

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 481
Thursday, January 8, 1987, 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, January 6, 1987, at 3:45 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 WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the Minutes of December 18, 1986.

UNFINISHED BUSINESS

Case No. 14317

Action Requested:

Minor Variance - Section 430 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a minor variance of 6,900 sq. ft. minimum lot area to approximately 6,472 sq. ft. and 6,222 sq. ft. to permit a lot split with TMAPC approval, located at 2824 East Admiral Court.

Comments and Questions:

Mr. Jones informed that the proposed lot split has been approved by TMAPC, subject to Board of Adjustment approval.

Presentation:

The applicant, Charles Drury, 2305 East 5th Place, Tulsa, Oklahoma, submitted a plat of survey (Exhibit A-1) and asked the Board to approve the lot split as requested.

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 Minor Variance (Section 430 - Bulk and Area Requirements In Residential Districts - Use Unit 1206) of 6,900 sq. ft. minimum lot area to approximately 6,472 sq. ft. and

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Case No. 14317 (continued)

6,222 sq. ft. to permit a lot split with TMAPC approval; finding a hardship imposed on the applicant by the size of the tract; and finding that there are other lots in the area that are smaller or of similar size; on the following described property:

The north 93' and the west 5' of the north 50' of the south 185' of Block 3, Speedway Heights, and addition in the City of Tulsa, Tulsa County, Oklahoma, according to recorded plat thereof.

MINOR VARIANCES AND EXCEPTIONS

Case No. 14330

Action Requested:

Minor Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of the side yard setback from 5' to 4.5' to allow a structure in an RS-3 District, located at 1132 East 26th Place North.

Presentation:

The applicant, Everol Flynn, 536 North Atlanta Avenue, Tulsa, Oklahoma, submitted a plot plan (Exhibit B-1), and explained that the house on the property has burned and he is proposing to rebuild.

Comments and Questions:

Mr. Chappelle asked the applicant if he intends to build the new house on the old foundation, and he replied that everything will be new.

Ms. Bradley inquired if the size of the house will be increased, and Mr. Flynn replied that he is not sure because he does not know the exact square footage of the house that burned.

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 **Minor Variance** (Bulk and Area Requirements in Residential Districts- Use Unit 1206) of the side yard setback from 5' to 4.5' to allow a structure in an RS-3 District; finding that there are other encroachments in the area; and finding a hardship imposed on the applicant by the narrow shape of the lot; on the following described property:

Lot 8, Block 1, Ashetlin Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14342

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance from the centerline of 46th Street North from 85' to 80' to allow for the construction of a garage in an RS-3 zoned district, located at 4552 North Kenosha.

Presentation:

The applicant, Lowell Ellis, 4552 North Kenosha, Tulsa, Oklahoma, submitted photographs (Exhibit C-1) and drawings (Exhibit C-2) of a proposed garage which will align with existing homes on the street. He informed that, due to the extreme slope of the lot on Kenosha, the entrance to the property will be from 46th Street.

Comments and Questions:

Mr. Gardner informed that, at the time the subdivision was approved, the requirement for a side yard setback was 15'.

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 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) from the centerline of 46th Street North from 85' to 80' to allow for the construction of a garage in an RS-3 zoned district; finding a hardship demonstrated by the corner lot location and the slope of the lot; and finding that the proposed garage will align with the existing houses in the older subdivision; on the following described property:

Lot 1, Block 2, Suburban Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14361

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206 - Request a minor variance of setback from 50' to 40' to allow for a pool equipment storage room in an RM-1 zoned district, to clear the title, located at 5900 East 33rd Court.

Presentation:

The applicant, Bryan McCracken, 2626 East 21st Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit X-1) and stated that he has purchased an existing home which has a pool equipment building that has been constructed over the setback. Mr. McCracken informed that the structure was built approximately 15 years ago.

Case No. 14361 (continued)

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 **APPROVE** a **Variance** (Section 430 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206) of setback from 50' to 40' to allow for a pool equipment storage room in an RM-1 zoned district, to clear the title; per plot plan; finding that the storage building has been at the present location for many years and is not detrimental to the neighborhood; on the following described property:

Lot 8, Block 1, South Joplin Gardens, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14345

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of setback from the centerline of South 46th West Avenue from 48' to 45' in an RM-1 zoned district, located at 415 South 46th West Avenue.

Presentation:

The applicant, Rick Cook, was represented by Homer Brady, 512 North Boston, Tulsa, Oklahoma, who submitted a plat of survey (Exhibit D-2) and stated that he is building a porch on Mr. Cook's residence. A list of encroachments in the area was submitted (Exhibit D-3).

Comments and Questions:

Mr. Quarles inquired if the new construction will align with 2 of the 3 nearby residences, and he answered in the affirmative.

Protestants:

Mr. Chappelle informed that a letter of protest (Exhibit D-1) has been received from Mr. and Mrs. McArthur Crane. They stated a concern that the porch would be a visual obstruction and that the appearance would be unsightly, and also feel that the construction will lower the real estate value of their property.

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 **APPROVE** a **Variance** (Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of setback from the centerline of South 46th West Avenue from 48' to 45' in an RM-1 zoned district; per plot plan submitted; finding that the proposed construction will align with other houses in the same block; on the following described property:

Case No. 14345 (continued)

Lot 21, Block 5, Verndale Addition, City of Tulsa, Tulsa County,
Oklahoma.

NEW APPLICATIONS

Case No. 14329

Action Requested:

Variance - Section 1221.3(j) - General Use Conditions for Business Signs - Request a variance to allow an existing pole sign within 30' of another such sign in an OM District, located south of SE/c East 45th Street South and Yale Avenue.

Presentation:

The applicant, Dr. Joseph Hitt, 4515 South Yale, Tulsa, Oklahoma, submitted photographs (Exhibit E-1) and stated that he was unaware that the person that was installing the sign did not get a permit, therefore, it was installed illegally. He stated that the location of the sign was approved by the landlord and is not in conflict with the other pole sign that is in the area.

Comments and Questions:

Mr. Quarles inquired as to how long the sign has been in place, and the applicant replied that it was installed approximately 2 months ago.

Ms. White asked if the Best Shot Waterbed sign is on the service station property to the south and he answered in the affirmative.

Ken Bode, Protective Inspections, informed that there was no permit acquired when the sign was installed. He pointed out that there was no reason why the applicant could not have placed the subject sign on the other side of the driveway, which would have given the proper separation.

Ms. White noted that the sign would be closer to the residential district if installed farther to the north and pointed out that there are several other doctors in the building, with the applicant being the only one with a sign.

Ms. Bradley asked Doctor Hitt to address the hardship, and he replied that his practice is new and the sign is an aid to his business. He informed that the other doctors in the building have been at the present location for several years and had no interest in putting up a sign.

Mr. Jackere asked Mr. Bode if he knows the name of the sign contractor that installed the sign in question, and he replied that National Sign, a locally licensed company, constructed the sign.

