

**BOARD OF ADJUSTMENT**  
**MINUTES** of Meeting No. 1249  
Tuesday, April 28, 2020, 1:00 p.m.  
Tulsa City Council Chambers  
One Technology Center  
175 East 2nd Street

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Van De Wiele, Chair Bond, Vice Chair Ross, Secretary Radney Shelton		S. Miller Wilkerson Chapman Sparger N. Foster	Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on April 23, 2020, at 8:43 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Chair Van De Wiele called the meeting to order at 1:10 p.m.

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

The City Board of Adjustment was held by videoconferencing and teleconferencing via **GoToMeeting**, an online meeting and web conferencing tool. Board of Adjustment members and members of the public will be allowed to attend and participate in the Board of Adjustment's meeting via videoconferencing and teleconferencing by joining from a computer, tablet or smartphone using the following link:

**<https://www.gotomeet.me/COT5/board-of-adjustment-april-28th>**

The staff members attending remotely are as follows:

Ms. Burlinda Radney  
Mr. Dwayne Wilkerson, Tulsa Planning Office  
Ms. Audrey Blank, City Legal

The staff members attending in person are as follows:

Mr. Stuart Van De Wiele, Chair  
Mr. Austin Bond, Vice Chair  
Ms. Briana Ross, Secretary  
Ms. Jessica Shelton, Board Member  
Ms. Susan Miller, Tulsa Planning Office  
Mr. Austin Chapman, Tulsa Planning Office  
Ms. Janet Sparger, Tulsa Planning Office

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### **MINUTES**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the **Minutes** of the March 24, 2020 Board of Adjustment meeting (No. 1247).

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### **NEW APPLICATIONS**

#### **22901—W Design – Brian Letzig**

##### **Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 6333 East 120th Court South – Tenant Space: 6305 East 120th Court South, Suite D (CD 8)

##### **Presentation:**

The application has been withdrawn by the applicant.

##### **Interested Parties:**

There were no interested parties present.

##### **Comments and Questions:**

None.

##### **Board Action:**

No Board action required; for the following property:

**PRT LT 1 BEG 201.08N & 196E SWC LT 1 TH E404.97 S40.99 SW143.75 SW17.37 W28.57 SW29.01 W322.52 N201.08 POB BLK 1, CRESTWOOD VILLAGE, City of Tulsa, Tulsa County, State of Oklahoma**

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## **UNFINISHED BUSINESS**

### **22864—Charles Okyere**

#### **Action Requested:**

Special Exception to increase the maximum driveway width within the right-of-way and on the lot in an RS-2 District (Section 55.090-F.3). **LOCATION:** 2518 East 26th Street South (**CD 4**)

#### **Presentation:**

The applicant requests a continuance to June 9, 2020.

#### **Interested Parties:**

There were no interested parties present.

#### **Comments and Questions:**

None.

#### **Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Special Exception to increase the maximum driveway width within the right-of-way and on the lot in an RS-2 District (Section 55.090-F.3) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**PRT LT 6 BEG 90.2E NWC TH SLY115.8 E105 NLY113.6 W105 POB BLK 1, WOODY-CREST SUB, City of Tulsa, Tulsa County, State of Oklahoma**

### **22873—Carina Garcia**

#### **Action Requested:**

Special Exception to allow a manufactured housing unit in an RS-3 District (Section 5.020, Table 5-2); Special Exception to extend the time limit permanently (Section 40.210). **LOCATION:** 3811 South 27th West Avenue (**CD 2**)

#### **Presentation:**

The applicant has requested a continuance to June 9, 2020.

#### **Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Special Exception** to allow a manufactured housing unit in an RS-3 District (Section 5.020, Table 5-2); **Special Exception** to extend the time limit permanently (Section 40.210) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**S 1/2 LT 4 BLK 30, RED FORK, City of Tulsa, Tulsa County, State of Oklahoma**

**22877—Stephen Pedmia**

**Action Requested:**

**Special Exception** to allow a small (< 250-person capacity) Indoor Commercial Assembly & Entertainment use to serve or sell alcoholic beverages within 150 feet of a residential district (Section 15.020, Table 15-2 & Section 15.020-G, Table Note 2). **LOCATION:** 6622 South Lewis Avenue East (**CD 2**)

**Presentation:**

The applicant has requested a continuance to June 9, 2020.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Special Exception** to allow a small (< 250-person capacity) Indoor Commercial Assembly & Entertainment use to serve or sell alcoholic beverages within 150 feet of a residential district (Section 15.020, Table 15-2 & Section 15.020-G, Table Note 2) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**PRT NE SE BEG 250S & 50W SECR SE TH S292 W190 S98 W10 N390 E200 TO POB LESS BEG 2385.91N & 50W SECR SE TH W10 SE14.14 N10 TO POB SEC 6 18 14 .001AC, City of Tulsa, Tulsa County, State of Oklahoma**

**22879—J. R. Donelson**

**Action Requested:**

Variance of the parking area design standards to permit an existing gravel parking lot (Section 55.090). **LOCATION:** 5866 South 107th East Avenue **(CD 7)**

**Presentation:**

The applicant has requested a continuance to June 9, 2020.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Variance of the parking area design standards to permit an existing gravel parking lot (Section 55.090) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**N320 LT 13 & E26.39 N320 LT 14 LESS BEG 320.93 N SECR LT 14 TH NW81.04 S76.58 E26.39 POB BLK 2, GOLDEN VALLEY, City of Tulsa, Tulsa County, State of Oklahoma**

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**NEW APPLICATIONS**

**22904—Sierra Russell**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).  
**LOCATION:** 6373 East 31st Street South, Suite J **(CD 5)**

**Presentation:**

**Sierra Russell**, (present by phone) 6373 East 31st Street, Suite J, Tulsa, OK; no formal presentation was made by the applicant.

Mr. Van De Wiele asked Ms. Russell if she was in agreement with the continuance until June 9th. Ms. Russell answered affirmatively.



**Interested Parties:**

**Donyale Stancle**, (present in chambers) 6125 East 31st Street, Tulsa, OK; stated Ms. Russell is trying to open a dispensary within a 1,000 feet of his dispensary.

Mr. Van De Wiele asked if he was the applicant that has the dispensary down the street. Mr. Stancil answered affirmatively.

Mr. Van De Wiele stated that BOA-22904 has requested to be continued to June 9th and informed Mr. Stancle that he certainly can come back June 9th but there will be no action taken on BOA-22904 today.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**BEG 330W & 50N SECR SE TH W108 N147 E108 S147 POB SEC 15 19 13, City of Tulsa, Tulsa County, State of Oklahoma**

**22902—Lamar Outdoor Advertising**

**Action Requested:**

Verification of the spacing requirement for an outdoor advertising sign with a dynamic display (Section 60.100-K). **LOCATION:** 10025 East 44th Place South (CD 7)

**Presentation:**

The applicant has requested a continuance to June 9, 2020.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Verification of the spacing requirement for an outdoor advertising sign with a dynamic

display (Section 60.100-K) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**PRT TR IN SE NW ADJ LT 1 & PRT LT 1 BEG 200N SWC LT 1 TH N APR 142.37 E18 N160 W18 N142.33 SE217.90 SE90.74 S303.33 W275.03 POB BLK 1 SEC 30 19 14 .33AC, IDEAL BRICK INDUSTRIAL TRACTS, City of Tulsa, Tulsa County, State of Oklahoma**

**22882—M. D. Hossain**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 4604 North Lewis Avenue East (CD 1)

**Presentation:**

**M. D. Hossain**, (present by phone) 4948 North Peoria Avenue, Tulsa, OK; no formal presentation was made but the applicant was present for any questions from the Board.

