

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 608
Tuesday, April 28, 1992, 1:00 p.m.
City Council Room, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bolzle, Chairman Chappelle Doverspike Fuller White		Gardner Moore Russell	Jackere, Legal Department Hubbard, Protective, Insp. Parnell, Code Enforcement

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, April 24, 1992, at 1:10 p.m., as well as in the Reception Area of the INCOG offices. An addendum was posted on Friday, April 24, 1992 at 4:40 p.m.

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 4-0-1 (Bolzle, Chappelle, Fuller, White, "aye"; no "nays"; Doverspike "abstaining"; none "absent") to **APPROVE** the Minutes of April 14, 1992.

Case No. 15966

Action Requested:

Consider approval of amended minutes (Case No. 15966, Roy Johnsen).

Presentation:

Mr. Johnsen stated that his previous presentation concerned both the regular banking hours and the hours for the automatic teller. He requested that the minutes should reflect that hours of operation for the automatic teller machine be 24 hours a day, and the hours of operation for the bank be from 8:00 a.m. to 8:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday.

Board Action:

On **MOTION** of **FULLER**, the Board voted 4-0-1 (Bolzle, Chappelle, Doverspike, Fuller, , "aye"; no "nays"; White, "abstaining"; none "absent") to **AMEND** the minutes for Case No. 15966 to **APPROVE** a **Variance** of a previously approved plot plan to permit a remote teller and a drive-through automatic teller machine, with hours of operation being 24 hours each day, and lobby hours being from 8:00 a.m. to 8:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday.

UNFINISHED BUSINESS

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**, 3505 East Easton, Tulsa, Oklahoma, was not present.

Comments and Questions:

Mr. Jones suggested that Case No. 15960 be continued to May 12, 1992. He informed that the Building Inspector reviewed the plans and determined that the applicant was in need of additional relief.

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 **CONTINUE** Case No. 15960 to May 12, 1992.

Case No. 15977

Action Requested:

Special Exception to permit automobile sales in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17, located NW/c East 31st Street South and South Memorial Drive.

Presentation:

The applicant, **Tulsa County**, was represented by **County Commissioner Robert Dick**, 500 South Denver, Tulsa, Oklahoma, who stated that he is speaking for the Board of County Commissioners and Clay Edwards, who is ill and unable to attend. He explained that the subject property is owned by the County, and was loaned to the Highway Patrol for approximately 40 years. Mr. Dick stated that the land has been declared surplus property and a sale is pending with Riverside Chevrolet, contingent upon the Board's approval for car sales at this location. He informed that an application for CS zoning has been filed and approved by TMAPC.

Comments and Questions:

Mr. Gardner stated that, if the Board is inclined to approve the application, the approval should be contingent upon City approval of the zoning request.

Case No. 15977 (continued)

Mr. Bolzle asked if a plot plan is available, and Mr. Dick stated that he does not have a plot plan.

In response to Mr. Bolzle, Mr. Gardner stated that the intended use for automobile sales probably would not be as intense, in terms of traffic, as the Highway Patrol station that was previously in operation at this location.

Mr. Jones pointed out that the lot is irregular in shape and, without a review of the plot plan, Staff is unable to determine if additional relief will be needed.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-1 (Bolzle, Chappelle, Doverspike, White, "aye"; no "nays"; Fuller, abstaining"; none "absent") to **APPROVE** a **Special Exception** to permit automobile sales in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17; subject to City Council approval of CS zoning; subject to the lot being utilized for automobile sales only, with all repair work being completed inside the building; finding that the use is compatible with the existing uses in the area, and granting the request will not violate the spirit and intent of the Code; on the following described property:

A parcel of land lying in part of the SE/4 of Section 14, T-19-N, R-13-E, Tulsa County, Oklahoma beginning at the SE corner of said Section 14, thence North along the East line of said SE/4 a distance of 474.09' to a point, thence S 48°34'30" W a distance of 720.77' to a point on the South line of said SE/4, thence East along the South line of said SE/4 a distance of 545.93' to the point of beginning; City of Tulsa, Tulsa County, Oklahoma.

Case No. 15988

Action Requested:

Special Exception to permit a residential care facility which will provide short and long term accommodations for 14 elderly residents - **Section 401 - PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 17102 East 11th Street South.

Presentation:

The applicant, **Charlesetta Chatman**, 2215 North Quannah, Tulsa, Oklahoma, submitted a plot plan (Exhibit A-1) and photographs (Exhibit A-2) of the property. She stated that one of the protestants at the previous meeting had stated that the septic tank is located under the building, and that, after investigation, she found that he is correct. Ms. Chatman informed that she contacted the Health Department and was told that they would require the installation of another tank, no closer than 5' to the building, and an additional 547' of lateral lines. The applicant stated that there are mobile homes to the east and a house to the west of the property. She added that there will be no medical care, but the facility will strictly be for housing the elderly.

Comments and Questions:

Mr. Chappelle inquired as to the proposed fencing, and the applicant stated that she has not determined the amount of space that will be fenced, but will install some type of wrought iron or solid wood fence to enclose the activity area in the back.

Mr. Bolzle pointed out that fencing is not required by the Code, but would be needed for security purposes of the elderly.

Protestants:

Cherlyl Jones, 16909 East 11th Street, Tulsa, Oklahoma, stated that she has found that other people living near similar facilities feel that their neighborhoods have been negatively impacted. She stated that the liability factor is a concern, since residents might have a tendency to leave the premises and sustain injuries on adjoining properties. Ms. Jones stated that the business would be an invasion of the privacy of nearby residents.

Trish Beach, 1204 South 173rd Street, Tulsa, Oklahoma, stated that the nearby creek floods and water is within 25 yards of the subject property. A petition of opposition (Exhibit A-3) was submitted. She stated that she is opposed to mentally impaired people being housed in a residential neighborhood.

Richard Johnson, 17006 East 11th Street, Tulsa, Oklahoma, stated that his property abuts the subject property and that the business would definitely be an invasion of his privacy. He stated that he is opposed to a wood privacy fence being installed between his property and the subject tract.

Case No. 15988 (continued)

Johnna Kelso, 17270 East 11th Street, Tulsa, Oklahoma, stated that the homeowners are attempting to establish a nice residential area, and the proposed center will be in full view from her back yard.

Applicant's Rebuttal:

Ms. Chatman stated that the elderly residents will be supervised at all times, and will not be roaming in the neighborhood.

In response to Mr. Fuller, Ms. Chatman stated that the church building is not in use and was recently vacated.

Mr. Bolzle asked if mentally impaired individuals will be housed at this location, and the applicant stated that some residents may have some memory loss. She pointed out that the center will be State regulated.

Mr. Doverspike stated that the size of the operation would not be compatible with the residential neighborhood.

