

BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 271  
Thursday, October 19, 1978, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT

Lewis  
Purser, Chairman  
Smith

STAFF PRESENT

Gardner  
Howell  
Jones

OTHERS PRESENT

Jackere, Legal  
Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Wednesday, October 18, 1978, at 9:10 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Purser called the meeting to order at 1:50 p.m. and declared a quorum present.

Minutes:

On MOTION of SMITH, the Board (3-0) approved the Minutes of September 21, 1978 (No. 269).

UNFINISHED BUSINESS:

10148

Action Requested:

Exception (Section 250.3 (a) - Modification of the Screening Requirements) for a modification of the screening requirements where existing physical features provide visual separation of uses northeast of 89th East Avenue and 21st Street.

Presentation:

Randy Strnad, representing the applicant, stated the primary reason for asking for the exception is that there is already existing separation provided by a 4' chain link fence on the north and a wire fence between the property and substation. In addition to the existing fence there is a 150' strip which will be grass and landscaping, to separate the neighbors to the north from the building and parking lot.

Britt Embrey, architect, stated the pertinent feature of the plans was the setback between the existing residential property and the new construction. He advised that by placing the building and the parking perpendicular to 21st Street the visual impact of the construction will be significantly reduced for the neighbors. The existing building is not anticipated to be enlarged in any way. The parking meets the Zoning Code requirements for the building and there would be no reason for additional parking.

10148 (continued)

Mark Ambrosius, 6804 South Toledo, owner, told the Board he had not considered a restrictive covenant and would like time to consider that. He stated this building is a medical office building not to be used as an emergency room; the building could accommodate as many as seven physicians. Mr. Ambrosius advised that to replace the existing chain link fence would represent about 2% of the total project cost and he felt it was an undue hardship. The owner stated that perhaps a continuance was in order so he might consider a restrictive covenant and also return to the Board with pictures of the screening fence and the area.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to continue Case No. 10148 to November 2, 1978, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center.

10150

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to locate a muffler shop in a CS District; and a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variance) of the setback requirements from 100' to 90' at 4802 East 31st Street.

Presentation:

Jerry Goodman, representing Rapid Muffler, Inc., advised that the Board had approved a muffler shop use on October 5, 1978; however, at that time the application did not include a request for a variance to the existing setback requirement on the property. The present structure is setback 92' from 31st Street; after the building was in place a 100' setback requirement was imposed on the property in 1970. The applicant plans to extend the present structure approximately 18' east and have it line up with the face of the currently existing station. Therefore, an exception is needed in order to set the additional structure in line with the existing building on the property. Mr. Goodman presented a plot plan (Exhibit "A-1") showing the existing structure and the proposed addition.

Protests: None.

The Chair advised the exception had been approved on October 5, 1978 and a motion for the variance was needed at this time.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 90' in accordance with the plot plan submitted, and to line up with the existing building on the following described tract:

10150 (continued)

Lot 1, Block 1, Conway Park Addition to the City of Tulsa, Oklahoma.

10153

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to operate a car care center in a CS District; and a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 60' from the center-line of Utica Avenue, north and east of 15th Street and Utica Avenue.

Mr. Jones presented a letter (Exhibit "B-4") sent to Mr. Oden by Murrel Wilmoth, advising the applicant of a need for a plot plan to be submitted to TMAPC for the subdivision plat waiver requested. He also submitted 20 letters of protest (Exhibit "B-5") listing three reasons the protestants felt would be detrimental to the 15th and Utica area.

Presentation:

The applicant, Don Oden, presented a plot plan (Exhibit "B-1") and advised that the City Engineer had approved the drainage plan for the property. Drawings by the architect, Joe Coleman, (Exhibit "B-2") were exhibited showing the retainer wall on the east of the property, 12" above the parking area, with a 6' wooden screening fence built on the wall. Mr. Oden stated the type of work would include general automotive work, brakes, tuneups, and tires - light maintenance work; the hours of operation will be 7:00 a.m., to 7:00 p.m., Monday through Friday, 8:00 a.m., to 2:00 p.m., on Saturday and closed on Sunday. Pictures (Exhibit "B-3") were presented showing the volunteer trees along the fence line which the applicant cut back. The 10 bays are to run east and west with doors on both sides of the building; all washing of cars will be done inside the bays.

