

CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 375  
Thursday, November 18, 1982, 1:00 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Chappelle Purser (in at 1:58 p.m.) Smith, Chairman Victor	Wait	Gardner Harrison Jones	Jackere, Legal Department Miller, Protec- ive Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Monday, November 15, 1982, at 10:15 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 1:04 p.m.

MINUTES:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve the Minutes of October 14, 1982 (No. 373).

WITHDRAWN CASES:

Upon the applicant's request, the Chair, without objection, withdrew Case No. 12207 from the agenda.

STRIKEN CASES:

The Chair, without objection, struck Case Nos. 12281 and 12282 as they did not need to be before this board. The Zoning Ordinance does not require that the applicant file this request since these properties have been platted since 1970.

Case No. 12206

Action Requested:

Request approval of detailed site plan, landscape plan and lighting plan for Case No. 12206.

Presentation:

John Sublett, One Williams Center, attorney representing the protestants, was present and requested that the application be continued for two weeks and submitted a letter reflecting the continuance request, (Exhibit A-1). When the application was approved at the October 14, 1982 meeting, it was approved subject to the applicant returning to the Board with revised plans and that he contact Mr. Sublett to give the protestants an opportunity to review the new plans. Mr. Sublett stated that he feels that sufficient time was not given to the protestants as they were notified on November 16, 1982.

Case No. 12206 (continued)

James Hogue was present representing Akdar Shrine Temple Association, southwest corner of 21st Street and Boston Avenue, requesting that the case be heard today. Mr. Hogue stated that if the application is delayed, it will be detrimental to the applicant because there is wood and other materials exposed to the weather.

The Board decided to hear the case and Mr. Hogue proceeded with his presentation.

Mr. Hogue submitted a copy of the revised plans consisting of the front elevation (Exhibit A-2), a landscape development plan (Exhibit A-3), and a copy of the plot plan (Exhibit A-4). Mr. Hogue stated that the revised plans comply with the Board's requests at the previous meeting. The T-shaped canopy facing 21st Street has been deleted and the multi-colored awning and gold domes have been deleted. The proposed canvas is a light brown or tan color. The proposed lighting has been revised also. The applicant proposes to place turrets on the building as was originally proposed. Mr. Hogue advised that the entire structure will be a tan or light brown color.

Protestants:

Bryan McCracken, 25 East 22nd Street, was present in protest to the turrets and also requested that the lighting be toned down.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve the plans as submitted by the applicant, and that the existing 450 watt flood lights be replaced with 100 watt quartz lights as shown on the plans, that there be no onion domes on the building, and that the building be of a solid brown or tan color, that there be no accented colored trim, and that the turrets not be lighted on the following described property:

Lots 1, 2 and 3 (I, II, and III), Block 2 (II), Riverside Addition to the City of Tulsa, according to the third recorded plat thereof.

Unfinished Business:

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:

The applicant, Jimmy Williams, was not present.

Ricky Jones advised that the case was continued at the previous meeting so that the City Commission could act on the matter. The City Commission voted November 12, 1982, to have the sign removed from the right-of-way.

Case No. 11965 (continued)

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to deny a Variance (Section 280 - Structure Setback from Abutting Streets) of the required setback to allow the erection of a sign from 50' to 46' from the centerline of Harvard Avenue, on the following described property:

Beginning 241.69' South of the Northeast corner of the NE/4, SE/4, NE/4; thence South 225'; thence West 200', North 200', East 90'; thence Northeast to the Point of Beginning less the East 50' thereof and less the South 25' of the West 150' for street, all in Section 32, Township 19 North, Range 13 East, containing 3.6 acres, more or less, Tulsa County, State of Oklahoma.

Case No. 12252

Action Requested:

Special Exception - Section 240.2 (h) Permitted Yard Obstructions - request to allow a carport in the front yard. This property is located at 4934 South Detroit.

Presentation:

Wanda Baker, 4934 South Detroit, was present.

Protestants: None

Staff Comments:

Ricky Jones advised that the case was continued so that the Board members could view the site.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 240.2 (h) Permitted Yard Obstructions) to allow a carport in the front yard, on the following described property:

Lot 8, Block 11, Amended Plat of Riverview Village.

Case No. 12218

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 property line.

Variance - Section 1205 Use Conditions - Request a variance of the required parking spaces.

Variance - Section 1450 Structural Non-conformities - request to expand a non-conforming use. This property is located north of the NE/c of Peoria Avenue and Virgin Street.

Case No. 12218 (continued)

Presentation:

The applicant, Ray Froggee, was not present.

Protestants: None

Staff Comments:

Ricky Jones advised that the applicant was previously advised to provide the staff with the new legal description but the applicant has failed to do so; therefore, the case was not properly advertised.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue this item to the December 2, 1982 meeting.

Minor Variances And Exceptions

Case No. 12269

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential District - Request a variance of the frontage requirements from 60' to 50' to permit a lot split. This property is located South of the SE/c of 48th and Vancouver.

Presentation:

John Owen, 1249 E. 29th Place, was present stating that he proposed to split the 150' subject property into three lots, each containing approximately 50'. The TAC asked the applicant to change the easement from 5' on the east side to 11', which he has agreed to do. Mr. Owen advised that there are other 50' lots in the neighborhood. The Planning Commission approved the application on November 3, 1982.

Protestants: None.

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the frontage requirements from 60' to 50' to permit a lot split, (L-15600), on the following described property:

The South 150' of Block 2, Lot 10, Greenfield Acres, County of Tulsa, Oklahoma.

Case No. 12276

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential District - Request a variance of the setback from the centerline of Delaware Avenue from 25' to 23.4' for an existing residence. This property is located at 4607 South Delaware.

Case No. 12276 (continued)

Presentation:

Mrs. Jack Murdock, 11612 South 100th East Avenue, Bixby, Oklahoma, was present and submitted a plat of survey (Exhibit B-1).

Protestants: None

Comments:

Alan Jackere, Legal Council, suggested that if the request is approved that it should not be approved as is written but to grant the setback from the property line and waive the 25' building setback line to 23.4' in accordance with the survey submitted.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the setback from the property line and to waive the 25' building setback line to 23.4' in accordance with the survey submitted, on the following described property:

Lot 7, Hidden Hills Addition, County of Tulsa, Oklahoma.

Case No. 12286

Action Requested:

Variance - Section 280 Structure Setback From Abutting Streets - Request a variance of setback requirement from 50' to 33' from the centerline of 15th Street to permit a pole sign (now existing). This property is located at 2908 East 15th Street.

