

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 250
Thursday, December 15, 1977, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Guerrero Jolly Smith (in 1:37 p.m.) Walden	Purser, Chairman	Edwards Gardner Jones Dyer, Mrs.	Jackere, Legal Dept. Miller, Mrs., Building Inspector's Office

The notice of said meeting was posted in the Office of the City Auditor, 9th Floor, Room 919, City Hall, Tulsa, Oklahoma, on December 13, 1977, at 9:19 a. m. as well as in the Reception Area of the TMAPC Offices, 3rd Floor, City Hall.

Acting Chairman Guerrero called the meeting to order at 1:33 p.m. and declared a quorum present.

MINUTES:

On MOTION of JOLLY, the Board 3-0 (Guerrero, Jolly and Walden "aye", Smith and Purser, "absent") approved the Minutes of November 17, 1977, (No. 248).

UNFINISHED BUSINESS:

9682

Action Requested:

Variance (Section 1420 (a) - Nonconforming Use of Buildings or Buildings and Land In Combination - Under the Provisions of Section 1670) to enlarge a nonconforming use by joining two buildings in an RS-2 District; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 1214 - Shopping Goods and Services - Under the Provisions of Section 1670) to use property for antique sales and sterling flatware located at 8312 East 11th Street.

Presentation:

The applicant was not present. Mr. Gardner of the TMAPC Staff, advised that the zoning item has been approved by the Planning Commission and has been received by the City Auditor, but has not been set for public hearing. Therefore, he recommended a continuance until January 19, 1978 in order that the City can act on the application and afterwards the application can be withdrawn.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") continued application #9682 until January 19, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Action Requested:

Exception (Section 610 - Principal Uses Permitted in Office Districts) to erect townhouses in an OM District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) to permit 5-foot side yards in an RD District located south and east of 71st Street and Yale Avenue.

Presentation:

Harold Patrick, 6660 South Lewis Avenue, representing Never Fail Builders, Inc., advised that he has applied for duplex rezoning with the Planning Commission to include lot three. Mr. Patrick advised that the property is presently zoned OM and he is proposing RD zoning. He stated that in Block 2, Nob Hill Addition he would like a lot-split which is presently nine lots, in order to have a 35' or 40' frontage. Mr. Patrick also requested a side yard of 0' lot line in an OM District to erect townhouses and a variance of 0' lot line to permit 5' side yards for duplexes. He submitted a plat (Exhibit "A-1") showing the proposed site of the townhouses.

Mr. Gardner of the TMAPC Staff, stated that the Planning Commission continued the duplex zoning pending the decision of the Board on the townhouse exception request. He advised that the property is zoned OM medium office and townhouses if permitted, would decrease the density of the area. Mr. Gardner further advised that the 5-foot side yards on the duplex property is reasonable.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 3-0-1 (Guerrero, Jolly and Walden "aye", Smith "abstaining", Purser "absent") approved the Exception (Section 610 - Principal Uses Permitted in Office Districts to erect townhouses in an OM District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) to permit 5-foot side yards in an RD District as presented, per concept plan, on the following described tract:

Lots 2 thru 10, Block 2, and Block 3, Nob Hill Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670) to permit enlarging a residence in a CH District located at 1550 East Apache Street.

Presentation:

Hazel Owens, 1550 East Apache, property owner, applied for a variance to add to the existing home in which she resides. Mrs. Owens advised that she has lived at the subject location for twenty-two years and since that time her family has grown to necessitate more living space. Mrs. Owens requested to enclose the present carport to use as living area, and build another carport. She added that this would be the most economical way to acquire more living space than to buy and relocate in a larger home.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670) to permit enlarging a residence in a CH District as presented on the following described tract:

The North 150' of the W/2, E/2, NW/4, NE/4, NW/4 of Section 30, Township 20 North, Range 13 East, City of Tulsa, Tulsa County, Okla.

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 parking; and for a waiver of the screening requirements in an RS-3 District located NW of 13th Street and Xanthus Avenue.

Presentation:

Clinton Rigg, 1408 South Delaware Place, an attorney representing the Wheeling Avenue Christian Church, applied to use Lots 10 and 11, Block 1, of the Regina Addition for Church parking. Mr. Rigg advised that the Church has been at the subject location for sixty years and purchased those lots to use for Church parking. He added that Lots 10 and 11 are graveled surface with future plans to oil down or pave the lots for parking. Mr. Rigg stated that Lots 13, 14 and 15 are used for parking also, and they are not hard surfaced. He added that the Church was unaware of the procedures in order to use the lots for parking. Mr. Rigg noted that the parking lots are also used by Hillcrest Hospital employees only on a temporary basis until the parking for Hillcrest Hospital employees is completed. He further advised that the lots have been used for overflow parking since World War II and previously have not received any objections. Mr. Rigg stated that in addition to the Church and Hillcrest Medical Center employees using the parking lot, it is also used by visitors to the Hospital.