Case No. 14329 (continued)

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** a **Variance** (Section 1221.3(j) - General Use Conditions for Business Signs) to allow an existing pole sign within 30' of another such sign in an OM District; finding that a hardship was not demonstrated that would warrant the granting of the variance request; on the following described property:

All that part of the NW/4 of the NW/4 of the SW/4 of Section 27 T-19-N, R-13-E, Tulsa County, State of Oklahoma, lying North of the U.S. 66 Bypass, more particularly described as follows, to-wit: BEGINNING at a point on the North line of said NW/4 of the NW/4 of the SW/4 50 feet from the Northwest corner thereof; thence S 89° 55' 00" E a distance of 501.85 feet to a point on the North right-of-way line of the U.S. 66 Bypass thence S 49° 08' 53" W along said right-of-way line a distance of 294.68 feet; thence S 70° 20' 58" W along said right-of-way line a distance of 121.20 feet; thence North 7° 15' 39" W a distance of 117.09 feet; thence Due West 150 feet; thence Due North 118.03 feet to the POINT OF BEGINNING, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14331

Action Requested:

Variance - Section 1340(d) - Design Standards for Off-Street Parking Areas - Use Unit 1210 - Request a variance of the all weather hard surface parking requirement in an IL District, located East of NE/c Rockford Avenue and 4th Street.

Presentation:

The applicant, Hammond Electric Company, was represented by Ken Buchanan, 1517 East 49th Place, Tulsa, Oklahoma, who stated that the company has used the area in question for parking since 1967 and asked the Board to allow them to continue this use.

Comments and Questions:

Ms. White asked Mr. Buchanan if the lot is used for employee parking, and he replied that vandalism is prevalent in the area and company vehicles are parked in the fenced area at night.

Ms. White remarked that there are other articles stored on the lot, such as boats, junk, poles and barrels. Mr. Buchanan stated that the barrels are empty, the boats are owned by employees of the company, and what appears to be poles, are actually cranes. He informed that, in 1985, the lots in question were rezoned from RM-1 to IL, with the long range plan for the area being IL. He stated that, at that time, a storage building was planned for the lots, but due to the economic situation, these plans were delayed. Mr.

Case No. 14331 (continued)

Buchanan stated that these building plans will eventually be carried out and a hard surface parking area would be damaged if it is installed before the construction takes place.

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 **APPROVE** a **Variance** (Section 1340(d) - Design Standards for Off-Street Parking Areas - Use Unit 1210) of the all weather hard surface parking requirement in an IL District; subject to a time period of 3 years; finding that there are multiple zoning classifications in the area; finding that the lot has been used for parking in its present condition for many years and that there are other lots in the area that are not hard surfaced; and finding that construction is planned on the lot in the near future; on the following described property:

Lots 15 and 16, Block 5, Midway Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14332

Action Requested:

Appeal - Section 1650 - Appeals from Code Enforcement Supervisor - Request an appeal of the Code Enforcement decision that a home occupation (beauty shop) is in violation in an AG District.

Special Exception - Section 320.1 - Accessory Uses in Agriculture Districts/Section 440.2 - Special Exception Uses, Requirements - Request a special exception to permit a home occupation (beauty shop) in an AG zoned district.

Use Variance - Section 320.1 - Accessory Uses in Agriculture Districts - Request a use variance to allow for a beauty shop in an AG zoned district, located south SE/c Sheridan Road and East 76th Street South.

Comments and Questions:

Mr. Jones informed that Staff received two letters from the applicant (Exhibit F-7), one dated December 6, 1986, requesting withdrawal of the application and another dated December 7, 1986, explaining the previous letter.

Presentation:

The applicant, Joe Hampton, was represented by Bert Holland, 7603 South Sheridan, Tulsa, Oklahoma, who stated that the reason Ms. Rothrock is before the Board is to prove lawful nonconforming use. He informed that his client is withdrawing the request for a special exception and a use variance. Mr. Holland explained that Ms. Rothrock began her business in 1944, operating at that time in her home with the intention of expanding later. In 1965 the business

Case No. 14332 (continued)

was expanded to a 4 operator shop in a double car garage located on the property. In July of 1976 the beauty shop was moved 150' north to another garage, where it has remained until the present time. Mr. Holland pointed out that the nature of the business has not changed over the years. Photographs (Exhibit F-1), a drawing (Exhibit F-2), Stormwater Management case review (Exhibit F-3), and a petition of support (Exhibit F-5) were submitted.

Additional Comments:

Mr. Quarles inquired if Ms. Rothrock lives in the home to the south of the business, and she replied that the home is to the east of the beauty shop. Mr. Quarles asked if the beauty shop was operated out of the original garage for the house and he replied that another garage was constructed in 1976, approximately 150' north of the previous shop. Mr. Quarles asked if the garage was constructed to be used as a beauty salon, and he replied that the building permit was for a garage and she moved her beauty shop in the building in July of 1976. Mr. Holland pointed out that originally Ms. Rothrock and her two daughters operated the beauty shop in the home, but other operators were added after the expansion.

Ms. Bradley asked if the business has paved parking, and Mr. Holland answered in the affirmative and added that 30 to 35 parking spaces are available for customers.

Mr. Jackere asked Mr. Holland to explain what he meant by his statement that the business was expanded to 4 chairs in 1965, and he replied that he meant that Ms. Rothrock quit using the kitchen chairs in the home and began to use the customary beauty shop chairs.

Mr. Holland informed that a 5 acre tract, of the 17 acres owned by the Rothrocks, is used for church use, and family members have converted one house to a day care center and another house is used as a portrait studio.

Mr. Jackere pointed out to the Board that the only issue before them today is whether or not the beauty shop business is legally nonconforming. He noted that the City annexed the property in question in 1966, but had zoning jurisdiction over it as early as 1963.

Protestants:

Drake Cook, 6620 East 76th Street, Tulsa, Oklahoma, submitted photographs (Exhibit F-8) and informed that there is more involved in this case than 2 beauty shops. He informed that the businesses operated by the applicant constitute a small strip shopping center. He asked the Board to deny the application.

Mr. Chappelle informed that Staff has received 2 letters (Exhibit F-4) from residents that are opposed to this application.

Case No. 14332 (continued)

Mr. Chappelle informed that he has found it necessary to abstain from hearing this application and Ms. White proceeded with the case.

Mr. Jackere asked Mr. Cook if he has any information as to how long the beauty shop has been in operation on the property, and he replied that he has heard that it has been on the present property since the 40's.

Cathey Wilson, 7415 South 73rd East Avenue, Tulsa, Oklahoma, stated that she is a member of the Board of Directors of the Southeast Tulsa Homeowners Association and has viewed the area and is opposed to the commercial activity in the AG zoned district. Ms. Wilson stated that she was a customer at Ms. Rothrock's beauty shop approximately 7 or 8 years ago and that she only recalls seeing 2 chairs in the salon at that time.

