

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 215
Thursday, July 1, 1976, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT

Blessing
Guerrero, Chairman
Jolly
Purser, Mrs. (in 1:45 p.m.)
Smith

STAFF PRESENT

Edwards
Etter, Mrs.
Gardner
Jones

OTHERS PRESENT

Overton, Mrs.,
Building Inspector's Office
Pauling, Legal Dept.

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

MINUTES:

With regard to the Minutes of application 9097 of June 17, 1976, David Pauling, Assistant City Attorney, advised the Board that the applicant, John Sublett, was requesting a clarification as to whether or not it was the intent of the Board to grant approval of the exception to permit the erection of a single-family dwelling in an RMH District subject to rezoning of the property. Approval of the application to permit the erection of a single-family dwelling in an RMH District would negate a requirement of rezoning to permit such a use; therefore, it was felt that it was not the Board's intention to condition the approval as stated in the Minutes of the specific application. Also, the Staff questioned whether or not the Building Inspector would permit the construction of an accessory garage, which, in discussion, was described as being a structure to be used for parking vehicles. Mr. Pauling advised that the Code permits accessory buildings to be 750 square feet in size, and should a larger structure be proposed an additional application would be required to be filed requesting a variance of that 750 square foot structure size.

On MOTION of JOLLY, the Board (4-0-1, with Purser "abstaining") amended the Minutes of application 9097, dated June 17, 1976, to delete "subject to the rezoning of the property from RMH to AG".

With regard to the Minutes of application 9083 of June 3, 1976, Mr. Gardner reviewed the motion, noting that the wording does not express the approval intended by the Board. He suggested that the wording be amended to: "On MOTION . . . subject to parking only (no structures or other uses) being permitted on the southernmost lots, in an RD District on the following . . .". Mr. Gardner also advised that the Board required a conceptual plot plan be furnished the Board by July 1; however, the applicant needs additional time in order to furnish the plan required.

On MOTION of SMITH, the Board (5-0) amended the Minutes of application 9083, dated June 3, 1976, to read "On MOTION . . . subject to parking only (no structures or other uses) being permitted on the southernmost lots, in an RD District on the following . . ." and granted the applicant an extension of time to July 15, 1976 to provide a conceptual plot plan of the proposal as required by the Board.

There being no objections, the Chair declared the Minutes of June 3, 1976 (No. 213) and the Minutes of June 17, 1976 (No. 214) approved as amended this date.

UNFINISHED BUSINESS:

9084

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 RD District located southeast of 120th East Avenue and 21st Street.

Presentation:

Don Walker, representing the applicant, submitted a conceptual plot plan (Exhibit "A-1") and advised that he was selling the property to a builder who was proposing to construct a day care center on the property. He noted the location of the drainage ditch which connects to a concrete-lined channel in the immediate area, advising that the entire property would be fenced, that parking would be located in front of the structure, and that two access points were to be constructed to provide adequate traffic circulation. Mr. Walker described the surrounding area, feeling that the proposed use would be compatible with the surrounding development and the development that is permitted on the vacant properties. He noted that he had attempted to design a duplex development for the RD properties but due to the amount of work required of developers by the City Engineer since the adoption of the new drainage criteria, duplex development is not feasible at present. Upon questioning with regard to the surrounding RD properties, Mr. Walker advised that he owns RD property in the area and any detriment created by the use would be created by his own doing.

Mr. Gardner advised the Board that the property to the immediate north of the subject property is zoned RD and that the Staff was concerned with placing a day care center between the RD properties from a land use standpoint, which could possibly create a pattern that would then result in more intense zoning being requested on the northern RD property. He felt that the use would be more compatible on the northern property than the subject property, from a planning standpoint. It was also pointed out that the area is within the building moratorium recently adopted by the City.

Mr. Walker advised the Board that he did not realize the property to the north was zoned RD, noting it was his understanding that the property was zoned OL. He again reiterated that developing duplexes on the RD at present is unfeasible due to the new drainage criteria.

Protests: None.