Mr. Van De Wiele stated the Board has the applicant's spacing exhibit in the agenda packet showing the subject location. Mr. Van De Wiele asked Mr. Hossain if he was aware of any other dispensaries or licensed dispensaries within a 1,000-feet of his location. Mr. Hossain stated there is none.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

**W.125' E.140' OF N.150 LOT8 BLK1, NORTH HIGHLAND ACRES ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22887—Michelle Lam**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 8706 East 41st Street South (CD 7)

**Presentation:**

**Michelle Lam**, (present by phone) 8706 East 41st Street, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board has the applicant's spacing exhibit on page 7.1 in the agenda packet showing the subject location. Mr. Van De Wiele asked Ms. Lam if she was aware of any other dispensaries or licensed dispensaries within a 1,000-feet of his location. Ms. Lam stated there is none.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

**LTS 12 THRU 15 BLK 2, SOUTHPLACE INDUSTRIAL PARK, City of Tulsa, Tulsa County, State of Oklahoma**

**22896—Jennifer McCorkle**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 6549 East 40th Street South – Tenant Space: 6565 East 40th Street South, Suite A (CD 5)

**Presentation:**

**Jennifer McCorkle**, 6565 East 40th Street, Suite A, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board. Ms.



McCorkle stated through "Chat" that she has been unable to mute her speaker. Mr. Chapman stated he can read Ms. McCorkle's responses.

Ms. Radney asked Mr. Chapman about the measurement of 1,006.1 feet shown on Exhibit 8.9 in the agenda packet. Mr. Chapman that was used for a map that INCOG had publicly available and he would not consider it to be INCOG's measurement necessarily. Mr. Chapman stated that he did have the Mapping Department run the measurement through their system and it is shown on Exhibit 8.5, showing 1,005 feet. Mr. Chapman stated that he believes the measurement is close but if the Board were to request a survey that is certainly possible.

Mr. Van De Wiele asked Mr. Chapman about who provided Exhibit 8.9 that Ms. Radney is asking about. Mr. Chapman stated provided that exhibit.

Ms. Radney asked the Board what was decided about the requests that have a very narrow tolerance. Mr. Van De Wiele stated that from his standpoint he is more comfortable with the Exhibit 8.5 that was run by INCOG; it is obviously close, but 1,005 feet is more than 1,000 feet.

Ms. Ross stated that in the past when the Board has discussed about measurements that were really close like this one, it was only the applicant providing the spacing measurement and the Board had discussions about verifying that the measurement was accurate. Ms. Ross stated that if INCOG is providing the measurement and it is also over 1,000 feet she will vote to approve the request.

Mr. Bond agreed with Ms. Ross.

Mr. Van De Wiele stated that the other part of this is if it turns out to be less than 1,000 feet then the applicant has done so at their own peril.

Mr. Chapman stated that INCOG has mapping programs that are publicly available on-line and the applicant used the measurement from that program on-line.

Mr. Van De Wiele asked Ms. McCorkle if she was aware of any other dispensaries within 1,000 feet of the proposed location, either those that are open for business or other licensed facilities.

Ms. Blank stated that for the benefit of the citizens that are joining the meeting by phone it would be helpful if Mr. Chapman would read aloud the Chat messages that are being received from the applicant. Mr. Chapman stated that he has been doing that.

Mr. Chapman stated Ms. McCorkle responded that she is not aware of any other dispensaries within 1,000 feet, either any that are open for business or that are licensed.

**Interested Parties:**

**Alan Soleyman**, 8888 South Lewis, Tulsa, OK; stated he does not have anything in that area but he has tried to get a dispensary that are really close on that mark, in between 990 feet and 1,000 feet and he was told that it was not allowed. Later on he saw someone open a dispensary in a location that was super close like that, he thinks in trying to protect some of the dispensaries that are already open and trying to get some fluidity and figuring out how far things are he thinks a survey should be pulled for places this close. Mr. Soleyman stated he does have other dispensaries so he thinks it would benefit everyone if they were pulled and accept for them to open than need to go back and close everything. Mr. Soleyman thinks it would benefit everyone if surveys were pulled for things that are that close.

**Comments and Questions:**

Ms. Ross does not think that is a bad idea, but her question would be how much are the surveys? She does not want to make unnecessarily spend a \$1,000 for a survey. If it is only \$200 it may be worth it to have a survey.

Mr. Bond asked what the tolerance is of the data. Mr. Chapman stated that the map measurement gets into the topography of the area and that sometimes can sometimes deflect those maps. Typically, when the Board continued a case in the past it was because they were not satisfied with the exhibit presented and not necessarily with the validity of the data. The Board has had surveys presented but those are usually presented with the application before coming to the hearing. Mr. Bond stated he is okay with this application; it is 1,005 feet. The way these motions are written the burden ultimately is going to be on the applicant.

Mr. Chapman read the Chat response from Ms. McCorkle; we do not believe a survey is necessary as we have used the map tool provided by INCOG as well as an additional map. Both show the location as being more than 1000 feet. A survey is not required by City Ordinance for "close" measurements. The evidence submitted here does demonstrate that the dispensary meets the legal standard.

Mr. Van De Wiele stated he is of the same opinion. His recall about the cases the Board has had issues with is where there is a circle and a person tell visually looking at the map that the site is not in the center of the circle. He does not know what the level would be that he personally would say the applicant needs to obtain a survey, to him it is more of a policy and procedure for INCOG. The Board could certainly make suggestions and some requests that if a site is within a certain tolerance. In his opinion that is somewhat the Board rewriting the Zoning Code, and he would not support that. The way the motion is read, if this turns out to be 998 feet than the applicant has a problem. The applicant knows that going into it and he personally does not have a problem with those results or consequences if they come about. If the applicant is willing to bear that risk, then so be it.

Ms. Ross and Ms. Shelton agreed.

Ms. Radney stated she is not comfortable with a measurement that is within less than 1% tolerance. When it is that close it is incumbent on the applicant to provide a little bit better data representation. I am somewhat persuaded in this particular case by the INCOG map that is shown on page 8.9, but in the interest of being uniform in that feeling she is going to vote no on this case. She does think that when it is less than 1%, ten feet out of a thousand, that is just too close to be utilizing these tools which were not designed for this purpose, so she will be a no vote.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 4-1-0 (Bond, Ross, Shelton, Van De Wiele "aye"; Radney "nay"; no "abstentions"; none absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

**LT 6, 7, 8 BLK 1, EXPRESSWAY INDUSTRIAL AND COMMERCIAL CENTER ADDN,  
City of Tulsa, Tulsa County, State of Oklahoma**

**22899—Matt King**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 7103 East Pine Street North (CD 3)

**Presentation:**

**Matt King**, (present by phone) 108 North Greenwood, Tulsa, OK; no formal presentation made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board is in receipt of a variety of spacing exhibits, seen on page 9.1, 9.8 and 9.5 in the agenda packet.

