

CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 379  
Thursday, January 27, 1983, 1:00 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT

Chappelle  
Purser (in at 1:10 p.m.)  
Smith, Chairman  
Victor  
Wait (out at 4:00 p.m.)

STAFF PRESENT

Compton  
Gardner  
Malone  
Martin

OTHERS PRESENT

Jackere, Legal  
Department  
Miller, Protective  
Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Tuesday, January 25, 1983, at 9:23 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 1:00 p.m.

MINUTES:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve the Minutes of December 2, 1982 (No. 376).

RESOLUTION:

The Board members chose this time in which to honor their immediate past chairman, Mr. C. S. Lewis, by presenting a resolution to him in the form of a plaque. Mr. Lewis served on the Board of Adjustment from January 1978 to June 1982, and served as Chairman to the Board from July 1981 to June 1982.

Mr. Lewis was present to accept the resolution and stated that he had enjoyed serving on the Board and working with the Staff and Board members.

WITHDRAWN CASES:

Case No. 12332

Presentation:

The applicant, Roy Hinkle, was not present. The application was temporarily passed to allow the Staff or Legal Counsel opportunity to contact the applicant. At the December 16, 1982 meeting the Board continued this case to allow the applicant time to address the drainage concerns of the subject property.

Mr. Jackere, Legal Counsel, advised that he had contacted the applicant who failed to remember the meeting today and was very apologetic. He requested that the application be withdrawn as the engineer had advised the applicant that more time is needed for drainage plans.

Case No. 12332 (continued)

Protestants:

David Barnes, 3311 East 45th Street and Kathy Bogart, 3331 East 45th Street, were present in protest to the application. The Board advised that the applicant would be required to reapply when the drainage concerns are addressed and the protestants would be notified of the new hearing.

Without objection, the Chair withdrew Case No. 12332 from the agenda.

Case No. 12402

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to withdraw Case No. 12402 from the agenda.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 12407

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Request for a variance to permit frontages of 51' and 49' in order to permit a lot split located at 2728 North Sheridan Road.

Presentation:

The applicant, Gary Witty, was not present.

Protestants:

Gene Barton, president of Twenty Seven Hundred North Sheridan Corp., was present stating that his Corporation owns property behind and beside the subject property. Mr. Barton advised that there are two buildings on one piece of property which the applicant proposes to split, which is located in a floodplain. If the subject lot is split, there will be two 50' lots and there would be no setbacks between the buildings because they are located so close together.

Comments:

Dorotha Miller, Protective Inspections, stated that the only time a building setback is required in an IL District is when construction abuts residential, office or AG. IL zoning does not have a setback from another IL building or zoning district. The only setback the applicant has is from the centerline of Sheridan Road, which is a 100-foot requirement on this particular piece of property. Mr. Barton advised that one of the structures would comply with the Zoning Code and the other would need to be removed. Mrs. Miller advised that an IL zoning requires 150-foot of frontage on an arterial street.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 3-2-0 (Chappelle, Purser, Victor, "aye"; Smith, Wait, "nay"; no "abstentions"; none, "absent") to deny a Variance (Section 930 - Bulk and Area Requirements in the Industrial District) to permit frontages of 51' and 49' in order to permit a lot split (L-15660), on the following described property:

Case No. 12407 (continued)

Beginning at a point 165.1' South and 50' West of the Northeast corner of the NE/4 of the SE/4 of the SE/4 of Section 22, Township 20 North, Range 13 East, in the City and County of Tulsa, Oklahoma; thence West 140'; thence South 100'; thence East 140' and thence North 100' to the point of beginning, containing .32 acres, more or less.

Case No. 12411

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the rear yard requirement from 20' to 17.25' located at 2010 North Lewis Avenue.

Presentation:

William Butler, 145 South 24th East Avenue, was present and submitted a sketch plan (Exhibit "A-1"). Mr. Butler advised that the subject property is owned by Buck Meyers Investment, who is requesting permission to move two houses on two lots.

Protestants: None.

Comments:

Ricky Jones advised that the variance of the rear yard requirements is needed on both lots and both have been advertised.

Chairman Smith asked if the variance request was from 20' to 17.25' from the rear yard as stated above, or if it was for 16' as shown on the plot plan and Mr. Butler stated that the request is for 17.25'.

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 District) of the rear yard requirement from 20' to 17.25' and not as shown on the plot plan, on the following described property:

Lots 308 and 309, Block 25, Tulsa Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12421

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the Bulk and Area Requirements to permit a lot split located at the SE corner of 23rd Street and Garnett Road.

Presentation:

Mike Taylor, 5359 South Sheridan Road, was present representing Sisemore-Sack-Sisemore & Associates, Inc., and submitted a copy of the plot plan (Exhibit "B-1"). The owners of the property, Commonwealth Properties, are requesting the variance of the Bulk and Area Requirements to permit a lot split because of various reasons including economics, finances, and a partnership problem. It is an ownership problem where the

Case No. 12421 (continued)

applicant is forced to split the lot into three parcels. The density and number of units are within the allowable use according to the Zoning Code. The Planning Commission approved the lot split, subject to this Board's approval of the Bulk and Area Requirements to give the applicant relief on the side yard requirements. The Zoning Code requires a minimum of 10' side yards and the applicant is needing a one-foot variance request.

Protestants: None.

Comments:

Discussion ensued as to the broadness of the request. Mr. Jackere, Legal Counsel, felt that the request needs to be more specific. Dorothea Miller, advised that the applicant needs relief of the land area per dwelling unit and side yard setback. The Staff advised that the tract was platted as one lot, one block and the applicant now wishes to split the lot.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-1 (Chappelle, Purser, Smith, Wait, "aye"; no "nays"; Victor, "abstaining"; none, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in the Residential Districts) of the Bulk and Area Requirements to permit a lot split (L-15676), per plot plan submitted and as initialed, on the following described property:

Lot 1, Block 1, Village Walk Addition to the City of Tulsa,  
Tulsa County, Oklahoma.

