

CITY BOARD OF ADJUSTMENT
MINUTES (No. 360)
Thursday, April 15, 1982, 1:00 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT

Lewis, Chairman
(in at 1:10 p.m.)
Purser (in at
1:10 p.m.)
Smith
Victor
Wait

STAFF PRESENT

Compton
Gardner
Jones
Martin

OTHERS PRESENT

Hubbard, Protective
Inspections
Jackere, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, on Wednesday, April 14, 1982, at 10:55 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 1:05 p.m.

MINUTES:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve the Minutes of March 18, 1982 (No. 358).

WITHDRAWN CASES:

Mr. Gardner advised the Board that Case No. 11922 had been withdrawn by the applicant.

Case No. 11736 Action Requested:

Consider amending the legal description for Case No. 11736.

Presentation:

Mr. Gardner advised that when the application was approved for the Y.W.C.A. at 1920 South Lewis Avenue, the minutes only included the one lot instead of all four. The minutes need to be changed to reflect the four lots which were advertised under that application, since the Board tied all of the properties together so they could not be sold individually.

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"; none "absent") to accept the amended description to include all four lots concerning Case No. 11736 as follows:

Lot 1, 2, 19, & 20, Block 7, Woodward Park Addition to Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 11879

Action Requested:

Minor Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the frontage requirements in an RS-3 District from the required 60' to 37.5' and 50'. This property is located NE of 35th Place South and Norfolk Avenue.

Presentation:

Lloyd Mihoover, 1131 East 35th Place, was present to address the Board and submitted a plot plan (Exhibit "A-1"). Mr. Mihoover advised that the Technical Advisory Committee recommended approval of the application, subject to sewer service and subject to this Board's approval.

Protestants:

A. E. Wiesen, 1119 East 35th Place, was present to address the Board in protest and submitted a letter so stating (Exhibit "A-2").

Board Comments:

Mr. Gardner advised that the Planning Commission had approved the variance on April 7, 1982, subject to the Board's approval.

SMITH made a MOTION to approve the application. Due to a lack of a second, the motion died.

Mrs. Purser asked if the duplex would have a 37.5' frontage and Mr. Mihoover advised that it would be a 39' frontage. Mr. Gardner advised that most of the lots in the area are about 50' and the vacant lot would be almost 50' (48.5').

Mr. Victor asked if the lot-split met the land area requirement and Mr. Gardner advised that it did not meet the requirement under RS-3 zoning, which is the reason for the variance.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-1-0 (Lewis, Purser, Victor, Wait, "aye"; Smith, "nay"; no "abstentions"; none "absent") to deny a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the frontage requirements in an RS-3 District from the required 60' to 39.0' and 48.5', on the following described property:

The East 87.5' of the S/2 of Lot 2, Block 2, Peoria Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma.

UNFINISHED BUSINESS:

Case No. 11846

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Variance of the minimum setback requirements in a CS District to allow a business sign. This property is located at 416 South Lewis 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 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to continue this item to the April 29, 1982 meeting.

Case No. 11876

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request permission to locate a mobile home in an RS-3 District; and a

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request permission to permit more than one dwelling on a lot. This property is located at 4116 North 96th East Avenue.

Presentation:

Arthur Pennington, 4123 North 95th East Avenue, was present to address the Board requesting permission to place his mobile home on the subject property. He advised the Board that a two-car garage and his grandmother's house were also located on this lot.

Protestants:

Jean Morgan, representing McDaniel-Parker Realtors and her client, was present to address the Board and advised that her client and the applicant both have the same legal description for their property. She presented her client's contract for the property showing the same description and submitted 3 pictures of the property (Exhibit "B-1"). She advised that permitting the mobile home at that location would devalue the property because of four junk cars which are parked in front of the home.

Board Comments:

Mr. Lewis asked if there were other mobile homes in the area and Mr. Pennington advised that there were several homes in the surrounding area and two mobile home parks close by.

Mrs. Purser advised that the cars need to be parked on a paved surface.

Applicant's Rebuttal:

Mr. Pennington advised that his grandfather owned the two acre tract previously and then sold half of his land with the legal description never being changed.

Case No. 11876 (continued)

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"; none "absent") to continue this item to April 1929, 1982, so that the Board members can view the site and also allow time so that the applicant can remove all of the vehicles from the subject property with the exception of the one(s) he drives.

Discussion:

Mr. Jackere advised that the variance is not needed because the Zoning Ordinance does not consider a mobile home to be a single-family dwelling.

Case No. 11877

Action Requested:

Variance - Section 620 - Accessory Uses Permitted in Office Districts - Request for a variance to allow an antique store in an existing office structure. The property is located at 1701 South Peoria Avenue.

Presentation:

Alan Garner, 1701 South Peoria Avenue, was present to address the Board and submitted nine (9) pictures of the subject property (Exhibit "C-1"). The property, previously used as an interior decorating shop, was purchased by the applicant in 1981 and is in the process of being brought up-to-date and being landscaped. Presently, there are four offices at this location including the antique shop, which is being requested. The shop is at this location illegally at the present time, and he is seeking approval by this Board.

