

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 389
Thursday, June 16, 1983, 1:00 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Chappelle Smith Victor Wait (in at 2:45 p.m. out at 3:12 p.m.)	Purser	Gardner Jones Martin	Hubbard, Protective Inspections Jackere, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, Wednesday, June 15, 1983, at 9:21 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 VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve the Minutes of May 19, 1983 (Meeting No. 387).

STRIKEN CASE:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to strike Case No. 11172 from the agenda.

MINOR VARIANCES AND EXCEPTIONS:

Case No. 12609

Action Requested:

Variance - Section 280 - Structure Setback From Abutting Streets- Use Unit 1221.3 (g) - Request for a variance from the designated setback from the centerline of 11th Street from 50' to 40' (edge of right-of-way) for a sign. Under the provisions of Section 1670 located on the SE corner of 11th Street and Delaware Avenue.

Presentation:

Charles Sublett, attorney representing Sheree Dunn for U-Totem Foods, SE corner of 11th Street and Delaware Avenue, was present and submitted a site plan (Exhibit "A-1") and a drawing of the sign and proposed location (Exhibit "A-2"). Mr. Sublett advised 11th Street is a solid commercial business use from downtown to Garnett Road. In constructing the U-Totem Convenience Store the applicant decided to relocate the former sign location. The former sign was setback approximately 35' from the centerline of 11th Street and the applicant is proposing to setback 40' from the centerline of 11th Street with the new sign. Mr. Sublett advised the applicant is willing to sign the removal contract if requested by this Board.

Protestants: None.

Case No. 12609 (continued)

Board Questions:

Mr. Victor asked if the sign portion overhangs the right-of-way and Mr. Sublett answered in the negative.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Use Unit 1221.3 (g)) from the designated setback from the centerline of 11th Street from 50' to 40' (edge of right-of-way) for a sign (Under the provisions of Section 1670), subject to the execution of the removal contract, on the following described property:

Lots 22, 23, 24, Block 3, SIGNAL ADDITION, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to Recorded Plat thereof.

Case No. 12649

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the side yard setback from 10' to 8'. Under the Provisions of Section 1670 located at 1715-1737 North Elgin Avenue.

Presentation:

Wilbert Collins, P. O. Box 48567, was present and submitted a plot plan (Exhibit "B-1"). The applicant owns nine 25' lots which he proposes to combine to make 50' wide lots. A variance of the side yard setback from 10' to 8' is being requested to allow the applicant to place three 35' homes on each 50' lot.

Protestants: None.

Staff Comments:

Mr. Gardner advised the subject area is zoned for apartments which requires a greater setback, but the area is basically single family which only needs a 5' setback.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the side yard setback from 10' to 8' - Under the Provisions of Section 1670, on the following described property:

Lots 6 and 7, Lots 1 and 2, Lots 8 and 9, Block 2, Investors Addition, City of Tulsa, Oklahoma.

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the front yard requirement from 25' to 10.5' and 22', and from the rear yard requirement from 20' to 11.0' and 18', under the provisions of Section 1670; and a Variance - Section 207 - Street Frontage Required - Request for a variance of the 30' minimum of frontage to permit a lot split, under the provisions of Section 1670 located at 8900 South Sheridan Road.

Presentation:

Richard Gaar represented Gray Development Company, Inc., 2442 East 21st Street, and submitted a plat of survey (Exhibit "C-1"). Mr. Gaar advised the request is based on the phases of the condominium development which was previously approved. The land is already dedicated for perpetual easement and use of the street will be a private street for the entire project. The street frontage is in effect met because the perpetual easement for the streets in the project allows each of the three lots access to 91st Street and Sheridan Road.

Protestants: None.

Staff Comments:

Mr. Gardner advised the Planning Commission has not had an opportunity to act on this lot split as of yet. The applicant is developing the project as townhouse units, therefore, the townhouse district requires less setbacks than does the RM-1. The Board should note that any building permits issued for these individual lots must meet the density, livability, and off-street parking. If the Planning Commission approves the lot split they would require mutual access easements for the lots.

Applicant's Comments:

Mr. Gaar advised the land already developed to the north of the strip has and requires that any adjoining land by the Declaration of the Condominium Unit Ownership Estate Act obtain access to the easement. A statement to that affect has been filed of record at the Tulsa County Clerk's Office and there is cross maintenance for the phases of the condominium development.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the front yard requirements from 25' to 10.5' and 22', and from the rear yard requirement from 20' to 11.0' and 18' under the provisions of Section 1670; and a Variance (Section 207 - Street Frontage Requirements) of the 30' minimum of frontage to permit a lot split (L-11587) Under the Provisions of Section 1670, subject to Planning Commission's approval of the Lot-Split and that each individual tract meet the density, livability and off-Street parking requirements, and that the easements for access be dedicated and maintained, per plot plan, on the following described property:

A tract of land, containing 4.1656 acres, that is part of "Chimney Ridge Townhomes", a Subdivision of part of the SE/4 of the SE/4 of Section 15, Township 18 North, Range 13 East, City of Tulsa,

Case No. 12653 (continued)

Tulsa County, Oklahoma, said tract of land being described as follows, to wit: "Beginning at a point" that is the southwest corner of Lot 1 in Block 1 of Chimney Ridge Townhomes; thence South $89^{\circ}-58'-07''$ East along a Southerly line of Lot 1 for 251.00' to the most Southerly Southeast corner of said Lot 1; thence due North along an Easterly line of Lot 1 for 499.54' to a corner of Lot 1; thence due West for 12.00'; thence Due North for 116.29'; thence North $40^{\circ}-39'-48''$ West for 225.18'; thence due West for 92.27' to a point on the Westerly line of Lot 1, said point being 483.38' Southerly of the Northwest corner thereof; thence due South along the Westerly line of Lot 1 for 786.50' to the "Point of Beginning" of said Tract of land.

