

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 799
Tuesday, July 11, 2000, 2:20 p.m.
Aaronson Auditorium
Tulsa Central Library
400 Civic Center

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Dunham, Vice Chair
Cooper
Turnbo
White, Chair
Perkins

Beach
Butler
Stump

Prather, Legal

The notice and agenda of said meeting was posted in the Office of the City Clerk on Monday, July 10, 2000, at 2:16 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 2:22 p.m.

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MINUTES:

On **MOTION** of Turnbo, the Board voted to **APPROVE** the Minutes of June 13, 2000 (No. 797).

Case No. 18796

Action Requested:

Mr. Beach stated that the applicant withdrew the request.

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Case No. 18745

Action Requested:

This case was continued to allow time for the applicant to submit a complete site plan with required parking information so a new notice could be given for the proper relief. The applicant has been advised of what is needed but has not provided it yet. The case is not ready for hearing. The Board can continue the item to the meeting of August 2, 2000 or deny the request without prejudice so the applicant can reapply when he's ready. The applicant was not present.

Case No. 18745 (continued)

Board Action:

On **MOTION** of **Turnbo**, the Board voted 3-0-0 (White, Turnbo, Cooper "aye; no "nays"; no "abstentions"; Dunham, Perkins "absent") to **DENY** without prejudice, finding this case was not properly advertised and the applicant was not present.

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Ms. Perkins arrived at 2:28.

UNFINISHED BUSINESS

Case No. 18712

Action Requested:

Variance, pursuant to the provisions of Table 2 of Section 903 of the Zoning Code, of the setback from center line of abutting street (North Yale Avenue) from 100' to 51'. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS; a Variance, pursuant to the provisions of Section 1303(D) of the Zoning Code, from the all weather material requirement for off-street parking to a gravel surface for the 15' driveway shown on the site plans. SECTION 1303. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS; and a Variance, pursuant to the provisions of Table 2 of Section 903 of the Zoning Code, of the setback from the abutting RS-3 zoning district boundary from 75' to 6'. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS, located at 2315 N. Yale Ave.

Mr. Dunham arrived at 2:32.

Presentation:

Bill LaFortune, 2900 Mid-Continent Tower, stated he represented clients who own 3 contiguous lots east 390' deep from Yale. They received citation for zoning violations of 15' gravel drive, and a recreational vehicle used as an office. Mr. LaFortune stated that the applicant and Mr. Ballentine with Code Enforcement were in agreement with a request for a 51' setback Variance from the centerline of Yale to allow the existing trailer office to remain in the present location, and an 18 month limit for a gravel driveway. The applicant stated in a letter that he intends to build an office building and pave the parking lot within the next 18 months. Mr. LaFortune submitted photographs (Exhibit B-1).

Protestants:

Lloyd Johnson, 2410 N. Canton, stated the subject property has not been properly cared for and is not zoned correctly.

Comments and Questions:

Mr. Dunham explained that the Board could only consider the action requested.

Case No. 18712 (continued)

Interested Parties:

Roscoe Turner, City Councilman, stated that he would be in agreement for an 18-month time limit to meet zoning requirements.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance**, pursuant to the provisions of Table 2 of Section 903 of the Zoning Code, of the setback from center line of abutting street (North Yale Avenue) from 100' to 51'; a **Variance**, pursuant to the provisions of Section 1303(D) of the Zoning Code, from the all weather material requirement for off-street parking to a gravel surface for the 15' driveway shown on the site plans; and a **Variance** pursuant to the provisions of Table 2 of Section 903 of the Zoning Code, of the setback from the abutting RS-3 zoning district boundary from 75' to 6', with the time limitation of 18 months from today, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lots 1 and 2, Block 1 and Lot 5, Block 2, S R Lewis Addition to the City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18742

Action Requested:

Modification of screening requirement. SECTION 212.C. SCREENING WALL OR FENCE, Modification of the Screening Wall or Fence Requirement – Use Unit 11, 23, 25, & 26; a Variance of requirement for all-weather surfacing of off-street parking areas. SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS; a Variance of building setback from 100' to 80' within an OL district. SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS; a Special Exception to permit Use Unit 26. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS; and a Variance of use conditions requiring enclosure of uses included within Use Unit 25 and 26 if located within 300' of an R district. SECTION 1225.C. USE UNIT 25. LIGHT MANUFACTURING AND INDUSTRY, Use Conditions and SECTION 1226.C. USE UNIT 26. MODERATE MANUFACTURING AND INDUSTRY, Use Conditions, located 13521 E. 11th St.