Protestants:

Steve Clark, 1408 East 20th Street, president of Swan Lake Homewowner's Association, was present to address the Board and submitted a protest petition consisting of 43 signatures, (Exhibit "C-2"), six (6) pictures of the subject property (Exhibit "C-3"), and a page from the 1981 phone book listing Aireactor Service in the business pages, (Exhibit "C-4").

There are four offices in operation in this facility with the antique shop being the primary business. It is also being used for storage of vehicles from another business called Aireactor Service. He stated that he would object to any business encroachment into the Swan Lake Addition.

Grant Hall, 1202 East 18th Street, was present to address the Board representing the Maple Ridge Homeowner's Association. He submitted a protest petition, consisting of 61 signatures, (Exhibit "C-5").

Board Comments:

The Board felt that the applicant had not shown any hardship.

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"; none "absent") to deny a Variance (Section 620 - Accessory Uses Permitted in Office Districts) to allow an antique store in an existing office structure, on the following described property:

Lots 15 and 16, Block 24, Orcutt Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11881

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request for an exception to allow a restaurant grease re-processing business in an IL District. This property is located north and west of North 31st Street and Erie Avenue.

Presentation:

Gary Underwood, representing Clifton Brooks, 6344 East Apache Street, was present to address the Board seeking approval of the restaurant grease reprocessing business. Mr. Brooks purchases used grease from restaurants and heats it at 180° and separates the grease from the impurities. He sells the grease and impurities to plant industries for animal feed. The operation does not cause any nuisances or strong odor.

Protestants: None.

Board Comments:

Mr. Lewis asked if the operation was entirely enclosed and Mr. Underwood answered in the affirmative. Mr. Lewis then asked if there would be any outside storage and Mr. Underwood answered no. He also added that Mr. Brooks has a truck which he uses to transport the grease. He drives the truck into an opening where he drops the grease into a big vat for the heating process.

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"; none "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts) to allow a restaurant grease reprocessing business in an IL District, subject to no outside storage (other than designed storage tanks) being permitted, on the following described property:

The South 264.54' of the E/2 of the S/2 of the SE/4 of the NW/4, Section 22, Township 20 North, Range 13 East, Tulsa County, Okla., being more particularly described as follows: Beginning at the Southeast corner of said E/2, S/2, SE/4, NW/4; thence South 89°-58'-06" West a distance of 658.65' to the Southwest corner thereof; thence North 0°-10'-00" West a distance of 264.54'; thence North 89°-57'-56" East a distance of 658.65'; thence South 0°-10'-09" East a distance of 264.54' to the point of beginning.

Case No. 11896

Action Requested:

Special Exception - Section 630 - Bulk and Area Requirements in the Office Districts - Request to allow 40% lot coverage in an OL District; and a
Variance - Section 630 - Bulk and Area Requirements in the Office District - Request to permit computation of permitted floor area ratio on entire tract in common ownership, but divided by lot and zoning district line in order to reallocate permitted floor area ratio; and a
Variance - Section 1211.3 - Use Conditions - Request for a variance of off-street parking requirements. This property is located at the NE corner of 66th Street and Yale Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, was present to address the Board representing Warren Medical Research Center, and submitted a plot plan (Exhibit "D-1"), two (2) pictures of the subject property (Exhibit "D-2"), and the legal description of the property (Exhibit "D-3"). Mr. Johnsen advised that the subject property which is south of St. Francis Hospital will all be within one common ownership. The purpose for the request is to compute the land on the entirety of one tract as though it were platted as one lot and reallocate the permitted floor area to permit the construction of the new proposed building.

The proposed office building has 173,600 feet of floor area. Approximately 5.6 acres of the 24.5 acre subject tract is presently zoned OL. This Board has the right to grant a special exception for a .40 floor area ratio with no hardship being required.

There are presently 1,153 parking spaces provided and 636 proposed additional spaces with two levels of parking in the new parking structure. Many of the new offices will be general offices used for medical administrative personnel from the Hospital. If the building were considered for general office purposes they would have an excess of almost 570 spaces, but if it were considered all medical, they would be lacking approximately 160 spaces. The new parking construction will consist of 280 spaces for compact cars and the remaining for mid-sized cars.

Protestants: None.

Board Comments:

Mr. Lewis asked if additional parking could be added if necessary in the future and Mr. Johnsen assured the Board that there were several alternatives for additional parking and proceeded to explain them.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 3-0-2 (Lewis, Purser, Wait, "aye"; no "nays"; Smith, Victor, "abstaining"; none "absent") to approve a Special Exception (Section 630 - Bulk and Area Requirements in the Office Districts) to allow .40 floor area ratio in an OL District, and a Variance (Section 630 - Bulk and Area Requirements in the Office District) to permit computation of permitted floor area ratio on the entire tract in common ownership, but divided by lot and zoning district lines in order to reallocate permitted floor area ratio, and a Variance (Section 1211.3 - Use Conditions) of off-street parking requirements, subject to the execution of a tie contract, on the following described property:

Block 1, Warren Medical Professional Center and Lot 1 and Lot 2,
Block 1, William K. Warren Medical Research Center, Inc., both
Additions to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11900

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from 25' to 16' & 4" from 49th Street North. This property is located at 1624 East 49th Street North.