Case No. 12422

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the frontage requirement in an RS-3 District from 60' to 50' in order to permit a lot split located at 1333 East 36th Street.

Presentation:

Joe Duca, 4904 South Harvard Avenue, was present and stated that the application was approved by the Planning Commission on January 19, 1983, subject to approval by this Board and subject to the dedication of the south 6' of the north 11' of the subject property. Mr. Duca advised that the easement as requested by the Planning Commission has been executed and has been submitted to this Board (Exhibit "C-1").

Protestants: None.

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 District) of the frontage requirement in an RS-3 District from 60' to 50' in order to permit a lot split (L-15677) on the following described property:

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

Case No. 12425

Action Requested:

Variance Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback requirements from 48th Street from 50' to 41' located at 4804 South 30th West Avenue.

Presentation:

Larry Exedine, 4804 South 30th West Avenue, was present and submitted a plot plan (Exhibit "D-1"). The applicant is requesting the variance in order to construct an enclosed garage on the subject property. The garage will be attached to the existing residence and will face West 48th Street South. Mr. Exedine stated that he had advised his neighbors of the proposal and they have no protests.

Protestants: None.

Board Comments and Questions:

Mrs. Purser asked if the proposed garage would tie in architecturally with the existing residence and the applicant answered in the affirmative.

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 approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the setback requirement from 48th Street from 50' to 41' with the provision that it be an enclosed garage, matching the material and character of the existing house, on the following described property:

The North 60' of Lots 35-40, Block 11, Carbondale Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12416

Action Requested:

Variance - Section 280 - Structure Setback from Abutting Streets - Request for a variance of the Major Street Plan setback to permit the erection of a sign located at the NW corner of 21st Street and Harvard Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, was present and submitted a site plan (Exhibit "E-1"). Mr. Johnsen was representing Quik-Trip Corporation who recently acquired the subject property and removed the service station and intends to contract a Quik-Trip convenience store. The proposed sign will be located at the immediate corner of the property in the Major Street Plan setback and is not within any existing right-of-way. If the Board required a removal contract to be executed, the applicant would be in agreement.

Protestants: None.

Interested Party:

Eugene Colleoni, District #4 Chairman to the Greater Tulsa Council, was present expressing his support of the application.

Case No. 12416 (continued)

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-1 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; Smith "abstaining"; none, "absent") to approve a Variance (Section 280 - Structure Setback From Abutting Streets) of the Major Street Plan setback to permit the erection of a sign, subject to the execution of the removal contract, on the following described property:

Lots 1, 2 and 3, Block 1, Florence Park Addition, LESS the East 10' thereof, according to the recorded plat, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12417

Action Requested:

Variance - Section 280 - Structure Setback from Abutting Streets - Request for a variance of the Major Street Plan setback to permit the erection of a sign located at the SW corner of 46th Street North and Lewis Avenue.

Presentation:

Roy Johnsen, 324 Main Mall, attorney representing Quik-Trip Corporation submitted a site plan (Exhibit "F-1"). There is an existing commercial structure on the property which Quik-Trip Corporation intends to remove and construct a convenience store at that location. The sign location is not within the existing right-of-way, but is within the Major Street Plan setback. Because the additional 15' on 46th Street North has been dedicated, the proposed sign is located within the right-of-way. If the application is approved, it should be subject to a removal contract and subject to City Commission approval.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-1 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; none, "absent") to approve a Variance (Section 280 - Structure Setback From Abutting Streets) of the Major Street Plan setback to permit the erection of a sign, subject to the execution of a removal contract and approval by the City Commission, on the following described property:

The East 195' of the North 165' of the NE/4 of Section 18, Township 20 North, Range 13 East, Tulsa County, Oklahoma, LESS the East 50' and the North 35' thereof; and the South 55' of the North 220' of the East 195' of the NE/4 of Section 18, Township 20 North, Range 13 East, Tulsa County, Oklahoma, LESS the East 50' thereof.

UNFINISHED BUSINESS:

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 located at 9715 East 11th Street.

Presentation:

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

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to continue this item to the February 10, 1983 meeting.

Case No. 12366

Action Requested:

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

Presentation:

Susan Bello, 5415 East 7th Street, was present and submitted a plat (Exhibit "G-1"). The applicant is requesting permission to split the existing 110' lot which would create two 55' wide lots. The buildings on the east-half of the lot are not on the property line and will not interfere with the lot split.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, advised that in an RS-2 zoned district the Zoning Code requires 75' of frontage and a 10' and a 5' side yard. Mrs. Purser felt that the lot split, as proposed, would create very small lots and would not be consistent with the other lots in the area. Ms. Bello advised that the property was previously split into two pieces of property as stated on the abstract. Mr. Smith advised that the Planning Commission approved the lot split. Discussion ensued concerning the size of the lots if approved and the Board found no hardship.

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 deny a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the bulk and area requirements to permit a lot split (L-15640) on the following described property:

Lot 5, Block 18, White City Addition to the City of Tulsa,  
Tulsa County, Oklahoma.

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'; and a Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request for a variance of the 750 square-foot or 20% rear yard coverage maximum to allow the accessory buildings on the submitted plot plan located at 203 South Indianapolis Avenue.

Presentation:

Art Fleck, Jr., 111 West 5th Street, was present and submitted a plot plan (Exhibit "H-1") and two photographs showing the existing green house and the carport which is in existence (Exhibit "H-2"). The carport sets farther back than the fence and the existing house on both sides of the subject property. The existing carport lines up with and is attached to the garage apartment. The carport is a roofed structure and was architecturally designed and professionally built.

