

CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting (No. 344)  
Thursday, September 3, 1981, 1:40 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis Purser Smith (in at 2:05 p.m., out at 2:40 p.m.) Victor Wait	None	Gardner Hubbard Jones	Jackere, Legal Dept. Miller, Protective Inspections

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Wednesday, September 2, 1981, at 4:45 p.m., as well as in the Reception Area of the TMAPC Offices.

MINUTES:

On MOTION of WAIT and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to approve the Minutes of June 25, 1981, (No. 338) and July 9, 1981, (No. 339.)

MINOR VARIANCES AND EXCEPTIONS:

11601

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 rear yard setback requirements from 20' to 16' in an RS-3 District, at 5811 East 80th Street.

Remarks:

At the time of adjournment, the applicant, Don Myers, was still not present.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue Case No. 11601 to September 17, 1981.

11606

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the front yard setback from 35' to 28' in an RS-1 District, at 63rd Street and South Oswego Avenue.

11606 (continued)

Presentation:

Jack Arnold with Architectural Resources was present to address the Board and submitted a plot plan (Exhibit "A-1"). He advised that he proposed to construct a carport attaching it to the residence and stated that there are no other houses in the area presently. Stone columns will be installed as the main part of the house, also stone, and the roof would be of shingles.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith "absent") to grant a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - of the front yard setback from 35' to 28' in an RS-1 District, per plot plan submitted, on the following described property:

Lot 7, Block 3, Brasewood Addition to the City of Tulsa, Tulsa County, Oklahoma.

11608

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements to permit a lot-split, at the NW corner of East 74th Court and South Birmingham Ave.

Presentation:

Mr. Jones advised the Board that the Tulsa Metropolitan Area Planning Commission approved a lot-split (L-15275) on September 2, 1981, subject to the approval of this Board.

Joe McCormick, 1776 One Williams Center, representing the applicant, E. Lee Honeycutt, was present to address the Board and submitted a plot plan (Exhibit "B-1").

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to approve a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - of the frontage requirements to permit a lot-split, per plot plan, on the following described property:

A part of Lot 8, Leisure Court Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows, to wit: Beginning at the NW corner of Said Lot 8; thence North 89°-55'-37" East along the North line of Said Lot 8, a distance of 66.75' to a point; thence South 0°-29'-07" East along an existing common wall a distance of 100.06' to a point on the South line of Said Lot 8; thence Southwesterly along the South line of Said Lot 8 on a curve to the left, Said curve having a radius of 50' a distance of 59.31' to the SW corner of Lot 8;

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11608 (continued)

thence North 45<sup>0</sup>-04'-23" West along the Southwesterly line of Said Lot 8, a distance of 20.71' to a point; thence North 0<sup>0</sup>-10'-03" West along the West line of Said Lot 8, a distance of 97.0' to the point of beginning.

11610

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements to permit a lot-split in an RS-3 District, south of East 73rd Street South and Darlington Avenue.

The Planning Commission approved the lot-split, subject to the approval of this Board.

Presentation:

Mr. Joe McCormick representing the applicant, E. Lee Honeycutt, presented a plot plan (Exhibit "C-1"). These present lots presently have existing duplexes on them. He is trying to get split lots in order to sell individual sides to persons who want to live there. This would not affect the density of the property.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith "absent") to approve a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - of the frontage requirements to permit a lot-split in an RS-3 District, per plot plan, on the following described property:

TRACT A: The North 53.90' of Lot 23, Block 3, Woodcrest Estates  
AND

TRACT B: Lot 23, Block 3, LESS and EXCEPT the North 53.90' thereof, Woodcrest Estates to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof.

11613

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 50' to 36' from the centerline of Admiral Place, a CH District, at 5002 East Admiral Place.

Presentation:

At the time of adjournment, the applicant, Ray Toraby, representing Petroleum Marketing, 5002 East Admiral Place, was still not present to address the Board.

Protestants: None.

11613 (continued)

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue Case No. 11613 until September 17, 1981.

UNFINISHED BUSINESS:

11547

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680) Request for an exception to permit off-street parking in an RS-3 District, at 3902 East 51st Street.