Rev. Sawyer, 10312 East 27th Street, advised that the parking lots are available to anyone for parking and he was unaware that anyone objected to the parking lot. Rev. Sawyer read two letters, each from area residents having no objections to the lots being used for parking. Rev. Sawyer advised that one of the letters read was from Mrs. R. H. Landen, 1225 South Xanthus Avenue, nearest resident to the parking lot. Rev. Sawyer added that there are approximately 250 cars that are using the parking lot and if they are not allowed to use the lots for parking, this would mean the cars are to be parked on the streets and in front of homes and by allowing the cars to use the subject lots for parking, they felt that they were doing the neighborhood a favor. Rev. Sawyer further advised that he has requested the waiver of the screening requirements per the request of the apartment keepers, advising that they objected to the screening fence because it would be within 3' of the apartment.

Protests:

Don Barnum, 1620 South Elwood Avenue, representing his mother as well as other area residents, advised that they are protesting the parking lot and submitted a protest petition (Exhibit "B-1") with 58 signatures protesting the lots being used for parking. Mr. Barnum stated that the area residents are protesting because of the dust and air pollution that is caused by the parking lot. He further added that they have approached those responsible parties of the Church and asked that the parking lot be paved because of the dust and pollution problem, but have received no response. Mr. Barnum felt that the parking lot should be paved because oiling the surface would not curtail the problem. Mr. Barnum stated that all except one area resident signed the petition and his not signing was that he preferred the area to be commercialized in order to establish a business in his home. Mr. Barnum asked the Board to require the Church to pave the parking lot if the application is to be approved and discontinue the parking lot to be used by those other than the Church. He advised that the area residents prefer to live in a residential neighborhood and not have to look out at a parking lot with parked cars and asked the Board to consider their objections.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church use and parking; and a waiver of the screening requirements with the requirement that the Church and the parking for the Church must abide by the standards of the Board with one exception to waive item number 2 for nine months and the Church can not use the parking until they comply with the Board on hard surface parking on the following described tract:

Lots 10 and 11, Block 1, Regina Addition to the City of Tulsa, Okla.

9773

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District located at 5657 South 81st West Avenue.

Presentation:

The applicant, Mr. A.R. Smith was not present, but was represented by his father Mr. Densil Smith, who lives at 5657 South 81st East Avenue. Mr. Smith advised that his son is from Texas and applied to locate the mobile home at the subject location to reside until he can build his home, which will be approximately one year.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") 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 for a period of two years on the following described tract:

N/2, N/2, SW/4, NW/4 SW/4 of Section 21, Township 19 North, Range 12 East, Tulsa County, Oklahoma.
12.15.77:250(4)

NEW APPLICATIONS:

9774

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts- Under the Provisions of Section 1670) of the front and side yard setback requirements in an RS-1 District located at 13031 South 126th East Avenue.

Presentation:

Ken Baldwin, 3902 East 51st Street, applied for a variance of the front yard setback advising that the house was built across the building line by 6'. He advised that the error was discovered through a survey by the Continental Federal Savings and Loan Association when applying for a loan. Mr. Baldwin advised that he does have an odd-shaped lot and submitted a plat (Exhibit "C-1") showing the extension over the building line.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front and side yard setback requirements in an RS-1 District per plot plan submitted, on the following described tract:

Lot 11, Block 5, Willow Springs Plaza Addition to the City of Tulsa, Oklahoma.

9777

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 6210 East 28th Street.

Presentation:

Judy Williams, 6210 East 28th Street, applied to locate a beauty shop in her home. Mrs. Williams stated that if her application is approved this would allow her to remain at home and care for her children and work at home. Mrs. Williams was made aware of the rules of procedure for a home occupation and was instructed to read them aloud. Upon questioning, Mrs. Williams stated that she would comply with the rules on home occupation. She was informed by Board Member Jolly, that she would not be allowed to display a sign. Mrs. Williams stated that her business is advertised in the telephone book, therefore, she did not need a sign. She further advised that she would be the only employee of the beauty shop and her hours of operation would be from 8:30 a.m. until 5:00 p.m.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") 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 as presented on the following described tract:

Lot 5, Block 4, Boman Acres Second Addition to the City of Tulsa, Oklahoma.

12.15.77:250(5)

9778

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the setback requirements on the east from 25' to 24.2' in an RS-3 District located at 5404 East 65th Street.

Presentation:

The applicant was not present and the Staff submitted a plot plan (Exhibit "D-1") and advised that the structure was built 10" over the setback line and is before the Board to clear the title.

Board Member Jolly, stated that the Board does recognize the lot as being odd-shaped and is considered a hardship.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the setback requirements on the east from 25' to 24.2' in an RS-3 District subject to the plot plan submitted, on the following described tract:

Lot 11, Block 9, Warrenton Addition to the City of Tulsa, Oklahoma.

9779

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) - Minor Variances - on the frontage requirements from 100' to 44.19' in an RS-1 District to permit a lot-split (L-14197) located at 46th Street and Highway #97.

Presentation:

The applicant was not present and the Staff advised that the Planning Commission approved the lot-split (L-14197) subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) - Minor Variances - of the frontage requirements from 100' to 44.19' in an RS-1 District to permit a lot-split (L-14197) on the following described tract:

Beginning at a point 495' south of the northeast quarter of the southeast quarter of Section 27, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; thence south 75'; thence west 100'; thence south 178.1'; thence west 358.82'; thence 215.31'; thence east 401.7' to the point of beginning.