Case No. 12654

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Request for a variance of the frontage requirements from 150' to 60' to permit a lot split under the provisions of Section 1670 located at 3140 South Mingo Road.

Presentation:

Paul Aldridge, 10332 East 23rd Place, was present and requested that the lot split be granted for separate ownership purposes. The subject lot will be approximately 60' in width if the lot split is granted.

Protestants: None.

Comments and Questions:

Mr. Gardner advised the approval should be subject to the Planning Commission's approval. Mr. Victor asked if additional construction would be created if the lot split is approved and Mr. Aldridge advised there is no more room for development on either of the lots as proposed.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts) of the frontage requirements from 150' to 60' to permit a lot split under the provisions of Section 1670, subject to the Planning Commission's approval of the lot split, on the following described property:

Beginning at the NE corner of the NE/4 of Section 24, Township 19 North, Range 13 East; thence South $0^{\circ}-11'-14''$ West along the East boundary of the NE/4 532.00'; thence West 50.0' to the point of beginning; thence South $0^{\circ}-11'-14''$ West 60'; thence West 479.85'; thence North 60'; thence East 480.05' to the Point of beginning.

Case No. 12655

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Request for a Variance of the front setback requirements from 100' to 90' under the provisions of Section 1670 located at the SW corner of 11th Street and Garnett Road.

Case No. 12655 (continued)

Presentation:

Mitchell Huff, one of the owners of the subject property submitted a plot plan (Exhibit "D-1") and advised the proposed use for the land is an auto repair shop. Because of the existence of a ditch on the property it is necessary to receive a variance of the setback requirements to make the remainder of the property useful. The use will be compatible with the surrounding area and will be an asset to the neighborhood.

Protestants: None.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts) of the front setback requirements from 100' to 90' under the provisions of Section 1670, per plot plan, on the following described property:

All that part of the E/2 of the NE/4 of Section 7, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows:

Beginning at a point, said point being 220.25' West and 75' South of the Northeast corner of said Section 7; thence due East 4.66'; thence South $21^{\circ}09'43''$ East 123.22'; thence due East 106.28'; thence South $0^{\circ}05'45''$ East 230.70'; thence South $89^{\circ}54'15''$ West 22.00'; thence North $21^{\circ}09'43''$ West 370.74' to the point of beginning.

UNFINISHED BUSINESS:

Case No. 12595

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Section 440.7 - Use Unit 1205 - Request to allow Church use and related uses. Under the provisions of Section 1680. This property is located west of the NW corner of 111th Street and Yale Avenue.

Presentation:

Terry Fisher, chairman of the Finance Committee for St. James United Methodist Church, northwest corner of 111th Street and Yale Avenue, advised a neighborhood meeting was conducted concerning the Church's use as proposed. Mr. Fisher reviewed some of the neighborhood questions expressed at that meeting. The architect for the Church has designed a retention pond which will help alleviate the drainage problems existing on the property. The surrounding property owners were also concerned with the proposed traffic increase. The Church has agreed to place a sign at the subject intersection not permitting a right turn through the residential area.

The architect representing St. James United Methodist Church addressed the question of drainage and advised the subject property consists of

approximately 12 acres which would require approximately 2 acres for detention purposes.

The Church facilities will be conducted in phases. The first phase contains approximately 10,000 square feet and will be used as a fellowship room and for educational purposes. The second phase will consist of 6,000 square feet to be used as a future sanctuary and a possible third phase if needed.

Protestants:

Steve Dunner, 3817 East 111th Street, advised the subject property contains approximately 12 acres which will allow for continuous Church growth, therefore, increasing the traffic congestion. He was extremely concerned that most of the traffic would flow to 111th Street, which is a single lane street for a quarter mile from Louisville Avenue east and one eighth mile from 111th Street North. Mr. Dunner submitted a map with attached photographs depicting the site (Exhibit "E-1") and two (2) photographs of the single lane road (Exhibit "E-2"). The photographs of the single lane road show there is a blind corner at that intersection, which will allow only 4 to 8 cars traveling the curve in one minute according to the Traffic Engineering Department.

Arlin Washburn, 4246 East 78th Street, was present representing his father, Max Washburn who owns several residential lots in the Highfield Addition and is one of the developers of the Addition. The 35 acres developed just west of the subject property is an area ranging from \$250,000 to \$300,000 housing development which is a well protected area from commercial zoning encroachment. Mr. Washburn suggested that the Church is a business with future expansion. Mr. Washburn also advised the only outlet west is on 111th Street which dead-ends at Louisville, then leading north to 101st Street, or through the Highland Addition, a residential area. He also expressed a concern with the drainage on the property. Mr. Washburn submitted a list of his major concerns (Exhibit "E-3").

Charlie Leake, 9938 East 21st Street, one of the developers of the Highland Addition was present in protest to the application.

Susan Dorne, 10901 South Louisville Avenue, advised she has three small children and expressed her concern for their safety as the traffic will increase in the area causing a safety hazard to the residents in the surrounding area.

