

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 295
Thursday, September 27, 1979, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis Purser, Chairman Thompson	Smith Wait	Gardner Howell Miller	Jackere, Legal Department Miller, Building Inspector's Off.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, September 25, 1979, at 11:15 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Purser called the meeting to order at 1:40 p.m. and declared a quorum present.

MINUTES:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson, "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve the Minutes of August 16, 1979 (No. 292) and August 30, 1979 (No. 293) with the amendment to the legal description of Case No. 10659 of the August 30, 1979 Minutes to read: "A portion of Lot 3, Block 4, Romoland Addition to the City of Tulsa and more particularly described as follows;" and to amend the Board Action on Case No. 10645 of the August 30, 1979 Minutes to read; "to uphold the Building Inspector's decision and deny the Appeal."

MINOR VARIANCES AND EXCEPTIONS:

10654

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements and area requirements to permit a lot-split at 8964 East 17th Street.

Presentation:

The Staff advised that the Planning Commission had approved the lot-split on September 5, 1979, subject to the approval of the Board.

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "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 and area requirements to permit a lot-split (L-14721) on the following described tract:

The East 86.25' of the West 172.5' of the East 622.5' of the North-Half of Block 8, AND the West 86.25' of the East 622.5' of the North-Half of Block 8, ALL in O'Connor Park, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

10674

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in The Agriculture District - Under the Provisions of Section 1630 - Minor Variances) of the area requirements and frontage requirements to permit a lot-split south and east of 151st Street and Peoria Avenue.

Presentation:

The Staff advised that the Planning Commission had denied this lot-split on September 26, 1979. Mr. Gardner recommended the Board withdraw this case.

Protests: None.

Board Action:

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

The N/2 of the SW/4 of the NW/4 of the NW/4 of Section 19,
Township 17 North, Range 13 East, Tulsa County, Oklahoma.

10679

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-3 District to permit a lot-split north of the northeast corner of 19th Street and 79th East Avenue.

Presentation:

Mr. Perry, 735 South 89th East Avenue, advised that the Planning Commission will act on this lot-split on October 3, 1979.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to continue Case No. 10679 to November 8, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10695

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in The Office Districts - Under the Provisions of Section 1630 - Minor Variances) to allow the floor area ratio from 25% to 27% in an OL District at 4157-4171 South Harvard Avenue.

10695 (continued)

Presentation:

George de Verges, 4111 South Darlington Avenue, represented the owner of the property, and requested the variance due to the economic feasibility of the building. The costs will be the same with 25% or 27% coverage; however, it will not be reasonable to construct the building unless the additional 1,900 square feet is allowed. Mr. de Verges presented a plot plan (Exhibit "A-1") and an artist's rendering (Exhibit "A-2") of the proposed building.

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve a Variance (Section 630 - Bulk and Area Requirements in The Office Districts - Under the Provisions of Section 1630 - Minor Variances) to allow the floor area ratio from 25% to 27% in an OL District, per plot plan submitted, on the following described tract:

Lots 5 & 6, Block 1, Villa Grove Heights No. 1, a Subdivision of Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

UNFINISHED BUSINESS:

10277

Charles Gotwals, member of the Advisory Board of the YWCA, presented the final plot plan (Exhibit "B-1") and elevations plan (Exhibit "B-2") for the proposed addition.

Wendy Teel, 1920 South Lewis Avenue, advised that she had been misinformed at the April 12, 1979 meeting and had not left the final plot plan with the Board. The plot plan presented today does not vary from the plan submitted April 12, 1979.

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve the new plans as submitted on this date.

10463

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) for permission to erect duplexes in an RS-3 District at 129th East Avenue and 24th Street.

Presentation:

Richard Raskin, 201 West 5th Street, Suite 411, presented drainage plans (Exhibit "C-1"), which have been approved by the City Engineer's Office, for the subject tract. Mr. Raskin noted that a resident of the neighborhood had appeared in protest of the drainage in the area at a previous meeting and advised that this drainage plan would offer protection for the protestant's property. The duplexes will be of brick veneer construction, the drive will be a private gravel driveway and the applicant stated he felt this would be a substantial improvement to the neighborhood.

9.27.79:295(3)

10463 (continued)

Interested Party:

Maxine Culver, 2334 South 131st East Avenue, advised that she was a protestant at a previous meeting and questioned how the drainage plan would effect her property.

Mr. Raskin stated that the plan shows the grade levels, the fill, and that there will be a flow on the subject property to the northeast. There is a drain along the drive which will cause the water on the drive to run off to the north and northwest.

Mr. Gardner noted that there appears to be a berm on the northeast corner of the drainage plans, which would force the water to drain to the northwest. The Hydrology Department was aware of the protestant's request that the water from the subject tract not drain to the northeast onto her property. The drainage plans have been approved by the Hydrology Department. The Building Inspector will not permit the driveway to be graveled, but will require a hard-surfaced drive.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes) to erect duplexes in an RS-3 District, per plot plan, elevation and drainage plans as submitted, on the following described tract:

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

10675

Bob Gardner advised that the applicant had processed a zoning application through the City Commission; the zoning was denied and the Commissioners suggested the applicant file a Planned Unit Development. The PUD was to be filed and the neighborhood residents will receive notice of the overall proposal for the total application. The Staff recommended the application be withdrawn.

