

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 377
Thursday, December 16, 1982, 1:00 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT

Chappelle
Purser, (in at 1:20 p.m.)
Smith, Chairman (out at
6:00 p.m.)
Victor
Wait (out at 6:00 p.m.)

STAFF PRESENT

Gardner
Jones
Martin

OTHERS PRESENT

Dortha Miller, Protective
Inspections
Bill Northcutt, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Tuesday, December 14, 1982, at 10:14 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 1:02 p.m.

MINUTES:

There were no minutes ready for approval.

UNFINISHED BUSINESS:

Case No. 12248

Variance - Section 910 - Bulk and Area Requirements in the Industrial Districts - Request for a variance of the frontage requirement from 50' to 0' to allow access by a private street. This property is located at the northeast corner of 59th Street and 100th East Avenue.

Presentation:

Rex Hall, 1055 North Owasso Avenue, was present representing the property owner, John Zink. The subject property has been replatted recently and has been called 100 East Industrial Park Amended. The new plat has a private street and now has a public right-of-way that has been dedicated. The applicant is requesting that the footage requirement for the IL zoned lot be waived per the new plat, which was approved by the Planning Commission.

Protestants: None.

Staff Comments:

Mr. Gardner advised that the plat was approved by the TMAPC on December 15, 1982.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 910 - Bulk and Area Requirements in the Industrial Districts) of the frontage requirement from 50' to 0' to allow access by a private street, subject to the TMAPC's final approval of the amended plat, on the following described property:

Case No. 12248 (continued)

All of 100 East Industrial Park, in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12290

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial District - Request 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; and a Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Request to permit buildings in excess of 35' in height, but not more than 45' in height except the north and east 80'. This property is located north and east of East 61st Street and Memorial Drive.

Presentation:

Charles Norman, 909 Kennedy Building, was present and submitted a revised site plan (Exhibit "A-1"). The revised site plan indicates minor changes in the buildings proposed. The red marks indicate where the buildings were first proposed and the blue lines show the new location for the structures.

The plans have been reviewed with the Woodland View Homeowner's Association.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "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; and a Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - to permit buildings in excess of 35' in height, but not more than 45' in height except the north and east 80', on the following described property:

Being a tract of land situated in Section 36, Township 19 North, Range 13 East, "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 corner of the intersection of East 61st Street South with South Memorial Drive; thence North 00°-08'-25" West 500.00 feet to the place of beginning;

Thence, from the place of beginning, North 00°-08'-25" West along the Westerly line of Block 1 for 771.39 feet to the Northwest corner of Block 1;

Case No. 12290 (continued)

Thence North $89^{\circ}-59'-52''$ East along the Northerly line of Block 1 for 1,500.00 feet to a point for corner;

Thence South $00^{\circ}-00'-08''$ East for 250.00 feet to a point for corner;

Thence South $73^{\circ}-00'-00''$ West for 195.00 feet to an angle point;

Thence South $26^{\circ}-00'-00''$ West for 243.22 feet to a point on a curve to the left having a radius of 250.00 feet, a central angle of $56^{\circ}-06'-45''$, 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 South $89^{\circ}-59'-52''$ West 328.73 feet to the beginning of a curve to the left having a radius of 250.00 feet, a central angle of $53^{\circ}-33'-59''$, 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 South $36^{\circ}-25'-53''$ West for 190.12 feet to the beginning of a curve to the right having a radius of 250.00 feet, a central angle of $53^{\circ}-25'-42''$, 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 South $89^{\circ}-51'-35''$ West for 154.19 feet to the PLACE OF BEGINNING and containing 17.226 acres of land, more or less.

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:

The applicant, L. Dale Haines, was not present.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 27, 1983, meeting.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 12326

Action Requested:

Variance - Section 330 - Bulk and Area Requirements in the Agriculture Districts - Request for a variance of the Bulk and Area Requirements in order to permit a lot-split. This property is located at 9906 South Yale Avenue.

Presentation:

L. A. Epperson, 9906 South Yale Avenue, was present and submitted a copy of the plat (Exhibit "B-1"). Mr. Epperson stated that the subject tract is 320' long and 82½' wide. The applicant proposes to split the west 433.92' to allow all of it to be attached to Lot 11 of Brighton Oaks Addition. This will allow the builder on Lot 11 to provide some landscaping on the subject property.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts) of the Bulk and Area Requirements in order to permit a lot-split (L-15621) on the following described property:

The N/2 of the N/2 of the N/2 of the N/2 of the SE/4 of the SE/4 of Section 21, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

Case No. 12330

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request to allow a 20' rear yard instead of the required 25' setback in an RS-1 District. This property is located at 5127 East 97th Street.

Presentation:

Arlin Washburn, 7640 East 77th Court, was present and submitted a plot plan (Exhibit "C-1"). Mr. Washburn, who is representing Dewayne Cravens, stated that Mr. Cravens is proposing to construct a room addition to his existing house. The southwest corner of the room addition comes to within 22' of the back of the lot, rather than the required 25' setback.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) to allow a 22' rear yard instead of the required 25' setback in an RS-1 District, per plot plan submitted, on the following described property:

Lot 14, Block 4, Sun Meadow III, an Addition to the City of Tulsa, Oklahoma.

12.16.82:377(4)

Case No. 12335

Action Requested:

Variance - Section 440.3 - Special Exception Uses in Residential Districts, Requirements - Request for a variance of the Bulk and Area Requirements to permit a lot-split. This property is located at 7012 & 7014 South Indianapolis Avenue.

Presentation:

The applicant, D. L. Cameron, was not present.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 27, 1983, meeting.

Case No. 12338

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the frontage requirements from 60' to 50' to allow single-family dwellings, and a variance of the land area per dwelling unit from 6,900 square feet to 6,000 square feet for single-family use, and request for a variance of land area per dwelling unit from 8,400 square feet to 7,250 square feet. This property is located south and east of 100th Place and Maplewood Avenue.

Presentation:

Donald Walker, 5110 South 95th East Avenue, was present and submitted a copy of the plat (Exhibit "D-1"). Mr. Walker outlined in green the new lot lines involved. The six (6) lots to the east presently have single-family dwellings on them and are not a part of this particular request.

Presently, the land is zoned RD for duplex use and the applicant is proposing to change it to single-family. There are 47 single-family lots proposed for this tract. Presently, there are four houses which are owned by Troy Hood, who has sold the applicant the subject property, that have been sold and are now rental property. The applicant's contract with Mr. Hood will require him to sell those homes to owner occupants as soon as the lease expires, which is presently in effect. Also contained in the contract is a plan to landscape the proposed homes.

The applicant plans to develop an attractive entrance gate and a dressing up of the fence that fronts on 101st Street.

If the applicant sells any of the lots to other home builders they will have in their covenant an architectural review committee, which will review anything to be built. The proposed houses are free-standing detached single-family homes. There will be no common walls. They will be similar to Mill Creek Subdivision which is located immediately north of the Sun Meadow Subdivision.

Protestants:

Richard Kirchner, 10015 South Norwood Avenue, was present and advised the Board of the restrictive covenants which are prevalent for this subdivision. The covenants require that the homes in this area be 1/3rd brick

Case No. 12338 (continued)

with a minimum of 1,800 square feet. Most of the lots in that area are large and the subject property would be a reduction in the lot size. Mr. Smith advised that the Board is not allowed to take into consideration the restrictive covenants at this meeting because they are private matters between the people who live in that area.

Comments:

Mr. Gardner suggested that the plat be replatted to restrict this proposal to single-family detached because the zoning is duplex zoning and if the lots were not tied to the plat they could be built in duplex standards.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the frontage requirements from 60' to 50' to allow single-family dwellings, and a variance of the land area per dwelling unit from 6,900 square feet to 6,000 square feet for single-family use, and a variance of the land area per dwelling unit from 8,400 square feet to 7,250 square feet, subject to the applicant filing a replat and subject to single-family detached dwellings only, on the following described property:

All of Block 1 and Lots 1-10, Block 2, Sun Meadow 5th Addition in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12342

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the Bulk and Area Requirements in order to permit a lot-split. This property is located at 1806 South Yorktown Avenue.

Presentation:

Wallace Geiger, 1806 South Yorktown Avenue, was present to address the Board.

Protestants: None.

Comments:

Mr. Gardner advised that the lot-split was approved by the Planning Commission at their meeting yesterday.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the Bulk and Area Requirements in order to permit a lot-split (L-15627) on the following described property:

Lot 1 and the North 10' of Lot 2; and the South 16.67 feet of vacated 18th Street adjacent to Lot 1 on the North, All in Block 4 of Woodward Park, in the City of Tulsa, Oklahoma.

Case No. 12356

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the front setback from 25' to 24.4' from the property line to allow an existing residence. This property is located at 8807 South 65th East Place.

Presentation:

Floyd Roberts, 2220 East 31st Street, was present and submitted a plat of survey (Exhibit "E-1"). Mr. Roberts requested the variance of the front setback from 25' to 24.4' to permit the existing house.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the front setback from 25' to 24.4' from the property line to allow an existing residence, per plot plan, on the following described property:

Lot 73, Block 4, Chimney Hills South Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12366

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the bulk and area in order to permit a lot-split. This property is located at the north and east of East Erie Avenue and 7th Street.

Presentation:

The applicant, John Rupe, was not present.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 27, 1983, meeting.

NEW APPLICATIONS:

Case No. 12323

Action Requested:

Variance - Section 630 - Bulk and Area Requirements in Residential Districts - Request for a variance of the floor area ratio from .25 to .2625, and a variance of the setback from centerline of 15th Street from 100' to 56.6' to extend a nonconforming setback and a request for a variance of the setback from centerline of Victor from 50' to 48.95'. This property is located at 1724 East 15th Street.

Presentation:

John Walton, 2102 South Madison Avenue, architect representing John Phillips, was present and submitted the plot plan (Exhibit "F-1"). The structure is an existing residence and the applicant is adding some additional square-footage by enclosing the front porch to provide another room. The structure will be used for Mr. Phillips' office as he is in the restaurant business. The office will be an asset to the street scape and to the community.

Protestants: None.

Board Comments:

Mrs. Purser asked if the porch would be on 15th Street and Mr. Walton stated that the front porch is actually on 15th Street and Victor Ave. Mr. Walton stated that the original structure had an enclosed front porch.

