

CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 323  
Thursday, November 20, 1980, 1:30 p. m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, November 18, 1980, at 10:56 a.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, the Chairman called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve the Minutes of October 16, 1980, (No. 321).

MINOR VARIANCES AND EXCEPTIONS:

11245

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 on a corner lot from 25' to 20' in an RS-3 District.

Presentation:

Mr. Jones advised the Board that this application had been continued from the last meeting due to the fact that there was no one present on the behalf of the applicant.

Rick Ellison, representing the applicant, was present to address the Board. Mr. Ellison advised that he was under contract with the applicant, Robert Acklin, to purchase the subject property for him. Mr. Ellison submitted to the Board a revised plot plan (Exhibit "A-1").

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements on a corner lot from 25' to 20' in an RS-3 District, per revised plot plan, on the following described property:

11245 (continued)

Lot 7, Block 3, Chimney Hills South Addition to the City of Tulsa, Oklahoma.

11274

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 frontage requirements from 60' to 49' in an RM-1 District to permit a lot-split.

Presentation:

Mr. Jones advised the Board that the Planning Commission approved the lot-split on October 15, 1980, subject to the approval of this Board.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements from 60' to 49' in an RM-1 District to permit a lot-split (L-15038), on the following described property:

Lots 47, 48 and 49, Block 8, Abdo's Subdivision to the City of Tulsa, Tulsa County, Oklahoma.

11278

Action Requested:

Minor Variances (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Variances) request for a variance of the setback requirements from 50' to 40' from the centerline of Harvard Avenue to permit the erection of a pole sign.

Presentation:

Ronald Bigelow, President of Mom's Donuts, Inc., was present to address the Board. Mr. Bigelow advised that an old sign had been removed from the sign pole in order to erect a new sign.

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Bigelow if the pole on which the new sign would be located is an existing pole, to which Mr. Bigelow replied, "yes."

Mr. Wait asked Mr. Bigelow if the new sign would be located in the same place as the older sign, and Mr. Bigelow stated that it would be placed in exactly the same location.

Mr. Victor asked if there was any comparative difference in the sizes of the two signs. Mr. Bigelow replied that the newer sign would be smaller and would light up. Mr. Bigelow further advised that the former sign did not light up.

11278 (continued)

Board Action:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith "absent") to approve the Minor Variance (Section 280 - Structure Set-back from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 40' from the centerline of Harvard Avenue to permit the erection of a pole sign, subject to execution of a removal contract, on the following described property:

Lot 56, Block 2, Harvard Heights Addition to the City of Tulsa, Oklahoma.

11279

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 10' to 8' in an RM-1 District.

Presentation:

Mel Waldorf, Waldorf Enterprises, was present to address the Board. Mr. Waldorf advised the Board that the request was in the Livingston Park South Addition and Waldorf Enterprises has approximately 85 to 90% of the houses under construction. Mr. Waldorf further advised that there was a change in the side lot setback due to an amendment to the Zoning Code as relates to RM-1 multifamily zoning. Mr. Waldorf stated that he had built many homes in the area with a 10' and a 5' side yard setback and, in designing this house, he designed it in the same fashion, then discovered that the side lot setbacks had been changed.

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Waldorf if this was just one lot, and Mr. Waldorf replied that it was and that he would actually need 13" to 18". Mr. Waldorf further explained that he had 10' on one side and lacks 14" of having 10' on the other side.

Mr. Lewis asked Mr. Waldorf to approach the Chair and revise the original plot plan (Exhibit "B-1") and initial the plot plan.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "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 10' to 8' in an RM-1 District, subject to the applicant's revised plot plan, on the following described property:

Lot 21, Block 2, Livingston Park South Addition to the City of Tulsa, Oklahoma.

10432

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 55' to 44.33' from the centerline of Fourth Place.

Presentation:

Mr. Jones advised the Board that this application had been continued from the last meeting in order to readvertise the correct figures. Mr. Jones further advised that John Sublett, the applicant, had to return to the hospital in Houston, Texas, and would not be present.

Board Comments:

Mr. Victor stated that the Board's concern at the last meeting stemmed from the fact that there was a discrepancy in the setback application, and it was the Board's recommendation that the application be readvertised in order to give the proper interested parties a chance to protest if they so wished.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Variance (Section 630 - Bulk and Area Requirements in the Office District - Under the Provisions of Section 1670 - Variances) of the setback requirements from 55' to 44.33' from the centerline of Fourth Place, on the following described property:

Lot 1, and the North 95.7' of Lot 2, Block 1, Kendall View Addition to the City of Tulsa, Oklahoma.

11257

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes - Under the Provisions of Section 1680 - Exceptions) request for permission to erect three duplexes in an RS-3 District; and, a Variance (Section 440.3 (a) & (c) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) of the minimum lot area of 9,000 square feet to 8,000 square feet; and for a variance of the minimum frontage of 75' to 61'; and for a variance of the setback requirements from the centerline of Yale to be from 95' to 65'.

Presentation:

Mr. Jones advised that this application had been continued from the last meeting due to the fact that the notice was insufficient.