Board Action:

PURSER moved to continue the application to JANUARY 6, 1977, at which time the moratorium would be expired, after which David Pauling, Assistant City Attorney, advised that the Ordinance requires that the Board make a decision on the application within 90 days, noting that a continuance can be granted for a longer period of time if the applicant so agrees. PURSER withdrew the motion to continue, and moved to deny the application. This motion dying for the lack of a second,

On MOTION of BLESSING, the Board (3-2, with Guerrero and Purser voting "nay") approved an Exception (Section 410 - Principal Uses Permitted in

9084 (continued)

Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery, subject to the drainage plans being approved by the City Engineer prior to the issuance of any building permits, and to the conceptual plot plan, in an RD District on the following described tract:

The North 140' of the South 240' of a tract of land in the E/2 of the NW/4 of Section 17, Township 19 North, Range 14 East of the IBM, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

Beginning at the NE corner of the E/2 of the NW/4 of said Section 17, thence South $00^{\circ}-05'-41''$ East along the East line of said E/2 a distance of 500.00' to a point, said point being the NE corner of Lot 1, Block 4, Leslie Leigh Second Addition; thence due West along the North line of said Lot 1, a distance of 140.00'; thence North $00^{\circ}-05'-41''$ West along the East line of South 120th East Avenue, a distance of 500.00' to a point on the North line of said E/2; thence due East along said North line a distance of 140.00' to the point of beginning.

9103

Action Requested:

Minor Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630) for a variance of the frontage requirements from 300' to 200.5' to permit a lot-split (L-13741) in an AG District located at 9340 South Elwood Avenue.

Presentation:

Rosalita Lewis, the applicant, was not present. The Staff advised that the Planning Commission had approved the lot-split, subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (5-0) approved a Minor Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630) for a variance of the frontage requirements from 300' to 200.5' to permit a lot-split (L-13741) in an AG District on the following described tract:

Beginning 995' North of the SE corner of the NE/4 of Section 23, Township 18 North, Range 12 East; thence West 543'; thence North 401.11'; thence East 543'; thence South 401.11' to the point of beginning, to the City of Tulsa, Oklahoma.

9107

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-13744) in an RS-3 District located at 1403 North Union Place.

Presentation:

Shirley Wofford, the applicant, was not present. The Staff advised that the Planning Commission had approved the lot-split, subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (5-0) approved 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 from 60' to 50' to permit a lot-split (L-13744) in an RS-3 District on the following described tract:

A tract of land beginning 81' North of a point 266' West of the Southeast corner of the NE/4 of the SE/4 of the SW/4 of Section 27, Township 20 North, Range 12 East of the Indian Base and Meridian, Osage County, State of Oklahoma, according to the United States Government Survey thereof; thence due West 180'; thence due North 50'; thence due East 180'; thence due South 50' to the point of beginning, LESS and EXCEPT all of oil, gas and other minerals previously reserved to the Osage Tribe of Indians by Act of Congress June 28, 1906.

NEW APPLICATIONS:

Action Requested:

Variance (Section 320.1 - Accessory Uses in the Agriculture District - Under the Provisions of Section 1670) to operate a home beauty shop in an AG District located at 13802 North 87th East Avenue.

Presentation:

Edgar Vail requested approval of the application in order that his wife might operate a home beauty shop, noting that they were aware of the regulations of a home occupation. Upon questioning, Mr. Vail advised that access to the property is via 87th East Avenue, after which the Staff pointed out that the subdivision to the east is more than likely a "wildcat" subdivision. Mr. Vail presented a petition (Exhibit "B-1") containing the signatures of 12 property owners in the area who have no objection to the proposed use. Upon questioning, he pointed out that the property is so far from an established shopping area that the operation would provide a service to the area residents.

Protests: None.

Board Action:

On MOTION of JOLLY and amended by PURSER, the Board (5-0) approved a Variance (Section 320.1 - Accessory Uses in the Agriculture District - Under the Provisions of Section 1670) to operate a home beauty shop subject to the regulations of a home occupation and subject to the approval being granted to the applicant only, not to run with the land, in an AG District on the following described tract:

9102 (continued)

A tract of land situated in the E/2 of the SW/4 of Section 25, Township 22 North, Range 13 East, Tulsa County, State of Oklahoma described as follows to-wit: Beginning at a point on the West line of said E/2, SW/4, said point being North 00°-05'-12" East a distance of 1,492.25' from the Southwest corner of said E/2, SW/4; thence due East a distance of 329.70' to a point; thence North 00°-05'-09" East a distance of 297.81' to a point; thence due West a distance of 329.70' to a point in the West line of said E/2, SW/4; thence South 00°-05'-12" West along the West line of said E/2, SW/4 a distance of 297.81' to the point of beginning. Subject to a 25-foot roadway on the East and subject to a 10-foot utility easement on the West. Subject to gas line easement on the West 10 feet of the East 35 feet thereof. Subject to 1/4 mineral reservations by prior owner.