Protestants:

Eunice Blazenby, 1711 E. 15th Street, stated that the water runoff was her main complaint since the water runs down her driveway and sidewalk. She advised that the proposed 12" retaining wall with a 6' wooden screening fence would be agreeable with her.

A. B. Webster, friend of Mrs. Blazenby, expressed concern about increased traffic in the area of 14th Place especially during peak periods.

C. O. Clark, sector representative, stated that the District 6 Planning Team had not been advised that a waiver of setback would be sought. He also expressed concern with visibility at 15th Street and Utica Avenue if the waiver was approved.

10153 (continued)

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; no "abstentions"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to operate a car care center in a CS District; and a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 60' from the center-line of Utica Avenue subject to the following conditions: 1) The drainage plans be approved by the City Engineering Department; 2) a 6' wooden screening fence be erected on top of the 12" retaining wall which is shown on the plot plan, along the entire east property line; 3) a living fence, a maximum of 3' in height, be planted beginning at the northwest corner of the building and extending north parallel to the west property line along Utica, and then east along the north property line parallel to 14th Place to tie to the new wooden fence; 4) no major tuneup work, glass work, body work, painting, and no solvents, petroleum or otherwise, be allowed to escape in overland drainage, 5) sumps be installed inside the bays to catch the solvents and materials used to wash cars which would dissolve asphalt; 6) no outside storage of materials, either new or any removed from autos; 7) hours to be 7:00 a.m., to 7:00 p.m., Monday through Friday, 8:00 a.m., to 2:00 p.m., Saturday and closed Sunday; 8) no outside work to be performed on any automobiles including washing of cars; 9) all access points along Utica Avenue and 15th Street meet the approval of the Traffic Engineering Department and 10) that the facility be developed with the building materials, colors and landscaping as depicted on the rendering as represented by the applicant on the following described tract:

The West 60' of the North 102.2' of the South 202.2' of Lot 14; and the South 42' of the North 50' of Lot 14' and the South 50' of the North 100' of Lot 14; All in Block 5, Terrace Drive Addition to the City of Tulsa, Oklahoma.

10164

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 5' from 48th Street on the northwest corner of 48th Street and Union Avenue.

Presentation:

Ray Frogge, 2249 East 50th Street, representing Dr. Swafford, presented a revised plot plan (Exhibit "C-1") showing the 25' of property on Union Avenue which is to be dedicated for right-of-way purposes. Mr. Frogge also submitted an elevation plan (Exhibit "C-2") and advised the building would be built for speculation and would contain approximately 4,000 sq. ft. The building would be wood and stucco with a conventional composition shingle roof. The applicant advised that he preferred a one-story building and in order to achieve the square footage desired it was necessary to ask for a variance of the setback requirements.

Protests: None.

10.19.78:271(4)

10164 (continued)

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 5' from 48th Street per plot plan and elevations submitted, subject to the filing of a 25' roadway dedication, the building materials, cedar and stucco, and the architectural style shown on the plot plan be adhered to, and the installation of dust-proof surfacing in the rear of the building on the following described tract:

The South 108' of Lot 5, Block 1, Greenfield Acres Addition to the City of Tulsa, Oklahoma.

10166

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) for the front setback requirements from 35' to 32' located at 12136 East 126th Street.

Presentation:

Mr. Jones advised that the applicant is moving the mobile home off the property and withdrawing his application.

Board Action:

The Chair, without objection, withdrew application No. 10166.

10167

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1215 - Community Services, Cultural and Recreational Facilities) for permission to use property for church related uses to maintain bus maintenance and services and to install a gas pump in an OL District located north and east of 87th East Avenue and 11th Street.

Presentation:

Riffin Snow, a minister of Eastwood Baptist Church, stated the Church was asking for an exception in order to perform maintenance on their buses. A gas pump will be installed; there will be some part-time paid labor and other volunteer help; tune-ups, oil changes, and other maintenance will be performed on the 32 buses owned by the Church. A concrete block building with two bays, located on the property, provides the area for the maintenance work.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1215

10167 (continued)

Community Services, Cultural and Recreational Facilities) for permission to use property for church related uses, including parking, bus maintenance and to install a gas pump in an OL District on the following described tract:

Lots 3 and 4, Block 12, Clarland Acres Addition to the City of Tulsa, Oklahoma.

