage plans by the County Engineer; approval of the water and sewer plans by the City of Sand Springs and the City-County Health Department; the establishment of minimum floor elevations for all buildings and structures as established by the County Engineer contours at two-foot intervals; and subject to the coordination with the City of Sand Springs Fire Marshall regarding the location of fire hydrants, in an AG District on the following described tract:

A tract of land being located in the SE/4 of Section 16, Township 19 North, Range 11 East, Tulsa County, Oklahoma, more particularly described as follows: to-wit:

Beginning at the southeast corner of Section 16, Township 19 North, Range 11 East, Tulsa County, Oklahoma; thence westerly along the south line of Section 16 a distance of 2,264.03 feet to a point 435 feet easterly from the southwest corner of the SE/4, Section 16; thence northerly and parallel to the west line of the SE/4 a distance of 467.31 feet to a point; thence north-westerly a distance of 372.62 feet to a point; thence westerly a distance of 115 feet to a point on the west line of the SE/4 said point being 656.81 feet northerly from the southwest corner thereof; thence northerly along the west line of the SE/4 a distance of 1,222.69 feet to a point, said point being 735 feet southerly from the northwest corner of said SE/4; thence easterly at a right angle to the west line of the SE/4 on a bearing of N 89° 08' 33" East, a distance of 735 feet to a point; thence N 52° 17' 33" East, a distance of 475.40 feet to a point; thence S 49° 07' 06" East, a distance of 295.75 feet to the northeast corner of the S/2 NW/4 SE/4 of Section 16; thence S 46° 49' 25" East, a distance of 1,883.30 feet to a point on the east line of Section 16, said point being 660 feet northerly from the southeast corner thereof; thence southerly along the east line of Section 16, a distance of 660 feet to the point of beginning, containing 94.90 acres more or less.

NEW APPLICATIONS

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 1205 - Community Services, Cultural and Recreational Facilities);

an Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1202 - Area-Wide Special Exception Uses); and a Variance (Section 910 - Principal Uses Permitted in Industrial Districts - Under the Provisions of Section 1570) to use property for public park to permit improvements at Maxwell Park to consist of a community center building addition, restrooms, concessions and storage building in an IL and RS-3 District located at Newton Street and Canton Avenue.

Presentation:

Bill Shephard, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit C-1) for Maxwell Park which is 16.8 acres in size and advised that there is a recreation center, playground equipment, a lighted baseball field and four tennis courts existing on the property at present in addition to picnic facilities. The Park Department is now proposing a 1,000 square foot expansion of the south side of the recreation center in addition to a combination concession, restroom and sports building on the property as located on the site plan. Upon questioning, Mr. Shephard advised that landscaping was a part of the 1972 Bond Issue, but funds have not been provided by the Park Board at this time for the landscaping of the property.

With regard to the two Exceptions and one Variance requested to permit the proposed park improvements, Mr. Pauling noted that the proposed use is a Use Unit 5 use, not Use Unit 2, and is not permitted within the IL District (Section 910, Exception). He felt that approval of the Variance within the IL District might create problems, and noted that the Park was developed prior to the 1970 Zoning Code. Therefore, the property and use is nonconforming and the proposed improvements may be approved by the Board under Section 1420 (f) which permits the Board to approve the expansion of nonconforming uses when located within a district other than a residential district.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) and an Exception (Section 1420 (f) - Nonconforming Use of Buildings or Buildings and Land in Combination) to use property for a public park to permit improvements at Maxwell Park to consist of a community center addition and a restroom, concessions and sports building, per plot plan, in an RS-3 and IL District on the following described tract:

A tract of land located in the N/2 NW/4 of Section 34, Township 20 North, Range 13 East, more particularly described by metes and bounds as follows, to-wit: Beginning 281.81 feet north of the SW corner of the E/2 E/2 NW/4 NW/4 of Section 34, Township 20 North, Range 13 East, Tulsa County, Oklahoma and on the westerly boundary of said E/2; thence northerly and along the westerly boundary of said E/2 a distance of 437.91 feet to a point; thence easterly and parallel to the north boundary of said Section 34, a distance of 987.04 feet to a point; thence southerly and parallel to the westerly boundary of said E/2 a distance of 437.91 feet to a point;

8900 (continued)

thence westerly and parallel to the north boundary of said Section 34 a distance of 987.16 feet to the point of beginning, containing 9.92 acres, more or less.