David Weaver, the applicant, was present to address the Board. Mr. Weaver explained that this is a tract of land within the City limits which has never been platted. He further explained that if this tract was divided into three lots, it would meet requirements under R-3 zoning in that there would be a 75' width plus the 9,000 square feet of lot area. However, since it borders on Yale Avenue, he would

be required to dedicate an additional 20' of right-of-way making 50' of right-of-way on Yale Avenue. Mr. Weaver explained that when that occurs, a situation evolves in which lot square footage, lot frontage and building setback requirements are not met. Mr. Weaver advised that, presently, there is an old house on the subject property which will be removed. Mr. Weaver submitted to the Board a floor plan (Exhibit "C-1") for the proposed duplexes and explained that it is a typical floor plan which contains approximately 1,000 square feet per living unit. These proposed duplexes, he explained, would be two-bedroom and would have kitchens, dining room facilities, living room, one full bath and one-half bath, one, one-car garage per unit, washer and dryer facilities, carpet, heating/air conditioning, and fenced yards. Mr. Weaver stated that these duplexes would be quality renting units, renting in the range of \$375 to \$450 per month. In addition to the floor plan submitted, Mr. Weaver submitted to the Board a copy of a letter which had been sent to property owners in the area (Exhibit "C-2"), as well as a plot plan (Exhibit "C-3").

Protestants:

Carl Ramsey, 4811 East 25th Place, advised that he and his wife own the lot and home on that lot immediately adjacent to the proposed duplexes. Mr. Ramsey stated that he had no objection to duplexes in the area; however, he did object to the erection of six units. Mr. Ramsey further stated that he would have no objection to the construction of four units, but no more than that. One of the concerns Mr. Ramsey voiced was the problem of traffic/parking in the street.

Interested Party Comments:

Joe Gates, 4830 East 25th Street, advised the Board that he supported the construction of the three duplex units 100 percent. It is the feeling of Mr. Gates that the erection of the proposed duplexes would be an asset to the neighborhood insofar as the existing house on the subject property, which he states is approximately 50 years old, would be removed and replaced with the duplexes. Mr. Gates further stated that the proposed duplexes would be of better quality construction than some of the other homes in the neighborhood.

Applicant's Comments:

Mr. Weaver responded to the concern of traffic/parking problems by stating that he does not feel that would be a large problem for two-bedroom duplexes. No doubt, there would be some on-street parking, but not to any great extent.

Board Comments:

Mr. Lewis asked Mr. Gardner what his observations were on the setback request. Mr. Gardner replied that if the adjoining lots had the same building setback, he could see no problem; however, if there was a significant difference in the building setback it would be an area of concern to address.

Mr. Lewis stated that he was concerned about approving the application without knowledge of the other building setbacks on Yale Avenue. The Board concurred with Mr. Lewis' concern, and the Chair, without objection, passed the application temporarily until Mr. Weaver could consult with the INCOG staff and view aerial photos to calculate the area setback footage.

11257 (continued)

Board Action:

Upon the return of Mr. Weaver, the Board briefly discussed the information among themselves.

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith "absent") to continue this application until December 4, 1980, at which time the applicant will return with an accurate drawing to reflect the existing setbacks of the structures from the centerline of Yale Avenue for a distance of three blocks either direction from the land involved in the application.

11265

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-3 District; and, a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) request for a variance to permit a mobile home on a lot that has a residence on it.

Presentation:

Martha Castleberry, 5138 East Woodrow Place, was present to address the Board, and stated that she wished to maintain a mobile home on the subject property.

Protestants: None.

Board Comments:

Mr. Lewis asked Ms. Castleberry if there was anyone residing in the existing house on the property. Ms. Castleberry replied that there was not. Mr. Lewis then asked if the house was livable, and Ms. Castleberry stated that it was not.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to maintain a mobile home in an RS-3 District; and, a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit a mobile home on a lot that has a residence on it, subject to only one dwelling unit on the property being lived in at one time, for a period of one year, removal bond required, on the following described property:

The East 430' of the S/2 of Lot 11; and the North 77.5' of the East 430' of Lot 12, Block 1, S. R. Lewis Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 440 - Special Exception Uses In Residential Districts, Requirements - Section 440.2 - Home Occupations - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to permit a dental lab as a home occupation in an RS-3 District.

Presentation:

Steve Clark, Utica Bank Building, Suite 710, an attorney representing Sara Williams, the applicant, was present to address the Board. Mr. Clark advised the Board that the Williams' garage had been converted into a livable area for the purpose of performing the trade Ms. Williams is in--that of dental lab work. Mr. Clark briefly described the type of work that would be performed, as well as the type of equipment that would be used. He stated that Ms. Williams would pick up a prescription from a dentist for the creation of oral prosthetic devices. Ms. Williams would then cast a wax model for use in creating the prosthesis. Mr. Clark explained that this process would require the use of a small oven and some hand-held grinding tools, and that the heat and noise would be confined to the dental lab quarters. Mr. Clark advised that there would be no outside advertising since law prohibits outside advertising of dental labs. He further explained that there would be no traffic or parked cars due to the fact that Ms. Williams picks up and delivers all prescriptions and final products. Mr. Clark stated that Ms. Williams would be expecting a parcel post delivery approximately once a week, and that would be the only type of delivery involved in the practice. Mr. Clark explained that there would be a small air compressor involved, but that it was located in a sound-proof box which has been specially designed for that purpose. Mr. Clark submitted to the Board a photograph of the subject house and property (Exhibit "D-1") reflecting the conversion that has been performed on the garage, as well as 12 notarized, signed affidavits from neighbors attesting to the fact that they had no objections (Exhibits "D-2" through "D-13").

