

CITY BOARD OF ADJUSTMENT

MINUTES (346)

Thursday, September 17, 1981, 1:30 p.m.

Langenheim Auditorium, City Hall

Tulsa Civic Center

MEMBERS PRESENT

Lewis, Chairman
Purser
Smith
Victor
Wait

STAFF PRESENT

Adwon
Gardner
Hubbard

OTHERS PRESENT

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, September 16, 1981, at 12:00 noon, as well as in the Reception Area of the INCOG Offices.

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

MINUTES:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve the Minutes of July 23, 1981 (No. 340) and August 6, 1981, (No. 341).

MINOR VARIANCES AND EXCEPTIONS:

Case No. 11582

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 38' from the center-
line of 11th Street to permit the erection of a pole sign.

Presentation:

At the time of adjournment, the applicant was still not present to
address the Board.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to
continue Case No. 11582 to October 1, 1981, and to convey to the appli-
cant that action would be taken on the application at that time.

Case No. 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, located at 5811 East 80th Street.

Presentation:

Don Myers, 6609 East 88th Place, was present to address the Board and submitted a plot plan (Exhibit "A-1") and advised that he had an odd-shaped lot.

Protestants: None.

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 approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - of the rear yard setback from 20' to 16', per plot plan submitted, on the following described property:

Lot 23, Block 5, Pleasant Valley Estates, an Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 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, this property is zoned a CH District, at 5002 East Admiral Place.

Presentation:

Ray Toraby was present to address the Board on behalf of Craig Neon Sign Company and submitted pictures (Exhibit "B-1") and a drawing (Exhibit "B-2") of the proposed sign.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1630 - Minor Variances), per drawings submitted, removal bond required, on the following described property:

Lot 5, LESS the North 5' for street right-of-way, Block 1, White City Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11621

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 requirement from 25' to 23' along the south, and a variance of the side yard setback, along the east from 25' to 23' in an RS-3 District, at 6731 East 89th Street.

Presentation:

Mary Wickman, 6016 South 66th East Avenue, was present to address the Board.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the front setback requirements from 25' to 23' along the south and a variance of the side yard setback, along the east, from 25' to 23' in an RS-3 District, on the following described property:

Lot 60, Block 4, Chimney Hills South Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11624

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements from 100' to 75' to permit a lot-split, at 2600 Block of West Skelly Drive.

Presentation:

Noel Eden was present to address the Board and submitted a plot plan (Exhibit "C-1").

Staff Comments:

Mr. Gardner stated that the purpose of the minimum frontage is to keep from splitting the frontage of a major street, or in this case, an expressway service road into small tracts having numerous curb cuts (traffic conflict points). The frontage standards are 100' for CG and 150' for CS. The TMAPC approved the lot-split subject to the Board's approval.

Protestants: None.

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 approve a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements from 100' to 75' to permit a lot-split (L-15284) on the following described property:

A tract of land, containing 4.0046 acres, that is part of Lot 1, in Block 1 of "West Skelly Drive Industrial Complex" a subdivision

Case No. 11624 (continued)

of part of the NE/4 of the NW/4 of Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma, in the City of Tulsa, Said Tract of land beginning as follows, to wit: Beginning at a point that is the SE corner of Said Lot 1; thence North 0°-01'-45" West along the most Easterly line of Lot 1 for 759.47' to a corner of Lot 1; thence North 89°-45'-26" West along a Northerly line of Lot 1 for 100.00' to a corner of Lot 1; thence North 0°-01'-45" West along an Easterly line of Lot 1 for 77.00' to a corner of Lot 1; thence North 89°-45'-26" West along the most Northerly line of Lot 1 for 117.74'; thence South 0°-02'-20" East for 837.10' to a point on the most Southerly line of Lot 1; thence South 89°-55'-33" East along Said Southerly line for 217.60' to the point of beginning of Said Tract of land.

Case No. 11626

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the setback requirements on a corner lot from 35' to 26' from the property line in an RS-1 District, at 535 South 87th East Avenue.

Presentation:

Leonard Scroggins, 12633 East 129th Street, was present to address the Board and advised that he was the builder. Mr. Scroggins submitted a plot plan (Exhibit "D-1").

