

**CITY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 1033  
Tuesday, September 28, 2010, 1:00 p.m.  
Tulsa City Council Chambers  
One Technology Center  
175 East 2<sup>nd</sup> Street

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Stead Tidwell, Secretary White, Vice Chair Van De Wiele	Henke, Chair	Alberty Cuthbertson Sparger	Boulden, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Tuesday, September 24, 2010, at 2:53 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

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

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**MINUTES**

On **MOTION** of **TIDWELL**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the **Minutes** of September 14, 2010 (No. 1032).

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**CONTINUATIONS**

**Case No. 21143-Jeremy Perkins**

**Action Requested:**

Variance to permit an eave (roof overhang) to project more than two feet into a required side yard (Section 210.B.2) to 4 feet. **Location:** 1244 East 25<sup>th</sup> Street South

**Presentation:**

None.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

The applicant has asked for a continuation to enable notice for additional relief for the property.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **CONTINUE** Case No. 21143 to October 12, 2010 Board of Adjustment meeting.

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**NEW APPLICATIONS**

**Case No. 21140-Barron Bradford (Bradford Barron)**

**Action Requested:**

Appeal of an administrative official determining that promotional signage requires a permit (Section 1221.C.7) **Location:** 10607 East Admiral Place

**Presentation:**

**Brad Barron**, Attorney for Lifeway Homes, 10607 East Admiral Place, Tulsa, OK; he stated there are three points of consideration and these three points clearly indicate why Lifeway Homes should not have been cited for advertising without a permit. First, the citation was based on Lifeway's use of mobile home endcaps, which is a form of weatherproofing to protect the mobile home in transit or sitting on a sales lot. There is no reference to any business or business number on this end cap; it is just a picture. Secondly, in order to violate Section 1221.C.7 of the code, the signage must promote a business. If it does not promote a business, it does fall within the parameters of the code by the plain definition of the code. Lifeway Homes does not promote a business on the endcap. The third point is based on a classification of exemptions found in Title 42, Section 1800. The code at that section specifically provides exemptions for articles or works of art that promote a nation or a religion. The only words contained on the endcaps are Scripture. This is a clear symbol of protected religious activity which is protected by the code. The final point rests on the definition of the Board of Adjustment's definition of Special Exception. It states that the Special Exception shall be in harmony with the spirit and intent of the zoning code, and the purpose and intent of this zoning code is to provide and to make the city a beautiful city. If the you compare a mobile home with a tattered plastic endcap with the endcap of Lifeway Homes, the Lifeway endcap beautifies the mobile home lot and does not promote a business.

Mr. Van De Wiele asked if the endcaps in question were on all the mobile homes on the lot, and Mr. Barron stated the endcaps with the pictures were currently on two mobile homes which faced Admiral Place because the owner wanted to promote his belief in God, not necessarily his business, and he placed the endcaps on mobile homes where he could do that.

**Interested Parties:**

**Mike Harrison**, Lifeway Homes, 10607 East Admiral Place, Tulsa, OK; stated the endcaps on the other mobile homes on the lot have advertising on them from the manufacturer, i.e., Buccaneer Homes, who has their name printed several times across the entire endcaps.

Mr. Boulden asked if the endcaps in question were of the same material as the plain white endcaps, and if it was supplied by the same manufacturer of the white endcap. Mr. Harrison stated the pictured endcap was slightly heavier but of very similar quality and type of material as the white endcap. A company in Salt Lake City, Utah produced the pictured endcap; they produce all types of coverings for all type of venues.

**Margo Heyne-Bell**, Chief Site and Sign Inspector, Sign Plan Review, City of Tulsa, 175 East 2<sup>nd</sup> Street, Suite 450, Tulsa, OK; she stated that the owner of Lifeway Homes had not been issued a citation but an official notice of an ordinance violation of a promotional business sign without an obtained permit. When the notice was given the endcaps were considered promotional business signs because they each had the corporate logo printed on them but the logo has since been covered. The City of Tulsa still considers the endcaps to be promotional signs because the endcap with the family in the kitchen is a picture of a kitchen that is in two of the manufactured homes sold by Lifeway Homes.

Mr. Tidwell asked if the picture on the endcaps were just a picture of a family would the endcap still be illegal, and Ms. Heyne-Bell stated a company is allowed a certain amount of square footage for a non-commercial message.

