

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 328
Thursday, February 5, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|--|----------------|--------------------------------------|---|
| Purser, Chairman Lewis Smith Victor | Wait | Adwon 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 Wednesday, February 4, 1981, at 8:50 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 1:37 p.m.

MINUTES:

On MOTION of LEWIS and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve the Minutes of December 4, 1980, (No. 324) and December 18, 1980, (No. 325).

MINOR VARIANCES AND EXCEPTIONS:

11326

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 42' from the centerline of 11th Street to permit a pole sign that will overhang 8'. This property is located at 947 South Erie Street.

Presentation:

The applicant was not present to address the Board.

Mr. Jones advised the Board members that this case had been continued twice due to the fact that the applicant was not in attendance.

Protestants: None.

Board Action:

On MOTION of LEWIS and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to deny the Variance (Section 280 - Structure Setbacks from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 50' to 42' from the centerline of 11th Street to permit a pole sign that will overhang 8', on the following described property:

Lot 6, Block 27, White City Addition to the City of Tulsa, Oklahoma.

11361

Action Requested:

Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) request for a variance of the setback requirements from 60' to 50' to permit the erection of a sign. This property is located at 6105 East 21st Street.

Presentation:

Harry Wallace, 2973 East 77th Street South, was present to address the Board and submitted a plot plan (Exhibit "A-1"). Mr. Wallace explained that compliance with the 60' setback requirement would place the sign in the center of the building.

Protestants: None.

Board Comments:

Mrs. Purser asked Mr. Wallace what type of business was in operation on the subject property. Mr. Wallace advised that Andy Granatelli's Tune-up Masters occupied the property.

Board Action:

On MOTION of SMITH and SECOND by LEWIS, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to approve a Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 60' to 50' to permit the erection of a sign, per plot plan, subject to a removal contract, on the following described property:

Part of the SW/4 of the SW/4 of the SE/4 of Section 10, Township 19 North, Range 13 East; beginning at a point on the southeast corner West 1,320' west of the SE corner; thence North 50'; thence East 30' to the point of beginning; go East 150'; thence North 125'; thence West 150'; thence South 150' to the point of beginning.

UNFINISHED BUSINESS:

11349

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.3 - Duplexes) request for permission to convert a residence into a duplex in an RS-3 District; and a Variance (Section 440.3 - Special Exception Uses in Residential Districts, Requirements) of the area requirements from 9,000 square feet to 8,070 square feet; and a variance of the frontage requirements from 75' to 60' for a duplex. This property is located at 4745 East 9th Street.

Presentation:

Mr. Jones advised the Board members that this application had been continued from the January 22 meeting in order for the applicant to supply the Board with a plot plan.

Bill Mecom, 4745 East 9th Street, was present to address the Board and submitted a plot plan with attached layouts (Exhibit "B-1"), as well as four photographs of the residence (Exhibit "B-2").

11349 (continued)

Brief discussion ensued as to whether sufficient room on the side yard at 9th Street to put in a double drive without parking on the City right-of-way. Mr. Gardner advised that, if the residence set back 25' from the property line, Mr. Mecom should have sufficient room for the proposed driveway. It was determined that the setback of the residence from the property line was a full 25'.

Mrs. Purser stated that she had viewed the property and was concerned over the number of vehicles that were parked in the yard, and explained that the City law requires that vehicles be parked on a hard surface. Mrs. Purser then reminded Mr. Mecom that if he converted the garage space into living quarters, he would have no garage in which to park or store the vehicles. Mr. Mecom advised that two of the cars had been sold and that the boat was awaiting water space. Mr. Mecom further advised that there would be only two cars on the property and that he was planning on erecting a carport on the Yale Avenue driveway. Ms. Miller explained to Mr. Mecom that a 95' setback was required for that, and that if he did erect the carport without approval of a variance to the 95' setback requirement from the Board, he would be in violation.

Protestants:

Frances Flaherty, 4737 East 9th Street, stated that he felt the value of the property in the neighborhood would decrease if a multifamily residence was in existence. Mr. Flaherty submitted a three-page petition signed by 48 property and homeowners in the area (Exhibit "B-3") and a legal file folder containing eight photographs laid out in such a manner as to compare Mr. Mecom's property and residence with others in the immediate vicinity (Exhibit "B-4"). Mr. Flaherty advised the Board that the photographs of Mr. Mecom's property depicted the type of maintenance that has been ongoing for the past six months.

