

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 324
Thursday, December 4, 1980, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, December 2, 1980, at 8:55 a.m., as well as in the Reception Area of the INCOG Office.

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

MINUTES:

There were no minutes to approve.

MINOR VARIANCES AND EXCEPTIONS:

11288

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' on the east and west in an RM-1 District. This property is located at 4110 East 63rd Place.

Presentation:

Eldon Boyd, 5453 East 19th Street, was present to address the Board, and submitted a site plan (Exhibit "A-1"). Mr. Boyd advised the Board that this was a new residence and that the requirements on the property were originally 10' and 5', and upon a check of the property, it was discovered that it had been changed to 10' and 10'. Mr. Boyd expressed a wish to have the requirements changed to 8' and 8'.

Protestants: None.

Board Comments:

Ms. Purser asked Mr. Boyd if the houses in the immediate area were built on the 10' and 5' requirements, and Mr. Boyd replied that he believed they were.

Mr. Smith expressed concern over the other property owners applying for the same Variance, and Mr. Gardner stated that one application would be sufficient for this section of homes if one owner would make a joint application.

11288 (continued)

Interested Party Comments:

Dan Zeligson, the lot owner to the west, 4116 East 63rd Place, asked if the 10' and 5' requirements mentioned were footage requirements for side yard setbacks. Mr. Gardner stated that that was the case until September, 1980, when it was changed to 10' and 10'. Mr. Gardner further stated that this entire 75 acres is zoned for apartments, but is platted for single-family.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; 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 10' to 8' on the east and west in an RM-1 District, per plot plan, on the following described property:

Lot 23, Block 7, Livingston Park South Addition, to the City of Tulsa, Tulsa County, Oklahoma.

11300

Action Requested:

Variance (Section 280 - Structure Setbacks from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) request for a Variance of the setback requirements from 50' to 35' from the centerline of 51st Street to permit the erection of a sign. This property is located at 2109 East 51st Street.

Presentation:

The applicant was not present to address the Board.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue this application to December 18, 1980.

11302

Action Requested:

Variance (Section 280 - Structure Setbacks from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the setback requirements from 50' to 39' from the centerline of Southwest Boulevard to permit the erection of a sign. This property is located at 1824 Southwest Boulevard.

Presentation:

Charlie Gay, 1824 Southwest Boulevard, was present to address the Board and submitted an order form for his proposed sign (Exhibit "B-1"). Mr. Gay stated that remodeling of the building had been completed and he wished to replace the old, weathered sign with a new one and would like to erect the sign on the existing original standard because there is already underground electricity there.

Protestants: None.

11302 (continued)

Board Comments:

Ms. Purser asked Mr. Gay if the proposed sign is larger than the old sign. Mr. Gay stated that there was approximately a six-inch difference in length.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve a Variance (Section 280 - Structure Setbacks from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 39' from the centerline of Southwest Boulevard to permit the erection of a sign, subject to the execution of a removal contract with the City of Tulsa, on the following described property:

Lot 39, Block 2, Riverside Addition to the City of Tulsa, Okla.

UNFINISHED BUSINESS:

11247

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to use property for church use and parking. This property is located at 32 South 73rd East Avenue.

Presentation:

Byron Salsman, architect for the applicant, was present to address the Board and submitted a plot plan (Exhibit "C-1"). Mr. Salsman advised the Board that the original Variance that was received on Lot 8, which was property that the church did not own. Mr. Salsman further advised that at that particular hearing, he recommended that Lot 9 be excluded from the request for a Variance. Mr. Salsman stated that an application for a variance was filed in November on Lot 8 thinking that Lot 9 had also been approved. Mr. Salsman explained that the plot plan reflected the layout for parking use for the entire site. Mr. Salsman further explained that Lots 10, 11, 12, and 13 would remain as they are, with residences on them.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680 - Special Exceptions) to use property for church use and parking, per plot plan submitted, on the following described property:

Lot 8, Block 4, Crestview Estates Third Addition and
Lot 9, Block 4, Crestview Estates Third Addition to
the City of Tulsa, Tulsa County, Oklahoma.

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) and (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 a variance of the minimum frontage of 75' to 61'; and, a variance of the setback requirements from the centerline of Yale Avenue to be from 95' to 65'. This property is located at 2502 South Yale Avenue.

Presentation:

Mr. Jones advised the Board that the application was continued from November 20, 1980, in order that the applicant could supply the Board with pertinent information regarding the setback of the other residences along Yale Avenue.

David Weaver, 4325 East 51st Street, Suite 110, was present to address the Board and submitted the following: Four (4) photographs depicting setback footage along Yale Avenue (Exhibit "D-1"); an aerial photo depicting setback footage along Yale Avenue (Exhibit "D-2"); an overlay (Exhibit "D-3"); and, a site plan with elevations (Exhibit "D-4"). Mr. Weaver advised that the areas marked in red on the site plan depicted the curb line, existing house lines, and the 43-foot setback line, and further advised that the houses that were measured for setback measured from between 40.3' to a maximum of 42.8'.

Protestants:

John Haymaker, 4818 East 25th Place, stated that his property would face the proposed project. Mr. Haymaker stated that he was concerned over parking congestion on 25th Place with the introduction of the three proposed duplexes. Mr. Haymaker further stated that this was a busy area, especially during the fair, when parking becomes an increased problem.

Board Comments:

Ms. Purser asked Mr. Haymaker if there were any other duplexes in the area. Mr. Haymaker stated that there were other duplexes, however, they faced Yale Avenue and not any of the interior streets.

