

TULSA CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 355  
Thursday, February 4, 1982, 1:00 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis, Chairman (in at 1:15 p.m.) Smith Victor Wait	Purser	Compton Malone Martin	Jackere, Legal Department Miller, Protec- tive Insp's.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Wednesday, February 3, 1982, at 11:52 a.m., as well as in the Reception Area of the INCOG Offices.

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

MINUTES:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, 'absent') to approve the Minutes of December 3, 1981, (No. 351).

Case No. 11802 Withdrawn:

The Chair advised that upon the applicant's request, Case No. 11802 has been withdrawn from the agenda.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 11792

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of 1630 - Minor Variances - Request for a variance of the area requirements from 9,000 square feet to approximately 5,625 square feet; and a variance of the frontage requirement from 75' to 18' on Tract I; and a variance of the frontage requirements on Tract II from 75' to 20' to permit a lot-split in an RS-3 District, located west of the NW corner of 74th Court and Birmingham Avenue.

Presentation:

Joe McCormick, attorney, 1776 One Williams Center, was present to address the Board representing the applicant, Gary Barnett. Mr. McCormick requested that the lot-split be permitted to allow duplex structures to be sold as individual units. Access would be provided on the front for each individual duplex unit.

Protestants: None.

Board Action:

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

Case No. 11792 (continued)

"absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the area requirements from 9,000 square feet to approximately 5,625 square feet; and a variance of the frontage requirement from 75' to 18' on Tract I; and a variance of the frontage requirements on Tract II from 75' to 20' to permit a lot-split (L-15352) in an RS-3 District for the purpose of selling the individual units of the duplex, on the following described property:

Lot 9, Leisure Court Addition to the City of Tulsa, Oklahoma.

Case No. 11793

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements to allow a lot-split, located south and east of East 69th Street and 56th East Ave.

Presentation:

Joe McCormick, attorney, 1776 One Williams Center, was present to address the Board representing the applicant, Gary Barnett. Mr. McCormick requested that the lot-split be permitted to allow the duplex structure to be sold as individual units. Access would be provided on the front for each individual duplex unit.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances) of the frontage requirements to allow a lot-split (L-15349) for the purpose of selling the individual units of the duplex, on the following described property:

Lots 7, 10, & 12, Block 14, Park Plaza Addition to the City of Tulsa, Oklahoma.

Case No. 11794

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements to allow a lot-split, located on the SW corner of 51st Street & S. 67th East Place.

Presentation:

Joe McCormick, attorney, 1776 One Williams Center, was present to address the Board representing the applicant, Gary Barnett. Mr. McCormick requested that the lot-split be permitted to allow the duplex structure to be sold as individual units. Access would be provided on the front for each individual duplex unit.

Protestants: None.

Case No. 11794 (continued)

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630-Minor Variances) of the frontage requirements to allow a lot-split (L-15351) for the purpose of selling the individual duplex units, on the following described property:

Lots 1 and 2, Block 3, Sungate Addition to the City of Tulsa, Oklahoma.

Case No. 11797

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the frontage requirements to allow a lot-split, located at 1138-1142 North Quebec Avenue.

Presentation:

Gregory M. Holland, Land Surveyor, 4845 South Sheridan Road, Suite 503, was present to address the Board and submitted a layout of the proposed lot-split (Exhibit "A-1").

Protestants: None.

Board Comments:

Mr. Lewis asked the reason for splitting the lot down to 46' on one end and Mr. Holland stated that the property owner wishes to place another building in this particular area. Mr. Lewis asked if the proposed lot-split would be appropriate in the surrounding area and Mr. Holland stated that it would be, since several of the lots in the area are 50'.

Mr. Compton advised that the lot-split was approved by TMAPC on February 3, 1982.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630-Minor Variances) of the frontage requirements to allow a lot-split (L-15376) on the following described property:

The East 150' of the N/2 of Lot 63; and the South 74' of the East 150' of Lot 64, in Westrope Acres Addition in the City and County of Tulsa, Oklahoma.

Case No. 11801

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances - Request for a variance of the setback requirements from 15' to 13.7', located at 7311 East 28th Street.

Case No. 11801 (continued)

Presentation:

Dennis Bricker was present to address the Board on behalf of the applicant, Ernest Bedford, Box 2353. Mr. Bricker submitted a plat of survey (Exhibit "B-1"). The original structure, which has not been added onto, is the only building on the subject property and it met the building setback requirements in 1978.

