

CITY BOARD OF ADJUSTMENT
MINUTES (No. 373)
Thursday, October 14, 1982, 1:00 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Tuesday, October 12, 1982, at 10:27 a.m., as well as in the Reception Area of the INCOG Offices.

After declaring a quorum present, Chairman Smith called the meeting to order at 1:05 p.m.

MINUTES:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-1 (Chappelle, Smith, Victor, "aye"; no "nays"; Purser, "abstaining"; Wait, "absent") to approve the Minutes of September 16, 1982 (No. 371).

WITHDRAWN CASE:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to withdraw Case No. 12224 at the request of the applicant and to refund the fees.

UNFINISHED BUSINESS:

Case No. 12097

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - request for a variance to allow more than one dwelling unit per lot of record; and a Variance - Section 207 - Street Frontage Required - Request for a variance of the required 30' frontage on a dedicated street. This property is located at 5015, 5119, and 5121 East Virgin Street.

Presentation:

Wendell Turner was present representing Gabriel Lucero, 5423 East Young Court, and submitted five (5) pictures of the subject property (Exhibit "A-1"). Mr. Turner advised that the subject property appears to be land-locked and stated that the applicant applied for house numbering and could not get it because the street is not dedicated to the City. There is a street and street sign, but it is not a dedicated street.

Protestants: None.

Staff Comments:

Ricky Jones advised that the first variance was previously acted upon by this Board and the only action to be taken today deals with the variance of the required 30' frontage on a dedicated street. He stated that the

Case No. 12097 (continued)

street is there and the City is maintaining it, but it was never dedicated.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to allow more than one dwelling unit per lot of record; and a Variance (Section 207 - Street Frontage Required) of the required 30' frontage on a dedicated street, on the following described property:

The West 75' of the East 150' of the West 730.5' of Lot 13, Block 1, S. R. Lewis Addition; and a tract of land beginning at a point located directly on the North Boundary Line a distance of 375' West of the NE corner of Lot 13, Block 1, S. R. Lewis Addition; thence from said point running in a Westerly direction along said North Boundary Line of said Lot 13 a distance of 50' to a point; thence running in a Southerly direction parallel to the Western Boundary of said Lot 13 a distance of 172.5' to a point; thence running in an Easterly direction parallel to the Southerly line a distance of 50' to a point; thence running in a Northerly direction parallel to the Eastern Boundary Line of said Lot 13, a distance of 172.5' to the point of beginning and Lot 13, Block 1, of the S. R. Lewis Addition beginning 430' from the Northwest corner, extending East 100'; thence South 172'; thence West 100'; thence North 172' to the starting point; ALL the above properties being in the S. R. Lewis Addition to the Town of Dawson, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12168

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request for a special exception to allow a mobile home in an RS-3 zoned district; and a Variance - Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements - Request for a variance of the one year time limit. This property is located at the SE corner of Mohawk Boulevard and Harvard Avenue.

Presentation:

The applicant, R. D. Coffman, was not present.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this item to the October 28, 1982 meeting.

Case No. 12176

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets - Request for a variance of the setback from the centerline of 11th Street from 50' to 35' for a sign. This property is located at the SE corner of 11th Street and Erie Avenue.

Case No. 12176 (continued)

Presentation:

Jimmy Williams, P. O. Box 15566, was present and submitted a plat of survey indicating the location of the proposed sign (Exhibit "B-1"). There is 20' from the City right-of-way to the front of the building. The applicant proposes to place a 5' high x 10' wide sign on the subject property that will not overhang City right-of-way, but will be at the edge of the City right-of-way. The pole will be placed 5' from the City right-of-way.

Protestants: None.

Board Comments:

Mr. Victor asked how high the sign would be and Mr. Williams said the top would be 18' high. The Board felt that 11th Street is too narrow for the sign to be placed at the edge of the street. The applicant has presented a self imposed hardship.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to DENY a Variance (Section 280 - Structure Setback From Abutting Streets) of the setback from the centerline of 11th Street from 50' to 35' for a sign, on the following described property:

A tract of land situated in the NE/4 of the NW/4 of Section 10, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to wit: Beginning at a point 35' South and 540.43' East of the Northwest Corner of the NE/4, NW/4 of Said Section 10; thence South 200' parallel with the West line of Fulton Avenue; thence West 160' parallel with the North line of East 12th Street; thence North 200' along the East line of Erie Avenue; thence East 160' to the point of beginning.

Case No. 12184

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to locate a mobile home in an RM-1 District in order to take care of an elderly relative. This property is located at 921 North Troost Avenue.

Presentation:

Joan Nash, 18101 East Admiral Place, was present and requested permission to place a mobile home on the subject property. She stated that he father owns the property where the mobile home will be placed for Mr. & Mrs. Nash to reside in to care for the applicant's elderly father. The father of Mrs. Nash lives on the front part of the subject property.

Protestants: None.

Board Comments:

Mrs. Purser asked if there were other mobile homes in the subject area and Mrs. Nash stated that she was not aware of other mobile homes in the subject area.

Case No. 12184 (continued)

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a mobile home in an RM-1 District in order to take care of an elderly relative for a period of one year, subject to the Health Department approval, removal bond required, to run with this occupant (applicant) only, that the mobile home be skirted, on the following described property:

Lot 12, Block 4, Ingram Lewis Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 11965

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets - Request for a variance of the required setback to allow the erection of a sign from 50' to 46' from the centerline of Harvard Avenue. This property is located at 5416 South Harvard Avenue.

Presentation:

Jimmy Williams, 1301 West Spring Street, Collinsville, Oklahoma, was present stating that he plans to erect a sign on the subject property, which will overhang the City right-of-way by 4'.

Protestants: None.