Protestants: None.

Interested Party:

Judy Marshall was present stating that she lives across the street from the applicant and is in support of the application as it will enhance the area. She was also representing Mr. R. L. Baker, 211 South Indianapolis Avenue, who requests that the application be approved.

Mr. Smith advised the Board that Robert and Joyce Blizzard, 204 South Indianapolis Avenue, submitted a letter stating that they have no objection to the request as proposed (Exhibit "H-3").

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 Special Exception (Section 240.2 - Permitted Yard Obstructions) for a carport that encroaches the required setback from the centerline of 2nd Street from 50' to 37'; and a Variance (Section 240.2 (e) - Permitted Yard Obstructions) of the 750 square-foot or 20% rear yard coverage maximum to allow the accessory buildings, per plot plan submitted, on the following described property:

Lot 16, Block 11, Walnut Park Addition to the City of Tulsa, Tulsa County, Oklahoma.

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 - Section 280 - Structure Setback From Abutting Streets - Request to locate a building within the major street building setback located at

the southeast corner of 17th Street and Utica Avenue.

Presentation:

Charles Norman, 909 Kennedy Building, attorney representing St. John Medical Center, was present and submitted an exhibit consisting of a site plan, development standards, zoning criteria, existing conditions on Utica Avenue, including 2-story construction and setbacks and landscape standards (Exhibit "I-1"). The applicant is requesting permission to erect a day care center for the children of employees at St. John Medical Center on the subject property. The site in question is 150' north and south and 300' east and west.

Mr. Norman advised that there was a major storm sewer constructed in the early 1920's that is under two of the residences which affected the proposed structure location. The building will be located far enough east avoiding the storm sewer with the required parking located on the Utica side, with an area on 17th Street for purposes of delivery and pick-up of the children. The building will be set back more than 100' from the centerline of Utica and 80' from the centerline of Victor. The last variance is no longer needed.

The front portion of the subject property on the Utica side is zoned OL and the Victor side is zoned RS-2. Use Unit 5, as requested, would be permitted under both districts by exception, subject to approval by this Board.

A 4-foot high fence would be erected to enclose the children's play area and would be located behind the existing front building line of the residential structure to the south. A landscaping plan has also been included for the structure. Mr. Norman advised that any outside lights would be prohibited in front of the Victor setback in excess of 8 feet in height and that they be directed downward. The day care center will be a two-story structure and will facilitate up to 200 children. The ground floor area would contain approximately 11,000 square feet with the second floor containing approximately 5,500 square feet.

Britt Embry, 201 West 5th Street, architect representing Murray-Jones-Murray, was present stating that he had developed the preliminary plans. The second floor of the structure would house the classrooms for the children ages four and five, with the younger children being housed on the first floor of the facility. This facility would operate during two evening shifts and would open at 5:30 a.m. and would close at 11:00 p.m.

Protestants:

A protest letter from Richard J. Borge, 1701 South Victor Avenue and Bernadette Pruitt, 1640 East 17th Street (Exhibit "I-2") was submitted for the Board's review.

Interested Party:

Susan Boyd Murphy, 1707 South Victor Avenue, was present stating she was in support of the application as it would enhance the area because many of the homes in the area are old and delapidated.

Glen Nelson, 1712 South Utica Avenue, was present stating that the proposal would be an asset to the neighborhood.

Case No. 12353 (continued)

Discussion:

Discussion ensued concerning the proposed size of the day care center and the two-story feature. The Board felt that if the application were approved as presented, it would change the whole character of the neighborhood and Mr. Norman advised that the hospital owns all of the block in question with the exception of three lots in the immediate area. The Board felt that they should visit the site in question before a decision is made because of the proposed magnitude of the building.

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 February 10, 1983 meeting to give the Board members an opportunity to view the subject property.

Case No. 12386

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request for a variance of the required footage on a dedicated street in order to permit a lot split. Service to this tract is to be provided by a mutual access area across the adjacent lot to a dedicated street located south and west of 46th Street North and Mingo Road.

Presentation:

Jack Cox, 1323 South Baltimore Avenue, was present and submitted a plot (Exhibit "J-2"). Mr. Cox advised that the developers of this addition who owns lot 3 have completed the first phase of construction. In order to obtain a loan the individuals processing the financing require that all of the lot be included in the mortgage or to receive a lot split. The applicant needs a lot split to construct on the remainder of the lot.

Protestants: None.

Board Comments:

Chairman Smith advised that the Planning Commission previously approved the lot split.

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 approve a Variance (Section 930 - Bulk and Area Requirements in Industrial Districts) of the required footage on a dedicated street in order to permit a lot split (L-15647), per plot plan, subject to the filing of the access easement across the adjacent lot to a dedicated street, on the following described property:

The East 184 feet and the East 66 feet of the West 296 feet of the South 40 feet of Lot 3, Block 1, of Preston-Eastin First Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 12399

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request for a variance of the frontage requirements from 60' to 50' in order to permit a lot split located at 3348-3352 East Latimer Street.

Presentation:

Earl Strain, 3340 East Latimer Avenue, was present stating that there are two houses on one plot of ground. The applicant has purchased both houses and is in the process of reconditioning the houses, therefore, is requesting that the lot be split so the houses can be sold individually.

Protestants: None.

Board Comments:

Mrs. Purser felt that the two proposed lots would be consistent with the other lots in the immediate area.