Protestants: None.

Comments:

Discussion ensued as to which setback was before the Board.

Mrs. Miller advised the Board that it would be the side yard setback which would be 20' from the property line according to the Zoning Code.

Mr. Jackere stated that the applicant advertised substantially correct in asking for a variance for 13.7' on the side yard. He should have asked for a variance from 20' to 13.7', but instead he asked for the variance from 15' to 13.7'. The ultimate relief is the same.

Mr. Jackere advised that this Board has no authority to waive a plat-ted building setback line. The Board's action would not effect a plat-ted 15' building setback, but would effect a Zoning Code requirement for a setback.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 15' to 13.7', as per plans submitted, which shows the 13.7' on the side lot line, on the following described property:

Lot 4, Block 21, Bowman Acres 4th Addition to the City of Tulsa, Oklahoma.

UNFINISHED BUSINESS:

Case No. 11034

Action Requested:

Request to expand an existing church building previously approved by the Board.

Presentation:

Mr. Jackere briefly reviewed the case for the benefit of the Board. The Board approved the church use with the condition that the entire structure be bricked or rocked. Later the applicant came before the Board requesting an addition to the church structure, at which time it was learned that the applicant had not fulfilled the Board's request to brick or rock the entire building. The applicant was requested to come before the Board at this time to inform the Board as to how the original conditions which were imposed would be complied with.

Case No. 11034 (continued)

Orville Hendryx, 1434 South 121st East Avenue, was present to address the Board stating that he had been confused on the Board's previous action and did not understand that the building had to be bricked or rocked all the way up. He stated that he was willing to comply with the Board's request.

Paul McBride, 210 South 5th Street, Jenks, Oklahoma, attorney representing Mr. Hendryx' request that the case be continued so that more detailed elevation and building plans could be submitted to the Board.

Comments:

Mr. Jackere advised that Mr. Hendryx has building plans pending, which will not be released because he had not complied with the Board's previous action. He also advised that the two sets of elevation plans differ.

Mr. Smith advised that the applicant was to complete the existing structure before plans of the new building were to be talked about. Since the structure had not been completed, the Board felt that there was nothing to discuss.

Protestants:

James Gibson, 12108 East 15th Street, was present to address the Board representing neighbors in the subject area requesting that Mr. Hendryx comply with the Board's previous requirements before he be permitted to add to the existing structure.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser "absent") to continue this case to February 18, 1982.

Case No. 11768

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 from 30' to 6' & 6" in an RS-2 District; and request for a variance of the rear yard requirements from 25' to 6', located at 2143 East 24th Street.

Presentation:

Martin E. Brown, architect, 4021 South Harvard Avenue, was present to address the Board and submitted a plot plan (Exhibit "C-1"), a floor plan (Exhibit "C-2"), an elevation plan (Exhibit "C-3"), and some calculations concerning the livability space (Exhibit "C-4").

Mr. Brown advised that the application was not advertised properly when the case was heard earlier. A variance of the front yard setback is needed and also a variance of the rear yard setback is needed where the garage is attached on the second level and detached at the lower level. The livability area requirement would be sufficient if the applicant is allowed to use the 12' right-of-way on South Zunis Avenue.

Case No. 11768 (continued)

Board Comments:

Mr. Lewis inquired about the revised plot plan and Mr. Brown stated that he had moved the proposed residence back approximately 3' & 5" farther from the street than previously, and has eliminated some of the driveway to add to the livability space.

Mr. Jackere inquired about the setback requirement from 30' to 6' & 6" and Mr. Brown advised that he did not feel that it needed to be waived, since it is a nonconforming lot adjoining an abutting street. Mr. Jackere advised that if the applicant is allowed the additional space, being a corner lot, visually he is within the livability requirement.

Mr. Compton stated that the Staff did a series of calculations on this particular site and found that Mr. Brown has enough livability space proportionately according to the nonconforming size lot and the revised plot plan.

Protestants and Interested Parties:

Charles Castle, 2135 East 24th Street, was present to address the Board stating that his main objection is to have the 30' building line adhered to on 24th Street. Mr. Castle advised that the house needs to be 42' from the curb line to meet the requirement. The adjoining properties all meet or exceed the 42' requirement except the Pages' residence which is directly across the street from the subject property measuring 41 and 3/10th's feet.

