

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 946
Tuesday, November 28, 2006, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

**MEMBERS
PRESENT**

Dunham
Henke, Chair
Stead, Vice Chair
Stephens
Tidwell, Secretary

**MEMBERS
ABSENT**

**STAFF
PRESENT**

Alberty
Butler
Cuthbertson

**OTHERS
PRESENT**

Ackermann, Legal

The notice and agenda of said meeting was posted in the City Clerk's office, City Hall, on Wednesday, November 22, 2006, at 11:27 a.m., as well as at the Office of INCOG, 201 W. 5th St., Suite 600.

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

Mr. Cuthbertson read the rules and procedures for the Board of Adjustment Public Hearing.

MINUTES

There were no minutes presented for approval.

UNFINISHED BUSINESS

Case No. 20376

Action Requested:

Verification of the spacing requirement for an Outdoor Advertising Sign of 1,200 ft from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); Variance to combine frontages of lots along major streets for calculating display surface area (Section 1221.C.4); Variance of the maximum display surface area for an Outdoor Advertising Sign to permit 672 sq ft. (Section 1221.D.3), located: East of the Northeast corner of Skelly Drive and South Harvard Avenue.

Mr. Stephens recused himself on Case No. 20376.

Presentation:

John Moody, 1800 South Baltimore, requested a continuance. He provided the verification of spacing to meet the zoning code requirement. He let the Board know that he had all of the information the Board requested he present. He offered to be continued since the staff has not had a chance to review the information. Mr. Moody was prepared to present the case. A site plan and documentation on the request for relief were provided (Exhibit A-1, A-2). He acknowledged there is one ground sign for Johnny's restaurant, which would reduce the size of this outdoor advertising sign to 220 square feet. He asked the owners of the two adjacent properties if they would enter into an agreement to allow him to use the frontage combined with the applicant's frontage to permit a larger display surface for this sign. The other owners agreed to his request. He pointed out the total display surface area would be less than the total that could be used for ground signs on all three properties. Mr. Moody stated the literal interpretation of the zoning code would cause an unnecessary hardship, as the frontage on South Harvard and South Yale are limited by physical constraints and development. He stated only one outdoor advertising sign can be permitted on the entire mile of I-44 frontage, which can only be at this location, which makes this tract unique and different than other commercially zoned properties similarly situated.

Comments and Questions:

Mr. Cuthbertson noted the applicant stated the code penalizes the applicant with the display surface area. He added that the writers of the code decided it would be better to have larger signs if limited to one sign per property. The trade-off is if you want more than one sign then you reduce the display surface area.

Interested Parties:

Gary Mitchell, 3141 East Skelly Drive, represented the Trade Winds Hotels. He informed the Board that ODOT would remove their sign for the widening of I-44. He expressed concern that the hotel will be limited in the size and placement of their new sign if the Board approved this application.

Applicant's Rebuttal:

Mr. Moody responded that the approval of this application would not prohibit the hotel from building their sign.

Board Action:

On **Motion** of **Stead**, the Board voted 4-0-1 (Dunham, Henke, Stead, Tidwell "aye"; no "nays"; Stephens "abstained"; no "absences") to **APPROVE** a Verification of the spacing requirement for an Outdoor Advertising Sign of 1,200 ft from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); and **DENY** a Variance to combine frontages of lots along major streets for calculating display surface area (Section 1221.C.4); and a Variance of the maximum display surface area for an Outdoor Advertising Sign to permit 672 sq ft.

