

**CITY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 499  
Thursday, September 17, 1987, 1:00 p.m.  
City Commission Room, Plaza Level  
Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Chappelle, Chairman Smith White	Bradley Quarles	Gardner Taylor Moore	Jackere, Legal Department Hubbard, Protective Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 15, 1987, at 4:20 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 1:07 p.m.

**MINUTES:**

On **MOTION** of **SMITH**, the Board voted 2-0-1 (Chappelle, Smith, "aye"; no "nays"; White, "abstaining"; Bradley, Quarles, "absent") to **APPROVE** the **Minutes** of August 20, 1987.

On **MOTION** of **WHITE**, the Board voted 2-0-1 (Smith, White, "aye"; no "nays"; Chappelle, "abstaining"; Bradley, Quarles, "absent") to **APPROVE** the **Minutes** of September 17, 1987.

**UNFINISHED BUSINESS**

**Case No. 14507**

**Action Requested:**

Use Variance - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1227 - Request a use variance to allow for an auto salvage/storage business in an RS-3 zoned district, located south of SW/c Mohawk Boulevard and North Peoria Avenue.

**Presentation:**

The applicant, Caesar Latimer, 1153 North Hartford, Tulsa, Oklahoma, explained that his client is experiencing some financing difficulties and requested a continuance of this case for 60 days. Mr. Latimer stated that the operator of the salvage/storage business is present and will address the Board.

Harry Williams, 2772 North Peoria, Tulsa, Oklahoma, operator of the business in question, stated that he needs additional time for the bank to complete the paper work for his loan. He pointed out that he is purchasing some of the abutting properties.

Case No. 14507 (continued)

Protestants: None.

Board Action:

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **CONTINUE** Case No. 14507 until November 19, 1987, to allow sufficient time for the owner to complete financial arrangements for purchase of abutting properties.

Case No. 14516

Action Requested:

Variance - Section 207 - Street Frontage Required - Use Unit 1206 - Request a variance of the required street frontage from 30' to 0' in order to permit private access and a lot split, located west of the SW/c 37th Street and Yorktown Place.

Presentation:

The applicant, Pat Fox, 2622 East 21st Street, Tulsa, Oklahoma, was not present.

Comments and Questions:

Ms. White remarked that she has spoken with Mr. Fox and he informed her that his application has been withdrawn.

Mr. Taylor stated that Staff has not received a request for withdrawal of the application.

Mr. Gardner stated that the application for a lot split, which was the basis for the case, has been withdrawn. He advised that the Board can strike the item and the applicant can readvertise and appear before the Board at a later date if relief is needed.

Board Action:

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **STRIKE** Case No. 14516.

Case No. 14594

Action Requested:

Variance - Section 240.2 - Permitted Yard Obstructions - Use Unit 1206 - Requests a variance to allow for an existing detached accessory building to be located in the side yard and a variance of the size of existing detached building from 750 sq. ft. to 1,080 sq. ft., located 3522 East King Place.

Case No. 14594 (continued)

**Presentation:**

The applicant, Dewey Dougless, 3522 East King Place, Tulsa, Oklahoma, requested by letter (Exhibit A-1) that Case No. 14594 be continued to October 1, 1987.

**Board Action:**

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **CONTINUE** Case No. 14594 to October 1, 1987, as requested by the applicant.

**Case No. 14596**

**Action Requested:**

Variance - Section 420.2(d) - Accessory Use Conditions; Signs - Use Unit 1221 - Request a variance to allow for three street signs on Memorial Drive and three street signs on East 19th Street South, located south of the SE/c 19th Street and Memorial.

**Presentation:**

The applicant, Terry Troxell, 13997 South 26th Street, Bixby, Oklahoma, was represented by Jeff Gillin, Architect's Collective, 7625 East 51st Street, Tulsa, Oklahoma. He submitted a plot plan (Exhibit B-1) and asked the Board to approve three small signs on Memorial Drive and three signs on 19th Street. He stated that, on Memorial Drive, a sign will be installed on each side of the entry and one on the corner of the property. Mr. Gillin pointed out that the signs will not exceed the allowable square footage, and will blend aesthetically with the complex.

**Comments and Questions:**

Mr. Smith asked if the signs are lighted, and Mr. Gillin replied that it has been planned to ground light the signs.

**Protestants:**

John Tracy, 5305 South 67th East Place, Tulsa, Oklahoma, stated that he feels that any signs installed on 19th Street will reduce property values in that specific area.

