

BOARD OF ADJUSTMENT  
MINUTES of Meeting No. (314)  
Thursday, July 10, 1980, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis Smith Victor Wait	Purser, Chairman	Gardner Johnson, D. Jones	Jackere, Legal Department Miller, Protective Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on July 8, 1980, at 11:15 a.m., as well as in the Reception Area of the TMAPC Offices.

In the absence of the Chairman, Board member Smith called the meeting to order after declaring a quorum present at 1:34 p.m.

MINUTES:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to approve the Minutes of June 12, 1980 (No. 313).

MINOR VARIANCES AND EXCEPTIONS

11079

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the setback requirements from 55' to 53.8' from the centerline of Richmond Avenue, and for a variance of the side yard from 5' to 4.7' on Lot 12, Block 7, Livingston Park South Addition; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the front setback from 55' to 53.6' from the centerline of Richmond Avenue on Lot 11, Block 7, Livingston Park South Addition at 6248 and 6304 South Richmond Avenue.

Mr. Jones advised that the applicant has submitted his plot plans (Exhibit "A-1") and that two different lots are included in the request to clear up a title.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser, "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 55' to 53.8' from the centerline of Richmond Avenue, and the side yard from 5' to 4.7' on Lot 12, Block 7, Livingston Park South Addition; and

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to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the front setback from 55' to 53.6' from the center-line of Richmond Avenue on Lot 11, Block 7, Livingston Park South Addition, per plot plans submitted, on the following described tract:

Lot 11 and Lot 12, Block 7, Livingston Park South Addition,  
to the City of Tulsa, Tulsa County, Oklahoma.

11088

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the front setback requirements from 55' to 50' at 3622 South Yorktown Place.

Presentation:

Emily Wood, 3622 South Yorktown Place, advised that she would like to add a garage onto her present residence. The old garage has been converted into a family room, therefore, the request is for a variance of 5' in order to construct a new garage and provide storage space within the new addition. Upon questioning, Ms. Wood advised that her eastern boundary would exceed the house on the east and also that the proposed garage exterior would blend in with the present architecture of the existing residence. A plot plan was presented (Exhibit "B-1").

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-1-0 (Lewis, Smith, Wait "aye"; Victor "nay"; Purser "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the front setback requirements from 55' to 50' at 3622 South Yorktown Place, per plot plan submitted, on the following described tract:

The North 100' of Lot 5, Block 4, Highland Park Estates Addition  
to the City of Tulsa, Tulsa County, Oklahoma.

11091

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the front setback requirements from 25' to 23.6' in an RS-3 District at 13608 East 26th Street.

Mr. Jones advised that the applicant has submitted his plot plan (Exhibit "C-1") and that the request is to clear up a title.

Protests: None.

11091 (continued)

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the front setback requirements from 25' to 23.6' in an RS-3 District, per plot plan submitted, on the following described tract:

Lot 11, Block 1, Resub. of Block 3, Eastland Acres Amended Addition to the County of Tulsa, Oklahoma.

UNFINISHED BUSINESS:

11071

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Duplexes) request for permission to convert the present dwelling into a duplex; and a Variance (Section 440.3 - Special Exception Uses In Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) request for a variance of the lot area from 9,000 sq. ft. to 8,308 sq. ft.; and a Variance of the frontage requirements from 75' to 55' for a duplex at 435 South Indianapolis Avenue.

Presentation:

Robert Casey, 8728 East 27th Street, advised that his request is to convert a residence into a duplex. Mr. Casey presented pictures of the subject property along with a plot plan (Exhibit "D-1") and advised that he does not plan to make any exterior changes to the residence except to put siding over the present garage door opening. Upon questioning, the applicant stated he has owned the subject property for approximately two months and the back bedroom was formerly a porch before it was converted to an additional living area. Mr. Casey informed the Board that his proposed duplex lot is larger than most of the other duplex lots in the surrounding neighborhood which are 7,000 sq. ft. lots. The applicant stated that the existing driveway has ample room for the parking of 2 cars side by side.