Presentation:

Roy Johnsen, 201 W. 5th, Suite 501, gave a brief history of this case and submitted an aerial photo and a list of the actions requested (Exhibit C-1) which he used to present the case. He covered each action requested and included suggested conditions by which his client could comply with the zoning requirements, should the Board approve the relief.

Protestants:

James Mautino, 14628 E. 12th St., submitted an indexed packet of photographs, petition with signatures, and related materials. He gave a brief history of the property as a temporary batch plant. He listed complaints of water retention ponds built in an R district, concrete mix residue run-off into the creek, concrete mix dust pollution, truck trailer with refrigerator diesel motor running continually, and open storage. He stated that East Tulsa Mingo Valley Association requests that the Board deny this application.

Bob Johnson, 15324 E. 13th St., stated he was one of the directors in the Tower Heights Neighborhood Association. He read a letter from Nancy Craten, as she was unable to attend. She indicated that the residents have worked toward resolution to no avail; the concrete company has lessened their quality of life; and that the land use conflicts with the zoning codes. She asked that the company be encouraged to downsize their operation or relocate the business.

Hilda Brown, 706 S. 138th E. Ave., stated she has owned her home there since 1953. She indicated that the concrete plant has decreased the value of the residential property, ruined a neighbor's well water, and other issues as named previously.

Renee Steele, 622 S. 132nd E. Ave., stated that the trees and foliage on the north boundary are not enough to justify no screening. She stated her main concern is stormwater drainage. She pointed out that the City enlarged the 11th Street Bridge last summer, and did not enlarge the culvert downstream and consequently they have had two floods that got in their house since then. She is now concerned about any new pavement at the plant causing more drainage problems.

Comments and Questions:

Ms. Perkins asked if Ms. Steele has had her soil tested for any concentration of calcium chloride or any residual from the batch plant. Ms. Steele stated they have not had the soil tested, but from looking at the creek, there is definitely some sort of residue in the water.

Applicant's Rebuttal:

Mr. Johnsen assured the Board that Department of Environmental Quality (DEQ) is aware of the drainage flow, and even suggested the second pond. He stated that his client must follow DEQ requirements and will comply. He added that he saw no evidence of the complaint regarding dust settling on cars in the area. Mr. Johnsen stated that he researched the records and found nothing regarding a temporary batch plant. He added that in the 1950's the property was zoned U.4.b, which permits a batch plant by right, and the plant has been in operation for over thirty years.

Comments and Questions:

Mr. White asked what area would be involved in the proposed PUD. Mr. Johnsen responded that it would depend on what DEQ requires, and the drainage system. Mr. Cooper asked about any expansions made between 1974 and 1983. Mr. Johnsen replied that the rezoning was in 1974, and in 1977 an industrial building was built in the IM to service the trucks in the northeast corner of the IM. He stated that the 1979 aerial photograph shows an office building, which is a permitted use in the OL. Mr. Cooper asked by what use rights has the batch plant expanded into the RS district for the purposes of storage and lagoons, and how was it authorized. Mr. Johnsen responded that he does not suggest that it was authorized, with one exception. He was unsure that the detention pond is a U.U. 26, and regarding the storage he did not know of any authority. Mr. White commented that all of the requests with the exception of the screening fence of the OL portion applies basically to the IL and IM districts, yet of the operation as it is now currently being operated about 30% of it is in the RS area. Mr. White asked how this would work and still keep it in the industrial district. Mr. Johnsen asked in return if the plant can have the U.U. 26 for the detention areas, and if the retention can be in the non-zoned parts. Mr. Dunham commented that the Board of Adjustment decided in April that all operations cease in the RS district.