Patricia Page, 2144 East 24th Street, was present to address the Board speaking for herself and Emma Adams who resides at 2206 East 24th Street. Ms. Page's daughter who is an architect, advised her parents that they would be fortunate to have the house in question across the street from them. Ms. Page stated that the character of the neighborhood is changing and stated that she was in favor of the proposal.

Ms. R. L. Tilton, 2132 East 23rd Street, was present to address the Board and requested that the application be denied because there was no hardship involved.

David Scott, 2213 East 24th Street, was present to address the Board stating that the proposed house would blend in with the rest of the neighborhood and had no objections.

J. C. Morrison, 2132 East 24th Street, was present to address the Board stating that if the application was granted that it be moved 3' & 5" back further than was previously intended.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions" Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the setback requirements on a corner lot from 30' to 6' & 6" in an RS-2 District (South Zunis Avenue); and a variance of the rear yard requirement from 25' to 6' in accordance with the revised plot plan, and with the assurance that the building be constructed in accordance with the revised plans submitted, and subject to an elevation rendering being submitted for the file, on the following described property:

Case No. 11768 (continued)

Lot 22, Block 2, Wildwood Addition to the City of Tulsa, Oklahoma.

Case No. 11760

Action Requested:

Variance - Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances - Request for a variance of the size of a sign from 32 square feet to 48 square feet in an OL District, located at 2808 South Sheridan Road.

Presentation:

James Millspaugh, 6972 East 38th Street, was present to address the Board and submitted a drawing of the proposed sign (Exhibit "D-1"). The proposed sign will identify the University of Oklahoma Medical College teaching facility on South Sheridan. The subject property has a double zoning, IL and OL, with the proposed sign being placed on the OL portion. The University owns the land across from the subject property, which has a matching sign identifying the out-patient facility, but the zoning is different. The sign is non-illuminated.

Protestants: None.

Board Comments:

Mr. Lewis asked why the sign needs to be so large and Mr. Millspaugh advised that the sign was designed previously for a project and they are now requesting that they be permitted to use this sign. Mr. Lewis asked if this sign was the only one that will be placed on the subject property at this time and the applicant answered in the affirmative.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 620.2 (d) (1) - Accessory Uses Permitted in Office Districts - Under the Provisions of Section 1670 - Variances) of the size of a sign from 32 square feet to 48 square feet in an OL District, on the following described property:

A tract of land situated in the SE/4 of Section 15, Township 19 North, Range 13 East, Tulsa County, State of Oklahoma, more particularly described as follows, to wit: Beginning 170' South and 50' West of the Northeast corner of the SE/4 of the SE/4 of Section 15; thence South 125'; thence West 125'; thence North 125'; thence East 125' to the point of beginning.

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, located on the southwest corner of 61st Street and Zunis Avenue.

Case No. 11741 (continued)

Presentation:

Mark Crawford, representing Curtis Roberts, 3105 East Skelly Drive, Suite 517, was present to address the Board. The screening fence requirement concerns a new building being constructed on the subject property with an existing chain link fence on the west boundary line which was put up by the State. Mr. Roberts is willing to put up a fence on the south to screen off a residential section. The application concerns the screening requirement being waived on the west property line, but the applicant also wishes to waive the east screening requirement.

Protestants: None.

Comments:

Mr. Compton advised that the application was only advertised for a waiver of the west property line.

Mr. Jackere advised the applicant that the waiver for the east property line is not properly before the Board and has not been advertised. The applicant would have to come back before the Board for additional requests.

Board Action:

On MOTION of SMITH and SECOND by WAIT, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve an Exception (Section 250.3 (a) Modification of the Screening Wall or Fence Requirements - Under the Provisions of Section 1680 - Exceptions) for a modification of the screening requirements where existing physical features provide visual separation of uses on the west property line until such time that the property to the west is developed residentially, on the following described property:

Pecan Place Addition to the City of Tulsa, Oklahoma.

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 located at 453 South 61st West Avenue.

Presentation:

The applicant was not present to address the Board.

Mr. Compton advised that the applicant was notified by letter that the Board would either strike or deny the application if he was not present for this meeting.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to deny an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RM-1 District, on the following described property:

2.4.82:355(8)



Case No. 11746 (continued)

Lot 10, Block 4, Lawn Ridge Addition to the City of Tulsa, Oklahoma.

