CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 578
Tuesday, January 8, 1991, 1:00 p.m.
City Council Room, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bolzle	Fuller	Jones	Jackere, Legal
Bradley		Moore	Department
Chappelle			Hubbard, Protective
White, Chairman			Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor on Monday, January 7, 1991, at 10:47 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; none "abstentions"; Fuller, "absent") to **APPROVE** the Minutes of December 20, 1990.

UNFINISHED BUSINESS

Case No. 15607

Action Requested:

Variance to reduce the lot area requirement from 9000 sq ft to 8500 sq ft; and a variance to reduce the rear yard from 25' to 20' - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, both to permit Lot Split No. 17328.

Presentation:

The applicant, **Ted Sack**, 110 South Hartford, Suite 131, Tulsa, Oklahoma, requested that Case No. 15607 be continued to January 22, 1991, to allow the owner to continue neighborhood meetings, and make additional site plan revisions.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **CONTINUE** Case No. 15607 to January 22, 1991, as requested by the applicant.

Case No. 15622

Action Requested:

Variance of the setback requirement, as measured form the centerline of Harvard, from 100' to 82.4' to permit the construction of an addition to the existing building - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 13, located 3901 South Harvard.

Comments and Questions:

Mr. Bolzle stated that he will abstain from hearing Case No. 15622.

Presentation:

The applicant, **Ted Wilson**, 3901 South Harvard, Tulsa, Oklahoma, submitted a plot plan (Exhibit A-1), and requested permission to allow an existing temporary greenhouse to remain at its present location until it can be moved to the rear of the property. He explained that the greenhouse is enclosed during the winter months; however, the sides are removed during the summer months, and the structure becomes a covered open area for hanging plants and other greenery. Mr. Wilson stated that, after removal of the temporary greenhouse, the existing canopy will be enclosed and used for a flower display room. In regard to parking, the applicant informed that he has recently cleared a portion of the lot that will add five additional spaces. He stated that ingress and egress to the property will also be changed, which will permit angle parking and improve traffic flow. Mr. Wilson pointed out that the existing canopy was in compliance with the Code at the time of construction, and there are other structures in the area that have similar setbacks. He requested that the greenhouse remain at the present location for approximately one year.

Additional Comments:

In response to Ms. White, Ms. Hubbard advised that the applicant will have sufficient parking for the use after the proposed changes are completed.

Ms. White asked the applicant if the extent of his proposal, at this time, is to keep the greenhouse at its current location for one year, and enclose the existing canopy. Mr. Wilson replied that he is requesting permission to enclose the canopy, and leave the greenhouse at the present site until the Spring of 1992.

Protestants: None.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 3-0-1 (Bradley, Chappelle, White, "aye"; no "nays"; Bolzle, "abstaining"; Fuller, "absent") to a **APPROVE** a **Variance** of the setback requirement, as measured form the centerline of Harvard, from 100' to 82.4' to permit the construction of an addition to the existing building - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 13; per plot plan; subject to the greenhouse remaining at the current location until May 1, 1992, at which time it will be moved to the rear of the property; finding a hardship imposed on the

Case No. 15622 (continued)

applicant by setback revisions in the Zoning Code since the erection of the canopy in the 1950s; and finding that the granting of the variance request will not be detrimental to the area, as other existing structures in the vicinity have similar setbacks; on the following described property:

West 140' of Lot 11, Block 5, Eisenhower Third Addition, City of Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 15630

Action Requested:

Minor Variance of the required front yard, as measured from the property line, from 25' to 23'; of the required side yard, as measured from the property line, from 15' to 13'; and of the required rear yard, as measured from the centerline of East 21st Street, from 95' to 86' to permit the existing dwelling and to clear title to the property, located 10938 East 20th Street.

Presentation:

The applicant, **Clifford Coatney,** 10938 East 20th Street, Tulsa, Oklahoma, submitted a plat of survey (Exhibit B-1), and informed that he is attempting to clear the title to the subject property. Mr. Coatney stated that he was not aware of the encroachments until a recent survey was completed.

Protestants: None.

