

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 473
Thursday, September 4, 1986, 1:00 p.m.
City Commission Room, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bradley Chappelle, Chairman Quarles Smith White		Gardner Jones Moore	Jackere, Legal Department Hubbard, Protective Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 2, 1986, at 3:10 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Chappelle called the meeting to order at 1:00 p.m.

MINUTES:

On MOTION of QUARLES, the Board voted 4-0-1 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; White, "abstaining"; none, "absent") to **APPROVE** the Minutes of August 21, 1986.

UNFINISHED BUSINESS

Case No. 14146

Action Requested:

Appeal - Section 1650 - Appeals from the Building Inspector - Request an appeal from the decision of the Building Inspector that the sign in question is a portable sign and not a promotional business sign.

Variance - Section 1221.3(h) - General Use Conditions for Business Signs - Request a variance to allow a special event mobile marquee (promotional business sign) and to allow its usage to exceed 4 times per year for more than the permitted 10 day period, located north of the NE/c of 36th Street and Harvard Avenue.

Presentation:

The applicant Bill Stokely, was represented by Terry Young, 2311 North Elwood, Tulsa, Oklahoma, who stated that he is before the Board today to seek proper classification of the sign in question. He informed that the City Commissioners on June 13, 1986 instructed the division of Protective Inspections to review the Stokely sign and make a recommendation as to its classification. Mr. Young stated that on June 17, 1986, Mr. Stokely submitted an application to Protective Inspections for a promotional sign permit and on June 30 he was instructed by Ray Green (Exhibit A-1) of that office to take

Case No. 14146 (continued)

the matter before the Board of Adjustment. Mr. Young stated that his client will comply with all elements of the Code as it applies to this promotional sign, but disagrees with the determination of Protective Inspections that the sign in question should be classified as a portable sign.

Comments and Questions:

Mr. Jackere pointed out that the appeal addresses the question of whether the sign in question is a promotional sign or portable sign and the Board has the right to make that determination, but as the agenda reflects, a variance of the Code is sought which would permit the use of the sign in question to be used for more than 4 times per year and for more than the permitted 10 day period.

Mr. Young stated that he may need an interpretation of the variance request, since the sign will be used more than 4 times each year and for more than 10 days, however, it will not be used at any one location more than 4 times or 10 days as allowed by the Code.

Mr. Young stated that the marquee type sign has removable letters and is exclusively for special promotional purposes and is used at various locations in the City of Tulsa. Photographs were submitted (Exhibit A-2). The sign is permanently attached to a 1979 International Harvester bus which is registered in the State of Oklahoma.

Ms. Bradley asked Mr. Young if the vehicle is driven to various locations in the City and he answered in the affirmative.

He stated that the appearance of the sign, in his opinion, clearly distinguishes it as promotional in nature and not portable. He pointed out that when in motion it is a bus and not a sign; however, when it is in place as a promotional sign, it is a sign and not a bus. He explained that when in use as a promotional sign the bus is locked and a piece of heavy equipment would be required to move the sign from one point to another, which would not be the case for the usual portable sign which can be moved about easily. Mr. Young asked the Board to find that the bus will remain exactly as shown in the photographs, will be used exclusively for a permanently attached promotional sign, shall remain locked while in use as a sign and meet State vehicle requirements.

Mr. Smith voiced a concern that the approval of this application would allow others to use similar signs.

Mr. Jackere informed that the Building Inspector has determined the sign in question to be portable and if the Board should overturn this decision and find it to be promotional in nature, other sign companies can have as many sign buses as they wish if they do not exceed the 4 times per year, 10 day period, as set out by the Code. He stated that the Board's decision on this application will be direction to the Building Inspector in making future determinations.

Case No. 14146 (continued)

Ed Rice, Chief Building Inspector, stated that, in his opinion, Mr. Young is asking for a change in the ordinance. He informed that a promotional sign is a sign, temporary in nature, consisting of tinsel, advertising flags, search lights, balloons, tethered balloons or banners, and a portable sign is one that is not permanently affixed to the ground or building and is easily moved from one location to another. He informed that his office will issue a permit for the portable sign in question if all of the Code requirements are met.

Mr. Jackere pointed out that portable signs are no longer permitted in the City after 1987 and portable signs have to meet requirements that promotional signs do not.

Ray Green, Protective Inspections, stated that he informed Mr. Stokely that the subject sign had been determined by his office to be a portable sign and that he could seek relief from the Board of Adjustment if he so desired.

Bill Stokely, 10111 East 45th Place, Tulsa, Oklahoma, stated that his mobile marquee has been used at several locations and has had many positive comments. He stated that SORBA gave the sign a good recommendation and that Tulsa Fairgrounds has requested that the sign be used for many of their scheduled shows. Mr. Stokely pointed out that there are buses with signs on the side parked at various locations in the city.

Applicant's Rebuttal:

Mr. Young informed that he was instrumental in writing the newly adopted Sign Code and informed that the sign in question did not exist and was not addressed at that time. He asked the Board to classify the subject sign as a promotional type sign.

Additional Comments:

Ms. White commented that, although she admires the creativity of Mr. Stokely, she feels the sign in question meets the criteria for a portable sign.

Mr. Quarles remarked that he would be more acceptable to the request if specific functions where the sign would be in use were spelled out in advance.

Ms. White asked the applicant to address the hardship and he stated that the sign would be rendered useless, with an investment of over \$18,000.