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements on a corner lot from 35' to 26', per plot plan and per the condition that no commercial business be conducted inside, on the following described property:

The North 152.5' of Lot 4, Block 10, Clarland Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

UNFINISHED BUSINESS:

Case No. 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:

Mary Towler, 10540 East Admiral Place, was present to address the Board and advised that she wanted to locate a mobile home on the subject tract, which is vacant, for her daughter to live in. She further advised that, to the north was a residence, to the south was the airport, to the west was another residence, and to the east was a street with a residence on the other side. Ms. Towler stated that there were no other mobile homes in the area.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve an Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.3 - Mobile Homes - Under the Provisions of Section 1680) a mobile home for a period of one (1) year, removal bond required, in an RS-1 District, on the following described property:

Lot 5, Block 12, Woodland Park Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11580

Action Requested:

Appeal From the Building Inspector - Under the Provisions of Section 1650- Request for permission to have open air display of motorcycles in a CS District; and, an

Exception - Section 710 - Principal Uses Permitted in Commercial Districts- Section 1217.3 (b) - Automotive and Allied Activities - Under the Provisions of Section 1680 - Request for an exception to permit open air display of motorcycles for sale within 300' of an adjoining R District, at 1724-26 South Harvard Avenue.

Presentation:

Mr. Adwon advised the Board that this application had been continued from the August 20 meeting at the request of the applicant's attorney.

Norman McDonald d/b/a/ K & N Motorcycles, 1724, South Harvard Avenue, was present to address the Board. He advised that outside display of cycles was essential to the sales operation and that other cycles sales were able to display their merchandise out front of the store.

Board Discussion:

Members of the Board recalled the original approval and the restriction against outside display of cycles because the store building was located directly across from an elementary school and the school cross-walk was in front of the store and they were concerned about the children's safety.

Case No. 11580 (continued)

Protestants:

George Winkert, 1724 South Gary Place, had been present to voice his protest at the August 20 meeting and wished his comments reflected into the record due to the fact that he would be unable to attend this meeting. Those comments, which dealt primarily with the children's safety, can be reviewed in the record of the August 20 Minutes.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to uphold the decision of the Building Inspector and to deny the Exception (Section 1217.3 (b) - Automotive Allied Activities - Under the Provisions of Section 1680) to permit open air display of motorcycles for sale within 300 feet of an adjoining R District, on the following described property:

Lots 6, 7, and the North 30' of Lot 8, Block 1, Exposition Heights Second Addition to the City of Tulsa, Tulsa County, Oklahoma.

Action Requested:

Variance - Section 610 - 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, located at 222 South Memorial Drive.

Presentation:

Mr. Adwon advised the Board that this application has been continued from September 3rd meeting in order for the Board members to make a field check of the operation, as well as similar operations, which was conducted September 16, 1981 (See Minutes of September 16, 1981).

David Cannon, 5630 South Memorial Drive, was present to address to Board and submitted a booklet of the proposed recycling center (Exhibit "E-1").

There was a petition signed by 2 persons who had no objections to the recycling center and one who objected (Exhibit "E-2").

Protestants:

Evelyn Wallace, 325 South 80th East Avenue, advised the Board that she did not want the smell, noise, and potential rodent problem that might be connected with the can crushing operation. There was a protest letter (Exhibit "E-3") submitted with the names of 17 protestants.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-1 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; Purser "abstaining"; none "absent") to approve a Variance (Section 610 - 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) to permit a recycling center for aluminum cans in an OL District, subject to the following conditions; on the following described property:

1. Per presentation by the applicant;
2. sound baffle box be built around the operation, with the choice of the insulation to be in accordance with the fire standards and with the approval of the Fire Marshal;
3. to be 10' from the east of the building;
4. installation of rubber mufflers on the inside of the operation whenever mechanically possible;
5. the hours and days of operation to be from 10:00 a.m. to 3:00 p.m., Monday through Friday;
6. temporary approval of Saturday operation from 10:00 a.m. to 3:00 p.m., until December 10, 1981, at which time the applicant will return for permanent approval or denial of Saturday operation; and
7. no Sunday operations.

