

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 535
Thursday, March 16, 1989, 1:00 p.m.
Francis F. Campbell Commission Room
Plaza Level of City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bradley Chappelle, Chairman Smith White	Quarles	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, March 14, 1989, at 12:55 p.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE** the Minutes of March 2, 1989.

UNFINISHED BUSINESS

Case No. 15072

Action Requested:

Special Exception - Section 410 - Permitted Uses in Residential Districts - Use Unit 1211 - Request a special exception to allow for office uses (engineering) in an RM-2 zoned district, located 1003 East 5th Place.

Presentation:

The applicant, **Tom Wright**, 1030 North Owasso, Tulsa, Oklahoma, asked the Board to allow the use of a small frame house for office purposes. He stated that he owns a fire protection company and is proposing to locate his engineering offices in the building and pave the back yard for parking.

Comments and Questions:

Ms. White inquired as to the number of business employees, and the applicant replied that he has six employees, with only three working in the office.

Case No. 15072 (continued)

Ms. Bradley asked if the accessory building will remain on the property, and Mr. Wright answered in the affirmative.

In response to Ms. Bradley's question, the applicant informed that he is proposing to purchase the property if office use is allowed.

Mr. Chappelle asked the days and hours of operation for the business, and Mr. Wright replied that the business will be open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

Mr. Gardner stated that the area is planned for redevelopment into uses that would be ancillary to the downtown area.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE** a **Special Exception** (Section 410 - Permitted Uses in Residential Districts - Use Unit 1211) to allow for engineering office uses in an RM-2 zoned district; finding that the area is planned for redevelopment into uses compatible with the downtown area; and the request is in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 7, Block 6, Central Park Place Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15081

Action Requested:

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

Variance - Section 440.6(a) - Special Exception Requirements - Use Unit 1209 - Request a variance of the time restrictions from one year to permanently, located 1337 North Trenton Avenue.

Presentation:

The applicant, **Ted Johnson**, 1337 North Trenton, Tulsa, Oklahoma, requested permission to install a 14 by 65' mobile home on Lots 8 and 9, at the above stated location. He pointed out that the houses on these lots were old and dilapidated and have been removed. It was noted by the applicant that numerous mobile homes are located in the area. A plot plan (Exhibit A-1) was submitted.

Case No. 15081 (continued)

Comments and Questions:

Mr. Gardner informed that this application was continued from a previous meeting to allow sufficient time for readvertising to include the second lot, as a portion of the mobile will extend across the lot line.

There was Board discussion concerning a tie contract requirement, and Ms. Hubbard pointed out that, in the event the mobile home is removed from the lots, future changes for the property would require a zoning clearance permit from her office.

Protestants: None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209) to allow for a mobile home in an RM-1 zoned district; and to **APPROVE** a **Variance** (Section 440.6(a) - Special Exception Requirements - Use Unit 1209) of the time restrictions from one year to three years; per plot plan submitted; finding that there are numerous mobile homes located in the area, and the granting of the requests will not be detrimental to the neighborhood; on the following described property:

Lots 8 and 9, Block 6, Utica Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 15084

Action Requested:

Special Exception - Section 420 - Accessory Uses In Residential Districts - Use Unit 1206 - Request a special exception for a home occupation to allow for a kennel (6 dogs), located 4544 South 28th West Avenue.

Presentation:

The applicant, **James Griffith**, 4544 South 28th West Avenue, Tulsa, Oklahoma, stated that he is not requesting permission to operate a dog kennel. He informed that he has acquired six dogs over the past three years, and asked that he be allowed to keep them until the number is reduced to three by the dying off of the animals. A veterinary report (Exhibit B-1) on each dog was submitted. Mr. Griffith informed that his dogs are kept inside a fenced yard during the day and are moved inside the house at night.

Protestants:

Mr. Chappelle informed that the Board has received a letter (Exhibit B-2) from an area resident who is opposed to the application.

Case No. 15084 (continued)

Naomi Hill, 4617 South 29th West Avenue, Tulsa, Oklahoma, stated that dogs run rampant in the neighborhood. She stated that she is kept awake at night by barking dogs, which are loosed in the evening by their owners. Ms. Hill pointed out that the applicant and his neighbor to the rear have a total of 10 dogs, all of which bark at pedestrians passing by the residences. She stated that she has not seen Mr. Griffith's dogs outside the fence, but the neighborhood just has an overabundance of dogs, and asked that the application be denied.

Comments and Questions:

Ms. White asked Mr. Griffith if he has discussed the application with his neighbors, and he replied that he has reviewed the application with the neighbors near his residence.

