

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 242
Thursday, August 18, 1977, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Purser, Chairman	Guerrero	Dyer, Mrs.	Miller, Mrs.,
Blessing	Jolly	Edwards	Building Insp.
Smith		Gardner	Office
		Jones	Pauling, Legal Department

The Chairman called the meeting to order at 1:33 p.m. declaring a quorum present.

MINUTES:

On MOTION of SMITH, the Board (3-0) approved the Minutes of June 2, 1977 (No. 237), July 7, 1977 (No. 239), and July 21, 1977 (No. 240).

UNFINISHED BUSINESS:

9466

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) to erect three duplexes in an RS-3 District.

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line.

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the lot area requirements for a duplex from 9,000 square feet to 8,556 square feet located northeast of 71st Street and Indianapolis Avenue.

Presentation:

Reg McClish, of Reg McClish, Inc., 3601 East 51st Street, requested a lot-split (L-13956) of two lots, into three lots with a variance of 444 square feet per lot and to build across the lot line. He was requested to submit a drainage study from the Hydrology Department as far as flooding was concerned. The Board received a letter from Charles I. Hardt, Chief Hydrology Section (Exhibit "A-1") advising that a cursory review was made and the proposed retaining wall along the east side of the tract will provide additional protection from flooding to the adjoining property to the east. The review also recommended that the Board require a plot plan be submitted prior to the issuance of a building permit requiring the construction of a swale properly designed to collect and pass the

storm water runoff across the tract for a 100-year storm, and also show the building elevations and the proposed grading on the lots. The applicant stated that there was only a 7-foot drop from the highest to the lowest point on the tract in the 225 feet. Subject to the approval of the Hydrology Department, a 3-foot high concrete wall is required along the east 225 feet. The applicant stated there would be 1,800 square feet per unit and the proposed duplexes will be of the same high quality as the present structures and will show all elevations on the final plans. He also stated that the plans will be made available to all interested parties.

Mr. Gardner, of the Staff, advised that the Board should be concerned with whether the duplexes are of comparable quality and satisfactory drainage that will not cause drainage problems.

Protests:

George Thompson, 1210 Mid-Continent Building, stated that he was not protesting the application but was representing the homeowners to the east and those abutting the subject property. He stated that he has reviewed the engineer's plans and approves of the plans to handle the drainage problem. He was also concerned with the quality of the structures and felt that the plans should be complied with exactly as submitted.

Stanley Barks, 7001 South Indianapolis, an area resident, expressed concern with the quality of the duplexes, and questioned whether they will conform to the present structures. He also stated that it would increase the density of the area.

The Chairman at this point of the meeting relinquished the Chair to Board Member Smith, with Board Member Smith advising that he would vote on the application because three "aye" votes were necessary to approve and because the entire Board present, favored the application, otherwise, he would abstain from voting because his firm prepared the original plat.

Mrs. Purser asked Mr. Blessing if he would consider a third stipulation that the applicant furnish this Board with a copy of the Restrictive Covenants in case he might sell the property to someone else to develop. Blessing agreed.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 1207 - Duplexes) to erect three duplexes in an RS-3 District, and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line, and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances)

of the lot area requirements for a duplex from 9,000 square feet to 8,556 square feet, subject to the presentation of the final plot plans and building elevations to the Board for approval, subject to approval of final drainage plans by the City Hydrology Department, and subject to a copy of the Board's conditions of approval to be filed with the County Clerk's Office as restrictions of development on the following described tract:

Lots 6 & 7, Block 2 Vienna Woods West Addition to the City of Tulsa, Oklahoma.

At this point, Chairman Purser took over the meeting and continued.

9591

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to grow tropical plants, to erect a greenhouse and have retail sales in an RS-3 District; and a

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit a greenhouse and retail sales and to grow tropical plants in an RS-3 District located at 2930 West 34th Street North.