(Section 1221.D.3), (see Case No. 20376 Motion, amended below) on the following described property:

PRT SW SW BEG 330E NWC SW SW SW TH E106.24 S201.74 SE70.31 E155.08 N546.12 W239 SW151.28 SWLY65.50 S139 POB SEC 28 19 13 3.40ACS, BEG 221.12 E NWC SW SW SW S 155.86 SELY ON BYPASS220 N 201.74 W 215.12 TO BEG SEC 28-19-13 , BEG 50 E OF NW COR SW SW SW TH S 119.37 SELY ON BYPASS 175 N 155.86 W 171.12 TO BEG SEC 28-19-13, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

Case No. 20378

Action Requested:

Verification of the spacing requirement for an outdoor advertising sign, 1,200 ft. from another outdoor advertising sign on the same side of the freeway (Section 1221.F.2); and a Variance of the minimum 200 ft. setback from an R district (Section 1221.F.4.b), located: South of the Creek Turnpike, 600 ft. East and 280 ft. North of the Northeast corner of South Delaware Avenue, and East 101st Street.

Presentation:

John Moody, 1800 South Baltimore, provided the verification for the spacing requirement found in the agenda packet. He noted this property is in a PUD with underlying residential zoning. The area has been developed for non-residential uses, and though the Jenks' school is located there, they are substantially set back from the school. A cell tower was approved for this area, so this type of structure and the height would not be a problem. The PUD could be amended for commercial to allow the sign but they thought a variance was more practical.

Interested Parties:

Rick Westcott, City Councilor for District 2, stated he was contacted by members and officers of the Delaware Homeowners Association. He noted the site is located within 200 ft. of two residentially zoned areas. He stated the applicant had a self-imposed hardship, because he cannot meet the requirements. He asked for a denial. Ms. Stead asked if there are any homes built within 150 ft. of the site. Mr. Westcott replied there are not any homes within that area but plans change and that they need to protect the zoning.

Mr. Henke asked if the applicants met with the homeowners association. Mr. Moody replied they did not.

Applicant's Rebuttal:

Mr. Moody stated that essentially all of this part of the PUD is designated for commercial. He added that the area zoned residential they are referring to would

have to be rezoned in a major amendment to the PUD to be used for non-commercial development. Mr. Henke asked if it would help for the homeowners and the applicant to discuss the application. Mr. Westcott was not sure it would be beneficial.

Board Action:

On **Motion** of **Dunham**, the Board voted 3-2-0 (Dunham, Stephens, Henke "aye"; Stead, Tidwell "nay"; no "abstentions"; no "absences") to **APPROVE** a Verification of the spacing requirement for an outdoor advertising sign, 1,200 ft. from another outdoor advertising sign on the same side of the freeway (Section 1221.F.2); and a Variance of the minimum 200 ft. setback from an R district (Section 1221.F.4.b), finding that the actual PUD and proposed usage of the property will not be used for an R district use; and finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted 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:

LT 2 LESS BEG SECR LT 1 TH N220 W200 N12.21 NE93.14 E340.01 S297.88
W200 POB BLK 1, RIVER CREEK VILLAGE, City of Tulsa, Tulsa County, State
of Oklahoma

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Mr. Alberty asked to clarify his response to Ms. Stead in the hearing of Case No. 20376. He stated that to deny a variance is to imply the applicant did not sufficiently meet a hardship.

Case No. 20376

Case No. 20376 was re-opened to amend the Motion. Mr. Moody objected to the Board re-opening Case No. 20376 and to an amendment of the original motion.

On **Motion** of **Stead**, the Board voted 4-0-1 (Dunham, Henke, Stead, Tidwell "aye"; no "nays"; Stephens "abstained"; no "absences") to **APPROVE** a Verification of the spacing requirement for an Outdoor Advertising Sign of 1,200 ft from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); and **DENY** a Variance to combine frontages of lots along major streets for calculating display surface area (Section 1221.C.4); and a Variance of the maximum display surface area for an Outdoor Advertising Sign to permit 672 sq ft. or less (Section 1221.D.3), finding the hardship requirements have not been met, on the following described property:

PRT SW SW BEG 330E NWC SW SW SW TH E106.24 S201.74 SE70.31
E155.08 N546.12 W239 SW151.28 SWLY65.50 S139 POB SEC 28 19 13
3.40ACS, BEG 221.12 E NWC SW SW SW S 155.86 SELY ON BYPASS220 N
201.74 W 215.12 TO BEG SEC 28-19-13 , BEG 50 E OF NW COR SW SW SW
TH S 119.37 SELY ON BYPASS 175 N 155.86 W 171.12 TO BEG SEC 28-19-
13, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 20379

Action Requested:

Special Exception to permit a car wash facility in a CS district (Section 701),
located: North of the intersection of 41st St. and 109th E. Ave.