Ms. White pointed out that a financial hardship cannot be considered.

Case No. 14146 (continued)

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **UPHOLD** the decision of the Building Inspector (Section 1650 - Appeals from the Building Inspector) that the sign in question is a portable sign and not a promotional business sign; and to **DENY** a **Variance** (Section 1221.3(h) - General Use Conditions for Business Signs) to allow a special event mobile marquee (promotional business sign) and to allow its usage to exceed 4 times per year for more than the permitted 10 day period; finding a hardship was not demonstrated that would warrant the granting of the variance request; on the following described property:

Lot 7, Block 4, Eisenhower Subdivision, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14154

Action Requested:

Variance - Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements - Use Unit 1209 - Request a variance to waive the 1 year time limitation for a previously approved mobile home to permanently, located on the SW/c of 54th Street North and Lewis Avenue.

Presentation:

The applicant, Carol Long, 5348 North Lewis, Tulsa, Oklahoma, stated that she has replaced an older large mobile home with a new smaller one. She stated that she has been at the present location for the past 7 years and has not had protests from the neighbors. She informed that she was before the Board in August and did not ask for the time variance at that time, but would like to have approval for permanent placement of the mobile home at the above stated location.

Comments and Questions:

Ms. White asked the applicant if the mobile home is skirted and made to look permanent and she replied that skirting comes with the mobile and will be installed.

Ms. Bradley asked if there are other mobile homes in the area and Ms. Long informed that there is 1 to the east of her location and several in the area.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** (Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements - Use Unit 1209) of a 1 year time limitation to 5 years on previously approved

Case No. 14154 (continued)

mobile home; finding that there has been a mobile home located on the tract for 7 years and it has proved to be compatible with the neighborhood and in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

N/2, N/2, NE/4, SE/4, NE/4 of Section 7, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14159

Action Requested:

Appeal - Section 1650 - Appeals from the Building Inspector - Section 1470 Parking, Loading and Screening Nonconformities - Use Unit 1214 - Request an appeal from the determination of the Building Inspector that off-street parking must be hard surfaced, for reason that commercial use of the premises and the appurtenant off-street parking commenced prior to the effective date of the Zoning Code requirement of hard surfacing;

Alternatively:

Variance - Section 1214.4 - Off-Street Parking and Loading Requirements - Request a variance of the required number of off-street parking spaces.

Variance - Section 1340(d) - Design Standards for Off-Street Parking Areas - Request a variance of the requirement that off-street parking spaces be hard surfaced, located east of the NE/c of 129th East Avenue and East Admiral Place.

Presentation:

The applicant, Roy Johnsen, 324 Main Mall, Tulsa, Oklahoma, informed that he is continuing to gather information for this case and asked the Board to continue the application to September 18, 1986.

Protestants: None.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to CONTINUE Case No. 14159 to September 18, 1986.

Case No. 14162

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow a day care center in an RM-1 zoned district, located at 1723 North Cincinnati.

Case No. 14162 (continued)

Presentation:

The applicant, Otis Hammons, 1307 East 53rd Street North, Tulsa, Oklahoma, was not present.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **DENY** without prejudice Case No. 14162; finding that the applicant failed to appear at 2 consecutive Board of Adjustment meetings.

Case No. 14173

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RS-3 zoned district.

Variance - Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements, Request a variance to waive the 1 year time limitation to permanently, located at 2627 East Seminole.

Presentation:

The applicant, Ann Listenbee, 1816 North Birmingham, Tulsa, Oklahoma, was not present.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **DENY** without prejudice Case No. 14173; finding that the applicant was not present at the last 2 Board of Adjustment meetings.

MINOR VARIANCES AND EXCEPTIONS

Case No. 14183

Action Requested:

Minor Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of the front setback from 30' to 29' to allow for an existing dwelling in an RS-2 zoned district, to clear title to property, located at 1728 East 56th Street.

Presentation:

The applicant, Charles Lumsford, 1728 East 56th Street, Tulsa, Oklahoma, submitted a plat of survey (Exhibit B-1) and stated that he is representing the owner of the property in question. He explained that the house was constructed with the garage encroaching on the 30' setback and has been in place approximately 12 years.

Case No. 14183 (continued)

Comments and Questions:

Mr. Chappelle asked the applicant if any new construction is planned and he replied that he only wants to clear up the existing problem and no new construction is planned.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Minor Variance** (Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of the front setback from 30' to 29' to allow for an existing dwelling in an RS-2 zoned district, to clear title to property; per plat of survey submitted; finding that the house and garage have been in place for several years; on the following described property:

Lot 11, Block 3, Corona Heights Second Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14188

Action Requested:

Minor Variance - Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206 - Request a minor variance of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG District on lot-split, located West 73rd Street and South 26th West Avenue.

Presentation:

The applicant, Robert Duffield, 7550 South Union Avenue, Tulsa, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that Mr. Duffield contacted him by phone and stated that due to his illness, will be unable to attend the meeting. He stated that the Technical Advisory Committee and the Planning Commission have approved the lot-split and the applicant has asked that the Board hear the case today.

Ms. White commented that, due to the number of protestants, she would like to have the applicant present when the case is heard.

Mr. Chappelle asked the protestants if they would object to a continuance in order that the applicant could present his case to the Board.

Ms. Bradley suggested that the Board hear from the protestants and then determine if action should be taken at this time.

