

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 666
Tuesday, October 11, 1994, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Abbott Doverspike, Chairman Turnbo White	Bolzle	Gardner Moore Russell	Jackere, Legal

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, October 10, 1994, at 10:42 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **TURNBO**, the Board voted 3-0-1 (Doverspike, Turnbo, White, "aye"; no "nays"; Abbott, "abstaining"; Bolzle, absent") to **APPROVE** the Minutes of September 27, 1994 (No. 665).

UNFINISHED BUSINESS

Case No. 16771

Action Requested:

Special Exception to permit an air-conditioning/heating business in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 15, located 1637 South Harvard.

Presentation:

The applicant, **Douglas Bear**, 1637 South Harvard, informed that the case was continued to this meeting to allow sufficient time to advertise for an air-conditioning/heating business at this location. He stated that he is proposing to install a mobile unit for office space.

Case No. 16771 (continued)

Comments and Questions:

Mr. Gardner advised that any type of construction business at this location would require Board approval; however, the installation of a mobile office unit would be under the jurisdiction of the building inspector.

Mr. Doverspike asked if there will be outside storage of materials, and Mr. Bear replied that there will be no materials outside, because the operation consists of commercial work, with 99% of his business being conducted by phone.

Mr. Jackere asked if business vehicles are brought to the property, and the applicant stated that he has two pickup trucks that will drive to the business location. He informed that a pickup may haul a small piece of equipment, but most equipment is large and is delivered directly to the job site by the supplier.

Mr. Gardner advised that the use of the property is changing and screening is required by the Zoning Code.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 3-0-1 (Doverspike, Turnbo, White, "aye"; no "nays"; Abbott, "abstaining"; Bolzle, "absent") to **APPROVE** a **Special Exception** to permit an air-conditioning/heating business in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 15; subject to a solid screening fence being installed on the east boundary; and subject to no outside storage of materials; finding that the property is basically used for office purposes, and that the use is compatible with the surrounding area; on the following described property:

Lot 9, less west 10' thereof, Block 8, Sunrise Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16800

Action Requested:

Variance to permit the expansion of a non-conforming use - **SECTION 1402. NONCONFORMING USE OF BUILDINGS, OR BUILDINGS AND LAND IN COMBINATION** - Use Unit 28, located 3815 and 3821 North Lewis Avenue.

Presentation:

The applicant, **Delores Smith**, 5903 North Norfolk, was not present.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **STRIKE** Case No. 16800.

Case No. 16802

Action Requested:

Variance to permit outside storage and display of merchandise for sale - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17, located 7120 East Pine Street.

Presentation:

The applicant, **Ronald Parham**, 6710 East Pine Street, informed that the Board previously approved motorcycle sales on the subject property and requested that approximately eight motorcycles be displayed outside the building. Photographs (Exhibit A-1) were submitted.

Comments and Questions:

In reply to Mr. Doverspike, the applicant stated that hours of operation for the business are 9 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 4 p.m. on Saturday.

Mr. Doverspike asked the applicant if the motorcycles are operable, and he answered in the affirmative.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 3-0-1 (Doverspike, Turnbo, White, "aye"; no "nays"; Abbott, "abstaining"; Bolzle, "absent") to **APPROVE** a **Variance** to permit outside storage and display of merchandise for sale - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17; subject to a maximum of 8 operable motorcycles being displayed on the property during business hours only (9 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 4 p.m. on Saturday); finding that the display of motorcycles, per conditions, will not be detrimental to the area or violate the spirit and intent of the Code; on the following described property:

Lots 4 and 5, Jennings Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 16814

Variance of the required setback from an abutting R District to permit a changing copy sign - **SECTION 1221.C.2.C. General Conditions for Business Signs** - Use Unit 21, located 2306 South Sheridan Road.

