

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 211
Thursday, May 6, 1976, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Jolly, Chairman Purser, Mrs. Smith	Blessing Guerrero	Edwards Etter, Mrs. Gardner Jones	Jenkins, Building Inspector's Office Pauling, Legal Department

Chairman Jolly called the meeting to order at 1:35 p.m. and declared a quorum present.

SPECIAL REQUESTS:

9031

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to erect mini-storage warehouses and six-bay car wash with self-service gas pump islands in a CS District located southwest of 31st Street and 108th East Avenue.

Presentation:

The Staff submitted a letter (Exhibit "A-1") from a representative for the applicant requesting a continuance of the subject application in order that it might be readvertised.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) continued application 9031 to June 3, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9041

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to establish off-street parking for Oral Roberts University in an RS-1 District located at 75th Street and Birmingham Avenue.

9041 (continued)

Presentation:

Charles Norman, representing Oral Roberts University, requested the subject application be withdrawn at this time as the University plans to undertake a master plan for parking for the entire campus.

Interested Party and Protests:

An interested party was advised that the application had been withdrawn.

Board Action:

There being no objections, the Chair withdrew application 9041 from public hearing.

UNFINISHED BUSINESS:

7927

Action Requested:

This is a Communication (previously exhibited) from the Building Inspector's Office requesting that the Board rescind the Special Exception granted on May 17, 1973, after which the Building Inspector's Office would attempt to file appropriate charges through the City Prosecutor as the conditions of the Board have not yet been complied with.

At its meeting of April 1, the Board directed the Staff to notify the applicant by certified mail that the Board would again review the application this date.

Presentation:

Upon questioning by the Chair as to why the conditions of the Board's approval were not previously met, Jim Lytal advised the Board that he had run out of money but that he had recently been working on the screening and expected the screening to be completed within two months. He noted that he had originally planned to construct a 50' x 60' building in which to do his repair work, he had run out of money and was now proposing to erect a screening fence around the entire property.

Mr. Gardner presented photographs of the subject property which were submitted at the original hearing, advising that the Staff had checked the property some six months ago at which time there was no screening yet constructed and there were a number of automobiles parked on the property. The Staff again checked the property this date, found that screening has begun but not yet been completed, and that there were only four automobiles in front of the building which were tagged and ready for repair. He pointed out that there were several automobiles in the northwest portion of the tract which would eventually be screened from sight and building materials are being stored on the property which apparently were to be used but have not been. Mr. Gardner advised that there has been some improvement within the past six months, that the property is for sale, and should the property be sold the Board's approval would not run with the land for the use. He reviewed the conditions of the Board's original approval, pointing out that the hedge

5.6.76:211(2)

on the north was not appropriate for screening, but that the applicant had spent over one hundred dollars to have the hedge removed in order that the screening might be erected; that there does not now appear to be outside mechanical work as there was six months ago; and that the applicant had stated that the automobiles in the front have been tagged for repair and are not salvage automobiles. The screening, when provided, will make the use more desirable to the area. Upon questioning, Mr. Lytal advised the Board that he plans to paint the metal strips in the existing chain link fence, felt that the screening requirement could be met within 60 days, all mechanical work would be completed inside the existing garage, and that automobiles to be worked on would not be stored inside the garage as he had originally planned because he could not build the larger structure at this time but they would be screened from sight.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) granted the applicant an additional 60 days in which time he is to complete the screening requirements, remove from the property or enclose in a building any salvage building materials and/or salvage auto parts, and paint the metal strips in the existing chain link fence, noting that the Board's approval action would be revoked at the end of this 60-day period should the conditions not be met at that time.

8984

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) appeal from a decision of the Building Inspector's order to construct a screening wall or fence along lot lines in common with an R District; an Exception (Section 250.3 (c) - Modification of the Screening Wall or Fence Requirements) to permit the delay of installation of the screening fence along a part of the west and north boundaries until the installation of a required storm sewer and retaining wall along the north and west boundaries is completed; and a Variance (Section 1213.3 (b) - Convenience Goods and Services - Under the Provisions of Section 1670) for a variance of the screening requirements until the completion of a storm sewer and retaining wall along the north and west boundaries in a CS District located north and west of 61st Street and Sheridan Road.

Presentation:

Charles Norman advised that the neighborhood groups and Mr. Anderson, the developer, had met and the screening fence had been erected and a drainage swale provided on the north. Also, Mr. Anderson had authorized his engineers to proceed with plans and specifications for a storm sewer on the western boundary as the sewer must be in place prior to the screening being erected. He requested a four-month extension of time in order that the conditions might be complied with and bids accepted for work required.

Interested Party:

J. W. Bondurant, 6029 South Lakewood, felt that the 120-day request was reasonable and requested that the work be completed within that period of time.

8984 (continued)

Mr. Norman noted that he did not feel Mr. Anderson would make firm commitments to proceed until bids had been received, after which Board Member Smith stated it was his feelings that the work should begin as soon as the bids are in.

Board Action:

On MOTION of SMITH, the Board continued application 8984 to September 2, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to permit the applicant sufficient time in which to complete engineering design, accept formal bids on the project and begin construction.

8977

Action Requested:

Exception (Section 1680.1 (f) - Special Exceptions - General) the modification of a screening requirement as provided in Section 250, Chapter 2, District Provisions: General--off-street parking use of property located within a Residential District when the property is abutting an Office, Commercial or Industrial District--to permit off-street parking use of property located in a Residential District which is abutting a Commercial District, and a Special Exception to modify the screening requirements imposed on off-street parking areas, in an Office or Parking District abutting a Residential District subject to the rezoning of subject property; and

9007

Action Requested:

Appeal (Section 1650 - Appeal from the Building Inspector) to remove a driveway entrance; and Exception (Section 1680 - Special Exceptions to permit accessway for parking use; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670) to permit accessway for parking area in an RS-3 District located south and west of 19th Street and Utica Avenue.

Presentation:

Charles Norman, attorney representing Helmerich & Payne and St. John's Hospital, and Roy Johnsen, representing Utica National Bank, were present on behalf of the applications submitted.

Mr. Norman advised that the matter was brought before the Board as many errors had been made on the parts of both the City and Helmerich & Payne. He presented an aerial photograph describing the development patterns in the area of the subject property. Mr. Norman pointed out that Helmerich & Payne had leased the property being utilized by St. John's Hospital for visitor parking only in order that the Hospital parking problems in the area might be somewhat alleviated. St. John's paved the lot, while Helmerich & Payne landscaped the lot and maintain the landscaping. He also noted that there are specific penalties within the lease agreement should the Hospital employees or construction employees utilize the lot which has been designated for visitor and patient parking only.

8977 and 9007 (continued)

Mr. Norman submitted the site plan (Exhibit "B-1") of the parking lot and property in question, advising that Helmerich & Payne had granted use of the western portion of the subject property to Utica National Bank for an access easement and driveway which serves the parking garage with access from the lower level of the parking garage to 19th Street. To the east of the subject tract is CH zoning which contains more than one-half of the easternmost access point which serves the existing parking lot, a portion of which is located within the RS-3 District. Should rezoning of a portion of the subject property not be obtained, this easternmost drive could be legalized by narrowing the access point to be contained within the CH District to the east.

He pointed out those portions of the Helmerich & Payne properties which are utilized for parking by Dowell tenants as well as Helmerich & Payne, noting that Helmerich & Payne owns the entire block between 19th and 21st Streets with the exception of four lots at the northwest corner of the block. Previous to the commencement of the construction on the St. John's tower, the CH property had access to Utica Avenue and 21st Street; however, when the construction was begun the access was begun from the OL property to the south of 19th Street--the use of this access point having been ordered to be ceased. A rezoning application was filed on the 25' RS-3 strip before the Planning Commission for OM zoning, the Staff recommended OM on the eastern 110' to align with the existing OM to the north and denial of the balance, the applicant so amended his application, and the Planning Commission recommended OM on the eastern 110' and denial of the balance.