The Chair, without objection, withdrew Case No. 10675.

NEW APPLICATIONS:

10678

Action Requested:

Variance (Section 1208.4 - Multifamily Dwelling and Similar Uses -- Off-Street Parking and Loading Requirements - Under the Provisions of Section 1670 - Variances) of the number of parking spaces in an RM-3 District at 8th Street and Wheeling Avenue.

Presentation:

Thomas Mann, 816 Enterprise Building, representing the Tulsa Housing Authority, presented a site plan (Exhibit "D-1") and explained that the applicant is proposing construction of 144 apartment units, 126 one-bedroom units and 18 two-bedroom units, for the handicapped. The Zoning Code requires 225 parking spaces; the applicant proposed to provide 72 spaces or .5 parking spaces per unit. Mr. Mann advised that the .5 ratio of parking spaces will be more than ample for the number of cars that the handicapped people will drive. The units will be designed specifically for wheel chair use and it will not be feasible for a person with normal abilities to utilize the apartments. The lease agreement that has been executed between the Tulsa Housing Authority and the Recreation Center For The Physically Limited requires the building be used for handicapped persons only, for the next 50 years. This will be the first facility in Tulsa which is solely for handicapped people.

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve a Variance (Section 1208.4 - Multifamily Dwelling and Similar Uses -- Off-Street Parking and Loading Requirements - Under the Provisions of Section 1670 - Variances) of the number of parking spaces in an RS-3 District on the following described tract; and to continue Case No. 10678, to enable the applicant to readvertise in order to work out other problems, to October 11, 1979, 1:30 p.m., Langenheimer Auditorium, City Hall, Tulsa Civic Center.

Beginning at the Southeast corner of Lot 5, Block 3, Clover Ridge Addition to the City of Tulsa, Oklahoma; thence West 150'; thence South 50'; thence West 135'; thence North 140'; thence South 99' to the point of beginning.

10696

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 1342 North 95th East Avenue.

Presentation:

Billie Kraft, 1719 South 94th East Avenue, advised that she and her husband owned the subject property where their daughter proposed to operate a home beauty shop.

Gayle Winters, 1342 North 95th East Avenue, daughter of Mrs. Kraft, stated she would have only two patrons at one time. There is a four car driveway which will accommodate the patron's cars. The hours of operation will be 5:00 p.m. - 10:00 p.m. on weekdays and 8:00 a.m. - 6:00 p.m. on Saturdays. There are four neighbors in the area and they are not opposed to the beauty shop.

10696 (continued)

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "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, subject to the applicant having no more than two patrons at one time, all patrons will park in the driveway, not on the street, the hours of operation to be 5:00 p.m. - 10:00 p.m. during the week and 8:00 a.m. - 6:00 p.m. on Saturdays, to run with this applicant only on the following described tract:

Lot 8, Block 5, Van Acres Amended Addition to the City of Tulsa, Oklahoma.

10697

Action Requested:

Exception (Section 250.3 (b) - Modification of the Screening Wall or Fence Requirements) for permission to modify the screening requirements where an alternative screening will provide visual separation of uses at 1422 North Utica Avenue.

Presentation:

Gayle Williams, 3406 East 66th Street, requested she be allowed to construct a chain link fence along the west side of the property, which borders on North Troost Avenue, in lieu of a privacy fence. The applicant felt there would be less security with a privacy fence to hide behind. Mrs. Williams stated there are other businesses of the same size in the area who do not have the screening fence and this has not been a problem.

Board member Thompson advised he would like to see photographs of what the neighbors would be looking at the photos of the neighborhood in all directions.

Mr. Lewis stated that he would not be in favor of waiving the screening if part of the justification for allowing the commercial enterprises to move back to Troost was that there would be screening along the street. He advised that the only alternative he would consider would be a fence plus solid shrubs that would be 6' high and thick so you couldn't see through them.

Bob Gardner stated that he felt the cost may be a problem since the proposed fence would be approximately \$2,280. He suggested the alternative of a chain link fence with slats and some additional landscaping might be adequate.

Mr. Lewis stated that if the applicant wished to explore a cheaper method of screening the property he would have no objection to a continuance; however, if the applicant is requesting less than the total screening required he would be opposed to the application.

Mrs. Williams advised that she felt her husband would like to consider the other options and requested the case be continued.

9.27.79:295(6)

10697 (continued)

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson, "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to continue Case No. 10697 to October 11, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and requested the applicant return to the Board with photographs of the area.

10698

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in The Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 75' to 30' on the east and north; and an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fencing Requirements) where an alternative screening will provide visual separation of uses south and east of 66th Street North and Mingo Valley Expressway.

