

**BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 1308  
Regularly Scheduled Meeting  
Tulsa City Council Chambers  
175 East 2nd Street, 2nd Level, One Technology Center Tuesday,  
February 28, 2023, 1:00 P.M.**

**Meeting No. 1311**

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS</b>
Bond, Chair Radney, Vice Chair Wallace	Barrientos	A. Chapman S. Tauber J. Banes D. Wilkerson	A. Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on February 22, 2023, at 12:45 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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Mr. Bond call meeting to order at 2:00 p.m. He stated that they are a five-person board by Zoning Ordinance and by State Statute. Unfortunately, one of our members has passed away so there is a vacancy, and another member is not here today. You need to receive three affirmative votes to receive the relief that you are requesting. With that in mind, because you do not have an out of here, we will liberally entertain any requests for continuance until our fourth member is here. If there is an item that you feel like you want to wait until the fifth member is appointed, he would advise you that can take some time. We have no idea what that process is or how long that would take, and it would require a City Council approval. But you are of course free to pull any application you would like.

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

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We will begin and without objection for the Board agenda item number one, the approval of the minutes of January 24, 2023, would be stricken from the agenda item as these have some revisions that need to be made.

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### **UNFINISHED BUSINESS**

#### **23488 - Heather Thomas**

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

Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2) **Location:** 2436 N. Lewis Ave

##### **Presentation:**

**Heather Thomas**, 2436 North Lewis Avenue, Tulsa, Oklahoma, 74110 stated that she was trying to get a Special Exception for a daycare.

Mr. Bond asked if she had the chance to talk to any of the neighbors here.

Ms. Thomas stated that she had not.

Mr. Wallace stated that from his memory, we had to re-notice this to include the portion of the property to the north.

Ms. Radney stated that they had gotten the new boundary. There has not been any change in your programming plan.

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

No interested parties were present.

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

Mr. Wallace stated that they now have the clarification that they have the proper space for the use.

Ms. Radney asked if anyone had any thoughts about a time limit or is it in perpetuity.

Mr. Bond stated that he did not have any issue.

**Board Action:**

On **MOTION** of **Radney**, the Board voted 3-0-0 (Bond, Radney, Wallace all “ayes”, no “nays”, no “abstentions”, Barrientos “absent”) to **APPROVE** the Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2), per the Conceptual Plan shown on page 2.7 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:

**PRT NE NE BEG 824.54S NEC NE NE TH W116.69 SW76.81 E177.52 N46.08 POB LESS E16.5 FOR RD SEC 30 20 13 .13AC AND BEG 33W SECR N/2 N/2 SE NE NE TH N65 SW106.03 TO PT SL TH E POB SEC 30 20 13 .07AC , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**23489 - Lucas Daffern**

**Action Requested:**

Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3) **Location:** 2547 E. 26th PI S **(CD-4)**

**Presentation:**

**Lucas Daffern**, 1660 East 71st Street, Suite J, Tulsa, Oklahoma, 74136, stated that he was requesting to widen the approach of a driveway located at 2547 East 26th Place. He provided the site plan requested and you should be able to see that now.

Mr. Daffern stated that just at the driveway approach at the setback it is 20 feet, so it would be 34 total feet. We are allotted 30 feet on 75 and we have approximately 155.

Mr. Bond asked if he had any comments from the neighbors.

Mr. Daffern stated that the owner of this property owns the property of the West as well.

**Interested Parties:**

No interested parties were present.

**Comments and Questions:**

Mr. Wallace stated that he did not have any issues. We have asked for clarification on engineering drawings, and that is what the attachment that is in front of us now shows the modifications on the site plan as well as the new property line there on the west.

Ms. Radney stated that she appreciated the sitemap 3.12. But are we saying though, that this measurement is falling on that map?

Mr. Chapman stated that the site plan that is on the screen right now was given to me before the meeting and you do not have a copy of that. But it is like the one with the red line that was emailed to you earlier. It is 34 feet, as you said, and so he is allowed 30 feet on the lot and then in the right-of-way at 27 feet. You would be extending both of those standards.

Ms. Radney stated that it is per the amended diagram that we have done and holding in my hand now.

Ms. Radney asked how we do how need to say this because this is 20 feet that is shown on this diagram is measured perpendicular along that at that segment of these two curved lines. It looks to me like it is wider at the point where the setback hits the noise at the northern edge, the northern edge of that new driveway. They have got that 20 feet marked there. Is that the widest point in the street setback?

