

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 303
Thursday, February 7, 1980, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Purser, Chairman Smith Wait	Lewis Thompson	Gardner Howell Jones	Jackere, Legal Department Miller, Building Inspectors Office

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, February 5, 1980, at 11:25 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Purser called the meeting to order at 1:45 p.m. and declared a quorum present.

MINUTES:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to approve the Minutes of November 29, 1979 (No. 299).

MINOR VARIANCES AND EXCEPTIONS:

10879

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts- Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements to permit a lot-split at 515 South Allegheny Avenue.

Presentation:

The Staff advised that all information is in the file. The Planning Commission approved a lot-split on January 16, 1980, subject to Board of Adjustment approval.

Protests: 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 to permit a lot-split (L-14840) on the following described tract:

The South 10 feet of Lot Ten (10) and Lot Nine (9), EXCEPT the South 60 feet thereof, ALL in Block Fourteen (14), WHITE CITY ADDITION of the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

UNFINISHED BUSINESS:

10790

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwellings) for permission to erect three duplexes in an RS-3 District; and a Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) of the frontage requirements on a public street; and to permit a lot-split in the 1,000 Block of East 33rd Place.

Presentation:

Ben Royal, 4210 East 105th Place, noted that the subject tract was a landlocked property, adjacent to the Place One Apartments. One house, currently a rental property, will be removed to provide access to the proposed duplexes. Mr. Royal presented a plot plan (Exhibit "A-1") and advised that the duplexes are 10' apart; however, one duplex is only 4' away from the lot line.

Alan Jackere, Assistant City Attorney, advised the Board that the variance would need to be readvertised and the adjacent property owners notified before action could be taken on the side setback variance from 5' to 4'.

Protests: 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 an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwellings) to erect three duplexes in an RS-3 District; and a Variance (Section 207 - Street Frontage Required - Under the Provisions of Section 1670 - Variances) of the frontage requirements on a public street; and to permit a lot-split; and to continue Case No. 10790 to February 21, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, in order to re-advertise the side yard variance on the following described property:

The East 62.5' of Lot 1, Block 1, Peebles Addition; and Lots 22 and 26, Block 5, Amended Brookside Addition to the City of Tulsa, Oklahoma.

10810

Action Requested:

Variance (Section 1221.5 (a) - CS District Use Conditions - Under the Provisions of Section 1670 - Variances) of the aggregate display surface area for a sign at 3612 South Sheridan Road.

Presentation:

Larry Malcolm, 7777 East 38th Street, advised that the display surface area of the proposed sign will be the same as the existing sign which has been on the site for the past 11 years. A Mr. Quick Lube sign has been erected on an adjacent property which blocks one existing sign from view. The existing sign has 6-8 poles and the new sign will have only 2 poles.

10810 (continued)

Board members expressed concern about the size of the sign and the fact that it involves a much larger display surface area than would be allowed under today's Code.

Mr. Malcom stated that the existing sign includes 600 sq. ft. of display surface. There is also a 25 sq. ft. free-standing sign on the property. The proposed sign will be 49' 11" high and the existing sign is 30' high.

Mr. Gardner pointed out that if the applicant moved the sign back an additional 10' from the street there would be no limitation on the size of the sign.

Board members Smith questioned if the sign would handle the wind loads at the proposed height and was informed by the applicant that it would.

Protests: 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 grant a Variance (Section 1221.5 (a) - CS District Use Conditions - Under the Provisions of Section 1670 - Variances) of the aggregate display surface area for a sign, on the following described tract:

The North 150' of Lot 1, Block 1, Wilmot Addition to the City of Tulsa, Oklahoma.

NEW APPLICATIONS:

10871

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, that has a church building on it SW of 4th Street and 193rd East Avenue.

Presentation:

Steve Pringle, RR #1, Box 274-B, Kellyville, advised he is the pastor of the church located on the subject tract. Rev. Pringle stated that the proposed mobile home would serve as a parsonage for the church until such time as money is available to construct a permanent parsonage on the subject tract. The mobile home will be placed approximately 300' from the front of the property. The creek on the property has never flooded the church.