Presentation:

John Kornegay, P. O. Box 66, Owasso, Okla., advised this tract of land is small and he proposed to construct mini-storage units. Mr. Kornegay lives on the agriculturally zoned property to the north of the subject tract. To the east is a multifamily zoned area, a mobile home park which was not completely developed - the nearest mobile home is 660' from the subject tract. A variance of 30' is needed both on the north and the east of the subject property. Mr. Kornegay stated that the mini-storage units will have different colored doors and will be very attractive. The applicant advised that the variance was needed in order to build the number of units he proposed on the property. Mr. Kornegay stated he would be managing the storage units and he requested the exception of the screening requirement so he would be able to see the units from his house.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to deny the Variance (Section 930 - Bulk and Area Requirements in The Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 75' to 30' on the east and north; and to grant an Exception (Section 250.3 (b) - Modification of the Screening Wall or Fencing Requirements) until such time as development is initiated on the property to the east, on the following described tract:

Block 1, Village Industrial Park, Tulsa County, Oklahoma.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts-
Section 1217 - Automotive and Allied Activities) to erect mini-storage
buildings in a CS District located SW of 20th Street and 129th East Avenue.

Presentation:

Forest Swanson, 10133 East 30th Street, advised he would like to use the
subject tract for 650 mini-storage buildings. Mr. Swanson presented a plot
plan (Exhibit "E-1") and stated he owns the 20' driveway. The mini-storage
buildings will be one-story with doors on each side of the building. Some
of the doors will be standard garage overhead doors and others will be
standard doors. There will be no electrical outlets; each unit will have a
single light bulb in the ceiling which will be on 30 minute timers. The
units will be of earth-tone masonry construction.

There is a screening fence in place around the area and a 6' chain link
fence, with barbed ware on top, will be constructed. There will be an
apartment on the east end of building "A", next to the residential area,
to house the attendant for the units.

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson
"aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an
Exception (Section 710 - Principal Uses Permitted in Commercial Districts-
Section 1217 - Automotive and Allied Activities) to erect mini-storage
buildings in a CS District, per plot plan submitted, the buildings to be
of earth-tone masonry construction, as presented, no electrical outlets,
24-hour supervision, on the following described tract:

Beginning at the NE corner of Lot 1, Stacy Lynn Third Addition;
thence 179.12' West; thence South 82°-00'-00" West for 220.22';
thence South 431.90'; thence East 150'; thence North 40'; thence
East 150'; thence North 10'; thence East 147.2'; thence North 150';
Thence West 50'; thence North 264.81' to the point of beginning,
according to the plat thereof, Stacy Lynn Third Annex Addition to
the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in The Agriculture
District - Section 1202 - Area-Wide Special Exception - Cemetery) to
use the property for a pet cemetery at 11010 North Yale Avenue.

Presentation:

Leon Bateman, P. O. Box 19004, Oklahoma City, representing Laconic
Engerprises, Inc., advised the organization would like to use the
subject property for a pet cemetery. Mr. Bateman presented a letter
of introduction (Exhibit "F-1"), a plot plan (Exhibit "F-2") and
pictures (Exhibit "F-3") of a Laconic Enterprise pet cemetery in Okla.,
City. The entire 10 acres will be platted for cemetery use and en-
trance will be from North Yale Avenue. The pets will be enclosed in
sealed, rodent proof units with 20" of soil on top of the caskets.
There will be a preparation room, sales office and a chapel on the
subject property.

10702 (continued)

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1202 - Area-Wide Special Exception Uses - Cemetery) to use property for a pet cemetery, per plot plan and drawings submitted, as presented - including all the representations as far as quality and the manner in which the preparation and burial was described, on the following described tract:

The NE/4, NE/4, SE/4, Section 9, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

10703

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 at the NE corner of 61st Street and 81st West Avenue.

Presentation:

Tommie Morris, 7715 West 61st Street, stated she would like to locate a mobile home on the acreage next to her home for her ill parents to live in. Mrs. Morris advised that her home was located on a 3½-acre tract and the mobile home will be situated on an adjoining 15-acre lot. The applicant had checked with neighbors in the area and they had no objections.

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "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 five years, on the following described tract:

The SW/4, SW/4, SW/4, and the W/2, SE/4, SW/4, SW/4, lying North of the railroad; and Less the West 25' and the South 50'; all in Section 31, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

10704

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 401 Ridge Drive - Sand Springs.

10704 (continued)

Presentation:

Bob Essley, 816 West 4th Street, Sand Springs, advised that he had torn down an old house on the property, but the utilities were left in place and can be used for the mobile home. There is also a two bedroom rental home on the subject tract. Mr. Essley's daughter will live in the mobile home. There are other mobile homes in the area.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") 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 tract:

Lot 21, Block 19, Charles Page Home Acres #2, in Tulsa County, State of Oklahoma.

10705

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 3106 South 67th East Avenue.

Presentation:

The Staff advised that there were some residents within 300' that were not notified.

Protestants:

There were several protestants in attendance and the spokesperson for this group stated they were concerned that everything be done correctly and agreed to a continuance for this case so that all residents could be notified.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to continue Case No. 10705 to October 11, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow time to serve sufficient notice.

10706

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 116 South 185th East Avenue.