Presentation:

The applicant was not present to address the Board.

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"; none "absent") to continue this item to the April 29th, 1982 meeting.

Case No. 11906

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts and Section 910 - Principal Uses Permitted in Industrial Districts - Request for airport purposes located at 7777 East Apache St.

Presentation:

Carl Cannizzaro, Airport Engineer for Tulsa Airport Authority, was present to address the Board. The subject property which is located in the northwest corner of the airport was recently purchased by the Airport Authority, which is requesting that it be used for airport purposes. The airport is seeking to acquire all the land surrounding the airport.

Protestants: None.

Board Comments:

Mr. Lewis asked what the proposed use for this property was and Mr. Cannizzaro stated that it would be an extension of the FBO area.

Mrs. Purser asked about the rate in which they are acquiring land for the airport and Mr. Cannizzaro stated that they purchase about 5 parcels a month.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) and (Section 910 - Principal Uses Permitted in Industrial Districts) for airport purposes, on the following described property:

A tract of land in Section 23, Township 20 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as follows: Commencing at the Northwest corner of Section 23, Township 20 North, Range 13 East, Tulsa County, Oklahoma; thence South 89°-56'-18" East along the North line of said Section 23, a distance of 2,513.54'; thence South 03°-06'-59" West a distance of 40.06' to the point of beginning; thence South 89°-56'-18" East a distance of 466.96'; thence South 00°-03'-42" West a distance of 190.83'; thence South

Case No. 11906 (continued)

04⁰-05'-24" West a distance of 355.88'; thence South 07⁰-20'-14" West a distance of 347.05'; thence North 86⁰-53'-01" West a distance of 444.88'; thence North 03⁰-06'-59" East a distance of 867.61'; to the point of beginning.

NEW APPLICATIONS:

Case No. 11905

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard setback from 10' to 1' in an RM-2 District. This property is located at 1410 South Houston Avenue.

Presentation:

Julie Lamprich, P. O. Box 1679, was present to address the Board representing W. I. Builders, Inc., and Mr. and Mrs. Richard Remmer. Ms. Lamprich submitted a site plan (Exhibit "E-1") and two (2) pictures of the subject property (Exhibit "E-2"). Ms. Lamprich stated that the subject property consists of a four unit complex with the required eight (8) parking spaces. They are planning to cover the 4 spaces on the west side and are asking for a variance of the 10' side yard setback in order to do so.

Ms. Lamprich advised that she talked to the property owner whose land abuts the subject property to the south and he had no objections to the request.

Protestants: None.

Board Comments:

Mrs. Purser asked if it would be an open carport and Ms. Lamprich answered in the affirmative.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 2-1-2 (Victor, Purser, "aye"; Smith, "nay"; Lewis, Wait, "abstaining"; none "absent") to deny the variance.

Discussion:

Discussion ensued as to the appearance of the carport. Mrs. Purser stated that she would be in favor of the application if they had garages instead of carports.

Mr. Lewis asked the reason for the carports and Ms. Lamprich stated that it was to provide the residence one covered space per unit.

Board Action:

PURSER made a MOTION and WAIT SECOND it to approve the variance, subject to the applicant coming before the Board again with architectural drawings showing an enclosed garage.

Comments:

Mr. Jackere advised the Board that the purpose of the setback is for open space and requiring an enclosed garage is defeating that purpose.

Case No. 11905 (continued)

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"; none "absent") to continue this item to May 13, 1982, so that the applicant can return to the Board with several alternative plans to solve this problem other than the proposed solution.

Case No. 11907

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request for permission to allow mobile home sales in a CS district. This property is located at the SE corner of Admiral and Garnett Road.

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 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to continue this item to the April 29th, 1982 meeting.

Case No. 11909

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a childrens nursery in an RS-3 District. This property is located at 4824 South 72nd East Avenue.

Presentation:

The applicant was not present to address the Board.

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"; none "absent") to continue this item to the April 29th, 1982 meeting.

Case No. 11911

Action Requested:

Variance - Section 420.2 (4) 2 - Accessory Use Conditions - Request for a variance of the sign requirements in an RS-3 District from 32 square feet to 192 square feet for a church. This property is located at 1212 South 129th East Avenue.

Presentation:

Fred Millender, 1212 South 129th East Avenue, was present to address the Board and submitted a zoning map showing the subject property (Exhibit "F-1"). Mr. Millender asked permission to construct a 24' wide and 8' high sign on the 16-acre tract for a church. The sign will be lighted. The sign will state the name of the church, the address, and order of services and will face toward 129th Street.