Protests: 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 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 that has a church building on it, for a period of one year, removal bond required, on the following described tract:

2.7.80:303(3)

10871 (continued)

Beginning at the SE corner of the NE/4 of Section 1, Township 19 North, Range 14 East, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, thence due North and along the East line of said Section 1, a distance of 470'; thence South 69°-11.1695' West a distance of 379.78'; thence South 77°-53.5883' West a distance of 383.53'; thence South 40°-35.7497' West a distance of 341.16'; thence Easterly and along the South line of the NE/4 of said Section 1, a distance of 952.01' to the point of beginning and containing 6.5046 acres more or less.

10872

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 10' to 3' in an RM-2 District at 1226 South Quaker Avenue.

Presentation:

George F. Speer, P. O. Box 608, Broken Arrow, presented a plot plan (Exhibit "B-1") and a site plan (Exhibit "B-2") and advised that he proposed to construct a two-unit Victorian style townhouse, 44' wide, on the subject tract. The subject property is adjacent to an apartment complex on the north and with single-family residential on the south. There is a common drive which encroaches over 4' on the adjacent property. Mr. Speer noted that leaving the driveway intact would necessitate constructing the townhouse within 2' of the north property line. An 8-10 unit, brick veneer apartment building is located 12' from the north property line; a four-plex unit on the south side sets over 10' from the property line and includes the common driveway.

Protests: None

Board Action:

On MOTION of WAIT, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 10' to 3' in an RM-2 District, on the following described tract:

Lots 13 and 14, and vacated alley adjoining Block 5, Orchard Addition to the City of Tulsa, Oklahoma.

10873

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry) to permit the use of a warehouse located in a commercial district for assembly of Fram Filters at 2414 West Skelly Drive.

10873 (continued)

Presentation:

Charles Hazelton, 3637 South Lewis Avenue, advised that the proposed tenant of the building, Fram Industrial Filter Corporation, would carry on the assembly of plates into packages and installing into units. This installation involves pipe cutting, threading, minor touch-up painting and installing an electrical control panel onto system and necessary wiring to components. There will be a minimal amount of smoke and noise associated with this operation.

Mr. Gardner advised the Board that Use Unit 25 would be appropriate for light industrial use of the building. He noted that if the action of the Board was conditioned on Use Unit 25, the Building Inspector could then make a determination concerning the industrial use on the subject tract.

Protests: 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 an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry) to permit the use of a warehouse located in a commercial district for assembly of Fram Filters, subject to the condition that approval is for Use Unit 25, on the following described tract:

A tract of land located in the NW/4, NE/4 of Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma; more particularly described as beginning at a point on the West line of said NW/4, NE/4; said point being on the Southerly side of the right-of-way of Skelly Drive; thence East and parallel to the highway right-of-way a distance of 223.03' to the point of beginning; thence South and parallel to the West line of said NW/4, NE/4 a distance of 300'; thence East and parallel to said highway right-of-way 175'; thence North 300'; thence West 175' to the point of beginning.

10875

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 50' to 25' from the centerline of 8th Street at 1910 East 8th Street.

Presentation:

James Pearson, 1910 East 8th Street, presented a plot Plan (Exhibit "C-1") and advised that he proposed to construct an addition, approximately 500 sq. ft., to the existing structure. Mr. Pearson is a sign painter and uses the building as a sign shop. The applicant presented pictures (Exhibit "C-2") of the building and stated that the proposed addition will not extend in front of the existing structures. The proposed addition will be a steel structure. There will not be any trucks parked on the street.

2.7.80:303(5)

10875 (continued)

Protests: 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 grant a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 50' to 25' from the centerline of 8th Street, per plot plan submitted, on the following described tract:

The W/2 of Lot 13, Block 2, Clover Ridge Addition to the City of Tulsa, Oklahoma.

