

BOARD OF ADJUSTMENT
AGENDA (No. 320)
Thursday, October 2, 1980, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT

Lewis
Purser, Chairman
Smith
Victor
Wait

STAFF PRESENT

Gardner
Jones
McBride

OTHERS PRESENT

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 Tuesday, September 30, 1980, at 10:50 a.m., as well as in the Reception Area of the TMAPC Offices.

After declaring a quorum present, the Chairman called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; Lewis "absent") to approve the Minutes for September 4, 1980 (No. 318).

MINOR VARIANCES AND EXCEPTIONS:

11222

Action Requested:

Exception (Section 1221.5 (d) - Business Signs and Outdoor Advertising- CS District Use Conditions - Under the Provisions of Section 1630 -- Minor Exception) request for a minor exception to allow construction of a 50' tall steel pole containing a two-sided 14' x 48' advertising panel, illuminated upward, and located within the existing building setback lines, and an Appeal (Section 1650 - Appeals From The Building Inspector) from a decision of the Building Inspector for refusing to permit a sign on a lot that only has 50' of frontage in a CS District. This property is located at 1381 East Skelly Drive.

Mr. Jones stated that the Board could forget about the appeal because there has been a lot-split on this property which makes it a legal non-conforming lot.

Presentation:

Tom Tannehill stated that he would like to add that at the time the request was made to the Building Inspector, not only was the Building Inspector not aware of the fact that the lot-split had been filed, but also that the location of the sign would be placed behind the building setback line. Plot plans were submitted (Exhibits "A-1 and A-2"). As you can see from the pictures (Exhibits "A-3 and A-4") which were taken from the centerline of Skelly Drive, the sign would be located beside the existing Mid-West Oil Register Building and it would be facing at a slanted angle toward Skelly Drive. The nature of the copy on the sign

11222 (continued)

is unknown at the present, but it would be non-offensive.

Mr. Don Journeyman, 8609 South 56th East Place, stated that as of today he has no specific advertisers, he does have an option with KBEZ Radio, a new radio station in town. It is designed to change annually.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait "aye"; no "nays"; Lewis "absent") to approve an Exception (Section 1221.5 (d) 5 - Business Signs and Outdoor Advertising - CS District Use Conditions - Under the Provisions of 1630 - Minor Exceptions) to allow construction of a 50' tall steel pole containing a two-sided 14' x 48' advertising panel, illumination to be directed upward, and located within the existing building setback lines, per plot plan submitted on the following described property:

The East 50' of Lot 6, Block 15, Bellaire Acres Second Extended Addition to the City and County of Tulsa, Oklahoma.

11225

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 side yard requirements from 5' to 4' & 2", located at 3723 West 42nd Place.

Presentation:

Virginia Stiles, 3723 West 42nd Place, stated the house is in existence and they want to add on to it. She submitted a plot plan (Exhibit "B-1"). She stated that the addition would line up with the existing house.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait "aye"; no "nays"; Lewis "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the side yard requirements from 5' to 4' & 2", per plot plan on the following described property:

Lot 6, Block 1, Park Grove Addition to the City of Tulsa, Okla.

UNFINISHED BUSINESS:

10336

Action Requested:

Mr. Jones stated that this case was continued from the last meeting so that the Board could take a look at the location. The applicant has since withdrawn his application.

11193

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - Exceptions) request for an exception to allow church, and church related activities (this request is to include elementary, junior high, and senior high classrooms, and nursery facilities), located at 8621 South Memorial Drive.

Staff Comment:

Mr. Jones stated this matter was continued from the last regular meeting so that the Board could take a look at the site.

Presentation:

Lynn Myers, representing Grace Fellowship, advised that at the last meeting a question arose as to off-street parking. I have a rendering of the proposed church (Exhibit "C-1") which shows a view of the front of the church. Last time I showed you a view from the south looking from Mr. Piasias' property. At present we have 380 parking spaces on this property. The Code requires that we have 1 space for every 40 sq. ft. of sanctuary area. We have almost 8,000 sq. ft. of sanctuary area and that means that we need 198 spaces required, so we are 182 spaces in excess of the Code. That doesn't mean that has solved all the parking problems, because we are having problems with over-flow parking. They have talked with Never Fail, a developer who owns the property right across the street on the east side of Memorial Drive, and he had given them permission to park on this property temporarily. With the expansion we will have 21,000 sq. ft. of sanctuary area and the Code requires 525 spaces. With the new parking arrangement we have increased the parking to 455 spaces plus the addition of 315 parking spaces east of our present facilities. That gives us a total of 770 spaces and this is 245 spaces in excess of the Code requirement. I want to submit at this time that we have received approval from the Engineering Department on an application of floodplain development and an Earth Change Permit. The applicant will make copies of the approvals and they will be placed in the Board file. The Code states that it must be dust-free and pervious parking lot and the only way we can do that is to asphalt or concrete, so we are talking about an asphalt parking lot. This parking area will still act as a detention area. Basically what we will do is reshape the detention pond at 5% grades coming from three directions and we will be exceeding the storage capacity by about one-acre from what it was previously. Charles Hardt did grant us permission to make these changes and to allow us to park in the floodplain. Last time Mr. Piasias had some concern about the church expansion and to parking.

Dennis Daisy, who is assistant pastor, Loren Knotley, who is the principal of the school and George Moss, who is also an assistant pastor, are available for any questions. Mr. Daisy did meet with Mr. Pisias in regards to some of his concerns. We are willing to make some concessions at this time, to try to be a good neighbor. Mr. Pisias felt that the children and the expansion of the church and the number of people that are going to be there would overflow on to his property. We will provide a privacy fence along that south property line extending east to the creek. In talking with Charles Hardt, we will not be able to extend this privacy fence past the point of the 100-year flood line. So, we are talking about providing a fence from the right-of-way line back some 650' to the point of the 100-year floodway line. That will affectively screen a good majority of Mr. Pisias' property, but not all of it. Mr. Pisias stated that some of the lights do shine into his home. The church is willing to modify the existing lighting, either put in new lights or put blinders on the lights so they will only shine onto the parking lot. The church does meet the security lighting.

Dennis Daisy, the assistant pastor of Grace Fellowship Church, stated that they are definitely aware of a parking problem with the number of people attending our Church. However, we can't tell them not to come. We have hired three full-time policemen to handle the incoming and outgoing traffic from our Church. Secondly we have installed parking lot attendants who direct traffic parking on Sundays and Wednesdays when we have our major services at the building. We have supervisors on the playground area which is now the parking lot. The only thing we have been told about the low-water crossing is that we will have to dismiss Church and tell the people to get their cars out of there if we have heavy rains.

Protestants:

Lee Garrett, representing the Chimney Hills Homeowners Association, stated that the land that Never Fail has given the people permission to park on is up for sale and it will be sold as part of the Chimney Hills Addition. In times of flooding the cars will obviously just come over to the other side to park when they can't use the parking lot.

Christ Pisias, 8771 South Memorial, appearing for himself and on behalf of his mother and daughter, advised that he had a meeting with the members of the Church which was a very cordial meeting. They were to get back in touch with me and I have a letter to that effect (Exhibit "C-2"), but I have never heard from them. I maintain very strongly that they do not have the room to expand and serve their congregation or school as they should. When the new road comes in it will leave only 130' between the right-of-way and the road. I made up some drawings (Exhibit "C-3") showing a layout of the property and the approximate acres. They proposed a fence along the line. Who would keep it up and repair it? Who is going to mow between the proposed wood fence and my fence?

Applicant's Comments:

The Church did send Mr. Pisias a letter, he may not have received it yet. We were waiting to hear from the Hydrology Department whether we were going to be able to build a fence the full length of our southern boundary. In regard to the question of a stadium, the Church has no room to

11193 (continued)

build a stadium and has no intention to build a stadium. They have been playing some football, but it has been on property to the north of them, again it is property that Never Fail owns and he has given permission to use it. We have talked with the State Highway Department and it is true that we will "lose some right-of-way." They have decided to expand Memorial to four lanes, but the right-of-way will be taken from the east rather than from the west side of Memorial. We have calculated that loss and it will be 52 spaces. We have an excess of 193 spaces over City Code, so that we will still have over 150 spaces in excess of the City Code requirements. We have approval to build a church, but the request is also for them to have a school. The Church was not aware that they were not allowed to have a school.

