

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 832
Tuesday, December 11, 2001, 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, V. Chair	Cooper	Beach	Boulden, Legal
Turnbo	Perkins	Butler	
White, Chair			

The notice and agenda of said meeting was posted in the Office of INCOG, 201 W. 5th St., Suite 600, on Thursday, December 6, 2001, at 2:30 p.m., as well as at the City Clerk's office, City Hall.

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

REQUEST FOR CONTINUANCE:

Case No. 19232

Action Requested:

Special Exception of the required 110% setback from an O zoned district from 110' to 7'6" on the north and 35'0" on the east for a monopole cell tower 100' in height.

Presentation:

Mr. Beach stated he received a request for continuance to January 22, 2002. The applicant is trying to work out the details of the precise location and agreements with the landowner and neighbors.

Lou Reynolds, 2727 E. 21st St., stated he was representing 21st Properties.

Board Action:

On **Motion** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **CONTINUANCE** of Case No. 19232 to the meeting on January 22, 2002.

MINUTES:

On **MOTION** of Dunham, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** the Minutes of November 27, 2001 (No. 831).

UNFINISHED BUSINESS

Case No. 19235

Action Requested:

Approval of an amended site plan to add a 40' x 40' x 12' storage building. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5, located 10310 S. Sheridan.

Presentation:

Charles Hair, 10310 S. Sheridan, stated he was representing South Tulsa Baptist Church. They have met with neighboring homeowners since the November meeting and have come to an agreement on the storage shed. The applicant agrees to move the building location to 120' north of the south property line and everything else will be the same. A site plan and photographs were submitted (Exhibit A-1 and A-2) to the Board.

Interested Parties:

Ken Tate, 6030 E. 104th St., stated he is the President of Forest Park South Homeowner's Association. They have agreed to the 120' setback from the south property line, landscaping, windows with shutters, and other items. He stated that they have no objection as amended to be submitted.

Board Action:

On **Motion of Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** an amended site plan to add a 40' x 40' x 12' storage building, per plan and specifications submitted 12-11-01, namely that it be located no closer than 120' north of the south property line, on the following described property:

Lot 1, Block 1, South Tulsa Baptist Church Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19245

Action Requested:

Variance of the required all-weather material surface for parking to allow parking on grass surface. SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS – Use Unit 26, located 123 N. Fulton.

Presentation:

Jerry Mirecki, 5951 S. Birmingham, submitted photographs to the Board (Exhibit B-1). She addressed the conditions to be considered for approval by the Board. The property to the east of the subject property is higher and causes a large amount of storm run-off. According to the EPA and the Department of Environmental Quality contend that the biggest contributors to pollution and Stormwater run-off are paved parking lots. She reminded the Board that the

property is at the end of a dead end private drive, so is not seen by the public. As in the previous meeting she pointed out that several similar businesses have the gravel and grass parking lots. She submitted three letters of support to the Board (Exhibit B-2).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Variance** of the required all-weather material surface for parking to allow parking on grass surface, finding the hardship to be there are a number of other similar businesses in the area with unpaved parking, on the following described property:

Beg. NW/c SE SE SW, thence E 150.00' S 385.00' W 150.00' N 385.00', Section 34, T-20-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

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NEW APPLICATIONS

Case No. 19248

Action Requested:

Variance to allow reduction in lot area from 6900 sq. ft. to 6000 sq. ft. to permit a lot-split. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6, located 1202 E. 28th St.

Presentation:

Phillip E. Marshall, 4319 S. Quincy Pl., stated he is the owner of the subject property and a homebuilder. He plans to build a home on this lot. A neighbor has a disagreement on the property line and is claiming adverse possession. He chose to deed over that portion of the property and it requires a lot split. The lot is zoned RS-3, requiring 6,900 square feet of land. The platted lot is classified as a non-conforming lot. A site plan was provided (Exhibit J-1).

Interested Parties:

Patricia Spradlin, 2815 Woodward Boulevard, stated she is in support of the application.

Dennis Boyd, 1207 E. 29th Pl., stated he was concerned that construction was planned for more than one house. He has no objection to the application.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Variance** to allow reduction in lot area from 6900 sq. ft. to 6000 sq. ft. to permit a lot-split, per

plan, finding the hardship to be the small portion to be split off has been claimed as adverse possession, the lot is non-conforming and has existed this way for more than fifty years, this will clear the title, on the following described property:

Lot 14, Block 20, Sunset Terrace Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19249

Action Requested:

Variance of the required 85' front setback from center of street to 64'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6; and a Variance to allow an accessory building in the front yard. SECTION 210.B. YARDS, Permitted Obstructions in Required Yards, located 3927 S. Atlanta Pl.

