

CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 354  
Thursday, January 21, 1982, 1:00 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Smith, Acting Chairman Purser (in at 2:10 p.m.) Victor Wait	Lewis	Gardner Martin	Jackere, Legal Department Miller, Protec- tive Inspec- tions

After declaring a quorum present, Acting Chairman Smith called the meeting to order at 1:10 p.m.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Tuesday, January 19, 1982, at 10:05 p.m., as well as in the Reception Area of the TMAPC Offices.

MINUTES:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") to approve the Minutes of October 1, 1981 (No. 347) and October 15, 1981 (No. 348).

MINOR VARIANCES AND EXCEPTIONS:

Case No. 11771

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 in a CS District to permit a lot-split. This property is located on the SW corner of 51st Street and Mingo Road.

Presentation:

Roy Johnsen, 324 Main Mall, was present to address the Board representing Quik Trip Corp., the owners of the property in question. The north-south dimension of the property is 250' for which they are proposing the division of the tract into two lots. The southernmost tract, which is zoned CS, has 100' of frontage instead of the required 150' of frontage. In all other respects, the tract meets the CS requirements. Mr. Johnsen advised the Board of a similar application which was approved on property located immediately to the west of the subject property. This application has been recommended and approved by the T.A.C. and Planning Commission.

Protestants: None.

Case No. 11771 (continued)

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") 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 in a CS District to permit a lot-split (#L-15364) on the following described property:

The East 125' of Lot 8, Block 1, 51st and Mingo Commercial Center, City of Tulsa, Tulsa County, Oklahoma.

Case No. 11780

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. This property is located NW of 25th Street and Riverside Drive.

Presentation:

Stephen King. 2205 East 22nd Place, was present to address the Board representing the property owner, David Weaver. Mr. King advised that the set of plans were approved by this Board for duplex use with a common party wall. There are no modifications of the previously approved plans, but instead of renting the property, the request is that the lot be split in the middle to permit individual ownership.

Interested Party:

M. A. Jackson, 11 East 25th Street, was present to address the Board stating that he has no objections to the request but was interested in the case.

Board Comments:

Mr. Jackere advised that the lot-split has been approved subject to this Board's approval, but the applicant needs the frontage varied on 25th Street.

Mr. Gardner stated that the Staff's concern is that the duplex be built in accordance with the approved plans and that individual structures would not be permitted on these lots. If these plans were not carried out, the lot-split would not apply.

Mr. Smith stated that the Board was previously concerned that the request be compatible with those in the immediate area. He also asked Mr. King to submit a copy of the plans as soon as possible.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "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 (L-15347), subject to the conditions of the previous approval of the restrictions of the duplex (see Minutes Case No. 11256), on the following described property:

Case No. 11780 (continued)

Lot 8, Block 9, Riverside Drive Addition to the City of Tulsa,  
Tulsa County, Oklahoma.

UNFINISHED BUSINESS:

Case No. 11741

Action Requested:

Exception - Section 250.3 (a) - Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Exceptions - Request for a modification of the screening requirements where existing physical features provide visual separation of uses on the west property line. This property is located at the SW corner of 61st Street and Zunis Avenue.

Presentation:

The applicant was not present to address the Board.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to continue this case to February 4, 1982.

Case No. 11746

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes - Request for permission to locate a mobile home in an RM-1 District. This property is located at 453 South 61st West Avenue.

Presentation:

The applicant was not present to address the Board.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to continue this case to February 4, 1982.

NEW APPLICATIONS:

Case No. 11745

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances - Request for a variance to allow a building to remain on property that is being used for a paint shop in a residential district. This property is located at 2620 East 11th Street.

Presentation:

Ernest Wieman, 2620 East 11th Street, was present to address the Board stating that he had subleased the subject property for four (4) years, then purchased the property in 1970. Last year he received a building permit to enlarge the shop on the west side of the existing building. Mr. Wieman stated that the building inspector found that the building was illegal.