Presentation:

Johnson Tiger, Jr., 116 South 185th East Avenue, advised he would like to operate a beauty shop in his home between the hours of

6:00 p.m. - 9:30 p.m., Monday Through Friday until January 1980. The hours, beginning in January 1980, would be 3:30 p.m. - 9:30 p.m. There is a single car driveway and Mr. Tiger stated there would be only one vehicle in the driveway at one time. Mr. Tiger stated there is a car parked beside his house which he plans to move this weekend. The garage will be converted for the beauty shop, the front of the garage will be closed in and the interior will be paneled and painted. The applicant plans to work by appointment only and will confine the bulk of his business to haircuts only.

Protestant:

Linda Swavel, 46 South 146th East Place, stated she lives two houses from the applicant. Mrs. Sawvel advised that the applicant has two cars, one beside the house and one in the driveway; the people across the street park three or four cars on the street at all times, which is a traffic hazard. There is also a day care center in the area which creates more traffic. Mrs. Sawvel was opposed to the home beauty shop because of the traffic conditions in the neighborhood.

Discussion:

Board member Lewis expressed concern that the outside appearance of the house would be changed with the alteration to the garage door. The applicant stated he could leave the garage door as it is and use the side door for entrance to the shop; a false wall will be added inside the garage door.

All of the Board members expressed concern with the hazardous traffic conditions in the neighborhood.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate a home beauty shop for a period of 18 months, no outside alterations to the front of the garage door, no more than one car in the driveway at all times, no parking on the street, no more than two chairs in the beauty shop, hours of operation to be 6:00 p.m. - 9:30 p.m. weekdays until January 1980 and after that time the hours to be 3:30 p.m. - 9:30 p.m. weekdays only, on the following described tract:

Lot 6, Block 12, Rolling Hills Third Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 30' to 20' in a cul-de-sac area in the 5800 Block South Knoxville Avenue.

Presentation:

Bob Brummett, 3824 South 79th East Avenue, advised he has a hardship because of the irregular shape of the lots located on a cul-de-sac. Mr. Brummett stated that without the variance, he would not be able to build the size homes that he proposes.

10707 (continued)

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 30' to 20' in a cul-de-sac area, per plot plan submitted, on the following described tract:

Lots 6, 7, 8, 9, Block 1, Park Place South II Addition to the City of Tulsa, Oklahoma.

10708

Action Requested:

Exception (Section 610 - Principal Uses Permitted in The Office District - Section 1208 - Multifamily Dwelling and Similar Uses) to permit multifamily use in an OL District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the height, building setbacks- and the number of dwelling units (per plot plan) to permit multifamily use in an OL District at the NW corner of 17th Street and Cheyenne Ave.

Presentation:

Jerry Gingrich, 4209 East 81st Place, presented a Plot Plan (Exhibit "G-1") and a Sketch Plan (Exhibit "G-2") advising that he proposed to construct 13 high quality condominiums on the subject property. Privacy fences will be constructed; also a decorative brick wall and gate will be erected on the 17th Street side of the project. There is an eight unit condominium, office buildings, a vacant lot, and single-family residences in the area. Six of the units will contain 1,224 sq. ft. and seven units will be 1,260 sq. ft. and will sell for an amount in excess of \$60,000. The units will face each other and the upper story of each, both back and front, will be varied.

There is \$15,000 budgeted for landscaping the garden atmosphere between the Old-English style buildings. The only access to the parking spaces would be through the alley. The trash collection will be placed Cheyenne Avenue, it will be decorative brick on three sides with a gate opening on the west side.

Mr. Gardner advised that an OL zoning District is limited to one-story for light office; however, all of the residential districts, including multifamily and single-family, have a 26' height limitation from the ground to the top of the plate. The roof can be as tall as desired, but cannot have more than two floors of living space.

Protestant:

Mike Freeman, 1701 South Carson, stated his concern was that the Code allows that the Board should make special conditions that would safeguard the other property owners in the neighborhood. Mr. Freeman noted that the area is becoming a rejuvenated area and older homes are being refurbished and restored to their original conditions. The protestant advised that parking is a severe problem in the area; there will be both ingress and egress on a one-way alley through the parking space.

10708 (continued)

Mr. Freeman also asked that the Board be assured on the height of the roof of the project, noting that the pitch of the roof on the two-story dwelling next door to his home, is such that it could be a three-story building. He felt it would be detrimental to the neighborhood to have a retaining wall with a fence and no possibility for shrubbery or greenery; a reduction in patio size in order to have a hedge or some green plants was suggested by Mr. Freeman.

Mr. Gardner stated that in a previous case, the Board approved an identical configuration of parking off of a one-way alley with no other ingress or egress. Mike Freeman stated that he felt a two-way alley will solve the problem somewhat and if the applicant would obtain a waiver of some of the parking spaces in order to open the alley on one end to two-lane it would be helpful.

Dana Howerton, 1628 South Cheyenne, advised that the alley is very narrow, the trash is collected in the alley and traffic was very congested. Ms. Howerton also objected to the variance of the building setbacks noting that it would change the looks of the neighborhood.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 610 - Principal Uses Permitted in The Office District - Section 1208 - Multifamily Dwelling and Similar Uses) to permit multifamily use in an OL District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the height, building setbacks, and the number of dwelling units (per plot plan) to permit multifamily use in an OL District, per plot plans and elevations presented, subject to the representation of the applicant as to the construction of the buildings and that along the Cheyenne Avenue border there will be planting and landscaping - bushes and similar type plantings - between the boundary fence and the retaining will, on the following described property:

The S/2 of Lot 9, ALL of Lots 10, 11 and 12, Block 8, Stonebraker Heights Addition to the City of Tulsa, Oklahoma.