Case No. 14188 (continued)

Protestants:

Mr. Bill Webb, 7101 South 26th West, Tulsa, Oklahoma, submitted a petition of opposition and a location map (Exhibit C-1) and pointed out that there is not a sewer in the area and the soil does not percolate well. He informed that he was told by the City Inspector that 2 1/2 acres would not accommodate sewage disposal for more than 1 family.

Ms. Bradley asked Mr. Webb if any other lots in the area have been divided and he informed that there have been no other splits.

Wayne Mumford, 2663 West 73rd Street, Tulsa, Oklahoma, stated that most of the residents of the addition bought there because of the the large lots and asked the Board to deny the request.

Mr. Smith asked if the protestants appeared before TMAPC and Mr. Webb informed that they did not appear because they were not notified of the hearing.

Board Action:

On MOTION of QUARLES, the Board voted 4-1-0 (Bradley, Chappelle, Quarles, White, "aye"; Smith, "nay"; no "abstentions"; none, "absent") to **DENY** a **Minor Variance** (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206) of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG District on lot-split; finding that the granting of the minor variance would be detrimental to the neighborhood; and finding that the request is not in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 4, Block 2, and Lots 2 - 4, Block 3, Rosewood Acres 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 14181

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception for a church building and related uses in a RS-3 zoned district, located at 1825 West 91st Street.

Presentation:

The applicant, Wayne Taylor, 2917 West 65th Street, Tulsa, Oklahoma, submitted a drawing (Exhibit D-1) and asked the Board to allow a

Case No. 14181 (continued)

church building to be constructed on property they have purchased at the above stated address.

Protestants:

Waynona Holiday, 1725 West 91st Street, Tulsa, Oklahoma, stated that the property in question borders her property on the south and east. She informed that she is opposed to the construction because she would like to have the country atmosphere maintained, and also feels that a sewer and traffic problem would be created by the church. Ms. Holiday informed that a commercial development is planned in the area and, in her opinion, the construction of a church would slow that development and lower her property value.

Henry Dale, 2111 West 91st Street, Tulsa, Oklahoma, lives to the west of the subject property and pointed out that there is no sewer in the area and the soil does not percolate well.

Comments and Questions:

Ms. White asked the applicant if the church plans to have a school or a day care program and Mr. Taylor informed that they have no plans for these activities at this time.

Applicant's Rebuttal:

The applicant stated that there is a large undeveloped area to the north and stated that the question before the Board today is the use of the land.

Additional Comments:

Ms. Hubbard stated that the Health Department will review the property if it is served by a septic system.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205) for a church building and related uses in a RS-3 zoned district; subject to Health Department approval; and subject to applicant returning with a detail site plan for Board review and approval; finding that granting of the special exception request will not cause substantial detriment to the neighborhood and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Beginning 25' north and 741.70' west of the southeast corner of said Section 15, T-18-N, R-12-E, thence north 208.70', east 104.35', north 183.70', west 315.25', south 392.40', east 210.90' to point of beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14182

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow for the expansion of an existing hospital and related uses, located south of SW/c of 61st Street and Sheridan.

Presentation:

The applicant, E. Bryan Henson, 7615 East 63rd Place, Tulsa, Oklahoma, submitted a packet (Exhibit E-1) containing a plot plan, brochure and narrative description of Shadow Mountain Institute. Mr. Henson informed that he is representing Dillon Family Youth Services, Inc. He stated that approval for the present facility was granted in 1976 and that the surrounding areas to the north, east, south and northwest are utilized for commercial, office, restaurant use and a nursing home. Mr. Henson informed that the only residential property abutting the 20-acre tract is to the west, and that a 300' buffer has been maintained between the facility and the residences. He stated that enlargement of the building was granted by the Board in 1982 and another expansion is proposed at this time. Mr. Henson informed that, at the South Sheridan location, 100 beds accommodate residential inpatients who range in age from 13 to 18, with outpatient and day hospital services being recently added. He explained that accounting and business operations for the business have been removed to another location and the Horizon Division, treating children from age 5 through 12, are housed in 2 facilities in east Tulsa. Mr. Henson stated that it is the intent of the owner to consolidate all of the operations at the South Sheridan location. He informed that any additional water run-off will be retained on the property, the 300' buffer between the facility and the residential area will be maintained, and the design of the new addition will be consistent with the existing structure.

Comments and Questions:

Mr. Smith stated that in previous Board action the entrance into the cul-de-sac was prohibited and Mr. Henson stated that the facility is in need of the entrance to keep traffic from going through the campus area and to allow fire trucks to enter the complex.

Mr. Quarles asked how many employees will be added to the Institute staff and Mr. Henson informed that 200 people are employed at this time and another 60 will be required when construction is completed.

Ms. White asked Mr. Henson to state the total number of patients and staff that will be at the Institute when construction is completed and he informed that 28 patients will be added, along with 30 staff members.

Protestants:

Lee Gideon, 6403 South Kingston, Tulsa, Oklahoma, stated that his property abutts that belonging to Shadow Mountain Institute and that the property is zoned residential and should remain residential. Mr. Gideon explained that heavy rains result in heavy run off from the hill and a water problem for those residents below. He stated that a neighborhood car has been stolen by a resident of the Institute and that on one occasion a child carrying a baseball bat, pursued by 2 counselors, ran through the neighborhood. He informed that the facility creates a traffic problem in the area and asked the Board to prevent added construction. A petition (Exhibit E-2) opposing the application was submitted.