12.15.77:250(6)

Action Requested:

Exception (Section 250.3 (c) - Modification of the Screening Wall or Fence Requirements) for an extension of time to erect a screen where properties which are to be benefitted by the screen are undeveloped. (Said exception shall expire when the abutting property is developed or within 4-years from the date of the exception is granted, whichever occurs first) in an IR District located at 12900 East 43rd Street.

Presentation:

The applicant, Carl Young, was present and advised that his firm is requesting a four year extension to erect a screening wall, noting that no construction has occurred to the north which would need to be screened. The applicant submitted (Exhibit "E-1") eight pieces of correspondence, four of which are letters from surrounding businesses expressing no objections to the extension of time to erect a screening wall. The Staff noted that the application stated that the screening would be built if and when development occurs within the 4-year period.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved an Exception (Section 250.3 (c) - Modification of the Screening Wall or Fence Requirements) for an extension of time to erect a screen where properties which are to be benefitted by the screen are undeveloped. (Said exception shall expire when the abutting property is developed or within 4 years from the date the exception is granted, whichever occurs first), subject to the conditions of fencing if and when development occurs on or before the first Thursday in December, 1981, on the following described property:

Lots 3, 4, 5, 6, 7, and 8, Block 1, Southpark 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) of the front setback requirements from 25' to 14' to permit a carport to remain in an RS-3 District located at 6723 East 5th Place.

Presentation:

Burl Dorrell, 6723 East 5th Place, advised that he erected a carport that extends beyond the front setback line and is applying for a variance in order that the carport can remain. Mr. Dorrell stated that he was aware of obtaining a permit to build the carport, but when he requested the building permit the structure was already under construction. He advised that he built the carport in September, 1977 and was informed by the Building Inspection Department that the structure was beyond the setback line. He added that his home is on an incline of approximately 45 degrees which makes it difficult to get the car up the driveway in the winter weather without the protection of the carport. Mr. Dorrell submitted five photos (Exhibit "F-1") showing the carport and advised that the carport was erected for his protection against the ice and

9781 (continued)

snow while attempting to get to the car. He also submitted a plat of survey (Exhibit "F-2") showing the addition of the carport.

Mrs. Miller, Building Inspector's Department, advised that she was unaware of any complaints but an Inspector did go out to find the carport erected beyond the setback line.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front setback requirements from 25' to 14' to permit a carport to remain on the subject property to run with this property owner only on the following described tract:

The East 25' of Lot 16, All of Lot 17, Block 6, Sheridan Hills Addition to the City of Tulsa, Oklahoma.

9782

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front setback requirements from 30' to 17' 2" to permit the erection of a porte cochere in an RS-2 District located at 3811 East 54th Street.

Presentation:

The applicant, John Arnold, 3811 East 54th Street, submitted a plot plan (Exhibit "G-1") and requested to erect a porte cochere for his car and convert the existing garage into a recreational area for his family. Mr. Arnold stated that he was proposing to improve the exterior of his property. He advised that he is limited to space because of the trees and in the back of the house is Joe Creek. Mr. Arnold further added that there is no visual obstruction to the neighbors and he has spoken with his adjacent neighbors and they expressed no objections. Upon questioning, Mr. Arnold was aware of a portion of the property being within the moratorium area.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front setback requirements from 30' to 17' 2" to permit the erection of a porte cochere subject to the plot plan submitted on the following described tract:

Lot 6, Block 2, Lou North Woodland Acres II Addition to the City of Tulsa, Oklahoma.

9783

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 lot area requirements in an AG District to permit a lot-split (L-14183) located at 900 West 81st Street.

Presentation:

The applicant was not present and the Staff advised that the Planning Commission approved the lot-split (L-14183) subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") 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 lot area requirements in an AG District to permit a lot-split (L-14183) on the following described tract:

The West 869.75' of a tract beginning at the NE corner of Section 14, Township 18 North, Range 12 East, in the City and County of Tulsa, Oklahoma; thence South 436'; thence West 743.25'; thence North 436' and East 743.25' to the point of beginning.

9784

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector - Appeal from a decision of the Building Inspector for refusing to recognize a business office at 1119 South Owasso Avenue in an RS-3 District.

Presentation:

Tom Ledbetter, representing his wife Patricia Ledbetter, 1212 South Owasso Avenue, read a statement written by his wife informing the Board of an area residence being used as an established place of business. Mr. Ledbetter stated that the home is not being used as a residence and there are advertisements in the phone book directing the business to the address of 1119 South Owasso Avenue, and if the phone book advertisement is not sufficient evidence to believe a business is conducted, then he felt a close investigation should be made by the Building Inspections Department. Mr. Ledbetter advised that he believes that Mr. Thixton is operating a business which is the reason for filing the appeal from the decision of the Building Inspector.

Interested Party:

Mrs. Carla Lund, 1220 South Owasso, advised that she was the representative of District 4 and they are striving to retain the area single-family residential; however, Mr. Thixton is an Architect and has been there approximately two years and she has called the office of the Building Inspector for an investigation to be conducted to determine if an office is located in the residence. Mrs. Lund advised that she was informed that

12.15.77:250(9)

9784 (continued)

the investigation was discontinued and if she wanted to conduct an investigation, she must contact a lawyer. She stated that there were parking problems, and after the notices were sent out the parking problems cleared. Mrs. Lund further added that she has been informed by the neighbors that Mr. Thixton is operating a home business.