Protest Petitions were submitted with one containing 9 signatures (Exhibit "E-4") and the other containing 48 signatures (Exhibit "E-5").

Interested Party:

Willis Thompson stated he lives approximately 1/4 mile east of the intersection of 111th Street and Yale Avenue. He spoke in support of the application and stated that the Church will be an asset to the neighborhood rather than a detriment. He had no concern with the traffic increase which the use would generate.

Applicant's Rebuttal:

Mr. Fisher advised that traditionally the Methodist Churches remain small and did not anticipate that this Church would ever have 500 members. Presently on Wednesday nights there are approximately 15 cars on-site and approximately 65 cars on Sunday for services, which would not prove to be detrimental to the neighborhood. He advised it was the home owners who suggested that a no right-turn sign be erected and the Church merely agreed with the suggestion and supported it at this hearing. He felt the traffic would not be a safety hazard because the Church would only meet twice a week.

Protestant's Rebuttal:

Celia Rosenburger, 4102 East 111th Street, was present and again expressed her concern with the danger of the corner at 111th Street and Yale Avenue as it is a blind intersection. She stated that the Church would not only gather on Sundays and Wednesdays, but also during the week for various programs provided by the Church. She expressed concern with the traffic as it would increase and become very detrimental to the area.

Jeffrey Chaudhry, 10909 South Sandusky Avenue, was present in protest to the application and reiterated concern with the traffic.

Martha Roberts, 11241 South Quebec Avenue, stated she was in attendance at the Homeowner's meeting and did not feel a no right-turn sign was the consensus of the people in attendance. She expressed she could see no advantage with that sign.

Discussion:

Mr. Victor asked if any school would be conducted at the church facility and Mr. Fisher answered in the negative.

Mr. Smith asked if the application is subject to a subdivision plat and Mr. Gardner advised prior to any building permit being issued the property must be platted and drainage and detention problems be resolved.

Mr. Chappelle inquired as to the materials to be used in construction and Mr. Fisher stated brick or stone would be used.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Section 440.7 and Use Unit 1205) to allow Church use and related uses - Under the Provisions of Section 1680, subject to the property being platted and approval of a traffic plan by the Traffic Engineering Department which would discourage westward movement of traffic along 111th Street, on the following described property:

The West 778' of the S/2 of the SE/4 of the SE/4 of Section 28, Township 18 North, Range 13 East, containing 11.79 acres, City of Tulsa, Oklahoma.

NEW APPLICATIONS:

Case No. 12637

Action Requested:

Variance - Section 910 - Principal Uses Permitted in Industrial Districts - Request for a use variance to allow a mobile home as a permanent office in an IM District, under the provisions of Section 1670 located at the NE corner of 31st Street and Southwest Boulevard.

Presentation:

Marvin Stone, P. O. Box 15797, advised he owns a small trucking company and proposes to place a mobile office at the subject location on a permanent basis. The trucking company is presently located in a small office complex at the intersection of Admiral and Yale Avenue. The trucks used in the business are located at 3050 Southwest Boulevard. The applicant is requesting permission to locate a mobile office at the subject location to alleviate the parking problem at the Admiral location. The office location on Admiral is surrounded by narrow streets and the trucks are only permitted to park at that location for a short time because the Fire Code prohibits it as it creates a traffic hazard.

Protestants: None.

Comments:

Legal Counsel Jackere suggested that a building be constructed for the use as proposed and Mr. Stone advised his company is not financially capable of constructing a new building at this time. Mr. Jackere advised the Code permits only temporary permission for mobile office use. If the application is approved it would set a precedent in the area and Mr. Stone advised there are several mobile offices located in the subject area. The applicant is requesting permission to use a mobile home as a nonresidential use which the Building Inspection Department has power to approve on a nine month basis and the City Commission has the power to extend the time to a 12-month period. This Board has no jurisdiction over nonresidential matters.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to dismiss Case No. 12637 and to refund the application portion of the fees.

Case No. 12638

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1205 - Section 440.4 - Section 260 - Request to allow a child care center in an RS-3 District, under the provisions of Section 1680 located at 7625 East 58th Street.

Presentation:

Nedra Smith, 8275 East 37th Place, requested permission to locate a child care center in the unused classrooms of the east wing of Jonas Salk Elementary School. A fenced-in play area will be provided for the children who attend the center.

Protestants: None.

Case No. 12638 (continued)

Comments:

Legal Counsel Jackere asked Ms. Smith if she has a license to operate the center and she advised she could not obtain a license until this Board's approval had been granted. Mr. Jackere advised the State, in some instances, recently required certain licenses which have no location requirement, to be subject to the approval by the City B. O. A. He suggested if the Board is inclined to approve the application, the approval be subject to the applicant receiving a license from the State of Oklahoma.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District - Under the Provisions of Use Unit 1205 and Section 440.4) to allow a child care center in an RS-3 District - Under the Provisions of Section 1680, subject to the applicant obtaining a license for the center from the State of Oklahoma, on the following described property:

The NE/4 of the NW/4 of the SE/4 and the W/2 of the NW/4 of the NE/4 of the SE/4 of Section 35, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, containing 15.015 acres.

Case No. 12639

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1214 - Section 940 - Request to locate a hardware store in an IL District under the provisions of Section 1680 located at 8901 East Admiral.