Presentation:

James Hodges, 4100 Bank of Oklahoma Tower, representing Ralph and Fern Heavener requested to locate a greenhouse and have retail sales at the subject location. Mr. Hodges submitted a report with maps (Exhibit "AA-1") of the property and advised that the area is mostly rural and appears to be a suitable location for the proposed occupation. He stated that the proposed facility will be the only one in the Metropolitan Area and they have received support from all residents in the area as well as others in the Tulsa area. He displayed a plot plan showing the existing building and the proposed greenhouse, advising that the greenhouse will be 30' x 96', with office space of approximately 26' x 50', a gutter connected, single-structure building with a recreational or cultural dome of 48' in diameter and 28' high with trees growing to the top. The fountain and circular stairway inside will be an exhibit type display. Mr. Hodges advised that the greenhouse will be to the west of the existing one and the exterior will be surrounded by flower beds, and there will be poplar trees aligning the project on the north. He advised that there is no other street to the property and only a small amount of traffic use the street. Access to the area is gained from Cincinnati Avenue. Mr. Hodges also advised that the access to the parking lot will be from 34th Street North, black topped, accommodating approximately thirty-two cars. He advised that there will be no outside storage and asked the Board to consider the rural nature of the property, the existing commercial uses in the area and the isolation of the tract. The proposal is similar to a home occupation, except for the restriction of employees only from the home. My client does not need the home occupation if the Board grants the variance; however, I do not want to withdraw the home occupation unless the Board approves the variance.

9591 (continued)

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit a greenhouse, retail sales and to grow tropical plants as presented, in an RS-3 District and in accordance with the plot plan and no signs or outside storage on the following described tract:

Lot 4, Block 3, Theisen Subdivision to Osage County, Okla.

9607

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 south and west of 106th Street North and Mingo Road.

Presentation:

Mike Houston, the applicant, Route 1, Box 904, Owasso, Oklahoma, had previously appeared before the Board requesting to locate a mobile home on the subject property. The application was approved for a period of two years subject to proper sewage treatment and the applicant was advised by the Board to obtain a written statement from the City-County Health Department that he had met the health requirements for locating a mobile home on the subject property. The applicant submitted the statement (Exhibit "B-1") from the City-County Health Department advising that the septic tank had been hooked up to the mobile home and that he planned to build a home in three or four years.

The Chairman advised Mr. Houston that after two years if he wanted to maintain the mobile home, he would be required to reappear before the Board.

9627

Action Requested:

Exception (Section 610 - Principal Uses Permitted in Office District - and Section 1680 - Special Exceptions - and Variances - Section 207-Street Frontage Required - Section 1800 - Definition - and Section 1670.1 - Variances - General) to permit a townhouse development with attached and detached dwelling units on individual lots located on private streets in an OL District located north and west of 49th Street and Lewis Avenue.

Presentation:

Charles Norman, 1100 Philtower Building, submitted a letter (Exhibit "C-1") requesting a continuance of the subject application advising that Lincoln Property Company is continuing discussions with the neighborhood residents and hopes that a formal agreement can be reached with the neighborhood which would greatly simplify the issue. He stated that the protestants had no objections to a continuance of the application.

8.18.77:242(4)

9627 (continued)

Protests: None present.

Board Action:

On MOTION of BLESSING, the Board (3-0) continued application 9627 until September 1, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9628

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes) to maintain a mobile home in an RS-3 District located at 1914 East Marshall Place.

Presentation:

Tom Cume, representing the applicant, Jan Whorton, advised that Mrs. Whorton purchased the property a year ago with a small frame house on the property that was destroyed by fire and at that time requested to locate a mobile home on the property. Mr. Cume stated that the applicant was requesting an extension of one year, advising that there were no elaborate homes in the area. He also stated that the area residents had no objections to the location of the mobile home on the subject property advising that they would rather have the mobile home than an unattended lot in the area.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes) to maintain a mobile home in an RS-3 District for one year with removal bond required on the following described tract:

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

NEW APPLICATIONS:

9631

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from the centerline of 7th Street from 37.5' to 31.9' in an IL District; and

Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to remove the screening where the purposes of the screening cannot be achieved, located SW of 7th Street and Troost Avenue.