Protestants:

Mark Lyons, 454 South Indianapolis Avenue, advised that the area of the subject application is basically a single-family residential neighborhood and informed the Board that he feels the present residence is inadequate for duplex conversion. Mr. Lyons advised that according to the dimensions of the applicant's driveway, it is close to impossible to park 4 small cars. The back addition of the residence probably does not meet the Zoning Code requirements because the structure is very close to the property line of the adjacent property. Also the back addition to the residence does not conform to the architecture of the rest of the house.

Laurie Lyons, 454 South Indianapolis Avenue, advised that she is in agreement with Mark Lyons and advised that the present residence is not suitable to be converted into a duplex. Ms. Lyons stated that

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the tenants of the proposed duplex would probably end up parking on the street which is already somewhat congested. The protestant informed the Board that she does not think the duplex would do well in the neighborhood.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Duplexes) to convert the present dwelling into a duplex; and to deny a Variance (Section 440.3 - Special Exception Uses in Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) of the lot area from 9,000 sq. ft. to 8,308 sq. ft.; and of the frontage requirements from 75' to 55' for a duplex, on the following described tract:

Lot 5, Block 1, Chula Vista 1st Addition to the City of Tulsa, Oklahoma.

11075

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the side yard requirements from 5' to 3.3' in an RS-2 District (residence existing) at 4804 East 84th Street.

Presentation:

Richard Gere, representing the applicant, Dave Punnett, advised that the protestants and the applicant had a meeting concerning the completion of a retaining wall and an agreement has been reached. Mr. Gere advised that the contractor will probably have the retaining wall completed in approximately 2 weeks and asked the Board to continue the case to a later date.

Protestant:

Mrs. Basnett advised that she is in favor of a continuance.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to continue Case No. 11075 to Thursday, August 7, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

NEW APPLICATIONS:

11077

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 110' to 93' from the centerline of 21st Street at 7901 East 21st Street.

Presentation:

David Mount, 809 South 31st Street, Broken Arrow, advised that he is proposing two additions on the front of the existing "T" shaped

7.10.80:314(4)

11077 (continued)

building to square-up the structure and increase the storage area. The applicant advised that he also proposes an addition on the rear of the building for additional storage space. A plot plan was presented (Exhibit "E-1").

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 110' to 93' from the center-line of 21st Street, per plot plan submitted, on the following described property:

The East 125' of the West 155' of the North 115' of the South 165' of the SW/4 of the SE/4 of the SE/4 of the SE/4 of Section 11, Township 19 North, Range 13 East, in the City of Tulsa, Tulsa County, Oklahoma.

11078

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) request for permission to locate a mobile home in an RM-1 District; and a Variance (Section 440.6 - Special Exception Uses in Residential Districts - Requirements - Under the Provisions of Section 1670 - Variances) request for a variance to permit the mobile home to exceed a one-year period at 519 South 46th West Avenue.

Presentation:

Marlene Cosby, 519 South 46th West Avenue, advised that her present mobile home was placed on her parents property because they were in poor health. Her father is now deceased, but her mother remains in poor health. Ms. Cosby advised that her request is so that she could remain close to her mother. A statement from Oklahoma Osteopathic Hospital was presented advising that the applicant has been responsible for her father's transportation to his treatments (Exhibit "F-1"). Ms. Cosby advised that her trailer measures 12' x 60'.

Protestants:

Bob Maxville, 510 South 45th West Avenue, advised that he is the spokesman for the protestants and presented 3 petitions of protest, bearing 71 signatures of property owners in the neighborhood (Exhibit "F-2"). At the present time there are no other trailer parks in the immediate area and the protestant advised that Ms. Cosby's mobile home is 2' away from the back property line. The homeowners feel that the placement of a mobile home is an "eye-sore" in the neighborhood giving the area a "gypsy effect."

James Smock advised that the trailer could be placed in a trailer park and the present location of the mobile home creates a fire and health hazard in the neighborhood.

11078 (continued)

Marie Plunk, 501 South 46th West Avenue, advised that the lot in question is only 50' x 140' and that a concrete building presently exists on the property in question in addition to any existing residence and the subject mobile home. Ms. Plunk advised that she owns 3 residences within 300' of the subject application and the mobile home comes within 3' of one of her property lines. Also the mobile home was placed so that the applicant could provide transportation for her father, but he is now deceased.