Case No. 11911 (continued)

Protestants: None.

Board Comments:

Mr. Lewis asked what was across the street from the church and Mr. Millender stated that a business and two (2) residences are located across the street.

Mr. Gardner stated that the size of the tract is significant; a small lot with a large sign would not be appropriate. The applicant is permitted 3 signs on the subject property 32 sq. ft. for each sign for a total of 96 sq. ft..

The Board stated that they would like to see the sign before a decision was made. Mr. Millender stated that the sign itself will not be 8' x 24', but has 4' of planters on each end.

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"; none "absent") to continue to May 13, 1982, so that the applicant might return with a dimensioned picture of what the sign is to look like.

Case No. 11912

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow church use and related facilities in an RM-2 District. This property is located at the NW corner of 5th Street and Birmingham Avenue.

Presentation:

The applicant was not present.

Mr. Smith advised that a portion of the property needs to be readvertised. He also advised that the attorney involved with this case had written a letter requesting a 30-day continuance.

Interested Party:

There was an interested party present, but had no objections to a continuance.

Protestants: None.

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 continue this item to the May 13th, 1982 meeting.

Case No. 11913

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the required setback from Delaware Place from 55' to 26'. This property is located at 2202 South Delaware Place.

Case No. 11913 (continued)

Presentation:

David Dalton, 2202 South Delaware Place, was present to address the Board and submitted a plot plan (Exhibit "G-1"). Mr. Dalton is proposing to construct a new garage since the old garage was turned into living quarters. The garage will be attached to the back of the house.

Protestants: None.

Board Comments:

As discussion ensued, it was found that the plot plan had an error. The applicant corrected the plot plan and initialed it.

Mr. Jackere advised that if the garage were detached, it could come within 3' of the rear property line.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the required setback from 22nd Street from 55' to 26', per plot plan as corrected, on the following described property:

Lot 1, Block 2, Bryn-Mawr Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11914

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a gymnasium and related parking as an accessory use to a church; and a

Variance - Section 1205.3 - Use Conditions - Request for a variance of the one-acre minimum to .8 acre. This property is located at the SE corner of 2nd Street and 66th East Avenue.

Presentation:

The applicant was not present.

Mr. Gardner submitted a letter requesting a continuance of this case (Exhibit "H-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"; none "absent") to continue this item to the April 29th, 1982 meeting.

Case No. 11915

Action Requested:

Variance - Section 420 (d) 1 - Accessory Use Conditions - Request for a variance of the height requirement from 15' to 20' and from surface area up to 244 square feet. This property is located at 12310 East 21st St.

Case No. 11915 (continued)

Presentation:

C. E. Richards, 13711 East 66th Street North, Owasso, Oklahoma, was present to address the Board representing Eastland Assembly of God Church, and submitted a picture of the proposed sign (Exhibit "I-1"). Mr. Richards described the proposed sign which has steel studding on the bottom and has plastic letters. The sign will state the name of the Church and will have a cameo figure with three crosses in the middle. The sign will have flood lights from the ground and will be neatly landscaped. The overall height of the sign is 20' high. The monument part of the sign is 4' x 24' or 96 square feet with a 4' x 8' signboard or marquee.

Protestant:

Mr. Lewis advised the Board of a protest letter from John Johnson stating six (6) reasons for opposing the sign (Exhibit "I-2").

Grace Johnson, 12314 East 20th Place, was present to address the Board in opposition to the sign and submitted a protest petition, containing approximately 15 signatures (Exhibit "I-3").

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to deny a Variance (Section 420 (d) 1 - Accessory Use Conditions) of the height requirement from 15' to 20' and to approve a Variance (Section 420 (d) 1 - Accessory Use Conditions) for the sign in so far that it extends to the 96 square-foot base and the 32 square-foot signboard (Marquee) for a maximum total of 128 square feet, to approve the proposed sign excluding the height variance and the cameo, on the following described property:

A tract of land located in the NE/4 of the NW/4 of the NE/4 of Section 17, Township 19 North, Range 14 East, Tulsa County, Oklahoma; more particularly described as: Beginning at the Northwest corner of said NE/4, NW/4, NE/4, 200' East to a point of beginning; thence South 150'; thence East 150'; thence North 150'; thence West 150' to the point of beginning.

Case No. 11916

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow a duplex in an RS-3 District. This property is located at 5730 East 21st Street.

Presentation:

Dwight Smith, 5730 East 21st Street, was present to address the Board and submitted a plot plan (Exhibit "J-1"). Mr. Smith is requesting to build onto his house on the second floor. His daughter will live there to help care for Mr. Smith's invalid mother-in-law. The proposed request includes a kitchen for the second floor addition.

Linda Smith, Mr. Smith's daughter, was present to address the Board and stated that she needs a self-contained place where she can cook her own meals. She advised the Board that the addition would not be used for rental purposes.