Ms. Bradley remarked that she has viewed the property in question and is opposed to the application.

Applicant's Rebuttal:

Mr. Griffith stated that he agrees with Ms. Hill's statement that there are many dogs running loose in the neighborhood, but that his dogs are always kept in the yard.

Ms. White asked the applicant why he is before the Board at this time, and he replied that he was cited by the City and instructed to acquire a special exception or reduce the number of dogs to three.

Mr. Chappelle and Ms. White agreed that they would not want the number of dogs increased, and that the applicant should not be penalized because other area residents let their dogs run about the neighborhood.

Additional Comments:

Ms. Bradley reiterated that she is opposed to six dogs on one lot in this residential area.

Board Action:

On **MOTION** of **WHITE**, the Board voted 2-1-0 (Chappelle, White, "aye"; Bradley, "nay"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE*** a **Special Exception** (Section 420 - Accessory Uses in Residential Districts - Use Unit 1206) for a home occupation to allow for six dogs; subject to the current number being reduced to three as the dogs die-off.

Lot 11, Block 1, Henson Addition, City of Tulsa, Tulsa County, Oklahoma.

*The motion failed for lack of three affirmative votes.

Case No. 15085

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of setback from the centerline of East 7th Street from 50' to 37' to allow for an existing carport, located 11732 East 7th Street.

Presentation:

The applicant, **John Sublett**, 320 South Boston, Tulsa, Oklahoma, who submitted a plot plan (Exhibit C-1) and photographs (Exhibit C-3), requested approval of a carport which was erected on his clients property approximately one year ago. He explained that a building permit was acquired before construction began, but after completion the carport was red-tagged (Exhibit C-5) by the City. After researching the records, it was determined that the carport encroaches into the front yard setback of East 7th Street. Mr. Sublett pointed out that his client had been instructed to measure the setback distance from the curb. A petition of support (Exhibit C-2) and a letter of support (Exhibit C-4) were submitted.

Comments and Questions:

Ms. Hubbard stated that the person accepting the information for the building permit evidently told the applicant that the setback for the carport could be measured from the curb line instead of the property line or the centerline of the street.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of setback from the centerline of East 7th Street from 50' to 37' to allow for an existing carport; per plot plan and photographs submitted; on the following described property:

Lot 1, Block 16, Western Village II Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15086

Action Requested:

Special Exception - Section 420 - Accessory Uses in Residential Districts - Use Unit 1206 - Request a special exception to allow for an existing home occupation, a beauty shop, in an RS-3 zoned district, located 644 North 27th West Avenue.

Case No. 15086 (continued)

Presentation:

The applicant, **Eula McQuarters**, 644 North 27th West Avenue, Tulsa, Oklahoma, submitted photographs (Exhibit D-1) and a petition of support (Exhibit D-2). She explained that the Board previously gave her permission to operate a home beauty shop for a period of one year only, because a letter of protest was submitted by a neighbor. She informed that there have been no complaints during the year, and the neighbor that previously opposed the shop has now signed the petition of support.

Comments and Questions:

Mr. Gardner asked if the beauty shop is part of the house, and Ms. McQuarters answered in the affirmative.

Interested Parties:

Kathy Hinkle, 1730 West Virgin Street, Tulsa, Oklahoma, Chairman of District 11 Planning Team, stated that she has viewed the property and found that there is no visible evidence that a business is being operated on the property. She noted that the beauty shop addition is well constructed and appears to be a part of the dwelling.

Protestants:

Lee Moss, 645 North 28th West Avenue, Tulsa, Oklahoma, stated that he lives behind the property in question and is opposed to a business in the quiet residential area.

Mr. Chappelle asked Mr. Moss if he has observed the property over the last year, and he replied that he has lived in the area for a long period of time. He stated that he understood that the applicant is proposing to erect a sign on the property. Mr. Chappelle explained that the applicant does not propose to erect a sign, but is asking to continue to operate the beauty shop in the same manner as it has been operating during the past year. Mr. Moss stated that he is supportive of the application, under those circumstances.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **APPROVE** a **Special Exception** (Section 420 - Accessory Uses in Residential Districts - Use Unit 1206) to allow for an existing home occupation, a beauty shop, in an RS-3 zoned district; subject to one chair only, with hours of operation being 5:30 p.m. to 9:00 p.m., Monday through Wednesday, and 9:00 a.m. to 7:00 p.m. on Saturday; finding that the business has been operating at this location for approximately one year and has proved to be compatible with the neighborhood; on the following described property:

Lot 3, less the north 10', Block 5, Skyline Ridge 6th Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15087

Action Requested:

Special Exception - Section 420 - Accessory Uses Permitted in Residential Districts - Use Unit 1206 - Request a special exception to allow a home occupation for automobile repair, located 6431 North Main Street.