Board Comments:

Mr. Victor asked if the figures on the parking count, 770 spaces, included the off-site parking? The applicant stated that it did not include the off-site parking. Mr. Victor asked if the expansion was just school area or did it include sanctuary? The applicant stated it was a combination of both. Mr. Victor asked how much additional seating would be included in the expansion? The applicant stated that the seating is about 1,200 at the present time and it will be 2,500 maximum.

Mr. Smith asked what the Church planned to do in the event the new parking was under water? Mr. Myer stated that the Church will clean it out and get it ready for the next service. The only other thing we can do is to purchase some buses and work out an agreement with a local shopping center to use their parking. We have considered staggering our services.

Board Action:

On MOTION of WAIT, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait "aye"; no "nays"; no "abstentions") to continue Case No. 11193 until October 16, 1980, 1:30 p.m., Langenheim Auditorium, Tulsa Civic Center, for the purpose of hearing only new information on the case.

11201

Action Requested:

Variance (Section 910 - Principal Uses Permitted in Industrial Districts- Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1670 - Variances) request for a variance to permit a church school. This property is located at 8516 East 41st Street. This matter was continued from the last regular meeting in order to republish it for church school use.

Presentation:

Richard W. Priest, 4311 South Canton Avenue, stated that he was back because they had readvertised for school use and I also brought back new parking agreement letters (Exhibits "D-1 & D-2") to satisfy the City Attorney's concern. The school site is located in an industrial area on east 41st Street. The grades would be Kindergarten through 12th grade. We are looking at a maximum of 90 students and we have 61 students at this time. We are leasing the building, but we are only leasing half of it, 10,000 square feet. We are also looking at a building program in another location. We are asking for a 3-year variance. There is a grassy area in the front that we are going to put a 3-foot chain link fence around to keep the children in and for a gymnasium we use Hicks Recreation Center.

We buss the children over there. The grassy area is approximately 1,800-2,000 sq. ft. We have already made arrangements with the owner to build added bathrooms within the facility to handle the children.

Staff Comments:

Mr. Gardner mentioned that if a private Christian school seeks accreditation they have to meet the state standards as to classroom size, library facilities, etc.

Ms. Miller, Protective Inspections, advised that the Building Code determines the number of restroom facilities they would have to have for school use. Whether it is a church or a school, it has to meet the more restrictive requirement. There is a requirement for the number of restrooms per number of students.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait "aye"; no "nays"; no "abstentions") to approve a Variance (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1670 - Variances) to permit a church related school, subject to the variance running with this applicant only, for a period of 3-years with a maximum of 90 students and subject to the parking letters which were approved by Mr. Jackere, on the following described property:

City of Tulsa is the owner of the following described land:

TRACT "A": A tract of land containing 0.691 acres in the NE/4 of the NW/4 of Section 25, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, described as follows, to-wit: Starting at the NW corner of said NE/4 of the NW/4; thence due East along the North line thereof for 233.85'; thence due South at right angle for 65' to a point on the Southerly right-of-way line of the Broken Arrow Expressway access road, said point being the point of beginning of said 0.691 acre tract; thence South 89°-53'-51" East for 0.00' to a point of curve; thence along curve to the right, said curve having a radius of 2811.79' for 100.03'; thence due South for 300'; thence due West for 100'; thence due North for 301.96' to the point of beginning of said Tract of land.

11205

Action Requested:

Exception (Section 310 - Principal Uses Permitted in Agriculture Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to allow a Missionary Retreat Center (Use Unit #5) in an AG District. This property is located at 4001 East 101st St.

Presentation:

Gail Reynolds, representing Living Sound International, stated that they were wanting permission to use approximately 5½ acres for a Missionary Retreat Center. The property is basically the western-half of the

property previously occupied by the Tulsa Vianney School on East 101st Street. I have a schematic (Exhibit "E-1") showing the location of the large school and church facility together with the adjacent dormitory properties which are located just west. The property under the application today is only the western-half of the Vianney properties. The application should be amended with the revised legal description (Exhibit "E-2"). The legal description which was submitted for the filing included all of the property and as a tag line said "being the westerly five and one-half acres." The property being acquired by Living Sound is only the west five and one-half acres which contains the three residential dwellings. Two of these units were used as dormitories for the girls attending the school and the third was used for supervisors quarters. Basically the same function will be carried out by Living Sound as they will use the property both for supervisors quarters, for dormitory quarters for the evangelistic teams when they are in Tulsa, and for headquarters for the administrative function, and the accessory office activities that will be carried on for the work. A meeting was held with the neighborhood folks before filing the application. They appointed a representative and we have entered into a four page written statement of restrictions, covenants and conditions of use, which upon approval of this application will become binding on this property. Those restrictions set forth the uses, the limitations of additional facilities, the kinds of activities that can be carried out in connection with the use by Living Sound on this property. Any future development of the property is controlled by those covenants and it would be Living Sound's intention that any such development would be compatible with the ultimate residential development pattern, which would permit the properties to be converted to single-family residence use in the future. Mr. Reynolds read a copy of the restrictions (Exhibit "E-3").

