

CITY BOARD OF ADJUSTMENT
MINUTES (No. 362)
Thursday, May 13, 1982, 1:00 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Lewis, Chairman Purser Smith Wait	Victor	Gardner Jones Martin	Hubbard, Protective Inspections Jackere, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Wednesday, May 13, 1982, at 11:12 a.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Chairman Lewis called the meeting to order at 1:15 p.m.

MINUTES:

The Board desired to wait until the May 27, 1982 meeting to consider approval of the April 15, 1982 (No. 360) Minutes.

WITHDRAWN CASE:

Ricky Jones advised the Board that Case No. 11966 had been withdrawn.

UNFINISHED BUSINESS:

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:

Ella Mae Caddy, 1624 East 49th Street North, was present to address the Board and submitted a plot plan (Exhibit "A-1"). Ms. Caddy is proposing to add a double carport and driveway to her house.

Protestants: None.

Board Comments:

Mr. Lewis asked what materials the carport would be constructed of and Ms. Caddy stated that the carport would have a wood roof with brick posts.

Mr. Smith asked if she had spoken with her neighbors about the proposed addition and Ms. Caddy stated that she had talked to her immediate neighbors and none of them have any objections.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the setback from 25' to 16' & 4"

Case No. 11900 (continued)

from 49th Street North, per plot plan submitted, on the following described property:

Lot 1, Block 13, Northridge Addition to the City of Tulsa,
Tulsa County, Oklahoma.

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 Richard and Kathleen Reemer and W. I. Builders, Inc. Ms. Lamprich stated that the case was continued at the April 15, 1982, meeting so that another plan could be submitted depicting covered enclosed garages. Ms. Lamprich submitted the new revised plan (Exhibit "B-1").

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard setback from 10' to 1' in an RM-2 District, and approve the revised plans as submitted, on the following described property:

Lot 10 of the Resubdivision of Block 10 of the Resubdivision of Blocks 1, 9, 10 and 14, Norvell Park Addition to the City of Tulsa, Tulsa County, Oklahoma.

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, 12805 East 13th Street, was present to address the Board and submitted a drawing of the proposed sign (Exhibit "C-1"). The case was continued previously so that the applicant could come before the Board with a drawing of the sign.

Protestants: None.

Board Comments:

Mr. Smith asked where the sign would be located on the subject property and Mr. Millender advised that the sign would be 200' from the centerline of 129th East Avenue.

Case No. 11911 (continued)

Mr. Gardner stated that the proposed sign, excluding the brick planter and support posts, is 6½' x 20' which equals 130 square feet. The applicant has 1,000 feet of frontage on the major street. The site has three street frontages, and therefore, is permitted three (3) signs, each having 32 square feet for a total of 96 square feet.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 420.2 (4) 2 - Accessory Use Conditions) of the sign requirements in an RS-3 District from 32 sq. ft. to 192 sq. ft. for a church, per drawing submitted, on the following described property:

Lot 1, Block 1, East Central Heights Tabernacle Addition in the City of Tulsa, Tulsa County, Oklahoma.

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; and a Variance - Section 1205.3 - Use Conditions - Request for a variance of the one acre minimum lot area. This property is located at the NW corner of 5th Street and Birmingham Avenue.

Presentation:

Robert L. Lawrence, 525 South Main Street, attorney was present to address the Board, representing the applicant who is the President of the Moslem Students Association of Tulsa. Mr. Lawrence submitted several drawings consisting of floor plans; north, south, east and west views; a basement plan (Exhibit "D-1"). The request is for permission to establish a prayer center for those students who attend Tulsa University. The students desire a location close to the school where they can satisfy their prayer obligations to their deity. The subject tract contains 1,600 sq. ft. and the property at 6th Street and Birmingham Avenue, which is owned by the organization, is proposed for additional parking. Most of the students live within walking distance of the subject tract.

Tara Conswatta, President of the Organization, was present to address the Board stating that the organization is oriented to university students and presently have 120 chapters in the United States. The organization is registered with the U. S. Government as a non-profit organization. They are requesting a place where they can pray and have meetings and celebrations. The main use will be for their congregational meeting which meets every Friday at 1:30 p.m.

Interested Party:

Eugene Colleoni, District #4 Chairman of the Greater Tulsa Council, was present to address the Board stating that there are several other churches in the surrounding area. He felt that they should be allowed their freedom to pray and worship their deity also. He strongly urged the Board to approve the application.

Protestants:

Ron Ripson, 2630 South Troost, was present to address the Board on behalf of his grandmother, Pearl Harwell, 2528 East 4th Place. He submitted eight (8) pictures of the surrounding area (Exhibit "D-2"). He advised that the alley between 4th Place and 5th Street is in poor condition and there are presently 42 apartment units which use this for their ingress and egress.

Paul McGinnis, 1256 East 30th Street, was present to address the Board as an alternative representative to the District 6 Steering Committee. Mr. McGinnis advised that there are no parking zones on Birmingham, 5th Street, and 4th Place, which presently limits the amount of parking.

Jean Buttrey, 9126 East 17th Street, was present to address the Board stating that she and her husband are stockbrokers and own several buildings in the subject area. She felt that the area would be better used for apartment use.

Phil Foristell was present to address the Board on behalf of the property owner of 2526 East 5th Place concerning the poor parking conditions.

Ron Six, 2602 East 4th Place, Director of Tulsa Youth for Christ, was present to address the Board stating that their property is located immediately north and east of the subject property. Mr. Six stated that the youth center has a parking problem presently, and could be increased if the proposed use were approved.

Board Comments:

Mr. Lewis inquired about the days and hours required for the facility and Mr. Conswatta stated that they would come every day to pray and would hold their congregational meeting every Friday at 1:30 p.m. Approximately 100 people would attend on Friday with no more than 15 driving their cars. Mr. Conswatta stated that they would also like to have a place in the facility for their children to play and also be taught some of the religious practices.