Patty Beynet, 6730 East 76th Street, Tulsa, Oklahoma, stated that she lives in the area and believes that the garage that was constructed on the property was not intended to be a garage, but was built for a beauty shop. She pointed out that there are 5 businesses operating on the Rothrock property at this time and feels that their presence has depreciated the value of the homes in the neighborhood. She informed that the second beauty shop has only been in operation since 1982 or 1983.

Shannon Bates, Code Enforcement, stated that she issued the citation to Ms. Rothrock, which stated that the beauty shop and insurance office were not allowed in the AG zoned district.

Violet Rothrock, 7603 South Sheridan, Tulsa, Oklahoma, informed that there is not a second beauty shop on the property at the above stated location. She explained that she has only 1 operator working in her shop at any given time and very seldom do appointments overlap.

Mr. Quarles asked the applicant when she started her business, and Ms. Rothrock replied that she started the beauty shop in her home in 1944. She informed that her 2 daughters joined her in the salon in the 1950's.

Mr. Quarles inquired as to the use of the building that housed the first beauty salon, and Ms. Rothrock replied that her son and daughter-in-law moved into the building.

Mr. Gardner asked Ms. Rothrock if she acquired a Building Permit for the structure that houses the beauty shop she presently occupies, and she replied that she had a permit to build a garage. Mr. Gardner asked when the structure was ever used as a garage, and Ms. Rothrock informed that it was used as a garage for a short time in the early part of 1976.

Case No. 14332 (continued)

Mr. Quarles asked if the building was definitely used as a garage for a period of time, and the owner answered in the affirmative.

Mr. Gardner stated that the building has the appearance of a house and asked if plumbing was originally installed. The owner informed that a stool and sink were installed at the time of construction.

A motion for approval of the application was made by Mr. Quarles, but died for lack of a second.

Mr. Smith asked for proof that the beauty shop existed in 1944, and affidavits (Exhibit F-6) were submitted.

Mr. Gardner inquired if the nursery was in operation before the business was moved out into another structure, and she replied that it was not.

Mr. Smith informed that the affidavit is sufficient proof to satisfy any question he has as to the date the salon was in operation, and asked Mr. Quarles to restate his previous motion.

Mr. Quarles asked Ms. Rothrock if the her property is rental or if the child care center has been sold, and she replied that the nursery is operated by her son.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-1-1 (Quarles, Smith, White, "aye"; Bradley, "nay"; Chappelle, "abstaining"; none "absent") to **WITHDRAW** a **Special Exception** (Section 320.1 - Accessory Uses in Agriculture Districts/Section 440.2 - Special Exception Uses, Requirements) to permit a home occupation (beauty shop) in an AG zoned district; and to **WITHDRAW** a **Use Variance** (Section 320.1 - Accessory Uses in Agriculture Districts) to allow for a beauty shop in an AG zoned district; and to **APPROVE** an **Appeal** (Section 1650 - Appeals from Code Enforcement Supervisor) reversing Code Enforcement's decision that the beauty shop is in violation in an AG District; finding that only the 4 chair beauty shop located in the northern most building is nonconforming and has been in operation on the subject property since 1965 (although in a different building); and further finding that the same type of beauty shop has been on the property since 1944; on the following described property:

North 12 acres, north 1173.32', NW/4, SW/4, LESS BEGINNING SW/c north 12 acres NW/4, SW/4, THENCE north 280', east 145', south 140', east 45', southeast 137.2', south 58', west 300' to POB & LESS BEGINNING NW/c, north 12 acres NW/4, SW/4, thence south 35', east 568', southeast to point east 65', south 65', east 367.755', north 200', west 1130.755' to POB, Section 11, T-18-N, R-13-E, 8.02 acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14332 (continued)

Additional Comments:

Mr. Quarles commented that he feels that the beauty shop is nonconforming, but can understand the concerns of the neighbors that other commercial uses are being developed on the Rothrock property.

Case No. 14333

Action Requested:

Variance - Section 620.2(d) - Accessory Use Conditions - Use Unit 1221 - Request a variance to allow more than one ground sign within or along the street on a tract in an OL zoned district, located at 2642 East 21st Street.

Presentation:

The applicant, Steve Berry, was represented by Matthew Lapensky, 5100 East Skelly Drive, Tulsa. He informed that the application was initially made to request an additional ground sign at the present location, but that application was denied because there was an existing sign at the location. Mr. Lapensky informed that the landlord discovered that the existing sign is situated within the 60' setback and application was made for a variance (Case No. 14365). He asked that both of the cases be continued in order that the two cases can be consolidated and one proposal be presented to the Board.

Board Action:

On **MOTION** of **QUARLES**, he Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 14333 to January 22, 1987, in order to allow the tenant and the landlord to agree on a sign location.

Case No. 14335

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow for community services in an RS-3 zoned district, located at 6019 South 76th East Avenue.

Presentation:

The applicant, Norman Hilpert, 6019 South 76th East Avenue, Tulsa, Oklahoma, stated that he is director of Ikando Ministries, which is a small school that teaches handicapped children. He informed that he is leasing the property at the above stated address until funding is acquired for a permanent location. Mr. Hilpert explained that the school has 6 full time and 2 part time students and asked the Board to allow the school to operate at the present location for the duration of the 6 month lease. The applicant informed that he and his family live in the upstairs portion of the house and the school is conducted in the downstairs portion.

Case No. 14335 (continued)

Comments and Questions:

Mr. Quarles inquired as to the age of the students, and the applicant replied that the youngest is 5 years old and the oldest is 31.

Mr. Quarles asked Mr. Hilpert how long the school has been in operation and if it is licensed by the State. He replied that the Christian school has been in operation for approximately 5 years and is not required to be licensed.

Protestants:

Ralph Patterson, 5937 South 76th East Avenue, Tulsa, Oklahoma, stated that he lives 3 lots north of the subject property. He informed that the school is not compatible with the character of the neighborhood and adds to the traffic problem when the other school in the area is in session.

Clifford Chandler, 6016 South 76th East Avenue, Tulsa, Oklahoma, stated that he would not object to the school if he could be given a definite date when it would be moved, and if he could be assured that the school would not expand while there.

Mr. Jackere asked Mr. Chandler if he has observed an increase of traffic at the Hilpert home, and he answered in the affirmative.

Geneva Dougan, 5139 South 76th East Avenue, Tulsa, Oklahoma, stated that the school is inappropriate for the area and feels the area should be limited to single family dwellings.

Interested Parties:

Dick Thompson, 10707 South 85th East Avenue, Tulsa, Oklahoma, informed that he is a parent of one of the students that attends the school in question. He stated that the majority of the traffic in the area is generated by the public school in the area, and informed that he works very closely with the operator of the school and that no plans are being made for expansion at the present location. Mr. Thompson pointed out that it is necessary for the school to be located in a home like atmosphere.