Jenny Poe, 5808 East 63rd Street, Tulsa, Oklahoma, stated that the Institute is inching into the stable neighborhood and threatens its character. She pointed out that the facility is not an asset to the area and asked that the neighborhood be preserved.

Bill Hunt, 6004 East 62nd Street, Tulsa, Oklahoma, informed that he is opposed to the growth of the facility. He pointed out that the Institute is not a good neighbor and that tall grass is growing on their property and patients are walking in the streets of the residential area. He stated that cars drive up and down the hill at all of hours of the night and the patients play loud music which disturbs the residents. Mr. Hunt informed that, on one occasion, he called the Institute to complain of noise and the phone was answered by one of the young patients.

W. H. Baker, 5853 East 62nd Place, Tulsa, Oklahoma, pointed out that, in his opinion, the Institute is not acting in a responsible fashion and should not be allowed to expand.

Applicant's Rebuttal:

Mr. Henson stated that the accusations made by the protestants cannot be substantiated by public record. He stated that the accusations brought forth are not truthful and that the residents of the neighborhood are uninformed.

Mr. Chappelle inquired as to the total number of square feet the facility will contain after expansion and Mr. Henson informed that his is not sure. He stated that the architect for the project is ill and unable to attend this meeting.

Ms. Bradley asked Mr. Jerry Dillon, 6262 South Sheridan, Tulsa, Oklahoma, if he envisions any further expansion on the 20-acre tract and he replied that there is no intention to expand beyond what is proposed here today.

Ms. Bradley and Ms. White voiced a concern with ingress and egress to the subject property on Lakewood and Ms. White suggested a crash gate be installed to insure emergency access.

Case No. 14182 (continued)

Mr. Smith remarked that there is a question as to the square footage in the building and suggested that the case be continued to allow the applicant time to determine the square footage of the facility, find out the requirements of the Fire Marshall and visit with the protestants.

Ms. White and Mr. Quarles stated that she would like another opportunity to review the property in question.

Ms. Poe asked if a special study of the neighborhood could be done.

Mr. Gardner stated that Staff plans to research the request, but is not prepared to do a special study at this time.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **CONTINUE** Case No. 14182 to September 18, 1986, to allow the Board to view the site and to give the applicant sufficient time to return to the Board with exact square footage for the proposed facility.

Case No. 14184

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Use Unit 1217 - Request a variance of setback from the centerline of West 51st Street from 55' to 45' to allow for mini-storage, located east of the SE/c of 51st and Union.

Presentation:

The applicant, Lewis Cline, P.O. Box 701833, Tulsa, Oklahoma, stated that when he acquired a building permit for the second phase of a mini-storage project the law had changed and the setback was 30' instead of 25'. Mr. Cline asked the Board to grant the variance request.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements in the Commercial Districts - Use Unit 1217) of setback from the centerline of West 51st Street from 55' to 45' to allow for mini-storage; finding that 51 Street comes to a dead-end at this location and finding that the setback requirement changed after completion of the first phase and before the beginning of the second phase of the project; on the following described property:

Lots 3 and 4, Cameron Cline Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14185

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Request a special exception to allow a home occupation (auto repair shop) in an RS-3 zoned district.

Use Variance - Section 410 - Principal Uses Permitted in Residential Districts - Request a use variance to permit a garage as the principal use on an RS zoned lot.

Variance - Section 240.3 - Use of Yards in R Districts - Request a variance to permit parking without all-weather surface, located at 4309 South Waco.

Presentation:

The applicant, Robert Garrison, 4309 South Waco, Tulsa, Oklahoma, stated that his attorney is out of town and asked that Case No. 14185 be continued until September 18, 1986.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **CONTINUE** Case No. 14185 until September 18, 1986.

Case No. 14186

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request a special exception to allow a home occupation (lawn mower repair) in an RS-3 zoned district, located at 2903 South 66th East Avenue.

Presentation:

The applicant, William Woodridge, 2903 South 66th East Avenue, Tulsa, Oklahoma, was represented by Roy Johnsen, 324 Main Mall, Tulsa, Oklahoma, who submitted photographs (Exhibit F-2) and a petition of support (Exhibit F-1). Mr. Johnsen informed that his client is retired and repairs lawn mowers in his garage. He asked the Board to allow Mr. Woodridge, along with his son who lives at home, to continue the limited operation as a home occupation. Mr. Johnsen pointed out that there are no employees, no sign on the

Case No. 14186 (continued)

property and no advertising. He stated that all of the neighbors support the application except one, who lives to the south of Mr. Woodridge.

Comments and Questions:

Mr. Smith asked the applicant to state the hours of operation for the business and he replied that the business is very informal and there are no set hours, however, very little work is performed after 4 p.m., with none at all being done on Sunday.

Ms. White asked Mr. Johnsen if any work is done outside the garage and he replied that all of the work is done inside the garage.

Ms. Bradley asked Mr. Johnsen to explain his definition of a limited operation and he informed that the amount of activity on the subject property is limited and that his client will serve about 2 customers per day.