Board Action:

On **MOTION** of **FULLER**, the Board voted 4-1-0 (Chappelle, Doverspike, Fuller, White, "aye"; Bolzle, "nay"; no "abstentions"; none "absent") to **DENY** a **Special Exception** to permit a residential care facility which will provide short and long term accommodations for 14 elderly residents - **Section 401 - PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; finding that the rural character of the neighborhood does not provide an atmosphere conducive to the needs of the elderly; on the following described property:

West 119.3' of Lot 4, Block 1, Lynn Lane Estates,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 15981

Action Requested:

Appeal of the Administrative Official's decision that the use is a convict pre-release center - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL** - Use Unit 5, or in the alternative, Special Exception to permit a convict pre-release center in a CBD zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 2, located 12 East 12th Street and 1214 South Baltimore.

Presentation:

The applicant, John Moody, 550 Oneok, Tulsa, Oklahoma, stated that he is representing 12 and 12 Transition House, Inc., which is a drug and alcohol treatment center and transitional living center for individuals that are recovering from drug and alcohol addictions. He informed that, in April of this year, 12 and 12 became the designated drug and alcohol treatment center for people that are provided treatment by the State of Oklahoma. He informed that these services were previously provided by the Tulsa Regional Medical Center. It was noted by the applicant that these individuals are still under the supervision of the Department of Corrections, which is the reason for this hearing. He stated that 12 and 12 currently has 136 beds, and requested that a maximum of 35 beds be permitted for this use. Mr. Moody stated that violent offenders will not be accepted. A packet (Exhibit B-1), which contained a brochure, a publication by 12 and 12 and a letter from the Department of Corrections was submitted. He pointed out that the residents of the center will be restricted to those individuals that have drug and alcohol abuse problems. Mr. Moody stated that there will be no armed robbers or sex crime and assault and battery offenders. He stated that the lease on one of the 12 and 12 buildings expires in 1995, and asked that the application be approved until that time. Mr. Moody stated that the center will relocate outside the Cathedral Square area by that time, and attempt to sell the other building that is owned by 12 and 12.

Comments and Questions:

In response to Mr. Fuller, Mr. Moody stated that, prior to July 1991, there were no individuals at this location that were under the supervision of the Department of Corrections. He informed that he does not consider 12 and 12 to be a convict pre-release center, however, until the Code definitions are amended concerning this type of operation, Board action is required.

Mr. Doverspike asked if the center will be moved before the lease expires in 1995 if another location is found, and Mr. Moody answered in the affirmative.

Protestants:

Ms. Brackett, 1201 South Main, Tulsa, Oklahoma, stated that she is located next door to 12 and 12, and that the property owners are committed to improving the area with stable businesses. She voiced a concern with ongoing changes of the use.

Case No. 15981 (continued)

Terry Palmer, 1207 South Carson, Tulsa, Oklahoma, stated that he is an area property owner, and is also opposed to the "creeping situation" at this location. He pointed out that, although the initial number of patrons will be only 35, that number could be increased.

Jim Norton, Downtown Tulsa Unlimited, shared the concerns of Mr. Palmer and Ms. Brackett. He stated that numerous property owners are committed to the redevelopment of the Cathedral Square area. He requested that, if approved, all conditions stated in the presentation be imposed.

Applicant's Rebuttal:

Mr. Moody assured the Board that 12 and 12 will not ask that the number of beds be increased from the requested 35.

Ms. White asked how the number could be monitored to assure that there is no increase, and Mr. Moody stated that 12 and 12 could obtain a report from the Department of Corrections as to the number of individuals assigned to this location, or a copy of each contract could be supplied.

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 **WITHDRAW** an **Appeal** of the Administrative Official's decision that the use is a convict pre-release center - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL** - Use Unit 5; and to **APPROVE** a **Special Exception** to permit a convict pre-release center in a CBD zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 2; subject to the number of beds for individuals supervised by the Department of Corrections being limited to 35; subject to the approval expiring with the expiration of the lease on April 14, 1995, or at which earlier time the center is relocated to an alternate site; subject to a contract being signed with the Department of Corrections that would allow 12 and 12 to refuse admission of any individual, with no admission for those convicted of sex crimes, assault and battery, or violent criminal activities; finding that the limited, temporary use will not be detrimental to the area or violate the spirit and intent of the Code; on the following described property:

Case No. 15981 (continued)

The North 15' of Lot 1, Block 3, Oak Grove Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof and a part of Lot 6, Block 203, Original Town, now City of Tulsa, described as follows: beginning at the Northeast corner of Lot 6, Block 203, thence southeasterly along the easterly line of Lot 6, a distance of 112.5' to the point of beginning; thence southwesterly 128.7' to the Southwest corner of Lot 6; thence easterly along the southerly line of Lot 6 to the Southeast corner of Lot 6; thence northwesterly along the easterly line of Lot 6 to the point of beginning, Tulsa County, Oklahoma, according to the recorded plat thereof; and a portion of the vacated alley adjacent to said North 15' of Lot 1, Block 3, Oak Grove Addition; and the South 35' of Lot 1, and all of Lot 2, Block 3, Oak Grove Addition to Tulsa, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15989

Action Requested:

Variance of the required setback from the centerline of East Easton Street from 55' to 47', a variance of the required side yard from 5' to 0' to permit a carport, and a variance of the required side yard from 5' to 4.5' to permit an existing dwelling - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 3516 East Easton Street.

Presentation:

The applicant, **Doug Roberts**, 3403 East 40th Street, Tulsa, Oklahoma, stated that he is proposing to construct a carport for the property owners at the above stated address. He informed that the case was continued from the last Board of Adjustment meeting to permit the Board members to site check the property. Mr. Roberts noted that there is limited access to the back yard, and the garage is too small for his clients vehicles. He asked permission to construct a carport large enough to cover the existing paved area.

Comments and Questions:

Ms. White stated that she has site checked the area, and found no hardship to support approval of the application.

Case No. 15989 (continued)

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 **DENY** a **Variance** of the required setback from the centerline of East Easton Street from 55' to 47', to **DENY** a **Variance** of the required side yard from 5' to 0' to permit a carport and to **APPROVE** a **Variance** of the required side yard from 5' to 4.5' to permit an existing dwelling - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS - Use Unit 5**; finding that the applicant failed to present a hardship that would justify approval of the requested carport variances; on the following described property:

Lot 6, Block 15, Harvard Hills Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15990

Action Requested:

Variance of the maximum permitted one ground sign to permit two ground signs - **Section 602.B.4 Accessory Use Conditions - Signs - Use Unit 11.**

Variance of the maximum permitted 103.6 sq ft of total signage - **Section 602.B.4. Accessory Use Conditions - Signs - Use Unit 11**, located 6660 South Sheridan.

Presentation:

The applicant, **Terri Montgomery**, 5001 East 68th Street, Tulsa, Oklahoma, stated that she is representing the owner of Oxford Place, which is a two-building office complex. She explained that, at the time of purchase, the bank was the only tenant and they used the one monument sign that was permitted for the complex. The applicant submitted a sign plan (Exhibit C-1) and requested permission to install signage on a brick retaining wall on the southeast corner of the property. Ms. Montgomery asked that the wall sign contain the name of the complex, the address of the two buildings and one tenant name.