Applicant's Rebuttal:

Mr. Hilpert informed that the teacher has a car which is parked at the residence and his daughter brings 2 students and parks at the residence, but the remainder of the students are delivered at various times during the morning. He stated that the staggered deliveries do not cause a traffic hazard.

Mr. Quarles stated that, although he is sympathetic with the applicant's cause, he feels that, due to the traffic in the area, the school is not properly located.

Case No. 14335 (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 **DENY** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1205) to allow for community services in an RS-3 zoned district; subject to the school vacating the present location by May 31, 1987; finding that the structure and its location is inappropriate for the school; on the following described property:

Lot 15, Block 2, Woodland View V, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14336

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206 - Request a variance of setback from the centerline of 11th Street from 85' to 55' to allow for the construction of a garage, located at 14142 East 11th Street.

Presentation:

The applicant, Brian Bazay, 14142 East 11th Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit G-2), and asked the Board to allow him to construct a garage on the property at the above stated address.

Comments and Questions:

Ms. Bradley asked the applicant if the garage could be located on the opposite side of the house and Mr. Bazay informed that the septic system is located on that side of the home.

Mr. Chappelle informed that the Board has received a letter of support (Exhibit G-1) from a resident of the area.

Ms. Bradley asked if there are other structures as close to the street as the proposed garage, and the applicant informed that the concrete company and 2 churches are as close as the proposed garage.

Mr. Smith asked the applicant if 57' would give him sufficient space to build the garage and he answered in the affirmative.

Protestants: None.

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 430 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206) of setback from the centerline of 11th Street from 85' to 57', as

Case No. 14336 (continued)

amended from 55' with the agreement of the applicant, to allow for the construction of a garage; finding that there are other structures in the area that are as close to the street as the proposed garage; and finding that the granting of the variance request will not be detrimental to the area and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 1, Block 2, Maudlin Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14337

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of the 4,000 sq. ft. livability space and a variance of the sideyard setback from 5' to 3' to allow for a detached accessory building.

Variance - Section 420.2 - Accessory Use Conditions - Use Unit 1206 - Request a variance to allow a detached accessory building in the side yard.

Variance - Section 240.2 - Permitted Yard Obstructions - Use Unit 1206 - Request a variance to allow for 2 detached accessory buildings in the rear yard to exceed 20% of the area of the rear yard (20% of rear yard = 540 sq. ft, 2 buildings = 622 sq. ft.).

Special Exception - Section 440 - Special Exception Uses in Residential Districts - Use Unit 1206 - Request a special exception to allow a home occupation (ceramics shop) in an RS-3 zoned district, located at 1616 North Atlanta Avenue.

Presentation:

The applicant, Vera M. Harvey, 1616 North Atlanta Avenue, Tulsa, Oklahoma, submitted a plot plan (Exhibit H-3) and asked the Board to allow a 12' by 36' ceramic shop and two, 10' by 19', detached buildings for storage purposes.

Comments and Questions:

Ms. Bradley asked the applicant if the buildings are on the property at this time and she answered in the affirmative.

Ms. Bradley inquired as to the activities that take place in the shop, and Ms. Harvey informed that she molds, fires and glazes the ceramics. She explained that the articles are then taken to flea markets and no sales are made on the premises.

Ms. Bradley asked the applicant if she has employees in her business and she replied that she completes all of the work alone.

Case No. 14337 (continued)

Mr. Chappelle inquired as to the length of time the 2 storage buildings have been on the lot, and the applicant informed that they were moved on her property in September.

Mr. Quarles asked Ms. Harvey when the ceramic shop was approved and built. Ms. Harvey replied that she is not sure of the exact construction time, but it was approved in approximately 1977.

Mr. Jackere inquired if classes are taught on the premises and the applicant informed that there are no classes.

Protestants:

Robert Lichum, 2622 East 21st Street, Tulsa, Oklahoma, submitted photographs (Exhibit H-1) and stated that he is representing the protestants in the area. He pointed out that Ms. Wisely, directly to the north of the Harvey property, is probably affected to the greatest degree by the buildings. Mr. Lichum informed that the buildings in question do not have permits, are detrimental to the neighborhood and asked the Board to deny the application.

A petition (Exhibit H-2) of opposition was submitted by residents 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 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of the 4,000 sq. ft. livability space and a variance of the sideyard setback from 5' to 3' to allow for a detached accessory building; to **DENY** a **Variance** (Section 420.2 - Accessory Use Conditions - Use Unit 1206) to allow a detached accessory building in the side yard; to **DENY** a **Variance** (Section 240.2 - Permitted Yard Obstructions - Use Unit 1206) to allow for 2 detached accessory buildings in the rear yard to exceed 20% of the area of the rear yard (20% of rear yard = 540 sq. ft., 2 buildings = 622 sq. ft.); and to **DENY** a **Special Exception** (Section 440 - Special Exception Uses in Residential Districts - Use Unit 1206) to allow a home occupation (ceramics shop) in an RS-3 zoned district; finding that a hardship was not presented for the variances requested; and finding that a ceramic shop is not compatible with the neighborhood and is not in harmony with the Code and the Comprehensive Plan; on the following described property:

Lot 618, Block 48, Tulsa Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14338

Action Requested:

Variance - Section 420.2 - Accessory Use Conditions - Use Unit 1221 - Request a variance of the size of an identification sign to exceed 90.39 sq. ft. in an RM-2 zoned district, located at 6355 East Skelly Drive.

Presentation:

The applicant, Don Beatt, 9520 East 55th Place, Tulsa, Oklahoma, submitted photographs (Exhibit W-1) and asked permission to install the word "Masons" below the logo on the Scottish Rite Building.

Comments and Questions:

Mr. Quarles asked if the new letters will be the same size as the existing ones, and Mr. Beatt replied that the porcelain letters will be 5' in height, with no lighting, and will be smaller than those spelling out Scottish Rite.

Protestants: None.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-1 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; White, "abstaining"; none "absent") to **APPROVE** a **Variance** (Section 420.2 - Accessory Use Conditions - Use Unit 1221) of the size of an identification sign to exceed 90.39 sq. ft. in an RM-2 zoned district; finding a hardship demonstrated by the size of the building and the large size of the lot; on the following described property:

A tract of land in the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) and in the Northeast Quarter of the Southeast Quarter (NE/4 SE/4) of Section Twenty-two (22), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian Tulsa County State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

BEGINNING at the Northeast Corner of the SE/4 of said Section 22; thence South a distance of 921.77 feet to a point; thence West a distance of 50 feet to a point; thence South a distance of 25 feet to a point which is the Point of Beginning; thence West a distance of 877.39 feet; thence South 00° 02'15" East a distance of 200.69 feet to a point; thence South 41° 08' 05" East a distance of 592.03 feet to a point; thence in a Northeasterly direction along the street a distance of 451.94 feet to a point; thence North a distance of 330.16 feet; thence East a distance of 150 feet to a point on Sheridan Avenue; thence North a distance of 50 feet to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14339

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1204 - Request a special exception to allow for a sewage lift station in a RS-3 zoned district, located south of Charles Page Boulevard, 1700 Block west.