Protestants: None.

Board Comments:

Mr. Lewis stated that he did not have a clear picture from the photograph of the conversion that had taken place on the garage and asked Mr. Clark to specify. Mr. Clark explained that the garage door had been removed and replaced with large picture windows.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 440 - Special Exception Uses in Residential Districts, Requirements - Section 440.2 - Home Occupations - Under the Provisions of Section 1680 - Special Exceptions) to permit a dental lab as a home occupation in an RS-3 District, with approval to run with the occupants as owners living in this house only, and subject to all home occupation rules, on the following described property:

Lot 2, Block 10, Val Charles Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) request for a variance to permit more than one residence on a lot.

Presentation:

Jim Schoffner, 4143 East 31st Street, was present to address the Board, and advised that the proposed plans would be to construct a total of ten single-family units, which would be divided among the three subject lots. Mr. Schoffner stated that each of the units would be between \$60,000 and \$70,000 homes, eight of the ten would be one-story units, two would have two stories. He stated that all would have two-car garages and would vary between two and three bedrooms, with 1,200 sq. ft. involved in each unit. Mr. Schoffner explained that the smallest distance between any one of the units would be approximately eight feet.

Protestants:

Vesta Parker, 3515 South Urbana Avenue, advised that she would like to see the case continued to a later date in order that other neighbors who live in the flood district, and have been flooded out of their homes, can be present to protest. Ms. Parker stated that her major concern was the problem with flooding in the area. She stated that it was her feeling that the additional construction of roofs and pavement would add to the excess water and drainage problems that are already evident. Ms. Parker further stated that neighbors who should have received proper notice did not.

Board Comments:

Mr. Lewis asked Mr. Jones if the advertising of the notice was performed properly, and Mr. Jones replied that there were 40 notices mailed, all to property owners within a 300-foot radius, as the law requires.

Additional Protestants:

Sam Marks, 3559 South Urbana Avenue, stated that he resided approximately seven or eight houses away from the subject property. Mr. Marks concurred with Ms. Parker's concern over excess surface water which causes flooding. Mr. Marks further stated he received no notification, however, admitted to having resided more than 300 feet from the tract of land in question. Mr. Marks stated that he feels any property owners who would be affected by an application, as he feels he is, should be notified whether or not they live in the 300-foot radius.

Norma Marks, 3559 South Urbana Avenue, stated that they had been flooded three times since they lived in the vicinity, and stated that other homes in the area had from between 6' and 10' of water in their homes. Ms. Marks voiced the same concerns that were stated by Mr. Marks and Ms. Parker.

Interested Party Comments:

John Lang stated that his company presently owned the subject property. He stated that the plans that had been submitted to the Board had been developed by him approximately two years ago and, at that time, had been reviewed by the various City officials and the City Hydrologist. Mr. Lang advised that the requirement made at that time was that any structure that would be built in that area would be kept entirely out of the easement where the underground storm sewer is located so that



11267 (continued)

there would be no blockage of any overland relief of water that would move across the surface of the ground. He explained that the plans reflected that such a requirement had been met.

Applicant's Comments:

Mr. Schoffner advised that Mr. Lang was more familiar with requirements which would have to be met as far as water runoff and drainage was concerned, and felt that Mr. Lang had taken all the necessary steps to meet those requirements. He further stated that he felt the plans reflected such.

Board Action:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit more than one residence on a lot, per plot plan, subject to the submission of drainage plans to the City Hydrologist for approval and subject to compliance with his requirements, on the following described property:

Lots 1, 2, & 3, Block 1, Conway Park Third Addition to the City of Tulsa, Oklahoma.

11268

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 30' to 19.4'; and a variance of the side yard requirements from 5' to 4' to permit an addition to the front of the present residence.

Presentation:

James Rhoden, representing Ira Schlezinger, the applicant, was present to address the Board. Mr. Rhoden submitted to the Board proposed plans for a 10' x 37' room addition to the front of Mr. Schlezinger's home (Exhibit "E-1"). He stated that the existing side property line clearance is four feet from the main structure of the house presently. He further stated that the main structure is set back from the property line 29.4' at the front, and the existing covered entryway is set back 25.9' from the front property line. Mr. Rhoden advised that an existing uncovered porch which is set back 21.3' from the front property line and that the new structure would set back 19.4' from the property line. Mr. Rhoden stated that the proposed room addition would improve the resale value of the property, as well as improve the general appearance of the property and the neighborhood.

Protestants: None.