Board Action:

On **MOTION** of **CHAPPELLE,** the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Minor Variance** of the required front yard, as measured from the property line, from 25' to 23'; of the required side yard, as measured from the property line, from 15' to 13'; and of the required rear yard, as measured from the centerline of East 21st Street, from 95' to 86' to permit the existing dwelling and to clear title to the property; per survey submitted; finding that the house has been at the present location for many years, and the variance is required to clear the title; on the following described property:

Lot 1, Block 1, Magic Circle Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15624

Action Requested:

Variance of the sign setback requirement, as measured form the centerline of North Lewis Avenue, from 50' to 32' to permit the erection of a replacement sign - **Section 1221.C.6 General Use Conditions for Business Signs** - Use Unit 21, located SE/c North Lewis Avenue and Independence Street.

Presentation:

The applicant, **QuikTrip Corporation,** was represented by **Joe Westervelt,** 901 North Mingo, Tulsa, Oklahoma, who submitted a plot plan (Exhibit C-1) for a proposed sign, which will be updated during renovation of the existing facility. He pointed out that the sign in question will be installed in the driveway if the 50' setback requirement is observed. Mr. Westervelt pointed out that the sign would be blocked by existing structures if relocated to the south of the building.

Comments and Questions:

Mr. Bolzle asked if there will be a change in the size and height of the sign, and Mr. Westervelt replied that the size and height will not change.

Board Action:

On **MOTION** of **CHAPPELLE,** the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Variance** of the sign setback requirement, as measured form the centerline of North Lewis Avenue, from 50' to 32' to permit the erection of a replacement sign - **Section 1221.C.6 General Use Conditions for Business Signs** - Use Unit 21; per plot plan submitted; finding a hardship demonstrated by the location of the building and gasoline islands on the lot, and the fact that the sign location would be in the driveway if the required setback is observed; and finding that the view of the sign would be obstructed by existing nonconforming structures if relocated to the south of the existing building; on the following described property:

Lots 22 - 25, and the south 10' of Lot 26, Block 3, Ohio Place Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15625

Action Requested:

Special Exception to permit a Christmas tree sales lot - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 2, located north of NW/c 21st Street and Sheridan Avenue.

Presentation:

The applicant, **Ted Rauch,** 1104 North Delaware, Tulsa, Oklahoma, was not present.

Case No. 15625 (continued)

Comments and Questions:

Mr. Jones stated that, although the applicant is aware of the cutoff dates for the Board of Adjustment meetings, he filed for Christmas tree sales after the cutoff date, which caused his application to be heard after the Christmas season. He stated that a new policy may be needed to alleviate this continuing problem. Mr. Jones informed that the sales lot in question did not open because of neighborhood opposition.

Mr. Jackere stated that Code Enforcement can issue tickets to sales operations that are conducting Christmas tree sales without Board of Adjustment approval.

Mr. Jones stated that, if an application has been filed, Code Enforcement customarily waits until the Board hears the case before issuing any type of violation notice.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **WITHDRAW** Case No. 15632.

Case No. 15626

Action Requested:

Special Exception to permit used car sales in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17.

Variance to permit the open air storage or display of merchandise for sale within 300' of an adjoining R District - **Section 1217.C.2 Use Conditions** - Use Unit 17, located 719 South Lewis Avenue.

Presentation:

The applicant, **Richard L. Ryan**, 314 West 32nd Place, Sand Springs, Oklahoma, who submitted a location map (Exhibit D-1) and photographs (Exhibit D-2), requested permission to operate a car sales lot at the above stated location. Mr. Ryan informed that he owns and operates two successful car lots at other locations, and pointed out that the opening of a business in the vacant building will be an asset to the surrounding area. He stated that there are numerous auto related operations in the vicinity, and the car sales lot will be compatible with the existing uses. Mr. Ryan pointed out that he will have drive-by security for the business, which will assist in combating vandalism and crime in the neighborhood. He stated that the required screening on the north and east boundary lines is already in place. A sign plan (Exhibit D-3) was submitted.

Comments and Questions:

In response to Ms. White, the applicant stated that all repair work is done at another location, with only automobile sales and customary accessory uses being conducted on the subject property.

Case No. 15626 (continued)

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Special Exception** to permit used car sales in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17; and to **APPROVE** a **Variance** to permit the open air storage or display of merchandise for sale within 300' of an adjoining R District - **Section 1217.C.2 Use Conditions** - Use Unit 17; subject to the existing screening fence being maintained and replaced if destroyed; and subject to the sale of operable automobiles only; finding that there are numerous automobile related businesses in the area, and the granting of the requests will not be detrimental to the area, or violate the spirit, purposes and intent of the Code; on the following described property:

Lot 1, Block 1, Highlands Third Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15627

Action Requested:

Variance of the required lot area from 6900 sq ft to 6649 sq ft to permit the construction of a new dwelling - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6. (The applicant, in fact, needs a variance of the required livability space from 4000 sq ft to 3612 sq ft), located 1207 East 29th Street.