Case No. 16814 (continued)

Presentation:

The applicant, **Oklahoma Neon**, 6550 East Independence, was represented by **Terry Howard**, who submitted a sign plan (Exhibit B-1) and informed that a sign request was previously denied at the above stated location. He explained that his client requested a changing copy sign and the application was protested by **Terry Wilson**, District 5 planning chairman, who voiced a concern about the sign changing in the school zone. Mr. Howard stated that his client has agreed to stop operation of the sign during the time the school zone sign is flashing and has discussed the issue with Mr. Wilson (Exhibit B-3) and a school representative. He informed that the property owners in the nearby residential neighborhood have been notified of the proposed sign location and they have no objection (Exhibit B-2) to the application.

Comments and Questions:

Mr. Doverspike inquired as to the size of the proposed sign, and Mr. Howard replied that the sign is 12'4" tall, with the display area being 2'4" by 14'4". He informed that the sign will be installed on an existing sign pole.

In response to Mr. Doverspike, Mr. Howard stated that the sign will have 15 watt bulbs, which will be dimmed during nighttime hours.

Mr. Doverspike asked if the sign will be shut off at some specific time during the night, and Dan Correll, operator of the business, advised that the business is open from 9 a.m. to 6:30 p.m., Monday through Saturday, and the sign can be electronically programmed to turn off at any given time. Mr. Correll informed that the traveling message can be changed to a still sign during school crossing hours, and this was the request of Terry Wilson and the school.

In reply to Mr. Jackere, Mr. Correll informed that the requested times for the sign to be motionless will be from 7:15 a.m. to 8:30 a.m. and 3 p.m. to 4 p.m.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Variance** of the required setback from an abutting R District to permit a changing copy sign - **SECTION 1221.C.2.C. General Conditions for Business Signs** - Use Unit 21; per plan; subject to illumination being 15 watts during the day and 10 watts during evening hours; subject to the sign being turned off from 10 p.m. to 6 a.m.; and subject to the sign being motionless from 7:15 a.m. to 8:30 a.m. and 3 p.m. to 4 p.m. (coincide with any change in school hours); finding the sign, per conditions, to be compatible with the area; on the following described property:

Case No. 16814 (continued)

Beginning 3856.48' north and 50' west of the southeast corner thence west 140', north 112.84', east 140', south 111.99' to POB, Section 15, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16815

Action Requested:

Variance of the maximum square footage for a sign, a variance of the maximum height for a sign and a variance to permit a roof sign - **SECTION 1221.C. General Conditions for Business Signs** - Use Unit 2, located 1111 West 17th Street.

Presentation:

The applicant, **Michael Marney**, 509-A North Redbud, Broken Arrow, Oklahoma, was represented by **Richard Craig**, who requested that a wall sign be permitted on the top portion of the building. He explained that the proposed sign for the Oklahoma State University College of Osteopathic Medicine is located on a large tract in an office district; however, there are mixed zoning classifications (commercial/office) in the area and the larger sign would not be detrimental to the neighborhood. A sign plan (Exhibit C-2) and photographs (Exhibit C-1) were submitted.

Comments and Questions:

In response to Mr. Doverspike, Mr. Craig advised that he did not request a roof sign and asked that that portion of the application be withdrawn.

Mr. Gardner advised that the tract is large and commercial zoning could be obtained at this location. He added that the proposed signage would be appropriate for the area.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Variance** of the maximum square footage for a sign, a variance of the maximum height for a sign and a variance to permit a roof sign - **SECTION 1221.C. General Conditions for Business Signs** - Use Unit 2; finding a hardship demonstrated by the size of the tract, the location of the property and mixed zoning classifications in the area; 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:

Block 5, Riverview Park II Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16816

Action Requested:

Special Exception to permit church use, variance of the required setback from the centerline of street for off-street parking, variance of the parking requirements, variance of the required setback from an abutting R District and a variance of the minimum one-acre requirement - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS, SECTION 404.F. SPECIAL EXCEPTION CONDITIONS and SECTION 1202.D. Off-Street Parking and Loading Requirements** - Use Unit 2, located 507 North Atlanta Place.