Staff Comments:

Mr. Jackere, legal council, stated that the applicant needs relief from the City Commission before this Board can act on the matter. Mr. Gardner suggested that the case be continued to allow time for the City Commission to act on the matter and if relief from this Board is not needed, the applicant could obtain the refund of his fees if this Board so decides.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this item to October 28, 1982, to determine if relief from the City Commission is the only relief needed.

Case No. 12192

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow a mobile home in an RS-3 zoned district. This property is located at 3617 South Galveston Avenue.

Presentation:

James McHenry, 4808 South Elwood Avenue, Lot #107, was present stating that he is presently renting a mobile home lot at this time, but intends to purchase the property in question to place his mobile home.

Protestants: None.

Case No. 12192 (continued)

Board Comments:

Mr. Smith asked if there were other mobile homes in this area and Mr. McHenry stated that there were several mobile homes to the west of the subject property.

Mr. Gardner advised that the Board has previously permitted mobile homes in this area with some being on a permanent basis, but the applicant has applied for one year.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow a mobile home in an RS-3 zoned district, for a period of one (1) year, removal bond required, subject to Health Department approval, on the following described property:

Lots 16 and 17, Block 1, Garden City Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12206

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from the centerline of 21st Street from 95' to 31' for a canopy and to 51' & 2" for expansion of an existing building. This property is located at the SW corner of 21st Street and Boston Avenue.

Presentation:

Chuck Tawater was present representing Joe Day, 20 East 21st Street, and Akdar Temple Association, Inc., and submitted a plot plan (Exhibit "C-1"). The plans depict the three door entryway, the side walk, the canopy and three onion-type domes. Mr. Tawater stated that landscaping is also proposed for the subject property to beautify the property.

Sam Willetts, administrator of the Junior Chamber of Commerce, was present in support of the Akdar Temple Association, Inc. Mr. Willetts stated that the Chamber of Commerce owns the property adjacent to the subject property. He stated that the subject area has been zoned for businesses and he felt that the minor variance should be granted. If the request is granted, the additional features will enhance property values in the area.

Protestants:

John Sublett, attorney, One Williams Center, Suite 1776, was present representing many protestants in the subject area. Mr. Sublett submitted a protest petition containing approximately 148 signatures (Exhibit "C-2"). Mr. Sublett stated that the proposal would not be in keeping with the architecture of the area. He felt that this use was mislocated within its present form. He stated that if the request is granted it would degrade the quality of the neighborhood.

Case No. 12206 (continued)

Jim Owens, 2301 South Boston Avenue, was present representing the Board of Trustees of the Maple Ridge Association, the Greater Tulsa Council Zoning Committee, and himself as a resident in the subject area. Mr. Owens submitted a letter from the President of the Maple Ridge Association (Exhibit "C-3") in protest to the application, and he proceeded to read the letter to the Board. The proposal would not be in keeping with the spirit of the RM zoning classification of the property. The proposal will serve no purpose and most of the property owners in the subject area are in opposition to the request. He stated that it would be in violation of the architectural integrity of the surrounding buildings in the area.

Greg Bledsoe, 2102 South Boston, was present representing the Broadmore Association. He stated that his concern was the fact that the applicants have gone forward without this Board's approval on certain aspects of the subject property such as encroaching on the setback. He stated that the new addition might attract more members which would cause an increase in the traffic congestion on 21st Street and Boston Avenue. He felt that this group should have consulted the neighborhood before construction.

Bob Boswell, 11 East 22nd Street, was present stating that he lives within 300' of the subject property and did not receive notice of the meeting. He stated that he was concerned about the lighting and the large garish sign which was placed on the subject property previously. He also advised that the canopy and entryway present a visual obstruction.

Robin McCracken, 25 East 22nd Street, was present expressing a concern that the construction does not coincide with the intent of the Zoning Code.

Comments:

Mr. Victor asked what the canopy would be constructed of and Mr. Tawater stated that it would be a heavy canvas with steel framing and will be multicolored or a dark brown canvas. Mr. Smith asked Mr. Tawater if he would have any objection to having a dark brown canvas rather than multi-color and Mr. Tawater answered no.

Discussion ensued concerning the lighting and the Board members requested that the lighting be directed inward toward the subject property. The Board requested that the applicant submit a new plot plan showing the requested additions and deleting those things which the Board requested.

Discussion ensued concerning the case when it came before the Board in 1978. The Board members discussed the minutes and the plot plan for that meeting.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback from the centerline of 21st Street to permit a canopy and to within 51' & 2" of 21st Street to permit the expansion of an existing building, that the front portion of the T-shape canopy which is perpendicular to 21st Street not be permitted, that the onion domes as proposed be deleted, that the vestibule be permitted, that

Case No. 12206 (continued)

the remaining portion of the canopy which was approved, be a brown color instead of the proposed multicolor canvas, subject to the applicant returning to the Board with a new plot plan depicting the changes and that the applicant notify Mr. Sublett when the plot plan, lighting plan and landscape plan has been submitted, on the following described property:

Lots 1, 2 and 3, Block 2, Riverside Addition to the City of Tulsa, according to the 3rd Recorded Plat thereof.

Case No. 12212

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback from the centerline of South 84th East Avenue from 50' to 38'. This property is located at 5658 South 84th East Avenue.

Presentation:

Paul Sallee, 3812 South 120th East Avenue, was present representing M. J. McDonald and submitted a handout including a petition in support of the application (Exhibit "D-1"). Mr. McDonald visited with the property owners who had signed a protest petition which was submitted at the previous meeting. There are 92 homes in the subject area and Mr. McDonald has obtained 64 signatures in support of his request. Some of the individuals who did not sign the petition in support of the application stated that they would sign it if needed. Mr. Sallee stated that the protest petition had been signed under the assumption that the proposed carport would be a basic lean-to metal carport. The proposed carport and storage building will match the architecture of the existing house and the roof line will tie in with the existing house.

