

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 272
Thursday, November 2, 1978, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT

Jolly
Purser, Chairman
Smith

STAFF PRESENT

Edwards
Gardner
Howell
Jones

OTHERS PRESENT

Bates, Building
Inspector's Office
Jackere, Legal De-
partment

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Wednesday, November 1, 1978, at 11:17 a.m., as well as in the Reception Area of the TMAPC Offices.

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

Minutes:

On MOTION of JOLLY, the Board 3-0 (Jolly, Purser, Smith voted "aye"; no "nays"; Lewis "absent") to approve the Minutes of September 21, 1978, (No. 272).

UNFINISHED BUSINESS:

9735

Mr. Jones advised that this application was a 40-acre tract, a church site, and the Board had requested to see the final plans before any construction occurs.

Bruce Irvin, representing the applicant, presented a Deed of Dedication (Exhibit "A-1") and a Site Plan (Exhibit "A-2") as required by the Board. He stated a drainage plan had been submitted to Charles Hart, City Engineering Department, and it had been approved with several minor changes which have been given to Cox Engineering to finalize.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve the detailed plans for Case #9735, as submitted, with the provision that written approval from the City Engineering Department must be in the files prior to issuance of a building permit on the following described tract:

NE/4 of the NW/4 of Section 20, Township 19 North, Range 14 East,
Tulsa County, Oklahoma.

Unfinished Business: (continued)

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:

Nick Schneider, attorney, representing East Tulsa Medical Group, Inc., stated the special exception needed was to waive the requirement to place a fence along the north side of the property. He suggested there would be alternative screening possibilities in the 100' of green lawn, which the group does not intend to use, and in the placement of trees which would be one and one-half times the height of the medical clinic in their mature state.

Britt Embrey, architect, stated the choice of plant material that has been selected is a variety of the holly family, an informal plant that is able to withstand either very wet or dry conditions and maintains its leaves throughout the year. The plants will be placed 10' apart, will be 2" in circumference, 10' to 12' high, and will reach maturity in seven to ten years. Mr. Embrey advised there were no plans for the area north of the driveway and the group would be willing to enter into a restrictive covenant.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voted "aye"; no "nays"; Lewis "absent") to approve an 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, subject to the rendering submitted, which is to be placed in the file; the holly be planted as presented, 10-12' high, 10' apart, and be in place prior to the occupancy permit issuance, and the Group enter into a covenant restricting the area north of the plantings to the north property line--to the effect that it will remain as open area or green space, to be approved by the City Attorney and run to the benefit of the City of Tulsa on the following described tract:

Lot 1, Block 1, East Tulsa Medical Group Center 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.

10178 (continued)

Presentation:

The applicant was not present and Mr. Jones advised the application had appeared on the agenda for the last three meetings.

The Board agreed that action would be taken on the application at the next meeting, November 16, 1978.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to continue 10178 to November 16, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

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:

Ernest Benge, 4741 South 31st West Avenue, presented a plot (Exhibit "B-1") and stated the reason for the application was to build a storage garage to house old cars that a customer wants to get out of the weather. This is a hobby for the customer and there will be 3-5 cars in the garage. The garage will be concrete block, no windows or electricity, and will match the existing garage.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an 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, per plan submitted, on the following described tract:

Lots 21, 22 and 23, Block 10, Carbondale Addition to the City of Tulsa, Oklahoma.

NEW APPLICATIONS:

10195

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 20' to permit a carport in the front yard at 1019 East 51st Place North.

Presentation:

Brice Vermillion, 1019 East 51st Place North, advised that the carport would be a great help during the cold winter weather since it would mean less ice and snow to shovel. The carport would be aluminum with trim and would be built in front of the existing garage. Mr.

10195 (continued)

Vermillion submitted a plat of survey (Exhibit "C-1") and a plot plan (Exhibit "C-2") and stated the carport would extend 20' in front of the other residences.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 20' to permit a carport in the front yard, per plot plan submitted, on the following described tract:

Lot 18, Block 7, Sharon Heights Addition to the City of Tulsa, Oklahoma.

For the record, Mr. Jolly noted the physical hardship of the applicant was a consideration in his motion.

10198

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1620 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split southeast of 91st Street and 177th East Avenue.