Presentation:

Casper Jones, 1302 So. Fulton, was present on behalf of Gates City Glass Company. The pole sign is already erected and the applicant proposes to add onto the existing sign. The pole sign is 33' from the centerline of the street. There are other signs along and between Lewis and Harvard Avenue that have been approved by this Board subject to the execution of the removal contract. The applicant has agreed to sign the removal contract, if requested by this board

Protestants: None

Interested Party:

Eugene Colleoni, District #4 Chairman to the Greater Tulsa Council, was present stating that Gates City Glass Company has been an asset to the community and requested that the application be approved.

Case No. 12286 (continued)

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 280 - Structure Setback from Abutting Streets) of the setback requirement from 50' to 33' from the centerline of 15th Street to permit a pole sign (now existing) subject to execution of the removal contract, on the following described property:

Lot 4, Block 2, Avondale Addition to the City of Tulsa, Oklahoma

Case No. 12293

Action Requested:

Variance - Section 430 Bulk & Area Requirements in the Residential District - Request a variance of the side yard requirements from 10' to 7 1/2'. This property is located at 3429 East 56th Place.

Presentation:

Ken Fox, 3429 E. 56th Place, was present and submitted a rendering depicting the elevation of the house in question (Exhibit C-1), two photographs of the subject property (Exhibit C-2), and a copy of the plot plan (Exhibit C-3).

Mr. Fox stated that he need a building permit to enclosed his garage but he found that he was in violation of the RM-2 zoning requirements which require a 10' and a 5' side yard. The applicant's house is located in the middle of the lot and has a total of 15' sideyard with each side having 7 1/2 feet. The existing house was outside of the City limits when constructed.

Mr. Fox stated that he has discussed the proposal with his neighbors and they are not opposed to the request. The enclosure will not change the existing roof line.

Protestants: None

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the side yard requirements from 10' to 7 1/2' per drawing submitted, on the following described property:

Lot 19, Block 2, Lou North Woodland Acres 5th, County of Tulsa, State of Oklahoma.

Case No. 12296

Action Requested:

Variance - Section 930 Bulk and Area Requirements in the Industrial Districts - Request to waive the frontage requirements in an IM district to permit a lot split. This property is located at 42 North Quincy.

Case No. 12296 (continued)

Presentation:

Priscilla Brown, 42 North Quincy, was present on behalf of Tulsa Sheet Metal Works, Inc., and requested that the frontage requirement be waived to permit a lot split.

Protestants: None

Staff Comments:

Mr. Gardner advised that the lot split was approved by TMAPC on November 3, 1982.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts) to waive the frontage requirement in an IM district to permit a lot split, (L-15606) on the following described property:

The W 545.6' of Government Lot 4 less and except RR/Right-of-Way and less the south 150 feet of west 350 feet and less a tract described as follows to-wit: Beginning 30 feet east and 150 feet north of the SW/c of Government Lot 4 as POB, thence east 220 feet; north 241.54 feet to a point of intersection with the south line of Frisco RR/Right-of-Way; thence Southwest along RR/Right-of-Way 239.47 feet to point 30 feet east of west line Government lot 4; thence south 149.3 feet to POB Tract A: south 150 feet of the east 195.6 feet of the west 545.6 feet Lot 4, Section 6, T-19-N, R-13-E, containing .67 acres.

Tract B. W. 568.1', N. 520.21' Government Lot 4, lying South of St. Louis and San Francisco RR/Right-of-Way, less part beginning SW/c Government Lot 4; thence E 545.6', N 150', W. 295.6', North 241.54', Southwest 269.47', S. 299.3' POB, Section 6 T-19-N, R-13-E, 2.31 Acs.

Case No. 12298

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential Districts - Request a Variance of the sideyard requirement from 10' to 8.5'. This property is located at 1324 North Quincy Avenue.

Presentation:

Joe Finger, Jr., 1324 North Quincy, was present and submitted a Plot Plan (Exhibit D-1). The applicant proposes to construct a 24' x 30 room addition to the rear of the existing house. When the room is constructed it will line up with the existing walls and there will be 8' side yards.

Protestants: None

Staff Comments:

Mr. Gardner stated that the area is zoned for apartments but is developed as single family. If the area were zoned for single family, the applicant would only need 5' side yards.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Resi-

Case No. 12298 (continued)

dential Districts) of the side yard requirement from 10' to 8.5" per drawing submitted, on the following described property:

Lot 6, Block 1, Beauchamp Addition, Tulsa County, State of Oklahoma.

NEW APPLICATIONS:

Case No. 12267

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request to locate a mobile home in a RS-1 district. This property is located in the 17200 Block of East 11th Street.

Presentation:

Stacy Bevan, 516 Main Mall, was present stating that he recently purchased lots 5 and 6 of Lynn Lane Estates and proposes to place a mobile home on lot 6 where he will reside.

Protestants: None

Board Comments:

Mr. Smith asked if there are other mobile homes in that area and Mr. Bevan answered in the affirmative.

Board Action:

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

East 79.5 feet of Lot 5, and all of Lot 6, Block One, Lynn Lane Estates, County of Tulsa, State of Oklahoma.

Case No. 12268

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential District - Request for a variance of the side yard requirement from 10' to 6' in order to expand an existing dwelling. This property is located at 4935 West 8th.

Presentation:

Mrs. Riley Goins, Rt. 2, Box 354, Sand Springs, Oklahoma was present and submitted a plot plan (Exhibit E-1) and a photograph of the subject property (Exhibit E-2). Mrs. Goins stated that they have already expanded their existing residence. Most of the neighbors in the area are aware of the request and are in support of the application. There are many houses in that area which set closer than the house in question. In the future, the applicant plans to expand the existing dwelling of the side yard requirement from 10' to 6'.



Case No. 12268 (continued)

Protestants:

Margaret McCauley, 730 South 49th West Avenue, was present stating that there are several busses on the subject property and inquired as to the applicant's intended use for the busses. Mrs. Goins stated that there are two busses on the property; one is a camping bus which is being used for storage until the expansion on the house is completed, and the other bus is a church bus and will be removed from the property.

Comments:

Mr. Gardner advised that this area is zoned for multifamily but is developed single family.

Dorothy Miller, Protective Inspections, advised that they had a report on the subject property that there was a second foundation on the lot. Mrs. Goins stated that the existing house is the only foundation on the property. Mrs. Miller stated that the report was a complaint that an individual was living in a vehicle on the subject property. Mrs. Goins stated that the two busses are located on the subject property but are not used as a residence.