Board Action:

On MOTION of CHAPPELLE and SECOND by PURSER, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 630 - Bulk and Area Requirements in Residential Districts) of the floor area ratio from .25 to .2625, and a variance of the setback from centerline of 15th Street from 100' to 56.6' to extend a nonconforming setback and a variance of the setback from the centerline of Victor from 50' to 48.95', per plot plan submitted, on the following described property:

The East 70 feet of Lots 1 and 2, Block 1, Orcutt Addition to the City of Tulsa, Oklahoma.

Case No. 12324

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow a mobile home; 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 NW corner of Ute Street and Kingston Pl.

Presentation:

Jean Cluck, 2002 North Kingston Place, was present and requested permission to allow her mobile home to remain on the subject property permanently. She advised that the Board granted approval of the mobile home on this property for one year previously.

Case No. 12324 (continued)

Protestants: None.

Board Questions:

Mr. Smith asked if there is more than one dwelling unit on the subject property at this time and Ms. Cluck answered no.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow a mobile home; and a Variance (Section 440.6 (a) - Special Exception Uses in Residential Districts, Requirements) of the one-year time limit for a period of five (5) years, on the following described property:

Lots 9-12, Block 7, Original Town of Dawson, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12325

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow office use in an RM-2 District. This property is located at 1448 South Carson Avenue.

Presentation:

Betty Griffin, 7016 East 33rd Street, was present and submitted eight (8) photographs of the subject property and surrounding properties (Exhibit "G-1"), and a zoning map (Exhibit "G-2"). Ms. Griffin advised that she has a contract to purchase the subject property and plans to restore it for the use of offices. The 3,800 square-foot structure will be restored and used for one (1) to three (3) offices. The subject property is located one block from Denver Avenue where there are many old houses which have been restored and are being used for offices.

Protestants:

Dale B. Waterloo, 1417 South Carson Avenue, was present and advised that the Planning Commission denied Commercial Zoning for the subject property in January 1980, and was denied by the City Commission for Office/commercial or Office/medical zoning in February 1980. Mr. Waterloo advised that the subject property is contained in a very historical block in the City. He stated that the subject area should remain residential.

Board Comments:

Mr. Victor inquired about the proposed parking for the subject property and Ms. Griffin stated that the parking would be located in the back of the property and 8 to 10 spaces would be provided.

Mrs. Miller advised that the applicant would be required 10 parking spaces for the proposed office(s).

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 2-3-0 (Purser, Wait, "aye"; Chappelle, Smith, Victor, "nay"; no "abstentions"; none "absent") to deny the application. Due to a lack of three affirmative votes, the motion died.

12.16.82:377(9)

Case No. 12325 (continued)

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow office use in an RM-2 District, subject to a maximum three (3) offices, and that the screening fence be erected between the properties, but not in the front portion of the front yard of the subject house, and that the the parking behind the structure be hardsurfaced and that the existing structure is to be used and rennovated and to remain residential in character, and that a small professional non-lighted sign be limited to 8 square feet on 15th Street only, and that the applicant bring plans to the Board including the landscaping, floor plan showing the floor plan layout arrangement indicating the location of parking, sign, fences, for their review and approval, prior to the issuance of a building permit, on the following described property:

Lot 37, Block 3, Carlton Place Addition to the City of Tulsa, Okla.

Case No. 12327

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the setback from 15th Street from 50' to 33'; and a Variance - Section 420.2 (d) - Accessory Use Conditions, Signs - Request for a variance of the sign requirement from 12 sq. ft. to 88 sq. ft. This property is located at 1415 South 87th East Avenue.

Presentation:

Louis Still, pastor of New Life Tabernacle, was present and submitted a sketch depicting the proposed sign (Exhibit "H-1") and a drawing showing the location for the sign (Exhibit "H-2"). Mr. Still advised that the church is proposing to place a permanent sign on their property to denote the Church and to help stimulate their growth. The sign will be non-obstructive to the traffic in the area.

Protestants:

Jack Goree, 1524 South 89th East Avenue, was present stating that he feels that the sign, as proposed, is too large and is an unreasonable amount of sign. He stated that the sign would deteriorate the nature of the residential neighborhood. He referred to the Zoning Code Section 420.2 (d), which would allow him to erect a bulletin board not to exceed 12 sq. ft. in surface area and no taller than 15' and illumination, if any, shall be a constant light.

Comments:

Mr. Gardner advised that the first variance would not be applicable for this case. The applicant is required to be on his property at least 30' from the centerline of 15th Street. There are two street frontages and he is permitted a 32 square-foot sign on each street frontage, plus a 12-foot directory board. Later he referred to Section 420.2 (d) 2 of the Zoning Code, which states that an identification sign for Church use shall not exceed 32 square feet in surface area, nor 15' in height and illumination, if any, shall be by constant light.

Case No. 12327 (continued)

VICTOR made a MOTION and CHAPPELLE SECOND it to eliminate the first variance as it is not applicable and to approve the second variance, subject to the total height of the proposed sign not to exceed 15' and that the area remain the same. Due to a lack of three affirmative votes, the motion died.

Discussion:

Mrs. Purser stated that she felt that the sign is too large for a residential area and felt that two smaller signs would be more appropriate.

Board Action:

On MOTION of PURSER and SECOND by WAIT, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 420.2 (d) - Accessory Use Conditions, Sign) of the sign requirement that the sign not exceed 15' in height and that it not exceed 32 square feet to identify the Church, and that the applicant be permitted a 20 square-foot sign (message) board to announce activities instead of 12 square feet, on the following described property:

Lot 3, Block 8, Forest Acres Addition and Lot 2, less beginning at the Northwest corner of Lot 2; thence South 185'; thence East 332.10'; thence North 186'; thence West 331.92' to the Point of Beginning, all in Forest Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12328

Action Requested:

Variance - Section 410 - Principal Uses Permitted in the Residential District - Request to locate a home occupation (kennel) in an RM-1 District. This property is located at 1812 East 5th Street.

Presentation:

Rosa Everhardy, 1812 East 5th Street, was present and advised that she has two poodles and two guard dogs which she plans to keep and serve as protection to her. She stated that she does not intend to operate a kennel. Mrs. Everhardy advised that she has a full chain link fence around her house and a locked gate.

Protestants: None.

Interested Party:

Eugene Colleoni, District #4 Chairman to the Greater Tulsa Council, was present and had no objection as he was informed that it would not be a kennel.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in the Residential District) to locate a home occupation (kennel) in an RM-1 District, that the owner be limited to four adult dogs, that no breeding be permitted, and subject to the number being reduced to the appropriate maximum number of 3 by attrition, to run with this owner only, on the following described property:

Case No. 12328 (continued)

The East 50' of Lots 47, 48 and 49, Block 8, Abdo Addition,
to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12329

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow a Use Unit 15 (lumber yard) be permitted; and a Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Request for a variance of the frontage requirements on 21st Street from 150' to 65' on Lot 1, 129' on Lot 3, and 129.07' on Lot 4. And a request for a waiver of the setback to the north (abutting R District) and that a variance be permitted of a 40' building line (100' from centerline of 21st Street) be permitted for Lots 2, 3, & 4; and a Special Exception - Section 1680 - Special Exception - Request for off-street parking abutting a commercial district; and a Variance - Section 410 - Principal Uses Permitted in Residential Districts - Request to construct a storage building in an RS-1 District. This property is located 1/8th of a mile west of 21st Street and Mingo Road, north side.

Presentation:

Jack Cox, 1323 South Baltimore Avenue, was present representing Sutherland Lumber and Homecenter, Inc., and submitted a plot plan (Exhibit "I-1"), and three (3) photographs of the surrounding property (Exhibit "I-2"). Mr. Cox then proceeded to explain the plans for the proposed storage structure and lumber yard.

The subject property is adjacent to a proposed detention facility. Mr. Cox advised that the main store will contain approximately 95% of the merchandise, which the lumber yard operation will possess. Parking will be provided for in the front of the subject property. The Mingo Creek area is close to the subject property and it will be improved.

Protestants: None.

Interested Party:

Bill Fowler, 9320 East 17th Place, was present and advised that his property adjoins the northwesterly corner of the subject property. Mr. Fowler advised that he is not opposed to the proposed use of the property. He stated that the subject property was landfilled and on two (2) sides of the rear of his property, the south and west 100'. This created an embankment almost 18' higher than his property. Mr. Fowler requested that no construction be erected along that embankment, which would further increase the height around his property. The height of the proposed storage building would be detrimental to the view of his home.

Mr. Fowler was also concerned about the drainage for the subject property. He stated that during heavy rains, water backs up on his property through two conduits located on the subject property.

Board Comments:

Chairman Smith advised that this Board does not have jurisdiction over the landfill portion of the property.

Mrs. Purser was concerned about the auto repair shop located on RS-1 property to the north and if it was a nonconforming use or illegal. Discussion ensued concerning that matter.

12.16.82:377(12)

Applicant's Comments:

Mr. Cox advised that he would consider making an amendment to the plans that the storage building be located no closer to the line than the extension of the subdivision line and that the storage building would be shortened. The building will be fenced off and the fence will be constructed of the same materials as the building.

Comments:

Mr. Gardner suggested that no outside storage be permitted for the north 100' of the subject property. He also suggested that the applicant terminate the west end of the building in question at the subdivision line as offered by the applicant.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow a Use Unit 15 (lumber yard) to be permitted; and a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts) of the frontage requirements on 21st Street from 150' to 65' on Lot 1, 129' on Lot 3, and 129.07' on Lot 4 (subdivision in process), and a waiver of the setback to the north (abutting R District) and that a variance be permitted of a 40' building line (100' from the centerline of 21st Street) be permitted for Lots 2, 3, & 4; and a Special Exception (Section 1680 - Special Exception) for off-street parking abutting a commercial district; and a Variance (Section 410 - Principal Uses Permitted in Residential Districts) to construct a storage building in an RS-1 District, and that the storage building be shortened on the west end to align with and not extend west of the east lot line of the easternmost lot of the residential subdivision to the north and that the applicant submit a revised copy of the plot plans prior to the issuance of a building permit, and that no outside storage be permitted on the north 100', on the following described property:

TRACT "A" - A tract of land beginning 591' West of the Southeast Corner of the S/2 of the SE/4 of the SE/4 of Section 12, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; thence Due West 494'; thence Due North 560'; thence Due East 494.65'; thence South 00°04'00" West 560' to the Point of Beginning.