Presentation:

Richard Black for Jewell Enterprises at 3223 East 31st Street stated this application was filed pursuant to a building inspector's report to the building manager, that certain cars were being parked in the grassy lot immediately south of an office building which faces the 51st Street. This application was filed in order to allow off-street parking adjacent to the existing office building that is located at 3902 East 51st Street. There is only clearance on the east and west sides of the building. The applicant wasn't able to provide pictures of the plot plan.

Protestants:

Bill Harrington, Attorney representing neighboring protestants, submitted a petition of protest (Exhibit "D-1") and photo's (Exhibit "D-2").

Houston Wilkerson got the names of the protestants.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-1 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; Smith "abstaining") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1680) to permit off-street parking in an RS-3 District, on the following described property:

Lots 2 and 3, Block 1, Woodland Terrace Addition, to the City of Tulsa, Tulsa County, Oklahoma.

11572

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.3 - Mobile Homes - Under the Provisions of Section 1680 - Request for an exception to permit a mobile home in an RS-1 District, at 3302 North 78th East Avenue.

Presentation:

The applicant, William Towler, was still not present at the time of adjournment.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-0 (Lewis,

11572 (continued)

Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait "absent") to continue Case No. 11572 to September 17, 1981.

11586

Action Requested:

Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1212 - Eating Places, Other Than Drive-Ins - Section 1213 - Convenience Goods and Services - Section 1214 - Shopping Goods and Services - Section 1215 - Other Trades and Services - Under the Provisions of Section 1680 - Request for an exception to permit retail sales in an IL District, southeast of 51st Street and Garnett Road.

Presentation:

Noel Eden, realtor representing the owner, submitted a plot plan (Exhibit "E-1"). Retail sales will be a short-stop grocery store, maybe a donut shop. Maybe office furniture and equipment. Directly across the street is Bordens Ice Cream, Office and Plant.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-1 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; to approve an Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1212 - Eating Places, Other Than Drive-Ins - Section 1213 - Convenience Goods and Services - Section 1214 - Shopping Goods and Services - Section 1215 - Other Trades and Services - Under the Provisions of Section 1680 - to permit retail sales in an IL District, subject to the Plot Plan submitted, on the following described property:

Beginning at a point 220' North of the SW corner of Lot 2, Block 1, Garnett Center Addition; thence North 241'; thence East 150'; thence South 241'; thence West 150' to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

11588

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Exception Uses - Under the Provisions of Section 1680 - Request for an exception to permit a Heli-Port on the roof top of a building in a CH District, at 3701 South Peoria Avenue.

Presentation:

Mendes Napoli, Channel 2, 3701 South Peoria Avenue, stated the Heli-Port will be on the second story surface of the building and will be a Heli-Stop ramp for an airport. It will not be used by any persons other than Channel 2, except in an emergency. There will not be any night operation according to FAA, (Exhibit "F-1").

Protestants: Petty Apker, 1344 East 37th Street.

11588 (continued)

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; to approve an Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1202 - Area-Wide Exception Uses - Under the Provisions of Section 1680 - to permit a Heli-Port on the roof top of a building in a CH District on the following described property, subject to the following restrictions:

- (1) No night operations;
- (2) operation to cease one hour after sundown, or 9:00 p.m., whichever comes first;
- (3) no operation before 8:30 a.m.;
- (4) no Sunday operation;
- (5) limited to five (5) operations in any seven-day period;
- (6) the operation must be in total compliance with F.A.A.;
- (7) approval by the Building Inspector must be obtained;
- (8) turbine-type engine helicopters only; and
- (9) use be contingent on major arterial of Peoria Avenue be used for approach.

Lot 6, Block 2, Lee Dell Addition to the City of Tulsa, Tulsa County, Oklahoma.

11590

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680 - Request for an exception to permit a mobile home in an RS-3 District, at 2719 East 32nd Street North.

