

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 794
Tuesday, April 25, 2000, 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

Dunham, Vice Chair
Cooper
Turnbo
White, Chair
Perkins

Beach
Stump

Prather, Legal
Ackermann,
Zoning Official

The notice and agenda of said meeting was posted in the Office of the City Clerk on Thursday, April 20, 2000, at 02:48 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chair, White called the meeting to order at 1:05 p.m.

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UNFINISHED BUSINESS

Case No. 18725

Action Requested:

Review and approval of detailed site plan as required by conditions on BOA #17658.

Presentation:

Mr. Beach informed the Board and the applicant, Wallace O. Wozencraft, that a new legal description, and new advertising would be required to cover the full property. At the time the application was filed and notice was given, the new Trinity Park subdivision plat had not been filed yet. The notice was given based on the land area contained in the old Trinity Park, which is a smaller parcel than the intended subject tract.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **CONTINUE** Case No. 18725 to the hearing on May 23, 2000 regarding the following described property:

All of Trinity Park, A subdivision in City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18684

Action Requested:

Variance from 555.00 square feet allowable signage to 722 square feet on north face of building. SECTION 1221.E. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, CG, CH, CBD, IL, IM, and IH Use Conditions for Business Signs – Use Unit 11, located at 110 W. 7th St.

Presentation:

The applicant, Brian Ward, 9520 E. 55th Pl., stated the sign is in proportion with the building. He stated that the difference from the north and south sides of the building is that on the north side of the building there is a third business sign and building address.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Variance** from 555.00 square feet allowable signage to 722 square feet on north face of building, per page 1.5, finding the hardship to be the height of the building, on the following described property:

Lots 1-6, Block 175, Original Town or Block 1, Cities Service, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18713

Action Requested:

Variance to exceed the 32 SF maximum display surface area for bulletin board to 104 SF. SECTION 402.B.4.a. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions; a Variance to permit a flashing sign in an RS-3 district. SECTION 402.B.4.a. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions, located at 3027 S. New Haven.

Presentation:

James Adair, 7508 E. 77th Street, stated that the sign code would allow as much as 126 square feet for signage on the frontage at the Tulsa Public Board of Education facility, and the total signage is within that measurement. He added that the proposed electronic message board is slightly larger than the code allows for that type of sign. He stated that it is a commonly used method for a larger volume of information to be displayed. He explained that if it were any smaller it would be too small to see.

Comments and Questions:

Mr. Cooper brought up the fact that this type of sign has been approved mostly for very large open land sites. He indicated that the signs are designed to flash and distract or attract attention. Mr. Cooper stated that Mr. Adair mentioned that this is becoming a precedent. Mr. Cooper stated that if the Board is comfortable with continuing to approve these signs, then he felt the Board should make this a milestone, that these flashing signs are ok. Mr. White stated that each sign is looked at on its own merit. Mr. Dunham stated that he wanted the record to reflect that this is not a blanket approval of these types of signs, that each one will be considered individually.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to exceed the 32 SF maximum display surface area for bulletin board to 104 SF, per plan submitted, finding the hardship to be the unusually large size of the site, and the sign would not be oversized on the following described property:

E/2, SE/4, SW/4, Section 16, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma

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Case No. 18715

Action Requested:

Variance of setback from the centerline of Sheridan from 100' to 56'. SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS – Use Unit 2; a Special Exception to permit a produce stand in a CS district for five years of operation from May 1 to September 30, from 8:00 a.m. to 8:00 p.m., seven days per week. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS, located at 8104 S. Sheridan.

Presentation:

Mike McLearn, 8801 E. 191st St., Bixby, stated he that he has been running his fruit stand for eight years and needs to relief as stated in the action requested.

Comments and Questions:

None.

Protestants:

None.

Case No. 18715 (continued)

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of setback from the centerline of Sheridan from 100' to 56'; and a Special Exception to permit a produce stand in a CS district for five years of operation from May 1 to September 30, from 8:00 a.m. to 8:00 p.m., seven days per week, on the following described property:

Lots 1 and 2, Block 1, Lucenta Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18716

Action Requested:

Variance of parking requirement for a bar from 25 to 14 spaces, with removal of time limit of three years set by BOA #17612 on January 14, 1997. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 12.a.; a Special Exception to allow Use Unit 12a. within 150' of an R zoned district. SECTION 1212a.D. USE UNIT 12a. ADULT ENTERTAINMENT ESTABLISHMENTS, Off-Street Parking and Loading Requirements, located at 3945 E. Admiral Pl.