The lot in question is 50' x 144' and the building in question is 17' x 48'. The paint shop is a steel construction and is fireproof. Mr. Wieman advised the Board that painting in the shop is only done two or three hours a day.

Mr. Wieman stated that none of his neighbors had ever complained about the building.

Protestants: None.

Interested Party:

Carl Schlosser, 2834 East 21st Place, was present to address the Board stating that he was in favor of the application.

Staff Comments:

Mr. Gardner advised the Board that in the previous action when it was approved for off-street parking, the applicant was to landscape and erect a fence to protect the residence on the adjoining property.

Applicant's Comments:

Mr. Wieman stated that the subject property has been fenced, but has not been landscaped. He stated that they are building a new building and are planning on erecting a basket weaved fence around the property.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to allow a building to remain on property that is being used for a paint shop in a residential district, subject to the applicant erecting a screening fence and that the property be properly landscaped, to run with this owner only, on the following described property:

Lot 6, Block 3, Max Campbell Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Request for an exception to permit a children's day care center in an RM-1 District at 353 South Zunis Avenue.

Presentation:

Alta Hayes, 524 South Xanthus, was present to address the Board and submitted two (2) drawings of the proposed parking. The first drawing (Exhibit "A-1") shows the driveway going 3/4ths of the way to the end of the lot. The driveway could be extended all the way to the fence. The second drawing (Exhibit "A-2") shows a circular driveway, which could be made in the front to enhance the parking situation. Ms. Hayes presently has a day care in her home but wants to expand. She is requesting that the Board allow her to place her day care center at the subject location.

Board Comments:

Mr. Smith inquired about the number of children and the days and hours of operation. Ms. Hayes stated that she would like to have 15 to 30 children ages 2 1/2 and older for her day care center. The hours of operation would be from 7:00 a.m. to 11:00 p.m., on Mondays through Fridays.

Mr. Smith asked what surrounded the subject property and Ms. Hayes said there were several homes and duplexes in the immediate area. The proposed building is also a duplex.

Mr. Jackere asked if there would be any remodeling to the place. Ms. Hayes stated that the duplex would be connected by one entranceway, which would give them the 2 baths which are required by the State.

Protestants:

Laurie Moberly, 351 South Zunis Avenue, was present to address the Board in protest. Ms. Moberly submitted a petition of protest bearing 27 signatures (Exhibit "A-3"). Ms. Moberly stated that the day car center would increase traffic in the area. She was not in favor of the parking facility. She advised that she owns 2 big dogs which could be a danger to the children, or which the children could upset and cause problems. She stated that the commercial day care center would decrease the property value in the area.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to permit a children's day care center in an RM-1 District, on the following described property:

Lot 3, Block 12, Hillcrest Addition to the City of Tulsa, Oklahoma.

Case No. 11777

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry - Request for an exception to manufacture pump parts for oil well pumpers in a CH District at 223 North Main Street.

Presentation:

Kenneth L. Stainer, attorney, Suite 1018, 320 South Boston Avenue, was present to address the Board requesting that the John N. Martin Manufacturer, Inc., be permitted to move to the property in question. The subject property is located at the southeast corner of Main Street and Cameron Avenue. They are requesting that Use Unit No. 25, Light Manufacturing and Industry be allowed on the subject property which is presently zoned CH. Mr. Stainer advised that the area surrounding this property has many businesses. He stated that they have a very low noise level and have no furnaces for manufacturing.

Protestants: None.

Board Comments:

Mr. Smith asked if there would be any outside storage and Mr. Stainer answered no. Mr. Wait inquired as to the nature of the manufacturing and Mr. Stainer stated that it is lathe work and fabric punching.

Mr. Gardner advised that there is industrial zoning right across the street from the subject property.

Board Action:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry) to manufacture pump parts for oil well pumpers in a CH District as presented, on the following described property:

Lot 6, and the North 32' of Lot 5, Block 28, Original Townsite Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11779

Action Requested:

Variance - Section 620.2 (d) (1) - Accessory Use Conditions in The Office Districts - Under the Provisions of Section 1670 - Variances - Request for a variance of the size of a sign from 32 square feet to 256 square feet in an OM District at the NE corner of 67th Street and Lewis Avenue.