Mr. Victor stated that the Board can not act on the future expansion at this time, but the applicant will need to reapply at a later date. The future expansion of the house is not before the Board at this time.

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 430 - Bulk and Area Requirements in the Residential District) to allow the existing house to remain, and that the approval does not include the future expansion of the house at this time, subject to the church bus being removed from the subject property within 30 days, on the following described property:

Lot 15, Block 1, Vern Subdivision, County of Tulsa, State of Oklahoma.

Case No. 12270

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial Districts - Request to allow an auto sales (Use Unit 17) in a CS district. This property is located at 1737 South Memorial Drive.

Presentation:

Thomas King, 2518 South 96th East Place, was present requesting permission to allow an auto sales on the subject property. The subject property was previously used as a motor home and camper sales lot.

Protestants: None

Board Comments:

Mr. Victor stated that there are other uses in the surrounding area which are compatible to the proposed use. He asked the applicant how many cars would be located on the subject tract and Mr. King stated that there would be a maximum of 60 vehicles on the property. The vehicles would consist of cars, pickups, and one small motor home.

Case No. 12270 (continued)

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to allow an auto sales (Use Unit 17) in a CS District, subject to the property being limited to auto sales, and that the use of the property to run with this applicant only, on the following described property:

W 200' of Contempra III less and excepting therefrom the South 150 feet of the West 160 feet thereof, County of Tulsa, State of Oklahoma.

Case No. 12271

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Commercial District. Request to allow mobile home sales in a CS district. This property is located at 9715 East 11th Street.

Presentation:

James Hines was present representing Dale Haines, P. O. Box 45875, the property owner. The applicant proposes to place a mobile home sales lot on the subject property and anticipates the maximum number of units to be 20. To the west of the subject property is a service station which is now vacant, to the east is the Eleventh Street Drive-in, and across the street are apartments.

Protestants: None

Comments and Questions:

Mr. Victor asked if a plot plan was available that the Board could view and Mr. Hines stated that he did not have one at this time but could provide one at a later time. Mrs. Purser suggested that the case be continued for 2 weeks so that the applicant could provide the Board with plans and detailed information. The Board requested that the applicant provide information for a hard surface parking area for the customers, a plan showing the placement of the mobile homes, and some information of the proposed lighting of the sales lot.

Mr. Gardner advised that the Board needs to consider if this use would be appropriate for the subject area and if it would set a precedent. He suggested that if the Board does not feel that this use would be appropriate for this area, that it should not be continued but denied, but if the Board thinks it would be appropriate, to continue it. The Staff would be concerned that a precedent would be set if the application is approved. The Board did not feel that they could approve the application without seeing more detailed information.

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 December 2, 1982 meeting.

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request for a home occupation.

Variance - Section 440.2 (c) Special Exception Uses in Residential Districts Requirements - Request of variance to permit the home occupation to be conducted outside the principal building. This property is located at 3101 East 32nd Street North.

Presentation:

Tracy Heaton, 3101 East 32nd Street North, was present and submitted five (5) letters in support of the application (Exhibit F-1). Two of the letters were written by neighbors, one from the office manager of the veterinary hospital, one from the Tulsa Dog Training Club representative, and one from a representative of the Tulsa Sighthound Association.

Mrs. Heaton stated that if her application is approved she will be able to obtain a kennel license for her six show dogs which are obedience trained. She stated that her neighbors on either side are aware of the request and are in support of the application.

Protestants: None.

Board Comments:

Mr. Smith asked Mrs. Heaton if she intended to raise additional animals besides the six dogs which she presently has. Mrs. Heaton stated that she has some Whippets and another breed and she would like to have a litter of each. She stated that she would never have more than 6 adult dogs at any one time and would only have one litter at a time.

Mr. Victor asked if all of the dogs would be kept inside a penned area and would not be allowed out in the yard and Mrs. Heaton answered in the affirmative. She stated that one of the dogs lives in the house for security reasons but the others are kept penned outside. The only time they are allowed outside the pen is when she takes them to obedience school, to a field trial, or to a show.

Mr. Smith asked if the dogs have concrete runs and Mrs. Heaton answered no and she stated that she cleans up the dog leavings once a day.

Mrs. Purser asked the applicant if she intends to sell the dogs from her home and Mrs. Heaton 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 District) for a home occupation; and a Variance (Section 440.2 (c) Special Exception Uses in Residential

Case No. 12272 (continued)

Districts, Requirements) to permit the home occupation to be conducted outside the principal building, with the provision that only one litter be raised at a time, that only six adult dogs be allowed at the subject property at any one time, that no sale of dogs take place at this location, to run with this applicant only, on the following described property:

The East 82.5 feet of the West Half of the East Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (W/2 E/2 NW/4 SE/4 NE/4) of Section 20, T-20-N, R-13-E, County of Tulsa, State of Oklahoma.

Case No. 12273

Action Requested:

Variance - Section 430 Bulk and Area requirements in the Residential District - Request to allow a variance of the setback from the centerline of Garnett Road in order to line up with the existing structure, 50' to 17.5'. This property is located at 11301 East 3rd.

Presentation:

Therrel Pennel, 813 So. Oklahoma, Sapulpa, Oklahoma was present representing Robertson Construction, requesting the variance of the setback in order to line up with the existing house. The house in question is in a L shape and the applicant proposes to enclose the existing patio to provide more privacy for the owner. The proposed addition will not infringe into the centerline any more than the original house.

Protestants: None

Staff Comments:

Mr. Gardner advised that the variance request should state from 35' to 17 1/2' from the property line, or from 85' to 67 1/2' from the centerline of the street.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, "aye"; no "nays"; no "abstentions"; Wait "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) to allow a variance of the setback from the centerline of Garnett Road in order to line up with the existing structure from 85' to 67 1/2' on the following described property:

Lot 18, Block 1, Western Village Addition, County of Tulsa, State of Oklahoma.

Case No. 12274

Action Requested:

Special Exception - Section 310 - Use Units Permitted in the Agriculture District - Request an exception to allow a mobile home along with an existing single-family dwelling in an AG district. This property is located north of the northwest corner of 131st and Sheridan Road.

Presentation:

Billy Bevard, 8311 E. 132nd Street, Bixby, Oklahoma was present requesting permission to place the 24' x 70' mobile home on the 80 acre

Case No. 12274 (continued)

subject tract, which is owned by Mr. Bevard's parents. The mobile home is intended for a permanent residence and will be bricked in and will appear as a single-family dwelling rather than a mobile home.

Protestants: None.