9631 (continued)

Presentation:

D. E. Walker, 6930 East 7th Street, advised that he operates an overhead door company and requested a setback to build a 40' x 80' warehouse which will setback further than other buildings in the area. The applicant submitted a plot plan (Exhibit "D-1") of the proposed structure.

The applicant advised that he would erect a chain link fence around the property, but there is a commercial building to the south which does not need screening.

Bob Gardner of the Staff advised that the Ordinance does require a screening fence along the southern boundary, but a fence would not be required on the north and west.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) to the setback requirements from the centerline of 7th Street from 37.5' to 31.9' in an IL District; and an

Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to remove the screening where the purpose of the screening cannot be achieved, per plot plan submitted, on the following described tract:

Lots 1 and 2, Block 2, Parkdale Addition to the City of Tulsa, Oklahoma.

9632

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 5147 East 25th Court.

Presentation:

Gloria Mendoza, 5147 East 25th Court, the applicant, requested to locate a beauty shop at the subject location. Mrs. Mendoza advised that there would be no change in the structure and all fixtures are presently available. She also advised that the hours of operation will be temporarily only three days per week. On Tuesday from 8:00 a.m. until 5:00 p.m., Thursday and Friday, 9:00 a.m. until 8:00 p.m., never later than 9:00 p.m., and no employees. She stated that she has a double car driveway in back of the house with 100' of parking on the front. Mrs. Mendoza submitted a copy of the letter (Exhibit "E-1") sent to all property owners within a 300' radius of the subject property, stating that she had received only two letters protesting the location of the beauty shop. She advised that she was required by law to display a sign, but will locate the sign in back of the garage, not visible from the street. The applicant

advised that she had discussed the proposed beauty shop with the area residents.

Upon questioning by the Board, Mrs. Mendoza had received a copy of the home occupation restrictions.

Protests:

The Staff submitted a letter of protest (Exhibit "E-2") from Betty Smittle, 5319 East 25th Place, advising that the neighborhood was of middle class and wished it to remain as such and felt it would add to the congested traffic.

The Staff submitted a letter of protest (Exhibit "E-3") from Donald E. Smittle, 5319 East 25th Place, protesting because he felt if the beauty shop is allowed, this would mean other businesses in the future. He also felt it would lower the value of the homes and increase the amount of traffic since it is in the vicinity of Hoover School.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the 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 subject to the requirements of a home occupation, for this owner only, and only on days and hours stated above on the following described tract:

Lot 8, of the S/2 of Block 7, Gracemont Third Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a day care center in an existing church building located at 3029 South 57th West Avenue, in an AG District.

Presentation:

Don Martin, 3029 South 59th West Avenue, the applicant, requested to operate a day care center in an existing church building. The applicant submitted a site plan (Exhibit "F-1") advising the Board of a large driveway for loading and unloading and the asphalt parking lot.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a day care center in an existing church building as noted on the following described tract:

9635 (continued)

The East 250' of the West 280' of the North 500' of the South 925' of the W/2, SE/4 of Section 17, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

9636

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's day nursery in an OL District; and a

Variance (Section 630 - Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670 - Variances) of the setback requirements from 110' to 106' from the centerline of 21st Street located SE of 21st Street and 117th East Avenue.

Presentation:

Frank Moskowitz, representing Brad Jones, who applied to operate a children's day nursery, requested the setback waiver in order that he would not have to remove a large mature tree that he would like to keep. He advised that Hindercare will locate ten substantial quality nurseries in the Tulsa area, costing approximately \$125,000 each. Mr. Moskowitz advised that there is five or six acres of open land at present on each side of the building. The exterior of the building will be of brick or masonry.

Upon questioning by Board Member Blessing, Mr. Moskowitz felt that the applicant would not object to an earthtone color and stated he would submit to the Board the color, building material and elevations for approval before constructing the facility.

