

BOARD OF ADJUSTMENT  
MINUTES (No. 285)  
Thursday, May 10, 1979, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT

Lewis  
Purser, Chairman  
Smith  
Thompson  
Wait

STAFF PRESENT

Gardner  
Howell  
Jones

OTHERS PRESENT

Miller, Building  
Insp'rs. Office  
Jackere, Legal  
Department

The notice and agenda of said meeting were posted in the Offices of the City Auditor, Room 919, on Wednesday, May 9, 1979, at 8:28 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Purser called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve the Minutes of March 29, 1979 (No. 282).

MINOR VARIANCES AND EXCEPTIONS:

10424

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements from 60' to 50' in an RM-2 District to permit a lot-split at 7933 West 17th Street.

Presentation:

The Staff advised that the Planning Commission had approved the lot-split on May 2, 1979.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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' in an RM-2 District to permit a lot-split on the following described property:

The West 115' of Tract 36, Lot 7, Billington Acres Tracts an Addition to the City of Tulsa, Oklahoma.

10450

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 SW of 96th Street North and Sheridan Road.

Presentation:

Mr. Jones stated the Planning Commission approved the lot-split on May 2, 1979.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a 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 on the following described tract:

The E/2, E/2, NE/4, NW/4, NE/4 of Section 22, Township 21 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, containing 2 1/2 acres; and the

W/2, E/2, NE/4, NW/4, NE/4 and the SE/4, NW/4, NE/4 of Section 22, Township 21 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, containing 7 1/2 acres.

10467

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. (There now exist 72 units; proposes 64 more units) located NE of 31st Street and Sandusky Avenue.

Presentation:

Charles Norman, representing the owners of the apartments, stated the apartments were constructed approximately 10 years ago and the owners now desire to expand the project by adding 64 additional units. The Ordinance has been changed since the initial development, to require approval of the Board to construct more than 40 units on one lot. Mr. Norman presented a plot plan (Exhibit "A-1") stating the configuration is somewhat changed, but the number of units would be in accord with RM-2 standards.

Protestant:

Ted Krossey, 2840 South Sandusky Avenue, who lives across the street from the project, stated he had no objection to the building, but did object to the owners allowing the weeds to grow up outside the stone wall on the property. Mr. Krossey also voiced objection to any private cars using the north gate since traffic on Sandusky is already very heavy. This gate was originally restricted to emergency vehicles only. The Staff advised that the subdivision plat restricts access to Sandusky Avenue to emergency vehicles only.

10467 (continued)

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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. (There now exist 72 units; proposed 64 more units), on the following described property:

Lot 3, Block 1, Georgian Terrace Addition to the City of Tulsa, Oklahoma.

10472

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an OL District to permit a lot-split NW of Edison Street and Zenith Avenue.

Presentation:

The Staff advised that the Planning Commission had approved the lot-split on May 2, 1979, subject to Board of Adjustment approval.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an OL District to permit a lot-split on the following described property:

Lot 1, Block 1, Massad Addition II, located in the W/2 of the SW/4 of Section 34, Township 20 North, Range 12 East, of the Indian Base and Meridian, Osage County, Oklahoma, according to the duly recorded plat of Lot 1, Block 1, Massad Addition II, and a resubdivision of the West 30 feet of Lot 2, Block 1, Massad Addition.

10489

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an AG District from 300' to 100' at 9942 East 142nd Street North.

Presentation:

Mr. Jones advised that this property was in a "Wildcat" subdivision. The applicant owns 3½ acres located on a curve with 100' of frontage.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 330 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an AG District from 300' to 100' on the following described property:

10489 (continued)

A tract of land in the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section 30, Township 22 North, Range 14 East of the Indian Base and Meridian, more particularly described as follows, to-wit: Starting at the SW corner of said SE/4, SW/4, NW/4; thence South 89°-50'-32" East along the South line of said SE/4, SW/4, NW/4, 220' to the point of beginning; thence North 00°-00'-50" West parallel to the West line of said SE/4, SW/4, NW/4, 520'; thence South 89°-50'-32" East parallel to the South line of said SE/4, SW/4, NW/4, 100'; thence South 0°-00'-50" East 25'; thence South 37°-36'-42" East 449.09'; thence South 140'; thence North 89°-50'-32" West 373.95' to the Point of Beginning, said tract containing 3.19 acres, more or less. The Northerly 25' being a Roadway Easement.

UNFINISHED BUSINESS:

10396

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwelling and Similar Uses - Variances - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit a townhouse development with attached and detached dwelling units on individual lots in a CS District located north and east of Admiral Place and Garnett Road.

Presentation:

The applicant had been advised the Case would be heard; however, the applicant was not present.