Mr. Van De Wiele asked Mr. King if he was aware of any other licensed dispensary, either open or a license holder within 1,000 feet of the subject location. Mr. King stated that he is not; he is the Architect and he did an analysis as did the owner.

Mr. Van De Wiele stated that in looking at exhibit 9.5 the closest dispensary is shown at 8,036 feet and the other dispensary is 8,990 feet away, correct? Mr. King answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

**S264 W165 SE SE SW SEC 26 20 13, City of Tulsa, Tulsa County, State of Oklahoma**

**22900—Alan Soleyman**

**Action Requested:**

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

**LOCATION:** 8888 South Lewis Avenue East (**CD 2**)

**Presentation:**

**Alan Soleyman**, (present in chambers) 8888 South Lewis, Tulsa, OK; no formal presentation made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board has the spacing exhibits on pages 10.1, 10.8 and 10.5 of the agenda packet. Mr. Van De Wiele asked Mr. Soleyman if he was aware of any dispensaries licensed or open for business within 1,000 feet of the proposed location. Mr. Soleyman answered that he did not know of any.

Mr. Van De Wiele stated that on page 10.5 the nearest dispensary appears to be about 1,700 feet away. Mr. Soleyman answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; "nay"; no "abstentions"; none absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void



should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

**LT 1 BLK 1, LEWIS CENTER WEST PRT RSB PRT L1B1 SO VILLA MOBILE PARK,  
City of Tulsa, Tulsa County, State of Oklahoma**

**22910—Crystal Stark**

**Action Requested:**

Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other package stores (Section 40.300-A&B). **LOCATION:** 8016 South Memorial Drive South- Tenant Space: 8030 S. Memorial Drive Suite B **(CD 8)**

**Presentation:**

The applicant was not present. Mr. Van De Wiele moved this case to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.

**22888—Peter Picorale**

**Action Requested:**

Variance to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (Section 90.090-C.2, Table 90-2). **LOCATION:** 2149 South Darlington Avenue East **(CD 5)**

**Presentation:**

**Peter Picorale**, 21240 East 44th Street, Broken Arrow, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board is in receipt of correspondence from at least one neighbor, Mr. Boyd, that appears to be objecting the request.

Mr. Picorale stated he purchased the property about a year ago with the intent to retire and build a shop there. At that time, he did contact INCOG and he was told the only requirement was the 7'-6" easement at the rear of the property, so he assumed he build



a shop. When he applied for the building permit, he was told that he could not build within 20 feet of the fence line, now he is before the Board requesting a Variance so he can build up to the easement and put a shop in. He has an old car and an airplane that he has been working on for awhile and that is his retirement plan.

Mr. Van De Wiele asked Mr. Chapman how large a shop would be allowed and how large is the shop requested? How much of a Variance is being requested? Mr. Chapman stated Mr. Picorale is asking for a 700 square foot building and he is allowed by right a 469 square foot building. If he had the opportunity to move his building out of the setback, he could mitigate some of that need for relief. Mr. Chapman stated that in the rear setback which is the rear 25 feet Mr. Picorale is able to cover 469 square feet of the rear setback by right, and he is requesting to cover 700 square feet of the rear setback.

Mr. Van De Wiele asked Mr. Chapman if he is wanting to cover it with an 800 square foot building. Mr. Chapman answered affirmatively. Mr. Chapman stated the 100 feet would be outside of the setback. Mr. Van De Wiele asked if anything above the 25-foot setback does not count against his coverage. Mr. Chapman answered affirmatively. Mr. Van De Wiele if it was only that which is between the 25-foot line and the applicant's rear property line. Mr. Chapman stated the issue is that it is covering in the setback, so it is not necessarily the size of the building compared to the primary residence.

Mr. Van De Wiele asked Mr. Picorale to tell the Board what is unique about the property, what is the hardship to grant the request. Mr. Picorale stated that he has health issues, his wife cannot legally drive, and his sister-in-law lives one block west of the subject property and at a later date she too will need transportation. He would like to have a place to build his car in.

Ms. Shelton asked Mr. Picorale what the proposed distance between the existing two-car garage and where the building is going to go. Mr. Picorale stated that it will be about five feet from the edge of the garage to the edge of the building. Ms. Shelton asked if moving the proposed building closer to the house would be possible. Mr. Picorale stated that he may be able to move it a foot or two but then there would be no access between the two structures.

Ms. Shelton asked Mr. Picorale if the 20 x 40 shop building would all be taken up by the plane, is that size necessary? Mr. Picorale stated the airplane is pretty big. Mr. Picorale stated he has several cars, but he is getting ready to liquidate them.

Ms. Shelton asked Mr. Picorale how he proposed to get the plane back to the proposed shop. Mr. Picorale stated the plane is disassembled presently.

Mr. Van De Wiele asked Mr. Picorale if he was going to rebuild the airplane and reassemble it? Mr. Picorale stated he is building the plane from scratch and it is about 85% complete.

Ms. Radney asked Mr. Picorale why the 20-foot depth is critical to the size and the dimensions of the building? Mr. Picorale stated that the airplane assembled has about a 30-foot wingspan, so in the shop the plane has to be at a 45-degree angle to be in the building and that will take up most of the building.

Mr. Van De Wiele stated that the issue is how much of that area to the right of the 25-foot setback that can be taken. It may not be ideal but is it possible to rotate the building so that its running 90 degrees to the way it is proposed? Mr. Picorale stated that would block off the driveway and the access into the house garage.

Ms. Radney asked Mr. Picorale why the building could not be attached to the house. Mr. Chapman stated that if the building is attached to the house that would violate the building setbacks, because only an attached accessory building is on plat at the end of the setback. Mr. Van De Wiele stated that any attached building cannot be put in the setback. Mr. Chapman stated that is correct. Once a building is attached the applicant would be violating another provision of the Code.

Mr. Bond asked Mr. Picorale if the building could be moved to the west which would allow the building to be moved to the north by a few feet. Mr. Picorale stated he could probably bring it north; he may be able to move it closer to the existing structure.

Mr. Picorale stated there are several other buildings in the neighborhood that are a lot closer than the 20 feet.

Mr. Van De Wiele asked Mr. Chapman to display page 15.10 on the overhead projector, stating there are outbuildings across the street, but he is not seeing anything to the scale of 800 square foot building. Mr. Picorale stated that one block west of the subject site there is a very large steel building and he stated he had pictures. Mr. Van De Wiele asked Mr. Chapman to display the pictures on the overhead projector, and Mr. Picorale explained to the Board what the pictures were depicting.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Ms. Ross stated that she is a no. It's not because of the desire for an outbuilding, she can clearly see there are other outbuildings in this neighborhood, but the ones she sees are on much larger lots. When she looks at Exhibit 15.10 it depicts there is barely a back yard as it is, and to fill that up with a very large building she doesn't hear a hardship for that. She hears a desire to work on hobbies which she thinks are great hobbies, but with an objection and no hardship she does not think she can vote yes on the request.

Mr. Bond agreed with Ms. Ross. If there were some unique things to this property, but he doesn't see the need for an outbuilding. He wishes he could build an airplane; it sounds like an amazing hobby and he hopes the applicant can figure something out.