The Chairman again relinquished the Chair to Board Member Smith, who stated that three "aye" votes were necessary to approve the application and since the entire Board present favored the application he would vote on the matter.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Exception (Section 610 - Principal Uses Permitted in the Office District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's day nursery in an OL District; and a

Variance (Section 630 - Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670 - Variances) of the setback requirements from 110' to 106' from the centerline of 21st Street subject to the exterior being an earthtone color and the final elevations submitted to the Board for approval, on the following described tract:

Part of Lot 1, Block 2, Briana Ann Addition, beginning 300' East of the Northwest corner of Lot 1; thence South 225'; thence East 100'; thence North 225'; thence West 100' to the point of beginning, Tulsa County, Oklahoma.

At this point of the meeting, the Chairman took over and continued.

8.18.77:242(8)

9637

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 52' in a CS District located NW of 13th Place and Lewis Avenue.

Presentation:

Don Jernigan, submitted a letter (Exhibit "G-1") from his attorney requesting a continuance of the subject application. He advised that his attorney was out of town and requested continuance to the next meeting of September 1, 1977.

Protests:

Hansel Hawkins, 2319 East 13th Place, and J. D. McAuliffe, 1310 South Lewis were protestants of the application and wished to be notified of the continuance date of the subject application.

Board Action:

On MOTION of SMITH, the Board (3-0) continued application 9637 until September 1, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9639

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 6315 West 22nd Street, (bond required).

Presentation:

Mrs. Charles Hinesley, 6215 West 22nd Street, requested to locate a mobile home on the subject property for her mother and step-father. Mrs. Hinesley made mention of the cost involved and wanted to know if the application could be approved longer than 1-year. She was advised that the Zoning Code permitted only 1-year.

Protests: None.

Board Action:

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

Lot 9, Block 1, West Tulsa View Acres Addition to the City of Tulsa, Oklahoma.

9640

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 25' to 22.5' in an RS-3 District located at 521 South 111th East Avenue.

8.18.77:242(9)

Presentation:

Raymond Ford, 29 South Joplin Avenue, representing Mr. Dossey, requested the setback waiver at the subject location. Mr. Ford stated that his car would not fit inside the existing garage and he needed the requested variance. He stated the garage and door would be moved forward two and one-half feet. Mr. Ford said he had contacted some of the area residents and they had no objections to the proposed plan.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 25' to 22.5' in an RS-3 District on the following described tract:

Lot 34, Block 24, Wagon Wheel Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 241 - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the setback requirements from 50' to 45' from the centerline of Peoria Avenue in a CH District located at 1211 South Peoria Avenue.

Presentation:

Lloyd Brawley, 3128 Northwest 20th, Oklahoma City, Oklahoma, of Brawley Rent, Inc., advised that he had purchased the property and requested the setback for an additional warehouse. He advised that the warehouse was needed for more space and will be aligned with the existing building. The applicant submitted a plot plan (Exhibit "H-1") showing the existing and the proposed building.

Jones of the Staff, made mention of a previous setback contract advising that a removal contract was required on the first building in the event the City should need to widen the street. The applicant would base the cost of building removal and the City would only pay for the land taken.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 241 - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the setback requirements from 50' to 45' from the centerline of Peoria Avenue subject to the plot plan submitted and subject to a customary removal contract, on the following described tract:

9642 (continued)

Lots 37, 38, 39, 40, 41, and 42, Block 5, Orchard Addition;
and the W/2 of vacated alley; to the City of Tulsa, Okla.

9644

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; and a

Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) of the frontage requirements to a public street to permit frontage on a private roadway; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agricultural District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District located at 8922 South 28th West Avenue.

Presentation:

Ira Ray Willis, 8989 South 28th West Avenue, representing his son who was out of town, requested to locate a mobile home on the subject property for two years in order that he can build a home. Mr. Willis advised that his son does have a roadway to the property. Mr. Willis stated he owned a five-acre tract of which this application is a part.

Protests: None.

