

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 689
Tuesday, September 26, 1995, 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
Bolzle
Doverspike
Turnbo, Chair
White

Gardner
Beach
Moore

Jackere, Legal
Department

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, September 25, 1995, at 11:28 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the minutes of September 12, 1995 (No. 688)

Comments and Questions:

Mr. Beach advised that **Case No. 17153** and **Case No. 17166** were continued to this date from the September 12th meeting, however, there was not sufficient time to advertise for additional relief. He noted that these items do not appear on the agenda and both cases will be readvertised and heard on October 10, 1995.

UNFINISHED BUSINESS

Case No. 17159

Action Requested:

Special Exception to permit a residence in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 6, located 2621 North Boston Place.

Presentation:

The applicant, **Warren Morris**, 1918 East 51st Street, One East, requested that the application be continued to allow his client sufficient time to find an appropriate use for the large building (15,000 sq ft).

Case No. 17159 (continued)

Comments and Questions:

Mr. Jackere advised the applicant that, regardless of the use, his client will need a special exception to have his residence in the structure.

After discussion, Mr. Morris informed that he will proceed with the presentation.

The applicant stated that his client and his family have lived at this location for approximately four years. A floor plan (Exhibit A-1) and photographs (Exhibit A-2) were submitted.

Ms. Turnbo asked Mr. Morris if only his client's immediate family lives in the building, and he replied that his client lives in the building with his wife and children.

Mr. Doverspike asked if the building has only one story, and the applicant answered in the affirmative.

In reply to Ms. Abbott, Mr. Morris stated that the remainder of the building is vacant, but was originally used by his client to repair automobiles.

Mr. Jackere advised that the applicant's client requested residential use of the property at a previous hearing and that application was denied by the Board. He pointed out that the Board action was appealed to District Court and dismissed. Mr. Jackere advised that the Board should determine if this application is different from the previous request.

Protestants:

Lottie Williams, 2548 North Boston Place, informed that car painting was still being done on September 14, 1995, after the use was denied by the Board. She pointed out that the building in question was used for office purposes when she moved across the street. Ms. Williams pointed out that the building does not have windows and is inappropriate for residential use. She voiced a concern that the applicant will continue to repair automobiles if he is permitted to live in the building.

John Smith, 111 East 26th Place North, stated that he is opposed to residential use of the building.

Ms. Foster stated that she is a long-time resident of the area and requested that the Board deny the application and preserve the neighborhood. She objected to the fact that the application has been heard several times, which requires protestants to leave their workplace on all of these occasions.

Applicant's Rebuttal:

Mr. Morris stated that he filed the appeal improperly and the case was dismissed on a technicality rather than on the merits of the case. He pointed out that his client is in need of a place to live and requested that the Board permit the use at this location.

Case No. 17159 (continued)

Additional Comments:

Ms. Abbott stated that she was not supportive of the previous application because the Tulsa Building Code requires that a residential building have windows.

Ms. Turnbo stated that she finds the building inappropriate for residential use.

Mr. Bolzle noted that the Board has previously approved residential use on a property if it is in conjunction with the existing business (caretaker, security, etc.).

In response to Mr. Doverspike, Mr. Jackere advised that the Board must determine if the application reads the same as the previous application and is essentially the same, or if there have been significant changes in the area that would warrant reconsideration. He noted that it is the burden of the applicant to prove that the use will not be injurious to the neighborhood.

It was the consensus of the Board that this application is not significantly different from the previous application denied by the Board.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **DENY** a **Special Exception** to permit a residence in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 6; finding that the matter was ruled on at a previous meeting and there has been no change of circumstances that would warrant the granting of the special exception; on the following described property:

North 46' of the south 127' of Lot 1, Block 1, Amended Reid Addition to the City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 17169

Action Requested:

Variance of the required front setback from 30' to 25', and a variance of the required livability space from 5000 sq ft to 3672 sq ft - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 2208 South Terwilliger

Case No. 17169 (continued)

Presentation:

The applicant, **Rachel Zebrowski**, 320 South Boston, #1400, was represented by **Tom Camrud**, who informed that he is a friend of the property owner, **Tom Herman**, who is proposing to modify the front porch (Exhibit B-1) of an existing dwelling. He stated that there will be a small addition to the side of the porch, which will align with the existing structure. Photographs (Exhibit B-2) were submitted.

Comments and Questions:

In reply to Mr. Doverspike, Mr. Camrud stated that the addition will not extend closer to the street than the existing porch. He added that the house was constructed in 1928 on a very narrow lot and it does not comply with current setback or livability requirements.