10877

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit church property and buildings to be used for school purposes, and related activities at 3434 South Garnett Road.

Presentation:

Bruce Irvin, architect representing Eastwood Baptist Church, advised that the Church had made an offer to purchase the property, subject to Board approval of an exception to permit school use. The building includes an auditorium which seats 1,000 people and classrooms for 1,000 people; the Eastwood Baptist Church is proposing to use the structure to house 670 high school students. There is adequate parking in a concrete paved lot. A plot plan (Exhibit "D-1") was presented and Mr. Irvin explained that another building will be constructed for the gymnasium and the existing gymnasium will be used for classrooms, cafeteria and kitchen.

Chairman Purser expressed concern with trash blowing around the residential area. Mr. Gardner suggested that as the plans for the school progress, the applicant return to the Board with a plan for landscaping or fencing and thus allow flexibility in planning the future construction.

Protests: 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 an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - to permit church property and buildings to be used for school purposes, and related activities as presented per plot plan, subject to the applicant returning to the Board with final screening and landscaping plans prior to obtaining a building permit, the applicant to counsel with the traffic engineer concerning access to the subject tract and possible signalization, on the following described tract:

10877 (continued)

All of that part of the NE/4 of Section 19, Township 19 North, Range 14 East, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at the SE corner of said NE/4; thence North 00°-05'-30" West along the East boundary thereof, a distance of 454.93' to the SE corner of Briardale, an addition in Tulsa County, Oklahoma, according to the recorded plat thereof; thence due West and along the South boundary of Block 6 of said Briardale, a distance of 480.19'; thence due South and along the East Boundary of Block 6 of said Briardale, a distance of 455.20' to a point in the South boundary of said NE/4; thence North 89°-58'-15" East and along the South boundary of said NE/4 a distance of 480.92' to the point of beginning, containing 5.02 acres more or less.

10878

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses - Airport) to use property for airport use (to permit storage of airplanes and use an existing barn for maintenance); and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit same as above at 1329 South 135th East Avenue.

Presentation:

Susan Sitler, 1329 South 135th East Avenue, presented an aerial photo (Exhibit "E-1") of the subject tract and the airport property. Mrs. Sitler advised that the fence had been removed between her property and the airport to allow extension of the runway. There is an existing building on the property which the applicant proposes to use for maintenance of airplane engines in the future. Mrs. Sitler presented a plot plan (Exhibit "E-2") of the subject tract and advised that she proposed renting space on the property to plane owners for storage of their planes. The applicant owns the entire tract of land which includes her residence and two rental houses. A petition (Exhibit "E-3") bearing eight signatures, in support of the application, was presented.

Protestant:

V. F. Carey, 1305 South 135th East Avenue, expressed concern that filling the bar ditches, taking out the fences and extending the runway will flood his property. Mr. Carey's property is adjacent to that of the airport and he advised that his fences had been torn down several times in the past few years. The protestant did not object to the tie-downs for the airplanes; however, he did object to the extension of the runway.

The applicant advised that she had not experienced a flooding problem on her property. Mrs. Sitler also stated that the fences had been removed to alleviate the problem of airplanes running into the fence line. There are five tie-downs available and there would not be room for any more.

10878 (continued)

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 an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses - Airport) to use property for airport use (to permit storage of airplanes and use an existing barn for maintenance); and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit same as above, subject to the approval of the City Engineering Department in regard to the drainage away from the property and as it applies to 14th Street, no more than five tie-downs (open tie-downs) on the subject tract as shown on the plot plan, engine maintenance to be performed in the existing barn on the property, on the following described tract:

Lots 3, 4, 5 & 6, Block 8, Romoland Addition to the City of Tulsa, Oklahoma.

The Board members made note that it was not their intent to allow expansion of the Harvey Young Airport by approving the subject application.