Board Comments:

Mrs. Purser advised Mr. Mecom that she could not find a hardship that would address his request for a variance of the area requirements from 9,000 to 8,070 square feet or of the frontage requirements from 75' to 60'. Mr. Victor concurred with Mrs. Purser's concerns.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to deny the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.3 - Duplexes) to convert a residence into a duplex in an RS-3 District; and a Variance (Section 440.3 - Special Exception Uses in Residential Districts, Requirements) of the area requirements from 9,000 square feet to 8,070 square feet; and a variance of the frontage requirements from 75' to 60' for a duplex, on the following described property:

Lot 26, Block 1, Turnlawn Heights Addition to the City of Tulsa, Oklahoma.

NEW APPLICATIONS:

11351

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1680 - Exceptions) request for an exception to allow approximately 30% floor area ratio in an OL District. This property is located at 4554 South Harvard Avenue.

Presentation:

Frank Wallace, 4554 South Harvard, was present to address the Board and advised that he would like to increase the floor area ratio to 30% from the required 25% due to the fact that more space was needed for the business that would be occupying the building. Mr. Wallace submitted a set of plans, complete with elevations and details of construction (Exhibit "C-1").

Protestants: None.

Board Comments:

Mrs. Purser asked Mr. Wallace what type of business would occupy the building. Mr. Wallace replied that Oil and Gas Consultants International would be doing business out of the building.

Mr. Lewis asked Mr. Wallace if the proposed building would be a one-story structure. Mr. Wallace stated that it would be.

Mrs. Purser asked Mr. Wallace if Oil and Gas Consultants International would be leasing office space to other businesses. Mr. Wallace advised that they would not be.

Mr. Lewis asked Mr. Wallace if the entire tract of land would be paved or covered by the structure. Mr. Wallace pointed out the "green space" to Mr. Lewis.

Mr. Gardner asked Mr. Wallace what sort of provisions had been made for drainage on the property. Mr. Wallace explained that no changes had been made, and that he did not object to a condition being placed on the approval that he obtain approval of the drainage plans from the City Hydrologist.

Richard Reese, Oil and Gas Consultants International, addressed a question asked by Mr. Smith regarding the use of the building for medical office or clinical use by stating that there are no plans to utilize the space for those medical purposes.

Board Action:

On MOTION of LEWIS and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to approve an Exception (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1680 - Exceptions) to allow approximately 30% floor area ratio in an OL District, per plot plan, on the condition that the building's use be restricted to non-medical use, and on the condition that approval of the drainage plans by the City Hydrologist be obtained, on the following described tract:

The S/2 of Lot 3, Block 3, Villa Grove Park Addition to the City of Tulsa, Oklahoma.

2.5.81:328(4)

11352

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) request for an exception to permit a mobile home in an RS-3 District. This property is located at 3630 North Harvard Avenue.

Presentation:

Anthony Thierry, 3630 North Harvard Avenue, was present to address the Board and submitted a plot plan (Exhibit "D-1").

Protestants: None.

Board Comments:

Mrs. Purser asked Mr. Thierry if he had consulted with his neighbors about the proposed mobile home. Mr. Thierry advised that he had and that there was no objection.

Mr. Lewis asked Mr. Thierry if there were other mobile homes in the area. Mr. Thierry stated that there were several scattered about the area--the closest one being approximately two blocks away from the subject property.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to permit a mobile home in an RS-3 District, per plot plan, for a period of one year, removal bond required, on the following described property:

The S/2 of the North 6 acres of the NE/4, SE/4, SE/4 of Section 17, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

11353

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) request for a variance to permit a wrecker service and storage of wrecked automobiles in a CS District. This property is located on the northeast corner of 61st Street and Peoria Avenue.

Presentation:

Jack Blakey, 6041 South Peoria, was present to address the Board and stated that he had a service station at that location. Mr. Blakey explained that he ran a wrecker service for the Oklahoma Highway Patrol as well, and was requesting the variance because he was required by the OHP to have an impound lot for storage of wrecked vehicles. Mr. Blakey advised that storage of the vehicles was usually for a period of from a few days to a week.

