

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 243
Thursday, September 1, 1977, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Purser, Chairman Guerrero Jolly Smith (in at 1:45 p.m.)	Blessing	Gardner Edwards Jones Dyer, Mrs.	Linker, Legal Dept. Miller, Mrs., Build- ing Inspector's Office

The Chairman called the meeting to order at 1:35 p.m. declaring a quorum present.

UNFINISHED BUSINESS:

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.

The Board approved the application, August 18, 1977 subject to the exterior being an earthtone color. The applicant, Brad Jones, 4137 South Harvard Avenue, submitted a rendering (Exhibit "A-1") showing the color and structure of the proposed building, advising that the Kinder Care Building located at 11818 East 21st Street will be approximately the same color as reflected in the rendering. The applicant also submitted a letter (Exhibit "A-2") describing the exterior of the building and the proposed colors.

9627

Action Requested:

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

Presentation:

Charles E. Norman, attorney, representing Lincoln Property Company, applied for a townhouse development with attached and detached dwelling units on individual lots located on private streets. Attorney Norman advised the Board that Lincoln Property Company owned the old Children's Medical Center School property, which was acquired in 1972. He stated that the applicant, Lincoln Property, applied for a resoning of light office, and a restrictive covenant was required and given to the Board. He

stated that Forrest Creek Patio Homes, Creek I, was approved by the Planning Commission with a private street. He advised that according to the present Code it is not possible for separate ownership of a duplex or triplex and asked the Board for approval of Use Units 6 and 7 in an OL District. Attorney Norman submitted Development Standards (Exhibit "B-1") which shall apply to the development of the property for single-family residential uses, and asked the Board to permit a townhouse development under the submitted Development Standards with a use variance to the requirement of Section 207 (required street frontage) and definition of townhouse under Section 1800 which is to be constructed on a seven-acre tract. He advised that there are no stub streets to the north or to Utica, to the west is a multifamily dwelling and to the south is an office district. Mr. Norman also advised that there will not be more than 36 single-family attached or detached dwelling units to be constructed, with no windows above the first floor for reasons of privacy. Attorney Norman stated that a six-foot high screening fence will be erected, and advised that the lots will be served by private streets which will be a means of security. He advised that the site plan based on the private street with security entrance and crash gate have been approved by the Fire Department. Mr. Norman displayed a rendering of the proposed development advising that the dwelling unit has a garage not far from the street, designed in a manner that the cars will not protrude into the streets. He advised that the second building's garage is constructed in a traditional manner with two-story dwelling units, with no windows in the second-story units, and advised that there is an emergency entrance into the development, and stated that he has reviewed the proposed plan with Mr. Gardner and Mr. Pauling. Attorney Norman stated that he was aware of the requirements of the approval of the Board for duplexes and townhouses in an OL District to permit separate ownership stating that homes that are attached and detached are as valuable as other homes and that the minimum sale price will be above \$90,000. Attorney Norman submitted a letter (Exhibit "B-2") from Fenelon Boesche, 1300 National Bank of Tulsa Building, 320 South Boston Avenue, Tulsa, Oklahoma, 74103, stating that his home abutted 220 lineal feet of the old Children's Medical Center site on the north and that he approved of the revised Amendment to Agreement and will recommend its approval to the neighbors.

Linker, of the Legal Department, stated that he saw no particular problems with the proposed development or approval of the Use Units 6 and 7 or the variance of Section 207 in the OL District.

Protests: None.

Board Action:

(3-0-1)
On MOTION of JOLLY, the Board (~~4-0~~) approved the Exceptions (Section 610 - Principal Uses Permitted in the Office District - and Section 1680 - Special Exception - and Variances - Section 207 - Street Frontage Requirements - and Section 1670.1 - General - and Section 1800 - Definitions) to permit a townhouse development with attached and

*Amended
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9627 (continued)

detached dwelling units on individual lots located on the private streets, subject to the submitted Development Standards provided to the Board by the applicant on the following described tract:

A tract of land in the E/2 of the SE/4 of Section 30, Township 19 North, Range 13 East of the IBM, Tulsa County, State of Oklahoma, more particularly described as follows, to-wit:

Commencing at a point on the East line of Section 30, said point being 889.17' North of the SE corner of Section 30, and 100' South of the SE corner of the N/2 of the N/2 of the SE/4 of the SE/4; thence South $89^{\circ}-48'-03''$ West and parallel with the South line of the N/2 of the N/2 of the SE/4 of the SE/4, a distance of 594.50' to the point of beginning; thence continuing South $89^{\circ}-48'-03''$ West a distance of 197.27' to a point; thence along a curve to the right with a central angle of $30^{\circ}-00'-00''$ and a radius of 91.96' a distance of 48.15' to a point; thence North $60^{\circ}-11'-57''$ West a distance of 20' to a point; thence along a curve to the left, with a central angle of $30^{\circ}-00'-00''$ and a radius of 131.96' a distance of 69.09' to a point; thence South $89^{\circ}-48'-03''$ West a distance of 400' to a point, said point being the SE corner of Lot 1, Block 2, Bolewood Park Amended, according to the recorded plat thereof; thence North $00^{\circ}-25'-00''$ West a distance of 390' to a point; thence North $89^{\circ}-48'-39''$ East a distance of 660.00' to a point; thence North $00^{\circ}-25'-00''$ West a distance of 50' to a point; thence North $89^{\circ}-48'-39''$ East a distance of 66.25' to a point; thence South $00^{\circ}-22'-30''$ East a distance of 479.86' to the point of beginning, and containing 6.817 acres, more or less.

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:

Tom Tannehill, attorney, representing the applicant, Don Jernigan, requested a setback to locate an outdoor sign, advising that the property is 200' x 130' north and south with a total of 4,624 square feet of space. Attorney Tannehill advised that the State of Oklahoma has taken a portion of the property for an expressway service road which has presented a hardship. He submitted a photo (Exhibit "C-1") advising that the sign will be 50' from the ground to the top, 672 square feet of sign with constant lighting, and does not include flashing lights. He advised that all property is zoned CS but there are residents in the area. Mr. Tannehill stated that due to the size of the lot and sign will setback at least 28', which is 8' farther back than required. He also submitted photos (Exhibit "C-2") showing what he felt would constitute a problem if there were to be a curb cut and advising that this might expedite and generate use in the commercial district. Mr. Tannehill advised that he was aware of the two protestant who resides in a CO District and the sign will not be visible from their residence.

9637 (continued)

Protests:

Hansel Hawkins, 2319 East 13th Place, stated that the area had been reclassified commercial and office zoning, but he plans to remain living in the area because it is a nice residential area and felt a 50' high sign is not needed. He stated that there were high weeds on the property and a 50' high sign would add to the depreciation of the value of his property.

E. M. Rhinehart, 2331 East 13th Place, stated that he had no objections to progress, but felt the sign will have no value as far as their homes are concerned. He felt it will not raise the value of the homes and will be hazardous and would be vulnerable to the sight and sentimental value and asked the Board to deny the request.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 730-Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirement from 100' to 52' on the following described tract:

Lot 14, Block 10, Terrace Drive Addition to the City of Tulsa, Oklahoma.

9646

The Staff advised that the application #9646 had been withdrawn.

NEW APPLICATIONS:

9655

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 50' from the centerline of Peoria Avenue; and Variance of the area requirements from 13,500 square feet to 11,615 square feet in an RS-1 District located at 2805 South Peoria Avenue.

Presentation:

Charles Sublett, representing O. W. Northam the owner of the subject property, advised that there had been an approval of a lot-split on Lots 27 and 29 for construction of additional residences. He advised that the setback was requested because the present setback of 85' presented a problem for constructing a very large residence and advised that the requested setback would not have any effect on South Peoria if an expansion would ever become necessary. Mr. Sublett advised that the house will be constructed on a tract of 165' x 101', fronting to the south with a side yard next to Peoria Avenue. Mr. Sublett advised that an additional 7' was requested for the trees on the western boundary.

Protests: None.

9.1.77:243(4)

9655 (continued)

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 50' from the centerline of Peoria Avenue; and a Variance of the area requirements from 13,500 square feet to 11,615 square feet in an RS-1 District as requested, on the following described tract:

Beginning 1,670' North of the Southwest corner of Section 18, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence East 165'; thence North 101'; thence West 165'; thence South 101' to the point of beginning.

9656

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a Christian day school in an OL District located at 10976 East 23rd Street.

Presentation:

Mark Smith, Pastor of the church, requested to operate a Christian day school at the subject location, advising that the location will be only temporary for approximately nine months and two years at maximum. Rev. Smith advised that they are seeking a permanent location nearby. He advised that there will be two classrooms, 25' x 26' each, opening with approximately twenty-five students and a maximum of 40 to 45 students from kindergarten through the third grade. Rev. Smith stated that the school will be open to the public with a nondiscriminating policy. He presented a map showing the proposed development and advising that his office is located at 23rd and Garnett and the church is presently meeting at Skelly Junior High.

