

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 504
Thursday, December 3, 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, December 1, 1987, at 1:03 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 **BRADLEY**, the Board voted 3-0-1 (Bradley, Chappelle, Smith, "aye"; no "nays"; Quarles, "abstaining"; White, "absent") to **APPROVE** the Minutes of November 19, 1987.

Joe Hill, applicant in Case No. 14679, stated that his attorney is unable to attend this meeting and asked that his case be continued. Paul White, protestant, informed that he has driven from Arkansas in order to attend the meeting and requested that it be heard. Mike George, Bank of Oklahoma, stated that he is also opposed to a continuance of the case.

After discussion, the Board concurred that the request was not a timely one.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **HEAR** Case No. 14679 in the order shown on the agenda; finding that the request for a continuance was not a timely one.

UNFINISHED BUSINESS

Case No. 14650

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1215 - Request a use variance to allow for

Case No. 14650 (continued)

off-street parking and to allow for storage in an RS-2 zoned district.

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1215 - Request a variance of the required 5000 sq. ft. of livability space, located NW/c Allegheny and East 11th Street.

Presentation:

The applicant, Ollie Gresham, 1850 South Boulder, Tulsa, Oklahoma, asked if the request for off-street parking is a special exception, and Mr. Gardner informed that it is a special exception if it is connected with the commercial property to the south.

Mr. Gresham, who submitted photographs (Exhibit A-1) and an area map (Exhibit A-2), stated that in 1983 Marilyn Casey was managing the beauty academy to the south of the property in question, and purchased both the academy and the subject tract in 1986. He informed that approximately three months after the purchase, his client was cited (Exhibit A-5) by Code Enforcement for failing to provide a hard surface parking area. Mr. Gresham explained that Ms. Casey installed the required covering for the lot and was then told that a 6' screening fence would also be required. He pointed out that, after all of the work was completed, the representative from Code Enforcement told his client that she would be required to appear before the Board of Adjustment. Mr. Gresham informed that a similar request was denied in 1968, but Ms. Casey has made an effort to comply with all specifications set out by Code Enforcement. He stated that the property in question is basically surrounded by commercial uses, and the installation of the parking lot will remove approximately 25 cars from street parking.

Comments and Questions:

Mr. Chappelle asked the applicant to state the use for the house which is located on the property, and he replied that he is asking for withdrawal of the storage portion of the request. Mr. Gresham informed that the house was used for storage at one time, but is now livable.

Mr. Smith stated that he viewed the property prior to this meeting and there were boxes stacked on the back porch of the house.

Mr. Smith inquired if Ms. Casey had knowledge of the 1968 application that was denied, and he replied that she became involved with the academy in 1983.

Case No. 14650 (continued)

Mr. Gardner asked if Ms. Casey owns the subject tract, along with the building which houses the plant warehouse and the beauty academy, and the applicant answered in the affirmative.

Mr. Gardner asked Mr. Gresham if his client owned the property in 1968, and he replied that she purchased the property in 1986 and the deed was filed on January 22, 1987.

Protestants:

Mr. Chappelle informed that the Board has received a letter of protest (Exhibit A-6) from Eunice Jamison, 567 South Darlington, Tulsa, Oklahoma.

Darrell Mayfield, 916 South Allegheny, Tulsa, Oklahoma, stated that there is a parking problem in the area, which is created by the school. He informed that the beauty school has borrowed parking from other businesses in the vicinity and pointed out that the small parking lot will not solve their parking problem. He pointed out that the paving of the parking lot has increased an existing problem with water run-off.

Mr. Smith asked if the houses across the street are vacant, and Mr. Gresham replied that they are occupied.

Mr. Quarles asked Mr. Mayfield what the residents of the area will gain if the application is denied, and he replied that the residential character of the neighborhood will be maintained. He voiced a concern that others in the area will request similar requests if the application is approved.

Terry Moses, 5011 East 9th Street, Tulsa, Oklahoma, stated that he has toured the academy and was told that they have approximately 300 patrons each day. He stated some fears that the plant warehouse will relocate and the school will expand into that area. A location map (Exhibit A-4) was submitted. He pointed out that there are several commercial lots in the area that can be purchased for a parking lot. Mr. Moses informed that he spoke with a Code Enforcement representative prior to the surfacing of the parking area, and he assured him that a work stoppage order had been issued; however, two days later the parking lot was completed.

Case No. 14650 (continued)

Mr. Gardner informed that parking for the existing academy is nonconforming, but additional parking spaces will be required for any new expansion.

Anita Moses, 1511 East 9th Street, Tulsa, Oklahoma, stated that she is concerned that the parking lot will detract from the charm of the neighborhood, and the additional traffic will be hazardous for the school children walking in the area.

Mr. Quarles pointed out that approval or denial of the application will not change the number of cars in the area, but it seems that the residents of the area may be opposed to the presence of the academy in the area.

Ms. Moses stated that the residents are concerned with the encroachment of business into the neighborhood, but feels that this situation could be improved by using existing commercially zoned lots in the area for parking.

Terry Wilson, 7728 East 30th Street, Tulsa, Oklahoma, Chairman of District 5, submitted photographs (Exhibit A-3) and suggested that hair chemicals may be manufactured and processed on the subject property. He pointed out that Mr. Gresham has not presented a hardship for this case and asked the Board to deny the application. A petition of opposition to the application was submitted (Exhibit A-3).