Boards Comments:

Mr. Smith inquired as to the placement of the mobile home and Mr. Bevard stated that the east end of the mobile home will set approximately 440' east of the centerline of Sheridan Road and approximately 21' from the north property line.

Discussion ensued concerning the drainage and the floodplain. Mr. Bevard stated that they have had perk test made by Tulsa City-County Health Department.

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 310 - Use Units Permitted in the Agriculture District) to allow a mobile home along with an existing single-family dwelling in an AG district, on the following described property:

N/2, SE/4, Section 3, T-17-N, R-13-E, County of Tulsa, State of Oklahoma.

Case No. 12275

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential District - Request a variance of the sideyard requirement of 5' to 3.5' and from 5' to 1' on the West side. This property is located at 2910 W. 48th Street.

Presentation:

Opal Morrison, 4011 W. 43rd Street, was present and submitted a plot plan (Exhibit G-1). The applicant plans to add 24' to the back of the existing house. Previously 12' was torn off of the back of the house and the new addition will be placed at the same location.

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 approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the sideyard requirement of 5' to 3.5' and from 5' to 1' on the west side, per plot plan submitted on the following described property:

Lots 6 and 7, Block 14, Carbondale Addition to the City of Tulsa, County of Tulsa, State of Oklahoma.

Case No. 12277

Action Requested:

Special Exception - Section 410 Principle Uses Permitted in the Residential District - Request to locate a mobile home in an RS-3 district. This property is located at 2233 North Birmingham Place.

Presentation:

The applicant, Dennis Hopkins, was not present.

Protestants:

Donald Shaw, 2412 North Birmingham Place, was present and submitted a protest petition containing approximately 13 property owner's signatures (Exhibit H-1). Mr. Shaw, who lives next to Mr. Hopkins, stated that the applicant's father was granted permission to locate the mobile home in 1980 for 1 year on the subject property with plans to rebuild the house which was destroyed by fire. The mobile home is presently on the property and the proposed house has not been started. The mobile home is acquiring rats and has become a health hazard. Mr. Shaw has received many complaints from the neighbors.

Comments:

Mr. Jackere asked if there are other mobile homes in the area and Mr. Shaw answered no. Mr. Jackere stated that the applicant did not re-apply; did not build; and therefore has not lived up to his representations to the Board; therefore, the Board can act on this matter.

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 deny a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a mobile home in an RS-3 District, on the following property:

W/2, S/2, Lot 2, Block 7, City View Addition, County of Tulsa,  
State of Oklahoma.

Case No. 12278

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to locate a mobile home in an RM-1 district. This property is located at 2131 North Lansing Avenue.

Presentation:

Joy Nicholson, 2131 North Lansing Avenue, was present and submitted three (3) photographs of the houses in the immediate area. (Exhibit I-1). Ms. Nicholson is requesting permission to place a mobile home on the subject property. There are no other mobile homes in the surrounding area, but most of the houses in the area are in poor condition. The proposed mobile home will be rocked.

Protestants: None

Board Comments:

Mrs. Purser advised the applicant that the Board could only give approval for a one year period at this time.

Case No. 12278 (continued)

Mr. Jackere advised that if the request is approved, it should be subject to the applicant complying with the requirement of obtaining a zoning clearance permit. Mrs. Purser suggested that the zoning clearance permit be made a requirement for all mobile homes.

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) to locate a mobile home in an RM-1 District, for a period of one year, removal bond required, subject to the Health Department and subject to the issuance of a zoning clearance permit on the following described property:

Lot 17, Block 6, LeClaire Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12279

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial District - Request for Christmas tree sales lot in November and December. This property is located west of the SW/c of 21st and Garnett Road.

Presentation:

Mike Dorris, 3731 South 124th East Avenue, was present requesting permission to sell Christmas trees at the lot in question. Mr. Dorris stated that he has sold Christmas trees at this same location for 7 years.

Protestants: None

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 District) for Christmas tree sales lot in November and December, on the following described property:

Lot 3, Block 1, Garnett Acres. to the City of Tulsa, Tulsa County State of Oklahoma.

Case No. 12280

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to allow office use in a RM-2 district. This property is located at 1820 South Cincinnati Avenue.

Presentation:

The applicant, H. A. Winders, was not present.

Mr. Smith advised the Board that the applicant has submitted a letter requesting that the case be continued for a period of two weeks (Exhibit J-1).

Protestants: None.

Case No. 12280 (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 continue this item to the December 2, 1982 meeting.

Case No. 12283

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request for church use in an RS-3 district.

Variance - Section 1205.3 Use Conditions - Request a variance of the one acre requirement, the 100' lot width requirement, and a variance of the requirement that no parking shall be required within a required front yard. This property is located at 2139 North Frankfort Avenue.

Presentation:

Mr. M. C. Potter, pastor of the Antioch Baptist Church, 2123 North Frankfort Avenue, was present requesting permission to use the subject property for a parking lot. Mr. Potter stated that the Board approved church parking on this same property approximately one year ago. The church needs another parking lot for their facilities and the proposed lot will be adjacent to the previously approved parking lot, therefore, making a larger parking lot.

Protestants:

Mr. Smith advised that the Staff received a letter from Earl Pennington, 2233 North Franklin, in opposition to the request, (Exhibit K-1). As the Board reviewed the letter, it was determined that Mr. Pennington was not referring to the subject property.

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 in an RS-3 district; and a Variance (Section 1205.3 Use Conditions) of the one-acre requirement, the 100' lot width requirement, and a variance of the requirement that no parking shall be required within a required front yard, on the following described property:

Lot 3, Baldwin Place Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12284

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request to locate a mobile home during construction of a single-family dwelling.

Variance - Section 440.6 (a) Special Exception Uses in Residential Districts, Requirements - Request for a variance of the one year time limit to 18 months. This property is located at 3314 North Harvard.



Case No. 12284 (continued)

Presentation:

Ocie Taylor, 3314 North Harvard, was present requesting permission to place a mobile home on the subject property. The mobile home will be placed on the subject property while Mr. Taylor completes construction on his house. Mr. Taylor advised that he has a building permit and approval from the Health Department concerning the construction of his house.

Protestants: None

Board Comments:

Mrs. Purser asked how long it would take to complete construction on the house and Mr. Taylor stated that he would have the house completed in 18 to 24 months.

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 District) to locate a mobile home during construction of a single-family; and a Variance (Section 440.6 (a) Special Exception Uses in Residential Districts, Requirements) of the one year time limit to 18 months, on the following described property:

S/2 of the S/2 of the SE/4 of the NE/4 of the NE/4 of Section 20  
T-20-N, R-13-E, being in Tulsa County, State of Oklahoma.