Presentation:

The applicant, **Michael R. Dankbar**, 1933 South Boston, Tulsa, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that the applicant is in need of additional relief, and has requested that Case No. 15627 be continued to January 22, 1991.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **CONTINUE** Case No. 15627 to January 22, 1991, as requested by the applicant.

Case No. 15628

Action Requested:

Variance of the required lot area from 6900 sq ft to 6165 sq ft to permit the construction of a new dwelling - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6. (The applicant, in fact, needs a variance of the required livability space from 4000 sq ft to 2958 sq ft), located 1203 East 29th Street.

Presentation:

The applicant, **Michael R. Dankbar,** 1933 South Boston, Tulsa, Oklahoma, was not present.

Comments and Questions:

Mr. Jones informed that the applicant is in need of additional relief, and has requested that Case No. 15628 be continued to January 22, 1991.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE,** the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **CONTINUE** Case No. 15628 to January 22, 1991, as requested by the applicant.

Case No. 15629

Action Requested:

An appeal from the decision of an administrative official determining a trucking business to be operating in an residentially zoned district - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL,** located 120 East 35th Place.

Presentation:

The applicant, **Edwin J. Hoffman,** was represented by **Sam Manipella,** 3242 East 30th Place, Tulsa, Oklahoma. He stated that his client is not conducting a business from his residence, but does park a dump truck in his back yard when he is not working. Mr. Manipella explained that Mr. Hoffman obtains hauling jobs by driving his truck to various job sites and being available to haul materials to other locations. He pointed out that the applicant does not have a sign on his truck and does not advertise a business, but acquires all hauling assignments by visiting various job sites. Mr. Manipella submitted a photograph (Exhibit E-2) of Mr. Hoffman's residence. He pointed out that his client has constructed a screening fence around his back yard, and only the top portion of the truck is visible from the street.

Comments and Questions:

Ms. White inquired as to the number of trucks owned by the applicant, and Mr. Manipella stated that the applicant owns one truck.

Case No. 15629 (continued)

Ms. White asked if the dump truck has a tow bar, and Mr. Manipella replied that the tow bar is attached to a pickup truck. Ms. White stated that three trucks were parked at the residence when she viewed the property.

In response to Ms. Bradley, Mr. Manipella stated that Mr. Hoffman only has a residential telephone, with all business calls being received at another location.

Edwin J. Hoffman, 120 East 35th Place, Tulsa, Oklahoma, stated that he owns one truck, but his daughter owns other trucks that are occasionally parked at his residence.

Linda Burris, Code Enforcement, stated that she inspected the property because of a complaint that a trucking business was being operated from the home, and found a dump truck and a wench truck parked on the lot. She informed that the first inspection concerning the subject property resulted in the issuance of a notice requesting that Mr. Hoffman remove the parked car from the front yard. Ms. Burris stated that the driveway was extended to accommodate the car, and the file was closed. She informed that another complaint was received concerning the operation of a business at this location and, after visiting the property, Inspector Candy Parnell found no evidence of a business and closed the file. Ms. Burris informed that a third complaint concerning the subject property was received in October of 1990 and, at the time of inspection, a dump truck was parked on the lot. She stated that the customary door notice was left at the residence, and a notice (Exhibit E-3) was mailed to Mr. Hoffman, requesting that he cease any trucking operation that was being conducted at this location. She stated that Mr. Hoffman's attorney, Mr. Manipella, notified her that a business was not being operated from the home, and inquired as to what recourse his client might have in this matter. Ms. Burris informed that her supervisor, Gloria Bybee, referred Mr. Manipella to the Board of Adjustment.

In response to Ms. Bradley, Ms. Burris stated that heavy equipment is stored on the property, but she has not actually observed a business being operated from the home. She pointed out that neighbors have complained that a business is being conducted on the property.

Mr. Jackere advised that Code Enforcement could have requested on the notice that the applicant cease using the property for uses other than residential. He pointed out that parking a dump truck on residential property is not a use that is customarily associated with residential uses.