Presentation:

Jerry Nichol, attorney, representing Kendallwood Corporation, Rt. 2, Box 13, was present to address the Board and submitted a drawing of the proposed sign (Exhibit "B-1"). Mr. Nichol stated that the property in question has 300' of frontage on Lewis Avenue and 300' of frontage on East 67th Street for a total of 90,000'. The sign in question has already been built and has been in place for approximately 2 months. Mr. Nichol just found out yesterday that a building permit had not been obtained. He advised the Board that the sign will be removed at the end of this year. There are no improvements to be done on the frontage lot, but Mr. Nichol's

Case No. 11779 (continued)

client owns a home on the tangent lot which will be removed by the end of this year.

Protestants: None.

Board Comments:

Mr. Jackere asked about the purpose of the sign and Mr. Nichol stated that it would be a temporary sign announcing the ownership of the property by his client.

Mr. Gardner stated that the property in question is zoned office and has never been zoned commercial. The applicant is asking to place a commercial sign on the property. The subject property is vacant presently and in order to have a sign for an office you must have an office.

Mr. Jackere advised that during the construction of the building a sign not exceeding 160 square feet is permitted for advertising according to the Ordinances.

Discussion ensued as to the size of the sign. Mr. Victor expressed that he had a great deal of concern with the mass of the sign since it is approximately 512 square feet.

Mr. Smith asked about the wording of the sign and Mr. Nichol stated that it would have "Future Home of First (1st) Oklahoma Savings and Loan."

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-0 (Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, Purser, "absent") to approve a Variance (Section 620.2 (d) (1) Accessory Use Conditions in the Office Districts - Under the Provisions of Section 1670 - Variances) of the size of a sign from 32 square feet to 256 square feet in an OM District; to be permitted at the subject location until January 1983, that the use of the copy of the sign be limited to future locations of the owner, that it bear the wording "Future Home of First (1st) Oklahoma Savings and Loan" on the sign, on the following described property:

Lot 1, Muzingo Hill Addition to the City of Tulsa, Oklahoma.

Case No. 11781

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot Of Record - Under the Provisions of Section 1670 - Variances - Request for a variance to permit two dwellings on one lot; and, an  
Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplexes - Request for an exception to permit a duplex in an RS-3 District; and, a  
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 1864 East 16th Place.

Presentation:

Charles Whitebook, attorney, 1700 Fourth National Bank Building, was present to address the Board representing the owners of the subject property, Edward and Emily Slier. Mr. Whitebook submitted a copy of the plat (Exhibit "C-1"), three pictures of homes in the immediate area (Exhibit "C-2"), a letter from a neighbor, Robert Mercer, asking that the request be granted (Exhibit "C-3"), and a petition (Exhibit "C-4") bearing 83 signatures of owners and residents requesting approval.

Mr. Whitebook advised that this stately mansion-type home was built many years ago with a small cottage or bungalow at the rear of the house. The applicant is proposing to add a 248 square-foot room to the rear of the cottage with the addition of a modern entrance and two porches to accommodate Mr. Slier's elderly parents.

Mr. Whitebook referred to the letter voluntarily written by Mr. and Mrs. Mercer, who share a common driveway with the Sliers and stated that they were in favor of the request.

Mr. Whitebook stated that the Planning Commission had granted the lot-split, subject to this Board's approval. He advised that if the lot-split were approved, there would have to be separate water and utilities incurring considerable expenses which would not be necessary. Mr. Whitebook advised that Mr. and Mrs. Slier would prefer the alternative of just being granted the first variance.

Mrs. Emily Slier, 1864 East 16th Place, the owner, was present to address the Board stating that the plans have been approved. She advised that they were granted a temporary building permit.

Protestants: None.

Board Comments:

Mr. Gardner advised that the Board is dealing with two detached single-family units on one lot.