Presentation:

Mr. Beach stated that according to the plans that were submitted the structure would be integral to the principal residence and therefore would not be a detached accessory building. There is no prohibition to an attached accessory building in the front yard, and the second variance would not be needed.

Roger Hagland, 3927 S. Atlanta Pl., introduced himself and deferred to his wife to present the case. Jacqueline Hagland, of the same address, stated that their house is at the end of a two-block long dead end street cul de sac. The original house has a detached garage. They need a wheelchair accessible carport. She added that it would be landscaped attractively and an improvement to the house and neighborhood. Mr. White asked if it would be open-sided. Ms. Hagland replied that they would like to enclose it on three sides. A site plan was submitted (Exhibit K-1).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Variance** of the required 85' front setback from center of street to 64', per plan, finding the hardship to be the configuration of the lot, and it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the property described as follows:

Lot 11, Broadmoor Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19250

Mr. White stated the case would be heard as soon as the applicant arrived.

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Case No. 19251

Action Requested:

Variance to allow required parking to be located on a lot other than the principal use. SECTION 1301. GENERAL REQUIREMENTS – Use Unit 11, located 9175 S. Yale.

Presentation:

Mr. Beach stated that because of a recent amendment to the Zoning Code, the relief could be granted by special exception.

Mark Smiling, 9149 S. Yale, submitted a photograph (Exhibit D-1) to the Board. He stated he built a retaining wall to protect his neighbors' property. He proposed to put in an ornate gate with limited card access.

Comments and Questions:

Mr. Beach asked the size of the office building. Mr. Smiling replied there are 30,000 square feet. Mr. Beach stated that with 106 parking spaces, there is the potential for 106 cars to add two trips per day each on Braden. Mr. White mentioned a condition on a previous Board action with regard to limiting traffic on Braden. Mr. Dunham and Ms. Turnbo were both opposed to any more access on Braden.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a ***Special Exception*** to allow required parking to be located on a lot other than the principal use, on conditions of a tie agreement between this lot and the property adjacent to the west, no access to Braden, a solid screening fence on the east side and that all landscaping requirements be met, on the property described as follows:

S 54' of Lot 2, Block 1, Hunter's Glen Addition, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 19252

Action Requested:

Special Exception to allow a drive-thru bank facility. SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS – Use Unit 11, located SW/c E. 2nd St. & S. Memorial.

Presentation:

Roy Johnsen, 201 W. 5th St., Ste. 501, stated he was representing State Bank. His client owns the subject property and it is zoned OL. He reminded the Board that Memorial is a four-lane street, divided by a median. He added that at 2nd Street there is a signal with a turning lane for northbound traffic to turn left. Also, a left turn may be made from 2nd Street to go north on Memorial. He stated that the drive-through would not generate much traffic and would not be injurious to the neighborhood. A site plan was provided (Exhibit L-1).

Interested Parties:

Brenda Wills, 8013 E. 2nd St., stated she is not in opposition to a bank on the subject property, but she is in opposition to an entrance on 2nd St. She explained there is a lot of traffic on 2nd St. with back-up traffic at the light. She pointed out there is a bank at the corner of 1st and Memorial also, and daily there is congestion caused by bank customers waiting in line for service. Ms. Wills stated she is not in opposition to an exit from the bank on 2nd St. because that would not cause the same congestion.

Applicant's Rebuttal:

Mr. Johnsen responded that the median on Memorial would restrict access to the bank without a 2nd Street entrance. He indicated that the traffic signal on 2nd Street would make the difference in traffic flow as compared to the congestion to the bank at 1st Street.

Comments and Questions:

Mr. Beach was still concerned with a left-turn out of the bank onto 2nd Street because there is a lot of use of the residential streets immediately west of the property.