Mr. Norman advised that Ron Raynolds, attorney for the Swan Lake Home-owners Association, had stated at the Planning Commission rezoning hearing that the Association would have no objections to the Board's granting of the parking use on the 25' RS-3 strip subject to the site plan submitted and subject to the erection of a three-foot solid board screening fence on the north from the landscaped area containing preserved trees located partially within the OM District to the west extending to the eastern boundary of the driveway being utilized by Utica National Bank. He noted that the screening fence would conform to the requirements of the Zoning Ordinance and provide a protective shield from automobile headlights during the evening hours. Due to the number of trees being preserved within this parking area, only 13 parking spaces are involved in the RS-3 parking strip. Mr. Norman presented nine photographs (Planning Commission exhibit of February 25, 1976) of the parking lot, pointing out the manner in which the parking lot was improved and constructed. He requested approval of the western 192' of the northern 25' of the subject property for off-street parking purposes subject to the screening fence and maintenance of the existing treatment of 19th Street per the site plan submitted.

With regard to the balance of the subject applications, Mr. Norman advised that four separate issues were being presented to the Board this date for its consideration and approval--(1) that the driveway serving the Utica National Bank parking garage be approved; (2) that expansion of the Helmerich & Payne surface parking lot to the west of

the parking garage be permitted to be expanded to accommodate 20 additional parking spaces; (3) that this surface parking lot be permitted to connect to and access via the Utica National Bank driveway to 19th Street; and (4) that modification of the driveway exit be approved to force traffic leaving the garage and proposed surface parking area to turn right toward Utica Avenue.

Roy Johnsen, attorney representing Utica National Bank, pointed out that the driveway from the four-level parking garage to 19th Street presently exists and explained how its construction came about. Utica National Bank leased the property from Helmerich & Payne for bank and driveway purposes; plans (Planning Commission exhibit of February 25, 1976) for construction were prepared and presented to the City of Tulsa, which were reviewed and approved stating that no Board of Adjustment action would be required prior to construction; plans were finalized; and a building permit (Planning Commission exhibit of February 25, 1976) was issued and construction begun. He noted that the plans specifically show an access drive from the parking garage to 19th Street, which was unconditionally approved by the Building Inspector. Mr. Johnsen submitted a plot plan (Exhibit "B-1") which was the first sheet of the overall plans submitted to the Building Inspector's Office which was also approved showing an access drive to 19th Street. He noted that the building permit was sought in good faith and issued. He questioned the "cease and desist order" which was rendered concerning the driveway since all plans which were submitted and approved for construction showed access to 19th Street via the existing driveway. Mr. Johnsen pointed out that the closing of the driveway would cause severe damage to the Bank, noting that a Variance or alternatively a Special Exception of the appeal is being sought to permit the continued use of the driveway.

Mr. Johnsen submitted a traffic survey (Exhibit "B-3") undertaken with regard to the existing driveway, explaining the circulation pattern involved in the development and with the use of 19th Street as provided on a plot plan found within the document. He noted that the Bank was designed and constructed, with access to 19th Street in order that the lower level of the Bank facility could be utilized for security and cash purposes. The second level of the structure is the banking level for customers with access being provided via 21st Street and Utica Avenue. The third level is utilized for the remaining tenants of the structure and the fourth level is utilized by Bank employees, these two levels using the 21st Street and Utica Avenue access points. It was pointed out that the 19th Street access point is not readily convenient to anyone except for those few customers who know the Bank facility well. Mr. Johnsen pointed out that the service provided within the lower level of the structure cannot be accommodated from a higher level which is why it was designed as constructed and presently utilized. Upon questioning by the Board, Mr. Johnsen advised that a vehicle can travel from the second level to the lower level, but not conveniently as the ramp to the lower level is easily missed if one is not familiar with the facility.

With regard to the neighborhood's concern with traffic filtering through the residential area, Mr. Johnsen pointed out that the Staff, in its reports, have characterized 19th Street as a residential street. The area to the west of St. Louis, Mr. Johnsen advised is a residential neighborhood, but to the east of St. Louis are mixed uses with office uses being located to the west of Utica with access points provided to 19th Street. The rezoning recommended to the City Commission by the

8977 and 9007 (continued)

Planning Commission aligns OM to the south of 19th Street with existing OM to the north, CH zoning is located to the south of 19th Street, and 19th Street in this particular area is not a residential street because of the many nonresidential uses existing. The Staff has stated that traffic into the residential areas should be avoided, but it is happening in each of the four quadrants of the intersection of 21st and Utica and not just in the northwestern quadrant which contains the Bank, Hospital and Helmerich & Payne.

A Traffic Engineering traffic count undertaken in December, 1973 to the east of St. Louis on 19th Street shows 1,273 average daily trips, while residential areas such as those in the Maple Ridge, Terwilliger and 21st and South Pittsburg areas show counts from 1,450 to over 6,000 average daily trips. Because he did not feel that the Bank traffic was a great part of the 1,273 average daily trips, the previously exhibited traffic survey was undertaken on April 28, 29 and 30, 1976 between the hours of 7:30 a.m. and 6:00 p.m. in order that the vehicular movements utilizing the 19th Street access point might be known. A summary of the traffic count for this three-day period showed that 69% of 180 vehicles entered the 19th Street entrance from the east and 31% from the west; 82% of 180 vehicles entering remained at the lower level of the Bank structure--only 18% moved by the parking ramp to an upper level; 92% of 175 vehicles left the parking structure at the 19th Street exit from lower level parking spaces--only 8% left via a ramp from an upper level; and 82% of 175 departing vehicles turned east--only 18% turned west upon departure from the 19th Street exit. Also, only 20.2% of the total vehicular movements from the three Bank structure entrances were through the 19th Street entrance during the 4:00 to 6:00 p.m. period on April 29. The 21st Street entrance had 29.4% and Utica Avenue had the majority, 50.4% of total vehicular movements.

In attempting to work toward solutions to the traffic problems experienced on 19th Street, an engineer was engaged by Helmerich & Payne and Utica National Bank to provide a modified design to further discourage people from travelling to the west on 19th Street. The proposed modification (Exhibit "B-4") was reviewed by the City Engineer in concept and he determined that the modification would be acceptable so long as no traffic hazard was created. The modification proposed curves the exit lane to the right and provides a center channel also curving to the right to direct traffic to the right only toward Utica Avenue with a "No Left Turn" sign being provided. Because of the on-street parking taking place on the north side of 19th Street in addition to the curved exit lane, a left-hand turn would be extremely difficult to complete. The Traffic Engineer has advised that 95% of the vehicles utilizing the exit would adhere to the sign and turn to the right. Mr. Johnsen advised that the Bank is prepared to immediately reconstruct the access per the rendering submitted, should the Board so approve the driveway as it exists as requested.

With regard to the remainder of his application (#8977) before the Board, Mr. Norman submitted a plot plan (Exhibit "B-5") requesting permission to improve an area located immediately to the west of the CH zoning to accommodate an additional 20 parking spaces preserving trees and landscaping per the plan submitted. He also requested a waiver of the

screening fence on the northern boundary of the parking lot which abuts properties also owned by Helmerich & Payne and which would serve no useful purpose. He noted that Helmerich & Payne would have no objection to some type of physical barrier being located on the northern boundary to prohibit access via the existing residential drive-access from the lot would be utilizing the Bank driveway to 19th Street as shown on the plot plan. Mr. Norman advised that there are 250 parking spaces provided in the CH area for the Dowell Building employees and tenants, and he requested permission to connect the new surface lot with the Bank driveway in order that the traffic leaving the area could exit toward the east and Utica Avenue which would relieve a major point of congestion at 21st Street and within the parking lot during the rush hours. He submitted a traffic survey (Exhibit "B-6") undertaken between February 17 and 19, 1976 noting the various numbers of persons utilizing the Dowell and Bank access points, advising that the closing of the access point from the OL property to 19th Street and the denial of the driveway for access purposes from the surface parking lot would require all 250 persons now utilizing various access points from the property to utilize 21st Street solely and create a traffic problem at that point, with a great number of vehicles turning to the west on 21st Street to St. Louis and then north to 19th Street and on east to Utica Avenue because of the problem involved with making a left-hand turn from the 21st Street access to travel to the east on 21st Street.

With regard to the alternatives presented by the Staff it was felt that the proposal submitted this date would be more appropriate in the interim to alleviate problems and concerns of the area residents. He felt that the 21st and Utica intersection would have to be redesigned before any future solution could be determined.