Board discussion ensued. They agreed action on the requests should be taken separately.

Board Action:

On **MOTION** of **Dunham**, the Board voted as follows:

Seconded by **Cooper**, 5-0-0 (White, Dunham, Perkins, Turnbo, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of building setback from 100' to 80' within an OL district, finding that the existing building has been there since the late 1970's;

Seconded by **Perkins**, 3-2-0 (White, Dunham, Perkins, "aye"; Turnbo, Cooper "nay"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of use conditions requiring enclosure of uses included within Use Unit 25 and 26 if located within 300' of an R district, finding that the IL district is not within 300' of an R district that they don't own, and the IM district has been there for a long time, there is no benefit to enclosing it;

Seconded by **Cooper**, 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of requirement for all-weather surfacing of off-street parking areas, for a period not to exceed 90 days, finding that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan;

Case No. 18742 (continued)

Seconded by **Turnbo**, 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** for modification of screening requirement, applicable to the OL and IL districts, with the conditions (A) to remove the requirement as applied to the north boundary of the OL district, (B) to remove the requirement as applied to the north boundary of the IL district, (C) to permit required screening to be located west of the east line of the OL district, (D) to permit as alternative screening, the construction of a masonry wall not less than 6 feet in height extending from the north line of the OL district to a point of connection with the office building located within the OL district, and (E) to permit completion of construction of required screening within 120 days, as submitted per applicant to the Board today, 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; and

Seconded by **Perkins**, 4-1-0 (White, Dunham, Turnbo, Perkins "aye"; Cooper "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to permit Use Unit 26 uses within the IL district, but limited to uses ancillary to the concrete plant operation located within the IM district, and limited to materials and equipment storage, truck wash out, truck rinse off and retention/detention facilities subject to the construction of a masonry wall not less than six feet in height extending from the north line of the OL district to a point of connection with the office building located within the OL district, 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:

E/2 E/2 SE/4 SW/4 and the W/2 E/2 SE/4 SW/4 all of Section 4, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 18772

Action Requested:

Special Exception to allow Use Unit 17 (auto leasing, sales and repair) in a CS district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17; and a Variance to allow outside storage or display of merchandise offered for sale within 300' of an R zoned district. SECTION 1217.C. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Use Conditions, located 6528 E. Pine.

Presentation:

The applicant, **Bill Cox**, 3109 S. Lewis, came to present the requests named above.

Comments and Questions:

Mr. Dunham asked the applicant if he planned to build a six-foot screening fence along the south of the parking lot. Mr. Cox responded in the affirmative.

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** to allow Use Unit 17 (auto leasing, sales and repair) in a CS district; and a **Variance** to allow outside storage or display of merchandise offered for sale within 300' of an R zoned district, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lot 3, Block 2 and the E 60' of Lot 4, Block 2, St. Peter and Paul Subdivision, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 18780

Action Requested:

Special Exception under Section 401 to permit the construction of the Law Clinic building as a university use under Use Unit 5 in an RS-3 zoning district pursuant to Site and Landscape plans approved by the Board. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; a Variance of the requirement of Section 1002.A, Subsection 2 to permit three existing off-street parking spaces and driveways along the South Florence frontage to be 0' from the abutting street right-of-way rather than 5' as required. SECTION 1002.A. LANDSCAPE REQUIREMENTS, Frontage and Perimeter Requirements; a Variance of the requirement of Section 1002.A, Subsection 3 to permit the three existing parking spaces at the northwest corner of the Phase 1 site to remain at 2'9" from the abutting residential district on the north, rather than 5' as required. SECTION 1002.A. LANDSCAPE REQUIREMENTS, Frontage and Perimeter Requirements; a Variance of the requirements of Section 1302.B to permit unenclosed parking spaces within 28' of the centerline of South Florence and within 34' of the centerline of East 4th Place rather than 40' as required. SECTION 1302.B. SETBACKS; a Variance of the requirements of Section 403.A to permit the Law Clinic building setback to be 39' from the centerline of East 4th Place rather than 50' as required. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts; a Special Exception under Section 401 to permit the new parking facility within the to-be-vacated right-of-way