10709

Action Requested:

Exception (Section 310 - Principal Uses Permitted in The Agriculture District - Section 1209 - Mobile Homes) for permission to locate two mobile homes in an AG District northeast of Hudson Avenue and 31st St.

Presentation:

Jack Melton, 3000 North Sheridan Road, advised that his in-laws own 10 acres which they are dividing between the family members. Mr. Melton and his brother-in-law propose to move mobile homes onto the property to live in while they build their homes on the subject property. Each home will be built on a 2½-acre lot and the applicant stated he felt it would involve two years to finish the homes since they would be doing the work themselves. There are other mobile homes in the area.

10709 (continued)

The Staff advised that the applicant will need to subdivide the property or obtain a lot-split on the tract. Mr. Alberty noted that a 5-acre minimum for a mobile home in an AG District was a condition for approval by the Board and suggested they approve one mobile home for each 5 acres.

Protests: None.

Board Action:

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

The SW/4, SW/4, NE/4 of Section 22, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

10710

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1204 - Public Protection and Utilities Facilities and Temporary Open Air Uses) for permission to sell Christmas trees during the month of December 1979, located southeast of 41st Street and Harvard Avenue.

Presentation:

Bill Manley, 5401 West Skelly Drive, stated he had no comments to make other than to advise the Board this is the 29th year he had been before the Board with the same application.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1204 - Public Protection and Utilities Facilities and Temporary Open Air Uses) to sell Christmas trees during the month of December 1979, on the following described tract:

Lot 1, Block 1, Villa Grove Heights No. 1 Addition to the City of Tulsa, Oklahoma.

10711

Action Requested:

Exception (Section 610 - Principal Uses Permitted in The Office Districts - Section 1213 - Convenience Goods and Services) for permission to operate a beauty shop in an OL District at 3319 East 46th Street.

Presentation:

Peggy Henry, 5135 South New Haven, representing a client who is purchasing the property and proposes to renovate a rental house to use as

10711 (continued)

a high-class beauty shop. There will be no external changes to the house other than improvements for appearance; a screened porch will be enclosed. The gravel driveway will be paved and parking will be provided for 8-10 cars at one time. The operator will not live on the property. Three additional operators will be employed.

Protestants:

Patrick Murphy, 3335 East 46th Street, presented pictures (Exhibit "H-1") of the area and recounted previous problems with changes in the Harvard area. Mr. Murphy stated that previous developers on Harvard Avenue had met with the homeowners; however, the area has not developed as it was represented to the neighborhood residents. The protestant questioned where the misrepresentations would stop. Two objections to the application were the additional traffic in the area and increased water runoff due to the parking area for the beauty shop.

Homer Hilst, 3336 East 46th Street, who lives across the street from the subject property, stated the area has tremendous problems with water runoff, which is compounded with each additional parking lot. Mr. Hilst advised that residents had consulted the Street Department concerning storm sewers and were told they could put in a 12" storm sewer; the neighborhood installed an 18" storm sewer, but even this storm sewer does not begin to handle the runoff. Residents in the area would prefer light office use of the property rather than the proposed commercial use.

Ann Walden, 3325 East 46th Street, advised that since the construction of the Racquetball Club, she has had a drainage problem. Mrs. Walden's property is lower than the proposed beauty shop property and she feared additional water will run off onto her property. Mrs. Walden also questioned if there was proper setback, according to the Zoning Code, between her property and the building on the subject property.

Doris Hilst, 3336 East 46th Street, advised that the water runoff comes to the back of the office buildings, runs between the houses and there have been walls of water 2' high this past summer. Mrs. Hilst noted that she felt the City plan is to keep the water off of Harvard Ave.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to deny an Exception (Section 610 - Principal Uses Permitted in The Office Districts - Section 1213 - Convenience Goods and Services) to operate a beauty shop in an OL District, on the following described tract:

Lot 9, Block 2, Villa Grove Heights No. 1, to the City of Tulsa, Oklahoma.

10712

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in The Agriculture District - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 65' from the centerline of 177th East Avenue at 11313 South 177th E. Ave.

9.27.79:295(15)

10712 (continued)

Presentation:

Kelly Thomason, 11311 South Lynn Lane, stated there was a small creek on the back of the lot and some large trees that he proposed to save, which prompted the request for a variance of the setback requirements. Mr. Thomason presented a plot plan (Exhibit "I-1") and an aerial photo (Exhibit "I-2") and a map (Exhibit "I-3") of the area.

Protestant:

Sandy Wittenborn, R. R. #6, Box #356, Broken Arrow, advised she was objecting to the application since it was in the flood zone area. Ms. Wittenborn presented a protest petition (Exhibit "I-4") signed by 7 area residents. The protestant was concerned that the applicant, in order to build in the floodplain, would need to raise the level of the land which would lead to more flooding of her property and that of other area residents.