9104

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 1209 - Mobile Homes) to maintain a mobile home in an RS-1 District located at 4850 West 28th Street.

Presentation:

Charles Coleman advised the Board that he had purchased the subject property, purchased a mobile home and located it on the property and cleared the property in order that his son and daughter-in-law might utilize the property for residential purposes. Not until all of these things had been accomplished did he realize that approval from the Board was required. Upon questioning he advised that his son does plan to construct a permanent residence on the property in the future and there are approximately 20 other mobile homes in the area.

Protests: None.

Interested Party:

R. N. Shepherd, 4824 West 27th Street, advised the Board that there are more mobile homes than residences in the surrounding area.

Board Action:

On MOTION of SMITH, the Board (5-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes) to maintain a mobile home for a period of one year subject to the customary removal bond, in an RS-1 District on the following described tract:

Part of the N/2, N/2, SW/4, SW/4, of Section 16, Township 19 North, Range 12 East, Tulsa County, Oklahoma; described as beginning at a point 450' East and 25' South of the Northwest corner; thence East 200'; thence South 305'; thence West 200'; thence North 305' to the point of beginning.

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 University purposes and related off-street parking in an RM-2 District located at 4th Place between Evanston and College Avenues.

Presentation:

Frank Hettinger, representing University United Methodist Church, advised that the Church owns the entire block and that it now wishes to expand its present parking facilities to include the entire block under ownership. He presented a map of the area, noting that parking has been established on lots to the north of the Church for many years. Mr. Hettinger pointed out that the University leases the parking lots during the week and the Church utilizes the parking lots on the weekends.

Interested Party:

Eileen Dodd, 2911 East 4th Place, questioned the location of the subject property to be assured that her property was not a part of the application. Mrs. Dodd was advised that only Church property was involved in the subject application.

Protests:

Bob Bracken, representing his grandmother who resides at 440 South Evanston, advised that his grandmother was not opposed to the off-street parking to be utilized by the University and the Church, but that she was concerned with the number of automobiles that would still be parking on-street in the area. He noted that he wanted the University and Church to be made aware that on-street parking due to insufficient parking lots was creating a problem for area residents. Mr. Bracken also questioned whether or not his grandmother's property should be screened from existing parking areas, and was advised that the screening should have been provided between his grandmother's property and the parking lot to the west of her property. Mr. Hettinger advised the Board that the University would be advised that a screening fence is required to the west of Mrs. Bracken's property per previous Board approval for parking purposes.

The Board, Staff and Assistant City Attorney, David Pauling, discussed the application with regard to screening at length, during which it was pointed out that the Church owns property to the north and the University owns property to the south; therefore, screening would not serve a purpose. Mr. Pauling cited the Zoning Code and did not feel that a screening fence would be required because the lots abutting public streets on all sides and the lot lines are not in common with any R District lot line. In the Board's discussion, Board Member Smith advised he would prefer that there be no access permitted to Evanston or 4th Place along the north 140' of the west boundary line or along the west 140' of the north boundary line.

Board Action:

On MOTION of SMITH, the Board (4-0-1, with Guerrero "abstaining") 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 University purposes and related

9106 (continued)

off-street parking, subject to no access being provided to Evanston and 4th Place on the north 140' of the western boundary line and the west 140' of the northern boundary line, in an RM-2 District on the following described tract:

Lots 1, 2, 3, 7, 8, 9, 10, 11 and 12, Block 3, College Addition to the City of Tulsa, Oklahoma.

9108

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 440 (2) - Home Occupations) to operate a home beauty shop in an RS-3 District located at 218 North Tacoma.

