

BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 216  
Thursday, July 15, 1976, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Blessing Guerrero, Chairman Jolly Smith (in 1:40 p.m., out 5:30 p.m.)	Purser, Mrs.	Edwards (in 3:30 p.m.) Etter, Mrs. Gardner Jones	Jackere, Legal Department Jenkins, Building Inspector's Office

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

UNFINISHED BUSINESS:

9030

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to operate a four-wheel drive automobile recreational club and course for a period of four years in an AG District located 1/4 mile west of 36th Street North and Cincinnati Avenue.

Presentation:

Tulsa Four Wheeler, Inc. was not represented. The Staff pointed out that the application had been continued some months ago to this specific date for a determination as to a correct legal description; however, the Staff had received no word from the organization during that time.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (3-0) continued application 9030 to August 5, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and directed the Staff to advise the applicant by registered mail that the application would be dispensed with on that date.

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office District - Section 1208 - Multifamily Dwelling and Similar Uses) to erect multifamily units; a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 85' to 48' from the centerline of Peoria Avenue; and a Variance (Section 1208.4 - Off-Street Parking and Loading Requirements - Under the Provisions of Section 1670) for a variance of the parking spaces from ten to five spaces in an OM District located at 1616 South Peoria Avenue.

Presentation:

Ray LeCrone, the applicant, was not present. The Staff advised that the application had been continued to this date in order that the applicant might present an architect's plot plan and in order that a variance of the rear yard requirement might be advertised; however, the applicant had not submitted a plot plan or met with the Staff concerning the readvertisement.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (3-0) declared the application stricken from public hearing.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church use in an RD District located at 27 South Urbana Avenue.

Presentation:

Byron Todd submitted the plot plan (Exhibit "A-1") to the Board, after which the Staff advised that the application for church use had been approved by the Board at a previous meeting, subject to conditions, one of which was the submission of a plot plan. Mr. Gardner reviewed the plot plan with the Board, noting that the plan as submitted conforms to the Board's approval.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) accepted the plot plan as meeting the spirit and intent of the Board's previous approval.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a recreation area for church use only to consist of softball diamonds, a tract field, a football field, soccer courts, tennis courts, recreation area (picnic and nature study hikes), bus garage and storage barns, and off-street parking in an RD and RS-3 District located northwest of 15th Street and 79th East Avenue.

Presentation:

Clint Thorpe, representing Faith Baptist Church, submitted the revised plot plan (Exhibit "B-1") of the proposed development which provides for no access via South 77th East Avenue, which provides access via South 79th East Avenue only and a parking lot at the southeast corner of the application abutting South 79th East Avenue, a recreational area on the northern portion of the tract which will contain no actual facilities, a track-soccer-football field, a softball field, and a picnic area and nature trails.

Pastor Pack submitted a petition (Exhibit "B-2") containing the signatures of 21 area residents in favor of the proposed application. Also submitted were 13 letters (Exhibit "B-3") in support of the application and a petition (Exhibit "B-4") containing the signatures of 160 persons who are members of the Academy and Church and in support of the subject application. Upon questioning by the Board, Pastor Pack advised that the bus garage was deleted from the proposal and that this facility will be located on the Church property with the existing structures, which with sidewalks will create a campus effect. After study, Pastor Pack also noted it was determined that access via South 79th East Avenue from 15th Street would be a better approach to the subject property and proposed development.

The Staff submitted four letters (Exhibit "B-5") which had been received in the mail in support of the application.

Mr. Gardner presented the Staff Study, Recommendation and Study Map (Exhibit "B-6") to the Board, summarizing the findings of the Staff with regard to surrounding development and the impact of the proposal on the area. Mr. Gardner advised that the Staff recommended approval of the application as amended for open air recreational uses as accessory uses to the Church and School based upon a finding that the request meets the purposes of Use Unit 5 in providing a residential environment for recreational uses while protecting the abutting residential properties from any adverse effects and subject to drainage plans being approved by the City Engineer.

The Staff also presented to the Board a recommendation (Exhibit "B-7") from the VISION 2000 District 5 Planning Team and Steering Committee in support of the application. The District also requested that the concerns of the protestants be considered and provisions made to protect the residents against any potential adverse effects on their living conditions.

Protests:

Gary Underwood, 1323 South 77th East Avenue, advised that the subject property is located within an adopted Floodplain moratorium and even though the revised proposal is better, tennis courts and a parking lot which will create runoff are proposed. Mr. Underwood requested that the tennis court and parking lot be restricted from development, even after the moratorium is lifted, so as not to add to drainage problems in the area. He further felt that the use as proposed would be an invasion of the area residents privacy, noting that a majority of the planned activities are available at nearby McClure Park. Should the Board be inclined to approve the application, Mr. Underwood requested that no buildings be permitted on the property, that no activities be permitted which would require lighting during the evening hours, that a screening fence be required on the northern property line as a buffer between the subject property and the proposed development, and that organized activity not be permitted in the northern recreational area.