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 a Residential District) of the frontage requirements from 60' to 50' in order to permit a lot split (L-15655) on the following described property:

The North 140 feet of the South 284.85 feet of the East 110 feet of Block 7, Ozark Garden Farms, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Case No. 12379

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Request to allow an airport in an AG District located east of the NE corner of 36th Street North and Memorial Drive.

Presentation:

Franklin Casey, Winston Square Building, Suite 2, 3140 South Winston Avenue, attorney representing the owner of the subject property, John Oxley, was present and submitted a letter from Reginald R. Collins who owns property in the immediate area stating that he has no objection to the subject property being zoned for industrial use (Exhibit "K-1"). The sixty (60) acre subject tract is located immediately west of and adjacent to the major north-south runway of the Tulsa International Airport. The airport is owned by the City of Tulsa and this Board has previously granted exception to the City to allow airport use. Mr. Casey's client intends to use the subject tract for any use common to airport property at the present time, which would include aviation industrial and aviation commercial. The applicant does not intend to build any runways, but could build taxi-ways, hangers, hotels, motels, or any commercial or industrial use presently intended for airport property.

Case No. 12379 (continued)

Interested Parties:

Richard Studenny, 2446 East 49th Street, was present as Legal Counsel for the Airport Authority who is neither in support or in opposition to the request proposed because the application as proposed is too broad and lacks detail. He felt that the Board could not take a position and act on the request at this point without specific information.

Ann Giabbai, 3808 North Memorial, stated that she is in support of the application hoping that the area will be rezoned to allow the proximity of her land to increase. If the land is rezoned, the airport would have the opportunity to buy Ms. Giabbai's land allowing her to move from this area to avoid the loud noise made by the airport operation.

Clyde Box, 6560 East 25th Street, was present stating that he owns six (6) acres to the west of the subject property and has no objection to the proposal as requested.

Sam Webber, 3628 North Memorial Drive, was present stating that if the application is approved, there should be a stipulation that no commercial property be allowed on Memorial Drive.

Board Comments:

The Board felt that the request was too broad and there was no specific request for the Board to act upon at this time.

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 continue this item to the February 10, 1983 meeting to allow the representative to return to the Board with more definite plans for the use.

Case No. 12391

Action Requested:

Variance - Section 310 - Principal Uses Permitted in the Agriculture Districts - Request to permit a warehouse for holding plants prior to leasing located at 8438 South Elwood.

Presentation:

Sandra Goodwin, 8438 South Elwood, was present and submitted photographs of the property across the street and directly south of the subject tract (Exhibit "L-1"); three photographs of a similar structure (Exhibit "L-2"); also submitted was a landscape plan (Exhibit "L-3"). The proposed warehouse structure will be constructed of redwood and stone and will not be used for retail purposes. A driveway is proposed for the property to be used for trucks delivering goods from Florida. The applicant advised that tractors and vehicles used in the business are intended to be kept inside the proposed structure. The only parking spaces needed would be for the employees at the warehouse and there are presently three employees at the subject location at this time. Most of the business will be conducted over the telephone.

Protestant:

Richard Black, attorney representing Dennis and Wanda Vanscoy, 8164 S. Elwood Avenue, was present and stated that along the north side and

Case No. 12391 (continued)

and along 81st Street most of the lots are divided into 2-½ acre tracts. He stated that he was opposed to the proposed industrial use as there are no legal industrial uses in the surrounding area.

Board Comments and Questions:

Mrs. Purser did not feel that this use would be as intense as a horticultural nursery because there would be no traffic involved in a warehouse operation as proposed. Mrs. Purser inquired as to the site of the proposed building and Ms. Goodwin stated that the building will be approximately 30' x 50'. Approximately 1,200 square feet is needed for storage of plants alone. Discussion ensued concerning the parking which would be provided and Ms. Goodwin stated that there will be 7 or 8 parking spaces in front for the employees to park while meetings are held in the office. The tractor and company vehicles will be stored inside the building. The Board asked the applicant if she would be opposed to removing the parking spaces in the front of the building and Ms. Goodwin answered no.

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 310-Principal Uses Permitted in the Agriculture Districts) to permit a warehouse for holding plants prior to leasing, subject to the site plan as submitted; subject to limiting the proposed structure to 2,000 square feet; that no parking be permitted in the front of the structure; that all vehicles used for business purposes be enclosed in the building; that no retail sales or outdoor sales be permitted; that a restrictive covenant be filed of record to that affect and the use of the warehouse to run with this owner only, on the following described property:

Beginning at a point on the East line 490.79' South of the NE corner of the SE/4 of the NE/4; thence South along the East line 330.00'; thence West 331.0'; thence North 330.0'; thence East 331' to the point of beginning, containing 2.5 acres, more or less in Section 14, Township 18 North, Range 12 East in Tulsa County, Oklahoma.

NEW APPLICATIONS:

Case No. 12406

Action Requested:

Variance - Section 1215.4 - Off-Street Parking and Loading Requirements - Request for a variance of the required parking spaces from 43 spaces to 33 spaces located at 5909 East 15th Street.

Presentation:

John Mount, 5909 East 15th Street, was present and submitted a plat of survey (Exhibit "M-1") and a rough sketch showing the parking on the subject property (Exhibit "M-2"). The building which will be constructed on the subject property will be for rental of televisions and appliances.

Protestants: None.