of South Gary north of East 4th Place and the two lots at the northeast corner of South Gary and East 4th Place as a university use under Use Unit 5 pursuant to Site and Landscape plans approved by the Board. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS; a Variance of the requirements of Section 1002.A, Subsections 1, 2 and 3, to permit the upgrade of the existing College of Law parking on the north side of East 4th Place in accord with Site and Landscape plans approved by the Board. SECTION 1002.A. LANDSCAPE REQUIREMENTS, Frontage and Perimeter Requirements; and a Variance, if required, to reduce by 20 spaces the number of off-street parking spaces within the campus as previously approved by the Board of Adjustment for other University buildings and uses. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES; Off-Street Parking and Loading Requirements, located N side of E. 4th Pl. between S. Florence to the east of S. Gary.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, came representing University of Tulsa. He stated that these requests are to permit the construction of a residential type law clinic across the street from the existing law school. He explained the reasoning for part of the request would be to preserve some large old trees on the campus. He reviewed the application by the planning phases.

Protestants:

Warren Morris, 2532 E. 46th Pl., stated he is the attorney for Mr. Burke. Mr. Burke's family has owned the house on the northeast corner of South Gary and 4th Place. Mr. Morris stated that the University of Tulsa filed a condemnation case against Mr. Burke's property. He stated that the university is premature in getting approval for an application that involves his client's property.

Applicant's Rebuttal:

Mr. Norman stated that the university takes the position that they have a contract with the Tulsa Development Authority to purchase the property owned by Mr. Burke. It is their opinion that when the Tulsa Development Authority has acquired the property, then in accord with the re-use plan, the university will be obligated to redevelop the property in accordance with the Comprehensive and Urban Renewal Project Plan, approved by the Tulsa Metropolitan Planning Commission (TMAPC) and the Tulsa City Council. He stated it is their position that as the contract purchaser, they have the right to submit the proposal to the Board of Adjustment for planning approval. They understand that it cannot be executed or implemented until they actually have title to the property, from the Tulsa Development Authority.

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** under Section 401 to permit the construction of the Law Clinic building

Case No. 18780 (continued)

as a university use under Use Unit 5 in an RS-3 zoning district pursuant to Site and Landscape plans approved by the Board; a **Variance** of the requirement of Section 1002.A, Subsection 2 to permit three existing off-street parking spaces and driveways along the South Florence frontage to be 0' from the abutting street right-of-way rather than 5' as required; a **Variance** of the requirement of Section 1002.A, Subsection 3 to permit the three existing parking spaces at the northwest corner of the Phase 1 site to remain at 2'9" from the abutting residential district on the north, rather than 5' as required; a **Variance** of the requirements of Section 1302.B to permit unenclosed parking spaces within 28' of the centerline of South Florence and within 34' of the centerline of East 4th Place rather than 40' as required; a **Variance** of the requirements of Section 403.A to permit the Law Clinic building setback to be 39' from the centerline of East 4th Place rather than 50' as required; a **Special Exception** under Section 401 to permit the new parking facility within the to be vacated right-of-way of South Gary north of East 4th Place and the two lots at the northeast corner of South Gary and East 4th Place as a university use under Use Unit 5 pursuant to Site and Landscape plans approved by the Board; a **Variance** of the requirements of Section 1002.A, Subsections 1, 2 and 3, to permit the upgrade of the existing College of Law parking on the north side of East 4th Place in accord with Site and Landscape plans approved by the Board; and a **Variance**, if required, to reduce by 20 spaces the number of off-street parking spaces within the campus as previously approved by the Board of Adjustment for other University buildings and uses, per plan, finding that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, including the preservation of the trees and provision for additional right-of-way along South Florence Avenue, and this area is within the area already approved by the TMAPC for this use, on the following described property:

All of Lots 9 – 21, Block 1, College Addition, City of Tulsa, Tulsa County, State of Oklahoma, which includes adjacent right-of-way of South Gary to be vacated.