M. J. McDonald, 5658 South 84th East Avenue, was present to answer questions of the Board members.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 2-1-1 (Purser, Victor, "aye"; Smith, "nay"; Chappelle, "abstaining"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback from the centerline of South 84th East Avenue from 50' to 38', per drawings submitted, on the following described property:

Lot 19, Block 3, Woodland View Park I Addition, Tulsa County, Okla.

Discussion:

Due to a lack of three affirmative votes the application was denied.

Mr. McDonald asked if the application would be approved if the storage portion was omitted from the application and the Board members stated that they could not support the application at all if the storage building was not included in the request. The Board felt that the applicant did not present a hardship and stated that the lot has been fully utilized.

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the front setback to 8 feet from the property line; and a Variance - Section 1205 - Use Conditions - Request for a variance of the required parking spaces; and a Variance - Section 1450 - Structural Nonconformities - Request to expand a non-conforming use. This property is located north of the northeast corner of Peoria Avenue and Virgin Street.

Presentation:

Ray Frogge, 11 East Broadway, Sand Springs, Oklahoma, 74063, was present representing the Obedient Baptist Church and submitted a site plan, floor plan and elevation plan (Exhibit "E-1"); and a letter from Fay Watson stating that she has given the Church permission to park on Lots 3, 4, and 5 of Woodrow Park Addition, which she owns (Exhibit "E-2").

The Church is proposing to expand their facilities which will require a variance of the front setback to 8 feet from the property line. Mr. Frogge stated that Mrs. Watson, who owns the three lots proposed for parking, would give the Church opportunity to purchase that land if she were to sell the land. Mrs. Watson's property is located to the north of the church building and would provide room for 25 to 30 parking spaces.

Clark Corbitt, 5421 North Peoria Avenue, the minister for the Church, was present and stated that the Church purchased the subject property at the first of the year. He stated that the Church members do not use the street for parking purposes. Some of the visitors might park in someones driveway, but the Church members have been requested not to. The Church meets on Sunday mornings, Sunday nights, and Wednesday nights, and the choir has practice on Tuesday nights. The Church services and choir will usually end between 9:30 and 11:00 p.m.

Protestants:

Connie Thierry, 2110 North Quaker Avenue, was present and submitted five (5) photographs of the subject property (Exhibit "E-3") and a rough sketch of the church facility (Exhibit "E-4"). Mr. Thierry stated that there are presently 6 churches in the subject area and another one is not needed. He stated that if the application is approved, the building will decrease property values in that area. The area is zoned residential and it should be kept for residential purposes.

Rita Hughes, 2109 North Peoria Avenue, was present stating that there are a sufficient number of churches in this area. She also advised that the Church is noisy and is disturbing to the neighborhood. She stated that the Church services last until 10:00 p.m. or 11:00 p.m.

Reynolds Hayes, 2126 North Peoria Avenue, was present and submitted two (2) photographs of her driveway (Exhibit "E-5"). Mrs. Hayes stated that the Church members use her driveway to turn into the parking lot.

Haydee Shumake, 2120 North Peoria Avenue, was present stating that she was opposed to the application because the Church causes a lot of noise and disturbances. She also stated that there are many churches in this area already. She asked if there were plans for a nursery or day care center at the church building.

Case No. 12218 (continued)

Comments:

Mr. Jackere, Legal Council, advised that the application needs to be advertised for a special exception to permit church use, a variance of the one acre minimum requirement, a variance for the front setback to 8'. This property is not zoned for church use. He also stated that the applicant needs a contract with Mrs. Watson granting permission to use her property for parking and allow it to be paved, or the Church needs to acquire Mrs. Watson's property. The land which will be used for parking also needs to be advertised before this Board can act on this case.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this case to the November 11, 1982 meeting to allow for readvertising.

Staff Comments:

Ricky Jones advised the applicant that the legal description for Mrs. Watson's property needs to be submitted to the INCOG Office two weeks prior to the scheduled meeting to allow for proper advertisement.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 12220

Action Requested:

Variance - Section 207 - Street Frontage Required - Request for a variance of minimum frontage requirements in an AG District to permit a lot-split. This property is located at 7500 South Elwood Avenue.

Presentation:

David Drake, 6901 South Union Avenue, was present stating that he owns the 7 1/2 acre tract, but because of its configuration there is only 50 feet of frontage on South Elwood Avenue. Mr. Drake submitted a rendering of the subject property (Exhibit "F-1"). In order for the applicant to get a loan, only 60% of the loan will be for the land and 40% will be for the house which he proposes to build. He plans to get a lot-split to put the house on one portion of the land and get a second loan on the remaining portion of the land. Each parcel will be in excess of 2 1/2 acres in size.

Protestants: None.

Comments:

Mr. Gardner advised that the applicant only needs a waiver of the frontage since both pieces of land will be in excess of 2 1/2 acres. Mr. Jackere advised that in order for the applicant to utilize the land he has to have frontage on a dedicated street. No piece of property can have less than 30' of frontage on a dedicated street without getting a variance from this Board.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 207 - Street Frontage

Case No. 12220 (continued)

Required) of the minimum frontage requirements in an AG District, on the following described property:

The S/2 of the S/2 of the SW/4 of the NW/4, LESS & EXCEPT the South 280' of the West 390.5' in Section 12, Township 18 North, Range 12 East, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12221

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets - Request for a variance of the required setback from the centerline of Harvard Avenue from 50' to 46'. This property is located at 3242 East Admiral Place.

Presentation:

The applicant, Troy Cool, was not present.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this item to the October 28, 1982, meeting.

Case No. 12222

Action Requested:

Variance - Section 310 - Principal Uses Permitted in the Agriculture District - Request for a variance of the minimum lot area in order to permit a lot-split. This property is located south and east of Maybell Avenue and West 84th Street.