Presentation:

The applicant was not present. The Chair moved the case to later on the agenda.

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Case No. 20380

Action Requested:

Variance of the maximum permitted square footage for a detached accessory
building in an RS-3 district from 500 sq. ft. to 1,480 sq. ft. (Section 402.B.1.d),
located: 1535 South Columbia Avenue East.

Presentation:

Anthony Yohe, 1535 South Columbia, proposed to build a detached garage. He
submitted a site plan and elevations (Exhibit C-1). He described the existing
garage as built in 1931 and stated it was leaning and not useable for vehicles and
storage. He planned to build storage above the garage. He planned to build it with
the same architectural appearance. He stated it will not be used for rental
property.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Dunham**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead,
Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a
Variance of the maximum permitted square footage for a detached accessory
building in an RS-3 district from 500 sq. ft. to 1,480 sq. ft. (Section 402.B.1.d), per
plan and elevations, by reason of extraordinary or exceptional conditions or
circumstances which are peculiar to the land, structure or building involved, the
literal enforcement of the terms of the Code would result in unnecessary hardship;
that such extraordinary or exceptional conditions or circumstances do not apply
generally to other property in the same use district; and that the variance to be
granted 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:

LT 3 BLK 1, OLIVER TERRACE SECOND ADDN SUB L20 GLEN ACRES SUB,
City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 20381

Action Requested:

Special Exception to permit automotive repair in a CS district (Section 701), located: 3104 South Mingo Road.

Presentation:

Judy Newby, represented Lucio Mondragon, the applicant, for Lucios' Auto Repair. Previously this was a muffler shop and no changes have been made to the building. A site plan was provided (Exhibit D-1).

Comments and Questions:

Ms. Stead asked how long he has operated the shop. Ms. Newby replied he has operated the shop for two months and has a five-year contract. Mr. Henke asked if he would be agreeable to approval for five years. Mr. Lucio was agreeable to the five-year approval. Ms. Stead asked for the hours of operation, to which Ms. Newby replied are 9:00 a.m. to 7:00 p.m. Mr. Lucio responded to Ms. Stead's question about limiting the number of cars kept on the subject property. Mr. Lucio was sure he could park twenty vehicles and asked for that limit.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit automotive repair in a CS district (Section 701), with conditions: hours of operation 9:00 a.m. to 7:00 p.m.; all work on vehicles must be inside the structure; no outside repairs allowed; no outside storage of materials; limit total number of inoperable vehicles queuing for repair on site to 20; no auto body work on the property; no junk vehicles stored on the property; approval limited to five years coinciding with the current tenant's lease period, and per plan, so that any expansion of this business be reviewed by this Board, finding the Special Exception 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:

N 250 E 250 NE LESS N 50 & E 50 SEC 24-19-13, City of Tulsa, Tulsa County,
State of Oklahoma

Case No. 20382

Action Requested:

Special Exception to modify the screening requirement between an industrial use and an RM district (Section 212.C); and a Special Exception to permit required parking on a lot not containing the principal use (Section 1301.D) located: 1517 East 4th Place and 1524 East 4th Street.

