

**CITY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 606  
Tuesday, March 24, 1992, 1:00 p.m.  
City Council Room, Plaza Level  
Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Bolzle, Chairman Chappelle Doverspike Fuller White		Gardner Moore Russell	Jackere, Legal Department Hubbard, Protective, Insp.

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, March 20, 1992, at 1:05 p.m., as well as in the Reception Area of the INCOG offices.

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

**MINUTES:**

On **MOTION** of **CHAPPELLE**, the Board voted 2-0-2 (Bolzle, Chappelle, "aye"; no "nays"; Doverspike, White, "abstaining"; Fuller, "absent") to **APPROVE** the Minutes of March 10, 1992.

**UNFINISHED BUSINESS**

**Case No. 15944**

**Action Requested:**

Variance of the screening requirement between office use and property zoned RM-2 - **Section 1212.C. - Use Conditions** - Use Unit 11, located southeast corner of East 15th Street and South 101st East Avenue.

**Presentation:**

The applicant, **Dominion Leasing**, was represented by **Gordon Beard**, PO Box 727, Edmond, Oklahoma, who stated that the application was approved at the previous meeting, subject to the approval of a landscape plan (Exhibit A-1) depicting the type of living screen to be used as a buffer between the property in question and the residential area.

**Comments and Questions:**

Mr. Bolzle asked if the trees are to be planted in lieu of the screening fence, and Mr. Beard answered in the affirmative. He added that the open area to the north will be maintained along with the subject property.

Case No. 15944 (continued)

Mr. Gardner pointed out that protestants at the previous meeting were concerned with the growth of tall grass and wild trees on the undeveloped property to the north, and the applicant has stated that they will also maintain this area.

**Board Action:**

On **MOTION** of **CHAPPELLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the screening requirement between office use and property zoned RM-2 - **Section 1212.C. - Use Conditions - Use Unit 11**; per landscape plan submitted; finding that the abutting property owner to the north prefers a living screen; and finding that the granting of the request will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

Lots 2 and 3, and the south 150' of the west 150' of Lot 1, Block 1, Magic Circle Center Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15960**

**Action Requested:**

Variance of the required 45' setback from the centerline of South Jamestown Avenue to permit a carport - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS - Use Unit 6**, located 3504 East Easton.

**Presentation:**

The applicant, **Rockney Bates**, 3504 East Easton, Tulsa, Oklahoma, stated that his application was continued, and he was not aware that a plot plan should have been delivered to the Building Inspector's office within two days after the previous meeting. He submitted a plot plan (Exhibit B-1) for the proposed carport.

**Comments and Questions:**

Mr. Bolzle advised the applicant that, after review of the plans, Ms. Hubbard may find that additional relief is required.

It was noted by Mr. Gardner that there is a 30' street right-of-way at this location, and a house could be constructed within 5' of the western boundary; however, a garage would be required to set back 20' from the property line. He informed that a new subdivision would be required to maintain a 15' building setback for the house and 20' for a garage.

Case No. 15960 (continued)

**Protestants:**

None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required 45' setback from the centerline of South Jamestown Avenue to permit a carport on the applicant's property - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6; and **CONTINUE** the balance of the application to April 28, 1992 for any additional relief required; per plan submitted; finding the lot to be nonconforming, which would permit a structure within 5' of the lot line by right; finding that a carport has been constructed across the street to the north of the subject property, and approval of the application will not be injurious to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

West 25' of Lot 8 and all of Lot 9, Block 15, Harvard Hills Addition, City of Tulsa, Tulsa County, Oklahoma.

**MINOR VARIANCES AND EXCEPTIONS**

**Case No. 15979**

**Action Requested:**

Minor Special Exception to amend a previously approved plot plan by less than 15%, located 7700 South Lewis.

**Presentation:**

The applicant, **Galen Nation**, 7700 South Lewis, Tulsa, Oklahoma, was represented by **Walter Walters, Jr.**, who submitted a plot plan (Exhibit R-1) and stated that there are not two zoning classifications on the property, as indicated on the case report.

**Comments and Questions:**

Ms. Hubbard noted that the only change to the original plan is the construction of a garage on the property.

Mr. Walters stated that the proposed storage facility will contain 6000 sq ft of floor area, and will be used to store books, records and buses.

Mr. Gardner stated that Board of Adjustment approval would be required if any portion of the construction site extends into the OL zoned district.