Comments and Questions:

In response to Mr. Fuller, the applicant informed that one building fronts Sheridan Road, and the second structure is in the back. She added that the bank is in the front building.

Mr. Jackere inquired as to the type of business that needs the sign, and the applicant replied that it is a computer training operation.

Case No. 15990 (continued)

Mr. Bolzle asked how much signage is permitted by the Code, and the applicant stated that 104 sq ft of display area is permitted. She stated that the bank is using 70 sq ft. of signage and the computer business will use approximately 36 sq ft, which is approximately two feet over the permitted amount.

Protestants:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-1-0 (Bolzle, Chappelle, Fuller, White, "aye"; Doverspike "nay"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the maximum permitted one ground sign to permit two ground signs - **Section 602.B.4 Accessory Use Conditions - Signs** - Use Unit 110; and to **APPROVE** a **Variance** of the maximum permitted 103.6 sq ft of total signage - **Section 602.B.4. Accessory Use Conditions - Signs** - Use Unit 11; per plot plan submitted; finding that signage placed on the retaining wall will not be injurious to the area, and will only exceed the permitted amount for the property by 2 sq ft; on the following described property:

Lot 1, Block 1, Oxford Place, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15991

Action Requested:

Special Exception to permit an alteration (changing copy) to an existing roof sign - **Section 1221.C.11. General Use Conditions for Business Signs** - Use Unit 19, located 4956 South Peoria.

Presentation:

The applicant, **Acura Neon, Inc.**, was represented by **Mir Khezri**, 5098 North Redbud, Broken Arrow, Oklahoma, who submitted photographs (Exhibit D-1) of the sign in question. He informed that the owner of the Camelot Hotel joined a franchise and "Parkside" was added to the existing roof sign. He stated that there have been no changes in the structure of the sign, and asked the Board to approve the copy change.

Comments and Questions:

In response to Mr. Fuller, Mr. Gardner explained that roof signs were permitted when the sign was installed on the roof of the hotel; however, the Code has been amended and they are no longer allowed.

Case No. 15991 (continued)

Mr. Jackere asked if an addition has been made to the structure supporting the sign, and Mr. Khezri replied that there have been no changes in the structure, and only the word "Parkside", has been added to the existing sign. Mr. Jackere stated that he does not consider the name change to be an expansion or enlargement of an existing nonconforming sign, but rather a change in the copy.

Mr. Jones stated that the sign inspector has denied the applicant's request for a permit (Exhibit D-2).

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 alteration (changing copy) to an existing roof sign - **Section 1221.C.11. General Use Conditions for Business Signs** - Use Unit 19; per photograph submitted; finding that the sign structure will not be changed, and that the addition of "Parkside" to the existing sign is a change in copy and not an expansion of a nonconforming use; on the following described property:

All that part of Block 17, of Blocks 14, 15, 16, 17, 18, 19, and 20, Riverview Village, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows: Beginning at a point 346' South of the Northwest corner of said Block 17; thence East parallel to the north line of said Block 17 a distance of 405.29' to the East line of said Block 17; thence South along the East line of said Block 17 a distance of 39.95' to a point; thence West parallel with the North line of said Block 17 a distance of 100' to a point; thence South parallel with the East line of said Block 17 a distance of 179.40'; thence southwesterly along the North line of a tract deeded to the City of Tulsa, September 23, 1952, by Deed recorded in Book 2341 at page 109, a distance of 318.23' to a point on the West line of said Block 17, which point is 37.5' North of the Southwest corner of said Block 17; thence North along the West line of said Block 17 a distance of 309.13' to the point of beginning and Lots 13, 14, 15, 16, 17, and 18 of Block 16 of Blocks 14, 15, 16, 17 18, 19 and 20, Riverview Village, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and the West 255.24' of the South 150' of the North 300.33' of Block 17,

Case No. 15991 (continued)

of Blocks 14, 15, 16, 17, 18, 19, and 20, Riverview Village, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and the North 150.33' of Block 17 of Blocks 14, 15, 16, 17, 18, 19, and 20 Riverview Village, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and Lot 12, Block 16, of Blocks 14, 15, 16, 17, 18, 19, and 20, Riverview Village, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and the South 45.67' of the North 346' of Block 17, of Blocks 14, 15, 16, 17, 18, 19, and 20, Riverview Village, Tulsa County, State of Oklahoma according to the recorded plat thereof; together with all appurtenances thereto, and all buildings and improvements; City of Tulsa, Tulsa County, Oklahoma.

Case No. 15992

Action Requested:

Special Exception to permit a Use Unit 15 (vending machine business) in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 15, located 3227 East Woodrow.

Presentation:

The applicant, **Dwight Neel**, 17707 East Archer, Catoosa, Oklahoma, was represented by **Virginia Neel**, of the same address, who stated that a vending machine business is operated on the subject tract. She stated they rented the building for the business, and later found that the use is not permitted in this zoning district.

Comments and Questions:

In response to Mr. Bolzle, Ms. Neel stated that there are four trucks that are parked on the subject property after they finish the routes.

Mr. Doverspike inquired as to the hours of operation, and Ms. Neel stated that employees begin to arrive at approximately 5:00 a.m. and leave by 6:00 p.m., unless they receive a service call. Mr. Doverspike asked if there is activity on the premises during the evening hours, and Ms. Neel replied that there is very little. In response to Mr. Doverspike's inquiry as to manufacturing and repair at this location, Ms. Neel stated that a vending machine is occasionally repaired there, and all work is completed inside the building.

Mr. Bolzle stated that he finds the existing use to be less intense than the machine shop that previously operated in the building.

Case No. 15992 (continued)

Protestants:

David Megginson, 3223 East Woodrow, Tulsa, Oklahoma, stated that his residence is very near the property in question, and the business begins operation as early as 4:30 a.m.. He stated that the hours of operation for the machine shop were 8:00 a.m. to 5:00 p.m., and that he would have no problem with the current renters if they would have regular hours.

Ms. White asked Mr. Megginson if there is evening activity on the property, and he replied that they worked at night when they first occupied the building.

In response to Mr. Fuller, Mr. Megginson stated that he is opposed to the hours of operation and the truck activity early in the morning.

Applicant's Rebuttal:

Ms. Neel requested that the business be permitted to begin operation at 6:00 a.m. She stated that the routes are usually completed and the trucks parked by 3:00 p.m., but her son does additional work inside the building after that time.