Protests: None.

Board Action:

On MOTION of GUERRERO, the Board (4-0) granted the Exception (Section 610 - Principal Uses Permitted in the Office District - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a Christian day school in an OL District for a period of two years with the condition that the number of students in attendance not to exceed 45 as presented, and the facility be temporary only on the following described tract:

Lot 1, Block 4, Tiffany Park Addition to the City of Tulsa, Okla.

9657

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 1513 East 91st Street.

9657 (continued)

Presentation:

Morris L. Ishmall, 1513 East 91st Street, requested to locate a mobile home on a two-acre tract for an aunt, who is crippled and is in need of care. He advised the Board of a 30' x 40' accessory building on the property.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) 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:

The South 247.59' of the West 352.02' of the SE/4, SW/4, of Section 18, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

9659

Action Requested:

Exception (Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for Lodge purposes (Odd Fellows Hall) and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the setbacks from the centerline of Patton Street and Cedar Street in an RS-3 District, located at 4020 South Cedar Street.

Presentation:

Lowell C. Wilson, 1723 West 37th Place, Trustee for the Lodge, requested to locate a 40' x 80' metal building on the subject property to be used as a lodge hall. He advised that the building will be gray with orange trim. Upon questioning by the Board, the applicant had not applied for a variance and was instructed by the Board that he must apply for a variance and readvertise.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) continued application #9659 until September 15, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9658

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to operate a trucking business in a CS District located at 1645 South 101st East Avenue.

9.1.77:243(6)

Presentation:

Ramon King, 6111 East Skelly Drive, Suite 106, requested to operate a truck parking business, advising that the property is surrounded by a 17-acre tract. He stated that there is a house on the property used as an office and is staffed with two or three people, but the property is used for truck parking only, no depot or shipping. He stated that Younger Transportation Company of Houston, Texas does hauling of oil field equipment and uses the subject property for parking and that there was no maintenance or loading of trucks. Mr. King advised that the operation has been in existence for five or six years and a City Inspector came out and told him he was in violation of the City code of which he was unaware of. He advised that the subject location is for temporary use only and for none other than truck parking.

Mrs. Miller, Building Inspector's Office submitted for the Board's information a complaint report (Exhibit "D-1") issued by the Building Inspector's Office advising that trucks and heavy equipment were parked on the front and side yard at the subject location, zoned CS. In addition, she submitted an official notice (Exhibit "D-2") advising that a trucking business in a CS zoned District was in violation of the City of Tulsa Zoning Code.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Exception (Section 710-Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to operate a trucking business as described by the applicant in a CS District for a period of two years, on the following described tract:

Lot 3, Block 1, Magic Circle Center Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot from 25' to 16' in an RS-3 District located at 3807 South Marion Avenue.

Presentation:

Jim Stranton, representing the property owners, requested an additional 9' to add a garage, bathroom, closet and a utility area advising that the addition was needed for living area. Mr. Stranton submitted a revised plot plan (Exhibit "E-1") of the proposed addition showing a 20' easement and advising that he had discovered previously that a corner of the house went over the easement line.

Jones, of the Staff, submitted a letter (Exhibit "E-2") from Design Properties stating that the property owners had been contacted and had no objections to the proposed addition on the subject property.

9660 (continued)

Protests: None..

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot from 25' to 16' in accordance to the plot plan submitted, on the following described tract:

Lot 12, Block 4, Marion Gardens Addition to the City of Tulsa, Okla.

9661

Action Requested:

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit an accounting office in an RS-3 District located at 2776 South Memorial Drive.

Presentation:

Allan Barron, Jr., representing the applicant Lou Brayton, requested to locate an accounting office on the subject property advising that the hardship is that the property is abutted by a service road which results in a substantial amount of noise and fumes from the gas station. He stated that the property is zoned residential, but there are commercial businesses in the area. Mr. Barron advised the Board that the District 5 Planning Team had no objections to the proposed development and felt it would act as a buffer zone. He stated that to the north is zoned for commercial use and there are other houses in the area being used for commercial businesses. He advised that the lot on the south will be used for parking of seven cars, there will be one sign on the north lot, size 4' x 8' identifying the business. He stated that the property was elevated 670' and was not on the Flood Plain Map. The Staff submitted a plat (Exhibit "F-1") showing the proposed location which abuts the service road to the west. Mr. Barron stated that there would be no changes to the existing structure. Upon questioning, Mr. Barron stated that the applicant had received a copy of the Principal Use Variance Requirements.