Mrs. Calvert, 6340 East 3rd Street, owner of several vacant lots in the neighborhood of the application, advised that if the request is granted to the applicant it would set a precedent in the area for placement of other mobile homes. Mrs. Calvert advised that she is concerned that the vacant lots she is presently selling will depreciate in value because of the existing mobile home in the neighborhood.

Applicant's Comments:

Ms. Cosby informed the Board that she did not know that so many of her neighbors objected to the mobile home.

Board Action:

On MOTION of VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RM-1 District; and to deny a Variance (Section 440.6 - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit the mobile home to exceed a one-year period; and the applicant has 45 days to relocate the mobile home, on the following described tract:

Lot 18, Block 12, Verndale Subdivision to the City of Tulsa, Tulsa County, Oklahoma.

11080

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Home Dwelling) request for permission to locate a mobile home in an AG District; and a Variance (Section 340 - Requirements For Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) request for a variance of the five acre minimum for a mobile home in an AG District south of 136th Street, North on 83rd East Avenue.

A communication was presented from the Collinsville Board of Adjustment recommending that the subject application be denied (Exhibit "G-1").

J. A. McDonough, Box 292, Owasso, advised that his tract of land is a 2.6 acre tract and presently his home and his son's mobile home exists on the property. Mr. McDonough advised that his son lives in the mobile home with his 14 month old baby. The applicant advised that many mobile homes exist in a one square-mile area, approximately 10 mobile homes. The subject trailer is a 1978 model in

11080 (continued)

good condition, and approximately 175' from the north boundary of the subject property.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant an Exception (Section 310 Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Home Dwelling) to locate a mobile home in an AG District; and to grant a Variance (Section 340 - Requirements For Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five acre minimum for a mobile home in an AG District, to run with the present owner only, for a period of five (5) years, on the following described property:

A 2.51 acre tract of land situated in the NW/4 of Section 36, Township 22 North, Range 13 East, Tulsa County, State of Oklahoma more particularly described to-wit: Beginning at a point 329.72' due East and South 00°-07'-30" West a distance of 331.60' from the NW corner of said NW/4 of Section 36, Township 22 North, Range 13 East; thence South 00°-07'-30" West a distance of 331.60' to a point; thence due East a distance of 329.72' to a point; thence North 00°-07'-30" East a distance of 331.60' to a point; thence due West a distance of 329.72' to the point of beginning, subject to a 25-foot roadway on the East and utility easement on the West, subject to 1/4 mineral reservation by prior owner.

11081

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) request for permission to maintain a mobile home in an RS-2 District at 1033 Ridge Drive, Sand Springs, Oklahoma.

A communication was received from the Sand Springs Board of Adjustment recommending approval of the subject application (Exhibit "H-1").

Presentation:

Stanley Campbell, 1033 Ridge Drive, Sand Springs, advised that his request is to maintain his mobile home at its present location.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RS-2 District, for a period of one (1) year, removal bond required on the following described tract:

11081 (continued)

Lot 34, Block 25, Charles Page Home Acres No. 4, to the City of Sand Springs, Oklahoma.

11082

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1680 - Exceptions) request for an exception to allow .40 floor area ratio, and a building height of two stories; and an Exception (Section 250.3 (b)- Modification of the Screening Requirements) request for permission to modify the screening requirement where an alternative screening will provide visual separation of uses (to the north); and a Variance (Section 640.6 - Special Exception Uses in Office Districts, Requirements - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from an RS District from 50' to 10' to the north at 4532 South Harvard Avenue.

Presentation:

Gary VanFossen, VanFossen and Brase Architects, advised that his Firm is the architect for the applicant and that his present office will be moved and housed in the proposed new office building. Preliminary plans of the proposed office building were presented (Exhibit "I-1"). Mr. VanFossen advised that the rear setback requirement is 10', but he plans to pull it back to 75' by putting the parking to the rear around the building on the south side. A 6' masonry screening wall will be placed across the entire rear, therefore, the screening for the residences will be accomplished. The property will be landscaped. Mr. VanFossen advised that the rear of the building is really a secondary front and is equally as well designed as the Harvard approach to the building. The second floor of the building has been set back from the level of the first floor to get an increased distance from the property line for the second floor. Mr. VanFossen advised that he has a letter from the property owner to the north advising that they have no objections to the subject application. In conclusion, Mr. VanFossen advised that he feels that the building will be an attractive building since his Firm will be part owners and occupants of the structure. Also the structure to be built is a two-story professional office building and will be similar to Dr. Kelly's building to the south, constructed with a material that is similar in appearance to stucco.