Interested Party:

Hollis Martin, 3021 West 29th Street, who has resided at this address for one year advised that each property owner owns a 2.5-acre tract with the exception of one landowner, who owns five acres. Mr. Martin stated that there is a road in the center of the 20 acres advising that 25 feet was given from the front of each lot for roadway purposes, which has been in existence for five years. Mr. Martin also advised the Board that all utilities are available and all with the exception of one 2.5-acre tract, presently have homes on them.

Bob Gardner of the Staff advised that the subject property is within what is classified as a "Wildcat Subdivision" which is covered by County Resolution permitting development.

Board Action:

On MOTION of SMITH, the Board (3-0) approved Exception (Section 310-Principal Uses Permitted in the Agriculture District - Section 1209-Mobile Homes) to locate a mobile home in an AG District; and a

Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) of the frontage requirements to a public street to permit frontage on a private roadway; and a

9644 (continued)

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District based on the representation that the existing roadway assures access to the subject tract as stated by the applicant, and for this land owner only for a period of two years on the following described tract:

The SW/4, NW/4, SE/4, SW/4, of Section 15, Township 18 North, Range 12 East, Tulsa County, Oklahoma.

9645

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; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home; and a variance of the frontage requirement in an AG District located SW of 111th Street and Boston Avenue.

Presentation:

Leonard Telan, P. O. Box 203, Jenks, Oklahoma, requested to locate mobile home on a tract which is slightly less than six acres and is shared by other family members, for a period of five years in order that he can build a home. Mr. Telan advised that the subject property is located in a rural area along with other trailer homes. The applicant submitted a plot plan (Exhibit "I-1") showing the subject location.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home; and a variance of the frontage requirement in an AG District for a period of five years on the following described tract:

The North 132' of the West 300' of the S/2, SW/4, NE/4, of Section 36, Township 18 North, Range 12 East, Tulsa County, Oklahoma.

9646

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office Districts- Section 1208 - Multifamily Dwelling and Similar Uses) to erect townhouses in an OM District located at 73rd Street and Braden Avenue.

Presentation:

Harold Patrick, 6660 South Lewis, agent for Never Fail Builders, advised that he did not have all the covenants and layouts and therefore requested a continuance until September 1, 1977.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) continued application 9646 until September 1, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9647

Action Requested:

Variance (Section 241 (d) - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the setback requirements from 45' to 40' from the centerline of Wheeling Avenue in an IL District located at 1314 North Wheeling Avenue.

Presentation:

Roger Rayburn, 8196 East 46th Street, requested to add to the existing building which is approximately 3,000 square feet, advising that the addition will extend the office building out even with the existing building. The applicant submitted a plot plan (Exhibit "J-1") showing the present and proposed building, he submitted photos (Exhibit "J-2") also showing the existing building.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 241 (d) - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the setback requirements from 45' to 40' from the centerline of Wheeling Avenue as presented on the following described tract:

The SE/4, SW/4, NW/4, NE/4, of Section 31, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

9648

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RS-3 District located at 6315 West 23rd Street (bond required).

Presentation:

Gloria Field, 6315 West 23rd Street, requested to locate a mobile home on the subject property, advising that she purchased the
8.18.77:242(13)

9648 (continued)

property and does plan to build a home. She also informed the Board of other mobile homes in the area.

Protests:

Pat Blitsoe, 2221 South 65th West Avenue, advised that the applicant's mobile home was located on a portion of her property and she wanted to either sell or rent the property to Mrs. Field because she, Mrs. Blitsoe was paying taxes on the property, advising that one-third of the driveway was her property.

Chairman Purser informed Mrs. Blitsoe that the matter was a private dispute and that the Board could only grant or deny the Exception requested.

Board Action:

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

The E/2 of Lot 6, Block 2, West Tulsa View Acres to the City of Tulsa, Oklahoma.

9649

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 35' to 30' in an RS-1 District located at 74th Street and Birmingham Court.