Case No. 12285

Action Requested:

Variance - Section 730 Bulk and Area Requirements in the Commercial District- Request a variance of the 150' frontage to 0' frontage in a CS district.

Special Exception - Section 710 Principal Uses Permitted in the Commercial District - Request to locate a mini-storage in a CS district. This property is located north of the NE/c of 71st and Lewis.

Presentation:

Robert Compton, 7060 South Yale Suite 900, was present and presented a plot plan (Exhibit L-1). Mr. Compton is proposing to construct mini storage complex at the subject property. The proposed units will be a neutral color and will be one story in height. There will be no outside storage on the tract.

Protestants: None

Interested Party:

Nancy Nelson was present representing 93 households located in the Williamsburg, Muzing Hills, Sherrel Wood, Southern Kay, Oakwood, and Mobley Housing additions who support the application. Their support is based upon the information verbally provided by Mr. Robert Compton stating that the complex will consist of three to four buildings, to be approximately 111" tall, to be a neutral color, and to change frontage on Lewis Avenue from 150' to 0' thus allowing access to this particular complex. Ms. Nelson submitted a letter stating their support of the request. (Exhibit L-2).

Case No. 12285 (continued)

Discussion:

Discussion ensued concerning access to the property, screening and an easement to the property.

Mr. Gardner stated that he had talked with the applicant and a lot split will be necessary for an access easement to the property. He suggested that if the request is approved, that it be contingent upon the property receiving approval of the lot split for the subject property.

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 730 - Bulk and Area Requirements in the Commercial District) of the 150' frontage to 0' frontage in a CS district; and a Special Exception (Section 710 - Principal Uses Permitted in the Commercial District) to locate a mini-storage in a CS district, subject to the approval of a lot split by the Planning Commission, on the following described property:

East 236' of Lot 1, Block 1, Amended Plat of Abdo Commercial Heights, Tulsa County, State of Oklahoma.

Case No. 12287

Action Requested:

Variance - Section 620.2 (d) Accessory Use Conditions - Request for a variance of the sign requirements from 32 square feet in an OM district. This property is located at 91st East Avenue and 22nd Place.

Presentation:

Casper Jones, 1302 South Fulton, was present on behalf of Craig Neon, Inc., Kathy Pullen of KELI Radio Station of Dallas, and Richard Craig of Craig Neon, Inc. Mr. Jones submitted a rendering of the elevation (Exhibit M-1) and two photographs of a similar sign, (Exhibit M-2). Mr Jones stated that he was amending his request from 144 square feet to 126 square feet because the sign is not as large as was once thought.

The Board permitted a 96 square feet sign for Case No. 11772 and the sign was erected along the Skelly bypass, which is only 63 square feet and was shown in the photographs. The applicant is proposing to place the same type of wall sign on the east side of the building.

Protestants: None

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 620.2 (d) Accessory Use Conditions) of the sign requirements from 32 square feet to 126 square feet of a sign in an OM district, on the following described property:

Case No. 12287 (continued)

Lots 3,4,5, and 6, Block 3, Memorial Acres Addition to the City of Tulsa, Oklahoma.

Case No. 12288

Action Requested:

Variance - Section 410 Principal Uses Permitted in the Residential Districts  
- Request a use variance for wood sales in an RS-3 zoning, also storing cut wood. This property is located at 505, 507, 511 North 39th West Avenue.

Presentations:

Robert Nichols, 111 W. 5th, was present representing Marland Johnson and requested that the applicant be allowed to store fire wood at his home and on other adjacent lots which he owns. Mr. Johnson has operated a wood sales business at his property for the past three years and is requesting permission to continue that operation. The operation would not include additional lighting which would be inconsistent with the residential area. There would be no smoke, no excessive noise and no signs on the subject property. The applicant would receive calls at his home and would deliver the chopped fire wood to the appropriate site. The wood is prepared in ricks and is then stored on the applicant's lots.

Protestants:

Ken Post, 515 North 37th West Avenue, was present and submitted a protest petition (Exhibit N-1), and a handout consisting of communications between the applicant, Commissioner Hewgley, and Mayor Inhofe, (Exhibit N-2). Mr. Post, who was representing many of the residents in the subject area, stated that one of their main concerns is the drainage problem in that area. He requested that the applicant not be permitted to dump trash and debris into the drainage ditch running north 33rd West Avenue to North 39th West Avenue. They also requested that the selling of firewood on the subject property be terminated. The rains which are received fill the creek rapidly because of the excess debris emptied into the creek, therefore causing a flood problem. This creates a health problem and has caused the appearance of rats in the area. The increase in traffic would create a hazard to the school children along the narrow streets.

Elvy Harvey, Jr., 506 North 37th West Avenue, was present stating that the applicant has filled the creek to the point that a 3 inch rain would flood most of the residents along the creek. The request would be unacceptable to the neighbors in this area.

Board Comments:

Mr. Smith asked how the wood was cut and Mr. Nichols advised that most of the firewood is cut using a hydraulic splitter and any sawing which is done is done with an electric chain saw which does not make a tremendous amount of noise.

Mrs. Purser felt that the proposal was not appropriate in a residential area.

Case No. 12288 (continued)

PURSER made a MOTION and VICTOR SECONDED it to deny the application.

Discussion:

Discussion ensued concerning provision to clear the tract of excess wood stored on the subject property. Mr. Jackere suggested that the neighbors contact the Health Department to have the land cleared and Mr. Post, the spokesman for the neighborhood advised that steps have been taken by the neighborhood but it has been to no avail. Mr. Jackere stated that the Building Inspector will not permit the applicant to continue the wood sales beyond a reasonable period of time. Mr. Jackere suggested that the applicant be permitted to keep the amount of wood that he can use on a personal basis on the premises and the excess wood should be removed.

Discussion ensued concerning the drainage ditch and steps to be taken to restore it. Mr. Smith asked that the case be interrupted so the Engineering Department could contribute some input concerning the property.

Board Comments:

The matter was once again before the Board and Mr. Smith advised that Mr. Haye, of City Engineering, was not able to appear before the Board but contributed some photographs of the subject property.

Applicant's Rebuttal:

Robert Nichols felt that the applicant, Mr. Johnson, should be given 30 days in which to receive some communication from the appropriate departments stating that any fill problem would be taken care of. After 30 days, the applicant could return to the Board with the letters and if the applicant did not receive positive feedback, the application would be withdrawn.