Presentation:

The applicant, Burl Hart, was not present.

Protestants: None.

Staff Comments:

Mr. Gardner advised that the Planning Commission approved the lot-split and access has been provided on the north.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 310 - Principal Uses Permitted in the Agriculture District) of the minimum lot area in order to permit a lot-split (L-15584) on the following described property:

Beginning 275' East and 500' South of the northwest corner of the S/2 of the NE/4 of Section 14, Township 18 North, Range 12 East; thence South approximately 250' to a point; thence East approximately 140'; thence Northeasterly to a point that is 475' East and 500' South of the West line of the NE/4, approximately 250'; thence West a distance of approximately 200' to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12226

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the side yard requirement from 5' to 4' & 2" in order to construct a carport. This property is located at 5035 South 31st West Avenue.

Presentation:

Ralph Patterson, 5035 South 31st West Avenue, was present and submitted a site plan (Exhibit "G-1"). Mr. Patterson stated that his request is for a variance from his house to the property line to construct a 12'-wide carport. The proposed carport will be placed to the side of the house and will line up with the front of the existing house.

Protestants: None.

Board Comments:

Mrs. Purser asked if there were other carports in the area and Mr. Patterson stated that there were none close to his house.

Ricky Jones advised that the carport request is a special exception rather than a variance and the 4' & 2" request is a variance.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 240.2 (h) - Permitted Yard Obstructions) to permit a carport in the side yard; and a Variance (Section 420.2 - Accessory Use Conditions) of the side yard requirement from 5' to 4' & 2", per site plan submitted, on the following described property:

Lots 17 and 18, Block 12, Carbondale Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12228

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the side yard requirement in an RM-1 District from 10' to 9'. This property is located at 1117 East Independence Avenue.

Presentation:

Bill Lay, Route 8, Box 934, Claremore, Oklahoma, 74017, was present and submitted a rough sketch indicating the location of the proposed residence (Exhibit "H-1"). Mr. Lay plans to build a new house on the vacant subject lot. A 28-foot wide house is proposed and a 1-foot variance on each side of the house is needed.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the side yard requirements in an RM-1 District

Case No. 12228 (continued)

from 10 feet to 9 feet, on the following described property:

The West 46' of Lots 15-18, Block 2, Bullette Addition in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12231

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the Residential Districts - Request for a variance from the centerline of North Santa Fe from 50' to 49' & 6". This property is located at 2017 North Santa Fe Avenue.

Presentation:

Yugonda Clinton, 5415 South 79th East Avenue, was present on behalf of C. Penny Schell, and submitted a plat of survey (Exhibit "I-1"). Ms. Clinton stated that the variance is requested because when the house was constructed about six or seven years ago the builder miscalculated the size of the house by 6".

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in the Residential Districts) from the centerline of North Santa Fe Avenue from 50' to 49' & 6", per plat of survey submitted, on the following described property:

Lot 7, Block 16, Gilcrease Hills Village II, Osage County, Oklahoma.

NEW APPLICATIONS:

Case No. 12223

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for a special exception to allow a mobile home in an RS-3 Zoned District. This property is located at 426 West 36th St.

Presentation:

James McHenry, 4808 South Elwood Avenue, Lot #107, was present stating that the subject lot has a burned house on it presently, and he plans to remove that structure and place a mobile home on the property for rental purposes. Mr. McHenry advised the Board that Case No. 12192 was approved earlier in this meeting for a mobile home in the same area to be placed at 3617 South Galveston Avenue, where he plans to reside. The two applications are within one block of each other.

Protestants: None.

Board Comments:

Mrs. Purser stated the land is planned for industrial and she felt that this was the best use on an interim basis.

Case No. 12223 (continued)

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a mobile home in an RS-3 Zoned District, for a period of one (1) year, removal bond required, subject to the Health Department's approval, on the following described property:

Lot 1, Block 1, of Reservoir Addition of Resub. of Lots 4 & 5, of Garden City to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12225

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request for off-street parking adjacent to Atlas Fence Company. This property is located at the SW corner of Admiral Court and Columbia Avenue.

Presentation:

Tom Rutherford, 2711 East Admiral Place, was not present.

Mr. Smith read a letter from Mr. Rutherford (Exhibit "J-1") requesting that the case be continued because his grandchild was scheduled for surgery on this date.

Protestants:

There were several in protest to the application. A protest petition which contained approximately 15 names and addresses was submitted (Exhibit "J-2").

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this item to the October 28, 1982, meeting.

Case No. 12227

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for a special exception to allow a home occupation (beauty shop) in an RS-3 District. This property is located at 5610 South 85th East Avenue.

Presentation:

The applicant, Penny Lawton, was not present.

Protestants:

There were two ladies present in protest to the application and submitted a protest petition containing approximately 33 signatures (Exhibit "K-1"). One of the ladies advised that the applicant, Penny Lawton, was present for the hearing, but then left when she was advised that there were protestants to the application.

Case No. 12227 (continued)

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to DENY a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a home occupation (beauty shop) in an RS-3 District, on the following described property:

Lot 21, Block 2 Woodland View Park 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12229

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback from the centerline of East Oklahoma Street from 50' to 31'. This property is located at 1348 North Toledo Avenue.

Presentation:

Gregory Fugate, 1348 North Toledo Avenue, was present and submitted a plot plan (Exhibit "L-1"). Mr. Fugate requested a variance of 19' from the centerline of Oklahoma Street to construct a 24' x 30' garage.

Protestants: None.

Board Comments:

Mrs. Purser asked if there would be a business in the proposed garage and Mr. Fugate answered no. He plans to store his vehicle and motorcycles in the garage. The Board advised that a business would never be operated at the garage location and Mr. Fugate agreed that he would not operate a business there.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback from the centerline of East Oklahoma Street from 50' to 31' and that the garage never be used as a business, subject to the applicant filing a restrictive covenant with the County Clerk to appear in his abstract stating that the garage will never be used as a business, on the following described property:

Lot 1, Block 3, Caresse Addition, in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12230

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to locate a mobile home in an RS-3 District. This property is located at 1601 North Atlanta Place.