With regard to the recently adopted moratorium, Mr. Gardner pointed out that the portion of the property which is located within the moratorium has been left in its natural state as shown on the plot plan. When the original plan was submitted, the Staff did not feel that a bus garage was proper west of the creek; however, at the time the Staff made its study of the area, the plan had been revised to delete this use. The bus garage would be appropriate east of the creek.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) as amended, per plot plan, for open-air recreational uses as accessory uses to the Church and School based upon a finding that the request meets the purposes of Use Unit 5 in providing a residential environment for recreational uses while protecting the abutting residential properties from any adverse effects, and subject to drainage plans being approved by the City Engineer, in an RD and RS-3 District on the following described tract:

The S/2 of the NE/4 of the SE/4 of the NE/4 of Section 11, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, EXCEPT a strip 30' wide on the East side for street and EXCEPT a strip 30' wide on the West side for street, also known as Lots 3 and 4, Block 8, C. W. Bailey acreage, according to the U. S. Government Survey thereof; and

A tract of ground situated in the NE/4 of Section 11, Township 19 North, Range 13 East, more particularly described as follows: N/2 of the SW/4 of the SE/4 of the NE/4 of Section 11, Township 19 North, Range 13 East, LESS the East 30' thereof, LESS the West 30' thereof for roadway, Tulsa County, State of Oklahoma, according to the Government Survey thereof, with the EXCEPTION of the SE corner measuring 100' on 79th East Avenue by 150' West (or deep).

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 and the Staff advised that they had not heard from him since the previous meeting regarding the application.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) continued application 9112 to August 5, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and directed the Staff to advise the applicant by registered mail that the application would be dispensed with on that date.

9114

Action Requested:

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 variance of the five-acre minimum for mobile homes in an AG District located at 13130 North 97th East Avenue.

Presentation:

Neil York, the applicant, was not present.

Mr. Gardner submitted a memorandum (Exhibit "C-1") to the Board, advising that the Board had directed, at its previous meeting, that the Staff communicate with the City Engineer regarding right-of-way and the "wildcat" subdivision. In reviewing the memorandum, Mr. Gardner pointed out that it was not the intent of the County Commission to require additional right-of-way along major streets, noting that the resolution adopted recognized these "wildcat" subdivisions as they were for the purpose of issuing the remaining building permits.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved a 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 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 2,346.20' 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' thereof, AND

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 300' frontage in an AG District on the following described tract:

The NE/4, of Section 36, Township 22 North, Range 13 East,  
Tulsa County, State of Oklahoma.

NEW APPLICATIONS:

9061

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church use; and 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 50' to 32' from the centerline of 55th Street and from 50' to 41' from the centerline of 40th West Avenue in an RS-3 District located at 4002 West 55th Street.

Presentation:

Pastor Green, representing Camp Chapel AME Church, submitted the plot plan (Exhibit "D-1"), advising that the Church is proposing to remove the existing structure on the northern two lots and rebuild on the property in addition to improving three lots to the south for parking purposes, which he felt would be compatible and an asset to the surrounding area. Pastor Green advised that the proposed structure would align with existing buildings in the area and that the variance is needed due to the narrowness of the lots in question. Upon questioning, he noted that the alley between the northern and southern lots is not physically open and that the utility poles and sewer line are located within this alleyway.

In reviewing the applicant's plot plan, Mr. Gardner pointed out that a revision of the parking portion of the plan will be required in order that proper circulation might be provided, noting that as drawn, the plot plan shows that autos would be backing out of the parking area onto the residential street (reverse parking) which is not permitted by the Code.

Protests: None.

Interested Party:

Mrs. Barry Baul, 3722 West 53rd Place, a member of the Church, expressed concern with the Staff's statements regarding circulation and the Staff explained.

Board Action:

On MOTION of SMITH, the Board (4-0) continued application 9061 to August 19, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, in order that a revised plot plan might be submitted and in order that the applicant might have sufficient time in which to meet with the City regarding possible vacation of the alley.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1218 - Drive-In Restaurants) to operate a drive-in restaurant; a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 100' to 63.5' from the centerline of Harvard to permit a canopy; a Variance (Section 740.3 (b) - Special Exception Uses in Commercial Districts, Requirements - Under the Provisions of Section 1670) - for a variance of the frontage requirements from 150' to 100' to permit a drive-in restaurant; and a Minor Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630) to build across lot lines in a CS District located at 3735 South Harvard Ave.

Presentation:

R. J. Beason, representing Sonic Drive-Ins, submitted the plot plan (Exhibit "E-1") of the proposed structure and nine photographs (Exhibit "E-2") of the subject and surrounding properties. He advised that the application filed was to permit a drive-in restaurant, similar to that shown in the photographs, on the subject property which would require a variance of the frontage requirements, a variance of the front setback to permit an open canopy, and a minor variance to build across lot lines. Mr. Beason advised that the trash outside the restaurant would be picked up by a restaurant employee; that the exterior speakers would not be used for music, but ordering purposes only; and that his clients would be willing to erect a six-foot screening fence along the rear property line which abuts apartment development to the east. Upon questioning, Mr. Beason advised that there are signs located on the street frontage to the north and south that sit closer to the centerline of the street than the proposed canopy, that the Traffic Engineer had already approved the curb cuts, and that 100' of frontage is adequate for the use proposed. Mr. Beason advised that the property is presently not maintained as is shown in the photographs and he felt that the proposed use would be an asset to the area.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1218 - Drive-In Restaurants) to operate a drive-in restaurant; a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements from 100' to 63.5' from the centerline of Harvard to permit an open canopy; a Variance (Section 740.3 (b) - Special Exception Uses in Commercial Districts, Requirements - Under the Provisions of Section 1670) for a variance of the frontage requirements from 150' to 100'; and a Minor Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630) to build across lot lines, per plot plan subject to no music or paging being permitted over speaker system, subject to the lighting be directed away from the residential area to the east, and subject to a six-foot screening fence being erected on the rear property line, in a CS District on the following described tract:

Lots 7 & 8, Block 2, Thirty-Sixth Street Suburb Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts-  
Section 1209 - Mobile Homes) to locate a mobile home in an RM-2 District  
located at 1914 East Marshall Place.