Presentation:

The applicant, City of Tulsa, was represented by Al Hamlett, who submitted photographs (Exhibit J-1), and asked the Board to approve the enlargement of a sanitary sewage lift station within 500' of an existing structure.

Protestants: None.

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 1204) to allow for a sewage lift station in a RS-3 zoned district; finding this use appropriate for the area and similar to the lift station already in operation in the RS-3 district; on the following described property:

A tract of land located in the southwest quarter of the southwest quarter of Section Two (2), Township Nineteen (19) North, Range Twelve (12) East, more particularly described as follows, to-wit:

Commencing at the northwest corner of the southwest quarter of the southwest quarter of the above described section; thence south along the west line of said section a distance of 870 feet to a point; thence due east a distance of 410 feet to the "Point of Beginning"; thence due south a distance of 95 feet; thence due east a distance of 100 feet; thence due north a distance of 95 feet; thence due west a distance of 100 feet to the "Point of Beginning", City of Tulsa, Tulsa County, Oklahoma.

Case No. 14340

Action Requested:

Use Variance - Section 610 - Principal Uses Permitted in Office Districts - Use Unit 1213 - Request a use variance to allow for the sale of materials, supplies and the sale of finished products in conjunction with an art school in an OL zoned district, located at 3247 East 29th Street.

Presentation:

The applicant, Don Happe, 2347 South Columbia, Tulsa, Oklahoma, was represented by Richard Ray, 1217 South Galveston, Tulsa, Oklahoma,

Case No. 14340 (continued)

who submitted a packet containing photographs, a plot plan, history of the property and conditions (Exhibit K-2). He explained that the structure in question was built for a residence and the owners were unable to rent it as office space when the zoning was changed to OL. Mr. Ray stated that the owners are planning to teach toll painting, hand sewing and other fine arts, with no more than 10 students on the premises at any one time. He informed that there are 14 parking spaces to the rear, which can be accessed from 2 directions.

Comments and Questions:

Ms. Bradley asked Mr. Ray if his client owns the parking to the east, and he replied that his client has a TV shop in the shopping center and has been given permission to access the subject property from that shopping center parking lot.

Mr. Quarles asked if night classes will be held, and Mr. Ray informed that there will be no night classes.

Ms. Bradley asked if supplies will be sold, and Mr. Ray answered in the affirmative.

Mr. Jackere inquired if there will be a sign advertising the sale of art supplies, and Mr. Ray informed that there will be no such sign.

A petition of support (Exhibit K-1) was submitted.

Ms. Bradley asked Mr. Ray if the parking behind the building will be hard surfaced and he answered in the affirmative.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-1-0 (Chappelle, Quarles, Smith, White, "aye"; Bradley, "nay"; no "abstentions"; none "absent") to **APPROVE** a **Use Variance** (Section 610 - Principal Uses Permitted in Office Districts - Use unit 1213) to allow for the sale of related art materials and supplies and the sale of the finished products in conjunction with the art school in an OL zoned district; subject to days and hours of operation being Tuesdays through Saturdays, 10 a.m. to 5 p.m., with no evening operation; subject to visual separation from RS-2 uses to the west being provided prior to occupancy; subject to required off-street parking for 11 cars being supplied; finding a hardship imposed on the applicant by multiple zoning classifications in the area; on the following described property:

Lot 9, Block 1, Meadow Lane Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14341

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1220 - Request a special exception

Case No. 14341 (continued)

to allow for commercial recreation (miniature golf and related uses) in a CS zoned district, located at 8211 East Admiral Place.

Presentation:

The applicant, Peter Turner, 20227 South 138th East Avenue, Bixby, Oklahoma, was represented by Robert Nichols, 111 West 5th Street, Tulsa, Oklahoma. He informed that Ellen Moore is the title holder of these lots in question and also owns and operates the Show Case Lounge which is adjacent to the property. Mr. Nichols explained that a water slide was previously located on the site and a terraced miniature golf course is now planned for Lots 9 and 10, with Lot 11 reserved for parking. A plat (Exhibit Z-1) was submitted.

Comments and Questions:

Mr. Jackere inquired as to the related uses referred to in the application, and Mr. Nichols informed that some video games would be inside the existing building.

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 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1220) to allow for commercial recreation to permit a miniature golf course and related uses in a CS zoned district; finding that a miniature golf course will be compatible with the area; and that the special exception request does not violate the Code or the Comprehensive Plan; on the following described property:

All that part of Lot 9, 10, 11 and that part of Lots 4, 5, 6, and 7 lying South of the Crosstown Expressway Right-of-Way, Block 4, Mingo Terrace, an addition to the City of Tulsa, Tulsa County, Oklahoma according to the official recorded plat thereof, more particularly described as follows:

Beginning at the Southeast corner of said Lot 11, Block 4; thence due West a distance of 390.00 feet; thence due North a distance of 114.30 feet; thence N 67°11'39" E a distance of 94.50 feet; thence N 65°28'18" E a distance of 94.5 feet; thence N 74°32'33" E a distance of 104.83 feet; thence N 75°54'13" E a distance of 118.29 feet; thence S 8°27'46" E a distance of 66.67 feet; thence S 80°22'32" W a distance of 7.00 feet; thence S 0°38'58" W a distance of 180.53 feet to the Point of Beginning, containing 72,184 square feet of 1.6571 acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14343

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205 - Request a special exception to allow for a church and related uses in an AG zoned district, located SE/c 111th Street and Yale Avenue.

01.08.87:481(19)

Presentation:

The applicant, George Nelson, 7319 South Oxford Avenue, Tulsa, Oklahoma, was represented by Doug Smith, who submitted a plot plan (Exhibit L-1) and explained that St. James United Methodist Church is the owner of a 3-acre tract located on the southeast corner of 111th and South Yale Avenue. He stated that the additional 17 acres of the 20-acre tract is owned by the Board of Missions of that church and will also be purchased when additional financing is secured. Mr. Smith asked the Board to permit the first phase of the church building to be built on the 3-acre tract that the church now owns. He asked that parking be permitted closer than the 35' requirement.

Comments and Questions:

Mr. Gardner stated that the applicant may need a variance of the parking requirement and asked Ms. Hubbard to address this subject.

Ms. Hubbard informed that no parking for a church can be located in a required front yard (35 feet).

Ms. Bradley asked the applicant to explain the related uses referred to in the application, and Mr. Smith replied that the church could have a van ministry, youth group activities, with no school or day care center planned at this time. He informed that the church will be located on the property line of the 3-acre tract, which may cause some problem until the other 17 acres is acquired.