10880

Action Requested:

Exception (Section 250.3 (a & b) - Modification of the Screening Requirements) to modify or remove the screening requirement where existing physical features provide visual separation of uses; and to modify the screening requirement where an alternative screening will provide visual separation of uses at 45th Street and 109th East Avenue.

Presentation:

Craig Curry, 4505 East 68th Street, representing the Frates Company, presented a plot plan (Exhibit "F-1") and pointed out a drainage easement between the subject tract and the RM-2 zoned adjacent property which provides an existing buffer. The applicant proposed an additional 10'-15' landscaped buffer area, including berms and trees. The expressway, adjacent to the subject tract, is at a higher elevation and consequently, a 6' screening barrier would be of little use.

Protests: 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 an Exception (Section 250.3 (a & b) - Modification of the Screening Requirements) to modify or remove the screening requirement where existing physical features provide visual separation of uses; and to modify the screening requirement where an alternative screening will provide visual separation of uses, per plot plan submitted, subject to the applicant installing the landscaping depicted on the plot plan, on the following described tract:

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

10881

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 65' from the centerline of Garnett Road on Lot 1, Block 1, Garnett Meadows; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the frontage from 60' to 55' on Lot 1, Block 2, Garnett Meadows, and request for a variance of the front setback from 25' to 20' on Lots 5, 6, 7, Block 2, Garnett Meadows; and an Exception (Section 1680.1 (g))- Special Exception) for permission to permit off-street parking on Lot 1, Block 2, Garnett Meadows; and an Exception (Section 250.3 (d)) for a modification of the screening where the purpose of the screening cannot be achieved at 17th Place and Garnett Road.

Presentation:

The applicant was not present.

Protestant:

Janice Schidner, 11025 East 17th Place, advised she had attempted to call the developers, but was unable to get in touch with them. She stated that she understood they planned to change the property lines and erect duplexes and a small office area with off-street parking. Ms. Schidner noted that if this development takes place, a dead-end street, 17th Place, will need to be opened. She expressed concern that in so doing it would generate more traffic in the area. The protestant also objected to the proposed duplexes being rental properties. She questioned why the applicant was proposing to construct the duplexes closer to the street and Chairman Purser advised her that one of the front setbacks requested would be on the cul-de-sac lots.

Three other protestants were present, but did not comment.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to continue Case No. 10881 to February 21, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

10882

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to permit a mobile home in a CH District at 5914 East Tecumseh Avenue.

Presentation:

Angie Jackson, 5914 East Tecumseh Avenue, advised she proposed to move a small trailer home close to her own home. Mrs. Jackson plans to live in the mobile home and her son and his wife will occupy her present home so they can be close by to help care for her.

Protests: None

2.7.80:303(9)

Interested Party:

Gloria Huckaby, Chairman of the Fair Trust Authority Liaison Committee, and spokesperson for approximately 800 families in the surrounding neighborhood, advised that she was in favor of professional baseball in Tulsa; however, she was not certain that the corner of 15th Street and Yale Avenue was the best location for the ball park.

Mrs. Huckaby noted that in January 1980, the District 4 Plan, including a Special District (the fairgrounds area) was adopted. The Plan addressed the traffic in the area, stating that any future plans for the fairgrounds should consider additional ingress and egress from arterial streets. A related fact of the Plan was that the auto racing facility be phased out in the future.

The Fair Trust Authority appointed John Grayson as Chairman of the long-range planning committee. The committee includes citizens from various areas of the City. Over the past few months the committee has met with many individuals and organizations who have any type of relationship with the Fair Trust Authority. An interim long-range report will be published in April 1980. Mrs. Huckaby advised she felt the Board should receive the input from this long-range planning committee before making a decision concerning the baseball park.