Presentation:

Lala Mae Riley, 1601 North Atlanta Place, was present requesting permission to place a mobile home on the subject property to be placed north of her residence. The mobile home will be for her elderly parents to

Case No. 12230 (continued)

reside in so Ms. Riley can care for them. Ms. Riley stated that she owns three (3) lots and intends to place the mobile home on the same lot as her residence.

Protestants: None.

Board Comments:

Mr. Victor asked if there were other mobile homes in the area and Ms. Riley answered in the affirmative.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a mobile home in an RS-3 District, for a period of one (1) year, removal bond required, with the provision that only Ms. Riley's parents reside in the mobile home and at such time that they chose not to live in the mobile home the permission is revoked, on the following described property:

Lot 592, Block 46, Tulsa Heights, in City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 12233

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for office use in an RM-2 District; and a Variance - Section 1211.4 - Off-Street Parking and Loading Requirements - Request to allow 8 parking spaces instead of the required 10 spaces. This property is located at 1518 South Cheyenne Avenue.

Presentation:

David Sobel, Attorney-at-Law, 717 South Houston Avenue, was present and submitted a site plan (Exhibit "M-1"). Mr. Sobel stated that the site plan has changed slightly since the filing of the application. The variance for the parking has been withdrawn because the amount of square-footage has been reduced to 3,500 square feet and ten (10) parking spaces have been provided which will meet the parking requirements. The sixty year old residential structure which will be used as law offices will remain basically the same with the exception of an addition over the carport area, which will be used as a library conference room and will not extend any higher than the existing structure. The subject property is surrounded by office use.

Mr. Sobel stated that the structure would be improved and would enhance and be compatible with the surrounding area. District 7 Comprehensive Plan recommends approval of the property for high intensity office and multifamily use.

Protestants: None.

Comments:

Mr. Jackere advised that the applicant needs a variance of the side yard. The existing house is built within 4½' of the property line on the north side and one cannot increase a nonconforming structure without this

Case No. 12233 (continued)

Board's approval. Mr. Smith also advised that screening should be erected on the south side.

Mr. Victor inquired as to the proposed sign and Mr. Sobel stated that it would be 3' x 2'.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) for office use in an RM-2 District; and that the Variance (Section 1211.4 - Off-Street Parking and Loading Requirements) be withdrawn; and that the sign be restricted to a maximum of 8 square feet; and that the case be continued to November 18, 1982, to allow for readvertising for a variance of the side yard requirements and for a waiver of screening on the south side of the property, on the following described property:

The South 20' of Lot 14 and the North 30' of Lot 5, Block 2, Stonebraker Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12234

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial District - Request to allow car and truck rental and sales in a CS District. This property is located at the NW corner of 51st Street and Memorial Drive.

Presentation:

James McDowell, 4629 South Harvard Avenue, was present requesting permission to allow Budget Rent-A-Car to utilize the subject property for car and truck rental and sales. Mr. McDowell presented pictures of the existing structure on the subject tract which has been upgraded.

Jack Opley, President of Budget Rent-A-Car, was present and stated that when the lease on the property was negotiated the applicant had the opportunity to sell cars and/or rent trucks. The applicant no longer intends to sell cars and/or rent trucks, but only intends to use the property as a car rental business renting approximately 100 cars a month or approximately 3 or 4 cars a day coming in and out of the subject location. Mr. Opley stated that cars are picked up from the airport on Thursday or Friday and taken to this location for their customers. The customers then return the cars to the airport or the subject location on Mondays.

Protestants: None.

Board Comments:

Mr. Victor asked how many cars would be stored at this location and Mr. Opley stated that there would never be more than 10 to 12 cars on the property at any one time for an extended period.

Discussion ensued concerning limiting the number of cars on the property at any one time. Mr. Opley suggested that if there were too many cars

Case No. 12234 (continued)

at the subject location that he be permitted to park some of the vehicles in the Fontana Shopping Center. Mr. Jackere advised that if he did that, he would be in violation of the Zoning Code parking vehicles from the subject operation on a parking lot devoted to a shopping center, unless permission was granted by this Board.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to allow car rental only, as presented with permission, to run with this applicant only for the term of the 6-year lease and that the building remain as is, on the following described property:

The West 50' of Lot 1, Block 1, Cambridge Center Addition to the City of Tulsa, Tulsa County, Oklahoma, a resubdivision of a part of Block 1, First Research and Development Center Addition in the Southeast Quarter of Section 26, Township 19 North, Range 13 East, being approximately 125' West of the northwest corner of 51st Street and Memorial Drive.

Case No. 12235

Action Requested:

Variance - Section 420.2 (a) 2 - Accessory Use Conditions - Request to locate a detached accessory building in the side yard. This property is located at 514 South Gillette Avenue.

Presentation:

Roy Dowd, 514 South Gillette Avenue, was present and submitted a floor plan (Exhibit "N-1"). Mr. Dowd stated that he needs a building permit for a storage building which is presently located on the property behind his house. He stated that he placed the building on the subject property because his basement cannot be used for storage because water from the rain has come up through the bottom. There is presently a garage apartment, a cottage, a small shed, the house and the storage structure in question on the subject property. The small shed was previously used for storage, but is too small for the storage of cloths, rental furniture, curtains, carpets..., which will be stored in the new structure.

Protestants:

Jack McGlumphy, 522 South Gillette Avenue, was present stating that there are too many buildings in the applicant's back yard. There are presently four detached buildings on the property not including the house. He stated that he would not be in opposition to the application if the small shed was removed and a privacy fence was erected on the north side.

