BOARD OF ADJUSTMENT  
CASE REPORT  

STR: 8301  
CZM: 53  
CD: 7  

HEARING DATE: 03/10/2020 1:00 PM  

APPLICANT: Mark Capron  

ACTION REQUESTED: Modification of the previously approved site plan for Union High School (BOA-22553) Special Exception to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use  

LOCATION: 6636 S MINGO RD E  
ZONED: AG,RM-1  

PRESENT USE: High School.  
TRACT SIZE: 2184691.05 SQ FT  

LEGAL DESCRIPTION: LT 1 BLK 1, UNION HIGH SCHOOL ADDN  

RELEVANT PREVIOUS ACTIONS:  

BOA-22553; on 12.11.2018 the Board APPROVED a Special Exception to permit a school use to allow for a outdoor lighted stadium/locker room/ pressbox ( Sec. 40.350-A); a Modification of a previously approved site plan (BOA-21111-A) to permit the addition of the Fine Arts Center to an existing school; a Variance of the required number of parking spaces (Table 55-1).  

BOA-21111-A; on 8.27.2013 the Board APPROVED Minor Special Exception to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 sq. ft.).  

BOA-21431; on 6.12.2012, the Board APPROVED a Variance to allow more than 1 identification sign in an AG district; Variance of the maximum display surface area from 150 sq. ft. to permit additional signs; and a Variance to allow for wall signs in an AG district.  

BOA-21111; on 7.13.2010, the Board APPROVED a Variance of the required parking spaces for a public school to 1712 spaces; and to Amend the previously approved site plan, both to permit an addition to an existing school.  

BOA-19186; on 8.28.2001, the Board APPROVED a Minor Special Exception to approve a modified site plan, subject to all of the street frontage, parking area landscaping in accord with the landscape chapter of the zoning code.  

BOA-18817; on 7.25.2000, the Board APPROVED a Special Exception to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to site plan and street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code; and a Variance of the off-street parking spaces required in use Unit 5 to permit a minimum of 1800 spaces.
BOA-18786; on 7.11.2000, the Board APPROVED a Variance of the off-street parking spaces required for Union High school campus to allow installation of bleachers with seating capacity of 500 without providing the additional off-street parking required for a high school stadium. LOCATED: 6636 S Mingo Rd

BOA-17737; on 6.10.1997, the Board APPROVED a Special Exception to permit school use (accessory Parking) on subject tract per plan submitted. LOCATED: 6636 S Mingo Rd

BOA-17137; on 8.08.1995, the Board APPROVED a Variance to permit an accessory identification sign for the stadium.

BOA-16981; on 03.28.1995, the Board APPROVED a Variance to permit an existing electronic message center located on a football scoreboard.

BOA-13546; on 05.02.1985, the Board APPROVED a Variance to permit a 97 sq. ft. accessory sign in the Ag district.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

An Existing Neighborhood is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The Areas of Stability include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is Union High School located North of the NW/c of E. 71st St. S. and S. Mingo Road.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use
In the previous case BOA-22553 the Board reduced the required parking spaces by variance from 1,712 spaces to 1,527 spaces. This request would modify the site plan approved in that case and further reduce the parking requirements to 1,369 spaces.

**SAMPLE MOTION:** Move to ________ (approve/deny) a **Modification** of the previously approved site plan in BOA-22553 and a **Special Exception** to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions (including time limitation, if any):

- **If the Board is inclined they may include this language:** And to include future modifications and improvements commensurate with school amenities, with no further Board of Adjustment approval required.

The Board finds that the requested 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.
Facing North on Mingo

Subject Property
Football Stadium currently under construction

Facing South on Mingo
APPLICATION NO: BLDC-050791-2019  (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 6636 S Mingo Rd
Description: Parking Facility Reconstruction at Union High School

<table>
<thead>
<tr>
<th>INFORMATION ABOUT SUBMITTING REVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>REVISIONS NEED TO INCLUDE THE FOLLOWING:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A COPY OF THIS DEFICIENCY LETTER</td>
</tr>
<tr>
<td>2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED</td>
</tr>
<tr>
<td>3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)</td>
</tr>
</tbody>
</table>

| REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A $55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS. |

**SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

<table>
<thead>
<tr>
<th>IMPORTANT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.</td>
</tr>
<tr>
<td>2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT <a href="http://WWW.INCOG.ORG">WWW.INCOG.ORG</a> OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.</td>
</tr>
<tr>
<td>3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.</td>
</tr>
</tbody>
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(Continued)
## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT WWW.INCOG.ORG

<table>
<thead>
<tr>
<th>Application No. BLDC-50791-2019</th>
<th>6636 S. Mingo Rd</th>
<th>January 31, 2020</th>
</tr>
</thead>
</table>

This letter of deficiencies covers zoning Review items only.