Presentation:

Jan Whorton, the applicant, was represented. Ms. Whorton's representative advised that she is proposing to locate a mobile home on the property for a period of one year as permitted by the Code, noting that a contract for purchase of the subject property is contingent upon the Board's approval of the subject request. He pointed out that the lot has been vacant for a number of years and that it has not been maintained as the owner of the property lives out of the state. He advised that residents in the area would rather see a mobile home located on the property and the property maintained than see it remain as is. Upon questioning by the Board, he noted that there are no other mobile homes in the area; however, the area is such that the construction of a new home would not be feasible. He further pointed out, upon questioning, that placing the mobile home on the lot would be an investment for Ms. Whorton, while locating the mobile home in a mobile home park would be renting the space and not investing in the property. Since the May, 1976 flood it has also been very difficult to find mobile home park space.

Ms. Whorton advised the Board that she would consider building a residence on the property in the future if the area were upgraded. She advised that her mobile home is located in Claremore, that she works in Tulsa and living on the subject property would be a help to her for financial reasons.

Protests: None.

Interested Party:

Nancy Reed, Area G organizer for TAAG, advised the Board that this particular block is in need of care and attention, that the area has been designated for possible good neighborhood development since the adoption of the VISION 2000 District 2 Plan.

In Board discussion, Mr. Gardner advised of the Code's intent with permitting mobile homes in a residential area on a yearly (temporary) basis, noting that it was not the intent of the Code to permit mobile homes in these residential areas on a permanent basis.

Board Action:

SMITH moved to approve the application for a period of one year subject to the customary removal bond, after which Board Member Jolly advised he would be in support of the motion at this time but felt that the applicant should be aware that the Board may not continue to approve the application year after year as the intent of the Code is to permit mobile homes temporarily in a residential district.



9118 (continued)

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes) to locate a mobile home for a period of one year, subject to the customary removal bond, in an RM-2 District on the following described tract:

Lot 10, Block 4, Berry-Hart Addition to the City of Tulsa, Oklahoma.

9119

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670) for a variance of the frontage requirements from 300' to 30' in an AG District located at 121st Street and Delaware Avenue.

Presentation:

Bill Jeffers requested a variance of the 300' frontage requirement, noting that he has a 30' access easement on 121st Street South which leads to his property which is located south of 121st Street and contains only the 30' of frontage on 121st Street, a dedicated street. Upon questioning by the Board, Mr. Jeffers advised that he had purchased the tract from his parents and that he did have a 30' access in writing from his parents--the access easement to run with the land, but that he had not submitted a copy to date.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670) for a variance of the frontage requirements from 300' to 30', subject to a written copy of the 30' access easement being filed of record with the County Clerk, in an AG District on the following described tract:

The South 369.16' of the North 601' of the West 295.16' of the East 907.4' of the NW/4 of Section 5, Township 17 North, Range 13 East, Tulsa County, Oklahoma.

9120

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) to terminate an auto salvage operation at 123 North Peoria; a Variance (Section 910 - Principal Uses Permitted in the Industrial District - Under the Provisions of Section 1670) to continue operation of an auto salvage yard; and an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirements where an alternative screening will provide visual separation of uses in an IL District located at 123 North Peoria Avenue and the southeast corner of Peoria Avenue and Easton Street.

Presentation:

Bob Butler, attorney representing Earl Reynolds, advised the Board that Mr. Reynolds had approached the City in 1970 and was told that nothing was required in order for him to continue operation of the existing salvage yard on the subject properties. The subject application was brought about by the issuance of a "cease and desist order" by the Building Inspector with regard to the subject operation. Mr. Butler submitted an affidavit (Exhibit "F-1") signed by Mr. Reynolds which states that he has been the owner of all listed properties since 1946 and that the salvage operation has been in operation continually since 1953 on all listed properties. Mr. Butler advised that Mr. Reynolds had operated an auto salvage on the property in question between 1938 and 1942, that he leased the properties between 1942 and 1946, and purchased the properties in 1946. Mr. Butler submitted copies of documents (Exhibit "F-2") from the telephone company and the Oklahoma Tax Commission substantiating that the auto salvage was in operation as early as 1939. He also submitted 44 affidavits (Exhibit "F-3") from abutting and surrounding property owners who state that they have known the applicant for a great number of years and that the business was in operation as long ago as 1938. In describing the operation as it exists, Mr. Butler submitted 10 photographs (Exhibit "F-4") taken this date of the operation, noting that it is a well-maintained operation. With regard to screening, Mr. Butler pointed out that there is an existing 8' high chain link fence with metal strips that can be utilized for screening purposes and also pointed out that a portion of the fence is covered with hedge which provides visual separation.