Protestants:

Mr. Chappelle stated that a letter of opposition (Exhibit F-3) has been received from the resident next door to Mr. Woodridge who stated that there is already a traffic problem in the neighborhood and asked denial of the application.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts) to allow a home occupation (lawn mower repair) in an RS-3 zoned district; per Home Occupation Guidelines; subject to days and hours of operation being Monday through Saturday, 8 a.m. to 5 p.m.; and subject to all work being performed inside the garage, with no outside storage of parts or materials; on the following described property:

Lot 14, Block 44, South Sheridan Acres of Bowman Acres 5th Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14187

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow a mobile home in an RM-2 zone district.

Variance - Section 440.6(a) - Special exception Uses in Residential Districts, Requirements - Request a variance to waive the 1 year time limitation to permanently, located west of the SW/c of West 12th Street and 49th West Avenue.

Case No. 14187 (continued)

Presentation:

The applicant, Arthur Petros, 218 South Sandusky, Tulsa, Oklahoma, submitted photographs (Exhibit G-3) and addresses of mobile home locations in the area (Exhibit G-1). Mr. Petros stated that he is proposing to sell the lot in question and asked the Board to allow the buyer to place a mobile home on the property. He informed that there are many mobile homes in the area.

Comments and Questions:

Ms. Bradley asked the applicant if the property is vacant at this time and he answered in the affirmative.

Ms. Bradley inquired if there is City water and sewer in the area and Mr. Petros stated that this property is not served by the City.

Homer Walton, 4318 South 104th East Avenue, Tulsa, Oklahoma, prospective buyer of the property, informed that he plans to dig a water well on the lot.

Protestants:

Mr. Chappelle read a letter from District 10 Chairman (Exhibit G-2), who voiced opposition to the placement of the mobile home in the residential area.

Board Action:

On MOTION of WHITE, the Board voted 4-0-1 (Bradley, Chappelle, Quarles, White, "aye"; no "nays"; Smith, "abstaining"; none, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RM-2 zone district; and to **APPROVE** a **Variance** (Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements) from the 1 year time limitation to 3 years; per Health Department approval; finding that there are numerous mobile homes in the area and that the granting of the special exception request will not be injurious to the neighborhood and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

West 50' of Lot 2, Block 4, Vern Subdivision No. 2, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14189

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1207 - Request a special exception to allow an existing duplex in an RS-3 zoned district, located west of SW/c of New Haven and 1st Street.

Case No. 14189 (continued)

Presentation:

The applicant, Ron McFadden, 4126 South Birmingham Place, Tulsa, Oklahoma, stated that he is representing the buyer and the seller. He pointed out that the loan company requires that the special exception be acquired before releasing funds. Mr. McFadden informed that there are numerous duplexes in the area.

Comments and Questions:

Mr. Chappelle inquired as to when the duplex was built and he informed that it was built in 1930.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1207) to allow an existing duplex in an RS-3 zoned district; in order to clear the title; finding that the duplex has been on the lot for many years; on the following described property:

Lot 2, Block 6, Morgan Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14190

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to permit an existing mobile home in an RS-1 zoned district.

Variance - Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements - Request a variance to waive the 1 year time limitation to permanently, located at 622 South 193rd East Avenue.

Presentation:

The applicant, Linda Funkhouser, P.O. 356, Catoosa, Oklahoma, submitted photographs (Exhibit H-1) and asked the Board to allow a mobile home to remain at the above stated location.

Comments and Questions:

Ms. Bradley asked the applicant how long the mobile home has been in place and she informed that it has been on the lots since 1980.

Ms. Bradley inquired if there are other mobile homes in the area and she replied that there are others in the area, along with RV sales and rentals across the street from her property.

Case No. 14190 (continued)

Ms. Bradley asked if the lots are served by City sewer and water. Ms. Funkhouser informed that the mobile home is hooked up to a septic system for sewage disposal and that they are supplied with water by a commercial water hauler, but will be able to hook on the City water line if approval of this application is granted.

Protestants: None.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to permit an existing mobile home in an RS-1 zoned district; and to **APPROVE** a **Variance** (Section 440.6(a) - Special Exception Uses in Residential Districts, Requirements) to waive the 1 year time limitation to permanently; per Health Department approval; finding that the mobile home has been in place for 6 years and has proved to be compatible with the neighborhood; on the following described property:

Lots 2 and 7, Block 1, Indian Hills Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14191

Action Requested:

Appeal from Building Inspector - Section 750.2 - Location of Sexually Oriented Business, Prohibition - Request an appeal from the decision of the Building Inspector by area residents that permitted a sexually oriented business within 300' of a nonarterial street providing access to a residentially zoned area, located at 4807 East 31st Street.

Presentation:

The applicant, Robert Parker and Associates, 4633 East 31st Street, Tulsa, Oklahoma, was represented by Kenneth Miles, 1608 South Elwood, who stated that he is also representing the 31st and Yale Neighborhood Association that has been formed in opposition to the opening of a sexually oriented business at the above stated location. Mr. Miles asked if the licensee of the Cosmic Kitty is present. A location map (Exhibit X-1) was submitted.

It was determined that names of the applicant for the Building Permit, owner of the property, or the licensee were not supplied to Staff for notification of this hearing.

Mr. Gardner pointed out that it is the obligation of the applicant to furnish Staff with a proper mailing list.

Case No. 14191 (continued)

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to CONTINUE Case No. 14191 until September 18, 1986, to allow proper notice to be given.

Case No. 14192

Action Requested:

Variance - Section 430/630 - Bulk and Area Requirements in Residential and Office Districts - Use Unit 1211 - Request a variance of setback requirements from 14th Street from 55' to 53' 11".