TRACT "B" - A tract of land commencing 1,085' West of the Southeast Corner of the S/2 SE/4 SE/4 of Section 12, Township 19 North, Range 13 East of the Indian Base and Meridian, according to the U. S. Government Survey thereof, in the City of Tulsa, Tulsa County, Oklahoma; thence Due North 560' to the Point of Beginning; thence Due North 100'; thence Due East 494.77'; thence South 00°04'00" West 100'; thence Due West 494.65' to the Point of Beginning.

Case No. 12331

Action Requested:

Special Exception - Section 420 - Accessory Uses Permitted in Residential Districts - Request for a home occupation, (air brush painting shop) in an RS-3 District. This property is located at 4515 East Admiral Boulevard.

Presentation:

Roy Hinkle, 7030 South Yale Avenue, was present representing a woman who requests permission to operate an air brush painting shop (home occupation). The business would involve painting flower pots, silk screening, painting designs on cars and/or vehicles, and various types of paintings. Most of the projects would be done on consignment. There would be no traffic congestion involved because there would be no more than two (2) cars to come to the subject property per day.

If the applicant paints a design on a vehicle it will be kept inside a concrete building which is all enclosed. There will be no vehicles stored outside. Mr. Hinkle, stated that there are very little fumes involved in the operation, but an air tunnel will be installed that will keep the fumes high.

Protestants: None.

Board Comments:

Mrs. Purser was concerned that only one car be stored on the property at any one time. Mr. Hinkle asked if it would be permissible to have two vehicles on the property at the same time, but only one would be worked on at a time and Mrs. Purser agreed to that.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 420 - Accessory Uses Permitted in Residential Districts) for a home occupation (air brush painting shop) in an RS-3 District, with the provision that all work be done in an enclosed area, and that only one vehicle be painted on at a time and no more than 2 autos on the property at any time, subject to the home occupation regulations, on the following described property:

Lot 116, of the Resubdivision of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, Block 2, Rodgers Heights Subdivision, in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 12332

Action Requested:

Special Exception - Section 630 - Bulk and Area Requirements in the Office Districts - Request to allow 40% floor area ratio in an OL District; and a Variance - Section 630 - Bulk and Area Requirements in the Office Districts - Request to permit a 2-story building in an OL District. This property is located at 4430 South Harvard Avenue.

Presentation:

Roy Hinkle, 7030 South Yale Avenue, Suite 100, was present and advised that the application was previously approved for a two-story building. The applicant still intends to construct a two-story building, but also intends to have approximately .40 floor area ratio. The building will

Case No. 12332 (continued)

run east and west on the subject property. To the north of the property is a building that sets up high with a large retaining wall on the south side of that property, which would be located at the north boundary line of the subject property. In the retaining wall there are large pipes coming out of the wall which shoot water onto the subject property and floods the property to the south of them. Mr. Hinkle stated that he has been working with a hydrologist concerning the water problem. A plot plan was prepared for the project, but is not available at this time.

Protestants:

Cathy Bogarde, 3351 East 45th Street, was present and advised that in relation to the subject lot her property is located at a 90 degree angle to the property and abuts it for about 100'. The water from the subject property will collect on her property. She requested that the Board not act on the application today because no plans have been submitted at this time. She also expressed a strong concern with the serious water problem presently at this location and the change of grade and slope.

Comments:

Mrs. Purser suggested that the City Hydrologist, Ruben Hayes, review the plans and the subject property. The Board agreed with Mrs. Purser's suggestion and requested that Mr. Hayes prepare a report concerning the water matter.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to continue this item to the January 27, 1983 meeting and to return with complete plans and that the applicant submit a copy of the plans to Mr. Hayes for him to prepare a written statement concerning the matter.

Case No. 12333

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial Districts - Request to locate a miniature Gran Prix race track and a go cart track and other related recreational uses. This property is located South and West of U. S. Highway #66 (I-44) and Union Avenue.

Presentation:

Ron Kelly, 1918 East 51st Street, was present and submitted a plat of survey (Exhibit "J-1"), a site plan (Exhibit "J-2"), and a photograph showing the type of car to be used on the tracks (Exhibit "J-3"). Mr. Kelly advised that this same application was approved by the Board in July 1982 at the intersection of Highway #169 and Skelly Drive. The project was not constructed because the City condemned that property. A new plot plan was prepared for this application containing three race tracks to be located on Tract B. One track is a mini Gran Prix course, the second track is a Cam-Am Course for ages 10 to 14 using go carts, and the third track is a kiddie course which uses a 5 horsepower go cart, which goes approximately 12 to 15 mph for children up to 10-years old. Inside the main building is a concession stand, game room... and the remainder of the building is used for maintenance and storage of vehicles.

When the previous application was approved, the Board did not allow any outside loud speaker for a music system. All of the lighting was to be directed inward.

Protestants:

Richard Black, 3223 East 31st Street, was present representing the company which he owns, Standard Land Company, and was also representing Ola Huggins, Mike Huggins, and Melvin T. Crawford, all four who own the 80-acre tract immediately south of the subject property. Across the street immediately to the east of the 80-acre tract are residential homes. The subject tract is 400' away from a proposed apartment zoning. He stated that he opposed the request because there are single-family owner occupied dwellings surrounding the subject property. The proposed race track will create a tremendous amount of noise and fumes, therefore, he requested that the application be denied.

Mrs. Jim Cline, 5251 South Union Avenue, was present in protest to the application stating that the proposal will decrease property values in surrounding residential areas.

Evelyn Johnson, 5265 South Union Avenue, was present stating that she was in opposition to the proposal as it will create loud noise. She also advised that Union is a narrow street and if the go cart tracks are approved, it will create more traffic and hazard.

Mrs. Purser expressed a concern that the tracks would create loud noise. Mr. Parmele advised that the three tracks could be located on Tract A, rather than on Tract B as is proposed presently, if the noise is of great concern to the Board.

Applicant's Rebuttal:

Bob Parmele, Jr., 1918 East 51st Street, was present stating that there is no access on Union and all access would be to the service road from Skelly Drive. On the south boundary of the subject property is a 50' dedication for a future street and to the south is a creek that further separates the property from the south property. The subject tract is approximately 12 to 15 feet below street grade in some places at the northeast corner, which will further alleviate the noise problem. He stated that according to tests, the noise level of the tract will be no louder than that generated from an expressway. All parking will be provided adjacent to the service road.

Protestant's Rebuttal:

Mr. Black advised that the embankment is higher at the northeast portion of the tract as the street goes down it tends to level out. If the applicant switched tracts he is still 400' from an apartment zoned tract, which is likely to be developed for apartments and is on the same or lower level. The applicant advised that the cars would be no louder than the expressway, but with several cars racing at once and the noise from the expressway added together there would be a considerable amount of noise.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 4-1-0 (Chappelle, Purser, Victor, Wait, "aye"; Smith, "nay"; no "abstentions"; none, "absent") to deny a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to locate a miniature Gran Prix race track and a go cart track and other related recreational uses, on the following described property:

Case No. 12333 (continued)

That part of the NE/4, NE/4, Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma, that lies South of the Southerly Right-of-Way line of U. S. Highway #66 (I-44) less and except the East and South 50' and the West 250' thereof.

Case No. 12334

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 south of the southeast corner of 28th Street North and North Lewis Avenue.

Presentation:

Martha Abraham, 2024 East Young Place, was present requesting permission to place a mobile home on the subject property on a permanent basis. She stated that she would be residing in the mobile home and her two neighbors do not object to the placement of the mobile home on this tract.

Protestants:

Melvin M. Beatty, 2420 East 28th Street North, was present representing Macedonia Baptist Church and stated that he opposed the application. The Church owns Lots 6, 7, 8, and 9 in the Ben C. Franklin Addition. Lot 9 is proposed for a youth center for the Church and will back up to the applicant's mobile home. He requested that the application be denied.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "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 described property:

Lot 11, Block 5, Ben C. Franklin Addition in the City of Tulsa, Okla.

Case No. 12336

Action Requested:

Variance - Section 630 - Bulk and Area Requirements in the Office District- Request for access on 44th Street to parking lot. This property is located at 4408 South Harvard Avenue.

Presentation:

Thomas Herrman, 4408 South Harvard Avenue, was present stating that he was previously before the Board about four years ago and a special exception was granted, but the special exception was denied access onto 44th Street. It was denied for various reasons including the water runoff and an increase in traffic. The applicant is requesting access on 44th Street for safety and accessibility. The company has a large delivery truck that has difficulty getting in and out of the parking lot with the only access being on Harvard. There is a large building immediately north of the subject property that has a large driveway on 44th Street.

Case No. 12336 (continued)

There are approximately 40 employees at the subject property and the majority of the employees exit onto Harvard. He advised that the applicant attempted to get a curb cut to put a driveway on the subject property but was unsuccessful.

Protestants:

Robert Kennedy, 4404 South Gary Avenue, Vice-President of the Villa Grove Park Homeowner's Association was present and advised that in 1979 the Association protested the addition of the second floor to the subject property. The Board made a condition that there would be no entrance to 44th Street and the developer also agreed to that. Since that time, the driveway has been opened. There are a large number of commercial trucks which come through to service the buildings on Harvard Avenue and are not permitted to pull in the driveway, so they come down 44th Street. Access has opened up without permission from this Board. The streets have been deteriorating because of the truck path on 44th Street.

Board Comments:

Mrs. Purser stated that the Board made a determination in 1979 to close access to 44th Street, but the applicant has not adhered to that condition. There has been no change in conditions to alter that ruling.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to deny a Variance (Section 630 - Bulk and Area Requirements in the Office Districts) for access on 44th Street to parking lot, on the following described property:

The East 180' of Lot 1, Block 2, Villa Grove Park Addition to the City of Tulsa, Oklahoma.

Case No. 12337

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the rear yard requirement from 20' to 11'. This property is located at 4928 East Latimer Avenue.