Beginning at the SW corner of the E/2 of the E/2 of the NW/4 of the NW/4 of Section 34, Township 20 North, Range 13 East, Tulsa County, Oklahoma; thence northerly along the west boundary of said E/2 a distance of 281.81 feet to a point; thence easterly and parallel to the north line of said Section 34 a distance of 987.16 feet to a point; thence N 0° 2.38364' West a distance of 437.91 feet to a point; thence due East and parallel to the north line of said Section 34 a distance of 60 feet to a point; thence S 0° 2.38364' East a distance of 719.92 feet to a point on the south line of the NE/4 of the NW/4 of said Section 34; a distance of 1017.24 feet to the point of beginning and containing 6.88 acres more or less.

The above tract less the westerly and easterly right-of-way easements contains 6.19 acres more or less.

8914

Action Requested:

Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirement where the purpose of screening requirement cannot be achieved in a CS District located north and west of 41st and 129th East Avenue.

Presentation:

Robert Anderson, representing Anderson Development Company, submitted a plat (Exhibit D-1) of the property in question which denotes the lots (Lots 3-11, Block 1) which require screening between the commercial and residential zonings. He pointed out that Lots 1 and 2 front 41st Street, while the remaining lots front East 40th Street South and South 127th East Avenue. Lots 2 and 3 are zoned RM-1 for multi-family purposes and are owned by Anderson Development Company.

He requested that the screening of Lots 3-11, Block 1 be waived as as the frontages would otherwise be screened.

Upon questioning, Mr. Gardner noted that the type of specialty shops that would be located on these properties are those which could operate on an interior street without direct frontage on a major street. Also, he noted that there is an RM-1 and RD buffer between the commercial property and the single-family to the north.

Upon questioning, Mr. Anderson advised that he does not yet know what type of commercial activity will be developed on the property, after which the Staff advised that Use Units 12, 13 and 14 uses are permitted by right within the CS District.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to remove

8914 (continued)

the screening requirement where the purpose of the screening requirement cannot be achieved, in a CS District on the following described tract:

Lots 3 thru 11, inclusive, Block 1, Park Plaza Square Addition to the City of Tulsa, Oklahoma.

8915

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670) for a variance of the front setback requirement from 100 feet to 97 feet 5 inches from the centerline of 15th Street to permit enclosing a front porch in an OL District located at 1841 East 15th Street.

Presentation:

Kelly McNew advised the Board that he received a permit to enclose his front porch in October, 1974 for office purposes, the permit was somehow detached from the construction and lost and he was issued a cease and desist order in December, 1974, and requested permission to complete his construction when found his permit number. He noted that he was not permitted to complete his construction; therefore, he is requesting permission at this time to enclose his front porch per plot plan (Exhibit E-1) and also construct a carport.

Upon questioning, Paul Jenkins, the Building Inspector, advised that Mr. McNew had filed a request for a permit for residential purposes; however, this permit was filed for a commercial-related office to be located within the enclosed porch and there is a required setback.

Mr. McNew approached the Board with his plan, advising that there is a law office located in the structure to the east and an art studio located in the structure to the west. He answered questions from the Board regarding the established setback in the area, the enclosed porch and the carport, noting that he is planning to locate the carport on the western side of his residence, and in discussion advised he had replaced the foundation of the porch as the original foundation was damaged in the June 8, 1974 storm.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (4-0) approved a Variance (Section 630-Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670) for a variance of the front building setback requirement from 100' to 97'5" from the centerline of 15th Street to accommodate permitted construction, in an OL District on the following described tract:

Lot 12, Block 4, Terrace Drive Addition to the City of Tulsa, Oklahoma.

8916

Action Requested:

Variance (Section 320 - Accessory Uses in the Agriculture District - Under the Provisions of Section 1670) to operate a home beauty shop in an AG District located at 15230 South Yale.