NEW APPLICATIONS:

Case No. 11790

Action Requested:

Variance - Section 1205 (a)-Off-Street Parking and Loading Requirements - Request for a variance of the required parking spaces (224) to (140) spaces, located at 5838 South Sheridan Road.

Presentation:

Wally Wozencraft, an architect, 5801 East 41st Street, was present to address the Board representing the owner of the property and submitted a plot plan (Exhibit "E-1"). The Asbury United Methodist Church is enlarging their facilities by adding to the sanctuary and the family life center. There will be 138 parking spaces available on the subject property. One space for 40 square feet of sanctuary seating area, or 278 parking spaces would be required for the subject area. The Church has used the large shopping center parking lot adjacent to the property for many years.

A. B. Steen, 5715 East 65th Place, was present to address the Board concerning the good relationship that the Church has with the shopping center and visa versa.

John McGraw, 7009 South Indianapolis Avenue, owner of the shopping center, was present to address the Board. Mr. McGraw advised the Board that the Church uses the shopping center parking lot approximately 4 hours on Sundays and the shopping center uses the Church parking lot when needed. Mr. McGraw stated that they would have no reluctance in giving the Church \$1 a year lease, but does not think it necessary.

Protestants:

Lewis Hayward, 6116 East 58th Street, was present to address the Board concerning the drainage and flooding problem in the subject area.

Board Comments:

Mr. Lewis was concerned that the Church needed a contract with the shopping center regarding the parking situation. Mr. Lewis asked if additional parking would be made available for the Church and Mr. Wozencraft advised the Board of the 5-acre tract across the street which the Church owns and plans to use for parking. There will be 217 parking spaces available on that tract.

Mrs. Miller advised the Board that the Zoning Code requires that all parking be on the lot with the use. The applicant has sufficient parking with the 217 additional spaces, but it is separated by the street.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 1205 (a) - Off-Street Parking and Loading Requirements) of the required parking spaces from 224 to 140 spaces, subject to the construction of the parking lot on the 5-acre

Case No. 11790 (continued)

tract as described by the applicant, and subject to approval of the City Hydrology Department, on the following described property:

All of that part of the N/2 of the East 3/4 of the SE/4 of the SE/4 of Section 34, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows, to wit: Beginning at the NE corner of said SE/4, SE/4; thence South  $0^{\circ}-10'-30''$  East along the East Boundary of Said SE/4, SE/4 a distance of 330.00'; thence due West 237.40'; thence to the left on a curve of radius 395' a distance of 212.18'; thence South  $58^{\circ}-49'-30''$  West a distance of 61.18'; thence to the right on a curve of radius 475' a distance of 130.40'; thence North  $3^{\circ}-36'-02''$  East a distance of 471.06' to a point in the North Boundary of said SE/4, SE/4, said point also being in the South Boundary of Block 7, Park Plaza, an Addition in Tulsa County, Oklahoma, according to the recorded plat thereof; thence due East a distance of 583' to the point of beginning.

Case No. 11791

Action Requested:

Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Request for permission to permit a mobile home in an AG District, located at 4531 North Mingo Road.

Presentation:

Penny Hembree, 3158 East 1st Street, was present to address the Board requesting that she be permitted to place her mobile home on her mother's property for herself and her blind daughter.

Protestants: None.

Board Comments:

Mr. Lewis asked if there were other mobile homes in the surrounding area and Ms. Hembree advised that there was a mobile home park approximately 200' away.

Mr. Lewis asked how large the subject property was and Ms. Hembree stated that the property is a 4 1/2 acre tract. Ms. Hembree advised that her mother's house and a vacant house to be used for a garage is located on the 4 1/2 acre tract.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve an Exception (Section 310 - Principal Uses Permitted in the Agricultural Districts) to permit a mobile home in an AG District for a period of 5-years, on the following described property:

The S/2, NW/4, NW/4, NW/4, LESS the West 40' thereof for road and LESS beginning at the SW corner of the S/2, NW/4, NW/4, NW/4; thence East 150'; thence North 70'; thence West 150'; thence South 70'; to a point of beginning, in Section 18, Township 20 North, Range 14 East in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11795

Action Requested:

Variance - Section 420.2 (d) Accessory Use Condition in Residential District (Signs) - Request for a variance of the allowed sign footage from 32 square feet of surface area to 40 square feet of surface area, located at 2821 West 40th Street.