Board Action:

On MOTION of LEWIS, the Board voted 4-1-0 (Lewis, Purser, Thompson, Wait "aye"; Smith "nay"; no "abstentions") to DENY Case No. 10396.

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to recind the previous action and to pass Case No. 10396 to the end of the agenda in order to see if the applicant would show up.

The applicant was still not present when this Case was presented at the end of the meeting.

On MOTION of LEWIS, the Board voted 4-1-0 (Lewis, Purser, Thompson, Wait "aye"; Smith "nays"; no "abstentions") to DENY an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwelling and Similar Uses - Variances - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit a townhouse development with attached and detached dwelling units on individual lots in a CS District on the following described property:

The East 300' of Lot 4, in Section 5, Township 19 North, Range 14 East; and the West 500' of Lot 5, Section 5, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

10420

Action Requested:

Variance (Section 640.3 (d) - Special Exception Uses in Office Districts - Requirements - Under the Provisions of Section 1670 - Variances) to allow 50% of the gross floor area to be utilized as an eating establishment as an accessory use to an office building at 1815 East 15th Street.

Presentation:

A letter (Exhibit "B-1") was received from the applicant requesting a continuance of the Case to May 24, 1979 since his client is in the hospital at this time.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10420 to May 24, 1979, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center.

10437

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 at 116th Street and Sheridan Road.

Presentation:

The applicant was not present.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10437 to May 24, 1979, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center. The Board directed the Staff to notify the applicant that the Case would be heard at that time.

10444

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on corner lots from 25' to 15' in an RS-3 District at 7901 South Sheridan Road.

Presentation:

Ted Sack, representing the owner, advised that the owner of the subdivision to the north of the subject property has asked for similar waiver which was approved, and the applicant is now trying to match the building lines. A plot plan (Exhibit "C-1") was presented.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on corner lots from 25' to 15' in an RS-3 District, per plot plan submitted, subject

5.10.79:286(5)

10444 (continued)

to the applicant filing an affidavit of the waiver with the County Clerk in such a manner as to be picked up by buyer in the review of the abstract for Lot 20, Block 2, Briarview Addition on the following described property:

Lot 7, Block 1; Lot 13, Block 2, Lot 1, Block 3, Deer Hollow Estates Addition to the City of Tulsa, Oklahoma.

NEW APPLICATIONS:

10443

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 1956 East Marshall Place.

Presentation:

The applicant was not present.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10443 to May 24, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10446

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 1326 South 135th East Avenue.

Presentation:

Jess Dye, 1326 South 135th East Avenue, advised he had maintained a mobile home on the property for the past year. There are other mobile homes one block from the applicant. Mr. Dye stated this is the only place he has to live, he has made improvements to the lot and requested more than a one-year approval.

The Board discussed a hardship which would allow approval for a longer period of time. Mr. Gardner advised that if the Board was inclined to grant the applicant more than one-year, they could base it on the presence of the airport and the fact the airport would have to be removed in order for the area to redevelop.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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; and a Variance (Section 440.6 - Special Exception Uses Permitted in Residential Districts -- Requirements - Mobile Homes - Under the Provisions of Section 1670 - Variances) to permit a mobile home for more than one year at a time, for a period of four years, on the following described property:

6.10.79:286(6)

10446 (continued)

Lot 3, Block 7, Romoland Addition to the City of Tulsa, Oklahoma.

10447

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) for permission to operate a photography office in a residence at 601 Mohawk Boulevard.

Presentation:

Harry Burton, 1218 North Kenosha Avenue, stated he would like to use the house as an office; however, the bulk of his work would be done away from the premises. Mr. Burton advised there would be a studio in the home, but most of his work would be done in churches, homes, etc., creating very little extra traffic flow to the property. A small section of the front yard will be black topped for parking - with a maximum of three cars to be parked there at one time. Mr. Burton stated he has other properties in Tulsa and would spend approximately three nights a week at the subject property.

Protestants: 6 present.

Evelyn Lawson, 632 Mohawk Boulevard, stated she had moved into the area 22 years ago, had worked to develop the area and would like to see it remain as a residential neighborhood. Mrs. Lawson noted that there was ample space in the area where vacant store fronts are available. She expressed concern that property values would decrease if the business was to be allowed in the area. A protest petition (Exhibit "D-1") containing 6 signatures was presented.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate a photography office in a residence on the following described property:

Lot 21, Block 11, Devonshire Place Addition to the City of Tulsa, Oklahoma.

10451

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements to permit building on the property lines in an IL District at 1501 East Admiral Place.