Ms. Purser asked Mr. Weaver if he would concur with Mr. Haymaker's statement about other duplexes in the area facing Yale Avenue and not the interior streets. Mr. Weaver replied that all the others did face Yale Avenue.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes - Under the Provisions of Section 1680 - Exceptions) to erect three duplexes in an RS-3 District; and, a Variance (Section 440.3 (a)

11257 (continued)

and (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 a variance of the minimum frontage of 75' to 61'; and a Variance of the setback requirements from the centerline of Yale Avenue to be from 95' to 65', on the following described property:

The North 135' of the East 234.7', less the East 30' thereof for street purposes of the South-half of the South-half of the SE/4 of the NE/4 of Section 16, Township 19 North, Range 13 East, Tulsa County, 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. This property is located at 1336 East 27th Street.

Presentation:

James Rhoden, contractor for the applicant, Ira Schlezinger, was present to address the Board and submitted a site plan of other residences in the vicinity which depicted their front setback (Exhibit "E-1"). Mr. Rhoden advised that of 33 residences in the area, there are 18 that are encroaching on the setback. These 18 residences vary in encroachment from between 2' and 5', with one of those homes encroaching 10'.

Protestants:

Robert Nichols, 420 South Boulder Avenue, attorney representing four property owners within 100' of the subject property, stated that the main concern of his clients was the allowance of the proposed structure to protrude 11' out of conformance with the building setback. Mr. Nichols further advised that he could see no hardship in the application.

Applicant's Comments:

Mr. Rhoden directed the attention of the Board to the house number 1393 on the north side of 27th Street on the plot plan, and stated that the house was protruding out 20' and that it was an enclosed room. Mr. Rhoden again pointed out that there were eighteen homes in the block protruding from between 2' to 5'. Mr. Rhoden further explained that the proposed work to be done on the subject home would enhance the neighborhood, as well as the appearance of the home itself.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to deny the 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

11268 (continued)

front of the present residence, on the following described property:

Lot 17, Block 2, Sunset View 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) request for an exception 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:

Mr. Jones stated that this application had been continued from November 20, 1980, to allow Board members to view the subject property. Frank Morrison, 5200 East 11th Street, advised the Board members that the existing wrought iron fence had been erected to replace the original wood fence which was in need of repair, and that the wrought iron fence was costly.

Board Comments:

Mr. Smith asked Mr. Jones if the fence along the west property line was the main item of concern to the Board. Mr. Jones stated that it was.

Mr. Victor stated that the fence along the north property line was in need of repair or replacement, and that some of the neighbors had voiced concerns about it.

Mr. Morrison advised that he intends to replace the north fence with a more attractive fence, but wished to wait until the Board takes action on the wrought iron fence on the west property line.

Mr. Wait asked for Mr. Morrison's interpretation of a more attractive fence--another wrought iron fence, or a screening fence. Mr. Morrison stated that he was required to put up a screening fence and had intentions of erecting a steel fence with a baked enamel finish in colors that would correspond with the colors of his establishment, 6' to 7' high, on the north property line.

Protestants:

Mrs. James A. Simmons, 920 South Canton Avenue, stated that it was her understanding that the lot on which the wrought iron fence has been erected is a residential lot that has been granted a variance to be used as a storage lot, with screening fences to be erected along the north and along Canton Avenue on the east. Mrs. Simmons stated that Mr. Morrison has removed the fence that was in bad need of repair and replaced it with a picket fence, allowing the lot to become a used car lot. She stated that the neighborhood fears the residential lot will become an open commercial lot.

11277 (continued)

Applicant's Comments:

Mr. Morrison stated that a screening fence on the west property line invited vandalism on the property in that the curious would scale the fence to determine what was behind the fence, and, upon discovering cars, would break into the cars and steal radios, stereos, tires, etc. Mr. Morrison advised that the wrought iron fence decreased the percentage of vandalism in that the lot could be seen from outside the fence. Mr. Morrison further explained that he had no nightwatchman to protect the lot and cars.

Brief discussion ensued between Board members and Mr. Gardner as to screening requirements on the lot as required by the City Zoning Code.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to deny a Variance (Section 1217.3 (a) - Use Conditions - Under the Provisions of Section 1670 - Variances) 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, on the following described property:

Lot 9, Block 28, White City Addition to the City of Tulsa, Okla.

NEW APPLICATIONS:

11281

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' from the front property line to allow a carport to remain. This property is located at 4701 West Third Street.

Presentation:

Kenny Smith, an attorney representing Charles Harris, the applicant, was present to address the Board. Mr. Smith advised that the carport was already in existence, and that it had been built without the applicant's knowledge of the setback requirements. Mr. Smith further advised that the contractor who built the carport did not advise Mr. Harris of the setback requirements.

Protestants: None.

Board Comments:

Ms. Purser asked Mr. Smith if the applicant was notified of the violation by the Building Inspector's Office. Mr. Smith stated that the Building Inspector's Office did serve notice on Mr. Harris. Ms. Purser then asked Mr. Smith when the carport was erected. Mr. Smith replied that it was built approximately two months ago and submitted two photographs of the subject carport to the Board (Exhibit "F-1"), and a plot plan (Exhibit "F-2"). Ms. Purser asked Mr. Smith if he had taken the photographs of the carport, to which Mr. Smith

11281 (continued)

replied, "yes." Ms. Purser stated that there appeared to be a carport next door to the subject property, as well, and Mr. Smith explained that there was. Mr. Smith advised that, in addition to the one next to the subject property, there were no less than eight similar carports which appeared to him to be encroaching the setback within a two-block radius.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-1-0 (Purser, Victor, Wait, "aye"; Smith "nay"; no "abstentions"; Lewis "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 10' from the front property line to allow a carport to remain, on the following described property:

Lot 33, Block 1, Hayden Lewis Second Addition to the City of Tulsa, Oklahoma.