Protestants:

T. L. Webb, presented a petition of protest (Exhibit "I-2") bearing 48 signatures of property owners objecting to the subject application. Mr. Webb advised that the application should be denied because of the congested traffic situations that already exist; increased load on the Police and Fire Departments and creates drainage problems in the neighborhood. Mr. Webb stated that the privacy of the residents in the area of the application is being infringed upon and the configuration of the property is unreasonable for a two-story building.

Ben Davenport, 4523 South Gary Avenue, advised that he was led to believe the office buildings constructed, would meet the requirements



of the Tulsa Zoning Code. Since that time, there have been many deviations from the Zoning Code in the construction of office buildings in the Harvard sector. Mr. Davenport advised that the residents in the area of the application do not want to look out their back doors and view a two-story brick building, and a 6' screening wall would certainly be inadequate for screening purposes. Mr. Davenport asked the Board to consider the legal rights of property owners and deny the application.

William English, 4537 South Gary Avenue, advised that he moved into the neighborhood 19 years ago and he feels that the neighborhood should remain a residential neighborhood. Mr. English advised that a two-story office building infringes on the privacy of the area residents because their homes are considerably lower than the proposed new office structure.

Applicant's Comments:

Mr. VanFossen advised that he does not see the two-story structure posing a traffic problem because the present traffic count is 34,364 cars per day, therefore, he stated that 87 more cars would not greatly increase the count as it presently exists. Mr. VanFossen advised that their drainage plans must be approved by the City Hydrologist before a building permit is issued, and the plans to comply with the requirements under the Code. Mr. VanFossen stated that he is willing to have the Board condition his approval with the stipulation that no windows be allowed on the back portion of the second story. The lighting from the parking lot will be directed away from the residential neighborhood.

Mr. Gardner advised that the NE and SE corners of 46th Street also had the square footage increased, and stated that the topography of the property should be taken into consideration.

Discussion ensued by the Board and Staff concerning the drainage of the property and the two-story structure proposed for the subject location.

Alan Jackere, Legal Department, advised that the appropriate question is whether or not the proposed two-story structure will be detrimental to the residential neighborhood.

Board Action:

On MOTION of LEWIS, the Board voted 3-1-0 (Lewis, Victor, Smith "aye"; Wait "nay"; no "abstentions"; Purser "absent") to grant an Exception (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1680 - Exceptions) to allow .40 floor area, and a building height of two stories; and to grant Exception (Section 250.3 (b) - Modification of the Screening Requirements) to modify the screening requirement where an alternative screening will provide visual separation of uses to the north so long as the property owner to the north does not require one; and to grant a Variance (Section 640.6 - Special Exception Uses in Office Districts, Requirements - Under the Provisions of Section 1670 - Variances) of the setback requirements from an RS District from 50' to 10' on the north, subject to the renderings presented; plot plan, site plan, elevation plans; that lighting in the parking lot be directed away

11082 (continued)

from the residential neighborhood and not higher than the top of the screening wall; subject to a design change to the rear facade, to be approved by the Board, that would eliminate any problem of being able to look from the second story window into the back yards of the residents, on the following described property:

The N/2 of Lot 2, Block 3, & the South 117.6' of Lot 1, Block 3, Villa Grove Park Addition to the City of Tulsa, Tulsa County, Oklahoma.

11084

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 25' to 5' on the east; and from 25' to 12' on the south; and from 25' to 0' on the west; and request for a variance of the frontage requirements from 20' to 18' to permit a townhouse development in an RM-3 District at 8th Street and Norfolk Avenue.