Presentation:

Bob Childers, 512 Mayo Building, representing Lambert Brown Sales, presented a plot plan (Exhibit "E-1") stating that if the setback requirements were not waived the Company would not be able to build on the property. Sales of commercial scales, which are repaired in the field, constitutes the bulk of Lambert Brown Sales business, therefore, the business would not create a traffic problem. There will be no openings in the east wall of the building which abuts the residential area.

10451 (continued)

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements to permit building on the property lines in an IL District, per plot plan submitted, on the following described property:

Lot 13, Block 2, Lynch-Forsythe Addition to the City of Tulsa, Oklahoma.

10453

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) for permission to operate an office for gas cooking equipment for restaurants in an RS-3 District at 5900 South 99th East Avenue.

Presentation:

Darrell Hayes, 6140 South Mingo Road, advised the application was for an office, in the home, for collections and billing purposes only. Mr. Hayes plans to build a new home and include a "den" which will be used as the office. The business is a repair service which must be done in the field and therefore, the office will not create any additional traffic to the area. There will never be any storage of equipment or materials on the premises. Telephone and paper work only will be conducted in the office.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate an office for gas cooking equipment for restaurants in an RS-3 District, as presented, no storage of equipment or materials, on the following described property:

Lot 1, Block 1, Guy Cook Addition to the City of Tulsa, Oklahoma.

10454

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; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District, located south of 136th Street, north and east of Highway #169.



10454 (continued)

Presentation:

Dan Wellington, R. R. #2, Box 20, Collinsville, advised the mobile home was in place; the home is a 14' x 75' Windsor valued at \$18,000. There are four other mobile homes within ¼-mile of Mr. Wellington. Mr. Wellington has a septic tank and is serviced by rural water.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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; and to 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 to run with this owner only, on the following described property:

A tract of ground situated in the NE/4 of the NW/4 of the NE/4 of Section 32, Township 22 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of the East 6.5 acres of the NE/4 of the NW/4 of the NE/4, said point being 1,750.76' West of the NE corner of Section 32; thence Easterly along the North line of Section 32 a distance of 61.54'; thence South a distance of 208.72'; thence South 89°-54' East a distance of 229.72'; thence South 55°-07'-18.25" East a distance of 146.06'; thence South a distance of 368.81' to a point on the South line of the NE/4 of the NW/4 of the NE/4, 18.44' West of the SE corner thereof; thence West along said South line a distance of 410.24' to the Southwest corner of the East 6.5 acres of the NE/4 of the NW/4 of the NE/4; thence North 0°-04'-21.96" West a distance of 661.23' to the point of beginning, containing in all 4.422 acres.

10455

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; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District located NE of 161st Street and Yale Avenue.

Presentation:

Florence Creekmore, 11424 South 99th East Avenue, Bixby, stated she was purchasing 2½ acres and would like to live in the mobile home until it was possible to build a new home on the property. There are other mobile homes in the area. Mrs. Creekmore advised that the warranty deed did not allow for a mobile home.

10455 (continued)

Protestants: None.

Board Action:

On MOTION of THOMPSON, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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 five-years; 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 property:

A tract of land in the SW/4 of the SW/4 of Section 22, Township 17 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows, to-wit:

Beginning at a point on the South line of said Section 22, 215.4' West of the SE corner of the W/2 of the SW/4 of said Section 22; thence North 555'; thence West 210'; thence South 555'; thence East 210' to the point of beginning.

10456

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 25' to 21' in an RS-3 District at 7744 South 78th East Avenue.

Presentation:

Charles Eaves, 8518 South Oswego Avenue, presented a plot plan (Exhibit "F-1") and advised that this was an odd shaped lot and the house was 3' & 10" over the building line.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") 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 25' to 21' in an RS-3 District, per plot plan submitted, on the following described property:

Lot 23, Block 7, Sweetbriar East Extended Addition to the City of Tulsa, Oklahoma.

10457

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 at 3921 East 31st Place.

10457 (continued)

Presentation:

Florence Rice, 3921 East 31st Place, advised she would like to locate a mobile home in her back yard for her elderly mother and a sister who stays with her mother. Mrs. Rice plans to attach the mobile home to the house by way of a covered patio.

Mr. Rice stated the mobile home was needed for an indefinite period of time. He also noted he and his wife live in a three bedroom home; however, he noted the problem of two families living together and the fact they would not have room for their children when they came home to visit. There are no other mobile homes in the area.

Protestants:

Ralph Peters, 3915 East 31st Place, stated that Mr. & Mrs. Rice were very good neighbors and he did not want to cause hard feelings. Mr. Peters did have concerns about the property values in the neighborhood. He also advised the Board that there is a red barn approximately 20' to 24' in the Rice's back yard. A protest petition (Exhibit "G-1") was presented.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS-3 District on the following described property:

Lot 12, Block 1, Dartmoor Addition to the City of Tulsa, Oklahoma.