Case No. 11916 (continued)

Protestants:

Mrs. Lewis Clark, 5729 East 21st Place, was present to address the Board and submitted eight (8) letters of protest from neighbors (Exhibit "J-2"). She referred to the protective and restrictive covenants which would be violated if the application was approved. She stated that only single-family dwellings should be permitted to exist in the subject area. She felt that the addition might be used for rental purposes in the future and was opposed to that use.

Louis Rockecharlie, 5722 East 21st Place, was present to address the Board in protest and felt that the proposal might set a precedent in the area if it was approved.

Board Comments:

Mrs. Purser advised the applicant that the Board is concerned that the addition might be used for rental purposes in the future.

Mr. Lewis asked if the house would have an inside or outside entrance for the addition and Mr. D. Smith stated that there would be both an inside and outside entrance. Mr. A. Smith suggested that a document be filed with the County Clerk's Office, which would run with this property stating that it could not be used for duplex purposes and to run with this owner only.

Mr. Gardner and Mr. Jackere felt that there would be a problem with enforcing such a restriction.

Mr. Gardner stated that since the proposed addition includes adding a separate entrance and kitchen that the house would be considered as a duplex, two dwelling units on the same lot of record. If the proposed kitchen were not included, a building permit could be issued without permission from this Board.

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"; none "absent") to deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow a duplex in an RS-3 District, on the following described property:

Lot 13, Block 2, Mary Frances Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11917

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agricultural District - Request for a mobile home in an AG District. This property is located at the NE corner of 81st Street and Elwood Avenue.

Presentation:

The attorney representing Gary Brosel, P. O. Box 1093, was present to address the Board requesting that his client be permitted to locate his mobile home on the subject property. There are two other mobile homes in the immediate area.

Protestants: None.

Case No. 11917 (continued)

Board Comments:

Mrs. Purser was concerned about the area because there are many conventional homes surrounding the subject request.

The Board inquired about the subject property and the attorney stated that the property has been used for a mobile home previously. It has electricity on the property presently.

Mr. Lewis suggested that the Board continue the item so that they could view the site. The applicant stated that those people surrounding the subject property were notified of the application. Mr. Lewis suggested that the applicant obtain the signatures of those people surrounding the subject property and also bring a picture of the mobile home at the next meeting.

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"; none "absent") to continue this item to April 29th, 1982 meeting.

Case No. 11918

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback requirement from 84th Street and Urbana Avenue. Also request for a variance of the rear yard setback from 25' to 21'. This property is located at 8405 South Urbana Avenue.

Presentation:

Michael Fink, 7268 South Jamestown Avenue, was present to address the Board and submitted a plot plan (Exhibit "L-1"). Mr. Fink is proposing to build a \$220,000 house on the subject property. He is proposing to build the house on the 20' building line instead of the required 30', with a rear yard setback of 21' instead of 25'. The side yard will have a 15' building setback instead of 30'. He will have a 10' easement on the north part of the lot and a 5' easement on the east side.

Protestants:

Ron Perceful, 4706 East 84th Street, was present to address the Board and reviewed the plot plan. He felt that the construction of the proposed house would be in violation of the restrictive covenants for the subdivision. He also felt that the applicant did not show a hardship.

Board Comments:

The Board expressed a concern with the building line setback on 84th East Avenue.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to deny a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the building line setback on 84th East Avenue; and to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the building line setback on Urbana and a variance of the rear yard setback from 25' to 21', subject to the approved

Case No. 11918 (continued)

portion being in accordance with the plot plan submitted, on the following described property:

Lot 1, Block 3, Brookwood II Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11919

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard requirement from 5' to 3' in order to construct a garage. This property is located at 1211 East 21st Street.

Presentation:

William Tucker, 1211 East 21st Street, was present to address the Board and submitted a floor plan and elevation plan (Exhibit "M-1") and a plat (Exhibit "M-2"). Mr. Tucker is proposing to construct a three (3) car garage and is asking for a variance of the side yard requirement from 5' to 3'. Mr. Tucker advised that there was originally no side yard lot restriction on this area when the house was constructed.

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"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard requirement from 5' to 3' in order to construct a garage, as per plot plan submitted, on the following described property:

The East 75' of Lot 6, Block 4, Maple Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11920

Action Requested:

Variance - Section 630 - Bulk and Area Requirements in the Office District - Request for a variance of the building height from 1-story to 2 stories and a variance of the open space, as per plot plan. This property is located at the SE corner of 71st Street and Trenton 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 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to continue this item to the April 29th, 1982 meeting.

Case No. 11921

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard setback from 10' to 5' in order to construct a garage. This property is located north of the NE corner of 14th Street and Galveston Avenue.

