

BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 287  
Thursday, June 7, 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  
Inspector's Office  
Jackere, Legal  
Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, June 5, 1979, at 10:30 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.

MINOR VARIANCES AND EXCEPTIONS:

10505

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an RS-1 District to permit a lot-split northeast of 47th Street and Lewis Avenue.

Presentation:

Mr. Jones advised that the Planning Commission approved the lot-split, subject to the Board of Adjustment approval, in 1965.

Harry Crowe, 5800 East Skelly Drive, advised this lot fronts on both 46th Place and 47th Street. The lot depth is 279', the frontage is 76' and the square footage requirement of the zoning classification is more than met, but the minimum frontage in the district is 100'. The property was purchased from the property owner next door. The reason given for the time lapse in reaching the Board was that it was just overlooked.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements in an RS-1 District to permit a lot-split (L-11079) on the following described tract:

The East 76 feet of Lot 8, Arnall Heights Addition to the City of Tulsa, Oklahoma.

10513

Action Requested:

Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 37' from the centerline of 15th Street at 2702 East 15th Street.

Presentation:

Fred Chrisman, 408 East 2nd Street, stated if he followed the 50' setback requirement it would place the sign in the driveway of the business. The Building Inspector informed the applicant he would approve a 37' setback, subject to Board approval. The sign would be 16' high with a 12' clearance from the bottom of the sign.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Thompson "absent") to grant a Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 37' from the centerline of 15th Street, subject to a removal contract with the City of Tulsa and the application for the sign permit, on the following described property:

The North 105' of Lot 1, and the North 107.5' of Lot 2, Iverson's Subdivision to the City of Tulsa, State of Oklahoma.

10514

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) for permission to build across a lot line. (Lots 3 & 4, Block 2, Murray Second Addition) at 1922 East Mohawk Boulevard.

Presentation:

Sybil Crowell, 2128 North St. Louis Avenue, presented a plot plan (Exhibit "A-1") and advised she owned Lots 1, 2, 3 and 4. Previous approval has been given to cross the lot line of Lots 2 and 3. Lot 4 has been acquired since that time and the applicant would like to erect a garage on the lot.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Thompson "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) to build across a lot line. (Lots 3 & 4, Block 2, Murray Second Addition), per plot plan submitted, on the following described tract:

Lots 3 and 4, Block 2, Murray Second Addition to the City of Tulsa, Oklahoma.

10515

Action Requested:

Variance (Section 206 - Number of Dwelling Units on One Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units on one lot, (proposes 128 units) at the northwest corner of 41st Street and 127th East Avenue.

Presentation:

Scott Sherrill, 4951-A South Mingo Road, presented a plot plan (Exhibit "B-1") and advised the property is zoned RM-1 which would permit 131+ units; the applicant proposes 128 units. The building in the northwest corner of the property is a two-story building and will be approximately 20' from the property line adjacent to an RD District. A 6' screening fence will be erected around the project; 10' tall lights will be used on the pathways to the buildings and the parking lot areas will not be lighted. The lights will have reflectors that reflect the light down rather than out.

Board member Smith expressed concern that the second-story of Building A will be looking right over the fence into the duplexes which adjoin the subject property.

Mr. Sherrill, drew a realignment on the plot plan of Building A, which will be 30' from the west property line and realigned the parking along the front of the building along the same parallel. A 6' screening fence will be erected along the west property line and the lighting will be directed toward the apartment building and away from the existing duplexes.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-2 (Lewis, Purser, Smith "aye"; no "nays"; Thompson, Wait "abstaining") to approve a Variance (Section 206 - Number of Dwelling Units on One Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units (proposes 128 units) on 1 lot, per the revised plot plan, on the following tract:

Lot 1, Block 3, Park Plaza Square Addition to the City of Tulsa, Oklahoma.

10516

Action Requested:

Variance Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split northwest of 117th East Avenue and 166th Street North.