Mr. Chapman stated that there is a second curb cut on that as well.

Mr. Daffern stated that it does widen a little bit once we get to the five-foot radius there at the actual curb and gutter. Because of the just five-foot radius is standard. In my experience, and so the actual but minus the curb cuts, the overall width of that approach is twenty feet. That 20 feet extends all the way down except for probably the last five feet of that radius, which is where it opened. The current width of the driveway, which is you can kind of see the old curve there, to the right of the new line is currently at 14 feet.

Mr. Chapman stated that as far as how we noticed that we notice it broadly for the entire driveway. If you have tied to that site plan that that will get them what they are wanting to build if that is your question.

Ms. Radney stated that it is not to exceed twenty feet in any portion of the driveway that is in the street setback.

Mr. Chapman stated that it is not feet 20 feet because there is a Circle Drive. There are two curb cuts and all that taken in the aggregate. He would generally recommend just approve a site plan as far as the conditions.

**Board Action:**

On **MOTION** of **Wallace**, the Board voted 3-0-0 (Bond, Radney, Wallace all “ayes”, no “nays”, no “abstentions”, Barrientos “absent”) to **APPROVE** the Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3) per the Site Plan presented at the meeting.

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:

**PRT LTS 5 & 6 BEG 14.06W SECR LT 6 TH NELY196.88 E14.06 SWLY17 E155 SWLY179.80 W169.06 POB BLK 1,WOODY-CREST SUB , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

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## **NEW APPLICATIONS**

### **23500 - Tom Neal**

#### **Action Requested:**

Special Exception to allow an Accessory Dwelling Unit in an RS-4 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6) **Location:** 2252 E. 8th St. **(CD-4)**

#### **Presentation:**

**Tom Neal**, 2507 East 11th Place, Tulsa, Oklahoma, 74104 stated that this is an existing garage from 1923 that goes with the existing house from 1923. The concern is that, since it was rented along with the house, we do not have a documentable track record for the City to show that it has been used for 70 plus years as a legitimate quarters. There is plumbing, there is a kitchenette, as well as the garage. His client would like to just update and put that back and recommendation of INCOG Staff is that we made it official in this manner.

Mr. Bond asked there had been any feedback or issues from surrounding neighbors.

Mr. Neal stated that he had spoken with two of them immediately to the west. They were supportive. The house to immediately to the west of is renovating, and the lady to the west of him was supportive. His client stated that he had talked with other neighbors, and we have not had any negative feedback or questions.

Ms. Radney stated that she understood that they want to update it according to the current footprint, you are not going to make it any bigger.

Mr. Neal stated yes that was correct. The only thing that will happen is rather than having a garage it will become entirely living quarters.

#### **Interested Parties:**

No interested parties were present.

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

Ms. Radney stated that the first variance is really a preexisting nonconformity. Then they are asking for a Special Use for the Special Exception to allow it to be a dwelling unit. They will need to get a permit to do any necessary improvements on this structure, it would the right thing to do would be to get this Special Exception and the Variance for this structure.

Mr. Chapman stated that there is no document saying it was a really approved as an ADU other than it was probably the existing Code.

Ms. Radney stated that it was acceptable to know about the both the structure and the current use predate the existing Code.

Mr. Chapman stated that he would recommend using the one exhibit just to tie it to that footprint of the building.

**Board Action:**

On **MOTION** of **Radney**, the Board voted 3-0-0 (Bond, Radney, Wallace all “ayes”, no “nays”, no “abstentions”, Barrientos “absent”) to **APPROVE** a Special Exception to allow an Accessory Dwelling Unit in an RS-4 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6) per the Conceptual Plan shown on page 4.8 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 day neighborhood or otherwise detrimental to the public welfare.

Finding them the hardship be that the existing structure and its current use are both non-conforming uses and buildings that predate the current zoning code per the Conceptual Plan shown on 4.8 of the Agenda packet.

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:

**LOT 4 BLK 7,HILLCREST ADDN , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**



**23501 - Raul Cisneros**

**Action Requested:**

Special Exception to allow a Small (Less than 250 person-capacity) Commercial Assembly & Entertainment Use in the IL District (CBD) (Sec.15.020, Table 15-2)

**Location:** 747 N. Utica Ave. **(CD-1)**

**Presentation:**

**Arturo Saldivar**, 3902 East 51st Street, Tulsa, Oklahoma, 74135, stated that the property is currently zoned the property zoned IL. We would like a little small event center for business meetings, conferences, and gatherings like small birthday parties.