Mr. Gardner informed the Board of a reply from Mr. Thixton which advised that he works as a consultant to a contractor full time.

Mrs. Miller, Building Inspector's Office advised that there has been no correspondence with him except for this letter. Mrs. Miller stated that Mr. Jenkins, an Inspector, spoke with an Electrical Inspector who was repairing a garbage disposal at the address and he said the residence was furnished in the manner of a home and not a business.

Mr. Jolly recommended that the Staff invite Mr. Thixton to attend the meeting of January 5, 1978 and if for some reason he is unable to attend at that time, then the Board will subpoena his attendance on January 19, 1978.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") continued application #9784 until January 5, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9785

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 1205 - Community Services, Cultural and Recreational Facilities) to expand an existing convalescent home in an RS-3 District by increasing the number of occupants located at 1574 South 79th East Avenue.

Presentation:

Attorney, Burt McElroy, representing the applicant who is requesting to expand the present approved facility to accommodate more occupants. Mr. McElroy stated that the home was approved approximately five years ago and is used as a group home for 10 boys and is licensed by the State Welfare Department. Mr. McElroy stated that the occupants are boys which have had problems living at home with their parents and are sent to the home by the parents for counseling and care. None of the boys are sent to this facility by the Courts. He stated that the boys live in the home full time and are furnished with consultants and tutors. Mr. McElroy stated that the boys have daily activities similar to those at home. He further added that when the exception was granted five years ago, they were allowed 10 occupants and since that time the home has proven compatible with the neighborhood and has become an asset and has received no complaints. Mr. McElroy stated that the boys are very closely supervised and are not allowed automobiles. He added that the present short-range plans are to increase the occupancy to six additional boys.

Mr. McElroy informed the Board of a similar operation on East 15th Street for girls and the long-range plans are to combine the two facilities later when the home expansion is made. The plans are to add to the present structure. He advised that the structure is located on a three acre tract with ample space for expansion and will not increase the traffic. Mr. McElroy advised that the daily activities for the boys are going to school, counseling with licensed and qualified counselors and the boys are subject to curfews and are very highly supervised. The boys receive psychological counseling and are subject to other close supervision from a qualified staff. Mr. McElroy stated that the proposed addition of the facility will include recreational facilities in addition to a dinning area. He advised that the boys range in age from twelve years to 18 years. Mr. McElroy stated that when the girls are combined with the present facility, the addition to accommodate girls will be made to the present structure on the north side of the building. He added that when the two facilities are combined there will be approximately thirty-six students. Mr. McElroy advised the Board of two letters he has received from area residents, expressing no objections to the home and giving support to the application. Mr. McElroy informed the Board of a mischievous act committed by one of the boys residing at the home, but the boy has since been removed from the home.

Mr. Gardner, of the Staff, advised that the front portion of the property is subject to flooding and is designated in the City moratorium on the City's flood map.

Protests:

Jack Whitney, 7717 East 19th Street, advised that he had previously owned the property that is now owned by Jerry Dillon Family and Youth Services, Inc., and his residence is directly behind the home. He advised that he has no objections to the appearance of the home or the way the property is run at present, or to six additional boys, but would like to have the Board require a screening fence between his property and the home. Mr. Whitney added that a 4' chain link fence was installed but was proved to be of no protection because the boys were able to climb over the fence. He added that his property is 25' from the property line and he is disturbed by the noise of the stereotypes adding that his property was egged by the boys, or a particular boy, and he is not able to stay home and protect his property. Mr. Whitney said he would like an 8' privacy fence to be erected beginning at the north end of the chain link fence extending to the south property line because of the profanity and the intimidating manner of the boys. Mr. Whitney requested that the applicant erect approximately 175' of an 8' privacy fence. He asked the Board to prohibit windows on the second-story of the building and requested that the applicant make another appearance before the Board prior to constructing the portion planned to house the girls.

Board Action:

On MOTION of JOLLY, the Board 3-1-0 (Jolly, Smith and Walden "aye", Guerrero "nay", Purser "absent") approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to expand an existing convalescent home in an RS-3 District by increasing the number of occupants to 36 as presented, subject to the applicant providing the Board with a detailed plot plan and filing with the Building Inspector's

9785 (continued)

Office a plot plan for the additional building, and that the applicant build a 6-foot screening fence starting at the southwest corner and continuing 150' north on the following described tract:

E/2, S/2, SW/4, NE/4, SE/4; and the East 20' of the W/2, S/2, SW/4, NE/4, SE/4, LESS the East 30' and South 30' in Section 11, Township 19 North, Range 13 East, Tulsa County, Oklahoma.

9786

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front setback requirements from 35' to 25' in an RS-1 District located at 68th Street and Evanston Avenue.