Presentation:

Harry Jacobs, 7445 South College Avenue requested to build homes with a 5' less front setback, advising that the homes are large and the homeowners want larger rear yards so they can install pools if they choose. Some of the lots are irregular sized and shaped. The applicant stated that each single-family home will be 3,500 square feet or larger and cost in excess of \$100,000. He stated that he presently has a permit to build on Lot 2, Block 1 and that he plans to face all homes on Birmingham Court, on Lots 1, 2, 3, 4, and 5, in Block 2.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 35' to 30' in an RS-1 District subject to the conditions that all houses on the west side of Birmingham shall front Birmingham and all houses on the east side of Birmingham, on Lots 3, 4, 8 and 9 shall either all front Birmingham, or they shall line up by fronting Lot 3 to the north, Lot 4 to the south, Lot 8 to the north and Lot 9 to the south on the following described tract:

8.18.77:242(14)

9649 (continued)

Lots 3, 4, 6, 8 & 9, Block 1, All of Block 2, Ridgecrest Addition to the City of Tulsa, Oklahoma.

9650

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements in an AG District to permit two lots with 134.875' and 1.2 acres; to permit a lot-split located south and west of 81st Street and Elwood Avenue.

Presentation:

The Staff advised that the Planning Commission approved the lot-split (L-14087) subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements in an AG District to permit two lots with 134.875' and 1.2 acres; to permit a lot-split (L-14087) on the following described tract:

Beginning 1,282.75' West of the NE corner of Section 14, Township 18 North, Range 12 East; thence South 436'; thence West 269.75'; thence North 436'; thence East 269.75' to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

9651

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 off-street parking in an RS-3 District located north and west of Atlanta Ave., and 29th Place North.

Presentation:

Rev. Leon Edd, 2511 East 29th Place North, requested to use the subject property for off-street parking for church use. He advised that the church is located to the west of the property and on the east side of Atlanta Avenue with a vacant lot between the church and the proposed parking lot. Rev. Edd advised that the majority of the area residents has given their approval and he was in favor of the children using the parking area when not in use by the church rather than playing in the streets. Upon questioning by the Board, the applicant advised that the facility will be used mostly on Sundays and Wednesdays and on occasions when the Model Cities and other agencies use the church for their meetings.

Protests: None.

Interested Parties:

Louise Primese, 2424 East 29th Place North, was not protesting the off-street parking lot, but questioned the type of surfacing of the parking lot. She inquired that if the parking lot is approved, could the property be used other than for a parking lot. Mrs. Primese was concerned that the property did not develop into an area for motorcycle riding.

The Staff presented a letter (Exhibit "K-1") from Priscilla Cole, 1454 Laclede Station Road, Richmond Heights, Mo., advising that she had not been contacted about the proposed parking lot but had no objections.

Jones of the Staff, advised that the parking lot is required to have a dust-free surface. The lot must either be concrete or asphalt covering and the entrance must be approved by the Traffic Engineering Department and a screening fence will be required to the west, north and east because the area is zoned residential.

Bob Gardner, TMAPC Staff member, suggested that if the application is approved, the Board could include in the motion a condition that the parking facility will not be used so as to become a nuisance to the area.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use the property for church use and off-street parking and that the church not let the parking lot become a public nuisance on the following described tract:

Lots 18, 19, 20, & 21, Block 6, Amos T. Hall Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RM-2 District located at 6143 West 10th Street.

Presentation:

David Casper, 6143 West 10th Street, advised that he purchased the property a year ago and located his mobile home there and is requesting an extension for one year. The applicant is presently residing in the mobile home and does plan to build a home when the property is paid for.

Protests: None.

9652 (continued)

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RM-2 District for a period of one-year with removal bond required on the following described tract:

The South 155' of Lot 8, Block 6, Lawnwood Addition to the City of Tulsa, Oklahoma.

9653

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to locate a branch library in an RS-3 District located in the 2000 Block West 51st Street.