Presentation:

The Staff advised the applicant was not present; however, the Planning Commission approved the lot-split November 1, 1978, subject to the Board of Adjustment approval.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1620 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split (L-14478), on the following described tract:

The North 135 feet of the West 323 feet of the N/2, N/2, S/2, NW/4, NW/4 of Section 24, Township 18 North, Range 14 East, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof; and containing 1.0 acre, more or less, LESS and EXCEPT any easements or rights-of-way filed of record.

10199

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an AG District to permit a lot-split at 10608 North Sheridan Road.

10199 (continued)

Presentation:

The Staff advised the application had been withdrawn.

10200

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to sell new and used automobiles in a CS District at 3866 South Sheridan Road.

Presentation:

Burl Hawkins, 3866 South Sheridan Road, advised this lot had been a car lot for some time before he purchased it in 1974, but he didn't realize it was not certified until he requested to move a portable building on the lot. The Building Inspector would not issue a permit for the building because an exception had not been granted for the car lot.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to sell new and used automobiles in a CS District on the following described tract:

A tract of land, containing 0.913 acres in the NE/4 of the SE/4 of Section 22, Township 19 North, Range 13 East, Tulsa County, Oklahoma, said tract being described as follows; to-wit:

Starting at the Southeast corner of said NE/4 of the SE/4; thence North along the East line of Section 22 for 150.4'; thence West at a right angle for 50' to the point of beginning of said tract, said point of beginning also being on the Northerly right-of-way line of the U. S. Highway #66 Bypass; thence North and parallel to the East line of Section 22, for 200'; thence West at a right angle for 150'; thence South at a right angle, and parallel to the East line of Section 22, for 330.16' to a point on the Northerly right-of-way line of the U. S. Highway #66 Bypass; thence Northeasterly along said right-of-way line for 198.60' to the point of beginning, Tulsa County, Oklahoma, according to the U. S. Survey thereof.

10201

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front and side setbacks at 4848 South 36th West Avenue.

Presentation:

Phil Bowlin, 4848 South 36th West Avenue, presented a diagram (Exhibit "D-1") and a plot plan with pictures (Exhibit "D-2") and advised he wanted to add 16' to the front and sides of the house.

10201

Protests: None.

Board Action:

On MOTION of SMITH, the Board 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") granted a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front and side setbacks, per plot plan submitted, on the following described tract:

Lot 1, Block 4, Carbondale Third Addition to the City of Tulsa, Oklahoma.

Mr. Jolly stated, for the record, the Board did recognize a hardship because of the odd-shaped lot.

10202

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 10' to 6' in an RS-3 District at 4404 East 49th Street.

Presentation:

Kenneth Wallingford, 4404 East 49th Street, stated he wanted to build a carport in front of his existing garage to protect the area from adverse weather conditions. A plot plan was submitted (Exhibit "E-1"). Mr. Wallingford advised that he had talked with the neighbors and there were no objections.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "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 10' to 6' in an RS-2 District, per plot plan submitted, subject to the applicant furnishing the Board with a letter from the neighbor to the west stating he has no objections, on the following described tract:

Lot 4, Block 36, Resub. of Blocks 24 through 37, Patrick Henry Addition to the City of Tulsa, Oklahoma.

10204

Action Requested:

Exception (Section 410 -Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) for permission to operate a home beauty shop in an RS-3 District at 3746 West 43rd Street.

10204 (continued)

Presentation:

Floyd Francisco, 3746 West 43rd Street, stated he submitted this application to allow his wife to operate a beauty shop at this location. The hours of operation would be 8:00 a.m. to 5:00 p.m., Wednesday through Saturday; there is a double driveway and his wife will be the only operator. A letter (Exhibit "F-1") of approval of the application from Thomas D. Drennan, representative of District 9, was presented.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) for permission to operate a home beauty shop in an RS-3 District, to run with this owner only, on the following described tract:

Lot 12, Block 4, Park Grove Second Addition to the City of Tulsa, Oklahoma.

10205

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1220 - Commercial Recreation: Intensive) for permission to allow a water recreational facility (water bumpers) in a CS District north and east of Admiral and Memorial Drive.

Presentation:

Ollie Gresham, 2814 East 31st Street, advised he planned to construct a pool for water bumpers, a recreational facility. The facility will be built 100' from the road, setting 3' into the ground with a safety fence surrounding the pool. A small sign, 3' x 5' will be used. Mr. Gresham presented a plot plan (Exhibit "G-1") and pictures (Exhibit "G-2") of a similar facility.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1220 - Commercial Recreation: Intensive) for permission to allow a water recreational facility (water bumpers) in a CS District, as presented and per plot plan submitted, on the following described tract:

Lots 10, 11 and 12, Block 4, Mingo Terrace Addition to the City of Tulsa, Oklahoma.