Interested Parties:

Ms. Turnbo advised that seven letters of support (Exhibit B-3) were received .

Board Action:

On **MOTION** of **ABBOTT**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required front setback from 30' to 25', and a **variance** of the required livability space from 5000 sq ft to 3672 sq ft - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the dwelling was constructed on a narrow lot prior to the adoption of the current Code; and finding that the porch modification will not extend farther toward the street than the existing structure; on the following described property:

Lot 28, Block 3, Terwilleger Heights, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17178

Action Requested:

Special Exception to permit church use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2; and a variance to permit required off-street parking to be on a lot other than the lot containing the principal use - **SECTION 1301.D. OFF-STREET PARKING AND OFF-STREET LOADING GENERAL REQUIREMENTS** - Use Unit 2, located NW/c East 28th Street South and South Yale Avenue.

Presentation:

The applicant, **Kenneth Miles**, 2626 East 34th Street, submitted a plot plan (Exhibit C-1) and informed that the church has acquired additional property for parking purposes. He stated that abutting lots are currently reserved for parking.

Case No. 17178 (continued)

Comments and Questions:

Ms. Turnbo asked if the church would be agreeable to the execution of a tie contract, preventing the sale of one lot without the others, and Mr. Miles answered in the affirmative.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit church use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2; and a **variance** to permit required off-street parking to be on a lot other than the lot containing the principal use - **SECTION 1301.D. OFF-STREET PARKING AND OFF-STREET LOADING GENERAL REQUIREMENTS** - Use Unit 2; per plan submitted; subject to the execution of a tie contract; finding that the proposed parking area abuts an area currently reserved for parking; and finding that approval of the request will not be detrimental to the neighborhood, or violate the spirit, purpose or intent of the Code; on the following described property:

Lot 2, Block 1, Budd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17179

Action Requested:

Special Exception to permit automobile sales in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17, located northeast corner east 19th Street and South Memorial Drive.

Presentation:

The applicant, **Bill Fleeman**, 2007 South 8th Street, Suite 1, was represented by **John Scott**, who stated that his client is proposing to purchase the subject property for automobile sales and was not aware that the use was not permitted by right. Mr. Scott stated that it was discovered at closing that Board of Adjustment approval would be required. He noted that, after conferring with Mr. Beach, it was also discovered that the application did not include a variance to permit outside storage of automobiles within 300' of a residential area.

Comments and Questions:

Mr. Bolzle asked Mr. Scott if a site plan is available, and he replied that he was not aware that a site plan was required.

Case No. 17179 (continued)

Mr. White asked if the exterior of the building will be altered, and Mr. Scott replied that the building will not be changed.

Interested Parties:

Ms. Turnbo advised that one letter of support (Exhibit D-1) was submitted.

Board Action:

On **MOTION** of **ABBOTT**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 17179 to October 24, 1995, to allow sufficient time to advertise for additional relief.

Case No. 17180

Action Requested:

Special Exception to permit a tanning salon and beauty salon in an IL zoned district - **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 13, located 5501 East Admiral Place.

Presentation:

The applicant, **Paula Matthews**, was represented by **Steve Matthews**, 1723 Union Street, Collinsville, Oklahoma, who informed that he had remodeled the front portion of the building and installed equipment for a beauty salon before he discovered that the use is not permitted by right in an IL zoned district. He stated that the use is compatible with the area and asked that the request be approved. A plot plan (Exhibit E-1) was submitted.

Protestants:

None.

Comments and Questions:

Mr. Bolzle stated that he would not be amenable to approving the use for the entire building and requested that the location of the salon be identified on the plot plan.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a tanning salon and beauty salon in an IL zoned district - **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 13; per plan submitted (area of salon indicated); finding the use to be compatible with surrounding businesses and in harmony with the Code; on the following described property:

Case No. 17180 (continued)

Beginning 16.5' south and 296.89' west of the northeast corner Government Lot 3; thence west 364.6', south 606.99', east 319.3' to west line RR right-of-way; thence northeasterly along ROW 608.28' to POB, Section 3, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17182

Action Requested:

Special Exception to permit an electrical service contractor to be located in a CS zoned district - **SECTION 701 - PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 15, located 4142 South Mingo Road.

Presentation:

The applicant, **John Dellavedova**, 6020 East 56th Street, stated that he is proposing to sell the property if his client is permitted to operate his electrical contracting business at this location. He informed that his clients lighting and fan business is allowed by right and requested that the electrical contractor business also be permitted.