Presentation:

Wallace Wozencraft, represented the owner and Southwest United Industries. They proposed to expand the plant facility on this property in IM zoning. The existing lot has parking on the east one-half and the lot next to it is occupied space by a paint shop. They proposed to build a structure that would cover both Lots 7 and 8, per the site plan (Exhibit E-1), about 100 ft. wide and 120 ft. in depth. He pointed out that it does not seem reasonable to put up a six-foot high fence two feet away from the solid concrete, seven-foot wall for screening. He showed the Board the parking lots under the same ownership. He acknowledged the construction would tear up the sidewalks and indicated the applicant would repair the existing sidewalks.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Dunham**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to modify the screening requirement between an industrial use and an RM district (Section 212.C); and a Special Exception to permit required parking on a lot not containing the principal use (Section 1301.D), per plan, and on conditions: the lots being approved today along with the parking lot to the southeast would have a tie agreement; and the proposed additional parking lots will be paved with an all-weather surface, finding the special exceptions 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:

N 77.5 LT 7 BLK 8, S 77.5 LT 7 BLK 8, LT 8 BLK 8, MIDWAY ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20383

Action Requested:

Special Exception to permit University Use (Use Unit 5) in an RM-2 district (Section 401); and a Variance of the required 50 ft. setback for an accessory parking area from the centerline of an abutting street (Section 1302.B) , located: at the center of

the TU campus, southwest of the intersection of East 5th Street and South Florence Avenue.

Presentation:

Charles Norman, 2900 Mid-Continent Tower, represented the University of Tulsa. This is the signature building for the University of Tulsa, constructed in 1928, and expanded twice. They plan to expand McFarlin Library on the north side of the existing building to add approximately 10,500 sq. ft. in two floors. The request to expand the existing parking area at the southwest corner of East 4th Street and South Florence Avenue is consistent with previously approved plans. He provided documentation for all of the changes, including the site plan and elevations (Exhibit F-1). He indicated this case needs a continuance to the next Board meeting for advertising of the requested height variance.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Henke Stephens, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit University Use (Use Unit 5) in an RM-2 district (Section 401); and a Variance of the required 50 ft. setback for an accessory parking area from the centerline of an abutting street (Section 1302.B), per plan and elevations submitted, subject to applicant exhibits A, B, C and D; finding the Master Plan has been approved by various bodies of the City; and finding the special exception 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 to **CONTINUE** Case No. 20383 for other relief to the meeting on December 12, 2006, on the following described property:

A Tract of Land that is all of Blk 9 and part of Blocks 13 and 14 along with parts of the vacated streets and alleys adjacent thereto within 'College Addition', an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, said tract of land being more particularly described as follows, to-wit: "Beginning at a point" that is the northeasterly corner of said Block 9; Thence southerly along the easterly line of Block 9 and a southerly extension thereof for 350 ft. to a point on the northerly line of said block 14; Thence westerly along said northerly line for 200 ft; Thence southerly for 300 ft. to a point on an easterly extension of the southerly line of said Block 13; Thence westerly along said extension and along the southerly line of Block 13 and the vacated alley therein for 340 ft.; Thence northerly along the westerly line of said vacated alley in Block 13 and a northerly extension thereof for 350 ft. to a point on the southerly line of Block 10 in said 'College Addition'; Thence easterly along said southerly line of Block 10 for 160 ft to the southeasterly corner of Block 10; Thence northerly along the easterly line of said Block 10 for 300 ft. to the northeasterly corner of Block 10; Thence easterly along a westerly extension of the northerly line of said

Block 9 and along the northerly line of Block 9 for 380 ft. to the POB of said tract of land.

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Case No. 20379

Action Requested:

Special Exception to permit a car wash facility in a CS district (Section 701), located: North of the intersection of 41st St. and 109th E. Ave.

Presentation:

Jason Smith, the applicant, proposed to refurbish an old convenience store and put in a car wash at the rear. He was willing to move the vacuums to the opposite side away from the hotel. He pointed out the highway would probably cause more noise than the vacuums. He stated there would be an attendant at the car wash during the day. They planned for the car wash to be a 24-hour operation. He was agreeable to directing lighting down and away from the hotel. He indicated they do not have definite plans for the convenience store and have considered a coffee shop and other ideas. He added that they wanted approval for the car wash before going forward with other plans. A conceptual site plan was provided (Exhibit B-1).