10206

Action Requested:

Exception (Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1219 - Hotel, Motel and Recreation Facilities; and Section 1220 - Commercial Recreation: Intensive) for permission to operate three gymnasiums and tumbling schools in an IL District at 3691, 3727 and 3741 South 73rd East Avenue.

Presentation:

John Moody, 7030 South Yale Avenue, Suite 711, stated this application was for three tenants' spaces for gymnasium and tumbling schools. Mr. Moody advised that this type of school is permitted as a special exception in an industrial district. There is adequate parking for the facilities.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") approved an Exception (Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1219 - Hotel, Motel and Recreation Facilities; and Section 1220 - Commercial Recreation: Intensive) to operate three gymnasiums and tumbling schools in an IL District on the following described tract:

A tract in the NW/4 of the SE/4 of Section 23, Township 19 North, Range 13 East, Tulsa County, Oklahoma, said tract being described as follows, to-wit:

Beginning at the Northwest corner of said NW/4 of the SE/4; thence south $89^{\circ}-55'-45''$ East along the North line thereof for 490.54' to a point on the Southwesterly right-of-way line of the Broken Arrow Expressway; thence South $57^{\circ}-09'-04''$ East along said right-of-way for 363.57'; thence South $0^{\circ}-02'-23''$ West, and parallel to the East line of said NW/4 of the SE/4 for 635.17' to a point that is 530.54' Westerly of the East line of said NW/4 of the SE/4; thence North $89^{\circ}-57'-52''$ West, and parallel to the South line of the NW/4 of the SE/4 for 765.95' to a point that is 30' East of the West line of said NW/4 of the SE/4, said point being 485.92' Northerly of the South line of the said NW/4 of the SE/4; thence North $0^{\circ}-01'-45''$ East, and parallel to said West line of the NW/4 of the SE/4, for 752.48'; thence North $89^{\circ}-55'-45''$ West, and parallel to the North line of the NW/4 of the SE/4 for 30.00' to the West line of said NW/4 of the SE/4; thence North $0^{\circ}-01'-45''$ East along the West line of the NW/4 of the SE/4 for 80.00' to the point of beginning of said tract.

10207

Action Requested:

Variance (Section 1460 - Repairs - Under the Provisions of Section 1670-Variations) to permit a 3' addition to a garage apartment in an RS-3 District at 2535 East 25th Street.

11.2.78:272(8)

Presentation:

Deborah Cunningham, 2535 East 25th Street, presented a plot plan (Exhibit "H-1") and floor plans (Exhibit "H-2") for remodeling a garage apartment that is in disrepair. At the present time there is a garage apartment with a garage below it, which is unusable. The plan is to convert all of the space into an apartment and to add to the north side, extending the garage by 3' to provide a larger eating area.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 1460-Repairs-Under the Provisions of Section 1670 - Variances) to permit a 3' addition to a garage apartment in an RS-3 District, per plot plan submitted, on the following described tract:

The South 292.5' of the W/2 of the E/2 of Lot 6, and the East 10' of the South 292.5' of the W/2 of Lot 6, LESS and EXCEPT the West 77.5' of the North 130' of the South 292.5' of the W/2 of the E/2 of Lot 6, and the East 10' of the North 130' of the South 292.5' of the W/2 of Lot 6, and LESS and EXCEPT the East 87.5' of the North 117' of the South 292.5' of the W/2 of the E/2 of Lot 6, all in J. P. Harter's Subdivision, now an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows:

That part of said Lot 6, in J. P. Harter's Subdivision, beginning at a point 165' West of the Southeast corner of said Lot 6; thence North 175.5' to a point; thence West 87.5' to a point; thence South 13' to a point; thence West 87.5' to a point; thence South 162.5' to a point; thence East 175' to the point of beginning, LESS and EXCEPT a tract of land in Lot 6, J. P. Harter's Subdivision, now an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows: to-wit:

Beginning at a point 265' West of the Southeast corner of Lot 6; thence North, parallel to the East line of said Lot 6 for a distance of 19.5'; thence West 6.8'; thence North 143'; thence West 68.2'; thence South 162.5' to the South line of Lot 6; thence East along the South line of said Lot 6 for a distance of 75' to the point of beginning.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) to permit Use Unit 15, Other Trades and Services, in a CS District; and a Variance (Section 730 - Bulk and Area Requirements in a Commercial District) of the setback requirements from 25' to 0' on the south, south and east of 11th Street and Mingo Valley Expressway.