Mr. Doverspike asked if the business operates on Saturday and Sunday, and Ms. Neel stated that service calls are sometimes made on the weekends.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 4-1-0 (Chappelle, Doverspike, Fuller, White, "aye"; Bolzle "nay"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a Use Unit 15 (vending machine business) in a CS zoned district - **Section 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 15; subject to hours of operation being 6:00 a.m. to 6:00 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday; subject to no outside storage of materials; and subject to the applicant maintaining the existing screening fence; finding the use, under these restrictions, to be compatible with the surrounding area; on the following described property:

West 75' of Lot 2, Block 3, Becky Gaile's Addition,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 15994

Action Requested:

Variance of the required setback from an expressway right-of-way from 10' to 2' to permit a sign - **Section 1221.C.1 - General Use Conditions for Business Signs - Use Unit 17.**

Variance of the required setback from the centerline of Southwest Boulevard from 50' to 42' - **Section 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 17, located 2749 Southwest Boulevard.**

Presentation:

The applicant, **Oil Capitol Neon**, was represented by **Barry Moydell**, 1221 Charles Page Boulevard, Tulsa, Oklahoma, who submitted a sign plan (Exhibit F-1) and explained that the existing sign on the property is 42' from the centerline of Southwest Boulevard. He informed that new signs are proposed, and sewer lines and a gate are to be considered in setting the poles.

Comments and Questions:

Mr. Doverspike asked if the front sign posts will remain in their present location, and Mr. Moydell answered in the affirmative.

In response to Mr. Bolzle, Mr. Moydell stated that new poles will be set for the sign to the rear of the property.

Mr. Doverspike asked if the distance from the base to the first inset sign is greater than 9', and he stated that the distance will be more than 9', but curbing will be added to prevent vehicles from driving under the sign.

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 setback from an expressway right-of-way from 10' to 2' to permit a sign - **Section 1221.C.1 - General Use Conditions for Business Signs - Use Unit 17**; and to **APPROVE** a **Variance** of the required setback from the centerline of Southwest Boulevard from 50' to 42' - **Section 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 17**; per sign plan submitted; subject to the removal of the two old signs to the rear of the property; finding that approval of the requests will not violate the spirit and intent of the Code; on the following described property:

Case No. 15994 (continued)

Beginning 1240.42 E and 1423.98 N SWC SW N on WL Sapulpa Rd 200 W 282.89 S on EL Exp 200 E 289.21 POB Sec. 14-19-12, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15998

Action Requested:

Variance of the required rear yard setback from 25' to 10' to permit an addition to an existing structure - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 2511 South Columbia.

Presentation:

The applicant, **Steve Olsen**, 324 East 3rd Street, Tulsa, Oklahoma, was represented by **John Moody**, 550 Oneok Plaza, who submitted a revised plot plan (Exhibit G-1) for the proposed addition. He explained that the owner of the property in question is in need of a inside pool and exercise room, due to an existing health problem (Exhibit G-2). Mr. Moody pointed out that the applicant, Mr. Olsen has met with the surrounding property owners, and architectural elevations have been altered and landscaping added in order to comply with their requests. He pointed out that there have been five other setback variances granted in the immediate area.

Steve Olsen stated that revisions have been made to the plan in order to accommodate the concerns of nearby property owners. He informed that the roof structure has been altered to protect their view.

Protestants:

Jeff Schoborg, Bank of Oklahoma Tower, Tulsa, Oklahoma, stated that he is representing **Mike Graves** and **Kathleen Page**, who live in the area. He pointed out that the existing house is being expanded from 3100 sq ft to approximately 4500 sq ft, and Mr. Graves is concerned that approval of the application could set a precedent in the area. Mr. Schoborg stated that his client is also concerned with water runoff and the restriction of sunlight to his back yard. He stated that he has not had an opportunity to review the revised plan, which depicts the change in elevations that was referred to in Mr. Moody's presentation. Mr. Schoborg stated that the previous setback variances in the area were granted after the builder had already violated the setback requirements, then asked for Board approval.

Case No. 15998 (continued)

Comments and Questions:

Mr. Bolzle asked if Mr. Graves and Ms. Page are in agreement with the revised roofline, and Mr. Schoborg stated that his clients have not seen the revised plan.

Mr. Fuller asked Mr. Schoborg if his client's property abuts the lot in question, and he replied that they live to the south of the lot.

Mr. Doverspike asked Mr. Schoborg if there are house size restrictions in the addition, and he replied that he is not aware of such a limitation.

Mr. Doverspike pointed out that medical needs cannot be considered in the Board's decision.

Applicant's Rebuttal:

Mr. Moody stated that the proposed construction will not affect Mr. Graves' property since the roofline has been revised and the setback has been changed to 17.5'.

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 rear yard setback from 25' to 17.5' to permit an addition to an existing structure - **Section 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per amended plan submitted, and landscaping as stated; finding that other dwellings in the addition have been granted similar rear yard setbacks, because of the irregular shape of the lots on the cul-de-sac and the curvature of the street; on the following described property:

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

NEW APPLICATIONS

Case No. 16000

Action Requested:

Special Exception to permit two mobile homes in an RD zoned district - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9, located 16502 East 15th Street South.

Comments and Questions:

Mr. Jones stated that one mobile home was previously approved for one year in 1981.

Presentation:

The applicant, **Bill Wallander**, 16502 East 15th Street South, Tulsa, Oklahoma, stated that he is constructing a dwelling on the property and is living in a nearby mobile home. He informed that the mobile has been at the present location for approximately seven years. Mr. Wallander stated that he purchased an adjoining tract that also had a mobile home in place. He stated that his neighbors have filed a complaint regarding the two mobile units. A plot plan (Exhibit H-1), an aerial photograph (Exhibit H-2) and a medical report (Exhibit H-3) were submitted. The applicant stated the mobile homes are not visible from the street or from his neighbor's homes. Mr. Wallander informed that he is disabled, due to a traffic accident, and his relatives live in the second mobile unit and assist in the care of his four children. Photographs (Exhibit H-4) were submitted.

Protestants:

Georgia Gabbard, 1448 South 161st East Avenue, Tulsa, Oklahoma, stated that there are three or four mobile units on the subject property at this time, and previous owners began construction on the house approximately 14 years ago. She stated that there was no objection to the temporary location of one mobile home on the property.

Comments and Questions:

Mr. Jackere asked where the other mobiles are located, and she replied that one has the front removed and is used for storage.

Ms. Parnell stated that she has informed Mr. Wallander that this type of storage is not permitted, and the mobile unit must be removed from the property.

In response to Mr. Fuller, Ms. Gabbard stated that the applicant lives at the end of 15th Street, and there is traffic in and out of the property at all hours.

Nancy McBeth, 1501 South 161st East Avenue, Tulsa, Oklahoma, stated that she is opposed to four mobile units on the tract, and other property owners in the area have the same concerns. She stated that one mobile unit is visible from the back of her home, and there is a lot of clutter on the property.

Allen McBeth, 1501 South 161st East Avenue, Tulsa, Oklahoma, stated that he is concerned that additional mobile units will be installed on the subject property.

James Gabbard, 1448 South 161st East Avenue, pointed out that the first mobile home installed on the property was to be a temporary use.

Applicant's Rebuttal:

Mr. Wallander stated that his medical problem has slowed the construction on the house, and he is not sure when it will be finished. He stated that one unit that was referred to as a mobile home is actually a travel trailer. Mr. Wallander stated that there are two mobile homes, one travel trailer and one storage unit on the property. He added that the mobile used for storage will be removed.