Presentation:

The applicant, **Capernaum Baptist Church**, PO Box 50241, was represented by **Delbert Howard**, who submitted a revised plot plan (Exhibit D-1), and informed that the church is proposing to purchase the building in question for church use. He stated that the existing building was constructed prior to current Zoning Code requirements and is located on the lot line. Mr. Howard requested that the one acre requirement for churches be varied because of the size of the congregation. He advised that traffic in the area is not excessive and would not be negatively impacted by the small church. Mr. Howard informed that the result of a two-hour traffic count on Birmingham Avenue was 31 cars on a specific week day and 42 on the weekend, with the count on Easton Street on the same days being 25 and 27. He stated that the church would meet on Sunday, Wednesday and Saturday. Mr. Howard submitted a brochure (Exhibit D-2) that was distributed in the neighborhood.

Comments and Questions:

In response to Mr. Doverspike, the applicant stated that 35 parking spaces are available.

Mr. Doverspike inquired as to the use of the property to the south, and Mr. Howard replied that two residences are located to the south.

Protestants:

Lewis Hoort, 7852 South College Place, stated that he owns property to the south and emphasized that approval of a church at this location would only add to an existing parking problem in the neighborhood. He pointed out that 28 school buses travel in the area in the morning and afternoon, and there is additional traffic generated by an existing church approximately 82' from the subject property. Mr. Hoort stated that the neighborhood experiences parking and traffic congestion seven days a week, and pointed out that the church cannot provide sufficient parking spaces on the property. He informed that in one hour after school dismissal he counted 167 vehicles traveling the street near his property. Mr. Hoort asked the Board to preserve the neighborhood and deny the request for church use on the subject property.

Case No. 16816 (continued)

Applicant's Rebuttal:

Mr. Howard stated that the existing church in the neighborhood is approximately 200' from the subject property and has very few members. The applicant stated that he does not find that a church at this location will have a negative impact on the neighborhood.

Additional Comments:

Mr. Gardner informed that the property has previously been used for automobile repair and warehouse purposes, with the most recent use being the training of physically and mentally handicapped individuals. Mr. Gardner advised that the Board must determine if the existing building is appropriate for church use. He noted that 48 parking spaces are required by Code.

Mr. Doverspike remarked that he is concerned with the impact the church could have on the neighborhood; however, he could support the use with conditions concerning the size of the sanctuary and limited meeting times.

Ms. Turnbo and Mr. White voiced a concern with inadequate parking, which would result in additional street parking in the neighborhood.

Ms. Abbott inquired as to the location of proposed overflow parking areas, and Mr. Howard replied that the church could acquire additional space within a few blocks of the church, as lots become available.

Ms. Abbott asked Mr. Hoort if the general area is owner occupied, and he answered in the affirmative.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 2-0-2 (Turnbo, White, "aye"; Abbott, Doverspike, "nay"; no "abstentions"; Bolzle, "absent") to **DENY*** a **Special Exception** to permit church use, variance of the required setback from the centerline of street for off-street parking, variance of the parking requirements, variance of the required setback from an abutting R District and a variance of the minimum one-acre requirement - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS, SECTION 404.F. SPECIAL EXCEPTION CONDITIONS** and **SECTION 1202.D. Off-Street Parking and Loading Requirements** - Use Unit 2; finding that a hardship was not demonstrated, as relating to the parking, and inadequate parking would cause substantial detriment to the surrounding neighborhood; and finding that approval of the request would violate the spirit and intent of the Code; on the following described property:

South 100' of Block 1, Cherokee Heights Second, an addition to the City of Tulsa, Tulsa County, Oklahoma.

*The application was denied, due to the lack of three affirmative votes for approval.

Case No. 16818

Action Requested:

Special Exception to permit a mini-storage in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17, located 1104 North Sheridan.