You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### 70.120-J Amendments

1. Amendments to approved special exceptions must be processed as new special exception applications, including all requirements for fees, notices and public hearings, provided that the development administrator is authorized to approve the following:
   a. Any structures or uses authorized to be approved by the development administrator at the time of special exception approval; and
   b. The addition or relocation of customary accessory uses and structures.

**Review Comment:** Provide a modification of a previously approved site plan from the City of Tulsa BOA case 22553 approved 12/11/2018 to permit the proposed parking area reconfiguration.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application to our office, so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

## END – ZONING CLEARANCE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION.
Action Requested:
Special Exception to permit a school use to allow for an outdoor lighted stadium/locker room/pressbox (Section 40.350-A); Modification of a previously approved site plan (BOA-21111-A) to permit the addition of the Fine Arts Center; Variance of the required number of parking spaces (Table 55-1). LOCATION: 6636 South Mingo Road East (CD 7)

Presentation:
Mike Thedford, Wallace Engineering, 200 East Mathew Brady Street, Tulsa, OK; stated this is a continued use but a modification of the site plan with substantial improvements to the stadium structure as well as modifications to the locker room. On the north end there is a 20,000 square foot fine arts building that will be adjacent to the stadium. There will actually be more green space to work with in this modification, but there will be some parking spaces taken away and reconfiguration of some drives.

Mr. Van De Wiele asked Mr. Thedford what the current parking count is and what will the parking count go down to. Mr. Thedford stated that at the time of the application there are 1,712 parking spaces and the count will go down to 1,527 parking spaces. The list of uses that will be on site are all non-simultaneous uses.

Mr. Van De Wiele asked Mr. Thedford if he knew the current student count. Mr. Thedford deferred to Mr. Bushyhead.

Interested Parties:
Charlie Bushyhead, 11203 South Florence, Jenks, OK; stated that currently there is approximately 3,400 students at the high school which is a 10th through 12th grade school. When the stadium is in use there are no large events occurring on the campus. There is also a great relationship with Asbury Church and there is a protected walk provided from there when there are large events. The parking count is actually going down even though the population is going up due to changes in the socio-economics; there are fewer students driving.

Mr. Van De Wiele asked Mr. Bushyhead if the 1,527 parking spaces provide sufficient parking for Monday through Friday. Mr. Bushyhead answered affirmatively.

Comments and Questions:
None.

Board Action:
On MOTION of BOND, the Board voted 5-0-0 (Back, Bond, Radney, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to APPROVE the request for a Special Exception to permit a school use to allow for an outdoor lighted stadium/locker room/pressbox (Section 40.350-A); Modification of a previously approved site plan
(BOA-21111-A) to permit the addition of the Fine Arts Center to the existing school; Variance of the required number of parking spaces (Table 55-1), subject to conceptual plans 17.27, 17.28 and 17.29 of the agenda packet. The Board has found the hardship to be the parking spaces are not used at the same time for events and school attendance. The Board finds that the requested 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. The Board finds that the following facts, favorable to the property owner, have been established:

a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
e. That the variance to be granted is the minimum variance that will afford relief;
f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

LT 1 BLK 1, UNION HIGH SCHOOL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22554—Tom Neal

Action Requested:
Special Exception to allow a manufactured housing unit on an RS-3 zoned lot;
Special Exception to extend the time limit to allow a manufactured home on the site for more than 1 year (Sections 5.020 & 40.210-A); Variance to reduce the lot width requirement for a manufactured housing unit use in the RM-1 District (Table 5-3); Special Exception to permit a carport in the street setback and street yard (Section 90.090-C.1). LOCATION: 406 South 55th Avenue West (CD 1)

Presentation:
Tom Neal, 2507 East 11th Place, Tulsa, OK; stated his client is Ms. Stephenson and she currently owns a mobile home which is located on a rental lot. Ms. Stephenson has purchased the subject property which is near family members and hopes to move her mobile home to that property. Mr. Neal stated that the site plan has been revised since

12/11/2018-1218 (26)
UNION HIGH SCHOOL
FINE ARTS/STADIUM IMPROVEMENTS
UNION HIGH SCHOOL
FINE ARTS/STADIUM IMPROVEMENTS

NEW PROJECT SQUARE FOOTAGE

<table>
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<tr>
<th>Description</th>
<th>Square Footage</th>
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<tbody>
<tr>
<td>Bond</td>
<td>21,780</td>
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<tr>
<td>Stadium West Field Level</td>
<td>41,223</td>
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<tr>
<td>Stadium West Touchdown Level</td>
<td>14,616</td>
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<tr>
<td>Bleacher Seating</td>
<td>-</td>
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<tr>
<td>Stadium West Press Box Level</td>
<td>5,758</td>
</tr>
<tr>
<td>East Concessions Addition</td>
<td>369</td>
</tr>
<tr>
<td>Demo-Existing West Side Locker Rooms</td>
<td>(9,250)</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>74,422</strong></td>
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EXISTING SCHOOL

