

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 697
Tuesday, February 13, 1996, 1 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bolzle- Box Turnbo, Chair White	Abbott	Beach Moore	Jackere, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, February 9, 1996, at 4:44 p.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.

Resolution of Appreciation for Terry Doverspike

Ms. Turnbo read a resolution of appreciation presented to Terry Doverspike for his service on the Board of Adjustment. She stated that Mr. Doverspike has been a great help to her personally and has made a significant contribution to the stability of the Board.

Mr. Doverspike stated that his four years and five months of service on the Board of Adjustment were challenging and exciting, and that he found the Board to be truly supported by the City Legal Department, Code Enforcement and INCOG staff. He noted that Bruce Bolzle is the only current member that was serving when he was appointed to the Board, and thanked Mr. Bolzle for his support.

MINUTES:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** the minutes of January 23, 1996 (No. 696)

UNFINISHED BUSINESS

Case No. 17232

Action Requested:

Variance of the required parking setback from the centerline of South Lewis Avenue - **SECTION 1302. SETBACKS** - Use Unit 19, located northwest corner East 20th Street and South Lewis Avenue.

Case No. 17232 (continued)

Presentation:

The applicant, **Kenneth Cox**, 320 South Boston Avenue, Suite 400, submitted a plot plan (Exhibit A-1) and stated that he is representing the YMCA. He informed that the facility has been undergoing redevelopment and expansion over the past several years and the YMCA and the neighborhood have been working closely together to ensure compatibility. He noted that the plan meets the realistic needs of the City for possible expansion of Lewis Avenue. Mr. Cox informed that the parking setback on the north property line will be reduced from 30' to 35' from the centerline of the street, with a 5' landscaped buffer remaining, and from 35' to 45' on the south, with a 10' landscaped area. The applicant stated that all buildings will comply with the 50' required setback. Mr. Cox pointed out that, upon completion of the project, there will be less conformity on the site than there is at this time.

Comments and Questions:

Mr. White asked if the street has been vacated, and Mr. Cox replied that 20th Street has been closed and a request to vacate will be filed.

Mr. Bolzle asked if the submitted plan is conceptual, and Mr. Cox answered in the affirmative.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the required parking setback from the centerline of South Lewis Avenue to 45' on the south and 35' on the north, as noted on the plot plan - **SECTION 1302. SETBACKS** - Use Unit 19; finding that approval of the request will reduce setbacks from the centerline of the street and reduce nonconformity on the property; and finding that approval of the variance will not be injurious to the neighborhood or violate the spirit and intent of the Code; on the following described property:

Lots 1, 2, 3 and 4, Block 11 and Lots 1, 2, 3, 4, 17, 18, 19 and 20, Block 7, Woodward Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17274

Action Requested:

Variance of the required side yard from 10' to 5' to permit an addition to an existing dwelling - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1715 East 30th Place.

Presentation:

The applicant, **Jack Arnold**, 1715 East 30th Place, and the property owner, **Bruce Weber**, were represented by **Charles Norman**, who submitted a plot plan (Exhibit B-1) for the project. He explained that the dwelling was constructed in approximately 1939 and does not comply with current Code requirements as to setbacks. Mr. Norman informed that the property owner is experiencing a health problem and is proposing to construct a downstairs bedroom for his convenience. He submitted photographs (Exhibit B-3) and pointed out that a solid screening fence is in place in the side yard, between the house and the east fenceline, and the new construction will not be visible from the street. Mr. Norman stated that the back yard is heavily landscaped and trees along the east property line provide a significant barrier between the two properties. He noted that the resident to the east will not be negatively impacted by the new construction, because their garage is on the side of the house nearest Mr. Weber's home. Mr. Norman submitted letters of support (Exhibit B-2) from abutting property owners, one of which was from the property owner to the east. He pointed out that a detached accessory building, comparable to the size of the proposed addition, could be constructed within 3' of the rear yard and the rear side yard boundaries.

Comments and Questions:

Ms. Turnbo asked if the new construction will be a one-story addition, and Mr. Norman answered in the affirmative.

Jack Arnold, 7318 South Yale, informed that he is the architect for the project, and noted that the roof of the new addition will not be visible from the street.

Protestants:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the required side yard from 10' to 5' to permit an addition to an existing dwelling - **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 Code requirements; finding that approval of the request will not be detrimental to the area; and finding that a similar sized detached building would be permitted within 3' of the rear yard and rear side yard boundaries; on the following described property:

Lot 9, Block 17, Forest Hills Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 17294

Action Requested:

Variance of the required setback from a R District from 50' to 45' to permit a business sign in an OL District - **SECTION 602.B.4.d ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21, located 9063 East 31st Street.