Applicant's Rebuttal:

Mr. Dowd stated that he has talked to Mr. McGlumphy and has agreed to remove the shed and erect a fence as was requested.

Comments:

Mrs. Purser asked about the zoning of the subject area and Mr. Gardner advised that it has been developed as a single-family area, but is zoned for multifamily. Discussion ensued concerning the four detached buildings

Case No. 12235 (continued)

on the subject property and Mr. Dowd stated that all of the buildings, with the exception of the storage building in question, has been on the subject property for ten years.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 2-2-0 (Purser, Victor, "aye"; Chappelle, Smith, "nay"; no "abstentions"; Wait, "absent") to approve a Variance (Section 420.2 (a) 2 - Accessory Use Conditions) to locate a detached accessory building in the side yard, and that the building in question not be used for anything else but for storage purposes, and that the small shed be removed from the property and a privacy fence be erected on the north side as the applicant has stated, on the following described property:

The N/2 of Lot 14; and ALL of Lot 15, Block 11, Hillcrest Addition to the City of Tulsa, Tulsa County, Oklahoma.

Due to the lack of three affirmative votes, the application was DENIED.

Case No. 12236

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential District- Request to allow a home occupation to dye shoes in an RS-3 District. This property is located at 11469 East 38th Street.

Presentation:

Gera Vudhiwat, 11469 East 38th Street, was present requesting permission to place a home occupation to dye shoes at the subject property. Mr. Vudhiwat stated that his brother-in-law who is 16 years old would work at the business and would reside at the subject property. The shoe dying would take place in the garage. Mr. Vudhiwat stated that he was aware of all of the home occupation rules.

Protestants: None.

Comments:

Mrs. Purser asked if the garage door would be left on the garage and Mr. Vudhiwat stated that the door would be opened for ventilation purposes, and would remain on the garage. Mr. Victor asked if the shoe dying process would present a lot of fumes and odors and Mr. Vudhiwat stated that there would be some. The shoes would be dyed by using an air brush and ventilation would be needed.

The Board requested that Mr. Vudhiwat contact the Fire Marshal concerning the storage of the dyes and thinner. It might present a hazard if they were stored close to the hot water tank. Mr. Vudhiwat stated that he would contact the Fire Marshal concerning the safety.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 420 - Accessory Uses in Residential Districts) to allow a home occupation to dye shoes in an RS-3 District subject to approval from the Fire Marshal, and subject to the applicant complying with all of the home occupation regulations, on the following described property:

10.14.82:373(18)

Case No. 12236 (continued)

Lot 29, Block 10, Garnett Park Addition, Tulsa County, Oklahoma.

Case No. 12237

Action Requested:

Variance - Section 410 - Principal Uses Permitted in the Residential District - Request to allow temporary mini-storage buildings in an RM-1 District. This property is located north of the NW corner of Latimer Place and 66th East Avenue.

Presentation:

Frank Wisener, 1124 North Mingo Road, was present representing R. E. Bright and Bright Construction Corporation and submitted a rendering showing the placement of the mini-storage buildings (Exhibit "0-1"). The subject property backs up to the back side of a strip shopping center on Sheridan Road, to the north of the subject property are apartment complexes and to the south is a single-family residence. The property, which is zoned RM-1, was first proposed to be used to build a 24-apartment complex. A survey of the neighborhood was taken and it was found that there was a need for mini-storage buildings in the subject area. The applicant is proposing to provide 80 units on a temporary basis for one or two years. The subject property will be fenced, lighted and locked and access to the facility would be limited to day light hours.

Protestants: None.

Board Comments:

Mr. Victor asked how big the units will be and Mr. Wisener stated that they will be 10' x 20' in size and will be skid mounted. Mr. Victor also asked about the proposed parking area and Mr. Wisener stated that they would gravel the lot. The applicant was informed that the parking surface needs to be dust proof.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-1 (Chappelle, Smith, Victor, "aye"; no "nays"; Purser, "abstaining"; Wait, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in the Residential District) to allow temporary mini-storage buildings in an RM-1 District, for a period of two (2) years contingent upon the applicant providing a dust proof surface parking lot to include 80 skid mounted units, on the following described property:

The East 145 feet of the South 264 feet, Lot 2, LESS the East 5 feet of the South 264 feet Lot 2, Block 1, Aviation View Subdivision, Tulsa County, Oklahoma, in the City of Tulsa, Oklahoma.

Case No. 12238

Action Requested:

Variance - Section 410 - Principal Uses Permitted in the Residential District - Request for temporary mini-storage buildings in an RM-1 District. This property is located at the NE corner of Latimer Place and 94th East Avenue.

Presentation:

Frank Wisener, 1124 North Mingo Road, was present representing R. E. Bright and Bright Construction Corporation and the applicant proposes to erect mini-storage buildings on the subject property. A chain link fence will be erected on the north, east and south sides of the subject property and a chain link fence with stone columns erected on the 94th East Avenue front. Lighting directed inward is proposed for the subject property for security purposes.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-1-0 (Chappelle, Smith, Victor, "aye"; Purser, "nay"; no "abstentions"; Wait, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in the Residential District) for temporary mini-storage buildings in an RM-1 District, for a period of two (2) years, subject to the applicant providing a dust proof surface parking lot with a maximum of 100 skid mounted storage units, subject to the lighting being directed inwardly toward the subject property, that the applicant erect the chain link fence with stone columns on the subject tract, that the applicant submit a copy of the site plan to the Board prior to development, on the following described property:

The South 150' of the W/2 of the N/2 of the SE/4 of the SE/4 of the NE/4 of Section 36, Township 20 North, Range 13 East, in the City of Tulsa, Oklahoma, Tulsa County, Oklahoma.