Protestants: None.

11353 (continued)

Board Comments:

Mrs. Purser asked Mr. Blakey if he could prove a land use-related hardship when he advised that his hardship was one of an economic nature. Mr. Blakey could not. Mrs. Purser then advised Mr. Blakey that his only other alternative would be to seek a rezoning of the land. Mrs. Purser further advised that she did not feel that approval of the application could be given because a hardship could not be shown.

Mr. Blakey stated that Stapleton's DX Station at 51st and Harvard was an approved wrecker service operation with storage. Mr. Jackere advised Mr. Blakey that there was not a station at that location that was operating with Board of Adjustment approval, and that if there was such an operation at 51st and Harvard, it was operating illegally due to the fact that the property was not zoned industrial and Board approval had not been obtained for such use on the property.

Mr. Jackere then asked Mr. Blakey if he operated a Ryder Truck Rental business on the subject property. Mr. Blakey stated that he did. Mr. Jackere asked if Mr. Blakey had received approval for that operation. Mr. Blakey advised that he had not. At that point, Mr. Jackere advised Mr. Blakey that he was in violation of the Zoning Code on that point, and suggested that Mr. Blakey apply to the Board for permission to operate the Ryder Truck Rental.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to deny the Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Under the Provisions of Section 1670 - Variances) to permit a wrecker service and storage of wrecked automobiles in a CS District, on the following described property:

The South 55' of the W/2 of Lot 25; and the W/2 of Lot 26,
Southlawn Addition to the City of Tulsa, Oklahoma.

11354

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 960 square feet in an RS-2 District. This property is located at 426 South Darlington Avenue.

Presentation:

Don Heath, 426 South Darlington Avenue, was present to address the Board and submitted a plot plan (Exhibit "E-1") and five photographs of the subject accessory building (Exhibit "E-2"). Mr. Heath advised the Board that he had torn down an existing garage that was near collapse and built the subject accessory building for storage purposes. Mr. Heath explained that he was not aware of the 750 square feet requirement for the accessory building and that the subject building was 960 square feet.

Protestants: None.

11354 (continued)

Board Comments:

Mrs. Purser asked Mr. Heath what was stored in the building. Mr. Heath advised that his washing machine and dryer occupied the building, as well as a lathe and two welding machines--all of which are used for his own personal use. Mrs. Purser asked Mr. Heath if he conducted any type of business out of the building. Mr. Heath stated that he did not.

Interested Party Comments:

Willard Shelton, 403 South Allegheny Avenue, stated that he was concerned that this might eventually become a business and asked the Board what his protection might be. Mrs. Purser explained to Mr. Shelton that at the first moment he or any neighbors suspected a business being conducted, the Building Inspector's Office should be notified.

Board Action:

On MOTION of SMITH and SECOND by LEWIS, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "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 960 square feet in an RS-2 District, with the stipulation that the applicant file with the County Clerk's Office, after review by the City Legal Department, an instrument stating that no business will ever be conducted out of the subject building, on the following described property:

Lot 3, Block 9, White City Addition to the City of Tulsa, Oklahoma.

11355

Action Requested:

Exception (Section 240.2 (c) - Permitted Yard Obstructions - Under the Provisions of Section 1680 - Exceptions) request for an exception to permit a 7' wall on the front of lots in an OL District. This property is located to the north and west of 49th Street and Lewis Avenue.

Presentation:

Ronald Holcombe of LeGere and Nash, P. O. Box 35941, was present to address the Board. Mr. Holcombe advised that the Zoning Ordinance was recently amended which does not permit screening fences or walls in the front yard above 4 feet in height, except with Board approval. The entire development and each separate lot will be encircled by privacy security fences.

Discussion ensued as to the safety of backing from each lot onto the street. Since the development contains private streets it was determined that the public interest was not a question and the privacy walls were a market consideration.

The applicant discovered that he had a building setback problem also, and asked for a variance. He was advised that a building setback variance had not been advertised, and therefore, the Board could not grant the relief requested.