Variance - Section 1211.3 - Office and Studios, Use Conditions - Request a variance of the screening requirement from OL (pending) to RS-3 tract.

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Request a variance of the livability requirements from 4000 sq. ft. to 3900 sq. ft.

Variance - 1211.4 - Off-Street Parking and Loading Requirements - Request a variance of the parking requirements from 10 to 9, located on the SE/c of Zuni Avenue and 14th Street.

Presentation:

The applicant, Harvey Heller, Jr., 2204 East 14th Street, Tulsa, Oklahoma, was represented by Roy Johnsen, 324 Main Mall, Tulsa, Oklahoma, who explained that a PUD and rezoning application for the property in question is pending before TMAPC and asked a continuance until that commission has acted on the application.

Protestants:

Jim Rand, 2019 East 14th Place, Tulsa, Oklahoma, stated that he had to take time off work in order to attend this meeting and asked the Board to hear the case.

Comments and Questions:

Ms. White remarked that she would prefer to hear the case after the PUD and zoning is acted on by TMAPC.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to CONTINUE Case No. 14192 until October 2, 1986.

Case No. 14193

Action Requested:

Variance - Section 1221.3(h) - General Use Conditions for Business Signs - Request a variance to permit permanent advertising flags and banners as an integral part of a sign package (2 signs) to be built in phases in a CBD District, located north of 2nd Street and Main.

Presentation:

The applicant, Debora Roberson, 1 Williams Center, P.O. Box 2400, Tulsa, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that he has been in contact with the applicant who has asked that Case No. 14193 be continued. He noted that a representative, Mr. Fox, is in the audience.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to CONTINUE Case No. 14193 to September 18, 1986.

Case No. 14194

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to permit a before and after school child care program for elementary school children, located at 2525 South 101st East Avenue.

Presentation:

The applicant, Donna Williams, 10620 East 27th Street, Tulsa, Oklahoma, asked the Board to allow her to operate a before and after school child care center for Mayo Elementary students only. Ms. Williams stated that the hours of operation are from 7 a.m. to 8:30 a.m., 11:15 a.m. to 6 p.m. on school days and all day when Parent/Teacher Conferences are held (approximately 4 days per year).

Comments and Questions:

Ms. Bradley asked the applicant if there has ever been a child care operation at Mayo Elementary and she replied that there has not been one at Mayo, but that she has one in operation at Christopher Columbus Elementary.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to APPROVE a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205) to permit a before and after school child care program for elementary school children; finding that the granting of the special exception request will not be detrimental to the neighborhood and will be in harmony

Case No. 14194 (continued)

with the spirit and intent of the Code and the Comprehensive Plan;
on the following described property:

All that part of the SE/4 NW/4 and the E/2 SW/4 of Section 18, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows, to-wit:

Beginning at the point where the east right-of-way line of South 101st East Avenue intersects the north boundary of said E/2 SW/4, 30.00 feet from the northwest corner thereof; thence N 0°06'52" E along said right-of-way line a distance of 50.38 feet; thence S 85°12'29" E, 132.28 feet; thence S 62°59'55" E, 352.41 feet; thence S 73°08'03" E, 230.93 feet; thence S 84°57'55" E, 84.93 feet; thence S 4°46'48" W, 27.27 feet; thence southwesterly on a curve to the right having a radius of 785.00 feet a distance of 304.04 feet; thence S 26°58'18" W, 144.60 feet; thence N 61°53'12" W, 167.90 feet; thence N 77°54'08" W, 229.03 feet; thence due West, 230.00 feet to a point in the east right-of-way line of South 101st East Avenue; thence N 0°06'52" E along said right-of-way line, parallel to and 30.00 feet from the west boundary of said E/2 SW/4 a distance of 514.67 feet to the point of beginning, containing 7.862 acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14195

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Request a variance of setback in an IL District abutting an R District from required 75' to 5'.

Special Exception - Section 1225.3(b) - Light Manufacturing and Industry Use Conditions, 250.3 - Modification of the Screening Wall or Fence Requirements - Request a special exception to waive the screening fence requirement, located at 2806 North Sheridan Road.

Presentation:

The applicant, Jerry Snider, 5 West 22nd Street, Tulsa, Oklahoma, who submitted photographs (Exhibit J-1) and a plot plan Exhibit (J-2), informed that the subject property is zoned IL and used for a machine shop. He stated that the land to the north is zoned RS-3, with a required 75' setback. Mr. Snider explained that, due to the narrow shape of the lot, this 75' setback would require a large portion of the lot and is quite restrictive to his client. He stated that, in his opinion, due to the location of the property, the screening between his clients property and the residential zoned property would not serve a useful purpose.

Case No. 14195 (continued)

Comments and Questions:

Mr. Smith inquired as to the distance from the machine shop to the nearest house and Mr. Snider replied that he is not sure of the distance.

Protestants:

Letha Morris, 5 west 22nd Street, Tulsa, Oklahoma, stated that their small addition is surrounded by businesses and asked why a screening fence cannot be installed on the west.

Mr. Snider stated that his client does not plan to place a screening fence on the west since none of the other properties have installed screening.