Presentation:

Andy Ballenger, 5818 E. 77th St., spoke for the applicant, Patricia Vercellini because she has laryngitis. She stated that the applicant requests a permanent variance of the parking requirement at this time.

Comments and Questions:

Mr. Beach stated that the previous variance expired on January 14, 2000, and therefore does not require a removal. Ms. Turnbo asked staff if the Board was inclined could they grant the variance again with another three-year limit. Mr. Beach replied affirmatively. Mr. Dunham asked how long the bar has been located on the site. Ms. Ballenger replied it has been there almost eight years. Discussion ensued.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE Variance** of parking requirement for a bar from 25 to 14 spaces, with a time limit of five years, from April 25, 2000; and a Special Exception to allow Use Unit 12a., limited

Case No. 18716 (continued)

to the use as a bar, specifically prohibiting any sexually oriented business activity to within 150' of an R zoned district, on the following described property:

Lots 26 - 29, Block 2, Federal Heights, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18717

Action Requested:

Special Exception to permit auto tire sales and service in a CS district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17, located at 11339 E. 11th St.

Presentation:

The applicant, **Richard Hendricks**, 11339 E. 11th Street, stated his application is to run a tire shop. He stated that he purchased the property, and has been located in the area for 20 years.

Comments and Questions:

Mr. Dunham asked Mr. Hendricks if he had any need for outside display or storage of merchandise, and is there any problem with all service activities being conducted indoors. Mr. Hendricks stated that they can do all the service indoors if necessary, but it will keep him from giving as fast service as he would like.

Protestants:

James Mautino, 14628 E. 12th St., stated he is on the Board of Tower Heights Neighborhood Association. He added that Nancy Craten, president of Western Village Neighborhood Association, and John Roy with Mingo Valley Association asked him to speak for them regarding this case. Mr. Mautino submitted photos and reviewed them for the Board, describing the conditions where he questions setbacks from property lines, outside storage and other items.

Eck Ruddick, 14673 E. 11th, with Tower Heights Neighborhood Association, described similar complaints. He stated that there was an outdoor display of merchandise on the day before within 75' of an R zoned district. He opposes a trailer on the site for storage of waste tires. He reminded the Board that the business fronts on Historical Highway 66. He states that he feels this business belongs in a use unit 28, and that does not exist in CS zoning. He requested that this application be denied.

Name inaudible, came before the Board representing the motel and property owners next door to the subject property. He stated that he spoke with Mr. Hendricks the day before, and comes today to express their concerns. He

Case No. 18717 (continued)

submitted pictures taken over the weekend before the meeting. He described their concerns regarding the portable building, which is seven feet from the property line rather than the 15' required and similar concerns.

Applicant's Rebuttal:

Mr. Hendricks stated that the tire storage problem could be taken care of. He stated that there are no tires in the back of the building, only wheels. He stated that the wheels are stacked neatly, and he had no idea there would be a problem with the wheels. He suggested that he could build a fence to screen the view of the wheels. He informed the Board that he tried to buy permits to move the building, but was told that the movers had to buy them, and apparently they did not purchase the permits. He stated that he needs the building for storage of new and used tire inventory.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a ***Special Exception*** to permit auto tire sales and service in a CS district, with the conditions that there be no outside storage or display of merchandise of any kind in front or behind the building; that all service activities must be conducted indoors; and that the building that has been moved on the premises must go the permitting process and meet all City Codes and requirements, then must be skirted or placed on foundation, on the following described property:

Beg. at the most Sly SE/c Lot 1, Block 1, Crossroads Mall Addition, thence N 126.15', E 157.50', S 126.15', W 157.50' to POB, Section 5, T-19-N, R-14-E, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18719

Action Requested:

Special Exception of screening requirements to provide an alternative of screening with additional landscaping. SECTION 1211.C.1. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES, Use Conditions – Use Unit 11, located at 5001 E. 91st St. S.