Comments and Questions:

Mr. Bolzle asked if there will be outside storage of materials or vehicles, and Mr. Dellavedova replied that there will be no outside storage on the property. He added that vacant property buffers the business from other uses in the area.

Mr. White noted that screening would be of no value, because the property is approximately 15' lower than the Broken Arrow Expressway.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit an electrical service contractor to be located in a CS zoned district - **SECTION 701 - PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 15; per plan submitted; subject to no outside storage of vehicles or materials; 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:

Part of the E/2, E/2, NE/4, Section 25, T-19-N, R-13-E, Tulsa County, Oklahoma, described as follows: Beginning at the SE/c Lot 2, Dolman Addition; thence N0°08'44"W for 550.74'; thence N89°58'54' W for 610.68'; thence S0°07'58"E

Case No. 17183

Action Requested:

Variance of the required setback from 50' to 43' on south property line to permit the construction of a canopy - **SECTION 703.- BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 19, located 3337 East Skelly Drive.

Presentation:

The applicant, **Bill Mitchell**, 3141 East Skelly Drive, submitted a plot plan (Exhibit G-1) and requested permission to replace a canopy that was demolished by a truck. He informed that the new canopy will be smaller than the previous one, which had a 21' setback from the property line.

Protestants:

None.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required setback from 50' to 43' on south property line to permit the construction of a canopy - **SECTION 703.- BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 19; per plan submitted; finding that the encroachment will be reduced approximately 20' by the installation of the new canopy; on the following described property:

Beginning 140' easterly of the SW/c Lot 1, Patrick Henry Village Addition, City of Tulsa, Tulsa County, Oklahoma; thence easterly for 246.24' to a point that is 436.24' easterly of the NW/c, SW/4, SW/4, SW/4, Section 28, T-19-N, R-13-E, said point also being on the south line SE/4, NW/4, SW/4, SW/4, Section 28, T-19-N, R-13-E; thence southerly for 201.74' of the northerly right-of-way line of U. S. Highway 66 (Skelly Drive); thence southeasterly for 70.31'; thence easterly for 155.08'; thence northerly for 546.12'; thence westerly along the boundary of Patrick Henry Fourth Addition for 239' to the SW/c Lot 3, Patrick Henry Village Addition; thence southwesterly 151.28'; thence southwesterly 262.50' to the POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17184

Action Requested:

Variance of the setback from the centerline of 41st Street South from 100' to 60' to permit an addition to an existing building - **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 12, located SE/c East 41st Street South and South Peoria Avenue.

Case No. 17184 (continued)

Presentation:

The applicant, **Mike Hughes**, 8301 East 51st Street, Suite 203, submitted a plot plan (Exhibit H-1) and advised that the restaurant in question is proposing to expand the existing building. He informed that the new addition will contain 288 sq ft and 39 parking spaces are available for the use. Mr. Hughes stated that the addition will not displace parking spaces.

Comments and Questions:

Mr. Bolzle pointed out that the applicant would not need Board relief if the entire tract had a CH zoning classification.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the setback from the centerline of 41st Street South from 100' to 60' to permit an addition to an existing building - **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 12; per plan submitted; finding that the relief would not be required if the entire tract had a CH zoning classification (part of tract zoned CS and remainder CH); on the following described property:

Lot 3, Block 1, Jennings-Robards Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17185

Action Requested:

Variance of required setback from the centerline of 48th Street north from 50' to 40' - **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS**; variance of required screening along north property line; and a variance of required parking - **SECTION 1214.C.2. and SECTION 1214.D. SHOPPING GOODS AND SERVICES** - Use Unit 14, located 4747 North Peoria.

Presentation:

The applicant, **Meek's Furniture**, was represented by **Aaron Meek**, P. O. Box 14066, who informed that a new addition to the existing building is proposed. A plot plan (Exhibit J-1) and photographs (Exhibit J-2) were submitted. Mr. Meek pointed out that 48th Street is not open at this location and a school is located to the north of the subject property.