Case No. 15979 (continued)

Mr. Walters stated that the proposed construction site is located in the OL portion of the property.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Minor Special Exception** to amend a previously approved plot plan by less than 15%; per amended plot plan; subject to uses being book, records and bus storage, auditorium, banquet hall, choir and orchestra rooms, drama department, dressing rooms, exercise and weight room, family recreation center, fellowship hall, indoor walking/running track, kitchen and dining room, large meeting rooms, pool, royal rangers and missionettes and Victory Christian cinema; finding that church and related uses are compatible with the area, and in harmony with the spirit and intent of the Code; on the following described property:

Lot 1, Block 1, Victory Christian Center, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15993**

**Action Requested:**

Minor Special Exception to amend a previously approved plot plan, located 4510 North Peoria.

**Presentation:**

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma, submitted a plot plan (Exhibit C-1) and stated that he is representing Chemcentral Corporation, which is the operator of a chemical storage and transportation business. He stated that the his client is proposing to move all underground chemical storage tanks above ground. Mr. Norman informed that new regulations require that all chemical storage tanks be located above ground and have secondary containments by 1998. He pointed out that his client is carrying out this requirement in advance of the deadline. The applicant stated that the storage tanks are located in an isolated area, with the railroad and creek being to the west, auto salvage to the south and tire collection facilities across the street to the east. Photographs (Exhibit C-2) were submitted.

Case No. 15993 (continued)

**Comments and Questions:**

In response to Mr. Fuller, Mr. Norman reiterated that the underground chemical storage will become aboveground storage, as required by law in 1998. He added that this requirement was made to ensure protection from possible chemical spills.

In reply to Mr. Jackere's concern that there will be a significant amount of construction for just an amendment to a plot plan, Mr. Norman stated that the southwest corner, where the storage tanks are located, is the only change to the property.

Mr. Gardner stated that the Board found the site to be appropriate for chemical storage in 1965, and the applicant is not asking for a change in the use.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Minor Special Exception** to amend a previously approved plot plan; per amended site plan; finding that the use will not change, but the underground storage tanks located on the southwest corner of the property will be moved above ground to comply with new EPA standards; finding that the use continues to be compatible with the surrounding area, and in harmony with the spirit and intent of the Code; on the following described property:

South 313' of the North 733' of the Northeast Quarter of the Northeast Quarter (NE/4 NE/4) lying East of the Easterly line of the Midland Valley Railroad, in Section 13, Township 20 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, less and except the East 50' thereof for Highway purposes, and less and except a tract of land described as follows: Beginning at the Northeast corner of the South 313' of the North 733' of the Northeast Quarter of the Northeast Quarter lying East of the Easterly line of the Midland Valley Railroad of Section 13, Township 20 North, Range 12 East; thence South 25' to the place of beginning; thence West 200'; thence South 235'; thence East 200'; thence North 235' to the place of beginning; City of Tulsa, Tulsa County, Oklahoma.

## NEW APPLICATIONS

Case No. 15963

### Action Requested:

Variance of the 10' freeway setback to 1' to allow an addition to an existing sign - **Section 1221.C.1. General Use Conditions for Business Signs** - Use Unit 21, located 7475 East Admiral Place.

### Presentation:

The applicant, **Crown Neon Sign Co.**, 7109 South 232nd East Avenue, Broken Arrow, Oklahoma, was represented by **Monte Coon**, 2521 South 104th East Avenue, Tulsa, Oklahoma. Mr. Coon submitted a sign plan (Exhibit D-1), and explained that the hotel at this location is being renovated and the owner is proposing to replace an existing large sign with a smaller price sign, which will not block the view of any other signs in the area. A copy of the sign permit (Exhibit D-2) and photographs (Exhibit D-3) were submitted.

### Comments and Questions:

Mr. Bolzle asked if the price sign will be located above one of the existing signs, and Mr. Coon answered in the affirmative.

In response to Mr. Chappelle, Mr. Coon stated that he would prefer that flashing lights be permitted, but could install the sign without them.

Mr. Jackere asked Mr. Coon if he has conferred with the sign inspector concerning the neon lighting, and he answered in the affirmative.

### Protestants:

**Mia Yang**, manager of Captain D's Restaurant, 7481 East Admiral, stated that he has made repeated attempts to contact the Crown Neon Sign Company concerning this sign application, but they did not return his calls. He voiced a concern that the proposed sign might block motorist's view of the Captain D's sign, and requested that the case be continued to permit sufficient time to review the sign plans.