11268 (continued)

Board Comments:

Mr. Lewis asked Mr. Rhoden what the setback was on the surrounding homes. Mr. Rhoden stated that he was uncertain of the figure, but that there were some homes that appeared to have a setback of 27' to 29'.

Mr. Lewis asked Mr. Rhoden what the hardship was, and Mr. Rhoden stated that he could not build the room addition without the variance.

Mr. Wait asked how much the new porch would extend over the old porch, to which Mr. Rhoden replied "right at two feet."

Mr. Lewis stated that he failed to see the hardship, at which point Mr. Rhoden explained that the foundation where the existing porch is located has a large crack in it and the cost of repairing the structural difficulties would be much greater than constructing the proposed addition.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 2-1-0 (Victor, Wait, "aye"; Lewis "nay"; no "abstentions"; Purser, Smith, "absent") 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 30' to 19.4'; and a variance of the side yard requirements from 5' to 4' to permit an addition to the front of the present residence. Since Board policy requires three votes for action, the motion to approve this application was declared invalid by the Chair.

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to continue this application to December 4, 1980, at which time the applicant will reappear with building setback figures of the surrounding residences.

11269

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) request for variance of the side yard requirements from 10' to 4', and from 10' to 5' to permit an addition to an existing residence.

Presentation:

Mary Almon, 4725 West 8th Street, was present to address the Board and submitted to the Board a plot plan (Exhibit "F-1"). Ms. Almon stated that the proposed addition would provide them with three additional rooms that are needed.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 10' to 5' on the west and from 10' to 5' on the east to permit an addition to an existing residence, per plot plan, on the following described property:

11.20.80:323(10)

11269 (continued)

Lot 45, Block 1, Rayburn Subdivision to the City of Tulsa, Okla.

11270

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for an exception to operate a kennel in an RS-3 District; and in the alternative, a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 1215 - Other Trades and Services - Under the Provisions of Section 1670 - Variances) request for a variance to operate a kennel in an RS-3 District.

Presentation:

J. E. Bennett, 4829 North Xanthus Avenue, was present to address the Board. Mr. Bennett stated that he was seeking a kennel license in order to keep the dogs that he has accumulated over the years. Mr. Bennett submitted to the Board a list of signatures from the neighbors stating that they did not object to more than three house pets as long as they are well taken care of and not allowed in the street (Exhibit "G-1").

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Bennett to explain the extent of his operation (i.e., how many, adults or puppies, etc.). Mr. Bennett stated that he had six poodles, three half-poodles, one rat terrier, and one collie. Mr. Bennett further stated that he owned all of them.

Mr. Wait asked how many animals Mr. Bennett anticipated having on the property. Mr. Bennett stated that he did not plan on having any more animals than the eleven he mentioned, and that he had no plans for breeding them.

Mr. Lewis asked about facilities in the back yard for the pets. Mr. Bennett stated that there was an opening provided for them from the garage into the back yard and that there was a chain link fence surrounding the back yard.

Mr. Jackere asked Mr. Bennett if he had received a notice from the dog pound, and Mr. Bennett replied that a man from the pound came by the house and informed his wife that they would have to retain a license for that number of pets.

Mr. Victor asked if there was a City ordinance limiting the number of pets a person could own, and Mr. Jackere replied that the number of owned pets was limited to three adult dogs--anything over that number constituted a kennel; therefore, you must retain a license for the purpose of operating a kennel.

11270 (continued)

Mr. Victor asked how old the pets were. Mr. Bennett stated that they ranged from four yours old to twelve years old.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts-Section 440.2 - Home Occupations) to operate a kennel in an RS-3 District, subject to the condition that this approval shall run with this owner only, while this owner occupies the property as a residence only, with the use of the property, animal wise, to be limited to the eleven existing animals that are presently in the applicant's custody, on the following described property:

Lot 10, Block 26, Northridge 2nd Amended Addition to Tulsa, Okla.

11271

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 RS-3 District; and for a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit a mobile home on a lot that has a residence on it.

Presentation:

June Chartier, the mother of the applicant, Nancy Chartier, was present to address the Board. Mrs. Chartier stated that they had two and-a-half acres and would like to locate a mobile home on the subject property:

Protestants: None.

Board Comments:

Mr. Lewis asked Mrs. Chartier who would be residing in the mobile home. Mrs. Chartier replied that her daughter and her thirteen-year-old son would be.

Mr. Lewis then asked who else lived on the property, and Mrs. Chartier stated that she lived in a home on the property.

Mr. Victor asked Mrs. Chartier if there were other mobile homes in the area. Mrs. Chartier replied that there were none.

Mr. Lewis asked about the existing mobile home already on the property, and Mrs. Chartier stated that it was unoccupied and that she would like for it to remain. Mr. Lewis asked how large the existing mobile home was, to which Mrs. Chartier replied, "8' x 32'." She further explained that it was used for storage. Mr. Lewis asked about additional out buildings on the property, and Mrs. Chartier stated that there were a couple of storage sheds.