Presentation:

The Staff advised that the Planning Commission approved the lot-split on May 16, 1979, subject to Board of Adjustment approval.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 330 - Bulk and Area Requirements 6.7.79:287(3))

10516 (continued)

in the Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the area and frontage requirements in an AG District to permit a lot-split (L-14635), on the following described tract:

A parcel of land one-acre square, beginning at the Northeast corner of the East 330' of the West 1,320' of the South 659.4' of the SW/4 of Section 8, Township 22 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; thence West 208.75'; thence South 208.75'; thence East 208.75'; thence North 208.75' to the point of beginning. The above parcel of land is subject to a 50-foot roadway easement on the east side thereof.

UNFINISHED BUSINESS:

Request to Substitute Plot Plan and Amend the Legal Description in Case No. 10191:

Mr. Lewis Advised that his firm was involved with the applicant and he would abstain on this Case.

The Staff informed the Board that the original application read, "the west 228.71' of Lot 2 less the south 135'." The applicant would like to amend the legal description to read, "the south 95' of the north portion of Lot 2. Mr. Gardner advised the applicant was decreasing the area and also decreasing the square footage of the building which would require a substitute plot plan, and the Board would have to void the original approval.

On MOTION of THOMPSON, the Board voted 4-0-1 (Purser, Smith, Thompson, Wait "aye"; no "nays"; Lewis "abstaining") to continue Case No. 10191 to June 21, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and request the applicant to return with a substitute plot plan.

Plans for Case No. 10087:

Mr. Jones advised that the Board approved this church at 6727 South Sheridan Road, subject to the applicant returning to the Board with final detailed plans before issuance of the building permit. The church building is already built. The applicant was not present.

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10087 to June 21, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10410

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1224 - Mining and Mineral Processing) for permission to permit sand extraction in an AG District south of 151st Street South and 129th East Avenue.

10410 (continued)

Presentation:

The applicant was not present. Stan Ewing, Broken Arrow Staff Planner, presented a letter (Exhibit "C-1") stating the protestants had not received a copy of the hydrology report and requesting that Case No. 10410 be continued to July 7, 1979. The Staff advised they had not received any communication from the applicant concerning the hydrology report.

A telephone call was made to Mr. Hull's secretary who advised that he was under the impression that the matter would be continued until such time as he had acquired the hydrology report. The plan should be available in two weeks and it was suggested a one month continuance would allow time for the protestants to consider the plan.

The Staff was directed to so advise the applicant that in the event the protestants had not had access to the plan at least 10 days in advance, the protestants will be given a continuance.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10410 to July 5, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10475

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts- Under the Provisions of Section 1670 - Variances) for permission to locate a mobile home in a CS district to be used as an office at 8888 East Admiral Place.

Presentation:

E. H. Gubser, 2499 East 49th Street, advised this mobile home would be used as an office for the sale of other mobile homes. There was a mobile home sales lot on this location previously, using a mobile home as a sales office. The lot has been vacant the past six months.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to locate a mobile home in a CS District to be used as an office, subject to the stipulation that the variance is granted so long as the lot is used for the sale of mobile homes, on the following described property:

Lot 3, Block 1, Hirrlinger Subdivision to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) for permission to modify the screening requirement where an alternative screening will provide visual separation of uses at 3313 East Admiral Place.

Presentation:

Brad Williams, 4441 South 72nd East Avenue, presented a site plan (Exhibit "D-1") and advised that he had visited with the neighbors in the area and found two of them preferred the 6' high fence; Mr. Lundy said either the 6' or 4' option would be acceptable, but he would prefer not having a fence. Mr. Jones has always wanted to have access to the alley and the applicant has agreed to erect a double gate fence to allow him that access. Mrs. Kriner felt that she should have a double gate fence in order to look consistent with Mr. Jones' property, Mr. Lundy did not want access to the alley. Mr. Williams was unable to contact Mr. Keck. The applicant stated the screening fence will be 6' high.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Thompson "absent") to approve an Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) to modify the screening requirement where an alternative screening will provide visual separation of uses, per plot plan submitted, on the following described property:

Lots 6, 7, 8, 9, and 10, Block 5, Sequoyah Hills Addition to the City of Tulsa, Oklahoma.