Presentation:

Steve Turner, representing Jack Barber, 1308 Philtower Building, was present to address the Board on behalf of Turner/Fox Architects. Mr. Turner submitted a plot plan (Exhibit "N-1"). The applicant is proposing to put two, 2,500 square-foot units on the subject property. The garage which is proposed will only allow for a 5' setback instead of 10'. The units conform to the 10' setback, but the garages do not. The neighbors are not in opposition to the garage construction.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard setback from 10' to 5' in order to construct a garage, per plot plan submitted, on the following described property:

Lot 9, Block 11, Childers Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11923

Action Requested:

Special Exception - Section 610 - Principal Uses Permitted in Office Districts - Request for townhouse use in an OL District; and a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - to allow a variance of the rear yard setback from 20' to 15'; and a variance of the side yard setback from 10' to 8 1/2'. This property is located at 2143 and 2135 East 48th Place.

Presentation:

Gary LaGere, Builder for Bolewood Place, P. O. Box 35941, was present to address the Board stating that most of the houses in the area are approximately \$300,000 homes and have small yards with a large security wall around the homes. The Neighborhood Architectural Committee has approved the proposed building plans for the townhouse use at the subject location. The two neighbors whose homes are immediately north of the proposed houses stated in a letter that they did not object to the request. Mr. LaGere submitted that letter written by Jack Harwood (Exhibit "O-1").

Protestants: None.

Board Comments:

Mr. Lewis asked how high the security wall was and Mr. LaGere stated that it is approximately 6 or 7 feet high.

Case No. 11923 (continued)

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"; none "absent") to approve a Special Exception (Section 610 - Principal Uses Permitted in Office Districts) for townhouse use in an OL District; and a Variance (Section 430 - Bulk and Area Requirements in a Residential District) of the rear yard setback from 20' to 15'; and a variance of the side yard setback from 10' to 8 1/2' on the following described property:

Lots 9 and 11, Block 1, Bolewood Place Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11924

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the required minimum setback from the centerline of an abutting street, (North Toledo Avenue) to allow construction of a garage. This property is located at 1432 North Toledo Avenue.

Presentation:

George L. de Verges, 4111 South Darlington Avenue, Suite 600, was present to address the Board and submitted a plat of survey (Exhibit "P-1") and a rough sketch of the proposed construction (Exhibit "P-2"). Mr. de Verges, representing Mr. and Mrs. Terry Luthy, owners of the property, advised that they will be constructing a 19' garage which will encroach 2' into the 25' building line. He will be enclosing the building because he has many work items and equipment for which he will store there. The garage construction will be in keeping with the house. There is presently a carport at this location which will be torn down to build the garage.

Interested Party:

Jack Grant, 1425 South Sandusky Avenue, was present as an interested party and had no objections.

Protestants: None.

Board Comments:

Mr. Jackere advised that the applicant does not meet the side yard requirement and will be encroaching on that side presently. They will be moving the garage 5' back so that there will be a 5' setback for the side yard requirement.

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"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the required minimum setback from the centerline of an abutting street (North Toledo Avenue) to allow construction of a garage, subject to the side yard being a minimum of 5', on the following described property:

Lot 4, Block 2, C. A. Reese Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11925

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance from 25' to 5' to allow the enclosing of an existing swimming pool. This property is located at 4407 East 46th Street.

Presentation:

Stephen Olsen, 324 East 3rd Street, was present to address the Board and submitted a site plan (Exhibit "Q-1") and five (5) pictures of the house and the swimming pool (Exhibit "Q-2"). Mr. Olsen stated that the owner of the property is proposing to enclose his existing swimming pool. The enclosure around the back yard is presently 6'. Mr. Olsen advised that landscaping will be included in the back yard enclosure to improve the appearance and for more protection.

Protestants: None.

Board Comments:

Mr. Gardner advised that prior to 1970, the Ordinance allowed a 5' side yard setback and the existing house was constructed prior to 1970.

Mr. Victor inquired about the material to be used for the enclosure and Mr. Olsen advised that it would be brick, wood and glass to tie in with the architecture of the house.

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"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) from 25' to 5' to allow the enclosing of an existing swimming pool, per site plan submitted, on the following described property:

Lot 27, Block 6, Patrick Henry Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11927

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request for a second dwelling on a lot of record. (attached garage with living area.) This property is located at 3640 South Lewis Avenue.

Presentation:

The applicant was not present to address the Board.

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"; none "absent") to continue this item to the April 29th meeting.

Case No. 11928

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in a Residential District - Request for a variance of the setback requirement in an RS-3 District from 50' to 33½'. This property is located at 3722 South Norfolk Avenue.

Presentation:

Carrie Megill, 3722 South Norfolk Avenue, was present to address the Board and submitted a plot plan (Exhibit "S-1"). The applicant is proposing to place a studio storage building on her property. She stated that it will be in line with the neighbors building on their property. There will be no driveway going to the storage building.

Protestants: None.

Board Comments:

Mr. Lewis asked what the proposed use would be and Ms. Megill stated that it would be used to store work equipment such as lawn mowers, bicycles... It will be like a garage but will have no driveway.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in a Residential District) of the setback requirement in an RS-3 District from 50' to 33½', per plot plan, on the following described property:

Lot 18, Block 1, Riverlawn Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11930

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts - Request for a variance to permit office use in an RS-1 District. This property is located at 3334 East 41st Street.