11271 (continued)

Board Action:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) for permission to locate a mobile home in an RS-3 District; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances) to permit a mobile home on a lot that has a residence on it, for a period of one year, removal bond required, on the following described property:

Lot 11, Block 2, Grimes Heights Addition to the City of Tulsa, Oklahoma.

11272

Action Requested:

Variance (Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Variances) request for a variance of the size of an accessory building from 750 square feet to 1,200 square feet in an RS-1 District.

Presentation:

William Stonecipher, 8102 East 34th Street North, was present to address the Board and submitted a plot plan (Exhibit "H-1"), as well as a scaled-down map of the property. Mr. Stonecipher indicated that he owned all of one lot and a portion of two additional lots, for a total of approximately three acres. Mr. Stonecipher advised that there would be a drive-through section to the proposed garage, and that the remaining area would be used for storing such vehicles as a tractor and for alternating the storing of several other vehicles, as well as hobby tools and equipment.

Protestants: None.

Board Comments:

Mr. Wait asked Mr. Stonecipher what his occupation was. Mr. Stonecipher stated that he was employed as a locomotive engineer.

Mr. Lewis asked if there would be any automobile repair work done on automobiles not belonging to Mr. Stonecipher. Mr. Stonecipher replied that there would not be.

Mr. Lewis asked what the existing out buildings were used for, and Mr. Stonecipher stated that they were used for storage.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Variance (Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Variances) of the size of an accessory building from 750 square feet to 1,200 square feet in an RS-1 District, per plot plan, subject to the condition that no business of any nature shall be conducted within, on the following described property:

11272 (continued)

All of Lots 8, 9, & 10, Block 7, Woodland Park Subdivision, LESS and EXCEPT the following described tract: Beginning at the Northwest corner of Lot 8; thence in a Southeasterly direction along the West line of said Lots 8 and 9, a distance of 250 feet to a point; which is 90 feet North of the Southwest corner lot 9; thence East a distance of 150 feet to a point which is 274.70 feet Southeasterly from the Northerly line of said Lot 8; thence Northwesterly 274.70 feet to a point in the Northerly line of said Lot 8, which is 150 feet Easterly from the Northwest corner of Lot 8; thence Southwesterly along the North line of Lot 8, a distance of 150 feet to the point of beginning, Tulsa County, Oklahoma.

11273

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Special Exception Uses - Under the Provisions of Section 1680 - Exceptions) request for a special exception to permit a bus station in a CH District.

Presentation:

Roy Johnsen, attorney for the applicant, was present to address the Board and submitted a floor plan/site plan (Exhibit "I-1"). Mr. Johnsen advised that the present Trailways terminal located at Sixth Street and Cheyenne Avenue is being acquired by Cities Service for the construction of a tower and additional facilities, thereby, resulting in the relocation of the Trailways terminal. Mr. Johnsen advised that some changes would occur on the exterior of the building to improve the appearance of the structure, as well as some modification to the interior in the way of providing a lobby area and baggage claim area. Mr. Johnsen further explained that there would be fueling facilities located at the site, however, maintenance would be performed elsewhere.

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Johnsen what was in the immediate area. Mr. Johnsen stated that to the east is parking, to the north is parking to Third Street and Detroit Avenue where a car rental business is located, to the south is the M. K. & O. bus station, a print shop, an industrial supply shop, and to the west is a church and the old City Hall building.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Special Exceptions Uses - Under the Provisions of Section 1680 - Exceptions) to permit a bus station in a CH District, per plot plan submitted, on the following described property:

Lots 5 and 6, Block 116, Original Townsite of the City of Tulsa, Tulsa County, Oklahoma.

11275

Action Requested:

Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback from the east property line to be from 25' to 20' to permit the erection of a warehouse. This property is located at 10123 East 46th Place.

Presentation:

R. J. Shasberger, owner of the subject property, was present to address the Board. Mr. Shasberger submitted to the Board a site plan (Exhibit "J-1") of the proposed warehouse. He advised that there was an existing building located on the front and side property lines. Mr. Shasberger further advised that he wished to build a structure 30' x 75' which would be 5' over the 25' setback on the side street. He explained that the lot is only 50' wide.

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Shasberger what the building setback was of the adjoining structures. Mr. Shasberger stated that there was no structure behind the subject property; that across the street he estimated no more than 25'; the lot across the street to the east is vacant; the lot behind and to the north is vacant. Mr. Shasberger stated that the existing building on the subject property would be removed.

Mr. Lewis asked what the length of the lot was. Mr. Shasberger replied that it is 145'.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts - Under the Provisions of Section 1670 - Variances) of the setback from the east property line to be from 25' to 20' to permit the erection of a warehouse, per site plan submitted, on the following described property:

Lots 1 and 2, Block 4, Alsuma Addition to the City of Tulsa, Oklahoma.

11276

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 setback from 20' to 17', and a variance of the livability space from 4,000 square feet to 3,000 square feet to allow the completion of a garage; and an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations - Under the Provisions of Section 1680 - Special Exceptions) to operate a home barber shop in an RS-3 District. This property is located at 1202 South Jamestown and 1208 South Jamestown Avenue.