Mr. Quarles stated that one case does not set precedent for another case, and that, if this application is approved, the Board is not endorsing further commercial parking in the residential area.

Ms. Bradley agreed with Mr. Quarles that technically the approval would not set a precedent, but stated that realistically a precedent would be set.

Mr. Jackere pointed out that the lot in question has a single-family home in place and if used as such would not have the required livability space. He stated that the structure can be removed and this variance will not be needed. Mr. Jackere informed that each application must be dealt with on a case by case basis, but if this off-street parking lot is approved, the neighborhood will have changed and that fact may have some impact on the next case.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-1-0 (Chappelle, Quarles, Smith, "aye"; Bradley, "nay"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - 1680.1g) to allow for off-street parking in an RS-2 zoned district.

Additional Comments:

Mr. Gardner advised that if the owner is allowed to retain the structure on the property it would not be appropriate for residential purposes, and if used for business, would create an additional need for parking. He pointed out that the existing school will not be allowed to expand into the flower shop portion of the building without an occupancy permit. He explained that a permit could not be issued because the use will be changing from a retail commercial flower shop to a trade school. He informed that the ordinance states that the uses of a property to another use unit cannot be changed without meeting the off-street parking requirements.

Marilyn Carey, owner of the property in question, stated that the house has been appraised for \$43,000. She informed that she would like to utilize the house for storage, or remodel it for her home. She stated that she does not want to remove the house, but will comply with Board requirements.

Mr. Smith stated that he is not in favor of warehouse use and a parking use on the property.

Mr. Jackere suggested that the Board rescind the previous motion, and express the proper intent in a new motion.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-1-0 (Chappelle, Quarles, Smith, "aye"; Bradley, "nay"; no "abstentions"; White, "absent") to **RESCIND** the **Approval** of a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Section 1680.1g) to allow for off-street parking in an RS-2 zoned district.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Section 1680.1g) to allow for off-street parking in an RS-2 District; and to **WITHDRAW** a **Use Variance** - (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1215) to allow for business storage in an RS-2 zoned district; and to **DENY** a **Variance** (Section 430 - Bulk and Area Requirements In Residential Districts - Use Unit 1215) of the required 5000 sq. ft. of livability space; subject to the house being removed from the lot; subject to the entire lot being covered with a hard surface material and utilized for parking; subject to

Case No. 14650 (continued)

screening fence per Zoning Code; and subject to all lighting being directed inward and away from the residential area; finding that a hardship was not demonstrated by the applicant that would warrant the granting of the variance request; on the following described property:

Lot 4, Block 31, White City Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14653

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 Evanston Avenue from 60' to 53' to allow for an existing dwelling unit, located 3216 South Evanston Avenue.

Presentation:

The applicant, Jerry L. Clark, 3216 South Evanston, Tulsa, Oklahoma, who submitted a survey (Exhibit B-1) and photographs (Exhibit B-2), stated that his garage was constructed 2 1/2' over the building line approximately 30 years ago. He stated that the encroachment was discovered when he refinanced his property.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "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 South Evanston Avenue from 60' to 53' to allow for an existing dwelling unit; per survey submitted; finding that the house has been at the present location approximately 30 years; on the following described property:

Lot 10, Block 3, Charlane Estates Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14647

Action Requested:

Special Exception - Section 420.1 - Accessory Uses in Residential Districts - Use Unit 1217 - Request a special exception to allow for a home occupation for automobile service and minor repair in an RS-3 zoned district, located 2125 South 103rd East Avenue.

Presentation:

The applicant, Orville Plummer, 2125 South 103rd East Avenue, Tulsa, Oklahoma, was represented by Gordon Cecil, PO Box 52456, Tulsa,

Case No. 14647 (continued)

Oklahoma, who submitted photographs (Exhibit C-1) and a location map (Exhibit C-4). Mr. Cecil explained that his client repairs motor vehicles in his garage and has been operating the business from his home for approximately 1 1/2 years. He stated that Mr. Plummer does not engage in major repairs or store vehicles on the property. It was pointed out by Mr. Cecil, that all fluids are placed in containers and removed from the property on a regular basis. He informed that Mr. Plummer's lot adjoins South 21st Court, which is a dead end street abutting the Circle Plaza Shopping Center on the east.

Comments and Questions:

Mr. Chappelle asked if Mr. Plummer can comply with the Home Occupation Guidelines, and the applicant answered in the affirmative.

In response to Mr. Chappelle's inquiry as to whether all work is done inside, Mr. Cecil replied that all repairs are made inside the garage.

Mr. Chappelle inquired as to the days and hours of operation, and Mr. Cecil replied that the garage is in operation from 8:00 a.m. to approximately 6:00 p.m., Monday through Friday and part of Saturday. Mr. Chappelle asked how many cars will be on the premises at one time and the applicant stated that there will be no more than 4 automobiles waiting for repair at any time.

Ms. Bradley commented that when she viewed the property there was one car in the driveway on blocks and four cars parked in the street, with three people doing mechanic work. She stated that it is obvious that a business is being conducted on the property and the repair business, as it is being operated at this time, is not appropriate for the area.

Interested Parties:

In response to Mr. Chappelle's inquiry, several individuals in the audience stated that they are in support of the application. Letters of support (Exhibit C-2) and photographs (Exhibit C-3) were submitted.