10178

Action Requested:

Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) for permission to replace an existing illuminated sign 32' from the center-line of Lewis; and replace area lights 32' from the center-line of Lewis; and allow a new service station canopy 40' from the center-line of Lewis Avenue at 1910 North Lewis Avenue.

Presentation:

The applicant was not present.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to continue Case No. 10178 to Thursday, November 2, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

NEW APPLICATIONS:

10160

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements and square footage requirements and a variance of the front and rear setbacks southeast of 12th Street and 120th East Avenue.

Presentation:

Bernie Clark, 2810 East 49th Street, presented plot plans (Exhibits "D-1" and "D-2"), a plat of survey (Exhibit "D-3") and stated the plot plan reflected the splitting of the present lot. One of the houses does not have access to a street; therefore, the applicant will dedicate 30' of another lot, also owned by the applicant.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements and square footage requirements; and a variance of the front and rear setbacks subject to the City Engineer's approval regarding drainage on the following described tract:

TRACT "C": East 75.0' of the West 95.0' of the South 140.0', less the South 30.0' of the North 160.0' of the E/2 of the SE/4 of the NE/4 of the NW/4 of Section 8, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; and

TRACT "D": East 75.0' of the West 95.0' of the South 30.0' of the North 160.0', and the East 100.0' of the West 195.0' of the South 70.0' of the South 140.0' of the North 160.0' of the E/2 of the SE/4 of the NE/4 of the NW/4 of Section 8, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; and

TRACT "E":  
East 100.0' of the West 195.0' of the North 70.0' of the South 140.0' of the North 160.0' of the E/2 of the SE/4 of the NE/4 of the NW/4 of Section 8, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof.

Action Requested:

Exception (Section 250.3 (c) & (d) - Modification of the Screening Wall or Fence requirements) for a modification of the screening requirements where the purpose of the screening requirements can not be achieved; the request to grant an extension of time to erect a screen where properties which are to be benefitted by the screen are undeveloped; and a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 75' to 50' at 3227 North 129th East Avenue.

Presentation:

John Moody, representing the applicant, presented a plot plan (Exhibit "E-1") and stated the request was for a 5,000 square-foot building in an area which is developing in an industrial classification. The applicant asked for a modification of the setbacks in order to erect a 50' wide building to be located in the middle of the property. The rear portion of the property will be reserved for septic tank purposes; all work will be conducted inside the building with a possibility of outside storage (temporary storage). Since the area is mostly industrial it was felt that lack of a screening fence would not have any adverse affect on surrounding property owners. Mr. Moody advised since the property is so narrow a hardship exists with the setbacks required. The building will be used for assembly of portable buildings as well as offices; there will not be any outside assemblage, but there will be some storage outside.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements) to grant an

10173 (continued)

extension of time to erect a screen where properties which are to be benefitted by the screen are undeveloped for a period of two years; and grant a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 75' to 50' subject to TMAPC requirements for plat waiver, on the following described tract:

Lot 11, Block 1, Langley Addition to the City of Tulsa,  
Oklahoma.

10176

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split at 111th Street and 145th East Avenue.

Presentation:

The Staff advised the Planning Commission had approved the lot-split subject to the Board's approval.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split on the following described tract:

The SW/4 of the SW/4 of Section 27, Township 18 North, Range 14 East, Tulsa County, Oklahoma.

10179

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) for permission to locate a mobile home in an RS-3 District located at 6015 South 56th West Ave.

Presentation:

Dave Sanders, Sr., Denver Building, stated the applicant wants to make legal an existing mobile home in a residential district. The mobile home has a wood shingle roof and non-metallic sides. Mr. Sanders presented pictures (Exhibit "F-1") of the mobile home and advised there was an auto salvage business across the street which the applicant helps manage.

Protests: None.



10179 (continued)

Further comments for the record:

The Staff advised that the Exception could be granted for a period of one-year only in a residential district. The Board members discussed this and felt that if the applicant would provide a permanent foundation for the mobile home and then readvertise for a Variance they would be able to consider the residence as a permanent home.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to continue Case No. 10179 to November 16, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center and to readvertise the application as a Variance.