Presentation:

Jack Morse, 8901 East Admiral Place, was present and submitted a site plan (Exhibit "F-1"). Mr. Morse advised he has operated a hardware and lumber store on the subject property for 13 years and now intends to expand the building to Lots 9 and 10. Lot 8, where the structure is presently located, is zoned under the IL classification and Lots 9 and 10 are zoned CH. The Building Inspection Department advised the applicant the special exception is required only on Lot 8. In 1970 a light industrial zoning was required for the operation of the store, but heavy commercial zoning is now required which the applicant is seeking an exception.

Protestants:

Opal Hamlin, 3117 NW 34th Street, Oklahoma City, Oklahoma, advised she owns Lot 11, zoned CH, and Lots 18 and 19. She advised she is opposed to rezoning the subject property to CH zoning. Chairman Smith advised this Board does not have the authority to change the zoning, but can grant an exception to the zoning. She also expressed a concern with the drainage on the subject property and on Lot 11 which she owns. She requested if the application is approved the City Engineer review the drainage plan.

Gene Pierce advised he is purchasing the land which Ms. Hamlin owns and was concerned that the zoning would be altered.

Case No. 12639 (continued)

Applicant's Rebuttal:

Mr. Morse advised that a hydrologist conducted a survey on the subject property and developed a drainage system which has been tentatively approved by the City Engineering Department.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Under the Provisions of Use Unit 1214 and Section 940) to locate a hardware store in an IL District - Under the Provisions of Section 1680, subject to the City Hydrologist's review and approval of the drainage plans on the following described property:

Lot 8, Block 2, Moses Subdivision, in City of Tulsa, Tulsa County, Oklahoma.

Case No. 12640

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS-3 District - Under the conditions of Section 1680 located at 3909 West Admiral Boulevard.

Presentation:

Steven Arrowood, 3909 West Admiral Boulevard, was present and requested permission to place a mobile home on the subject property for a two-year time period.

Protestants: None.

Questions and Comments:

Chairman Smith advised this Board can grant approval of the mobile home for a one-year period because the subject property is residentially zoned. He inquired about the sewer system and the applicant advised there is a sewer system existing on the property.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an RS-3 District - Under the Conditions of Section 1680, for a one-year period, removal bond required, subject to Tulsa City-County Health Department approval, on the following described property:

Beginning 155.5' East of the SW corner of the SW/4 of the SW/4 of the NE/4; thence East 210'; thence North 404.5' to Railroad R/W; thence Southwesterly 225'; thence South 310' to the Point of Beginning, Section 4, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

Case No. 12641

Action Requested:

Variance - Section 1211.4 - Off-Street Parking and Loading Requirements- Request for a variance of the required parking spaces from 17 spaces to 12 spaces under the provisions of Section 1670 located at 1544 North Peoria Avenue.

Presentation:

Joe Robinson, 1520 North Hartford, architect representing Dr. Adolph Williams, was present and submitted a plot plan (Exhibit "G-1"). Dr. Williams proposes to develop the proposed use within the existing dwelling. The applicant previously satisfied the parking requirements for 17 parking spaces. Final approval of CS zoning, which granted a waiver of plat, carried with it a dedication of the east 15' of the subject property. The dedication of the land to the City reduced the number of parking spaces which presented a hardship for the applicant.

Protestants: None.

Comments and Questions:

Chairman Smith inquired as to the doctor's schedule and the number of patients. Dr. Williams was present and advised he works approximately 20 hours a week and does not administer to a numerous amount of patients.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 1211.4 - Off-Street Parking and Loading Requirements) of the required parking spaces from 17 spaces to 12 spaces - Under the Provisions of Section 1670, per plot plan submitted, on the following described property:

Lots 23 and 24, Block 4, Booker T. Washington Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12642

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback from Lewis Avenue from 85' to 63' to allow an addition to an existing residence under the provisions of Section 1670 located at 2261 East 37th Street.

Presentation:

Attorney Jan Johnson, 3511 South Peoria Avenue, represented Mr. and Mrs. Tom Berry, the owners of the subject property, and submitted a plot plan (Exhibit "H-1") and a plat of survey (Exhibit "H-2"). The Berrys propose to extend their existing residence to the north allowing the addition to live up with the existing structure.

Protestants: None.

Board Action:

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

Case No. 12642 (continued)

from Lewis Avenue from 85' to 63' to allow an addition to an existing residence - Under the Provisions of Section 1670, per plot plan and drawings submitted, on the following described property:

Lot 7, Block 6, Lewis Road Estates Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12643

Action Requested:

Special Exception - Section 630 - Bulk and Area Requirements in the Office Districts - Request for a special exception of the floor area ratio from 25% to 40% in an OL District under the provisions of Section 1680 located west of the SW corner of Skelly Drive and Lewis Avenue.

Presentation:

Craig Armstrong, P. O. Box 52085, was present to represent the applicant, Larry Oliver, and a site plan was submitted for the Board's review (Exhibit "I-1").

Protestants: None.

Board Comments:

Chairman Smith advised he had a conflict of interest concerning the item and could not act upon the case. Therefore, only two Board members were present at this time to resolve the matter which does not constitute a quorum. The Board advised the applicant the case must be continued to the next scheduled meeting date, June 30, 1983.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue Case No. 12643 to the June 30, 1983 meeting.

Case No. 12644

Action Requested:

Variance - Section 610 - Principal Uses Permitted in the Office Districts- Use Unit 1214 - Request for a variance to allow a paint store (Use Unit 14) in an OL District under the provisions of Section 1670 located at 71st Street, west of Memorial Drive.

