

BOARD OF ADJUSTMENT
MINUTES (No. 279)
Thursday, February 15, 1979, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Jolly Purser, Chairman Smith Wait	Lewis	Gardner Howell Jones Miller	Bates, Bldg. Insp. Office Jackere, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, February 13, 1979, at 10:40 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.

UNFINISHED BUSINESS:

10268 - Plans:

Presentation:

Al Frampton, 2204 South Terwilleger, advised he had final plans for the Board approval (Exhibit "A-1"). He explained the first floor would be brick and stone with stucco and beams used on the second floor, which is traditional in the neighborhood. Mr. Frampton stated his desire was that the house would look as if it had been there for forty years to blend in with the area.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve the final Plans for Case No. 10268, as submitted.

10222

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to erect mini-storage buildings in a CS District at Highway #51 and 137th West Avenue.

Presentation:

The applicant was not present. Mr. Jones advised the plat is still pending because of drainage problems.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue Case No. 10222 to March 1, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10279

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) for permission to erect duplexes in an RS-3 District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the frontage and area requirements in an RS-3 District at 2137 South Lewis Avenue.

Presentation:

Jerry McArtor, 3113 East 35th Place, stated he had redesigned the duplex proposal on the lots so that a variance in the lot area requirements was no longer necessary. Mr. McArtor advised he had extended the two lots, each having 10' of frontage, to Lewis Avenue, the arterial street.

The Staff advised the Board had denied the variance, as it applies to 9,000 sq. ft., at the last meeting, but did not deny the frontage variance.

Protestant:

W. Roy Stockton, 2412 East 22nd Place, representing the South Lewis Homeowners Association, advised he would like to have an opportunity to look at the plat. Mr. Stockton felt there was too much density in the area and also noted the heavy traffic along Lewis Avenue.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) to erect two duplexes in an RS-3 District; and granted a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the minimum lot frontage requirements in an RS-3 District and approve a Variance of the accessory building setback between lot lines, per plans and specifications submitted, on the following described tract:

The North 96' of the West 300' of Lot 18, Block 1, Harter's Second Addition to the City of Tulsa, Oklahoma.

10281

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to permit a mobile home in a CS District for a night watchman at 7702 Charles Page Boulevard.

Presentation:

Bill Stevenson, 604 Lake Drive, Sand Springs, advised he was going to open another gas station on the property and needed the night watchman there to protect against vandalism. This will be a 1979, 14' x 52' mobile home and will be placed directly behind the service station.

2.15.79:279(2)

10281 (continued)

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to grant a Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to permit a mobile home in a CS District for a night watchman, for a period of three years, to run with this owner only, removal bond required, on the following described tract:

Lots 1, 2, & 3, Block 1, Second Lake Subdivision to the City of Tulsa, Oklahoma.

10291

Action Requested:

Exception (Sections 630 & 640 - Bulk and Area Requirements in the Office Districts - Special Exception Uses in Office Districts, Requirements - Under the Provisions of Section 1680 - Exceptions) to allow a floor area ratio of .30; and allow two-story buildings in an OL District NW of 49th Street and Lewis Avenue.

Presentation:

Charles Norman, Philtower Building, Suite 1100, commented that this Case had been continued on two different occasions and members of the Board at that time expressed concern about the site plan and asked the applicant to review the location of the proposed drive-in bank facility, the traffic flow, and to consider alternative locations. Mr. Norman presented an aerial photograph (Exhibit "B-1") advising it would give a better perspective of the site and location of some of the properties involved. Mr. Norman advised that the applicant met with the Traffic Engineer and the City Engineer to assess their position of adding an additional lane of traffic from 49th Street South; however, because of the weather the City has been unable to make field-check counts. The counts are being taken at this time, and the City Engineer will advise Lincoln Properties in the near future as to whether a sufficient benefit would accrue from installing the lane. Both the City Engineer and the Traffic Engineer stated they would not support the addition of a traffic signal at 49th Street and Lewis Avenue since any further interruptions in the south bound flow of traffic would seriously impede the traffic movement through the I-44 intersection. The applicant advised that several alternative locations for the drive-in bank facility had been considered and presented a revised site plan (Exhibit "B-2"). In the revised plan, the drive-in facility is located at the extreme southwest corner of the site. The traffic would enter from the existing driveway on Lewis Avenue, having a single stacking lane of traffic for the drive-in which would be separated from the parking area. The stacking lane for the drive-in would be in the space where there is an elevation drop of more than 20' and should be completely screened from view. There are presently 65 trees on the site of which 44 trees will be saved under the revised plan. The request for this plan is a 30% floor area coverage with two-story coverage.

Protestants:

Richard Carpenter, 2477 East 49th Street, submitted letters containing 54 signatures (Exhibit "B-3") protesting the proposed two-story building. Mr. Carpenter also presented the records (Exhibit "B-4") whereby the zoning was established as OL in the area. The protestant noted the Covenant and advised it was the nucleus and basis for all the zoning matters in the area.

Russell Linker, Legal Department, advised that the Covenant is a private contract which the Board has no control of and could be changed at any time and the Board should not be influenced by the contract in making their decision.

Chuck Pate, 2258 East 48th Street, stated he works for Texaco and moves from place to place often and each time he relocates, he looks for the residential area with trees. He was pleased that the applicant planned to preserve the trees; however, he said he would be willing to give up some trees in order to eliminate the stacking lane for the drive-in bank behind his property.

Board Action:

On MOTION of JOLLY, the Board voted 3-0-1 (Jolly, Purser, Wait "aye"; no "nays"; Smith "abstaining"; Lewis "absent") to approve an Exception (Sections 630 & 640 - Bulk and Area Requirements in the Office Districts-Special Exception Uses in Office Districts, Requirements - Under the Provisions of Section 1680 - Exceptions) to allow a floor area ratio of .30; and allow two-story buildings in an OL District, per revised Plans submitted, on the following described tract:

A part of the South 50.00' of the SE/4 of the NE/4 of the SE/4 and a part of the N/2 of the N/2 of the SE/4 of the SE/4 and a part of the North 100.00' of the S/2 of the N/2 of the SE/4 of the SE/4, ALL in Section 30, Township 19 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit:

Beginning at a point on the East line of Section 30, said point being 889.17' North of the SE corner of Section 30, Township 19 North, Range 13 East, Tulsa County, State of Oklahoma, and 100.00' South of the SE corner of the N/2 of the N/2 of the SE/4 of the SE/4; thence South 89°-48'-03" West and parallel with the South line of said N/2 of the N/2 of the SE/4 of the SE/4, a distance of 599.50' to a point; thence North 00°-22'-30" West and parallel with the East line of Section 30 a distance of 479.87' to a point being 50.00' North of the South line of the SE/4 of the NE/4 of Section 30; thence North 89°-48'-39" East and parallel with the South line of said SE/4 of the NE/4 a distance of 594.50' to a point on the East line of Section 30; thence South 00°-22'-30" East along the East line of Section 30, a distance of 479.77' to the point of beginning and containing 285,250.45 square feet or 6.548 acres, more or less.

10301

Action Requested:

Variance (Section 1320 (f) - Off-Street Parking - General Requirements - Under the Provisions of Section 1670 - Variances) of the required parking spaces that are not located on the same lot containing the use located north and west of 55th Place and Garnett Rd.

Presentation:

The applicant was not present. Mr. Jones advised that he had informed the applicant the matter would be heard on this date and a decision would be made.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to dismiss Case No. 10301 without prejudice.

10308

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Special Exception Uses - Governmental Services) for permission to use the west-half of property for street maintenance facility and the east-half for a public park located north and east of 36th Street North and Harvard Avenue.

Presentation: None.