Mr. Fuller asked Mr. Wallander if he will move his relatives in the house when it is completed, and he replied that he may continue to apply for a permit for the mobile home.

Ms. Parnell stated that 15th Street dead ends at Mr. Wallander's property, and there is a home under construction at this location. She explained that several vehicles are parked at random on the property, and she advised the applicant that these should be stored together on a gravel surface. Ms. Parnell stated that Mr. Wallander was told to remove the mobile storage unit, the inoperable vehicles and all other debris from the property. Ms. Parnell stated that she would be supportive of a one-year approval for the mobile homes to allow the applicant sufficient time to finish the house.

In response to Mr. Bolzle, Ms. Parnell stated that there is one recreational vehicle on the property.

Mr. Doverspike and Mr. Chappellé agreed that they could support one mobile home at this location for one year, but heard no evidence that would warrant approval of the second mobile.

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 one mobile home in an RD zoned district - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 9; subject to one mobile home, located nearest the house under construction, being approved for one year only; finding that the temporary use will not be detrimental to the area, and will allow the applicant sufficient time to complete the house under construction; on the following described property:

Case No. 16000 (continued)

N/2 of the NW/4 of the SW/4 of Section 11, T-19-N, R-14-E, less the E 200 and the S 135.4, and less the N 160.4 of the W 321.71, and less the N 25 for the road. (15.32 acres) and the E 200 of the N/2 of the NW/4 of the SW/4 of Section 11, T-19-N, R-14-E less the N 25 for the road, and less the tract Beg. 1120 E and 25 S of the NW corner of the N/2 of the NW/4 of the SW/4; then S 635, E 200, N 300, W 175, N 335, W 25 to the P.O.B. (1.345 acres); City of Tulsa, Tulsa County, Oklahoma.

Case No. 16001

Action Requested:

Variance of the maximum square footage for a wall sign from 390 sq ft to 469 sq ft to permit an existing backlit awning - **Section 1221.D.2. CS Conditions for Business Signs** - Use Unit 12, located 3637 South Memorial Drive.

Presentation:

The applicant, **Bob Dail**, 2720 East King Street, Tulsa, Oklahoma, submitted a sign plan (Exhibit J-1), and explained that the name of the restaurant in question has been changed and a new sign was designed to fit the contour of the building front. He informed that the sign has been installed, and requested that his client be permitted to light the awning. Mr. Dail pointed out that a large portion of the awning is blank.

Comments and Questions:

Mr. Bolzle inquired as to the height of the awning, and Mr. Dail stated that it is 9'6" at the peak.

Mr. Gardner inquired as to the total amount of signage in the white area and the lettering on the buffet portion of the sign, and Mr. Dail stated that the amount would be 300' if the red awning section is removed.

Mr. Gardner asked if the lettering and the white background, along with the buffet lettering, total less than the 390' of display area permitted, and the applicant answered in the affirmative.

Ms. White asked if there is a pole sign in front of the restaurant, and the applicant replied that there is a changeable marquee sign on the pole.

Case No. 16001 (continued)

In response to Mr. Bolzle's question, Mr. Dail stated that he is not sure if the red portion of the awning exceeds 25 footcandles. Mr. Bolzle pointed out to Mr. Dail that the new ordinance, under consideration by the City Council, states that the backlit portion of the awning becomes a part of the display surface area of the sign if the illumination is greater than 25 footcandles.

Mr. Dail stated that the sign will be made to conform to the pending footcandle requirement.

In response to Mr. Bolzle, the applicant stated that the unique shape of the building could constitute a hardship.

Mr. Doverspike stated that he had determined in 1991, when the Texaco signs were approved, that he would not consider approval of any sign application that did not have an apparent hardship. He pointed out that the City Council has been reviewing this issue since that time.

Mr. Bolzle stated that the Chairman of the City Council recently assured him that this issue would be addressed very soon, and that portions of the Code regarding this type of sign could be extracted and acted upon.

Mr. Doverspike pointed out that the Board made the determination in 1991 that the Sign Code would no longer be interpreted by the Board in regard to the lighting of signs, but would expect the Councilors to make those decisions. He stated that he, as a Board member, will not try to amend the law, but rather enforce it as it is written.

Mr. Doverspike asked how long the sign has been installed, and Mr. Dail stated that it has been fully lit for several months, probably since October of 1991.

In response to Ms. White, Mr. Jackere advised that, even if all cases concerning backlit awnings were continued, the sign would be in violation of the Code. He pointed out that only an appeal of the Sign Inspector's decision would stay action.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-2-0 (Bolzle, Fuller, White, "aye"; Chappelle, Doverspike, "nay"; no "abstentions"; none "absent") to **CONTINUE** Case No. 16001 to May 26, 1992, to allow the City Council to act on revisions to the Sign Code.

Case No. 16002

Action Requested:

Variance of the required setback from the centerline of south Sheridan from 50' to 35' to permit the relocation of an existing sign - **Section 1221.C.6 - General Use Conditions for Business Signs** - Use Unit 21, located 2845 North Sheridan.

Presentation:

The applicant, **Larry Waid**, 533 South Rockford, Tulsa, Oklahoma, requested permission to move an existing pole sign 200' to the north at the same setback. He explained that the airport authority has installed a new security entrance and requested that the 5' by 10' double-face lighted sign be relocated. A sign plan (Exhibit K-1) was submitted.

Comments and Questions:

In response to Mr. Bolzle, Mr. Waid stated that there is an existing pole which sets approximately 1' outside the fence, and the sign will be removed from the current location and installed on the existing pole.

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 setback from the centerline of south Sheridan from 50' to 35' to permit the relocation of an existing sign - **Section 1221.C.6 - General Use Conditions for Business Signs** - Use Unit 21; subject to a 5' by 10' sign being installed on the existing eastern sign pole, per sign plan submitted; finding that an existing sign is being relocated approximately 200' to the north of its current location, and will not increase in size; on the following described property:

Beginning at a point 2,481.0' North and 40' East of the Southwest corner of Section 23, T-20-N, R-13-E; thence North 40' East of, and parallel to, the West Section line of said Section 23, a distance of 615.68' to a point; thence North 90° East a distance of 307.26'; thence South 38°28'20" East a distance of 264.48' (along the southwesternmost edge of the taxiway serving the northern door of Hangar 12 to the intersection of the westernmost edge of Taxiway #1, otherwise known as the West Boundary Taxi Strip); thence South 31°31'40" West a distance of 559.95' along the Northwestern edge of Taxiway #1, thence South 90° West a distance of 240', more or less, to the point of beginning, and comprising an area of 3.5 acres more or less; City of Tulsa, Tulsa County, Oklahoma.

Case No. 16003

Action Requested:

Appeal of the decision of the Code Enforcement officer that the existing yard obstructions are not customarily permitted yard obstructions in an RS-3 zoned district - Section 210. Permitted Obstructions in Required Yards - Use Unit 6, located 1856 South 106th East Avenue.