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<tbody>
<tr>
<td><strong>EXISTING SCHOOL</strong></td>
<td><strong>473,140</strong></td>
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<tr>
<td>Locker Room Addition 2013</td>
<td>125,000</td>
</tr>
<tr>
<td>Auxiliary/UMAC Offices</td>
<td>3,752</td>
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<tr>
<td><strong>THIS PROJECT</strong></td>
<td><strong>506,892</strong></td>
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**TOTAL** 761,080

STADIUM/AUDITORIUM SEATING

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<th>Seating Type</th>
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<tbody>
<tr>
<td>TOTAL SEATS</td>
<td>6,380</td>
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<tr>
<td>UMAC SEATS</td>
<td>11,070</td>
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<td><strong>TOTAL</strong></td>
<td>16,380</td>
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PARKING REQUIRED

<table>
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<tr>
<th>Description</th>
<th>Square Footage</th>
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<tr>
<td>BUILDING (1.3 PER 1,000 SF)</td>
<td>701,080</td>
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<tr>
<td>STADIUM/AUDITORIUM (2.0 PER SEAT)</td>
<td>3,270</td>
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<td><strong>TOTAL</strong></td>
<td><strong>8,041</strong></td>
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PARKING PROVIDED

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<tr>
<td>EXISTING (ESTIMATED)</td>
<td>1,712</td>
</tr>
<tr>
<td>TOTAL TO BE PROVIDED AFTER IMPROVEMENTS</td>
<td>1,520</td>
</tr>
</tbody>
</table>

BoA-22553

10.15
six inch concrete ceilings, four inch concrete floor and it is sound proof. The lighting is shielded and protected. The noise outside the building will be much less than the background noise outside.

Mr. Van De Wiele asked if there was going to be anything outside to let the public know there is a gun range in the building. Mr. Reynolds stated no. The applicant does not want advertising.

Mr. Van De Wiele asked if there would be any weapons or ammunition stored on site. Mr. Reynolds stated that what will be stored there will be personal guns and ammunition.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of WHITE, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to DENY the Appeal of the Determination of an Administrative Official that a private pistol firing range is not an accessory use (Section 1605/1606) and to APPROVE the request for a Special Exemption to permit a private (completely enclosed) pistol firing range (Use Unit 19) in an IL District (Section 901, Table 1), subject to conceptual plan 6.24. This approval of the special exception is limited to the actual firing range structure that is depicted on 6.24. There is to be no outdoor signage advertising the existence of the firing range itself. 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; for the following property:

LT 5 BLK 1, DIVERSIFIED INDUSTRIAL PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**21111-A—Wallace Engineering**

**Action Requested:**
Minor Special Exception to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 square feet). **LOCATION:** 6636 South Mingo Road East (CD 7)

**Presentation:**
Jim Beach, Wallace Engineering, 200 East Brady, Tulsa, OK, stated the action requested is to improve a previously approved site plan for Union High School. In the western portion of the property there is an existing practice football field and track which
is to be renovated. With that there will be a new track building that will contain locker rooms. The addition to the south end of the practice field will be discus and shot put facilities that will go in conjunction with the track. The nature of the additions is such that it qualifies under the Zoning Code as a minor special exception because the floor area that is to be added is considerably less than threshold that is set out for approval of a regular special exception.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of WHITE, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to APPROVE the request for a Minor Special Exception to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 square feet), subject to conceptual plan 7.20. Finding the Minor 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 property:

LT 1 BLK 1, UNION HIGH SCHOOL ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

************

OTHER BUSINESS

Review and Discussion
Building Demolition and Surface Parking Lots within the IDL Draft Ordinance.

Background:
In early 2012, the Tulsa City Council voiced concern over the loss of building stock downtown and the increased number of surface parking lots which do not contribute to the desired character of our downtown. As a result, the Council instituted a moratorium (on July 18, 2012) which currently affects development within the IDL.

Discussion:
Susan Miller, INCOG, 2 West 2nd Street, Tulsa, OK; stated this is to present and discuss with the Board the ordinance that has been drafted regarding building demolition and surface parking lots in the IDL. There is a length ordinance that was presented to the
Comments and Questions:
None.