Board Action:

On **MOTION** of Dunham, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Special Exception** to allow a drive-thru bank facility, per plan, on condition that it is understood the plan is in error, that there can be no left turn lane onto Memorial because of the median at 2nd Street, finding 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:

Tract 1: A part of the E/2 SE/4 NE/4 of Section 2, T-19-N, R-13-E, of the IBM, more particularly described as follows, to-wit: Beg. at a point on the E line of said

Section 2, said point being 1,095.00' N of the SE/c of NE/4 of said Section 2; thence W along a line parallel to the N line of the S/2 NE/4 of said Section 2, a distance of 232.00' to a point; thence N and parallel to the E line of said Section 2, a distance of 138' to a point; thence E along a line parallel to the N line of the S/2 NE/4 of said Section 2, a distance of 232.00' to a point on the E line of said Section 2; thence S along the E line of said Section 2, a distance of 138.00' to the POB; AND Tract 2: A tract of land located in Section 2, T-19-N, R-13-E of the IBM, more particularly described as follows, to-wit: Beg. 995.00' N of the SE/c NE/4; thence W 232.00'; thence N 100'; thence E 232.00'; thence S 100.00' to the POB, all located within the City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19253

Action Requested:

Special Exception to allow new residential construction in an OL district. SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS; and a Variance of front yard setback of 50' down to 25'. SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS, located 2550 N. Norfolk Ave.

Presentation:

Monty McElroy, with Tulsa Development Authority, stated they were selling the subject property to a family for construction of a 1800 square foot home. The special exception is to move house forward to allow more backyard and to line up with the existing homes. A site plan was provided (Exhibit M-1).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Special Exception** to allow new residential construction in an OL district, finding 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 a **Variance** of front yard setback of 50' down to 25', per plan, finding this is a residential use and it would be in line with all of the properties to the west, on the property described as follows:

Lots 1 and 2, Block 1, Emerson 2nd Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 19250

Action Requested:

Appeal of violation notice; or in the alternative, modification of conditions of the Special Exception granted in BOA 19013 to allow restricted outside activity at specific times for limited periods, located 2225 E. 61st St.

Presentation:

Bill LaFortune, 2900 Mid-Continent Tower, stated he represented Jeremy Shadrick, and the Exceptions Paw Spa. He reminded the Board that he represented them in March 2001. The Board granted a special exception with the condition of no outside dog activity. He submitted photos, exhibits of the last case and current photos (Exhibits C-1). Mr. Shadrick obtained a lease for the property and opened the business for veterinary care, grooming, and boarding. Mr. Shadrick ran short of funds for the indoor sewage system. In the previous case the applicant agreed to no outside dog runs. Mr. LaFortune indicated that the Firestone business next door makes much more noise than limited outside dog activity. Mr. LaFortune stated that it would have been better if his client had come to him first with the problem, but as it is they are requesting an exception to allow limited outside activity. He suggested increasing the height of the screening fence, and moderate exercise time at 10:30 a.m., 2:30 p.m., and 5:30 p.m. for three dogs at a time for fifteen minutes. He pointed out the distance across the drainage ditch between the subject property and apartment complex. He noted a walking trail used at all hours by dogs along the ditch, and mentioned that numerous dog owners live in the apartment complex. The manager of the apartment complex stated that she has received complaints about the applicant's dogs from only one tenant. Mr. LaFortune indicated that there was no intention to violate the condition previously made by the Board. It was not their intent to have dog runs, but to allow minimal outside activity during daylight hours only. Mr. LaFortune withdrew the appeal.

Comments and Questions:

Ms. Turnbo asked for the maximum capacity of the facility at one time and the hours of operation. Mr. LaFortune replied that the customer hours are 8:30 a.m. to 5:30 p.m. The capacity is 30 but the highest occupancy has been 22 dogs at one time.

Interested Parties:

John Linehan, 8316 E. 81st Pl., stated his support of the business. He believes the location and care of the animals is good.

Marty Meason, 2218 E. 59th, Apt. 3503, submitted letters of opposition (Exhibit C-3). He stated that the applicant has not complied with the previous condition. He complained that the outside dog activity and noise has been disturbing him. He indicated that the drainage ditch acts as a megaphone, amplifying the noise. He

added that the business owner is not acting responsibly as a good neighbor, and has refused to comply with the Board's condition after receiving complaints.

Mary Stanley, 2124 E. 60th Ct., stated she is the President of the neighborhood association in the Garden Park area. She stated that the applicant has built his indoor facility but also built for a facility outside, against the previous Board Action.

Mr. White out at 2:30 p.m.

Ms. Stanley questioned if the applicant would abide by a new Board Action if they would not abide by the previous action.