10180

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 15' in an RS-3 District northeast of 24th Street and 129th East Avenue.

Presentation:

The Staff advised the Planning Commission had approved the lot-split subject to the approval of the Board. A plot plan was submitted (Exhibit "G-1").

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a 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 15' in an RS-3 District on the following described tract:

The East 140' of the West 465' of the South 384' of the North 640' of the SW/4 of the NW/4 of Section 16, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

10181

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1204 - Public Protection and Utilities Facilities and Temporary Open Air Uses) for permission to sell Christmas trees during the month of December 1978 at the SE corner of 41st Street and Harvard Avenue.

Presentation:

J. D. Spitzer, partner with Bill Manley, stated they have sold Christmas trees at this location the past several years and wished to sell them again this year.

10181 (continued)

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1204 - Public Protection and Utilities Facilities and Temporary Open Air Uses) for permission to sell Christmas trees during the month of December 1978, on the following described tract:

Lot 1, Block 1, Villa Grove Heights Addition to the City of Tulsa, Oklahoma.

10182

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1220 - Commercial Recreation: Intensive) for permission to allow a water slide in a CH District located northwest of 51st Street and Yale Avenue.

Presentation:

Ollie Gresham presented a plot plan (Exhibit "H-1") and stated the slide would be 30' tall, would be built with wood scaffolding. The scaffolding will be covered with either redwood or cedar siding. Lighting will be on the steps going up and in the pool area.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1220 - Commercial Recreation: Intensive) for permission to allow a water slide in a CH District, subject to submission of a plot plan containing lighting plans, sound system to be used, colors and the hours of operation on the following described tract:

The North Half of Lot 6, Interstate Central Extended Addition to the City of Tulsa, Oklahoma.

10183

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District north and west of 96th Street North and Harvard Avenue.

Presentation:

Kenneth Asher, P. O. Box 350, Owasso, Okla., advised he would like to place a mobile home on this property until such time he is financially able to build his home.

Protests: None.

10183 (continued)

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District for a period of four years, on the following described tract:

A tract of land described as beginning at the SE corner of the S<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> of Section 17, Township 21 North, Range 13 East, Tulsa County, Oklahoma; thence NW 659.41' to the point of beginning; thence NW 659.41'; thence NE 661.35'; thence SE 659.37'; thence SW 310'; thence SE 659.39'; thence SW 40.95'; thence NW 659.39'; thence SW 310' to the point of beginning.

10185

Action Requested:

Exception (Section 204 (c) - Limitation on Land Use) for an extension of time for a period of three years to complete construction of duplex dwellings in CDP No. 53 located NW of 51st Street and 73rd East Avenue.

Presentation:

Steve Schuler, an associate in Charles Norman's Office, 1100 Phil-tower Building, stated the applicant would need an extension of time to complete his duplexes.

Board Member Smith stated that CDP's were to be carried forward as long as there was substantial construction and he felt since the applicant was only lacking three lots there was proof of substantial construction.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 204 (c) - Limitation on Land Use) for an extension of time for a period of three years to complete construction of duplex buildings in CDP No. 53 on the following described tract:

Lots 22 and 23, Block 1; and Lot 11, Block 7; Park Plaza Seventh Amended 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 side yard requirements from 5' to 6" in an RS-1 District, located at 6517 South Delaware Court.

Presentation:

Charles Wilbanks, architect for the applicant, presented a site plan (Exhibit "I-1") and a letter from Southern Hills Country Club (Exhibit "I-2") stating they had no objections to the variance of the side yard requirements. Mr. Wilbanks advised that the hardship and reason for requesting a variance was the preservation of trees in the area. The lot is an unusual shape and there are severe topographic problems on the lot.