The Board asked if the two residences would be connected and Mr. Whitebook answered no.

Mr. Jackere stated that the applicant would have to maintain the front and rear yard setbacks on the lot. He advised that if the lot-split were filed of record the applicant could make the additions to the lot provided he stays within the setbacks.

Applicant's Comments:

Mr. Whitebook advised that he would withdraw the Exception and the second Variance if the Board was inclined to favor the 1st Variance.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670) to permit two dwellings on one lot, on the following described property:

Lot 18, Bungalow Court Addition to the City of Tulsa, Oklahoma.



Action Requested:

Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1225 - Light Manufacturing and Industry - Under the Provisions of Section 1670 - Variances - Request for a variance to permit drilling three (3) 200-foot test wells with 6 inches plastic casing to be used in connection with research projects; and, a Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Section 1222.2 and 1222.3 - Research and Development - Under the Provisions of Section 1670 - Variances - Request for a variance of the enclosed structure requirements to permit utilization of three (3) test wells to be used in connection with research in an IR District at 4500 South 129th East Avenue.

Presentation:

Edward Witterholt, P. O. Box 3908, was present to address the Board representing Cities Service Company and submitted a site plan (Exhibit "D-1"). The wells, to be used for research, would be cased and would be kept empty. The wells would not extract any fluid. The researchers would be placing geophysical instruments in the holes to test them, making sure they function properly.

Protestants: None.

Board Comments:

Mr. Smith asked if there would be any down-hole testing of formations and Mr. Witterholt stated that there would not be, but that the wells would be used to see that they were operating before researchers went to a particular location.

Mr. Smith asked if there would be a permanent derrick and Mr. Witterholt answered no.

Mrs. Purser asked where the nearest residence was to the subject property and Mr. Gardner advised that the nearest residence is approximately 4/10ths of a mile to the north and also to the east and slightly less than 4/10ths of a mile to the northwest. The location of the wells in question has been legally published, but notice has not been sent to abutting property owners because all of that area in question is part of their research site.

Board Action:

On MOTION of WAIT and SECOND by VICTOR, the Board voted 3-0-1 (Smith, Victor, Wait, "aye"; no "nays"; Purser, "abstaining"; Lewis, "absent") to approve a Variance (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1225 - Light Manufacturing and Industry - Under the Provisions of Section 1670 - Variances) to permit drilling three (3) 200' test wells with 6" plastic casing to be used in connection with research projects; and, a Variance (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1222.2 and 1222.3 - Research and Development - Under the Provisions of Section 1670 - Variances) of the enclosed structure requirements to permit utilization of three test wells to be used in connection with research in an IR District, on the following described property:

TEST WELL #I - 360' FWL & 862' FSL of NE/4, Section 29, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa Co. Ok.

Case No. 11782 (continued)

TEST WELL #II - 360' FWL & 907' FSL of NE/4, Section 29, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa County, Oklahoma.

TEST WELL #III - 360' FWL & 937' FSL of NE/4, Section 29, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa County, Oklahoma.

Case No. 11783

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in The Agriculture District - Under the Provisions of Section 1670 - Variances - Request for a variance of the frontage requirements from 200' to 50' in an AG District located southeast of 75th Street and Elwood Avenue.

Presentation:

David Drake, 2531 East 57th Street, was present to address the Board requesting a variance of the frontage requirements from 200' to 50' in order to build his house.

Protestants: None.

Board Comments:

Mrs. Purser asked the applicant if he had plenty of land and Mr. Drake stated that he has enough land, but does not have the frontage required for an AG District.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the frontage requirements from 200' to 50' in an AG District, on the following described property:

The S/2, S/2, SW/4, NW/4 of Section 12, Township 18 North, Range 12 East, Tulsa County, Oklahoma.

Case No. 11784

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1211 - Offices and Studios - Under the Provisions of Section 1680 - Exceptions - Request for an exception to permit an office in an RM-2 District at 1404 South Quaker Avenue.