Presentation:

The applicant, **Thurman Johnson**, 6431 North Main Street, Tulsa, Oklahoma, submitted photographs (Exhibit E-1) and requested permission to operate an automobile repair business in a building to the rear of his property.

Comments and Questions:

Mr. Gardner informed that the area was annexed into the City limits at the request of the neighborhood, and according to the ordinance all property annexed to the City is automatically zoned AG. He informed that Staff has filed an application to return the land to residential, as it was zoned when in the County.

Ms. Bradley stated that upon review of the property she noted that there were 12 cars in back of the residence and four in front, along with some inoperable vans and various items of junk on the lot. She pointed out that the property has the appearance of a salvage yard.

Geneva Johnson, 6431 North Main Street, Tulsa, Oklahoma, stated that the cars on the lot are family owned, and the van is used to store parts.

Ms. Bradley remarked that she could not support the application as long as the lot is in its present condition, and suggested that a continuance might be in order to allow other Board members to view the property.

Mr. Chappelle and Ms. White agreed that this type of operation is not compatible with the residential neighborhood.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **DENY** a **Special Exception** (Section 420 - Accessory Uses Permitted in Residential Districts - Use Unit 1206) to allow a home occupation for automobile repair; finding that the use is not compatible with the neighborhood, and would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

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

Case No. 15088

Action Requested:

Variance - Section 280 - Structure Setback from Abutting Streets - Use Unit 1221 - Request a variance of setback from the centerline of Admiral Boulevard from 50' to 41' to allow for an addition to an existing sign, located 1611 East Admiral Boulevard.

Presentation:

The applicant, **Barry Moydell**, 1221 Charles Page Boulevard, Tulsa, Oklahoma, requested by letter (Exhibit F-1) that Case No. 15088 be withdrawn.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Quarles, Smith, "absent") to **WITHDRAW** Case No. 15088, as requested by the applicant.

Case No. 15089

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1220 - Request a special exception to allow for Use Unit 20 (commercial recreation: intensive) in an IL zoned district, located 10235 and 10309 East 61st Street.

Presentation:

The applicant, **Terry Henshaw**, 5150 South 94th East Avenue, Tulsa, Oklahoma, president of Dove Sports Promotions, Inc., was represented by Wayne Alberty, 4325 East 51st Street, Tulsa, Oklahoma. He explained that the applicant currently operates a baseball facility at 5150 South 94th East Avenue, and is in need of additional space for the business. Mr. Alberty pointed out that, although the entire plan is being presented, only a portion of the project will be completed at this time. He stated that an existing building at the new location will be expanded by approximately 15,000 sq ft in order to accommodate the indoor sports activities. The facility will be used by young men from grade school through college age, and will be in use throughout the entire year. Mr. Alberty stated that the building expansion, the parking (133 spaces) and the batting cages will be the first phase of the project. He informed that the northern area currently used for baseball fields, will continue to be used for that purpose, with no additional development at this time. It was noted that the second phase of the project, which will include a 36-hole miniature golf course, will be constructed in approximately one year, with the fields being upgraded and volley ball courts added later. The facility will operate seven days a week, with hours being from 10:00 a.m. to 10:00 p.m., Monday through Thursday, 10:00 a.m. to 11:00 p.m., Friday and Saturday and from 1:00 p.m. to 10:00 p.m. on Sunday. Mr. Alberty pointed out that it is Mr. Henshaw's goal to make this facility a family recreation center. A plot plan (Exhibit G-1) was submitted.

Case No. 15089 (continued)

Comments and Questions:

Ms. Bradley asked the applicant if he is requesting all uses in Use Unit 20, and Mr. Alberty replied that he is only asking for the uses specified on the plot plan.

Interested Parties:

The owner of the property at 10224 East 61st Street stated that he is not opposed to the application, as presented.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Quarles, "absent") to **APPROVE** a **Special Exception** (Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1220) to allow for Use Unit 20 (commercial recreation: intensive) in an IL zoned district; per plot plan submitted; with hours of operation being from 10:00 a.m. to 10:00 p.m., Monday through Thursday, 10:00 a.m. to 11:00 p.m., Friday and Saturday and from 1:00 p.m. to 10:00 p.m. on Sunday; finding that the use will be compatible with the area; on the following described property:

Beginning at a point on the north line of said E/2, E/2, SE/4, SW/4, said point being 50' west of the NE/c of said E/2, E/2, SE/4, SW/4; thence S 05°17'54" W a distance of 403.30' to a point; thence S 21°44'46" W a distance of 594.03' to a point on the west line of said E/2, E/2, SE/4, SW/4, said point being 375' north of the SW/c of the E/2, E/2, SE/4, SW/4; thence north along the west line of the E/2, E/2, SE/4, SW/4, to the NW/c of said E/2, E/2, SE/4, SW/4; thence N 88°42'02" E a distance of 280' to the Point of Beginning, containing 4 acres, more or less.