Case No. 17185 (continued)

Comments and Questions:

In reply to Mr. Bolzle, Mr. Meek advised that the new building will be used for a warehouse and additional parking is not required. He stated that the variance regarding parking is not needed.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-1 (Abbott, Bolzle, Turnbo, White, "aye"; no "nays"; Doverspike, "abstentions"; none "absent") to **APPROVE** a **Variance** of required setback from the centerline of 48th Street north from 50' to 40' - **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** ; variance of required screening along north property line; and to **DETERMINE** that a **variance** of required parking is not needed - **SECTION 1214.C.2.** and **SECTION 1214.D. SHOPPING GOODS AND SERVICES** - Use Unit 14; per plan submitted; finding that 48th Street is not open at this location and a school is located to the north of the property; and finding that the applicant advised that the new addition will be used for warehouse purposes only and will not require additional parking; on the following described property:

Lots 3 and 4, Block 1, Sunshine Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17186

Action Requested:

Variance of the required 10' side yard setback to 7.6' to enlarge an existing structure - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 4127 East 42nd Street.

Presentation:

The applicant, **Linda Berger**, 4127 East 42nd Street, submitted a plot plan (Exhibit K-1) and requested permission to extend the existing roofline to the north to add a workshop and storage area.

Interested Parties:

Richard Halliburton, 4113 East 42nd Street, stated that he is a resident of the neighborhood and is supportive of the application.

Protestants:

None.

Case No. 17186 (continued)

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required 10' side yard setback to 7.6' to enlarge an existing structure - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the addition will align with the existing building wall and will not encroach farther into the required setback; on the following described property:

Lot 11, Block 3, Saddleback Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17187

Action Requested:

Special exception to permit automobile sales in a CS District - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17, located 8521 East Admiral Place.

Presentation:

The applicant, **Eric Weir**, 548 South 80th East Avenue, was not present.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 17187 to October 24, 1995.

Case No. 17188

Action Requested:

Variance of the required number off-street parking spaces from 9 spaces to 4 spaces - **SECTION 1213.D. CONVENIENCE GOODS AND SERVICES Off-Street Parking and Loading Requirements** - Use Unit 13, located 1612 East 15th Street.

Presentation:

The applicant, **Ronald Dean**, 1612 East 15th Street, was represented by **John Moody**, who submitted a plot plan and elevations (Exhibit L-1) and explained that his client is proposing to operate a flower shop on the ground floor of an existing apartment building. He informed that the owner will live in one apartment and the additional units will be rented. Mr. Moody noted that the legal nonconforming lot is narrow (40') and the older building to the west was constructed on the property line. He noted that an alley is located on the east boundary line and a parking lot for another use is in place on the south side of the property. It was noted by Mr. Moody, that there is no possibility of

Case No. 17188 (continued)

expansion in any direction to provide additional parking. He pointed out that the existing use is nonconforming and can remain; however, his client is proposing to renovate the exterior and interior of the building and upgrade the property. Letters of support (Exhibit L-4) and photographs (Exhibit L-2) were submitted. Mr. Moody advised that approximately 4 parking spaces are required for the apartment building and approximately 4 for the retail area (364 sq ft). He stated that an existing storage building to the rear of the property can be remodeled and 4 parking spaces can be provided in this area, which would increase on-site parking from 0 to 4 spaces. Mr. Moody pointed out that metered parking is available in front of the business, and noted that limited spaces are needed because 86% of the flower business consists of phone orders.

Comments and Questions:

Mr. Doverspike inquired as to the number of employees for the flower business, and Mr. Moody informed that the business will have 4 employees.

Mr. Bolzle inquired as to the use of the porches, and Mr. Moody stated that the porch on the first floor will remain as an open porch for wheelchair accessibility, but the second floor may be expanded to include the porch.

Mr. Gardner advised that the enclosing of the porch would move the building line closer to the street and require a variance of the setback requirement.

In reply to Mr. Jackere, Mr. Moody stated that the case report did not list previous actions on this property.

Interested Parties:

Allen Elias, informed that he is the property owner at 1559 & 1565 Swan Drive, and has had an office in the area near the subject property. He stated that he is supportive of the application.

Protestants:

Jared Bruce informed that he occupies the building to the west of the subject property and has been at that location for approximately 13 years. He pointed out that Mr. Dean purchased the property and was aware that there was no parking for the proposed use. Mr. Bruce asked that the application be denied.

Ms. Turnbo informed that a letter of protest (Exhibit L-3) was received from the property owner to the east.

Ms. Mallonee stated that he lives in the 1500 Block on Trenton, and that she is opposed to the encroachment of commercial uses into the residential neighborhood.

Case No. 17188 (continbued)

Applicant's Rebuttal:

Mr. Moody advised that his client has filed a previous application in regard to the subject property. He informed that the application was withdrawn because a tie contract would have been required. Mr. Moody pointed out that the subject property is boxed in and does not have parking, so any business operating at this location will need a variance of the parking requirement.