Presentation:

Mr. Gardner advised the Board that the applicant had filed an application with the Planning Commission for a change in the zoning from RM-2 to office zoning. The Planning Commission did recommend that the application come before the Board of Adjustment.

Joan Freeman, Rt. 2, Box 20-B, Haskell, Oklahoma, was present to address the Board and submitted five (5) pictures of the subject property (Exhibit "E-1"). Ms. Freeman, representing Moore Funeral Home,

Case No. 11784 (continued)

advised that the 75' x 133' subject property is located east of the Funeral Home. An existing two-story brick structure is presently on the subject property. The purpose for obtaining the property was to improve the appearance of the neighborhood by remodeling the house. The property owner is planning to lease the newly purchased property to an attorney or an accountant for light office use.

Protestants: None.

Board Comments:

Mr. Wait asked if the subject property would be used for the Funeral Home and Ms. Freeman advised the Board that it would not. She advised that if the request was not granted that the property would be sold since it is the only house on a two-block radius that is not commercial. Mrs. Purser stated that she felt that the office use would be most desirable in the subject area.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1211 - Offices and Studios - Under the Provisions of Section 1680 - Exceptions) to permit an office in an RM-2 District as presented, on the following described property:

Lot 15, and the N/2 of Lot 14, Block 1, Broadmoor Heights Second Addition to the City of Tulsa, Oklahoma.

Case No. 11785

Action Requested:

Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1680 - Request for an exception to permit church use and church school use with related activities in an RS-3 District; and, an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680 - Exceptions - Request for an exception to allow a mobile home to remain on property that is used for classrooms located at 9123 East 22nd Place.

Presentation:

Mark Smith, representing Heritage Baptist Church, 9123 East 22nd Place, was present to address the Board and submitted a plat of survey (Exhibit "F-1"), a floor plan (Exhibit "F-2"), an elevation plan (Exhibit "F-3") and a picture of the existing church building (Exhibit "F-4").

Mr. Smith advised that this Board granted the Church and Church School use on the subject lot in August 1977. In September 1980, the Board granted the applicant approval to place a mobile home on the subject property for additional classroom space until a permanent building could be constructed. Mr. Smith stated that the Church has now secured the money for a new building and plans to break ground in 3 to 4 weeks. The approval for the mobile home has run out, but Mr. Smith is asking that it be allowed to remain at its present location until the building is completed in September.

Case No. 11785 (continued)

Protestants: None.

Board Comments:

Mrs. Purser suggested that if the application was approved that the mobile home be permitted at its present location until January to allow extra time for the construction to be completed.

Mr. Gardner advised that the original application has been continued several times and the applicant was not ready with the plans. The applicant agreed to strike the original application and return with a new application when the detailed plans of the proposed building were ready.

Mrs. Purser inquired about the building material and Mr. Smith advised the Board that the same contractor will do the construction and will use materials that will blend in with the existing masonry building.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1680) to permit church use and church school use with related activities in an RS-3 District; and, an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1209 - Mobile Homes - Under the Provisions of Section 1680 - Exceptions) to allow a mobile home to remain on property that is used for classrooms until January 1, 1983, to allow the building program to be completed by that date, per plot plan submitted, on the following described property:

Lots 8 & 9, Block 2, Memorial Acres Addition to the City of Tulsa, Oklahoma.

Case No. 11786

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 side yard requirements from 5' to 3' on the south to permit an addition to the existing residence at 209 South 6th East Ave.

Presentation:

Dennis Dvorak, 209 South 67th East Avenue, was present to address the Board and submitted 4 drawings of the subject property (Exhibit "G-1") and a letter written by Wally Lizotte (Exhibit "G-2") stating that he has no objections to the garage being built within three (3) feet of the lot line, between his house and Mr. Dvorak's house.

Mr. Dvorak advised that the present garage is on one side of the house and he is proposing to build a garage on the other side of the house which will come within 3' of the next door neighbor.

Protestants: None.