Upon questioning by the Board, Alan Jackere, Assistant City Attorney representing David Pauling, the Board's legal counsel, advised that he did not know what date should be used to establish the legal nonconforming use. He suggested that the application might be continued in order that a proper determination might be made.

The Staff advised that the property was annexed in 1917, that a Zoning Ordinance was not in existence until 1923, that the original zoning maps for 1923 could not be found, that in 1930 the property was zoned U-2 (apartments), and that the Tulsa Revised Ordinances of 1945 zoned the property U-4 (industrial permitting the use as a matter of right). Mr. Butler pointed out that the property was zoned U-4 in 1945 which permitted the use which was not purchased by the applicant until 1946. The Staff further pointed out that the Planning Commission was formed in 1953, that zoning maps were adopted in December, 1954 which zoned the property U-4B which permitted the use, and the Ordinances were amended in 1970 making the property IL and the use nonconforming. Mr. Gardner suggested that the application be continued in order that the Staff and Legal Department might research the question.

Paul Jenkins, Building Inspector, advised the Board that a complaint was received in 1969 and the applicant was contacted at that time about the operation. Also, in 1973, the applicant was notified concerning the provision of the Code, after which Mr. Butler again noted that the applicant had requested from the City whether or not anything was required to continue operation in 1970, and was told that there were no further requirements.

Protests:

George Owen, 1606 1st National Building, advised the Board that it was his understanding that the property to the west of Peoria was not being utilized for a salvage operation in January, 1969 but for parking and that the salvage operation did not begin on this property until April, 1969. He submitted five photographs (Exhibit "F-5") of the subject property, noting that the photographs were taken in 1970 and that the operation was cleaned up only after a visit by the Building Inspector. The posts in the photographs, he pointed out, have been in place for approximately a year and the fencing has not yet been completed. Mr. Owen advised that the use is a health nuisance for the area residents and that it was not in operation to the west of Peoria in January, 1969.

Nancy Reed, TAAG neighborhood organizer, speaking for Mrs. Roxie Donahue, advised the Board that the fence posts have been placed on Mrs. Donahue's property, and that other families in the area have advised of fires and explosions that have been caused by the operation of the salvage yard. She further noted that she had tried to meet with the applicant concerning the operation.

Interested Party:

Riley Howey, TAAG Area G representative, advised that TAAG had requested that the applicant clean up the operation, noting that the Legal Department had advised them that help along this line could be received from the Health Department. Mr. Howey requested at this time that the operation be cleaned up and maintained in that manner, noting that TAAG has no objections to the operation if properly maintained.

Howard Rhoden, 504 North Quaker, advised the Board that he has known the applicant since 1936, that he resides across the street from the operation and that there have been no explosion created by this operation nor have there been any rodents. He advised that the property has been cleaned up and that he has no objections to the continuance of the operation.

Mrs. Pauline Sklar, 1130 East Easton, advised that in addition to automobiles there are all kinds of junk on the property and the Fire Department will not investigate her complaints. She noted that the operation was cleaned up only two weeks ago. The City asked the residents in the area to clean up their yards and the neighborhood, but the applicant did not. She requested that the applicant fulfill his promises to the area residents.

Mrs. Myrtle Parriman, 527 North Quaker, advised the Board that she operates a drive-in across the street from the subject operation, the mattresses were dumped on the applicant's property and the operation is not particularly objectionable.

W. B. Blalock, 527 North Peoria, advised the Board that he had lived in the area since 1933, that the operation is cleaner than the residence next door to him, and that outsiders are dumping on the applicant's property.

Mr. Butler felt that the application should be continued in order that a determination might be made regarding the date in question.

9120 (continued)

Board Action:

On MOTION of JOLLY, the Board (4-0) continued application 9120 to August 5, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center and advised the protestants that their protest had been noted and that they need not reappear at that time unless they so desire.

9121

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts - Section 1209 - Mobile Homes) to locate a mobile home; and a Variance (Section 340 - Requirements for Special Exception Uses in the AG 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-west of 118th Street and Sheridan Road.

Presentation:

Larry Totten advised the Board that the subject property is one of five tracts in this 15 acre subdivision and requested that he be permitted to locate the mobile home on the property for three years.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home; and a Variance (Section 340 - Requirements for Special Exception Uses in the AG District - Under the Provisions of Section 1670) for a variance of the five-acre minimum for a mobile home, for a period of three years, in an AG District on the following described tract:

TRACT "E"

A part of the NE/4 of the SW/4 of Section 34, Township 18 North, Range 13 East, described as follows: Beginning at the NE corner of the SE/4 of the NE/4 of the SE/4, Section 34; thence South 301.09'; thence West 638.91'; thence North 42°-16'-25" West 13.51'; thence North 2°-06'-36" East 190.13'; thence North 8°-08'-21" West 98.88'; thence North 89°-43'-12" East 655.00'; to the point of beginning, containing 4.439 acres, more or less.

(Blessing out)

9123

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 505 North 53rd West Avenue.