An additional concern of Mrs. Huckaby was the widening of Yale Avenue which was proposed in the 1976 bond issue. She suggested the plans for ingress and egress of the proposed stadium should be coordinated with the widening of Yale Avenue. She also noted that the sewer system at the fairgrounds was inadequate. Mrs. Huckaby felt the proposal, which includes use of the stadium for soccer and other sports, would represent an expansion in use and an expansion in capacity. Mrs. Huckaby urged the Board to defer their decision until all of the factors could be studied and the long-range report of the committee was available.

Jim Miller, 4063 East 23rd Street, stated he was also a supporter of baseball; however, he did not feel that it would be advantageous to the neighborhood to build the ball park, on the proposed site, at this time. He requested the Board consider the impact that a full-house ball park and a full-house race track, on any given Saturday night, on the neighborhood. Mr. Miller did not ask the Board to deny the application, but to study it carefully.

Mitch Fletcher, Public Relations Director for the Tulsa Drillers baseball team, advised that the 1980 schedule has been set up and all Saturday games will be played in the daytime. Games that are rained out will need to be rescheduled at a later date. Mr. Fletcher stated that the Tulsa Drillers will be willing to make the condition that they will never schedule a baseball game during the period of time on a Saturday night when the racetrack is in operation; however, he advised that he did not have the authority to say that, at a later date, that the trust authority might decide to have afternoon races.

10882

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to grant a Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to permit a mobile home in a CH District, to run with this owner only, on the following described property:

Lot 6, Block 14, Dawson Addition to the City of Tulsa, Oklahoma.

10883

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to permit a baseball park and stadium in an AG District located SW of 15th Street and Yale Avenue.

Presentation:

Gary Neal, 502 West 6th Street, representing Sports of Tulsa, Inc., presented plot plans (Exhibit "G-1" and "G-2") advising that the applicant strongly believed that keeping professional baseball in the City of Tulsa is in the public interest and that a necessary prerequisite to doing that is the construction of a new ball park. One million dollars, the projected cost of the facility, has largely been committed by public contributions. The proposed 4,800 seat facility will be owned by the public and controlled primarily by the trust authority. Mr. Neal stated that the applicant is aware of the historic neighborhood resistance toward any expansion at the fairgrounds and pointed out that this is not an expansion, but the replacement of a dilapidated and crumbling facility. Mr. Neal further advised that the applicant feels that the concept of a publicly owned, funded and controlled baseball park, to be used under the control of the trust authority, is not only in keeping with the basic tenants of the Zoning Code, but in the public interest. The retention of the control of the facility by the trust authority insures that the public welfare will not be infringed upon.

The applicant advised that the traffic flow into and out of the stadium will be by existing means of ingress and egress. There will be no changes in the existing traffic patterns with the exception that the City is planning to expand the intersection at 15th Street and Yale Ave. The plot plans which were exhibited reflect his expansion.

Mr. Neal advised that the applicant was obligated, under the terms of the agreement, to insure that the facility, as constructed, does not either overtax the facilities or do disservice to the surrounding neighborhood. He stated there will never be auto races on the same evening as a baseball game since the fairgrounds is not designed for this type of coterminous use. Mr. Neal urged the Board to act on the application today rather than waiting on the long-range plan. He added that it would be necessary to build the stadium by May 5, 1980. In order to do this construction will need to begin next week.

10883 (continued)

County Commissioner Lewis Harris was present at the meeting to answer questions of the Board. Board member Smith questioned if the capacity of 4,800 seats could be exceeded in the event of a rock concert or similar type use. Commissioner Harris advised that the trust authority adopted a policy several years ago prohibiting outdoor concerts, particularly rock concerts.

In regard to streets in the area, Commissioner Harris noted that the City of Tulsa is presently obtaining the rights-of-way for the improvement of the 15th and Yale corner, the widening of Yale by adding another lane and turning bay on the fairground side of Yale and also improving the 21st and Yale intersection. The contracting work for the street improvements will be timed to avoid the fair crowds.

Commissioner Harris advised that the sewer system for the facility will be connected to the City lines located under 15th and Yale and will not affect the existing sewer system for the fairgrounds.