Presentation:

Glen Hood, 4928 East Latimer, was present representing Trinity Temple Freeway Baptist Church and submitted a plat (Exhibit "K-1"), and a plot plan (Exhibit "K-2"). Mr. Hood advised that the Board approved Church use in 1953. In May 1982, the Board approved a variance to expand the church building within 7' on the east and within 4' of the south property lines to line up with the existing building. The applicant is requesting permission to build a 38' x 80' addition on the building to line up with the existing structure on the south.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the rear yard requirement from 20' to 11', per plot plan, on the following described property:

12.16.82:377(18)

Case No. 12337 (continued)

The NW/4 of the NW/4 of the SW/4, less the East 209.2 feet thereof, Section 34, Township 20 North, Range 13 East of the Indian Base and Meridian, according to the U. S. Survey thereof, AND part of the NW/4 of the SW/4 of Section 34, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows, to wit:

Beginning at a point 300.8 feet East and 230 feet South of the Northwest corner of the SW/4 of said Section 34; thence East 150 feet to a point; thence South 230 feet to a point; thence West 150 feet to a point; thence North 230 feet to the Point and Place of Beginning, in the City of Tulsa, Oklahoma.

Case No. 12339

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request for a variance of the setback from abutting R Districts from 75' to 6'; and a Variance - Section 1420 - Nonconforming Use of Building or Buildings and Land in Combination - Request to allow the expansion of a nonconforming use. This property is located N. of the NE corner of Queen Street and Utica Avenue.

Presentation:

Greg Dixon, 1619 North Utica Avenue, was present and submitted a outline sketch of the construction (Exhibit "L-1"), a plat of survey (Exhibit "L-2"), and a copy of the floor plans and elevation plans (Exhibit "L-3"), and six (6) photographs of the subject property and the surrounding area (Exhibit "L-4").

Mr. Dixon advised that he owns lots 2, 3, 4, 5, 6, 7, 8, 12, 13, 16, & 19, Block 7, of Elm Motte Addition. The applicant is building an addition to the existing residence and the new construction will be within 6' of the property line, lining up where the original garage was located. The applicant is enclosing the garage and adding a room behind the garage as it will not extend any further than was originally constructed. The addition will enhance the neighborhood. A garden gate was added to the front of the house which was incorporated for aesthetic reasons.

Mr. Dixon advised that the neighbor to the south is in protest to the request because she is fearful that rain water will gather at her property when it runs off his roof. The applicant assured that there would not be a water problem because there will be gutters that go underground and gutterings on the entire roofline of the structure which includes the fence.

Protestants:

Phil Frazier, attorney representing Moreno Nihla, 1615 North Utica Avenue, who lives immediately south of the subject property. Mr. Frazier advised that the roofline is extended and comes to the property line and over the property line. They have no objection to the structure coming within 6' of the property line, but the construction should be limited to the 6' request.

Case No. 12339 (continued)

Applicant's Rebuttal:

Drainage improvement has been made on the subject property as the applicant is removing a 1,200 square-foot structure at the rear of the property, as a result of the new construction which previously drained on Ms. Nihla's property.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 930-Bulk and Area Requirements in Industrial Districts) of the setback from abutting R Districts from 75' to 6' for the building wall only; and a Variance (Section 1420 - Nonconforming Use of a Building or Buildings and Land in Combination) to allow the expansion of a non-conforming use, on the following described property:

Lot 16, Block 1, Elm Motte Addition in the City of Tulsa, Okla.

Case No. 12340

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial District - Request to allow a car wash - Use Unit 17. This property is located at the NW corner of 58th Street and Peoria Avenue.

Presentation:

Tom Tannehill, attorney representing John Robson, P. O. Box 3224, was present and submitted an amended site plan (Exhibit "M-1"), four (4) photographs showing the surrounding property (Exhibit "M-2"), two (2) photographs of a similar car wash facility located at 17th Street and Memorial Drive (Exhibit "M-3"), and a proposed Raco car wash fact sheet (Exhibit "M-4").

Located to the east of the subject property is a mini-storage warehouse, to the south is a shopping area, located to the west is a parking lot for an apartment complex and to the north is a 7' retaining wall and three small duplex structures. The subject lot is zoned commercial and contains 47,940 sq. ft. The proposed car wash facility will contain 9,500 sq. ft. or 40% of what would be permissible in building space. The proposed lighting will be internalized completely.

Protestants:

Lloyd Markind, 525 South Main Street, was present representing XYZ, Ltd., and submitted an aerial photograph (Exhibit "M-5"), and three (3) photographs of the car wash facility located at 17th and Memorial (Exhibit "M-6"). XYZ, Ltd. has developed the six buildings directly north of the subject property for condominium use. Mr. Markind advised that the area surrounding the subject lot with the exception of the strip shopping center located to the south, is primarily residential in nature. The proposed car wash will back up to the private fence that exists at the 6 condo. units. He expressed a concern with the noise and the lighting which would be present at the subject tract. There is an elementary school in the immediate area; therefore, if the car wash were approved it would present a traffic hazard for the children.

Case No. 12340 (continued)

Mark Earnest, 126 Woodward Boulevard, was present stating that he is a general partner with XYZ, Ltd. He stated that the noise and activity produced with a car wash would be detrimental to the residential areas in the immediate area.

T. A. Johnston, 7155 South Canton Avenue, was present stating that he owns the apartment to the north of the subject property and advised that the proposed car wash would be a detriment to the school children as the traffic would increase.

Bryan McCracken, 2626 East 21st Street, was present stating that he owns the 60 units in the Forrest Park Patio Homes area, which is located near the subject property. He advised that the proposal would decrease property values.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to deny a Special Exception (Section 710 - Principal Uses Permitted in the Commercial District) to allow a car wash (Use Unit 17) on the following described property:

Block 2, less the North 140 feet thereof; Riverside South Complex, an Addition to the City of Tulsa, Oklahoma, according to the recorded plat thereof.

Case No. 12341

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow Use Unit 11 (offices and studios) in an RM-2 District. This property is located at 1608 South Elwood Avenue.

Presentation:

Esla Burkhart, 1921 South Boston Avenue, was present and submitted a landscape plan (Exhibit "N-1"). Ms. Burkhart, who has a contract to purchase the subject property, advised that the tract is zoned RM-2 and contains a nonconforming structure. The applicant is renovating the house and intends to return the property to its original elegance, keeping the residential character. The structure is being proposed for office use and adequate parking will be provided with approximately 20 parking spaces. Located on the property is an existing brick circle driveway with a fountain in the center, which will contribute to the landscaping and appearance.

The house contains 2,250 square feet on the first floor, 2,000 square feet on the second floor, and approximately 2,000 square feet on the lower level in the basement. A portion of the lower level will be used for office purposes.

Protestants: None.

Case No. 12341 (continued)

Interested Party:

Audra Roop, 1632 South Denver, was present stating that she was an interested party and inquired as to the proposed office and studio use. She also inquired if the use would be permitted when the applicant no longer occupies the structure.

Applicant's Comments:

Ms. Burkhardt advised that the structure will be a real estate office and related type offices.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow Use Unit 11 (offices and studios) in an RM-2 District, subject to the residential character of the house not being violated, and that any addition to the home come before this Board before a building permit is issued, that no building be added to the lot, that the only paved area is the parking spaces as shown on the landscaping plan and that the rest of the area be grassy area or shrubs, for office use only, on the following described property:

Beginning 30' West and 360' South of the NE corner of the SE/4; thence South 124'; thence West 300'; thence North 124'; thence East 300' to the point of beginning, Section 11, Township 19 North, Range 12 East to the City of Tulsa, Oklahoma.

Case No. 12343

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request for Church use and related activities in an RM-2 District located at 738-744 & 744½ North Harvard Ave.

Presentation:

David Blosh, Minister for Sequoyah Hills Baptist Church, was present and submitted a plot plan (Exhibit "O-1"). The property under application is located directly north of the Church's property and is under contract for purchase. The Church proposes to construct a multi-purpose building to be used for a gymnasium and additional educational space. The remaining portion of the subject property would be used for additional parking.

Protestants: None.

Comments:

Mrs. Miller, Protective Inspections, advised that if the Special Exception is granted that it should be subject to a plat and subject to a 25-foot building setback from any residentially zoned property.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 410 -

Case No. 12343 (continued)

Principal Uses Permitted in the Residential District) for Church use and related activities in an RM-2 District, subject to the applicant going through the platting process, and that the applicant return to the Board with a plot plan prior to the issuance of a building permit, on the following described property:

Beginning 35' West and 90' South of the Northeast corner of the SE/4 of the SE/4; thence West 135'; thence South 140'; thence East 135'; thence North 140', Section 32, Township 20 North, Range 13 East, also known as 738, 744 & 744½ North Harvard Avenue, Tulsa Oklahoma, 74110.

Case No. 12344

Action Requested:

Special Exception - Section 240.2 - Permitted Yard Obstructions - Request for a carport that encroaches the required setback from the centerline of 2nd Street from 50' to 37'. This property is located at 203 South Indianapolis Avenue.

Presentation:

Art Fleak, Jr., 111 West 5th Street, Suite 800, was present and submitted a letter for continuance (Exhibit "P-1").

Protestants:

There were none in protest to the continuance, but they requested that they be notified of that meeting. Ricky Jones advised that the application would have to be readvertised and notification would be sent to those property owners within 300' of the subject property.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to continue this item to the January 27, 1983 meeting to allow for readvertising and notification to property owners in the immediate area.

Case No. 12345

Action Requested:

Special Exception - Section 440.2 - Accessory Uses in Residential Districts - Request for a home occupation (custom transfers, not to be sold out of home) and request for a windmill; and a Variance - Section 220 - Height Limitations - Request for a variance of the height requirements from 60' to 90', located at 3827 South 118th East Avenue.

Presentation:

Michael Orgera, 3827 South 118th East Avenue, was present and advised that he is withdrawing the variance request of the height requirement and the request for a windmill.

Mr. Orgera advised that he and his wife intend to have a home occupation in which custom transferring will be performed. Orders will be taken from industries and companies for printing advertisements on hats, bags, and other fabrics. The operation involves a heat supplemental

Case No. 12345 (continued)

printer process of a transfer via a copy machine and is then heat pressed on the fabric.

