

**CITY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 483  
Thursday, February 5, 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 Parnell, Protective Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, February 3, 1987, at 1:17 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 1:03 p.m.

**MINUTES:**

On **MOTION** of BRADLEY, the Board voted 3-0-1 (Bradley, Chappelle, Smith, "aye"; no "nays"; Quarles, "abstaining"; White, "absent") to **APPROVE** the Minutes of January 22, 1987.

**UNFINISHED BUSINESS**

**Case No. 14343**

**Action Requested:**

Variance - Section 1205.3 - Use Conditions - Request a variance to allow for parking in the required front yard, located at SE/c 111th Street and Yale Avenue.

**Presentation:**

The applicant, George Nelson, was represented by Attorney Douglas Smith, 909 Kennedy Building, Tulsa, Oklahoma. Mr. Smith submitted a master plan (Exhibit A-1) for the proposed construction at St. James United Methodist Church, and explained that only the building marked No. 1 will be built at this time. He informed that parking for the new facility is an irregular shaped area which encroaches into the street right-of-way.

Case No. 14343 (continued)

**Comments and Questions:**

Mr. Gardner informed that the parking lot will not be located in the right-of-way, but is closer to the street than the required 85' from centerline.

**Protestants:** None.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** (Section 1205.3 - Use Conditions) to allow for parking in the required front yard; per plot plan submitted; finding a hardship demonstrated by the size, shape and location of the tract on the corner of two major arterial streets; finding that the proposed parking lot is adjacent to an agriculture district; and finding that the granting of the variance request will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

N/2, NW/4, NW/4 of Section 34, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

**NEW APPLICATIONS**

**Case No. 14377**

**Action Requested:**

Special Exception - Section 440 - Special Exception Uses in Residential Districts - Use Unit 1212 - Request a special exception to allow for an existing home occupation - merchandise sales by appointment in a RS-1 zoned district, located at 6404 South Louisville Avenue.

**Comments and Questions:**

Mr. Jones informed that Staff has received a letter (Exhibit B-1) from the applicant requesting that Case No. 14377 be continued in order that she will have sufficient time to gather additional information.

Several protestants were in the audience and there was Board discussion concerning the continuance requested by the applicant, Ms. Hornak. Due to the number of protestants present and the nature of the application, the Board elected to hear the case as it appeared on the agenda.

**Presentation:**

The applicant Rosemary Hornak, 6404 South Louisville, Tulsa, Oklahoma, stated that additional time was needed to prepare her presentation and asked why the request for continuance was not granted.

Case No. 14377 (continued)

Mr. Chappelle replied that, due to the large number of area residents that are present to protest the application, the Board elected to hear the case in its regular order.

Mr. Jackere pointed out that the business operation is in violation of the law and that, in his opinion, additional time would not allow better preparation of the case. He pointed out to Ms. Hornak that she is aware of what kind of business that is being operated and how it affects the neighborhood.

Ms. Bradley asked Ms. Hornak to give a detailed description of the business operation that she is conducting in her home.

The applicant replied that she sells silver jewelry and clothing items by appointment. She stated that she is in charge of organizational shows and occasionally has requests for merchandise between shows. Ms. Hornak informed that she mailed out flyers during the Christmas holidays and had specific hours of operation at that time.

**Comments and Questions:**

Mr. Chappelle inquired as to the present hours of operation for the business, and the applicant replied that the business is open from 10 a.m to 4 p.m., Thursdays only.

Mr. Chappelle asked Ms. Hornak how many customers come to her home on Thursdays, and she stated that sometimes there are no customers, but occasionally there are as many as 10.

Mr. Quarles asked how the merchandise for sale is obtained, and the applicant informed that the business has several suppliers.

Mr. Smith inquired as to the method of delivery, and Ms. Hornak stated that the business uses UPS delivery or regular mail.