Presentation:

The applicant, **Mike Lang**, 5 West 22nd, stated he was representing Red Crown Federal Credit Union. He stated that the credit union is constructing new offices on the subject property. He stated that according to the zoning code they are supposed to have a fence between the subject property and the properties to the east and north. He added that the property to the east is a library and they have a very nice campus-like atmosphere; and AAA is developing the property to the north, with plans for a campus-like atmosphere. Mr. Lang pointed out that letters

Case No. 18719 (continued)

from the neighboring businesses were submitted with a request for this application to be approved. He stated that the landscaping plans were also submitted.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** of screening requirements to provide an alternative of screening with additional landscaping, per plan, on the following described property:

Lot 1, Block 1, Red Crown Federal Credit Union Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18720

Action Requested:

Variance of maximum allowable coverage of the required rear yard by an accessory building from 20% to 36%. SECTION 210.B.5. YARDS, Permitted Obstructions in Required Yards – Use Unit 6, located 1919 S. Gary Pl.

Presentation:

The applicant, **Steven Curtis**, 1919 S. Gary Pl., stated he bought the property last June. He stated that as the property stands now there was a two-car garage plot, a slab where the structure burned down two years ago. It was replaced with a single-car garage but placed it in the middle of the existing slab. He stated that he would like to restore it to a two-car garage, and improve the property by replacing the paved driveway from the street and the slab, removing a chain-link fence that crosses the driveway.

Comments and Questions:

Ms. Turnbo asked when the house was built. Mr. Curtis replied that it was built in 1929. Ms. Turnbo verified with the applicant that the structures would be constructed just as shown on the site plan.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of maximum allowable coverage of the required rear yard by an accessory building from 20% to 36%, per plan, finding the hardship to be the depth

Case No. 18720 (continued)

of the lot; that it does adjoin a commercial district on the east; that it was built in 1929 before the zoning codes; and would not be detrimental to the neighborhood, on the following described property:

Lot 17, Block 1, Florence Park Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18721

Action Requested:

Variance of minimum 750 square feet for detached accessory building to 2520 square feet on a tract of two acres zoned RS-3. SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6, located at 14919 E. 15th Pl.

Presentation:

The applicant, **Paul Wood**, 145 S. 145th E. Ave., stated that he is building a new home on the subject property. He stated that he wants to build a large, detached garage adjacent to the property, to store classic cars. He stated the garage would be constructed with the same brick used for the house, as close as possible. He described the area as rural, stating one neighbor has cows, and all of the lots are near 2-5 acres or more. He submitted photos showing there are a number of other detached garages in the neighborhood.

Comments and Questions:

Mr. Dunham asked if the applicant would object to a condition that it be used for personal use only with no commercial activities. The applicant stated that he has no objection. Mr. Beach asked how many square feet would be in the new house. Mr. Wood stated there would be approximately 3,000 square feet.

Interested Parties:

Eck Ruddick, 14673 E. 11th Pl., stated that as a member of the Board of Directors of Tower Heights Neighborhood Association, this particular property is within their confines. He stated that they believe the home will be an asset to the neighborhood, they believe he will not use it for commercial uses, and the association is in favor of the application.

James Mautino, 14628 E. 12th St., stated that he is familiar with Mr. Woods present home, and the good care he gives to his property.

Board Action:

On **MOTION** of **Cooper**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of minimum 750 square feet for detached accessory building to 2520

Case No. 18721 (continued)

square feet on a tract of two acres zoned RS-3, with no commercial use, and the architectural style of the garage will be similar to the house, per plan, finding the hardship to be the size of the lot is exceptionally large, on the following described property:

W 264' of N/2 NW SW Section 10, T-19-N, R-14-E, City of Tulsa, Tulsa County, State of Oklahoma

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Mr. Cooper stated he would abstain from the following case.

Case No. 18722

Action Requested:

Special Exception to allow Use Unit 5 (children's nursery) in an OL zoned district. SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS – Use Unit 5, located at 5700 E. 61st St.

Presentation:

Roy Johnsen, came as the attorney for the applicant, St. Francis Hospital, owner of the subject property. The property is located at the corner of 61st Street and Hudson, currently zoned OL and the structure has been previously used as an office building. He stated that a daycare in that facility would require a Special Exception by Board of Adjustment approval. He explained that the facility is intended to provide before and after school daycare for employees of St. Francis Health System.