Protestants: None.

Interested Party:

John Crandall, 3846 South 118th East Avenue, was present stating that he was not opposed to the request, since the variance and windmill request have been eliminated.

Board Comments and Questions:

Mr. Victor inquired as to any customers coming to the residence to place their order and Mr. Orgera stated that there would be no customers to come to the residence. There will be no signs and no employees other than family members residing at the subject property. Mr. Victor asked if delivery trucks would be coming to the property and the applicant stated that a UPS truck would make a delivery at the property every 6 to 8 weeks.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 440.2 - Accessory Uses in Residential Districts) for a home occupation (custom transfers, not to be sold out of the home) and that all reference to the windmill be deleted from the application, that approval run with this owner only, subject to no manufacturing of transfers at this location, subject to all of the home occupation rules, on the following described property:

Lot 16, Block 3, Park Terrace South Addition to Tulsa County, Oklahoma.

Case No. 12346

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request for a variance from 150' frontage requirement to 145' to allow a lot-split; and Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request to allow a pet shop and an automotive parts store in an IL District. This property is located at 12616 East Admiral Place.

Presentation:

Henry Wright, 12616 East Admiral Place, was present requesting the lot-split and permission to operate a pet shop and an automotive parts store on the subject property. There is presently a two-story house on the property, and a 40' x 40' building is proposed to facilitate the pet shop and automotive store.

Protestants: None.

Board Comments and Questions:

Mr. Smith asked the applicant if he owns the property to the east of the subject tract and Mr. Wright answered no. Mr. Victor asked if there would be any outside storage and the applicant answered no.

Case No. 12346 (continued)

Mr. Wright stated that the business would deal with the resale of new parts.

The Board inquired as to the type of pet shop and Mr. Wright stated that it would be primarily an aquarium shop. Mr. Victor asked the applicant if he would operate both businesses and Mr. Wright stated that he would operate one business and his brother will operate the other.

Mr. Gardner advised that the Staff would be concerned that all business operations be conducted inside the structure and that the automotive business not be for used parts and that it not be used as a salvage.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts) from the 150' frontage requirement to 145' to allow a lot-split (L-15638) and a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts) to allow a pet shop and an automotive parts store in an IL District, subject to all business operations being conducted indoors, that no outside storage be permitted, on the following described property:

Beginning at a point 40' South and 1,146.44' West of the Northeast corner of Lot 8, Section 5, Township 19 North, Range 14 East; thence West and parallel to the North line of said Lot 8 a distance of 145'; thence South 466 & 2/3rds feet; thence East 145'; thence North 466 & 2/3rds feet to the point of beginning, Tulsa County, Oklahoma.

Case No. 12347

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in the Agriculture Districts - Request to allow a mobile home in an AG District for security reasons while the house is being razed. This property is located at 8309 South Memorial Drive.

Presentation:

Robert Harris, 8116 East 112th, Bixby, Oklahoma, was present requesting permission to place a mobile home on the 80-acre subject property. The mobile home will be used as a residence and will allow the residents to protect the cattle on the 80-acre tract.

Mr. Harris advised that there is another mobile home in the area approximately 300' from the south end of the property.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-1 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; Wait, "abstaining"; none, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in the Agriculture Districts - for a period of 3 years,

Case No. 12347 (continued)

subject to the Health Department's approval and subject to the issuance of a building permit, on the following described property:

The S/2 of the NW/4 of Section 13, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

Case No. 12348

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request to allow an indoor soccer facility and restaurant in an IL District; and a Variance - Section 1219.4 - Off-Street Parking and Loading Requirements - Request to vary the parking requirements from 146 spaces to 54 spaces; and a Variance - Section 1212.4 - Off-Street Parking and Loading Requirements - Request to vary the parking requirements from 146 spaces to 54 spaces. This property is located at 4470 South 70th East Avenue.

Presentation:

Jerry Kerin, 2078 East 51st Street, was present representing a group of investors, who want to use the subject property as an indoor soccer facility and restaurant. Mr. Kerin submitted a plot plan and building plan (Exhibit "Q-1"). According to the Zoning Code sufficient parking is not adequately provided on the subject property. The applicant has received permission from the property owner to the north to use the tract for auxillary parking, should the need arise. The parking area to the north will accommodate approximately 150 cars subject to access off of 44th Street, or 70th East Avenue.

The proposed facility operates in the evenings with the exception of the restaurant, which will be open for a three-hour period on week days with the same hours as the soccer facility on the weekends. The primary use of the building will be for soccer functions which take place from 4:30 p.m. to approximately 11:00 p.m., plus the weekend operation.

Protestants:

Gerald Martin, 4477 South 70th Street, was present representing Safeway Stores, Inc., which is located directly across the street from the subject property. He stated that he is not in protest to the application, but expressed his concerns. He stated that if the application is approved, there might be encroachment on their parking lot. He suggested that the variance be tied to the applicant and the use or to the original term of the lease (9 years).

Discussion:

Discussion ensued concerning the agreement for the auxillary parking. The Board expressed a concern with the lease. Mr. Kerin stated that he is prepared to make provisions for additional auxillary parking if necessary and provide transportation to and from that parking. Mr. Kerin advised that they have proposed and have verbal approval by the owner to use that property, but were unable to get his signature expressing that information. The owner has agreed to the terms of the letter and it would not be necessary to tie that agreement to the term of the lease.

Russell Linker, Legal Council, advised that the letter should be submitted to the Legal Department for their review of the agreement for

Case No. 12348 (continued)

parking. He suggested that the case be continued to allow the applicant to compose a document concerning the parking.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to continue this item to the January 6, 1983 meeting to allow the applicant time to work out something concerning the parking and creating a document for the City Legal Department's review that will satisfy the off-street parking concerns.

Case No. 12349

Action Requested:

Special Exception - Section 250.3 - Modification of Screening Wall or Fence Requirements - Request to remove the screening requirement from abutting R Districts. This property is located at 1736 South Carson Avenue.

Presentation:

Curtis Parks, 4207 South Oswego Avenue, was present representing the applicant, Michael Beard, and submitted two photographs of the subject property (Exhibit "R-1"). Mr. Parks and Mr. Beard own the property jointly and are requesting permission to waive the screening requirement at the subject location, where an addition to the office has been made. They feel that the screening fence is unnecessary as there are a number of trees and other foliage along the rear of the property (west). Also, on the west property line it drops about 4' at that location and a chain link fence is presently in place there. To the south is a 10' drop-off which abuts a parking lot. The property owners to the north which would be most affected do not want the screening fence erected.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Special Exception (Section 250.3 - Modification of Screening Walls or Fence Requirements) to remove the screening requirement from abutting R Districts, until such time that the adjacent property owners would request that the owners of the subject property install a fence, on the following described property:

Lot 3, and the South 30' of Lot 2, Block 2, Buena Vista Park Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 12350

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the rear yard requirements from 25' to 15' to permit an addition to the present residence. This property is located at 1809 East 41st Street.

Case No. 12350 (continued)

Presentation:

Mr. Olsen was present representing Olsen-Coffey Architects and submitted a drawing of the proposal (Exhibit "S-1"). The applicant is requesting permission to add a 3-car garage onto the existing residence. The subject tract is a large lot and is situated several hundred feet from 41st Street.

Protestants:

David Daugherty, 4015 South Victor Avenue, was present stating that his property backs up to the subject property. His concern was that the addition might be an eyesore for the area and it could set a precedent in the area. He also felt that the applicant did not show a hardship.

Comments:

Dorothy Miller, Protective Inspections, felt that the proposed structure could be located within 3' of the interior lot line.

The Board felt that a hardship had not been shown. They felt that the structure could be located where it would comply with the setback requirements.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to deny a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the rear yard requirements from 25' to 15' to permit an addition to the present residence, on the following described property:

All of Lots 5 & 6, Block 13, Highland Park Estates, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof; also portions of Lots 3 & 4, Block 13, Highland Park Estates, being more particularly described as follows, to wit: Beginning at the Southeast corner of Lot 4; thence Southwesterly along the South line of Lots 4 & 3 to the Southwest corner of Lot 3; thence in a Northwesterly direction along the West line of Lot 3, a distance of 85 feet; thence in a Northeasterly direction across Lot 3 to a point on the West line of Lot 4, 75 feet North of the Southwest corner thereof; thence in a Northeasterly direction across Lot 4 to a point on the East line of Lot 4, 31.8 feet North of the Southeast corner thereof; thence South 31.8 feet to the point of beginning.

Case No. 12351

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to allow two duplexes in an RS-3 District; and a Variance - Section 440 - Special Exception Uses in Residential Districts, Requirements - Request for a variance of the minimum lot area from 9,000 sq. ft. to 7,000 sq. ft. and the minimum frontage requirement from 75' to 50'; and a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the side yard requirements from 5' to 0' to permit connection of the two duplexes on a lot line. This property is located at 1333 East 36th Street.

Presentation:

Joe Duca, 7323 South Canton Avenue, was present and submitted five (5) photographs of the subject property (Exhibit "T-1"). The applicant is proposing to provide owner occupied dwellings for residential purposes, which are not intended for rental purposes. Off-street parking will be provided for the red brick exterior duplex structures that will conform with the neighborhood. The structure is 32' deep and 80' wide with 1,300 square feet in each dwelling.

Protestants:

David Ray, 1341 East 36th Street, was present and submitted a protest petition signed by approximately 30 residents in the subject area (Exhibit "T-2"). Mr. Ray stated that the protest petition was signed by all of the neighbors excepting two in the surrounding area. He stated that the neighborhood desires that the area remain single-family residential.

John McMann, 1330 East 36th Street, was present stating there is no hardship involved in this request. He also felt that the two duplex structures would tend to overcrowd the property. He also advised that this property and area is not suitable for duplex dwellings.

Comments:

Dorothy Miller, Protective Inspections, advised that according to the Zoning Code the building(s) would be considered a four-plex rather than two duplexes.

Russell Linker, Legal Department, stated that he felt that there was a problem calling the proposal two duplexes. The definition of a duplex, according to the Zoning Code, is a building containing two dwelling units designed for occupancy of not more than two (2) families. The request deals with 4 dwelling units, which goes beyond the definition of a duplex.