Presentation:

Homer Berry of 4149 North Elgin Avenue, asked permission to put a mobile home on the property at 2719 East 32nd Street. There are no mobile homes in the immediate vicinity, but there are, maybe, 4 or 5 blocks away.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "nay"; no "nays"; no "abstentions"; Smith, "absent") to approve an Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680 - to permit a mobile home for a period of 1-year, bond required, on the following described property:

The E/2 of the E/2 of the W/2 of the NE/4 of the SE/4 of the NE/4 of Section 20, Township 20 North, Range 13 East, containing 1 & 1/4 acres, more or less, LESS a strip, piece of parcel of land lying in the E/2, E/2, W/2, NE/4, SE/4, NW/4 of Section 20, Township 20 North, Range 13 East, in the City of Tulsa, Tulsa Co., Oklahoma, said parcel of land being described by metes and bounds as follows:

11590 (continued)

Beginning at the SW corner of Said E/2, E/2, W/2, NE/4, SE/4, NW/4; thence North along the West line of Said E/2, E/2, W/2, NE/4, SE/4, NW/4 a distance of 84'; thence North 61°-17'-46" East a distance of 92.99' to a point on the East line of Said E/2, E/2, W/2, NE/4, SE/4, NW/4; thence South along said East line a distance of 127' to the SE corner of Said E/2, E/2, W/2, NE/4, SE/4, NW/4; thence West along the South line of Said E/2, E/2, W/2, NE/4, SE/4, NW/4, a distance of 82.48' to the point of beginning, containing .20 acres, more or less.

11596

Action Requested:

Exception - Section 610 - Principal Uses Permitted in Office Districts - Section 1205 - Community, Cultural, and Recreational Facilities - Under the Provisions of Section 1680 - Request for an exception to permit a day care center in an OL District, at 455 South Memorial Drive.

Protestants: None.

Presentation: Dale Savage, 324 South Main Mall, Tulsa.

Mr. Savage presented pictures of the sign (Exhibit "G-1").

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to approve an Exception - Section 610 - Principal Uses Permitted in Office Districts - Section 1205 - Community, Cultural, and Recreational Facilities - Under the Provisions of Section 1680 - to permit a day care center in an OL District with the height of the top of the sign to be no more than 5 feet above the ground level, per drawings submitted (32 square feet). No elimination of sign, on the following described property:

The West 140' of Lot 3, Block 8, Clarland Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS:

/ 11600

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680 - Request for an exception to permit a mobile home in an RM-1 District; and a Variance - Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Request for a variance to permit a mobile home in an RM-1 District for a period longer than one year, at Xyler Avenue and North Fulton Avenue.

Presentation:

Robert Young, 10736 South 70th East Avenue, was present to address the Board. There is no mobile home next to this property. There are

11600 (continued)

mobile homes in the area. The mobile home will be placed on the front of the lot next to the house.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 4-0-0 (Lewis Purser, Victor, Wait "aye"; no "nays"; no "abstentions"; Smith "absent") to approve an Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680 - to permit a mobile home in an RM-1 District; and to DENY the Variance - Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of 1670 - to permit a mobile in an RM-1 District for a period of 1-year, bond required, on the following described property:

The W/2 of the E/2 of Lot 4, Block 10, Industrial Addition to the City of Tulsa, Tulsa County, Oklahoma.

11602

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680 - Request for an exception to maintain a mobile home in an RS-3 District; and, a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670) request for a variance of the time limitation of one (1) year to permit the mobile home for a period exceeding one year, at 333 South 57th West Avenue.

Presentation:

Ann Hobson, 333 South 57th West Avenue, representing her husband, the applicant, James Hobson, was present to address the Board and advised that there were no neighbors to the right or to the left of the subject property. She stated that she and her husband would like to have the mobile home on the property for two years, rather than for the one year that is required.

Protestants: None.

Board Comments:

Mrs. Purser noted that, in the past, the applicant has shown a good record for returning to the Board for the reapplication process as required, and, during those years, no protests have been voiced.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Under the Provisions of Section 1680) to maintain a mobile home in an RS-3 District; and, a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670) of the time limitation, for a period of four (4) years, removal bond required, on the following described property:



11602 (continued)

Beginning at the SW corner of Lot 3, Block 2, Mayfair Third Addition to the City of Tulsa, Oklahoma; thence South 236'; thence East 56.25'; thence North 255.26'; thence Southwesterly 60' to the point of beginning.

11603

Action Requested:

Variance - Section 1670 - Principal Uses Permitted in Office Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Section 1215 - Other Trades and Services - Section 1225 - Light Manufacturing - Under the Provisions of Section 1670 - Request for a variance to permit a recycling center for aluminum cans in an OL District, at 222 South Memorial Drive.