Presentation:

John Sublett, Jr., representing Amos Mason, the applicant, was present to address the Board. Mr. Sublett explained that the subject property was a corner lot and the incomplete garage in question is a four-car garage. Mr. Sublett advised that Mr. Mason had received a building permit for the garage and the measurements on that building permit reflected the garage measurements as it presently stands--30' x 48'. Mr. Sublett stated that Mr. Mason had received Board of Adjustment denial for an exception to operate a home barber shop on this property in June of this year. On June, 30, 1980, Mr. Sublett explained, the City notified Mr. Mason that he had violated the rear setback on the lot (which should have been 20'). The building as it stands has a 17' rear setback. Mr. Sublett explained that the building had been constructed in conformance with the building permit that the City issued, and that Mr. Mason has halted construction pending approval to complete the garage as it was drawn on the plan.

Mr. Sublett explained that the home barber shop which is to be on the southernmost lot under application, would employ only one person -- Mr. Mason, and that he has just a few customers, most of who were his former customers. He further advised that there would be no outward indications of any business being conducted, and no signs. Mr. Sublett stated that no noise was generated by the barber shop, there had been no alteration of the structure, and that there is no parking problem.

Mr. Sublett submitted to the Board a Plat of Survey (Exhibit "K-1") and photographs (Exhibit "K-2").

Board Comments:

Mr. Lewis asked Mr. Jones if he showed anything other than Lot 1, Block 3, being presented to the Board. Mr. Jones stated that he did--Lot 3, Block 3, the home occupation.

Mr. Sublett stated that the home occupation was actually on Lot 2, and that it was his error when making application for the Exception.

Mr. Lewis asked Mr. Sublett what was on Lot 3. Mr. Sublett replied that the lot was vacant except for a two-story rent house at the back of the property. Mr. Lewis asked on what lot the applicant lived, to which Mr. Sublett replied, "Lot 2."

Mr. Victor advised that he did not believe the garage was built in accordance with the building permit that was issued. Mr. Victor stated that the building permit specified that the garage be frame construction and, he thought, brick veneer, and that the cinder blocks were used in the construction of the garage. He further stated that the building permit specified that two overhead doors were to be included, and that it appeared that there was only one overhead door, a large window, and an entrance door.

Mr. Sublett advised that the original building permit, which is on record with the City, reflects cinder block, and that it had been originally typed as wood frame with wood veneer siding. Mr. Mason, however, advised the City that the drawing that was submitted reflected cinder block. The building permit on record was corrected to reflect cinder block.



Brief discussion ensued as to whether or not Lot 2 was improperly advertised. Mr. Jackere stated that since the notice was sent out advertising Lot 3, there would be no problem with the actual lot being Lot 2, since the property owners within a 300-foot radius of Lots 1, 2 and 3 were notified.

The Board briefly reviewed photographs and other exhibits from the previous application made in June 1980.

Mr. Lewis asked if the variance that was being requested applied to the finished portion of the garage or the unfinished portion of the garage. Mr. Sublett advised that the request for a variance would apply to the unfinished portion of the garage.

Mr. Lewis asked Mr. Sublett what the hours of operation would be for the barber shop. Mr. Sublett replied that the hours of operation would be from 8:30 a.m. to 5:00 p.m., on Tuesdays through Saturdays. Mr. Lewis then asked what the maximum number of customers would be. Mr. Sublett stated that the barber shop would take only one customer at a time, but that there might be two customers there at one time if an overlap in appointments was scheduled. Mr. Sublett further advised that the customers would be parking in the driveway at 1208 South Jamestown Avenue.

Mr. Lewis asked Mr. Sublett if the barber shop was in operation at the present time. Mr. Sublett replied that Mr. Mason was operating the shop on a limited basis until he received notice on November 5th that he was in violation of the principal uses permitted.

Mr. Lewis asked Mr. Sublett if Mr. Mason had been operating the business since he last appeared before the Board. Mr. Sublett stated that he had been operating the business since before the last Board appearance and had continued operating it until November 5th.

Mr. Lewis asked Mr. Mason why he had continued operation of the barber shop without approval of the Board. Mr. Mason stated that he was not aware that he needed Board approval to operate the shop, and further stated that he was not operating out of his home when he appeared before the Board on June 26th. He stated that since he had lost his lease on his previous place of business, he needed a location for the business, so he established the shop in his home.