Presentation:

The applicant, **Danny Mitchell**, 6106 South Memorial Drive, submitted a plot plan (Exhibit E-1) and informed that he is the architect for the project. He explained that his client is proposing to construct a mini-storage facility on the subject property. Mr. Mitchell informed that the plans have been reviewed by the neighborhood and they are supportive of the use. The applicant stated that the lighting is interior and the slope of the roof directs all water flow away from the neighborhood.

Comments and Questions:

Mr. Doverspike asked if all storage is inside the building, and the applicant answered in the affirmative.

Mr. Gardner noted that under Use Unit 17 outside storage would be permitted unless prohibited by the Board.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Special Exception** to permit a mini-storage in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17; per plan submitted; subject to no outside storage; finding the use to be compatible with the area, and in harmony with the spirit and intent of the Code; on the following described property:

Lots 35 and 36, Block 17, Maplewood Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16819

Action Requested:

Special Exception to permit a church in a RS-4 zoned district and a variance of the one-acre and minimum lot width - **SECTION 401. PRINCIPAL USES PERMITTED IN USE UNIT 2**, located 1114 East Pine Place.

Case No. 16819 (continued)

Presentation:

The applicant, **John K. Miller**, 3721 North Garrison, submitted a plot plan (Exhibit F-2) and requested permission to construct a multipurpose building on a lot adjoining church property.

Comments and Questions:

Mr. Gardner asked if the existing church is located on the corner of Pine and Norfolk, and the applicant answered in the affirmative. Mr. Miller informed that the proposed building is on the fourth lot to the east.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Special Exception** to permit a church in a RS-4 zoned district and a **variance** of the one-acre and minimum lot width - **SECTION 401. PRINCIPAL USES PERMITTED IN USE UNIT 2**; per plan submitted; subject to tie contract including all property owned by the church; finding that the lot in question abuts other church property and approval of the request will not be detrimental to the neighborhood; on the following described property:

Lot 16, Block 2, Booker Washington Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16820

Action Requested:

Variance to permit an outdoor advertising sign - **SECTION 702. ACCESSORY USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 21, located southeast corner of East Brady and North Cincinnati.

Presentation:

The applicant, **Marshall Kottler**, 10008 South Maplewood Place, was represented by **Jeff Cullison**, general manager for Mexicali Border Cafe, who requested that a sign (Exhibit G-1) be permitted at the corner of Cincinnati and Brady to direct customers to the location.

Comments and Questions:

Mr. Doverspike asked if the sign in question is 10' by 10' and 6' from the ground, and Mr. Cullison answered in the affirmative.

Case No. 16820 (continued)

In response to Ms. Russell, Mr. Cullison advised that the proposed sign will be two blocks from the restaurant.

W. Douglas Jones, 4400 One Williams Center, represented Brady Village Association and stated that, after contacting several landowners in the area, he found them to be supportive of the application.

Protestants:

Robert Nichols, 111 West 5th Street, informed that he is representing the owners of Spaghetti Warehouse, and pointed out that the proposed sign is directly across the street from this restaurant. He stated that a hardship has not been presented that would warrant the granting of a variance to permit the outdoor advertising sign.

Comments and Questions:

Mr. Gardner advised that outdoor advertising signs are permitted in a band 450' on either side of the expressway, and the sign in question is more than twice that distance from the expressway.

Mr. Jackere advised that there is also a spacing requirement between outdoor advertising signs along the freeway.

Mr. Nichols noted that the case map appears to be in error as to the location of the proposed sign.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **DENY a Variance** to permit an outdoor advertising sign - **SECTION 702. ACCESSORY USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 21; finding that a hardship was not demonstrated that would warrant the granting of a variance request; on the following described property:

Lots 1 and 6 and the N/2 of Lots 2 and 5, Block 43, Original Town of Tulsa, Tulsa County, Oklahoma.