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve an Exception (Section 310 - Principal Uses Permitted in Agriculture Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - Special Exceptions) to allow a Missionary Retreat Center in an AG District, subject to the conditions of the covenant (Exhibit "E-3"), on the following described property:

Beginning at a point 483.59' West of the SE corner of the SW/4 of Section 21, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma; thence due North 800'; thence due West 276.41'; thence South 65°-33'-22" West 302.08'; thence South 11°-18'-36" West 127.48'; thence South 39°-48'-20" West 39.05'; thence South 5°-21'-21" West 160.70'; thence South 25°-6'-53" West 176.71'; thence due South 200'; thence due East 541.41' to point of beginning, containing 10.06 acres, more or less. In particular, the 5.5 Westerly acres (more or less) containing three cottages.

NEW APPLICATIONS:

11178

Action Requested:

Special Exception (Section 610 - Principal Uses Permitted in Office Districts - Under the Provisions of Section 1680 - Special Exceptions) request for permission to convert existing building into apartments, and a Variance (Section 1208.4 - Off-Street Parking and Loading Requirements - Under the Provisions of Section 1670 - Variances) and a variance of the parking requirements from 1.5 per efficiency to zero parking, at 1436 South Quaker Avenue.

Presentation:

Harold Cooper, representing St. Paul's United Methodist Church, provided the Board with a letter (Exhibit "F-1") describing his proposal. There is already front and rear exits from the outside and steel staircases on the back. Practically everything that is needed for older people are near the apartment, i.e., shopping areas, bus transportation, etc. The Church has a 50' x 150' parking lot across the street which could be used by the apartment dwellers in a limited way and also on the back of the property there is parking for about 6 cars at the present time.

Remarks:

Mr. Gardner stated that he and the Building Inspector have calculated the number of units and the number of units is greater than either RM-1 or RM-2 zoning would permit at this point in time. Therefore, they need an additional density variance. It will not however need to be all advertised. Plot plans were submitted (Exhibits "F-2, F-3, and F-4").

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, :aye"; no "nays"; no "abstentions") to approve a Special Exception and Variance (Section 610 - Principal Uses Permitted in Office Districts - Under the Provisions of Section 1680 - Special Exceptions) to convert the existing building into 8 apartments and approve a Variance (Section 1208.4 - Off-Street Parking and Loading Requirements - Under the Provisions of Section 1670 - Variances) to reduce the required parking to only six parking spaces which exist on the premises, on the following described property:

Lot 6, Broadmoor Heights Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to allow a post office in a CS District. This property is located on the northwest corner of 69th Street and Yorktown Avenue.

Presentation:

Leon Ragsdale, 3025 East Skelly Drive, stated that the subject application is a U. S. Post Office which requires a special exception under the Zoning Code. The United States Post Office is requesting approval for a facility to serve Zip Code regions 74105 and 74136, which are delineated on this drawing (Exhibit "G-1"). As the drawing indicates, this location is in the center of the region that is to be served by the Post Office. The region is bounded on the north by 31st Street and the south by 121st Street, the Arkansas River being the west boundary and the east boundary north of 61st Street is Harvard Avenue, and the eastern boundary south of 61st Street is Sheridan Avenue. The tract that the Post Office desires to use has approximately 250 front feet that is located off of 69th Street South and South Yorktown Avenue. The Post Office desires this type of location rather than something that fronts on 71st Street or Lewis Avenue because of the back-up traffic that sometimes can be generated coming out of parking lots. The building size, although we do not have a plot plan, is 27,286 sq. ft., the net usable being 24,805 sq. ft. They intend employment of about 85-90 people in the facility and they will serve approximately 57 routes. The parking area would be approximately 43,000 sq. ft. With the ground area of 179,467 sq. ft., parking and building coverage would be less than 40%. The building coverage itself would be around 15% which would put it well within the guidelines of a CS District, which this property is currently zoned. The rest is parking and green area. The surrounding area is principally commercial zoning and development. The tract is just to the west of Think Snow, the Racquet Court and Skate World. There is a shopping center near the corner of 71st Street and Lewis Avenue. West is Camp Sholom, and to the south is an undeveloped tract which we currently own. Further to the south is an undeveloped tract, recently zoned for office. The parking will be 43,000 sq. ft., which calculates to 143 parking spaces.