Comments and Questions:

Ms. Stead noted the plans do not show access from the east.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit a car wash facility in a CS district (Section 701), subject to the entire lot consist of concrete or asphalt surface; lighting directed down and away from the adjoining motel; access curb cut be made somewhere along the eastern boundary of the property in question; per conceptual plan, finding the special exception 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:

PRT LT 3 BEG 15.66NW SECR TH NW15.17 N280.34 W150N52.46 NE17.68
N241 E152.49 S588.58 POB BLK 1, RAVENWOOD, City of Tulsa, Tulsa County,
State of Oklahoma

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Case No. 20384

Action Requested:

Request for a full refund.

Presentation:

Mr. Cuthbertson informed the Board that the applicant withdrew this application in a timely manner. Staff recommended a full refund.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a full refund in the amount of \$625.00, for Case No. 20384.

Case No. 20385

Action Requested:

Special Exception to permit Use Unit 5 – a Museum parking lot in an RS-3 district (Section 401); and a Variance of the requirement that parking areas shall be surfaced with an all weather material to permit special event parking on the lot prior to the construction of the permanent parking lot (Section 1303.D & 222), located: 2530 West Newton Street.

Presentation:

Mark Kinney, 320 South Boston, with Cyntergy, LLC, the subject property is a vacant lot, about two and one-half acres, donated to Gilcrease Museum by the City of Tulsa, for an auxiliary parking area. It is funded by the City's 2005 General Obligation Bond. The northeast quadrant of the property has a severe terrain and it is heavily covered with trees, which they want to retain. The proposed parking lot site is well-maintained by the Parks Department. Mr. Kinney stated that they anticipate beginning construction by late spring or early summer. A map was provided (Exhibit G-1).

Comments and Questions:

Ms. Stead asked if they would be approving construction of the parking lot per plan. Mr. Kinney replied that is what they want. She asked for a completion date. He expected it would take 60 – 90 days. Mr. Dunham suggested setting a completion date of September 1, 2007.

Interested Parties:

Chris Heroux, 502 West 6th Street, represented Alan and Leslie Weeks. Their property is in Country Club Heights as is the subject property. They are not opposed to the use of the subject property as a parking lot. They are concerned with the intensity of use and the impact on the neighbors in Country Club Heights. He questioned whether the correct Use Unit is 5 or 10. They considered 111 vehicles to be a large number to park on this site. They were concerned about the

type of screening, landscaping, lighting and sidewalks. He asked if the lot is for special events or daily parking.

Patty Mandrell, 1171 North 27th West Avenue, stated ideally she would not choose a parking lot on the site but if it is she had concerns. She submitted photographs (Exhibit G-2). She has actively sought information from the museum, INCOG and other entities. She asked them not to use the land for a parking lot. She attended the meetings of the Board of Trustees for Gilcrease Museum and Cyntergy meetings.

Mr. Dunham out at 2:53 p.m.

Ms. Mandrell expressed concern about the canopy of trees over 27th Avenue and asked that they not remove more trees even during construction.

Jenny McElwain –Rhoar, 1228 South Florence Avenue, stated her parents live at 1115 North 27th West Avenue, just south of the subject property.

Mr. Dunham returned at 2:57 p.m.

She stated there was an error in the history in the staff report, adding there was a home located there in 1964 and it remained there until the 1990's. She reminded the Board that they denied a Bed & Breakfast in 2002 to keep the RS-3 neighborhood intact. She stated that her father tried to get approval for an office at the rear of their lot, facing 25th West Avenue, which is now Gilcrease Museum Road and denial was based on the RS-3 zoning. She made the point that the precedent has been set. She opposed the parking lot.

Russell Thomas, 1206 North 27th West Avenue, considered the parking lot to be a dangerous use. He suggested that they use land to the north for parking and have more parking. He stated this did not honor the neighbors' privacy.