Mr. Van De Wiele thinks that what is driving the majority of this sounds like the wingspan of an airplane. These are not terribly big lots he doesn't know if there is room for that. If this were half the size of this building it would be a 20 x 20 you may be able to do it by right, but his concern is the same as Ms. Ross. When he looks at the images, he does not see a lot of room period. An 800 square foot building would dominate this, and he does not see a hardship for it.

Ms. Shelton it is not that she is against the outbuilding, she is just against one this size. When she looks at the aerial on page 15.10, she cannot imagine how that would look or function in that back yard. She did take note of the one letter received about their concerns, and she thinks the culmination of those two things she is also a no.

Ms. Radney stated she does not have the same degree of objection the other Board members do; she would be inclined to accept it rather than decline it. She does not have any argument to argue for it. She does not think it is that large of a Variance. It is already a big building and the lot is not the largest lot but 75 x 122 is still a decent sized lot in the City of Tulsa. She does not have an issue in principle, but she also observes that the neighbor did voice an objection.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 4-0-1 (Bond, Ross, Shelton, Van De Wiele "aye"; no "nays"; Radney "abstaining"; none absent) to **DENY** the request for a Variance to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (Section 90.090-C.2, Table 90-2) finding no hardship; for the following property:

**LT 2 BLK 3, DARLINGTON HILLS ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**Mr. Chapman informed Mr. Van De Wiele that Ms. Crystal Stark is now online.**

**22910—Crystal Stark**

**Action Requested:**

Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other package stores (Section 40.300-A&B). **LOCATION:** 8016 South Memorial Drive South – Tenant Space: 8030 S. Memorial Drive Suite B (**CD 8**)

**Presentation:**

**Crystal Stark**, 8040 South Memorial Drive, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board is in receipt of the applicant's spacing exhibit on pages 14.8 and 14.7 in the agenda packet. The only other regulated use in the list of items to be spaced from is the applicant's existing liquor store that is near the corner of 81st and Memorial. Mr. Van De Wiele asked Ms. Stark if she was moving that store. Ms. Stark answered affirmatively.

Mr. Van De Wiele asked Ms. Stark if she would have two liquor stores opened at the same time in the 300-foot radius. Ms. Stark stated that she would not.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing to permit the package store subject to the action of the Board being void should another package store or other conflicting use be established prior to the establishment of this package store. The existing package store within 300 feet of the proposed package store must be closed prior to the subject package store opening for business; for the following property:

**LT 2 BLK 1, SWEETBRIAR EAST, KENNEDY-WALKER CENTER, City of Tulsa, Tulsa County, State of Oklahoma**

**22891—Matt Jenkins**

**Action Requested:**

Variance to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Section 45.030-B); Variance to permit a detached accessory structure to be located in the street setback (Section 90.090-C); Variance to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Section 90.090.C).

**LOCATION:**                    2828                    West                    78th                    Street                    South  
(CD 2)

**Presentation:**

**Matt Jenkins**, 2828 West 78th Street South, Tulsa, OK; stated he would like to build a 50 x 40 shop. He lives on 2.3 acres and the shop is about 500 feet shy of what would be allowed in the RS-3 District.



Ms. Ross asked Mr. Jenkins if he had an existing structure on the property. Mr. Jenkins stated he did have an 1,100 square foot building but he plans on removing it.

Mr. Van De Wiele asked Mr. Jenkins how large his primary residence is. Mr. Jenkins stated that it is over 4,000 square feet with the attached garage.

Mr. Van De Wiele asked Mr. Chapman how large a building would Mr. Jenkins be allowed by right. Mr. Chapman stated that Mr. Jenkins would be allowed 1,550 square feet for an attached structure.

Mr. Jenkins stated that in the area there are houses that have shops that are larger than the house.

Mr. Bond asked Mr. Jenkins if he would be placing the proposed building on top of the former structure. Mr. Jenkins stated that he will be moving the new structure farther east and little farther south off the road.

Mr. Van De Wiele asked Mr. Jenkins if he had any communications with his neighbors about the proposed building. Mr. Jenkins stated that he spoke with the neighbor directly across the road and he has no concerns.

Mr. Jenkins stated that even though the building is classified as a shop he will have it built to compliment the house.

Ms. Shelton asked Mr. Chapman if Mr. Jenkins needed to request the second Variance if he is outside the street setback line. Mr. Chapman stated Mr. Jenkins is 26 feet from his property line, therefore, he would not which was discovered after extensive research.

Mr. Van De Wiele asked Mr. Jenkins how tall the proposed building would be. Mr. Jenkins stated that it will be 12 feet at the top plate.

Ms. Ross asked for a hardship for the request. Mr. Van De Wiele stated that in these parts of Tulsa with these size of lots, contrary to the one just reviewed, from an acreage standpoint it is a different Variance request. Mr. Van De Wiele stated that from his historical view it has been the size of the lot and the more rural nature of the area.

Ms. Shelton stated the applicant provided a statement of hardship, "the area is agricultural in nature and was developed prior to the City's Comprehensive Plan".

Mr. Jenkins stated that in his neighborhood he can opt into the agricultural zoning. Mr. Chapman stated that City Council has initiated a new zoning district, Agricultural-Residential, which calls for one-acre lots. It was designed for this part of southwest Tulsa where there are 2.5 to 5 acre lots that are not part of a formal subdivision plat but were platted out at one point. There has been a big demand to force people to not



allow further lot splits, so the City initiated the new zoning and people can opt in to rezoning their property to AG-R if they have property that is RS-3 in that area.

Mr. Van De Wiele asked Mr. Chapman what that does for the applicant in regard to an outbuilding size, does it change the 40%? Mr. Chapman stated that believes for the AG-R it is similar to the agricultural district that allows for larger sized detached structures.

Mr. Van De Wiele asked Mr. Jenkins if was going to put rock around a portion of the building. Mr. Jenkins answered affirmatively and stated that it will be like wainscoting and the remainder of the wall would be metal the same color as the house. Mr. Jenkins stated the proposed building would have a metal roof, but it will be a color that would match the house.

Ms. Shelton asked Mr. Jenkins what his plans were for the building because he was exceeding the height. Mr. Jenkins stated that it is the door height so he can pull things into the building. He plans to store equipment in the shop.

Mr. Van De Wiele asked Mr. Jenkins if he would be operating a business out of the building. Mr. Jenkins stated that he would not.

Mr. Van De Wiele asked Mr. Jenkins if he would like to withdraw the second Variance request since it is not needed. Mr. Jenkins stated that he would withdraw that Variance.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Variance** to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Section 45.030-B); **Variance** to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Section 90.090.C), subject to conceptual plans 16.9 and 16.10 of the agenda packet. The Board has found the hardship to be the rural nature of the area, the size of the lot, and the zoning changes that are intended to return this to more of an agricultural area. The accessory building is to have a similar finish and color as the main residence with at least four feet of rock or brick around the bottom of the entire building. In granting the Variance 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:

**SE SE NW SW LESS N25 THEREOF FOR RD SEC 10 18 12 2.31ACS, City of Tulsa, Tulsa County, State of Oklahoma**

**22893—Cameron C. Wallace**

**Action Requested:**

Variance to reduce the required 35-foot setback from an arterial street to 10 feet;

Variance to reduce the required 25-foot setback from a non-arterial street to 10 feet (Section 5.030, Table 5-3). **LOCATION:** South of the SW/c of East Archer Street and North Lewis Avenue East **(CD 3)**

**Ms. Shelton recused and left the meeting at 2:30 P.M.**

**Presentation:**

**John Droz**, (present by phone) 810 South Cincinnati, Tulsa, OK; stated that he is requesting to reduce the setbacks along Lewis and Gillette to accommodate the multi-family housing that is being built by Habitat for Humanity. There will be ten feet of right-of-way will be dedicated along Lewis, so essentially there is not as much of a Variance requested as it looks like. In the client's opinion, this helps bring some of the Whittier Heights neighborhood from across the highway and start to tie into this north side of the highway. We started to run out of internal space based on fire spacing and have had to place a private street through the property. That is the essence of the hardship for this request.