The Board was concerned that 90% of the parking spaces might be used by the employees and the remaining 10% for the public. The applicant assured that there would be ample parking.

Protestants: None.Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1680 - Special Exception) to allow a Post Office in a CS District, subject to the applicant returning to the Board with the plans prior to issuance of a building permit, on the following described tract:

11207 (continued)

A portion of Lot Eight (8), Block One (1), Lewis Village Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, more particularly described as follows:

Beginning at the Southwest corner of said Lot 8; thence Northerly along the West line thereof a distance of 230.0 feet to a Point of Beginning; thence Easterly parallel to the South line a distance of 375.0 feet; thence due North a distance of 81.88 feet; thence Northeasterly along a curve to the right having a radius of 150 feet, a distance of 168.72 feet; thence due North parallel to the line between Lot 8 and Lot 7, a distance of 214.43 feet to the North line of Lot 8; thence Westerly along said North line, a distance of 460.24 feet to the Northwest corner thereof; thence Southerly along the West line thereof, a distance of 431.5 feet to the Point of Beginning, containing 4.21 acres, more or less.

11208

Action Requested:

Special Exception (Section 220 - Height Exceptions - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to allow a 525' radio Tower antenna in an IL District.

Presentation:

Mr. Jones advised the Board that the applicant had withdrawn the application.

11209

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 25' to 10' to permit an addition to the front of the present residence. This property is located at 2246 North Victor Avenue.

Presentation:

Thomas Smith, 2246 North Victor, stated they wanted to improve their property by adding a circle drive and a canopy. It will be beautiful, with three rock pillars supporting the canopy. It will set back far enough that everyone can have a clear view up and down the street. He submitted a plot plan (Exhibit "H-1"). He visited with the neighbors and obtained their signatures (Exhibit "H-2") stating they have no objections. The canopy will be part of the house and connected to the house.

Protestants: None.

Board Action:

On MOTION of VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the front setback requirements from 25' to 10' to permit a canopy addition (carport) on the front of the present residence, plot plan submitted, on the following described property:

10.2.80:320(10)

11209 (continued)

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

11211

Action Requested:

Variance (Section 430.2 (a) - Bulk and Area Requirements in the RMH District - Under the Provisions of Section 1670 - Variances) request for a variance of the five acre tract size for a Mobile Home Park Development at 10845 East Admiral Place.

Presentation:

Mr. Roger Becwar, 10845 East Admiral Place, stated he wanted to develop a mobile home park and he had a list of all the requirements of a mobile home park. The applicant stated he had filed a subdivision plat. On the west of my property is a machine shop and on the east is a residence that is the same size property as I have. On the back, across the creek, is a mobile home park. I have talked with the neighbors and they have no objections. Mr. Becwar stated that he lives on the front part of the property and he will be taking care of the park. There will be 17 units in the mobile home park.

Staff Remarks:

Mr. Jones stated that the Planning Commission and City Commission approved this 2½ acre tract of ground for RMH Mobile Home Park. The ordinance says you must have a 5-acre tract of ground for a mobile home park; however, the City approved his zoning with only 2½ acres. He does need a variance of the 5-acre minimum requirement.

Ms. Miller stated that she had checked with this gentleman and given him all the requirements for a mobile home park and he meets all the requirements.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430.2 (a) - Bulk and Area Requirements in the RMH District - Under the Provisions of Section 1670 - Variances) of the five acre tract size for a Mobile Home Park Development, on the following described property:

The North 585' of the South 660' of the W/2, E/2, W/2 of Lot 1, Section 6, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

11212

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) request for a variance to allow a mobile home for security purposes in a CH District at 2837 South Sheridan Road.