Comments:

Mr. Jackere, legal council, felt that the Board's decision should not be contingent upon the clearing of the land.

A women from the neighborhood advised that the property owners in that area have tried for five (5) years to get the applicant to clear the land and rid the creek of the debris which he has filled it with.

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 deny a variance (Section 410 - Principal Uses Permitted in the Residential Districts) for wood sales in an RS-3 zoning, also denied storing cut wood, except for a reasonable amount for personal use, on the following described property:

Lots 8,9,10, Block 3, Coopers Addition, Tulsa County, Oklahoma.

Case No. 12289

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential Districts - Request a variance of the Bulk and Area Requirements to permit fee simple duplex lots. This property is located at the NE/c of 61st Street and Madison Avenue.

Presentation:

Ted Sack, 5359 So. Sheridan, was present on behalf of Madison Duplex Limited and advised that there are 10 existing duplexes on the subject property. Mr. Sack submitted a preliminary plat (Exhibit 0-1). The plat indicates the existing duplexes and shows the lot sizes that will be constructed by these proposed fee simple lots. The applicant proposes to split the property and sell each house as fee simple lots. Nothing is being changed on the existing duplexes.

Protestants: None

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 Bulk and Area Requirements to permit fee simple duplex lots, per TMAPC approval, on the following described property:

A tract of land, containing 2.1292 acres, that is part of Block 5 of Broadview Heights Addition, a subdivision to the City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to-wit: Starting at the southwest corner of said Block 5; thence northerly along the westerly line of Block 5 for 100.00' to the "Point of Beginning" of said tract of land; thence continuing northerly along said westerly line for 350.00'; thence easterly and parallel to the southerly line of Block 5 for 265.00' to a point on the easterly line of Block 5; thence southerly along the Easterly line of Block 5 for 350.00'; thence westerly and parallel to the southerly line of Block 5 for 265.00' to the "Point of Beginning" of said tract of land.

Case No. 12290

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial Districts - Request to use property in the CS district for multi-family dwellings, Use Unit 8, in accordance with the bulk and area requirements of the RM-2 district and development standards and site plan approved by the Board of Adjustment. This property is located North and East of E. 61st and Memorial Drive.

Presentation:

Charles Norman, attorney representing Alltex Construction, Inc., was present and submitted a site plan (Exhibit P-1), a grading plan (Exhibit P-2), a landscape detailed plan (Exhibit P-3), a fence detailed plan which indicates the fence to be constructed along the north and east boundaries (Exhibit P-4), a copy of the written development standards (Exhibit P-5), a survey (Exhibit P-6), and a letter written by Mr. Norman to the Woodland View Park I Homeowners Association (Exhibit P-7). Mr. Norman advised that the request is to permit multifamily use of 36 acres of the approximate 57 net-acre subject tract.

The written standards involves two phases; the first phase includes the site plan, and the second phase includes the remainder of the property along the north boundary and over on the east side. The second phases would also be subject to the Board's future approval of a site plan. The development standards for the second phase are included in the standards submitted.

The grading plan indicates the direction of the drainage on the subject property. Mr. Norman further discussed the plans and renderings which were submitted and read the development standards. If the application is approved it would be subject to this Board's approving a future detailed site plan to determine compliance of these written standards before the issuance of a building permit for Phase II.

One concern of the proposed structures would be the height of the three story structures which have 9' ceiling heights and 1'4" between the three floors. The maximum height request of the proposed structures is 44'.

Protestants: None

Interested Party:

Bill Gaddis, attorney representing Woodland View Park I Homeowners Association, was present stating that the Homeowners Association was pleased with Mr. Norman's presentation and the development of the project. He also stated that Mr. Norman advised the Association of the height proposal and they have no objection. Mr. Gaddis submitted a letter from the Homeowners Association reflecting their support of the request, (Exhibit P-8).

Discussion:

Discussion ensued concerning the height proposal of the project. Mr. Jackere advised that the application was not properly advertised for the height consideration and suggested that the Board not act on that request at this time. Mr. Norman requested that the Board act on the application and to continue the height consideration to the next meeting to allow for proper notice publication.

Case No. 12290 (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 710 - Principal Uses Permitted in the Commercial Districts) to use property in the CS district for multifamily dwellings, Use Unit 8, in accordance with the Bulk and Area Requirements of the RM-2 district and development standards and site plan approved by the Board of Adjustment to include all of the exhibits and development standards for Phases I and II, and to continue the remainder of the application to the December 16, 1982 meeting, to allow for purposes of advertising the height consideration, on the following described property:

Being a tract of land situated in Section 36, T-19-N, R-13-E, "Memorial South Center", an addition to the City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows: COMMENCING at the Southwest corner of Block 1 of "Memorial South Center", said corner being the Northeast of the intersection of East 61st Street South with South Memorial Drive; thence N. 00° 08' 25" W. 500.00 feet to the PLACE OF BEGINNING; thence, from the PLACE OF BEGINNING, N. 00° 08' 25" W. along the Westerly line of Block 1 for 771.39 feet to the Northwest corner of Block 1; THENCE N 89° 59' 52" E. along the Northerly line of Block 1 for 1500.00 feet to a point for corner; THENCE S. 00° 00' 08" E. for 250.00 feet to a point for corner; THENCE S. 73° 00' 00" W. for 195.00 feet to an angle point; THENCE S. 26° 00' 00" W. for 243.22 feet to a point on a curve to the left having a radius of 250.00 feet, a central angle of 56° 06' 45", and a tangent length of 133.24 feet; THENCE in a Northwesterly direction on a curve to the left for 244.84 feet to the end of said curve; THENCE S. 89° 59' 52" W. for 328.73 feet to the beginning of a curve to the left having a radius of 250.00 feet, a central angle of 53° 33' 59", and a tangent length of 126.19 feet; THENCE in a Southwesterly direction on a curve to the left for 233.73 feet to the end of said curve; THENCE S. 36° 25' 53" W. for 190.12 feet to the beginning of a curve to the right having a radius of 250.00 feet, a central angle of 53° 25' 42", and a tangent length of 125.81 feet; THENCE in a Southwesterly direction on a curve to the right for 233.13 feet to the end of said curve; THENCE S 89° 51' 35" W. for 154.19 feet to the PLACE OF BEGINNING and containing 17.226 acres of land, more or less.

Case No. 12291

Action Requested:

Variance - Section 430 Bulk and Area Requirements in the Residential Districts - Request a variance of the setback from the centerline of 37th Place from 50' to 32'. This property is located at 608 West 37th Place.