Protestant:

Russ Roach, 1235 East 27th Place, presented a letter (Exhibit "C-1") from Don McCorkle, attorney for the protestants in this case, requesting a continuance due to legislative duties. Mr. Roach advised that Mr. McCorkle had arranged his schedule to be present at the last meeting and at that time Jim Carpenter, Street Maintenance Engineer, had requested a continuance.

For The Record:

Russell Linker, Legal Department, stated he didn't feel the request for continuance had been presented properly. He didn't believe the Board would be bound by statute to grant a continuance based on the way in which the request was presented.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue Case No. 10308 to March 1, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10311

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' to permit a lot-split at 2110 East Newton Avenue.

10311 (continued)

Presentation:

The Staff advised that the Planning Commission approved the lot-split on February 7, 1979, subject to the approval of the Board of Adjustment.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "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 50' to permit a lot-split on the following described tract:

Part of the NW/4, SE/4, NE/4 of Section 31, Township 20 North, Range 13 East, Tulsa, Oklahoma, more particularly described as follows:

Beginning 147' East of the NW corner; thence South 320'; thence East 117'; thence North 320'; thence West 117' to the point of beginning.

10322

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwellings) for permission to erect two duplexes in an RS-3 District; and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the area requirements for a duplex in an RS-3 District in the 3900 Block on East 51st Place.

Presentation:

Larry Klinger, 601 North Dogwood, Broken Arrow, presented a plot plan (Exhibit "D-1") and stated that additional trim to enhance the appearance had been added to the front and on the carport. Each unit will contain slightly over 1,000 sq. ft. Mr. Klinger stated it would be possible to have a double car garage for each unit.

Protestants: None.

Interested Party:

Burl Burnett, 5133 South Marion Avenue, stated the duplexes will front his property and his concern was with the water drainage. The underground storm sewer exits onto his property and water washes across the street.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue Case No. 10322 to March 1, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow the applicant time to change his plans in order to be more commensurate with the area and more acceptable to the Board.

NEW APPLICATIONS:

10020

Action Requested:

Variance (Section 1208.4 - Multifamily Dwelling and Similar Uses - Under the Provisions of Section 1670 - Variances) of the number of parking spaces from 16 to 15 southwest of 17th Street and Cheyenne Avenue.

Presentation:

Robert Nichols, 800 Petroleum Building, presented a plot plan and site plan (Exhibits "E-1 and E-2") and advised that an application for a setback variance was approved by the Board several months ago on this same property; this action was appealed to the District Court. This appeal was dismissed with the understanding the applicant would widen the driveway approach into the project. The applicant complied with the request, but in so doing one parking place was lost. Therefore, a variance would be necessary to allow just 15 parking spaces for the 8 units on the property.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to grant a Variance (Section 1208.4 - Multifamily Dwelling and Similar Uses - Under the Provisions of Section 1670 - Variances) of the number of parking spaces from 16 to 15, per plans submitted, on the following described tract:

Lots 1, 2 and 3, Block 11, Stonebraker Heights Addition to the City of Tulsa, Oklahoma.

10292

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agricultural District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District; and a

Variance (Section 340 - Special Exception Uses, Requirements - Under the Provisions of Section 1670 - Variances) of the 5-acre minimum for a mobile home in an AG District located NW of 121st Street and the Okmulgee Expressway.

Presentation:

The applicant was not present.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue Case No. 10292 to March 1, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

2.15.79:279(7)

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1208 - Multifamily Dwelling and Similar Uses) to permit multifamily use in an OL District and a

Variance (Section 640 (2) - Special Exception Uses in Office Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit two-story buildings; and request for a Variance of the front yard requirements from 95' to 62'; the side yard requirements from 10' to 8'; and the rear yard from 20' to 10' at 2506 East 21st Street.