Protests: None.Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 6" in an RS-1 District, subject to the plot plan submitted and the approval of a drainage plan by the City Hydrologist on the following described tract:

A tract of land, containing 1.4355 acres, in the SE/4 of the SE/4 of the SE/4 of the NW/4 and the SW/4 of the SW/4 of the SW/4 of the NE/4, all in Section 5, Township 18 North, Range 13 East, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit:

Beginning at a point on the easterly right-of-way line of Timber Land Road, said point being 25' easterly of the northwest corner of said SE/4, SE/4, SE/4, SW/4; thence easterly along the northerly line thereof for 245.89'; thence southeasterly along a deflection angle to the right of  $64^{\circ}-19'-23''$  for 241.24'; thence southwesterly along a deflection angle to the right of  $87^{\circ}-30'-52''$  for 35.70' to a point of curve; thence southwesterly, and northwesterly along a curve to the right, with a central angle of  $47^{\circ}-07'-49''$  and a radius of 140.00'; for 115.16' to a point of compound curve; thence northwesterly along a curve to the right, with a central angle of  $15^{\circ}-17'-25''$  and a radius of 375.00' for 100.07' to a point of tangency; thence northwesterly along said tangency for 47.00' to a point of curve; thence northwesterly along a curve to the left, with a central angle of  $26^{\circ}-07'-36''$  and a radius of 185.00' for 84.36' to a point of the easterly right-of-way line of Timber Lane Road; thence northerly along said right-of-way line for 141.88' to the point of beginning of said tract of land.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a

10187 (continued)

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 at 13800 North 87th East Avenue.

Presentation:

The applicant, Michael Garrett, R.R. #3, Box 174, Collinsville, Oklahoma, stated he was requesting to move a mobile home on 2½ acres; there are mobile homes on the north and east sides with vacant property to the west and south. There is water and natural gas available and a percolation test has been made.

Bob Gardner of the Staff pointed out that the property is located within a "Wildcat" subdivision which was filed prior to January 1, 1976.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District; and grant 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 on the following described tract:

The E/2, SW/4 of Section 25, Township 22 North, Range 13 East, Tulsa County, Oklahoma, described as beginning at a point north 0°-15'-12" East a distance of 1,326.44' and 659.41' due East of the SW corner of Section 25; thence North 0°-15'-06" East a distance of 331' to a point; thence East a distance of 329.70'; thence South 0°-05'-03" West 331.62'; thence West 329' to the point of beginning.

10188

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) Mobile Homes) for permission to locate a mobile home in an RS-3 District SE of 37th Street and 33rd West Avenue.

Presentation:

Pat Dooley, 3716 South 32nd West Avenue, stated she wanted to put a mobile home on her property for her daughter to live in. This would be temporary as her daughter plans to begin construction of her home in December, 1978.

Protests:

10188 (continued)

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) for permission to locate a mobile home in an RS-3 District for a period of one-year, removal bond required, on the following described tract:

Lot 6, Block 21, Red Fork Addition to the City of Tulsa, Okla.

10189

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use property for educational and religious purposes and related off-street parking; and a Variance (Section 1005.4 - Parking Requirements - Under the Provisions of Section 1670 - Variances) from requirement of parking spaces on the same lot as the use located at 3116 East 5th Street.

Presentation:

Donald Detrich, 320 South Boston Avenue, Suite 1300, presented a parking lot lease (Exhibit "J-1") between The Most Reverend Eusebius J. Beltran, Bishop of the Diocese of Tulsa, and the University of Tulsa. Mr. Detrich advised that currently on the property was an old single-family dwelling and presented a map (Exhibit "J-2") showing the area surrounding the subject property.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use property for educational and religious purposes and related off-street parking; and grant a Variance (Section 1005.4 - Parking Requirements - Under the Provisions of Section 1670 - Variances) from requirement of parking spaces on the same lot as the use on the following described tract:

Lot 4, Block 8, College Addition to the City of Tulsa, Okla.

10190

Action Requested:

Exception (Section 1420 (f) - Nonconforming Use of Buildings or Buildings and Land in Combination) for permission to erect a storage garage (22' x 46') for residential use in a CS District at 4741 South 31st West Avenue.

Presentation:

The applicant was not present.

Protests: None.

10190 (continued)

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to continue Case No. 10190 to November 2, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10191

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Automotive and Allied Activities) for permission to erect a 14,000 sq. ft. single-story office/warehouse in a CS District located at 69th Street and Yorktown Avenue.