Mr. Gardner advised that the application was not properly advertised for a relief on the parking. They presently have 22 parking spaces and need 35.

Mr. Jackere suggested that the applicant come back to the Board when it is properly advertised for parking. If the Board approves the application as presented today, a hardship would be created concerning the parking requirement; therefore, he suggested a continuance.

Mr. Lawrence requested that the Board act on the use today because the property is under contract for purchase which is contingent upon the approval by the Board.

The Board had no objections to the use, but was concerned with the plans which were submitted and also the parking concern.

The Board requested that the applicant return with an alternative plan for the area and include the proposed exterior building material.

Case No. 11912 (continued)

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 3-1-0 (Lewis, Purser, Smith, "aye"; Wait, "nay"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow church use only, subject to the applicant returning to the Board with plans which meet the Zoning Ordinance and any other such waivers or exceptions which may be needed at that time; and

On MOTION of SMITH and SECOND by PURSER, the Board voted 3-1-0 (Lewis, Purser, Smith, "aye"; Wait "nay"; no "abstentions"; Victor, "absent") to approve a Variance (Section 1205.3 - Use Conditions) of the one acre minimum lot area, on the following described property:

Lots 23 and 24, Block 4, College View Amended 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:

Mr. Gardner advised that the applicant is requesting a continuance concerning this case. The attorney feels that additional time is needed.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to continue this case to the May 27, 1982 meeting.

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:

John Sublett, Suite 1776, One Williams Center, attorney representing Michael Parrish was present to address the Board and submitted a site plan (Exhibit "E-1"). Mr. Sublett stated that the request is for a second story on an office complex. Previously the Board granted a request to vary the lot coverage on this same tract, (Case No. 11436). Mr. Sublett advised that there is mostly multifamily housing surrounding the subject property.

Protestants: None.

Case No. 11920 (continued)

Board Comments:

Discussion ensued concerning the open space and whether it was needed for the proposed use.

Mr. Gardner advised that the applicant has adequate open space and also meets the parking requirement. He stated that if the previous case (#11436) was approved for more open space than the proposed one shows, the Board can accept the lesser open space as per this plot plan.

Mr. Jackere suggested that the portion of the request dealing with the open space should be withdrawn, or be denied because it is not needed. He advised that when the previous case was approved for .32 floor area ratio, it applies whether there is one story or more than one story.

The applicant withdrew a portion of the request concerning open space.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 630 - Bulk and Area Requirements in the Office District) of the building height from one (1) story to two (2) stories, to coincide with the previously approved .32 floor area ratio to the extent that it fits within that, as per plot plan, on the following described property:

All of Block 2, Kensington II Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11937

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request for permission for uses permitted in Use Units 12 and 13; and a
Variance - Section 1212.4 - Off-Street Parking and Loading Requirements - Request for a variance of the parking requirements for Use Unit 12; and a
Variance - Section 1213.4 - Off-Street Parking and Loading Requirements - Request for a variance of the parking requirements for Use Unit 13 and the uses permitted in an IL District. This property is located at the SE corner of Archer Street and Cheyenne Avenue.

Presentation:

Charles Norman, 909 Kennedy Building, attorney representing Mr. Floyd Turnipseed who is the owner of the subject property was present to address the Board. The applicant is a proposed tenant of the existing structure. Mr. Turnipseed is in the process of remodeling the structure. Mr. Norman stated that the request involves Use Unit 12 (Eating Places Other Than Drive-Ins) and Use Unit 13 (Convenience Goods and Services) in an Industrial District. The proposed building will occupy all of Lot 6 and the north 7' of Lot 7. Mr. Norman stated that the off-street parking requirement would be impossible to fulfill in this neighborhood, since all the buildings are built to the property lines.

Protestants: None.

Case No. 11937 (continued)

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts) to allow uses permitted in Use Units 12 and 13, and a Variance (Section 1212.4 - Off-Street Parking and Loading Requirements) of the parking requirements for Use Unit 12, and a Variance (Section 1213.4 - Off-Street Parking and Loading Requirements) of the parking requirements for Use Unit 13 and the uses permitted in an IL District, on the following described property:

Lots 7 and the North 5 feet of Lot 6, Block 61, Original Townsite of Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 11940

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Request for a variance of the required setback from the centerline of 72nd Street South from 60 feet to 56.5 feet in an RS-1 District. This property is located at 3848 East 72nd Street.

Presentation:

Sam Sumal, 3848 East 72nd Street, was present to address the Board and submitted a plot plan (Exhibit "F-1") and drawings of the proposed carport (Exhibit "F-2"). Mr. Sumal advised that the proposed car canopy is approximately 56.5' from the centerline of 72nd Street South.

Protestants: None.

Board Comments:

Mr. Lewis inquired about the proposed material which will be used for the roof and Mr. Sumal stated that the carport will be wood shingled with a pitched roof.

Mr. Smith asked Mr. Sumal if he had talked to his immediate neighbors about the proposal and Mr. Sumal stated that he had and they had no objections.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts) of the required setback from the centerline of 72nd Street South from 60' to 56.5' in an RS-1 District, per plot plan submitted, and subject to having a wood shingled pitched roof carport, on the following described property:

Lot 3, Block 3, Town and Country Estates Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11941

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from 41st Street from 85' to 81.75'. This property is located at 4108 South Birmingham Place.

Presentation:

Mrs. Joe Abbott, 4108 South Birmingham Place, was present to address the Board requesting permission to add an additional bedroom to their existing house. The house was built prior to change in the zoning setback. Mrs. Abbott advised that the addition will be above the existing garage and will not extend any further than the existing wall.

Protestants: None.