11282

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 11' & 9" from the front property line to allow a carport to remain. This property is located at 4705 West Third Street.

Presentation:

The applicant was not present to address the Board. Mr. Jones advised that the subject property was situated next to the lot in the previous application which the Board approved, Case No. 11281.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-1-0 (Purser, Victor, Wait, "aye"; Smith "nay"; no "abstentions"; Lewis "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements from 25' to 11' & 9" from the front property line to allow a carport to remain, on the following described property:

Lot 34, Block 1, Hayden Lewis Second Addition to the City of Tulsa, Oklahoma.

11283

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for permission to operate a kennel as a home occupation in an RM-1 District. This property is located at 702 North Trenton Avenue.

Presentation:

Mr. Jones advised the Board members that he had received a long distance phone call when the meeting commenced from Gary Snyder of Oklahoma City, who owns the property at 708 North Trenton Avenue, that property being rental property. Mr. Jones stated that Mr. Snyder phoned to protest the application stating that the dogs had been digging under the fence, jumping over the fence, and digging holes in his property. Mr. Snyder further stated in his phone call to Mr. Jones that he had not received a notice of the hearing; however, the previous owner, Helen Dennis, had received notice and had informed Mr. Snyder.

Helen Wilson, the applicant, was present to address the Board. Ms. Wilson advised the Board that she wished to keep her five adult dogs from which puppies were sold. Ms. Wilson further advised that she has a 6' high picket fence and that the height of the fence prevented the dogs from jumping over it and into the neighbor's yard.

Board Comments:

Mr. Victor asked Ms. Wilson what breed of dogs she had, and Ms. Wilson stated that she had three poodles, one pit bull, and one terrier. She further stated that the three poodles remained in the house and the other two were kept outside. Mr. Victor asked Ms. Wilson if she was aware of which dog had been digging under the fence, and Ms. Wilson replied that none of the dogs could dig under the fence.

Ms. Purser asked Ms. Wilson if she advertised the puppies for sale through sign advertising, to which Ms. Wilson replied, "No, I advertise them through the Thrifty Nickle," Ms. Purser then asked the average number of puppies sold per month, and Ms. Wilson stated that one or two puppies were sold per month usually. Ms. Purser asked Ms. Wilson how many of the dogs were female. Ms. Wilson stated that only two were female--both poodles.

Mr. Wait asked what size the poodles were, and Ms. Wilson responded by saying that they were toy poodles.

Protestants:

Augustine Cahill, 712 North Trenton Avenue, submitted to the Board a petition signed by residents in the neighborhood protesting the application (Exhibit "G-1") and advised that there were a number of dogs running loose in the area and the neighborhood should not be subjected to more.

A representative of the Independence Area Neighborhood Organization, whose name and address was not picked up by the taping system, stated that the Organization consisted of a group of approximately 45 residents in the neighborhood of Trenton and its surrounding 15 streets. The representative stated that one of the main problems voiced by the members in the Organization was that of stray dogs.

Interested Party's Comments:

Floyd Gravett, 1624 East Easton, stated that he was a close personal friend of Ms. Wilson and that she had "the cleanest yard of anybody in town."

11283 (continued)

Board Comments:

Ms. Purser asked Ms. Wilson how many years she has had the dogs, to which Ms. Wilson replied, "five years."

Mr. Smith asked Ms. Wilson how she had been notified that she would have to apply for a kennel license. Ms. Wilson explained that a neighbor had apparently complained, a police officer came to her residence and inquired as to the number of dogs in her possession, and when she obliged with the information, the police officer informed her that she would need to apply for a license.

Protestants:

Margueriette Reid, 715 North Trenton Avenue, stated that she was concerned about the small amount of land involved and advised that the residence was a duplex.

When asked by Mr. Victor if Ms. Reid had any protests or complaints concerning the noise or smell of the dogs, Ms. Reid stated that the dogs barked throughout the day and night.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 3-1-0 (Smith, Victor, Wait, "aye"; Purser "nay"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate a kennel as a home occupation in an RM-1 District, subject to the following conditions: (1) That no more than five (5) adult dogs be kept on the premises at any one time; (2) that all rules of the home occupation restrictions apply to this application; (3) that the applicant take all measures to ensure that the pets are not a nuisance to the neighborhood; and, (4) that this approval run with this applicant only and on this property only, on the following described property:

Lot 30, Block 2, Ingram Lewis Addition to the City of Tulsa, Okla.

11286

Action Requested:

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the off-site parking requirements; and, a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to permit general business offices with a sign in an RM-2 District; and, a Special Exception (Section 250.3 (d) - Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Special Exceptions) request for an exception to remove the screening requirement where the purpose of the screening requirement cannot be achieved. This property is located at 1365 Riverside Drive.