Presentation:

Frank Moskowitz, P. O. Box 2875, represented Standard Brands Paint Co., Inc., and submitted a plot plan (Exhibit "J-1"). The east 100' of the subject property is zoned CS and the west 75' is zoned OL. The applicant is requesting permission to locate the paint store containing 16,555 square feet in the middle of the tract. The building cannot be used further to the west of the property because of an existing private drive.

Protestants: None.

Comments and Questions:

Mr. Gardner advised the Staff's main concern is how much the building will encroach into the OL zoned portion. Mr. Jackere advised the Board

Case No. 12644 (continued)

needs to be satisfied that approval will not set a precedent and establish commercial zoning further to the west. Mr. Jackere inquired as to the hardship and Mr. Moskowitz advised there is approximately 10' between the proposed building line and the west property line. Mr. Gardner suggested that the building be shifted to the east approximately 20'. If the variance is granted for approximately 10% to 15% floor area making it a minor variance, the finding of a hardship is not required. Mr. Moskowitz was in agreement to shift the structure closer to the east property line. Mr. Gardner advised based on the finding that there are two zoning classifications involved and based on the fact the applicant has sufficient area to construct the building, the Board could grant a variance up to 20% of the proposed floor area (16,555 square feet) encroaching into the OL District which would require moving the building to the east.

Mr. Moskowitz was advised that any modification of the plot plan requires Board of Adjustment approval.

Board Action:

On MOTION of CHAPPELLE and SECOND by WAIT, the Board voted 3-0-1 (Chappelle, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; Purser, "absent") to approve a Variance (Section 610 - Principal Uses Permitted in the Office Districts - Under the Provisions of Use Unit 1214) to allow a paint store (Use Unit 14) in an OL District - Under the Provisions of Section 1670, subject to a maximum of 20% of the floor area of the proposed building (16,555 square feet) be permitted on the OL zoned portion, per a revised plot plan depicting same, on the following described property:

The West 225' of the North 460' of the West 903' of the NE/4 of the NE/4 of Section 11, Township 18 North, Range 13 East, Tulsa County, Oklahoma, LESS the West 50' thereof.

Case No. 12646

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the side yard requirement from 10' to 5' on the north, and 10' to 7' on the south to allow for new construction - Under the Provisions of Section 1670; and a Variance - Section 1340 (d) - Design Standards for Off-Street Parking Areas - Request for a variance of the dust-free all-weather surface for off-street parking - Under the Provisions of Section 1670 located at 916 North Cheyenne Avenue.

Presentation:

Attorney Terry Meltzer was present on behalf of J. N. Beal, 916 North Cheyenne, and submitted a rough sketch showing the proposed use (Exhibit "K-1"). The applicant is requesting a variance on the north side of the house from 10' to 7' because the house as originally built was constructed 7' off the property line. On the south side of the house the applicant proposes to construct an attached garage to be located 5' within the property line which requires a variance. The applicant is also requesting a waiver of the all-weather surface material to provide a crushed limestone driveway, which will be a dust-free surface.

Case No. 12646 (continued)

Protestants: None.

Comments and Questions:

The Board was advised that the applicant was issued a cease and desist order from the Building Inspection Department because a building permit was not issued and a variance was needed. Mr. Jackere asked if there was any plumbing to be installed in the garage and Mr. Meltzer answered in the negative. Mr. Jackere submitted correspondence to Mr. Meltzer stating there had been some plumbing installed without permission.

Ms. Hubbard, Building Inspections, advised her plans show the office setback 2.5' on the south side and the porch being added on the back. Mr. Meltzer advised when construction began the garage was to be 2.5' off the property line and is now proposed to be 5'. Ms. Hubbard requested that a new plot plan be submitted to the Building Inspection Office.

It was discovered that the publication notices were misadvertised and the legal description was also incorrect.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue Case No. 12646 to the June 30, 1983 meeting to allow for readvertisement.

Case No. 12647

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Request for a variance of the setback from the centerline of Apache Street from 100' to 70' and from the centerline of Utica Avenue from 50' to 30' and a request for a variance of the required 75' setback from an abutting R District to 30', all in order to construct a new building - Under the Provisions of Section 1670 located at the NW corner of Utica Avenue and Apache Street.

Presentation:

Ray McCullum, Operations Engineer for American Beauty Products, was present and submitted a plat of survey (Exhibit "L-1") and a color rendering of the proposed use (Exhibit "L-2"). The applicant recently acquired the subject property and proposes to construct a new building similar to the one depicted on the drawing. There will be no materials stored outside of the structure. The applicant intends to purchase additional land adjoining the rear of the property which is presently zoned AG. There is a City storm sewer built to the south of Apache and there will be water on the property and the applicant intends to improve the open ditch and satisfy the City Hydrologist regulations concerning the retention. There is no sewer access other than the one they have to the rear of the property. The subject property is located in a floodplain. The applicant is requesting a variance of the setbacks as requested above in order to construct the proposed structure.

Protestants: None.

Case No. 12647 (continued)

Board Questions:

Mr. Victor inquired if the colors as shown on the drawing would be used in the actual construction of the building and Mr. McCollum answered in the affirmative and advised those colors are their company colors.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Variance (Section 930 - Bulk and Area Requirements in the Industrial Districts) in the setback from the centerline of Apache from 100' to 70' and from the centerline of Utica from 50' to 30' and a variance of the required 75' setback from an abutting R District to 30', all in order to construct a new building - Under the Provisions of Section 1670, per plot plan submitted, (Section 260 of the Zoning Code applies), on the following described property:

The East 165' of the South 350' of the SE/4 of the SE/4 of the SW/4 of Section 19, Township 20 North, Range 13 East, of the Indian Base and Meridian, Tulsa, Tulsa County, Oklahoma, according to the official U. S. Government Survey thereof; containing 57,747 square feet or 1.32569 acre, more or less.