Board Comments:

Mrs. Purser asked if she had any plans to submit and Mrs. Abbott stated that she had previously submitted them to the Building Inspector.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback from 41st Street from 85' to 81.75' to permit a 2-story addition, on the following described property:

Lot 1, Block 2, Smithview Estates Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11947

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard requirement from 10' to 9' & 6". This property is located at 2244 South Terwilliger.

Presentation:

Dan Bird, 2244 South Terwilliger, was present to address the Board requesting the variance of the side yard requirement from 10' to 9' & 6" to add brick veneer to the house. The existing house is not being added onto, but will have thicker protective coating.

Protestants: None.

Interested Party:

Carol Johnson, 2238 South Terwilliger, was present to address the Board stating that she was in favor of the request.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard requirements from 10' to 9' & 6", on the following described property:

The N/2 of Lot 20, South 45 feet of Lot 21, Block 3, Terwilliger Heights Addition, to the City of Tulsa, Tulsa County, Oklahoma.

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NEW APPLICATIONS:

Case No. 11943

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the front setback from Norfolk Avenue from 50' to 42.5' and also, a variance of the rear setback requirement from 20' to 5'. This property is located at 1046 East Pine Place.

Presentation:

Willie Taylor, 725 North Union Place, was present to address the Board representing Mt. Olive Baptist Church. Mr. Taylor advised that the Board previously approved an addition for the south end of the building but could not accommodate their needs, since it could only be expanded 22' out to the south. They are now proposing to add the 60' x 30' wing to the southeast corner of the parking lot.

Protestants: None.

Interested Party:

Augusta May, a member of the District #2 Planning Team, who also lives in the immediate area, was present to address the Board endorsing the application. She expressed a concern dealing with the exterior material which will be used for the addition.

Board Comments:

Mr. Lewis asked if he had talked to his immediate neighbors about the proposed expansion and Mr. Taylor stated that he had talked to them and they had no objections.

The Board was concerned about the parking situation. Mr. Taylor advised that the church is negotiating to purchase the lot directly across the street from the church for parking.

SMITH made a motion to approve the application, but due to lack of a second, the motion died.

Mr. Lewis asked Mr. Taylor what the proposed material was for the exterior of the building and he stated it would be of concrete block to match the existing structure which is constructed of brick. Mrs. Purser stated that the new addition should match the existing structure in color.

Mr. Lewis advised that the application was advertised as being 42.6' from the centerline of Norfolk, but the plans indicate that it will be 32.6' from the centerline of Norfolk. Mr. Lewis advised the applicant that the case may not be properly advertised for the 10' additional variance and the plot plan does not accurately reflect the proposed expansion.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to continue this item to the May 27, 1982 meeting so that it may be properly advertised and revised to reflect the proposed addition.

Case No. 11944

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow church use and activities in an RS-3 District. This property is located at 5900 South 33rd West Avenue.

Presentation:

LaVerne Tolbert, 4581 West 64th Place, was present to address the Board on behalf of Summit Parks Full Gospel Church and submitted a plot plan (Exhibit "G-1"), and site plan (Exhibit "G-2"). The Church is proposing to add a kitchen, fellowship hall, two classrooms, a ladies and mens restroom, and a nursery. Ms. Tolbert advised that the proposed addition will match the exterior of the existing church building. Ms. Tolbert advised that there is adequate parking provided for the Church use.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow church use and activities in an RS-3 District, per plot plan submitted, on the following described property:

The South 25' of Lot 6 and ALL of Lots 7 and 8, Block 1, Summit Parks Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11945

Action Requested:

Variance - Section 440.7 (d) - Special Exception Uses in Residential Districts, Requirements - Request to expand an existing church to within 7' on the east and to within 4' to the south property lines to line up with the existing structure. This property is located at 4928 East Latimer Street.

Presentation:

Glen Hood, 4928 East Latimer, pastor of the Trinity Temple Freewill Baptist Church, was present to address the Board and submitted a plot plan (Exhibit "H-1"). Mr. Hood advised that the Board granted church use on the subject tract in 1953. They are proposing to add onto their existing building on the east side to line up with the structure. On the south side the addition will come within 4' of the property line. The proposed use is for an additional educational unit.

Protestants: None.

Board Comments:

Mrs. Purser inquired as to the use on the property south of the subject tract and Mr. Hood advised that the property to the south is unplatted and undeveloped land.

Mr. Smith asked if he had talked to the neighbors about the proposed addition and Mr. Hood stated that he had contacted the neighbors within 300' of the subject tract and none of them had objections.

Case No. 11945 (continued)

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 440.7 (d) - Special Uses in Residential Districts, Requirements) to expand an existing church within 7' on the east and within 4' to the south property lines to line up with the existing building, per plot plan submitted, on the following described property:

The NW/4 of the NW/4 of the SW/4, LESS the East 209.2' thereof, in Section 34, Township 20 North, Range 13 East, of the Indian Base and Meridian, according to the U. S. Survey thereof, in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11946

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow a car wash in a CS District; and a Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the setback from Apache Street from 100' to 75'; and a variance from Cincinnati Avenue from 100' to 94.6'. This property is located at 2606 North Cincinnati Avenue.

Presentation:

Robert Harlin, 5024 North Utica Place, was present to address the Board and submitted a site plan (Exhibit "I-1"). Mr. Harlin stated that the proposed car wash will be a block building with sandstone on the south and sandstone approximately 5' above ground level with redwood to the top of the eve with two (2) bays. The operators of the car wash will wash the customers vehicle in a self-contained building.

Protestants: None.

Board Comments:

Mr. Lewis asked if vacuuming and drying would take place inside and Mr. Harlin answered in the affirmative.

Mr. Lewis also inquired about the disposal of trash and Mr. Harlin stated that there would be a rubbish container on the site. He also advised that the washer for the car will dispose of any trash inside the building.