Presentation:

David Cannon, Chairman of the building operation, 222 South Memorial Drive, advised that this was to support the mentally handicapped and to keep them busy. He advised that they had a contract with Busch for 6¢ per can, which is to be recycled. Crushing of the cans would have to take place outside of the building. They would crush the cans in a forty-foot trailer with a portable can crusher until full and then haul them off. A scale would be in the building for weighing the cans. After hauling off the crushed cans the trailer then would return. The building is 250 feet long. 90 decibals of sound would be between 10:00 a.m. and 4:00 p.m.

Protestants:

Evelyn Wallace, 232 South 80th East Avenue, submitted a petition of protest (Exhibit "H-1"). Each of the protestants visited a similar site at 11th Street and Sheridan Road and does not consider it appropriate for a residential district.

Interested Party:

Andy Phelps, General Manager for Golden Eagle Distribution Company, subsidiary of Anheuser-Busch.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to continue Case No. 11603 to September 17, 1981, to allow the Board members to view the set-up and look at other property with a similar operation going on.

11605

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Request for a variance of the front yard setback requirements from 25' to 12' in an RS-3 District, at 4207 South 27th West Avenue.

Presentation:

August Schumacher, 2242 West 44th Street, submitted a drawing (Exhibit "I-1"). The scale in the drawing was 1/8th inch. He presented a picture (Exhibit "I-2").

11605 (continued)

Protestants:

A. L. Sheppard, 4231 South 27th West Avenue, Kathy Ward, 4211 South 27th West Avenue. Mr. Sheppard stated that the only concern he has is that he has a 25-foot front, and has had for 30 years. He wanted to build additional rooms onto his home and even a carport, but the City said "NO".

Mrs. Ward brought with her, her abstract. Her concern was that there was a blind spot around that corner.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith "absent") to continue Case No. 11605 to October 15, 1981, so that Mr. Schumacher can have ample time to design the kind of house he wants. In addition, the Board requested a map be prepared by the Staff for review at the October 15, 1981, meeting.

11607

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1670 - Request for a variance of the setback from the Major Street Plan from 50' to 40' in a CH District, at 1133 South Utica Avenue.

Presentation:

Phil Goodwin, Vice-President of Administration at Hillcrest Medical Center, 1127 South Utica Avenue, was present to address the Board and submitted a plot plan (Exhibit "J-2"). A letter was submitted (Exhibit "J-1") from the City Engineer stating no objections to these variances. Mr. Goodwin stated that they wished to construct a physicians building adjacent to and immediately to the north of the existing physicians building.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith "absent") to approve a Variance - Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1670 - of the setback from the Major Street Plan from 50' to 40' in a CH District, in accordance with drawings submitted, on the following described property:

A tract of land, containing 0.3135 acres, that is part of Lots 7, 8, 9, and 10, in Block 2 of "Perryman Heights 2nd Addition," City of Tulsa, Tulsa County, Oklahoma; Said Tract of land being described as follows, to wit: Beginning at a point that is the Northeast corner of Lot 7, Block 2; thence Southerly along the Easterly line of Block 2 for 170.61' to a point, said point being 20.61' South of the Northeast corner of Lot 10; thence Westerly for 80.00' to a point, said point being 20.77' South of the Northerly line of Lot 10; thence Northerly and parallel to the Easterly line of Block 2 for 170.77' to a point on the Northerly line of Lot 7; thence Easterly along the Northerly line of Lot 7 for 80.00' to the point of beginning of Said Tract of land.

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - Request for a variance of the frontage requirements on South Yale Avenue from 150' to 56.8', and the frontage requirements on I-44 Service Road from 150' to 74.63' in a CS District, at 4717 South Yale Avenue.

Presentation:

Larry Collins of 941 East 32nd Street, representing Shipment Investment, presented pictures (Exhibit "K-1") to the Board. Mr. Collins explained that they plan to construct a motel on this site, subject to a building permit, buying a long-term lease on this property.