Case No. 12648

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Request for a home occupation (real estate office) indefinitely - Under the Provisions of Section 1680 located at 3302 East 56th Place.

Presentation:

Lois Black, 3302 East 56th Place, advised the Board approved the real estate use on two other occasions. The applicant requested permission to operate her home occupation for an indefinite time period.

Protestants:

Larry McSoud, 2638 East 56th Place, advised he owns a duplex located directly south of the applicant's duplex. Mr. McSoud advised there are duplexes located to the south of the subject property which are worth approximately \$160,000 and most of the other structures in the surrounding area consist of single-family dwellings. If the application is approved property values would decrease and a precedent would be established in this area to allow other home occupations. The protestant advised he had seen numerous vehicles located at the residence other than family cars.

Comments and Questions:

Chairman Smith inquired if a sign was used for the business and Ms. Black advised she has a small sign on her door which is not visible from the street.

Legal Counsel advised when the application was approved in 1979 there was one sales associate involved with the reality and inquired if the applicant is the only employee at present and Ms. Black assured the Board she is the only employee at the subject location.

Mr. Jackere spoke to the issue of the real estate operation setting a precedent and advised the Board considers each proposed home occupation

Case No. 12648 (continued)

on its own merits. He did not anticipate that this use would set a precedent. The Zoning Code allows home occupations in areas where there will be no detriment to the neighborhood.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-1-0 (Chappelle, Smith, Victor, "aye"; no "nays"; Wait, "abstaining"; Purser, "absent") to approve a Special Exception (Section 420 - Accessory Uses in Residential Districts) for a home occupation (real estate office) for a five (5) year time period, to run with this owner only, and permitting no other sales associate or employee, on the following described property:

Lot 1, Block 2, South Harvard Court Amended Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12650

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Use Unit 1209 - Section 440.6 - Request to locate a mobile home in an RM-2 District - Under the Provisions of Section 1680; and a Variance - Section 208 - One Single-Family Dwelling Per Lot of Record - Request to allow two dwellings per lot of record - Under the Provisions of Section 1670 located at 2136 East Oklahoma Street.

Presentation:

Ramona Hatfield, 518 Kingsway, Muskogee, Oklahoma, 74401, was present and submitted three (3) photographs of the mobile home (Exhibit "M-1") and a drawing showing the location of the proposed mobile home (Exhibit "M-2"). Ms. Hatfield advised the Board she and her family plan to move from Muskogee to Tulsa and propose to place a mobile home on the subject property on a temporary basis. Ms. Hatfield has spent the last nine months commuting from Muskogee to Tulsa every day as she is employed in Tulsa. Due to the financial and physical burden placed on the family the Hatfields plan to reside in the mobile home. When the applicant's house in Muskogee is sold the Hatfields intend to purchase or construct a residence in Tulsa.

The mobile home will be located in the side yard of Ms. Hatfield's brother's property. The mobile home is separated from a residence to the east by a chain link fence and a private screen separates the area from the front door of the mobile home. A chain link fence also separates the mobile home from a residence located to the south. The subject lot contains a separate driveway which will alleviate any parking problems.

Ms. Hatfield advised a hardship exists because her brother's wife is confined to bed due to a possible miscarriage during her pregnancy and her husband's occupation requires that he be out of town quite often. Placing the mobile home at the subject location would enable Ms. Hatfield to care for her sister-in-law.

Protestants:

J. W. Barrett, 2219 East Oklahoma Place, was present in protest to the application because there are no other mobile homes in the area. If

Case No. 12650 (continued)

the application is approved property values will tend to decrease and the neighbors in the area are concentrating on upgrading the area.

Frank Johnson, 3140 East Newton Place, was present in protest to the application as property values will be decreased if approval is granted.

Board Comments and Questions:

Mr. Victor inquired as to the sewer system and Ms. Hatfield advised there is an existing sewer system on the property which will be connected to the mobile home.

Mr. Victor questioned the hardship and Mr. Jackere advised the size of the lot can be used for the basis of a hardship if it is unique to the area. Mr. Victor stated he would support the application only on a temporary basis.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District - Under the Provisions of Use Unit 1209 and Section 440.6) to locate a mobile home in an RM-2 District - Under the Provisions of Section 1680; and a Variance (Section 208- One Single-Family Dwelling Per Lot of Record) to allow two dwellings per lot of record - Under the Provisions of Section 1670, for a one-year time period, removal bond required, subject to Tulsa City-County Health Department's approval, on the following described property:

Part of Lot 32, Springdale Acre Lot Addition described as beginning at the NW corner of said Lot 32; thence South 140'; thence East 100'; thence North 140'; thence West to the point of beginning.

Case No. 12651

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request to permit 0' side yard setbacks in an RMH District, (entire subdivision) - Under the Provisions of Section 1670 located East of the NE corner of Garnett and Admiral Place.

Presentation:

The applicant, Warren Morris, was not present.

Protestants: None.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue Case No. 12651 to the June 30, 1983 meeting.