Mr. Lewis inquired as to the hours of operation and the applicant stated that the facility would be open from 8:30 a.m. to 9:00 p.m. Mr. Lewis asked how many cars would be feasible for stacking and Mr. Harlin stated that there would be no more than 6 cars.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow a car wash in a CS District, and a Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts) of the setback from Apache Street from 100' to 75', and a Variance from Cincinnati Avenue from 100' to 94.6', per plot plan, and

Case No. 11946 (continued)

hours of operation and building materials as presented by the applicant, on the following described property:

Beginning at a point 25' North and 33' West of the SE corner of Section 23, Township 20 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; thence North 70'; thence West 114.5'; thence South 70'; thence East 114.5' to the point of beginning.

Case No. 11948

Action Requested:

Variance - Section 206 - Number of Dwelling Units on a Lot of Record - Request for a variance from 48 dwelling units to 52 dwelling units; and a Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow apartments in a CS District. This property is located at 1340 East 62nd Street.

Presentation:

Don King, 1529 South Main Street, Broken Arrow, Oklahoma, 74012, was present to address the Board and submitted a site plan (Exhibit "J-1"). Mr. King advised that the west 30' of the property is zoned CS and the remainder of the property is zoned RM-2. The applicant is seeking a special exception to permit multifamily units on a CS zoned tract. Mr. King is also requesting a variance to permit 52 dwelling units on the subject property.

Protestants: None.

Board Comments:

Mrs. Purser expressed a concern with the variance permitting four extra dwelling units. Mr. King advised that originally the land area was calculated as the lot size only. Not included with the calculation is 30' or 1/2 of 62nd Street right-of-way, which would give them an additional 5,000'. Mr. King stated that he later realized that the variance was not needed for the use (strike the variance).

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow apartments in a CS District, per plot plan submitted, on the following described property:

The East 200' of Lots 5 and 6, Block 2, Valley View Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 11949

Action Requested:

Variance - Section 710 - Principal Uses Permitted in Commercial Districts - Request for living quarters for security precautions.. This property is located at the SE corner of 60th Street and Peoria Avenue.

Case No. 11949

Presentation:

B. D. McGuire, 2514 South 96th East Avenue, Vice President of Gas Mart Company, was present to address the Board and submitted detailed plans (Exhibit "K-1") and a picture of the proposed use (Exhibit "K-2"). Gas Mart Company is a chain of self-service gas stations with living quarters for the safety and convenience of their employees. The living quarters, which will be occupied by a young couple who will operate the business, will decrease the threat of robbery and vandalism.

Protestants: None.

Board Comments:

Mr. Lewis inquired as to the size of the proposed living quarters and Mr. McGuire stated that the living quarters would be 16' x 40'.

Mrs. Purser asked if there would be an office building at the location and Mr. McGuire stated that there would be an office building adjoining the service station.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 3-0-1 (Lewis, Purser, Wait, "aye"; no "nays"; Smith, "abstaining"; Victor, "absent") to approve a Variance (Section 710 - Principal Uses Permitted in Commercial Districts) for living quarters for security precautions, per plans submitted, on the following described property:

Lot 2, Block 1, Willowick Park Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11950

Action Requested:

Special Exception - Section 440.2 - Special Exception Uses in Residential Districts, Requirements - Request for a home occupation (beauty salon) in an RS-3 District. This property is located at 913 North Winston Avenue.

Presentation:

Charles Griffin, 402 West 43rd Street, Sand Springs, Oklahoma, was present to address the Board representing the applicant, Dora Schrum. Ms. Schrum is proposing to locate a beauty salon in her garage. Mr. Griffin advised that when he and Ms. Schrum are married, they will reside at the subject location and both of them will participate in the proposed operation.

Dora Schrum, 913 North Winston, Avenue, was present to address the Board answering questions asked by the Board members.

Protestants: None.

Board Comments:

Mr. Lewis asked the applicants if they were familiar with the home occupation rules and Mr. Griffin stated that they were not. A copy of the rules were submitted to the couple to review and Mrs. Purser stated the purpose for a home occupation.

Case No. 11950

Mrs. Purser inquired as to the number of customers and Ms. Schrum stated that they would have a maximum of two persons and would have one chair for the operation.

Mr. Lewis inquired about the parking situation and Mr. Griffin stated that there is presently a single car garage at the subject location; but could be enlarged to make it a double car garage. Mr. Gardner advised that if an addition were added to the garage that it should still look like a garage and not a beauty shop.

The Board was also concerned about traffic in the immediate area and Ms. Schrum stated that the customers could exit on Yale Avenue. Mr. Gardner advised that access to Yale Avenue from the rear of the lot would most likely be prohibited.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 440.2 - Special Exception Uses in Residential Districts, Requirements) for a home occupation (beauty salon) in an RS-3 District, subject to the applicants complying with all the home occupation rules, that the shop be limited to one chair, subject to no access to Yale, and that the days and hours of operation be limited to Monday through Saturday from the hours of 8:00 a.m. to 6:00 p.m., to run with this applicant only, on the following described property:

Lot 2, Block 3, Modern Heights Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 11951

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request for uses permitted as a matter of right in the CS Commercial Shopping District and Trade Establishments providing businesses and household maintenance goods and services as set forth in Use Unit 15 - Other Trades and Services on the north 200' and the east 250'; and the remainder of the property Use Unit 10 - Off-Street Parking area; Use Unit 11 - Offices and Studios; Use Unit 15 - Other Trades and Services and Use Unit 17 - Vehicle Repair and Service only. This property is located south and west of East Admiral and Garnett Road.