Protests:

Ron Reynolds, representing the Swan Lake Area Homeowners Association, advised of the protest petitions which were exhibited at the Planning Commission rezoning hearing of February 25, 1976, and submitted this date an additional petition (Exhibit "B-7") containing the signatures of 93 area residents opposed to the maintenance of the Bank driveway and access from the parking lot proposed to the west of the parking garage. Mr. Reynolds reviewed the history of the rezoning of the nonresidential property under application noting that the 25' RS-3 strip was maintained to prohibit access to 19th Street, a residential street. He pointed out that the Association has no opposition to off-street parking within the RS-3 strip provided the screening requirements are rigidly adhered to and no access from the parking lot or parking garage to 19th is provided, with the exception of the easternmost access which is located within the nonresidential district to the east. Mr. Reynolds advised that there is a need for additional off-street parking in the area and the Association would have no objections subject to the above-stated provisions, noting that the access on Utica is supported by the Association and provides access for the Bank's needs without encroaching into the established residential area. Mr. Reynolds expressed concern with the applications being overlapped as parking would then be provided on the existing driveway area if the driveway were not approved by the Board. The files of the Planning Commission reflect that the buffer strip was in place when the parking garage was first proposed and the Association is presently

concerned with the Board's being requested to legalize an error made by Helmerich & Payne some years ago. He felt that the Building Inspector, at the time he reviewed and approved the plans, was concerned only with the structures and not with the question of access. It was felt that the driveway from the existing parking garage was not a necessary access, since it had been proposed as a minor drive to the banking facility. Mr. Raynolds pointed out that any encroaching commercial traffic places a burden on the residents in the area and suggested that the existing driveway to 19th Street be closed and all traffic directed through the Bank and Helmerich & Payne property to the Utica or 21st Street access points. It was pointed out that Helmerich & Payne presently owns 1,320 feet of 21st Street frontage which could be utilized for additional access points if required; however, they are asking that they be permitted to contribute to the traffic problems until other solutions can be found to the increasing problems in the residential area. Mr. Raynolds pointed out that the Bank facility was not yet at capacity, stating that the traffic would be increased substantially when the structure is completely leased. With regard to the 20 additional parking spaces to be provided to the west of the parking garage, Mr. Raynolds felt that the access via the driveway requested was for convenience purposes only as there is access to the south of the lot in question that could be utilized by the employees parking on the lot. As proposed within the modification of the exit lane of the driveway, a prohibited left turn is not proposed--only an inconvenient left turn. He noted that at the time he had spoken with the Traffic Engineer, he was not in favor of a hard right-turn-only being provided. Mr. Raynolds felt that the requests before the Board this date are not questions for the Board, but should be answered within a PUD during which time all questions could be taken into consideration. In closing, Mr. Raynolds submitted four photographs (Exhibit "B-8") of the parking lot and parking garage driveway requested.

G. C. Spillers, attorney representing his mother who resides at 1509 East 19th Street, advised of the protest petitions that were presented to the Planning Commission at the rezoning hearing, containing the signatures of some 400 area residents opposed to the applications that have been submitted to the Planning Commission and Board of Adjustment. Mr. Spillers referred to statements within the Planning Commission minutes of the original rezoning application some years ago, which note that the 25' RS-3 strip was maintained to prohibit access to 19th Street which was a promise of Helmerich & Payne at the time of the rezoning of the property. He expressed concern with regard to how all three enterprises (Helmerich & Payne, Utica National Bank, St. John's Hospital) could overlook and be unaware of the 25' RS-3 strip which was maintained for buffer purposes. Mr. Spillers requested the subject applications be denied, feeling that the area should be advised of any future development plans that Helmerich & Payne might have for their properties which they own to the west extending to St. Louis.

James Watson, 1344 East 19th Street, pointed out that the traffic signals and congestion at the intersection of 21st Street and Utica Avenue are not at issue at this time, nor is the traffic on Terwilliger which is also a four-lane residential street, rather than a narrow two-lane such as 19th Street. Mr. Watson pointed out that the access from the OL

8977 and 9007 (continued)

property has been closed and a physical barrier provided; however, persons wishing to use this access point remove the barrier and utilize the access point disregarding its closing. He felt that approval of the subject applications would be detrimental to the existing residential neighborhood.

Barbara Smith, 2502 East 19th Street, representing the Lewiston Garden Homeowners Association, advised the Board that the Association is in accordance with the decisions of the Swan Lake Association as Lewiston Gardens protested an almost identical application filed by the Doctors' Building some two years ago. The Board denied the request at that time and her Association requested that the same decision be made with regard to the subject applications.

Claudia Baker, representing the District 6 Planning Team, advised that the Planning Team and Steering Committee Members of District 6 have been in the process of completing the District 6 Plan to be submitted to the Planning Commission for public hearing. Within the Plan, the intersection of and area surrounding 21st Street and Utica Avenue have been designated as a Special District and in the Planning Commission rezoning hearing, the District 6 Planning Team requested that a special zoning study be conducted by the Planning Commission Staff with review by the Planning Team at such time as a rezoning application has been filed or is anticipated to be filed within the Special District. When the Planning Team learned of the Staff's Recommendation and Staff Study, the Planning Team voted to agree with the Study at this time and noted that it would continue to request that a land use study of the area be undertaken. She pointed out that the Planning Team is concerned with total District 6 and not just this particular area in question.

Mr. Johnsen pointed out that the rezoning in 1962 maintaining a 25' RS-3 buffer was dealt with by Helmerich & Payne and not Utica National Bank, noting that the Bank is not aware of any conversations that Helmerich & Payne had held with area residents and what promises may have transpired during those conversations. Mr. Johnsen pointed out, via an aerial photograph (Exhibit "B-9"), those changes which have occurred in the area since the 1962 rezoning application, feeling that the established residential area is located to the west and not in the immediate vicinity of the subject property because of the number of changes that have occurred. He stated that the lower level of the banking facility is the service level containing the Bank's security features and cash vault, is utilized by the security trucks carrying cash to and from the bank, is utilized for delivery purposes and also is considered the monitor level of the banking facility. He again noted that the site plan presented to the Building Inspector's Office for review and approval prior to the issuance of the building permit specifically made note of the access points which were to be utilized, and construction had taken place per approved plan. If the Bank had been aware that access was not permitted in the area in question because of the RS-3 zoning, a redesign of the facility would have been undertaken to correct the situation. Mr. Johnsen felt that the solution proposed was the most appropriate to help alleviate an existing error, which was not an error of Utica National Bank.

8977 and 9007 (continued)

Mr. Norman advised that the Association has stated that it does not object to the St. John's parking lot developed per the plot plan, but it does object to the driveway also being utilized by the tenants of the Dowell Building who would be parking on the additional 20 parking spaces proposed to the west of the parking garage. He pointed out that Helmerich & Payne is providing additional parking on their own property to help alleviate the growing problem in the area of insufficient parking facilities. Mr. Norman requested that the Board act separately on the issue of additional parking and requested that the Board approve the access drive from the Bank facility to 19th Street which would also be utilized by the employees parking on the Dowell lot. He felt that the protestants had tried to avoid relevant issues-- the 21st Street and Utica intersection existing signalization and the opinion of the Traffic Engineer with regard to the right-turn only exit lane from the parking garage. In further comments, he noted that the signals at the intersection do in fact create a great deal of the through traffic that the residents are experiencing which will not be alleviated until such time as the intersection is improved to correct the situation. With respect to the Helmerich & Payne surface parking lot, he advised that prior to construction of the Bank there were access points directly to Utica Avenue from the Helmerich & Payne lots and commercial parking lots that existed at that time. Mr. Norman felt that the Helmerich & Payne and Utica National Bank proposals would force all traffic to Utica rather than through the residential area via 21st Street, St. Louis and 19th Street or Swan Drive. With regard to the right-turn only exit lane, the Traffic Engineer had previously stated that 95% of the persons using the exit would obey the sign and thereby utilize Utica Avenue rather than the residential street (19th Street) to the west. He also pointed out that Helmerich & Payne throughout all of the hearings has requested that studies be undertaken within all four quadrants of the intersection as the problem is not unique to 19th Street. Commercial traffic in a residential area is not desirable, but is something that will be experienced when existing and long-standing commercial uses have been developed in the area. He noted that the institutions involved have made bona fide and professional efforts to present solutions to the existing problems with regard to traffic control.