Presentation:

The applicant, **Jack Egbert**, 1856 South 106th East Avenue, Tulsa County, Oklahoma, stated that he was cited by the City because of a complaint filed by a neighbor. He explained that there are various pieces of farm equipment displayed in his front yard (Exhibit L-2), and a restored tractor parked in his driveway, which will be used in tractor pulls. Mr. Egbert stated that the tractor will be stored on a trailer in the driveway. Photographs (Exhibit L-2) were submitted.

Comments and Questions:

Mr. Fuller asked how long the implements have been in the front yard, and Mr. Egbert stated that they have been displayed in the yard since the early 1980's, and the tractor has been on the property since 1987.

Mr. Jones stated that, when he has field checked the property, the back wheels had been removed from the tractor and there were several farm implements on the property.

In response to Ms. White, the applicant stated that the implements are in good repair and can be moved, and the grass is neatly manicured where they are placed.

Mr. Jackere advised that the Zoning Code does not address yard sculptures or works of art. He stated that Mr. Egbert's implements seem to be nicely painted and displayed, but pointed out that the accumulation of things of this nature could reach a point where it would be considered as outside storage of junk.

Ms. Parnell stated that a City inspector visited the property on March 12, 1992, and found a dismantled tractor on the driveway.

Mr. Egbert stated that he has been restoring the tractor.

Mr. Gardner advised that the Ordinance addresses customary and accessory uses in residential areas, and asked if the items stored in the applicants front yard are customary and accessory. He pointed out that there are numerous decorative pumps, wheels, tubs, etc. in front yards around the City, but not a display of large farm implements in the front yard of a residential lot.

Case No. 16003 (continued)

Mr. Fuller stated that he tends to agree with Mr. Gardner, and finds that it is difficult to find that farm implements are customary and accessory uses on small residential lots.

Mr. Jackere stated that the Code is silent concerning items that are not structures and, if the Code is silent, there probably is not a violation. However, if these items are considered to be junk or debris, or if this is a vehicle storage issue, the applicant could be in violation.

Mr. Gardner advised that Chapter Four of the Zoning Code addresses uses customarily accessory to residential areas.

Mr. Doverspike pointed out that, if the Board should find these items be in violation of the Code, there are different types of materials displayed in other yards that fall outside of the aesthetic value, and would also be in violation.

Mr. Fuller stated that he does not find farm implements and a tractor to be customary and accessory in a residential addition.

Board Action:

Mr. Fuller's motion to **DENY** the appeal (pump and barrel only permitted) and **UPHOLD** the decision of the Code Enforcement officer died for lack of a second.

On **MOTION** of **CHAPPELLE**, the Board voted 4-1-0 (Bolzle, Chappelle, Doverspike, White, "aye"; Fuller "nay"; no "abstentions"; none "absent") to **APPROVE** the **appeal**, and **REVERSE** the **decision** of the Code Enforcement officer that the existing yard obstructions are not customarily permitted yard obstructions in an RS-3 zoned district - **Section 210. Permitted Obstructions in Required Yards - Use Unit 6**; finding that the Code does not address the issue of the display of farming implements in a residential area; on the following described property:

Lot 8, Block 17, Magic Circle Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16004

Action Requested:

Special Exception to permit a home occupation (beauty shop) in an RM-2 zoned district - **Section 401.B.6. Accessory Uses Permitted in the Residential Districts** - Use Unit 6, located 1419 South Troost.

Presentation:

The applicant, **Janet Barnett**, 1419 South Troost, Tulsa, Oklahoma, requested permission to operate a beauty salon in her home. She stated that her sister will assist her in the salon, and will also live in the existing dwelling.

Comments and Questions:

Ms. White inquired as to available customer parking, and the applicant stated that there are two spaces provided in the rear. She stated that her husband will work away from the home and his parking space can be used during the day. Ms. White pointed out that parking is a problem in the area, and there are no spaces available on the street.

In response to Ms. White, the applicant stated that there will be two chairs, one for the beautician and one for the manicurist.

Mr. Doverspike asked if the home occupation approved in 1986 is in operation, and Ms. Barnett replied that a carpentry shop was approved at that time and is no longer in existence.

In response to Mr. Bolzle's question concerning parking in the rear of the dwelling, Ms. Barnett stated that there is sufficient space for four cars behind the house. She stated that one car can be parked along the fence. Mr. Bolzle pointed out that the applicant could have as many as four patrons on the property at one time, and voiced a concern that parking will not be available as customers come and go before and after they are served.

Ms. White stated that she is concerned with two operators and the absence of sufficient parking.

Protestants:

Mr. Bolzle stated that the Board has received one letter of opposition (Exhibit M-1) from a neighbor across the street from the proposed use.

Case No. 16004 (continued)

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-1 (Bolzle, Chappelle, Doverspike, White, "aye"; no "nays"; Fuller, "abstaining"; none "absent") to **DENY** a **Special Exception** to permit a home occupation (beauty shop) in an RM-2 zoned district - **Section 401.B.6. Accessory Uses Permitted in the Residential Districts** - Use Unit 6; finding that adequate parking is not available to supply the needs of a two-chair beauty salon; and that the proposed business is not in harmony with the spirit and intent of the Code, the Cherry Street Study or the Comprehensive Plan, and that approval of the request would be detrimental to the surrounding neighborhood; on the following described property:

Lot 20, Block 4, Lake View Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16005

Action Requested:

Special Exception to eliminate the screening requirement where existing trees will provide a visual separation - **Section 212.C. - Modification of Screening Wall or Fence Requirements** - Use Unit 13, located SE/c of East 71st Street and Riverside Drive.

Presentation:

The applicant, **Winkelmann and Associates, Inc.**, 12800 Hillcrest, #200, Dallas, Texas, was represented by **Michael Clark**, who submitted a plot plan (Exhibit N-1) for the proposed grocery store. He informed that mature trees provide screening along the south property line and requested that the solid screening requirement be waived in that area.

Protestants:

None.

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 eliminate the screening requirement where existing trees will provide a visual separation - **Section 212.C. - Modification of Screening Wall or Fence Requirements** - Use Unit 13; per plot plan submitted; subject to the living screen being maintained, and any damaged or dead trees replaced; on the following described property:

Lot 1, Block 1, River Port Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16006

Action Requested:

Variance of the maximum permitted square footage for a detached accessory building from 750 sq ft to 1336 sq ft - **Section 402.B.1.d. Accessory Use Conditions - Use Unit 6.**

Special Exception to permit a detached accessory building on a lot other than the lot containing the principal structure - **Section 1608.A.12 - Special Exception - Use Unit 6, located 140 North Xenophon.**

Presentation:

The applicant, **Robert Phillips**, 126 North Xenophon, Tulsa, Oklahoma, submitted a plot plan (Exhibit P-1), and explained that he is proposing to construct a 24' by 24' garage on the lot next door to an existing residence. Mr. Phillips stated that he owns three lots at this location, and the garage will be constructed on Lot 6.

Comments and Questions:

Mr. Chappelle asked the applicant if the garage will be used to conduct a business, and he replied that he does not plan to operate a business on the property.