Presentation:

The applicant H. D. Copeland, 5708 East 36th Street, applied for a variance to permit 25' front yard setbacks in the new subdivision and advised that he is the owner of the Evanston Estate Addition and is proposing to develop homes in the area. Mr. Copeland further added that he is proposing to save trees on the property and because of the shape of the lots, they are short in depth, he needs the variance. He stated that many of the buyers would also like to have a pool in the backyard and need the additional 10 feet. Mr. Copeland informed that he is proposing to install a cul-de-sac street (68th) and the 10' waiver will only effect those on the cul-de-sac. The applicant submitted a plot plan (Exhibit "H-1") showing the shape of the lots. There being a minor change in the setback line on one lot, Board Member Jolly asked the applicant to initial and date the change made on the plan.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the front setback requirements from 35' to 25' subject to the plot plan as amended by the applicant, on the following described tract:

Evanston Estates Addition to the City of Tulsa, Oklahoma.

9787

Action Requested:

Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670) of the street frontage requirements to permit the use of a private easement as a frontage road in an AG District located south and west of 106th Street and 77th East Avenue.

Presentation:

The applicant Alan Carlton, 7328 South 69th East Place, applied for a variance of the frontage requirement and advised that the 30' frontage requirements is for the benefit of the City in meeting its obligations to service the property. Mr. Carlton added that he has constructed an all-weather road and has on file an easement agreement (Exhibit "I-1") by which access may be obtained to the property. Mr. Carlton stated that he requested the variance because he proposes to live and build in the City at this location. He submitted photos (Exhibit "I-2") showing the tract where he proposes to build advising that the tract is 660' east-west and 520' north-south. Mr. Carlton submitted newspaper clippings (Exhibit "I-3") expressing the rising cost in building homes, adding that the higher costs will create a financial hardship on his family. If the application is denied it would further defer the enjoyment of the property. Mr. Carlton stated that he was informed by Mr. VonDrehle, City Engineering Department, that the City had no plans to build any streets at this location. He also added that he has contacted all land owners that might be effected by his proposed plan and they have written letters (Exhibit "I-4") expressing support for the request. The applicant also submitted a plan (Exhibit "I-5") showing the proposed location of the house on the property and the means by which permanent access may be obtained. Mr. Carlton stated that all adjoining property owners have agreed and this would be less expensive for him.

Mr. Gardner advised the Board that the properties in the area are being subdivided without benefit of a lot-split or subdivision plat. At some time in the future a dedicated street will need to be built to connect to the dedicated street to the north and to properties to the south.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670) of the street frontage requirements to permit the use of a private easement as a frontage road on the following described tract:

The North 550' of the South 880' of the W/2, NW/4, SE/4, of Section 26, Township 18 North, Range 13 East, Tulsa County, Okla.

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1630) Minor Variance - of the frontage requirements in an IL District to permit a lot-split (L-14186) located at 7711 East Pine Street.

Presentation:

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

9788 (continued)

Protests: None.

Board Action:

On MOTION of SMITH, the Board 3-0 (Guerrero, Smith and Walden "aye", Jolly "out", Purser "absent") approved the Variance (Section 930 - Bulk and Area Requirement in the Industrial Districts - Under the Provisions of Section 1630) Minor Variances - of the frontage requirements in an IL District to permit a lot-split (L-14186) on the following described tract:

Part of the SE/4 of the SE/4 of Section 26, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows; to-wit: Beginning 630' West of the SE corner of Section 26; thence North 340'; thence West 260'; thence South 340'; thence East 260' to the point of beginning.

9789

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a 24-hour child care center in an RS-3 District located at 2401 South Memorial Drive.

Presentation:

Donald Southern, 5316 South 70th East Place, applied to operate a child care center at 24th and Memorial advising that the location is easily accessible and the area was in need of a structured facility with proper care. Mr. Southern added that the day care center will be operated by a reliable couple and he can foresee no traffic problems. He stated that the entrance will be from 24th Street which is a residential area and the abutted lot is fenced which makes it adequate for children. Mr. Southern informed that the proposed child care center has been inspected by the Fire Department and meets all safety standards. Mr. Southern stated that there will be minor changes including the installation of a circular driveway and removing the carpets and installing washable floors. Mr. Southern added that a child care center will not be a 24-hour operation when first opened. He was unaware of how many children they would be caring for. Mr. Southern informed the Board of other nurseries in the area.

Mrs. Miller, Building Inspector's Office, informed the Board of a Certificate of Occupancy that was denied and she was holding the Certificate pending the decision of the Board.

Protests:

John Wilkinson, 7782 East 24th Street, advised that he is a resident of the area and is opposing the use of the subject property for the business desired and objects because of health hazards. Mr. Wilkinson felt the child care center if allowed, would increase the noise and the traffic congestion in the area and felt it would increase the danger of crossing Memorial and further added that it would not add to the area. Mr. Wilkinson expressed fear of aiding to vandalism and

12.15.77:250(14)

children improperly supervised are likely to cause damage to the properties. He further added that automobiles going to and from the day care center will not enhance the living in the area and therefore, he opposed the child care center.

John Egbert, 2331 South 82nd East Avenue, stated that he resides in the area and does object to the nursery because of his experiences with another nursery. Mr. Egbert informed the Board that he had previously objected to a nursery in the area that was approved with the requirements of an 8' fence. He stated that the fence was of little value because his car was rocked. Mr. Egbert added that if the day care center is allowed it will decrease the value of the homes as well as add to the congested traffic and create a more disturbed atmosphere.