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Case No. 18786

Action Requested:

Variance of the off-street parking spaces required under Section 1205.C of the Zoning Code for the high school campus to permit the installation of the bleachers with a seating capacity of 500 without providing the additional off-street parking spaces required for the high school stadium. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Off-Street Parking and Loading Requirements – Use Unit 5, located W side of S. Mingo Rd. & E. 66th St.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, stated his request. He pointed out that the new section of bleachers is not intended to increase

attendance but to relocate the band, pep squads, and drill team away from the other spectators to allow all to hear the band performance.

Comments and Questions:

Mr. Cooper asked how attendance would not be increased. Mr. Norman responded that the new north end zone would only be used for students. Mr. Norman explained that the old seats would be available but typically last year the attendance was very good, but only averaged 6,280 other than the Jenks game, which will not be held there this year. Mr. Cooper inquired if only Union School games would be held there. Mr. Dunham commented that they have not been selling out at the games up to now.

Interested Parties:

Rex Woods, 9314 S. Darlington Ave., stated that the stadium is offered to 3-A and lower class play-offs. He indicated that attendance was as high as 2,000 to 3,000. Mr. Norman stated that Mr. Woods is the Manager and Director of Real Estate Administrative functions for the Union School District campus property.

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 the off-street parking spaces required under Section 1205.C of the Zoning Code for the high school campus to permit the installation of the bleachers with a seating capacity of 500 without providing the additional off-street parking spaces required for the high school stadium, which applies only to the parking spaces required for these 500 seats, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

NE/4 SE/4 and the N 400' of the SE/4 SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 18797

Action Requested:

Variance of required setback from centerline of North Lewis to 25' to permit a sign SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, General Use Conditions for Business Signs – Use Unit 21, located 1550 N. Lewis Ave.

Presentation:

Walter Fininger, 3201 Manor Way, Dallas, Texas, stated he was representing Blockbuster Video. He submitted a site plan (Exhibit F-1), sign plan (Exhibit F-2), and photos of the shopping center (Exhibit F-3). He stated that this variance was requested to achieve more visibility of their sign for southbound traffic. The applicant stated a hardship of poor visibility of their sign.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a ***Variance*** of required setback from centerline of North Lewis to 25' to permit a sign, finding a lack of hardship.

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Case No. 18798

Action Requested:

Special Exception to allow school use in an OL district. SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS – Use Unit 5, located 280 S. Memorial.

Presentation:

The applicant, **Halil Tas**, 36 S. University Place #12, Stillwater, OK, stated he is president of the Sky Foundation. He stated the plan to open a charter school at 280 S. Memorial.

Protestants:

Evelyn Moss, 325 S. 80th E. Ave., stated that her property adjoins the property of the Dove School on the east. She stated she was not opposed to the school but was concerned about the increased traffic. Ms. Moss pointed out the Seratoma workshop and Wal-Mart Super Center in that vicinity. She added that there is a parking lot from the north of the subject property up to the Seratoma parking lot. She was concerned about the effect the school might have on the OL zoning.

Marina Rodriguez, 405 S. 80th E. Ave., stated she lives next door to Ms. Moss, and her property abuts the parking lot in question. She stated that the property around the church and to the north is concrete, and wondered where the school children would have recreation.

Applicant's Rebuttal:

Mr. Tas informed the Board that there is a fenced, grassy area on the east for the children to have outdoor activity.