Board Action:

Ms. Bradley's motion for denial of the application died for lack of a second.

Mr. Quarles suggested that a three year time limit might be appropriate if the application is approved. He pointed out that the operator of the garage is renting the property and it could be determined in that length of time if the business is compatible with the neighborhood.

On **MOTION** of **SMITH**, the Board voted 3-1-0 (Chappelle, Quarles, Smith, "aye"; Bradley, "nay"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 420.1 - Accessory Uses in Residential Districts - Use Unit 1217) to allow for a home

Case No. 14647 (continued)

occupation for automobile service and minor repair in an RS-3 zoned district for three years only; subject to Home Occupation Guidelines; subject to days and hours of operation being 8:00 a.m. to 5:30 p.m., Monday through Friday and one half day on Saturday (no work being performed on Sunday); and subject to a maximum of three automobiles awaiting repair on the property at any given time; on the following described property:

Lot 1, Block 3, Charyl Lynn Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14660

Action Requested:

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

Variance - Section 440.6(e) - Special Exception Requirements - Use Unit 1206 - Request a variance of the time regulation from one year to permanently, located 3537 East 33rd Street North.

Presentation:

The applicant, William S. Boozer, 3537 East 33rd Street North, Tulsa, Oklahoma, submitted photographs (Exhibit D-1) and asked the Board to allow an existing mobile home to remain at the present location. He explained that the property originally belonged to his grandparents and the mobile was occupied by his father until his recent death. He pointed out that his father worked on cars and the parts that remain on the property are being sold to settle the estate.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow for an existing mobile home in an RS-3 District; and to **APPROVE** a **Variance** (Section 440.6(e) - Special Exception Requirements - Use Unit 1206) of the time regulation from one year to five years only; finding that the mobile home is compatible with the neighborhood and will not be detrimental to the area; on the following described property:

A parcel of ground in the S/2 of the NW/4, NW/4, of Section 21, T-20-N, R-13-E, described as follows: Beginning at a point in the south boundary line of the above described land, 300' west

Case No. 14660 (continued)

of the SE/c thereof, thence north to southeasterly boundary line of the AT and SF Railroad Right of Way a distance of about 436', thence east a distance of 100' to a point, thence south to the south boundary line of described tract, thence west a distance of 100' to the Point of Beginning, all located in the City of Tulsa, Tulsa County, State of Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 14669

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206 - Request a minor variance of setback from the centerline of East Admiral Court from 50' to 41' to allow for an existing dwelling unit, located 2828 East Admiral Court.

Presentation:

The applicant, Charles Drury, 2305 East 5th Place, Tulsa, Oklahoma, submitted photographs (Exhibit E-1) and informed that the house in question has been moved to the property from another location. He stated that it has not been completed because the City has stopped work on the project. Mr. Drury explained that it was first determined that the porch could not be moved with the house, but later a way to move it was worked out. He informed that the porch will extend over the setback when it is reattached to the house.

Comments and Questions:

Mr. Chappelle asked if there are other houses as close to the street as the structure that was moved in, and Mr. Drury stated that some houses are as close as 27'.

Protestants:

Pat O'Connor, 2849 East Admiral Court, Tulsa, Oklahoma, stated that the unfinished structures have been there approximately two years. She informed that a chimney has been removed and is in the yard at this time. Ms. O'Connor pointed out that Mr. Drury moved the houses on the property without approval and the houses are so close that there is not sufficient space for a driveway. She commented that the houses are in very bad repair.

Ms. Bradley inquired as to the number of buildings on the lot, and Ms. O'Connor replied that there are two structures on the property.

Mr. Quarles remarked that, according to the applicant's presentation, the house in question will align with the others along the street.

Case No. 14669 (continued)

Mr. Gardner explained that TMAPC has approved three lots that do not meet the 50' frontage, subject to each of these lots having in excess of 40' of frontage. He stated that the applicant will ultimately have three houses on the property, but this request deals only with one house that has a porch extending into the front setback.

A resident at 845 East Admiral Court, Tulsa, Oklahoma, stated that he lives across the street from the subject property. He explained that the applicant purchased a large house on a large lot and moved these additional houses on the property. He stated that the houses are unsightly and mounds of dirt and lumber are cluttering the yard.

Additional Comments:

Ms. Bradley asked Mr. Drury if the houses are all vacant, and he replied that they are vacant because the City Inspector has not approved the work. He informed that the houses are in good repair.

Mr. Gardner pointed out that the houses will have to be livable and meet the City Code when they are completed, with two off-street parking spaces being provided for each lot.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in the Residential Districts - Use Unit 1206) of setback from the centerline of East Admiral Court from 50' to 41' to allow for an existing dwelling unit; finding that there are other houses in the area that are closer to the street than the subject dwelling; and finding that 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:

The east 66.9' of the north 93' of Block 3, Speedway Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14680

Action Requested:

Variance - Section 280 - Structure Setback from Abutting Streets - Use Unit 1221 - Request a minor variance of setback from the centerline of South Yale Avenue from 60' to 55' to allow for a business sign, 5196 South Yale Avenue.

Presentation:

The applicant, Oklahoma Neon, 5196 South Yale Avenue, Tulsa, Oklahoma, was represented by Charles Hare, 6550 East Independence, Tulsa, Oklahoma. He informed that the existing sign is in the driveway at this time, but plans are being made to erect a new sign on an old base in the grassy area. Mr. Hare stated that the sign will extend 5' closer to Yale Avenue than the existing one. A plot plan (Exhibit F-1) was submitted.