Presentation:

Charles Norman, 909 Kennedy Building, was present to address the Board representing Bob Beason who is proposing to purchase the 26-acre subject tract. Mr. Norman submitted a site plan, which is a proposed preliminary plat (Exhibit "L-1"), eight (8) pictures of the subject area (Exhibit "L-2"), and a copy of the Wagon Wheel Trade Center Development Standards (Exhibit "L-3").

If the proposed application were approved, the mobile home sales park on Admiral would be eliminated. The development standards would limit the building height on the west and south 200' of the property to 20'. Mr. Norman advised that there are no height limits in the CS zoned

Case No. 11951 (continued)

District. They have established a setback from the west and south property lines which is adjacent to the residential neighborhood 40'. The applicant has provided lighting standards on the west and south 100' of the property so that no lighting standards are in excess of 10' in height and all lighting be directed downward and away from the adjacent residential area.

They also requested that Admiral Boulevard and South 109th East Avenue not be continued into the commercial area and that there be no extension or access either from the residential area into the proposed project or from the project into the neighborhood. The applicant has also limited the height of signs to 20' and limited the display area of the signs to a maximum of 200 sq. ft.

Protestants: None.

Board Comments:

Mr. Smith asked if the proposed Use Unit 17 portion of the application would be along the south and west lines. He felt that Use Unit 17 would not be appropriate on the south and west lines.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) for uses permitted as a matter of right in the CS Commercial Shopping District and Trade Establishments providing businesses and household maintenance goods and services as set forth in Use Unit 15 - Other Trades and Services on the north 200' and the east 250'; the remainder of the property: Use Unit 10 - Off-Street Parking Area; Use Unit 11 - Offices and Studios; Use Unit 15 - Other Trades and Services and Use Unit 17 - Vehicle Repair Service only, in accordance with the development standards presented, per plot plan submitted, except that the south 150' and the west 150' be excluded for Use Unit 17 - Vehicle Repair, on the following described property:

Government Lot 8 and the North One-half of the SE/4, NE/4, of Section 6, Township 19 North, Range 14 East, LESS: Beginning at the NE corner of Lot 8; thence West 584.8'; thence South 427'; thence East 74.8'; thence South 350'; thence East 510'; thence North 777'; to the point of beginning; and LESS: Beginning at the SE corner of the N/2 of the SE/4 of the NE/4; thence North 253.84'; thence West 515'; thence South 253.84'; thence East 515', to the point of beginning, and LESS: The North 75' and the East 50' for road right-of-way, ALL located in Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

Case No. 11952

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request to permit the operation of a limestone quarry and the processing of the limestone extracted therefrom, subject to operational standards approved by the Board. This property is located on

5.13.82:352(15)

the north side of East 46th Street North and East of North 129th East Avenue.

Presentation:

Charles Norman, 909 Kennedy Building, was present to address the Board representing Anchor Stone Company and submitted a zoning map (Exhibit "M-1"), a copy of the quarry development and operational standards (Exhibit "M-2"), and 11 pictures of the subject property (Exhibit "M-3").

Mr. Norman advised that the property to the west of the subject tract and the property north of East 46th Street and east of 129th East Avenue has been approved for limestone quarry operation. The property directly across the street to the south of the subject property has been quarried in the past and has not been restored as of yet. The quarry shall be set back from the south and east property lines a distance of not less than 20'. The embankment shall be of a sufficient height at any point to screen the operation from traffic along East 46th Street North. The hours of operation will be limited to 8:00 a.m. to 6:00 p.m. on weekdays. The blasting operations of the quarry will be performed in conformance with the U. S. Department of Interior Bureau of Mines. Upon the completion of quarrying, the area shall be reclaimed in accordance with a reclamation plan.

Protestants: None.

Board Comments:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts) to permit the operation of a limestone quarry and the processing of the limestone extracted therefrom, subject to operational standards provided by the Board, on the following described property:

All that part of the SW/4 of the SE/4 of Section 9, Township 20 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the Official U. S. Government Survey thereof; more particularly described as follows, to-wit: Beginning at a point in the West boundary of said SW/4 of the SE/4 594.65' from the SW corner thereof and 20' from the North Right-of-Way line of East 46th Street North; thence North $1^{\circ}25'14''$ West along the West boundary of said SW/4, SE/4, a distance of 712.29' to a point 10.14' from the NW corner thereof; thence North $89^{\circ}35'31''$ East a distance of 537.27'; thence South $19^{\circ}32'36''$ East a distance of 278.04' thence South $37^{\circ}25'41''$ East a distance of 201.03' to a point 20' from the North Right-of-Way line of East 46th Street North; thence South $68^{\circ}10'37''$ West parallel to and 20' from the North Right-of-Way line of East 46th Street North a distance of 791.51' to the point of beginning; containing 369,308 square feet, or 8.47814 acres, more or less.

Case No. 11953

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the front setback from 21st Street from the required 110' to 100'. This property is located at 21st Street and Columbia Avenue on the NE corner.

Presentation:

Clay Roberts, 5515 South Main Mall, Suite 300, attorney representing Charlie Mitchell, was present to address the Board. Mr. Mitchell is proposing to upgrade the subject area by constructing a first-class restaurant which requires a 10' variance.

Protestants: None.

Board Comments:

Mr. Smith advised the Board that previously the Board has approved variances on the south side of 21st Street. Bob Gardner advised that 21st Street in this area is fully improved and most of the structures do not setback 110 feet from the centerline of 21st Street.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in the Commercial District) of the front setback from 21st Street from the required 110' to 100', on the following described property:

Part of Lot 1, Block 2, VOIGHT SECOND ADDITION, an Addition in Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, described as follows, to wit: Beginning at the SW corner of said Lot 1; thence North 180.0' along the East Right-of-Way line of Columbia Avenue; thence East 150.0'; thence South 180.0' to the North Right-of-Way line of East 21st Street; thence West along Said Right-of-Way line a distance of 150.0' to the Point of Beginning.