Comments:

Dorothea Miller, Protective Inspections, advised that the existing warehouse was built prior to parking requirements. The Board in 1974 approved the retail sales at which time the property was required one parking space for every 225 square feet contained in the retail building. The rental building requires one parking space for every 400 square feet which calculates to 43 parking spaces. The Board felt that there was not enough parking for the buildings and felt that the area was too crowded.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 3-2-0 (Purser, Smith, Victor, "aye"; Chappelle, Wait, "nay"; no "abstentions"; none, "absent") to deny a Variance (Section 1215.4 - Off-Street Parking and Loading Requirements) of the required parking spaces from 43 spaces to 33 spaces, on the following described property:

A 200-foot x 200-foot tract of land that begins at a point that is 40 feet North and 640.4 feet West of the Southeast Corner of the SW/4 of the NE/4 of Section 10, Township 19 North, Range 13 East of the Indian Base and Meridian, according to the U. S. Government Survey thereof, in Tulsa County, State of Oklahoma; thence North and parallel to the East line of said SW/4 of the NE/4 for 200 feet; thence East and parallel to the South line of said SW/4 of the NE/4 for 200 feet' thence South 200 feet to a point that is 40 feet North of the South line of said SW/4 of the NE/4; thence West for 200 feet to the point of beginning, and known as 5909 East 15th Street.

Case No. 12408

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts Request for a home occupation (fund raising consulting) in an RS-3 District located at 2207 East 18th Street.

Presentation:

Chairman Smith advised that the applicant, Bern Gentry, submitted a letter of continuance requesting that the case be heard in 35 days (Exhibit "N-1"). The Board did not feel that a 35-day continuance

Case No. 12408 (continued)

would be in order but suggested that it be continued for a two-week period.

Protestants:

There were several present in protest to the application.

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 February 10, 1983 meeting.

Case No. 12409

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request to allow Use Units 12, 13 and 14 in an IL District located at 5907 East Admiral Place.

Presentation:

Jack LaFevers, 3215 East 69th Street, was present stating that he owns the property 120' east of the subject property and it is zoned industrially. The applicant is requesting that the special exception be granted to allow Use Units 12, 13 and 14. Mr. LaFevers is requesting permission to continue sales and storage of goods in the structure.

Protestants: None.

Comments:

Dorothea Miller, Protective Inspections, advised that the applicant is asking for restaurant, convenience goods and services, and retail sales on the subject property. The Board approved a similar use three or four lots to the west of the subject property.

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 approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts) to allow Use Units 12, 13 and 14 in an IL District, on the following described property:

Lot 1, Block 8, Greenlawn Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12410

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow a church and related activity; and a Variance - Section 440 - Special Exception Uses in Residential Districts, Requirements - Request for a variance of the bulk and area requirements for construction of a church located at 1016 South 54th West Avenue.

Presentation:

Mike Gulley, 2532 West Easton Place, was present and submitted a plot plan (Exhibit "0-1"). The applicant stated that the Church proposes  
1.27.83:379(15)

Case No. 12410 (continued)

to construct a new building which will be located 17' from the property line.

Protestants: None.

Comments:

Dorotha Miller, Protective Inspections, advised that the Zoning Code requires a 25' setback. The applicant is requesting a variance to 17' and a request to allow Church use. The property would be subject to a plat or a waiver of a plat by the TMAPC.

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 Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to allow a Church and related activity; and a Variance (Section 440 - Special Exception Uses in Residential Districts) of the bulk and area requirements to allow construction of a church building 17' from the south property line, on the following described property:

The North 187.5 feet of Lot 2 and the West 7 feet of the North 187.5 feet of Lot 1 and the North 260 feet of the East 106 feet of said Lot 1, all in Block 9 of the Amended Plat of Vern Subdivision to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

Case No. 12412

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to operate a home improvement contracting service and to locate a residence in a CS District; and a Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Request to allow duplex use in an RS-3 District; and a Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the rear yard setback from 20' to 5' located at 2823 East Admiral Place.

Presentation:

Charles Drury, 4631 East 2nd Street, was present and submitted a plat of survey (Exhibit "P-1"). Mr. Drury advised that originally the present structure was an electric contracting company. The applicant proposes to move his family to this location and use it as a residence. Mr. Drury advised that there is a 5' privacy fence behind the house where he would like to separate the back lot and sell it as it will be used for duplex use.

Protestants: None.

Comments:

Mrs. Purser asked if there are any other duplexes along Admiral Court and Mr. Drury answered in the affirmative. The Staff advised that this application will come before the Board at the next meeting for the variance of the rear yard on the duplex use, as it was not advertised for this hearing. Mrs. Purser inquired why the duplexes would be placed at the back of the property and Mr. Drury stated that the duplexes would be

Case No. 12412 (continued)

placed at the proposed location in order to sell them. The Board advised that the subject lot is unique to the surrounding area.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to use the structure as a home and to operate a home improvement contracting service in the existing residence in a CS District; and a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow duplex use in an RS-3 District; and that the Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the rear yard is not properly before the Board at this time and will be readvertised and heard at a later meeting, on the following described property:

*ALL OF BLOCK 3, Speedway Hgts.*

Beginning at the NW corner of Lot 14, Block 2; thence West 3'; thence South and parallel with the West line of Lot 14, Block 2 (to south property line); thence East 3'; thence North along the West lot line of Lot 14, Block 2 of Speedway Heights Addition to the place of beginning in the City of Tulsa, Tulsa County, Okla.

Case No. 12413

Action Requested:

Special Exception - Section 630 - Bulk and Area Requirements in the Office Districts - Request to increase the floor area ratio from 25% to 28.25%; and a Variance - Section 630 - Bulk and Area Requirements in the Office Districts - Request for a variance of the setback from the centerline of 21st Street from 110' to 54' in order to permit an 11' x 22' solarium; and a Variance - Section 280 - Structure Setback From Abutting Streets - Request for a variance of the setback from 21st Street from 60' to 34' in order to locate a sign; and a Variance - Section 1211.3 - Use Conditions - Request for a waiver of the screening requirements on the north boundary located at 2139 East 21st Street.