Presentation:

Don Harrington, 2202 South Madison, presented a site plan (Exhibit "F-1") and stated his plans called for exclusive-type townhouses, 1,800 to 2,000 sq. ft. per unit and a two-car garage for each unit. These units would be limited to adults only. The outside would be of old Chicago brick, but the final plans were not completed.

Protestants:

W. R. Stockton, 2412 East 22nd Place, representing the South Lewis Homeowners Association, advised that eventually 21st Street would be widened and made a primary arterial street and at that time the applicant's buildings would be within 2' of the edge of the street. Mr. Stockton also expressed concern about the run-off into the flood plain area.

Bonner Brady, 4166 East 48th Place, advised it was nearly impossible to enter 21st Street during the business hours due to the density of the traffic; the entrance to the applicant's project is on 21st Street which will further impact the traffic. He felt that due to the traffic, and possible flooding because of the run-off, the project would be a detriment to the area.

Earl Smith, 2502 East 19th Street, President of the Lewiston Gardens Homeowners Association, advised the Association was opposed to the application due to the aforementioned reasons and also expressed concern about the additional traffic due to 14 more families. The Association would agree that the best use of the property is residential, but not with this density.

W. M. LaFortune, 2128 South Atlanta Place, presented protest letters (Exhibit "F-2") and advised that after a good rain he has 2' to 3' of water in his back yard.

C. O. Clark, 2121 East 22nd Place, stated that the Texaco building had flooded at least three times since it was built and the condition is worse now because of more building in the area.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue Case No. 10319 to March 1, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and ask the Staff to conduct a setback study of the buildings on the south side of 21st Street, from the corner of Lewis Avenue to Columbia Avenue.

10326

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 RS-2 District at 11504 East 14th Street.

Presentation:

Mrs. Donald Kocher, 1504 East 14th Street, advised that her parents live in the trailer so that she might care for her mother who is ill. Mrs. Kocher cleans and also cooks all the meals for her parents.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RS-2 District, for a period of one year, removal bond required, on the following described tract:

The W/2 of Lot 3, All of Lot 4, Elmhurst Addition to the City of Tulsa, Oklahoma.

10327

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Variances of the setback requirements from 100' to 73.5' from the centerline of Charles Page Boulevard at 5334 Charles Page Boulevard.

Presentation:

David Mount, 809 South 31st, Broken Arrow, presented a plot plan (Exhibit "G-1") and advised that he was representing the new owners who had purchased the property with an existing six bay car wash. The applicant proposes to build a permanent structure in order to market gasoline products (islands and tanks are already in place). The variance is necessary in order to move the building forward to maintain traffic flow and avoid the stack-up of traffic. The Glen Station Church of God, immediately to the south of the subject property, is presently using a portion of the applicant's property for parking on Sunday and week nights. Mr. Mount presented a letter (Exhibit "G-2") of agreement from the Church

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0-0 (Jolly, Purser, Smith "aye"; no "nays"; no "abstentions"; Lewis, Wait "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 73.5' from the centerline of Charles Page Blvd., per plot plan submitted, on the following described tract:

The North 100' of Lot 13; All of Lot 12, Block 2, Amended Plat of Vern's Subdivision to the City of Tulsa, Oklahoma.

2.15.79:279(9)

10328

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 RS-1 District located in the 9300 Block South 193rd East Avenue.

Presentation:

Gary Watson, Broken Arrow, advised that he planned to offer the property for sale this month and would like to leave the trailer in place until the property is sold.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 3-0-0 (Jolly, Purser, Smith "aye"; no "nays"; no "abstentions"; Lewis, Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes), to maintain a mobile home in an RS-1 District for a period of one year, removal bond required, on the following described tract:

That part of the NE/4, NE/4 of Section 24, Township 18 North, Range 13 East of the I.B.&M., Tulsa County, Oklahoma, according to the U. S. Government Survey thereof; beginning at a point on the Easterly line thereof, said point being 1,045.37' Southerly of the Northeast corner of and said NE/4 NE/4, and said point also being 273' Northerly of the Southeast corner of said NE/4 NE/4; thence Westerly and parallel to the Southerly line thereof 543'; thence Southerly for 204' to a point that is 69' Northerly of the Southerly line thereof; thence Easterly for 543' to the Easterly line thereof; thence Northerly for 204' to the point of beginning.