AND

S/2, W/2, W/2, E/2, SE/4, SW/4, less, beginning SW/c, S/2, W/2, W/2, SE/4, SW/4, thence N 50', easterly 165.87', south 67.5', west to the Point of Beginning, Section 31, T-19-N, R-14-E, containing 2.28 acres, more or less, City of Tulsa, Tulsa County, Oklahoma.

AND

Lot 1, Block 1, RonJon Industrial Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15090

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted In Industrial Districts - Use Unit 1213 - Request a special exception to allow for a restaurant in an IL zoned district, located 4120 East Pine.

Presentation:

The applicant, **Vincent Witt**, Route 8, Box 842, Tulsa, Oklahoma, submitted a plot plan (Exhibit H-1) and stated that he is proposing to operate a carry-out hamburger restaurant at the above stated location. He noted that the neighbors have been notified of his intent and are supportive of the application. Mr. Witt stated that there is sufficient parking on the 10-acre tract, and that the use will be compatible with the surrounding area.

Comments and Questions:

Ms. Bradley asked the applicant if the existing building will be used for the restaurant, and he answered in the affirmative.

Mr. Gardner asked if a flea market was previously in operation at this location, and Mr. Witt stated that there was a flea market on the property, and added that he removed approximately 50 truck loads of trash from the premises.

Protestants: None.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Quarles, "absent") to **APPROVE** a **Special Exception** (Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1213) to allow for a restaurant in an IL zoned district; finding that the use is compatible with the area, and will not violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

The NW/4, NW/4, NE/4, Section 33, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15091

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1211 - Request a special exception to allow for editing and administrative office uses in an RM-2 zoned district, located 1414 South Galveston Avenue.

Presentation:

The applicant, **Roy Johnsen**, 324 Main Mall, Suite 900, Tulsa, Oklahoma, submitted development standards (Exhibit J-1), and stated that he is representing the owners of the subject property, **Catherine and Stan Doyle**, as well as the prospective buyer, **Dr. Spence**. In reviewing the history of the property, Mr. Johnsen explained that law office use for the dwelling was approved in 1977, with that Board approval being upheld in a District Court decision. He informed that, following the court action, Mr. Doyle began operation of his law office in the renovated dwelling and he, along with his associates, continuously conducted a law practice at this location. Mr. Johnsen stated that his client is reducing his practice and is proposing to sell the property. It was noted that a previous application for professional office use was denied by the Board in 1988, and there seemed to be some confusion at that time as to the proposed use for the property. He informed that the real estate agent presenting that case requested general office use and there was a concern that research might be conducted on the premises; however, this application is limiting the use to editing and administrative offices. Mr. Johnsen stated that he has conferred with the president of the Riverside Homeowners Association and residents in the area, and their major concern seems to be the preservation of the grounds and the structure in its current state. He assured the Board that the grounds, parking area and the building will remain physically as they exist at this time. Mr. Johnsen stated that the owner of the property entered into a facade easement with the Oklahoma Historical Society and the City, which offers additional protection for the preservation of the structure. He explained that the building will be used for offices of professional journalists who write medical publications, with no printing or distribution from this location. Also, administrative offices for the Spence Foundation, a nonprofit organization with one or two employees, could be located in the building.

Comments and Questions:

Ms. White asked if the easement is still in existence, and Mr. Johnsen answered in the affirmative.

Ms. Bradley asked if some of the office space could be rented out, and the applicant stated that this is a possibility, and noted that there are 24 work stations in the building at this time.

Ms. Bradley inquired as to the size of the sign, and Mr. Johnsen stated that the sign will be at the same location, with the same size sign, if required by the Board.

Case No. 15091 (continued)

Mr. Jackere inquired as to the use of the accessory building, and the applicant replied that the garage apartment will continue to be used as a residence.

Mr. Chappelle asked if area residents have been supplied with a copy of the development standards, and the applicant stated that he has reviewed the content with Mr. Thornton, Riverside Homeowners Association and Ms. Turnbo, planning team chairman for District 7.