Case No. 12652

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Use Unit 1214 - Section 440.2 - Request for a home occupation

Case No. 12652 (continued)

for a small party catering service in an RS-2 District - Under the Provisions of Section 1680 located at 2234 South St. Louis Avenue.

Presentation:

Suzan Schaltz, 2234 South St. Louis Avenue, presented the Board with several photographs and a basket exhibit filled with various candies. Ms. Schaltz requested permission to operate a small party catering service at her residence which will not consist of any persons coming to the residence. The applicant advised she will prepare the food at her house and deliver the goods to her customer or will prepare the food at the customer's residence. There will be no delivery trucks coming to the residence or to be used in the occupation as the applicant will deliver the goods in her personal vehicle. She advised the home occupation complies with all of the regulations set forth in the Zoning Code. The applicant visited with 38 neighbors and all are in support of the application. There was one neighbor concerned that the business could set a precedent.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 420 - Accessory Uses in Residential Districts - Under the Provisions of Use Unit 1214 and Section 440.2) to operate a home occupation for a small party catering service in an RS-2 District - Under the Provisions of Section 1680, to run with this owner and applicant only and that no delivery trucks are permitted at this location, on the following described property:

Lot 21, Block 4, Terwilliger Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12656

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Use Unit 1209 - Section 440.6 - Request to permit a mobile home in an RS-2 District - Under the Provisions of Section 1680 located west of the SW corner of 4th Place and 137th East Avenue.

Presentation:

The applicant, Edith Black, was not present.

Mr. Jones advised the Staff was informed that the application was to be withdrawn, but there has been no correspondence from the applicant indicating that request. The Staff did receive a communication from Sid Smart of the Health Department stating the subject tract could not be served by the sanitary sewer system and most probably could not be served by a septic tank.

Protestants:

There were six (6) individuals present in protest to the application and requested that the matter be heard today.

Case No. 12656 (continued)

Comments:

Legal Counsel suggested the Board dismiss or deny the application at this time and the applicant could refile the request.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to deny a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts - Under the Provisions of Use Unit 1209 and Section 440.6) to permit a mobile home in an RS-2 District - Under the Provisions of Section 1680, on the following described property:

Lot 4, Block 12, Meadow Brooks Heights Addition, Tulsa County, Oklahoma.

Case No. 12657

Action Requested:

Variance - Section 420.2 (a) 2 - Accessory Use Conditions - Request to allow a detached accessory building (3-car garage) in the front yard, garage to be attached to house with covered portico - Under the Provisions of Section 1670 located at 4310 South Victor Avenue.

Presentation:

Alan Madewell, architect representing Densel Williams, 4845 South Sheridan Road, submitted a plot plan (Exhibit "N-1") and a sketch of the proposed addition to the existing residence (Exhibit "N-2"). The applicant proposes to construct a detached three-car garage, which will be connected to the existing residence with a covered drive-thru. Mr. Madewell advised the garage will blend in with the surrounding area and will add to the aesthetic value of the property. The proposed garage will be located 50' from the property line and 35' behind the building setback line.

Protestants:

Carl Larson, 4320 South Victor, advised any construction in the subject area requires a 125' easement from the street to the house. If the application is approved it will be detrimental to the area and will decrease property values.

Applicant's Rebuttal:

Mr. Madewell advised that the 125' easement from the street to the residence is no longer a portion of the restrictive covenants. He also advised Mr. Williams has applied for a lot split on the property. The drawing shows the property as it will appear after 100' is removed at the rear of the property.

Comments and Questions:

Paula Hubbard advised the chief Building Inspector has determined that a common roof line or an open breezeway does not constitute attachment. If there is living area within the common roof line it would be considered as an attachment.

Discussion ensued concerning the lot and the proposed structure. Mr. Gardner advised a lot split has been filed by the applicant which

Case No. 12657 (continued)

appears to meet all of the zoning and subdivision requirements. The Board desired to view the site before a decision was made.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue Case No. 12657 to the June 30, 1983 meeting to allow the Board time to review the site.

Case No. 12658

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential Districts - Use Unit 1211 - Section 440.8 - Request to construct an office building in an RM-2 District - Under the Provisions of Section 1680; and a Variance - Section 630 - Bulk and Area Requirements in the Office Districts - Request for a variance of the rear (north side) setback adjacent to RS-3 to permit two-story building (20' high) 10' from property line - Under the Provisions of Section 1670 located at 2621 East 21st Street.

Presentation:

Stephen King, 3227 East 31st Street, submitted a site plan and floor plan (Exhibit "0-1") and ten (10) photographs of the subject property (Exhibit "0-2"). Mr. King advised he recently purchased the subject property and intends to have the property approved from RM-2 to OM requirements through the Special Exception procedure. A variance of the rear setback is needed in order to construct the proposed 11,500 square foot office building. A variance of the parking requirement was applied for, but is no longer needed because the building has been located on the property to provide for the needed number of parking spaces. The applicant is required to provide 29 parking spaces according to the square footage contained in the building, but 36 parking spaces will be provided which exceeds the requirement.

A 22' setback from the street has been provided which is consistent with the buildings on both sides of the subject tract. The property contains 7 large trees and 2 smaller trees which the applicant intends to maintain. Additional landscaping will be added to the property. Presently on the property is a single-family residence and two 2-story duplexes which will be removed. The proposed structure will consist of glass and brick construction and will be similar to an office building located across the street to the south.

Protestants:

LeGrande Shealey, 2641 East 20th Street, advised the two-story proposed office structure which contains glass with horizontal emphasis will decrease property values in the area and will invade the neighbors privacy.