Presentation:

Jim Shaffer, representing Al Osko, 5711 East 33rd Court, was present to address the Board and submitted two (2) pictures of the subject property (Exhibit "T-1"). Mr. Osko is proposing to use the existing building in its present condition as an office. The 100' x 200' lot is surrounded by residences to the south. Mr. Shaffer advised that no changes would be made to the exterior of the building. The owner of the property, J. D. Spitzer, previously used his property as rental property, but has found it difficult to keep a renter at this property. Office use is now the proposed use for the property.

Protestants:

Ruth Richards, 3732 East 47th Place, was present to address the Board representing the District 6 Steering Committee of the Greater Tulsa Council. She stated that the Committee voted unanimously to oppose the change in use of the property from residential to office. They feel that it would be a detriment to the area and will impair the Zoning Code and District 6 plans. She advised that there are 2 other residential properties in that area being used as office space which are in violation of the law.

Case No. 11930 (continued)

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"; none "absent") to deny a Variance (Section 410 - Principal Uses Permitted in Residential Districts) to permit office use in an RS-1 District, on the following described property:

The West 100' of Lot 25 and the West 100' of Lot 26, Block 1,
Villa Grove Heights Number I Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Discussion:

There were several protestants who were concerned about the two other residential properties that are being used as office use. The Board advised them to take their complaints to the City Building Inspector, City Commission or City Prosecutor.

Case No. 11931

Action Requested:

Variance - Section 430 - Bulk and Area Requirement in a Residential District - Request for a variance of the required setback from South Winston Avenue from 50' to 43'; and Section 420.2 (a) 2 - Accessory Use Conditions in Residential Districts - Request for a variance to construct an accessory building in the side and front yard. This property is located at 7638 South Winston Avenue.

Presentation:

Wylie Baker, 6306 South 116th East Avenue, was present to address the Board representing Amos Baker, and submitted a site plan (Exhibit "U-1"). Mr. Baker advised that the accessory building encroaches on the front lot line 15' and the side lot line 5'.

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"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District) of the required setback from South Winston Avenue from 50' to 43', and a Variance (Section 420.2(a) 2 - Accessory Use Conditions in Residential Districts) to construct an accessory building in the side and front yard, as per plot plan submitted, on the following described property:

Lot 6, Block 1, Southern Heights Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11932

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Request for a variance to allow a lot-split; and a Special Exception - Section 410 - Principal Uses Permitted in a Residential District - request to allow a duplex use in an RS-3 zoned district; and a Variance - Section 430 - Bulk and Area Requirements in

Case No. 11932 (continued)

a Residential District - request for a variance in the rear yard setback from 20' to 15'. This property is located at 1404 East 55th Street.

Presentation:

Russ Roach, 209 East 21st Street, was present to address the Board and submitted nine (9) pictures of the subject property (Exhibit "V-1"), and a handout consisting of a site plan and description of the property (Exhibit "V-2"). The subject lot is 100' x 190' and the applicant is requesting a lot-split to create two lots, both to exceed 9,000 sq. ft. Mr. Roach's client intends to tear down the existing old frame house structure and build a duplex, which will be of the same plans as his three (3) duplexes to the east. There are duplexes located to the north, south and west.

Protestants: None.

Board Comments:

Mrs. Purser asked what the duplex would be constructed of and Mr. Roach stated that it would be basically compatible with the existing duplexes on the east. It will be a combination of brick with wood shingles.

The applicant advised that the case was to be heard on April 15, 1982, but was not put on that agenda. It will come before the Planning Commission in a week. Mr. Gardner advised that if this Board approved the application, the Planning Commission would not be required to approve it if the lot-split were inappropriate for the area.

Board Action:

On MOTION of SMITH and SECOND by VICTOR, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in a Residential District) to allow for a lot-split, and a Special Exception - (Section 410 - Principal Uses Permitted in a Residential District) to allow a duplex use in an RS-3 zoned district; and a Variance (Section 430 - Bulk and Area Requirements in a Residential District) of the rear yard setback from 20' to 15', per plot plan submitted, and subject to the Planning Commission approval, on the following described property:

Lot 2, Block 3, J. E. Nichols Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11926

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to construct and operate a private recreational facility in a CS District; and a Special Exception - Section 1030 - Special Exception Uses in a Floodway - request to construct and operate a recreational facility in an FD District. This property is located south and west of 101st East Avenue and I-44.

Presentation:

William J. Doyle, attorney, 201 West 5th Street, was present to address the Board and submitted a plot plan (Exhibit "R-1"), a zoning map (Exhibit "R-2"), two pages of information concerning the operation (Exhibit "R-3"), and two pictures (Exhibit "R-4"). The subject tract is presently zoned CS with FD zoning on the north part of the tract.