Protestants:

None.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 4-0-1 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; Cooper "abstains"; no "absences") to **APPROVE** a **Special Exception** to allow Use Unit 5 (children's nursery) in an OL zoned district, per plan, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

Lot 1, Block 1, amended Plat of Warren Center East, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18723

Action Requested:

Variance of 30' street frontage requirement to 0'. SECTION 206. STREET FRONTAGE REQUIRED – Use Unit 9, located W of Sheridan, S of E. 30th St. N.

Presentation:

Richard Kosman, 5350 E. 46th St., gave a history of the area, stating there is a mobile home park to the west of the subject property. He stated the area was designed in three phases, and phase one was built. He stated that since then, what would have been phase two was sold off and it was incorporated into the Plat. He explained that now the owner of Cavalier Park wishes to purchase the property that would have been phase two. He stated that is the reason for this application for a lot-split. He stated that the next phase would be a request to rezone the area to RMH and split the industrial park into two parts, and make this Cavalier Park II, and the north half would be Fasco Industrial Park Amended, and vacate the Plat.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of 30' street frontage requirement to 0'. SECTION 206, with the conditions that a new Plat be filed of record before any new building permits are issued; and that the 35' easement along the west side of property be a part of approval per plan, on the following described property:

Lots 1-4, Block 1, Fasco Industrial Park, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18724

Action Requested:

Variance from required minimum lot area from 9,000 square feet to 7,400± square feet. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6; a Variance from required rear yard setback from 25' to 20'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; and a Variance from required front yard setback from 30' to 20' to permit construction of single-family residence upon irregularly-shaped lot as platted. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located at 2439 N. Main St.

Presentation:

Stephen A. Schuller, 500 OneOk Plaza, 100 W. 5th St., came as attorney for the applicants, Pam and Henry Leon. He stated that they are acquiring the property from Pam's mother. He stated that the area is owned RS-2, even though many of

the lots in the area do not conform to the RS-2 zoning lot size requirements. He added that many of the lots on this block are similar in size to lots in the RS-3 zoned district, immediately to the north and east of the subject property. He pointed out that this property is located at the edge of Reservoir Hill, platted in the early 1920's. He added that this particular lot has never been developed. The applicants have selected a very nice two-story house plan that would fit on the lot in style and design with the other houses in the neighborhood. He stated that the lot is larger in size than some of the lots on the street but is smaller than some of the others. Mr. Schuller stated that architect and builder informed him that the lot area is 7,445 square feet. He pointed out that the lot has an unusual shape, with a front and rear yard, and one side yard. He suggested that to orient the house in a logical manor, facing the street, lining it up with the other houses on the street, it would need to be set back 20' from the property line. Mr. Schuller reminded the Board that Main Street has a 60' right-of-way, which is not shown on the *Major Street and Highway Plan* as a collector street, but the actual paved street is only about 25' or 26' wide. He indicated that the setback requested, would locate the house back 37' from the paved street, and one corner of the rear of the house would encroach into the rear yard setback by five feet. Mr. Schuller also mentioned that other neighboring properties to the east in the RS-3 neighborhood have garages and outbuildings set much closer to their rear property line than the corner of this house would be.

Protestants:

Kathleen Franklin, 2455 N. Cheyenne, stated that this is a very historic neighborhood, and the concern is that by allowing such a variance it might set a precedent for other areas of the neighborhood for development. She stated that the existing space flows with the contour of the hill, and the irregular shape does not lend itself to that type of development. She pointed out that the neighborhood has several pre-existing, vacant and extremely dilapidated homes in the 2400 block of north Cheyenne. She stated that it has been suggested that since those homes have been in disrepair for 3-5 years that the City tear them down and make the space available to new development. She submitted a letter of protest from another neighbor.

Applicant's Rebuttal:

Mr. Schuller stated that the precedent has already been set by existing construction and previous variances and exceptions that have been granted, not only in this area but also throughout the city. This is exactly the kind of lot where this sort of very minor relief is appropriate.