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Case No. 14680 (continued)

Comments and Questions:

Mr. Gardner stated that the proposed location will still be on the applicant's property, but will be 55' from the centerline of Yale Avenue.

Protestants: None.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 280 - Structure Setback from Abutting Streets - Use Unit 1221) of setback from the centerline of South Yale Avenue from 60' to 55' to allow for a business sign; per plan submitted; finding that there are other structures along Yale that are as close to the street as the sign in question; on the following described property:

Lot 1, Block 1, Carousel Concourse I Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 14655

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Use Unit 1213 - Request a special exception to allow a home occupation for the duplicating of audio cassette tapes in an RS-2 zoned district, located 2527 South Columbia Place.

Presentation:

The applicant, Luther Loucks, 2527 South Columbia Place, Tulsa, Oklahoma, stated that he retired 10 years ago and set up a tape duplicating studio in an 8 by 12 room behind his home. Mr. Loucks stated that he advertised his business in the Yellow Pages approximately five years ago and put up a small sign on the door of the studio. He informed that his business, which is mostly a hobby, is open from 10:00 a.m. to 5:00 p.m., three days each week. The applicant stated that the sign has been removed and asked the Board to allow him to continue his tape duplicating business.

Comments and Questions:

Ms. Bradley Inquired as to the number of customers that visit the home each day, and Mr. Loucks replied that he usually has one or two customers each day.

Protestants: None.

Case No. 14655 (continued)

Interested Parties:

Brett Reber, 2350 South Delaware, Tulsa, Oklahoma, stated that he received the notice of hearing in the mail and attended the meeting to see what type of home occupation will be operating. He informed that he was not aware of the business and has no problem with the application.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Special Exception** (Section 420 - Accessory Uses in Residential Districts - Use Unit 1213) to allow a home occupation for the duplicating of audio cassette tapes in an RS-2 zoned district; per Home Occupation Guidelines; finding that the duplicating business will be compatible with the neighborhood and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 13, Block 2, Louise Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14668

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of lot width from 60' to 40'; lot area from 6900 sq. ft. to 3394 sq. ft.; land area from 8400 sq. ft. to 4307 sq. ft. and the livability space from 4000 sq. ft. to 2048 sq. ft. all in order to allow a lot split, located 2824 and 2828 East Admiral Court.

Comments and Questions:

Mr. Gardner explained that the original application requested that one lot be 36.5' wide, but TMAPC approved the request subject to a minimum of 40' lot width. He pointed out that the Commission reached that decision based on the fact that the width of the majority of the lots in the area are in the forties.

Presentation:

The applicant, Charles Drury, 2505 East 5th Street, Tulsa, Oklahoma, who submitted a plat of survey (Exhibit G-2) and a location map (Exhibit G-1), stated that he is proposing to have three dwellings on the property, with the smallest lot being 40' in width.

Protestants:

Pat O'Connor, 2849 East Admiral Court, Tulsa, Oklahoma, stated that Mr. Drury now owns three houses on the block and they are all empty. She stated that it appears that he is attempting to tear up the neighborhood. She stated that the houses that he has moved in are in bad repair and is against another house being moved to the area. Ms. O'Connor pointed out that the applicant places the houses as close to the lot lines as possible, and asked that the Board deny the application.

Case No. 14668 (continued)

Mr. Gardner informed that the entire frontage is 133', and the applicant has permits for two lots 60', or greater, but is before the Board today to ask that the property be divided into three lots.

A protestant, 2845 East Admiral Court, Tulsa, Oklahoma, stated that he lives across the street from the subject property. He explained that he is opposed to the applicant moving in another house to set empty in the neighborhood.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of lot width from 60' to 40'; lot area from 6900 sq. ft. to 3720 sq. ft.; land area from 8400 sq. ft. to 4720 sq. ft. and the livability space from 4000 sq. ft. to 2048 sq. ft. all in order to allow a lot split; per survey submitted and TMAPC conditions; finding that the average lot frontage in the area is in the forties; 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 Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 14671

Action Requested:

Variance - Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221 - Request a variance of signage from 60 sq. ft. to 80 sq. ft. to allow for an existing sign, located 6035 South Sheridan Road.

Presentation:

The applicant, Carolyn Coppedge, 10123 East 28th Street, Tulsa, Oklahoma, submitted photographs (Exhibit H-1) of the business and sign at the above stated location. She explained that the awning which has been installed has a greater amount of signage than the Code permits and asked the Board to allow it to remain.

Comments and Questions:

Ken Bode, Sign Inspection, informed that the applicant has 20' of frontage and is allowed 60 sq. ft. of signage according to the Code.

Ms. Bradley asked if the name of the store is on the awning, and the applicant answered in the affirmative.

Mr. Quarles commented that he is of the opinion that the sign is compatible with the area.

Case No. 14671 (continued)

Protestants: None.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221) from 60 sq. ft. to 80 sq. ft. to allow for an existing sign; finding that the existing sign is compatible with the area and is actually an awning with the imprint of the business name and the product sold; on the following described property:

Lot 2, Block 1, Southern Hills Center Resubdivision, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14672

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted In Office Districts - Use Unit 1217 - Request a use variance to allow for an existing automotive repair shop and related uses in an OL zoned district.