Presentation:

Tom Gann, 2745 East Skelly Drive, was present to address the Board and submitted a photograph of the proposed sign (Exhibit "G-1"). After going before the City Commission, the applicant received permission to move the sign from its present location next to the building and the City's existing easement. Light industrial and commercial zoning surround the subject property.

Protestants: None.

Comments:

Mr. Jackere advised the applicant that he would need to come back to the Board if he should need further relief concerning the sign.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 420.2 (d) - Accessory Use Condition in Residential District (Signs) - of the allowed sign footage from 32 square feet of surface area to 40 square feet of surface area, on the following described property:

Lots 6-17, Block 39, in The Town of Red Fork, an addition to the City of Tulsa, Oklahoma.

Case No. 11796

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 RS-3 District; and, a

Variance - Section 410 - Principal Uses Permitted in Residential Districts - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670 - Variances - Request for a variance to permit a mobile home on a lot that has a residence on it, located at 1508 East 56th Street North.

Presentation:

Nancy Chartier, 1508 East 56th Street North, was present to address the Board requesting that her mobile home remain at the subject location for more than one year.

Protestants: None.

Board Comments:

Mr. Lewis asked if there were other residences on the subject tract and Ms. Chartier advised that her parents live on the subject tract also. Mr. Lewis asked if there were other mobile homes in the surrounding area and Ms. Chartier answered no.

Case No. 11796 (continued)

Mr. Smith advised the applicant that the Board could not grant her permission for the mobile home for more than one year because it was not properly advertised.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.6 - Mobile Homes) to locate a mobile home in an RS-3 District; and, a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 208 - One Single-Family Dwelling Per Lot of Record - Under the Provisions of Section 1670-Variations) to permit a mobile home on a lot that has a residence on it for a period of one (1) year with a removal bond required, on the following described property:

Lot 11, Block 2 Grimes Heights Addition to the City of Tulsa, Oklahoma.

Case No. 11798

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts - Request is to transfer permitted floor area in a portion of the tract zoned OL to existing structure in a portion of the tract zoned RS-3; and, a

Variance - Section 207 - Street Frontage Requirement - Request these residential lots be permitted to front on private street for security and privacy reasons in luxury development. This property is located at 2130 East 15th Street.

Presentation:

William Jones, 201 West 5th Street, Suite 400, was present to address the Board concerning the Gillette Mansion and submitted a plot plan (Exhibit "H-1"). Mr. Jones proceeded to read the following list of conditions and proposals concerning the use of the mansion and the seven (7) single-family homes proposed:

1. There will be a designer fence around the residential portion of the property including the preserved mansion (Area "A"), which will be included in the deed of dedication.
2. The 4 residences on the east side of the residential portion of the property will contain a minimum of 2,000 square feet each with 3 residences on the west containing a minimum of 2,500 square feet each excluding garages, porches, and terraces and that there be no more than a total of 7 residential units on the south 270' of the subject tract.
3. The designed character of the single-family residences would be the same Old English character as the existing Gillette Mansion with a minimum of 40% masonry construction on the exterior.

Case No. 11798 (continued)

4. The mansion would be used in an OL light office type use with the overall office use being confined to the mansion and the four (4) car garage with an office over the garage to be constructed north and east and forward of the mansion as shown on the plot plan.
5. There would be no ingress or egress from Yorktown Avenue to the OL office use portion of the property.
6. Aside from the 4-car garage office use, there will be no occupied structures north of the mansion.
7. There will be no high intensity lighting on the residential tract or the tract devoted to the OL office usage. The lighting on both tracts will be ordinary decorative lights with glare shields.
8. The 7 homes on the residential portion will be single-family detached units with attached garages.
9. The security gate shown on the south end of the residential portion of the property will be off set, located 30' east of the west property line and approximately 40' east from the curb.
10. In the event that the Gillette Mansion is destroyed or becomes uninhabitable or its use for office building purposes is abandoned, the owner of the property seeking to make the use different than RS-3 would have to make application to the appropriate Board or City Planning Commission.
11. The residential portion of the property is subject to approval of a subdivision plat and the plot plan.
12. There will be flexibility to permit moving the gate and the private cul-de-sac street if required to do so by the City.
13. That the plot plan become a part of the record.