Mr. Van De Wiele asked Ms. Heyne-Bell if the covering of the corporate logo changed her opinion, and Ms. Heyne-Bell stated the banners still direct attention to the business and the commodity offered for sale on the premises is displayed on the banner. The allowable surface display area for non-commercial messages is exceeded on both endcaps.

Mr. Tidwell asked Ms. Heyne-Bell what the message being sold on the endcaps is, and Ms. Heyne-Bell stated initially the corporate logo was displayed. The interior of the product sold on the lot is a way of displaying a product being offered by Lifeway Homes.

Mr. Boulden stated that wherever a business sign is allowed, a non-commercial message is allowed in its place. So the Board and the zoning code is not intended to not regulate the message but to regulate time, place and manner. In this case the code

is very specific about the area that can be used to display commercial messages. Whether this is a commercial message or not can be debated, but the same regulations that provide for the size of a commercial sign also pertain to non-commercial signs. The point is there is a provision in the code that regulates the size of this sign. That provision would also regulate the size of a non-commercial sign.

Ms. Stead asked what happens to the endcap once the mobile home is permanently set up, thus making the endcap a temporary sign if the endcap is considered a sign. Is the mobile home as it is considered a structure? Mr. Harrison stated the mobile home as it is will be on the lot six months to a year.

Mr. Boulden asked Ms. Heyne-Bell by the zoning code, what constitutes a structure, and Ms. Heyne-Bell stated a structure is permanently attached to the ground. Mr. Boulden read the definition of a structure from the zoning code, "anything constructed or erected with a fixed location on the ground or attached to something that has a fixed location on the ground including buildings, parking areas, walks, fences and signs". Mr. Boulden then asked Ms. Heyne-Bell if the mobile home was considered on a fixed location as it sits now. Ms. Heyne-Bell stated her office generally looks at the building code along with its attachment to the ground, and normally mobile homes are tied down with stakes and straps.

Ms. Stead stated that a mobile home is tied down with stakes and straps after they are sold and installed; these mobile homes are still on trailer wheels. Ms. Heyne-Bell stated that decision would be left up the manager of Plans Review to determine whether the mobile home was considered a structure.

**Bob Kolibas**, Site and Sign Inspector, Sign Plan Review, City of Tulsa, 175 East 2<sup>nd</sup> Street, Tulsa, OK; he stated his first visit to Lifeway Homes that the mobile home facing south had the endcap installed with the company logo on it and an official notice was issued. On his second visit to the site the second mobile home facing west had the endcap installed but he did not recall a company logo on the endcap.

**Rebuttal:**

Mr. Barron stated that at the time Lifeway Homes was actually cited any reference to Lifeway Homes or any business at all was covered. The chronology of this was that Lifeway Homes installed the endcap with the Lifeway Homes emblem on the right of the endcap. The inspector came by and told them they needed to cover up the emblem and they did. The reason Lifeway Homes did it is because the purpose of this endcap is not to promote their business but to promote Mr. Harrison's belief in God, and that belief is specifically exempted under the zoning code. Mr. Barron stated there were many times it was stated that the Board was not to focus on the message displayed on the endcap, but it is that message that specifically makes the endcap display exempt under the code. The code exempts any emblem of any religious organization or any work of art that does not identify a product. There is no better religious emblem than the actual words of scripture, that is the emblem of the Christian religion. To display those words on the endcap is promoting religious organizations. The endcap is also a work of art

because it is a photograph of a family reading a Bible on a couch; it does not discuss the purchase of a mobile home or what brand of mobile home it is.

**Comments and Questions:**

Ms. Stead asked Ms. Heyne-Bell if the company name was on both signs when the first notice was issued. Ms. Heyne-Bell stated the first notice was issued in May and subsequently the company logo was covered.