Case No. 11603 (continued)

A certain piece or parcel of land, situated in the County of Tulsa, State of Oklahoma, and described as follows:

A tract of land in the E/2 of the SE/4 of the NE/4 of Section 2, Township 19 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at a point on the East line of Section 2, Said Point being 874.75' North of the Southeast Corner of the NE/4 of Said Section 2; thence West and parallel to the South line of Said NE/4 a distance of 357.0' to a point on the East line, Block 9, Tommy Lee Addition to the City of Tulsa; thence North and parallel to the East line of Section 2, a distance of 120.25' to a point on the East line of Said Block 9, Tommy Lee Addition; thence East and parallel to the South line of Said SE/4 a distance of 357.0' to a point on the East line of Section 2; thence South a distance of 120.25' to the point of beginning and containing 0.986 acres, more or less and including a roadway easement over the East 35' of the tract herein described.

Case No. 11616

The Staff advised that 3 members of the Board field checked the subject property September 16, 1981.

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

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.

Opening Remarks:

James R. Gotwals, 507 South Main Street, Suite 201, representing protestants in the area, advised that two persons did not receive legal notice as required by Section 1630 of the Zoning Code. If there is a public hearing, the persons who are affected by this decision should receive legal notice.

Board Comments:

Mr. Smith advised Mr. Gotwals that the applicant did not advertise all of his property. Mr. Lewis stated that the applicants apparently only advertised a portion of their property. He asked if any of the Board felt the meeting should be continued for additional notice and none felt additional notice was needed.

Presentation:

Applicant Keith Milheim, Research Supervisor for AMOCO, handed the Board an amendment for the proposal to shift the location of the proposed well site location from position 2 to position 3, which is approximately 200 feet to the east and adjacent to Building No. 5. Two drawings were shown of the location of the mast which is currently in place and near where the test-hole would be (Exhibit "1"). Mr. Lewis asked Mr. Milheim how far the test-hole is from the west property line? Mr. Milheim advised that there is approximately 425 to 450 feet of distance between the west property line and the proposed test-hole location. Mr. Lewis asked the Staff what was the original advertising? Mr. Gardner stated that the original east-west dimension (location of test-hole) was approximately 283 feet and the north-south dimension was approximately 416 feet (northeast corner of the rectangle).

Mr. Lewis asked Mr. Jackere if the notice included the new location? Mr. Jackere stated that as long as the proposed use is 300 or more feet away from those adjacent property owners, then they would not be entitled to a written notice. Mrs. Purser stated that AMOCO has moved it to this new location trying to reach a compromise.

Mr. Milheim advised that documents of the proposed location were submitted and also a photo showing the location of the existing well. The existing well has had a mast on it for 2-years. He stated that they would not extend the new mast any higher than Building 5, (50 feet high) utilizing the new mast to do all the log operations. The mast is between

Case No. 11616 (continued)

2 buildings and in the ground approximately 12 feet. The drilling rig, which is east of the wall, would be shielded by Building 5.

Mr. Jackere stated he finally realized that the proposal is not at the same location advertised, and advised that he had a problem with the newspaper notice, since it was site specific. I do not have a problem with the notice to adjacent property owners, but they would have to readvertise in the newspaper if they are going to move the test-hole.

Mrs. Purser repeated Mr. Jackere's advice that the Legal Department was saying that the description of the well would have to be readvertised, but new notice would not have to be sent out to the property owners because they are beyond 300 feet. Mr. Jackere answered, "Yes, that is correct."

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; to continue to October 1, 1981, Case No. 11616 in order to readvertise the legal description.

NEW APPLICATIONS:

Case No. 11614

Action Requested:

Variance - Section 420.2 (a)(2) - Accessory Use Conditions - Under the Provisions of Section 1670 - Request for a variance to permit a detached garage in the front yard in an RS-2 District, at 4540 East 85th Street South.

Presentation:

Jack Arnold, Architectural Resources, was present to address the Board and submitted a plot plan (Exhibit "F-1") with elevations. They tried to design the house so as not to have any railroad ties or major retaining walls since that is a big problem in the area. The garage is recessed 4 feet to the ground, not being visible from the street. The lot is odd-shaped and drops every 5 feet. There is a house on each side of the proposed garage.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 420.2 (a) (2) Accessory Use Conditions - Under the Provisions of Section 1670) to permit a detached garage in the front yard in an RS-2 District, per plot plan, on the following described property:

Lot 7, Block 2, Brookwood II Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11615

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts- Section 420.2 - Accessory Use Conditions - Under the Provisions of Section 1670 - Request for a variance to permit an accessory building on a lot without the principal use being a residence having been established first; and a

Variance - Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1670 - Request for a variance to permit an accessory building to exceed 750 square feet in an RS-3 District, at 541 North 39th West Avenue.