Ms. Bradley asked if the merchandise display is similar to that in a store, and the applicant informed that the clothes and jewelry are displayed in her basement. She noted that she is trying to acquire retail space, and feels that a lease will be negotiated within 30 days.

Mr. Chappelle asked Ms. Hornak if she has employees, and she stated that she has 2 partners.

Mr. Quarles suggested that the applicant describe the difference between a fashion show and an organizational show. The applicant stated that for an organizational show, vendors are invited to bring their wares to display.

**Protestants:**

R. W. Karlovich, 6415 South Knoxville, Tulsa, Oklahoma, submitted advertising (Exhibit B-2) mailed out by the applicant, and stated

Case No. 14377 (continued)

that the neighborhood is concerned with the traffic generated by the business operation in the area. Mr. Karlovich informed that the homes in the area are very nice, with costs being in the \$200,000 price range. He stated that vandalism has also been a problem in the neighborhood, and asked the Board to deny the application.

Mr. Jackere asked how long the business has been in operation at the Hornak home, and Mr. Karlovich replied that he is sure it has been open for 6 months, and maybe longer.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **DENY** a **Special Exception** (Section 440 - Special Exception Uses In Residential Districts - Use Unit 1212) to allow for an existing home occupation - merchandise sales by appointment in a RS-1 zoned district; finding that the granting of the special exception request would be detrimental to the neighborhood and would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 5, Block 1, Southern Hills 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14379**

**Action Requested:**

Special Exception - Section 910 - Principal Uses Permitted In Industrial Districts - Request a special exception to allow for Use Units 12, 13, and 14 in an IM zoned district, located at 6239 East 15th Street.

**Presentation:**

The applicant, Millard Mashburn, 108 South Ora, Pryor, Oklahoma, stated that he has a building at the above stated location and asked the Board to permit the requested uses. He pointed out that he will have a better opportunity to sell or lease the building if more uses are allowed. Mr. Mashburn informed that on three occasions he has had a chance to rent his building for a sexually oriented business, but has declined the offers. He pointed out that he does not want this type of operation on his property. Mr. Mashburn informed that he has visited with the adjoining property owners and they are not opposed to the variance request.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 910 - Principal Uses Permitted In Industrial Districts) to allow all uses in Use Units 13 and 14, and only eating establishments and a bar in Use Unit 12;

Case No. 14379 (continued)

subject to no sexually oriented business; finding that there are numerous other commercial uses and multiple zoning classifications in the area; on the following described property:

A tract of land being located in the SE/4 of the NE/4 of Section 10, T-19-N, R-13-E, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point on the south line of said SE/4 of the NE/4 said point being 497.52' west of the SE/c of said SE/4 of the NE/4; thence northerly and parallel to the east line of said SE/4 of NE/4 a distance of 496.00'; thence westerly and parallel to the south line of said SE/4 of the NE/4 a distance of 125.00'; thence southerly and parallel to the east line of said SE/4 of NE/4 a distance of 496.00' to a point on the south line of said SE/4 of NE/4; thence easterly along said south line a distance of 125.00' to the point of beginning, LESS AND EXCEPT the south 40' thereof for street right-of-way, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14381

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow for a church and related uses in an RS-3 zoned district.

Variance - Section 1205.3 - Use Conditions - Use Unit 1205 - Request a variance of the minimum lot area of 1 acre and of the lot width of 100 feet, located at 1223 South Canton Avenue.

Presentation:

The applicant, Spiritual Assembly, was represented by Kay Connell, 2423 North Boston Place, Tulsa, Oklahoma, who submitted a plot plan (Exhibit C-1) and a packet (Exhibit C-2) containing the Baha'i meeting schedule and guidelines. She informed that a house at the above stated location has been donated to the congregation. Ms. Connell gave a brief explanation of the function of the organization and asked the Board to allow church use in a residential neighborhood. She stated that the exterior of the house will not be changed, but a driveway and landscaping will be added.