In response to Mr. Bolzle, Mr. Phillips stated that he has a wood shop in another building on the property, which he plans to move to the new garage when it is completed.

Mr. Bolzle asked if the total square footage of the existing wood shop and the new garage is 1336 sq ft, and Mr. Phillips answered in the affirmative.

In response to Mr. Fuller, the applicant stated that the three lots total approximately one acre.

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 permitted square footage for a detached accessory building (24' by 24') from 750 sq ft to 1336 sq ft - **Section 402.B.1.d. Accessory Use Conditions - Use Unit 6**; and to **APPROVE** a **Special Exception** to permit a detached accessory building on a lot other than the lot containing the principal structure - **Section 1608.A.12 - Special Exception - Use Unit 6**; per plot plan submitted; subject to the execution of a tie contract joining Lots 5 and 6; subject to no commercial use of the property; finding that the garage will be the only structure on the

Case No. 16006 (continued)

lot, and approval of the request will not be injurious to the neighborhood, or violate the spirit, purpose and intent of the Code; on the following described property:

Phillips Resub B25-28, Lot 6, Block 28 Irving Place,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 16007

Action Requested:

Variance of the required number of off-street parking spaces from 133 to 101 - **Section 1208.D. Off-Street Parking and Loading Requirements** - Use Unit 8, located 5170 South Vandalia Avenue.

Comments and Questions:

Mr. Jones informed that the applicant has requested by letter (Exhibit S-1) that Case No. 16007 be continued to May 26, 1992, to allow sufficient time for TMAPC to hear the case.

Protestants:

None.

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 **CONTINUE** Case No. 16007 to May 26, 1992, as requested by the applicant.

Case No. 16008

Action Requested:

Variance of the maximum square footage permitted for a detached accessory building from 750 sq ft to 2288 sq ft - **Section 402.B.1.d. Accessory Use Conditions** - Use Unit 6.

Variance of the all-weather surface requirement for parking - **Section 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS** - Use Unit 6, located 1323 South 177th East Avenue.

Case No. 16008 (continued)

Presentation:

The applicant, **Jerry Schooley**, Star Route 4, Pryor, Oklahoma, submitted a plot plan (Exhibit R-1), and stated that he is representing his client, Steve Graybill, who is proposing to construct a 40' by 50' steel building to be used for storage purposes only. He informed that the area is rural in nature, and the building will be compatible with the surrounding neighborhood. Photographs (Exhibit R-3) and a petition of support (Exhibit R-2) were submitted.

Comments and Questions:

In response to Ms. White, Mr. Schooley replied that Mr. Graybill will use the new structure as a storage building for his equipment that is currently stored outside.

Mr. Gardner asked the applicant if his client operates a business, and he replied that Mr. Graybill is employed by Sears.

Mr. Fuller pointed out that the property is located in a rural type area, and seems to be more like a small farm.

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 permitted for a detached accessory building from 750 sq ft to 2288 sq ft - **Section 402.B.1.d. Accessory Use Conditions** - Use Unit 6; and to **APPROVE** a **Variance** of the all-weather surface requirement for parking - **Section 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS** - Use Unit 6; per plan submitted; subject to the execution of a covenant stating that the property will not be used for any type of commercial activity; finding that the building will be used for storage purposes only; and finding a hardship demonstrated by the size of the tract and the rural nature of the area; on the following described property:

W/2 of Lot 1, Block 3, Lynn Lane Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16009

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 715 South Columbia.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 North 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit X-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lots 1-6 and Lots 7-12, Block 15, Highland Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16010

Action Requested:

Variance of the required 25' front yard setback to 15.3' to permit an existing carport - **Section 403. BULK AND AREA REQUIREMENTS FOR THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1146 East 49th Place.

Presentation:

The applicant, **John Olin**, 7704 South Peach, Broken Arrow, Oklahoma, was represented by **Gale Plummer**, 18 St. Andrews Circle, Broken Arrow, Oklahoma, who informed that the house in question is the previous home of Mr. Olin's deceased parents. He explained that they expanded the living area into the garage and the carport was added, with the stipulation in a removal contract that the carport would be removed at the sale of the property. Mr. Plummer stated that the heirs are attempting to sell the house and the prospective buyers have requested that the carport remain. He noted that there are numerous carports and setback encroachments in the neighborhood. A letter of support (Exhibit T-2) and a packet (Exhibit T-1) containing photographs and a petition of support were submitted.

Comments and Questions:

Mr. Chappelle asked if there have been any changes in the structure since approval in 1975, and Mr. Plummer stated that there have been no structural changes.

In response to Mr. Jackere, Mr. Plummer stated that the property can be sold, but the removal contract states that the carport will be torn down at the time of sale.

Mr. Jackere stated that this condition of removal that was imposed in 1975 is not enforceable.

Protestants:

None.

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 25' front yard setback to 15.3' to permit an existing carport - **Section 403. BULK AND AREA REQUIREMENTS FOR THE RESIDENTIAL DISTRICTS** - Use Unit 6; per survey submitted; finding that there are numerous carports in the area, and 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:

Lot 4, Block 16, Riverview Village Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16011

Action Requested:

Variance of the maximum permitted 50% FAR to permit a new school - **Section 404.F.1. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 5, located 10100 East 61st Street.

Special Exception to amend a previously approved site plan, located 10100 East 61st Street South.

Presentation:

The applicant, **Robert Yaden**, 3227 East 31st Street, Suite 200, Tulsa, Oklahoma, submitted an amended site plan (Exhibit V-1), and explained that the school had previously planned to remodel two classroom buildings, along with other new construction; however, it has since been discovered that structural deficiencies would make remodeling unfeasible. Mr. Yaden stated that the proposed widening of 61st Street and the straightening of 62nd Street has caused the floor area ratio to be over the .50 limit, or .52 FAR.

Protestants:

None.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bolzle, Chappelle, Doverspike, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to a **APPROVE** a **Variance** of the maximum permitted .50 FAR to .52 FAR to permit a new school - **Section 404.F.1. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 5; and to **APPROVE** a **Special Exception** to amend a previously approved site plan; per amended plan submitted; finding a hardship imposed by the widening of abutting streets; on the following described property:

Beginning 60 rods E of NW/c Section 6, T-18-N, R-14-E of IBM, thence E 40 rods, thence S 40 rods, thence W 40 rods, thence N 40 rods to POB less hwy plus Lots 1, 2 and 3, Block 2, Union Gardens, City of Tulsa Tulsa County, Oklahoma.

Case No. 16012

Action Requested:

Variance of the aggregate display surface area permitted for more than one sign from 195 sq ft to 408 sq ft -
Section 1221.D.3 - CS District Use Conditions for Business Signs - Use Unit 21, located 7030 South Lewis.

Comments and Questions:

Mr. Jones informed that proper notice was not given to landowners within 300' of the subject property, and suggested that Case No. 16012 be continued to May 12, 1992.

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 **CONTINUE** Case No. 16012 to May 12, 1992.