11212 (continued)

Presentation:

Dr. Max Rust, 2837 South Sheridan Road, stated the property as originally set up was intended to serve a mobile home. They have had a mobile home on this property. The last mobile home was there approximately two years ago. He presented a plot plan (Exhibit "I-1") showing the location of the mobile home. There is a large area between the mobile home and the residential homes. There is about an 8' hedge around the entire property and some large trees. There is also a 7' chain link fence with a barbed wire on top of it. There is a gate in the back corner. We intend to upgrade the business and until we can afford to hire a person to maintain security on the property as well as serve as a full-time caretaker for the animals, we will carry out that function. We have approximately 75 animals there and we hope to upgrade the garage, to house the caretaker, but we don't have the funds to do that at the present time, so as a stop gap measure I plan to live in the mobile home.

One of the neighbors stopped by and indicated to me that there had been two mobile homes there in the past, but he only would support one. It will probably take 3 to 5 years before we can make any permanent improvements.

Remarks:

Mr. Gardner stated that an unlimited time might present a problem.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to allow a mobile home for security purposes in a CH District, per plot plan submitted for a period of 4 years on the following described property:

Beginning at a point 343.0' South and 50.0' East of the NW corner of the SW/4 of the SW/4 of Section 14, Township 19 North, Range 13 East; thence Easterly and parallel to the North line of said SW/4 of the SW/4 of Section 14, a distance of 492.60' to a point; thence due South 100' to a point; thence Westerly and parallel to the North line of said SW/4 of the SW/4, Section 14, a distance of 492.72' to a point; thence Northerly and parallel to the West line of Section 14, a distance of 100' to the point of beginning. Containing 2.262 acres, more or less.

11213

Action Requested:

Exception (Section 250.3 (a) - Modification of the Screening Wall or Fence Requirements) request for permission to modify or remove the screening requirement where existing physical features provide visual separation of uses at 2502 East 71st Street.

Presentation:

Mr. Bob Latch, owner and developer of the Atlanta South Office Building at 2502 East 71st Street, stated that the Building Code requires a screening fence between RS-3 property and commercial or office building usage. The property to the east of us is a church, which is in an RS-3 District. To the south of us is the Esplanade Condominium project. I

11213 (continued)

have talked to the people and they do not object to use making this request. The condominiums on the south are about 10' to 12' below the grade of our building. They have their own concrete retaining wall between our property and theirs. There is presently a chain link fence running along our south line and if we put up a 6' screen fence, only about 3' of it would go above their present wall. In order to maintain the view to the south and to maintain the view to open area on the east, we have requested that the screening fence waiver be granted.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve an Exception (Section 250.3 (a) - Modification of the Screening Wall or Fence Requirement) to remove the screening requirement in an OL District, on the following described property:

Lot 1, Block 1, Atlanta South Addition to the City of Tulsa, Okla.

11214

Action Requested:

Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Under the Provisions of Section 1680 - Exceptions) request for an exception to allow Use Units (13 & 14) in an IL District. This property is located north of 41st Street and east of Sheridan Road.

Presentation:

Bill Mysner, representing Tulsa Properties, Inc., stated he was there with Steve Waltz, Nelson Electric, owner of the property. I have a drawing (Exhibit "J-1") of what we plan to do. This property is presently a part of Nelson Electric, bounded on the east by the Post Office, fronting on 41st Street, bounded on the other two sides by Nelson Electric. We plan to develop it into a commercial center compatible with the other property in the area. Across the street immediately to the south is Hahn TV. Probably 50-60% of the property developed on 41st Street is commercial now.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; Smith "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Under the Provisions of Section 1680 - Exception) to allow Use Units (13 & 14) in an IL District, on the following described property:

A tract of land in the SW/4 of the SW/4 of Section 23, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows, to-wit: Beginning 50' North and 50' East of the SW corner of the SW/4 of Section 23; thence East 814' to a point of beginning; thence North 220'; thence East 455'; thence South 220'; thence West 455' to the point of beginning.

11215

Action Requested:

Variance (Section 430 - Bulk and Area Requirement in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements on a corner lot from 25' to 12' to permit enclosing a patio at 8004 South 68th East Avenue.