Presentation:

Ginger Nichols advised the Board that she is requesting permission to operate a beauty shop in her home, noting that she will be working with between 10 and 15 patrons each day, four or five days per week, and that she is aware of the conditions of a home occupation.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved a Variance (Section 320- Accessory Uses in the Agriculture District - Under the Provisions of Section 1670) to operate a beauty shop, subject to the conditions of a home occupation and subject to the approval being granted for this applicant only and not to run with the land in an AG District on the following described tract:

A portion of the NE/4 of Section 21, Township 17 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as:

Beginning at a point on the east line of said NE/4 825' south of of the northeast corner thereof; thence west 330', south 330', east 330', north 330' to the point of beginning.

8917

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) to install a home remodeling center and woodworking shop; and a Variance (Section 730 Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) from a variance of the setback requirements from 100' to 89' from the centerline of Sheridan Road in a CS District located at 1010 North Sheridan.

Presentation:

John Davis submitted the plot plan (Exhibit F-1) requesting a variance of the setback requirements from 100' to 89' from the centerline of Sheridan Road in order that he might construct a home remodeling center and woodwarking workshop which will appear to be a permanent home but is actually to be utilized as a model for display purposes and office use only. Upon questioning, Mr. Davis advised that the largest piece of equipment involved in the operation is a 10" table saw which does not create a noise problem for the surrounding area. In reviewing the plot plan, Mr. Davis pointed out that his structure will set back farther from the street than existing structures in the area. He also reviewed the access points as provided on the plan, noting that he had not yet received the approval of the Traffic Engineer.

Protests: None.

8917 (continued)

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services); and a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 100' to 89' from the centerline of Sheridan Road to install a home remodeling center and woodworking shop as described, subject to the approval of the Traffic Engineer with regard to access, subject to only one access point being permitted on Sheridan Road, and subject to the plot plan submitted and as may be amended by the Traffic Engineer on the following described tract:

Lot 36, Block 21, Maplewood Addition to the City of Tulsa, Oklahoma.

8918

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) for refusing to allow a resale shop; and an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit the Hillcrest Hospital Auxiliary and volunteers to use property for a resale shop in an RM-2 District located at 1118 South Trenton Avenue.

Presentation:

Nick Schneider, attorney representing Hillcrest Medical Center, advised the Board that the Hospital Auxilliary and volunteers are proposing to operate a resale shop as an accessory use to the Hospital with all proceeds being used to purchase equipment for the Hospital. Mr. Schneider noted that approximately 75% of the business is from Hospital employees themselves, with 25% being from the general public. Each Hospital employee has a parking permit for the lots in the area; therefore, parking will not be a problem.

David Pauling, Assistant City Attorney, in his discussion of the application noted that the Board's finding, if it is defined as a Use Unit 5 use, should be that this type of resale shop is a customary feature that is incidental to the normal operation of the Hospital. He also felt that there are some guidelines which should be set forth by the Board with regard to this type of request as there are other hospitals within the City that may be making similiar requests.

Upon questioning By the Board, Mr. Schneider advised that the resale shop is proposed to be located within an existing structure across the street from the Hospital. Upon questioning as to what items are sold from the shop, Mrs. McPeters, representing the Auxilliary, advised that the resale shop is similiar to a church thrift shop in that clothing items and small appliances are sold. She noted that the sale of goods provides monies for hospital equipment and accessories.

8918 (continued)

Mr. Gardner advised that there is hospital parking to the north and one lot removed to the south and he noted that this is not a retail business where only a portion goes to the principal use, but an operation in which all proceeds go to the Hospital.

Protests: None.

Board Action:

On MOTION of PURSER, the Board upheld the decision of the Building Inspector for refusing to allow a resale shop and approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts Section 1205 - Community Services, Cultural and Recreational Facilities) to permit the Hillcrest Hospital Auxiliary and volunteers to use property for a resale shop, finding that the use is an accessory use to the Hospital, that the subject property abuts Hospital property, that the property is isolated from residential properties, that Hospital parking is located adjacent to the subject property for use of the workers, that all workers in the resale shop shall be volunteers, that the accessory sign controls listed under Section 420.2 (d) shall apply and that the approval is granted for Hillcrest Hospital only in that the approval will be rescinded should the property be sold, in an RM-2 District on the following described tract:

Lot 5, Block 3, Forest Park Addition to the City of Tulsa, Oklahoma.