10459

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of setback requirements to permit an addition to present church building in RS-3 District at 3101 North Cincinnati Avenue.

Presentation:

Malford Morgan, 2527 East 29th Place North, presented a plot plan (Exhibit "H-1") and stated the church owned an odd shaped lot which caused a hardship. There is a church on the property and the church members would like to extend the building 15' to enlarge the sanctuary and the classrooms to accommodate the increased attendance.

Protestants: None.

Board Action:

On MOTION of THOMPSON, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements to permit an addition, per plot plan submitted, on the following described property:

The South 127.875' of the West 180' of Block 4, Chevy Chase Addition to the City of Tulsa, Oklahoma.

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 3634 South Sandusky Avenue.

Presentation:

Ruth Schuller, 3634 South Sandusky Avenue, advised that one bedroom of her four bedroom home has a separate entrance and heating system; she proposed to operate a home beauty shop in this room. There is a double driveway and two cars would be the maximum anticipated number of vehicles in the driveway at any one time. Mrs. Schuller stated she is planning to do this as a hobby and not as a money-making project. The number of patrons would be limited to 20-25 per week; appointments will be between the hours of 8:00 a.m. and 5:00 p.m., on Thursdays and Fridays.

Protestants:

Art Fleak, 3626 South Sandusky Avenue, presented a protest petition (Exhibit "I-1") bearing 11 signatures of people living in the neighborhood. Mr. Fleak noted that the driveway was very narrow. He stated there is already a parking problem in the neighborhood due to a narrow street and many cars on the street. The protestant also voiced opposition to a business in the residential area and the affect it would have on the property values.

Donald Frank, 3617 South Sandusky Avenue, stated they were just trying to preserve the integrity of the residential section. He expressed concern with the traffic problem in the area.

Ivan Raymor, 3623 South Sandusky Avenue, advised the street was becoming a retirement area and he objected to the additional traffic this would create in the neighborhood.

Katherine Bowman, 3633 South Sandusky Avenue, noted the traffic congestion in the area and also expressed concern that this would open the door for other business in the neighborhood.

G. F. Boyer, 3626 South Toledo Avenue, stated he did not want anymore business in the neighborhood. Mr. Boyer advised there was too much business there now with all the garage sales.

Board Action:

On MOTION of LEWIS, the Board voted 3-1-1 (Lewis, Purser, Wait "aye"; Thompson "nay"; Smith "abstaining") 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, the hours of operation to be 9:00 a.m. to 5:00 p.m., Thursday and Friday only, no more than two customers at any one time, all customers' cars, as well as any cars of those living in the home, be parked in the driveway, and as presented, on the following described property:

All of Lot 31 and that part of Lot 30, more particularly described as follows, to-wit:

10460 (continued)

Beginning at the Northeasterly corner of Lot 30; thence North 86°-16'-42" West along the Northerly boundary of said Lot 30, a distance of 133.48'; thence West along the Westerly boundary of said Lot 30 a distance of 20.00'; thence South 88°-42'-23" East a distance of 133.78' to a point in the Easterly boundary of said Lot 30; thence Northerly along the Easterly boundary of said Lot 30, a distance of 19.00' to the point of beginning, ALL in Block 11, Walter Foster Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

10461

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-1 District; and a

Variance (Section 440.6 - Special Exception Uses in Residential District - Requirements - Under the Provisions of Section 1670 - Variances) to allow a mobile home to remain for more than one year at the SE corner of 65th Place North and Frankfort Avenue.

Presentation:

David Hoffman, 513 East 63rd Street North, advised he would like to place a mobile home on his property for his elderly parents to live in. There are other mobile homes in the area. Mr. Hoffman stated he was requesting a variance for more than one year since he owns his own business and finds it difficult to attend the Board of Adjustment meetings.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to deny a Variance (Section 440.6 - Special Exception Uses in Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) to allow a mobile home to remain for more than one-year; and to approve an

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS-1 District, for one-year, removal bond required, on the following described property:

Lot 7, Block 3, North Turley Second Addition to the City of Tulsa, Oklahoma.

10464

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses) to operate a street maintenance satellite facility which will include offices, equipment storage and servicing and street maintenance material storage at 4122 East Mohawk Boulevard.