Mr. Reynolds referred to the 1962 Planning Commission minutes and a letter from an architect who states that a two-story parking garage, landscaping, etc., with access to the south only was proposed at that time, which Mr. Reynolds felt was the basis of the Commission's approval of the rezoning. He felt that the more concessions made by the residents and the more applications for minor relief approved by the Board would prolong any long-term solutions to the problems in the area. He requested that the applications regarding access be denied by the Board.

Mr. Johnsen pointed out that the two-story parking garage referred to in 1962 was not the Bank garage as the existing parking garage was not planned until 1970. He also did not feel that the Bank should be burdened by what actions have taken place since the rezoning of 1962.

8977 and 9007 (continued)

Upon questioning by the Board, Mr. Gardner advised that the Staff is in support of the off-street parking for the Hospital and that parking proposed as an extension to the west of the parking garage; however, the key question at this time is access via the access driveway to 19th Street under application which the Staff does not support. Long-range solutions as noted within the Staff's Special Study presented to the Planning Commission include resignalization of the 21st Street and Utica Avenue intersection and the placement of a cul-de-sac east of St. Louis on 19th Street to force all traffic to utilize 19th Street east rather than the residential streets throughout the established residential area.

In his comments to the Board, David Pauling, Assistant City Attorney, advised the Board that the Board must determine whether or not a unique hardship exists and whether or not it is a hardship created by the applicant prior to the approval of the Variance requested regarding the authorization of the presently existing access driveway.

Bill Thomas, City Traffic Engineer, advised the Board that his Department has presented alternative solutions to the City Commission upon the direction of the Commission; however, he noted that he did not support any of the physical alternatives as they would not completely solve the problems presently experienced. As proposed with the modifications outlined, the access drive would force 95% of the exiting traffic to the right toward Utica Avenue, but would not decrease incoming traffic. From a traffic standpoint, Mr. Thomas noted that the 19th Street access would be desirable and is a necessity to the lower level of the Bank because there is no other access available to the lower level; however, he advised he was not in support of the driveway being used as a combined access drive for the Bank and the surface parking lot proposed to the west of the parking garage.

Board Action and Discussion:

On MOTION of SMITH, the Board (3-0) upheld the decision of the Building Inspector to remove an existing driveway, thereby denying the appeal (#9007).

On MOTION of SMITH, the Board (3-0) approved a Special Exception (Section 1680.1 (g) - Special Exceptions - General) to permit off-street parking use for St. John's Hospital, subject to the screening as per the landscape plan (#8977) in an RS-3 District on the following described tract:

North 25' of the West 192' of Lots 11 and 12, Block 27, Park Place Addition to the City of Tulsa, Tulsa County, Oklahoma.

PURSER moved to deny the Special Exception and Variance (#9007) to permit the existing driveway, after which the Chair advised that he was not in support of the motion as he was concerned with traffic that would then be forced to exit on 21st Street which would then travel to the west to St. Louis, to the north to 19th Street and through the residential area to Utica Avenue in order that access might be gained north on Utica or south on Utica, creating more traffic through the residential area than presently exists. Board Member Smith advised that he did not feel that the proper examination of the property title had taken place

prior to the development of the property to permit the driveway as exists, pointing out that the 25' RS-3 strip should have been recognized. In further Board discussion, the Chair pointed out that three "aye" votes are required in order that an application might be approved, after which Mr. Johnsen advised he would have no objection to the application's being continued to a later date in order that additional Board Members might be present. The Chair stated that he would support a continuance but those Members not present this date would not have had the full benefit of the entire presentation presented this date for and against the application.

After continued discussion by the Board Members, SMITH moved to deny the Special Exception and grant the Variance to permit the accessway for the enclosed parking garage to 19th Street, subject to the modification of the exit lane and erection of a "No Left Turn" sign per the rendering submitted. PURSER suggested the motion be amended to include the closing of the interior ramp of the parking garage from the lower level parking to the upper level parking, thereby permitting the ramp from the upper level to the 19th Street level to remain open. There being no objections,

*amended per
BoA 6/13/96
P. SMITH*

PURSER
on MOTION of ~~SMITH~~, the Board (3-0) denied the Special Exception (Section 1680 - Special Exceptions - Under the Provisions of Section 1670) to permit access way for the parking garage, and granted a Variance (Section 410) to permit accessway for the enclosed parking garage to 19th Street, subject to the following safeguards and conditions: (1) That the driveway be modified and signed as per rendering submitted, and (2) that the interior ramp from the lower level parking to the upper level parking be closed, permitting the ramp from the upper level to the 19th Street level to remain open (#9007) in an RS-3 and CH District on the following described tract:

The West 25' of the North 25' of Lot 11, Block 27, Park Place
Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

SMITH moved to approve the Special Exception to permit off-street parking use on the surface lot to the west of the parking garage, modifying the screening requirement on the north per plan, subject to no access being utilized via the Bank driveway and subject to the off-street parking standards being met (#8977). PURSER suggested the motion be amended to require the applicant to provide an effective physical barrier to prohibit access from the parking lot to the Bank driveway, with the responsibility of the efficiency of the physical barriers being placed upon the applicant to fulfill the purpose of prohibiting access. There being no objections,

on MOTION of SMITH, the Board (3-0) approved a Special Exception (Section 1680.1 (g) - Special Exceptions - General) to permit off-street parking use on the interior surface parking lot, modifying the screening requirement on the north pertaining thereto provided and conditioned upon an effective physical barrier being constructed and properly maintained by Helmerich & Payne to prohibit access via the Utica National Bank driveway to 19th Street (#8977), in an RS-3 District on the following described tract:

8977 and 9007 (continued)

All that part of Lot 10, Block 27, Park Place, an addition in Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof; more particularly described as follows, to-wit:

Beginning at the SE corner of said Lot 10; thence Westerly along the South boundary of said Lot 10 a distance of 75.8 feet; thence Northerly and parallel to the East boundary of said Lot 10 a distance of 152.3 feet; thence Easterly and parallel to the South boundary of said Lot 10 a distance of 75.8 feet; thence Southerly along the East boundary of said Lot 10 a distance of 152.3 feet to the point of beginning.

NEW APPLICATIONS:

9013

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 440 (6) - Mobile Homes) to locate a mobile home in an RM-1 District located at 1913 North Darlington Place.

Presentation:

Roy McGee, representing the applicant, requested a continuance of the subject application due to the lengthy agenda and late hour.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) continued application 9013 to May 20, 1976, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center.

9014

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 6410½ West 4th Place.

Presentation:

Lois Diffie requested a continuance of the subject application due to the lengthy agenda and the late hour.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) continued application 9014 to May 20, 1976, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center.

9035

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 1147 East 48th Street North.

9035 (continued)

Presentation:

Floyd W. Green, the applicant, requested a continuance of the subject application due to the lengthy agenda and the late hour.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) continued application 9035 to May 20, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9010

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwelling) to erect a duplex; and a Variance (Section 440 (3) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670) for a variance of the lot area requirements from 9,000 square feet to 8,494 square feet and a variance of the frontage requirements from 75' to 62' in an RS-3 District located at 1128 East 37th Place.

Presentation:

Floyd Roberts submitted a plot plan (Exhibit "C-1") requesting permission to erect a duplex on the subject property per plan and including a variance of the lot area requirements and frontage requirements in order that the structure might be located on the property as proposed.

Interested Party:

Olevia Davis, 1124 East 37th Place, representing residents within the 1100 Block of East 37th Place, advised the Board that the area residents would have no objection to the applicant's proposal subject to the following conditions: That no structure be erected closer than 10' to the western property line, that all property lines be fenced, that adequate off-street parking be provided for two and preferably four automobiles, and that any structure erected be a comparable quality to those residences in the area.