Mr. Van De Wiele asked Mr. Droz if he was reducing from 35 feet to 10 feet along Lewis and from 25 feet to 10 feet along North Gillette. Mr. Droz answered affirmatively.

Mr. Van De Wiele asked if those would be the fronts of the multi-family units? Mr. Droz answered affirmatively stating that it would be along both streets.

Mr. Van De Wiele asked Mr. Droz if the driveways or garages would be rear facing toward the interior. Mr. Droz stated all the garages and parking will be internal to the site.

Mr. Van De Wiele asked Mr. Droz if this was to achieve the Main Street feel along Lewis and Gillette. Mr. Droz answered affirmatively.

Mr. Van De Wiele asked Mr. Droz to state the hardship for his request. Mr. Droz stated that he does not have room and want to bring the feel of the neighborhood across the street. If the units were to be set back 35 feet from the new right-of-way that is being dedicated, with the 10-foot right-of-way dedicated along Lewis, it would not feel like the townhouse walkable feel that is being sought. It would in essence be single family all conjoined houses setting over 50 feet from the edge of the road.

Mr. Van De Wiele asked Mr. Droz if the other properties along Lewis were predominantly situated more out toward Lewis with sidewalk fronting and big yard space like the site is wanting to achieve? Mr. Droz answered affirmatively.

Mr. Van De Wiele asked Mr. Droz if there was going to be a private drive along the north side of the subject property. Mr. Droz answered affirmatively stating that it would be between the multi-family assisted living and it will be on the north side of the property, between the two properties there will be a private roadway.

Mr. Van De Wiele if that was the property that fronts on Archer and is under development right now. Mr. Droz answered affirmatively.

Mr. Van De Wiele if the property being built located similarly to what the subject property is being planned to build? Mr. Droz answered no and stated that he believes it will be a three-story building and it is set off the road. Mr. Droz stated that after the right-of-way is dedicated the subject building will be 16 feet from the base of the buildings to the new right-of-way.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-1 (Bond, Radney, Ross, Van De Wiele "aye"; no "nays"; Shelton "abstaining"; none absent) to **APPROVE** the request for a **Variance** to reduce the required 35-foot setback along North Lewis Avenue and East



Admiral Place reduced to 10 feet; Variance to reduce the required 25-foot building setback from North Gillette Avenue to 10 feet (Section 5.030, Table 5-3), subject to conceptual plans 17.7 and 17.8. The Board has found the hardship to be the redevelopment of the Kendall Whittier neighborhood and the dedication of land to achieve continuity within the existing neighborhood. In granting the Variance 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:

**A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01°06'54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR 242.74 FEET; THENCE SOUTH 88°53'06" WEST FOR 117.24 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 01°06'54" EAST FOR 108.03 FEET; THENCE SOUTH 88°53'06" WEST FOR 95.00 FEET; THENCE NORTH 01°06'54" WEST FOR 58.03 FEET; THENCE SOUTH 88°53'06" WEST FOR 107.06 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01°06'54" WEST ALONG SAID WESTERLY LINE FOR 50.00 FEET; THENCE NORTH 88°53'06" EAST FOR 202.06 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. SAID TRACT OF LAND CONTAINING 0.358 ACRES, OR 15,617 SQUARE FEET, MORE OR LESS. AND A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01°06'54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR**

242.74 FEET; THENCE SOUTH 88°53'06" WEST FOR 10.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 01°06'54" EAST PARALLEL WITH AND 10.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 127.84 FEET; THENCE NORTH 88°53'06" EAST FOR 5.00 FEET; THENCE SOUTH 01°06'54" EAST PARALLEL WITH AND 5.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 133.93 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 20 OF SAID BLOCK 4; THENCE SOUTH 89°39'49" WEST ALONG THE SOUTHERLY LINE OF LOTS 20 AND 31 OF SAID BLOCK 4 FOR 207.12 FEET; THENCE NORTH 80°49'36" WEST FOR 108.94 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01°06'54" WEST ALONG SAID WESTERLY LINE FOR 189.50 FEET; THENCE NORTH 88°53'06" EAST FOR 107.06 FEET; THENCE SOUTH 01°06'54" EAST FOR 58.03 FEET; THENCE NORTH 88°53'06" EAST FOR 95.00 FEET; THENCE NORTH 01°06'54" WEST FOR 108.03 FEET; THENCE NORTH 88°53'06" EAST FOR 107.24 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. SAID TRACT OF LAND CONTAINING 1.478 ACRES, OR 64,382 SQUARE FEET, MORE OR LESS., City of Tulsa, Tulsa County, State of Oklahoma

Ms. Shelton re-entered the meeting at 2:40 P.M.

**22894—Jorge Fernandez**

**Action Requested:**

Special Exception to increase the maximum driveway width, within the right-of-way and inside the street setback. (Section 55.090-F.3). **LOCATION:** 3747 South 152nd Avenue East **(CD 6)**

**Presentation:**

**Jorge Fernandez**, 3119 South 145th East Avenue, Tulsa, OK; he would like to have an extension for an existing driveway. The homeowners have several work trucks and six cars and currently they are parking most of them on the street.

Mr. Van De Wiele asked if everything colored pink on exhibit page 18.8 would be paved. Mr. Fernandez answered affirmatively. Mr. Van De Wiele asked if that would be all the way to the property line. Mr. Fernandez answered affirmatively.

Mr. Chapman stated that the applicant will not be adding any more curb cuts and the width that the applicant is only concerned about is within the street setback, not the right-of-way.

Mr. Van De Wiele asked Mr. Chapman how much is within the street setback? Mr. Chapman stated that it would be all of it. Mr. Chapman stated that it is all within the street setback, and the pink is all on the owner's property, so it is within his lot.



Ms. Ross stated that they are also looking to place that over utility easements. Mr. Chapman stated that he thinks the applicant may be able to do that through a construction agreement. There is not relief that the Board has to grant that. Ms. Ross stated that will be a problem when the owner goes to resell.

Mr. Van De Wiele asked Mr. Chapman what the maximum driveway width would be allowable? Mr. Chapman stated that it would be 30 feet. Mr. Chapman stated that he spoke with the applicant yesterday and the total width is going to be 36 feet.

Mr. Fernandez stated that he is looking for an additional 14 or 15 feet, and the current drive is about 16 feet. Mr. Van De Wiele stated that the applicant has 16 feet for a drive plus asking for another 16 feet so that would be 32 feet total, and they are allowed 30 feet. Mr. Chapman confirmed Mr. Van De Wiele's statement.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Ms. Ross stated she is not in favor of this. She knows the area and she is familiar with the houses that are built there, there are no three-car garages. To extend a driveway when there is no three-car garage and it is going to be used to house a bunch of work trucks and cars, she thinks that is injurious to the neighborhood. If a person has six cars and has a two-car garage, she is not sure why you would buy a house with a two-car garage with that many vehicles, but she can say because of driving by the area all the time that is not the norm in the neighborhood.