Case No. 16014

Action Requested:

Special Exception to modify a previously approved site plan (Case No. 15738) by an increase of more than 15% of building floor area, located north of the NE/c of I-244 and 129th East Avenue..

Comments and Questions:

Mr. Jones informed that proper notice was not given to landowners within 300' of the subject property, and suggested that Case No. 16014 be continued to May 12, 1992.

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 **CONTINUE** Case No. 16014 to May 12, 1992.

Case No. 16015

Action Requested:

Variance of the setback from the centerline of East 21st Street from 110' to 103' to permit a drive-in window - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 12, located 1923 South Garnett.

Presentation:

The applicant, **Long John Silver's**, was represented by **Don Godsey**, 8900 Indian Creek Parkway, Overland Park, Kansas, who submitted a plot plan (Exhibit W-1) for the addition of a drive-through window to an existing restaurant. He pointed out that the new window would alleviate dining room and parking lot congestion.

Comments and Questions:

Mr. Jackere asked if the entire building encroaches into the setback, and Mr. Godsey stated that the actual building was constructed to comply with the 110' required setback.

Protestants:

None.

Additional Comments:

Mr. Jones stated that it has been discovered that property owners within 300' feet of the subject property may not have received adequate notice of the hearing, and suggested that the case be continued to May 12, 1992.

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 **CONTINUE** Case No. 16015 to May 12, 1992.

Case No. 16016

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located at 68 North Lewis Avenue.

Case No. 16016 (continued)

Presentation:

The applicant, **Tulsa Public Schools**, was represented by Jim Choate, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit AA-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lots 1-20 and Lots 31-50, Block 4, Eastland Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16017

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 3441 East Archer.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by Jim Choate, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit BB-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

Case No. 16017 (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 **Special Exception** to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

E/2, SW/4, SW/4, SW/4, Section 33, T-20-N, R-13-E,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 16019

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 2324 East 17th Street South.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit CC-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lots 1-10 and Lots 33-42, Block 5, Maywood Addition,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 16020

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 1770 East 61st Street.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit DD-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Being a part of the E/2, NW/4, NE/4 of Sec. 6, T-18-N, R-13-E, Tulsa County Oklahoma, and more particularly described as follows: Beginning at the NE corner of the W/2 of the NW/4, NE/4 of said Sec. 6, Thence South a distance of 1309.69' to a point said point being the SE corner of the W/2 of the NW/4, NE/4 aforesaid; thence East along the South line of the E/2, NW/4, NE/4 a distance of 510.05' to a point, said point being on the West boundary line of Pecan Acres Addition, filed of record June 27, 1946, and being Plat No. 1288; thence North along the West boundary line of Pecan Acres a distance of 1307.47' to a point, said point being the NW corner of Pecan Acres aforesaid; thence West along the North line of said Section 6, a distance of 510.00' to the point of beginning, containing 15.321 acres more or less; City of Tulsa, Tulsa County, Oklahoma.

Case No. 16022

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 3613 South Hudson Avenue.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit EE-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

A tract of land lying in the SE/4 of Section 22, T-19- N, R-13-E of the Indian Base and Meridian, Tulsa, County, Oklahoma, being more particularly described as follows, to-wit: Beginning at a point in the north boundary of and 85' of the northwest corner of said SE/4 of Section 22; thence South and parallel to the west boundary of said SE/4 a distance of 500.00' to a point; thence East a distance of 670.00' to a point; thence North a distance of 500.00' to a point in the north boundary of said SE/4; thence West along the north boundary of said SE/4 a distance of 670.00' to the point of beginning, said tract containing 7.7 acres more or less; City of Tulsa, Tulsa County, Oklahoma.

Case No. 16023

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 1740 North Harvard.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit FF-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

N/2, SE/4, SE/4, Section 29, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16025

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 724 North Birmingham.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit GG-1) was submitted.

Case No. 16025 (continued)

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

All of Geo Schmidt Subdivision and Lots 1-13,
Block 1, Ohio Place Subdivision, City of Tulsa,
Tulsa County, Oklahoma.

Case No. 16026

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 931 South 89th East Avenue.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit HH-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

Case No. 16026 (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 **Special Exception** to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

All of Block 19, of Blocks 17, 18, 19, 21 and 22, Clarland Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16027

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 4132 West Cameron.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit JJ-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

A tract of land situated in the E/2 of the NW/4, of Section 4, T-19-N, R-12-E, Tulsa County, Oklahoma, and more particularly described as follows: Beginning at a point 1033.43' South, and 25' West of

Case No. 16027 (continued)

the NE/corner of said NW/4 of said Section 4, thence Westwardly at an angle of 90°07' from the east line of said NW/4 a distance of 800' to a point, thence Southwardly, with an interior angle of 89°53' to land described course, a distance of 1048.75' to a point in the N right-of-way line of the M.K. & T. Railroad, thence in a Northeasterly direction, with an interior angle of 69°35' to last described course, and along said North right-of-way line of said R. R., a distance of 853.63' to a point, 25' distant at right angles from the said East line of said NW/4 of said Section 4, thence Northwardly parallel to and 25' equidistant from said East line a distance of 749.34' to place of beginning, containing in all 16.511 acres more or less; City of Tulsa, Tulsa County, Oklahoma.

Case No. 16028

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 6703 East King Street.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit KK-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Case No. 16028 (continued)

A tract of land in the NE/4, NW/4, SW/4, of Section 35, T-20-N, R-13-E, more particularly described as beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of Southwest Quarter of Section 35, Township 20 North, Range 13 East in Tulsa County, Oklahoma; Thence East along the North boundary of NE/4, NW/4, SW/4 of said Section 35 a distance of 517.00' to a point; Thence South a distance of 510.00', and parallel to the West boundary of NE/4, NW/4, SW/4 of said Section 35, to a point; Thence West a distance of 517.00' to a point on the West boundary of NE/4, NW/4, SW/4 of said Section 35; Thence North a distance of 510.00' to point of beginning; City of Tulsa, Tulsa County, Oklahoma.

Case No. 16030

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 2510 East Pine Street.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by Jim Choate, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit LL-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

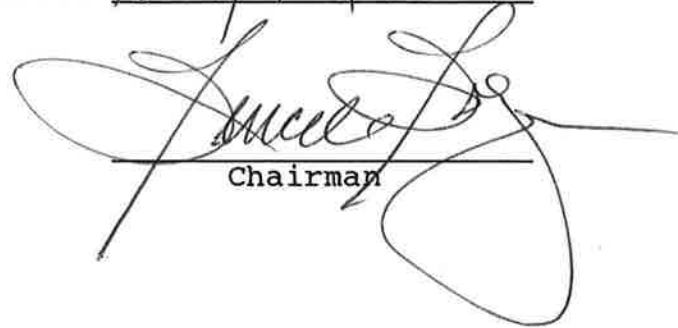
Board Action:

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 public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

W/2, NE/4, NW/4, NW/4, Section 32, T-20-N, R-13-E,
City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at
5:38 p.m.

Date Approved May 12, 1992


Chairman