Special Exception - Section 410 - Principal Uses Permitted In Office Districts - Use Unit 1206 - Request a special exception to allow for an existing dwelling unit in an OL zoned district, located 1929 South 85th East Avenue.

Presentation:

The applicant, Robert McKee, 1929 South 85th East Avenue, Tulsa, Oklahoma, was represented by Jeff Nix, 815 South Denver, Tulsa, Oklahoma. He asked the Board to allow Mr. McKee to continue his trade as an automobile mechanic at the above stated location. Mr. Nix explained that the applicant was operating his business at another location, but as the economy became more depressed, he was unable to remain in business there. He pointed out that his clients property was previously zoned RS, but has been rezoned to OL, and the property across the street is CS. Photographs (Exhibit J-2) were submitted.

Comments and Questions:

Mr. Chappelle asked Mr. Nix to state the days and hours of operation for the repair business, and he replied that he will be open for business Monday through Friday, 8:00 a.m. to 5:00 p.m. He informed that Mr. McKee will have no more than three vehicles for repair at any given time.

Ms. Bradley stated that she has viewed the lot and there are several cars there at this time. Mr. Nix advised that these automobiles were moved from the former business location and will be disposed of as soon as possible.

Case No. 14672 (continued)

Mr. McKee informed that he has 14 cars on the lot at the present time, but is attempting to sell them. He stated that he usually has five personal cars on the property, but all of the cars waiting for repair are stored in the garage.

Protestants:

The Board received a petition and letter of protest (Exhibit J-1) from Ray Cosby, District Planning Team Co-Chairman, which stated that he does not oppose the dwelling unit, but is opposed to the repair shop on the property.

Additional Comments:

Ms. Bradley asked Mr. Nix to address the hardship, and he replied that the lot is narrow and is served by a septic system, which could limit its use for OL use.

Ms. Bradley suggested that the case be continued until the cars that are stored on the property are removed.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 2-1-0 (Chappelle, Quarles, "aye"; Bradley, "nay"; no "abstentions"; Smith, White, "absent") to **APPROVE*** a **Use Variance** (Section 410 - Principal Uses Permitted in Office Districts - Use Unit 1217) to allow for an existing automotive repair shop and related uses in an OL Zoned district for a period of three years only; subject to all repairs being conducted inside the building; subject to only three cars awaiting repair at any given time; and subject to days and hours of operation being Monday through Friday, 8:00 a.m. to 5:00 p.m.; finding that the house located on the property is nonconforming and needs no relief from this Board; on the following described property:

*The motion failed for lack of three affirmative votes.

The north 146' of the south 293' of the west 305' of Block 10, O'Connor Park Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 14674

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of side yard setback from 10' to 2.6' and a variance of front yard setback from 10' to 7.6' to allow for an existing carport, located 1111 South 53rd West Avenue.

Presentation:

The applicant, Julia Doyle, 1520 West Blue Starr Drive, Claremore, Oklahoma, submitted photographs (Exhibit K-1) and stated that she is

Case No. 14674 (continued)

representing the owner of the property in question who is elderly and is unable to attend the meeting. She informed that a family member constructed a carport without permission and asked the Board to allow it to remain at its present location. A plot plan (Exhibit K-2) was submitted.

Comments and Questions:

Ms. Bradley asked Ms. Doyle if there are other carports in the area, and she replied that she is not aware of any.

Mr. Gardner pointed out that the area is zoned for apartments, but has developed single-family.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of side yard setback from 10' to 2.6' and a variance of front yard setback from 10' to 7.6' to allow for an existing carport; finding a hardship imposed on the applicant by the fact that the area is zoned for apartments, but is developed single-family; on the following described property:

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

Case No. 14675

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow for an existing automobile repair shop in a CS zoned district.

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1217 - Request a variance of setback from the north property line from 10' to 1' to allow for an addition to an existing building, located 2245 East 6th Street.

Presentation:

The applicant, Curtis Davenport, was represented by Robert Todd, 2519 East 21st Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit L-1) and informed that the variance request is for a setback of 4' 9" from the north property line, instead of one foot as reflected on the agenda. He informed that the one foot setback is on the west property line next to the retaining wall. Mr. Todd pointed out that the original garage was constructed in 1948 and a 9' extension was added to the back portion in 1952, which

Case No. 14675 (continued)

encroached on the north setback. He informed that his client is now requesting permission to expand the building 11' 4" to the west in order that some of his antique cars can be moved inside. He explained that a juke box repair business is in operation next door to the subject property, and there are no residences on the block. Mr. Todd stated that the new construction will align with the existing building. A floor plan (Exhibit L-1) was submitted.

Comments and Questions:

Mr. Quarles asked the applicant if the use of the property will change in any way, and Mr. Todd replied that the repair business will be operated in the same manner that it has been operating since 1948.

Ms. Bradley stated that she is concerned with the large number of inoperable vehicles that are on the property. She pointed out that it appears to be a salvage yard and is the most unsightly lot in the area.

Mr. Todd stated that he has discussed the condition of the lot with his client and he has agreed to dispose of all of the old vehicles that are not stored in the building.

Ms. Bradley advised that the subject property abutts RM-1 to the north and requires the installation of a screening fence.