Ms. Stead asked Mr. Alberty what his opinion was of a sign, and he stated the sign definition determines that this endcap could be a sign. Regardless of whether it is portraying the business name or logo it could be considered a sign. Once you move to that position, the second paragraph of the code states several provisions where the endcap would not be a sign.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 3-1-0 (Stead, Tidwell, Van De Wiele, "aye"; White "nay"; no "abstentions") to **UPHOLD** the Appeal of the applicant in this case finding the object in question is religious in nature but also a work of art; for the following property:

**LT 6 LESS BEG 50E NWC TH E280 S51.44 NWLY90.12 SWLY63.28 NW32.75  
NW56.55 NW51.41 POB & LESS S50 FOR HWY, SPRING GROVE SUB**

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**Case No. 21141-Pearl Street Investment Group**

**Action Requested:**

Variance of the parking requirement from 31 spaces to 0 existing spaces (Section 1200) to permit commercial use of existing buildings. **Location:** 1312-18 South Peoria Avenue

**Presentation:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, Tulsa, OK; he represented the applicant and he stated there is common ownership of all properties. The problem is that none of the existing parking spaces comply with today's code. When the applicant originally filed the application they filed it with zero and after conferring with them and speaking to members of the neighborhood the applicant would like to amend the parking spaces to 17 spaces which exists on property they own. The applicant has also agreed to have the two commercial lots combined together through a lot combination.

**Interested Parties:**

**Jeff Noftsger**, 1233 South Newport Avenue, Tulsa, OK; he stated the developers have asked him to present a written recommendation on behalf of the neighborhood association. The Tracy Park Home Owners' Association's concerns are with the lighting

in the parking areas, and they would like to see a timer installed on the lights to turn off after a length of time at night.

**Jamie Jamieson**, 754 South Norfolk Avenue, Tulsa, OK; he represented the Design Committee for the Pearl District, and the committee will soon be presenting a new Form Based Code. Mr. Jamieson stated on behalf of the committee and himself, that the applicant receives their support.

Mr. Alberty stated that up until 1984 in a CH district, there were no parking requirements. In 1984 the City of Tulsa adopted a new code designation for downtown business area or the central business district. At that point, it made all the CH development retroactively require parking. Based on that, that is what has precipitated these requests. The new code has worked a tremendous hardship on the existing development that was there, therefore, there is adequate justification for a hardship.

**Comments and Questions:**

Mr. Cuthbertson asked Mr. Reynolds to clarify the request from 31 spaces to 0 spaces then 31 spaces to 17 spaces. Mr. Reynolds stated it would be as per the site plan being presented today because legally there are zero spaces but practically there are 17 spaces in the rear of the buildings. The lot combination has not been filed but it will be filed if the Variance is approved.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White, "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the parking requirement from 31 spaces to 0 existing spaces (Section 1200) to permit commercial use of existing buildings; finding that this neighborhood and particularly these lots are legal nonconforming, that years ago when the buildings were built they were in conformance with the code but with the changes in later years they are not. According to the site plan 3.8 there may be 17 parking spaces although for legal purposes the parking availability is still zero. The Board will require the applicant applies to TMPAC for a lot combination for the two CH zoned lots; that this is an area of growth according to the comprehensive plan; finding in granting this Variance 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; for the following property:

**LTS 3 & 4 LESS PRT BEG SECR LT 4 TH W17.40 NE100.14 E12.36 S100 POB BLK 1, BROADMOOR ADDN**

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**Case No. 21142-Sam Stokely**

**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) and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10). **Location:** West of the northwest corner of East 67<sup>th</sup> Street and South 107<sup>th</sup> East Avenue

**Presentation:**

**Sam Stokely**, 10111 East 45<sup>th</sup> Place, Tulsa, OK; he stated the application before the Board has been approved previously, the State would like to see the billboard sign closer to the hotel for their application to be approved. Based on that request the sign was moved approximately six feet to the south now a verification of spacing is needed.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **ACCEPT** the 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) according to the surveyor's certificate 4.5. This is based on the facts in the matter as they presently exist. The Board accepts the applicants verification of spacing between outdoor advertising signs for a digital or conventional billboard subject to the action of the Board being void should another outdoor advertising sign be constructed within the spacing requirement prior to the subject sign.