10329

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 4925 North Trenton Avenue.

Presentation:

Lydia Thompson, 4925 North Trenton, stated she had retired and recently relocated from Illinois and would like to receive cosmetology patrons on a part-time basis. The applicant advised she would have one chair and one dryer.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an 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, to run with this owner only, on the following described tract:

Lot 15, Block 12, Northridge Addition to the City of Tulsa,
Oklahoma. 2.15.79:279(10)

10331

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the lot frontage requirements from 300' to 200' in an AG District, located north and west of 116th Street North and Harvard Avenue.

Presentation:

Floyd Hayman, 5715 East 7th Street, presented a plat of survey (Exhibit "H-1") and advised the lot is approximately 2 2/3 acres and is on high ground in front of the creek.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to grant a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the lot frontage requirements from 300' to 200' in an AG District on the following described tract:

A tract of land in the S/2 of the SE/4 of Section 5, Township 21 North, Range 13 East being more particularly described as follows, to-wit:

Beginning at a point on the South Line of said S/2 that is 660.0' West of the Southeast corner thereof; thence West along the said South Line a distance of 200' to a point; thence North and parallel to the East Line of said S/2 a distance of 580.8' to a point; thence East and parallel to the South Line of said S/2 a distance of 200' to a point; thence South and parallel to the East Line of said S/2 a distance of 580.8' to the point of beginning.

10333

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 3'7" at 7334 East Virgin Street.

Presentation:

Arthur White, 7334 East Virgin Street, presented a plat of survey (Exhibit "I-1") and advised he needed the variance in order to build a garage and utility area onto his home.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; 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 5' to 3'7", per plot plan submitted and with the understanding that the applicant will secure a letter of agreement from the property owner to the west, on the following described tract:

Lot 16, Block 11, Douglas Park Addition to the City of Tulsa, Ok.
2.15.79:279(11)

10334

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 located NW of 46th Street and 177th East Avenue.

Presentation:

Murrel Lorenz, 5621 South 75th East Place, stated he plans to build a stable for horses and use the mobile home as a residence until a home is constructed in three to five years. The trailer home will be used on a part-time basis, primarily week ends, at this time. The applicant stated he was considering a 1973-74, 2 bedroom, 14' x 60' mobile home. An abandoned home on the property will be torn down and the trailer will be placed in that area.

Protestant:

C. F. McGee, 4330 South 177th East Avenue, advised he lives directly north of the subject property and there are no other mobile homes in the area. Mr. McGee presented pictures (Exhibit "J-1") of the area and the houses which will vary from \$40,000 to \$90,000 in value. He does have his property for sale at this time and feels a mobile home on the subject property would lower the value of his property.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an 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 three years, on the following described tract:

The S/2, S/2, SE/4, NE/4 of Sec. 26, T-19-N, R-14-E, Tulsa County, Oklahoma.

The Board advised the applicant they would not be inclined to grant an extension at the end of the 3-year period, unless the time was needed to finish a house already under construction.

10335

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 church use and school use at 1802 South Jackson Avenue.

Presentation:

Glen Noble, representing Literacy and Evangelism, 4900 South Lewis, advised that Literacy and Evangelism was founded 11 years ago for the purpose of training literacy workers in the field of teaching. The outreach is nondenominational and the support comes from major denominations and individuals around the Country. The Director is a former missionary who is an expert in the field of literacy. Mr. Noble presented a plot plan (Exhibit "K-1") and stated the land was purchased from TURA and Board approval was needed in order to build the training facility. The facility will be used for a training of volunteer literacy teachers in the Tulsa area and the training of prospective missionaries from around the Country who will be sent to various countries of the world following their training; students will not be

10335 (continued)

trained in this building. There is a possibility of an occasional evening training session. The proposed cost of the building is \$270,000.