9123 (continued)

Presentation:

Wallace Diffie advised the Board that he resides on the property next to the subject property and that he proposes to place a mobile home on the subject property which he owns in order that his ill mother-in-law might be cared for by his wife. Upon questioning, Mr. Diffie advised that there are many mobile homes in the area and that there is a storage building on the subject property, but no residence.

Protests: None.

Board Action:

On MOTION of JOLLY, 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 for a period of one year, subject to the customary removal bond, in an RS-3 District on the following described tract:

A part of Lot 1 in Section 5, Township 19 North, Range 12 East, more particularly described as: Beginning at a point 610.33' South and 50' East of the Northwest corner of Lot 1; thence East a distance of 280.61' to a point; said point being 612.57' South of the North line of Lot 1 and 330.61' East of the West line of Lot 1; thence South a distance of 51.56' to a point; thence West a distance of 280.58' to a point; said point being 50' East of the West line of Lot 1; thence North and parallel with the West line of Lot 1 a distance of 51.11' to the point of beginning.

(Blessing in)

9124

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) to erect greenhouses in a CS District located at 9520 East 41st Street.

Presentation:

Anthony Saglime submitted a plot plan (Exhibit "G-1") and requested permission to operate a greenhouse and garden center on the subject property, advising that the use is permitted by right in the CG District and by exception in the CS District. Mr. Saglime felt that the use would be compatible and an asset to the area. He noted that there are residences which back to 41st Street, across 41st Street to the north of the subject property. With regard to the proposed operation, Mr. Saglime pointed out that trees, plants, etc., would be planted outside, but that all other materials would be stored indoors and that all of the property would be fenced. He noted that there are no heavy chemicals involved and that he is licensed to handle a limited supply of chemicals.

Interested Party:

Monte Dunham advised the Board that he owns properties in the area and felt that the use would be compatible.

Protests: None.

9124 (continued)

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 710 - Principal Uses in Commercial Districts - Section 1215 - Other Trades and Services) to erect greenhouses, per plot plan, and as presented in a CS District on the following described tract:

The North 326.94' of Lot 2, Block 1, Dolman Addition to the City of Tulsa, Oklahoma.

9126

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the side yard and rear yard setbacks in an RM-1 District located at 1736 West 36th Place.

Presentation:

J. M. Wilkinson submitted a plot plan (Exhibit "H-1") requesting a variance of the side and rear yard setbacks, noting that the plan proposes four two-story, fourplex structures or a total of 16 dwelling units as permitted by the RM-1 zoning. With regard to the requested variances, Mr. Wilkinson advised that the configuration of the land creates the hardship for development of the tract per the requirements. The variances requested involve that portion of the tract which abuts RS-3 zoning to the south and east at which point Mr. Wilkinson requested a 20' rear and side yard be permitted per plan.

Protests:

Betty Colley, 1727 West 37th Place, advised the Board that she would like to see the subject property cleaned up and maintained, questioned whether or not water, sewer, etc., is properly being taken care of, and questioned the screening that is proposed. Mrs. Colley was advised that the question regarding water and sewer was not a matter of the Board's authority and that the developer is required to meet the City's established policies. Mrs. Colley advised that the residents in the area are retired and would object to parties and noise nuisances that might be created by the residents of the apartments proposed.

(Smith out)

Jim Dean, 1731 West 37th Place, advised the Board that most of the residents in the area are concerned with the sewer, and was advised by the Board that adequate sewer facilities would have to be provided prior to development of the property.

With regard to screening, Mr. Gardner advised that the only screening required is at those locations where five or more parking spaces are to be provided, noting that the Board can require additional screening if desired.

9126 (continued)

Board Action:

On MOTION of JOLLY, 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 side and rear yard setbacks to 20' on the south and east where abutting an RS-3 District, per revised plot plan, in an RM-1 District on the following described tract:

All of Lots 1, 10 and 11, Block 1; and Part of Lots 8 and 9, Block 11, Foydell Addition to the City of Tulsa, Oklahoma, beginning at the NE corner of Lot 8, Block 11; thence South 190'; thence West 220'; thence North 7.3'; thence Northeasterly 284.7' to the point of beginning.

(Smith in)

9127

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 1605 North Utica Avenue.

Presentation:

C. F. Stites described the uses in the area, pointing out that a mobile home on the subject property would be compatible and enhance the area. Mr. Stites advised that he owns property at Pine and Mingo which was flooded and he would like to relocate the residents from that property to the subject property for one or two years. He noted that the construction of a new residence on the subject property is not feasible because of the area development.

Protests: None.

Interested Party:

The Staff submitted a communication (Exhibit "I-1") from J. L. Eimer who advised that the area is developed single-family, that there is a duplex to the south of the subject property and that there are septic tank lateral lines used for the duplex located on the subject property.

Mr. Stites advised that there is a sanitary sewer plug on the property to which he planned to hook the mobile home, pointing out that he would not hook the mobile home to a septic tank system.

Should the Board be concerned with the septic system versus the sanitary sewer, Mr. Gardner advised that the Board could approve the application subject to the approval of the Health Department.

Board Action:

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

Lot 13, Block 1, Elm Motte Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670) for a variance of the setback requirements on the north and west from 75' to 0'; an Exception (Section 1680 - Special Exceptions) to establish off-street parking with access points abutting an Industrial District; and an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) to modify the screening requirement where an alternative screening will provide visual separation of uses on the north and west in an IL District located northeast of 41st Street and Okmulgee Beeline.