Case No. 11954

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for church and related activities in a residential district. This property is located at 3352 East 41st Street.

Presentation:

Jack Anderson, attorney, was present to address the Board representing Jon Eargle Ministries, Inc., Mr. Anderson submitted 10 photographs of the subject area (Exhibit "N-1"), fourteen (14) letters from supporters of the application (Exhibit "N-2"), and a schedule of times for staffers and counselors (Exhibit "N-3"). Mr. Eargle is requesting to operate a Christian non-profit tax-exempt ministry in a residence. The ministry would include weekly Bible studies, distribution of religious tapes and prayer counseling. The ministry, which was founded by Jon Eargle, is funded primarily by donations and contributions for counseling. The operation is currently being conducted at 41st Street and Jamestown Avenue.

Case No. 11954 (continued)

The applicant is willing to limit the use to three (3) years at this location. It is anticipated that within three (3) years, the applicant will move onto a permanent location.

Jon Eargle, the applicant was present to address the Board to answer any questions.

Protestants:

Frank Moellers, 4145 South Jamestown Avenue, was present to address the Board, and submitted a letter which he had written opposing the application containing his signature and approximately 145 others (Exhibit "N-4").

Mrs. Richard Heidenger, 4123 South Jamestown, was present to address the Board opposing the application because it encroaches into a residential area and has a direct access on a residential street. She also advised that the area lacks the necessary ground space for a church.

Bob Paddock, District #6 Chairman for the Greater Tulsa Council, was present to address the Board stating that the subject area only contains 1/2 acre and the minimum requirement for a church is 1 acre.

Protestants:

Clint Therman, 4135 South New Haven Place, was present to address the Board stating that the proposed use would destroy the residential nature of the neighborhood.

Mary Marks, 3717 East 43rd Street, was present to address the Board protesting the use in the residential neighborhood.

Board Comments:

Mr. Lewis asked Mr. Eargle how long the operation has been at the present location and Mr. Eargle stated that they had been there for two (2) years.

Applicant's Rebuttal: Mr. Anderson stated that the applicant is willing to limit the use to one (1) year.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) for church and related activities in a residential district, on the following described property:

The North 125' of the East 150' of Lot 26, Block 1, Villa Grove Heights No. 1, an Addition to the City of Tulsa, Tulsa County, Oklahoma.

Discussion:

Mr. Eargle asked how long he would have to vacate the present location. The Board decided to give the applicant 60 days to vacate the facility.

Case No. 11955

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the setbacks from the abutting streets. This property is located at the SE corner of Pine Street and Harvard Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, Suite 900, was present to address the Board representing Quik-Trip Corporation and submitted a plot plan of the proposed operation (Exhibit "O-1"). There is an existing Quik-Trip store and an existing gas facility on the subject property. The applicant is now proposing the extension paralleling the street of the gas islands to expand them as well as the construction of a canopy over the gas islands. At that location, the right-of-way is 35' from the centerline. The gas islands exceed that distance and no variance is needed. The variance is requested because the proposed canopy will overhang into a potential right-of-way from the centerline of Pine Street. They are requesting the variance from 50' to 43'. Mr. Johnsen stated that he would have no objection to the execution of the removal contract being imposed if the application were approved.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts) of the setbacks from the abutting streets from 50' to 43', per plot plan, and subject to the execution of a removal contract, on the following described property:

Part of the NW/4 of Section 33, Township 20 North, Range 13 East, Tulsa County, Oklahoma, beginning at a point 40 feet East and 32.16 feet South of the NW corner of the W/2 of the NW/4 of the NW/4 of Section 33, Township 20 North, Range 13 East; thence East 150 feet parallel with the North line of said Section; thence South 125 feet parallel with the West line of said Section; thence West 150 feet parallel with the North line of said Section; thence North 125 feet to the point of beginning.

Case No. 11956

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Request to allow a setback of 36' from the centerline of East Ute Street instead of the 50' setback that is required. This property is located at 2007 North Madison Place.

Presentation:

Leneta Dyer, 2011 North Madison Place, was present to address the Board and submitted a plot plan (Exhibit "P-1"), and four (4) notes from property owners stating that they have no objections to the application. Ms. Dyer has two 50' lots adjoining at a corner which she is proposing to build a house on. She will have a 36' (centerline of Ute) side yard setback on the south if the application is approved. The variance, if approved, will allow a greater depth on the rear yard

Case No. 11956 (continued)

and will permit the proposed house to front in the same direction as the other houses in the area.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts) to allow a setback from 36' from the centerline of East Ute instead of the 50' setback that is required, per plot plan submitted, on the following described property:

Lots 7 and 8, Block 3, Liberty Second Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11957

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the setback requirements. This property is located at the SE corner of Lewis Avenue and Independence Street.

Presentation:

Roy Johnsen, 324 Main Mall, Suite 900, was present to address the Board representing Quik-Trip Corp., and submitted a plot plan (Exhibit "Q-1"). Mr. Johnsen advised that the existing right-of-way is 30' from the centerline of Lewis. The canopy would be 40' from the centerline and the gas islands would be 50' from the centerline of Lewis. There is a proposed new sign for the subject property at the corner of Lewis and Independence with its nearest point to the centerline of Lewis being 35'. Mr. Johnsen stated that he would not object to the removal contract being imposed if the application were approved.

Protestants: None.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in the Commercial Districts) of the setback requirements, per plot plan submitted, subject to the execution of the removal contract, on the following described property:

Lots 22, 23, 24, 25, and the South 10' of Lot 26, Block 3, Ohio Place Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11958

Action Requested:

Variance - Section 610 - Principal Uses Permitted in Office Districts - Request to locate a bakery in an OL District. This property is located at 1724 East 15th Street.