Case No. 11786 (continued)

Board Comments:

Mrs. Purser asked if the original garage would be torn down, or if it would be converted into part of the house and Mr. Dvorak stated he plans to make it into a recreation room.

Mr. Smith inquired about the proposed garage use and Mr. Dvorak stated that it would be used as a garage and a workshop to work on his cars. It will not be a commercial business.

Board Action:

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

Lots 3 & 4, Block "D", Crest View Estates Addition to the City of Tulsa, Oklahoma.

Case No. 11787

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry - Under the Provisions of Section 1680 - Exceptions - Request for an exception to permit a light machine shop in a CH District at 4706 Charles Page Blvd.

Presentation:

Darrell Rollins, 501 South 38th West Avenue, was present to address the Board requesting that his automotive industrial machine shop be located at the subject property. He advised that he sells internal engine parts as a retail outlet also. The business has outgrown the previous location and can no longer comply with the home occupation rules. In the future, the business will create employment for 5 to 10 men from the neighborhood. Mr. Rollins stated that he has spent a tremendous amount of money repairing the building located at 4706 Charles Page Blvd.

Protestants: None.

Board Comments:

Mr. Gardner advised that the Board previously approved permission to repair and modify light assembly of electronics and pneumatic control equipment at 4702 Charles Page Blvd.

Mr. Smith asked if there would be any outside storage for the proposed building and Mr. Rollins advised that there would not be.

Mrs. Purser asked what was located to the west of the subject property and Mr. Rollins stated that a T.G. & Y. is located to the west.

Case No. 11787 (continued)

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry - Under the Provisions of Section 1680 - Exceptions) to permit a light machine shop in a CH District (no outside storage), on the following described property:

Lot 11, Block 1, Rayburn's Subdivision to the City of Tulsa, Oklahoma.

Case No. 11788

Action Requested:

Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities - Request for an exception to permit an automobile rental service in a CS District at 1725 South Sheridan Road.

Presentation:

Peter Fritz, 13823 North Birch, Glenpool, Oklahoma 74033, was present to address the Board requesting the exception to install a car rental service in a building which was previously used as a fast food restaurant. The applicant is proposing to have approximately 30 vehicles on rent in the parking area. This operation was started in order to offer car rental service to local residents rather than air line travelers.

Protestants: None.

Board Comments:

Mr. Smith asked if the service would be used for renting used automobiles and Mr. Fritz stated that they would be renting used cars which are from 1 to 4 years old.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve an Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to permit an automobile rental service in a CS District as described, on the following described property:

The West 150' of the North 85' of Lot 1, Block 1, 21st & Sheridan Center 7th Addition to the City of Tulsa, Oklahoma.

Case No. 11789

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 25' to 19' in an RS-1 District located at 1323 East 29th Street.

Case No. 11789 (continued)

Presentation:

Don Kirberger, 4901 South Sheridan Road, contractor, was present to address the Board. The reason that the variance is requested is to save some trees on the subject property and to save the asthenic value of the property.

Protestants or Interested Parties:

Jim Furley, attorney representing Arthur and Louise Olson, 1345 East 29th Street, was present to address the Board. Mr. Furley advised that the Olson's own the large tract located immediately east of the subject lot. The Olson's concern deals with the drainage along the easternmost edge of the property in question. Mr. Furley advised that the subject property owners and the Olsons have met together concerning the drainage and have worked together to alleviate any problems dealing with the existing drainage.

Board Comments:

Mr. Wait inquired about the trees being saved and Mr. Kirberger advised that the trees are mature and that the property owners want to save these trees. If the house was not moved, the trees would be too close to the house and might have to be destroyed.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the rear yard requirements from 25' to 19' in an RS-1 District, on the following described property:

A Tract of land in Lot 3, Section 18, Township 19 North, Range 13 East, Tulsa County, Oklahoma; said Tract of land being described as follows, to wit: Starting at a point 1,335.00' Northerly of the Southwest corner of Section 18; thence Easterly 250.00' to the Point of Beginning of said Tract of land; thence Northerly 157.50'; thence Easterly 110.00'; thence Southerly 157.50'; thence Westerly 110.00'; to the Point of Beginning of said Tract of land.