Mr. Gardner informed that a variance will be needed if the proposed building will touch the 17-acre tract or the Board will have to grant additional footage.

Mr. Jones informed that when this application was before the Technical Advisory Commission it was noted that the building would abutt the adjacent property line, so 40', the required setback in an AG District, was added to the plat.

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 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205) to allow for a church and related uses in an AG zoned district; per plot plan, with construction being limited to the northwest corner of the property, plus 40' on the east and south of the 3-acre tract; and to **CONTINUE** the balance of the application for the parking variance to February 5, 1987; finding that church use will be compatible with the surrounding area and in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Case No. 14343 (continued)

The north 400' of the west 400' of the N/2, NW/4, NW/4, Section 34, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14344

Action Requested:

Variance - Section 930 - Bulk and Area Requirements in Industrial Districts - Use Unit 1223 - Request a variance of setback from the centerline of Lewis Avenue from 100' to 45' to allow for the construction of a building in an IM zoned district, located at 2410 Dawson Road.

Presentation:

The applicant, Ron Kirkpatrick, 1918 Southwest Boulevard, Tulsa, Oklahoma, submitted a plot plan (Exhibit M-1) and asked the Board to allow him to place a 24' by 50' metal building beside an existing building on the tract. He informed that the building was moved forward to clear the water and sewer lines. The property abutts the railroad overpass at this location and Lewis Avenue goes under the railroad and is depressed several feet.

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 930 - Bulk and Area Requirements in Industrial Districts - Use Unit 1223) of setback from the centerline of Lewis Avenue from 100' to 45' to allow for the construction of a building in an IM zoned district; per plot plan submitted; finding a hardship imposed on the applicant by the physical location, the large size and irregular shape of the lot; on the following described property:

Beginning 2862.17' South and 25' East and 5.43' NE - NW corner NW; thence N. 81.53' thence on a curve Right 73.43' E. 0.4'; thence on curve Right 76.62' S. Easterly 32.5 Southwesterly 144.92' P.O.B., Beginning 2450' North of the SW/c of Section 32; thence NE 180' to a point on the West Line of Dawson Road, SE on Road 150'; thence on a curve 100' SW on the North Line of Rd. 220' North 240' to P.O.B. Section 32, T-20-N, R-13-E, Tulsa County, Oklahoma, LESS the West 25', City of Tulsa, Tulsa County, Oklahoma.

Case No. 14346

Action Requested:

Variance - Section 1221.5 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in a CH zoned district, located at 2106 North Sheridan.

01.08.87:481(21)

Case No. 14346 (continued)

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Comments and Questions:

Ken Bode, Protective Inspections, informed that 3 of the locations (6130 South Union, 4101 South Mingo, 6110 South Lewis) are directly across from residential property and restrictions may need to be placed on the operation of the lighting.

Protestants: None.

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 1221.5 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in a CH zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

The north 120' of the south 145' and the south 150' of the east 200' of the S/2, SE/4, SE/4, NE/4, Section 27, T-20-N, R-13-E, Tulsa County, Oklahoma.

Case No. 14347

Action Requested:

Variance - Section 1221.5 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in a CH zoned district, located at 935 South Yale.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short

Case No. 14347 (continued)

return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.5 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in a CH zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lots 6 and 7, Block 31, White City Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14348

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for existing sign in a CS zoned district, located at 6130 South Union.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for existing sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Case No. 14348 (continued)

Lot 1, Block 1, West Highlands Center, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14349

Action Requested:

Variance - Section 1221.5 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in an IL zoned district, located at 2610 North Yale.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.5 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in an IL zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot 2, Block 5, Gilcrease Freeway Industrial Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14350

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 209.2 sq. ft. to 348 sq. ft. on the Garnett Road side of building and from 156.7 sq. ft. to 261 sq. ft. on the 21st Street side of building to allow for a sign in a CS zoned district, located at 2112 South Garnett Road.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr.

01.08.87:481(24)

Case No. 14350 (continued)

Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 209.2 sq. ft. to 348 sq. ft. on the Garnett Road side of building and from 156.7 sq. ft. to 261 sq. ft. on the 21st Street side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot 1, Block 1, Amended Plat of Garnett Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14351

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for a sign in a CS zoned district, located at 3636 South Sheridan Road.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

Case No. 14351 (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 **APPROVE** a **Variance** (Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

The south 225' of Lot 1, Block 1, less the west 75', Wilmot Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 14352

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 159 sq. ft. to 265 sq. ft. on the Mingo Road side of building and from 210 sq. ft. to 350 sq. ft. on the 31st Street side of building to allow for a sign in a CS zoned district, located at 3111 South Mingo Road.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 159 sq. ft. to 265 sq. ft. on the Mingo Road side of building and from 210 sq. ft. to 350 sq. ft. on the 31st Street side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Case No. 14352 (continued)

Lot 2, Block 1, 31st and Mingo Center Addition, City of Tulsa,
Tulsa County, Oklahoma.

Case No. 14353

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 210 sq. ft. to 350 sq. ft. on the Sheridan Road side of building and from 159 sq. ft. to 265 sq. ft. on the 51st Street side of building to allow for a sign in a CS zoned district, located at 5045 South Sheridan.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 210 sq. ft. to 350 sq. ft. on the Sheridan Road side of building and from 159 sq. ft. to 265 sq. ft. on the 51st Street side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot 4, Block 1, F.D.M. Center Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14354

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 159 sq. ft. to 265 sq. ft. on the 61st Street side of building and from 210 sq. ft. to 350 sq. ft. on the Peoria Avenue side of building to allow for a sign in a CS zoned district, located at 6110 South Peoria Avenue.

Case No. 14354 (continued)

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 159 sq. ft. to 265 sq. ft. on the 61st Street side of building and from 210 sq. ft. to 350 sq. ft. on the Peoria Avenue side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

A rectangular plat of land out of the Northeast corner of Lot One (1), Section One (1), Township Eighteen (18) North, Range Twelve (12) East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government survey thereof, more particularly described as follows:

Commencing 25 feet west and 25 feet south of the northeast corner; thence south 183.7 feet to a point; thence west 183.7 feet to a point; thence north 183.7 feet to a point; thence east 183.7 feet to a place of beginning, LESS and EXCEPT a tract of land lying in the North 208.7 feet of Lot 1, Section 1, Township 18 North, Range 12 East, in the City of Tulsa, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit:

Beginning at a point 25.0 feet south and 25.0 feet west of the northeast corner of said Lot 1; thence south parallel to the east line of said lot 1 a distance of 183.7 feet to a point; thence west parallel to the north line of said Lot 1 a distance of 10 feet to a point; thence north parallel to and 35.0 feet west of the east line of said Lot 1 a distance of 158.7 feet to a point; thence around a curve to the left having a radius of 25.0 feet a distance of 39.27 feet to a point, said point being

Case No. 14354 (continued)