Interested Parties:

Virginia Franklin, 2455 N. Cheyenne, stated that the concern is that particular block is so attractive that another new structure might give it a crowded appearance or distract from the beauty of the area.

Case No. 18724 (continued)

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** from required minimum lot area from 9,000 square feet to 7,400± square feet; a Variance from required rear yard setback from 25' to 20'; and a Variance from required front yard setback from 30' to 20' to permit construction of single-family residence upon irregularly-shaped lot as platted, per plan, finding the hardship to be the lot size and configuration, on the following described property:

Lot 20, Block 6, Reservoir Hill Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18726

Action Requested:

Variance of 35' required front yard abutting a public street to 25'. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6, located SW/c Pittsburg & E. 76th St. S.

Presentation:

Richard Blissett, owner of the subject property, stated he built a house there. He stated at that time he obtained a variance from the Board of Adjustment to build on the steep incline of the lot.

Mr. White stated he would abstain from this action.

Protestants:

Lila Smith, 4011 E. 76th Street, stated she lives across the street north and west facing this property. She stated that the street is very narrow and there are no curbs, and her concern is that if a house were built too close to the street the house would not look good.

Applicant's Rebuttal:

Mr. Blissett, stated that as a design professional in the community for more than forty years, he would not be involved in any unattractive construction.

Comments and Questions:

Mr. Stump asked about the distance from the centerline of 76th Street. Mr. Blissett stated it is 30'. The Board discussed the issue of the centerline

Board Action:

On **MOTION** of **Turnbo**, the **Board** voted 4-0-1 (Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; White "abstains"; no "absences") to **APPROVE** a **Variance** of 35'

Case No. 18726 (continued)

required front yard abutting a public street to 25', per plan, with the condition that the house can be no closer than 50' to the centerline of 76th Street, finding the hardship to be the shape and topography of the property, on the following described property:

E/2 of Lot 16, Block 3, Timbercrest Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18730

Action Requested:

Minor Variance of required rear yard from 25' to 23'. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6; and a Minor Variance of side yard setback from 25' to 22' to permit an addition. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts, located at 1020 E. 21st St.

Presentation:

Tom Shanks, 1020 E. 21st Street, stated he purchased the subject property about five years ago, and has been making improvements since then. He stated that back in 1960 an unattractive addition was made to the house. His plan was to remove and replace the addition, but he discovered that his plan would be a couple of feet over the setback, at one corner of the addition. Mr. Shanks stated that five houses on the street are actually closer to the street than his would be, being at 45', 51' 6", 53', and 53'. He stated that his plan would put his addition about 51' to 52' from the centerline of Norfolk.

Interested Parties:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Minor Variance** of required rear yard from 25' to 23'; and a **Minor Variance** of side yard setback from 25' to 22' to permit an addition, per plan, finding the hardship being the configuration of the lot, on the following described property:

Lots 9-10, Block 8, amended Plat of Sunset Park, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18727

Action Requested:

Special Exception for light office use in an RM-1 district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 11, located East of Indianapolis on south side of E. 33rd St.

Presentation:

The applicant was not present at the hearing.

Interested Parties:

Hollis Copeland, 3321 E. 33rd, stated he lives across the street from the subject property. He stated that the notices were sent out and a sign was posted, but the next day the sign was taken down and laid on the ground of the lot next door for the rest of the time. Mr. Dunham informed him that everyone within 300' of the property should have received written notice about the hearing.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 18727 to the hearing on May 9, 2000.

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Case No. 18731

Action Requested:

Minor Variance of setback from an abutting arterial street from 85' to 82' to permit an existing dwelling. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6, located at 6129 E. 106th St. S.

Presentation:

Catherine Tatum, stated she is the realtor for Brad and Charlotte Eller, the owners of the subject property. She stated that there is an existing structure and the garage was built over the building line. She needs a variance in order to sell the property.

Interested Parties:

None.


Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Minor Variance** of setback from an abutting arterial street from 85' to 82' to permit an existing dwelling, per plan, on the following described property:

Lot 10, Block 1, Forest Park South Addition to City of Tulsa, Tulsa County, State of Oklahoma

There being no further business, the meeting was adjourned at 3:09 p.m.

Date approved: MAY 23, 2000



Chair