Action Requested:

Variance - Section 610 - Principal Uses Permitted in the Office Districts- Request for a variance to allow a Use Unit 20 (Golf Driving Range) in an OL District. Also, a variance to allow two mobile homes in an OL District; and a Variance - Section 410 - Principal Uses Permitted in the Residential Districts - Request for a variance to allow a Use Unit 20 (Golf Driving Range) in an RS-3 District; and a Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for a special exception to allow two mobile homes in an RS-3 District. This property is located west of the northwest corner of 71st Street and Garnett Road.

Presentation:

Willie Morrison, 9911 East Skelly Drive, was present and submitted a layout (Exhibit "P-1"). Mr. Morrison, who owns and operates a golf driving range at 9911 East Skelly Drive, is proposing to change the location of his business to the subject property because of insecurity of his lease at the present location. His present lease expires December 31, 1982, and the new lease at 71st and Garnett is for a five (5) year period. Mr. Morrison stated that the investment that he would put into the new location such as a parking lot and various other facilities would not be worth the cost for under a five (5) year period.

Protestants: None.

Board Comments:

Mrs. Purser stated that a much larger portion of land was advertised than what is under application. Mr. Gardner advised that the legal description could be corrected. He stated that the only one who would be affected would be the property owner who Mr. Morrison signed the lease with, so therefore, the Board could still act on the application.

Ricky Jones advised that the mobile homes were advertised for OL and RS-3 zonings because it was unsure where the mobile home would be placed. One mobile home is used as the applicant's residence and the other for an office.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 610 - Principal Uses Permitted in the Office Districts) to allow a Use Unit 20 (Golf Driving Range) in an OL District and a variance to allow two mobile homes in an OL District; and a Variance (Section 410 - Principal Uses Permitted in the Residential Districts) to allow a Use Unit 20 (Golf Driving Range) in an RS-3 District; and a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow two mobile homes in an RS-3 District, for a period of five (5) years, on the following described property:

The West 484' of the South 900' of the SE/4 of the SE/4, Section 6, Township 18 North, Range 14 East, Tulsa County, Oklahoma.

Action Requested:

Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to locate two dwellings on one lot of record temporarily. This property is located at 3519 East 4th Place.

Presentation:

Dan Miner, 3519 East 4th Place, was present and submitted a copy of the plot plan (Exhibit "Q-1") and a letter in support of the application signed by eighteen (18) property owners in the immediate area (Exhibit "Q-2"). Mr. Miner intends to build a new home on the subject property and intends to live in the small house located at the back of the lot until the new structure is completed. When the new house is completed, Mr. Miner intends to remove the small residence which was built in 1920. The applicant has agreed to sign a removal contract stating that he will remove the small house if the proposed house is not completed in 18 months.

Mr. Tom Hinrichs, a licensed general contractor and Abode manufacturer in New Mexico will advise and aid Mr. Miner in the construction of his Abode home.

Protestants:

Jimmy Southern, 3512 East 4th Place, was present in opposition to permitting two dwellings on one lot of record. He stated that the proposed house would be too large for the subject lot and would not be in keeping with the rest of the neighborhood. He was also concerned that Mr. Miner would not complete the proposed house in 18 months because of financial reasons. Mr. Southern suggested that if the proposed house is constructed that it be placed behind the small house on a vacant lot which Mr. Miner owns. Mr. Southern also advised that Mr. Miner has not complied with the Board's request in August 1982, when Mr. Miner was asked to clear up his property and remove some buildings.

Eugene Colleoni, District #4 Chairman to the Greater Tulsa Council, was present stating that the proposed house is a two-story structure and the 2nd floor has a separate ingress and egress which could be used as a duplex.

Dorothy M. Martin, 354 East 4th Street, was present stating that the proposed house would not be compatible with the existing houses in the neighborhood. She was concerned that two houses would be located on the subject property at the same time. She was also concerned that Mr. Miner has not paid the mortgage for the small house and could not assure the Board that it could be removed.

Comments:

The Board was concerned that the applicant comply with the Board's request from the previous application to clean his property. Mr. Miner advised that he has torn down the small building and the other structure which he had started, and has cleared his property as the Board had requested that this action be completed within 10 days after the case was denied.

Mr. Jackere suggested that if the concern is with the banks interest, or mortgage interest, the Board might request the applicant to provide an agreement from the mortgage holder that upon completion of the larger

Case No. 12240 (continued)

structure that they release any mortgage interest they have on the original structure and if that does not take place, the Board can require the applicant to do so.

Mr. Gardner expressed a concern with the separate outside entrances to the upper floor of the proposed house which would make the structure a duplex. The Board was also concerned that if the proposed house was not completed in 18 months they would not have jurisdiction to have the small house torn down. The Board also advised that they have never granted a variance of this nature previously.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to DENY a Variance (Section 208 - One Single-Family Dwelling Per Lot of Record) to locate two dwellings on one lot of record temporarily, on the following described property:

Lot 17, Block 4, University Heights Addition, to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12241

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial Districts - Request to allow mobile home sales in a CS District. This property is located at the south side of Admiral Place, 200' West of U. S. Highway #169.

Presentation:

Roy Johnsen, Attorney-at-Law, was present representing Sunset Mobile Homes, Inc., Ron Herim and Joe Onaronto. Mr. Johnsen submitted a pamphlet showing the mobile home design (Exhibit "R-1") and also presented a model showing the layout of the business.

Mr. Johnsen stated that the applicant has entered into a lease agreement with the owner of the subject property, who is also the owner of the adjoining property. There are numerous mobile home sales lots along Admiral Place and other uses which fall under Use Unit 17.

The appearance of the mobile home sales lot is of great concern to Mr. Johnsen's clients. The clients have consented that the number of mobile homes within the 1.68 acre tract will not exceed 15. Proposed is 20' of grassy open space on the front and approximately 50' of grassy open space on the east and west. The owner of the abutting property and the lesser of the subject property will maintain an existing screening fence along the common boundary line. The subject property will be limited to two signs for the main entrance which will be 8' in height and 16' in length and will be ground lighted.