Mr. Gardner pointed out that these properties were zoned under the Code and screening has been required since 1970.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** (Section 930 - Bulk and Area Requirements in Industrial Districts) of setback in an IL District abutting an R District from required 75' to 5'; to **APPROVE** a **Special Exception** (Section 1225.3(b) - Light Manufacturing and Industry Use Conditions, 250.3 - Modification of the Screening Wall or Fence Requirements) to waive the screening fence requirement on the north boundary; and to **CONTINUE** the decision on screening requirements for the western boundary of the subject tract until September 18, 1986, to allow review of the site by Stormwater Management; on the following described property:

Lot 4, Block 4, Mohawk Acres Subdivision, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14196

Action Requested:

Variance - Section 1221.3(a-f) - General Use Conditions for Business Signs, 1221.4(a) - CS District Use Conditions for Business Signs - Use Unit 1219 - Request a variance of the 30' height limitation for a sign to 50'. Permitted 50' sign is to be setback 30' from R.O.W and applicant wishes setback of 10', located at 8181 East Skelly Drive.

Presentation:

The applicant, Sharon Hancock, 8181 East Skelly Drive, Tulsa, Oklahoma, submitted a location map (Exhibit K-1) and stated that she is representing Holiday Inn. She pointed out that this business is

Case No. 14196 (continued)

blocked in by the surrounding buildings, which was not the case when the inn was constructed in 1981. She noted that McCartney's extended the end of their building toward the curb, which blocks the view of their sign from the west. Ms. Hancock explained that the business depends on their visibility from Interstate 44 and asked the Board to allow the Holiday Inn sign to be moved down the property line so that it will appear side by side with the existing Crosswinds sign.

Comments and Questions:

Ms. Bradley asked the applicant to state the height of the sign in question and she replied that the existing sign is basically 30', with a star on top that extends the height to 50'.

Mr. Quarles asked the applicant if the Crosswinds sign is near the road and Ms. Hancock informed that it is 10' from the street and 50' high.

Protestants: None.

Board Action:

On MOTION of WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** (Section 1221.3(a-f) - General Use Conditions for Business Signs, 1221.4(a) - CS District Use Conditions for Business Signs - Use Unit 1219) of the 30' height limitation for a sign to 50', 10' from the right-of-way line; finding a hardship demonstrated by an existing building to the west which was constructed near the street and other signs that are as close to the street as the sign in question; on the following described property:

Lots 8 and 9, Block 2, Tricenter Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14197

Action Requested:

Variance - Section 750.2 - Location of Sexually Oriented Businesses, Prohibition - Request a variance to permit the establishment of a sexually oriented business within 1,000' of another sexually oriented business (approximately 800'), located at 420 East 2nd Street.

Presentation:

The applicant, Cynthia Chang, 522 South Boston, Suite 816, Tulsa, Oklahoma, requested by letter (Exhibit L-1) that Case No. 14197 be withdrawn.

Case No. 14197 (continued)

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to WITHDRAW Case No. 14197.

Case No. 14198

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1223 - Request a use variance to allow for the storage of new and used automobiles in a RM-2 District (Lot 3 only).

Variance - Section 1223.3 - Warehousing and Wholesaling, Use Conditions - Request a variance of the screening requirement, located west of the SW/c of 10th and Lewis.

Presentation:

The applicant, Robert Miles, 718 Mayo Building, Tulsa, Oklahoma, submitted photographs (Exhibit M-1) and stated that he is representing W. R. Cox, owner of Cox Motor Company. Mr. Miles informed that he is before the Board today to seek a variance for storage of new and used cars on Lots 6, 7 and 8, which are currently used for off-street parking. He pointed out that at the time permission for off-street parking was acquired the Code did not provide for the storage of new and used cars. Mr. Miles asked for screening relief on the west side of Lot 6, which would require screening of property already owned by Mr. Cox.

Comments and Questions:

Ms. White asked Mr. Miles if Lot 6 is the single family residence to the west and he replied that it is zoned RM-2 at this time.

Ms. Bradley asked the applicant to address the screening requirements between Lots 4 and 3 and he replied that a variance is requested for the west side of Lot 4. He informed that a 6' chain link fence is in place between Lots 3 and 4.

Ms. Bradley inquired as to the screening for the north side of the lots and Mr. Miles replied that a variance is sought for Lots 4, 5, 6, 7, and 8 on the north, which has a cyclone fence in place at this time.

Ms. Bradley asked if there are residences on the north side of 10th Street and the applicant answered in the affirmative.

Mr. Miles remarked that Lot 3 will be restricted to employee parking only, with ingress and egress on the north side of the lot.

Case No. 14198 (continued)

Ms. White pointed out that there are residences to the north and asked Mr. Miles to address the hardship for this variance.

Mr. Miles stated that, at a prior Board of Adjustment hearing, the neighbors suggested that a wood fence not be installed in order that air could flow more freely.

Ms. Bradley stated that, as she remembers the prior meeting, solid screening was required.

Protestants:

Jim Boggs, 2220 East 10th Street, Tulsa, Oklahoma, submitted a neighborhood survey (Exhibit M-2) and stated that he is not in favor of the parking lot next door to his home. Mr. Boggs pointed out that there are many cars parked on the street and if this lot is made a parking lot, in his opinion, the employees should park there, with no storage of new and used automobiles. He informed that the street floods and asked that the water be directed away from his property if the application is approved. Mr. Boggs also asked that the lighting be directed away from his home. He noted that Mr. Cox does not keep the grass mowed on his property and garbage is thrown in the street by his employees. The applicant informed that he and Mr. Cox are in the process of working out provisions for installing a fence between his property and the parking lot.