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 an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to permit a baseball park and stadium in an AG District, subject to the approval of the access points by the Traffic Engineer and the City of Tulsa the lighting to be directed on the ball diamonds rather than the surrounding residential area, there be no simultaneous use of the ball field by the baseball entity with the racetrack use and no other use will be held on the same nights or days as racetrack use that would exceed 2,500 persons in the ball park facility, noise from loud speakers to be minimal, no fireworks or cannons be set off in the ball field, on the following described property:

The North 510' of the East 635' of the SE/4 of Section 9, Township 19 North, Range 13 East, Tulsa County, Oklahoma, less existing and proposed right-of-way along the North and East lines.

10885

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use church property and building for a day care center at 3819 South Lewis Avenue.

Presentation:

The Staff advised that the applicant and protestants had requested a continuance of this application.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to continue Case No. 10885 to February 21, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Action Requested:

Variance (Section 610 - Principal Uses Permitted in the Office Districts- Under the Provisions of Section 1670 - Variances) to permit a mobile home for an office in an OM District; and a Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 61.4' from the centerline of Utica; and from 25' to 11.6' from 17th Place at 1739 South Utica Avenue.

Presentation:

Kevin Coutant, 1200 Atlas Life Building, advised that the owner of the subject tract, B.B.C.J.R., Inc., also owns the lot immediately south. At the time of purchase there were frame structures on both lots; however, the building on the subject tract has now been removed. The Company proposes to rennovate the remaining structure and utilize it as the branch office for their lessee, Pioneer Savings and Trust Company. The rennovation is underway and will be completed within 60 days. A mobile home has been located on the subject tract to serve as a temporary office until the permanent structure is completed.

Assistant City Attorney, Alan Jackere, advised the Board that a permit could be obtained from the Building Inspector's Office - a 9 month temporary permit with a possible 3 month extension. Mr. Coutant stated he had applied for a temporary permit; however, he was told that he would need to apply to the Board for the setback variance. The mobile home was located on the tract to allow location of the permanent parking facility on the back of the lot, therefore, it is in violation of the setback requirements. In approximately 60 days, the mobile home will be moved from the property and landscaping and terracing will be installed.

Protests: 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 declare that a temporary permit, rather than a variance, was needed for the mobile home and to refund the filling fee for this action.

On MOTION of SMITH, the Board 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to grant a Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 100' to 61.4' from the centerline of Utica Avenue; and from 25' to 11.6' from 17th Place, for a period of 60 days from this date, on the following described property:

Lot 22, Block 4, Edgewood Place Addition to the City of Tulsa, Oklahoma.

Request to Substitute Plot Plan:

Bill Marley, 6105 South Peoria Avenue, representing the U-Haul Company of Tulsa, advised that the Company gained Board approval to construct a self storage building area on approximately 8 acres of land at East 21st Street South, on April 12, 1979. The Company also operates a

10375 (continued)

moving center directly across the street from the subject tract. Mr. Marley presented a substitute plot plan (Exhibit "H-1") which would enable the Company to combine these two operations. The operation of the moving center, as it now exists, will be discontinued and relocated to the subject tract. The storage areas will also be relocated on the subject property.

The initial plot plan, for a two-story facility, included 4,800 sq. ft. of storage space; the substitute plan is for 4,400 sq. ft. storage space in a one-story structure. The building materials will remain the same as in the initial plot plan.

In discussion of the location of the proposed structure on the subject tract, the Board determined the applicant would need to readvertise to include a portion of the subject property which had been omitted.

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Wait "aye"; no "nays"; no "abstentions"; Lewis, Thompson "absent") to approve the substitute plot plan, with all previous conditions applicable, with the area on the northwest corner, which was not advertised, be advertised for public hearing and the applicant to submit colored pictures or renderings of the proposed structure.

There being no further business, the Chair adjourned the meeting at 5:05 p.m.

Date Approved

Henry Purser

April 17, 1980

Chairman