Presentation:

W. G. Franklin, 7030 South Yale, Suite 103, advised that he is proposing to build 15 townhouses on lots adjacent to Central Park on the north alley, in order to take advantage of the park that once belonged to Central High School as an athletic field. Mr. Franklin advised that the subject property is part of the property acquired by the City of Tulsa as part of the right-of-way for improvement of the Inner Dispersal Loop. A plot plan was presented (Exhibit "J-1"). The applicant advised that he is requesting removal of the setback requirements that are required in RM zoning districts; that the setback on the west portion of the property be waived because the property he has acquired from the City has actually 15' of setback on the south and 25' of setback on the north. Mr. Franklin advised that the City has a large storm sewer along Madison Avenue and instead of selling him land with an easement, the City sold him what was left of the property, therefore, he has 275' on the north from east to west, and 285' on the south. On an average the property sets back 32' from the curb. The applicant advised that on the east the request is for a setback of 5' instead of 25' and on the south the request is for a setback of 12'. The garage entrance is from the south. Upon questioning, Mr. Franklin advised that the garage is a single car garage with the ability of parking one car on the side, and that he could live with a stipulation of 20' on the front portion of the property if he could bring the building out further.

Protestants:

Joe Allen, 1307 South Galveston Avenue, representing the American Legion Post No. 1, and Carson Wilson, 1120 East 8th Street, advised that the Legion owns about 4 acres within 1/2 block of the south boundary of Lot 2, Block 3, which is a part of the subject property. Mr. Allen asked the Board to continue the subject application for 30 days so that their executive board could review it.

11084 (continued)

Tom Suber, 724 South Norfolk, advised that he is representing his father who resides at 724 South Norfolk Avenue. Mr. Suber's main concern is the alley on old 8th Street because the entrance into the area is only 20' wide and 15' dedicated by Mr. McNulty who back in 1918 gave the property to his father. The property is to remain his father's unless it becomes a street.

Applicant's Comments:

Mr. Franklin advised that time is of the essence because he is trying to provide Tulsa with inner-city housing before the fall, therefore, 30 days would put quite a damper on his efforts. Mr. Franklin cannot see his proposal having an effect on the American Legion, therefore, he objects to a continuance of 30 days.

The Board asked the protestant if they would accept a 2-week continuance. The applicant agreed to a continuance of two weeks.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to continue Case No. 11084 to Thursday, July 24, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

11085

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the front setback requirements from 50' to 32'9" from the centerline of the street to permit the erection of a carport at 3528 West 43rd Place.

Presentation:

Mrs. William Hurst, 3528 West 43rd Place, advised that her request is to construct a carport because of the trees and bird droppings in her driveway, which makes her property look like a disaster area. A plot plan was presented (Exhibit "K-1").

Protests: None.

Board Action:

On MOTION of VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "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 50' to 32'9" from the centerline of the street to permit the erection of a carport, on the following described property:

Lot 7, Block 2, Blankenship Addition to the City of Tulsa, Oklahoma.

11086

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 85' to 73' from the centerline of 81st Street (residence existing) at 8716 East 80th Place South.

Mr. Jones advised that the residence has already been built.

Presentation:

Donald Saltz, representing his father, advised that he built the house and when his permit was issued he thought he had a 10' rear easement and found out that there was a 35' building setback that he did not know about. A plat of survey was presented (Exhibit "L-1"). Apparently, the house was built from a plot plan that was not accurate, explained the applicant. Upon questioning, Mr. Saltz advised that the house was laid out by his partner John Owen.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 85' to 73' from the centerline of 81st Street (residence existing), per plat of survey, on the following described property:

Lot 15, Block 10, Woodland Meadows Addition to the City of Tulsa, Oklahoma.

11087

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 Automotive and Allied Activities) request for permission to erect mini-storage buildings in a CS District; and an Exception (Section 250.3 (b) - Modification of the Screening Requirements) request for permission to modify the screening requirements where an alternative screening will provide visual separation of uses; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 25' to 0' to permit building on front property line, in an RM-1 District; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance to permit access across an RM-1 District to a CS District; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance to permit mini-storage buildings in an RM-1 District (front 10') north and east of 10th Street and Sheridan Road.

