

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 667
Tuesday, October 25, 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
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Abbott Bolzle Doverspike, Chairman Turnbo	White	Moore Russell	Jackere, Legal
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The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, October 24, 1994, at 11:24 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 **BOLZLE**, the Board voted 3-0-1 (Abbott, Doverspike, Turnbo, "aye"; no "nays"; Bolzle, "abstaining"; White, "absent") to **APPROVE** the Minutes of October 11, 1994 (No. 666).

UNFINISHED BUSINESS

Case No. 16821

Action Requested:

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

Comments and Questions:

Ms. Russell informed that the application was continued to determined Mr. Spriggs intent concerning withdrawal of the request, and it has now been confirmed that the case has been withdrawn.

Presentation:

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

Case No. 16821 (continued)

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **WITHDRAW** Case No. 16821, as requested by the applicant.

NEW APPLICATIONS

Case No. 16827

Action Requested:

Variance of the required 25' rear yard - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICT** - Use Unit 6, located 4476 Oak Road.

Presentation:

The applicant, **Rosalind Cook**, 4476 Oak Road, was represented by **Keith Winfrey**, Winfrey Construction, who submitted a site plan (Exhibit A-1) and letters of support (Exhibit A-2) for the project. He explained that the application involves the construction of an addition to an existing dwelling, and the irregular shape of the lot causes one corner to encroach approximately 10' into the required rear yard.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** of the required 25' rear yard - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICT** - Use Unit 6; per plan submitted; finding a hardship demonstrated by the irregular shape of the lot and the fact that the dwelling is existing; finding that approval of the request will not cause substantial detriment to the public good, or violate the spirit, purpose and intent of the Code; on the following described property:

Part of Lot 4, Beginning 125.60' southwest SE/c Lot 4, thence northwest 161.65', southwest 160', southerly 74.14', southeast 57.89' easterly on curve 92.4' northeast 84.79' to POB, Block 6, Bolewood Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16828

Action Requested:

Variance of the required frontage to permit a lot split - **SECTION 208. STREET FRONTAGE REQUIRED** - Use Unit 25, located 4025 Southwest Boulevard.

Presentation:

The applicant, **George F. Collins, Jr., Trust**, 6100 South Yale Avenue, was represented by **John Harrington**, 15 West 6th Street, who submitted a plot plan (Exhibit B-1) and explained that the property has always been leased separately and the intent is to divide the property into two tracts. Mr. Harrington stated that a 30' private right-of-way (Exhibit B-2) for access is in place.

Comments and Questions:

Mr. Bolzle inquired as to surrounding uses fronting Southwest Boulevard, and Mr. Harrington replied that there is a gasoline station in the area, but the majority of the property is vacant. He added that the entire area is industrial.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** of the required frontage to permit a lot split - **SECTION 208. STREET FRONTAGE REQUIRED** - Use Unit 25; per plan submitted; finding that a private 30' access roadway (Exhibit B-2) is in place and has been used to access the tract for many years; and finding that approval of the request will not be detrimental to the area or violate the spirit and intent of the Code; on the following described property:

A tract in the NE/4, NW/4, Section 27, T-19-N, R-12-E, more particularly described as follows, to wit: Beginning at the NW/c of Reserve D of Park Addition to Red Fork, now in the City of Tulsa, According to the recorded plat of such addition; thence S00°15'43"E along the west line of Reserve D a distance of 106.86' to a point; thence S47°16'37"E a distance of 104.16' to a point on the northwesterly line of the Tulsa-Sapulpa Union Railway Company property acquired from Interurban Construction Company by that certain warranty deed dated January 16, 1920, and recorded with the County Clerk of Tulsa County, Oklahoma, March 11, 1921, in Book 320 at page 114; thence southwesterly on a curve to the left along said northwesterly railway property line, said curve having a central angle of 01°41'27' and a radius of 2,902.3' for an arc distance of 85.64' to a point of intersection with the northwesterly right of way line of Interstate Highway 44; thence N49°54'00"E along the northwesterly right-of-way line of Interstate Highway 44 a distance of 448.45' to a point; thence N40°06'00"W a distance of 16.28' to a point on said northwesterly railway

Case No. 16828 (continued)

property line, being also the southeasterly line of Reserve D; thence continuing N40°06'00"W a distance of 115.35' to a point; thence S74°15'44"W a distance of 19.32' to a point; thence N43°21'29"W a distance of 78.68' to a point on the northwesterly line of Reserve D; thence S46°38'31"W along the northwesterly line of Reserve D a distance of 296.95' to the POB, containing 1.699 acres, more or less, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16831

Action Requested:

Variance of the requirement that all access be principally from internal collector service streets - **SECTION 804. ACCESS REQUIREMENTS** - Use Unit 8, located south of the SW/c of 41st Street and South Garnett Road.