Mr. Van De Wiele asked Ms. Ross if she would still think that way because it was only a two-foot Variance. Ms. Ross answered affirmatively stating because that extra space will constantly be filled up with cars and vehicles as opposed to an entrance to a third car garage.

Mr. Bond stated the extra space would keep the vehicles off the street. Ms. Ross stated that the extra space is not going to hold six vehicles. These vehicles will be angle parked and this is a brand-new subdivision.

Mr. Van De Wiele stated that by granting this, if the Board conditioned it on not widening the curb cut. He would rather see this with a narrower curb cut than a 27-foot curb cut. Right now, there is maybe an 18-foot, or 20-foot curb cut, and he would rather see a little wider driveway on a narrower curb cut than a 30-foot wide driveway on a 27-foot wide curb cut. To Ms. Ross's point if the applicant concreted all the way to the property line there will be cars hanging over the property line.

Ms. Ross stated that she does not think the owner's of this property understand that when they concrete over an easement and they want to sell this property it is going to show up as an encroachment, and it won't be insurable for title insurance purposes. This hurt the value of the property to cover up an easement.

Ms. Radney stated this is not her favorite thing, but what she also recognizes in this neighborhood is that today's property owners do tend to have many more vehicles than the 2.1 vehicles, and vehicles are bigger than they used to be. Ms. Radney asked if the applicant would be parking a trailer in the area.

Mr. Van De Wiele asked Mr. Fernandez to come back to the microphone and asked him about the area that is behind the existing fence. Mr. Fernandez stated his client wanted that area for the trash containers. Mr. Van De Wiele asked Mr. Fernandez if the fence was going to be moved. Mr. Fernandez answered no and stated that his client intends to keep the gate. Mr. Van De Wiele asked Mr. Fernandez if part of the concrete being discussed was going to be behind the fence. Mr. Fernandez answered affirmatively.

Ms. Radney stated that what is objectionable to her about this is the aesthetics, it is just a great big concrete rectangular blob, but a person does often see in other subdivisions turn-out drives. If this were more stylistically drawn she thinks she would less of an emotional negative response, truth be told this is on a corner and she is sympathetic to the fact that if the Board does not grant the Variance that the neighbors would later object to a lot of cars being parked along the driveway. On the basis of that, she is willing to grant this to the applicant.

Ms. Shelton stated that she thinks the applicant is asking for more than two feet, she thinks he is asking for closer to six feet. She agrees with Ms. Radney, she will vote for this, but she does not like it. She would like to see it kept off the north property line and center it on where it is now.

Mr. Bond stated that before he was thinking this is just two feet, but he has done a 180. This is a house 41 feet across and if they have 30 feet use by right that would be enough in this situation.

Mr. Van De Wiele stated he does not know he would want to see cars parking in front or to the right of the driveway. He would not vote for this to go all the way to the property line, he would want to keep it at least a foot off the property line to prevent this creeping over the property line. He wouldn't want it to connect to the sidewalk because he does not want people to park on the sidewalk, and he wouldn't want the curb cut widened.

Mr. Van De Wiele stated the Board has seen another case similar to this in a different part of the city where the Board has given an applicant an opportunity to come back with a better and different plan; something closer to use by right. Mr. Van De Wiele stated that what the Board seems to be headed toward is continuing this case until the next meeting to give Mr. Fernandez an opportunity to go back to the drawing board and tweak the plan. Mr. Van De Wiele asked Mr. Fernandez if he would like to continue this case to June 9, 2020. Mr. Fernandez answered affirmatively.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a **Special Exception** to increase the maximum driveway width, within the right-of-way and inside the street setback. (Section 55.090-F.3) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**LOT 1 BLOCK 10, CROSSING AT BATTLE CREEK PHASE II BLOCKS 7-13, City of Tulsa, Tulsa County, State of Oklahoma**

**22895—Israel Sanchez**

**Action Requested:**

**Variance** to reduce the required 25-foot street setback in an RM-1 District (Section 5.030, Table 5-3). **LOCATION:** 119 North Wheeling Avenue East (**CD 3**)

**Presentation:**

The applicant was not present. Mr. Van De Wiele moved this item to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.

**22897—Dustin Alphin**

**Action Requested:**

**Special Exception** to allow a fence to exceed 4 feet in height in a front street setback (Section 45.080-A); **Variance** to permit a structure in the City of Tulsa right-of-way or planned right-of-way along East Admiral Place North (Section 5.030-A, Table 5-3 & Section 90.090-A). **LOCATION:** 10623 East Admiral Place North (**CD 3**)

**Presentation:**

**Dustin Alphin**, 17697 South 49th West Avenue, Mounds, OK; stated his client has concerns with trespassers on his property, so he built a fence in line with his neighbor's fence. He has built the columns but not the actual fence sections. His client plans to have chain link sections, but he was stopped by the City.

Mr. Van De Wiele asked Mr. Alphin if the columns depicted on exhibit 20.10 are between five and six feet tall, and the entry way wall is somewhere between 5'-6" and 9'-0" tall with a 5'-0" chain link fence. Mr. Alphin answered affirmatively.

Mr. Van De Wiele asked Mr. Alphin to explain the 9'-0" tall entry way. Mr. Alphin stated the entryway is going to be a curved wall.

Ms. Ross asked Mr. Alphin if the property was a residence. Mr. Alphin answered affirmatively. Ms. Ross asked Mr. Alphin if the property to the west is a mobile home and RV sales business? Mr. Alphin answered affirmatively.

Mr. Van De Wiele stated the subject property is zoned commercial, but it has had a house on it forever.

Mr. Van De Wiele asked Mr. Alphin if there was a part of the concrete or stone wall that is 9'-0" tall or is it 6'-0" tall? Mr. Alphin stated that it is 6'-0" tall.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Mr. Bond stated this is a unique property with unique neighbors and a long history of being a house.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to allow a fence to exceed 4 feet in height in a front street setback (Section 45.080-A); **Variance** to permit a structure in the City of Tulsa right-of-way or planned right-of-way along East Admiral Place North (Section 5.030-A, Table 5-3 & Section 90.090-A), subject to conceptual plan 20.10 of the agenda packet. Exhibit 20.10 shows the height, measurements, and materials of the fencing. The fence is not to be solid or stockade in nature. The Board finds the hardship for the requested Variance to be the unique location of a residence surrounded by commercial properties not abutting other residences, and the fence is in line with the existing fence trajectory and neighbors. 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. In granting the Variance 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:

**W165 TR 1 LESS S50 FOR HWY & LESS BEG NWC TH E165 S174.04 SW175.08 SW51.05 WL N324.60 POB, SPRING GROVE SUB, City of Tulsa, Tulsa County, State of Oklahoma**

**22903—Elder Juarez**

**Action Requested:**

Special Exception to increase the maximum driveway width, within the right-of-way and inside the street setback. (Section 55.090-F.3). **LOCATION:** 10976 East 37th Street South (CD 2)

**Presentation:**

**Elder Juarez**, (present by phone) 10976 East 37th Street, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board is in receipt of the applicant's exhibit on page 21.10 of the agenda packet and asked the applicant if he wanted to build a 35'-0" wide driveway. Mr. Juarez answered affirmatively.