Presentation:

Stephen King, 2205 East 22nd Place, was present to address the Board and advised that he proposes to convert a large house on Riverside Drive into office space for himself and a few other people in the partnership. Mr. King advised the Board that he had no plans to alter the exterior of the residence, with the exception of a new roof, landscaping, and a fresh paint job. Mr. King stated that ten parking spaces were proposed, which the City requires for a 4,000-foot structure. In addressing the screening requirement aspect of the application, Mr. King stated that the driveway on the subject property was a common driveway shared with a woman who owns the property next door, and that it would not be feasible to erect a screening fence down the middle of the driveway where the property line is. This, he stated, would leave approximately 7' of driveway on which to drive in order to get to the subject property. Mr. King stated that he was proposing to erect a 3' high fence with landscaping, which he felt would allow for more of a beautification setting than would a 6' high wood stockade fence.

Board Comments:

Mr. Victor asked Mr. King who the carport belonged to, and Mr. King stated that it belonged to Mrs. Haun, the owner of the property next door. Mr. Victor then asked the height of the retaining wall on the subject property. Mr. King explained that the retaining wall ranged from 3' to 4' in height. Mr. Victor asked the difference in elevation from the retaining wall to the street, and Mr. King submitted photographs for this purpose (Exhibit "H-1"). Mr. Victor asked Mr. King how the other residences in the area were being utilized, and Mr. King stated that there were approximately five or six duplex/apartment projects in a row down to 11th Street, many of the other residences are single family rentals and, in addition, the Spotlight Theater and the McBirney Mansion are in the area. The others, Mr. King explained, are residential homes.

Protestants:

Mr. Jones submitted to the Board three letters of protest (Exhibits "H-2, H-3, and H-4") which had been sent to the Board of Adjustment Office.

Jack Martin, 1399 East 26th Street, stated that his concern was over the fact that approval of this application would open channels for future applications of this type.

Terry Young, 1309 South Indian Avenue, stated that office use of the subject property and structure would be inconsistent with the neighborhood, which consists mostly of older homes, many of which are being refurbished by new owners. Mr. Young further advised the Board that a downtown residential trend is being established and that approval of applications of this type would be in conflict with that trend. In conclusion, Mr. Young stated that he felt certain that the structure would, in the future, be utilized for residential use, whether it be converted into condominiums or apartments.

Ruth Condon stated that she owned the house directly across the street from the subject property and had resided there for 26 years. Ms. Condon stated that she did not wish to see residences converted into businesses and offices in the area and, further, did not wish to see signs erected in the neighborhood or be subjected to additional off-street parking.

Caroline Robertson, representing Downtown Tulsa Unlimited, stated to the Board that DTU is committed to the further strengthening of a residential rebirth in the central City, and that this has been a primary goal in DTU's 1980 Work Program. Ms. Robertson explained that the encroachment of offices and commercial businesses into near downtown neighborhoods detract from and hinder the ability of the neighborhood to rejuvenate itself. Ms. Robertson further stated that there were more logical sites available for office development that would not produce the result of negative effects on downtown residential districts. Ms. Robertson submitted to the Board three letters of protest from members of the Riverview Association (Exhibits H-2, H-3, and H-4") which were passed on to her when the members were unable to attend this meeting.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-1 (Purser, Victor, Wait, "aye"; no "nays"; Smith "abstaining"; Lewis "absent") to deny a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) of the off-site parking requirements; and, a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680 - Special Exceptions) to permit general business offices with a sign in an RM-2 District; and, a Special 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 requirements where the purpose of the screening requirement cannot be achieved, on the following described property:

Lot 10, Block 11, Norvell Park Addition to the City of Tulsa, Oklahoma.

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 requirements from 100' to 49' & 6" from the centerline of Newton Avenue; and a Variance of the setback from 75' to 25' from an R District on the west. This property is located at the southeast corner of Newton and Troost Avenues.

Presentation:

M. E. Mowery, 5801 East 41st Street, was present to address the Board and submitted a plot plan (Exhibit "I-1"). Mr. Mowery stated that the proposed building is 40' x 60' and that the setback from Newton Avenue is required to be 75', which would not allow the proposed building. Mr. Mowery further advised the Board that there was an existing building on Newton which sits closer to the street.

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Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 requirements from 100' to 49' & 6" from the centerline of Newton Avenue; and a Variance of the setback from 75' to 25' from an R District on the west, per plot plan, on the following described property:

Lots 9 and 10, Block 1, Utica Heights Addition to the City of Tulsa, Oklahoma.

11287

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for permission to operate a gun smith business as a home occupation. This property is located at 1808 North Atlanta Avenue.

Presentation:

Claude Barbour, 1808 North Atlanta Avenue, was present to address the Board and submitted a petition signed by neighborhood residents supporting the application (Exhibit "J-1"). Mr. Barbour advised Board members that he has a small outbuilding on his property which he proposes use for the occupation, which will consist of working on firearms, etc. Mr. Barbour stated that he has an application before the Bureau of Alcohol, Tobacco, and Firearms for a federal firearms license.

Board Comments:

Mr. Victor asked Mr. Barbour what type of work and machinery would be involved in the occupation of a gunsmith, as well as how many customers he might have. Mr. Barbour stated that he proposes to be open for business between 5:00 p.m. and 7:00 p.m., four evenings a week--Monday through Thursday. Mr. Barbour stated that approximately one or two customers would visit during that time during the entire week. Mr. Victor asked Mr. Barbour if he would be selling firearms, and Mr. Barbour explained that he also has an application in to be a seller of firearms. Mr. Victor asked Mr. Barbour if ammunition loading was involved, to which Mr. Barbour replied, "At the present time I don't."

Ms. Purser questioned the advertising aspect of selling the firearms. Mr. Barbour stated that he would be advertising very little and preferred to maintain a small operation.