Mr. White returned at 2:32 p.m.

Applicant's Rebuttal:

Mr. LaFortune submitted letters of support and advertisings (Exhibits C-2) were submitted to the Board.

Comments and Questions:

Mr. White noted that having 30 dogs outside, three at a time for 15 minutes, would mean 2 ½ hours per exercise time. Mr. LaFortune responded that the outside yard was very large, three dogs at a time behind a high screening fence, could not cause more noise than dogs out loose, on the trail. Ms. Turnbo recalled that the applicant suggested the previous condition for no outside dog activity. Mr. Dunham considered the applicant to have ignored the previous condition and was not assured that he would not ignore new conditions.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **DENY** the **Special Exception** granted in BOA 19013 to allow restricted outside activity at specific times for limited periods, finding it would not be in harmony with the spirit and intent of the Code, and would be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

Lot 2, less E 50.00' thereof, Block 1, Southern Village Center, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19254

Action Requested:

Variance of allowable display surface area from 32 sq. ft. to 58 sq. ft. SECTION 602.B.4.c. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS, Accessory Use Conditions – Use Unit 21, located 2819 N. Lewis.

Presentation:

Comments and Questions:

Mr. Beach questioned Mr. Tatum about the frequency of change of the time and temperature display. Mr. Tatum suggested 15 seconds minimum, and it could be changed to just one or the other. It is meant to be a public service. Mr. Beach informed Mr. Tatum that 32 square feet is the minimum allowed. Mr. Beach asked for the size of the letters on the tenant directory. Mr. Tatum replied the letters are two inches.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Variance** of maximum allowable display surface from 32 sq. ft. to no more than 60 sq. ft.; and a **Variance** of constant light requirement to allow time and temperature display, on conditions that the constant light is for time and temperature display, and will change no more often than 15 second intervals, finding the property is across from commercial zoning with competition for signs, on the following described property:

E 155.00' N 175.00' NE/4 NE/4 NW/4 Section 33, T-19-N, R-13-E, City of Tulsa,
Tulsa County, State of Oklahoma.

Case No. 19256

Action Requested:

Ratification and approval of a variance granted in Case No. 18304 allowing the Variance of the required building setback from the centerline of East 15th Street from 100' to 62' for 265' as shown on a site plan, to permit the construction of the north wall of the home improvement store 38' beyond the required building setback from the centerline of East 15th Street. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS – Use Unit 14 & 16; a Variance of the presently required building setback from the centerline of East 15th Street from 100' to 72' for 30' near the northeastern corner of the property for the mini storage facility, office and manager's quarters. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS; and a Variance of the presently required building setback from the centerline of East 15th Street from 100' to 92' for 30' near the northwestern corner of the property for the one mini storage building. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS, located S side of E. 15th St., Approx. ¼ E of Yale.

Presentation:

Charles Norman, 2900 Mid-Continent Tower came to present this case.

Comments and Questions:

Mr. Dunham noted that this case came to the Board of Adjustment because it is on a secondary arterial street rather than a primary arterial. Mr. Norman responded that he was submitting a site plan and other exhibits (Exhibits G-1 and G-2).

Mr. Norman reminded the Board that this site was the Mill Creek Lumber facility and three other businesses on seven lots, zoned IM. He noted that the property has been platted into three lots. He reviewed the requests of the application. Mr. Norman believes that this portion of 15th Street will not be widened again, having four lanes and left turn lanes. Photographs were submitted (Exhibit G-3).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** and ratify a **Variance** granted in Case No. 18304 allowing the Variance of the required building setback from the centerline of East 15th Street from 100' to 62' for 265' as shown on a site plan, to permit the construction of the north wall of the home improvement store 38' beyond the required building setback from the centerline of East 15th Street; to **APPROVE** a **Variance** of the presently required building setback from the centerline of East 15th Street from 100' to 72' for 30' near the northeastern corner of the property for the mini storage facility, office and manager's quarters; and a **Variance** of the presently required building setback from the centerline of East 15th Street from 100' to 92' for 30' near the northwestern corner of the property for the one mini storage building, per plan, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