Comments and Questions:

Mr. Chappelle asked Ms. Connell to state the number of members that will be meeting in the church, and she informed that the membership is approximately 25.

Mr. Quarles asked the applicant to give a brief description of the the house, and she informed that there are 3 rooms downstairs and 2 rooms upstairs. She stated that the kitchen, library and meeting room will be located in the downstairs portion.

Case No. 14381 (continued)

**Protestants:**

Shirley Hoppis, 1226 South Fulton, Tulsa, Oklahoma, submitted a petition (Exhibit C-3) of opposition and stated that there is not sufficient parking in the residential neighborhood to accommodate the church. She pointed out that the house in question is small and is not suitable for church use.

Mary Rowden, stated that she lives across the street and two houses down from the subject property. She pointed out that the house has a single car drive, which would park only 3 cars, and that a church would create a traffic problem for the residents. She further stated that a church in the neighborhood would also devalue the remaining residential property.

Lloyd Gieger, Route 1, Ramona, Oklahoma, stated that he owns the house adjacent to the subject property. He informed that he is disabled and relies heavily on the income received from this rental property. Mr. Gieger asked the Board to protect the character of the neighborhood and deny the application. A letter of opposition (Exhibit C-3) was submitted.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **DENY** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205) to allow for a church and related uses in an RS-3 zoned district; and to **DENY** a **Variance** (Section 1205.3 - Use Conditions - Use Unit 1205) of the minimum lot area of 1 acre and of the lot width of 100 feet; finding that the property is not suitable in size or location for church use; and finding that a hardship was not demonstrated that would warrant the granting of the variance request; on the following described property:

The S/2, S/2, W/2 of Tract 7, Crowell Heights Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

**Case No. 14382**

**Action Requested:**

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Use Unit 1213 - Request a variance of setback from the centerline of East Admiral Place from 100' to 60' to allow for building expansion, located NW/c of Admiral Place and 165th East Avenue.

**Presentation:**

The applicant, David Grooms, 901 North Mingo, Tulsa, Oklahoma, was represented by Al Howerton, who submitted a plot plan (Exhibit D-1) and photographs (Exhibit D-2). He informed that a 115' by 40'

Case No. 14382 (continued)

addition is planned for the existing store at the above stated location. He stated that the present unit is 11 years old and additional facilities for truckers are needed, as well as more parking to the rear of the store.

Comments and Questions:

Mr. Smith asked if the required setback from Admiral is 100', and Mr. Howerton replied that the required setback is now 100' from centerline, but asked that the new facility be placed at 66'.

Mr. Smith advised that a precedent would be set for the area if the facility is approved for a 66' setback, and asked if the new addition could be made to the rear of the existing store. Mr. Howerton replied that the number of spaces for truck parking would be reduced if the addition was built on the back.

Mr. Gardner asked Mr. Howerton if there are other buildings in the area that encroach on Admiral Place, and he replied that there are none.

Mr. Quarles voiced a concern that other new buildings will want to align with this building if it is allowed to encroach on the Admiral setback.

Mr. Smith asked the applicant if he would agree to a continuance of the application to allow Staff to view the area and give Mr. Howerton sufficient time to consider a revision of the plot plan which would move the building farther to the north and reduce the setback variance.

Mr. Howerton replied that he is in agreement with a continuance of the case.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **CONTINUE** Case No. 14382 to February 19, 1987, in order that the Board can view the site, and give the applicant sufficient time to consider a revision of the plot plan and reduction of the setback request.

Case No. 14383

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow for the sale of automobiles in a CS zoned district.

Variance - Section 1217.3(b) - Use Conditions - Request a variance to allow the open air storage and display of merchandise within 300' of a residential district, located at 650 South Lewis Avenue.