The Board did not feel that the applicant proved a hardship. The Board agreed that a duplex and a single-family structure which was attached would be more acceptable.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-1-0 (Chappelle, Purser, Victor, Wait, "aye"; Smith "nay"; no "abstentions"; none, "absent") to deny a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts) to allow two duplexes in an RS-3 District; and a Variance (Section 440 - Special Exception Uses in Residential Districts, Requirements) of the minimum lot area from 9,000 square feet to 7,000 square feet and the minimum frontage requirement from 75 feet to 50 feet; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the side yard requirement from 5 feet to 0 feet to permit connection of the two duplexes on a lot line, on the following described property:

Lot 11, Block 4, Olivers Addition to the City of Tulsa, Oklahoma.

Chairman Smith and Mr. Wait were unable to be present for the remainder of the meeting, therefore, Mr. Victor acted as Chairman.

Case No. 12352

Action Requested:

Variance - Section 430 - Bulk and Area Requirement in the Residential Districts - Request for a variance of the rear yard requirement from 25' to 23' and a request for a variance of the side yard requirements from 10' to 6' on the east side to permit an addition to the existing residence in an RS-2 District. This property is located at 3822 East 82nd Place.

Presentation:

Casper Jones was present representing Dr. Michael Hirschklau, 3822 East 82nd Place, and submitted a plot plan showing the existing residence and the proposed addition (Exhibit "U-1"). Mr. Jones advised that the request has been amended for the 1st variance request and should state from 25' to 21'. Mr. Jones also submitted a petition supporting the request signed by four (4) property owners in the area (the neighbors to the south and west) (Exhibit "U-2"). The Board has granted other variances similar to this application in the immediate area.

Protestants:

Bob Newman, 3830 East 82nd Place, was present stating that he lives immediately east of the subject property. He stated that the proposed addition will be too close to his property. There is a 6' fence which separates the two properties, but his view will be obstructed if the request is approved in addition to property values being decreased.

Applicant's Comments:

Mr. Jones advised that the plot plan shows that the existing residence is 6' from the property line presently, and the addition would not be any closer than 6'. The subject property is an irregular shaped piece of property. The new addition will be 23' from the rear yard at one point and 21' from the rear property line at another point. Mr. Jones advised that Mr. Newman's house is situated 3' closer than permitted by the Zoning Code, also.

Board Action:

On MOTION of CHAPPELLE and SECOND by PURSER, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the rear yard requirement from 25' to 21' and of the side yard requirements from 10' to 6' on the east side to permit an addition to the existing residence in an RS-2 District, per plot plan submitted, on the following described property:

Lot 3, Block 7, Forest Creek II Addition to the City of Tulsa, Okla.

Case No. 12353

Action Requested:

Special Exception - Section 610 - Principal Uses Permitted in Office Districts - Request to permit a childrens nursery and day care center under the provisions of Use Unit 5; and a Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to permit a childrens nursery and day care center under the provisions of Use Unit 5; and a Variance - Section 630 - Bulk and Area Requirements in Office Districts - Request to allow a building height of two stories, and a request to combine the floor areas permitted; and a Variance -

Case No. 12353 (continued)

Section 280 - Structure Setback From Abutting Streets - Request to locate a building within the major street building setback. This property is located at the SE corner of 17th Street and Utica Avenue.

Presentation:

Charles Norman, 909 Kennedy Building, was present representing St. John Medical Center and submitted a topographic survey depicting some of the engineering difficulties which the applicant has encountered (Exhibit "V-1"). Mr. Norman requested that the case be continued to the second meeting in January 1983.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to continue this item to the January 27, 1983 meeting.

Case No. 12354

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance from the center of Madison Avenue from 50' to 17.5' located at 314-316 East 42nd Street.

Presentation:

George Hanks, 2723 East 60th Street, was present stating that he has built a duplex at the corner of Madison Avenue and 42nd Street. The duplex is located 6' from the west property line and is 55' from the north with 35' to the east property line. Mr. Hanks stated that he is in the process of selling the duplex contingent upon the Board's approval of the carport to be located on the east side. There are other buildings in the immediate area situated on the property line.

Discussion:

Discussion ensued concerning the placement of the carport and the dedication of Madison Avenue. Mr. Gardner advised that the Staff's records show that there is more dedicated than what is shown. The Board temporarily passed the case in order to acquire sufficient information on the matter.

Dorothea Miller, Protective Inspections, stated that she reviewed the records and found a total of 25' dedicated from Madison Avenue. If the applicant will be 17.5' from the centerline of the street he would be 5' off of his property line. If the applicant builds the carport he will be in the Major Street setback because the Major Street Plan setback requires that one be 25' from the centerline.

Purser asked the applicant if he would be willing to remove the carport if the City decided to build a street at that location.

Russell Linker, Legal Department, advised that there have been other encroachments into the setback on that road. He suggested that if the Board approves the application, that it be subject to the execution of the removal contract.

Case No. 12354 (continued)

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) from the center of Madison Avenue from 50' to 17.5', subject to the execution of the removal contract, on the following described property:

The East 96.0' of the North 78.67' of Lot 1, Block 4, Demorest Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 12355

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow a post office in a CS District. This property is located at 1510 South Memorial Drive.

Presentation:

Charles White, 1703 East Skelly Drive, was present stating that the plot plan is incorrect because a waiver of plat was granted yesterday with no parking permitted in that area shown on the plans and no sign in the front, which are the only changes other than a utility easement grant along each side. The proposed building will be used as a post office and will be a metal building with a glass facade in the front and the use of decorative panels.

Protestants: None.

Board Comments:

The Board was concerned about the appearance of the metal looking building, fearful that it would appear industrial in character. Mr. White stated that the front portion of the building is a different elevation than the rear portion. He also advised that the facade which is approximately 6' high will go completely around the building. The applicant would be willing to change the exterior materials to comply with the Board's wishes. The Board suggested that the case be continued, so that the applicant could submit new renderings depicting the amended exterior materials and colors...to change the appearance to a more conventional commercial building.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 6, 1983 meeting to allow the applicant time to submit detail information concerning the exterior appearance of the building and the plans.

Case No. 12357

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets - Request for a variance of the setback from the main street setback of North Peoria Avenue right-of-way, from 50' to 28'; and a Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request

Case No. 12357 (continued)

for a variance of the setback from the centerline of North Peoria Avenue from 100' to 28'. This property is located at the NE corner of Latimer Street and Peoria Avenue.

Presentation:

Joe McCormick, One Williams Center, Suite 1776, was present representing Lee C. Moore Corp., and submitted a plot plan (Exhibit "W-1"). Mr. Moore has a manufacturing plant located on the subject property and the proposed addition will line up with the existing structure.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, suggested that if the application is approved, that it should be subject to the removal contract being executed because the addition will be in the Major Street Plan.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 280 - Structure Setback From Abutting Streets) of the setback from the main street setback of North Peoria Avenue right-of-way, from 50' to 28', and a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts) of the setback from the centerline of North Peoria from 100' to 28', subject to the execution of the removal contract, on the following described property:

Beginning 16.5' East and 20' North of the SW corner of Lot 2; thence East 702.175'; thence North 339.96' to Railroad Right-of-way; thence Northwesterly 738.8' to a point 16.5' East of the West line of Lot 2; thence South 580' to the point of beginning in Section 31, Township 20 North, Range 13 East in the City of Tulsa, County of Tulsa, Oklahoma.

Case No. 12358

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the Bulk and Area Requirements in an RS-3 District per plat. This property is located at 57th Street and Union Avenue.

Presentation:

Bob Parmele, Jr., 1918 East 51st Street, Suite 5, was present and submitted an amended plat (Exhibit "X-1"). Mr. Parmele advised that the subject tract is an existing RS single-family subdivision and a reduction of the lot sizes primarily to 40' is proposed. At its meeting yesterday the TMAPC approved the preliminary plat, subject to this Board's approval of the waiver. Many lots in the surrounding area are 40' lots, also.

Protestants: None.

Board Action:

On MOTION of CHAPPELLE and SECOND by PURSER, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith,

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Case No. 12358 (continued)

Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the Bulk and Area Requirements in an RS-3 District, subject to the amended plat, on the following described property:

Blocks 1-7, Woodview Heights Amended, Tulsa County, Oklahoma.

Case No. 12359

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts- Request to allow a dog kennel in an RS-3 District. This property is located at 1347 East 51st Street North.

Presentation:

Donna Priore, attorney, was present representing her mother, Bessie Priore, 1347 East 51st Street North, and submitted 12 letters from neighbors on each side and across the street from the applicant, stating that they have no objection to granting the variance request (Exhibit "Y-1"), and a letter from James Ekhart, D. V. M., the applicant's veterinarian, stating that the applicant has exceptional ability in caring for her dogs and provides treatment and care for ill or injured animals (Exhibit "Y-2").

The applicant owns six (6) dogs, including Aerdales and Chows, two of which are normally kept indoors and the other four outside. At night, or when the family is gone for an extended period, the dogs are kept in the garage and are not a nuisance to the neighborhood. The subject property has a fenced yard with a padlock on the gate. The dogs serve as protection to the applicant and the neighborhood as the surrounding area is a high crime area.

Randy Morley, 1640 South Boston Avenue, attorney and son-in-law to the applicant, was present and reiterated Donna Priore's statements concerning the protection which the dogs would serve in such a dangerous area.

Protestants:

Mrs. Chester Smith, Jr., 5247 South Columbia Avenue, was present stating that she has three rental properties in the subject area and is opposed to the application. She stated that the Zoning Code only allows three dogs unless a kennel is granted and advised that she opposed the 6 dogs. There will be noise and odor caused by allowing the dogs.

Applicant's Comments:

Donna Priore advised that her father cleans up after the dogs several times a day, therefore, there is not a lot of smell and odor. A kennel is not being sought, but merely a source of protection for the applicant and surrounding neighbors.

Comments:

Dorotha Miller, Protective Inspections, advised that there have been no complaints from the neighborhood concerning the dogs.

The Board asked if the applicant would breed the dogs. She stated that she has no male dogs, but would like for two of her dogs to have one litter a year, therefore, allowing the applicant permission to have two litters a year.