10208 (continued)

Presentation:

John Sublett, 1776 One Williams Center, presented a plot plan (Exhibit "I-1") and stated he would like to amend his application to read "south 345' of the W/2 of Lot 3", which will be developed in a retail category.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 710-Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) to permit Use Unit 15, Other Trades and Services, in a CS District; and grant a Variance (Section 730 - Bulk and Area Requirements in a Commercial District) of the setback requirements from 25' to 0' on the south, per plot plan submitted, and as amended by the applicant to read "south 345' of the W/2 of Lot 3", on the following described tract:

The W/2 of Lot 3, Mingo Valley Acreage Addition to the City of Tulsa, Oklahoma.

10209

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) for permission to maintain a mobile home in an RM-2 District at 1913 East Marshall Street.

Presentation:

The applicant was not present.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to continue No. 10209 to November 16, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10210

Action Requested:

Variance (Section 620.2 (d) - Accessory Use Conditions - Business Signs - Under the Provisions of Section 1670 - Variances) of the sign requirements to permit 20 inch letters on the front of the building in an OM District (Unlighted sign 28.3 sq. ft.) (There already exists a sign) at 6717 South Yale Avenue.

Presentation:

Mark Lipscomb, 6717 South Yale Avenue, representing the Burroughs Corp., advised that at the present time the designation for the firm is listed, in 2 inch letters, on a directory outside the building. The Building Inspector ruled this to be their sign on the outside of the building. Mr. Lipscomb presented a diagram of the proposed sign (Exhibit "J-1") and pictures of the directory and the building (Exhibit "J-2"). This will be an unlighted sign with either dark brown or bronze letters.

11.2.78:272(10)

10210 (continued)

Interested Party:

John Moody, 7030 South Yale Avenue, Suite 711, advised his firm represents Vector Properties and that they had approved the sign, but no one had presented to them the particular conditions. The leasing company did not feel there would be a problem since they do not anticipate any other need or necessity for signs on the building. Mr. Moody stated he could not speak directly for the owner.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to continue No. 10210 to November 16, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to receive concurrence from the building owner on the restriction of the approval of the application, that this be the only sign on the building.

10211

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 30' to 27' at 8216 South Oswego Avenue.

Presentation:

Michael Newman, 8216 South Oswego Avenue, presented a plot plan (Exhibit "K-1") and advised that he was requesting the variance to enable him to build a playroom in the back 2/3 of the garage and then extend the garage to its present size in front of the existing structure. The curve of the street creates the need for a variance.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 30' to 27', per plot plan submitted, on the following described tract:

Lot 6, Block 7, Forest Creek II Addition to the City of Tulsa, Oklahoma.

10214

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on the side yards from 10' to 5'; and request for permission to build across a lot line at 1219 South St. Louis Avenue.

Presentation:

T. H. Stewart, President, Stewart Building and Design, 1508 South Gary Avenue, presented a plot plan (Exhibit "L-1") and a plat of survey (Exhibit "L-2") and stated the new construction would enhance the

10214 (continued)

neighborhood. He advised he would like to incorporate a better living condition by providing covered parking for tenants and an adequate turn-around area of 24' or more.

Protestant:

Marcel Binstock, 1145 South Utica Avenue, owns the property to the north of the applicant's and he expressed concern that the two-story structure might impede sunshine from reaching his ground floor apartments. The fact that 80% of the windows in the apartments are on that side made it a real concern to Dr. Binstock.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on the side yards from 10' to 5'; and request for permission to build across the lot line, per plans submitted, subject to the applicant returning to the Board with final plans including elevations and construction materials for the two apartments, on the following described tract:

Lots 49 and 50, Block 6, Forest Park Addition to the City of Tulsa, Oklahoma.

10215

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) for permission to enlarge a building used for the manufacture of frosty ice and cold storage in a CS District at 8904 East Admiral Place.

Presentation:

Herbert Coles, 8904 East Admiral Place, presented a plot plan (Exhibit "M-1") and stated that the present building was approved, approximately 3 1/2 years ago, to remodel service station bays into a freezer. Mr. Coles cited the ice problems in the City and stated he was proposing to build an additional building to help serve the need.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1215 - Other Trades and Services) to enlarge a building used for the manufacture of frosty ice and cold storage in a CS District, per plot plan submitted, on the following described tract:

The North 153.3' of Lot 1, Block 5, Day Suburban Acres Addition to the City of Tulsa, Oklahoma.