60 feet west and 25.0 feet south of the northeast corner of said Lot 1; thence east parallel to the north line of said Lot 1, a distance of 35.0 feet to a point and place of beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14355

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 210 sq. ft. to 350 sq. ft. on the Lewis Avenue side of building and from 159 sq. ft. to 265 sq. ft. on the 71st Street side of building to allow for a sign in a CS zoned district, located at 7111 South Lewis Avenue.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 210 sq. ft. to 350 sq. ft. on the Lewis Avenue side of building and from 159 sq. ft. to 265 sq. ft. on the 71st Street side of building to allow for a sign in a CS zoned district: subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot Two (2), Block One (1), Conoco Heights Addition to the City of Tulsa, Tulsa County State of Oklahoma according to the recorded plat thereof, LESS AND EXCEPT the following described property: BEGINNING at the Northwest corner of said Lot 2; thence South along the West line of said Lot 2, 30.00 feet; thence Northeasterly 28.28 feet to a point 20.00 feet East and 10.00 feet South of said Northwest corner; thence East and parallel to the North line of Lot 2, 210.00 feet to a point on the East line of Lot 2; thence North 10.00 feet to the Northeast corner thereof; thence West 230.00 feet to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14356

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 219 sq. ft. to 350 sq. ft. on the 71st Street side of building, and from 159 sq. ft. to 265 sq. ft. on the Memorial Drive side of building to allow for a sign in a CS zoned district, located at 8110 East 71st Street.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 219 sq. ft. to 350 sq. ft. on the 71st Street side of building, and from 159 sq. ft. to 265 sq. ft. on the Memorial Drive side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot One (1) Block One (1), Skyview Acres Addition, a Subdivision in Tulsa County, State of Oklahoma according to the recorded plat thereof, LESS AND EXCEPT the following described property: BEGINNING at the Northwest corner of said Lot 1; thence South along the West line of said Lot 1 a distance of 210.00 feet to the Southwest corner of said Lot 1; thence East along the South line of said Lot 1 a distance of 5.00 feet; thence N 00° 01' 06" W a distance of 170.00 feet; thence N 44° 59' 50" E a distance of 56.55 feet to a point of a North line of said Lot 1; thence West along said North line a distance of 45.00 feet to Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14357

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 210 sq. ft. to 350

Case No. 14357 (continued)

sq. ft. on the Mingo Road side of building and from 159 sq. ft. to 265 sq. ft. on the 41st Street side of building to allow for a sign in a CS zoned district, located at 4101 South Mingo Road.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 210 sq. ft. to 350 sq. ft. on the Mingo Road side of building and from 159 sq. ft. to 265 sq. ft. on the 41st Street side of building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot One (1), Block One (1) Forty-First and Mingo Center, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, LESS and EXCEPT a tract of land more particularly described as follows: BEGINNING at the Northwest corner of said Lot 1, Block 1; thence N 89°52'00" E a distance of 7.50 feet to a point; thence S 19° 28' 01" W a distance of 22.29 feet to a point; thence N 00° 12' 00" W a distance of 21.00 feet to the POINT OF BEGINNING, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14358

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 159 sq. ft. to 265 sq. ft. on the south side of the building and from 210 sq. ft. to 354 sq. ft. on the east side of the building to allow for a sign in a CS zoned district, located at 4030 South Garnett Road.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 159 sq. ft. to 265 sq. ft. on the south side of the building and from 210 sq. ft. to 354 sq. ft. on the east side of the building to allow for a sign in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot One (1), Block One (1), Jenny Marie, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma according to the recorded plat thereof, LESS the following described tract: A tract of land located on Lot One (1) Block One (1) Jenny Marie, an Addition to the City of Tulsa, Tulsa County State of Oklahoma according to the recorded plat thereof, said tract particularly described as follows: Beginning at the Southeast corner of said lot; thence North 00° 04' 28" West along the East line of said lot, a distance of 200.00 feet to the Northeast corner of said lot, thence South 89° 55' 32" West along the North line of said lot a distance of 8.00 feet; thence South 00° 04' 28" East a distance of 170.75 feet; thence South 44° 55' 32" West a distance of 41.34 feet to a point on the South line of said lot; thence North 89° 57' 38" East along the South line of said lot a distance of 37.23 feet to the point of beginning, containing 0.0465 acres, (2027.53 square feet), more or less. ALL the above being more particularly described as follows, to-wit: A part of Lot One (1) Block One (1), Jenny Marie, an Addition to the City of Tulsa, Tulsa County State of Oklahoma according to the recorded plat thereof, BEGINNING at a point on the South line of said Lot 1, 37.23 feet Westerly of the Southeast corner thereof; thence S 89° 54' 58" W, along the South line of said Lot 1, a distance of 162.77 feet to the Southwest corner of said Lot 1; thence N 0° 07' 08" W, along the West line of said Lot 1, a distance of 200.00 feet; thence N 89° 54' 58" E, along the North line of said Lot 1, a distance of 192.00 feet to a point 8.00 feet Westerly of the Northeast corner thereof; thence S 0°

Case No. 14358 (continued)

07' 08" E, parallel with and 8.00 feet perpendicularly distant from the East line of said Lot 1, distance of 170.75 feet; thence S 44° 52' 52" W a distance of 41.34 feet to the POINT OF BEGINNING and containing 37,972.54 square feet or 0.8717 acres more or less, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14359

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 201 sq. ft. to 335 sq. ft. to allow for a sign on the front of the building in a CS zoned district, located at 3711 South Memorial Drive.

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 201 sq. ft. to 335 sq. ft. to allow for a sign on the front of the building in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot 1, block 1, Memorial Plaza Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14360

Action Requested:

Variance - Section 1221.4 - Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 159 sq. ft. to 265 sq. ft. on the 61st Street side of building and from 210 sq. ft. to 350 sq. ft. on the Lewis Avenue side of building to allow for signs in a CS zoned district, located at 6110 South Lewis Avenue.

Case No. 14360 (continued)

Presentation:

The applicant, T. H. E. Sign, Ltd., was represented by Ed Bolton and Jim Fountain, 1859 North 106th East Avenue, Tulsa, Oklahoma. Mr. Fountain informed the Board that some of the signs that have been previously approved were 6' in height, but the signs that are before the Board today are 5' in height, but otherwise are similar to those approved earlier. He informed that on this style there is a short return around the side of the canopy. Mr. Fountain informed that there are 2 styles of signs used by the company.

Protestants: None.

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 1221.4 - Use Conditions for Business Signs - Use Unit 1221) of signage from 159 sq. ft. to 265 sq. ft. on the 61st Street side of building and from 210 sq. ft. to 350 sq. ft. on the Lewis Avenue side of building to allow for signs in a CS zoned district; subject to signage being illuminated by constant light and a maximum of 5' in height and only on the front of the building and the canopy, including the sides of the canopy and a portion of the side walls as they turn the corner of the building, provided the side wall returns are non-illuminated and extend no farther than the midpoint of the building; with no signage being placed on the balance of the side walls or back portion of the building; on the following described property:

Lot 1, less the north 10', Resubdivision of Lot 1, Pecan Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 14362

Action Requested:

Use Variance - Section 510 - Principal Uses Permitted in the Parking District - Use Unit 1214 - Request a use variance to allow for an appliance repair business in a P zoned district.