Presentation:

Tom Birmingham, the applicant, was not present; however, the Staff submitted a letter (Exhibit "J-1") from Mr. Birmingham requesting a continuance of the subject application to September as there is a possibility that the property is located within the moratorium.

Protests: None.Board Action:

On MOTION of JOLLY, the Board (4-0) continued application 9129 to September 2, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Action Requested:

Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirement where an alternative screening will provide visual separation of uses on the north in an OL District located at the southwest corner of 55th Street and Memorial Boulevard.

Presentation:

John Sublett, representing the applicant, submitted a plat (Exhibit "K-1") of the property, a plot plan (Exhibit "K-2") and a copy of the restrictive covenants of the plat (Exhibit "K-3"). Mr. Sublett described the property, advising that there are limits-of-no-access on Memorial and that the only access for the properties is via 55th Street. Across the street to the north is a large, undeveloped RS-3 tract and screening is required to the north and west between the OL and RS-3 zonings. In reviewing the plat covenants, Mr. Sublett pointed out that the covenants state that Blocks 13, 14 and 15 to the north will not be utilized for single-family purposes. Mr. Sublett presented a rendering of the proposed office structure, advising that his clients are not proposing to waive the screening to the west but only that to the north which contains the access and lot frontage. He requested that his clients be permitted to provide trees and shrubbery on the northern boundary rather than solid screening in order that access might be properly provided.

Protests:

Tom Farmer, 7908 East 55th Street, advised the Board that the residents to the west want a screening fence to be located along the western property line between their RS-3 properties and the subject OL tract as was



required on the previous application before the Board. Also, if the property is elevated the residents want to be assured that a provision is made that the runoff will be carried properly.

David Wilson, 7818 East 55th Street, advised the Board that excavation work has begun on the property, that the May, 1976 storm knocked down a part of the retaining wall near the park area to the west, and he felt that some drainage work should be required especially if the properties are elevated.

Stella Sylvester, 5520 South 78th East Avenue, felt that the north property line should be screened as development without screening would devalue properties in the area. She submitted and reviewed a statement (Exhibit "K-4") from Donald Faletti of 5513 South 78th East Avenue which advised of the history behind the approval of the office zoning and development in the area. Mr. Faletti requested that the application be denied and the development ordered to comply with previous approvals of the Board. He expressed his opinion with regard to the development of the OL in the area being non-coordinated as opposed to the proposed development that was presented when the zoning action was approved.

Bob Crow, 5525 South 78th East Avenue, questioned the distance between the street and the proposed structure and was advised that the structure would be set back 79' from 55th Street. He expressed concern with all traffic from the proposed development being directed to 55th Street, a residential street, and expressed concern with the requested modification of the screening on the northern boundary of the property setting a precedent for the properties to the north when they are developed.

Mr. Sublett advised the Board and residents that his client intends to place a screening fence on the western boundary of the property prior to construction, and that the modification requested is requested for the northern property line only. Board Member Jolly questioned the use of a berm and landscaping and Mr. Sublett advised that his client would have no objection.

The Board, on various occasions, advised the concerned protestants that the screening along the western boundary of the properties to the south was involved in a different application and that the Board had previously required screening along that western boundary prior to development on the property to the south; however, this question is not before the Board this date. The only question before the Board is modification of the northern property line of the subject property.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening requirement where an alternative screening will provide visual separation of uses on the north to permit a berm and landscaping, subject to a landscape plan being submitted showing the decorative berm and landscaping, and access to 55th Street; subject to drainage plans being approved by the City Engineer; and subject to the screening along the western boundary of the subject property being erected prior to construction, in an OL District on the following described tract:

Lots 9, 10, 11, Block 1, Memorial Drive Office Park Addition to  
the City of Tulsa, Oklahoma.

7.15.76;216(17)

9130 (continued)

There being no objections, the Chair directed the Building Inspector to notify the office property owners to the south, in writing, that the screening fence was to be in place on the western boundary prior to construction, per the Board's previous approval.

9131

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a day care center in an RS-3 District located at 5533 North Hartford Avenue.

Presentation:

Emilia White requested permission to operate a day care center on the subject property, noting that there are other centers in the area and that the Health Department has advised her that she would be limited to between 25 and 35 children.

Protests: None.

Interested Party:

Judy Beam, 5532 North Hartford, noted that the applicant had advised her previously that she was proposing to provide access from 56th Street North. Mrs. Beam pointed out that she has no objections if the access on Hartford could be closed so as not to create traffic problems on the residential street.

Ms. White advised the Board that she would be willing to close the Hartford access if the City would permit a curb cut on 56th Street North, noting that she had discussed this arrangement with the Welfare Department.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a day care center, subject to the driveway on Hartford being closed and access being utilized from 56th Street North, in an RS-3 District on the following described tract:

Lot 33, Block 50, Valley View Acres Addition to the City of Tulsa, Oklahoma.

9133

Action Requested:

Exception (Section 1420 (f) - Nonconforming Use of Buildings or Buildings and Land in Combination) to permit an addition to an existing residence in an IM District located at 2901 South 33rd West Avenue.

Presentation:

James Lamberton presented a plan (Exhibit "L-1") to the Board requesting permission to enlarge the existing residence.