8919

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts Section 1205 - Community Services, Cultural and Recreational Facilities) to establish off-street parking to be used in conjunction with the Hillcrest Medical Center in an RM-2 District located south and west of 11th Street and Victor Avenue.

Presentation:

Nick Schneider, attorney representing Hillcrest Medical Center, requested permission to establish off-street parking on the two subject tracts in conjunction with the Medical Center. He pointed out that three other properties within this block have been approved and are being utilized for off-street parking and additional parking is required at this time.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to establish off-street parking to be used in conjunction with the Hillcrest Medical Center in an RM-2 District on the following described tract:

Lots 11 and 12, Perryman Heights Addition to the City of Tulsa, Oklahoma.

8921

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile home in an RS-3 District located at 4625 East 91st Street.

Presentation:

Robert Reed submitted a plat of survey (Exhibit G-1), advising of the proposed location of a mobile home on his property which also contains a residential structure. He pointed out that he had just gained custody of his three daughters and that the residential structure was not large enough to accommodate the entire family. Upon questioning, he advised that the nearest residential structure is some 150 feet from the property line and approximately 250 feet from the existing structure. He pointed out that there are mobile homes on the west side of Yale in the area.

Protests:

The Staff submitted a letter of protest (Exhibit G-2) from John Reidel, 9550 South Yale, who felt that the location of the mobile home would not be compatible with the standards and growth trend in type and quality of housing in the neighborhood and that a precedent would be set for the location of other mobile homes in the area.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile for a period of one year, subject to the approval of the Health Department, in an RS-3 District on the following described tract:

W/2, E/2, SW/4, SE/4, SE/4 & W/2, SW/4, SE/4, SE/4, less the west 208.75 feet of the south 417.50 feet of said W/2, SW/4, SE/4, SE/4 less the east 40 feet of S/2, E/2, W/2, SE/4, SE/4, all in Section 16, Township 18 North, Range 13 East of Indian Base and Meridian, Tulsa County, State of Oklahoma, containing 5 acres more or less.

8922

Action Requested:

Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirements where the purpose of the screening requirements cannot be achieved in a CS District located at 7701 East 21st Street.

Presentation:

Steven Cox, representing Vickers Petroleum Company, submitted a plot plan (Exhibit H-1) requesting a waiver of the screening requirements on the west between the commercial property and the RM-1 to the west, which is separated at present by a street. Upon questioning, Mr. Cox advised that the multifamily development to the west is two-story in height and the screening would serve no purpose if provided. He also requested a waiver of the setback from 21st Street for his structure, but was advised that this request was not properly before the Board and would require a readvertisement.

Protests: None.

8922 (continued)

Board Action:

On MOTION of SMITH, the Board (4-0) continued application 8922 to March 4, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, in order that the request for the waiver of the setback might be advertised.

8924

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 50' to 40' to permit aligning with an existing building in a CS District located at 6529 East 51st Street.

Presentation:

H. J. Lassiter submitted the plot plan (Exhibit I-1) requesting a variance of the setback requirements from 50' to 40' in order that the proposed addition might align with the existing structure.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (4-0) approved a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 50' to 40', per plot plan, to permit aligning with an existing building in a CS District on the following described tract:

The east 30 feet of Lot 6, all of Lot 7, Block 1, F. D. M. Center Addition to the City of Tulsa, Oklahoma.

8926

Action Requested:

Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) for removal of the screening requirements on the south property line in a CH District located at 5950 East Admiral Place.

Presentation:

Gary VanFossen, representing Admiral State Bank, submitted the plot plan (Exhibit J-1) requesting removal of the screening requirements on the south property line of the subject property as there are six points of access on the south property line. He noted that the screening requirement has been required since an addition was made to the

8926 (continued)

existing Bank structure, noting further that there is an existing street between the Bank property and the RS-3 property to the south. He also noted that the RS-3 development sides to the street rather than fronting the street. Mr. VanFossen advised, upon questioning, that he had spoken with the Traffic Engineer who did not support solid screening on the south property line, but he would not present his thoughts in writing.