Applicant's Rebuttal:

Mr. Miles stated that the purpose of Lot 3 is for the benefit of the neighbors, with the sole purpose being to get the employees off 10th Street.

Additional Comments:

Mr. Gardner stated that the applicant is asking for new and used car storage, but does not specify which lots will be used for this purpose. He is also asking for a variance of the screening requirement, but does not specify where screening is to be eliminated. Mr. Gardner informed that if the application is approved as it is advertised, screening would not be required on the west or north and the lots could be utilized in way Mr. Cox desired.

Ms. White asked the applicant if Lot 3 is adequate for employee parking and Mr. Miles replied that this lot is the only place available for employees.

Mr. Quarles motion for approval, with Lot 3 being used for employee parking only, screening being required on the north and wood screening being required on the west side of the property, and drainage and lighting being directed away from the residence next door, was withdrawn after Mr. Miles asked that Lots 6, 7 and 8 be used for new and used cars and not for off-street parking. It was concluded by the Board that if employees and customers could no longer park on 6, 7, and 8, only Lot 3 would be left to accommodate employees and customers, which would result in less employee and customer parking than is there now.

Case No. 14198 (continued)

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **CONTINUE** Case No. 14198 until September 18, 1986, to allow the applicant to return to the Board with a plot plan depicting employee and customer parking, as well as new and used automobile storage.

Case No. 14200

Action Requested:

Variance - Section 320.2(b) - Accessory Signs in the AG District - Use Unit 1205 - Request a variance to allow an identification sign to exceed the maximum 20' height to 29' in an AF District, located at 8621 South Memorial Avenue.

Presentation:

The applicant, Higher Dimensions Evangelistic Center, was represented by Brent Sharp, 8621 South Memorial, Tulsa, Oklahoma, submitted a plot plan (Exhibit N-1) and asked the Board to allow an additional 9' in height for their church sign. Mr. Sharp explained that the additional height is needed because of a dip in the street and a large advertising sign located to the south of the property.

Comments and Questions:

Mr. Smith asked if the church has a sign at this time and Mr. Sharp informed that the church has been renting space on the large billboard to the south.

Ms. White asked Mr. Sharp if there is a wall sign on the building and he answered in the affirmative.

Protestants:

Norman Spence, 8771 South Memorial Drive, Tulsa, Oklahoma, stated that he lives to the west of the property and is concerned as to the size and design of the proposed sign. He pointed out that the lighted sign on the front of the building is easily visible to the motorists on Memorial.

Christ Pias, 8771 South Memorial Drive, Tulsa, Oklahoma, stated that he lives to the south of the subject property and that the billboard sign is available to the church for use as a sign. Mr. Pias stated that, in his opinion, more signs are not needed in the area.

Board Action:

On MOTION of QUARLES, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **DENY** a **Variance** (Section 320.2(b) - Accessory Signs in the AG District - Use Unit 1205) to allow an identification sign to

Case No. 14200 (continued)

exceed the maximum 20' height to 29' in an AF District; finding that the applicant failed to demonstrate a hardship that would warrant the granting of the variance request; on the following described property:

A tract of land located in the North Half of the North Half of the Northwest Quarter of the Southwest Quarter of Section 13, Township 18 North, Range 13 East, Tulsa County, Oklahoma, containing 9.08 acres and further described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of said Section 13, thence North 88°28'23" East a distance of 120.00 feet to the point of beginning, thence North 88°28'23" East a distance of 1198.32 feet, thence South 01°13'48" East a distance of 330.03 feet; thence South 88°28'23" West a distance of 1198.32 feet; thence North 01°13'48" West a distance of 330.03 feet to the point of beginning, subject to all easements of record, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14201

Action Requested:

Variance - Section 630 - Bulk and Area Requirement in Office Districts - Use Unit 1211 - Request a variance of the required setback from the centerline of North St. Louis from 50' to 41' to permit converting a residence to office use, located at 2611 North St. Louis.

Presentation:

The applicant, Emily L. Latimer, 546 East Queen, Tulsa, Oklahoma, was represented by Cecil Latimer. He pointed out that the construction aligns with the other buildings along the street and asked the Board to allow him to complete the work.

Comments and Questions:

Ms. White asked the applicant where the parking is located and Mr. Latimer informed that there is 25' of parking in front of the building that is being constructed.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** (Section 630 - Bulk and Area Requirement in Office Districts - Use Unit 1211) of the required setback from the centerline of North St. Louis from 50' to 41' to permit converting a residence to office use; finding that the building in question aligns with other structures in the block, with some being closer to the street; on the following described property:

Case No. 14201 (continued)

Lot 15, Block 2, Apache Place Addition, City of Tulsa, Tulsa
County, Oklahoma.

OTHER BUSINESS

Case No. 14197

Action Requested:

Cynthia Chang request partial refund of filing fee.

Comments and Questions:

Mr. Jones informed that the case has been processed and suggested
that the public hearing portion of the fee be refunded.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle,
Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none,
"absent") to REFUND to Cynthia Chang the public hearing portion of
the fee in the amount of \$25.00.

There being no further business, the meeting was adjourned at 5:24 p.m.

Date Approved

9. 8. 86

Carl M. Bradley
Chairman