Presentation:

The applicant, **Mark Reents**, 5416 South Yale, submitted a plot plan (Exhibit C-2) and explained that a 200-unit apartment complex is proposed on the 10-acre tract in question. He requested that two access points be permitted on Garnett Road. A corridor site plan and aerial (Exhibit C-1) were submitted.

Comments and Questions:

In reply to Mr. Bolzle, **Ted Sack** advised that the portion of the Zoning Code dealing with internal collector service streets for apartment complexes was only recently brought to the attention of the Planning Commission and many other apartment developments have been approved without complying with this requirement. He pointed out that this relief is required only for apartments on corridor zoned property, and would not be required if the property was located in an RM District.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** of the requirement that all access be principally from internal collector service streets - **SECTION 804. ACCESS REQUIREMENTS** - Use Unit 8; per plan submitted; and subject to TMAPC approval of the corridor site plan; finding a hardship demonstrated by existing development patterns; and finding that the property in question abuts commercial property to the north and this traffic would be channeled through the residential property via the collector service street; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Case No. 16831 (continued)

A tract of land that is part of the NE/4 of Section 30, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to-wit: Starting at the NE/c of said Section 30; thence N89°56'28"W along the northerly line of Section 30 for 50'; thence S00°08'29"W and parallel with the easterly line of Section 30 for 729.03' to the POB of said tract of land; thence continuing S00°08'29"W and parallel with the easterly line of Section 30 for 620.97'; thence N89°57'04"W for 700.85'; thence N00°08'29"E for 622.10'; thence S89°51'31"E for 700.85' to the POB of said tract of land, containing 10 acres; City of Tulsa, Tulsa County Oklahoma.

Case No. 16832

Action Requested:

Variance of the maximum 750 sq ft for a detached accessory building and a variance to permit a two-story detached accessory building - **SECTION 402.B.1.d.** and **SECTION 210.B.5. YARDS** - Use Unit 6, located 7707 South Oswego Place.

Presentation:

The applicant, **Sue Phillips**, 7707 South Oswego Place, submitted a plot plan and elevations (Exhibit D-1) and explained that it is her intent to extend an existing garage and replace the flat roof with a pitched roof. She pointed out that there are other garages in the area with storage space above (Exhibit D-2).

Comments and Questions:

Mr. Doverspike asked if the garage will be constructed of materials similar to those used for the house, and the applicant answered in the affirmative.

Mr. Bolzle asked if bathroom and kitchen facilities will be installed in the garage, and Ms. Phillips advised that neither of these will be installed.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Variance** of the maximum 750 sq ft for a detached accessory building and a **variance** to permit a two-story detached accessory building - **SECTION 402.B.1.d.** and **SECTION 210.B.5. YARDS** - Use Unit 6; per plan submitted; subject to no kitchen or bathroom being installed; finding that the construction of additional

Case No. 16832 (continued)

storage space and a pitched roof on the existing garage will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

Lot 1, Block 5, Timbercrest Estates, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16833

Action Requested:

Special Exception to permit an indoor soccer facility in an IL zoned district - **SECTION 901. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS** - Use Unit 19, located 10338 East 58th Street.

Presentation:

The applicant, **Robert Lukken**, 5454 South 99th East Avenue, informed that he is proposing to lease one of his buildings to Soccer World (Exhibit E-1), and introduced **Jim McIntosh**, who presented the application.

Mr. McIntosh stated that the subject property is bounded by an existing sports complex, and the indoor complex is the second of its kind in Tulsa.

Comments and Questions:

Mr. Doverspike inquired as to the amount of available parking, and Mr. Lukken replied that 51 spaces are provided for the use. Ms. Russell advised that 47 spaces are required.

In reply to Mr. Bolzle, Mr. McIntosh replied that the building in question is located on the southeast portion of the tract.

In response to Mr. Doverspike, **Danny Clark**, 1200 South Poplar, Broken Arrow, Oklahoma, informed that hours of operation for the business will be from 4 p.m. to 11 p.m., Monday through Friday, and 8 a.m. to 11 p.m. on Saturday and Sunday.

Mr. Doverspike asked if all activity will be conducted inside the building, and Mr. Clark answered in the affirmative.

Protestants:

None.

Board Action:

On **MOTION** of **ABBOTT**, the Board voted 4-0-0 (Abbott, Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** to permit an indoor soccer facility in an IL zoned district -

Case No. 16833 (continued)

SECTION 901. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS -
Use Unit 19; per plot plan (southeast building only); subject to days and hours of operation being Monday through Friday, 4 p.m. to 11 p.m., and 8 a.m. to 11 p.m. on Saturday and Sunday; 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:

Lot 3, Block 18, Tulsa Southeast Industrial District, City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 1:28 p.m.

Date Approved Nov 8, 1994



Chairman