Mr. Roberts advised that a chain link fence exists on the frontage and that a fence will be provided on the west. The structure setback is 12' from the western property line and off-street parking for four automobiles is provided.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwelling) to erect a duplex; and a Variance (Section 440 (3) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670) for a variance of the lot area requirements from 9,000 square feet to 8,494 square feet and a variance of the frontage requirements from 75' to 62' as presented per plot plan in an RS-3 District on the following described tract:

9010 (continued)

Part of the S/2 of the SE/4 of the NE/4 of the SE/4 of Section 24, Township 19 North, Range 12 East of the IBM, according to the U.S. Survey thereof described as follows, to-wit:

Beginning at a point 27.05' South and 238' West of the NE corner of said S/2, SE/4, NE/4, SE/4, thence West 62'; thence South 137'; thence East 62'; thence North 137' to the point of beginning.

9016

Action Requested:

Variance (Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670) for a variance of the square footage requirements for an accessory building from 750 square feet to 1,440 square feet in an RS-1 District located at 6705 South Houston Avenue.

Presentation:

Billy Garrison submitted a photograph and construction plans (Exhibit "D-1") for the accessory building that he is proposing to locate on his property per plot plan (Exhibit "D-2"), advising that he has a boat, car, a three-wheel motorcycle, two motorcycles, two dirt motorcycles and a company pick-up truck which contains valuable equipment that he needs to place within a garage because of the vandalism problems that he had experienced with regard to his belongings. Mr. Garrison, upon questioning, advised that his existing garage had been converted into a den and that he now has no place in which to store his vehicles and valuables. He pointed out that he repairs his own vehicles, that he intends to operate no commercial business from the structure, and that his wife also needs a place in which she can re-finish furniture which is her hobby.

Protests:

Ernest Crawford, 701 West 67th Street, submitted a protest petition (Exhibit "D-3") containing the signatures of 39 persons opposing the application. Mr. Crawford also read a letter of protest from Mrs. Tom Olden who expressed concern with regard to the late-night repair activities that had taken place in the garage prior to its being converted. She pointed out the odor and noise problems which affect her ill health. Mr. Crawford noted that the proposed structure is very large, that the applicant does more than an average amount of motorcycle repair work as he also works on his friends' vehicles and he did not feel that the location of the structure would be in the best interest of the balance of the neighborhood because of the activity that would be undertaken within the structure. He also noted that the painting materials which the applicant stores are flammable.

Mrs. Lawrence Berry, 523 West 68th Street, advised that there are no fire hydrants in the area and expressed concern with regard to the flammable materials that the applicant has on hand which might create a fire hazard for the remainder of the area residents.

Mrs. Tom Olden, 6715 South Houston Avenue, advised of the noise and odor from the paint utilized by the applicant that have created problems for the residents in the area. She pointed out that several motorcycles have burned in the applicant's garage and that her home is 30' from the applicant's residence. Mrs. Olden's daughter was also present on her

9016 (continued)

behalf, advising the Board of the threats that the area residents had received from the applicant, should they protest the application. She was advised by the Chair that these points were immaterial to the application before the Board at this time.

Mr. Garrison advised the Board that he does not operate a commercial business, that the motorcycle repair is his personal business, pointing out that the only question before the Board at this time is that regarding the size of the proposed structure. He stated that he has no gasoline sitting around his property as gasoline is syphoned from his automobiles if needed for the motorcycles. If the Board granted approval of the size of the structure, Mr. Garrison advised he would then be able to repair and paint his vehicles inside the garage so as not to create a disturbance for the neighbors. Upon questioning by the Board, he advised that he had painted in March and July of 1975 noting that he had never personally received a complaint from Mrs. Olden regarding the painting and repair that he was undertaking. It was also noted that the nearest fire station was two to three miles from the area. Upon further questioning, Mr. Garrison advised that the type of structure that he is proposing is not made in smaller sizes without becoming economically unfeasible, that he was not planning to heat the structure, and that the fire which burned his home was a fire caused by the range in the kitchen and not by any of his paint or repair work.

Tom Olden, 6715 South Houston Avenue, felt that the proposed structure would devalue the area because of its large size.

Sam Bates, representing Ozark Steel Buildings the manufacturer of the proposed structure, advised that the applicant is wanting only to store his vehicles and tools in the structure and repair his vehicles as his hobby as so many persons do in their homes. Mr. Bates advised that the structure proposed is the smallest that is manufactured by the Company and should a smaller structure be required, the cost would be prohibitive as it would have to be engineered and custom made.

Mrs. Margaret Sanders, owner of the residence located at 6704 South Houston, advised the Board that her renters have complained of the noise created by the applicant in the late hours. She noted that she cannot rent her property is complaints are continued.

Mrs. Garrison advised the Board that their home burned in November, 1975 and that she has been refinishing used furniture for their home as all of their original furniture was destroyed. She pointed out that the structure would be used for storage, for her husband's repair hobby and for her refinishing work. Mr. Garrison noted that he also works for Cable TV, that he drives a Company truck home in the evenings, and that he needs to store the truck in a garage because of the valuable equipment that is on the truck.

Board Action:

On MOTION of SMITH, the Board (3-0) denied application 9016 in an RS-1 District on the following described tract:

Lot 3, Block 4, Cates Addition to the City of Tulsa, Oklahoma.

9017

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile home in an RS-1 District located south and east of 137th East Avenue and 111th Street South.

Presentation:

Louis Richardson advised the Board that he had sold his home and purchased a mobile home to place on the subject 3½ acre tract, but then found that Board approval was necessary. He advised that he plans to construct a permanent residence on the property in the future and felt that it would take approximately two years for him to complete the residential structure; however, it is possible that the structure could be completed within the one year that the Code permits for the location of a mobile home on the property. Upon questioning he advised that there is a mobile home across the street from his property.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile home in an RS-1 District for a period of one year, bond required on the following described tract:

The South 710' of the following described tract of land: Beginning at a point 435' east and 596' south of the northeast corner of the NW/4 of the NW/4 of the NE/4, in Section 33, Township 18 North, Range 14 East; thence east 220'; thence south 880'; thence southeasterly 336'; thence east 25'; thence south 30'; thence west 118'; thence south 810'; thence west 220'; thence north 2,044' to the point of beginning.

9018

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a wedding arrangement service and make custom-made wedding gowns in an RS-3 District located at 4511 South 28th West Avenue.

Presentation:

Betty Gibbs advised the Board that she has been engaged in a bridal consultation service and offers her assistance to the bride in planning her wedding. Since the illness of her mother, the commercial shop has closed and Mrs. Gibbs requested permission to operate her service out of her home, advising that she supplies products and services such as invitations, flowers, church decorations and reception utensils. One or two planning meetings are required between herself and the bride--the majority of the meetings taking place in the home of the bride with the exception of a very few taking place in her home. Mrs. Gibbs advised that she would like to expand her service to include custom-made wedding gowns which would involve the brides coming to her home for fittings. She pointed out that the fittings could be made by appointment for those wishing to come to her home. She advised that her business is not conducted as an open store, but that she does require appointments for her customers.

9018 (continued)

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a wedding arrangement and custom-made wedding gown service, as presented, subject to the approval being granted for the applicant only and not to run with the land in an RS-3 District on the following described tract:

Lot 20, Block 2, Henson Addition to the City of Tulsa, Oklahoma.

9019

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes); Exception (Section 310 - Principal Uses Permitted in the Agriculture District); and a Variance (Section 340 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670) to maintain a mobile home and vary the five acre minimum requirement for a mobile home in an AG and RS-1 District located at 8901 South 33rd West Avenue.

Presentation:

B. C. Syndergard, the applicant, was not present.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) continued application 9019 to May 20, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9020

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) for refusing to permit mobile homes; an Exception (Section 310 - Principal Uses Permitted in the Agriculture District) to locate mobile homes; and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670) for a variance of the five-acre minimum for a mobile home in an AG District located south and east of Memorial Drive and 146th Street North.

Presentation:

Eugene Sellmeyer submitted his plat of survey (Exhibit "E-1") and 12 photographs (Exhibit "E-2") of the property in question, advising that he owns the subject property which he began developing in 1974 with streets, water lines, and gas lines being provided. He noted he had found out recently that Board approval was required as the City's jurisdiction now extends to this area.

9020 (continued)

Mr. Gardner once again explained to the Board that the subject property is known as a "wildcat subdivision" and the applicant is requesting an Exception and Variance in order that the properties might be sold and developed either with residences or mobile homes. He noted that the approval granted this date would cover the entire property rather than on a lot-by-lot basis.