Interested Parties:

Hobart Dickson, 611 West 15th Street, Tulsa, Oklahoma, stated that the attorney's occupancy of the building has not in any way detracted from the RM-2 area, as there is not a traffic problem and the grounds are well maintained. He stated that he is not opposed to the application if the office uses conform to the guidelines set out in the letter Mr. Johnsen sent to the surrounding property owners. Mr. Dickson pointed out that the letter states that the use will be confined to editing and administrative office use only.

Mr. Chappelle clarified that the nature of the business should be similar to the existing use, and the area residents should not be able to observe any visible change in the use of the property.

Norma Turnbo, 1822 South Cheyenne, Tulsa, Oklahoma, District 7 Chairman, stated that she is not opposed to the application as presented. She asked that the signs on the property remain the same.

Additional Comments:

Ms. Bradley requested that the garage apartment be limited to residential use.

Mr. Jackere asked for clarification of the condition which states that no printing for consumer distribution shall be conducted on the premises, and Mr. Johnsen replied that there will be word processors, but no commercial printing machines on the property.

Mr. Dickson requested that signage be limited to the two signs (2' by 2') that are now in place, and Mr. Johnsen agreed to that proposal.

Protestants: None.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; no "abstentions", Quarles, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1211) to allow for editing and administrative office uses in an RM-2 zoned district; per development standards as follows:

Case No. 15091 (continued)

1. No exterior structural alteration of buildings shall be permitted and existing parking areas shall not be extended.
2. Existing landscaping shall be maintained and replaced as needed.
3. The use of the principal building shall be limited to the offices of journalism professionals engaged in the editing of health care publications, law offices and the administrative offices of nonprofit foundations formed for the purposes of endowment of education or the arts.
4. The occupancy of the principal building shall not exceed 24.
5. The accessory garage apartment shall be limited to residential use only.
6. Individual lots of record, comprising the property, shall not be sold separately for so long as the principal building is used for nonresidential purposes.
7. No commercial printing for consumer distribution shall be conducted on the premises.
8. Signs shall be limited to two entrance signs not to exceed 2' by 2' in size.

Block 12, less Lots 1 and 21, and the north 20' of Lot 20 of the resubdivision of Blocks 4, 5 and 12, of Childers Heights Addition, and Blocks 1, 9, 10 and 14 of Norvell Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15092

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205 - Request a special exception to allow for an existing golf course and related uses in an AG zoned district.

Presentation:

The applicant, **Jim Hess**, 9904 South 67th East Place, Tulsa, Oklahoma, stated that the property in question is commonly known as Meadowbrook Country Club. Mr. Hess informed that he is the manager on site and a contract for sale is being entered into with Highland Park Corporation. He noted that the property now occupied by Meadowbrook is not properly zoned for that use, as the country club was constructed in the early 1950's, with additional improvements being made approximately five years later without proper zoning.

Case No. 15092 (continued)

Comments and Questions:

Mr. Chappelle asked if any changes will be made on the property, and he replied that approximately one million dollars will be spent to upgrade the property. He stated that the present use will continue.

Protestants: None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Quarles, "absent") to **APPROVE** a **Special Exception** (Section 310 - Principal Uses Permitted In Agriculture Districts - Use Unit 1205) to allow for an existing golf course and related accessory uses in an AG zoned district; finding that the golf course has been at the present location since the 1950's and has proved to be compatible with the area; on the following described property:

All of the NE/4, and a part of the N/2, NW/4, Section 13, T-18-N, R-13-E of the Indian Base and Meridian in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows: Beginning at the NE/c Section 13; thence S 0°07'15" E along the east line thereof, a distance of 2,640.72' to a point, said point being the SE/c of said SE/4; thence S 89°42'10" W along the south line of said NE/4, a distance of 2,635.69' to a point, said point being the center of said Section 13; thence N 0°03'38" W along the west line of said NE/4, a distance of 1,320.35' to a point; said point being the SE/c of the said N/2 of the NW/4; thence S 89°42'09" W along the south line of said N/2, NW/4, a distance of 447', to a point; thence due north a distance of 1320.36' to a point on the north line of said Section 13; thence N 89°42'08" E along said north line a distance of 3087.54' to the Point of Beginning, containing 173.225 acres, more or less; less and except 10 acres described as follows: Beginning at the NE/c of said Section 13; thence south along the east line thereof a distance of 965'; thence west 250' to a point; thence west 40° north 330' to a point; thence north 700' to a point on the north line of Section 13, thence east to the beginning point at the NE/c of Section 13, City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:30 p.m..

Date Approved 4-6-89

Carl G. Smith
Chairman