Mr. Chappelle asked Mr. Tracy if he has seen the sign plan, and he replied that he has not. After a short review of the plan, the protestant stated he is still opposed to the signs on 19th Street.

Ms. White asked Mr. Tracy if the signs on 19th Street face his residence. He replied that he lives approximately 150' from the apartments and the signs do not face his residence.

Case No. 14596 (continued)

**Additional Comments:**

Ms. White asked Mr. Gillin to address the hardship for this case, and he replied that a large sign would limit visibility on the street.

Mr. Jackere suggested that a larger sign could be placed on the corner of the apartment grounds.

Mr. Smith stated that he is not opposed to the three small signs on Memorial Drive, but can see no reason to have signs on 19th Street near the single-family residential area.

Mr. Gillin pointed out that the rear loading docks of the Alpha-Beta store are adjacent to the property and the intent of the owner is to enhance that area of the apartment complex. Ms. White remarked that the wall serves that purpose on 19th Street.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 420.2(d) - Accessory Use Conditions; Signs - Use Unit 1221) to allow for three street signs on Memorial Drive and one street sign on the west corner of East 19th Street South; per site plan and sign drawings; finding that combined square footage of the signs on Memorial is less than allowed by the Code; and finding that one sign being located on the westernmost corner along East 19th Street will not interfere with the single-family residential area located to the east; on the following described property:

Lot 1, Block 1, Contempra II Addition and the east 422.50' Contempra III Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14604**

**Action Requested:**

Variance - Section 1213.3(b) - Use Conditions - Use Unit 1213 - Request a variance of the required screening requirements, located NE/c of Lewis Avenue and I-244.

**Comments and Questions:**

Mr. Chappelle explained that Case No. 14604 will be continued to the next scheduled meeting, October 1, 1987, due to the fact that only three Board members are present and Mr. Smith has stated that he will abstain.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **CONTINUE** Case No. 14604 to October 1, 1987.

**Case No. 14605**

**Action Requested:**

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1205 - Request a special exception to allow for a church and church related uses in an IL zoned district, located 11616 East 51st Street.

**Presentation:**

The applicant, Ronald Steen, PO Box 639, Tulsa, Oklahoma, requested that Case No. 14605 be withdrawn.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **WITHDRAW** Case No. 14605, as requested by the applicant.

**MINOR VARIANCES AND EXCEPTIONS**

**Case No. 14611**

**Action Requested:**

Minor Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of front yard setback (Quebec Avenue) from 30' to 28' to allow for an existing dwelling unit, located 8104 South Quebec Avenue.

**Presentation:**

The applicant, Paul La Freniere, 2926 South 92nd Place, Tulsa, Oklahoma, submitted a plat of survey (Exhibit C-1), and asked the Board to approve the minor variance in order to clear the title for an existing dwelling.

**Board Action:**

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Minor Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of front yard setback (Quebec Avenue) from 30' to 28' to allow for an existing dwelling unit; per survey submitted; finding that the dwelling is located on a corner lot, with setbacks on two streets; on the following described property:

Lot 1, Block 7, Brookwood Addition, City of Tulsa, Tulsa County, Oklahoma.

## NEW APPLICATIONS

### Case No. 14609

#### Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a variance of the side yard setback from 5' to 1 1/2' to allow for the construction of a carport, located 1515 South Columbia Avenue.

#### Presentation:

The applicant, Will Arnold, 2117 East 60th Street, Tulsa, Oklahoma, requested by letter (Exhibit D-1) that Case No. 14609 be continued to October 1, 1987. Mr. Arnold stated that he cannot appear at this time due to medical reasons.

#### Board Action:

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **CONTINUE** Case No. 14609 to October 1, 1987, as requested by the applicant.

### Case No. 14610

#### Action Requested:

Variance - Section 1221.3(f) - General Use Conditions - Use Unit 1221 - Request a variance of setback from the centerline of East 11th Street from 50' to 33' to allow for the replacement of an existing sign, located 4304 East 11th Street.

#### Presentation:

The applicant, Chuck Seelye, 4304 East 11th Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit E-1) and photographs (Exhibit E-2), requested permission to replace an old existing sign with a new one. He informed that the new sign will be 6' by 6'.

#### Comments and Questions:

Mr. Smith asked the applicant if the existing pole will be used for the new sign, and he answered in the affirmative.