Board Action:
On MOTION of STEAD, the Board voted 4-0-0 (Henke, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; White absent) to APPROVE the request for a Variance of the maximum allowed square footage for a detached accessory building in the RS-3 zone from 598 square feet to 1,590 square feet to construct a new detached garage with storage (Section 402.B.1.d). The Board makes the requirement that nothing furnishing the new space will constitute living quarters. The building shall be used for storage only, never for rental or commercial use. This is subject to conceptual plan on page 3.7, knowing that the silt fence is a construction fence and will be removed. The metal carport wrapped in a polyurethane covering is to be removed after completion of the new detached accessory building. This property which contains over 20,000 square feet will, even with the improved building, contain adequate green space. In granting this variance there are 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:

LT 26 BLK 2, CONSERVATION ACRES SUB, KINLOCH PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21431—Sign Productions/Stacey Meyer

Action Requested:
Variance to allow more than one identification sign in an AG district (Section 302.B.2.b); Variance of the maximum display surface area from 150 square feet to permit additional signs (Section 302.B.2.b); Variance to allow for wall signs in an AG district (Section 302.B.2.b). LOCATION: 6636 South Mingo Road (CD 7)

Presentation:
Wally Ruden, Sign Productions, 500 Wofford Road Southwest, Cedar Rapids, Iowa; stated that Union Public Schools will be expanding by 50%; from 2,000 to 3,000 students with an increase for teaching of 30%. There will be an increase in traffic with the expansion so these signs will be very helpful directional device. There are several signs on the property and he has broken them down into three types of situations. One is the signage along South Mingo Road, which are largely entrance signs designating entrances and exits. There are signs on the building that identify the property as Union Public School, Collegiate Academy main entrance, and Union Public School logo. Thirdly, there are some branding signs that will go on light poles, which are small.
aluminum panels that show the Union logo as well. All the signs are non-illuminated, even the one on the building.

**Interested Parties:**
There were no interested parties present.

**Comments and Questions:**
None.

**Board Action:**
On MOTION of STEAD, the Board voted 4-0-0 (Henke, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; White absent) to **APPROVE** the request for a **Variance** to allow more than one identification sign in an AG district (Section 302.B.2.b); **Variance** of the maximum display surface area from 150 square feet to permit additional signs (Section 302.B.2.b); **Variance** to allow for wall signs in an AG district (Section 302.B.2.b). The Board makes these motions to include 15 non-illuminated signs as listed in the Development Services letter of March 26, 2012, which is page 4.11 in the agenda packet. The placement of the signs shall be as shown on page 4.9. The sign designs are to be as per plan as shown on pages 4.14, 4.15, 4.16, and 4.17. The Board has found that this school property containing more than 2 million square feet is a huge campus and that the school population is increasing approximately 50%. The many and varied entrances and exits need directional signage, which this approval should take care of. In granting this variances the Board has found that the size and location of the structured buildings 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 variances 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:

**LT 1 BLK 1, UNION HIGH SCHOOL ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21432—Shew's Top Quality Roofing**

**Action Requested:**
Special Exception to permit carport in the required front yard in an RS-3 district (Section 210.B.10.g); **Variance** of required side yard setback from 5 feet to 4 feet (Section 210.B.10.b); **Variance** of the maximum permitted dimension of a carport located in the required front yard from (20' X 20') to (21' X 28')(Section 210.B.10.a).

**LOCATION:** 12516 East 38th Street (CD 6)

**Presentation:**
Brian Shew, Shew's Top Quality Roofing and Guttering, 1244 North Darlington Avenue, Tulsa, OK.

06/12/2012-1072 (S)
Case 21111-Roy D. Johnsen

Action Requested:
Variance of the required parking spaces for a public school (Section 1205) to 1712 spaces; and an Amendment to a previously approved site plan, both to permit an addition to an existing school. Location: 6636 South Mingo Road

Presentation:
Roy Johnson, Williams Tower One, One West 3rd Street, Suite 1010, Tulsa, OK; Mr. Johnsen represents the applicant requesting the variance. The Union School District desires to move the sophomore students from the intermediate high school to this site to provide a better learning environment. This move would be approximately 1,000 students, thus requiring a new facility to be built which would eliminate existing parking on the northeast corner of the property. The southwest corner is proposed to be new parking to replace the eliminated parking.

Interested Parties:
No interested parties were present.

Comments and Questions:
The Board asked about overflow parking during school days, and Mr. Johnsen stated the overflow parking was not utilized by students during the school day. The overflow happens only during rare peak athletic events. Mr. Johnsen also stated that Asbury Methodist Church, located across S. Mingo Rd. would be notified by the school of any activities to take place.

Mr. Boulden questioned if there was going to be lighting installed for the new parking lot. Mr. Johnsen stated that there would be shielded lighting, or lighting that would be directed back into the parking lot so it would not interfere with the neighborhood.

The Board asked about the screening or landscaping for the area. Mr. Johnsen stated screening is not required by code as the parking lot is set back more than 50 ft. from the abutting R districts but there will be alternative landscaping in place when the project is complete.