Mr. Van De Wiele asked Mr. Juarez if his current driveway was 27'-0" wide. Mr. Juarez answered affirmatively.

Mr. Van De Wiele asked Mr. Juarez to explain his need for a wider driveway. Mr. Juarez stated that he has a two-car garage that he has his car in along with work truck and occasionally he has to park the truck in the street or on the driveway. Mr. Juarez stated that his neighbor complained because they could not use the sidewalk, and if he is allowed to extend the driveway, he would be able to park his truck on that. Mr. Juarez stated that the street has so many cars parked on it that sometimes he cannot park in front of his own house.



Ms. Shelton asked Mr. Juarez how many cars would be parked outside. Mr. Juarez stated that he has a two-car garage. Ms. Shelton asked how many cars would be parked in the driveway. Mr. Juarez stated that he would be parking his truck in the driveway and the truck is what is causing the neighbors to complain.

Ms. Ross asked Mr. Juarez if he currently parked any cars in his garage. Mr. Juarez stated that he parks two cars in the garage. Ms. Ross asked Mr. Juarez if he had any other vehicles other than the work truck that need to be parked. Mr. Juarez sometimes he brings a trailer to the house and that is when the neighbors complain.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Mr. Bond thinks that 30 feet is a lot and he thinks the applicant could get along with 30 feet.

Ms. Shelton stated that she does not think the applicant's trailer is not photographed and it is hard for her to get her head wrapped around how he could park it. She is okay with this request because the circumstances are totally different from the last case.

Mr. Van De Wiele stated that page 21.12 there are at least three driveways that look to be wider than what was there originally. A wider driveway would allow for a more orderly parking and would not cause parking in the yard. He agrees that 30 feet is a lot of concrete but in an older more established neighborhood and he is sensitive to and agree with what the applicant is saying, there is probably a larger than normal percentage of utility and contractor type of vehicles. He has a different opinion on a brand-new neighborhood when a person buys into a brand-new neighborhood and the first thought is to need a wider driveway. To him that is a different animal; he would support this request.

Ms. Ross stated she is not in favor of this request. She could go for a 27-foot curb cut and a 30-foot driveway. A 30-foot driveway is equivalent to what a person would see in a house with a three-car garage, which this house does not have. She understands that there are other homes in the neighborhood with expanded driveways and she gets the need for it, but 30 feet is more than enough. The applicant already has an expanded driveway and the fact that the applicant is parked halfway in the yard is totally unnecessary because there is probably five feet between the car and the SUV in the driveway.

Mr. Van De Wiele asked Mr. Chapman what is the use by right on the lot? Mr. Chapman stated that it is 30 feet on the lot and 26 feet in the right-of-way.

**Board Action:**

On **MOTION** of **SHELTON**, the Board voted 3-2-0 (Radney, Shelton, Van De Wiele "aye"; Bond, Ross "nays"; no "abstentions"; none absent) to **APPROVE** the request for

a Special Exception to increase the maximum driveway width, within the right-of-way and inside the street setback (Section 55.090-F.3). The driveway is not to exceed 28'-0" within the right-of-way and is not exceed 33'-0" on the lot within the street setback. 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; for the following property:

**LT 3 BLK 12, SHANNON PARK SIXTH, City of Tulsa, Tulsa County, State of Oklahoma**

**22905—Clint Jones**

**Action Requested:**

Variance of the required parking spaces to permit a business office (Section 55.050-K); Variance of the Parking Area Design Standards to permit six non-conforming parking spaces (Section 55.090). **LOCATION:** 6287 East 38th Street South (CD 5)

**Ms. Ross recused and left the meeting at 3:51 P.M.**

**Presentation:**

**Clint Jones**, 6287 East 38th Street, Tulsa, OK; stated that he purchased the property and would like to change the usage from the current daycare facility to a business office. The property is landlocked so there is a limitation to the amount of parking spaces that can be had. There is the ability to add six parking spaces on the existing asphalt driveway thus the request for the Variance.

Mr. Van De Wiele asked Mr. Jones what the required parking spaces would be for the business office. Mr. Jones stated that would be 12 or 13 parking spaces for the square footage. Mr. Van De Wiele asked Mr. Jones if he thought six spaces would be sufficient for a 4,200 square foot office building. Mr. Jones stated that his business is a general contractor/builder and he primarily doesn't have customers in the office and if he does it is usually one at a time, sometimes he will have a sub-contractor or two in the office.

Mr. Van De Wiele asked Mr. Jones how many suites will the office be divided into or already divided into? Mr. Jones stated that currently the office is one suite, he has not done any of the fire separation to make the office two suites.

Mr. Van De Wiele asked Mr. Jones if he knew what the building had been historically used for. Mr. Jones stated that previously the building was used as a daycare. The property directly south of the subject building has been razed and there has been an 8,000 square foot retail facility just built on that property, and due east of the subject

property was a gas station and that owner has removed the fuel storage tanks and turning that property into more retail; the area is definitely up and coming.

Ms. Radney asked Mr. Jones if he had an easement granted to him for an emergency ingress or egress. Mr. Jones stated that currently the gas station location is a parking area and it is his understanding that the owner was going to extend his building. Mr. Jones stated that he did approach that owner about having a right-of-way there; he would have taken down the fence to the back yard portion because he has approximately 7,000 or 7,500 square feet there, and we would have entertained installing more parking spots but the owner would not give him access. There is 12'-0" width on the east side of the building and he entertained the installation of a one-way driveway there but the City told him he had to have 12'-0 wide lanes going in each direction to have a parking lot in the rear.

Mr. Van De Wiele asked Mr. Jones if there was 12'-0" on the other side of the building. Mr. Jones stated that there is not; there is a utility easement and there is about ten feet on the other side but due to the property on the west side about half of that area is four feet higher due to a retaining wall.

Ms. Shelton asked Mr. Jones if he was planning on installing just wheel stops for the parking spaces. Mr. Jones answered affirmatively. Ms. Shelton stated that she is in favor of that unless the parking spaces have to creep toward the street more, because she does not want people to back straight out of their space into the street. Mr. Jones stated people should be able to get turned around before entering the street because there are two curb cuts for two driveways on the left and right sides.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-1 (Bond, Radney, Shelton, Van De Wiele "aye"; no "nays"; Ross "abstaining"; none absent) to **APPROVE** the request for a Variance of the required parking spaces to permit a business office (Section 55.050-K); Variance of the Parking Area Design Standards to permit six non-conforming parking spaces (Section 55.090), subject to conceptual plan 22.16. The Board has found the hardship to be the existing structure and the existing parking lot. In granting the Variances 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:

**W75 OF S225 LT 1 BLK 1, WILMOT ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**Ms. Ross re-entered the meeting at 4:01 P.M.**

**22908—Jonathan Bradley**

**Action Requested:**

Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2). **LOCATION:** 3329 West 5th Street South (CD 1)

**Presentation:**

The applicant was not present. Mr. Van De Wiele moved this case to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

No Board action required at this time.