10216

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the height requirements to permit the construction of a 3-story, 36' high educational building at 948 South 91st East Avenue.

Presentation:

Bruce Ervin, architect, representing Eastwood Baptist Church, advised the Church proposed construction of a 36' high, 3-story building on the site of a former building which was destroyed by fire. Pre-cast concrete, reinforced concrete, or masonry and steel are being considered for the building. Mr. Ervin presented parking statistics (Exhibit "N-1") which will remain the same with the new building.

Protestants:

Glenn A. Morford, 734 South 91st East Avenue, advised he felt the Church had overbuilt and did not have adequate parking. He voiced opposition to a new building being constructed.

Interested Party:

Bill Gwartney, member of the Church stated the buses have a separate parking lot which is used during the week, but they do park the buses in front of the Church on Sunday mornings.

The Staff pointed out that the new facilities are to be built in the same spot as the fire and the height of the new structure is less than the existing structure height.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the height requirements to permit the construction of a 3-story, 36' high educational building, per plans submitted, on the following described tract:

Block 20, and Lots 36, 37 and 38, Block 32, Clarland Acres Addition to the City of Tulsa, Oklahoma.

10217

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from the center-line of 129th East Avenue from 85' to 77'; and request for a variance of the front setback requirements from 25' to 20' at 12910 East 25th Street.

Presentation:

Jim Birkes, Continental Homes, 308 South Chestnut, Broken Arrow, stated that both the homes were inspected by the FHA and the City Inspectors; however, they did not find, at that time, the homes were encroaching on building lines. Now the homes are 50% completed and Mr. Birkes stated he didn't feel these encroachments would have a negative effect on Brandon Park Addition. The applicant presented a plot plan (Exhibit "O-1") showing the hardship to be the shape of the lots, which are on a cul-de-sac.

11.2.78:272(13)

10217 (continued)

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from the center-line of 129th East Avenue from 85' to 77'; and request for a variance of the front setback requirements from 25' to 20' at 12910 East 25th Street, per plot plan submitted, on the following described tract:

Lots 8 and 9, Block 2, Brandon Park Addition to the City of Tulsa, Oklahoma.

10218

Action Requested:

Variance (Section 1221.5 (d) (3.a) - District Use Conditions - Under the Provisions of Section 1670 - Variances) to permit more than one sign on each street frontage identifying the commercial complex and individual tenants therein at 6202 South Sheridan Road.

Presentation:

Tom Tannehill, 525 South Main Street, Suite 202, representing the applicant, exhibited pictures (Exhibit "P-1") of the subject property and the proposed location and what is planned for the area. The application is for a single pole sign, 40' high and 10' x 30' double-sided board with all lighting directed upward. The sign will be in an east-west direction and will not be visible from the Shadow Mountain complex or in a southerly direction on Sheridan. Mr. Tannehill advised that the topography of the land caused hardship in that the sign does not have the normal vision that a sign should have since it sets near the crest of the hill.

Protests: None.

The Chair felt that the Board needed more information as to the extent of the variance (how many square feet over allowable) and a question was raised as to notice since an exception may also be required.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to continue Case No. 10218 to December 7, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10220

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) for permission to build across a lot line in an RS-3 District at 3524 West 42nd Place.

10220 (continued)

Presentation:

The applicant was not present and the Staff advised all the information needed was in the file and noted an exhibit (Exhibit "Q-1") of the Plat of Survey.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line in an RS-3 District on the following described tract:

Lots 11 and 12, Block 22, Yargee Addition to the City of Tulsa, Oklahoma.

10221

Action Requested:

Variance (Section 280 - Structure Setback From Abutting Streets) of the setback requirements from 100' to 45' from the center-line of Harvard to permit enclosure of a porch at 1601 South Harvard Avenue.

Presentation:

Vance Childress, 1620 South Harvard Avenue, presented a plot plan (Exhibit "R-1") and advised that he has converted an old residence into a business and enclosed a front porch. He later found out that by enclosing the front porch he was encroaching on the front building setback. His structure sets 5' 2" into the planned major street right-of-way.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 280 - Structure Setback From Abutting Streets) of the setback requirements from 100' to 45' from the center-line of Harvard to permit enclosure of a porch, per plot plan submitted, on the following described tract:

Lots 1 and 2, Block 8, Sunrise Terrace Addition to the City of Tulsa, Oklahoma.