Mr. Victor asked Mr. Barbour what the federal firearms license would allow in the event that it is approved. Mr. Barbour explained that the license would allow him to operate a gunsmith business and, with the continuation of that license in the form of a license to sell firearms, he would have the opportunity to sell firearms of certain types--handguns, shotguns, and rifles--and that automatic weapons and explosive devices were not included in that license to sell firearms.

11287 (continued)

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to operate a gunsmith business as a home occupation, subject to the following conditions: (1) That all Home Occupation rules and regulations be complied with; (2) that approval run with this owner only; and, (3) that operation of the business commence upon receipt of the federal firearms license, on the following described property:

Lot 456, Block 36, Tulsa Heights Addition to the City of Tulsa, Oklahoma.

11289

Action Requested:

Variance (Section 204.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Variances) request for a variance of the size of an accessory building (garage) from 750 square feet to 864 square feet in an RS-2 District. This property is located at 8901 East Ninth Street.

Presentation:

Mrs. Emmett Jantz, 8901 East 9th Street, was present to address the Board and submitted to the Board a plot plan (Exhibit "K-1"). Mrs. Jantz stated that she had already advertised for bids and had accepted one of the bids, which resulted in needing an additional four feet.

Protestants: None.

Board Comments:

Ms. Purser asked Mrs. Jantz what she proposes to store in the garage, and Mrs. Jantz stated that they had a swimming pool and storage space was required in order to store equipment, supplies, and expensive lawn furniture and, in addition, it would house two automobiles.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 (garage) from 750 sq. ft. to 846 sq. ft. in an RS-2 District, on the following described property:

Lot 6, Block 18, Clarland Acres Addition to the City of Tulsa, Oklahoma.

11290

Action Requested:

Variance (Section 420.2 - Accessory Uses in Residential Districts - Sign Conditions - Under the Provisions of Section 1670 - Variances) request for a variance of the size of a sign from 12 sq. ft. to 60

11290 (continued)

sq. ft. in an RS-2 District for a church. This property is located at 8504 East Skelly Drive.

Presentation:

E. J. Landrum, 6821 South 77th East Avenue, was present to address the Board and submitted a plot plan (Exhibit "L-1") and a rendering of the proposed sign (Exhibit "L-2"). Mr. Landrum advised that he was representing the Skelly Drive Baptist Church as a member of the Building and Grounds Committee. Mr. Landrum explained that the existing sign was wood and was deteriorating and that in replacing the sign, the Church wished to relocate it 40' to the west.

Protestants: None.

Board Comments:

Mr. Smith asked Mr. Landrum the height of the proposed sign, to which Mr. Landrum replied, "Approximately 17' from the ground up."

Mr. Victor asked Mr. Landrum what materials the sign would be made of, and Mr. Landrum stated that it would be compiled of steel, extruded aluminum, and plastic facing. Mr. Victor then asked if the sign would be lighted. Mr. Landrum stated that it would be lighted in the area that is provided for special messages.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve a Variance (Section 420.2 - Accessory Uses in Residential Districts - Sign Conditions - Under the Provisions of Section 1670 - Variances) of the size of a sign from 12 sq. ft. to 60 sq. ft. in an RS-2 District for a church, per plot plan, on the following described property:

Beginning at a point 602.80' East of the SW corner of the NE/4 of the SW/4 of Section 13, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence South 89°-25'-50" West along the South line of said NE/4 a distance of 117.80'; thence North 42°-34'-27" West a distance of 499.18'; thence North 48°-34'-30" East a distance of 332.00'; thence North 41°-25'-30" West a distance of 25.00'; thence North 48°-34'-80" a distance of 281.65'; thence South 1°-25'-25" East a distance of 784.81' to a point of beginning, containing 4.511 acres, more or less.

11291

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 requirements from an R District from 75' to 15'. This property is located north of 61st Street and 103rd East Avenue.

11291 (continued)

Presentation:

Jack Cox, 1323 South Baltimore, representing the owners of the subject property, was present to address the Board and submitted two plot plans (Exhibits "M-1 and M-2"). Mr. Cox advised that to the north is the Southeast Industrial District, on the east is IL zoning, on the west is IL zoning.

Protestants:

Lewis Davidson stated that he was concerned that the setback approval would be the beginning of more applications of this type and it seemed to him that the applicant was requesting not a minor variance, but a complete change in philosophy.

Board Comments:

Brief discussion ensued between Ms. Purser and Mr. Davidson as to the surrounding zoning and setbacks which resulted in Mr. Davidson's problems being resolved.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 requirements from an R District from 75' to 15', per plot plan, on the following described property:

The N/2 of Lot 1, Block 1, Ronjon Commercial Park Addition to the City of Tulsa, Oklahoma.

11292

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agricultural District - Section 1205 - Community Services, Cultural and Recreational Facilities) request for an exception to permit a rehabilitation center for alcoholics in an AG District. This property is located at 5601 South Garnett Road.

Presentation:

Joe Coleman, 610 South Main Street, was present to address the Board and submitted a plot plan (Exhibit "N-1"). Mr. Coleman stated that he was representing a joint committee formed by the Tulsa Chamber of Commerce and Downtown Tulsa Unlimited which has been seeking an appropriate location for approximately one year for the establishment of an alcoholism rehabilitation center. Mr. Coleman advised the Board that a site for the center has been selected at 5601 South Garnett, which is a part of the City of Tulsa's property. Mr. Coleman explained that two surplus school buildings would be moved onto the location and would be set back 87' from the centerline of the street and landscaped at the front. Sleeping areas will be provided, Mr. Coleman explained, during which time alcoholics will go through a short detoxification program and then the rehabilitation program will involve only ex-alcoholics in community work services. Mr. Coleman further explained that one of the buildings will be utilized for their meetings and meals.