Presentation:

The applicant, **Larry Waid**, 4714 South 69th East Avenue, submitted a plot plan (Exhibit C-1) and informed that the sign would be located in the driveway if installed at the required setback. He stated that the existing sign will be replaced by the new structure, and will not extend closer to the residential neighborhood.

Comments and Questions:

Mr. Bolzle noted that the size of the lot constitutes a hardship for this case.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye" no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the required setback from a R District from 50' to 45' to permit a business sign in an OL District - **SECTION 602.B.4.d ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21; per plan submitted; finding that the new sign will merely replace the old sign and will not be moved closer to the residential property; finding a hardship imposed on the applicant by the long narrow shape of the lot; on the following described property:

West 60' Lot 1, Block 1, Longview Center Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17295

Action Requested:

Variance of the maximum sign height in a CS zoned district from 25' to 36' - **SECTION 1221.D.1 CS District Use Conditions for Business Signs** - Use Unit 21, located 9516 East Admiral Place.

Case No. 17295 (continued)

Presentation:

The applicant, **Craig Neon, Inc.**, 1889 North 105th East Avenue, was represented by **Doug Gorman**, 9516 East Admiral Place, who requested that the sign height for the HOME-MART store be extended from 26' to 36'. He noted that the sign will be placed on existing 26' poles that were previously used for another business sign. Mr. Gorman informed that an environmental display of landscaped homes is proposed at this location.

Comments and Questions:

In reply to Mr. White, Mr. Gorman stated that he is not aware of any recent use of the sign poles. He added that two existing signs, one on Mingo Road and one on Admiral, will be removed from the property.

In response to Mr. Bolzle, Mr. Gorman stated that he is requesting that the sign be 36' because of visibility and the fact that the poles are existing.

Mr. White noted that elevating the sign would allow it to be above the existing power lines.

Mr. Gorman stated that unobstructed visibility is important at this location because maneuvering the traffic circle takes a lot of driver concentration.

Mr. Bolzle agreed that maneuvering the traffic circle would limit the ability of motorists to focus on low signs.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the maximum sign height in a CS zoned district from 25' to 36' - **SECTION 1221.D.1 CS District Use Conditions for Business Signs** - Use Unit 21; per plan submitted; subject to the removal of the two small signs (Mingo Road and Admiral); finding that the installation of the sign on the existing poles will not be detrimental to the area, or violate the spirit and intent of the Code; and finding that a traffic and visibility hardship is created by the heavy traffic and the nature of the traffic flow at this location; on the following described property:

Case No. 17295 (continued)

A tract of land in the NE/4 Section 1, T-19-N, R-13-E, Tulsa County, Oklahoma, more particularly described as follows: Starting at the cross marking the SE/c, NE/4, said Section 1 and said cross marking the NE/c Clarland Acres Addition; thence due north along the east line said Section 1 for 1026.77'; thence S89°55'15"W for 80'; thence due north and parallel to the east line Section 1, for 612.93' to POB; thence due west for 247.18'; thence N0°08'10"E for 251.18'; thence S89°51'50"E for 98.13'; thence S44°59'04"E for 208.97'; thence due south parallel to and 80' west of east line Section 1 for 102.43' to POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17296

Action Requested:

Variance of required lot area from 6000 sq ft to 4500 sq ft; variance of required land area; variance of required setback from the centerline of 14th Place from 40' to 34' and a variance of required setback from Frisco Avenue from 45' to 40' to construct two single family dwellings in an RM-2 zoned district - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located southeast corner Frisco Avenue and 14th Place.

Presentation:

The applicant, **Jack Crowley**, 2134 East 61st Street, #430, submitted a plot plan (Exhibit E-1) for the project. He explained that a building permit was issued in the 1980s for the construction of five townhouses at this location; however, construction was stopped prior to completion and these existing footings will be used for two single-family dwellings. He pointed out that the neighborhood is made up of older homes, apartments and duplexes. A location map (Exhibit E-2) was submitted.

Comments and Questions:

Ms. Turnbo stated that she is familiar with the neighborhood and is supportive of the request.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of required lot area from 6000 sq ft to 4500 sq ft; **variance** of required land area; **variance** of required setback from the centerline of 14th Place from 40' to 34' and a **variance** of required setback from Frisco Avenue from 45' to 40' to construct two single family dwellings in an RM-2 zoned district - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that there are mixed types of residential uses in the area; and the construction of two dwelling units will be a reduction of the number that war

Case No. 17296 (continued)

previously approved; 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:

Lot 10, Block 15, Childers Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 1:52 p.m.

Date Approved 2.27.96

Norma Lumbro
Chair