Case No. 16821

Action Requested:

Variance of the required setback from the centerline of South Yale Avenue - **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 12, located 6004 South Yale Avenue.

Case No. 16821 (continued)

Presentation:

The applicant, **Gary Spriggs**, 6312 South Birch, was not present.

Comments and Questions:

Ms. Russell informed that there is a question as to whether the applicant has decided to withdraw the application. She suggested that the case be continued to permit Staff to confer with Mr. Spriggs and determine his intent.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **CONTINUE** Case No. 16820 to October 25, 1994.

Case No. 16822

Action Requested:

Variance to permit two identification signs - Use Unit 8, located 7700 Riverside Drive.

Presentation:

The applicant, **Oakwood Graphics**, 5588 South Garnett Road, was represented by John Holly, Case and Associates, who submitted photographs (Exhibit H-1) of the signs (2½' by 4½') in question. He informed that the apartment complex has 550' of street frontage and two access points.

Comments and Questions:

Mr. Doverspike asked if the Planning Commission approved the Planned Unit Development with the signage, subject to Board approval, and Mr. Holly answered in the affirmative.

Mr. Gardner advised that the two signs have only one sign face and are attached to the walls in front of the apartment complex (two entries).

Protestants: None

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Variance** to permit two identification signs - Use Unit 8; finding that two signs (2½' by 4½') are located on the wall, with each having only one sign face; and finding that one double-face sign (same size) would be permitted by right at this location; on the following described property:

Lot 1, Block 1, 7700 Riverside Drive, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16823

Action Requested:

Special Exception to permit a public park in an AG zoned district - **SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 2, located south of the southeast corner of East 35th Street and South 136th East Avenue.

Presentation:

The applicant, **City of Tulsa**, 707 South Houston, Suite 201, was represented by Ross Weller, who explained that the 20-acre tract under application is leased to the Union Soccer Club, with the 10-acres being used for a City Park. A plot plan (Exhibit J-2) and aerial (Exhibit J-1) were submitted.

Comments and Questions:

In response to Mr. Doverspike, Mr. Gardner advised that the tract being used for soccer fields has not been previously advertised or approved for park use.

Protestants:

Mark Lewis, 4512 South 132nd East Avenue, stated that the pond depicted on the aerial map is directly behind his home, and pointed out that he purchased his property because it is abutted by the park land. He stated that the pond is important to the neighborhood because of its beauty and the fact that it attracts many different kinds of animals and birds. Mr. Lewis noted that the City conducted a survey of the neighborhood residents across from the proposed park area, but did not contact the homeowners in the subdivision abutting the soccer field. Mr. Lewis stated that he is not opposed to the City park, but is opposed to draining the pond.

Lloyd Wynn, 3722 South 142nd East Avenue, requested that the park area and the roads remain the same.

Applicant's Rebuttal:

Mr. Weller advised that notice of the proposal was sent out to every water user between 31st Street and 41st Street, and 129th East Avenue and 145th East Avenue, with only 5.24% response rate to the survey. He informed that the Park Department authorized the draining of the pond and that work is in progress.

In response to Mr. Doverspike, Mr. Lewis stated that the addition does not have an organized Homeowners Association.

In reply to Ms. Turnbo, Mr. Weller stated that the lease is for 10 years, with 9 years remaining.

Case No. 16823 (continued)

Mr. Doverspike asked if a report is available regarding the impact on trees, habitats, etc., and Mr. Weller informed that the Urban Forestry has checked the site, but a report is not available at this time.

Mr. White asked if Stormwater Management is involved in the draining of the pond, and Mr. Weller stated that the pond is not significant in drainage of any type.

Mr. Doverspike inquired as to the size of the pond, and Mr. Gardner advised that it is approximately 200' by 250'.

Mr. Weller informed that the Union Soccer Club was concerned with the potential hazard of an unprotected body of water.

Mr. Jackere advised that the neighborhood complaint is one that should be addressed by the Park Department.