Presentation:

The applicant, Ricky Geist, was not present. Mr. Smith advised that the application fees had not been paid and suggested that the case be continued to the December 2, 1982 meeting.

Case No. 12291 (continued)

Protestants: None.

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 December 2, 1982 meeting.

Case No. 12292

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential District - Request for duplex use in a RS-3 district.

Variance - Section 440.3 (c) Special Exception uses in Residential Districts Requirements - Request a variance of the frontage. This property is located at the SW/c of 42nd Street and Detroit.

Presentation:

Frank Dale, 2615 E. 34th Street, was present and submitted a plot plan (Exhibit Q-1), a rendering including the floor plan, elevation plan, and foundation plans (Exhibit Q-2), a handout indicating the variance which relates to the amount of acreage, including the lot area per lot, and the area per dwelling unit (Exhibit Q-3), and four (4) photographs of what the proposed structures will look like (Exhibit Q-4).

Currently located on the subject property is a structure which faces east and Mr. Dale is seeking a lot split 5' from the furthestmost west structure on the property to build two structures on two lots west of the current structure. The city ordinance requires 75' of frontage and the request is for 64' of frontage.

Protestants:

A protest letter from John Kerr, Jr. was submitted to the Board. (Exhibit Q-5).

Board Comments:

Mrs. Purser asked if there are other duplexes in the area and Mr. Dale answered in the affirmative and proceeded to indicate those duplexes in the surrounding area.

Mr. Smith asked how many square feet would be contained in the duplexes and Mr. Dale advised that there would be 1187 square feet in each rental unit.

Mr. Jackere advised that the application is not properly advertised for the variance of the frontage. A building permit could not be issued unless he has a variance of the square footage. The Board felt that the applicant did not show a hardship and they stated that the two duplex units would overcrowd the lot.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstention"; Wait, "absent")



Case No. 12292 (continued)

to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) for duplex use in an RS-3 District, for one duplex, subject to the photographs and amended floor plan submitted for one unit, and to deny a Variance (Section 440.3 (c) - Special Exception Uses In Residential Districts, Requirements) of the frontage, on the following described property:

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

Case No. 12294

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial District - Request to allow (Use Unit 25) light manufacturing in a CH District. This property is located at 2402 East Admiral.

Presentation:

Russel Hickok, 1611 S. Main, Apartment 341, was present stating that he requests the zoning variance be changed from CH to a light industrial zoning on the subject property.

Clyde Thompson of Thompson Manufacturing Company, 1402 North Harvard, was present stating that he plans to rent the building in question and plans to build small machines for the printing industry. The machine is a string feeder for a printing press which feeds envelopes in a steady stream to a printing press.

Protestants: None.

Interested Party:

Eugene Colleoni, District #4, Chairman to the Greater Tulsa Council, was present stating that the district is in favor of the proposed land use for the subject property.

Board Comments:

Discussion ensued concerning the materials and operations which would be involved in the proposed industry. Mr. Victor asked if any delivery trucks would come to the subject property and Mr. Thompson advised that there is a side door used for a loading zone where the trucks load and unload.

Mr. Victor inquired as to the parking and Mrs. Miller advised that a CH zoning has no parking requirements. Mr. Smith asked how many employees are employed at the industry and Mr. Thompson advised that there are three (3) employees at present.

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 710 - Principal Uses Permitted in the Commercial District) to allow Use Unit 25 (light manufacturing) in a CH district, on the following described property:

Case No. 12294 (continued)

Lot 12, Block 5, East Highland Addition to the City of Tulsa,  
County of Tulsa, Oklahoma.

Case No. 12295

Action Requested:

Special Exception - Section 410 Principal Uses Permitted in the Residential Districts - Request to continue to locate a mobile home in an RS-3 district.

Variance - 440.6 (a) Special Exception Uses in Residential Districts Requirements - Request for variance of the one year time limitation to permit mobile home to remain for five years. This property is located at 3319 W. 38th Street.

Presentation:

Rebecca Walker, 3317½ W. 38th Street, was present stating that she was given approval to place her mobile home on her grandmother's property one year ago. She is requesting permission to allow the mobile home to remain on the property for an additional five years to tend to her grandmother's needs.

Protestants: None

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 Districts) to continue to locate a mobile home in an RS-3 district; and a Variance (Section 440.6 (a) Special Exception Uses in Residential Districts, Requirements) of the one year time limitation to permit a mobile home to remain for five years on the following described property:

Lots 9 and 10, Block 1, Yargee Addition to the City of Tulsa,  
County of Tulsa, Oklahoma.

Case No. 12297

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial Districts - Request to locate a Use Unit 17 (mini-storage) in a CS district. This property is located west of the NW/c of 31st and 129th E. Avenue.

Presentation:

Michael McCarty, 2808 South Hudson Place, was present and submitted a site plan (Exhibit R-1) and stated that he intends to construct mini-storage buildings on the subject property. The structures will be of metal and steel construction and will be an earthtone coloring. The proposed structures will be anchored to the foundation and asphalt paving will be provided.

Protestants: None

Board Comments:

Mr. Smith asked if the property had been platted and Mr. McCarty advised that the tract was platted in 1966 and is therefore a nonconforming lot.

Mr. Gardner advised that the Staff has taken a position that the use is appropriate in the subject area. He suggested that the concept of outside storage be discussed and discussion ensued on the topic.

Mrs. Purser inquired as to the screening fence and Mr. McCarty advised that a screening fence will be erected along the north and south boundaries of the property. There will be a fence on the west property line except in front of the building setback line where a gate will be. On the east property line there will also be a screening fence.

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 locate a Use Unit 17 (mini-storage) in a CS district, per site plan submitted, and subject to no outside storage being permitted, on the following described property:

West of the NW/c of 31st Street and 129th East Avenue; Lot 2,  
Block 1, Blue Robb Addition to the City of Tulsa, Tulsa County,  
Oklahoma.

Case No. 12299

Action Requested:

Variance - Section 440.7 (d) Special Exception Uses in Residential Districts Requirements - Request a variance of the setbacks to the West from 25' to 5' and from the North from 25' to 10' to line up with the existing church building. This property is located at 7143 East 10th.

Presentation:

D. Leon Ragsdale, 1324 South Cheyenne, was present representing Parkside Mennonite Brethren Church and submitted a plot plan (Exhibit S-1), and a letter from Rose Bowl stating that they would make their parking lot available to the Church when needed (Exhibit S-2).