Protestants: None.

11292 (continued)

Board Comments:

Ms. Purser asked Mr. Coleman if the Alcoholics Anonymous Program would be used, to which Mr. Coleman replied, "Yes."

Mr. Smith questioned the traffic problem which might be encountered once the program was implemented. Mr. Coleman stated that no more than 10 to 12 vehicles could be accommodated at the site, and Mr. Coleman further advised that he did not believe those vehicles would affect traffic appreciably.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 310 - Principal Uses Permitted in the Agricultural District - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a rehabilitation center for alcoholics in an AG District, per plot plan, on the following described property:

A tract of land lying in the SW/4 of Section 32, Township 19 North, Range 14 East, Tulsa County, Oklahoma, said tract being more particularly described as follows, to-wit: Commencing at the SW corner of said SW/4; thence North $0^{\circ}-01'-24''$ East 1,975.31'; thence South $89^{\circ}-55'-31''$ East 50.0' to the point of beginning; thence South $89^{\circ}-55'-31''$ East 210.00'; thence South $0^{\circ}-01'-24''$ West 211.98'; thence North $89^{\circ}-55'-31''$ West 210.00'; thence North $0^{\circ}-01'-24''$ East parallel with the West line of said SW/4 211.98' to the point of beginning.

11293

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for permission to have a home occupation which will consist of a woodworking shop leather crafts, health care distributorship, and pocket secretary distributorship. This property is located at 6510 East 27th Place.

Presentation:

Frank Strickland, 6510 East 27th Place, was present to address the Board. Mr. Strickland advised the Board that for the past several months he had been using his garage as space for utilizing his woodworking equipment while building several items for his home. Recently, Mr. Strickland explained, several people have inquired as to the possibility of him building items for them. Mr. Strickland stated that, upon checking into licensing requirements, it was discovered that he would need an exception granted for a home occupation use in a residential district. Mr. Strickland further stated that his wife would like to distribute Neo-life Vitamins, (A Shaklee-type or Amway-type product), that he would like to distribute the pocket secretary product, and that leather crafts might be a potential addition to this exception in the future. Mr. Strickland advised Board members that he had consulted with the neighbors on either side of him and the neighbors indicated that they had no complaints, nor had they heard any noise from his garage during the times Mr. Strickland had been using the woodworking equipment.

Board Comments:

Ms. Purser asked Mr. Strickland if he had any type of advertising for his work, and Mr. Strickland replied that he had none.

Mr. Wait asked Mr. Strickland to explain briefly the type of wood-working equipment that he would be using in this operation. Mr. Strickland explained that he had a hand router, a hand belt sander, a hand-power planer, and a table saw. Mr. Wait asked Mr. Strickland if he anticipated a compressor, to which Mr. Strickland replied, "No." Mr. Wait then asked Mr. Strickland if he anticipated doing any painting or finishing in his garage, and Mr. Strickland stated that he would be doing no painting other than brush painting or aerosol spray can painting.

Mr. Victor asked Mr. Strickland what his hours of work for this operation would be, and Mr. Strickland stated that during the week he rarely did any work of that type, but when he did, he normally quit at approximately 9:00 p.m., and that most work was performed during the weekend.

Protestants:

A petition of protest to the rezoning of this residential property, signed by residents of the Boman Acres III Addition, was submitted to the Board (Exhibit "0-1").

Nimmer Naifeh, 6532 East 27th Place, stated that he had no objection to a home occupation if a person was unable to tell that there was an occupation being performed. Mr. Naifeh further stated that he was concerned over television transmission being affected by any power tools that Mr. Strickland might use.

Ms. Purser asked Mr. Naifeh if he was experiencing any transmission difficulties presently, or if he was aware that there was any type of work being performed in the garage, and Mr. Naifeh stated that he was not experiencing any difficulties of that nature.

Lorraine Cummings, 6521 East 27th Place, stated that she had been concerned over the possible rezoning of the neighborhood, but that the Board had made her aware that a rezoning was not the issue. Ms. Cummings further stated that she was somewhat concerned over the possible expansion of this home occupation.

Ms. Purser assured Ms. Cummings that the vote of the Board would be based upon the details that were given by Mr. Strickland, and it appeared that he wished to keep the business at a very low volume. Ms. Purser explained to Ms. Cummings that it would be the responsibility of the neighborhood to see to it that the business did not violate any of the conditions that would be set out in any such approval, and urged her to contact the City Building Inspector's Office if neighbors observed any violations of the conditions if approved.

Ms. Cummings stated that she did not wish to see this home occupation become a full-fledged business, for it would decrease the value of the homes in the neighborhood.

Mrs. Roger Swift, 6526 East 27th Street, stated that she was concerned that if this application is approved, it would establish a precedence

for other home occupations to open in the neighborhood. Mrs. Swift further advised that there were three empty spaces in a shopping center within walking distance of the neighborhood in which Mr. Strickland could start a business.

Applicant's Comments:

Mr. Strickland stated that he was not planning to make a full-time living off of his home occupation. Mr. Strickland further stated that he had an interest in property value, and did not wish to leave lumber and materials out on the property and, in addition, had been very careful in past months not to leave materials outside of the garage. Mr. Strickland encouraged the protestants to speak with him if they were unsatisfied with the performance of the home occupation at any time.