Ms. Turnbo asked if the small tract will have outside lighting, and Mr. Weller informed that security lights will be installed.

In reply to Mr. Gardner, Mr. Weller stated that the volleyball court will not have lights.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a Special Exception to permit a public park in an AG zoned district - **SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 2; per plan submitted.

Mr. Gardner asked for clarification of the motion. He inquired as to the use approved on the eastern tract.

Ms. Turnbo stated that her motion was the continued use of the eastern tract for park purposes.

Mr. Jackere advised that approval of the tract for park use could permit the City to make improvements without returning to the Board. He suggested that the motion be revised to exclude improvements, if this is the intent of Ms. Turnbo.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **RECONSIDER** the previous motion for approval.

Case No. 16823 (continued)

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Special Exception** to permit a public park on a 4-acre tract in an AG zoned district (northwest corner of the property)- **SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 2; per plan submitted; finding park use to be compatible with the surrounding neighborhood; on the following described property:

Beginning at the NW/c of the SE/4, thence south 480', thence east 360', thence north 480', thence west 360' to the POB of Section 21, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Special Exception** to permit soccer fields only in an AG zoned district (east 20 acres of the property)- **SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS** - Use Unit 2; subject to the applicant returning to the Board for any change in use; finding soccer fields to be compatible with the surrounding area; on the following described property.

E/2, NW/4, SE/4, Section 21, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16824

Action Requested:

Variance of the required livability space - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1124 East 25th Street.

Presentation:

The applicant, **John Laur**, 1513 South Boston Avenue, submitted a plot plan (Exhibit K-1) and noted that the lot in question does not comply with current RS-2 zoning requirements. He informed that his client is proposing to add approximately 450 sq ft to the rear of an existing two-story dwelling. Mr. Laur stated that the front portion of the house will not be changed and the new addition will have the same exterior covering as the remainder of the house.

Protestants:

None.

Case No. 16824 (continued)

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Variance** of the required livability space - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the area was developed prior to current Zoning Code regulations; and finding that approval of the request will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

Lot 4, Block 8, Sunset Terrace, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16826

Action Requested:

Special Exception to amend a previously approved plot plan to permit the addition of an accessory building - Use Unit 2, located 1212 South 129th East Avenue.

Presentation:

The applicant, **Century Cathedral Church**, 1212 South 129th East Avenue, was represented by Chris Voye'r, who requested permission to construct a 1500 sq ft maintenance building on the subject property. She submitted a plot plan (Exhibit L-1) for a long-range development.

Comments and Questions:

Mr. Gardner advised that the church has been approved, per plan, and the new plan depicts additional changes, including an accessory building. He pointed out that all changes are church related, except for the housing.

It was the consensus of the Board that the proposed construction, except for the housing, would be appropriate for the area.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a **Special Exception** to amend a previously approved plot plan to permit the addition of an accessory building - Use Unit 2; per amended plan submitted; subject to no housing projects being permitted; finding the church related uses, except for the retirement housing, to be compatible with the area and in harmony with the spirit and intent of the Code; on the following described property:

Case No. 16826 (continued)

East Central Heights Tabernacle Resub B1-2, part B-3 and B4-5, Lot 1, less Beginning NE/c of Lot 1, thence south 57.37' northwesterly 328.86, northeasterly 29.99', east 325' to POB Lot 1, City of Tulsa, Tulsa County, Oklahoma.

OTHER BUSINESS

Consider Amendment to Rules of Procedure

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** an amendment to the Rules of Procedure as follows:

General Procedures

5. A motion to reconsider any action of the Board can be made by a board member who voted with the prevailing side at any time during the meeting or at the next regularly scheduled meeting of the Board, provided that any interested parties who appeared are still in the audience or have been notified in writing five working days in advance of a request to reconsider at the next regularly scheduled meeting.

There being no further business, the meeting was adjourned at 3:22 p.m.

Date Approved 10-25-94



Chairman