Mr. Johnsen advised that approximately 90% of the mobile homes would have wood siding. There will be two mobile home units on the front portion of the property for display purposes which will always have wood siding.

Protestants: None.

Case No. 12241 (continued)

Board Comments:

Mr. Victor inquired as to the proposed parking lot and the proposed material to be used. Mr. Johnsen stated that the entire display surface area will be a gravelled area. The intent is that the entire site be gravel because the applicant does not feel that the traffic would be heavy, but would be very light in comparison to a retail business. If the Board requested, the applicants would consent to asphalt the parking area. Mr. Victor felt that the parking designated for customers should be asphalt, but had no concern that the entire display area be paved.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to allow mobile home sales in a CS District; 1) that the mobile homes be placed on gravel or grassy area; 2) that the driveway area be paved solid from the driveway up to the office area and providing space for 8 cars; 3) that the mobile homes be placed in the configuration as shown on the model; 4) that the mobile homes facing Admiral Place have the appearance of being in place permanently with skirting, landscaping, stair steps as represented in the exhibit; 5) that the hitch area of the mobile homes be disguised as represented; 6) that the gravelled parking lot be of small-type gravel; 7) that the two signs not exceed 8' in height and 16' in length and that they be ground lit signs; 8) that no flags, banners, archways over the entrance be permitted, 9) providing a perimeter open space of 20' in the front and 50' on the east and west sides be required; 10) and that all the open space be permitted as grassy area only and not to be used as anything else; and, 11) to run with this lessee only, on the following described property:

A part of Lot 2, Block 1; of Lots 1, 2, & 3, Block 1; the Amended Plat of ROSEWOOD CENTER ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, more particularly described as follows: Beginning at the Northwest corner of Lot 2, Block 1; thence South 150' to the Southwest corner of Lot 2, Block 1; thence East along the South line of said Lot 2, Block 1, a distance of 493.08' to a point; thence North 19°-35'-0" East a distance of 7.56' to a point; thence North 0°-35'-0" West a distance of 73'; thence North 4°-0'-0" West a distance of 70' to a point on the North line of said Lot 2, Block 1; thence West along the North line of Lot 2, Block 1, a distance of 489.84' to the point of beginning.

Case No. 12242

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback requirement from the centerline of Quincy Avenue from 50' to 29.4'. This property is located at 1341 East 35th Street.

Presentation:

Becky Saunders, 7920 South 70th East Place, was present and submitted a plat of survey (Exhibit "S-1"). The subject house was originally built

Case No. 12242 (continued)

as a rectangular structure in the 1930's and approximately 10 years later a jetting out addition was added which encroached to within 5 feet of the City right-of-way. The issue has come up at this closing and the applicant wishes to clear the matter up.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback requirements from the centerline of Quincy Avenue from 50' to 29.4', per plat of survey submitted, on the following described property:

The East 50' of Lot 9, Block 2, Olivers Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12243

Action Requested:

Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request for a variance of the 750 square feet requirement for detached accessory buildings in an RS District to 798.75 square feet in a rear yard. This property is located at 4219 East Young Street.

Presentation:

Carol Trammel, 4219 East Young Street, was present and submitted a plot plan (Exhibit "T-1"). Ms. Trammel advised that she has a detached garage in her back yard which exceeds the 750 square-foot limitation for a detached accessory building by 48 square feet.

Protestants: None.

Board Comments:

Mrs. Purser asked if there would be a business in this building and Ms. Trammel answered no. The applicant advised that the building would be used for the storage of her husband's camper and truck.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-0-1 (Chappelle, Purser, Victor, "aye"; no "nays"; Smith, "abstaining"; Wait, "absent") to approve a Variance (Section 240.2 (e) - Permitted Yard Obstructions) of the 750 square feet requirement for detached accessory buildings in an RS District to 798.75 square feet in a rear yard with the provision that a legal document be filed with the County Clerk, which will appear in the abstract advising that any prospective buyers of the subject property cannot use the detached garage as a business, on the following described property:

Lot 19, Block 2, El Brad Addition, to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12244

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for church use. This property is located at 1224 North Trenton Avenue.

Presentation:

William Haynes, 322 McKinley, Sand Springs, Oklahoma, 74063, pastor of the Freewill Baptist Church, was present stating that the existing church building has been at the present location for twenty-four (24) years without permission. Mr. Haynes requested that the Church be allowed to remain at its present location.

Protestants: None.

Board Comments:

Mrs. Purser asked if an addition was proposed for the church building and Mr. Haynes answered no.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) for Church use, per the existing facility, on the following described property:

Lot 4, Block 2, Wildmans Addition, to the City of Tulsa,
Tulsa County, Oklahoma.

OTHER BUSINESS:

Case No. 12003

Action Requested:

Consider approval of Site Plan Review for Case No. 12003.

Presentation:

The applicant, Gary Price, was not present.

Staff Comments:

Ricky Jones advised that the applicant has failed to be present for two meetings and the Staff had tried to contact the applicant, but has been unsuccessful. The Board approved the proposed office use located at the northeast corner of 8th Street and Madison in June with the provision that the applicant return to the Board with a plot plan and a tie contract.

Board Action:

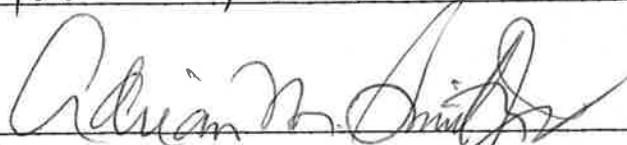
On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to strike this item from the agenda.

The meeting was adjourned at 6:58 p.m.

Date Approved

Nov. 18, 1982

Chairman



10.14.82:373(26)