This application is an extension of an application made in 1958 by the Church in which a plot plan was submitted and approval was given for a rear yard variance from 20' to 10'. The existing building is shown on the drawings which were submitted. Mr. Ragsdale has visited with the neighbors to the immediate north and west of the subject property and they are in agreement with the request. The proposed extension of the building will be used for fellowship purposes.

Protestants: None.

Board Comments:

Mrs. Purser inquired as to the proposed parking and Mr. Ragsdale advised that the total loss of parking due to the extension is about 6 parking spaces for the church facility. Mrs. Miller, Protective Inspections, advised that the applicant was approved church use in 1958 and a parking requirement was not put into effect until 1970, therefore, the applicant is not in violation of the Zoning Code. He is only required one (1) space for every 40 square feet of chapel or sanctuary area and would not be required additional parking because the expansion will be for fellowship purposes.

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")

Case No. 12299 (continued)

to approve a Variance (Section 440.7 (d) Special Exception Uses in Residential Districts, Requirements) of the setbacks to the west from 25' to 5' and from the north from 25' to 10' to line up with the existing church building, on the following property:

Lots 21-24, Block 25, Sheridan Hills Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12301

Action Requested:

Variance - Section 1320 (d) General Requirements - Request to permit parking and accessory building on one lot and principal building on adjacent lot, to be developed as one tract subject to execution of tie contract.

Variance - Section 420.2 Accessory Use Conditions - Request to permit accessory building 1/2 foot from West property line adjacent to commercial parking lot (Variance 10' to 1/2')

Variance - Section 430.1 Bulk and Area Requirements - Request to permit setback of 32 feet from centerline of East 41st. Place instead of 35' due to platted right-of-way less than 50 feet. This property is located at 1318 East 41st Place.

Presentation:

Bailey Nicholas, P.O. Box 82, was present and submitted a plot plan (Exhibit T-1), a vicinity map (Exhibit T-2), and an elevation plan (Exhibit T-3).

Mr. Nicholas advised that the first request is for permission to place the primary building on one lot and parking on the adjacent lot. The proposed parking is ample for the 12 unit building and it meets the zoning requirement.

The second request is to permit an accessory building which will be used for a laundry facility and managers space to conduct the complex. Their request is that they be allowed to move the building to within 1/2 foot of the west property line instead of the required 10'. There is an existing accessory building on the west property line that is in the rear of the parking lot.

The third request is that the applicant be permitted a setback of 32' from the centerline of East 41st Place instead of 35'. Due to the platted right-of-way being less than 50', the request is being made. Permitting the 32' from the centerline of East 41st Place would still allow the applicant to meet the requirements of a 10' setback from the property line as shown on the drawings.

Protestants: None

Board Comments:

Mrs. Purser asked if the laundry facility would be used for commercial purposes and Mr. Nicholas advised that the laundry facility would not be for commercial purposes, but would only be used for the apartment complex.

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 1320 (d) General Requirements) to permit parking and accessory building on one lot and principal building on adjacent lot, to be developed as one tract subject to the execution of

Case No. 12301 (continued)

the tie contract; and a Variance (Section 420.2 Accessory Use Conditions) to permit accessory building 1/2' from the west property line adjacent to commercial parking lot (variance from 10' to 1/2'); and a Variance (Section 430.1 - Bulk and Area Requirements) to permit setback of 32' from the centerline of East 41st Place instead of 35' due to platted right-of-way less than 50' on the following described property:

Lots 4 and 5, Block 4, Jennings-Robards Addition to the City and County of Tulsa, Oklahoma.

Case No. 12306

Action Requested:

Special Exception - Section 710 Principal Uses Permitted in the Commercial District - Request to construct a combined warehouse and retail outlet for sale of carpet, and Use Unit 15 (the property is currently designated Use Unit 14). This property is located at 21st Street and 114th East Avenue.

Presentation:

Jack Rodden, 6820 E. 41st Street, was present requesting a carpet retail and warehouse outlet at the subject property. The case was heard by the Board approximately four (4) months ago at a different location. There was some difficulty with the Hydrology Department concerning the creek, therefore, the applicant has relocated his proposed retail and warehouse.

Protestants: None

Comments:

Mrs. Miller, Protective Inspections, advised that the hydrology channel took up over 3/4 of the property, therefore, the applicant had to come back to the Board twice for variances because the line was moved several times. Finally, the property could not even be used so the applicant found a new location for the business.

Mr. Gardner advised that the Staff's only concern is that no outside storage or work be performed outside.

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 710 - Principal Uses Permitted in the Commercial District) to construct a combined warehouse and retail outlet for sale of carpet, and Use Unit 15 (the property is currently designated Use Unit 14), with no outside storage be permitted and no parking lot sales of merchandise sales be permitted on the following described property:

Lots One (1), Two (2) and Three (3), Block Two (2), 21 GARNETT PLACE, a resubdivision of part of Lot One (1), and Lots Two (2) and Three (3), GARNETT PLAZA, an addition to the City of Tulsa, Tulsa County, Oklahoma according to the Recorded Plat thereof.

OTHER BUSINESS:

Action Requested:

MTTA requests approval of the following Bus Shelters:

- (a) 161 - 61st and Lewis Avenue
- (b) 162 - 54th and Yale Avenue

Presentation:

Gary Crawford, Vice President of Public Transit Shelters, was present stating that Bus Shelter No. 161 is located immediately north of the driveway for the service station on 61st Street and is zoned OM. Bus Shelter No. 162 is approximately 450' south of 51st Street on Yale Avenue and across the street from the Barcelona apartments, and is under the RS-2 zoning classification. Mr. Crawford submitted location maps for the two (2) Bus Shelters (Exhibit U-1).

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 approve the two Bus Shelters to be located at 61st and Lewis Avenue and another to be located at 54th and Yale Avenue.

Case No. 11489

Action Requested:

Request approval of amended site plan for Case No. 11489.

Presentation:

Sam West, 6061 South Canton, was present representing L & S Development and submitted a substitute plot plan (Exhibit V-1). The plot plan indicates the relocation of the driveway back to the south of the property.

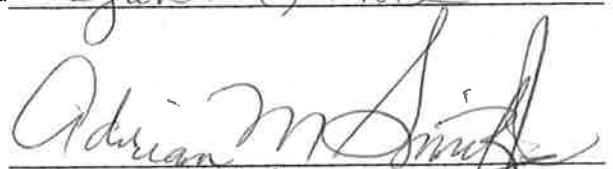
Protestants: None

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 the substitute plot plan as submitted.

There being no further business the Chair adjourned the meeting at 5:21 p.m.

Date Approved

Jan. 6, 1983  
  
Chairman