Presentation:

Pat Wiggs requested permission to operate a home beauty shop on the subject property, advising that she had received no protests from any of the property owners within 300' of the property. Upon questioning, Mrs. Wiggs advised that she plans to operate the shop between the hours of 8:30 a.m. and 5:00 p.m., Tuesday through Saturday, and possibly one weekday evening until 7:00 p.m. She advised that she had been made aware of the regulations of a home occupation and that she intends to widen the existing driveway for parking purposes.

Protests: None.

Board Action:

On MOTION of SMITH and amended by PURSER, the Board (5-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 440 (2) - Home Occupations) to operate a home beauty shop between the hours of 8:30 a.m. and 5:00 p.m., Tuesday through Saturday, in addition to Thursday evenings until 7:00 p.m., approval being granted to this applicant only, not to run with the land, in an RS-3 District on the following described tract:

Lots 8 & 9, and the North 15' of Lot 10, Block 3, Park Hill Addition to the City of Tulsa, Oklahoma.

9109

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 from 25' to 13' on a corner lot in an RS-3 District located at 3631 South 123rd East Avenue.

Presentation:

Joe Nolan, representing the applicant and the property owner, advised the Board that a contract for sale is pending on the subject property and that when the financial institution required a survey of the property it was found that the required setback had not been met and that the structure actually setback 13' rather than the 15' earlier granted to the contractor

9109 (continued)

by the Board. Mr. Nolan presented a plat of survey (Exhibit "C-1") pointing out the 13' setback line and noting that the structure was built in 1972.

The Staff pointed out that the Board had granted a variance of the setback requirement from 25' to 15' on all corner lots in August, 1972.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (5-0) 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 from 25' to 13' on a corner lot, per plot plan, in an RS-3 District on the following described tract:

Lot 20, Block 1, Park Plaza East Addition to the City of Tulsa, Okla.

9110

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District located at 8250 North College.

Presentation:

LeRoy Cass advised the Board that he had purchased the mobile home and placed it on a permanent foundation as the existing structure was in need of a great deal of repair. He noted he was not aware that Board approval was required until the mobile home was in place. Upon questioning, Mr. Cass advised that the mobile home is elevated to prevent it from being flooded and advised that the mobile home is also tied down as required by the Code.

Protests: None.

Interested Party:

Jim Hardesty, Route 1, Box 454, Sperry, advised the Board that including half of the Creek, the Property would be five acres in size. He advised he had no objections to the application as a mobile home on the property would be an asset to the area.

Mr. Cass advised that there are no other mobile homes in the area and that access to the property is gained from North Florence to 82nd Street.

Board Action:

On MOTION of JOLLY, the Board (5-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home for a period of five years in an AG District on the following described tract:

SE/4, NW/4, SE/4, lying North and East of Bird Creek in Section 29, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

9111

Action Requested:

Exception (Section 310 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RS-3 District located at 6423 North St. Louis Avenue.

Presentation:

Walter Turpin requested to maintain the subject mobile home on the property in question for an additional year, advising that he had purchased the property and the mobile home and was unable to construct a permanent residence on the property for economic reasons.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (5-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home for a period of one year, subject to the customary removal bond, in an RS-3 District on the following described tract:

Lot 26, Block 3, Phillips Farms Addition to the City of Tulsa, Okla.

9112

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwelling) to erect two duplexes in an RS-3 District located at the southwest corner of 37th Street and 82nd East Avenue.

Presentation: Jim Parker, the applicant, was not present.

Protests: None present.

Board Action:

On MOTION of PURSER, the Board (5-0) continued application 9112 to July 15, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9113

Action Requested:

Exception (Section 410 - Principal Uses Permitted in the Residential District - Section 1680 (g) - Off-Street Parking) to establish off-street parking for employees for a machine shop; and an Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to remove the screening requirement where the purpose of the screening requirement cannot be achieved in a CH and RM-1 District located at 5903 East Tecumseh.