Board Member Jolly stated that the Board was asking the Legal Department for comments since the matter has been before the Board several times and before the Courts.

Linker, Legal Department, advised that the 2 lots do abut a service road and I-44. Additionally, the location of the west bound off-ramp at Memorial exposes these lots to vehicular lights at night. The Board will have to decide whether or not these circumstances are unique to these properties and if so, if these circumstances are of sufficient magnitude to create a hardship on these properties. The recent Supreme Court decision clearly establishes the Board of Adjustment's authority to grant the requested variance if the applicant can meet the requirements of hardship. Uniqueness and approval of the variance will not impair either Tulsa's Zoning Ordinance or its Comprehensive Plan.

Protests: None.

9661 (continued)

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 410-Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit an accounting office subject to the restrictions that there be no changes to the residence on the subject property in order that the structure would not look like anything other than a home in an RS-3 District, that off-street parking be required on the south lot, that screening be placed on the west side of the property whether it be a shrubbery screen or a solid surface fence, and an unlighted sign not larger than 24 square feet constructed near the ground and no lights on parking lot on the following described tract:

Lot 2 and 3, Block 29, Boman Acres Fourth Addition to the City of Tulsa, Oklahoma.

9662

Action Requested:

Variance (Section 241 (d) - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 75' to 58.91' in an OL District located at 1704 East 14th Street.

Presentation:

Attorney Charles Norman representing the owner, requested to locate a small doctor's office on the subject property advising that the lot was originally 60' x 140' in size but 8' of the property to the north was required by the City to serve as an access road to the expressway. Attorney Norman submitted a site plan (Exhibit "G-1") showing the proposed building location, advising of a residential structure to the immediate south that is within 10' of the curb line of Utica, and to the east is a single-family residence fronting on 14th Street with a 25' setback. Attorney Norman requested the setback variance advising that the building is 28' wide.

Protests: None.

Board Action:

On MOTION of GUERRERO, the Board (4-0) approved the Variance (Section 241 (d) - Existing Building Encroachment on Front Yards or Building Setbacks - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 75' to 58.91' on the following described tract:

The West 60' of the North 140' of Lot 13, Block 5, Terrace Drive Addition to the City of Tulsa, Oklahoma.

9664

The applicant Charles Hennessey was not present and the Board passed the item to the end of the agenda.

9666

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts- Section 1217 - Automotive and Allied Activities) to install CB equipment and stereos in automobiles in a CS District located at 1310 East 46th St.

Presentation:

Robert Rice, applied to install CB and stereo equipment in automobiles advising that he has made the changes in the structure to accommodate the purpose requested. He submitted a rendering (Exhibit "H-1") showing the building before and after changes were made. Mr. Rice also submitted photos (Exhibit "H-2") of his other store located at 3209 South Yale, which has been in operation five years. He advised that he will also install radios and that any equipment purchased there may be installed by the purchaser utilizing our equipment.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Exception (Section 710- Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to install CB equipment and stereos in automobiles as presented in a CS District, on the following described tract:

Beginning 25' East of the Northwest corner of Lot 3, Section 30, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence South 146'; thence East 183.7'; thence North 146'; thence West 183.7' to the point of beginning.

9668

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 75' from the centerline of 11th Street to permit a line up with existing building located at 13300 East 11th Street.

Presentation:

Eugene Dixon, 1719 East 6th Street, applied for a variance of the setback requirements from 100' to 75' advising that his wife owns and operates a small ceramic shop and due to the growth of the business is in need of expanding the present building in order to maintain an attractive structure. He advised that he owns the 2½-acre tract to the west, and they do plan to build a home in the area. Mr. Dixon submitted a plat of survey (Exhibit "I-1") and a plot plan (Exhibit "I-2") showing the proposed layout and advising the Board of the parking on the east and south stating he foresees no traffic or parking problems.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Variance (Section 730- Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 75' from the centerline of 11th Street to permit a line up with existing building per plot plan submitted, on the following described tract:

9.1.77:243(10)

9668 (continued)

Beginning at the Northwest corner of the NE/4 of the NW/4 of Section 9, Township 19 North, Range 14 East, Tulsa County, Okla., thence South at right angle to the North line of Section 9, a distance of 495' to a point; thence East a distance of 264' to a point; thence North a distance of 165' to a point thence West a distance of 66' to a point; thence North a distance of 330' to a point; thence West a distance of 198' to the point of beginning, containing 2.5 acres more or less, LESS the West 20 feet thereof for roadway purposes.

9669

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements from 300' to 270' in an AG District located at 4810 South 113th West Avenue.