Presentation:

Jan Stephens, 1619 South Trenton, was present to address the Board on behalf of Cheryl Dobbins, Caroline Bruney and herself. Ms. Stephens submitted two (2) pictures of the subject property, and nine (9) letters supporting the application. Ms. Stephens stated that she, Ms. Dobbins and Ms. Bruney are proposing to locate a bakery at the subject location, which will not encroach on the commercialization of the surrounding area, but will simply meet their needs. Ms. Stephens stated that those mostly affected by the operation have given their written or oral consent.

The applicants are proposing to restore the existing 50-year old home with a \$30,000 budget. Ms. Stephens stated that she will maintain and enhance the property to comply with the surrounding neighborhood.

The bakery will be a small individually owned and operated European pastry shop. Ms. Stephens stated that approximately 50% of the clientele will be walk-ins and bus commuters. Adequate parking will be provided for the operation.

Protestants:

Edward Brett, 1557 South Yorktown Place, was present to address the Board representing the Gillette Historical District, the Seven Acre Area Homeowners Association and Barnard Homeowners Association. Mr. Brett stated that the surrounding area is currently underground rejuvenation processes. Mr. Brett submitted fifteen (15) pictures showing new construction and remodeled structures in the immediate area (Exhibit "R-3").

Mr. Brett expressed a concern with the traffic situation. The proposed bakery would involve an exit onto Victor Avenue, which is primarily a residential street and currently has heavy parking on one side of the street from other uses. He also felt that the proposed use would devalue the property in the area.

Bob Paddock, 2215 East 25th Street, the District #6 Chairman to the Greater Tulsa Council, was present to address the Board stating that he did not feel that a hardship existed. He also felt that the use would not be in accordance with the purpose or spirit of the Zoning Code or Comprehensive Plan.

Kevon O'Cressech, 1824 East 16th Street, was present to address the Board concerning the traffic problems in the immediate area.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to deny a Variance (Section 610 - Principal Uses Permitted in Office Districts) to locate a bakery in an OL District, on the following described property:

The East-half of Lots 1 and 2, Block 1, Orcutt Addition to the City of Tulsa, Tulsa County, Oklahoma.

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture District - Request to locate a Golf Driving Range in an AG District; and a

Variance - Section 1220.3 - Use Conditions - Request for a variance of the screening requirements to the east. This property is located north and east of Yale Avenue and 36th Street North.

Presentation:

Willie Morrison, 9911 East Skelly Drive, was present to address the Board and submitted two (2) pictures of the subject property (Exhibit "S-1"). Mr. Morrison stated that he presently owns and operates the driving range at the subject location. He advised that the Board previously approved a variance for a race tract on the property which he was leasing. His lease will not be renewed for the driving range; therefore, is requesting approval of the use at the subject property. Mr. Morrison stated that he is proposing to erect a chain link fence on the property. Mr. Morrison intends to use the front portion of the lot as the driving range and will live on the rear portion of the property. There will be two (2) mobile homes placed on the property.

Protestants: None.

Board Comments:

Mr. Lewis asked what the two mobile homes would be used for and Mr. Morrison stated that one would be his home and the other one would be used as an office.

Mr. Gardner advised the Board that the application is not properly advertised for the mobile home use.

Mr. Smith asked if there would be any signs on the property and Mr. Morrison stated that there would be a small 4' x 8' sign on the subject tract.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in the Agriculture District) to locate a Golf Driving Range in an AG District, with one sign 4' x 8'; and a Variance (Section 1220.3- Use Conditions) of the screening requirements to the east, and that the case be continued to the May 27, 1982, meeting to readvertise for the two (2) mobile homes, on the following described property:

The NW/4, NW/4, SE/4, SW/4 and the E/2, NE/4, SW/4, SW/4 and the SW/4, NE/4, SW/4, SW/4, all in Section 15, Township 20 North, Range 13 East, Tulsa County, Oklahoma.

Action Requested:

Special Exception - Section 410 - Principal Use Permitted in Residential Districts - Request to locate a mobile home in an RS-3 District. This property is located west of the SW corner of 25th West Avenue and Easton Court.

Presentation:

Eva G. Peck, 7837 East 33rd Street, was present to address the Board requesting permission to place her mobile home at the subject property. She advised that the mobile home park where her mobile home is presently located, has been sold and she will have to move. She has a double-wide mobile home and will be placing it on a tract that contains two lots. (The lots are 120' x 50'.) The mobile home will be placed on a permanent foundation and will not resemble a mobile home.

A. D. Milligan, 1104 North Cheyenne Avenue, was present to address the Board stating that he has been helping Ms. Peck find a location for a mobile home. He stated that he has not heard of anyone objecting to a mobile home at the subject property.

Protestants:

Frank Keith, 2826 West Golden, was present to address the Board stating that there are no other mobile homes in the area. He felt that placement of a mobile home at the subject property would cause property values to decline. Mr. Keith stated that the neighbors are trying to maintain and stabilize their neighborhood. He requested that the application be denied.

Ricky Jones submitted three (3) letters of protest to the Board (Exhibit "T-1").

Board Comments:

Discussion ensued as to the definition of a mobile home in the Zoning Code. Mr. Jackere was not sure if it would meet the Building Code requirements for a single-family residence. Mr. Gardner advised that anything that is transportable is considered a mobile home according to the Tulsa Zoning Code definition. Mr. Jackere suggested that the case be continued for two weeks so that the Building Inspector can respond to the request. He also asked the applicant to bring a picture of the mobile home to the next meeting. Mrs. Purser requested that Ms. Peck bring a sketch of what the roof will look like.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to continue this item to the May 27, 1982 meeting to readvertise the application for a variance of time and that the Building Inspector can relate his comments and concerns about a mobile home meeting the residential housing code.

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow boat sales and service in a CS District. This property is located at the NE corner of 123rd East Avenue and 11th Street.