Board Comments:

Mr. Victor asked Mr. Strickland where people who would come to the residence to look at a certain item would park. Mr. Strickland stated that there was parking space for four cars in the driveway and additional space for two cars in the front of the home at the curb, but that he was anticipating no more than two cars at any one time.

Brief discussion ensued between Mr. Smith and Mr. Strickland concerning sales meetings for the distributor portion of the application. Mr. Strickland assured the Board that there is no recruiting involved--that he had become a distributor for the sole purpose of receiving a discount.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) to have a home occupation which will consist of a woodworking shop, leather crafts, health care distributorship, and pocket secretary distributorship, subject to the following conditions: (1) That the hours involved for the woodworking or any noise-generating machinery be limited to 9:00 p.m. or earlier during the week, 8:00 a.m. to 5:00 p.m. on the weekends, exclusive of Sundays; (2) that there be no advertising on the property; (3) that the structure retain its residential character; (4) that there is no outside storage; (5) that parking be limited to on-site and to visiting cars; (6) that any advertising done be directed to a location outside of the home; (7) that no sales meetings be conducted at the residence for either distributorship; (8) that approval of this exception run with this applicant only; and, (9) that this application shall be in the spirit of a supplementary income rather than a full-time occupation, on the following described property:

Lot 17, Block 14, Boman Acres III Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational

11294 (continued)

Facilities) request for permission to use property for church school uses, which will include kindergarten through the twelfth grade. This property is located at 2805 West 48th Street.

Presentation:

Jerry Smith, a member of the Carbondale Bible Church, was present to address the Board. Mr. Smith advised that the Church facilities had been used since 1970 for school purposes without having had the property zone changed for school use.

Protestants: None.

Board Comments:

Ms. Purser asked Mr. Smith if the Church operated a kindergarten through twelfth grade program presently. Mr. Smith replied that they did, and wished to erect a temporary building on one of the two lots across the street from the church for additional classroom space. Ms. Purser asked Mr. Smith how many students were enrolled in the school program presently. Mr. Smith stated that enrollment is approximately 150, and that the additional space would not result in additional enrollment--only in additional utilization of space. Mr. Smith further stated that only first and second grades would be re-located in the new building.

Ms. Purser asked what type of building was being proposed. Mr. Smith advised that the building would be that of a mobile home type, 14' x 70'. Ms. Purser then asked how long the temporary buildings would be in use, to which Mr. Smith replied, "Approximately five years."

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for church school uses as presented, which will include kindergarten through the twelfth grade, on the following described property:

Lots 20 and 21, Block 15; and Lots 11 through 16, inclusive, Block 18, Carbondale Addition to the City of Tulsa, Oklahoma.

11295

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1680 - Exceptions) request for an exception of the floor area ratio from .25 to .38 in an OL District. This property is located north of the NE corner of 45th Street and Harvard Avenue.

Presentation:

Mr. Jones advised the Board members that it had been discovered the day before that the proposed building would be two stories in height and the application would need to be readvertised.

11295 (continued)

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to continue this application until December 18, 1980.

11296

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses - Heliport) request for an exception to permit the construction of a helipad including fueling facilities to be used for a hospital-based emergency helicopter transport. This property is located at 6161 South Yale Ave.

Presentation:

Roy Johnsen, representing Saint Francis Hospital, was present to address the Board and submitted an aerial photograph of the subject property (Exhibit "P-1"), as well as a plot plan (Exhibit "P-2").

Mr. Johnsen advised the Board that the exception had already been approved in 1978, but the application was now being slightly modified. Mr. Johnsen stated that the original approval of the application was given without approval of hangar facilities or fueling facilities. Mr. Johnsen explained that one of the cost factors involved in the operation of the emergency helicopter was refueling at the airport, and that also increased the "down time" of the helicopter. Mr. Johnsen advised that the proposed area is approximately 40' x 40' and an underground tank would be located there to permit on-site fueling.

Protestants: None.

Board Comments:

Mr. Smith asked Mr. Johnsen if access for gasoline transport trucks had been provided for, and Mr. Johnsen stated that there would be no problem with access.

Mr. Victor asked Mr. Johnsen about any potential hazards involved in having a fueling station located at the site. Mr. Johnsen stated that he had been advised that the fuel used in this operation is a form of diesel that is less volatile than regular gasoline.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1202 - Area-Wide Special Exception Uses - Heliport) to permit the construction of a helipad including fueling facilities to be used for a hospital-based emergency helicopter transport as presented, on the following described property:

A tract of land located in the NW/4 of Section 3, Township 18 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as follows: Beginning at a point 1,497.0' South and 1,055.0' East of the NW corner of said NW/4; thence North 40.0'; thence East 40.0'; thence South 40.0'; thence West 40.0' to the point of ending of the tract herein described, containing 0.0368 acre of land, more or less. 12.4.80.324(21)

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 sq. ft. to 1,060 sq. ft. This property is located at 2745 East 55th Place.

Presentation:

Mark Leighty was present to address the Board and submitted a plot plan (Exhibit "Q-1"). Mr. Leighty advised the Board that there were two residences located on the subject property and he would like to erect a garage and consolidate the buildings. Mr. Leighty further advised that there had never been a garage on the property previously. Mr. Leighty explained that Leighty family members lived in both residences, and that the proposed garage would be used for housing two automobiles and equipment used in carpentry work performed by Mr. Leighty on the two homes.