Protestants:

Bill Jones representing the owner of the property and Joe Adwon representing Hilton Inn, stated that the proposal would crowd the site.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to DENY the Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670 - of the frontage requirements on South Yale Avenue from 150' to 56.8', and the frontage requirements on I-44 Service Road from 150' to 74.63' in a CH District, on the following described property:

TRACT A: A strip, piece or parcel of land lying in part of the NW/4 of the SW/4 of Section 27, Township 19 North, Range 13 East, in Tulsa County, Oklahoma; said parcel of land being described by metes and bounds as follows: Beginning at a point 210.0' East of the West line and 937.3' South of the North line of Said NW/4, SW/4; thence North  $25^{\circ}52'40''$  East a distance of 145.18'; thence South  $0^{\circ}33'30''$  West 131.0', more or less, to a point 274.53' East of the West line and 937.3' South of the North line of Said NW/4, SW/4; thence West a distance of 64.53' to the point of beginning; AND

TRACT B: A strip, piece or parcel of land lying in part of the NW/4 of the SW/4 of Section 27, Township 19 North, Range 13 East, Tulsa County, Oklahoma; Said parcel of land being more particularly described by metes and bounds as follows: Beginning at a point 50.0' East of the West line and 1,030.5' South of the North line of Said NW/4, SW/4, of Said Section 27; thence South parallel to the West line of Said NW/4, SW/4, a distance of 56.8' to a point; thence East a distance of 400.0'; thence North parallel to the West line of said NW/4, SW/4; a distance of 150.0'; thence West a distance of 240.0' to a point; thence North  $25^{\circ}52'40''$  East a distance of 145.18' to a point; thence South  $89^{\circ}36'30''$  West a distance of 74.63'; thence South parallel to the West line of Said NW/4, SW/4; a distance of 121.21' to a point; thence South  $55^{\circ}13'45''$  West to the point of beginning.

11611

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - Request for an exception to permit a Childrens Nursery and Day Care Center in an RM-1 District, located SW of 81st Street and Delaware Avenue.

Presentation:

Charles Norman representing Oral Roberts University, stated the Day Care Center will be located within multifamily zoning to be used for needs of employees and visitors of the City of Faith. No store signs are on Delaware or Lewis. The capacity for children can be as high as 200.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve an Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - to permit a Childrens Nursery and Day Care Center in an RM-1 District, located SW of 81st Street and Delaware Avenue, on the following described property:

A tract of land, containing 3.6730 acres, that is part of Block 1 of "Oral Roberts Heights Second Addition," a subdivision of part of the NW/4 of Section 17, Township 18 North, Range 13 East, Tulsa County, Oklahoma; Said Tract of land being described as follows, to wit: Starting at a point on the Easterly line of Said Block 1; Said point being 986.05' Northerly of the Southeast corner thereof; thence North 89°-53'-47" West and parallel to the Southerly line of Block 1, for 343.00' to the point of beginning of Said Tract of land; thence continuing North 89°-53'-47" West for 320.00' to a point lying 599.85' Easterly of the Northeast corner of University Village, an addition to the City of Tulsa; thence South 0°-24'-38" West and parallel to the Easterly line of Block 1 for 500.00'; thence North 89°-53'-47" East and parallel to the Southerly line of Block 1 for 320.00'; thence North 0°-24'-38" East and parallel to the Easterly line of Block 1 for 500.00' to the point of beginning of Said Tract of land.

11612

Action Requested:

Appeal From The Decision of The Building Inspector - Under the Provisions of Section 1650 - Appeals From the Building Inspector - Request to be permitted to replace two (2) outdoor advertising signs, in place when property was zoned AG and has since been rezoned to CO; and a Variance - Section 810 - Principal Uses Permitted in Corridor Districts - Section 1221 - Signs and Outdoor Advertising - Under the Provisions of Section 1670 - Request for a variance to permit signs in a CO District, at 13601-13701 East Broken Arrow Expressway.