Presentation:

Herman Johnson, representing the property owner, presented a plot plan (Exhibit "D-1") and requested permission to establish off-street parking on Lots 18-22 for employees of the machine shop which is located on Lots 13-15 and being expanded to cover Lots 16 and 17, and requested a waiver of the screening requirement on the north line of Lots 16 and 17 as the

9113 (continued)

north wall of the proposed addition will abut the zoning line. In discussion of the applicant's request, it was pointed out that screening would be required on all exterior lines in common with an R District, after which the Staff noted that the application is so advertised that a waiver of the screening requirement on all boundaries could be considered. Upon questioning, Mr. Johnson advised that the area residents and property owners were aware of the plans and had no objections to the off-street parking being requested. Board Member Blessing advised the Board that he had viewed the subject property and did not feel that a useful purpose would be achieved if the screening were required on the exterior boundary lines of the subject property. Mr. Gardner expressed concern with the possibility that screening should be required between Lots 22 and 23, after which Mr. Johnson advised that Lot 23 was also owned by the owner of the properties under application.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (5-0) approved an Exception (Section 410-Principal Uses Permitted in the Residential Districts - Section 1680 (g)-Off-Street Parking) to establish off-street parking for employees in conjunction with a machine shop; and an Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to remove the screening requirements on all boundaries where the purpose of the screening requirement cannot be achieved, in a CH and RM-1 District on the following described tract:

Lots 16 through 22, inclusive, Block 11, Original Townsite of Dawson to the City of Tulsa, Oklahoma.

9114

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home; and a Minor Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670) for a variance of the 300' frontage and a request for a variance of the five-acre minimum for a mobile home in an AG District located at 13130 North 97th East Avenue.

Presentation:

Neil York advised the Board that the original application was for an exception to permit a mobile home on only one lot within the entire subdivision; however, the Staff suggested that a minor variance be requested to approve the "wildcat" subdivision as there are only three vacant tracts. Mr. York advised that all properties are developed with mobile homes with the exception of five or six which have been developed single-family. Due to the development in the area, Mr. York requested that there be no time limit placed on the approval of the mobile home on the one specific lot under application.

David Pauling, Assistant City Attorney, questioned dedicated right-of-way on the major street per the Major Street Plan with regard to the "wildcat" subdivision, after which Mr. Gardner advised that it was the County's intention by their Resolution to allow these "wildcat" subdivisions to finish

9114 (continued)

developing without making any requirements with the exception that if there was not any dedicated streets they would require them to be dedicated by separate instrument so that all lots would have frontage on a dedicated street.

Mr. Pauling felt that the minor variance portion of the application should be continued in order that a communication might be received from the County regarding right-of-way as pertains to the Major Street Plan in connection with "wildcat" subdivisions.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (5-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District on the following described tract; and continued the Minor Variance regarding a variance of the 300' frontage and five-acre minimum for a mobile home to July 15, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, in order that a communication might be received from the County regarding right-of-way as pertains to the Major Street Plan in connection with "wildcat" subdivisions.

The East 354.72 feet of the South 331.60 feet of the North 2,346.20 feet 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 a 25-foot roadway on the East, subject to a 10-foot utility easement on the West and subject to a waterline easement on the East 35 feet thereof.

9115

Action Requested:

Exception (Section 420 - Accessory Uses in Residential Districts - Section 440.2 - Special Exception Uses in Residential Districts - Requirements - Home Occupations) to operate a cooking school in an RS-2 District located at 2430 East 38th Street.

Presentation:

Carl Matthews, representing the property owner, advised the Board that his client is presently operating a gourmet cooking school in her home that has been approved since November, 1970. He requested that the use be permitted for an additional five years, advising that there is sufficient space for all parking to take place in the driveway. Mr. Matthews also advised that his client has the approval of the neighborhood to continue the use.

Protests: None.

The Staff submitted a letter (Exhibit "E-1") from a new property owner in the neighborhood who has no objections so long as the operation continues as in the past.

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Board Action:

On MOTION of BLESSING, the Board (5-0) approved an Exception (Section 420 - Accessory Uses in Residential Districts - Section 440.2 - Special Exception Uses in Residential Districts - Requirements - Home Occupations) to operate a cooking school for a period of five years in an RS-2 District on the following described tract:

That part of the NW/4 of the SW/4 of the SW/4 of Section 20, Township 19 North, Range 13 East in Tulsa County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the above mentioned SW/4 of the SW/4 of Section 20, T-19-N, R-13-E, in Tulsa County, Oklahoma; thence East along the North line of said SW/4 of the SW/4 of Section 20, T-19-N, R-13-E in Tulsa County, Oklahoma; a distance of 257.5' to the point of beginning; thence South a distance of 194' to a point; thence East a distance of 200' to a point; thence North a distance of 194' to a point; thence West a distance of 200' to the point of beginning; EXCEPT the North 25' thereof, which has been reserved and dedicated to the public for highway purposes.