Board Action:
On MOTION of Van De Wiele, the Board voted 4-0-0 (Henke, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to APPROVE the Variance of the required parking spaces for a public school (Section 1205) to 1712 spaces; and an Amendment to a previously approved site plan, both to permit an addition to an existing school, per conceptual plan 10.10; 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. As to the Amendment the Board finds 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. Also, note that an alternative compliance may be sought for the landscaping; on the following described property:

LT 1 BLK 1, UNION HIGH SCHOOL ADDN

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Case No. 21112-Robert Shears

Action Requested:
Special Exception to permit an office use (Use Unit 11) in an RM-2 district (section 401); a Variance of the parking requirement from 7 to 2 (1211.D); and a Special Exception to modify the screening requirement for an office use from an abutting R district (Section 212.C); all to permit an office use in the existing home. Location: 1522 South Carson Avenue W.

Presentation:
Jim Beach, Wallace Engineering, 200 East Brady, Tulsa, OK; Mr. Beach represents the applicant who purchased the property in 1998 as his residence and started his landscaping consulting firm business in the home in 2004. In 2009 the applicant purchased a new residence and now would like to maintain his business at this property. The business would be very quiet because clients rarely visit the office because the business is conducted outside at his clients properties. There are several other properties located near the applicant that have prior approval for office space; therefore, it is a mixed use neighborhood. The request for modification of the screening requirement would apply along the north and west property lines; the west is screened by the garage structure and the north is screened with existing landscaping. The applicant feels the addition of screening would be a deterrent to a relationship between the properties and the neighbors have requested not to have a screening fence.

Interested Parties:
No interested parties were present.

Comments and Questions:
The board asked what the garage was used for and Mr. Beach stated half of the garage was used for storage.

The board asked about the existing fence. Mr. Beach stated the existing fence would be maintained but the neighbors have requested not to have it extended outward toward Carson Avenue, which is why the application request for screening modification has been submitted.
**Board Action:**
On MOTION of Cooper, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a **Minor Special Exception** to approve a modified site plan, located N of NW/c of E. 71st St. & Mingo.

**Presentation:**
Daren Akerman, 6111 E. 32nd Pl., stated this item is before the Board as a reconfiguration of the site plan that was approved approximately one year ago. This is a multipurpose center that includes more parking, which incorporates the separate buildings that were approved for the previous site plan.

**Interested Parties:**
There were no interested parties present who wished to speak.

**Board Action:**
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a **Minor Special Exception** to approve a modified site plan, located N of NW/c of E. 71st St. & Mingo, subject to all of the street frontage, parking area landscaping in accord with the landscape chapter of the zoning code, on the following described property:

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

**MINUTES:**
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to APPROVE the amended Minutes of June 26, 2001 (No. 821).
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 Use Unit 5 church and accessory uses in an RS-3 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; a Variance of the all weather surface requirement for the church parking lot; and a Variance of required setback from abutting R district from 25' to 5', subject to meeting all of the landscaping and parking requirements, 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; and a Variance of required setback from centerline of East 11th Street from 85' to 57' was withdrawn by the applicant, on the following described property:

Lot 5, Block 3, Eleventh Street Acres, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 18817

Action Requested:

Special Exception under Section 301, Table 1, and Section 401, Table 1 to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to approval by the Board of the site plans as shown on Exhibit B and Exhibit C hereto, and subject to street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code. SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT and SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 5; and a Variance of the off-street parking spaces required in Use Unit 5, Section 1205.C of the Zoning Code to permit a minimum of 1800 spaces to satisfy the combined off-street parking requirements for the existing and proposed academic and athletic facilities as shown on Exhibits B and C. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES. Off-Street Parking and Loading Requirements. located W side of S. Mingo Rd. at E. 66th St.

Presentation:

The applicant, Charles Norman, 2900 Mid-Continent Tower, stated he represented the Union School District. He added that Cathy Burton, Superintendent of Schools, members of her staff, and members of the design team that are working on this project were present with him. The application is for two purposes: to permit the additional facilities in two phases, and to increase the number of parking spaces needed in connection with the addition of bleachers in the football stadium.
Case No. 18817 (continued)

Comments and Questions:
The Board was familiar with this request in connection with the action taken at the previous hearing. Neither the Board nor staff had any questions.

Protestants:
None.