### Additional Comments:

Mr. Bolzle advised Mr. Yang that he could have called the INCOG office, as noted on the hearing notice, to obtain information concerning the case.

Mr. Doverspike stated that it is his opinion that the Board has reviewed sufficient information to make a determination on the application without a continuance.

Case No. 15963 (continued)

Mr. Chappelle pointed out that the sign in question is approximately 150' from the Captain D's sign.

**Board Action:**

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the 10' freeway setback to 1' to allow an addition to an existing business sign - **Section 1221.C.1. General Use Conditions for Business Signs** - Use Unit 21; per plan submitted; finding that the sign replacement will not extend further into the freeway setback than the previous sign, and will not be detrimental to the area; on the following described property:

West 66' Lot 10, all of Lot 11 and east 29' Lot 12, less south 30' and less beginning 128' east NW/c Lot 12, thence east 252' to point 66' east NW/c Lot 10, thence south 347' westerly 222.97' westerly 29.01' north 354.44' to Point of Beginning for streets Bloomfield Heights, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15965**

**Action Requested:**

Special Exception to permit an auto salvage in an IM zoned district - **Section 901 - PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 28, located 13605 East Apache.

**Presentation:**

The applicant, **Frank Rowell**, 500 Skelly Building, 23 West 4th Street, Tulsa, Oklahoma, submitted photographs (Exhibit E-1), and stated that he is representing the operator of Mingo Auto Salvage. Mr. Rowell stated that his client is proposing to add an additional 5 acres to the existing salvage operation. He pointed out that there are other auto salvage businesses in the area.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** to permit an auto salvage in an IM zoned district - **Section 901 - PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 28; subject to screening being installed to comply with Code requirements; finding that the expanding salvage operation has been located in

Case No. 15965 (continued)

the area for several years, and is compatible with surrounding uses; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

S/2, W/2, W/2, SW/4, SE/4, Section 21, T-20-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15967**

**Action Requested:**

Variance of the maximum square footage for a detached accessory building from 750 sq ft to 1680 sq ft - **Section 402.B.1.d. - Accessory Use Conditions** - Use Unit 6, located 15239 East Admiral Place.

**Presentation:**

The applicant, **John Lipinski**, 15239 East Admiral Place, Tulsa, Oklahoma, submitted photographs (Exhibit F-1), and requested permission to construct a pole barn to be used for storage.

**Comments and Questions:**

Mr. Bolzle inquired as to the type of items that will be stored in the facility, and the applicant stated that he plans to use the building to store his tractors, implements and hay.

Mr. Jackere asked the applicant if the equipment stored in the building will be used on the subject property, and he answered in the affirmative.

Ms. Hubbard noted that there are other accessory buildings on the property. She informed that the proposed pole barn will contain 540 sq ft of floor area, however, the total amount of storage on the entire six-acre tract will be approximately 1680 sq ft.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the maximum square footage for a detached accessory building from 750 sq ft to a total of 1680 sq ft - **Section 402.B.1.d. Accessory Use Conditions** - Use Unit 6; subject to Stormwater Management approval; and subject to no commercial activity on the property: finding that the 6-acre tract is larger than a typical RS-3 lot, and



Case No. 15967 (continued)

is of sufficient size to accommodate 1680 sq ft of accessory buildings; and finding that the granting of the variance request will not be detrimental to the area, or violate the spirit, purposes and intent of the Code; on the following described property:

Beginning 107.9' south NE/c Lot 3, thence south 543.22', west 488.22', north 544', east 487.9' to Point of Beginning, Section 3, T-19-N, R-14-E, containing 6.09 acres, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15968**

**Action Requested:**

Special Exception to permit a children's nursery in an RS-2 zoned district - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 415 South Memorial Drive.

**Presentation:**

The applicant, **First United Baptist**, was represented by **John Murphy**, 3911 South 109th East Avenue, Tulsa, Oklahoma, who informed that the children's nursery will be in operation Monday through Saturday, 6:00 a.m. to 11:30 p.m., and will have approximately 15 full-time and 6 part-time employees. A plot plan (Exhibit G-1) was submitted.

**Comments and Questions:**

In response to Mr. Bolzle, Mr. Murphy stated that the entire building will be used for day care purposes.

Mr. Bolzle asked if the play area will have lights, and Mr. Murphy answered in the affirmative.