For the Record:

The applicant questioned the restrictions for building in a flood zone and the Staff advised that you can develop in a floodplain; however, the Building Inspector would require the applicant to provide a safe pad elevation, normally considered 1' above the elevation of the 100-year record flood.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to grant a Variance (Section 330 - Bulk and Area Requirements in The Agriculture District - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 65' from the centerline of 177th East Avenue, subject to the County Engineer reviewing the applicant's proposal in regard to pad elevation and to determine that the location of the structure on the lot does not interfere with the water course, on the following described tract:

The SE/2 of the NE/4, lying east of road right-of-way, LESS a tract beginning at the NE corner of the SE/4, NE/4; thence South 280'; thence West 169.32' to the centerline of the road; thence on a curve to the right 282.1'; thence East 160.85' to the point of beginning, Section 35, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, containing 6 acres more or less, according to the U. S. Government Survey thereof; AND

The S/2 of the NE/4 of the NE/4, lying east of the road right-of-way.

10713

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 406 South 69th West Avenue.

Presentation:

Jerry Jernigan, 1014 North Oswego Avenue, requested permission to place a mobile home on the subject tract for his parents who are in ill health. There is another mobile home within 100' of the proposed location.

10713 (continued)

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") 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-3 District, for a period of one year, removal bond required, on the following described tract:

Lot 12, Bruner Subdivision to the City of Tulsa, Oklahoma.

10714

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 at 17417 East 15th Street.

Presentation:

Rex Wakefield, P. O. Box 15256, stated he would like to place a mobile home behind his parents home on a 2½-acre lot. There are four other mobile homes in the area.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") 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 a period of one year, removal bond required, on the following described property:

Lot 3, Block 8, Lynn Lane Estates Addition to the City of Tulsa, Oklahoma.

10715

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwellings) to erect apartments in a CS District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit multifamily use on a tract of land zoned CS, RM-2 and RM-1, and to permit the reallocation of the overall permitted density with the tract notwithstanding the district boundary lines; and 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 north and east of 71st Street and Peoria Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, advised that the property area was approximately 12 acres with frontage on both Peoria Avenue and 71st Street. The property is zoned in three different classifications; the frontage on both Peoria and 71st Street is zoned CS - a total of approximately

3.6 acres; the middle part of the property is zoned RM-2, approximately 5.4 acres; and the east portion of the property, slightly over 3 acres, is zoned RM-1. The overall computation of density would permit approximately 370 dwelling units. Mr. Johnsen proposes to erect 368 dwelling units, so the only variance needed is for reallocation within the ownership lines. A plot plan (Exhibit "J-1") was presented.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwellings) to erect apartments in a CS District; and Variances (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit multifamily use on a tract of land zoned CS, RM-2, and RM-1, and to permit the reallocation of the overall permitted density with the tract notwithstanding the district boundary lines; and a Variance (Section 206 - Number of Dwelling Units On A Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units on one lot, per plot plan submitted, on the following described tract:

TRACT "A"

A parcel of land situated in Lot 7, Section 6, Township 18 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, Okla., more particularly described by metes and bounds as follows, to-wit:

Commencing at the SW corner of said Lot 7; thence North $89^{\circ}-25'-55''$ East along the South line of said Lot 7, a distance of 600.00' to the point of beginning; thence continuing North $89^{\circ}-25'-55''$ East along the South line of said Lot 7 a distance of 195.18' to a point; thence North $00^{\circ}-24'-39''$ West along a line parallel and 550.00' West of the East line of Lot 7 a distance of 795.59' to a point; thence South $89^{\circ}-26'-50''$ West along a line parallel and 528.00' South of the North line of said Lot 7 a distance of 589.48' to a point; thence due South a distance of 150.00' to a point; thence South $89^{\circ}-26'-50''$ West a distance of 200.00' to a point in the West line of said Lot 7; thence due South along said West line a distance of 60.00' to a point; thence North $89^{\circ}-26'-50''$ East a distance of 200.00' to a point; thence due South a distance of 185.73' to a point; thence North $89^{\circ}-26'-50''$ East a distance of 200.00' to a point; thence due South a distance of 200.00' to a point; thence North $89^{\circ}-25'-55''$ East a distance of 200.00' to a point; thence due South a distance of 200.00' to the point of beginning, said described tract containing 363,295.6 square feet or 8.340 acres more or less.

TRACT "B"

A parcel of land situated in Lot 7, Section 6, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Okla., more particularly described by metes and bounds as follows, to-wit:

Commencing at the SE corner of said Lot 7; thence South $89^{\circ}-25'-55''$ West along the South line of said Lot 7 a distance of 550.00' to a point; thence North $00^{\circ}-24'-39''$ West a distance of 200.00' to the point of beginning; thence continuing North $00^{\circ}-24'-39''$ West along

10715 (continued)

a line parallel to and 550.00' West of the East line of said Lot 7 a distance of 592.00' to a point; thence North 89°-25'-55" East along a line parallel to and 792.00' North of the South line of said Lot 7 a distance of 275.00 feet to a point; thence South 00°-24'-39" East a distance of 592.00' to a point; thence South 89°-25'-55" West a distance of 275.00' to the point of beginning, said described tract containing 162,799.6 square feet, or 3.737 acres more or less.