11355 (continued)

Protestants: None.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 3-0-1 (Purser, Lewis, Victor, "aye"; no "nays"; Smith "abstaining"; Wait "absent") to approve an Exception (Section 240.2 (c) - Permitted Yard Obstructions - Under the Provisions of Section 1680 - Exceptions) to permit a 7' wall on the front of each lot in an OL District, and to continue the balance of the application until March 5, 1981, concerning building setbacks to allow for proper advertisement of such, on the following described property:

Bolewood Place Addition to the City of Tulsa, Oklahoma.

11356

Action Requested:

Variance (Section 710 - Principal Uses Permitted in Commercial Districts- Section 1214.3 (a) - Shopping Goods and Services - Use Conditions) request for a variance to permit open air storage and display of merchandise in a CS District abutting an R District. This property is located at 5442 Charles Page Boulevard.

Presentation:

Mr. Jones submitted to the Board a letter from Mrs. Fred Loving, Secretary to the West O' Main Improvement Association, Inc., protesting the application (Exhibit "F-1").

Howard Hansen, 5442 Charles Page Boulevard, advised the Board that he had obtained approval from the Health Department and the Fire Marshal to operate. Mr. Hansen, however, could not demonstrate that a hardship existed on this property.

Protestants: None.

Board Comments:

Mrs. Purser asked Mr. Hansen if he could conduct his business with his merchandise stored inside. Mr. Hansen replied that there were several enclosed buildings on the property in which he could store the merchandise, and that there was a building under construction that would provide enclosed storage.

Mr. Smith asked Mr. Hansen what type of merchandise he sold. Mr. Hansen stated that he sold furniture, tools, wheel chairs--a large variety of items--all used. Mr. Hansen advised that there was a residence to the east of the property and four vacant lots and the Riley School to the west of the property.

Mr. Lewis asked Mr. Hansen the period of time before the building under construction would be enclosed, allowing for inside storage of the merchandise. Mr. Hansen replied that it would be approximately ten days before the structure would be completed.

11356 (continued)

Board Action:

On MOTION of LEWIS and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to deny the Variance (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1214.3 (a) - Shopping Goods and Services - Use Conditions) to permit open air storage and display of merchandise in a CS District abutting an R District, and to allow the applicant fifteen (15) days in which to remove the open air display of merchandise and provide enclosed storage, on the following described property:

The East 38' of Lot 8, Block 3, Vern Subdivision to the City of Tulsa, Oklahoma.

11357

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 60'. This property is located to the south and east of 58th Street and 103rd East Avenue.

Presentation:

Steve Clark, representing the applicant, the Thalheiner Agency, was present to address the Board and submitted a plot plan (Exhibit "G-1"). He advised the Board of several other buildings on adjoining lots which were built within 60' of the south property line and that they wished to do the same. It was determined that the railroad to the rear of the lot created a land use-related hardship.

Protestants: None.

Remarks:

Ms. Miller stated for the record that construction had commenced without a building permit and that the company had consulted with Don Irwin of the Building Inspector's Office. Ms. Miller explained, however, that the company was proceeding with the construction at their own risk.

Board Action:

On MOTION of SMITH and SECOND by LEWIS, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "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 60', per plot plan, on the following described property:

The East 275' of Lot 4, Block 18, Tulsa Southeast Industrial District, an Addition to the City of Tulsa, Oklahoma.

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 6'; and a Variance of the side yard requirements from 5' to 1½' on the south, to permit a carport. This property is located at 104 South 36th West Avenue.

Presentation:

Paul Campbell, 104 South 36th West Avenue, was present to address the Board and submitted a plot plan (Exhibit "H-1"). Mr. Campbell advised that construction had begun on the subject carport and that he was served notice by the Building Inspector's Office that he was in violation. Mr. Campbell further advised that there were two carports in the immediate vicinity that were in violation of the front setback and side yard requirements, but was uncertain as to whether or not the owners had received Board approval.

Protestants: None.

Board Comments:

Mr. Lewis asked Mr. Campbell what was to the north of the property. Mr. Campbell replied that there were residences to the north.

Mrs. Purser asked if entry was gained to the carport from South 36th West Avenue, to which Mr. Campbell replied, "yes." Mr. Campbell further stated that he could not erect the carport any further to the back of the property due to the location of the basement stairs.