Board Action:
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Tumbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Special Exception under Section 301, Table 1, and Section 401, Table 1 to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to approval by the Board of the site plans as shown on Exhibit B and Exhibit C hereeto, and subject to street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code, 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 a Variance of the off-street parking spaces required in Use Unit 5, Section 1205.C of the Zoning Code to permit a minimum of 1800 spaces to satisfy the combined off-street parking requirements for the existing and proposed academic and athletic facilities as shown on Exhibits B and C, per 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

Case No. 18818

Action Requested:
Variance from the 50' setback from the centerline of an abutting street to 2' from an abutting street right-of-way line. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS. Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts - Use Unit 1; a Variance from the 25' setback requirement for a building abutting a non-arterial street to 9'. SECTION 1302. SETBACKS; a Variance from 25' + 1' of setback for each 1' of building height exceeding 15' from abutting properties in an R district, to a setback of 30'. SECTION 1201.C.2.c. USE UNIT 1. AREA-WIDE USES BY RIGHT. Use Conditions; a Variance in the minimum setback for parking lots from an RS district from 25' to 5'. SECTION 1201.D. USE UNIT 1. AREA-WIDE USES BY RIGHT, Off-Street Parking and Loading Requirements; a Variance from the parking spaces requirement of 1 per 800 square feet plus 1 per 4 stadium seats, reducing the requirement from 1,553 spaces to 995 space. SECTION 1201.D. USE UNIT 1. AREA-WIDE USES BY RIGHT, Off-Street Parking and Loading Requirements; and
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.

**Case No. 13786**

**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, Tumbo, 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.

07:11:00:799(10)
Case No. 17736

Action Requested:
Variance required setback from an abutting RS-3 district from 56' to 21' to permit a 38' 3-story hotel. SECTION 03. BULK AND AREA REQUIREMENTS IN COMMERCIAL DISTRICTS - Use Unit 19, and a Variance of maximum permitted height for a ground sign from 40' to 60'. SECTION 1221.D.1 USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, located East of 165th East Avenue & Admiral Place.

Presentation:
The applicant, Paul W. McKnight, requested that Case No. 17736 be continued to July 8, 1997, and to withdraw the request for a Variance from the required setback from an abutting RS-3 district from 56' to 21' to permit a 38' 3-story hotel.

Board Action:
On MOTION of TURNBO, the Board voted 5-0-0 (Bolzle, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to CONTINUE the sign height variance part of Case No. 17736 to July 8, 1997, at 1:00 p.m.

Case No. 17737

Action Requested:
Special Exception to permit school use (accessory parking) on subject tract. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2, located North of NW/c 71st & Mingo.

Presentation:
The applicant, David L. Huey, 717 South Houston, representing Union Public Schools, submitted a site plan (Exhibit K-1) and stated that a previous special exception was granted for school use on the original High School site. He explained that approximately 10 years ago the district purchased an additional 12 acres adjacent to the property on the southside. The property has never been developed nor platted and has never been approved for school use. He stated the purpose of the application is to request a waiver of platting requirement and request accessory parking use. The school is anticipating constructing a classroom expansion as part of the school building, however there is parking spaces taken up by the proposed construction, as well as the additional parking spaces needed by the increased square footage of the building. He explained that the above reasons is why the school is proposing the subject site for accessory parking.

Comments and Questions:
Mr. Bolzle asked the staff if the applicant needed to request a plat waiver from TMAPC? Mr. Gardner answered affirmatively.
Case No. 17737 (continued)

In response to Mr. Bolzle, Mr. Huey stated that the TAC has already recommended approval for the plat waiver. He commented that the request will go before TMAPC on July 18, 1997.

Protestants: None.

Board Action:
On MOTION of BOLZLE, the Board voted 5-0-0 (Bolzle, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to APPROVE a Special Exception to permit school use (accessory parking) on subject tract. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2, per plan submitted; finding that the approval of this application will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will be in harmony with the spirit and intent of the Code, on the following described property:


Case No. 17738

Action Requested:
Special Exception to permit a parochial school and accessory chapel in an RS-2 district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2, located 4620 South Irvington Avenue.

Presentation:
The applicant, Stephen A. Schuller, 320 South Boston, submitted a site plan (Exhibit L-1) and a south elevation (Exhibit L-2). Mr. Schuller stated that the property is the former site of the Robert Lewis Stevenson Elementary School at 46th and Irvington. He explained that the Board granted permission for the use of the property as a school in 1959. The applicant leased the property from the TPS and has operated a parochial school on the subject property. The Islamic Society of Tulsa proposes to construct a chapel or prayer hall on the subject site as an accessory to the applicant's religious and educational programs serving the community. The applicant proposes to erect the prayer hall immediately south of the existing school and add parking to serve the prayer hall and the school building. The prayer hall is proposed to be two (2) stories in height, however it would not exceed the 35' height limit. All of the existing buildings or the proposed buildings are substantially less in the aggregate then the maximum floor area prescribed by the Zoning Code. The buildings are also setback from abutting streets and residential properties more then the minimum building setbacks require. The existing parking lot will be relocated to the east boundary of the
Board Action:
On MOTION of DOVERSPIKE, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bolzle, Turnbo, "absent") to APPROVE a Special Exception to permit a car wash as an accessory use to a convenience grocery in an IL zoned district - SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 13; per plan submitted; subject to the car wash being limited to one bay only; finding the use to be compatible with the area and in harmony with the spirit and intent of the Code; on the following described property:

Starting at the NW/c Section 31, T-19-N, R-14-E, thence S0°08'45"E for 366.90'; thence N89°51'75"E for 60' to POB; thence N0°08'45"W for 286.78'; thence N44°54'36"E for 42.39'; thence N89°57'57"E for 202.06'; thence S0°08'45"E for 101.45'; thence southerly and southwesterly along a curve to the right with a central angle of 55°28'04" and a radius of 105' for 101.65'; thence S55°19'30"W for 226.48' to the POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17137

Action Requested:
Variance to permit the approved accessory sign to be used for identification of the stadium and a corporate sponsorship with the acknowledgment of the corporate sponsorship occupying no more than 20% of the display surface area - SECTION 302.B.2. ACCESSORY USES PERMITTED IN THE AGRICULTURAL DISTRICT - Use Unit 2, located South Mingo and East 66th Street.

Presentation:
The applicant, Charles Norman, 2900 Mid-Continent Tower, submitted a sign plan (Exhibit N-1) and noted that a scoreboard and electronic message center for the stadium were previously approved by the Board. He stated that the south face of the scoreboard only contained the words "Boatmen's Bank", as sponsorship recognition; however, this has since been interpreted as a commercial message. He requested that the name of the stadium and the sponsor, Boatmen's Bank (60 sq ft of signage), be permitted on the south face of the scoreboard. Letters of support (Exhibit N-2) were submitted.

Comments and Questions:
Mr. Doverspike asked the applicant if his client would be amenable to restricting the 20% usage to reflect only the corporate sponsor to eliminate the possibility of its use for advertising purposes, and Mr. Norman answered in the affirmative.
Case No. 17137 (continued)

**Protestants:**
None.

**Board Action:**
On MOTION of WHITE, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bolzle, Turnbo, "absent") to **APPROVE a Variance** to permit the approved accessory sign to be used for identification of the stadium and a corporate sponsorship with the acknowledgment of the corporate sponsorship occupying no more than 20% of the display surface area - **SECTION 302.B.2.**

**ACCESSORY USES PERMITTED IN THE AGRICULTURAL DISTRICT** - Use Unit 2; per plan submitted; subject to the 20% portion of the sign designated for the corporate sponsor be restricted to that use only, with no use for advertising purposes; finding that approval of the request, per conditions, will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

NE/4, SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

* * * * * *

**ADDENDUM**

**OTHER BUSINESS**

Interpretation regarding children's nursery/pre-schools.

Mr. Gardner advised that the Department of Human Services will not permit pre-school classes that exceed 15 hours per week to be held in park community centers without zoning approval. He informed that the Board could make a finding that pre-schools are permitted as an accessory use to an approved park community center and not a Use Unit 11.

Mr. Beach noted that there are numerous community centers in the City of Tulsa providing the pre-school usage as part of their total program.
Case No. 16980 (continued)
was constructed over the platted setback line approximately 20 years ago; and finding
that approval of the request will not be detrimental to the area, or violate the spirit and
intent of the Code; on the following described property:

A part of Lot 1, Block 1, Dotson Center, an addition to the City of Tulsa, Tulsa
County, Oklahoma, according to the recorded plat thereof; being more
particularly described as follows to wit: Beginning at the SE/c of said Lot 1,
Block 1, Dotson Center said point also being the NE/c of said Lot 2, Block 1,
Dotson Center; thence N0 03’00”E and along the east line of said Lot 1, Block
1, for 154.67’; thence due west for 240.00”; thence S0 03’00”W and parallel to
the east line of said Lot 1, Block 1, for 261.11’ to a point on the south line of
said Lot 1, Block 1, thence S64 40’ 07”E and along the south line of said Lot 1,
Block 1, for 45.52’; thence N57 41’ 29”E and continuing along the south line of
Lot 1, Block 1 for 235.50’ to the POB and containing 54,411 sq ft more or less,
City of Tulsa, Tulsa County, Oklahoma.

Case No. 16981

Action Requested:
Variance to permit an existing electronic message center located on a football
scoreboard to remain in its present location and configuration - SECTION 302.B.2. -
Accessory Signs in the AG District - Use Unit 2, located north of the northwest
corner of East 71st Street and South Mingo Road.