Presentation:

Jan Keene, Assistant Director of City-County Library, requested to locate a branch library on the subject property. The property is a two and one-half acre tract located between 51st Street and Skelly Bypass and will contain a 15,000 square foot building. A photo (Exhibit "L-1") was submitted showing the proposed library site. The applicant advised that the site was recommended by the District Planning Team, in the Comprehensive Plan, as a suitable location for a library and will be constructed as soon as funds are available.

Protests: None.

Interested Party:

Ed Manis, 2321 West 51st Street, advised that he lives directly across the street from the fire station. Mr. Manis advised that the area residents are concerned about retail commercial development coming into the area and feel that it is an excellent location for the library but informed that the east part of the lot does flood and they wanted the assurance that the area would remain residential.

Bob Gardner, TMAPC Staff member, stated that this proposed library will in no way lend any support to future commercial zoning in the area.

Board Action:

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

The West 500' of the following described property: Beginning 600' East of the NW corner of the NE/4; thence East 1,070.45'; thence South 50'; thence East 265'; thence South 90'; thence Southwest 92.41'; thence West 404.85'; thence Southwest 601';

9653 (continued)

thence West 260.18'; thence North 250' to the point of beginning, ALL in Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

9654

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements in an AG District to permit a lot-split located north and east of 101st Street and 117th East Ave.

Presentation:

Guy Singer, the applicant was not present, and the Staff advised that the Planning Commission had approved the Lot-split (L-14091) subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of BLESSING, the Board (3-0) approved the Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1620 - Minor Variances) of the frontage and area requirements in an AG District to permit a Lot-split (L-14091) on the following described tract:

The East 273' of the South 355' of the SW/4 of the SW/4 and the West 103' of the South 355' of the SE/4 of the SW/4 of Section 24, Township 18 North, Range 14 East, of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, containing 3.064 acres;

TRACT I. The East 142.41' of the South 355' of the SW/4 of the SW/4 and the West 103' of the South 355' of the SE/4 of the SW/4 of Section 24, Township 18 North, Range 14 East of the IBM in Tulsa County, State of Oklahoma, containing 2.00 acres; and

TRACT II. The West 130.59' of the East 273' of the South 355' of the SW/4 of the SW/4 of Section 24, Township 18 North, Range 14 East of the IBM in Tulsa County, State of Oklahoma, containing 1.064 acres.

9663

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line; and a

Variance (Section 206 - Number of Dwelling Units on a lot - Under the Provisions of Section 1630 - Minor Variances) of the number of units from 40 to 88 units in an RM-1 District located south and east of 47th Place and Fulton Avenue.

Presentation:

Scott Sherrill, 4466 South 74th East Avenue, requested a waiver of the requirement of 40 units per lot to permit a total of 88 apartments on the tract. He advised that the main entrance is from South Fulton Avenue. The applicant submitted site plans (Exhibit "M-1") showing the proposed layout.

Bob Gardner of the Staff, advised that the Board should be aware of the need for an additional emergency vehicle entrance. In the event of an emergency a vehicle would need to gain entry to the property and it has only one entrance. The Board should also be concerned with the storm water drainage from this project.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line; and a

Variance (Section 206 - Number of Dwelling Units on a Lot - Under the Provisions of Section 1630 - Minor Variances) of the number of units from 40 to 88 units in an RM-1 District, subject to a written approval by the Fire Marshal and City Engineer on the following described tract:

The West 330' of Lot 9, and ALL of Lot 10, Block 2, Allen Subdivision to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across lot lines in an RS-3 District located SE of 43rd Street and Detroit Avenue.

Presentation:

M. A. Eichhorn, the applicant was not present. The Staff advised the Planning Commission that the applicant wanted to build across lot lines within previously approved lot-splits.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across lot lines (L-14103 - L-14104 - L-14105 - L-14106) in an RS-3 District on the following described tract:

Lots 1, 2, 3 and 4, Block 5, Demorest Addition, to the City of Tulsa, Oklahoma.

There being no further business, the Chairman declared the meeting adjourned at 4:45 p.m.

Date of Approval Sept 15, 1977

Harry Purser
Chairman