Protestants:

Mike Bagby, 3427 East 12th Street, stated that Mr. Mason owns Lots 1 through 4, inclusive, and reminded the Board that, on June 26, 1980, the request to operate a barber shop was immediately denied because he did not intend to operate out of his home and that he was currently altering the structure to turn it into a commercial operation. Mr. Bagby submitted to the Board a floor plan (Exhibit "K-3") and stated that it reflected the differences between the building permit and the actual construction. Mr. Bagby further advised that the original permit that he reviewed did not show any cinder block construction. Mr. Bagby stated that, in addition, Mr. Mason has not halted construction on the addition to the garage, and has excavated a single-lane driveway just to the west of the unfinished portion of the garage. Mr. Bagby stated that he thinks Mr. Mason intends to build a concrete

retaining wall to hold the dirt off of the single-lane drive. Mr. Bagby continued by stating that Mr. Mason had started to cut the curb in front of his property to put in a 55' wide driveway, and that this project was halted by the City Street Department. Mr. Mason was instructed that he was not to cut the curb without a permit and that he could not pave over the City easement without a permit. Mr. Bagby submitted a layout of photographs (Exhibit "K-4") and pointed the 55' wide driveway out, which is paved to within four feet of the curb. Mr. Bagby submitted to the Board a page listing from the Business Pages section of the City of Tulsa Telephone Directory (Exhibit "K-5") showing that Mr. Mason was previously doing business as Amos' Barber Shop, located at 2606 South Harvard. Mr. Bagby then directed the Board's attention to the photo layout, the lower left photo being a photograph of the garage with a sign "Amos - 1208 South Jamestown" affixed to it. Mr. Bagby further directed the attention of the Board to the upper left photo of the Mason residence and a sign above the archway entrance to the barber shop that reads "Amos 1208." In addition to the sign at 1208 South Jamestown, Mr. Bagby pointed out an orange and block phosphorescent "OPEN" sign in the window. Mr. Bagby advised that Mr. Mason was instructed by Bill Click of the Building Inspector's Office to remove the signs and that the signs have not yet been removed. Mr. Bagby directed the attention of the Board to the lower right photograph in the photo layout in which there is open storage in the unfinished portion of the garage, items such as a small range, tires, a lamp, a lawn mower, a free-standing porcelain sink, etc., which Mr. Click also instructed Mr. Mason to remove. These items have not been removed. Further, Mr. Bagby advised the Board that Mr. Mason was ordered to have the garage apartment vacated behind his house, which Mr. Mason originally stated would be occupied by his mother, but since the time of approval of that request, he has rented.

In conclusion, Mr. Bagby addressed comments made by Mr. Sublett, as follows: (1) There has been parking in the street since Mr. Mason opened his shop for business in August; (2) the lighting in the particular room used as the barber shop is furnished by fluorescent light; (3) the hours of business have been from 8:00 a.m. to 6:00 p.m., Tuesdays through Saturdays, based on observation; (4) the shop was opened up after refusal of the permit on the previous hearing, at the subsequent expiration of Mr. Mason's lease.

Rajagopal Raghavan, 3515 East 12th Street, stated that he had appeared before the Board on June 26th to protest the request to operate a barber shop, and was present today to protest all requests made by Mr. Mason. He stated that barber shops were not typical to residential areas and should be operated in a business district. Mr. Raghavan further stated that the barber shop of Mr. Mason's was not a part-time operation, but a full-time operation, and he feels that the character of the neighborhood will change if the barber shop is allowed to remain.

Mr. Raghavan submitted to the Board a list of signatures of the residents of Harvard Heights stating that they do object to the operation of Mr. Mason's barber shop (Exhibit "K-6"). Mr. Raghavan advised the Board that Mr. Mason has flagrantly violated almost every condition placed upon the operation and construction. The new structure, Mr.

11276 (continued)

explained, is not compatible with the other structures in the neighborhood.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to deny the request for a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the rear yard setback from 20' to 17', and a variance of the livability space from 4,000 square feet to 3,000 square feet to allow the completion of a garage; and, to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations - Under the Provisions of Section 1680 - Special Exceptions) to operate a home barber shop in an RS-3 District, on the following described property:

Lots 1 & 3, Block 3, Harvard Heights Addition to the City of Tulsa, Oklahoma.

11277

Action Requested:

Variance (Section 1217.3 (a) - Use Conditions - Under the Provisions of Section 1670 - Variances) request for a variance of the use conditions of the erection of a screening fence; and, an Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Special Exceptions) to remove the screening requirement where the purpose of the screening requirement cannot be achieved. This property is located at 5200 East 11th Street.

Presentation:

Frank Morrison, 5200 East 11th Street, was present to address the Board, and stated that there was a screening fence on the property when it was purchased by Mr. Morrison from Fred Jones Ford, which was in poor condition and in need of repair or replacement. Mr. Morrison explained that he had the existing fence removed and replaced it with an expensive wrought iron fence.

Board Comments:

Mr. Lewis asked Mr. Morrison what the use of the property was, and Mr. Morrison replied that it was a used car lot. Mr. Lewis then asked what was in the immediate vicinity of the property, and Mr. Morrison stated that a residential area was adjoining the property, with a wood fence separating the subject property from the residential section.

Protestants:

Jimmy Simmons, 920 South Canton, submitted to the Board three photographs of the subject property (Exhibit "L-1"), and advised that it was his understanding that this lot was to be used for storage use only. He stated that traffic was now a problem, as well as people who test drive the cars and leave black marks in front of the residences in the area.