Robert L. Whitworth, 8129 East 24th Street, stated that he resides next door to the subject property and informed the Board of other nurseries and businesses in his immediate area that are operating continuously. Mr. Whitworth felt that another nursery should not be allowed in the area which is residential because it would depreciate the homes. He informed the Board of three day care centers within three blocks and felt there is a sufficient amount of nurseries in the area. Mr. Whitworth stated that at present cars do park along 24th Street and additional parking areas for the day care center will provide a drinking location for teenagers and the noise will discourage buyers from the neighborhood. Mr. Whitworth informed the Board of a drainage problem which runs near his driveway. He feared danger and difficulties for the school buses advising that it would prove to be dangerous to everyone concerned.

Larry Williams, 8118 East 24th Street, stated that he lives across the street from the subject property and advised that he is proud of the area and his property and wishes the value to increase rather than decrease. He also stated that he plans to remain living there, therefore, he prefers it to remain residential. Mr. Williams also expressed concern with the traffic problems and the unpleasant scenery of another day care center and felt it was not needed.

David Hansel, 2325 South 82nd East Avenue, advised that his property abuts the subject property on the north with a 4' retaining wall between his property and the subject property which he considers a real hazard and is opposed to a screening fence. However, the subject property is in a beautiful residential area and they wish the area to remain residential.

Virginia Whitworth, 8129 East 84th Street, advised that the subject property is three lots in depth and could accommodate approximately 200 children and that would be a large number of children.

Jack Vickers, 7774 East 24th Street, stated that at present they are faced with a real traffic hazard on Memorial and do not need any businesses in the area that will contribute to the problem. He advised that his wife works and must leave home very early because of the traffic.

Cecil Shelton, 8135 East 24th Street, informed that 24th Street from Memorial is only one block in length and the homes in existence park their cars on 24th Street, and a day care center would make it difficult for their visitors to find parking.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") denied the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a 24-hour day care center in an RS-3 District on the following described tract:

A tract of land situated in the S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows:

Beginning 50' east of the NW corner of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13; thence Southerly and parallel to the West line of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13, a distance of 165' to a point; thence Easterly and parallel to the North line of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13, a distance of 290' to a point; thence Northerly and parallel to the West line of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13, a distance of 117.91' to a point; thence Northwesterly a distance of 48.14' to a point, said point being 330' East of the NW corner and on the North line of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13; thence Westerly along the North line of said S/2 of the NW/4 of the SW/4 of the NW/4 of Section 13, a distance of 280' to the point of beginning.

9790

Action Requested:

Variance (Section 1460 - Repairs - Under the Provisions of Section 1670) to enclose a porch on a detached garage; and an appeal (Section 1650 - Appeals from the Building Inspector) for refusing to permit the remodeling of a garage on the grounds that the cubic content of a nonconforming building may not be altered or increased in an RS-3 District located at 4406 East Admiral Boulevard.

Presentation:

Paul Gilmore, 4625 South Winston Avenue, applied for a variance to enclose the screened-in porch area on the second floor of the garage apartment. Mr. Gilmore advised that the rain has blown in through the screen causing the floor to rot. He stated that the frame work and roofing is presently in existence and the only change made would be to enclose the screened-in area which would be consistent with the current construction. The applicant submitted photos (Exhibit "J-1") showing the structure at present and advising that one window will be erected on the south side. Mr. Gilmore also submitted a plot plan (Exhibit "J-2") showing the site of the proposed remodeling.

The Building Inspector's Office submitted a letter (Exhibit "J-3") disapproving the application for a zoning clearance permit.

12.15.77:250(16)

9790 (continued)

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 3-0 (Guerrero, Jolly, and Walden "aye", Smith "out", Purser "absent") approved the Variance (Section 1460 - Repairs - Under the Provisions of Section 1670) to enclose a porch on a detached garage; and upheld (the Appeal Section 1650 - Appeals from the Building Inspector) a decision of the Building Inspector for refusing to permit the remodeling of a garage on the basis that the cubic content of a nonconforming building may not be altered or increased on the following described tract:

Lot 123 of the Resubdivision of Lots 1 to 10, Block 2, Rogers Heights Addition to the City of Tulsa.

9791

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) of the setback requirements from 100' to 91' to permit an addition to the present building in a CG District located at 2648 North Cincinnati Avenue.

Presentation:

The applicant George Bell, 2344 West Tecumseh, advised that he operates a restaurant at the subject location and wishes to make an addition to the restaurant. A 9' variance in the setback is needed. Mr. Bell stated that he is proposing to increase the kitchen area of the restaurant. The applicant submitted a plot plan (Exhibit "K-1") showing the present and proposed structure.

The Staff submitted a correspondence (Exhibit "K-2") from the owners of the restaurant stating that the addition would be an asset to the restaurant as well as encourage investment.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) of the setback requirements from 100' to 91' to permit an addition to the present building, per plot plan submitted on the following described tract:

Lot 1, Block 1, Archer Heights Addition to the City of Tulsa Okla.

9792

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1202 - Area-Wide Exception Uses) for an exception to permit a construction/demolition land-fill in an AG District located at 7703 West 7th Street.