Presentation:

The applicant was not present. The Staff advised that the applicant owns a five-acre tract of land which does not require lot-split approval of the Planning Commission but requires a variance of the 300-foot frontage required in an AG District.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements from 300' to 270' in an AG District on the following described tract:

A Tract in the NE/4, SE/4 of Section 27, Township 19 North, Range 11 East, IBM, Tulsa County, Oklahoma, more particularly described as beginning 1420' east of the SW corner of the N/2 of the SE/4 of Section 27; thence North 270.00'; thence East to highway; thence Southeasterly along highway to the South line of the NE/4 of the SE/4; thence West to the point of beginning, containing 5 acres more or less.

9674

Action Requested:

Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 34' from the centerline of Utica Avenue to permit the erection of a pole sign in a CH District located on the NE corner of 3rd Street and Utica Avenue.

Presentation:

Bob Darby, Consumer Oil Station stated that plans were underway to remodel the station and to install a canopy above the gas islands and in order to do so they must move the existing sign to the intersection of 3rd and Utica. The applicant submitted a site plan (Exhibit "J-1") showing the location of the gas pumps over which the canopies are to be installed and the location of the proposed sign. He added that the 16' variance was requested because the existing sign will interfere with the new canopy installation, but the new sign will actually set farther back than the existing one.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 34' from the centerline of Utica Avenue to permit the erection of a pole sign, per plot plan submitted, subject to the applicant signing the customary removal contract on the following described tract:

Lot 14 and 15, Block 9, Gillette Hall Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 40' to permit the replacement of a sign in a CH District located at 4726 South Peoria Avenue.

Presentation:

J. G. McDonald, owner of D & G Audio applied for a setback of 10 additional feet to accommodate more parking. Mr. McDonald advised that the old sign existed under the grandfather clause which is 40' from the centerline of Peoria. The applicant stated that he wanted to replace this sign with a new sign 4' x 10' which would set farther back and to the right-of-way. Mr. McDonald submitted a plot plan (Exhibit "K-1") of the proposed layout.

Protests: None.

Board Action:

On MOTION of GUERRERO, the Board (4-0) approved the Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 40' to permit the replacement of a sign, per plot plan submitted, and subject to a removal contract on the following described tract:

Lot 3, Evergreen Subdivision to the City of Tulsa, Oklahoma.

9683

Action Requested:

Variance (Section 1221 - Business Signs and Outdoor Advertising - Under the Provisions of Section 1630 - Minor Variances) to install a double face sign on an existing pole 30 feet from the centerline of Utica and 50' from the centerline of 15th Street in a CH District located at 1714 East 15th Street.

Presentation:

The applicant was not present. The Building Inspector's Office submitted for the Board's information an application (Exhibit "L-1") which was filed for a sign permit by Jim Henry, of Oklahoma Neon Sign Company. Mrs. Miller also submitted a letter of response (Exhibit "L-2") advising that the application had been denied and instructed the applicant of an alternative of filing a variance.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 1221 - Business Signs and Outdoor Advertising - Under the Provisions of Section 1630 - Minor Variances) to install a double face sign on an existing pole 30 feet from the centerline of Utica and 50' from the centerline of 15th Street, subject to the information in the file and a removal contract be required on the following described tract:

The West Half of Lot 15, the West Half of Lot 16, Block 1, Orcutt Addition to the City of Tulsa, Oklahoma.

9685

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the rear yard requirements from 20' to 18.67' in an RS-3 District located on the SW corner of 59th Place and 92nd East Avenue.

Presentation:

The applicant was not present. The Staff submitted a plot plan (Exhibit "M-1") showing the proposed layout

Protests: None.

Board Action:

On MOTION of JOLLY the Board (4-0) approved the Variance (Section 430- Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the rear yard requirements from 20' to 18.67' in an RS-3 District, subject to the plot plan submitted, on the following described tract:

Lot 21, Block 4, Woodland View Park IV Addition to the City of Tulsa, Oklahoma.

9.1.77:243(13)

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 in an AG District located on the SE corner of 91st Street North and North Peoria Avenue.

Presentation:

The applicant was not present. Jones of the TMAPC Staff suggested that the Board continue the matter only one more time and the Board write the applicant a letter and inform him so. Mr. Jones stated that there is a nonconforming club on the property and the mobile home will be used by a night watchman.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) continued application 9664 until September 15, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

The Chairman informed the Staff to write the applicant a letter advising that the Case will be heard on September 15, 1977 without any further delay.

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

Date Approved

October 6, 1977

Harry Purser

Chairman