Case No. 14383 (continued)

**Presentation:**

The applicant, Jake Kennedy, 4745 South 32nd West Avenue, Tulsa, Oklahoma, was represented by Blackie Witcher, 3911 West 59th Street, Tulsa, Oklahoma. Mr. Witcher informed that, if approved by the Board, he and the applicant, Jake Kennedy, will be partners in a used car sales operation on the subject property. He pointed out that the lot has been used for car sales for the past 35 years, with the exception of last year when it was rented for truck parking, but was never used for this purpose.

**Comments and Questions:**

Ms. Bradley asked Mr. Witcher how many cars will be displayed on the lot, and he replied that there will be approximately 25.

Ms. Bradley inquired if the car sales lot will be operated 7 days each week, and Mr. Witcher informed that the lot will be open 6 days each week.

**Protestants:**

Allen Stewart, 2244 East 7th Street, Tulsa, Oklahoma, stated that he lives 4 houses to the west of the property in question, and in his opinion, the lot is too small for a used car business. He informed that he has lived at the present location for 4 years and there has never been a used car lot on the property. Mr. Stewart stated that a used trailer lot was located on the subject tract when he moved to the neighborhood. He pointed out that the trailers blocked the view of motorists, which made entering Lewis very dangerous. He noted that the gravel lot is not large enough to accommodate a display of automobiles and customer parking. Mr. Stewart pointed out that customers will be forced to park on the street, further aggravating the parking problem for the neighborhood.

**Applicant's Rebuttal:**

Mr. Witcher stated that a car lot has been on the property for many years, and the last occupant also displayed trailers. He informed that nice cars will be for sale on the lot and asked the Board to approve the application.

**Additional Comments:**

Ms. Bradley asked Mr. Gardner if the lot will be required to have hard surface parking, and he informed that the Code requires some type of hard surface material for the parking of automobiles.

Mr. Smith asked if the car bumpers will overhang the sidewalk, and Mr. Witcher informed that they will not overhang the sidewalk and that posts are already in place for cables which will mark the boundary for parking the vehicles.

Ms. Bradley inquired as to availability of parking for the customers, and Mr. Witcher informed that there is sufficient space for customer parking behind the row of displayed cars.



Case No. 14383 (continued)

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217) to allow for the sale of automobiles in a CS zoned district; and to **APPROVE** a **Variance** (Section 1217.3(b) - Use Conditions) to allow the open air storage and display of merchandise within 300' of a residential district; subject to the lot being covered with a hard surface material; subject to a cable barrier being installed between the car lot and the sidewalk which would prevent the cars from overhanging the sidewalk; and subject to a maximum of 25 cars; finding that the lot in question has been used for car sales for many years; on the following described property:

Lot 30, Block 5, Hillcrest Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14384**

**Action Requested:**

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of setback from the centerline of 42nd Place from 50' to 36' to allow for the construction of a carport, located at 188 East 42nd Place.

**Presentation:**

The applicant, Paula Ogg, 2121 South Columbia, Tulsa, Oklahoma, who submitted a plot plan (Exhibit E-1) and photographs (Exhibit E-2), stated that she is representing the owners of the property in question. She explained that the house was purchased approximately 13 years ago, with a carport in place, but approximately 3 years ago the house burned and was later reconstructed. Ms. Ogg informed that the owners did not build a carport at the time of reconstruction. She pointed out that they are now in need of a shelter for their automobiles and asked the Board to allow them to build a carport which will encroach on the 42nd Place setback. She stated that there are carports to the east and west of the subject property, and many in the area. A petition of support (Exhibit E-4) was submitted.

**Protestants:**

Oran Crawford stated that he lives in the residence to the east of the applicant, and informed that the original carport was on the west side of the subject property. He stated that he is having a problem with water draining toward his property from the street and surrounding areas, and voiced a concern that the carport now being located on the east side of the house would be sloped toward his home and cause even more water to flow in that direction. Mr.

Case No. 14384 (continued)

Crawford stated that he would not object to the location of the carport on the west side of the home.

Mr. Jackere pointed out that there is no side yard encroachment and the issue before the Board today is a variance of setback from 42nd Place only.