Presentation:

Jim Carpenter, Street Maintenance Engineer, stated this would be a minor street maintenance facility and equipment storage yard. A plot plan (Exhibit "J-1") was presented and Mr. Carpenter stated that there are no plans for expansion of the facility in the future. The masonry building will house offices, a lunchroom and lockerroom for the personnel. Only one access road, from Mohawk Boulevard will be maintained, for security reasons. There will be storage of rock, salt and heavier rocks in small quantities on the property. The salt storage piles will be covered and the rock piles will be in bin-type structures.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses) to operate a street maintenance satellite facility which will include offices, equipment storage and servicing and street maintenance material storage, per plot plan submitted, on the following described property:

A tract of land lying in the N/2, NW/4, SE/4 and the N/2, NE/4, SW/4 of Section 16, Township 20 North, Range 13 East in Tulsa, Tulsa County, Oklahoma and being more particularly described as follows, to-wit: Commencing at a point on the South line of said N/2, NW/4, SE/4, 320.00' East of the Southwest corner thereof; thence North parallel to the West line of said N/2, NW/4, SE/4 a distance of 120.00' to the point of beginning; thence continuing North parallel to said West line a distance of 510.00' (Plus or Minus) to the South Right-of-Way of Mohawk Boulevard; thence in a Northwesterly direction along said Right-of-Way a distance of 260.00' to a point; thence in a Southwesterly direction a distance of 530.00' (Plus or Minus) to a point 110.00' North and 90.00' West of the Southeast corner of said N/2, NE/4, SW/4; thence East parallel to and 110.00' North of the South line of said N/2, NE/4, SW/4 and the N/2, NW/4, SE/4 a distance of 410.00' to the point of beginning.

Action Requested:

Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) to permit lot frontages on a private street in lieu of dedicated right-of-way. (Purpose of private street is to permit construction of a storm water detention system on individual lots maintained and landscaped by property owners, in lieu of one storm water collection pond for the subdivision), at 101st Street and Urbana Avenue.

Presentation:

John Sublett, One Williams Center, Suite 1776, presented a plot plan (Exhibit "K-1") and advised that the waiver of frontage requirements was dictated by the necessity of providing detention on each lot. Each lot will have a grassy swale in the front yard which will accommodate the on-site detention facilities. The streets in the addition will be private streets.

10465 (continued)

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) to permit lot frontages on a private street in lieu of dedicated right-of-way. (Purpose of private street is to permit construction of a storm water detention system on individual lots maintained and landscaped by property owners, in lieu of one storm water collection pond for the subdivision), per plot plan submitted, on the following described tract:

A tract of land in the W/2, NE/4, NE/4 of Section 28, Township 18 North, Range 13 East, in the City and County of Tulsa, Oklahoma, more particularly described as: Beginning at the Northwest corner of the W/2, NE/4, NE/4; thence due East a distance of 660.55'; thence South 00°-14'-53" West a distance of 736.34'; thence South 63° West a distance of 601.84'; thence at right angles North 27° West a distance of 38.83' to a point of curvature; thence along a curve to the left with a 150-foot radius and central angle of 63°, a distance of 162.50' to a point; thence West 3.35' to a point on the West line of the W/2, NE/4, NE/4; thence North 00°-15'-03" East a distance of 888.21' to the point of beginning. (Said tract will also describe all of Block 1 and Lots 1-13, Block 2, in Forest Oaks Second Addition when plat is filed of record.)

10466

Action Requested:

Variance (Section 610 - Principal Uses Permitted in Office Districts - Use Unit 1215.2 - Under the Provisions of Section 1670 - Variances) to permit storage of bulk lumber on subject property on the south side of 29th Street in the 4500 Block East.

Presentation:

Kent Francy, 5800 East Skelly Drive, Suite 1212, attorney for Cedar Creek Wholesale, advised the Company was seeking the variance to permit storage of bulk lumber on the subject property which is adjacent to the wholesale lumber operation. Most of the sales are made by telephone or agents who are in the field. Shipments are received by the railroad spur which runs into the lumber yard or by trucks which use 29th Street. Cedar Creek receives the lumber in its yard, unloads and stores it and then loads it onto the Company's own vehicles. The vehicular traffic in and out of the Company property on a normal business day, consists of one or two trips in and out by the tractor trailers and the other truck may be in and out of the yard 8-10 times per day. The Company found they were unable to adequately store all the materials on their property and it was creating a hazardous working condition for the employees and also causing a higher percentage of property damage to the merchandise. The Company approached Memorial Baptist Church concerning the use of their property for storage of materials and the Church agreed to the use. Two stipulations were made by the Church, that a 6' fence would be erected and that Cedar Creek would keep and maintain the entire tract; the agreement to be on a year-to-year basis at the option of the Church. The lot is odd-shaped and useless to the owner at this time except for occasional parking.