#### Protestants: None.

#### Board Action:

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 1221.3(f) - General Use Conditions - Use Unit 1221) of setback from the centerline of East 11th Street from 50' to 33' to allow for the replacement of an existing sign; per plan and photographs submitted; subject to the execution of a removal contract; finding that the new replacement sign will be mounted on the existing pole; on the following described property:

Lot 1, Block 3, Beverly Hill Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14612**

**Action Requested:**

Variance - Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a variance of side yard setback from 5' to 0' to allow for a carport, located 4531 South 28th West Avenue.

**Presentation:**

The applicant, Diane Hill, 4531 South 28th West Avenue, Tulsa, Oklahoma, was represented by her husband, Mark Hill. He submitted a plot plan (Exhibit F-1) and photographs (Exhibit F-2) of the proposed carport, which is under construction. Mr. Hill pointed out that there are other carports (Exhibit F-3) in the block and many in the surrounding neighborhood.

**Comments and Questions:**

Ms. White remarked that she has viewed the area and found numerous existing carports, but none as large as the one in question. She asked the applicant why he is planning to construct such a large carport. Mr. Hill explained that the driveway is wide and he does not want to set poles in the middle of the cement. He stated that he is in need of a cover large enough for a van, as well as his cars. The applicant noted that the proposed structure will extend back to the detached garage, but will not protrude past the front of the house.

Ms White asked if the gutter will drain the runoff water next to his house and away from the abutting property, and Mr. Hill replied that it will be installed close to the house and directed down his driveway.

In response to Mr. Smith's inquiry as to why a variance was not sought before construction began, the applicant replied that he was not aware he needed one.

Mr. Chappelle asked Mr. Hill if he, or a contractor, is building the carport, and the applicant replied that he has hired a contractor for the job.

**Protestants:**

Mr. and Mrs. Glen Valentine, 4527 South 28th West Avenue, Tulsa, Oklahoma, submitted a petition (Exhibit F-4) signed by surrounding property owners who oppose the construction of the subject carport. Ms. Valentine stated that the carport is 40' wide, 20' long and very high.

Mr. Jackere asked Ms. Valentine why she is opposed to the carport, and she replied that she doesn't want it constructed on the property line. She stated that she is not opposed to a carport, but asked that it be built according to the Code.

A. Joseph Hilburn, 4532 South 28th West Avenue, Tulsa, Oklahoma, stated that the 5' easement is the only access to the back yard and asked the Board to deny the variance request.

Case No. 14512 (continued)

**Applicant's Rebuttal:**

Mr. Hill stated that the guttering will prevent runoff water from flowing onto his neighbors property and asked the Board to approve the application as presented.

Mr. Jackere asked if the carport could align with the side of the garage which is located to the rear of the property, and the applicant replied that such an arrangement would not supply enough space to park his van and other vehicles off the street.

Mr. Smith remarked that he cannot support the application as it has been presented, and Ms. White stated that she is in agreement with Mr. Smith.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **DENY** a **Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of side yard setback from 5' to 0' to allow for a carport; finding that a hardship was not demonstrated by the applicant and that the granting of the variance would not be in harmony with the spirit and intent of the Code or the Comprehensive Plan; on the following described property:

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

**Case No. 14613**

**Action Requested:**

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213 - Request a variance of setback from the centerline of Pine Street from 100' to 68' and from the centerline of 71st East Avenue from 50' to 27'.

Variance - Section 1213.3(b) - Use Conditions - Use Unit 1213 - Request a variance of the screening requirements on the south property line.

Variance - Section 1340 - Design Standards for Off-Street Parking Areas - Use Unit 1213 - Request a variance of the required all-weather surface material for a parking area, located 7104 East Pine Street.

**Presentation:**

The applicant, Garry Cozby, 1708 North Sheridan, Tulsa, Oklahoma, submitted a plot plan (Exhibit G-1) and photographs (Exhibit G-2). He asked permission to construct a 6' addition to an existing building, in order to install a processing plant. He explained that the L-shaped building will then become a square building. Mr. Cozby informed that a living screen is in place on the south property line and asked the Board to allow it to remain. He pointed out that a maximum of five employees will be on the premises and asked that they be allowed to park on the gravel lot along Pine Street.



Case No. 14613 (continued)

**Comments and Questions:**

Ms. White pointed out that the hedge is serving as a screen at this time, but suggested that the residential area to the south should be protected in case the hedge dies.