George Belt, 4241 South Cincinnati, Tulsa, Oklahoma, submitted a petition of protest (Exhibit E-3) and stated that he lives 2 houses from the property in question. He pointed out that one of the carports aligns with the house on the subject property and the other carports in the area are in violation of the setback requirements. Mr. Belt explained that the houses in the neighborhood are close to the street and the adding of carports detracts from the appearance of the area and devaluates the property. Mr. Belt stated that the applicant has not demonstrated a legitimate hardship.

Mr. Gardner advised that the houses on the south side of 42nd Place are laid out differently than the lots on the north side of the street. He noted that the houses on the north have fronts that align, but the houses on both ends of the south side of the street have side lot lines and are within 15' of the right-of-way.

Mr. Quarles asked the applicant if it is possible to gutter the carport properly in order to prevent water drainage toward the neighbors property. Ms. Ogg replied that she does not know, but feels that the architect considered this issue when designing the carport.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** (Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of setback from the centerline of 42nd Place from 50' to 36' to allow for the construction of a carport; subject to the plot plan and elevations submitted; and subject to the carport being guttered with down spouts, or properly sloped to prevent water runoff from draining toward the property to the east; finding that there are numerous carports in the area; and finding that the houses on the end of the block have side yard lot lines and are within 15' of the right-of-way; on the following described property:

Lot 30, Riverside Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14385

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, located SW/c 42nd Street North and North Mingo Road.

Comments and Questions:

Mr. Jones informed that TMAPC denied IH zoning and approved IL zoning in the alternative at the January 28, 1987 meeting. He stated that the case has not been heard by the City Commission.

Presentation:

The applicant, Joe Pennington, 4116 North 96th East Avenue, Tulsa, Oklahoma, stated that a mobile home has been on the property in question for approximately 15 years. He informed that there are other mobile homes in the area and asked the Board to allow the 1982 mobile to remain at its present location.

Comments and Questions:

Mr. Smith asked the applicant if the mobile home is used for security purposes, and he answered in the affirmative. He stated that he has a garage next door and is in need of someone to look after the business.

Mr. Gardner informed that the entire area is planned for industrial, and only the front tracts are being used for commercial or industrial purposes at this time. He pointed out that the garage business will be permitted by right at this location if the zoning change is approved by the City. Mr. Gardner noted that the mobile home requires a special exception at this time, but later would require a variance when the industrial zoning is approved.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow a mobile home in an RS-3 zoned district; finding that application has been made to rezone the the area for industrial use; and finding that the granting of the requests will not cause substantial detriment 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:

The north 80' of the east 130' of Lot 1, Block 2, Mohawk Village Addition to the City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14386**

**Action Requested:**

Special Exception - Section 440 - Special Exception Uses in Residential Districts - Use Unit 1213 - Request a special exception to allow a beauty shop as a home occupation, located at 5508 East 38th Street.

**Presentation:**

The applicant Cherie Ogden, 5508 East 38th Street, Tulsa, Oklahoma, submitted photographs (Exhibit F-3) and a petition of support (Exhibit F-1). She explained that she is proposing to open a beauty salon in her home for 3 or 4 days each week in order that she can work part time and stay at home with her small child. Ms. Ogden pointed out that there will be no structural changes to the home, no signs and no parking on the street. The applicant stated that she has talked with some of her neighbors and many of them are supportive of the new business.

**Comments and Questions:**

Mr. Quarles asked Ms. Ogden how long she has lived at the present address, and she replied that her family moved to the area in June of 1986.

Mr. Quarles inquired if the business is in operation at this time, and the applicant replied that it is not. She explained that she has a small room next to the garage that will be used for the shop, and that 1 chair will be installed.

Ms. Bradley asked the applicant if she has read the Home Occupation Guidelines, and she answered in the affirmative.