Additional Comments:

Ms. Abbott stated that she is supportive of the request.

Mr. Jackere noted that the application can be heard as a special exception and the determination can be made as to whether the use will be detrimental to the neighborhood.

Mr. Bolzle stated that he finds the hardship to be self-imposed if determined to be a variance and, if treated as a special exception, he finds the use to be inappropriate and injurious to the neighborhood.

Ms. Turnbo voiced a concern that customer parking would overflow into the residential neighborhood.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-1-0 (, Bolzle, Doverspike, Turnbo, White, "aye"; Abbott, "nay"; no "abstentions"; none "absent") to **DENY** a Special Exception to reduce the number of required off-street parking spaces from 9 spaces to 4 spaces - **SECTION 1213.D. CONVENIENCE GOODS AND SERVICES Off-Street Parking and Loading Requirements** - Use Unit 13; finding that the proposed use has insufficient parking; and finding that approval of the request would be injurious to the neighborhood and violate the spirit and intent of the Code; on the following described property:

East 40' of Lots 15 and 16, Block 3, Orcutt Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17189 -

Action Requested:

Special Exception to permit a courtyard wall in the required front yard to exceed the maximum height from 4' to 5'6" - **SECTION 210.B.3. Permitted Obstructions in Required Yards** - Use Unit 6, located 3311 East 109th Street South.

Case No. 17189 (continued)

Presentation:

The applicant, **Randy Branstetter**, 8190 East 44th Street, submitted a plot plan (Exhibit M-1) and stated that he is representing the owners of the subject property. He informed that a decorative stucco and wrought iron fence is proposed in the front yard of the dwelling. Mr. Branstetter pointed out that the wall and courtyard will be at the front of the residence, because of the drastic slope at the rear of the property

Comments and Questions:

Mr. Bolzle advised that he is supportive of the application, due to the cul-de-sac location.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-1 (Abbott, Bolzle, Turnbo, White, "aye"; no "nays"; Doverspike, "abstaining"; none "absent") to **APPROVE** a **Special Exception** to permit a courtyard wall in the required front yard to exceed the maximum height from 4' to 5'6" - **SECTION 210.B.3. Permitted Obstructions in Required Yards** - Use Unit 6; per plan submitted; finding that the dwelling is located on a cul-de-sac and approval of the request will not be detrimental to the area; on the following described property:

Lot 3, Block 3, Philcrest Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17190

Action Requested:

Amendment to previously approved site plan to permit Building 14 to be built either 20' deep as currently shown on the approved site plan, or 25' deep as an option - Use Unit 17, located southeast corner 127th East Avenue and East 40th Street South.

Presentation:

The applicant, **Jim Schwerts**, 13539 East 38th Place, submitted a plot plan (Exhibit N-1) and requested permission to revise the original site plan to switch two buildings (one 20' and one 30') to allow space for a 30' drive to access the 30' deep building.

Protestants:

None.

Case No. 17190 (continued)

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** an **Amendment** to previously approved site plan to permit Building 14 to be built either 20' deep as currently shown on the approved site plan, or 25' deep as an option - Use Unit 17; per plan submitted; finding that the minor change will not be detrimental to the area; on the following described property:

Lots 6, 7, 8 and 9, Block 1 and Lot 10, Block 1 except south 40' and west 121.03' Lot 1, Block 1, except south 40', Park Plaza Square Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17191

Action Requested:

Variance of the required 30' frontage on a public street to 0' to permit a lot split - **SECTION 206. STREET FRONTAGE REQUIRED**, located west of southwest corner 111th Street South and South Yale Avenue.

Presentation:

The applicant, **Jerry Ledford**, 8209 East 63rd Place South, requested by letter (Exhibit P-1) that Case No. 17191 be continued to October 10, 1995.

Protestants:

None.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 17191 to October 10, 1995, as requested by the applicant.

OTHER BUSINESS

Case No. 17150

Action Requested:

The applicant, **Square Metal Signs**, 4707 South 102nd East Avenue, requests a refund of fees.

Comments and Questions:

Mr. Beach informed that the request has been withdrawn and suggested that \$100.00 of the filing fee be refunded to the applicant.

Case No. 17150 (continued)

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a Refund of fees in the amount of \$100.00.

There being no further business, the meeting was adjourned at 3:10 p.m.

Date Approved 10-10-95

Norma Turnbo
Chair