Presentation:

The applicant Ted Rauch was not present, but was represented by Charles Rauch, 1543 East 49th Place, who requested an exception to locate a demolition land-fill in the 7700 Block of West 7th Street. Mr. Charles Rauch advised that materials going into the land-fill will be that of dirt, rocks, tree materials, but no organic matter. He stated that the proposed land-fill is an abandoned rock quarry and the roads will be maintained with rock from the abandoned quarry. The hours of operation will be from 8:30 a.m. until approximately 6:00 p.m., and closed on Sundays. Mr. Rauch informed that the entrance will be from the expressway at 81st then north to 7th Street. Mr. Rauch submitted an Engineering Report for a Demolition Land-fill (Exhibit "L-1") at the subject location and advised that he has received a letter from the Tulsa City-County Health Department recommending the proposed site. He added that the Health Department suggested watering down the roads to prevent dust problems. Mr. Rauch submitted an application (Exhibit "L-2") of which he has applied for a license for construction and demolition of the land-fill, also correspondence from the Oklahoma State Department of Health informing of the items to be included in the engineering report for a construction/demolition type solid waste disposal site. He also submitted a proposed demolition land-fill plan (Exhibit "L-3") showing the site of the land-fill on the subject property.

The Staff submitted a copy of the correspondence (Exhibit "L-4") given the applicant listing the operation requirements for a sanitary land-fill.

Protests: None.

Board Action:

On MOTION of WALDEN, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1202 - Area-Wide Special Exception Uses) to permit a construction/demolition land-fill in an AG District subject to the plot plan and all other standards submitted on the following described tract:

The North 1,000' of the South 2,049' of the West 500' of the East 3,916' of the East 1,916' of the SW/4 of Section 6, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670) of the Bulk and Area Requirements in an OM and OL District to permit computation of permitted floor area on the entire tract in common ownership located on the Northeast corner of 66th Street and Yale Avenue.

Presentation:

Attorney Roy Johnsen, representing the Warren Interest, requested a variance of the 21-acre site located south of St. Francis and north of 66th Street which contains the Warren and Kelly Medical buildings

to permit computation of the permitted floor area as though the site were one single property. Mr. Johnsen advised that the property is in common ownership but has been subdivided at different times into more than one lot. He stated that the variance is to permit the computation of permitted floor area notwithstanding the individual lot lines because of the common ownership. He stated that the Board approved the construction of the Kelly Building in the same manner. Mr. Johnsen stated that the reason for seeking the request is that the American Bank of Tulsa is located in the Warren Building which is designed for medical purposes. He advised that the new building, if approved, would be to the west of the Kelly Building and south of the Warren Professional Building and would contain the American Bank. Mr. Johnsen informed that they are proposing a 60,000 square foot building five-stories in height in order to accommodate the Bank and other non-medical type facilities. He also advised that they are proposing to locate the building on a lot that is separated by a lot line from the other buildings and contains 2.8 acres. Mr. Johnsen further added that they have executed an agreement that the individual parcels cannot be sold separately if the application is approved by the Board. Mr. Johnsen submitted a conceptual layout (Exhibit "M-1") prepared by the architects, advising that the exact configuration of the building has not been fixed, but the plan reflects the approximate location of the ground floor containing approximately 12,000 square feet. Mr. Johnsen submitted a legal description (Exhibit "M-2") of where the building will be located and stated that they would meet all required setbacks. He informed that they are prepared to have the Board condition the approval based on a minimum of 180 parking spaces which would exceed the requirements of the Ordinance, and the parking is adequate to serve the building.

Board Member Walden informed Mr. Johnsen that the subject property is in the watershed of Joe Creek and questioned if there would be any detention facilities. Mr. Johnsen stated that the detention requirements, when established, were for areas not platted and drainage plans not already approved. However, the subject area was platted sometime ago and the storm drainage plans were approved including a large underground conduit paralleling 66th Street. Therefore, Mr. Johnsen felt that they were not subject to detention requirements and have no plans for detention facilities. Mr. Johnsen further added that the application does not intensify the permitted uses of the ground. He advised that parking lots and buildings can be built without Board of Adjustment approval and he does not feel that the nature of the action they are seeking intensifies any runoff.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 3-1-0 (Guerrero, Jolly and Smith "aye", Walden "nay", Purser "absent") approved the Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670) of the bulk and area requirements in an OM and OL District to permit computation of permitted floor area on the entire tract in common ownership as requested on the 2.89 acres as presented to the Board, and to accept for recording the legal document which ties the properties together, all subject to the plot plan and minimum 180 parking spaces submitted with the understanding that the plot plan is

conceptual and the approximate building location, but there is no request for any other variances as presented on the following described tract:

A part of Lot 1, Block 1 of the recorded plat of the William K. Warren Medical Research Center, Inc. to the City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

Beginning at the SW corner of Lot 1, Block 1 of the William K. Warren Medical Research Center, Inc., said point being 60' East of the centerline of South Yale Avenue and 30' North of the centerline of East 66th Street South; thence South $89^{\circ}-57'-03''$ East a distance of 60.10'; thence along a curve to the left, with a central angle of $13^{\circ}-21'-50''$ and a radius of 396.79' a distance of 92.55'; thence North $76^{\circ}-41'-06''$ East a distance of 77.96'; thence along a curve to the right, with a central angle of $12^{\circ}-45'-22''$ and a radius of 519.04', a distance of 115.56'; thence North $0^{\circ}-08'-39''$ West a distance of 196.57'; thence North $60^{\circ}-08'-39''$ West a distance of 27.71'; thence North $0^{\circ}-08'-39''$ West a distance of 96.00'; thence North $60^{\circ}-08'-39''$ West a distance of 111.87'; thence South $89^{\circ}-51'-21''$ West a distance of 190.00'; thence North $60^{\circ}-08'-39''$ West a distance of 36.24' to a point on the West line of Lot 1, Block 1 of said recorded plat; thence South $00^{\circ}-08'-39''$ East along the West line of Lot 1 a distance of 422.12' to the point of beginning, and containing 126,065 square feet, or 2.894 acres, more or less.