David Pauling, Assistant City Attorney, advised the Board of the five-acre requirement for granting approval of mobile homes in an AG District and expressed a concern with an unlimited time approval being granted. The Code requires a variance or exception to be commenced within 2 years.

Mr. Sellmeyer, in discussion, felt that he could more than likely sell the remainder of his lots within a one-year period, but stated he would rather have two years.

Don Hallock, County Building Inspector, advised the Board that the County has dedications in hand, that the street construction is near completion under the inspection of the County Engineer. He felt that the County would more than likely accept maintenance of the streets; however, Mr. Sellmeyer has agreed to not use this as a selling point until such time as the County does in fact accept maintenance responsibilities.

At this point, the Chair commended Mr. Hallock and his Department for their cooperation with the City in working with these "wildcat subdivisions".

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) affirmed the decision of the Building Inspector for refusing to permit mobile homes in an AG District; approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District) to locate mobile homes for a period of two years, and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670) for a variance of the five-acre minimum requirement for a mobile home as represented in an AG District on the following described tract:

The SW/4, NE/4 and the SE/4, NW/4 of Section 25, Township 22 North, Range 13 East, Tulsa County, Oklahoma.

9023

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a public park with improvements consisting of unlighted tennis courts, parking and site development in an RS-3 District located south and east of 33rd Street and Garnett Road.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit "F-1") to the Board requesting permission to improve the proposed 16.5 acre public park. Improvements are to consist of a 21 space parking lot with access to South 116th East Avenue and four unlighted tennis courts to be located at the southeast corner of the property.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410-Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a public park with improvements consisting of four unlighted tennis courts, parking and site development per site plan submitted in an RS-3 District on the following described tract:

Beginning at a point on the west line of Section 20, Township 19 North, Range 14 East, Tulsa County, Oklahoma, said point being 755.00' south of the NW corner of said Section 20; thence south along said west line a distance of 504.30' to a point; thence east a distance of 345' to a point, said point being the NE corner of Lot 10, Block 5, Briarglen Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; thence south a distance of 180' to a point; thence east a distance of 351.08' to a point on the westerly line of Lot 35, Block 5, of said Briarglen Addition; thence north 10° east a distance of 80.05' to a point, said point being the NW corner of Lot 36, Block 5, Briarglen Addition; thence south 80° east a distance of 175' to a point; thence south 10° west a distance of 197' to a point, said point being the NW corner of Lot 1, Block 6, Briarglen Addition; thence south 80° east a distance of 203.44' to a point; thence north $89^{\circ}-33.3262'$ east a distance of 189.19' to a point; thence south 80° east a distance of 86.83' to a point, said point being the north-east corner of Lot 11, Block 6, Briarglen Addition; thence north 13° east a distance of 206.73' to a point on the east line of the W/2 of the NW/4 of Said Section 20; thence north $0^{\circ}-1.1853'$ west a distance of 479.93' to a point; thence west a distance of 410.50' to a point; thence north $88^{\circ}-42.3202'$ west a distance of 50.01' to a point; thence south $80^{\circ}-31.7033'$ west a distance of 121.66' to a point; thence west a distance of 162.63' to a point; thence north $63^{\circ}-19.9072'$ west a distance of 275.73' to a point; thence north $41^{\circ}-49.6098'$ west a distance of 124.80' to a point; thence west a distance of 246.77' to the point of beginning, containing 16.362 acres, more or less.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of unlighted tennis courts, parking and site improvements in an RS-3 District located at 19th Street and 108th East Avenue.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit "G-1") requesting permission to improve the proposed five acre public park. Improvements are to consist of two unlighted tennis courts to be located at the southeast corner of the property and parking for 20 cars with access from 19th Street.

Protests:

Bob O' Dell, 1814 South 110th East Avenue, advised the Board that the park is needed for the children in the residential area as a place to play, feeling that the proposed parking and tennis courts would take away from the playground area that the children presently enjoy. He pointed out that the present location of the parking and tennis courts would require the removal of one of the baseball diamonds.

Delmar Waite, 10660 East 18th Place, expressed concern with adequate off-street parking being provided and the traffic hazards that might be increased near the park area.

Upon questioning, Mr. Nicholson advised that the Code requires only eight parking spaces at this park location and 20 spaces are proposed which is in excess of the Code requirements. Also, the elementary school to the immediate north of the park has parking available if necessary. Mr. Nicholson noted that the parking proposed is an attempt to provide off-street parking to accommodate the tennis courts and also provide parking for those picnickers utilizing the park area; however, the parking spaces provided will not serve as adequate parking for the Spring baseball leagues. He stated that the Park Department has taken the stand that the park facilities are for all persons, not just those interested in the baseball activities, and has tried to make the parks throughout the City available to all users.

Mr. Gardner advised that the parking proposed is located across the street from those residences which side to 19th Street as opposed to fronting the lot, which is felt to be a good planning point. Also, the tennis courts which would face residences are to be landscaped and fenced, therefore the Staff sees no problem with the proposed design of the facility.

Mr. O'Dell pointed out that more people in the area benefit from the baseball diamonds on the property than anything else, after which Mr. Nicholson pointed out the possibility of relocating the tennis courts and parking further to the east so as not to interfere with the existing diamonds. He recommended that the plot plan be amended as such, after which Mr. O'Dell advised he would then have no objections to the plan.

9024 (continued)

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of two unlighted tennis courts, parking and site improvements per amended site plan to be submitted, in the RS-3 District on the following described tract:

Block 19, Magic Circle Addition to the City of Tulsa, Oklahoma.

9025

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of unlighted tennis courts, parking and site improvement in an RS-3 District located at Ute and Pittsburg.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit "H-1") requesting permission to improve the proposed 10 acre public park. Improvements are to consist of two unlighted tennis courts and 20 parking spaces with access to Pittsburg.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of two unlighted tennis courts, parking and site improvement per site plan submitted, in an RS-3 District on the following described tract:

NW/4, NW/4, SE/4 of Section 28, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

9026

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of unlighted tennis courts in an RS-2 District located at 4309 East 56th Street.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit "I-1") requesting permission to improve the proposed public park with improvements to consist

9026 (continued)

of two unlighted tennis courts. Mr. Nicholson advised that he had met with representatives from Carnegie Elementary School and the planning staff who were interested in the City's leasing (long-term) the subject portion of the School property in order that two unlighted tennis courts might be constructed as proposed. He pointed out that the proposal will be presented to the School Board in the near future.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for a public park with improvements to consist of two unlighted tennis courts, per site plan, in an RS-2 District on the following described tract:

Beginning at a point 1075.33' west (North 89°-58'-25" West) of the SE corner of said SW/4 of the NE/4 of said Section 33, Township 19 North, Range 13 East; thence south 89°-58'-25" east for a distance of 168' to a point; thence north 0°-0'-44" west a distance of 315.33' to a point; thence north 89°-58'-25" west for a distance of 168' to a point; thence south 0°-0'-44" east a distance of 315.33' to the point of beginning, that area containing 1.22 acres, more or less.

9027

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts- Section 1217 - Automotive and Allied Activities) to operate a wheel alignment service in a CS District located at the northeast corner of 60th Street and Peoria Avenue.

Presentation:

Constance Dalious, the applicant, was not present.

The Staff advised that the applicant had requested the application be withdrawn from public hearing.

Protests: None.

Board Action:

There being no objections, the Chair declared the application withdrawn.

9028

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District) to locate a mobile home and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670) for a variance of the five acre minimum for a mobile home in an AG District located at 13416 North 97th East Avenue.

9028 (continued)

Presentation:

Ted Fisher, representing Robert Carr, advised the Board that the property under application is a part of a "wildcat subdivision" which was subdivided in 1972. He noted that moving to the subject property would be relocating his family from the Mingo Creek floodplain.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District) to locate a mobile home; and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670) for a variance of the five acre minimum for a mobile home in an AG District on the following described tract:

The East 354.72' of the South 331.60' of the North 1019.80' of the NE/4 of Section 36, Township 22 North, Range 13 East, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, subject to 25-foot roadway on the East.

9032

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the setback requirements on a corner lot from 35' to 25' on the west side in an RS-1 District located at 3706 East 103rd Street.