Presentation:

Jim Johnson, president of Johnson & Sun, an energy consulting firm, 2139 East 21st Street, was present and submitted a plot plan (Exhibit "Q-1"); a drawing showing the proposed location of the sign (Exhibit "Q-2"); a rough sketch of the solarium and sign (Exhibit "Q-3"); five photographs of the structure in question and immediate properties (Exhibit "Q-4"); a booklet showing various solarium structures (Exhibit "Q-5"); and a letter from Will Streetman, property manager for the property leased by Mr. Johnson, stating his support of the application (Exhibit "Q-6").

Mr. Johnson stated that the building in question is located at the NW corner of 21st Street and Zuni Avenue and other buildings in that area have signs on their property located in a similar location as the proposed sign. The proposed sign will be 2' in height and 6' in width constructed of redwood and stain glass and will be very similar to the Frontier Federal Sign directly across the street. Mr. Johnson advised that he has talked to the Traffic Engineering Department and they have no problem with it.

Case No. 12413 (continued)

Protestants:

Chairman Smith advised the Board of a protest letter written by John A Hill, 2140 East 20th Street, stating that he is opposed to the waiver of the screening requirement on the north boundary and requests that a 6' to 8' privacy fence be installed on the north side from Zunis Avenue to the end of the applicant's property (Exhibit "Q-7").

Comments:

Discussion ensued concerning the location of the building and Mr. Johnson advised that the building is 35' from the curb line and 30' to the centerline making a total of 65' from the centerline of the street.

The proposed solarium will be located approximately 54' from the centerline of 21st Street. Mr. Johnson stated that the existing building will remain as is, with the exception of the solarium.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-1 (Chappelle, Smith, Victor, "aye"; no "nays"; Purser, "abstaining"; Wait, "absent") to approve an Exception (Section 630 - Bulk and Area Requirements in the Office District) to increase the floor area ratio from 25% to 28.25%; and a Variance (Section 630 - Bulk and Area Requirements in the Office District) of the setback from the centerline of 21st Street from 110' to 54' in order to permit an 11' x 22' solarium; per plans submitted; and a Variance (Section 280 - Structure Setback From Abutting Streets) of the setback from 21st Street from 60' to 34' in order to locate a sign, subject to customary removal contract; and a Variance (Section 1211.3 - Use Conditions) that the storage building can provide a portion of the screening, but from the storage building corner to the property line that the applicant erect a screening fence, on the following described property:

Lot 19, Block 10, Woodward Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 12414

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential District - Request for a variance of the setback requirement from 50' to 46' from Detroit Avenue; and a Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request for a variance of the square-footage of a detached accessory building from 750 square feet to 816 square feet located at 231 East 20th Street.

Presentation:

Bill Blackburn, 221 East 20th Street, was present representing Thomas Matson, 231 East 20th Street, and submitted a site plan (Exhibit "R-1"). Mr. Matson proposes to add onto the existing garage structure making a total of 816 square feet in size and will be used as a cabana for the existing swimming pool. The proposed accessory building will be a one-story structure and will be constructed of redwood siding with the same roof level as the existing garage.

Protestants:

Betsy Horowitz was present representing Dr. and Mrs. Hughes, Dr. and

Case No. 12414 (continued)

Mrs. Graham, Mrs. Gary Camp and Dr. and Mrs. Browning who live in the immediate area. Mrs. Horowitz advised that the subject area is now being considered as an historic preservation. Mrs. Horowitz advised that according to the Zoning Code the establishment of two dwelling units on a single lot that is platted in an RS-3 residential area is prohibited. Mrs. Horowitz read a letter into the record written by Mrs. Vera Berlin, 230 East 19th Street, stating that the construction of the accessory building will increase the area of the existing structure to such an extent that it would be turned into a residence. The neighborhood would not want this approval to set a precedent in the surrounding area.

Vallee Kidd, 233 East 21st Street, was present in opposition to the request as it would set a precedent and would be detrimental to the area.

Board Comments:

The Board did not feel that the second variance would be needed because the total space would not exceed the 750 square feet allowed by the Zoning Code. The Board was also concerned that the cabana would not be turned into a residence and Mr. Blackburn advised the Board that it would not be used as a residence.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-1 (Chappelle, Smith, Victor, "aye"; no "nays"; Purser, "abstaining"; Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential District) of the setback requirement from 50' to 46' from Detroit Avenue; and the Board finds the second Variance (Section 240.2 (e) - Permitted Yard Obstructions) is not needed, and, therefore has been withdrawn and that the remodeling of the structure not include any cooking facilities; that the structure not be used as an apartment or any residential structure and that a covenant be filed to that effect in the County Clerk's Office, on the following described property:

Lot 65, Block 7, Southside Addition in the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12415

Action Requested:

Special Exception - Section 240.2 (e) - Permitted Yard Obstructions - Request to allow a carport that encroaches into the 5' side yard to a distance of 3' & 6" located at 519 East 42nd Place North.

Presentation:

Dallas Acuff, 12927 East 31st Court, was present to address the Board.

James Markum, 737 Willow, was present and submitted a plot plan (Exhibit "S-1"); a site plan (Exhibit "S-2"); and six (6) photographs of existing carports in the subject area (Exhibit "S-3"). Mr. Markum stated that he rebuilt the existing carport for the owner of the subject property, Earl Foster.

Protestants: None.

Case No. 12415 (continued)

Board Comments:

Mrs. Purser asked if the carport is in accordance with the architecture of the house in color and material and Mr. Markum answered in the affirmative.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Special Exception (Section 240.2 (e) - Permitted Yard Obstructions) to allow a carport that encroaches into the 5' side yard to a distance of 3' & 6", on the following described property:

Lot 21, Block 8, Suburban Acres 2nd Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12418

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the rear yard requirement from 20' to 9' to allow the addition of a room located at 7710 East 58th Street.