Bruce Norton, 2628 East 20th Street, advised he lives directly behind the subject property and is concerned that adequate privacy and noise buffer would not be provided. He inquired if a solid screening fence and shrubbery would be installed. He requested that a solid screening and noise buffer be required if the application is approved.

Case No. 12658 (continued)

Comments:

Paula Hubbard, Building Inspector, advised the applicant has not asked for a waiver of the screening fence, therefore, a 6' screening fence is required.

Mr. Gardner advised the present zoning allows a three-story apartment (approximately 35') to be located within 10' of the rear property line which is in excess of the construction as proposed.

Mr. Victor inquired as to the height of the proposed structure and Mr. King advised the building will be approximately 20' in height. Mr. Victor advised he was not concerned because of the height of the structure, but did feel the same concern with the protestants of privacy and screening. Discussion ensued as to the type of landscaping and screening to be utilized. Mr. King suggested that some sort of evergreen tree or Ponderosa Pine be used in screening.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District - Under the Provisions of Use Unit 1211 and Section 440.8) to construct an office building in an RM-2 District - Under the Provisions of Section 1680; and a Variance (Section 630 - Bulk and Area Requirements in the Office Districts) of the rear (north side) setback adjacent to RS-3 to permit two-story building (20' high) 10' from the property line - Under the Provisions of Section 1670, subject to the applicant providing, in addition to the required 6' screening fence, landscaping on the north side of the building preferably using Ponderosa Pine trees and that they be spaced in such a way to screen the building, per plot plan, on the following described property:

Lot 12, 13 and 14, Block 1, Bookers 2nd Addition, in the City and County of Tulsa, Oklahoma, according to the Recorded Plat thereof.

Case No. 12659

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in the Industrial Districts - Request for a variance of the setback from Pine Street from 100' to 60' and from the south property line from 75' to 30' to allow construction of a building - Under the Provisions of Section 1670 located at the southwest corner of Pine Street and Troost Avenue.

Presentation:

Chairman Smith advised a letter was submitted from the applicant, Gene Boomershine, requesting a two week continuance (Exhibit "P-1").

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to continue Case No. 12659 to the June 30, 1983 meeting.

OTHER BUSINESS:

Case No. 12586

Action Requested:

Request for refund of fees for Case No. 12586.

Presentation:

Mr. Jones advised the Building Inspector issued a cease and desist order on the applicant's construction of his residence. The applicant came before the Board seeking approval of his request and the application was continued to allow the Building Inspector to view the site and determine if the property could be landfilled. The property was remeasured and the grading was checked. The applicant has agreed to back-fill the property and submitted a letter to the Board stating that the problem had been worked out and no further relief was needed.

Comments:

The Board did not share the same opinion in granting the refund of fees. Mr. Gardner advised that notices were sent out and a public hearing was conducted concerning this particular matter.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 2-1-0 (Chappelle, Smith, "aye"; Victor, "nay"; no "abstentions"; Purser, Wait, "absent") to DENY the request for refund of fees.

Case No. 12592

Action Requested:

Request for review of plans for Case No. 12592.

Presentation:

Dusty Yates represented the Stratford House Inn located at the north side of Skelly Bypass, east of Harvard Avenue, and submitted a drawing of the proposed sign (Exhibit "Q-1") and six (6) photographs of the subject property (Exhibit "Q-2"). The Board previously approved the plans for the Stratford House Inn and requested that the applicant return to the Board with a drawing of the sign which was not to exceed 100 square feet. The proposed sign contains 99 square feet and is approximately 30 feet in height.

Comments:

The Board was concerned because they had requested the sign be located on the building. Mr. Yates advised if the sign were located on the building it could not be seen and would not be in keeping with the aesthetics of the structure.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 3-0-0 (Chappelle, Smith, Victor, "aye"; no "nays"; no "abstentions"; Purser, Wait, "absent") to approve the sign, per drawings submitted.

Discussion:

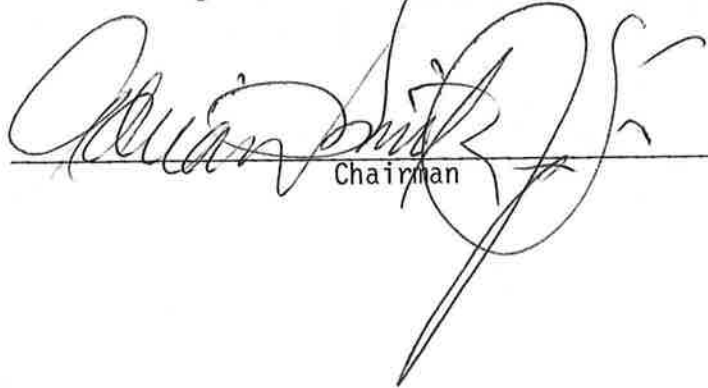
Mr. Yates asked if the Board would object to allow lighting around the perimeter of the sign. The applicant suggested that running or flashing lights be added. The Board suggested that back lighting or accent lighting be added but no flashing lights.

Information Concerning the Health Department:

Mr. Gardner submitted a letter from the Tulsa City-County Health Department requesting that the Board require written Health Department approval for applicants to place mobile homes in the City of Tulsa on those properties not served by sanitary sewer (Exhibit "R-1").

There being no further business, the meeting was adjourned at 3:30 p.m.

Date Approved July 28, 1983


Chairman