Presentation:

Roy Johnsen, 324 Main Mall, was present to address the Board and submitted a plot plan (Exhibit "U-1"), and three (3) pictures of the subject property (Exhibit "U-2"). Mr. Johnsen stated that the east-west dimension of the subject property is approximately 500 plus feet. The applicant is amending his request to the west 275.5'; therefore, the tract would have 275' of frontage on 11th Street and 316' of frontage on 123rd Street. The intended use of the property is for Tulsa Boat Sales and Service, which is permitted by right in a CG District and by Special Exception in a CS District. Mr. Johnsen advised the Board that the property was recently approved by the City for CS zoning, but the Ordinance has not yet been published indicating the change.

Protestants: None.

Board Comments:

Mr. Lewis asked what surrounded the subject property and Mr. Johnsen stated that there is vacant land to the north, there are two residential homes which are zoned CS to the west, and CS zoned property to the east.

The Board inquired about the access points indicated on the plot plan and Mr. Johnsen stated that there are two existing access points indicated on the plat. He advised that the City Traffic Engineer may require that the eastern access point be moved.

Mr. Lewis asked if it would be outside storage of boats and Mr. Johnsen answered yes.

Discussion ensued as to screening which would be required in the future.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow boat sales and services in a CS District, fencing the north property line and fencing the west property line to a point where it corresponds with the east line of the CS zoned District to the adjacent property across the street, per plot plan, on the following described property:

All of Block 3, Pennant Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 11962

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from First Street from 50' to 34' and a variance of the side yard requirement from 5' to 4" in an RS-3 District. This property is located west of the NW corner of 41st West Avenue and 1st Street.

Presentation:

Robert Merritt, 4115 West 1st Street, was present to address the Board and submitted a plot plan (Exhibit "V-1"). Mr. Merritt stated that he is proposing to convert his existing garage into a room and is proposing to build a carport. Mr. Merritt has received verbal approval from his neighbors concerning the proposed use.

Protestants: None.

Board Comments:

Mr. Lewis asked if there were other carports in the area and Mr. Merritt answered in the affirmative.

The Board inquired about the roof and Mr. Merritt stated that it would be a flat roof constructed of aluminum for fire safety reasons.

The Board was concerned about the appearance of the proposed carport and also the side yard coming within 4" of the property line. Mr. Smith felt that the Board should view the site before a decision is made.

Board Action:

On MOTION of PURSER and SECOND by SMITH, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to continue this case to May 27, 1982, so that the Board can view the site.

Case No. 11964

Action Requested:

Variance - Section 1450 - Structural Nonconformities - Request to enlarge a nonconforming structure; and a
Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the rear yard requirement from 20' to 13'; and a
Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard requirements from 10' to 2'. This property is located at 3949 Riverside Drive.

Presentation:

Virgil Reese, Jr., 3949 Riverside Drive, was present to address the Board and submitted a revised plot plan (Exhibit "W-1"). Mr. Reese advised that the Board previously approved the use, subject to conditions and subject to the plot plan. He is now requesting to substitute the revised plot plan for the original one. He is proposing to add onto the men's locker room and to enclose a canopy to be used for storage.

Protestants: None.

Case No. 11964 (continued)

Comments: Discussion ensued as to whether the application was properly advertised.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve phase one of the revised plot plan.

Comments: Discussion ensued as to the addition of Phase II. Mr. Gardner checked the proof of publication and advised the Board that it was properly advertised for the Board to also consider Phase II at this meeting.

Board Action:

On MOTION of SMITH and SECOND by PURSER, the Board voted 4-0-0 (Lewis, Purser, Smith, Wait, "aye"; no "nays"; no "abstentions"; Victor, "absent") to approve a Variance (Section 1450 - Structural Nonconformities) to enlarge a nonconforming structure, and a Variance (Section 430-Bulk and Area Requirements in Residential Districts) of the rear yard requirements from 20' to 13'; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard requirements from 10' to 2', per revised plot plan submitted, on the following described property:

Part of Lot 8, beginning 43½' East of the Centerline of Riverside Drive; thence East 100'; thence North 200'; thence West 100'; thence South 200' to a point of beginning in Section 24, Township 19 North, Range 12 East, City of Tulsa, Oklahoma.

Case No. 11923

Action Requested:

Interpretation concerning Case No. 11923.

Presentation:

Mr. Gardner advised that this case was heard previously. The plot plan was shown at the meeting, but was never exhibited and was never put in the records, however, the letter of agreement from the homeowners association was put in the file.

Gary LaGere, P. O. Box 35941, builder and developer of Bolewood Place, was present to address the Board and submitted the plot plan (Exhibit "X-1"). He advised that he had applied for a variance of the rear yard and the front yard setback; however, a mistake was made which showed a variance of the rear yard and side yard setbacks. Mr. LaGere stated that a side yard variance is not needed. At the time the application was approved, it was approved for Lot 9 and Lot 11. One of the lots was approved for the issuance of a building permit, but this one was not. Mr. LaGere requested a clarification of the approval so that a building permit can be issued. The neighborhood committee has written another letter stating that they understood that it was the front yard setback from 10' to 8½'. Mr. Lagere submitted the letter to the Board (Exhibit "X-2").

Comments:

The Board suggested that the application be readvertised for the rear yard and front yard setbacks for the applicant's protection.

Case No. 11923 (continued)

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 3-0-1 (Lewis, Purser, Wait, "aye"; no "nays"; Smith, "abstaining"; Victor, "absent") to interpret Case No. 11923 that the intention of the Board was to vary the front building line and not the side building line, per plot plan, to apply to Lots 9 and 11, on the following described property:

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

There being no further business the meeting was adjourned at 5:38 p.m.

Date Approved _____

6/17/82



Chairman