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **ACCEPT** the Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10) as exhibited on surveyor's certificate 4.5; this is based on the facts in the matter as they presently exist. The Board accepts the applicants verification of spacing between outdoor advertising signs for a digital or conventional billboard subject to the action of the Board being void should another outdoor advertising sign be constructed within the spacing requirement prior to the subject sign; all for the following property:

**LT 2 BLK 1, TULSA COMMONS**

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**Case No. 21144-Paul Properties, Inc.**

**Action Requested:**

Variance of the parking requirement (Section 1200) to permit an expansion of an existing restaurant. **Location:** 4735 South Union Avenue West

**Presentation:**

**Grady Whitaker**, Whitaker Architects, PC, 16 West 2<sup>nd</sup> Street, Sand Springs, OK; he stated the Union Street Café wishes to expand, thus requiring an increase in their parking spaces from 18 spaces to 36 spaces. The use groups located in the shopping center where the café is located and the divergent times the businesses operate would allow the café to maintain only the 18 parking spaces. One of the spaces is used as a house of worship which operates Sunday mornings and Wednesday evenings; there is a donut shop and their hours are 5:00 – 11:00 A.M. thus leaving the afternoon hours free. There will never be a need to use all 74 parking spaces in the shopping center lot.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White, "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the parking requirement (Section 1200) to permit an expansion of an existing restaurant. Under Tulsa's comprehensive plan this center is designated as a mixed use corridor and an area of growth. The Board finds the expansion of an existing restaurant to 3600 sq. ft. of floor area combined with current uses requires 97 parking spaces under the code but only 74 are available. The existing church requires 23 spaces and the donut shop requires eight spaces; both of these uses will probably utilize spaces during non-peak hours. The Board finds these conditions justification for a reduction of 23.7% of parking required, and in granting this Variance the Board finds these 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; for the following described property:

**S162.5 N227 LT 3 LESS W25 FOR ST BLK 3, LT 13 & N64.5 LT 3 LESS W25 FOR ST BLK 3, SUBURBAN HIGHLANDS**

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**Case No. 21145-Lou Reynolds**

**Action Requested:**

**Special Exception** to permit (Use Unit 17 – Automotive and Allied Activities) in a former gasoline service station in a CS district (Section 701). **Location:** 8101 East Skelly Drive

**Presentation:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, Tulsa, OK; he stated the subject site has been a former gas station and has been closed over a year. The applicant has leased the site and intends to use it for an automobile sales and a repair and service facility. They do not plan to change anything other than the existing gasoline pumps are being taken out by the owner. There will be no inoperable motor vehicles and there will not be any parts or related work related items stored outside.

Ms. Stead asked Mr. Reynolds about the length of the lease and he stated it was for 12 months.

Ms. Stead asked Mr. Reynolds if the applicant was going to perform major and/or minor automobile repair and perform auto painting, and Mr. Reynolds stated it would be both major and minor auto repairs but no auto painting.

Mr. White asked Mr. Reynolds if the applicant was going to remove the underground tanks along with the gasoline pumps. Mr. Reynolds stated the gasoline pumps were going to be removed but he was not aware of the status of the underground tanks because he did not represent the property owner. He represents the lease only.

**Interested Parties:**

**Kyle Brierly**, Roto-Rooter, 8125 East Skelly Drive, Tulsa, OK; he stated he owns the Roto-Rooter property and the property located at 2777 South Memorial Drive. Both properties share the property line of the subject property. He has concerns regarding the five large fiberglass petroleum storage tanks underground. He has one underground tank which is in use. Because of the potential of outdoor storage or display, Mr. Brierly contacted the DEQ regarding the tanks. If the tanks were active, outdoor storage or display would not be permitted, but the DEQ has the five tanks on the subject property currently classified as temporarily closed which they can stay under that classification up to five years. DEQ states that since these tanks are classified as inactive, it is out of their jurisdiction but it is under the Corporation Commission's jurisdiction. Mr. Brierly stated he had no problem with a car lot on the property but he feels it is a danger to the public safety to allow the Special Exception. Mr. Brierly stated the reason he is bringing his concerns to the Board of Adjustment is because Development Services, where the permits are issued, will not catch this situation because it is an unprecedented circumstance.

Mr. Van De Wiele asked Mr. Brierly if storage on top of an inactive tank was permissible, and Mr. Brierly stated that it was undefined.

Mr. Tidwell asked Mr. Brierly if he could park on top of his tank area, and he stated he could temporarily park on top of the tank area but he could not leave anything parked or displayed on top of the tank area because the tank he has is active. Therefore, at night all vehicles must be parked elsewhere on the Roto-Rooter lot.