Presentation:

Burt Price, 541 North 39th West Avenue, was present to address the Board and submitted a plot plan (Exhibit "G-1"), asking for a variance on Lot 10 to build the double car garage in connection with an existing building, which exceeds 750 square feet. Greg Price is also requesting Lots 11 and 12. The house is on lot 11 and 12 and the garage would be on Lot 10. Greg Price canvassed the area and has a list of persons, none of which objected. Mr. Burt Price advised the Board that there would be no commercial business operated from the proposed accessory building and that it would be for storage purposes only.

A letter (Exhibit "G-2") was submitted to the Board from Mrs. Ruth Glore, 540 North 38th West Avenue, consenting to the building.

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Case No. 11615 (continued)

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 420.2 - Accessory Use Conditions and Section 240.2 (e) - Permitted Yard Obstructions) to permit an accessory building not on the same lot as the residence (principal building) and which exceeds 750 square feet, per plot plan, subject to the execution of a tie contract between Lots 9, 10 and 11 whereby the individual lots cannot be sold, but all 3 must be sold as a unit, on the following described property:

Lot 10, Block 2, Cooper's Addition; and Lots 9 and 11, Block 2, Cooper's Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11617

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Request for a variance of the side yard setback requirements from 5' to 2' on the west to permit the erection of a carport in an RS-3 District, at 6110 East 3rd Street.

Presentation:

Bob Garretson, (contractor for the job) was present to address the Board and submitted to the Board 2 letters (Exhibit "H-1") from neighbors on the left and the right. Burbank Elementary School is located directly across from this land. A picture was submitted (Exhibit "H-2") of the small garage that was removed and the plot plan (Exhibit "H-3") of the location for a new double carport. Sidewalks and paving have been replaced. The old carport was only about 10 feet wide and the proposed one will be 18 feet.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) of the side yard setback from 5' to 2' on the west, per plans submitted, on the following described property:

Lot 8, Block 2, Sheridan Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11618

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Request for a variance of the site yard setback requirements on the south side from 5' to 2' to permit the erection of a carport in an RS-3 District, at 1432 South Newport Avenue.

Presentation:

Mr. James Dawsey, 3733 South 109th East Avenue, was present to address the Board and submitted a sketch of the proposed carport (Exhibit "I-1").

Protestants:

Dr. Pearle Hamilton, 1438 South Newport Avenue, advised the Board that the garage was built illegally over the storm sewer. She also submitted photographs of the carport (Exhibit "I-2") and stated that it was built too close to her house.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to deny a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670) the side yard setback requirements on the south side from 5' to 2' to permit the erection of a carport in an RS-3 District, on the following described property:

Lot 1 and the North 15' of Lot 2, Block 14, Broadmoor Addition to the City of Tulsa, Tulsa County, Oklahoma.

Special Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to recommend to the Protective Inspections Division of the City of Tulsa that they write a letter to all construction company's advising them of the building permit and Zoning Code requirements for the erection of carports.

Case No. 11619

Action Requested:

Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1202 - Area-Wide Special Exception Uses - Under the Provisions of Section 1680 - Request for an exception to permit a heliport in an IL District, at 7749 East 42nd Place.

Presentation:

Dave Luford, Pilot for Albert Equipment Company, 7749 East 42nd Place, was present to address the Board and advised that the Company would like to establish a heliport on their property strictly for company personnel pickup and drop-off. He submitted a plot plan (Exhibit "J-1") and a location map (Exhibit "J-2"). He stated that the fueling operations would be done at the Tulsa International Airport hangar and that the helicopter would be a turbine-type. Hours and days of operation, according to Mr. Luford, would be the normal business hours and that he did not anticipate more than two trips per day at present, but that number could increase in the future.

Case No. 11619 (continued)

Discussion ensued.

A Petition in Favor (Exhibit "J-3") was submitted to the Board containing the signatures of 17 businesses surrounding Albert Equipment Company approving the establishment and operation of a heliport.

Protestants: None.