Presentation:

Chairman Smith advised that the applicant, Richard Modenbach, submitted a letter requesting that the application be continued for two weeks (Exhibit "T-1").

Protestants: None.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to continue this item to the February 10, 1983 meeting.

Case No. 12419

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial Districts - Request for an exception to allow a car wash in a CS District located at the SW corner of 81st Street and Harvard Avenue.

Presentation:

Walter Smith, Division Marketing Manager of Texaco, was present and submitted a plot plan (Exhibit "U-1"); three (3) photographs of the proposed site and the new facility (Exhibit "U-2"). Mr. Smith advised that Texaco is proposing to install a car wash in a separate building than the service station facility, which they feel will be a positive affect for the area. The proposed facility has been altered from the original application with the new proposed structure being 12' x 44' to include a storeroom and restrooms. The proposed site will not include a convenience store, but the service station will provide snacks as provided by most service stations. Mr. Smith advised that he had visited with the Traffic Engineering Department about the proposal and they do not feel that it would cause any traffic problems.

Case No. 12419 (continued)

Protestants:

Bill Meyer, 3208 East 80th Place, was present stating that this application is the same as was proposed previously and did not feel that any of the facts had changed. He expressed his protest and felt that the application should be denied.

Discussion:

Discussion ensued as to the previous application and the new application which is before the Board. Legal Counsel stated that he felt the application has been changed and that the Board could freely act on the application. Mr. Gardner advised that the proposed car wash was offered primarily as an inducement for individuals to purchase gasoline at the service station in question. The car wash is considered as a service rather than a principal use.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 3-0-1 (Chappelle, Purser, Victor, "aye"; no "nays"; Smith, "abstaining"; Wait, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to allow a car wash in a CS District, per drawing submitted, on the following described property:

Lot 1, Block 1, Walnut Creek Mall Addition to the City of Tulsa, Oklahoma.

Case No. 12420

Action Requested:

Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request for a variance of the allowed 750 square feet for a detached accessory building to 920 square feet located at 6313 East Reading Street.

Presentation:

Mrs. Pat McDavis, 6313 East Reading Street, was present and submitted a rough sketch of the subject property (Exhibit "V-1") and a photograph of the existing residence and swimming pool (Exhibit "V-2"). Mrs. McDavis requested permission to enclose the existing swimming pool. The building which the applicant wishes to erect around the pool exceeds the size permitted for the issuance of a building permit. The proposed structure will be constructed of stucco with sliding glass doors placed at each end with a tin and fiberglass roof.

Protestants: None.

Interested Party:

A letter in support of the application was submitted from Richard Langworthy, 1701 North Oxford Avenue (Exhibit "V-3").

Board Questions:

Mrs. Purser inquired as to the height of the proposed building and Mrs. McDavis stated that the building will be approximately 8' high.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 240.2 (e) - Permitted

Case No. 12420 (continued)

Yard Obstructions) of the allowed 750 square feet for a detached accessory building to 920 square feet in order to enclose the pool, on the following described property:

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

Case No. 12423

Action Requested:

Variance - Section 240.2 (e) - Permitted Yard Obstructions - Request to allow more than 750 square feet of detached accessory building and more than 20% rear yard coverage located at 1127 South Evanston Avenue.

Presentation:

Russell Eaton, 1127 South Evanston Avenue, was present requesting permission to construct a 24' x 24' garage. Presently on the property is a 16' x 18' detached garage and a 10' x 20' carport. The proposed garage will be used for storage purposes.

Protestants: None.

Board Comments:

Chairman Smith advised the Board of a letter submitted by Roxanna Chamberlin, 1135 South Evanston Avenue, who stated that the proposed garage will be an asset to the area (Exhibit "W-1").

Mrs. Purser inquired if the proposed garage would be used for commercial purposes and Mr. Eaton assured the Board that the garage would only be used for storage of his personal items.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 3-0-1 (Purser, Smith, Victor, "aye"; no "nays"; Chappelle, "abstaining"; Wait "absent") to approve a Variance (Section 240.2 (e) - Permitted Yard Obstructions) to allow more than 750 square feet of detached accessory building and more than 20% rear yard coverage, on the following described property:

Lots 7 and 8, Block 1, Signal Addition in the City of Tulsa,  
Tulsa County, Oklahoma.

Case No. 12424

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial District - Request for a variance of the setback from Southwest Boulevard from 100' to 74' to allow a proposed addition located at 4153 Southwest Boulevard.

Presentation:

Jack McCutchen, Jr., 4153 Southwest Boulevard, was present and submitted a plot plan (Exhibit "X-1"). The applicant advised that the existing old fashioned hamburger stand has no seating capacity, therefore, the request is to add 7.6' to the front of the structure for a serving area. The additional space will provide room for the construction workers and

Case No. 12424 (continued)

manufacturing company employees to be served. The proposed construction will be located under the existing canopy.

Protestants: None.

Comments:

Mrs. Purser asked if adequate parking was to be provided and Mr. McCutchen answered in the affirmative and stated that Mrs. Miller had advised him concerning the parking requirements.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in the Industrial District) of the setback from Southwest Boulevard from 100' to 74' to expand a nonconforming use (a restaurant), on the following described property:

Lot 16, Block 6, Park Addition to Red Fork, in Tulsa County, Oklahoma.