10716

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwellings) to permit multifamily dwellings and similar uses in a CS District; and 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 SE of 41st Street and Mingo Valley Expressway.

Presentation:

Charles Norman, 1100 Philtower Building, advised the applicant was the Hardesty Company who had previously constructed two multifamily projects in the immediate vicinity of the subject property. Mr. Norman presented a picture (Exhibit "K-1") of the area noting that the 100-acre tract was originally called "The Hub" and has been renamed "Towne Centre" and is entirely zoned either OM, CS or RM-2. Mr. Norman presented a plot plan (Exhibit "K-2") and stated the plans proposed 320 units on a 10-acre tract, over 500 sq. ft. per dwelling unit.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1208 - Multifamily Dwellings) to permit multifamily dwellings and similar uses in a CS District; and a Variance (Section 206 - Number of Dwelling Units On A Lot - Under the Provisions of Section 1630 - Minor Variances) to permit more than 40 units on one lot, per plot plan submitted, on the following described tract:

Lot 4, Block 2, Towne Centre II Addition to the City of Tulsa, Oklahoma.

10717

Action Requested:

Exception (Section 310 - Principal Uses Permitted in The Agriculture District - Under the Provisions of 1680 - Special Exceptions) for permission to erect a church in an AG District at 43rd Street and North Cincinnati Avenue.

Presentation:

Otis Williams, P. O. Box #6339, representing the Church of God In Christ, presented a plot (Exhibit "L-1") advised that the areas east, west and south of the subject property are undeveloped.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve an Exception (Section 310 - Principal Uses Permitted in The Agriculture District - Under the Provisions of Section 1680 - Special Exceptions) to erect a church in an AG District, subject to approval of a complete and detailed plot plan by the Board, on the following described tract:

A part of "Reserve A: Suburban Acres Fourth Addition, to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, and being more particularly described as follows, to-wit:

Beginning at a point 1,502.10' North and 69.97' West of the SW corner of the NW/4 of Section 13, Township 20 North, Range 12 East, Tulsa County, Oklahoma, said point being the Northwestern corner of "Reserve A"; thence South 24° - 52.069' West, along the Westerly boundary of "Reserve A" a distance of 62.0' to a point; thence Southerly along the Westerly boundary of "Reserve A" and along a curve to the left, having a radius of 676.20' a distance of 212.43' to a point; thence South 6° - 52.069' West a distance 239.14' more or less to a point; thence East, a distance of 724.85' more or less to a point, said point being 27.08' South of the Northwestern corner of Lot 10, Laurie Mac Addition; thence in a Northerly direction along the West line of Lot 10, a distance of 27.08' to said Northwestern corner of Lot 10; thence Northwesternly along a curve to the right, having a radius of 444.45' a distance of 180.40' to a point; thence North 40° - 01' West a distance of 175.73' to a point; thence in a Northwesternly direction along a curve to the left, having a radius of 108.76' a distance of 132.87' to a P.R.C; thence in a Westerly direction along a curve to the right, having a radius of 399.48' a distance of 95.56' to a point; said point being the SW corner of Lot 1, Laurie Mac Addition; thence North 1° - 38.8809' East a distance of 201.34' to a point, said point being the NW corner of Lot 1, Laurie Mac Addition; thence in a Westerly direction along a curve to the right, having a radius of 199.48' a distance of 125.0' to the before described NE corner of "Reserve A", being the point and place of beginning, containing 5.0 acres, more or less.

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in The Office Districts) of the floor area ratio of 40% and two stories in an OL District; and a Variance (Section 630 - Bulk and Area Requirements in The Office Districts) of the setback requirements from 50' to 25' from an R District; and an Exception (Section 250.3 (b) - Modification of the Screening Requirements) where an alternative screening will provide visual separation of uses at 2126 East 15th Street.

Presentation:

Donald Hudson, 2126 East 15th Street, presented a plot plan (Exhibit "M-1") and a Site Plan Option (Exhibit "M-2") and advised that he proposed to construct a two-story office building that will conform with other properties on 15th Street and Yorktown Place. Mr. Hudson stated he would be allowed

an additional 1,922' that could be placed 10' from the property line to the south; however, the applicant advised that, because of other residences in the area and future planning for the neighborhood, he would like to spend more money and erect a higher quality building. Space in the building will involve three or four offices and will be leased to independent insurance men, lawyers, etc.

Maurice Clyma, architect for the project, advised there are two possibilities on the Site Plan, one located at the 50' setback from the residential property. In order to achieve the required parking, the lot is almost totally covered with either building or parking. The alternate plan moves the building over to encroach approximately 25' on the setback and allows the parking to be placed between the two buildings. The building was designed to fit the architecture of the surrounding area and is a simplified version of the existing building in front. A low solid screen will be provided to hide the parking between the two buildings. The proposed building will have a slight overhang, but will be siding material instead of stone on the lower portion. Mr. Clyma presented pictures (Exhibit "M-3") of the area. Parking is allowed on 14th Place. Mr. Clyma felt it would be a big asset to the neighborhood if the City would place No Parking signs on that narrow street.