Presentation:

Lee Garrett, 8004 South 68th East Avenue, stated they have a patio with privacy screening and we want to enclose it for a nursery. Plot plan submitted (Exhibit "K-1"). It will be built by the builder that built the house, so it will be compatible with the original building. Across the street is a vacant lot and I have discussed this with the owner and he has no objection. The applicant presented pictures (Exhibit "K-2") showing the location of the addition.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-1-0 (Lewis, Purser, Victor, Wait, "aye"; Smith "nay"; no "abstentions") to approve Variance (Section 430-Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot from 25' to 12' to permit enclosing a patio at 8004 South 68th East Ave., per plot plan, on the following described property:

Lot 14, Block 5, Chimney Hills South Addition to the City of Tulsa, Oklahoma.

11216

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts- Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from an R District from 10' to 1' in a CS District at 2525 South Sheridan Road.

Presentation:

Ed Myers, 2525 South Sheridan Road, stated they have an existing building and they want to enclose a 50' x 50' section of existing floor. It was at one time a patio display area for the furniture store. Plot Plan submitted (Exhibit "L-1"). Next door to the east is a residence that the Meeks' family owns and lives in.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve a variances of the setback requirements from an R District from 10' to 1' in a CS District, per plot plan, on the following described property:

The West 206' of the South 195' of the South 300' of the S/2, of the NW/4 of Section 14, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

11217

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in the Commercial District - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 50' to 44' & 3" from the centerline of 15th Street to permit an addition to the present structure at 2511 East 15th Street.

Presentation:

Jack Oare, 2511 East 15th Street, stated that he wanted to add to an existing building. All along 15th Street the setback is 50' and he wants to build even with that setback. Primarily it is for security purpose of our parking area. They have had some thievery and littering of the parking area and they want to build a structure over the drive that is next to the existing building and put a overhead door in that structure. The new construction will be compatible with the present construction. Hopefully it will look like it was all built at the same time.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 50' to 44' & 3" from the centerline of 15th Street to permit an addition to the present structure, per plot plan submitted (Exhibit "M-1") on the following described property:

Lots 11, 12 & 13, Block 6, City View Hill Addition to the City of Tulsa, Oklahoma.

11218

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680) request for an exception to erect a duplex in an RS-3 District; and an Exception (Section 440.3 - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) request for a variance of the frontage requirements from 75' to 72' for a duplex in an RS-3 District. This property is located NE of Quincy Avenue and 54th Street.

Presentation:

Owanna Goodwin, representing her son-in-law and daughter, stated there were other duplexes on 55th Street and Quincy Avenue, and all around the area. There is a church across the street. There is a mixture of architectural styles in the neighborhood. The duplex would be compatible with the houses around.

Board Comments:

Mr. Lewis stated that the Board had an unwritten policy that they want to see plans before they grant approval.

Mr. Gardner advised the Board that they may need some idea as to the type of duplex proposed. Would there be at least 1,000 sq. ft. per side in

11218 (continued)

the duplex. The applicant wasn't sure, but she felt the duplex would be of that size.

Mr. Lewis stated he didn't like voting without plans, but maybe it could be approved, subject to reviewing the plans at a later date. Chairman Purser agreed with this.

Mr. Gardner stated the Board could approve duplex use on the property, subject to review and approval of the plans prior to the issuance of a building permit. Then it would be necessary for the builder to come before the Board for approval of specific plans.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680) to erect a duplex in an RS-3 District; and a Variance (Section 440.3 - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) of the frontage requirements from 75' to 72' for a duplex in an RS-3 District, subject to the Board approving detailed plans at a later date, before a permit can be issued on the following described property:

The South 72' of Lot 10, Block 1, J. E. Nichols Addition to the City of Tulsa, Oklahoma.

11219

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 setback from 25' to 15' at 4816 South Yorktown Ave.

Staff Comments:

Mr. Jones stated that Mr. Robert Jones owns the entire tract of ground from 47th Street to 48th Street and he has split off the south 175'. They want to move the house back, which would be 15' from his north property line. Mr. Robert Jones lives in the house to the north and there would be several hundred feet between structures.

Presentation: Applicant was not present.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the rear setback from 25' to 15', per plot plan submitted (Exhibit "N-1"), on the following described property:

The South 175' of Lot 2, of West 128' of the SE/4, NW/4, SE/4 of Section 30, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities); and Section 440.6 - Mobile Homes) request for permission to locate a mobile home on property to be used for church classrooms for a period of one year; and, request for an exception to use property for church use, located at 9123 East 22nd Place.