**Rebuttal:**

Mr. Reynolds stated he had spoken with the Phase I Environmental Consultant who had inspected the site for the applicant, and he said it was not a safety hazard. He stated it is lawful to park over the inactive tanks. There is nothing for Public Works to catch because there is not a law against what is proposed. The tanks in question are lawfully in the ground and there are five years before they need to be removed from the ground.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Special Exception to permit (Use Unit 17 – Automotive and Allied Activities) in a former gasoline service station in a CS district (Section 701). This is subject to a period of time of 13 months from today's date; there shall be no outside storage of batteries, tires, or other vehicle parts; any and all repair to be done inside the existing bays; there will be no on site painting; any fence along Skelly Drive and/or Memorial Drive will be no taller than 2 ft. 6 in., preferably an iron type pipe. The Board is limiting this Special Exception to automobile sales, new and used, and automobile repair only; no other services listed under Use Unit 17 shall be allowed; there shall be no inoperable vehicles listed for sale. In granting this Special Exception the Board finds 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; for the following described property:

**BEG 33E & 203.09S NWC SW SW TH E175 S63.54 TO NL R/W I-44 TH SW181.57  
NW23.4 N80 WLY18 N93 POB LESS BEG NWC THEREOF TH E27.03 S166.80  
SE21.21 TO NL HWY TH SW10 NW23.40 N80 W18 N93 POB FOR ST SEC 13 19 13**

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**Case No. 20635-A-Fab Lab Tulsa**

**Action Requested:**

Amendment to conditions to a previous approval for a Variance of the parking requirement; to permit studio use; to remove the requirement for a tie agreement; and to amend a site plan on the CS zoned lot. **Location:** 710 South Lewis Avenue

**Presentation:**

**Ann Pollard**, 2207 East Admiral Boulevard, Tulsa, OK; she represented Fab Lab Tulsa and stated the business is a fabrication laboratory; an intellectual community work space. The proposed property currently has only one dedicated parking space on the site plan. Fab Lab has asked for and received overwhelming community support, and some of that is in the form of offering overflow parking to the north and south of the proposed property, and to another lot near the proposed property. Fab Lab is an environment for communities, neighborhood children, and neighborhood adults to come in, participate in community development, entrepreneurialism, and artistic endeavors. The purpose of Fab Lab is to be open access to the community in which it exists, and that community is Kendall Whittier. Currently the curbcuts for the proposed property are in place and Fab Lab is asking to use that as a drop-off environment for vehicles, and there will be one dedicated parking space for a staff member that will be on site.

Mr. Van De Wiele asked if there were going to be bicycle racks and where they would be located. Ms. Pollard stated the racks would be placed on the north side of the building and maybe some on the northeast corner.

Mr. White asked if the building was to be leased, and Ms. Pollard stated there would be a five-year lease.

Mr. Van De Wiele asked when the five-year lease would start; Ms. Pollard stated it would start after today's hearing if Fab Lab received approval.

Ms. Stead asked staff if the Board could issue a time limit on a Variance, and Mr. Boulden stated that the Board could issue a time limitation on a Variance.

**Interested Parties:**

**Councilor Maria Barnes**, City of Tulsa Council, District 6, City of Tulsa, 175 East 2<sup>nd</sup> Street, Tulsa, OK; she stated she had asked for the time limitation of five years because the district did not want the Variance to go any longer than the Fab Lab lease.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White, "aye"; no "nays"; no "abstentions") to **APPROVE** the Amendment to conditions to a previous approval for a Variance of the parking requirement; to permit studio use; to remove the requirement for a tie agreement; and to amend a site plan; on the CS zoned lot; finding that this is an area of mixed use corridors and an area of growth; finding that the approvals sought today are consistent with the spirit and intent of the original approval; subject to a limit of the Variance approval for a length of five years from the last day of October, 2010; subject to conceptual site plan 8.11 and the proposed uses described in a letter from Fab Lab dated September 2, 2010. In granting this Variance the Board has found that 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; this approval only applies to the 7,075 sq. ft. contained in Lot 1, Block 6, Hillcrest Addition; for the following property:

**LT 1 BLK 6, HILLCREST ADDN**

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**OTHER BUSINESS:**

To vote on the proposed 2011 Meeting Schedule presented for approval.

On **MOTION** of **TIDWELL**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **ADOPT** the 2011 proposed meeting schedule as submitted today.

**NEW BUSINESS:**

None.

**BOARD MEMBER COMMENTS:**

None.

There being no further business, the meeting adjourned at 3:17 p.m.

Date approved: 9/28/10



Chair