Mr. Lewis asked Mr. Campbell if he had consulted with his neighbor, and Mr. Campbell advised that he had, and that there was no objection on the neighbor's part.

Mrs. Purser asked Mr. Campbell if a company was building the carport. Mr. Campbell advised that he was performing the construction himself.

Mr. Lewis asked Mr. Campbell what materials were being used in the construction. Mr. Campbell replied that he was using 4" x 4" studs and corrugated sheet iron. Mr. Lewis then asked how far from the curb the front of the carport would be. Mr. Campbell stated that it would be 11' from the curb.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 3-1-0 (Purser, Lewis, Victor, "aye"; Smith "nay"; no "abstentions"; Wait "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 25' to 6'; and a Variance of the side yard requirements from 5' to 1½' on the south, to permit a carport, per plot plan, on the following described property:

Lot 1, Block F, Joe Subdivision to the City of Tulsa, Oklahoma.

11359

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1211 - Offices & Studios) request for an exception to permit a school of music in an RM-2 District. This property is located at 1448 South Carson Avenue.

Presentation:

Mr. Jones advised Board members that the applicant wished to withdraw this application.

Board Action:

The Board, without objection, permitted withdrawal of Case Number 11359.

11360

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 510 - Principal Uses Permitted in the Office Districts - Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) request for an exception to permit the construction of a new ambulatory care teaching facility to be utilized by the University of Oklahoma Tulsa Medical College. This property is located at 2815 South Sheridan.

Presentation:

Jim Jessup, attorney for the applicant, Tulsa Industrial Authority, was present to address the Board and submitted a site plan (Exhibit "I-1"). Also submitted was a plat of survey (Exhibit "I-2") and copies of the April 15, 1971; October 19, 1972; September 19, 1974; and, October 3, 1974; Board of Adjustment Minutes (Exhibits "I-3 through I-6", respectively). Mr. Jessup explained that this application had been continued from the January 8th meeting in order to advertise. Mr. Jessup further explained that the site plan submitted was identical to that shown the Board members on January 8th.

Protestants: None.

Board Comments:

Brief discussion ensued as to restricted access points at the subject location.

Mr. Jones advised that previous actions taken on this property provided restrictions concerning access points, as set out in the Exhibited Minutes of those previous actions.

Mr. Lewis asked Mr. Jessup if there would be any outside trash receptacles on the north side of the proposed building.

Jim Schultz, architect for the proposed structure, addressed Mr. Lewis' question by stating that all trash would be accumulated on the inside of the building and would then be transferred outside to the south side of the building where trash pick-up will occur.

Board Action:

On MOTION of SMITH and SECOND by LEWIS, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 510 - Principal Uses Permitted in the Office Districts - Section 910 - Principal Uses Permitted in the Industrial Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit the construction of a new ambulatory care teaching facility to be utilized by the University of Oklahoma Tulsa Medical College, per plot plan and per conditions and restrictions enumerated in Board of Adjustment Minutes of the January 8, 1981, and February 5, 1981, on the following described property:

TRACT III: Reserve "A" Boman Acres Third Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, AND

That part of the SW/4 of the SW/4 of Section 14, Township 19 North, Range 13 East of the IB&M, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit:

Beginning 648.30' East of the NW corner of said SW/4 of the SW/4 of said Section 14; thence South 89° -57.4138' East and along the North line of the said SW/4 of the SW/4 a distance of 2.23'; thence South 0° -1.2757' East a distance of 58'; thence South 89° -4138' East a distance of 11.74'; thence South 285'; thence Westerly and parallel to the North line of said SW/4 of the SW/4 a distance of 14.30'; thence Northerly and parallel to the West line of said Section 14, a distance of 343' to the point of beginning; AND The North 343' of the West 648.3' of the SW/4 of the SW/4 of Section 14, Township 19 North, Range 13 East of the IB&M, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

OTHER BUSINESS:

Building Inspector Requests an Interpretation of Electrical Generating Windmills in Residential and Commercial Districts.