10223

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements to permit a lot-split in an RS-1 District located NW of 19th Street and 85th East Avenue.

Presentation:

The applicant was not present.

10223 (continued)

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") granted a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements to permit a lot-split (L-14497) in an RS-1 District, on the following described tract:

The East 150' of the S/2 of Block 8, O'Connor Park Addition to the City of Tulsa, Oklahoma.

10230

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements to permit a lot-split southeast of 68th Street and Memorial Drive.

Presentation:

The applicant, Roy Johnsen, was present. The Staff advised the Planning Commission approved the lot-split November 1, 1978, subject to the Board of Adjustment approval.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to grant a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements to permit a lot-split (L-14500) on the following described tract:

Parts of Lot 1, Block 2, Woodland Hills Mall, Blocks 2, 3, 4, and 5. Beginning at a point in the West Boundary of said Lot 1, 160.0' from the South-Northwest corner thereof; thence due East a distance of 115.0'; thence South $0^{\circ}-03'-42''$ West a distance of 11.0'; thence due East a distance of 123.0'; thence North $0^{\circ}-03'-42''$ East a distance of 12.50'; thence due East a distance of 12.00'; thence South $0^{\circ}-03'-42''$ West a distance of 0.0'; thence on a curve to the left having a radius of 121.38' a distance of 30.83'; thence South $14^{\circ}-29'-34''$ E a distance of 87.96'; thence due West a distance of 276.00' to a point in the West Boundary of said Lot 1, thence North $0^{\circ}-03'-42''$ East along the West Boundary of said Lot 1 a distance of 114.17' to the point of beginning; containing 28,520 square feet or 0.65472 acres; and

Beginning at a point in the West Boundary of said Lot 1, 274.17' from the South-Northwest corner thereof; thence due East a distance of 276.00'; thence South $14^{\circ}-29'-34''$ East a distance of 76.22'; thence on a curve to the left having a radius of 190.22', a distance of 47.75' to a point in the Southerly Boundary of said Lot 1; thence

South $61^{\circ}-07'-30''$ West along the Southerly Boundary of said Lot 1, a distance of 31.39'; thence on a curve to the left having a radius of 175.00', a distance of 81.00'; thence North $55^{\circ}-23'-41''$ West a distance of 8.92'; thence due West a distance of 218.51' to a point in the West Boundary of said Lot 1; thence North $0^{\circ}-03'-42''$ East along the West Boundary of said Lot 1, a distance of 182.00 feet to the point of beginning; containing 51,402 square feet or 1.18002 acres: and

Beginning at a point in the West Boundary of said Lot 1, 456.17' from the South-Northwest corner thereof; thence due East a distance of 218.51'; thence South $55^{\circ}-23'-41''$ East a distance of 8.92'; thence South $34^{\circ}-36'-19''$ West a distance of 0.00'; thence on a curve to the left having a radius of 175.00' a distance of 105.51'; thence South $0^{\circ}-03'-42''$ West a distance of 154.59'; thence on a curve to the right having a radius of 25.00' a distance of 39.24'; thence due West a distance of 129.97'; thence on a curve to the right having a radius of 50.00' a distance of 46.42'; thence North $0^{\circ}-03'-42''$ East a distance of 263.79' to the point of beginning, containing 56,090 square feet or 1.28765 acres, Tulsa County, Oklahoma.

OTHER BUSINESS:

Plans on Case No. 8784:

Blaine Imel, architect representing the Jenks Board of Education, presented a plot plan (Exhibit "S-1") and advised that their detailed plans were slightly different than the original site plan; however, they are complying with the original concept of a campus plan. The various structures will be connected with covered walkways, and the property will be developed as a campus containing all three grade divisions. He requested the new plan be substituted for the original site plan.

The Staff pointed out that the Board had required that the right-of-way for the two major streets be dedicated as a condition of approval and this had not been done even though some buildings are already constructed.

On MOTION of JOLLY, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to accept the new plans in concept, subject to the major street dedication being made prior to the issuance of any additional building permits.

Plans on Case No. 10061:

The applicant for this Case was not present.

On MOTION of SMITH, the Board voted 3-0 (Jolly, Purser, Smith voting "aye"; no "nays"; Lewis "absent") to continue Case No. 10061 to November 16, 1978, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

There being no further business, the Chair adjourned the meeting at 4:20 p.m.

Date Approved December 11, 1978
Dorothy J. Purser
Chairman