6.10.79:286(15)

Mr. Francy presented an aerial photo (Exhibit "L-1") of the area and pictures (Exhibit "L-2") showing the 6' fence and the storage of the materials, and a view of the property from across the street, pointing out there has been very little aesthetic disturbance.

Protestants: 15 present

Habib Hochlaf, 4508 East 28th Street, presented a protest petition (Exhibit "L-3") containing 64 signatures of neighborhood residents. The petition cited the dangers of fire hazard, traffic problems, potential rodent breeding problems and stated the streets are not adequate to accommodate the truck traffic that would be generated by the Lumber Company.

Jesse Anderson, 4551 East 29th Street, advised he lives across the street from the lumber yard. He stated the trucks are so large it is impossible for them to turn around and so they either drive through part of the neighborhood or drive the wrong way on the oneway street. Also when trucks arrive in the early morning hours during the winter time, they park and continue to run their motors while waiting for the time to unload.

Eleven letters of protest were received.

Interested Party:

Norman Burgess, Education Director and Administrator of the Memorial Baptist Church, stated they had taken the action with the Lumber Company without realizing the ill-feeling in the neighborhood. He stated the Church had not approached anyone to the north concerning purchase of their property. The Church wants to do everything possible to get along with the neighbors.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to deny a Variance (Section 610 - Principal Uses Permitted in Office Districts - Use Unit 1215.2 - Under the Provisions of Section 1670 - Variances) to permit storage of bulk lumber on the subject property, the applicant to be given 14 days from this date to cease the operation and remove the materials and thereby uphold the Building Inspector ruling on the following described property:

That portion of the SE/4, SE/4 of Section 16, Township 19 North, Range 13 East, Tulsa County, Oklahoma; that lies North of the Broken Arrow Expressway and South of the Budd Addition, LESS the East 575' thereof; in the City of Tulsa, Tulsa County, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front yard requirements from 30' to 6' in an RS-2 District located south and west of Victoria and Denver Avenues.



10468 (continued)

Presentation:

Rossetti Perchik, 1007 East 34th Street, stated a survey had been completed and it was found that in order to construct the house without a variance, it would be necessary to grade a road with a steeper slope than that which is required. Two reasons for building closer to the road are: 1) The cost of grading the road, and 2) access problems to get to the house. There will be no garage attached to the house. The house will be built 6' from where the driveway stops, so it will be 31' from the road.

Protestants:

R. B. Dieter, 2110 North Denver Avenue, stated he was not protesting the building, but did object to building the house 6' from the road. He noted that driving on the road during the winter was hazardous and having a car parked near the road will increase the problems.

Juanita Mansker, 1970 North Denver Avenue, also expressed concern about on-the-street parking and the problem with the road in the winter.

Mrs. Ralph Tease, 205 West Victoria Avenue, stated she was in agreement with the other protestants.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10468 to May 24, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow the applicant to return to the Board with a workable plot plan which he has worked out with Traffic Engineering and has presented to the protestants for their approval.

10469

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to operate a children's nursery in an RS-3 District at 2006 North Trenton Avenue.

Presentation:

Rena Gray, 2002 North Trenton Avenue, stated her parents are proposing to operate a child care center next door to their residence. This is a six room dwelling and they will be allowed to keep 15-19 children. The day care center will be in operation five days a week between the hours of 7:00 a.m. and 6:00 p.m. There will not be a traffic problem due to a dead-end street in the area.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District, to run with this owner only, no signs allowed, the hours of operation to be 7:00 a.m. to 6:00 p.m., Monday through Friday, on the following described property;

10469 (continued)

Lot 8, Block 1, Bullette Heights Second Addition to the City of Tulsa, Oklahoma.

10470

Action Requested:

Variance (Section 420.2 (2) - Accessory Uses in Residential Districts- Under the Provisions of Section 1670 - Variances) to permit detached garages in the front yard at 59th Street and 87th East Avenue.

Presentation:

Cary Chastain, representing the applicant, presented a plot plan (Exhibit "M-1") and drawings (Exhibit "M-2") of the duplexes and explained that the applicant would like to use detached garages for aesthetic reasons. Mr. Chastain advised the duplexes would be constructed of conventional building materials and there would not be any metal siding used. The detached garages would take away from the look of sameness of the duplexes and add to the salability of the property.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 420.2 (2) - Accessory Uses in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit detached garages in the front yard, per plot plan and renderings submitted, and as per building materials represented, on the following described property:

Lots 8, 9, 10, 11, 12 and 13, Block 2; and Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 3; Woodland View Park South Addition to the City of Tulsa, Oklahoma.

10471

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts- Section 1225 - Light Manufacturing and Industry) for permission to continue operating a plating works in a CH District at 4075 Southwest Blvd.