Protestants:

Ms. White informed that Staff has received numerous letters (Exhibit E-1) and phone calls from residents that are opposed to the application.

Case No. 15629 (continued)

W. D. Peterson, 107 East 35th Place, Tulsa, Oklahoma, submitted photographs (Exhibit E-2), and stated that the applicant purchased the property in 1988 and initially parked the trucks on gravel, and later parked in front of the dwelling. Mr. Peterson pointed out that the houses in the area are approximately 18' apart, and there is not sufficient space to park large equipment on the lots.

Dewey Bartlett, 1208 East 26th Street, Tulsa, Oklahoma, stated that he is City Councilor for Council District 9, and urged the Board to deny the applicant's appeal. He pointed out that the property in question is in an old, well established area, and asked the Board to preserve the integrity of the neighborhood.

Steve Schuller, 610 South Main, Tulsa, Oklahoma, Cochair for Planning District 6, stated that the Board has been supplied with evidence that a trucking business is being conducted on the property in question. He pointed out that the storage of trucks and other heavy equipment is not consistent with single-family residential use, and is a violation of the Zoning Code.

Jim Taylor, 110 East 35th Place, Tulsa, Oklahoma, stated that the dump truck used by Mr. Hoffman is actually the front portion of a tractor trailer equipped with a dump bed. He remarked that the large truck traveling the residential street could create a traffic hazard for children playing in the neighborhood.

Kate Cushing, 135 East 35th Place, Tulsa, Oklahoma, stated that she has lived in her home approximately 40 years, and resents being awakened each morning by the truck noise.

Jane Carpenter, owner of the property at 134 East 35th Place, informed that her house is 220' from Mr. Hoffman's lot, and that the trucking business is not appropriate for the area.

David Dosser, 113 East 35th Place, Tulsa, Oklahoma, stated that the odor of the diesel fumes, truck repair and welding is a nuisance to the surrounding neighbors.

Mr. Jackere asked Mr. Dosser if the applicant welds on the trucks, and he answered in the affirmative.

Joe Madden, 238 East 35th Place, Tulsa, Oklahoma, stated that children ride bicycles in the street, as there are no sidewalks in the area, and he is concerned with their safety.

David Dunning, 232 East 35th Place, Tulsa, Oklahoma, stated that the quality of life in the neighborhood is in jeopardy, and asked the Board to deny the appeal.

Jack Flynn, 917 East 36th Street, Tulsa, Oklahoma, stated that he lives directly behind the subject property, and the trucks in the back yard are several feet taller than the screening fence.

Case No. 15629 (continued)

Connie Farrar, property owner at 212 East 35th Place, stated that she has spent a large amount of money to remodel her home, and the condition of the subject property is detrimental to the surrounding neighborhood.

John Hargis, 944 East 36th Street, Tulsa, Oklahoma, pointed out that the Brookside area is a nice residential neighborhood, and asked the Board to preserve it.

Candy Parnell, Code Enforcement, informed that she inspected the property in 1989, and found two dump trucks and a tractor cab parked on the lot; however, her attempts to speak with Mr. Hoffman were unsuccessful, as he would not answer the door or respond to her letters. Ms. Parnell informed that she was attempting to contact the applicant in regard to inoperable vehicles parked on the property. She stated that her file was closed when a certified letter concerning the issue was sent to Mr. Hoffman and the vehicles were removed. She stated that the working districts were changed and Linda Burris was then assigned to the area.

Ms. White commended the Code Enforcement Department for their long-term efforts in following up on the complaints surrounding this case.

Applicant's Rebuttal:

Mr. Manipella pointed out that his client has done everything possible to preserve the residential character of the neighborhood. He stated that Linda Burris, Code Enforcement, did not find a business in operation when she inspected the property, because Mr. Hoffman does not operate a business at this location. He reiterated that the applicant owns only one truck at this time, which he parks on the rear portion of the lot. Mr. Manipella stated that Mr. Hoffman previously owned other vehicles, but when he found this to be a problem for the area, they were sold. In response to Mr. Dosser's complaint that the fumes are objectionable, he pointed out that Mr. Hoffman's truck does not emit more fumes than other trucks that drive on the neighborhood streets. He requested that only objections relevant to the subject in question be considered.

Additional Comments:

Mr. Jackere advised that the Board should determine if the storage of a truck used in a trucking business is an integral part of the business.