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 allow school use in an OL district, per plan, and limited to 450 students, 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:

Beg. at the SE/c of the NE/4, Section 2, T-19-N, R-13-E, thence W 357', N 384.9', E 357', S 384.9' to POB, less E 35' of the N 94' and E 50' of the S 290.9' and S 50' of the W 307' for streets AND Beg. 384.9' N of the SE/c of the NE/4 of Section 2, T-19-N, R-13-E; thence W 357', N 100', E 357', S 100' to POB, less the E 35' for street, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No.18799

Action Requested:

Special Exception to allow church and related uses and K-12 school uses, including school sports facilities, bus barn, and related parking. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5, located 1003 N. 129th E. Ave.

Presentation:

Mr. Beach stated that the BOA approved the site plan in May, 2000, but it was found that other principle uses needed approval. This application was filed for that reason.

Mike Mowry, 1619 S. Boston, stated he represented Mr. Wozencraft.

Comments and Questions:

Mr. Dunham asked if staff has no concern per plan. Mr. Beach replied in the affirmative.

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*** to allow church and related uses and K-12 school uses, including school sports facilities, bus barn, and related parking, 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:

All of Trinity Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 18800

Action Requested:

Variance of the required setback from the centerline of East 31st Street from 85' to 59' and the required rear setback from 25' to 13'2" for an addition to existing dwelling. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6, located NE/c E. 31st St & S. Trenton

Presentation:

Patrick Fox, 320 S. Boston, Ste. 1710, stated he is an architect representing his client. He informed the Board that this is an existing residence on the northeast corner of 31st Street and Trenton. The plan is to build a master bedroom suite and garage to the home. The plan provides for the garage to buffer to isolate the rear yard from the traffic noise on 31st Street. The driveway access would be off of Trenton. The hardship is that the house faces west and exposes the entire rear yard to the traffic noise. The setback would be consistent with the existing setbacks on that street on neighboring properties.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of the required setback from the centerline of East 31st Street from 85' to 59' and the required rear setback from 25' to 13'2" for an addition to existing dwelling, per plan, finding the hardship to be the location of the house on the property, and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lot 5 and S 5' Lot 6, Block 4, Avalon Place Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18801

Action Requested:

Special Exception to permit a mobile home in an RS-3 District. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 9; a Special Exception of one year time limit to permanent. SECTION 404.E.1. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS, located 2403 N. Darlington.

Presentation:

The applicant, **Pam Wilkinson**, RR 1 Box 186, Agra, OK, stated she bought the subject property and would like to place a manufactured home there on a permanent foundation. She submitted photographs (Exhibit J-2) of the neighborhood.

Case No. 18801 (continued)

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** to permit a mobile home in an RS-3 District; and a **Special Exception** of one year time limit to permanent, finding that there are a number of mobile homes in the area, and 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:

The S 140' of the SW/4 SW/4 NE/4 NW/4 of Section 27, T-20-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 18802

Action Requested:

Variance of size of detached accessory building from 750 square feet to 1500 square feet. SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6, located 4940 W. 12th St.

Presentation:

The applicant, **Barbara Sandridge**, 4945 W. 12th St., stated her request for a Variance to build a garage for personal use only. A site plan, (Exhibit K-1), petition (Exhibit K-2) and letters of support (Exhibit K-3) were 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 **Variance** of size of detached accessory building from 750 square feet to 1500 square feet, per plan, finding the hardship to be the size of the lot, and finding that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lots 6 & 7, Block 4, Vern Subdivision #2, City of Tulsa, Tulsa County, State of Oklahoma.

*****.

Case No. 18741 (continued)

Presentation:

Mr. Beach stated that the application was filed on April 10, 2000, and the applicant withdrew on May 4, 2000. Staff stopped in the process of the application and recommended a refund of \$235.00.

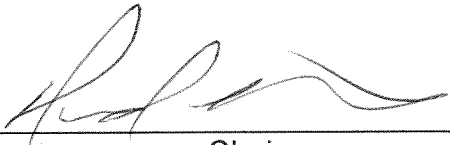
Board Action:

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 refund of \$235.00.

*****.

There being no further business, the meeting was adjourned at 5:27 p.m.

Date approved: August 8, 2000



Chair