Presentation:

Jeffrey Scott, applicant, representing S. O. Corporation, presented a site plan (Exhibit "K-1") and described the two buildings proposed on the site. One building, an office building which is in conformity with the existing zoning, and an adjacent warehouse/office structure. There will be no outside storage and no dangerous materials stored in any of the individual units of the warehouse. The building will be concrete with a colored texture applied to the concrete with overhead doors on both sides. The site plan includes 5,780 sq. ft. of landscaped area around the building.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Automotive and Allied Activities) for permission to erect a 14,000 sq. ft. single-story office/warehouse in a CS District as represented, per plot plan submitted, subject to receipt in Board files of a color photo of the rendering on the following described tract:

The West 228.71' less the South 135' thereof, of Lot 2, Block 2, Lewis Village Addition to the City of Tulsa, Oklahoma.

10193

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Special Exception Uses) to permit the construction of a rooftop heliport at Hillcrest Medical Center located at 1120 South Utica Avenue.

Presentation:

James Stewart, Associate Administrator, Hillcrest Medical Center, presented an aerial photograph (Exhibit "L-1") and a plot plan (Exhibit "L-2"). He advised Hillcrest was requesting an exception to permit the construction of a Heliport to receive emergency patients by helicopter.

10193 (continued)

Robert Selman, architect with Murray, Jones, Murray, stated there would be a covered walkway from the hospital to the heliport. A concrete pad with a steel frame will receive the helicopter. Hillcrest Hospital plans to lease a helicopter from Aviation Medical Services.

Floyd Helm representing Aviation Medical Services, advised the Company had recently completed environmental impact and sound studies in four major cities and the findings had been that the aircraft will not significantly impact the environment or cause problems with noise. The aircraft can be operated in winds of 60 knots or 40 knots in gusting conditions. A letter from the Tulsa Airport Authority (Exhibit "L-3") in support of The Hillcrest Heliport as exhibited.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Special Exception Uses) to permit the construction of a rooftop heliport at Hillcrest Medical Center as presented on the following described tract:

Lots 6, 7, 8, 9 and 10, Block 1, McNulty Addition to the City of Tulsa, Oklahoma.

10194

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District north and west of 161st Street and Harvard Avenue.

Presentation:

Mr. Jones presented a letter (Exhibit "M-1") from the applicant stating he would be unable to be present at the meeting, but was requesting to place a mobile home on his property near 161st Street and Harvard Avenue. A letter from nearby property owners (Exhibit "M-2") stated they were not protesting the application, but asked the Board to limit approval to three years or less. The property owners also suggested the mobile home set back from the street in line with other structures on the street, or approximately 120 feet from the center-line of 161st Street.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District, to be set back a minimum of 120 feet from the center-line of 161st St., for a period of 3 years, removal bond required on the following tract:

10.19.78:271(16)



10194 (continued)

The West 330' of the SE/4 of the SE/4 of Section 20, Township 17 North, Range 13 East, Tulsa County, Oklahoma.

10197

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to erect a car wash in a CS District located SE of 21st Street and 109th East Avenue.

Presentation:

Bob Darby, P. O. Box 1949, advised that he would like to build a car wash directly south of a service station which he owns. The car wash would be built of white brick to match the existing service station, with a yellow mansard roof around it to make it look like one operation. Mr. Darby presented a plot plan (Exhibit "N-1") and stated the property surrounding the car wash was undeveloped; therefore, he would like to avoid erecting a fence around the area.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to erect a car wash in a CS District per plot plan submitted, hours of service to be the same as the service station, screening to be required on the property to become effective when the property owner to the east begins construction, on the following described tract:

Beginning 150' South of the Northwest corner of Lot 1, Block 1, Tiffany Park Addition to the City of Tulsa, Oklahoma; thence South 125'; thence East 150'; thence North 125'; thence West 150' to the point of beginning.

10203

Action Requested:

Variance (Section 206 - Number of Dwelling Units On a Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units on one lot at 44141 South Garnett Road.