9116

Action Requested:

Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1202 - Area-Wide Special Exception Uses) to operate a government service center; and a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 75' to 10' from the east property line in an IM District located northeast of 25th West Avenue and Charles Page Boulevard.

Presentation:

Joe Coleman, representing the Tulsa County Engineer, presented a rendering to the Board advising of the location of the proposed centralized County service center which is to be comprised of all County health care facilities. As the facility abuts park property, Mr. Coleman requested a waiver of the 75' setback requirement. He also noted the location of the service building which will be utilized for the servicing of County vehicles, noting that the County Park Administration Building is located adjacent to the park also. Upon questioning, Mr. Coleman advised that the plans had been approved by the County Commission.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (5-0) approved an Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1202 - Area-Wide Special Exception Uses) to operate a government service center; and a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 75' to 10' from the east property line, per plot plan to be submitted, in an IM District on the following described tract:

9116 (continued)

A part of the W/2 NW/4 SE/4 of Section 3, Township 19 North, Range 12 East, Tulsa County, Oklahoma, said part being described by metes and bounds as follows:

Beginning at a point 758.85' South of the North line and 25.0' East of the West line of said W/2 NE/4 SE/4; thence South parallel to the West line of said W/2 NW/4 SE/4 a distance of 301.3'; thence East a distance of 141.0'; thence South a distance of 30.1'; thence South-easterly a distance of 50.0'; thence South a distance of 129.56' to a point on the North right-of-way of Charles Page Boulevard; thence Southeasterly along the North right-of-way line of Charles Page Boulevard a distance of 451.9'; thence North a distance of 395.21'; thence Northwesterly a distance of 654.4' to the point of beginning, containing 5.3 acres, more or less; and

A part of the NW/4 SE/4 of Section 3, Township 19 North, Range 12 East, Tulsa County, Oklahoma, said part described as follows:

Beginning at a point on the Half Section line in Section 3 and 26' North of the centerline of the Sand Springs Road easement having been granted to the City of Tulsa under date of April 19, 1934; thence North along the Half Section line a distance of 150'; thence East at right angles to said Half Section line a distance of 166'; thence South and parallel to the Section line a distance of 185.2' to the North line of said Sand Springs Road right-of-way; thence Westerly along the North line of said right-of-way a distance of 169.90' to the place of beginning.

9122

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to build across a lot line to permit an addition to an existing residence in an RS-3 District located at 1335 East 32nd Place.

Presentation:

T. A. Shore submitted a plot plan (Exhibit "F-1") requesting permission to build across a lot line in order that the existing residence might be enlarged to provide a two-car garage rather than the existing one-car garage.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (5-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to build across a lot line, per plot plan, to permit an addition to an existing residence in an RS-3 District on the following described tract:

Lots 9 and 10, Block 1, Rogers Resub of Cedar Haven Addition to the City of Tulsa, Oklahoma.

ADDITIONAL ITEMS:

Communication:

This is a Communication (Exhibit "G-1") from the Building Inspector's Office requesting an interpretation as to whether or not an indoor rifle range, located within a CH District, would be a use permitted within Use Unit 2 or Use Unit 19.

Betty Overton, Building Inspector, advised the Board that the proposed indoor rifle range is proposed to be located within a strip center on property presently zoned CH and that the range would also provide classes for women to teach them to properly use such firearms. Use Unit 2 is permitted in any District via the Board of Adjustment, while Use Unit 19 is permitted within the CH District by right.

In Staff and Board discussion, it was felt that the use would be a Use Unit 19 use, permitted by right in the CH District as Use Unit 2 speaks of rifle and skeet ranges which are open-air uses as opposed to the proposed indoor range.

On MOTION of JOLLY, the Board (5-0) determined that the indoor rifle range would be considered a Use Unit 19 use which, with regard to the proposed location, is permitted by right in the CH District.

There being no further business, the Chair declared the meeting adjourned at 3:45 p.m.

Date Approved

August 5, 1976



Chairman