**Protestants:**

**Geneva Young**, 455 South Memorial Drive, Tulsa, Oklahoma, stated that the building to be used for the nursery was moved to the property approximately two years, without a permit, and is not appropriate for child care use. Ms. Young stated that she operates a nursery approximately 300' south of the proposed business, and the additional traffic generated by another day care operation would pose a traffic hazard for the neighborhood. Ms. Young submitted a list of operating day care facilities in the area (Exhibit G-2).

Case No. 15968 (continued)

**Bill Ashford**, 455 South Memorial Drive, Tulsa, Oklahoma, voiced a concern with the buildings being moved to the property without a permit, and the fact that a body shop will be operating approximately 7' from the proposed day care center.

**Applicant's Rebuttal:**

Mr. Murphy stated that the business will comply with all City and State requirements. He added that the church recently purchased the property and he is not sure when the building was moved to the current location.

Mr. Jackere asked the applicant if he has talked with the building inspector and fire marshall, and he replied that he has not consulted with these individuals, since it was determined that Board of Adjustment approval would be the first step in the process.

In response to Mr. Fuller, Mr. Murphy stated that, at the present time, the church enrollment is approximately 60.

Mr. Doverspike stated that the use appears to be consistent with those in the area.

**Board Action:**

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** to permit a children's nursery in an RS-2 zoned district - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plot plan submitted; subject to the days and hours of operation being Monday through Saturday, 6:30 a.m. to 11:30 p.m.; and subject to approval by City, State and any other regulatory agencies; finding the use to be consistent with other development in the area; on the following described property:

NW/4, NW/4, Section 1, T-19-N, R-13-E, NW/c, NW/4, NW/4, thence north along section line 210', thence east 627.40', south 210', west 627.40' to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15969**

**Action Requested:**

Variance of the required 50' setback from the centerline of East Pine Street to 47' to permit a sign - **Section 1221.C.6. General Use Conditions for Business Signs - Use Unit 16**, located 5202 East Pine Street.

**Presentation:**

The applicant, **Hudson Oil Company**, 533 South Rockford, Tulsa, Oklahoma, was represented by **James Adair**, 3628 South Maplewood. He explained that the gas station has been at the current location for approximately 20 years, and the building, tanks and canopy were installed when a 40' setback was required. Mr. Adair submitted a plot plan (Exhibit H-1) and pointed out that the location of the sign at either side of the lot would place it in the driveway. He stated that, if the proposed sign is moved back to within 6" of the canopy, it will be 47' from the centerline of the street. Mr. Adair noted that there are other signs along Pine that are as close, or closer, to the centerline of the street as the proposed sign.

**Comments and Questions:**

In response to Mr. Bolzle, Mr. Adair stated that the new sign will be placed at the exact location of the previous sign.

**Board Action:**

On **MOTION** of **CHAPPELLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required 50' setback from the centerline of East Pine Street to 47' to permit a sign - **Section 1221.C.6. General Use Conditions for Business Signs - Use Unit 16**; per plan submitted; subject to the execution of a removal contract; finding a hardship imposed on the applicant by the placement of the improvements on the lot, the current setback requirements and the fact that the structures on the lot were built approximately 20 years ago; and finding that there are other signs along Pine Street that are as close, or closer, to the centerline of the street as the sign in question; on the following described property:

A tract of land in the NW/4 of Section 34, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, said tract being described as follows, to wit: Beginning at a point on the North line of said Section 34, that is 1421.06' West of the Northeast Corner of said NW/4; thence West along the North line of Section 34, for 200'; thence South and parallel to

Case No. 15969 (continued)

the West line of said Northwest Quarter for 190'; thence East and parallel to the North line of Section 34 for 200'; thence North and parallel to the West line of said NW/4 for 190' to the point of beginning, less and except the North 40' thereof for street right-of-way; City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15970**

**Action Requested:**

Variance of the front yard setback from 25' to 15.3' and 10'; variance of the side yard setback from 5' to 0' and variance of the livability space per dwelling unit - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS - Use Unit 6.**

Variance to permit two dwelling units per one lot of record - **Section 207. ONE SINGLE FAMILY DWELLING PER LOT OF RECORD - Use Unit 6, located 2536 West Edison.**

**Presentation:**

The applicant, **Edward Seaton**, 2536 West Edison, Tulsa, Oklahoma, was represented by Ms. Seaton, who submitted a plat of survey (Exhibit J-1) and photographs (Exhibit J-3) of the subject property. She explained that the two houses were built in 1930, and the porches and a carport, which were added in 1988, have been the only changes made to the homes. Letters of support (Exhibit J-2) were submitted.