Jim Smilley, 5840 South Memorial Drive, architect for the project, advised the land use would be very low-intensity with less than 5% of the land area covered with buildings and less than 7.6% for paving. All of the trees will be retained and the applicant hopes to maintain a park-like atmosphere to act as a buffer to the residential area. Mr. Smilley presented a site plan (Exhibit "K-2") and advised of the possibility of duplex units being erected to the south in the future; approximately one-acre of land would be left that could be developed later into living units for missionaries who are in training. Mr. Smilley exhibited a rendering (Exhibit "K-3") of the proposed structure; the materials to be used on the building will be native rock, redwood and glass which will be comparable to the materials used in the surrounding neighborhood. There will be a minimum amount of lighting and could be arranged to be directed away from the neighborhood. On the area facing Jackson Avenue, there will be a large area with stained glass windows which will be on a timer and remain lighted until midnight. The second floor of the building will be used as a library to store manuals for the missionaries use in their overseas work; there is one window on the back of the building overlooking the residential area and the window could be omitted without destroying the design. One alternative to gaining more setback on the west, would be to shift the driveway and building to the east and make a shorter driveway turn-around.

Protestants:

Bob Bartz, 1813 South Nogales, presented a protest petition (Exhibit "K-4") signed by 88 homeowners in the area stating they protest the proposed use of the property. Mr. Bartz advised that the community of Westwood, consisting of approximately 100 single-family homes, acted as a buffer between the west bank of the River Parks project and industry in the area. He stated he felt the success of the community, to provide a pleasant atmosphere for the people who will be coming to River Parks, would be very essential to the success of the River Parks project. At the time of purchase, people living in the area were under the impression that the subject property would be used as a park.

J. R. Jones, 1810 South Nogales, questioned how many students the structure would house, what hours the school would be open, where the funding is acquired, would there be all-night lights, and how many windows will be in the back of the building.

Adrian Foley, 3760 South 82nd East Avenue, who represented the builder and sold many of the homes during development of Westwood, stated he felt any development would be premature and not the best use of the land.

Interested Party:

Jerry Sutton, representing TURA, advised there is a contract for the purchase of the site subject to Board of Adjustment exception being granted for this particular development. TURA has imposed certain conditions to run with the land; i.e., plans for the building will

10335 (continued)

need to be approved by TURA, any proposed dwelling units on the property would be limited to five, all access to the site would be from Jackson Avenue with one exception - the privilege of building a single-family residence fronting on 19th Street, and the erection of a 6' screening fence of similar material to the fence currently being built by TURA along Jackson Avenue. Mr. Sutton stated he felt with these conditions imposed by TURA the development could be an asset to the area.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use the property for church use and school use, subject to approval by the City Engineer as to the drainage, omit the window as it faces the residential area to the west, install low mushroom-type lighting around the building and parking area so it is directed completely away from the adjoining residential area, the photograph of the rendering be placed in the files and the exterior of the building be exactly as shown in the rendering and final plans be resubmitted to the Board for approval (see if the building can be moved to the south, to get it further away from the west property line), on the following described tract:

Lot 17, Block 7, Riverview Park Second Addition to the City of Tulsa, Oklahoma.

10336

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) for permission to erect a duplex in an RS-3 District, located north and east of 36th Place and Louisville Avenue.

Presentation:

Robert Crowe, 2929 East 75th Street, advised that all the dwellings on this block are duplexes. Mr. Crowe stated that there are drainage problems in the area and he has been working with the City Engineer to correct the problems. The applicant did not have a plot plan, but would provide one when he was assured he would be able to build a duplex on the property. His duplex would be contemporary in the traditional ranch style with a detached carport.