9133 (continued)

Mr. Gardner advised that at the time the property was rezoned IM from a residential category, this portion of the property was apparently not deleted from the application; therefore, the existing structure is non-conforming.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 1420 (f)-Nonconforming Use of Buildings or Buildings and Land in Combination) to permit an addition to an existing residence in an IM District on the following described tract:

The S/2, NW/4, SW/4, of Section 15, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

9134

Action Requested:

Variance (Section 910 - Principal Uses Permitted in the Industrial District-Under the Provisions of Section 1670) for a variance to permit a mobile home as a storage unit for a construction business and for temporary housing of out-of-town employees in an IM District located at 2601 West Admiral Blvd.

Presentation:

Louis Levy, representing the applicant, advised the Board that the subject property was once a part of a mobile home park but was condemned by the Highway Department in 1970 as a part of the Keystone Expressway. He described the uses in the area, advising that the property is zoned industrial but cannot be utilized as such because of the small size of the tract and the railroad easement to the north. Mr. Levy advised that his client has used the property for some months for the purpose of placing a mobile home on the property for storage in the construction business and also for the purpose of providing occasional overnight facilities for an employee who commutes from McAlester during the week. Mr. Levy advised that an electrical inspector had visited the property and issued a stop order for electricity because no approval of the use had been granted. Mr. Levy requested the use be permitted for a period of two years.

Mr. Gardner advised that there may also be a Building Code requirement which would require the approval of the City Commission.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved a Variance (Section 910 - Principal Uses Permitted in the Industrial District - Under the Provisions of Section 1670) for a variance to permit a mobile home as a storage unit for a construction business and for temporary housing of out-of-town employees, for a period of two years, in an IM District on the following described tract:

9134 (continued)

Part of the SE/4 NW/4 of Section 3, Township 19 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Beginning at a point 25' North and 230' West of the Southeast corner of the SE/4, NW/4 of said Section 3; thence West-erly and parallel to the South line of the SE/4, NW/4 of said Section 3 to a point, said point being on the West line of the SE/4, NW/4 of said Section 3, and 25' North of the Southwest corner thereof; thence Northerly along the West line of the SE/4, NW/4 of said Section 3, to a point on the Southerly right-of-way line of the M.K. & T. Railroad; thence Easterly along the Southerly right-of-way line of the M.K. & T. Railroad to a point 230' West of the East line of the SE/4, NW/4 of said Section 3; thence Southerly and parallel to the East line of the SE/4, NW/4 of said Section 3, a distance of 172.19' to the point of beginning.

9135

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 440 (6) - Mobile Homes) to maintain a mobile home in an RS-1 District located at 124 West 61st Street North.

Presentation:

Melvin Harkey requested he be permitted to maintain the mobile home on the subject property for an additional year in order that his invalid and elderly father might properly be cared for.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to 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:

A tract out of the NW/4, NE/4, SE/4 of Section 2, Township 20 North, Range 12 East, Tulsa County, Oklahoma, described as follows: Beginning 70' East of the NW corner of the NW/4, NE/4, SE/4 of Section 2; thence South 140' to a point of beginning; thence South 200'; thence East 128'; thence North 200'; thence West 128' to the point of beginning.

9136

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church administrative offices, classrooms and parking in an RS-3 District located southwest of 13th Street and Canton Avenue.

Presentation:

Neil Bogan, representing Crowell Heights Baptist Church, presented a plat, pointing out the three properties under application and the location of the three properties which contain the existing Church. Mr. Bogan advised that Lot 1, Block 2 was previously approved for parking, but that it has been made a part of the application this date. Since 1965 when Lot 1 was approved for parking the membership of the Church has doubled (600 members) and additional parking is required in order to help alleviate the on-street parking problem. The Church requires between 70 and 80 parking spaces on Sunday and only 30 are provided on Lot 1. Mr. Bogan noted that the Church is requesting that classrooms and administrative offices be permitted in the residences existing on Lots 2 and 3 on a temporary basis until such time as the lots are improved for parking purposes. He presented photographs (Exhibit "M-1") of the Church and subject properties.

Protests and Interested Parties:

Verlin Stoner, 1320 South Canton, submitted a number of statements (Exhibit "M-2") signed by 30 area residents who feel that the approval of the application will increase taxes and decrease property values. She expressed concern with additional drainage problems that might be created by the improvement of the lots as there is presently a two-foot elevation difference on Lot 1. With regard to screening, Ms. Stoner advised she would rather see trees or shrubbery provided for screening rather than a solid screening fence or wall on the southern property line. Also she requested that the parking lots be made compatible with the residential area.

A. W. Young, 1233 South Canton, advised the Board that he did not wish to see automobiles parking around the structures while they were being used for classrooms and offices as this would devalue the area. He noted he would have no objection to the structures being removed, the lots hard-surfaced and landscaping provided.

Richard Whitetree, 1212 South Canton, felt that parking lots for the automobiles would be safer than the present on-street parking.

Duncan Burkett, 5920 East 4th, a Church member, advised the Board that the slope of the lots would not permit the three lots to be improved as one lot, noting that two separate sets of retaining walls will be required during the improvement of the lots. Mr. Burkett further advised that the Church would be willing to meet any screening standards required by the Board even if it required preserving existing trees.