**Comments and Questions:**

Mr. Doverspike asked if there are other carports in the neighborhood, and Ms. Seaton stated that there are no other carports and very few garages. She noted that there are empty lots to the west of her property, a small house to the east and Edison Street has been widened to four lanes in front of her home.

In response to Mr. Bolzle question concerning the request for two front yard variances, Mr. Gardner pointed out that the lot abuts two streets.

In reply to Mr. Gardner, the applicant stated that the loan company discovered the encroachment during the loan process.

Case No. 15970 (continued)

**Board Action:**

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the front yard setback from 25' to 15.3' and 10' (double frontage lot), a variance of the side yard setback from 5' to 0' and a variance of the livability space per dwelling unit - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; and to **APPROVE** a **Variance** to permit two dwelling units per one lot of record - **Section 207. ONE SINGLE FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6; per survey submitted; subject to the installation of guttering along the west side of the carport to direct water runoff away from adjoining property; finding that the two homes were constructed on the lot approximately 60 years ago; and finding a hardship demonstrated by the fact that the lot has setbacks from two streets, Edison Street to the north and Easton Court to the south; finding that approval of the requests will not be detrimental to the neighborhood, or violate the spirit, purposes or intent of the Code; on the following described property:

Lot 3, Block 1, Easton Heights 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15971**

**Action Requested:**

Variance of the required livability space from 4000 sq ft to 3481 sq ft - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1913 South Yorktown.

**Presentation:**

The applicant, **L. R. Morrison**, 1913 South Yorktown, Tulsa, Oklahoma, submitted a plot plan (Exhibit K-1) for a proposed room addition. He informed that the lot is long and narrow, and does not meet the current lot width requirement for a residential lot.

**Comments and Questions:**

Mr. Fuller stated that he feels the long narrow shape of the lot constitutes a hardship in this case.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required livability space from 4000 sq ft to

Case No. 15971 (continued)

3481 sq ft - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plot plan submitted; finding a hardship imposed on the applicant by the long narrow shape of the lot, and the fact that the lot does not meet minimum requirements for RS-3 zoning; on the following described property:

Lot 10, Block 8, Woodward Park, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15972**

**Action Requested:**

Variance of the required 25' rear yard - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 3216 South Evanston.

**Presentation:**

The applicant, **Mark Gaway**, 217 East 35th Place, Tulsa, Oklahoma, was represented by **Jerry Clark**, owner of the property. Mr. Clark informed that he is proposing to add an 850 sq ft room to an existing dwelling (Exhibit L-2). He stated that he has discussed the plan with the surrounding property owners, and has found no objection to the project. He pointed out that a large tree can be spared if the addition is moved further to the rear of the lot.

**Comments and Questions:**

In response to Mr. Bolzle, Mr. Clark stated that, at one point, the new construction will be within 12' of the rear property line.

**Protestants:**

Mr. Bolzle informed that the Board has received one letter of protest (Exhibit L-1) from the resident at 3244 South Evanston.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required 25' rear yard to 12' - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plot plan submitted; finding a hardship imposed on the applicant by the irregular shape of the property and the placement of the house on the lot; on the following described property:

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

**Case No. 15973**

**Action Requested:**

Special Exception to permit a lodge in an IL zoned district - **Section 901. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 5, located 2625 West 40th Place.

**Presentation:**

The applicant, **Bob Mitchell**, PO Box 9151-W, Tulsa, Oklahoma, was represented by **Gary Hensley**, 4133 South 25th West Avenue, Tulsa, Oklahoma, who submitted a plot plan (Exhibit M-1) for the project.

**Comments and Questions:**

Ms. Hubbard stated that she notified the applicant by letter that 25 parking spaces would be required.

Mr. Bolzle asked Mr. Hensley if the applicant would be amenable to executing a tie contract, which would prevent the sale of one lot without the other, and he answered in the affirmative.

Mr. Hensley informed that the existing building is not large enough to accommodate the large turnout for bingo games.

Mr. Bolzle inquired as to the use of surrounding properties, and Mr. Hensley stated that there are mostly commercial uses near the lodge, along with two rent houses.