Interested Party:

Louise Lincoln, 3717 East 36th Place, stated her property adjoins the subject property and was very interested in the drainage since the water now runs through her back yard and with any land-fill it would flood her house.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) to erect a duplex in an RS-3 District,

10336 (continued)

subject to the applicant returning to the Board with the final plans and elevations with the understanding by the applicant that the plans could be turned down if they were not compatible with the existing duplexes in the neighborhood, that the Hydrology Department and City Engineer approve the drainage plans, on the following described tract:

The East 80' of that part of Block 9, 36th Street Suburb, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows, to-wit:

Commencing at the SW corner of Block 9; thence running East along the South line thereof, a distance of 195'; thence North at right angles, a distance of 157'; thence West to the East Line of Louisville Avenue; thence in a Southeasterly direction along the East Line of said Louisville Avenue to the point of beginning.

10337

Action Requested:

Exception (Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1212 - Eating Places Other Than Drive-Ins) for permission to operate a restaurant in an IL District at 4123 South Sheridan Road.

Presentation:

Deborah Brown, the applicant's partner, advised this is an existing strip shopping center, and the proposed business would be a Cantonese Restaurant. The hours of business will be 11:30 a.m. to 1:30 p.m. and 6:00 p.m. to 9:00 p.m.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1212 - Eating Places Other Than Drive-Ins) to operate a restaurant in an IL District, on the following described tract:

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

10338

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 RM-2 District at 4740 West 8th Street.

Presentation:

Robert McKinney, 411 South 54th West Avenue, purchased an 8' x 35' 1972 travel trailer for his mother-in-law to live in so she wouldn't have to be in a nursing home. The trailer will be sold when she has no further need for it. There are no other mobile homes in the area, but there is a mobile home park nearby.

10338 (continued)

Protestants: None.

Three letters of protest (Exhibits "L-1, L-2, L-3") were entered in the file.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 440 (6) - Mobile Homes) to locate a mobile home in an RM-2 District, on the following described tract:

Part of Lot 2, Block 2, Rayburn's Subdivision to the City of Tulsa, Oklahoma; beginning at the NW corner of Lot 2; thence South 311.66'; thence East 50'; thence North 201.5'; thence West 50' to the point of beginning.

10339

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the lot width and frontage requirements in an AG District located north and west of 111th Street and Yale Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, stated his client intended to make four lots out of the subject property. The two southern lots meet the width requirement of 300'; however, the two northern lots would meet the width requirement on the portion where the houses would be built, but the access to the lots is by means of a panhandle strip to 111th Street. The application for rezoning will be withdrawn. A plat of survey (Exhibit "M-1") was presented.

Protestants: None.

Board Action:

On MOTION of JOLLY, the Board voted 4-0-0 (Jolly, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to grant a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the lot width and frontage requirements in an AG District, on the following described tract:

A tract situated within an AG Agriculture District being generally located north and west of the northwest corner of 111th Street South and Yale Avenue, more particularly described as:

The West 778' of the S/2 of the SE/4 of the SE/4 of Section 28, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

OTHER BUSINESS:

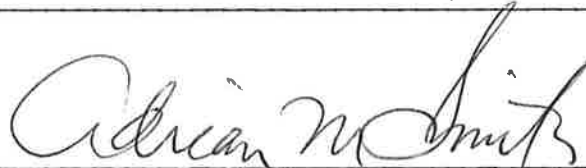
Plans - Case No. 10061

The Staff advised that Mr. Hitt, the applicant, had attended the December 28th meeting and received vocal approval from the Board; however, there was not a quorum present at the time. The Building Inspector has issued a permit and the building is under construction. Mr. Jones was directed by the Board to notify the applicant that he must return to the Board for their formal approval.

There being no further business, the Chair adjourned the meeting at 6:30 p.m.

Date of Approval _____

3 - 29 - 79



Acting Chairman