Presentation:
The applicant, Eric Nelson, 525 South Main, stated that he is counsel for Union
Public Schools, and requested that the existing electronic message center be
permitted to remain at its current location. He submitted a plot plan (Exhibit B-1) and
noted that the message center (2½’ by 24’) has been installed on top of the score
board. Mr. Nelson pointed out that a hardship is demonstrated by the large size of the
tract (50 acres) and the amount of street frontage (1720’ on Mingo Road), which
would permit several signs by right if divided into individual lots. The applicant stated
that the message center is located more than 1000’ from residential developments
and is setback 200’ from the centerline of Mingo Road. Photographs (Exhibit B-2)
were submitted.

Comments and Questions:
In reply to Mr. Doverspike, the applicant stated that the scoreboard faces to the north
and the message center faces both north and south.
Mr. Gardner advised that the message sign in question faces the south and can be viewed by the public from both 71st Street and Mingo Road. He informed that the Code requires constant lighting, if lights are installed on the sign (no flashing of messages permitted).

In reply to Mr. Doverspike, Mr. Nelson stated that the message center will not be used for commercial purposes and will not be flashing.

Mr. Gardner noted that constant lighting was required to protect residential neighborhoods.

Protestants:
None.

Board Action:
On MOTION of BOLZLE, the Board voted 4-0-0 (Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to APPROVE a Variance to permit an existing electronic message center located on top of a football scoreboard to remain in its present location and configuration - SECTION 302.B.2. - Accessory Signs in the AG District - Use Unit 2; per plan submitted; finding a hardship demonstrated by the size of the tract and the large amount of street frontage; finding that the electronic message board will be used for school use only, with no commercial advertising; finding that the sign is removed from the residential area and will not have an adverse impact on the neighborhood, or violate the spirit and intent of the Code; on the following described property:

NE/4, SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16982

Action Requested:
Special Exception to permit a public park in an RS-3 zoned district - SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICT - Use Unit 2, located 2802 West 48th Street South.

Presentation:
The applicant, City of Tulsa, was represented by Ross Weller, 707 South Houston, who submitted a plot plan (Exhibit C-1) and advised that numerous park improvements are proposed throughout the City. He informed that proposed construction at this location consists of adding outdoor gym equipment and paving a gravel parking lot.
Case No. 13545 (cont'd)

North 100' of Lot 1, Block 2, Villa Grove Park, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 13546

Action Requested:

Variance - Section 320 - Accessory Uses in the Agriculture District.
Use Unit 1205 - Request a variance to permit a 97 sq. ft. accessory sign in an AG zoned district, located at 6636 South Mingo.

Presentation:
The applicant, Union School District, was represented by Douglas Mann, 525 South Main, Tulsa, Oklahoma. He explained that the Union School District has been given a 97 sq. ft. sign by the Coca Cola Company to be used for advertising school activities and other events of a community nature. Mr. Mann submitted a plot plan (Exhibit E-1) and photographs (Exhibit E-2) to the Board. The lighted sign has a value of $45,000 and is 15' high and 19' long, with a small Coke advertisement in the corner.

Board Action:

On MOTION of VICTOR and SECOND by CLUGSTON, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to APPROVE a Variance - Section 320 - Accessory Uses in the Agriculture District - Use Unit 1205 - Request a variance to permit a 97 sq. ft. accessory sign in an AG zoned district; finding that the size of the lot is the hardship for granting a variance; per plans submitted; on the following described property:

NE/4 SE/4 of Section 1, T-18-N, R-13-E, N, City of Tulsa, Tulsa County, Oklahoma.

Case No. 13547

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request an exception to permit a church and related activities in a RS-2 zoned district, located on the SE/c of 135th East Avenue and 12th Street.

Presentation:
The applicant, Tulsa Gospel Chapel, was represented by Phil Moffett, 3531 South Richmond, who presented the Board with a map of the area (Exhibit F-1). Mr. Moffett submitted a site plan (Exhibit F-2) for the proposed building, and explained that the five acre tract borders 135th East Avenue and is approximately one block away from 11th Street which is a major arterial. He explained that the land has all utilities except for a sewer. Mr. Moffett pointed out that he had met with the Hydrology Department and they had indicated that a detention pond may be required. A petition (Exhibit F-3) in favor of the church was presented by Mr. Moffett. The proposed facility is to

05.02.85:438(7)
My Name is Tim Kelly and I live on E 67th CT just a 100 yards from the Highschool parking lot. Several of my neighbors along S 93rd E AVE and I are having issues with the kids Drag racing and Drifting, tires squeeling, engines racing and revving, running the obstacle courses and Drifting cars pretty much Friday and Saturday evenings during the school year from 10 to Midnight. More often in the summer months. You can look at the parking lot and clearly see the Cookie swirls in black rubber. I know the school is aware of this as well. Will you be adding spaces needing additional parking space. How about putting up some barriers to stop the racing? The race course is big enough!!

Tim Kelly
Vice President
CSI Group
918-266-1785
tim@csiofok.com