Protests: None.

Interested Party:

Mr. McGilless, who has an interest in Lot 8, Block 1, Greenlawn Addition located across Admiral to the north, questioned what affect the request would have upon the use located on his property. Mr. McGilless was advised that the request would have no affect on his property as the screening is required on the south property line of the Bank property and not the north property line.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 250.3 Modifications of the Screening Wall or Fence Requirements) for removal of the screening requirements on the south property line, per plot plan, in a CH District on the following described tract:

The East 326.8' of the North 353' of Lot 7; and the West 50' of the North 350' of Lot 8, Section 3, Township 19 North, Range 13 East, Tulsa County, Oklahoma.

8928

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts Under the Provisions of Section 1670) for a variance of the rear yard requirements from 25' to 5' on the north, in an RS-1 District located at 7117 South Columbia Avenue.

Presentation:

Elmo Geppelt submitted the plot plan (Exhibit K-1) requesting a variance of the rear yard requirements from 25' to 5' on the north in order that proposed structure might be located on the subject property which has two street frontages. He noted that he has chosen to front South Columbia Avenue, therefore a variance is required, due to the configuration of the property. For information, he noted that the proposed structure is drawn to scale while the abutting residences are not.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (4-0) approved a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the rear yard requirements from 25' to 5' on the north, which becomes a side yard, per plot plan, in an RS-1 District on the following described tract:

Lot 9, Block 3, Woodridge Addition to the City of Tulsa, Oklahoma.

8929

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to use brick garage and storage building for automobile repair and service in a CS District located at 5112 Charles Page Boulevard.

Presentation:

Curtis Culver, representing the purchasers of the subject property which is presently zoned CS, requested an Exception to use the existing structure for automobile repair and service, advising that there is a tire store existing to the east in a service station structure and a vacant lot to the west. He felt that the use would be compatible with the area and within the spirit and intent of the Code. Upon questioning, Mr. Culver advised that the structure will be used for mechanical work and not body repair.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to use brick garage and storage building for automobile repair and service in a CS District on the following described tract:

North 150' of Lot 2 and the East 15' of the North 150' of Lot 3, Block 2, Amended Plat of Vern Subdivision to the City of Tulsa, Oklahoma.

8923

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a real estate office in an RS-2 District located at 5525 South Delaware Place.

Presentation:

Barbara Hoffman advised the Board that she is under therapy at the present time, she has a child with a learning disability and she would like to operate a real estate office in the home on a limited basis. She noted that most of the business is done in the car, in the prospective buyer's home, or in the home that is being purchased; therefore, there would be very little traffic in the home. She advised that she is a broker and will be working on her own. Upon questioning by the Board, Mrs. Hoffman advised that she also is a co-broker and that possibly some closings would be undertaken in her home. The Board advised her that a closing involving a split commission would be involving other workers in the operation which is not permitted. She advised that she could make arrangements to have these closings involving co-brokers at locations other than her home.

Protests: None.

8923 (continued)

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a real estate office for a period of two years for this applicant only, with the understanding that she may appear again at the end of the two years, and also subject to closings involving split commissions being undertaken outside her home, in an RS-2 District on the following described tract:

Lot 3, Block 4, Vill Grove Gardens Addition to the City of Tulsa, Oklahoma.

COMMUNICATIONS

Communication

8431

This is a Communication (Exhibit L-1) from Mary Stewart requesting that photographs which were submitted for exhibit at the time her application was approved in December, 1974 be returned to her as they are family pictures.

On MOTION of SMITH, the Board (4-0) directed the Staff to return the exhibited photographs to Mrs. Stewart and directed that the Minutes of application 8431, December 19, 1974, be amended to strike the exhibit.

There being no further business, the Chair declared the meeting adjourned at 4:02 p.m.

Date Approved: March 4, 1976


Chairman