Interested Parties:

Jack Knippa, 6663 South Victor, Tulsa, Oklahoma, stated that he is representing Kendall Whittier Ministry and the Kendall Whittier Neighborhood Association. He commented that these organizations are not opposed to the construction of the proposed addition if the property is cleaned up and a screening fence installed on the northern boundary.

Protestants:

Charles Drury, 2305 East 5th Place, Tulsa, Oklahoma, stated that he lives in the house next to the church parking lot that abutts the north boundary of Mr. Davenport's property. He stated that he owns other property in the area and is interested in restoring the integrity of the neighborhood.

Ms. Bradley asked Mr. Drury if he objects to the automobile repair shop, and he replied that it has never been a repair shop, but is a salvage yard.

Additional Comments:

Ms. Bradley voiced a concern that the property might not be cleared if the special exception is approved.

Mr. Jackere stated that the application could be continued to allow the applicant sufficient time to clear the property before the case is heard.

Case No. 14675 (continued)

Board Action:

On **MOTION** of BRADLEY, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **CONTINUE** Case No. 14675 to February 4, 1988, to allow the applicant sufficient time to clear the property of debris.

Case No. 14676

Action Requested:

Use Variance - Section 610 - Principal Uses Permitted in Office Districts - Use Unit 1223 - Request a use variance to allow for a warehouse/wholesale business in an OL District.

Variance - Section 630 - Bulk and Area Requirements in Office Districts - Use Unit 1223 - Request a variance of building setback from the south property line from 10' to 6' to allow for a building.

Variance - Section 1223 - Use Conditions - Use Unit 1223 - Request a variance of the screening requirements on the south property line, located 2136 South 87th East Avenue.

Presentation:

The applicant, Rik Nahkala, 2136 East 87th East Avenue, Tulsa, Oklahoma, stated that he is representing Roberts Supply Company. He submitted a plot plan (Exhibit M-2) and informed that the owner is proposing to join two existing buildings, which are approximately 6' from the property line. A location map (Exhibit M-3) was submitted.

Comments and Questions:

Mr. Gardner asked Mr. Nahkala how long the buildings have been at their present location, and he replied that they were constructed in 1950. Mr. Gardner stated that there is a provision in the Zoning Code that states that improvements to nonconforming structures could be accomplished by a special exception (Section 1420.f) if found to be compatible with the area.

Ms. Bradley asked Mr. Gardner how it is anticipated that the land around the subject property will develop.

Mr. Gardner explained that the surrounding properties will develop in accordance with the underlying zoning, with the north probably developing commercial, and residential to the south.

Ms. Hubbard pointed out that the Board occasionally waives the screening requirements until residential properties develop.

Protestants:

Mr. Chappelle informed that the Board has received a letter of opposition (Exhibit M-1) from the Tulsa Development Authority.

Case No. 14676 (continued)

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Special Exception** (Section 610 - Principal Uses Permitted In Office Districts - Use Unit 1223) to allow for expansion of a warehouse/wholesale business in an OL District; finding the use to be nonconforming; to **APPROVE** a **Variance** (Section 630 - Bulk and Area Requirements In Office Districts - Use Unit 1223) of building setback from the south property line from 10' to 6' to allow for a building; and to **APPROVE** a **Special Exception** (Section 250.3 - Modification of the Screening Wall or Fence Requirements) to waive the screening requirements on the south property line until such time as the property develops residential; finding that the property to the south is pastureland and screening is not appropriate at this time; per plan submitted; finding that the existing nonconforming buildings have been on the property for many years; on the following described property:

The north 76.45', south 152.9', NW/4, NE/4, NW/4, less west 336.5', north 152.9', south 305.8', NW/4, NE/4, NW/4, Section 13, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14677

Action Requested:

Use Variance - Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1215 - Request a use variance to allow for both an air conditioner repair shop and off-street parking in an RS-3 zoned district, located 3322 East 30th Street.

Presentation:

The applicant, Bob Omstead, requested by letter (Exhibit N-1) that Case No. 14677 be continued to December 17, 1987.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **CONTINUE** Case No. 14677 to December 17, 1987.

Case No. 14678

Action Requested:

Variance - Section 1221.3(a) - General Use Conditions for Business Signs - Use Unit 1221 - Request a variance of setback to allow for a sign to be placed on an existing building within 40' of an R District, located 1350 South Boulder Avenue.

Presentation:

The applicant, Mir Khezri, 1889 North 105th East Avenue, Tulsa, Oklahoma, submitted a sign plan (Exhibit R-1) and photographs (Exhibit R-2), and stated that he is employed by Craig Neon, Inc. He explained that his client, Warren Petroleum, has requested four

Case No. 14678 (continued)

signs be installed on each elevation of their building at the above stated location. Mr. Khezri stated that there is no problem with the south, east and north elevations, but the west elevation is approximately 16' from a residential area. He pointed out that the sign will be 170' from the ground, on the 12th floor of the building, and suggested that a sign at this height should not be a problem for the property owners to the west.

Comments and Questions:

Mr. Quarles asked if the sign will be lighted, and the applicant stated that it will be internally illuminated.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 1221.3(a) - General Use Conditions for Business Signs - Use Unit 1221) of setback to allow for a sign to be placed on an existing building within 40' of an R District; per plan submitted; finding that there are mixed zoning classification in the area; and finding that the sign will actually be located on top of a 12-story building; on the following described property:

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

Case No. 14679

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1202 - Request a special exception to allow for an existing landfill in an IL zoned district, located 3201 North Yale Avenue.