Staff Remarks:

Mr. Jones stated that the Board did approve the mobile home classrooms for one year and continued the church use until this date. The applicant was to furnish plans for the church expansion.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to continue Case No. 11152 until Thursday, November 6, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

Request for clarification of Case No. 10939:

Mr. Jones stated the Board put a time limit on the hours of operation as requested by the applicant and now they want a change of hours from 6:30 a.m. to 7:00 p.m.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to clarify this Case and amend the hours of operation from 6:30 a.m. to 7:00 p.m., instead of the hours of 7:00 a.m. to 7:00 p.m.

M.T.T.A.

Gary Crowford, representing Public Shelters, Inc., provided the Board with site maps and a description of each location. One reason we are starting with No. 6 (Exhibit "0-1") is Mr. John Wilburn and his brothers own the property that this shelter is immediately in front of. They have been contacted a number of times and last night I talked to the lady who assists them in the office to see if they had any objections. John Wilburn had no objections, but he was going to check with his brothers. I assume that since they are not here, they have no objection. The property contains a long concrete block building on Lewis Avenue just south of 57th Street. The building has a State Farm Office, Wilburn & Associates (the owners of the building), a chiropractic clinic and an H & R Block office. North across 57th Street is a house that is converted to an office, west across the street and for the entire two or three blocks is The London Square Shopping Center. Immediately south of the property is a very large vacant field.

Board Action:

On MOTION of LEWIS, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve Site Map No. 6, located on 57th Street and Lewis Avenue.

Location No. 9 (Exhibit "0-2") is on Cincinnati Avenue and is immediately south of Xyler Avenue. It is on a traffic island and it has residential or vacant lots all around it. The closest approximate single-family dwelling unit is about 100'-150' from the shelter location. The island

M.T.T.A. (continued)

itslef is 35' wide, then there is a street that is 46' wide and then a lot with a house on it.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor "aye"; no "nays"; Wait "absent") to approve Site Map No. 8, located at Cincinnati and Xyler Avenues.

Location No. 12 (Exhibit "0-3") is located on Osage Drive. It is immediately north of Jasper Avenue and immediately in front of the Osage Hills Shopping Center. There are multifamily dwelling units across the street. This whole block is taken up by the shopping center.

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor "aye"; no "nays"; Wait "absent") to approve Site Map No. 12, located at Osage Drive and Jasper Avenue.

Location No. 22 (Exhibit "0-4") is on Yale Avenue immediately south of East 27th Place. It is on the Church of Christ lot. There is a vacant lot just north of the Church. Immediately across the street is the Memorial Baptist Church and north of East 27th Place is a residential area. We have contacted the Church of Christ and they requested we move the shelter to this site.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve Site Map No. 22, located at Yale Avenue and East 27th Place.

Location No. 25 (Exhibit "0-5") is on Memorial Road immediately north of 35th Street. This is just like the one on Cincinnati. It is on a traffic island with streets on both sides of it. Immediately across Memorial is the Tulsa County Vo-Tech School and then residential on across the second street.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve Site Map No. 25, located at Memorial Road and 35th Street.

Location No. 27 (Exhibit "0-6") is on Yale Avenue immediately north of 64th Street. It is in front of the Warren Professional Building and south of the Warren Professional Building is the Kelly Professional Building. Across the street is the Springer Clinic. It was put there to serve these three medical professional buildings.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve Site Map No. 27, located at Yale Avenue and 64th Street.

Location No. 30 (Exhibit "0-7") is located on Harvard Avenue immediately north of 25th Street. It is immediately in front of Doctor's Hospital. Across the street is a residential area which has a high bank and trees, and immediately south across 25th Street is The Wheeler Dealer Lounge.

M.T.T.A. (continued)

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Victor, "aye"; no "nays"; Wait "absent") to approve Site Map No. 30, located at Harvard Avenue and 25th Street.

Location No. 33 is located on the north side of 21st Street at Main St. Boulder Park is to the north and U.S. Jr. Chamber of Commerce is located to the south.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Purser, Smith, Victor, "aye"; no "nays") by Phone Poll to approve Site Map 33, located at 21st Street and Main Street (north side).

There being no further business, the Chair declared the meeting adjourned at 4:10 p.m.

Date Approved

November 6, 1980

Henry J. Purser

Chairman