Presentation:

A representative for Kindrick Construction Company, Inc., submitted the plot plan (Exhibit "J-1") requesting a variance of the west setback from 35' to 25' in order that the proposed structure might be constructed on the corner lot.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the setback requirements on a corner lot from 35' to 25' on the west, per plot plan, in an RS-1 District on the following described tract:

Lot 14, Block 2, Shady Oaks Estates II Addition to the City of Tulsa, Oklahoma.

9033

Action Requested:

Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirements on the east side of property; and a Variance (930 - Bulk and Area Requirements in the Industrial District - Under the Provisions of Section 1670) for a variance of the front setback requirements from 110' to 90' from the centerline of 21st Street, a variance of the side setback requirements

5.6.76:211(25)

9033 (continued)

from 75' to 6', and a variance of the frontage requirements from 200' to 130' to permit a lot-split (L-13654) in an IM District located at 4518 West 21st Street.

Presentation:

A. B. Maxwell submitted the plot plan (Exhibit "K-1") and two photographs (Exhibit "K-2") of the subject property, advising that the Planning Commission had approved the lot-split subject to the Board's approval of the frontage. With regard to the front setback requirements, Mr. Maxwell advised that there is a hill at the rear of the property and that meeting the 110' setback would require blasting into the hill and leveling additional land. Also, to the east and west on 21st Street, the existing developments vary in setback from between 45' to 110' from the centerline of 21st Street. Due to the terrain and location of the City water reservoir to the east, Mr. Maxwell requested that the setback from the east be varied from 75' to 6' and the screening requirement on the east between the subject IM and RS-3 to the east be removed. He also noted that there is a 20' roadway easement existing through his property to the property owner to the south in order that they might have access to 21st Street.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) to remove the screening requirements on the east where the purpose of screening cannot be achieved, and approved a Variance (Section 930 - Bulk and Area Requirements in the Industrial District - Under the Provisions of Section 1670) for a variance of the front setback requirements from 110' to 90' from the centerline of 21st Street; a variance of the side setback requirements from 75' to 6' on the east; and a variance of the frontage requirements from 200' to 130' to permit a lot-split (L-13654) in an IM District all subject to the plot plan on the following described tract:

A tract of land situated in the NW/4 of the NW/4 of Section 16, Township 19 North, Range 12 East of the IBM, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows, to-wit:

Beginning at a point on the North line of said Section 16, 20' West of the NE corner of the NW/4 of the NW/4 of Section 16; thence Southerly and along a line parallel to the East line of the NW/4 of the NW/4 of said Section 16 a distance of 300'; thence West along a line parallel to the North line of said Section 16 a distance of 130'; thence North along a line parallel to the East line of said Section 16 a distance of 300' to a point on the North line of said Section 16; thence East along the North line of said Section 16 a distance of 130' to the point of beginning, and containing 0.8953 acres more or less, LESS and EXCEPT the North 50' previously conveyed to the City of Tulsa.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District located at 1524 North Elwood Avenue.

Presentation:

Ananias Carson requested to operate a children's nursery on the subject property, advising that he is presently leasing the property with the intention of buying it in the future. He pointed out that the location has been approved by the Health Department for the care of 13 children.

Protests: None.

Mr. Gardner advised the Board that the subject property is located within the "take line" of the proposed Osage Expressway and the applicant should be made aware of that fact.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District on the following described tract:

Lot 6, Block 1, Faunsdale Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park with improvements consisting of parking, unlighted sports field, jogging trail, tot playground, restrooms, covered patio, picnic facilities and unlighted tennis courts in an AG District located at 116th East Avenue and 24th Place.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the plot plan (Exhibit "L-1") requesting public park use of the subject property with improvements to consist of two unlighted tennis courts, a four-plex ball field, parking, jogging trail located around the perimeter of the park area and other improvements as noted within the application. He pointed out that the property is surrounded by an elementary school, the proposed YMCA site and the new regional library.

Protests: None.Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park with improvements consisting of parking, unlighted sports field, jogging trail, tot playground, restrooms, covered patio, picnic facilities and two unlighted tennis courts, per site plan, in an AG District on the following described tract:

9036 (continued)

The East 660' of a tract beginning at a point on the West Section Line 1,921' South of the NW corner of Section 17; thence East to a point 1,918' South of the North line of said Section 17 to the East Line of the W/2 of the NW/4 of said Section 17; thence South on said line a distance of 363'; thence West of a line parallel with the North line of this tract to West Section Line; thence North on said Section Line a distance of 363' to the point of beginning. The East 660' of a tract beginning at a point on the West Section Line 1,921' South of the NW corner of Section 17; thence East to a point 1,918.90' South of the North line of said Section 17 to the East line of the W/2 of the NW/4 of said Section 17; thence South on said line a distance of 363'; thence on a line parallel with the North line of this tract to the West Section Line; thence North on said Section Line a distance of 363' to the point of beginning, ALL in the W/2 of the NW/4 of Section 17, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof. Both tracts total 11.5 acres.

9037

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to operate a motorcycle race track in an AG District located north and west of 66th Street North and Harvard Avenue.

Presentation:

Charles Sisler, representing the applicant, requested permission to operate a motorcycle race track on the subject property which he owns. He submitted a map (Exhibit "M-1") noting the proposed location of the track, concession and sanitary facilities. Mr. Sisler pointed out, upon questioning by the Board, that the only access available to the property is an existing gravel road which he would be required to maintain. Mr. Sisler reviewed the plan with the Board, advising that temporary outside sanitary facilities will be provided, that an existing lean-to shed will be utilized for concessions, that automobiles will be parking on the grass, and that the races are anticipated to be held on Sunday afternoons weather permitting.

Mr. Gardner pointed out that there is a subdivision located approximately 3/4 mile to the north and suggested that the Board place a time limitation on the operation at this time in order that the Board might later have a chance to again review the application with regard to development that has taken place since the original approval of the application. Also at the time the applicant refiles his application, there might be comment provided the Board from surrounding land owners with regard to the affect that the use is having on the area.

Protests: None.

9037 (continued)

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to operate a motorcycle race track, for a period of one year at which time the applicant may again file his application, in an AG District on the following described tract:

The E/2, NW/4, SE/4, of Section 32, Township 21 North, Range 13 East, Tulsa County, Oklahoma; less the North 500' thereof.

9038

Action Requested:

Variance (Section 240.2 - Permitted Yard Obstructions - Under the Provisions of Section 1670) for a variance from 750 square feet to 960 square feet to permit the erection of a three-car garage; and a Variance (Section 420.2 - Accessory Uses Conditions - Under the Provisions of Section 1670) for a variance of the setback requirements to permit a three-car garage in the side yard in an RS-1 District located at 512 South 89th East Avenue.

Presentation:

Mrs. Jack Edwards advised the Board that the subject property is 1½ acres in size, that he residence does not now have a garage or accessory building and that there is no on-street parking permitted on South 89th East Avenue in this particular area. If the garage is permitted to be located as proposed to the side of the existing residence and setback from the structure, then adequate off-street parking would be provided. The size of the garage will accommodate the family's three automobiles.

Protests: None.

Remarks:

The Staff pointed out that the property may be in a flood hazard area, and if so, a proper elevation will be required by the Building Inspector.

Board Action:

On MOTION of SMITH, the Board (3-0) approved a Variance (Section 240.2 - Permitted Yard Obstructions - Under the Provisions of Section 1670) for a variance from 750 square feet to 960 square feet to permit the erection of a three-car garage; and a Variance (Section 420.2 - Accessory Use Conditions - Under the Provisions of Section 1670) for a variance of the setback requirements to permit a three-car garage in the side yard in an RS-1 District on the following described tract:

N/2 of Lot 2, Block 9, Clarland Acres Addition to the City of Tulsa, Oklahoma.

9039

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's day nursery in an RS-3 District located at 1346 North Santa Fe.

9039 (continued)

Presentation:

Fern Heavener, the applicant, had advised the Staff that she was requesting a continuance of the application.

Protests:

Those protestants present were aware of the request and had no objections.

Board Action:

There being no objections, the Chair continued application 9039 to May 20, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9040

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District) and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Mobile Homes - Under the Provisions of Section 1670) to locate a mobile home and a variance of the five acre minimum in an AG District located at 136th Street North and Cincinnati Avenue.