Variance - Section 1214.3(b) - Use Conditions - Use Unit 1214 - Request a variance of the screening requirements.

Variance - Section 1214.4 - Off-Street Parking and Loading Requirements - Use Unit 1214 - Request a variance of the parking requirements.

Variance - Section 280 - Structure Setback from Abutting Streets - Use Unit 1214 - Request a variance of setback from the centerline of Utica Avenue from 50' to 30' and from the centerline of 15th Street from 50' to 38' to allow for parking, located on the SE/c of 15th Street and Utica Avenue.

Presentation:

The applicant, John Sublett, 320 South Boston, Tulsa, Oklahoma, submitted a plot plan (Exhibit N-1) and stated that he is representing H. L. Moss, who is planning to expand his business at the above stated location. He pointed out that the new building will be on the east side of the property and extend south into the P zoned district to the end of the Moss property. Mr. Sublett stated that the old house on the property will be demolished and used for parking. He informed that the building will continue to be adjacent to the alley and there will be no way to install a screening fence. The applicant pointed out that his client repairs small appliances and the traffic flow is light, however, the Code requires 3 more parking spaces than are available on the subject property.

Comments and Questions:

Mr. Smith noted that the large horse and steer that are mounted on poles in the parking lot are not shown on the plot plan, and asked if they will be removed. He informed that he does not know what Mr. Moss has planned to do with the animal signs.

Mr. Gardner pointed out that the south end of the building abutts OL and does not require screening. He informed that 10% of the parking area is required for landscaping and all of the area west of the building will be devoted to off-street parking, according to the plot plan. Mr. Gardner stated that, if the signs are a concern, they should be considered since they take up required parking spaces and Mr. Moss is short 3 parking spaces already. He pointed out that the business is not all devoted to retail.

Ms. Bradley asked the applicant where the employees park and he informed that they do not park on the parking lot, but where they can find available space. She pointed out that the Cherry Street Plan is attempting to clean up the street parking problem.

There was discussion as to whether the signs would take up spaces that could be used for parking.

H. L. Moss, 1911 South Fulton, Tulsa, Oklahoma, stated that it is his intention to beautify the corner of 15th and Utica. He pointed out that cars can park under the animal signs and stated that the expansion will require the addition of 6 new employees.

Mr. Gardner informed that the plot plan does not depict the animal signs in place, so the plan will have to be revised to delete those parking spaces.

Mr. Jackere informed that the conditions that are imposed by the Board must be related to the relief sought.

Mr. Gardner explained that the applicant has submitted a plot plan that has approximately 40 parking spaces and at least 2 of the spaces cannot be used for parking because of the animal signs. He informed that the ordinance requires parking spaces for the employees, as well as the customers.

Case No. 14362 (continued)

Mr. Moss informed that 50% of the parking spaces at his business are not used.

Interested Parties:

James Howard stated that he lives on the first street east of the property in question and pointed out that Mr. Moss has made many improvements to the corner over the years.

Board Action:

Mr. Smith's motion for approval of the application died for lack of a second.

On **MOTION** of **BRADLEY**, the Board voted 4-0-1 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; White, "abstaining"; none "absent") to **CONTINUE** Case No. 14362, to January 22, 1987, in order to allow the applicant to research the parking variance and determine how much of a variance is needed.

Case No. 14363

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1215 - Request a special exception to allow a dry cleaning business in a CS zoned district, located at 2464 South Sheridan.

Presentation:

The applicant, Roy Hinkle, 1515 East 71st Street, Tulsa, Oklahoma, submitted a copy of an Air Quality Control Permit (Exhibit 0-1) and stated that his client, Imperial Cleaners, has purchased a building for a pick up station and dry cleaning. He informed that the building was formerly occupied by a Kentucky Fried Chicken business, then a used car lot and now a dry cleaning establishment.

Protestants: None.

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 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1215) to allow a dry cleaning business in a CS zoned district; per Health Department approval; finding that the special exception request is in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 1 and the E/2 of Lot 2, Block 1, Bicking Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14364

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow for a community health education center and related uses in an RM-2 zoned district.

Presentation:

The applicant, Shirley Johnston, 10838 East 15th Place, Tulsa, Oklahoma, informed that B. J. Willett, 1532 South Gary, Tulsa, Oklahoma, will be presenting the case. Ms. Willett stated that she is acting as general contractor for the project and pointed out that she has been granted a building permit to remodel and install a health education center in an existing structure in the Osage Hills apartment complex.

Comments and Questions:

Ms. Bradley asked the applicant to state the purpose of the education center, and Ms. Johnston replied that it is a community based clinical rotation for students in the health profession, particularly medical students, nursing students and those involved in health education. She informed that the center has a federal grant and this site was chosen because there are residents there that do not receive health care, primarily because the County Seat is in Pawhuska and they are not serviced by Tulsa County.

Ms. White asked Ms. Johnston to state the days and hours of operation for the center, and she replied that the facility will be open 3 days each week, 9:30 a.m. to 2:30 p.m., with a probability of extending these hours from 8 a.m. to 6 p.m..

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 1205) to allow for a community health education center and related uses in an RM-2 zoned district; subject to days and hours of operation being Monday through Friday, 8 a.m. to 6 p.m.; finding that the health center will be compatible with the residential area; on the following described property:

Lot 2, Block 4, Osage Hills Apartments Addition (Building B, 921 Osage Drive), City of Tulsa, Tulsa County, Oklahoma.

Case No. 14365

Action Requested:

Variance - Section 1221.3(f) - General Use Conditions for Business Signs - Use Unit 1221 - Request a variance of setback from the centerline of 21st Street from 60' to 45' to allow for an existing sign in an OL zoned district, located at 2642 East 21st Street.

Presentation:

The applicant, Ted Osgood, 7666 East 61st Street, Tulsa, Oklahoma, was represented by Matthew Lapensky, 5100 East Skelly Drive, Tulsa, Oklahoma, who informed that the tenant made application (Case No. 14333) for an additional ground sign at the present location, but that application was denied because there was an existing sign at the location. Mr. Lapensky informed that the landlord, Ted Osgood, discovered that the existing sign is situated within the 60' setback and this application was made for a variance. He asked that both of the cases be continued in order that the two cases can be consolidated and one proposal be presented to the Board.

Protestants: None.

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. 14365 to January 22, 1987, to allow the applicant and the tenant to work out a solution for a sign on the property.

There being no further business, the meeting adjourned at 4:46 p.m.

Date Approved

1-22-87



Chairman