Presentation:

Tilman Poole representing Don Rey Outdoor Advertising, submitted pictures of the signs (Exhibit "L-1"). The requested signs are to be in the same

11612 (continued)

location as the existing signs are. Existing signs: 12' x 25', new signs: 14' x 48', will be on two steel poles. Applicant proposes the signs on a temporary basis until any development of the district actually is an issue.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to uphold the Appeal From The Decision of the Building Inspector - Under the Provisions of Section 1650 - Appeals From the Building Inspector as amended to permit replacement of two (2) outdoor advertising signs, in place when property was zoned AG and has since been rezoned to CO; and a Variance - Section 810 - Principal Uses Permitted in Corridor Districts - Section 1221 - Signs and Outdoor Advertising - Under the Provisions of Section 1670 - to permit two (2) temporary signs in a CO District until the CO develops, on the following described property:

The W/2 of the NE/4 of Section 33, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, Less a strip, piece or parcel of land lying in the W/2 of the NE/4 of Section 33, Township 19 North, Range 14 East, Tulsa County, Oklahoma; Said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of Said W/2 of the NE/4 a distance of 283.6' East of the SW corner of Said W/2 of the NE/4; thence East along the South line a distance of 551.4'; thence North  $58^{\circ}-58'$  West a distance of 784.8'; thence North  $52^{\circ}-07'$  West a distance of 210' to a point on the West line of Said W/2 of the NE/4; thence South along Said West line a distance of 351.4' to a point 175.6' North of the SW corner of Said W/2 of the NE/4; thence South  $58^{\circ}-58'$  East a distance of 332.5' to the point of beginning, containing 4.24 acres, more or less, together with all abutter's rights, including all rights to access from the remaining portion of Grantor's land onto the Limited Access Highway to be constructed on the above described property, including all rights to light, air, or view therefrom, said tract contains 75.5 acres, more or less, Less and Except a portion thereof containing .57162 acres, more or less, Said portion being described by metes and bounds as follows, to wit: Beginning at a point on the South line of Said W/2 of the NE/4 a distance of 283.6' East of the SW corner of Said W/2 of the NE/4; thence North  $58^{\circ}-58'$  West 332.5' to a point on the West Boundary; thence South 175.6' to the SW corner of Said W/2 of the NE/4; thence East 283.6' along the South line of Said W/2 of the NE/4; to the point of beginning.

11616

Action Requested:

Appeal From the Decision of the Building Inspector - Under the Provisions of Section 1650 - Appeals from the Building Inspector - For refusing to grant a permit for the drilling of a test hole to be used for the testing of down-hole tools in an IR District; and, a

11616 (continued)

Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1225 - Light Manufacturing and Industry - Under the Provisions of Section 1670 - Request for a variance to permit the drilling of a test hole to be used for the testing of down-hole tools in an IR District; and, a Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1222.2 & 1222.3 - Research and Development - Under the Provisions of Section 1670 - Request for a variance of the enclosed structure requirements to permit the utilization of a test hole for testing down-hole tools not in an enclosed structure in an IR District, at 4502 East 41st Street.

Presentation:

Roy Upchurch, Jr., Keith Milheim, Mr. Jageler of AMOCO.

Keith Millheim, Research Supervisor of Drilling Mechanics. Mr. Millheim stated their desire to cause a minimum amount of noise. He explained they purchased four (4) hospital-type mufflers. He explained that there would be no tripping operations between 12:00 mid-night and 6:00 a.m. (Drilling the well) and it will take approximately 25-30 days. The drilling rig will be removed upon completion of the well and the testing will be done at depths of 2,500 to 3,000 feet.

Alan Jageler stated the hole was designed for testing. They will use fiber glass casing.

Protestants: Don Davis, 4223 South Sandusky, Thomas Childs, 4311 South Sandusky.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-0 (Lewis, Purser, Victor "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue Case No. 11616 to September 17, 1981, to allow a field check of the subject site.

OTHER BUSINESS:

BOA Case No. 8663 - Substitute a Plot Plan.

Presentation:

Mr. Jones advised the Board that, on August 7, 1975, the Board approved a variance of a setback from 10' to 2' in a CS District. The Board had approved that application, subject to the plot plan submitted, and now the applicant wishes to add on to the structure. Mr. Jones submitted the substitute plot plan (Exhibit "M-1") for review by the Board.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 3-0-0 (Lewis, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to allow the substitute plot plan in Case No. 8663.

There being no further business to come before the Board, the Chair adjourned the meeting at 5:55 p.m.

Date Approved 10/29/81

  
Chairman