Gordon Baltzle, 1235 South Braden, advised that several of the area residents have no objections to the application as they feel it would upgrade the area. Also, Mr. Baltzle felt that the ultimate development would enhance the area.

Another Church member, 1419 South Erie, advised the Board of her concerns with the safety hazards created by on-street parking as the residential streets are narrow.

9136 (continued)

Mr. Bogan advised the Board that some of the persons who signed statements of opposition are now in favor of the application as they have been advised that the improvement of the lots would not increase taxes. Mr. Bogan also requested that the setback requirements on Lots 2 and 3 be adjusted to coincide with that approved for Lot 1, after which the Staff advised this was not properly advertised. Upon questioning, Mr. Bogan advised that the Church is requesting temporary use of the residences as classrooms for a period of one year.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church administrative offices, classrooms and parking--the two residential structures to be removed and the improvement of Lots 2 and 3 to be accomplished within nine months per the established off-street parking standards and subject to six-foot fencing being provided and maintained on the west and south to be located no closer to the street than the front building setback line, with no parking being permitted within the front building setback area, in an RS-3 District on the following described tract:

Lots 1, 2 and 3, Block 2, Crowell Heights Second Addition to the City of Tulsa, Oklahoma.

9137

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the side yard requirements from 5' to 3' in an RS-3 District located at 2449 South 140th East Avenue.

Presentation:

Donald East presented the plot plan (Exhibit "N-1") requesting a variance of the side yard requirements from 5' to 3' in order that the loan might be approved for the sale of the existing structure which does not meet the Code requirements. Mr. East advised that there is 13' between the existing structure and the structure next door.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the side yard requirements from 5' to 3', per plot plan, in an RS-3 District on the following described tract:

Lot 10, Block 7, Eastland Acres Addition, known as 2449 South 140th East Avenue, in the City of Tulsa, Oklahoma.

(Smith out)

9139

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) for a variance of the front setback requirements from 35' to 25' and a variance of the frontage requirements on Lot 8, Block 2 from 100' to 50' in an RS-1 District located southeast of 73rd Street and College Avenue.

Presentation:

Jerry Wilson presented a plat (Exhibit "O-1") of the subject property requesting a variance of the front setback requirements from 35' to 25' in order to meet the depth in the rear yards and required building space because of the Flood Hazard and Floodway Districts that take a portion of the property. Also requested was a variance of the frontage requirement on Lot 8, Block 2 which has only 50' of frontage on the dedicated street. It was pointed out that the shape of the tract creates the hardship since the lot is a standard size RS-1 lot.

Protests: None.

Board Action:

On MOTION of BLESSING, 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 setback requirements from 35' to 25' and a variance of the frontage requirements on Lot 8, Block 2 from 100' to 50' in an RS-1 District on the following described tract:

Guier Wood's Second Addition to the City of Tulsa, Oklahoma.

9153

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) for a variance of the rear yard requirements from 25' to 21' 6" in an RS-2 District located at 2530 East 31st Street.

Presentation:

Stanley Hall submitted the plot plan (Exhibit "P-1") requesting a variance of the rear yard requirements in order that the existing structure might be enlarged as proposed. He pointed out that there is an existing brick screening fence along the rear property line.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (3-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) for a variance of the rear yard requirements from 25' to 21' 6" per plot plan, in an RS-2 District on the following described tract:

Lot 1, Forest Manor Addition, a Resub of Lot 2, Rothammer Heights Addition, in the City of Tulsa, Oklahoma.

7.15.76:216(23)

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to permit building across lot lines in an RS-3 District located at 2823 West Archer.

Presentation:

I. E. Chenoweth submitted the plot plan (Exhibit "Q-1") requesting permission to build across lot lines as proposed.

Protests: None.

Board Action:

On MOTION of JOLLY, 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 building across lot lines per plot plan, in an RS-3 District on the following described tract:

Lot 1, Block 1, Carlson Addition and Lot 3, Block 2, Pecan Center Addition in the City of Tulsa, Oklahoma.

OTHER BUSINESS:

Communication:

This is a Communication (Exhibit "R-1") from the TMAPC Staff concerning screening of unenclosed off-street parking which was submitted to the Board for future reference in this matter. The memorandum refers to Sections 540 and 1340 of the Tulsa Zoning Code with reference to off-street parking and required screening.

Interpretation:

This is a request from the Building Inspector's Office that an interpretation be made by the Board regarding living quarters for mini-storage use. Referring to BOA Case #8761, Mr. Jones noted that the Board found living quarters to be accessory to the principal mini-storage use, after which Mr. Jenkins advised he was requesting a general interpretation as this determination (#8761) appears to deal with that particular application only.

Board Member Jolly recalled from previous Board discussion that the Board wanted to review each application on its own merits as some quarters are not maintained within the principal structure.

In further Board discussion, it was the consensus of the Board that each application should be reviewed on its own merits rather than a blanket interpretation being made unless specific standards could be set out which would define what would be considered customary accessory quarters in nonresidential districts such as night watchmans quarters. The Board instructed the Staff to study the matter and determine if standards could be written.

There being no further business, the Chair declared the meeting adjourned at 6:05 p.m.

Date Approved

August 5, 1976

  
Chairman