**Protestants:** None.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213) of setback from the centerline of Pine Street from 100' to 68' and from the centerline of 71st East Avenue from 50' to 27'; to **DENY** a **Variance** (Section 1213.3(b) - Use Conditions - Use Unit 1213) for waiver of the screening requirements on the south property line; and to **APPROVE** a **Variance** (Section 1340 - Design Standards for Off-Street Parking Areas - Use Unit 1213) of the required all-weather surface material for a parking area; finding that the proposed construction will actually square up an L-shaped building; finding that a maximum amount of five cars on the front portion of the lot will not cause a dust problem for the residential property to the south; finding that a hardship was not demonstrated that would justify a variance of the screening requirements on the southern boundary and that the living hedge abutting the residences on the south property line does not provide adequate screening; on the following described property:

Lot 1, Block 1 Jennings Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14614**

**Action Requested:**

Special Exception - Section 440 - Special Exception to allow for a home occupation for an attorney's office in an RS-3 District, located 4821 South 69th East Avenue.

**Presentation:**

The applicant, Robert J. Hampton, 4821 South 69th East Avenue, Tulsa, Oklahoma, stated that the application requests a home occupation for an attorney's office, but that he is only asking for permission to receive mail at this address. He informed that he only intends to use the address for registering with the Bar Association and to have an address for his professional liability insurance. Mr. Hampton assured the Board that he does not intend to conduct a law office on the subject property.

Case No. 14614 (continued)

**Comments and Questions:**

Mr. Jackere asked the applicant if he intends to have clients come to his home, and he replied that he will not have one client visit his home. Mr. Hampton stated that he has an office at another location which will be closed. He informed that the nature of his practice is drawing up wills and estate planning and that he goes to the home of his client to perform these services.

**Protestants:**

Charles Schuller, 4838 South 70th East Avenue, Tulsa, Oklahoma, stated that he does not object to the applicant receiving his mail at his home, but much of the neighborhood thought that an office was to be set up there.

**Additional Comments:**

Mr. Gardner stated that the applicant would probably be listed in the yellow pages as an attorney and anyone seeking that information would find his home address.

Mr. Hampton reiterated that he will never meet a client in his home for any purpose.

Mr. Jackere asked the applicant where his clients sign wills, and Mr. Hampton replied that he goes to their home for the signatures. Mr. Jackere remarked that it would be difficult to distinguish between visiting social guests and clients. He replied that he and his wife have very few social guests coming to their home and if visitors began to come to the home more than three times each month, the neighbors could determine that he might be operating a business. He stated that he will agree to the tightest restriction that can be imposed.

Mr. Jackere stated that, based on the applicant's statements, it appears that the relief requested is not needed.

Mr. Chappelle asked Mr. Hampton if he is listed in the yellow pages of the telephone directory, and he replied that his name is in the yellow pages at this time, but he does not intend to renew the listing.

In response to Mr. Gardner's inquiry as to whether or not a telephone number only could be placed on the business cards, the applicant stated that it would be inconvenient, but he could comply with that stipulation if necessary.

Ms. White inquired if a US Post Office box could be used for an address, and he replied that it would be inconvenient. He informed that he has a very light mail load, due to the nature of the practice.

Case No. 14614 (continued)

Mr. Chappelle stated that he is inclined to believe that the applicant does not need the relief requested in the application, but would be interested in hearing from some of the interested parties that are present.

**Interested Parties:**

Stewart Field, 6813 East 48th Place, Tulsa, Oklahoma, stated that he is an attorney and does not think the application accurately reflects the request of the applicant. He pointed out that, although he has a petition of protest in his possession, he does not feel that the special exception is needed. Mr. Field stated that the nature of Mr. Hampton's business is different than was initially determined by the neighborhood.

In response to Mr. Chappelle's inquiry as to any business activity at the Hampton home, Glen Fielder, 4815 South 69th East Avenue, Tulsa, Oklahoma, stated that he lives next door and has never been aware of a business on the property.

Doug Saubert stated that he lives two houses from the applicant and has never noticed any business activity there.

Mr. Smith asked the applicant what prompted him to make this application, and he stated that he has read articles about lawyers who get into trouble with the bar and their liability insurance companies. He pointed out that he only wants the address he is using for these two items to be legitimate.

Mr. Jackere pointed out to the Board that the applicant will be operating a home occupation if clients begin to visit his home, but, according to statements made by Mr. Hampton, he only wants to receive mail there. He stated that almost every attorney may receive mail, type documents or read law books at home, however, without clients, there would be no home occupation.

After discussion, the Board unanimously agreed that the applicant is not operating a home occupation at his residence.