Presentation:

Cecil Middleton requested permission to locate a mobile home on the north portion of the L-shaped subject 3.5 acre tract in order that he might be closer to his son, since he is elderly. He noted that there is a mobile home some 150' to the west and that he owns the 20 acre tract to the east of the subject property.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 310- Principal Uses Permitted in the Agriculture District) and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Mobile Homes - Under the Provisions of Section 1670) to locate a mobile home and a variance of the five acre minimum requirement in an AG District on the following described tract:

Beginning 524' South of the Northwest corner; thence South 136'; East 660'; North 660'; West 60'; South 200'; West 97'; South 324'; thence West 503' to the point of beginning in Section 36, Township 22 North, Range 12 East, Tulsa County, Oklahoma.

9042

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church and parking; a Variance (Section 1205.3 - Use Conditions - Under the Provisions of Section 1670) for a variance of the one acre minimum and to allow parking in the front yard for a church; and a Variance (Section 1340 - Design Standards for Off-street Parking Areas - Under the Provisions of Section 1670) to pave 18 parking spaces as they are needed in an RS-3 District located at 2031 North St. Louis Avenue.

Presentation:

Carroll Self, representing the Church of God of Prophecy, submitted the plot plan (Exhibit "N-1") advising that the Church has been existing on the property for four to five years and that there are now 20 members in the congregation which involves a total of six automobiles. Due to the present size of the congregation, the Church requested a modification of the off-street parking standards in order that 18 of the required 31 parking spaces might be improved at this time with the remaining 13 spaces being improved as needed. Also, he pointed out that parking must be provided in the front yard in order that the overall parking requirement might be met. Mr. Self advised that the Church is proposing to expand its structure onto the south lot for church purposes rather than relocating due to the financial situation involved with such a small membership. It was noted that no waiver of the screening requirement is requested at this time.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church and parking; a Variance (Section 1205.3 - Use Conditions - Under the Provisions of Section 1670) for a variance of the one acre minimum and to permit parking in the front yard; and a Variance (Section 1340 - Design Standards for Off-street Parking Areas - Under the Provisions of Section 1670) to pave 18 parking spaces at this time, the remaining are required to be improved as needed, per plot plan, in an RS-3 District on the following described tract:

Lots 1 and 2, Block 1, Bullette Heights Third Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the front yard requirements from 30' to 25' in an RS-2 District located at the northeast corner of 82nd Place South and 82nd Court.

Presentation:

Jack Stacy presented the plot plan (Exhibited in previous application #9011) to the Board requesting a variance of the front yard requirements from 30' to 25' due to the configuration of the proposed structure and the lot in question. He noted that the previous application was not properly advertised to handle this request at that time.

Protests: None.

Board Action:

Board Member Smith advised that his firm had undertaken the engineering of the subject property, but three "aye" votes are required to approve an application and therefore he would not abstain from voting.

9043 (continued)

On MOTION of PURSER, the Board (3-0) approved a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the front yard requirements from 30' to 25', per previously submitted plot plan, in an RS-2 District on the following described tract:

Lot 1, Block 5, Forest Creek II Addition to the City of Tulsa, Okla.

9044

Action Requested:

Minor Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630) for a variance of the frontage requirements from 150' to 132' to permit a lot-split (L-13689) in a CS District located east of the NE corner of 131st East Avenue and 11th Street.

Presentation:

C. J. Funk advised the Board that the Planning Commission had approved the lot-split subject to the approval of the Board regarding frontage, pointing out that the Board had previously granted permission to him to locate an electrical contractors shop on the property.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved a Minor Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630) for a variance of the frontage requirements from 150' to 132' to permit a lot-split (L-13689) in a CS District on the following described tract:

The East 132' of the South 360' of the East Half of the East Half of the SW/4 of the SW/4 of Section 4, Township 19 North, Range 14 East; LESS the North 100' of the West 52' thereof.

9051

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) for a variance to permit a building across a lot line in an RS-3 District located at 1540 North Cheyenne Avenue.

Presentation:

Rev. Carl Prather submitted the plot plan (Exhibit "0-1") requesting a minor variance to permit building across a lot line as he is proposing to enlarge the existing residence which will require building across the lot line.

Protests: None.

9051 (continued)

Board Action:

On MOTION of SMITH, the Board (3-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to permit a building across a lot line, per plot plan, in an RS-3 District on the following described tract:

Lots 2 and 3, Block 2, Morley Addition to the City of Tulsa, Okla.

9054

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) for a variance of the frontage requirements from 60' to 50' to permit a lot-split (L-13136) in an RS-3 District located north and west of 36th Street and Peoria Ave.

Presentation:

Marvin Park, the applicant, was not present.

The Staff advised that the Planning Commission had approved the lot-split in August, 1973, subject to the approval of the Board.

Protests: None.

Board Action:

There being no objections, the Chair declared application 9054 approved to permit a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) for a variance of the frontage requirements to permit a lot-split (L-13136) in an RS-3 District on the following described tract:

Lot 8, Block 3, Peoria Gardens Addition to the City of Tulsa, Okla.

ADDITIONAL ITEMS:

Resolution

Minor Variances and
Special Exceptions

Mr. Gardner submitted the Resolution (Exhibit "P-1") to the Board explaining that there were eight specific public park items listed which were felt to be minor improvements that could be approved by the Board without public hearing and notification of all property owners within 300' of the property in question. He reviewed each of the items, after which the Board expressed concern with item (f) which would permit no more than two unlighted tennis courts without public hearing.

On MOTION of PURSER, the Board (3-0) adopted the subject Resolution (Exhibit "P-1") as a part of the Statement of Minor Variances and Special Exceptions deleting item (f) which would permit not more than two unlighted tennis courts without public hearing.

Action Requested:

Minor Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1630) to permit parking area, decorative fountain and landscaping within an officially designated park (Boulder Park) in an RM-2 District located at 21st Street and Boulder.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the site plan (Exhibit "Q-1") requesting permission to locate parking and a decorative fountain and landscaping as provided on the site plan. It was noted that the funds for the decorative fountain are being donated to the City and approval is required in order that the funds might be received and utilized in this manner.

In extensive discussion with regard to the parking which is presently nonconforming, Mr. Gardner pointed out that even though park use has never been granted for Boulder Park the Park is an officially designated park and has been for many years.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved a Minor Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1630) to approve Boulder Park for park use specifically for the construction of a decorative fountain, off-street parking and landscaping as requested, per site plan, in an RM-2 District on the following described tract:

All of Blocks 1 through 4, Boulder Park Addition and a strip and a parcel of ground being 36' wide by 435' long joining on the West Lot 16 to 23 inclusive of Block 1, of Boston Addition and said strip of land being part of reserve more particularly described as beginning at the SW corner of Lot 26, Block 1, Boston Addition extending North along the West side of Block 1, Boston Addition a distance of 488' to the NW corner of Lot 16 of said Addition; thence West a distance of 36'; thence Southerly along the East line of Block 4 of Boulder Park Addition to the SE corner of said Lot 4, Boulder Park Addition; thence East in a straight line to the place of beginning, to the City of Tulsa, Oklahoma.

Resolution

Minor Variances and
Special Exceptions

Mr. Gardner submitted a Resolution (Exhibit "R-1") to the Board recommending that a minor variance to vary the minimum land area requirements in an AG District be added to the adopted Statement of Minor Variances and Special Exceptions, provided such variances are not requested for the purpose of reducing the size of any existing lot by means of a lot-split, but for the purpose of recognizing existing nonconforming lots as to land area established prior to January 1, 1976 to permit buildings to be constructed upon such lots or to construct expansions to existing structures on such lots. He pointed

Resolution: Minor Variances and Special Exceptions: (continued)

out that the suggested addition is in accordance with and should be added to the two previously adopted minor variances pertaining to "wildcat subdivisions".

On MOTION of SMITH, the Board (3-0) adopted the subject Resolution (Exhibit "R-1) as a part of the Statement of Minor Variances and Special Exceptions.

There being no further business, the Chair declared the meeting adjourned at 7:45 p.m.

Date Approved

June 3, 1976

Tom W. Jolly
Chairman