Case No. 11385

Action Requested:

Request to substitute a plot plan.

Presentation:

Mrs. Miller advised that the Board previously approved a variance of the floor area ratio permitting a two-story structure and also approved a substitute plot plan. The applicant is now wishing to enclose the one-story structure which is already built and do away with the two-story proposal. The one-story structure will have less than 40% floor area ratio. Mrs. Miller submitted a substitute plot plan (Exhibit "H-1").

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to accept the substitute plot plan, on the following described property:

Case No. 11385 (continued)

Lot 6, Block 1, Lewis Square Addition to the City of Tulsa, Okla.

Case No. 11689

Action Requested:

Request to substitute a plot plan.

Presentation:

Mrs. Miller advised the Board that the application was approved for the floor area ratio from .25 to .29 and also for a 15-foot setback. The applicant is now requesting that the building be moved back to meet the 25-foot setback. A substitute plot plan was submitted (Exhibit "I-1").

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to accept the substitute plot plan showing the 25-foot setback in lieu of the original 15-foot setback, and this being the only change, on the following described property:

TRACT I:

Beginning at the NE corner of Block 3, Plaza Village, an Amended Plat of Skyview Center, an Addition in Tulsa County, Oklahoma; Said corner being on the South line of East 69th Street South; thence South  $9^{\circ}-48'-14''$  East along the Easterly line of Said Block 3 for a distance of 170.79' to a P.I. in the Easterly line of Said Block 3; thence South  $35^{\circ}-23'-25''$  East along the North-easterly line of Said Block 3, for a distance of 24.47'; thence South  $60^{\circ}-11'-25''$  West for a distance of 180.27' to a point on the Westerly line of Said Block 3; thence Northerly along a curve to the right having a radius of 620' for a distance of 264.00' to the Northwest corner of Said Block 3; thence Easterly along the Northerly line of Said Block 3, and along a curve to the left having a radius of 1,340.00' for a distance of 168.87' to the point of beginning; and,

TRACT II:

Commencing at the Northeast corner of Block 3, Plaza Village, an Amended Plat of Skyview Center, an Addition in Tulsa County, Oklahoma, Said corner being on the South line of East 69th Street South; thence South  $9^{\circ}-48'-14''$  East along the Easterly line of Said Block 3, for a distance of 170.79' to a P.I. in the Easterly line of Said Block 3; thence South  $35^{\circ}-23'-25''$  East along the North-easterly line of Said Block 3, for a distance of 24.47' to the point of beginning; thence South  $60^{\circ}-11'-25''$  for a distance of 180.27' to a point on the Westerly line of Said Block 3, said point being 264.00' measured along a radius of 620' from the Northwest corner of Said Block 3; thence Southeasterly along the Westerly and Southerly line of Said Block 3, and along a curve to the left having a radius of 620', for a distance of 270.00'; thence North  $38^{\circ}-26'-52''$  East for a distance of 180.81' to a P.I. in the Northeasterly line of Said Block 3; thence North  $35^{\circ}-23'-25''$  West along the Northeast-erly line of Said Block 3, for a distance of 200.00' to the point of beginning.



Case No. 11730

Action Requested:

Request to substitute a plot plan.

Presentation:

Mr. Gardner advised that the applicant requested a variance to increase the floor area ratio to enclose the front porches.

Mr. Jackere stated that the Board had no problem with the application previously. The new proposal does increase the floor area of the structure even more. The applicant was not properly advertised for this request. Mr. Jackere did not think it would be appropriate to accept the substitute plot plan at this time, but should allow the applicant time to readvertise.

Mr. Gardner suggested that the Board deny the request based on council's recommendation to readvertise.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 4-0-0 (Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Lewis, "absent") to deny the substitute plot plan and request that the applicant return after readvertising, on the following described property:

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

Date Approved \_\_\_\_\_

3/4/82

\_\_\_\_\_  
Chairman