Presentation:

Thomas Mark LaCroix, 8335-K East 55th Place, was present to address the Board and provided copies of literature concerning electrical generating windmill systems. Mr. LaCroix explained that he was the owner of a small business by the name of Crosswinds, Inc. and stated that he had expended a considerable amount of time on research of applicable systems. Mr. LaCroix briefly reviewed two of the current units--one, a Department of Energy unit manufactured by Windworks of Wisconsin and the other, smaller unit, the Hummingbird model manufactured in Mexico City and Sweetwater, Texas. Mr. LaCroix advised that his position in Oklahoma would be that of a dealer, and that he would be selling, maintaining, and installing these units under a dealer agreement with the above companies.

Board Comments:

Mrs. Purser asked Mr. LaCroix how high the average tower would be. Mr. LaCroix replied that the average height for a wind system is determined by surrounding structural elements and explained that a tower would normally be 20' higher than the tallest structure within 500'.

Building Inspector's Request: (continued)

Mr. Victor asked if those structural elements included trees and Mr. LaCroix replied that trees were included.

Mrs. Purser asked Mr. LaCroix how large the "spaceship" portion of the larger model was? Mr. LaCroix advised that it weighed approximately 7,500 pounds and the dimensions were approximately 3' to 4' wide and 10' long.

Mr. Jackere asked if the 10KW unit would typically be installed in a residential district. Mr. LaCroix replied that the 10KW system would be used primarily in a commercial district which provided a bit more room.

Mrs. Purser asked Mr. LaCroix how much electrical power would be generated by the 10KW model. Mr. LaCroix advised that the 10KW was capable of generating 10,000 watts per month, which was more than enough for an average Tulsa household which, according to PSO statistics, uses approximately 2,500 watts per month.

Mr. LaCroix explained that the 4KW system which generated 4,000 watts per month would typically be installed in residential areas.

Mr. Smith asked Mr. LaCroix what wind speed was required for start-up and operation of the systems. Mr. LaCroix advised that start-up speed for both models required a nine mile per hour wind speed and that they peaked at 20 miles per hour. Mr. LaCroix stated that average wind speed in Tulsa was 15 miles per hour.

Mr. Victor asked how much wind speed the systems could withstand before being blown over. Mr. LaCroix stated that the 10KW system could withstand a straight wind speed of between 80 and 90 miles per hour.

Mrs. Purser asked Mr. LaCroix if he had specifications on the wind speed the systems could tolerate before the windmill portion disengaged from the tower portion. Mr. LaCroix replied that he had the information, but did not have it with him. Mrs. Purser then asked the dimensions of the blade portion of the system. Mr. LaCroix advised that the blades were approximately 12' long, this creating a total span of about 25 feet, and that the blades were approximately 3" wide.

Mr. Lewis asked if there were presently any guidelines which would accommodate electrical generating windmills. Mr. Jackere advised that there were guidelines dealing with the height requirement of radio and antenna towers in residential districts, which was a 60' height requirement for installation in the back yard only. Mr. Jackere further explained that an exception would be required if surrounding structural elements prevented compliance of the 60' height limitation.

Mr. Smith asked Mr. LaCroix what the noise level of a system would be. Mr. LaCroix advised that the noise level would be less than ambient air speed, and that any noise generated would be from the blades and bearings.

Building Inspector's Request: (continued)

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to interpret the Hummingbird 4KW Unit as being customary and accessory to residential use, subject to meeting all guidelines and ordinances for radio antennas.

Discussion:

Mrs. Purser asked what the height requirements were in commercial districts and industrial districts. Ms. Miller advised that there were no height requirements in any other districts other than OL zoned districts, which has a height requirement of one story, and that no figures were set out on a one-story height requirement.

Brief discussion ensued as to the safety hazards and features of the structures, as well as provision of permits through the Building Inspector's Office.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 3-0-0 (Purser, Lewis, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent"; Smith "out of the room") to withdraw the earlier motion, thus cancelling the interpretation.

On MOTION of LEWIS and SECOND by SMITH, the Board voted 4-0-0 (Purser, Lewis, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait "absent") to continue this item of business until February 19, 1981, to allow time for the Building Inspector's Office, in conjunction with the City Legal Department, to prepare proposed guidelines for residential and commercial districts for these types of structures to present to the Board for approval.

There being no further business to come before the Board, the Chair declared the meeting adjourned at 3:54 p.m.

Date Approved March 5, 1981


Chairman