11277 (continued)

Milford Vandiver, 929 South Canton Avenue, stated that he lived two blocks north of the subject property. Mr. Vandiver stated that the original screening fence was a wood fence, approximately 6' to 7' high, and created a sufficient screen. He stated that this screening fence was replaced by Mr. Morrison with a 3' to 4' high wrought iron fence, which does not provide sufficient screening of the automobiles. In conclusion, Mr. Vandiver stated that the situation that has been created on the subject property will directly result in the decrease of value on the property and homes in the residential area.

S. Cameron Nelson, 937 South Canton Avenue, submitted a protest in writing to the Board (Exhibit "L-2").

Applicant's Comments:

Mr. Morrison stated that it was his understanding that the property has been used for a used car lot for approximately 25 years.

Mr. Lewis stated that, as he interpreted the Minutes of June 8, 1966 (that were provided), an approval to operate a used car lot has never been granted. Mr. Jackere concurred.

Brief discussion ensued as to what action should be taken and which appropriate official(s) or department(s) should take the action regarding zoning and screening violations.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to continue this case until December 4, 1980, in order to visit the property and more thoroughly review the past history of the subject property.

11280

Action Requested:

Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) request for permission to operate a union hall in an OL District; and, an Exception (Section 610 - Principal Uses Permitted in Office Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a recreational facility to operate in conjunction with the union hall in an OL District. This property is located at 11929 East Pine Street.

Presentation:

Ed Wilson, representing the Local 514 Transport Workers' Union, was present to address the Board. Mr. Wilson stated that the Union had built a meeting hall approximately 15 years ago in the Redwine Addition. Mr. Wilson further advised that an extension for use of the building is being proposed, as well as the construction of a picnic shelter in the back of the lot on which the meeting hall is located. Mr. Wilson submitted to the Board a plot plan (Exhibit "M-1") of the layout of the meeting hall and the proposed picnic shelter, as well as a photograph of the proposed picnic shelter (Exhibit "M-2").

11280 (continued)

Protestants: None.

Board Comments:

Mr. Victor asked Mr. Wilson if the recreational facility mentioned in the application was the proposed picnic shelter, to which Mr. Wilson replied, "yes."

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve an Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a union hall in an OL District; and, an Exception (Section 610 - Principal Uses Permitted in the Office Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a recreational facility as described above, to operate in conjunction with the union hall in an OL District, as submitted, on the following described property:

Lot 1, Block 1, Bill Redwine Addition to the City of Tulsa, Okla.

11284

Action Requested:

Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Exceptions) request for an exception to permit a wrecker service (Use Unit #17) in a CS District. This property is located at 4443½ North Peoria Avenue.

Presentation:

Houston Ericksten, 4744 South 69th East Avenue, was present to address the Board. He stated that he wished to erect a metal building for a leasee of the subject property that does business with Ameridan Automobile Association (AAA) by operating a wrecker service for AAA. Mr. Ericksten advised that the lessee of the property operates a business wherein he performs tire changes, minor tune-ups, battery charging, etc.

Mr. Ericksten submitted to the Board a plot plan (Exhibit "N-1").

Protestants: None.

Board Comments:

Mr. Lewis asked if there would be any wrecked vehicles parked on the property for long periods of time. Mr. Ericksten stated that there would be short-term storage only for those customers who call AAA and have a flat tire or a dead battery. The vehicles will then be towed in to the place of business for immediate service. Mr. Ericksten further advised that there are wrecked vehicles parked for a limited period of time--two to three weeks--while awaiting insurance company estimates, then they are removed. Mr. Ericksten also stated that there would be a 7' fence on the subject property for screening purposes of the wrecked vehicles that are stored on the "long-term" basis, a period of 30 days.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Exceptions) to permit a wrecker service (Use Unit #17) in a CS District, subject to the condition that the storage wrecked vehicles be behind the 7' screening fence, that any heavy maintenance not be allowed in the area--only routine light maintenance, and that no parts or portions of vehicles be stored on or sold off the property, per plot plan submitted, on the following described property:

The North 455' of the North 555' of the South 772.5' of the East 190' of the West 240' of the West 14.86 acres, of Lot 1 in Section 18, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

OTHER BUSINESS:Chairman's Policy Discussion:

The Chair, without objection, tabled this item of business until December 4, due to the fact that the Chairman was absent.

Communication from Dorothea Miller, Zoning Clearance OfficerSubject: Waiver of Screening Fence Requirements

Ms. Miller read aloud to the Board a memorandum dated November 13, 1980, from her to the Board of Adjustment regarding the waiver of screening fence requirements. This memorandum is attached hereto and made a part of these Minutes.

C. Harold Miller addressed the Board and stated that he had asked Ms. Miller to initiate the correspondence due to the fact that the City of Tulsa has acquired certain properties in the vicinity of 11th St., and Mingo Road for a large regional detention center. Mr. Miller stated that it would be funded through the sales tax. Mr. Miller asked the Board if there could not be some relaxation of the screening requirements for recreational facilities in flood control areas.

Mr. Jackere stated that the only concern he had with granting this request was that he felt it should be done through an interpretive process, and that the blanket authority not be given to one official.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Lewis, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to adopt the request for Dorothea Miller to be given blanket authority to waive the screening requirements where: (1) the property is owned by the City; and, (2) it is a regional detention facility.