For the Record:

A 6' screening fence will be built and maintained on the north side of the alley beginning at the east property line extending to within 60' of the west property line by Ken's Pizza.

NEW APPLICATIONS:

10503

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts- Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for educational purposes and related off-street parking; and a Variance (Section 1320(d) - General Requirements for Off-Street Parking - Under the Provisions of Section 1670 - Variances) from the requirements of parking spaces not on the same lot as the use at 600 South College Avenue.

Presentation:

Frank Hettinger, attorney representing the University of Tulsa, presented two plot plans (Exhibits "E-1 & E-2") of the area and advised that the University of Tulsa campus is built on 50' lots. The University now owns most of the 50' lots in the area. There are approximately 35 single-family homes left in the area. This application involves six lots which were purchased by the University in the past year and an exception is necessary in order to use the lots for University purposes and provide parking for the students. The structures on the subject property will be removed and grass will be planted on the lots.

Protestants:

Virginia Smith, 803 S. Gary Pl., voiced objections to the application because of additional blacktopping in the area and a problem with runoff. Mrs. Smith noted that another University owned lot had been blacktopped before the lot was developed for use and requested the University not use this procedure with the subject property.

Mr. Hettinger advised that the lot Mrs. Smith was speaking of concerned a lot that was platted and blacktopped and then did not have the University use on the lot that was expected. The University normally does not blacktop the lots until such time as they are needed. Two of the lots in the application are in the area where Mrs. Smith lives and there are no plans to blacktop these lots.

Margaret Trundle, 804 S. Harvard, stated she had lived in the area for 20 yrs., and never had a flooding problem until three years ago. Mrs. Trundle has experienced flooding two different times in the past three years and felt it was due to the runoff from the parking lots which have been blacktopped.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (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 use the property for educational purposes, and related off-street parking; and grant a Variance (Section 1320(d) - General Requirements for Off-Street Parking - Under the Provisions of Section 1670 - Variances) from the requirement of parking spaces not on the same lot as the use as presented on the following described property:

Lot 7, Block 25, College Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 2828 East 8th Street.

Lot 3, Block 1, of the Resurvey of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 in Block 1, Vine Haven Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 812-814 South Harvard Avenue.

Lot 32, Block 1, College Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 2909 East 4th Place.

Lot 33, Block 1, College Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 2901 East 4th Place.

10503 (continued)

Lot 19, Block 1, Vine Haven Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 815 South Gary Place.

Lot 7, Block 20, College Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, a/k/a 723 South College Avenue.

10504

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) for permission to operate a home beauty shop at 16108 East 2nd Street.

Presentation:

Floy Breashear, 16108 East 2nd St., advised she wanted to operate a home beauty shop in her garage. The hours of operation would be 10:00 a.m. to 6:00 p.m., Tuesday through Saturday. The applicant did not have final plans formulated for the business.

Protestants: None.

Board Action:

On MOTION of THOMPSON, the Board voted 4-1 (Purser, Smith, Thompson, Wait "aye"; Lewis "nay") to continue Case No. 10504 to June 21, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow the applicant time to complete the plans for the beauty shop.

10506

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 6401 North Cincinnati Avenue.

Presentation:

Shirley Gay, 6401 North Cincinnati Avenue, stated she and her husband were renting an 80' x 160' lot on a 10-acre tract and would like to place a mobile home on the lot. The mobile home will serve as the parsonage for a church which is also located on the 10-acre tract. The mobile home is a 1974 model, it will be skirted and a septic tank will be installed. Mr. Gay was also present and advised the Board that the entire 10-acre tract was leased from one owner and the church on the tract was a permanent structure.

Board Action:

On MOTION of LEWIS, the Board voted 5-0 (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, to run with this owner only, on the following described property:

The S/2 of the S/2 of Lot 4, Section 1, Township 20 North, Range 12 East, Tulsa County, Oklahoma.



10507

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwellings) for permission to erect duplexes in an RS-3 District; and a Variance (Section 440.3 - Special Exception Uses in Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) of frontage and area requirements for duplexes in an RS-3 District located south and east of 14th Street and 117th East Avenue.