Case No. 12359 (continued)

Mr. Victor asked if there would be any objection to reducing the number of dogs as they grow old and die and Ms. Priore answered no. Mr. Morely advised that the Ordinance states that one can have three (3) dogs and puppies up to 4 months. The puppies would be cared for at the applicant's house until they reached the sellable age (6 weeks).

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in Residential Districts) to allow a dog kennel in an RS-3 District, with the restriction that it be limited to the six (6) existing adult dogs and to reduce the number to 3 by attrition, and that no more than two litters (one for each of the two dogs) a year be permitted, and that the puppies only be allowed to remain at the subject property for 6 weeks, on the following described property:

Lot 30, Block 7, Northridge Addition, Tulsa County, Oklahoma.

Discussion:

Bessie Priore also asked the Board if she would be permitted to tend to ill or injured animals that she did not own. The Board had no objection to the request as long as she did not keep the animals and that she only have one stray animal at the property at any one time.

Case No. 12360

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from the centerline of Columbia Place from 50' to 33'. This property is located at 2701 East 55th Place.

Presentation:

Carolyn Freeman, 2701 East 55th Place, was present representing Richard Freeman and submitted a plot plan (Exhibit "Z-1"). The applicant is adding a room addition to the existing residence, which is located at the corner of 55th Place and Columbia Avenue. The existing residence is an older home and was constructed before the street was put in. The proposed room addition will line up with the existing residence.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the setback from the centerline of Columbia Place from 50' to 33', per plot plan submitted, on the following described property:

A tract of land beginning at a point 1,848' East and 165' South of the NW corner of the S/2 S/2 NW/4 Section 32, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma; thence East 66'; thence South 165'; thence West 66'; thence North 165' to the place of beginning, according to the U.S. Government Survey thereof.

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to allow multifamily use in a CS District; and a Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the structure height from 26' to 35' located at the NE corner of 87th Street and Lewis Avenue.

Presentation:

B. Kenneth Cox, Jr., One Williams Center, was present representing the owners of the subject property and submitted the plat (Exhibit "AA-1"). The owners are requesting permission to erect a multifamily structure on the narrow tract in question. The variance is sought to allow the 3-story structure to be 35' in height.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, advised that the Zoning Code has been changed and a 35' structure to the roof peak is permitted in a CS District.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow multifamily use in a CS District; and a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the structure height from 26' to 35' to the top of the top plate, on the following described property:

A part of Block 1, Crown Imperial Addition, City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows:

Beginning at the Southeast Corner of said Block 1; thence Northerly along the East line of said Block 1, a distance of 170.00'; thence Westerly along the North line of said Block 1, a distance of 677.00'; thence Southeasterly to a point on the South line of said Block 1 and on the North right-of-way line of East 87th Street South, said point being 527.73' West of the point of beginning; thence Easterly along the South line of said Block 1, a distance of 527.73' to the point of beginning.

Case No. 12362

Action Requested:

Variance - Section 610 - Principal Uses Permitted in Office Districts - Request to place a mobile home in an OL District to be used as a residence and an office. This property is located at 8119 East 15th Street.

Presentation:

Ed Hawkins, 8630 East 15th Street, was present and requested permission to place a mobile home on the subject property to be used as an office and residence. Mr. Hawkins and his brother are in business together and would request permission to use the mobile home as such for a period of one year at this time. The access to the office will be from the south which will be facing 15th Street. Mr. Hawkins advised that the property owners in the area are in support of the application. Mr. Hawkins stated that his parents have had a construction business at the subject location for 20 years.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, advised that the applicant could receive temporary nonresidential mobile home permission from her office for nine months with a three-month extension not to exceed one year, which would not permit the dwelling request. Mrs. Purser advised that if there is a legal nonconforming use the applicant cannot build a residence without this Board's approval. Mr. Hawkins advised that his mother wants to maintain her residence at the subject location. He stated that the request was for only one year and at the end of that time the Board could reconsider the use.

Mrs. Purser stated that this is a nonconforming use and the office would be expanding the nonconforming use which the Board could not allow. Mr. Victor stated that he would not oppose to having a small office, but he would object to having the residence included. Ricky Jones advised that the Board has approved a similar request with the exception that the dwelling was used by a security guard for security purposes at night. Mr. Russell stated that the Board would have jurisdiction if it was for security purposes.

PURSER made a MOTION to approve the application as a temporary office use allowing the applicant's brother to reside in the mobile home for security purposes for a period of two (2) years.

Due to the lack of a SECOND, the MOTION died.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 6, 1983 meeting.

Case No. 12363

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Request for a variance of the setback from the centerline of North 41st West Avenue from 85' to 45.13' for a house expansion. The property is located at 1008 North 41st West Avenue.

Case No. 12363 (continued)

Presentation:

James Danner was present representing the owner, L. E. Woodroof, 1008 North 41st West Avenue, and submitted a plot plan (Exhibit "BB-1"). The Woodroofs are proposing to construct a small extension to a bedroom located at the southeast corner of their existing residence. During the platting process it was discovered that a 100' easement and a 35' setback on each side of the lot was required because it is a Major Street Plan setback and not a zoning setback.

Protestants: None.

Comments:

Dorothea Miller, Protective Inspections, advised that a removal contract would be required and the owner would be required to tear the expansion down should the City decide to widen the street.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts) of the setback from the center-line of North 41st West Avenue from 85' to 45.13' for house expansion, subject to the execution of the removal contract, on the following described property:

The South Half of the South Half of the North Half of the East Half of the Northeast Quarter of the Southeast Quarter (S/2 S/2 N/2 E/2 NE/4 SE/4) of Section Thirty-two (32), Township Twenty (20) North, Range Twelve (12) East of the Indian Base and Meridian, Osage County, Oklahoma, according to the U. S. Government Survey thereof.

Case No. 12364

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Request for a multi-purpose facility that will be used for training purposes, conferences, retreats, and administrative offices. This property is located at 65th West Avenue and Edison Avenue.

Presentation:

Ricky Jones advised that the Planning Commission denied the applicant's request for a plat waiver at the meeting yesterday. The property will have to be platted if this Board approves the application.

Gene Griffin, director of Insight Ministries, 9736 East 55th Place, was present and submitted a site plan (Exhibit "CC-1"), a location map (Exhibit "CC-2"), and approximately thirteen (13) letters from neighbors in support of the application (Exhibit "CC-3"). The intended use of the property is for the community's benefit, as well as for the Ministries' benefit. A meeting was held for the property owners within 300' of the property with approximately 50 families being invited. Twenty-two families were represented and thirteen letters of support were submitted. All who were present for the meeting had no objection to the proposal.

Protestants: None.

Comments:

Mrs. Purser asked if the applicant would be willing to comply with the site plan as submitted, and Mr. Griffin answered yes and stated that it would be subject to changes, which might be made at the T.A.C. meeting. Mrs. Purser stated that she could support the approval, subject to the applicant returning to the Board if additional buildings were proposed.

Discussion ensued concerning the location of the subject property. A portion (40 acres) of the (240-acre tract) is in Osage County.

Mrs. Purser requested that the proposed maintenance building and yard to be located right against the property line, be located at another place on the tract as it inhibits the use of this property. She felt that the maintenance building and yard should be at least 100' from their property line. Mr. Griffin advised that the plans indicate landscaping at the back of the maintenance building and yard, and requested that it only be 50' from the property line.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Special Exception (Section 310 - Principal Uses Permitted in Agriculture Districts) for a multi-purpose facility that will be used for training purposes, conferences, retreats, and administrative offices with the provision that the applicant return to this Board any time that there is a building, or any kind of facility on the property, and that the maintenance building and yard as shown on the plans be placed at least 50' from the property line, with the condition that it be heavily screened with landscaping and that the landscaping provide a screen in three (3) years, and that the applicant return to the Board with the approved plat, on the following described property:

The Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) and the East-Half (E/2) of the Northwest Quarter (NW/4) and the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) and the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) and the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) and Lot One (1) and a part of Lot Six (6) all in Section 31, Township 20 North, Range 12 East of the Indian Base and Meridian in Osage County, Oklahoma, being more particularly described as follows, to wit:

Beginning at the Northwest Section Corner which is a found brass cap of Section 31, Township 20 North, Range 12 East in Osage County, which is also the NW corner of Lot 1; thence South 89 degrees, 31 minutes, 04 seconds East along the North Section Line of Said Section 31 and the North line of Lot 1 a distance of 1,315.52 feet to a 3/8" iron pin set at the NE Corner of Lot 1 and the NE Corner of the NW/4 of the NW/4; thence South 89 degrees, 31 minutes, 04 seconds East along the North Section Line and the North line of the E/2 of the NW/4 a distance of 1,317.50 feet to a found 1" pipe with concrete at the North Quarter Corner of Said Section 31; thence South 00 degrees, 06 minutes, 42 seconds West along the east line of the E/2 of the NW/4 a distance of 1,338.44 feet to a 3/8" iron pin set