Case No. 12427

Action Requested:

Variance - Section 410 - Principal Uses Permitted in Residential Districts - Request to permit a vehicle maintenance garage in an RS-3 District; and a Special Exception - Section 1217.3 - Use Conditions - Request to remove the screening requirements from abutting R Districts; and a Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the frontage requirements; and a Variance (Section 1217.4 - Use Condition - Request for a variance of the required number of parking spaces; and a Variance - Section 1340 - Design Standards for Off-Street Parking Areas - Request for the parking surface to be a non-all-weather surface located west of the NW corner on Charles Page Boulevard and Union Avenue.

Presentation:

Ed Brett, architect representing Jackie Bubenik, 707 South Houston Avenue, Suite 315, submitted some drawings consisting of the plat of survey, floor plan, site plan, and elevation plan (Exhibit "Y-1"). Mr. Brett advised that the subject tract is located approximately 411' from Charles Page Boulevard and is zoned RS-3. The variance of the required number of parking spaces is being withdrawn by the applicant as it is not needed since adequate parking is being provided. The back of the property would be used for a storage yard for River Parks Authority and County Drainage District #12 maintenance equipment which mostly consists of pickup trucks, dump trucks and tractors. The proposed structure will contain approximately 3,000 square feet with 600 square feet being used for office space and the remaining portion being used for maintenance vehicles.

Mr. Brett stated that the screening requirement is not needed as the proposed site is not located near any residential area. A cyclone fence will be erected for security purposes. The existing parking lot for the softball diamond which is approximately 400' from the property line will be used for access to the proposed facility. Eventually the parking lot will be paved when adequate funds are available.

Protestants: None.

Discussion:

Discussion ensued as to the paving of the parking area and it was decided to allow the applicant a specific amount of time for the applicant to pave the parking lot.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve a Variance (Section 410 - Principal Uses Permitted in Residential Districts) to permit a vehicle maintenance garage in an RS-3 District; and a Special Exception (Section 1217.3 - Use Conditions) to remove the screening requirement from abutting R Districts; and a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the frontage requirements; and that the Variance in (Section 1217.4 - Use Conditions) be withdrawn as requested by the applicant; and a Variance (Section 1340- Design Standards for Off-Street Parking Areas) that the parking surface be of a non-all-weather surface, to be granted for a period of two years to allow the applicant time to install a hard surface parking lot, on the following described property:

A tract of land located in a part of the SE/4 of Section 3, Township 19 North, Range 12 East, Tulsa County, Oklahoma, said tract lying within the Northwest portion of Newblock Park and being more particularly described as follows:

Commencing at the Northeast corner of the SE/4 of Section 3, Township 19 North, Range 12 East, Tulsa County, Oklahoma; thence South  $0^{\circ}-10'-55''$  East along the East line of said Section 3 a distance of 1,327.60' to a point; thence South  $89^{\circ}-22'-35''$  West and parallel to the North line of said Section 3 a distance of 1,973.25' to a point; thence North  $0^{\circ}-10'-55''$  West and parallel to the East line of said Section 3 a distance of 411.45' to the POINT OF BEGINNING; thence continuing North  $0^{\circ}-10'-55''$  West and parallel to the East line of said Section 3 a distance of 288.55' to a point; thence South  $76^{\circ}-34'-15''$  East a distance of 240.87' to a point; thence South  $11^{\circ}-24'-00''$  West a distance of 158.61' to a point; thence South  $47^{\circ}-42'-41''$  West a distance of 112.86' to a point; thence South  $89^{\circ}-25'-39''$  West a distance of 118.53' to the POINT OF BEGINNING. Said Tract contains 52,721.86 square feet or 1.210 acres, more or less.

OTHER BUSINESS:

Case No. 11812

Action Requested:

Request for approval of Detailed Site Plan for Case #11812.

Presentation:

Jack Cox, 1323 South Baltimore Avenue, engineer representing Tulsa Korean Church, submitted a plot plan (Exhibit "Z-1") and a plat (Exhibit "Z-2"). Mr. Cox advised that when the Board approved the application previously there were conditions and restrictions placed on the approval. The Plot Plan has been approved by the Hydrology Department and the Water Plans have been submitted to the Water & Sewer Department. The Board also requested that the parking lot be shifted to the south and that the church building be moved to the north away from the apartment building which is shown on the Plans. The applicant has satisfied the parking requirement of providing one space for every 40 square feet of sanctuary space.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve the detailed site plan as presented.

Case No. 12393

Action Requested:

Request for approval of revised plot plan for Case #12393.

Presentation:

Roger Merchant, 625 Hickory Hill Road, Sapulpa, Oklahoma, was present and submitted a revised Plot Plan (Exhibit "AA-1") and an Elevation Plan (Exhibit "AA-2"). On January 6, 1983 the Board approved the application to permit the erection of three duplexes instead of the requested four, subject to the applicant returning with a revised plot plan.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve the Revised Plot Plan as submitted.

Case No. 12329

Action Requested:

Request for approval of revised plot plan for Case #12329.

Presentation:

Jack Cox, 1323 South Baltimore Avenue, engineer representing the owner of the subject property was present and submitted a Plot Plan (Exhibit "BB-1"). At the previous meeting the Board required that the building be moved to the east 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.

Case No. 12329

Discussion also ensued concerning the floodplain which the subject property is located. Mr. Cox advised that a 6-foot high screening fence will be erected as requested by the Board.

Board Action:

On MOTION of PURSER and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Purser, Smith, Victor, "aye"; no "nays"; no "abstentions"; Wait, "absent") to approve the Plot Plan and to waive the setback requirement on the east portion of the property where the 26' x 60' storage building was required to be moved by the Board and remove the screening requirement on the east and north boundaries on that portion zoned RS and on the NW corner portion of the property that is elevated where the screening requirement would be of no effect.

There being no further business, the Chair adjourned the meeting at 5:23 p.m.

Date Approved

March 10, 1983

Adrian M. Smith  
Chairman