9794

Action Requested:

Variance (Section 240.2 (e) - Permitted Yard Obstructions) to enlarge a garage to 1,152 square feet, as per plot plan in an RS-3 District located at 2516 West 51st Street.

Presentation:

Ronald Pattison, 11921 East 20th Street, applied for a variance to enlarge a garage at the subject location. Mr. Pattison submitted a correspondence (Exhibit "N-1") with the proposed improvements to the property and advised that he is in the process of purchasing the subject property, which has a single car garage on the back portion of the property. He further advised that access to the garage is by driving across the lawn, therefore, he is proposing to expand the existing facility. Mr. Pattison submitted 3 plans (Exhibit "N-2") advising that he felt the improvements would also add to the beauty of the property. He stated that he has no intentions of using the building for commercial purposes. Upon questioning, he stated that to the east of the subject property is a graveled driveway which he proposes to extend to the new building. Mr. Pattison advised that he owns three automobiles and prefers to park all cars in the garage.

Protests: None.

Board Action:

On MOTION of WALDEN, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 240.2 (e) - Permitted Yard Obstructions) to enlarge a garage to 1,152 square feet per plot plan, with no uses for business of any type on the following described tract:

A certain tract of land lying in the NE/4 of the NW/4 of Section 34, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows, to-wit:

Beginning at a point 113.5' West and 25' South of the NE corner of the NE/4 of the NW/4; thence South and parallel to the East line of said NE/4, NW/4, a distance of 240' to a point; thence in a Southwesterly direction along North right-of-way line of limited access highway, a distance of 100.2' to a point; thence North and parallel to the East line of said NE/4 to intersection of the South line of 51st Street; thence East along the South line of 51st Street to the point and place of beginning (also known as 2516 West 51st Street).

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1630) - Minor Variances - of the front footage requirements from 150' to 101.08' as per plot plan, in an IM District located at 2436 North Lewis Avenue.

Presentation:

The applicant was not present and the Staff advised that the Planning Commission approved the lot-split (L-14180) subject to the approval of the Board of Adjustment.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1630) Minor Variances - of the front footage requirements from 150' to 101.08', as per plot plan, on the following described tract:

Beginning 33' West and 65' North of the SE corner of the N/2, N/2, SE/4, NE/4, NE/4 of Section 30, Township 20 North, Range 13 East, in the City and County of Tulsa, Oklahoma; thence Southwesterly along Cherokee Expressway right-of-way a distance of 182.84' to a point; thence East a distance of 144.52' to a point 33' West of the East line of Section 30; thence North a distance of 101.08' to the point of beginning.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1206 - Single-family Dwellings) to erect living quarters in a service station in a CH District located NW of 49th Street North and Peoria Avenue.

Presentation:

John Lyon, 6231 South Hudson, advised that he owns the service station and applied for the exception to erect living quarters in the service station. He advised that the station is self-service and will be operated by a couple who will reside in the living quarters. Mr. Lyon stated that he is proposing to remodel the interior of the structure in order that it would be more compatible with the new construction. He advised that the service station is closed only five hours a day. The applicant submitted a plot plan (Exhibit "O-1") showing the proposed new addition.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1206 - Single-family Dwellings) to erect living quarters in a service station as presented, on the following described tract:

The S/2 of the E/2 of Lot 1, Block 1, Clemishire Heights Addition 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) of the frontage requirements from 60' to 50' in an RS-3 District to permit a lot-split (L-14202) located at 1414 North Rosedale Avenue.

Presentation:

The applicant was not present and the Staff advised that the Planning Commission approved the lot-split (L-14202) subject to the approval of the Board of Adjustment.

Protests: None.

Board Action:

On MOTION of SMITH, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) Minor Variances - of the frontage requirements from 60' to 50' in an RS-3 District to permit a lot-split (L-14202) on the following described tract:

The North 150' of the E/2 of Lot 2, Block 2, Lombard Addition to the City of Tulsa, Osage County, Oklahoma.

OTHER BUSINESS:

Don Irwin, Building Inspector's Office, requested a clarification of the Minutes in Case No. 9139.

After a brief review of the Minutes of Case No. 9139, the Board concluded that it was the intent of the Board to approve a variance of the front setback on all lots and the variance of the frontage width on Lot 8, Block 2.

On MOTION of WALDEN, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") requested the clarification of the Minutes by inserting the proper punctuation after "25'", in the Board Action of the Minutes of July 15, 1976.

There being no further business, the Chairman declared the meeting adjourned at 5:15 p.m.

Date Approved

January 19, 1978

Philip D. Purser

Chairman