at the NW Corner of the SW/4 of the NE/4; thence South 88 degrees, 46 minutes, 42 seconds East along the North line of the SW/4 of the NE/4 a distance of 1,336.43 feet to a 3/8" iron pin set at the NE Corner of the SW/4 of the NE/4; thence South 00 degrees, 04 minutes, 39 seconds West along the East line of the SW/4 of the NE/4 a distance of 1,338.40 feet to a 3/8" iron pin set at the SE Corner of the SW/4 of the NE/4; thence South 00 degrees, 14 minutes, 20 seconds West along the East line of the NW/4 of the SE/4 a distance of 983.16 feet to a 3/8" iron pin set on the East line of the NW/4 of the SE/4; thence North 89 degrees, 43 minutes, 23 seconds West and parallel to the South Section Line of Said Section 31 a distance of 330.00 feet to a 3/8" iron pin set; thence South 00 degrees, 14 minutes, 20 seconds West and parallel to the East line of the NW/4 of the SE/4 and the East line of Lot 6, a distance of 660.00 feet to a PK set on the North edge of the existing asphalt road of West Edison and the South Section Line of Said Section 31, Township 20 North, Range 12 East; thence North 89 degrees, 43 minutes, 23 seconds West along the South Section Line of Section 31 and the South line of Lot 6, a distance of 553.34 feet to a 3/8" iron pin set on the South Line of Section 31 and the South Line of Lot 6; thence North 13 degrees, 10 minutes, 11 seconds West a distance of 384.36 feet to a 3/8" iron pin set North of the North line of Lot 6; thence North 89 degrees, 40 minutes, 58 seconds West and a distance of 361.70 feet to a 3/8" iron pin set on the West line of the NW/4 of the SE/4; thence South 00 degrees, 06 minutes, 42 seconds West along the East line of the NE/4 of the SW/4 a distance of 3.76 feet to a 3/8" iron pin set at the NW Corner of Lot 6 and the SE Corner of the NE/4 of the SW/4; thence North 88 degrees, 20 minutes, 32 seconds West along the North line of Lot 5 and the South line of the NE/4 of the SW/4 a distance of 1,314.29 feet to a 3/8" iron pin set at the SW Corner of the NE/4 of the SW/4 and the intersection of Lots 2, 4 and 5; thence North 00 degrees, 00 minutes, 21 seconds West along the West line of the NE/4 of the SW/4 and the East line of Lot 3, a distance of 1,284.82 feet to a 3/8" iron pin set at the NW Corner of the NE/4 of the SW/4; thence North 00 degrees, 05 minutes, 23 seconds East along the West line of the SE/4 of the NW/4 and the East line of Lot 2, a distance of 1,330.01 feet to a 3/8" iron pin set at the NW Corner of the SE/4 of the NW/4 and the SE Corner of Lot 1; thence North 89 degrees, 08 minutes, 52 seconds West along the South line of the NW/4 of the NW/4 and the South line of Lot 1, a distance of 1,325.79 feet to a 3/8" iron pin set on the West Section Line of aforesaid Section 31, Township 20 North, Range 12 East and the SW Corner of Lot 1 and the SW Corner of the NW/4 of the NW/4; thence North 00 degrees, 31 minutes, 52 seconds East along the West line of both Lot 1 and the NW/4 of the NW/4 a distance of 1,321.36 feet to the point of beginning, containing 243.09 acres more or less.

Action Requested:

Special Exception - Section 240.2 (h) - Permitted Yard Obstructions - Request to locate a carport in the side yard of the subject tract. This property is located at 2732 South Cincinnati Avenue.

Presentation:

Ross Cooper, Jr., 2732 South Cincinnati Avenue, was present and submitted the plat of survey (Exhibit "DD-1") and 9 photographs (Exhibit "DD-2"). Mr. Cooper stated that he proposes to build a carport over an existing driveway on the subject property. The existing single car driveway extends from the front of the property to the garage at the back of the property, which prevents the applicant from getting two cars into his garage as the driveway is so close to the house. The trees in the neighbor's yard that overhang the driveway area in question, has forced the applicant to park his cars in front of the house on a sloped incline causing damage to their vehicles due to inclement weather, tree limbs and sap,...

Without having a carport, the applicant feels that he has been restricted the use of his property as he has to park in front of his house and has limited access to his garage. The proposed carport will blend in with the architecture of the existing house, being the same color as the house with the singles matching those of the house.

Protestants:

Michael Huggins, 2804 South Cincinnati Avenue, was present and submitted six (6) photographs of the subject property (Exhibit "DD-3"). Mr. Huggins, who owns the property most affected by the proposed carport, stated that he was concerned with the closeness of the carport location. He felt that if the carport is approved, it would affect the aesthetic nature of the neighborhood and would decrease property values. Because of the narrowness of the driveway and the two-car garage, it would create a safety hazard if a fire truck needed access through the driveway.

Comments:

The Board did not feel that they could act on the application because no plans had been submitted. They felt that the case should be continued to allow the applicant time to provide a front sketch plan for the carport.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to continue this item to the January 6, 1983 meeting, so that the applicant can provide the Board with front sketch plans to show how the carport will appear.

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the west side yard requirements from the edge of Florence Avenue right-of-way from 35' to 28' for existing structure and 19' for an existing pool. This property is located at 3134 East 67th Street.

Case No. 12367 (continued)

Presentation:

Richard Cleverdon, 202 West 8th Street, was present representing the owner, Barbara Winden, and the property owner, Bob Flaherty, and submitted a plot of survey (Exhibit "EE-1"), a copy of the plot plan (Exhibit "EE-2"), and five (5) photographs of the subject property (Exhibit "EE-3"). The survey of the property shows the location of the improvements and the setback line which is based upon a dedicated cul-de-sac. There is no structure proposed for the subject tract; the variance is merely requested to properly legalize what has been done to improve the property.

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts) of the west side yard requirements from the edge of Florence Avenue right-of-way from 35' to 28' for the existing structure and 19' for an existing pool, per drawings submitted, on the following described property:

A tract of land that is part of Lot (1), Block (1), of Braniff Hills Addition, Tulsa County, Oklahoma, said tract being described as follows, to wit: Beginning at a point 189.75 feet Easterly of the Northwest Corner thereof; thence Easterly along the Northerly line thereof, for 137.45 feet to a point that is 25 feet Westerly of the Northeast Corner thereof; thence Southerly and parallel to the East line thereof, for 240.94 feet; thence Southwesterly for 124 feet; thence Northwesterly for 163.09 feet to a point on a curve; thence Northerly along a curve to the left, said curve having a radius of 50 feet for 64.00 feet to a point of reverse curve; thence Northerly along a curve to the right, said curve having a radius of 75 feet for 48.26 feet; thence Northeasterly along a straight line for 79.34 feet to the point of beginning.

Case No. 12368

Action Requested:

Variance - Section 220 (c) - Height Exceptions - Request for a variance of the height requirement from 60' to 85' to permit a windmill in an RS-3 District. This property is located at 502 North 69th East Avenue.

Presentation:

Charlotte Tucker, 502 North 69th East Avenue, was present requesting permission to place an electrical generated windmill on the subject property. The proposed windmill is safe for winds up to 120 miles per hour and has an automatic shutdown at 40 mph, so it would not generate back into lines that might be down during a storm. Ms. Tucker advised that she has talked to her immediate neighbors and they have no objection to the request. She stated that the windmill needs to be 85' in height to be efficient.

Protestants: None.

Case No. 12368 (continued)

Comments:

Mrs. Purser asked the applicant if she had any safety requirements or specifications available concerning the windmill and she stated that she did not. The Board felt that the technical materials should be considered concerning the safety. Discussion ensued concerning continuing the case to submit engineering data to the Building Inspection's Department to review for the structural safety. It was then decided to make the approval subject to the Building Inspector's approval.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 220 (c) - Height Exceptions) of the height requirement from 60' to 85' to permit a windmill, subject to approval of the structural safety of the windmill by the Building Inspection's Department, on the following described property:

Lot 3, Block 2, Polston Addition, Tulsa County, Oklahoma.

Case No. 12370

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request to allow a variance from setback requirements from 75' to 40' to the north, 35' to the south; and a Special Exception - Section 250.3 - Modification of the Screening Wall or Fence, Requirements - Request for a variance of the screening requirements under Section 1225.3 as it relates to the east 600' of the north property line and the entire south property line. This property is located at 3300 North Harvard Avenue.

Presentation:

Robert Nichols, 111 West 5th Street, was present representing the applicant, Tri-Thermal, Industries, and submitted a site plan (Exhibit "FF-1") and a topographical map (Exhibit "FF-2").

The applicant is requesting that the setback line from the north be reduced from the required 75' to 40' and the setback line on the south from the railroad right-of-way instead of 75' be reduced to 35'. A variance of the setback requirement from 75' to 20' on the west property line is also requested, but was not included in the application and will be readvertised.

The surrounding properties are basically residential in nature and are sparsely residential. The house to the north of the property is located more than 100 yards from the subject property, and to the west is a residence approximately 80 yards from this tract. A request to waive the screening requirement is requested on the east as the east 600' of this tract would not be in view of those property owners.

Protestants: None.

Interested Party:

Marty Robinson, 2631 North Yorktown Avenue, was present representing her sister, Bessy Adams, an interested party, who lives in the surrounding area. Ms. Adams inquired as to the proposal and the use. She had

Case No. 12370 (continued)

no objection to the request.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts) to allow a variance from setback requirements from 75' to 40' to the north, and 35' to the south; and a Special Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirements) of the screening requirements under Section 1225.3 as it relates to the east 600' of the north property line and the entire south property line, on the following described property:

The West 200' of Contempra III, less and excepting therefrom the South 150 feet of the West 160 feet thereof, Tulsa County, Oklahoma. *- Legal in error see 1-6-83 minutes*

OTHER BUSINESS:

Case No. 11207

Action Requested:

Consider approval of site plan for Case No. 11207.

Presentation:

Ted Bailly, 7443 East 77th Court South, was present and submitted the site plan (Exhibit "GG-1"). The proposed U. S. Postal Service structure will be a 25,000 square-foot, one-story masonry building located at 6910 South Yorktown Avenue, with brick construction including some metal facia around the loading dock. Also located on the site will be a filling station and a wash building. The proposed structure meets U. S. standards. Landscaping plans were also included in the site plan.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, advised that the Board previously approved the application, subject to review of the site plan.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve the site plan for Case No. 11207.

Case No. 11589

Action Requested:

Consider approval of site plan for Case No. 11589.

Presentation:

Ted Bailly, 7443 East 77th Court South, was present and submitted the site plan (Exhibit "HH-1"). The proposed U. S. Postal Service structure will be located at 5313 East Independence Street and will be of brick construction with metal facia. A landscaping plan is also included in the site plan. The Board approved the use subject to approval of the site plan.

Case No. 11589 (continued)

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to approve the site plan for Case No. 11589.

Ricky Jones advised that the Staff received a letter from the Brookside Lion's Club and \$50.00 asking that they be placed on the agenda to request permission to sell Christmas trees. The party in question is presently at the subject location selling the trees. Mr. Gardner suggested that the Board send a letter with the \$50.00 check asking that they get their application in early next year. The applicant could not be placed on the agenda until January.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Victor, "aye"; no "nays"; no "abstentions"; Smith, Wait, "absent") to send the check back to the applicant and request that he file an earlier application in subsequent years.

There being no further business, the meeting adjourned at 8:26 p.m.

Date Approved

9 2 - 10 - 83


Chairman