Board Comments:

Mrs. Purser requested that the Minutes reflect that the piece of property is entirely surrounded by IL zoning for approximately 1/4 mile in all directions and that the nearest residential district is approximately 1/2 mile away.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 4-1-0 (Lewis, Purser, Smith, Wait, "aye"; Victor Nay"; no "abstentions") to approve an Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1202 - Area-Wide Special Exception Uses - Under the Provisions of Section 1680) to the application, subject to the following conditions, on the following described property:

1. For this specific Company only at this location only;
2. the site shall not be used for commercial use or fueling operations;
3. during normal business hours only, those hours being 8:00 a.m. to 5:00 p.m.;
4. approval not to be construed by the applicant that this is approval for any landing site or take-off sites at any location other than the Albert Equipment site; and
5. to run with this owner only.

All of Block 4 in Industrial Equipment Center Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof; LESS and EXCEPT the South 150' of the East 619.75' thereof, and LESS the North 175' of the South 325' of the East 340' thereof.

Case No. 11620

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances - Request for a variance of the rear yard requirements from 20' to 11 1/2' to permit an addition to the present dwelling, at 2620 South Richmond Ave.

Remarks:

The Staff advised the Board that the applicant had requested withdrawal of the application and a refund of the fees.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Wait, Victor, "aye"; no "nays"; no "abstentions") to

Case No. 11620 (continued)

accept withdrawal of the application and approve a refund of \$25 to the applicant.

Case No. 11622

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts-
Section 1215 - Other Trades and Services - Under the Provisions of Section 1680 - Request for an exception to permit an exterminating service in a CS District, at 8545 East Admiral Place.

Presentation:

Larry Tate, Guaranty Exterminating Service, 808 North Peoria Avenue, was present to address the Board and submitted a plot plan (Exhibit "K-1").

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, 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 1215 - Other Trades and Services - Under the Provisions of Section 1680) to permit an exterminating service in a CS District, on the following described property:

Lots 18 and 19, Block 7, Mingo Terrace Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11623

Action Requested:

Appeal From The Decision of The Building Inspector - Under the Provisions of Section 1650 - Appeals from the Building Inspector - Request for an appeal from the Building Inspector for refusing a permit to construct a building 8' from the east boundary line which abuts an AG District, and a

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Under the Provisions of Section 1670 - Request for a variance of the setback requirements along the east boundary line from 75' to 8' (abutting an AG District) in an IL District, and an

Exception - Section 250.3 (d) - Modification of the Screening Requirements Under the Provisions of Section 1680 - Request for an exception for modification of the screening requirements where the purposes of the screening cannot be achieved, at 1315 North Mingo Road.

Presentation:

The applicant was not present.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 5-0-0 (Lewis, Purser, Smith, Wait, Victor, "aye"; no "nays"; no "abstentions") to continue this Case No. 11623 to October 1, 1981.

Case No. 11625

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Request for a variance to permit two houses on one lot. (One house will be removed when renovations are complete.) This property is located at 1224 South 131st East Avenue.

Presentation:

James Madsen was present to address the Board and asked for an extension of time to complete the new house and remove the old one. He submitted pictures (Exhibit "L-1") of the existing house located on the subject property.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-1-0 (Lewis, Smith, Victor, Wait, "aye"; Purser "nay"; no "abstentions") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670) for an extension of time not to exceed a one-year period, subject to the removal of the older residence on the property within 60 days thereafter, or within 60 days after completion of the residence if that occurs before 1-year and subject to there not being two families residing on the lot at any time, on the following described property:

A portion of Lot 3, Block 4, Romoland Addition to the City of Tulsa, Oklahoma; being more particularly described as follows:

Beginning 5' West of the NE corner of Lot 3; thence West along the North line of Lot 3; a distance of 150'; thence South and parallel to the West line of Lot 3, 122.5'; thence East and parallel to the South line of Lot 3, 135'; thence North and parallel with the East line of Lot 3, 46.25'; thence East and parallel with the South line of Lot 3, 15'; thence North and parallel to the East line of Lot 3, 76.25' to the point of beginning.

Case No. 11627

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 setback requirements on a corner lot to permit building 35' from the centerline of 39th West Avenue; and, 25' from the centerline of West 5th Street. This property is located at 501 South 39th West Avenue.

Presentation:

Darrell Rollins, 501 South 39th West Avenue, was present to address the Board and submitted a sketch (Exhibit "M-1") showing the setbacks of the houses located on the same block.