Presentation:

The applicant, Joe Hill, 3201 North Yale, Tulsa, Oklahoma, stated that he purchased the operating landfill and equipment approximately 19 years ago, and was not aware that the business was operating illegally in the Industrial area. He asked the Board to allow the landfill to remain in operation. A location map (Exhibit S-1) was submitted.

Comments and Questions:

Ms. Bradley advised Mr. Hill that the records reflect that he made application for a landfill at the present location in 1985. She pointed out that the request was withdrawn before the hearing date.

Mr. Quarles asked Mr. Hill if he remembers making the application referred to by Ms. Bradley, and he replied that he does not remember making that application.

Case No. 14679 (continued)

Mr. Taylor stated that a copy of the application, signed by the applicant, is on file at the INCOG office. A letter requesting withdrawal of Case No. 13737 was received by Staff in September of 1985. He informed that the minutes regarding this case stated that Code Enforcement was to check the business and verify that the operation had ceased.

Mr. Hill stated that he was not aware of a Code violation until he was informed of the fact in August.

Ms. Bradley asked if the business is in operation at this time, and the applicant replied that it is not. He stated that he acquired the first license that was issued for a landfill in the City of Tulsa. Mr. Hill stated that the landfill will be complete in approximately three years.

In response to Ms. Bradley's inquiry, Mr. Gardner informed that there are state and local health requirements that must be met, one of which is the requirement that the property is properly zoned.

Protestants:

Bill Richards, 11010 East 51st Street, Tulsa, Oklahoma, stated that he is representing two property owners to the east of the subject tract, whose holdings represent approximately 17% of the land within the square mile. He pointed out that the property is very offensive in appearance and is downgrading to the adjacent properties. Mr. Richards asked the Board to deny the special exception request.

Mike George, Bank of Oklahoma, stated that he is co-trustee for the Charles Drouillard trust, who is owner of property contiguous to the subject tract. He stated that the landfill has encroached onto other properties and suggested that a survey would be in order. He submitted photographs (Exhibit S-2) and pointed out that the site is very small to be a landfill for 19 years. Mr. George stated that there is junk littering the highway in front of the subject tract, which is having an adverse affect on the surrounding properties.

Paul White stated that he has owned the property to the north of the subject tract for approximately 35 years and that the landfill is encroaching on his property. He informed that there is dumping along the road and the subject property is very unsightly.

Sherry Emil, 6802 South Florence, Tulsa, Oklahoma, stated that Mr. White is her father and he has been instrumental in getting Yale extended and upgrading the land. She stated that her father has been in the process of trying to sell his property, but has been unsuccessful because all prospective buyers have been opposed to its location next to a landfill. She pointed out that Mr. Hill is operating without a permit and asked the Board to deny the application.

Case No. 14679 (continued)

Interested Parties:

Bill Hill, son of the applicant, stated that there are completed landfills in all directions from his father's property, and the hole that was dug for this landfill will be filled in approximately three years. He stated that the property was purchased from the Drouillards, one of the protesting landowners, and was an operating landfill at the time of purchase.

Additional Comments:

Ms. Bradley asked Bill Hill if the business is operating without a permit at the present time, and he replied that, in July of this year, the City told his father that he would not be able to continue the operation without permission from this Board.

Mr. Quarles asked Mr. Hill what happens to a landfill if it is closed, and he replied that a bond has been placed with the City to insure that the landfill is completed according to the Engineering Report. He pointed out that the road construction in the past three years has hindered the filling of the hole, due to poor access to the landfill.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **DENY** a **Special Exception** (Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1202) to allow for an existing landfill in an IL zoned district; finding that the landfill has been in operation for a number of years and has proved to be incompatible with the area; and finding that the granting of the special exception would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

A part of Lot 1, Block 1, Gilcrease Freeway Industrial Park Addition to the City of Tulsa, Tulsa County, Oklahoma, beginning at the NW/c of said lot, thence east 1267.20', south 433.2', west 927', north 333.2', west 340.2', north 100', to the Point of Beginning, less the west 30' for right-of-way.

Case No. 14681

Action Requested:

Variance - Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221 - Request a variance of display surface area from 270 sq. ft. to 286 sq. ft. to allow for a business sign, 3063 South Sheridan.

Presentation:

The applicant, Oklahoma Neon, was represented by Richard Dickerson, Engineering Manager for the Circle K Corporation. He submitted a plot plan (Exhibit T-1) and explained that he is before the Board with the same request that was granted approximately one year ago.

Case No. 14681 (continued)

Mr. Dickerson pointed out that, at that time, some of the existing stores were being remodeled and color bands added, which were determined to be additional signage. He stated that the Sign Code is being reviewed at this time, and asked the Board to grant a variance to install color bands on the store at the above stated location.

Comments and Questions:

Mr. Gardner informed that the Sign Code is being studied at this time. He informed that the portion of the Code that deals with color bands has not been amended yet, but is in the process of being amended. The Staff does not have a problem with the color bands and the variance requested, but we have not resolved other problems of the ordinance dealing with electric awning signs and the differences between the two types of signs.

Mr. Dickerson informed that the store is being remodeled and the color bands in this application are consistent with those in the previous Circle K sign approvals.