**22909—Eller & Detrich – Lou Reynolds**

**Action Requested:**

Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2). **LOCATION:** 8708 East 43rd Street South (**CD 7**)

**Presentation:**

**Lou Reynolds**, 2727 East 21st Street, Tulsa, OK; stated the subject property is the south side of 41st Street and east of Memorial tucked in near the Broken Arrow Expressway. The property was recently rezoned from IL to IM and was approved by the City Council. The property is located in an industrial complex and it also backs up to the railroad track. Across the railroad track is a large industrial facility. This property will not be injurious to the neighborhood and he would request the Board approve the requested Special Exception.

Mr. Van De Wiele asked Mr. Reynolds if the future use was discussed at the Planning Commission and/or City Council prior to changing the zoning? Mr. Reynolds answered affirmatively.

Mr. Van De Wiele asked Mr. Reynolds if there were any interested parties at that meeting that were objecting to this use? Mr. Reynolds stated there were not.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2), subject to conceptual plan 24.17 of the agenda packet. 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; for the following property:

**LT 20 LESS E0.5 S50.04 THEREOF BLK 1, SOUTHPLACE INDUSTRIAL PARK, City of Tulsa, Tulsa County, State of Oklahoma**

## **22912—Brian Johnson**

### **Action Requested:**

Special Exception to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM District (Section 15.020, Table 15-2). **LOCATION:** 3507 West 5th Street South **(CD 1)**

### **Presentation:**

**Brian Johnson**, 808 West Russell Road, Sydney, OH; stated he is the Engineer of record on this project. The facility is a blending facility and focuses on agricultural products and blending solutions. With the firm's customer base and the products desired the facility falls in the line of fertilizers with products that exceed a Class 3-B classification and quantities that would require an H-3/H-4 liquid warehouse with the understanding that the firm requires the Special Exception to move forward with the warehouse.

Mr. Van De Wiele asked Mr. Johnson if he had seen the e-mail from Mr. Kevin Montgomery and the issues he presented. Mr. Johnson stated that the e-mail was presented to him this morning via e-mail from Mr. Chapman. As part of this project we are incorporating five prep vats and improving throughput.

Mr. Van De Wiele asked Mr. Johnson what operations look like at the subject facility in regard to the truck and traffic situation. Mr. Johnson deferred to another representative.

**Matt McAdams** attempted to attend the meeting virtually but was disconnected by the system.

**Brian Johnson** resumed the conversation on Mr. McAdams behalf. After working with Industrial Oils, which is located on the north side of West 5th Street, the firm does have trucking operations coming in off West 5th Street and head toward the eastern entrance, and also it would be off South 33rd West Avenue. Mr. Johnson stated that it is his understanding that there have been discussions with trucking and trucking companies about the routes they take into and exiting the subject facility. The truckers stated they use GPS and that the GPS program informs them the route to take.

Mr. Van De Wiele asked Mr. Johnson what is getting trucked in and out of the site, how often and where are they coming from, and how are they getting generally to the subject facility? Mr. Van De Wiele stated that Mr. Montgomery's e-mail and it is almost exclusively over too many, in his opinion, trucks and trailers and violating "no parking" areas. Mr. Johnson stated that products are shipped world-wide and coming in from rail and from trucks; he cannot speak specifically to the quantity of trucks.

Coleman, 1399 , Owasso, OK; stated that he works with Mr. McAdams and he does not know why he cannot get online. Mr. Coleman stated the traffic from trucks to the plant flows in a pattern. The firm is coming its most intense period. The trucks coming in can carry everything from packaging raw materials to the products that are key ingredients.

Actually, the design that is being put forward to reduce the truck impact there will be more truck phases or areas in the redesign so they can come off the road.

Mr. Van De Wiele stated that he is wondering if this one truck one time a week or is it 100 trucks every day? Mr. Coleman stated that the truck pattern is variable, maybe 25 trucks a day. Mr. Van De Wiele asked that was an average or is that high or low season? Mr. Coleman stated that it is an average. Mr. Van De Wiele asked Mr. Coleman about how many trucks come and go during the busiest time of year on a daily basis? Mr. Coleman stated that it would go up 20% or 30%.

Mr. Van De Wiele asked to help the Board visualize how this traffic will flow better. Mr. Johnson stated that there has been a new scale added at the entrance of 33rd. This will help with getting the trucks off the road and onto the property and back out when they are completed.

Mr. Van De Wiele asked if the trucks were generally entering off 33rd West Avenue and existing onto 5th Street. Mr. Johnson stated the scale entrance is off 33rd, depending on what operations they will be taking, they will either go back to the scale, and then instructed which exit to use.

Ms. Radney asked if the traffic pattern would be following the railroad line. Mr. Johnson answered affirmatively.

Mr. Van De Wiele asked if the new operation would have a change on the amount of truck traffic that comes through or will it be the same amount of traffic but more efficient in and out? Mr. Johnson stated of the facility is tied to harvest, tied to farming and what this allows the firm to do is create additional products, not necessarily additional trucking. Obviously as products and opportunities grow there will be some development change within the trucking itself, but as was noted, this is following seasons.

Ms. Shelton asked about a screening fence along the northside. Mr. Johnson stated there is a fence on the northside. Ms. Shelton asked Mr. Johnson what type of fence it is. Mr. Johnson stated there is a privacy fence along the north and west borders separating the subject facility from the residential areas. Ms. Shelton asked if the fence was six feet in height. Mr. Johnson stated that it is at least six feet in height. Ms. Shelton if the fence went all the way out the property line at 33rd Street. Mr. Johnson stated the fence is just short of the property line. Ms. Shelton asked if that fence would cover where the new scale is going to be? Mr. Johnson answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Radney, Shelton, Van De Wiele "aye"; Bond, Ross "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM District (Section 15.020, Table 15-2), subject to conceptual plans 25.8 and 25.9 of the agenda packet. 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; for the following property:

**BEG NWC LT 5 TH S349.86 E270 SE103 S96.17 NE385.26 NE179.04 NELY CRV RT 314.34 NE184.32 N95.96 W1274.93 POB SEC 4 19 12 9.441ACS, City of Tulsa, Tulsa County, State of Oklahoma**

**22895—Israel Sanchez**

**Action Requested:**

Variance to reduce the required 25-foot street setback in an RM-1 District (Section 5.030, Table 5-3). **LOCATION:** 119 North Wheeling Avenue East (**CD 3**)

**Presentation:**

The applicant was not present.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Variance to reduce the required 25-foot street setback in an RM-1 District (Section 5.030, Table 5-3) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**LT 13 BLK 19, CHEROKEE HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma**



**22908—Jonathan Bradley**

**Action Requested:**

Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2). **LOCATION:** 3329 West 5th Street South (**CD 1**)

**Presentation:**

The applicant was not present.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; "nays"; no "abstentions"; none absent) to **CONTINUE** the request for a Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2) to the June 9, 2020 Board of Adjustment meeting; for the following property:

**PRT GOV LT 5 BEG 313.38S & 50W & 247.7SW NEC GOV LT 5 TH N163.5 SWLY107.2 S124.1 NE100 POB SEC 4 19 12 0.33ACS, City of Tulsa, Tulsa County, State of Oklahoma**

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**OTHER BUSINESS**

None.

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**NEW BUSINESS**

None.

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**BOARD MEMBER COMMENTS**

None.

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There being no further business, the meeting adjourned at 4:25 p.m.

Date approved: 6/9/2020

  
Chair