Interested Party:

Hayden Crawford, attorney, First National Bank Building, was present to address the Board representing the Gillette Historical District as an interested party. Several other people were present as interested parties. Mr. Crawford advised that they had agreed to the restrictions as read by Mr. Jones.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 3-0-1 (Lewis, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; Purser, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in Residential Districts) to transfer permitted floor area in a portion of the tract zoned OL to existing and proposed new structures in a portion of the tract zoned RS-3; and, a Variance (Section 207 - Street Frontage Requirement) to allow the residential lots to front on private street for security and privacy reasons in luxury development, subject to the 13 conditions submitted and listed above by the applicant and agreed upon by the concerned parties, as per the plot plan submitted, on the following described property:

Case No. 11800 (continued)

Board Comments:

Mr. Lewis inquired about signs being used and Ms. Karlovich advised that there will be no exterior signs. The only sign will be on the door of the barber shop.

Mr. Jackere advised that the Zoning Code requires a 50,000 square-foot building to qualify for an exception. The request relief is advertised right, but labeled wrong. A use variance needs to be granted instead of a special exception because of the 50,000 square-foot requirement. Mr. Jackere asked if the barber shop has exterior access and Ms. Karlovich advised that it was within the building.

Mr. Smith inquired as to the principal use of the building and Ms. Karlovich stated that office use would be the principal use.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 620 - Accessory Uses Permitted in Office Districts) to permit a barber shop in an Office District, and to approve a Variance (Section 640 (3) - Special Exception Uses in Office District Requirements) to permit a barber shop in an office building in Braden Park with a maximum of 750 square feet, on the following described property:

Lot 4, Block 1, Quest Addition to the City of Tulsa, Oklahoma.

Case No. 11803

Action Requested:

Special Exception - Section 610 (640.2) - Principal Uses Permitted in Office Districts - Request to build apartments in an OM District; and, a

Variance - Section 630 - Bulk and Area Requirements in the Office Districts - Variance of the building setback around perimeter to permit a 10-foot setback except along West 11th Street (SW Blvd.) for which 25 feet is requested. Request for a variance of height requirements from 26' to 35'; and, a

Variance - Section 206 - Number of Dwelling Units on a Lot - Request for more than 40 units per platted lot, located at the west side of the Arkansas River at 11th Street.

Presentation:

Jim Bourey, 200 Civic Center, was present to address the Board representing the Department of City Development and submitted a preliminary site plan (Exhibit "K-1"). Mr. Bourey advised that the application involves the construction of 3-story structures containing 660 apartment units. The structures will be approximately 27' high plus 6' for the change in the elevation. The 660 units will be on a 24-acre tract.

Protestants: None.

Case No. 11798 (continued)

Lot 1, Seven Acres Place, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 11799

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from 30' to 17', located at the SW corner of 24th Street and Birmingham Place.

Presentation:

John Roberts, 2404 South Birmingham Place, was present to address the Board wishing to enclose his carport and make it into a garage. Mr. Roberts submitted three (3) pictures of the subject location (Exhibit "I-1") and a plot plan (Exhibit "I-2").

Protestants: None.

Board Comments:

Mr. Lewis asked how the garage aligns with the residences in the immediate area and Mr. Roberts advised that the carport does not extend out farther than the rest of the houses in the surrounding area.

Mr. Wait asked the applicant if he was going to increase the size of the area and Mr. Roberts answered no.

Board Action:

On MOTION of VICTOR and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the setback from 30' to 17', subject to the conditions stated by the applicant to enclose the existing structure, on the following described property:

Lot 6, Block 1, Quinlan Addition to the City of Tulsa, Oklahoma.

Case No. 11800

Action Requested:

Special Exception - Section 610 (640.6) - Principal Uses Permitted in Office Districts - Request to permit a barber shop in an office building, located northwest of 73rd Street and Braden Avenue.

Presentation:

Mary Karlovich, 2727 East 21st Street, was present to address the Board representing the developers of the Crockett-Ellison, Inc., Office Building at Braden Park. Ms. Karlovich submitted a landscape plan of the subject property (Exhibit "J-1"). The applicant requested that a 600 square-foot barber shop be permitted in a portion of the 26,000 square-foot office building.

Protestants: None.

Comments:

Mr. Compton advised that the Planning Commission approved a small portion of this area for OM zoning with some conditions or recommendations imposed. The applicant would be required to come back to the Board for approval of the site plan and no access to the west would be permitted from the portion recently zoned OM.