Presentation:

Gary Austin, 4505 East 68th Street, representing the architectural firm of Davies & Poe, presented a plot plan (Exhibit "O-1") and stated they desired to build 256 units on approximately 10 acres which is more than the permitted 40 units per lot.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to grant a Variance (Section 206 - Number of Dwelling Units on a Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units on one lot per plot plan submitted, on the following described tract:

Commencing at the Southeast Corner of Lot 1, Block 1, of Towne Centre II, and addition to the City of Tulsa, Oklahoma, Section 30, Township 19 North, Range 14 East, Tulsa County, Oklahoma, the said point being also the point of beginning; thence North  $72^{\circ}-51'-31''$  West a distance of 41.36'; thence along a curve to the left having a radius of 562.72' through a central angle of  $18^{\circ}-00'-00''$  and for an arc distance of 176.78'; thence South  $89^{\circ}-08'-29''$  West a distance of 52.84'; thence along a curve to the right having a radius of 292.98' through a central angle of  $39^{\circ}-29'-00''$  and for an arc distance of 201.90'; thence North  $51^{\circ}-22'-31''$  West a distance of 263.79'; thence along a curve to the right having a radius of 591.73' through a central angle of  $28^{\circ}-48'-31''$  and for an arc distance of 297.53' to a point; thence South  $89^{\circ}-57'-04''$  East a distance of 241.12'; thence North  $30^{\circ}-02'-56''$  East a distance of 220.00'; thence South  $89^{\circ}-57'-04''$  East a distance of 179.07'; thence North  $00^{\circ}-08'-29''$  East a distance of 107.25'; thence South  $89^{\circ}-57'-04''$  East a distance of 308.40'; thence South  $00^{\circ}-08'-29''$  West a distance of 797.32' to the point of beginning, and containing 10.00 acres more or less.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1630 - Minor Exceptions) to be used as a public park and have improvements consisting of sidewalks, picnic shelter, playground, hard-surface play area and restroom renovation at Independence Street and Quaker Avenue.

Presentation:

Randy Nicholson, Park and Recreation Department, advised this was a two-acre park, Crutchfield Park, located in a small neighborhood just east of Peoria Avenue. The Park Department plans are to renovate the restroom facility and construct a new playground facility and hard-surfaced play area. Mr. Nicholson presented a plot plan (Exhibit "P-1") and stated this was a small area used primarily by the children in the neighborhood.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1630 - Minor Exceptions) to be used as a public park and have improvements consisting of sidewalks, picnic shelter, playground, hard-surface play area and restroom renovation on the following described tract:

10213 (continued)

Block 13, Capitol Hill, Second Addition to the City of Tulsa,  
Tulsa County, Oklahoma.

OTHER BUSINESS:

Amend Legal Description in Case No. 9377:

Mr. Jones advised this Case was a lot-split approved by the Board in January 1977. The Board approved a lot-split for a variance of the area and frontage requirements. The lot was originally split in half; however, there was a small house on the property and when it was surveyed it was necessary to change the legal description. The Planning Commission amended the legal description on the lot October 18, 1978.

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; Jolly "absent") to amend the legal description as approved by the Planning Commission in Case No. 9377 on the following described tract:

The East 90' and the West 75' of Lot 6, Block 8, Bryn-Mawr Addition to the City of Tulsa, Oklahoma.

Minor Amendment to C.D.P. No. 21:

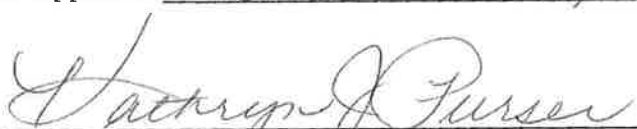
A communication from Mr. Scott Sherrill was presented to the Board requesting a minor amendment to C.D.P. No. 21, to allow an existing house to remain on a lot which was built in 1975, that encroaches into the side yard.

Mr. Jones presented a plot plan and advised that the house is already built, and is 4.3' from the west side yard instead of the 5' which is required. Therefore, the purchaser is requesting an amendment in order to clear the title.

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Smith "aye"; no "nays"; no "abstentions"; Jolly "absent") to approve a Minor Amendment to C.D.P. No. 21 on the following described tract:

Lot 4, Block 40, of Blocks 39 through 40, Longview Lake Estates an addition to the City of Tulsa, Oklahoma.

There being no further business, the Chair adjourned the meeting at 5:30 p.m.

Date Approved December 11, 1978  
  
Chairman