Mr. Gardner stated that the Board can strike the item and make the finding that, based on the applicants report as to the nature of his activities, he is not operating a business in his home.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **STRIKE** Case No. 14614; finding that the case, as presented, does not constitute a home occupation and requires no relief from this Board.

**Case No. 14615**

**Action Requested:**

Variance - Section 730 - Bulk and Area Requirements In Commercial Districts - Use Unit 1213 - Request a variance of setback from the centerline of 21st Street from 110' to 60' to allow for an addition to an existing building, located 1905 East 21st Street.

**Presentation:**

The applicant, Harry Wallace, 1905 East 21st Street, Tulsa, Oklahoma, stated that an addition is planned for Wendy's Restaurant at the above stated location. He explained that a variance was acquired for the original building, and the new construction will be added on the side and align with the front building line.

**Comments and Questions:**

Ms. Hubbard explained that the restaurant was constructed in 1979 and approved by the Board, per plot plan, but since they now plan to deviate from the plan, additional consideration is required.

Mr. Gardner asked if the new construction is closer to 21st Street than the old building, and Ms. Hubbard stated that it aligns with the older building.

Ms. White asked where the new addition will be located, and the applicant informed that all new construction will be on the east side of the building.

**Protestants:** None.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements In Commercial Districts - Use Unit 1213) of setback from the centerline of 21st Street from 110' to 60' to allow for an addition to an existing building; per revised plot plan; subject to no new construction exceeding the existing setback; finding that the new addition will align with the existing building along 21st Street and the granting of the variance request will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code or the Comprehensive Plan; on the following described property:

Lots 13, and 14, Block 2, Reddin III Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14616**

**Action Requested:**

Variance - Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a variance of rear yard setback from 25' to 5', a variance of sideyard setback from 10' to 2' and a variance of the livability space, all to allow for an addition to an existing dwelling unit, located 2427 East 26th Street.

Case No. 14616 (continued)

**Comments and Questions:**

Mr. Taylor stated that the amount of relief for livability space was not known at the time of the filing of the application. He informed that a variance of livability space from 5,000 sq. ft. to 4,000 sq. ft. is requested.

**Presentation:**

The applicant, Adrienne Stone, 2427 East 26th Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit H-1), stated that two families are being combined and she is proposing to add a bedroom and attached garage to an existing dwelling.

**Additional Comments:**

Mr. Smith asked if the garage will extend to the lot line, and the applicant replied that it will be 2' from the lot line and cover the driveway area. It was stated that the existing small garage will be converted into a bedroom.

Mr. Gardner inquired if there will be a kitchen in the new area, and the applicant replied that there will be a bathroom added, but no kitchen.

Mr. Smith asked how the drainage from the garage will be directed, and it was stated that the garage will be guttered and water runoff directed down the driveway.

Ms. White inquired if the house to the east has a similar addition, and it was stated that the next door neighbor has added a den, which is structurally similar to the proposed garage.

**Board Action:**

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206) of rear yard setback from 25' to 5', a variance of sideyard setback from 10' to 2' and a variance of the livability space from 5,000 sq. ft. to 4,000 sq. ft. , all to allow for an addition to an existing dwelling unit; per plot plan submitted; finding that similar setback variances have been granted in the area; and finding a hardship imposed on the applicant by the narrowness of the lot in the older addition; on the following described property:

Lot 14, Block 1, Kenlawn II Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14617

Action Requested:

Variance - Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206 - Request a variance of the required 20% rear yard coverage and of the 750 sq. ft. maximum for a detached accessory building.

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1206 - Request a variance to allow for 2 dwellings on one lot of record.

Variance - Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a variance of the rear yard setback from 20' to 5' and a variance of the land area per dwelling unit from 8,400 sq. ft. to 7,800 sq. ft., located 1544 South Yorktown Place.

Comments and Questions:

Mr. Chappelle informed that, due to the fact that Ms. White will abstain, it will be necessary to continue Case No. 14617 to the next scheduled meeting, October 1, 1987.

Board Action:

On MOTION of WHITE the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to CONTINUE Case No. 14617 to October 1, 1987.

Case No. 14618

Action Requested:

Variance - Section 1221.5(a) - Use Conditions - Use Unit 1221 - Request a variance of the aggregate display surface of 2 sq. ft. per each lineal foot of street frontage to allow for an existing 4' by 4' portable sign, located southwest corner 11th Street and Lewis Avenue.

Comments and Questions:

Mr. Taylor stated that several letters of support (Exhibit J-1) have been received from interested parties, which he submitted to the Board.