Mr. Tidwell out at 3:00 p.m. and returned at 3:02 p.m.

Alan Weeks, understood that the planning commission considered this a good case for a PUD. He wondered if it was still the best direction to take for this case. He stated safety is an issue for people coming and going to the parking lot. He named other concerns as mentioned previously.

Mr. Alberty referred to the statement regarding this case going before the planning commission. He noted there were several options, one being to file a PK Zoning to allow parking by right. The planning commission was inclined to support that but felt there was no control other than what the zoning permits. There was a suggestion that the applicant file for a PUD so they have control over landscaping and other site design elements. Use Unit 5 in the zoning code is designed for this specific application, where you do not change the zoning but the use per the

zoning conditions. The Board has the right to condition the application in any area that could happen in a PUD.

An advertisement for the Gilcrease Museum was submitted (Exhibit G-3) showing hours of operation and rental rates.

Applicant's Rebuttal:

Mr. Kinney responded that this parking lot would relieve some of the parking issues and address issues regarding safety. The topography is a hardship for placing the parking lot. He mentioned that Gilcrease Museum has had open meetings regarding this project.

Gary Moore, 1400 Gilcrease Museum Road, Assistant Director, Gilcrease Museum, stated they have had continual meetings with the neighbors. They have presented or made all of the exhibits today available at those meetings. They are in agreement to save as much of the natural vegetation as possible. All of the documentation makes it apparent there are only a few events when they will need this lot for parking. Most of these occasions are during the day not at night. They plan to place a gate to the lot to control the usage. He stated that the landscaping plans were made available and many of the neighbors reviewed them.

Ms. Mandrell was allowed to speak again. She stated that the last set of plans she received did not include landscaping plans. She mentioned the museum was going to resurface the north parking lot for volunteers and employees.

Mr. Moore replied that they will be resurfacing the north parking lot with a future third-penny sales tax

Dan Allenback, landscape architect, stated they plan to save the existing healthy vegetation and they will construct the parking lot away from the edges of the property lines. They would bring in new plants for the vacant spaces. The lighting will follow the Kennebunkport formula.

Mr. Kinney designed the parking lot and driveway with the City's engineering department's input with regard to safety. He suggested September 1, 2007 as the completion date.

Mr. Dunham suggested it would be better to give them more time to complete the project. Mr. Stephens commented on the good planning for landscaping. He expected the crosswalk on West Newton to be painted at the least. Ms. Stead noted that the meetings regarding this project were in the daytime and some of the neighbors that was trying to be informed did not know about the landscaping plan.

Board Action:

On **Motion** of **Stead**, the Board voted 4-1-0 (Dunham, Stephens, Stead, Tidwell "aye"; Henke "nay"; no "abstentions"; no "absences") to **CONTINUE** Case No.

20385 to the meeting on December 12, 2006, to give the applicant further opportunity to meet with the neighborhood and perhaps contact Traffic Engineering for options to safety, on the following described property:

NW/4 NW/4 NE/4 NE/4 of Section 33, T-20-N, R-12-E, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20396

Action Requested:

Modification of a condition of approval for BOA-20357 to increase the building height limitation to 50 ft. for new construction on the northern half of the subject property, located: 6611 South 101st Avenue East.

Presentation:

Darin Akerman, 6111 East 32nd Place, proposed a modification of height for new construction, up to 50 ft.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Modification of a condition of approval for BOA-20357 to increase the building height limitation to 50 ft. for new construction on the northern half of the subject property, on the following described property:

LT 1 BLK 1, HOME CENTER, City of Tulsa, Tulsa County, State of Oklahoma

Approve 2007 City of Tulsa Board of Adjustment Meeting Schedule

On **MOTION** of **Stead**, the Board voted 5-0-0 (Dunham, Henke, Stead, Stephens, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the 2007 BOA Meeting Schedule as submitted.

There being no further business, the meeting adjourned at 4:00 p.m.

Date approved: 2/13/07


Chair