Presentation:

Lavita Swearingen, 2185 South 73rd East Avenue, advised that the subject property is a three acre tract divided into nine lots. The applicant proposes building homes on two lots on each end of the tract and building five duplexes in the center of the tract. Mrs. Swearingen stated that the four single-family homes would contain 1,340 sq. ft. with a value of \$40,000 - \$50,000; however, complete plans for the duplexes were not available.

Board member Lewis noted that it would be very difficult to make a decision concerning the duplexes without the specific plans being presented.

Protestants:

Jim Grace, 1401 South 117th East Avenue, advised his home backs to the subject property and when the houses in the area were built there was a 50' setback requirement; there is also a 25' utility easement at the back of the property. Mr. Grace also told the Board that homes in the area each contained approximately 1,600 - 2,400 square feet of floor space.

Lloyd Larkin, 11803 East 15th Street, presented protest petitions (Exhibit "F-1") containing 107 signatures of area residents. He advised that when the addition was originally platted the lots were large one-acre lots; when it was resubdivided all of the lots were sold and homes were built, none of which would appraise at less than \$60,000. The subject property has limited ingress and egress which will present a problem to the owner in reaching the interior lots.

Board Action:

On MOTION of THOMPSON, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10507 to July 5, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10508

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-2 District at 1636 East 68th Street North.

Presentation:

Kathey Gragg, 1636 East 68th Street North, advised she would like to place a mobile home behind her parents home. There is a mobile home next door and also other mobile homes in the area.

Protestants: None.

6.7.79:287(9)

10508 (continued)

Board Action:

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS-2 District for a period of one year, removal bond required, on the following described property:

The West 98' of the East 198.6' of Tract 6, Whitley & Orr Addition to the City of Tulsa, Oklahoma.

10510

Action Requested:

Variance (Section 420.2 (d) - Accessory Use Conditions Permitted in Residential Districts) and a Variance (Section 630.2 (d) - Accessory Use Conditions Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the sign requirements in an OM and RS-3 District for the Doctor's Hospital at 2323 South Harvard Avenue.

Presentation:

James Adair, 533 South Rockford, representing the Claude Neon Company and Doctor's Hospital, advised that when the permission was gained to build the Hospital, there were no provisions made to erect signs. Mr. Adair presented a set of plans (Exhibit "G-1") of existing signs and the proposed changes. The sign program was started approximately four months ago when the Hospital had various complaints and a possible law suit over the lack of direction for an emergency unit. The existing signs are old, dilapidated, discolored and there is no coordination in color, design and style. The existing signs will be raised, changed and used as much as possible. There is a set of 24" building letters on the Medical Arts Building which is the only place the signs can be seen from the Expressway (this is not the Hospital building). Mr. Adair presented a letter (Exhibit "G-2") from the Building Inspector, indicating the temporary sign permits for the building. Under the proposed plans all signs will be white and bronze.

The Board members expressed concern with the 24" letters advertising the Medical Arts Building. The members urged the applicant to consider having a sign for the Hospital erected on the Expressway.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to grant a Variance (Section 420.2 (d) - Accessory Use Conditions Permitted in Residential Districts) and a Variance (Section 630.2 (d) - Accessory Use Conditions Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the sign requirements in an OM and RS-3 District for the Doctor's Hospital, as presented, excepting denial of the proposed sign, "Doctor's Medical Arts Building," Sketch #31279, on the following described property:

All that portion of the S/2, S/2, of the NW/4,  
Section 16, Township 19 North, Range 13 East, Tulsa County,  
Oklahoma.

10511

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) for permission to operate a car wash in a CS District at the northwest corner of 2nd Street and Lewis Avenue.

Presentation:

Raymond Teal, 6115 East 4th Terrace, stated he planned to construct an eight bay self service car wash fronting on Lewis Avenue. This car wash would be similar in construction to his other operation at 6th Street and Lewis Avenue; however, Mr. Teal did not have any plans to present at this time.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to continue Case No. 10511 to June 21, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and requested the applicant return with complete plot plans indicating colors and materials to be used along with pictures of the existing car wash at 6th Street and Lewis Avenue.