Mr. Lewis suggested that the building be limited to 30' in height.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 610 (640.2) - Principal Uses Permitted in Office Districts) to build apartments in an OM District, and, a Variance (Section 630 - Bulk and Area Requirements in the Office Districts) of the building setback around perimeter to permit a 10' setback except along West 11th Street (SW Blvd.) for which 25' is requested and to allow a variance of the height requirement from 26' to 35' with the building being no more than 30' from the ground (average grade) it's on, and, a Variance (Section 206 - Number of Dwelling Units on a Lot) for more than 40 units per platted lot, subject to the applicant coming before the Board with the final plans prior to the issuance of a building permit and subject to the applicant submitting a blue line copy of the colored exhibit, for the case file, on the following described property:

A tract of land described as being a part of Block six (6) according to the recorded plat of "RIVERVIEW PARK SECOND ADDITION, BLOCKS 5-12", an Addition to the City of Tulsa, Tulsa County, Oklahoma, being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a point, said point being the Southeast Corner of Block 5 as per said recorded Addition, also being a point in the North right-of-way line of West 17th Street; thence Due East along said North right-of-way line a distance of 53.42' to a point; thence South 20°-37'-44" East a distance of 74.80' to a point; thence Due West a distance of 116.52' to a point, said point being on the South right-of-way line of West 17th Street; thence South 48°-17'-07" West a distance of 42.69' to a point, said point being on the Easterly right-of-way line of South Jackson Avenue; thence South 42°-56'-36" East along the Easterly right-of-way line of said South Jackson Avenue a distance of 159.25' to a point; thence Due East a distance of 94.50' to a point; thence South 20°-57'-48" East a distance of 0.00'; thence along a curve to the left having a radius of 929.93' and a delta angle of 06°-31'-48", a distance of 105.98' to a point; thence South 27°-29'-36" East a distance of 280.73' to a point; thence along a curve to the right having a radius of 979.93' and a delta angle of 4°-42'-45", a distance of 80.60' to a point; thence South 22°-46'-51" East a distance of 270.16' to a point; thence North 67°-13'-09" East a distance of 139.93' to a point; thence North 43°-14'-08" East a distance of 135.00' to a point; thence North 24°-03'-24" East a distance of 243.52' to a point; thence North 46°-45'-52" West a distance of 135.00' to a point; thence North 17°-46'-20" East a distance of 116.30' to a point; thence North 46°-45'-52" West a distance of 125.00' to a point; thence North 26°-14'-41" East a distance of 188.22' to a point; thence North 46°-45'-52" West a distance of



Case No. 11803 (continued)

280.00' to a point; thence North  $24^{\circ}-48'-02''$  East a distance of 31.62' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 105.00' to a point; thence South  $69^{\circ}-48'-02''$  West a distance of 55.90' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 185.00' to a point; thence South  $69^{\circ}-48'-02''$  West a distance of 22.36' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 230.00' to a point; thence North  $05^{\circ}-34'-43''$  West a distance of 53.15' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 40.00' to a point; thence North  $05^{\circ}-07'-51''$  West a distance of 60.21' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 90.00' to a point; thence South  $69^{\circ}-48'-02''$  West a distance of 67.08' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 45.00' to a point; thence North  $12^{\circ}-46'-12''$  East a distance of 98.62' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 95.00' to a point; thence South  $70^{\circ}-59'-39''$  West a distance of 107.35' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 105.00' to a point; thence North  $00^{\circ}-01'-43''$  West a distance of 116.73' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 70.00' to a point; thence South  $78^{\circ}-13'-39''$  West a distance of 122.07' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 225.00' to a point; thence South  $76^{\circ}-55'-32''$  West a distance of 72.11' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 170.00' to a point; thence South  $66^{\circ}-10'-04''$  West a distance of 141.16' to a point; thence North  $46^{\circ}-45'-52''$  West a distance of 20.46' to a point on the East right-of-way line of Southwest Boulevard; thence South  $38^{\circ}-17'-51''$  West along said East right-of-way, a distance of 151.99' to a point; thence along said East right-of-way and along a curve to the left having a radius of 512.96' and a delta angle of  $36^{\circ}-20'-41''$ , a distance of 325.39' to a point; thence Due East a distance of 246.35' to a point; thence along a curve to the right having a radius of 597.96' and a delta angle of  $6^{\circ}-14'-08''$ , a distance of 65.08' to a point; thence South  $83^{\circ}-45'-52''$  East a distance of 148.94' to a point; thence along a curve to the right having a radius of 597.96' and a delta angle of  $37^{\circ}-00'-00''$ , a distance of 386.15' to a point; thence South  $46^{\circ}-45'-52''$  East a distance of 333.76' to a point; thence along a curve to the right having a radius of 741.20' and a delta angle of  $1^{\circ}-44'-07''$ , a distance of 22.45' to a point; thence South  $86^{\circ}-48'-12''$  East a distance of 65.61' to a point; thence South  $32^{\circ}-58'-28''$  East a distance of 93.33' to a point; thence South  $59^{\circ}-43'-11''$  West a distance of 37.06' to a point; thence South  $34^{\circ}-52'-04''$  East a distance of 0.00'; thence along a curve to the right having a radius of 741.20' and a delta angle of  $09^{\circ}-05'-53''$ , a distance of 117.70' to a point; thence South  $21^{\circ}-21'-00''$  West a distance of 70.51' to a point; thence South  $21^{\circ}-47'-22''$  East a distance of 0.00'; thence along a curve to the right having a radius of 691.20' and a delta angle of  $01^{\circ}-09'-38''$  a distance of 14.00' to a point; thence South  $20^{\circ}-37'-44''$  East a distance of 49.58' to THE POINT OF BEGINNING, said described tract containing 23.91 acres, more or less.