Protestants: None.Board Comments:

Ms. Purser asked Mr. Leighty if he would be conducting a business out of the proposed garage. Mr. Leighty stated that he would not be. Ms. Purser then asked Mr. Leighty if he lived in both houses, and Mr. Leighty advised that his grandmother lived in one of the homes and he and his family lived in the other home.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 sq. ft. to 1,060 sq. ft., on the condition that there be no business conducted out of the building--that it be used for residential accessory use only, and that the applicant place on file at the Tulsa County Courthouse a document approved by the City Attorney's Office that states that Mr. Leighty will restrict the use of this building to a residential accessory use, on the following described property:

Part of the W/2 of Section 32, Township 19 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows to-wit: Commencing at the NE corner of the S/2, of the SE/4, of the NW/4 of said Section 32; thence due West along the North line of the S/2, of the SE/4, of the NW/4 of said Section 32, a distance of 135.65' to the point of beginning; thence South 7°-33'-27" West a distance of 754.11' to a point; thence due West a distance of 50.00' to a point; thence North 0°-00'-58" a distance of 417.89' to a point; thence due West a distance of 44.90' to a point; thence North 0°-00'-58" West a distance of 329.67' to a point on the North line of the S/2 of the SE/4 of the NW/4 of said Section 32; thence due East along the North line of the S/2 of the SE/4 of the NW/4 of said Section 32, a distance of 194.30' to the point of beginning, containing 2.05 acres, more or less.

11298

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in the Office Districts) request for an exception to permit a floor area ratio of .40; and, a Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the height requirements to permit a two-story building in an OL District. This property is located at 83rd East Avenue and 21st Street.

Presentation:

Pam Cantrell, 15323 East 13th Street, wife of the applicant, was present to address the Board and submitted to the Board a site plan (Exhibit "R-1"). Mrs. Cantrell advised that the proposed two-story building is required for more efficient land use of the building and land, as well as parking.

Protestants: None.

Board Comments:

Brief discussion ensued among the applicant, Board members, and Mr. Gardner. Mr. Gardner explained that a slight technicality (slightly different legal description) brought this applicant before the Board once again, that a similar application had been previously approved by the Board.

Ms. Purser asked Mrs. Cantrell if the same materials would be used for the construction of the proposed building as were to be used in the first application. Mrs. Cantrell replied that the same materials would be used.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve an Exception (Section 630 - Bulk and Area Requirements in the Office Districts) to permit a floor area ratio of .40; and, a Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670 - Variances) of the height requirements to permit a two-story building in an OL District, per plot plan submitted and as represented, on the following described property:

The South 293' of the West 161.25' of the E/2 of Block 9,
O'Connor Park Addition to the City of Tulsa, Oklahoma.

11299

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the setback requirements from 100' to 98' from the centerline of Sheridan Road to permit lining up with the existing building. This property is located at 5101 South Sheridan Road.

Presentation:

Michael J. McCarty, 404 South Boston Avenue, representing Sooner Federal Savings and Loan, was present to address the Board and submitted a plot plan (Exhibit "S-1").

12.4.80:324(23)

11299 (continued)

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 100' to 98' from the centerline of Sheridan Road to permit lining up with the existing building, per plot plan, on the following described property:

A tract of land 180' East and West by 290' North and South, the same being a portion of Lot 1, Block 1, of The Farm, a subdivision of the North 1,344.44' of the West 567' of the W/2, NW/4 of Section 35, Township 19 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as follows: Commencing at the NW corner of said Lot 1, Block 1, of said The Farm Subdivision; thence 180' East along the North boundary of said Lot 1 to a point; thence 290' South to a point; thence 180' West to the West line of said Lot 1; thence North along said West line of said Lot 1, 290' to the point of beginning.

11301

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in the Residential Districts - Under the Provisions of Section 1670 - Variances) request for a variance of the side yard requirements from 5' to 3' to permit an addition to present dwelling. This property is located at 1411 North Quannah Avenue.

Presentation:

Mr. Jones advised the Board members that he had received a piece of correspondence from the Greater Tulsa Council stating that they had no objection to the application (Exhibit "T-1").

Robert Wilson, 1411 North Quannah Avenue, was present to address the Board and submitted a plot plan (Exhibit "T-2"). Mr. Wilson stated that he was proposing to add on to the existing structure.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 3' to permit an addition to present dwelling, per plot plan, on the following described property:

Block 3, Wa-sah-she Addition to the City of Tulsa, Osage County, Oklahoma.

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 requirements from 65' to 61½' from the centerline of Fourth Street to permit an addition to Fire Station No. 1. This property is located at 411 South Frankfort Avenue.

Presentation:

Leman H. Wilson, 2651 East 21st Street, was present to address the Board and submitted a plot plan (Exhibit "U-1"). Mr. Wilson advised that a proposed 4-office addition to the Fire Department Headquarters is planned.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis "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 requirements from 65' to 61½' from the centerline of Fourth Street to permit an addition to Fire Station No. 1, per plot plan. This property is located at 411 South Frankfort Avenue, on the following described property:

Lots 4, 5 & 6, Block 141, Original Townsite of Tulsa, Tulsa, Oklahoma.

OTHER BUSINESS:

Chairman's Discussion on Board Policies:

The Chair, without objection, tabled this item of business until such time when the full Board is present to share in the discussion.

There being no further business to come before the Board, Chairman Purser declared the meeting adjourned at 5:16 p.m.

Date Approved

Feb 5, 1981



Chairman