Protestants: 20 present

Neil Bogan, representing homeowner's in the Maywood Addition, Hopping Addition and Seven Acres Addition, presented a Protest Petition (Exhibit "M-4") bearing 105 signatures. Mr. Bogan advised he was not protesting the use of the property for office purposes, but was opposed to the intensification of the use which is permitted under the Zoning Code. Mr. Bogan noted that this area is one of only two neighborhoods in the City of Tulsa that has an application pending to be nominated to the National Register of Historic Places. He stated that there has been a continued commitment, by the property owners in this area, to maintain their properties and to provide for a complete revitalization of the area. Mr. Bogan stated that he felt Yorktown Place is unique not only because of the homes in the area, but the overall contour of the area; the street, Yorktown Place, is only 22' wide for 470' before intersecting with the Boulevard. There is no left turn at 15th and Lewis, therefore, many people either working or using the proposed facility, would cut through on 17th Street. The protestant stated he felt the increase in traffic represented an encroachment on people living in the neighborhood. The Gillette Mansion is directly across the street from the subject property. Mr. Bogan pointed out that it was quite apparent by the plot plans submitted by the applicant that there are alternatives which would negate the necessity of waiving the 50' setback. He also noted that most of the residences on 15th Street, which have been converted to office use, have parking in the front of the building and felt this would be a viable alternative for parking on the subject property and would eliminate the possibility of encroaching further on the residential area.

Sherry White, 1518 South Gillette, President of the Gillette Historic District Association, advised the Association has invested a great deal of time and emotion trying to preserve the historic significance of the neighborhood. Ms. White presented a letter (Exhibit "M-5") from the Tulsa Historic Preservation Office and advised that the Gillette neighborhood will soon be the second district in Tulsa to be nominated to the National Register of Historic Places.

10718 (continued)

Tom Noulles, Fourth National Bank Building, stated that he was attracted to this vicinity because of its charm and livability as an older residential neighborhood near to the downtown area and its proximity to Barnard Elementary School. Mr. Noulles has recently purchased a home in the neighborhood and felt that if this application was approved, it would have a detrimental effect upon the quality of life in the area.

Ed Brett, 1557 South Yorktown Place, advised that the neighbors were pleased when the Hudsons purchased their property because they seemed to have an interest in the neighborhood and its historic leanings; the residents now feel the applicant views the property as an opportunity for financial gain. Mr. Brett stated that many young, energetic families with school age children, have moved into the area and the enrollment at Barnard School, especially in the kindergarten classes, has increased. Residents of the area proposed an alternate plan which would have much less of an adverse impact on the neighborhood and would still allow the applicant to increase his leaseable space.

Discussion:

Chairman Purser stated that she felt the entranceway to the parking should be from 15th Street. She also noted that the design of the buildings was beautiful and they would fit into the neighborhood.

Mr. Lewis advised, that in spite of the hard feelings expressed, it was apparent that both the applicant and the protestants have concern over the quality of the neighborhood. He felt the proposed design was very attractive, but was concerned with the traffic and also about extending this type of density further into the neighborhood.

Board member Thompson thought it would be appropriate to continue the application in the hopes the two groups could meet and affect a compromise.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to continue Case No. 10718 to October 11, 1979, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10719

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 in the 4800 Block South 65th West Ave.

Presentation:

Kenneth Ross, Jr., 2441 East 51st Street, advised he had just purchased three acres and would like to move a mobile home onto the property. Mr. Ross stated he would like to build a home on the subject tract, but there was a lot of clearing and contouring which he would need to do. There are other mobile homes in the neighborhood.

Protests: None.

10719 (continued)

Board Action:

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") 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 a period of one year, removal bond required, on the following described tract:

The North 495' of the West 264' of the SE/4, NE/4, SE/4 of Section 30, Township 19 North, Range 12 East, also known as:

Beginning at a point on the Northwest corner of the SE/4, NE/4, SE/4, Section 30, Township 19 North, Range 12 East; thence due South along the West boundary of the SE/4, NE/4, SE/4 of Section 30 for 495'; thence due East for 264'; thence due North for 495' to a point on the North border of the SE/4, NE/4, SE/4 of Section 30; thence Due West for 264' to the point of beginning.

OTHER BUSINESS:

Case No. 10228

Charles Ford, 4100 East 51st Street, advised that the plot plan (Exhibit "N-1") was the same as the one previously approved, except that the stem wall was mistakenly placed 5" over on one corner.

On MOTION of LEWIS, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to approve the substitute plot plan for Case No. 10228.

Case No. 8676

Mr. Gardner advised that there was an application in 1975 for a church to put up a sign; the Minutes of this Case read that the sign was approved, subject to a plot plan. The Staff is of the opinion that the motion should have read - "per sign plan."

Byron Salzman, architect, presented a substitute plot plan (Exhibit "O-1").

On MOTION of THOMPSON, the Board voted 3-0-0 (Lewis, Purser, Thompson "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to accept the substitute plot plan for Case No. 8676.

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

Date Approved

October 25, 1979

Harry Purser

Chairman