10512

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 106th Street North and New Haven.

Presentation:

Mr. C. E. Buchanan, 2252-A South 96th East Avenue, advised he had a mobile home located on a five acre tract. There are eight other mobile homes and 3 permanent homes, each on five acre tracts, in this 80-acre subdivision. A septic tank and a lagoon system have been approved for Mr. Buchanan's lot.

Protestant:

Jim Pennington, R. R. #1, Box 767, Sperry, lives adjacent to the subject property and stated that when he bought his property he was informed there would be no mobile homes in the addition. Approximately one year later someone asked Mr. Pennington if he would object to a mobile home in the area while a new home was being constructed and he advised them he would not mind; however the eight mobile homes have been moved onto the property since that time, all without permits.

Interested Party:

Ross Cummings, R. R. #1, Box 770, Sperry, advised that he owns the 80-acre tract and there are no restrictions for trailer homes in the area. Mr. Cummings stated he sold the land, but did not check with the people regarding permits. He informed the Board that everyone has broken the rules in this subdivision including Mr. Pennington who built his house too close to the road - it should set back 20' farther.

6.7.79:287(11)

10512 (continued)

Board Action:

On MOTION of THOMPSON, the Board voted 5-0 (Lewis, Purser, Thompson, Smith, 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 two years, removal bond required, on the following described property:

Lot 9, Block 2, Cummings Acres Addition to the City of Tulsa, Oklahoma.

10517

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot from 25' to 22' at 7962 South 69th East Avenue.

Presentation:

John Wilkins, 4100 East 51st Street, Suite 101, presented a plat of survey (Exhibit "H-1") and advised this was an error by the subcontractor which was not discovered until after the slab had been poured.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (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 setback requirements on a corner lot from 25' to 22' per plat of survey submitted, on the following described property:

Lot 20, Block 2, Briarview Addition to the City of Tulsa, Okla.

10519

Action Requested:

Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Exceptions) for permission to remove the screening requirement where the purpose of the screening cannot be achieved at 3939 South Memorial Road.

Presentation:

Bruce Sewell, legal intern appearing on behalf of Thomas Cadillac, advised that the screening requirements would only serve to screen the company from the Broken Arrow Expressway. The property does not abut any developed residential areas.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0 (Lewis, Purser, Smith, Thompson, Wait "aye") to approve an Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Exceptions) to remove the screening requirement where the purpose of the screening cannot be achieved, on the following described property:

6.7.79:287(12)

10519 (continued)

Part of Lot 3, Block 1, Bond Second Amended Addition to the City of Tulsa, Oklahoma; described as beginning 339' West of the southeast corner of Lot 3; thence West 236.50'; North 190'; West 190'; North 435.91'; Northeast 75.91'; North 92.80'; East 200'; North 137.24'; Southeast 260.28'; South 245.35'; West 24'; South 78.64' to the point of beginning.

OTHER BUSINESS:

Clarification of Minutes on Case Nos. 2943 and 5273:

Mr. Jones advised that the Staff was requesting the clarification of the Minutes. The Board gave the applicant permission to erect a new clubhouse on part of the Country Club property (5273). The applicant is now proposing to build a metal cart storage building and the Building Inspector is concerned whether the applicant has approval for Country Club use in general on only the clubhouse. It is the Staff's understanding that it was the intent of the previous Board actions to give the applicant Country Club use of that portion advertised.

Mrs. Miller, Building Inspector, stated that she needed a clarification as to whether the Board had approved the advertised tract for Country Club use, or clubhouse only; if the Board interpreted this as being Country Club use and the building as a normal accessory building to that use, the building permit should be issued without Board review.

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait "aye"; Thompson "absent") that the Minutes of Case No. 5273 be interpreted for Country Club use on the subject tract without restriction to a specific plot plan.

On MOTION of SMITH, the Board declared Kathy Purser the Chairman by acclamation.

There being no further business, the Chair declared the meeting adjourned at 5:10 p.m.

Date Approved \_\_\_\_\_

*July 19, 1979*

*Kathy Purser*  
\_\_\_\_\_  
Chairman