Presentation:

Tommy Johnson, 19538 East 2nd Street, stated he presently had a business at 2816 West 40th Street and would like to purchase the subject property. The business presently on the subject property has existed four years and he was requesting an exception to continue the business.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry) to continue operating a plating works business in a CH District, on the following described property:

The West 7' of Lot 7; All of Lot 8; and the East 5' of Lot 9;  
All in Galbreath-Colcord-Russell Addition to the City of Tulsa,  
Oklahoma.

6.10.79:286(18)

10473

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 8' in an RS-2 District at 536 Loop Drive, Sand Springs, Oklahoma.

Presentation:

Nora Grayson, 536 Loop Drive, Sand Springs, Oklahoma, stated she wanted to build a two car garage in front of her house; it would be built over part of the existing driveway. The garage cannot be built in the back yard because it drops off and there would not be any way to get in there.

A Memorandum (Exhibit "N-1") was received from the Sand Springs City Planner requesting the Board not to take action until after the Sand Springs Board of Adjustment has reviewed the case on May 10, 1979.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser Smith, Thompson, Wait "aye") to approve the application in concept and to continue Case No. 10473 to May 24, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow time for the Sand Springs Board of Adjustment to review the case and make recommendations to the Tulsa Board of Adjustment.

NOTE: The Board instructed the applicant that she need not reappear if the Sand Springs Board of Adjustment was also favorable.

10476

Action Requested:

Variance (Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the 32 sq. ft. sign requirements in an OL District at 4900 South Lewis Ave.

Presentation:

Larry Wade, representing Western National Bank, stated they were proposing a trade-out situation. Presently there are two signs on the building; one free-standing sign which is ground lighted and a temporary sign. Both of these signs will be removed in order to erect one lighted, single-face sign that will be attached to a structure over the main bank entrance. Approximately 60 sq. ft. of sign will be taken down in order to put up 15 sq. ft. of lighted sign. A sketch of the sign (Exhibit "O-1") and pictures (Exhibit "O-2") were presented and Mr. Wade advised the sign would be lighted internally with florescent bulbs. A new bank structure will be erected to the north and this building will be vacated; the signs will be removed at that time.

Board Action:

On MOTION of THOMPSON, the Board voted 4-0-1 (Lewis, Purser, Thompson, Wait "aye"; no "nays"; Smith "abstaining") to grant a Variance (Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the 32 sq. ft. sign requirements in an OL District, until the time when the bank moves to

6.10.79:286(19)

10476 (continued)

their new facility, subject to removal of existing signs (60 sq. ft. of display surface area), illumination and location, as presented, on the following described property:

Lot 4, Block 1, Lewis Square Addition to the City of Tulsa, Oklahoma.

10479

Action Requested:

Variance (Section 240.1 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Variances) of the detached accessory building requirements from 750 sq. ft. to 1,800 sq. ft. at 8610 East 16th St.

Presentation:

Wayne Wiseley, 2200 West Boston Avenue, Broken Arrow, a builder representing the owner, stated he proposes to build a garage to house a bass boat, tractor, two pickup trucks, race car, and a riding lawn mower. Mr. Wiseley presented a plot plan (Exhibit "Q-1").

A. H. Taft, Jr., 8022 East 4th Place, owner of the property, stated he would not be conducting any type of business in the garage. The garage will be a wood structure with brick or rock on the front and sides that will blend with the existing house.

Protestants: Two present.

Mona Kerr, 8602 East 16th Street, presented a protest petition (Exhibit "Q-2") bearing 26 signatures of people living in the immediate area. Mrs. Kerr advised that Mr. Taft's lot was smaller than the average lots in the area - most lots being 1½ acre and the subject tract only 1 acre. She also noted that the proposed building will be in the path of runoff water and will obstruct drainage. The people of the neighborhood are concerned that if the property changes hands, someone may want to buy it with the idea of using the building for a business enterprise.

In regard to the drainage problem, Mr. Wiseley advised the garage would be built on a pad of some type to raise it and allow drainage of the area. The owner to the east has built a retainer so the water backs up on the subject property.

Board Action:

On MOTION of THOMPSON, the Board voted 4-1-0 (Lewis, Purser, Smith, Thompson "aye"; Wait "nay") to deny a Variance (Section 240.1 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Variances) of the detached accessory building requirements from 750 sq. ft. to 1,800 sq. ft., no hardship found, on the following described property:

The E/2 of the West 220' of the North 366.6' of Lot 2, Block 5, O'Connor Park Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 610 - Principal Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) and an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to erect an office building and a sales and storage building in an OL and CS District; and an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for a modification of the screening on the north and west where the alternative screening will provide visual separation of uses at 254 North Memorial Road.