Protestants:

Wilburn Dixon, 411 South 39th West Avenue, and Mrs. Fred Loving, Chairman, GTC District #10.

Case No. 11627 (continued)

A Petition of Protest (Exhibit "M-2") was submitted to the Board containing 46 names opposing any exception to the single-family zoning for the subject property.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot to permit a building 35' from the centerline of 39th West Avenue; and 25' from the centerline of West 5th Street, on the following described property:

Lots 1 and 2, Block 5, Park View Place Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11628

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1219 - Hotel, Motel and Recreation - Under the Provisions of Section 1680 - Request for an exception to permit the removal of three (3) present buildings and erect one large building (43' x 48') in a CS District, at 1220 South Memorial Drive.

Presentation:

David Clipson, owner of Putt-Putt Golf Course, was present to address the Board on behalf of Clarence Bunch, and submitted drawings and elevations (Exhibit "N-1") of the proposed building. He advised the Board that the plans were to remove the three existing small buildings on the subject property and to build one large building in order to comply with the Tulsa City-County Health Department regulations for serving concessions.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, 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 1219 - Hotel, Motel, and Recreation) - Under the Provisions of Section 1680) to permit the removal of 3 present buildings and erect one large building in a CS District, per drawings and elevations submitted, on the following described property:

Lot 1, Block 1, Torn Terrace Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11629

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities - Under the Provisions of Section 1680 - Exceptions - Request for an exception to permit a used car lot and minor repair in a CS District, at 46th Street and North Peoria Avenue.

Case No. 11629 (continued)

Presentation:

The applicant was not present.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to continue Case No. 11629 to October 1, 1981, to allow for the presence of the applicant.

Case No. 11630

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, at 7100 Block on South Jackson Avenue.

Presentation:

Janice Harrell was present to address the Board.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") 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, for a period of one-year, removal bond required, on the following described property:

The North 158.4' of the South 422.4' of the West 330' of the E/2 of the NW/4 of the NE/4 of Section 11, Township 18 North, Range 12 East, Tulsa County, Oklahoma, LESS the East 25.99' thereof.

OTHER BUSINESS:

Case No. 9197

Action Requested:

Request for clarification of Minutes of September 16, 1976, on Case No. 9197.

Presentation:

Charles Norman, 909 Kennedy Building, was present to address the Board on behalf of Oral Roberts University. The purpose of the request is based on previous action taken by the Board in 1976 constituting authorization for development of buildings and facilities on the campus without individual applications to the Board of Adjustment, subject to some development and perimeter standards at that time. The matter comes before the Board because the University is proposing an additional maintenance and storage facility. Mr. Norman is asking the Board to interpret the case and reconfirm the approval. There was a problem identifying (Exhibit "F-2") which was submitted for that case.

Case No. 9197 (continued)

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions") to continue Case No. 9197 to October 1, 1981, in order to allow time for the applicant to present and submit to the Board a substitute "Exhibit F-2."

Interpretation:

Action Requested:

Church use and temporary tent interpretation vs revival tent in a CS District.

Presentation:

Mr. Charles Norman, 909 Kennedy Building, was present to address the Board on behalf of the South Sheridan Victory Christian Center.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 3-2-0 (Lewis, Smith, Victor, "aye"; Purser, Wait "nay"; no "abstentions") that the South Sheridan Victory Christian Center is a permanent church use, is not a temporary open air activity such as a tent revival, and, therefore, falls under Use Unit 5, not Use Unit 2.

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

Date Approved

12/17/81


Chairman

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting (No. 345)
Wednesday, September 16, 1981, 1:00 p.m.
Field Check
Sertoma - 222 S. Memorial
AMOCO - 4502 E. 41st.

Case No. 11603 - Seratoma

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis Smith Wait	Victor Purser	Hubbard Adwon	Miller, Protective Inspections Cannon, with Seratoma

They looked at the operation and then listened to the equipment working.

Case No. 11616 - AMOCO

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Purser Lewis Smith	Wait Victor	Hubbard Adwon	Miller, Protective Inspections Keith Milheim, AMOCO Research Supervisor Al Jageler Roy Upchurch

They took a tour of the proposed well site. The tools used were shown on the tour. The original site had been changed because it would not be feasible for it to be there.

Date Approved Dec. 3, 1981


Chairman