**Protestants:**

Jim Harrison, 3820 South Granite, Tulsa, Oklahoma, who submitted a petition of protest (Exhibit F-2), stated that he lives behind Ms. Ogden and is opposed to the application. He voiced a concern that this home occupation would set a precedent for the neighborhood, and other businesses would seek special exceptions.

Mr. Quarles pointed out to Mr. Harrison that each application is considered on its own merits.

Norman Stahl, 5409 East 37th Street, Tulsa, Oklahoma, stated that, in his opinion, deterioration of a neighborhood begins with the first business that is permitted. He asked the Board to deny the request and maintain the residential character of the neighborhood.

Nancy Miller, 3806 South Granite, Tulsa, Oklahoma, stated that she lives to the east of the applicant and is opposed to the beauty shop. She informed that Ms. Ogden and her husband have been operating a beauty business at another location.

Case No. 14386 (continued)

James Cowells, 3731 South Fulton, Tulsa, Oklahoma, voiced a concern with the traffic that will be generated in the neighborhood by the beauty shop.

Approximately 25 protestants were in the audience.

**Applicant's Rebuttal:**

Ms. Ogden pointed out that she has previously had friends and relatives come to her home to have their hair styled, with no complaints from the neighbors. She informed that she and her husband did own a beauty salon, but no longer operate that business.

**Additional Comments:**

Mr. Chappelle asked the applicant to state the days and hours the beauty shop will be open, and she stated that she will be open approximately 3 or 4 days each week for 3 or 4 hours each day.

Ms. Bradley asked Ms. Ogden if she would state specific days and hours of operation. She informed that she will be open Tuesdays and Thursdays from 2 p.m. to 5 p.m. and Wednesdays from 9 a.m. to 12 p.m.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 440 - Special Exception Uses in Residential Districts - Use Unit 1213) to allow a beauty shop per the home occupation requirements; subject to days and hours of operation being Tuesdays and Thursdays from 2 p.m. to 5 p.m. and Wednesdays from 9 a.m. to 12 p.m. for a period of 3 years only; and subject to no customer parking on the street; on the following described property:

Lot 2, Block 7, Highview Estates Addition, City of Tulsa, Tulsa County, Oklahoma.

**OTHER BUSINESS**

**Case No. 14369**

**Action Requested:**

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1212 - Request a special exception to allow a sexually oriented business in an IL zoned district, located at 9535 East 47th Place.

Case No. 14369 (continued)

**Presentation:**

The applicant, Floyd Ratcliff, requested a refund of fees for Case No. 14369.

**Comments and Questions:**

Mr. Jones informed that Case No. 14369 was processed, except for the public hearing portion, and recommended that \$25.00 be refunded to the applicant.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **REFUND** the \$25.00 public hearing portion of the application fee.

**Case No. 13906**

**Action Requested:**

Variance - Section 207 - Street Frontage Required - Request a variance of the minimum street frontage required from 30' to 0' in order to permit access by a private mutual access easement in order to permit a lot split, located west of the NW/c of 27th Street and Yorktown Avenue.

The Board approved this request in a previous hearing. The applicant now wishes to amend the lot lines slightly.

**Comments and Questions:**

Mr. Jones informed that this case was approved May 1, 1986 and the applicant had requested a variance of the frontage to allow a lot split. He stated that the lot split was approved per the plan submitted.

**Presentation:**

The applicant, Steve Schuller, 610 South Main, Tulsa, Oklahoma, submitted an amended plot plan (Exhibit G-1) and stated that a slight variation has been made in the western boundary of one lot. He asked the Board to approve the amended plot plan with the minor change.

**Board Action:**

On **MOTION** of **BRADLEY**, the Board voted 3-0-1 (Bradley, Chappelle, Quarles, "aye"; no "nays"; Smith, "abstaining"; White, "absent") to **APPROVE** the amended plot plan.

There being no further business, the meeting was adjourned at 3:02 p.m.

Date Approved

2-19-87

  
Chairman