Protestants: None.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221) of display surface area from 270 sq. ft. to 286 sq. ft. to allow for a business sign; finding that the lighted color bands, although technically classified as a sign, do not exceed the total display surface area for wall signs on the building; on the following described property:

A tract of land that is part of the SW/4, SW/4 of Section 14, T-19-N, R-13-E of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the US Government survey thereof, said tract of land being described as follows: Starting at the SW/c of said SW/4, SW/4; thence northerly along the westerly line of said section for 70'; thence easterly and parallel to the southerly line of said section for 50' to the Point of Beginning of said tract of land; thence northerly and parallel to the westerly line of Section 14 for 130.00'; thence easterly and parallel to the southerly line of Section 14 for 150'; thence southerly and parallel to the westerly line of Section 14 for 150' to a point lying 50' northerly of the southerly line of Section 14; thence westerly and parallel to said southerly line for 130' to a point lying 70' easterly of the westerly line of Section 14; thence northwesterly for 28.29' to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14682

Action Requested:

Variance - Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221 - Request a variance of display surface area from 180 sq. ft. to 290 sq. ft. to allow for a business sign, located 6998 South Lewis Avenue.

Presentation:

The applicant, Oklahoma Neon, was represented by Richard Dickerson, Engineering Manager for the Circle K Corporation. He submitted a plot plan (Exhibit V-1) and explained that he is before the Board with the same request that was granted approximately one year ago. Mr. Dickerson pointed out that, at that time, some of the existing stores were being remodeled and color bands added, which were determined to be additional signage. He stated that the Sign Code is being reviewed at this time, and asked the Board to grant a variance to install a color bands on the store at the above stated location.

Comments and Questions:

Mr. Gardner informed that the Sign Code is being revised at this time. He informed that the issue of the Code that deals with color bands has been resolved and the color bands, as approved in the previous applications for Circle K, are in accordance with this thinking.

Mr. Dickerson informed that the store is being remodeled and the color bands in this application are consistent with those in the previous Circle K sign approvals.

Protestants: None.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221) of display surface area from 270 sq. ft. to 286 sq. ft. to allow for a business sign; finding that the lighted color bands on the building are classified as signage, but appropriate for relief; on the following described property:

Part of the SE/4, SE/4, beginning 50.0' west and 50.0' north of the SE/c, SE/4; thence north 180.0'; thence west 200.0'; thence south 120.0'; thence southeasterly 75.6'; thence east 154.0' to the point of beginning; LESS beginning 50.0' west and 50.0' north of the SE/c, SE/4; thence north 5.0'; thence southwesterly 7.07'; thence east 5.0' to the point of beginning; and less the south 10.0' of the west 130.0' thereof; Section 6, T-18-N, R-13-E, Tulsa County, Oklahoma.

Case No. 14683

Action Requested:

Variance - Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221 - Request a variance of display surface area from 255 sq. ft. to 295 sq. ft. to allow for a business sign, located 1707 Southwest Boulevard.

Presentation:

The applicant, Oklahoma Neon,
The applicant, Oklahoma Neon, was represented by Richard Dickerson, Engineering Manager for the Circle K Corporation. He submitted a plot plan (Exhibit W-1) and explained that he is before the Board with the same request that was granted approximately one year ago. Mr. Dickerson pointed out that, at that time, some of the existing stores were being remodeled and color bands added, which were determined to be additional signage. He stated that the Sign Code is being reviewed at this time, and asked the Board to grant a variance to install a color bands on the store at the above stated location.

Comments and Questions:

Mr. Gardner informed that the Sign Code is being revised at this time. He informed that the issue of the Code that deals with color bands has been resolved and the color bands, as approved in the previous applications for Circle K, are in accordance with this thinking.

Mr. Dickerson informed that the store is being remodeled and the color bands in this application are consistent with those in the previous Circle K sign approvals.

Protestants: None.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Variance** (Section 1221.4 - CS District Use Conditions for Business Signs - Use Unit 1221) of display surface area from 270 sq. ft. to 286 sq. ft. to allow for a business sign; finding that the lighted color bands on the building are classified as signage, but appropriate for relief; on the following described property:

West 115.0' of the north 110.0', less a triangular tract containing 189 sq. ft. in the NW/c of Block 3, Riverview Park 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14684

Action Requested:

Special Exception - Section 240.7 - Permitted Yard Obstructions - Use Unit 1206 - Request a special exception of fence height from 4' to 5' in the front yard, located 7329 East Jasper Street.

Presentation:

The applicant, Mary Marie Allen, 7329 East Jasper Street, Tulsa, Oklahoma, asked the Board to allow her to install a 5' fence around her front yard. She explained that she has a large dog and is in need of a fence tall enough to keep it inside the yard. Ms. Allen stated that she plans to use chain link fencing, which will be of the same material as the fence around the back yard.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, Quarles, "aye"; no "nays"; no "abstentions"; Smith, White, "absent") to **APPROVE** a **Special Exception** (Section 240.7 - Permitted Yard Obstructions - Use Unit 1206) of fence height from 4' to 5' in the front yard; subject to the fence being chain link; finding that the granting of the special exception request will not be detrimental to the area; on the following described property:

Lot 19, Block 9, Val-Charles Addition, City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 4:40 p.m.

Date Approved

12-17-87



Chairman