Presentation:

Mark Gibson, 5551 South Lewis Avenue, presented a plot plan (Exhibit "R-1") and advised there were two types of zoning on the property, OL and CS, and proposed to move the building as much as possible onto the CS zoning and leave the OL for parking. There will be corporate offices on the east of the lot with a walkway in between the offices and the sales and storage. The exterior of the building will be beige, spray finish stucco, with some rock and a small amount of rough cedar trim. Organic chemical construction material will be stored in the building. The only traffic to the site will be people who work in the building. The Company owns two pickup trucks which will operate from the storage area. The hours of operation will be 7:00 a.m. to 5:00 p.m., 5 or 5½ days each week, a 6' fence will be erected on the north, west and south sides of the lot.

Interested Parties:

Roger Steed, 7878 East Independence, advised there is a welded wire fence, 15 years old on the north side of the subject property. Mr. Steed stated the subject property is level ground, but on his side the ground drops off approximately 2' and he was concerned about the type of screening to be used. The existing fence would not afford the type of privacy that is needed.

T. L. Markham, 722 North Memorial Road, questioned if the lot had been sold and what type of business would be located on the property. He expressed concern about property values in the area.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-1 (Lewis, Purser, Smith, Thompson "aye"; no "nays"; Wait "abstaining") to approve a Variance (Section 610 - Principal Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances); and a Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1223 - Warehousing and Wholesaling) to permit an office building and a sales and storage building in an OL and CS District; and an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for modification of the screening on the north and west where an alternative screening will provide visual separation of uses, provided a 6' privacy screening fence is erected on the north side to extend 50' to the west of the westernmost building and waive the screening on the west property line, the balance of the north screening will not be required until such time as the rest of the property is developed to the west; the exterior of the one building to be of stucco and rock in a beige or earth-tone colors, per plot plan submitted, with the hours of operation to be 7:00 a.m. to 5:00 p.m., 5 or 5½ days per week, on the following described property:

10480 (continued)

The North 132' of the NE/4, SE/4, SE/4 of Section 35, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

10484

Action Requested:

Variance (Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the 32 sq. ft. sign requirements in an OL District at 4900 South Lewis Ave.

Presentation:

James Adair, 533 South Rockford, advised that in approximately two years, when the new building is constructed, Western Bank will vacate the present building; there will be no sign or wooden structure on the property. At the time the building was erected there were only one or two tenants; however, now there are numerous tenants and they are wanting more signs. Lewis Properties would prefer erecting a small low-profile free-standing marquee, to be built with the same material as the building.

Mr. Adair presented a sign rendering (Exhibit "P-1") and stated the proposed site would be parallel to Lewis, in front of the building. When Western Bank moves to their new building, this sign will remain for the other tenants in this building.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve a Variance (Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the 32 sq. ft. sign requirements in an OL District, with the stipulation that the applicant return to the Board showing the exact placement of the sign, the sign to be built out of brick to match the existing building, per drawing presented, on the following described property:

Lot 4, Block 1, Lewis Square Addition to the City of Tulsa, Okla.

OTHER BUSINESS:

Case No. 7486

Dortha Miller, Building Inspector's Office, explained that on June 1, 1972, the Board approved an Exception to permit erecting a church on the subject property. The church has since presented plans for a gymnasium which the Building Inspector questions would be permitted under the church use classification.

Bob Ashworth, Ashworth Construction Company, presented a plot plan (Exhibit "S-1") and advised that a drive-through canopy would be installed which will tie the new fellowship building with the sanctuary. The harvest gold metal building is scheduled for delivery the end of the month. The congregation plans to rock the building as soon as funds are available. The doors and windows are bronze and bronze glass.

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve the substitute plot plan and find the new structure to be a fellowship building.

Case No. 7486 (continued)

Bud Proffitt, 14127 East 12th Street, stated this property was held as a corporation by the Church of God of the Apostolic Faith, and the building would be a denominational building. The corporation proposes to build a small office to house a part-time secretary and a maximum of three other people using the office. The office will not be under the control of the congregation. The building will be constructed of tan stucco with darker accent rock, one-story, and will be in accordance with the church building.

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to interpret the detailed office to be a church related use.

McDonald's Interpretation:

Dortha Miller, Building Inspector, advised that she had two applications for McDonald's Story Book playgrounds and questioned if the Board interprets these as an accessory to restaurant use. The playgrounds will be in the front yards and fall within the setback requirements.

The Board felt these examples to be accessory and directed the Building Inspector to use his own discretion in handling each application.

There being no further business, the Chair adjourned the meeting at 7:00 p.m.

Date Approved

June 21, 1979

Lawrence J. Purser  
Chairman