Presentation:

The applicant, Joe Villins, 1102 South Lewis Avenue, Tulsa, Oklahoma, stated that he has existing signage on the buildings at the above stated location. He asked the Board to allow the occasional use of a 2' by 2' advertising sign.

Comments and Questions:

Mr. Gardner inquired as to the number of pole signs on the property, and the applicant replied that the only signs on the property are the wall signs that are attached to the building.

Case No. 14618 (continued)

Ms. White asked why additional signage is needed, and the applicant replied that his business is located on the southwest corner of the intersection, which is not visible to southbound traffic. Mr. Villins stated that the sign is used periodically for advertising specials and is placed outside during the daytime hours and removed at night.

Ken Bode, Sign Inspector, stated that the existing roof signs exceed the Code requirements. He informed that there have been many objections to the existing roof signs on the property.

Mr. Smith asked the applicant if he operates only the flower shop, and he answered in the affirmative.

Mr. Gardner stated that, if the Board is supportive of the portable sign, it could be conditioned on the basis that he not have a pole sign on the property.

Ms. White asked Mr. Gardner if the applicant can request an additional pole sign if the Board grants permission for the use of a portable sign. Mr. Gardner replied that the Building Inspector has indicated that, due to excessive roof signage, other signs would not be permitted. However, if the applicant met the conditions of the ordinance, a pole sign could be erected by right unless otherwise specified by the Board.

Mr. Villins stated that he does not want a pole sign to advertise his business.

**Board Action:**

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 1221.5(a) - Use Conditions - Use Unit 1221) of the aggregate display surface of 2 sq. ft. per each lineal foot of street frontage to allow for an existing 4' by 4' portable non-illuminated letter sign; subject to the sign being moved inside the building at night; and subject to no pole sign being installed for the flower shop; finding a hardship demonstrated by the fact that the shop does not have a pole sign and is located on a tract that has numerous wall signs in place, which exceed the allowable signage for the businesses; on the following described property:

Lots 4, 5 and 6, Block 1, Kendall Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14619 (continued)

Mr. Jackere suggested that the Board could require that the applicant return with a footprint, which would show how a proposed structure would be placed on the lot, but the requirement of architectural drawings is beyond the jurisdiction of the Board.

**Board Action:**

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **CONTINUE** Case No. 14619 until October 15, 1987, to allow the applicant sufficient time to obtain a footprint of a proposed house, which will be submitted, and available for review by interested parties, no later than 10 days prior to the hearing.

**OTHER BUSINESS**

**Case No. 14410**

**Presentation:**

Special Exception - Section 310 - Principal Uses Permitted In Agriculture Districts - Use Unit 1220 - Request a special exception to allow for a golf driving range, miniature golf course, golf school/learning center, baseball batting cages and related sales and service facilities.

Consideration of amended plot plan.

**Presentation:**

Paul Moore, submitted an amended plot plan (Exhibit M-1) for the facility in question and stated that he is one of the four owners of the project. He informed that the plot plan has been approved at an earlier meeting, and since that time four items have been amended. Mr. Moore stated that he has contacted the surrounding neighbors and has found no objection to the amended plan. He explained that there is an existing house on the property, which was to be renovated and used for the operations building, however, these renovation expenses were found to be excessive and that plan was abandoned. He stated that the old building which contained more than 3000 sq. ft. will be removed and a new 3000 sq. ft. building will be constructed. Mr. Moore informed that the previous plan which called for 12 light poles (40' high), with two 1500 watt fixtures, will be revised to show six 40' poles, with two 1500 watt fixtures. He asked the Board to allow 2 lights the same size, but only 5' high, to be installed out on the fairway. Mr. Moore pointed out that the lights shine upward and allow the balls to be seen while traveling in the air. He requested approval of a parking lot change from straight parking to angle parking, which will increase the number of spaces from 109 to 137 and slightly increase the size of the parking area. Mr. Moore explained that the batting cages will be moved to the interior of the property in order to better control the operation.



Case No. 14410 (continued)

**Comments and Questions:**

Mr. Jackere asked the applicant if any construction will be moved farther south, and Mr. Moore replied that nothing has been moved to the south, but the move will be a few feet to the north and west.

**Board Action:**

On **MOTION** of **WHITE** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** the amended plot plan for Case No. 14410; per plan submitted.

There being no further business, the meeting was adjourned at 3:05 p.m.

Date Approved 10.1.87

  
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Chairman