Ms. Russell asked the applicant if lodge use has already been approved on property next door to the lots in question, and he answered in the affirmative.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Special Exception** to permit a lodge in an IL zoned district - **Section 901. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 5; per plot plan submitted; subject to the execution of a tie contract tying Lots 1 and 2 to Lots 3 and 4; finding that the lodge has been operating at the current location for approximately 20 years and has proved to be compatible with the surrounding area; on the following described property:

Case No. 15973 (continued)

Lots 1, 2, 3, and 4, Block 44, Town of Red Fork, now an addition to the City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15974**

**Action Requested:**

Variance of the required 10' side yard to 2' to permit a carport, and a Variance of the 10' rear yard to 5' to permit an addition to an existing structure - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1339 South Indian.

**Presentation:**

The applicant, **Ruth Condon**, 1373 Riverside Drive, Tulsa, Oklahoma, stated that the property in question has been used for rental purposes for approximately 30 years. She submitted a plot plan (Exhibit N-1) and explained that neither of the two proposed structures will extend further into the setback than the existing garage.

**Comments and Questions:**

Mr. Bolzle asked if the building wall of the garage and the edge of the carport will align, and Ms. Condon answered in the affirmative.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required 10' side yard to 2' to permit a carport, and **APPROVE** a **Variance** of the 10' rear yard to 5' to permit an addition to an existing structure - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; subject to all construction aligning with the building wall of the garage; subject to all water runoff being directed down the driveway, and away from the abutting property; and subject to no enclosure of the carport; finding that the carport and the storage building will not extend further into the required setback than the existing garage; and approval of the requests will not cause substantial detriment to the area, or violate the spirit, purposes and intent of the Code; on the following described property:

Lot 15, Block 10, Norvell Park, City of Tulsa, Tulsa County, Oklahoma.



Case No. 15975

Action Requested:

Variance of the required 100' setback from the centerline of East Apache to 80'; and a Variance of the required 75' setback from the east and west property lines to 20' and 30' - **Section 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS** - Use Unit 23.

Variance of the screening requirement - **Section 1223.C. Use Conditions**, located 5746 East Apache.

Presentation:

The applicant, **Joe Hill**, 9121 East 7th Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit P-1) for storage buildings that are under construction and will align with the existing buildings to the east.

Comments and Questions:

Mr. Gardner pointed out that the property to the east is zoned industrial and a setback from that boundary line is not required.

Protestants:

**Haskell Young**, 133 North Erie Place, Tulsa, Oklahoma, stated that his property abuts the subject property on the west boundary, and the entrance to his property on Zion Street is blocked by fill material hauled in by the applicant.

Mr. Bolzle advised Mr. Young that Stormwater Management should be contacted regarding fill material being placed in a flood zone, and Traffic Engineering should be called in regard to the blocking of Zion Street.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Variance** of the required 100' setback from the centerline of East Apache to 80'; to **APPROVE** a **Variance** of the required 75' setback from the east and west property line to 30' - **Section 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS** - Use Unit 23; and to **APPROVE** a **Special Exception** to waive the screening requirement on the west property line - **Section 1223.C. Use Conditions**; per plan submitted; subject to the required screening fence being waived on the west boundary line until residential development occurs on that property; finding that the front of the buildings will align with those to the east; and finding that approval of the requests will not violate the spirit, purposes or intent of the Code; on the following described property:

Case No. 15975 (continued)

That part of the NW/4 of the NE/4 of Section 27, T-20-N, R-13-E, Tulsa County, Oklahoma according to the US Government Survey, more particularly described as follows, to-wit: Beginning at a point on the north line of Section 27, 2024' west of the northeast corner; thence south and parallel with the east line a distance of 355' to a point; thence west and parallel with the north line a distance of 122.7' to a point; thence north and parallel with the east line a distance of 355' to a point; thence east along the north line a distance of 122.7' to the POB, and all that part of the NW/4 of the NE/4 of Section 27, T-20-N, R-13-E, Tulsa County, Oklahoma according to the US Government Survey, more particularly described as follows, to-wit: beginning at a point on the north line of Section 27, 2146.7' west of the northeast corner,; thence south and parallel with the east line a distance of 355' to a point; thence west and parallel with the north line a distance of 122.7' to a point; thence north and parallel with the east line a distance of 355' to a point; thence east along the north line a distance of 122.7' to the POB; City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 3:00 p.m.

Date Approved

April 14, 1992

  
Chairman