Presentation:

Mary Cole, Architect for the applicant, presented pictures of the subject property (Exhibit "M-1"); a plot plan (Exhibit "M-2")

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11087 (continued)

and a petition of approval signed by 38 property owners (Exhibit "M-3"). Ms. Cole advised that the area neighbors have no objections to the proposed mini-storage buildings being placed on the property line because it would be an improvement over the trucks, debris, old foundations and burned down houses in the area. Drainage is no problem because 3 catch basins are presently in place. Screening on the back of the lots is already in place with 6' wooden fences owned by the property owners. Ms. Cole advised that they plan to place mesh link fences across the north line. There are four entrances onto the property. The request is for the buildings to set on the south front property line, leaving green areas to the curb. On the east and west sides there would be a 10' strip of greenery. Upon questioning, the applicant advised that they have allowed 30' at the rear of the proposed buildings for turn-arounds and the buildings that are on either side of the lots have two rental houses who prefer to see the mini-storages on the front property line. The mini-storages will be made out of concrete blocks and painted an earthtone color.

Bob Gardner advised that under commercial zoning there would be a 25' setback; under the RM-1 zoning there is a 25' setback and under the RM-2 zoning there is a requirement of a 10' setback. Mr. Gardner advised that there is no zoning that does not require at least 10' of setback except CH zoning, which is unrestricted.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant 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; and to grant an Exception (Section 250.3 (b) - Modification of the Screening Requirements) to modify the screening requirements where an alternative screening will provide visual separation of uses; and to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 10' from the property line, in an RM-1 District; and to grant a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit access across an RM-1 District to a CS District; and to grant a Variance (Section 140 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit mini-storage buildings in an RM-1 District, that they be earthtone in color, per plot plan submitted, except for the 10' front setback change on the following described property:

Lots 16, 17, 18 and 19, Block 28, Sheridan Hills Addition to the City of Tulsa, Oklahoma.

11089

Action Requested:

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance to allow property to be used for off-street parking to serve an adjacent office building northwest of 38th Street and Maplewood Avenue.

Presentation:

Joseph McCormick, 1776 One Williams Center, representing Avis Rent-A-Car located in the Skyline East Building, advised that they have made arrangements to buy a parking lot at the subject location to utilize it for additional parking facilities for their employees. Mr. McCormick advised that the property in question is part of the Arbor Apartment Complex and the tract of land has never been used for any type of development. Avis Rent-A-Car is the national network for making reservations to rent a car. No cars will be located on the property for rental. A plot plan was presented (Exhibit "N-1"). Mr. McCormick advised that they are obligated in a contract to plant a row of trees along the north property line.

Bob Gardner advised that where the apartments are built to the north is close to RM-2 density and the southern portion was designed to be used as open space, recreation and parking. However, that portion has never been maintained or used. At this point in time, using the subject property for just parking area is reasonable so long as the tract was landscaped and had some type of screening placed between the parking lot and the apartment complex.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to allow property to be used for off-street parking to serve an adjacent office building, per plot plan submitted, subject to a row of trees being placed along the northern boundary, on the following described property:

The South 172' of Lot 1, Block 1, Chan-Mann Addition to the City of Tulsa, Oklahoma.

11093

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the rear yard requirements from 20' to 11'2" to allow an extension of the present dwelling at 4338 East 58th Street.

11093 (continued)

Presentation:

Ed Hanoach, 4338 East 58th Street, presented a plot plan (Exhibit "0-1") and advised that his request is to provide a family room on his present residence. The applicant stated that there is shrubbery 15' to 16' high growing up in the easement to the rear between his property and his neighbor's property.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the rear yard requirements from 20' to 11'2" to allow an extension of the present dwelling, per plot plan submitted, on the following described tract:

Lot 10, Block 14, Holliday Hills Addition to the City of Tulsa, Oklahoma.

11094

Action Requested:

Variance (Section 420.2 (d) - Accessory Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance to permit a double-face pole sign 6'2" x 9'6" for a church (Ordinance permits 32 sq. ft. for each street frontage) at 2902 North Lewis Avenue.

Presentation:

Waldo Jones, Sr., representing Christian Methodist Episcopal Church, advised that he is a member of the Church and that their request is to put up a double-face pole sign that measures 6'2" x 9'6" in front of the Church.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance (Section 420.2 (d) - Accessory Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit a double-face pole sign 6'2" x 9'6" for a church, on the following described property:

Lot 5, Block 1, Fred Thompson Third Amended Addition to the City of Tulsa, Oklahoma.