4.15.82:360(21)

Case No. 11926 (continued)

The specific use for the tract is for a skilled driving facility using the owner's standard manufactured vehicles, which will not go faster than 35 mph on the fastest tract with starting engines of less than 35 horsepower. The vehicles are slightly less noisy than a Pontiac Ventura and quieter than a street legal mid-sized motor bike. No two cars will ever race against one another.

The plans show a 60' x 120' grounds repair office, maintenance and concession stand building which will be located in the CS zoned portion of the subject tract. The tract will be generally located in the FD zoned area. Approximately 60 parking spaces will be provided for the patrons.

Ron Kelly was present to address the Board concerning access. He advised that the best access into the tract would be off Mingo Valley and the best way out of the area is directly on I-44. He stated that the 21st Street off-ramp is right in front of their property off of Skelly Drive where you turn directly onto the property. One would come off of the expressway which will match up with the driveway leading to the area.

Protestants:

Jim Beauchamp, attorney, 6 East 5th Street, was present to address the Board and advised that an office building is proposed for the intersection of 15th and 101st Streets. Mr. Beauchamp stated that the proposed driving facility would not be compatible with the office use or the residential area. He felt that the applicant did not show a hardship.

Marcy Platt, who resides at the corner of 15th Street and South 103rd East Avenue, was present to address the Board stating the problem with the floodplains. She also stated that access into the area would be a big problem to the property owners in this area. She was also concerned about the increase in noise and traffic.

Board Comments:

The Board was concerned about the noise caused by the cars and also inquired about any loud music (outside speakers) to be used. Mr. Doyle stated that the cars would be no louder than a Pontiac Ventura and stated that there would be no loud speakers or music outdoors.

Mrs. Purser inquired about the lighting used and Mr. Doyle stated that the lights would all be directed inward.

Mr. Lewis asked how many cars would be used for the operation and Mr. Doyle stated that there would be a maximum of 8 cars on a tract at any one time.

Mr. Jackere stated that there is a fencing requirement for a portion of the property. Mrs. Purser suggested that a screening requirement be imposed until such time that the property to the north develops residentially.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-1-1 (Lewis, Purser, Victor, "aye"; Wait, "nay"; Smith, "abstaining"; none "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to construct and operate a private recreational facility in a CS District; and a Special Exception (Section 1030 - Special

Case No. 11926 (continued)

Exception Uses in a Floodway) to construct and operate a recreational facility in an FD District, subject to the following conditions:

(1) That access to the property come only off of I-44 with no other openings and as presented by the applicants; (2) that lighting be directed inward; (3) that no loud music or loud speakers or PA system be permitted on the subject property; (4) that a screening requirement be imposed around the property when and if the surrounding property is developed as residential; (5) if advertising is used with the location, it should be stated to take Skelly Drive or I-44, or use the Cloverleaf in their publicity; and (6) to include all the materials, plot plan and representations presented; that eight (8) cars are the maximum number which is permitted on any one tract at a time, that they will not exceed 35 mph, and that they will not exceed 35 horsepower engines, and will be no louder than a regular automobile (Pontiac Ventura), on the following described property:

Lots 1 & 2, Block 2, Magic Circle Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, LESS and EXCEPT the West 300' of the aforesaid Lot 1.

Further Comments on Case No. 11926:

Clarification concerning Case No. 11926:

Presentation:

William J. Doyle and Ron Kelly came back before the Board to affirm the Board's understanding of their request. Mr. Doyle stated that the cars would not exceed 35 horsepower and 35 mph and that there would be no more than 8 cars per tract, (3 tracts). One tract will be limited to 7- to 10-year olds, one is for 10- to 14-year olds and the third one for licensed drivers, or for those who have their parent's approval and a temporary drivers license and are attending a drivers training class in school. Mr. Doyle stated that the facts which he presented concerning the cars represents the biggest one and the loudest one.

Comments:

The Board understood it to be one tract with one kind of car.

Mr. Gardner stated that the request was approved per plot plan, which shows three (3) tracts and the Board's Motion limited each tract to 8 cars per tract at any one time.

OTHER BUSINESS:

Mr. Gardner recommended to the Board that they establish a policy which would deal with applicants that do not show up at the advertised public hearing. Oftentimes there are protestants who have sat through the entire meeting only to have the Board continue the case.

He stated that the Planning Commission has a policy that if an item is to be continued, that it has to be in writing and be submitted by Monday noon preceding the public hearing date. It can then be disposed of at the beginning of the meeting. If the applicant does not show up, or meet the requirements for a continuance, the Board can strike it, dismiss it, or deny it, but not on the merits. The applicant will then have to refile and pay additional fees if the case is heard. An exception to the policy would be an emergency, but as a general rule, the applicant

Other Business: (continued)

should be present and ready to proceed.

Mr. Mackere suggested that the Board think about the policy and it be placed on the next meeting agenda.

There being no further business, the Chair declared the meeting adjourned at 5:35 p.m.

Date Approved _____

5/27/82

Chairman