Case No. 11804

Action Requested:

Special Exception - Section 710 (740.1) - Principal Uses Permitted in Commercial Districts to allow multifamily use in a CS District; and, a

Variance - Section 730 - Bulk and Area Requirements - to allow a 380-foot building and adjacent parking structure and recreational buildings to service said multifamily building and 1,000,000 square feet of floor area in a CS District; and, a

Variance - Section 206 - Number of dwelling units on a lot to facilitate 295 residential units, located at the southwest corner of 81st Street and Lewis Avenue.

Presentation:

Mr. Lewis advised the Board that the applicant, Tom Tannehill, had written a letter (Exhibit "L-1") requesting that the case be continued to February 18, 1982.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to continue this case to the February 18, 1982 meeting.

Case No. 11805

Action Requested:

Special Exception - Section 410 - Principal Uses in Residential Districts - Request for office use in an RM-2 District. (out-patient stress therapy center) This property is located at 1432 South Carson Avenue.

Presentation:

The applicant was not present to address the Board.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to continue this case to the February 18, 1982 meeting.

OTHER BUSINESS:

Bus Shelter #154

Action Requested:

Request for Bus Shelter #154 to be approved.

Presentation:

Gary Crawford, Vice President of Public Transit Shelters, Inc. was present to address the Board requesting that the bus shelter be located in a park on Harvard Avenue and south of 47th Place. Mr. Crawford advised that he had checked with the head of the Parks Division and there was no problem.

Bus Shelter #154 (continued)

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve Bus Shelter No. 154.

Bus Shelter #155

Action Requested:

Request for Bus Shelter #155 to be approved.

Presentation:

Gary Crawford, Vice President of Public Transit Shelters, Inc., was present to address the Board requesting that the bus shelter be located north of 32nd Street on Memorial Drive. The proposed area is a traffic island which will be protected by another road behind the subject area and a row of trees on the center of the median.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve Bus Shelter No. 155.

Remarks:

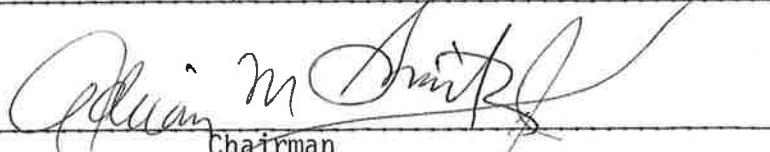
Mr. Jackere suggested the Board have two stamps for the file. One could be used for exhibits and another could be an approved stamp to label on a set of plans that was approved by the Board.

Mr. Jackere also suggested that the applicants be required to submit two sets of plans, because with an additional set of plans, a building permit could be issued much faster.

There being no further business, the meeting was adjourned at 4:00 p.m.

Date Approved

Mar 18, 1982

  
Chairman