A tract of land lying in the NW/4 NW/4 SW/4 of Section 10, T-19-N, R-13-E, of the IBM, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows: Commencing at the NW/c of said SW/4; thence N 89°30'24" E, along the N line of said SW/4, a distance of 161.00'; thence S 00°03'35" W, parallel with the W line of said SW/4, a distance of 40.00' to the POB; thence N 89°30'24" E, parallel with the N line of said SW/4, a distance of 1162.99' to a point on the E line of the NW/4 of the NW/4 of said SW/4; thence S 00°02'27" W, along said E line, a distance of 619.73'; thence S 89°31'05" W a distance of 1279.19' to a point, said point being 45.00' N 89°31'05" E of the W line of said SW/4; thence N 00°03'35" E, parallel with said W line, a distance of 479.48'; thence N 89°30'24" E, parallel with the N line of said SW/4, a distance of 116.00'; thence N 00°03'35" E, parallel with the N line of said SW/4, a distance of 140.00' to the POB.

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Case No. 19257

Action Requested:

Special Exception for use of weddings and receptions (occupants living upstairs with receptions and weddings on first floor). SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5, located 235 W. 18th St.

Presentation:

John Shafer, 320 S. Boston, stated he was representing Charles Sottong, the property owner of 235 W. 18th St. He stated that the applicant would like to use the first floor of his residence for weddings, receptions, and such occasions. He submitted a new site plan (Exhibit H-1) to the Board. He pointed out that the new plan complies with the zoning code regarding parking.

Comments and Questions:

Mr. Beach briefly reviewed the new plan, and informed the Board that the spaces and measurements comply with code requirements. Ms. Turnbo asked about the hours of operation, occupancy per event, and parking. Mr. Shafer responded that a maximum number of guests would be 50-75. Ms. Turnbo was concerned about six spaces for that many people. Mr. Beach stated that the nearest use category he could place this case in was a community center. There is no specific requirement that would necessitate more spaces. Mr. Shafer suggested that valet parking could be used. Ms. Turnbo stated her concern about the parking because the driveways and streets are narrow. Ms. Turnbo stated she could not support the application without more provision for parking. Ms. Turnbo suggested that the applicant come back with some assurance that they have contacted parking lot owners for permission to use their lots during functions on the subject property. She asked the applicant to bring their choice of days and hours of operation to the Board when they return. She encouraged the applicant to consider all of the details of such functions, such as music outside, parking, days and hours of events.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **CONTINUE** Case No. 19257 to the meeting on January 8, 2002.

Lots 4, 5, and 6, Block 2, Buena Vista Park, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No.19258

Action Requested:

Variance of the required setback from a non-arterial street for a garage from 20.00' to 14.00'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6; and a Variance of the required rear setback in an RS-2 district from 25.00' to 11.00'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located 3707 E. 47th St.

Mr. Beach noted the applicant has revised the site plan and no relief is needed from the required setback from the street.

Presentation:

Dwayne Allen, 3707 E. 47th St., stated he proposes to add a garage that will be usable to the house. The original garage is narrow and the driveway is angled in an L, making the garage unusable. Photographs and a site plan were submitted (Exhibits I-1 and I-2). He stated he plans to repave the driveway because it is broken up. He added that it would be landscaped nicely.

Interested Parties:

Nancy Martin, 4616 N. Louisville, stated she is interested in knowing the plans for this application. She thought the added landscaping would be nice. She noted the driveway was in need of repair. She was concerned that new construction would crowd the street, but after hearing the presentation most of her questions were answered.

Board Action:

Mr. Dunham stated the measurements in the plan may be incorrect in that, there is no relief needed on the arterial street.

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** a **Variance** of the required rear setback in an RS-2 district from 25.00' to 11.00', per plan, finding this is an existing house and fence to the north and it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

Lot 10, Block 39, Patrick Henry (Blocks 38-47 inclusive), City of Tulsa, Tulsa County, State of Oklahoma.

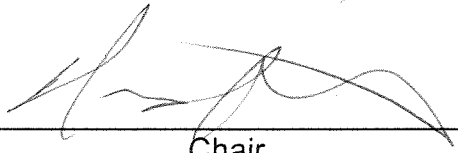
The City of Tulsa Board of Adjustment calendar year 2002 meeting schedule was on the agenda for approval.

Board Action:

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Turnbo "aye", no "nays", no "abstentions", Perkins, Cooper "absent") to **APPROVE** the 2002 Board of Adjustment meeting schedule.

There being no further business, the meeting was adjourned at 3:47 p.m.

Date approved: January 8, 2002



Chair