Mr. Bolzle stated that he finds the parking of the truck on the lot an integral part of the trucking business.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **UPHOLD** the **Decision** of an administrative official in determining a trucking business to be operating in an residentially zoned district - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL**; finding that the storage of a truck used in a trucking business is an integral part of the business, and is not accessory to a residential use; on the following described property:

Case No. 15629 (continued)

Lot 4, Block 3, Rayvern Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15631

Action Requested:

Special Exception to permit a Use Unit 17 (mini-storage business) in a CS District - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17.

Special Exception to permit a single-family dwelling to be used as a manager's residence in a CS District - **Section 702. ACCESSORY USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17.

Special Exception to waive the screening wall or fence requirements along the lot lines abutting R Districts (north and west lot lines) - **Section 1217.C.1 Use Conditions** - Use Unit 17, located SE/c 127th East Avenue and East 40th Street South.

Presentation:

The applicant, **Jim Schwers**, 3032 South 136th East Avenue, Tulsa, Oklahoma, requested permission to construct a mini-storage facility on the subject property, and to install a six-foot chain link fence along the property line, approximately 9 1/2' from the curb. He explained that the space between the building and the fence will be landscaped and vehicle storage will be located in this area. Mr. Schwers stated that a residence for the manager will also be constructed on the property.

Comments and Questions:

Ms. White stated that a solid wood screening fence would screen the residential area, and the applicant asked if some type of covering could be installed on a chain link fence. Ms. White pointed out that the purpose of the screening fence is to provide visual separation.

Mr. Jones commented that, in the past, waivers of screening requirements for mini-storage facilities have been granted when the back of the building is located on the property line. He pointed out that, in such instances, the building serves as a screening fence and buffers inside noise; however, in this case the outside storage will be in full view of the apartment complex across the street.

Ms. White asked if the building can be moved closer to the property line, and the applicant pointed out that relief from the Board would be required if the building is moved closer to the street.

Mr. Jones pointed out that Mr. Schwers could revise the plot plan, moving the building toward the street and placing the outside storage to the interior of the lot, and return for Board consideration. He suggested that the new plans be reviewed by the Building Inspector to assure that the applicant has advertised for all required relief.

Case No. 15631 (continued)

After discussion, it was the consensus of the Board that the business would be more compatible with the surrounding area if the plan was revised to move the building closer to the street, and locate the outside storage to the interior portion of the property.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **CONTINUE** Case No. 15631 to February 12, 1991, to allow sufficient time for site plan revisions.

Case No. 15632

Action Requested:

Variance to permit two dwelling units on one lot of record - **Section 207. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Units 6 and 9.

Special Exception to permit a mobile home in a Residential District - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9.

Variance of the required side yard from 5' to 0' to permit an existing mobile home - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 9.

Variance of the one year time limit and removal bond requirement - **Section 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 9, located 608 West 37th Place.

Presentation:

The applicant, **Sharon Stanley**, 608 West 37th Place, Tulsa, Oklahoma, submitted a plot plan (Exhibit F-1) and requested permission to install a mobile home on her mother's land. Ms. Stanley stated that her mother is ill and needs assistance in maintaining the property.

Comments and Questions:

Mr. Bolzle inquired as to the reason for locating the mobile home on the east property line, and Ms. Stanley stated that her mother owns the lot to the east, and the mobile home is already tied down at this location.

There was Board discussion concerning the need for a tie contract, and Ms. Stanley stated that, if the property is disposed of at a later date, it will all be sold together. She pointed out that the low portion of the tract is in a flood area.

Case No. 15632 (continued)

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Bradley, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Variance** to permit two dwelling units on one lot of record - **Section 207. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Units 6 and 9; to **APPROVE** a **Special Exception** to permit a mobile home in a Residential District - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; to **APPROVE** a **Variance** of the required side yard from 5' to 0' to permit an existing mobile home - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 9; and to **APPROVE** a **Variance** of the removal bond requirement, and the one year time limit to 5 years **only - Section 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 9; subject to a tie contract between the lot in question and the abutting lot to the east; and subject to a Building Permit and Health Department approval; finding that there are other lots in the area with more than one dwelling unit, and other mobile homes in the near vicinity; on the following described property:

Lot 6, Block 3, Garden City Addition, City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:50 p.m.

Date Approved Jan. 22, 1991

Harry W White
Chairman