11096

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the rear yard requirements from 20' to 15' in an RS-3 District at 7711 and 7714 East 15th Court.

11096 (continued)

Presentation:

Eldon Boyd, 5453 East 19th Street, advised that he has 2 duplex lots and that presently 4 duplexes exist adjacent to the subject property that are one-story and a half. The applicant would like to make his duplexes one-story to give the tenants more privacy. A plot plan was presented (Exhibit "P-1") and pictures of the subject area (Exhibit "P-2"). The applicant agreed to moving the building line on the front to 20'.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to move the duplex units 5' closer to the front building line, per revised plot plan submitted, on the following described property:

Lots 2 and 7, Block 1, Woodchuck Addition to the City of Tulsa, Oklahoma.

11076

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) request for permission to erect mini-storage buildings; and operate a U-Haul Rental Outlet in a CS District southeast of 61st Street and Peoria Avenue.

Presentation:

Bill Marley, Norman, Oklahoma, representing U-Haul of Tulsa, advised that attorney Mark LaBland was also present to respond to the protests of Calico Corners. Mr. Marley advised that the subject request is to extend southward the present structure located at the southeast corner of 61st Street and Peoria Avenue. Mr. Marley advised that the proposal is to add a single story addition to the present structure. A comprehensive landscaping plan has been completed on the site and pictures of the subject property were presented taken two weeks ago (Exhibit "Q-1"), along with a plot plan showing the landscaping (Exhibit "Q-2").

Mr. Marley advised that he intends to continue the planting of trees along the front of the property and that he is trying to conform to the area standards in making the property appealing to all. The front wall of the new addition is a solid wall and the overhead door units are on the back side of the building where they are screened from the adjacent property as well as from the street. Mr. Marley advised that the location is a very good one for the U-Haul Company because they are helping the area economically. Wrought iron fencing is also proposed for the front of the subject site.



Protestant:

Barlow Nelson, attorney, representing the Holman Corporation and Mr. and Mrs. Morgan Greenwood, owners of the property immediately south of the proposed project, advised that special exceptions should be granted where it will be in harmony and in the spirit of the Code and not injurious to the neighborhood or detrimental to the public welfare. Mr. Nelson objects to the parking of the trucks on the front portion of the property because it would block the view of Calico Corners retail trade. Mr. Nelson presented a photograph taken of Calico Corners which is a converted house surrounded by many trees attracting many customers, and that the display of the merchandise on the subject tract is not for advertisement, but for storage. Mr. Nelson advised that his objection is to the type of business use on the property.

Applicant's Comments:

Mark LaBland, attorney, representing U-Haul, presented pictures of Calico Corners (Exhibit "Q-3") and advised that if the trucks were parked in front of the property as proposed, the view of Calico Corners would not be obstructed. Mr. LaBland presented a plat of the property (Exhibit "Q-4") and advised that all the truck space on the property is merely for storage purposes and that the protestant would be blocked more by trees than U-Haul would block the view. Mr. LaBland also advised that U-Haul is beneficial to the area in question. A letter from the property owner to the east was presented advising that he is in favor of the proposed addition to the present facility (Exhibit "Q-5"). Mr. LaBland advised that Calico Corners wants a non use of the subject lot which is an unreasonable protest, therefore the subject application should be granted.

Mr. Marley advised that the trucks parked along the front line would be parked with the cab first. An additional setback from Peoria is required to keep from bumping into the iron fence. The tallest truck is approximately 10' high.

Board Action:

On MOTION of VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to grant an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to erect mini-storage buildings; and operate a U-Haul Rental Outlet in a CS District, subject to the site plan presented and all the landscaping to be maintained, on the following described property:

Lots 1 and 2, Block 1, Peoria Plaza Addition; and the West 150' of Lot 7, Block 1, Valley View Addition to the City of Tulsa, Oklahoma.

There being no further business, the Chair adjourned the meeting at 6:00 p.m.

Date Approved

*Sept. 4, 1980*

*Dwight J. Purser*

Chairman