Mr. Bond asked if they had spoken with their neighbors.

Mr. Saldivar stated he owns everything on the front and everything on the back. The only thing that de does not own is the church on the corner, and he had spoken with them. We want to put in a small event space that people can rent. We are not going to be serving alcohol at all or food. It is just the space.

Ms. Radney asked what the hours of operation would be.

Mr. Saldivar stated that they would close at midnight at the latest.

Ms. Radney asked if there would be a kitchen on the premises .

Mr. Saldivar that there is going to be a kitchen, but not an industrial kitchen. There will be a fridge, a microwave, but not a full kitchen.

Ms. Radney stated that any foods that are served there you they will be prepared someplace else and brought onto the location for that just the van only correct.

Mr. Saldivar state that they are not going to be selling anything. The only thing we are doing is leasing the space.

Mr. Chapman stated that Staff would like to know that if someone renting it out would be able to bring alcohol service into the facility. His point was, that you as a business are not going to be serving out of there, but people can lease it and there could be alcohol service there.

Mr. Saldivar agreed.

**Interested Parties:**

**Judy Grandy**, Senior Pastor of the Hallelujah Church on the corner, 835 North Utica, Tulsa, Oklahoma, 74110 stated that she had received the notice in the mail and wanted to know what was being planned. She had met with Mr. Saldivar and thinks it will be a good addition.

**Comments and Questions:**

Mr. Bond stated that he did not have any significant heartburn over this.

Mr. Wallace asked if they needed to do a time limit on this. We usually do in situations like this where it is more of a good faith than, if it is seven years or whatever, we are comfortable with it if things are going well, it will just be continued at that time.

Ms. Radney asked if this building in us now.

Mr. Saldivar stated that they use it for storage. There are a lot of homeless on this side of the train tracks. They keep breaking in and then they just ripped out all the electric off that building all the way up to the pole itself. Now we must rewire now.

Ms. Radney asked that with the timeline, she would say seven years impede your ability to like secure financing in any way.

Mr. Saldivar stated that no, he owns it, and it is self-funded.

Ms. Radney asked if somewhere between a five and a 10-year expiration date on the Special Exception would be acceptable to your business plan.

Mr. Saldivar agreed.

Mr. Wallace stated that if everything goes well it will continue, but if there are any issues, it just gives kind of an opportunity for the community to step back.

Mr. Saldivar stated that his ultimate goal is to develop everything on there. He wants to do something so that there is presence there, but there is just a lot of vacant buildings that look really bad.

Mr. Wallace stated that from what he was hearing, everything is going to go great with you, but these are tied to the land not to you. So that is the other part. This agreement is tied to the land, not to you. If you were to sell it, someone could continue to, or they might not have the same.

**Board Action:**

On **MOTION** of **Radney**, the Board voted 3-0-0 (Bond, Radney, Wallace all “ayes”, no “nays”, no “abstentions”, Barrientos “absent”) to **APPROVE** a Special Exception to allow a Small (Less than 250 person-capacity) Commercial Assembly & Entertainment Use in the IL District (CBD) (Sec.15.020, Table 15-2) per the Conceptual Plans shown on pages 5.8 through 5.13 of the Agenda Packet, subject to the following condition that this approval would expire at the end of ten years from this date.

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:

**LTS 8, 9 AND THE ADJACENT 20’ OF ALLEY BLK 7, AUTO HGTS ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

## **23502 - Shane Hood**

### **Action Requested:**

Special Exception to allow a Low-impact Manufacturing and Industry Use in the Central Business District (CBD) (Sec.15.020, Table 15-2) **Location:** 601 E. 4th St. **(CD-4)**

### **Presentation:**

**Shane Hood**, 608 East Third Street, Tulsa, Oklahoma, 74120, stated that he was before the Board to ask for a special exception for the low impact manufacturing industry used in the central business district for the property located at 601 East Fourth Street. It's about 100-year-old building that has been manufacturing in the past. The current owner has purchased it with the with the plans of getting into microbrewery and opening it up. He has spoken with several business owners the surrounding area. Most notably Consumer Affairs across the street is for it. Guru Student is a little bit down the street that doesn't support as well think it brings a needed out of entertainment aspect to the area that asked us to support.

Mr. Bond asked if its use is limited as a microbrewery.

Mr. Hood stated that was correct. He thought there was someone who mentioned about marijuana manufacturing, but that is not the intent. It was purchased to be a microbrewery of beer.

### **Interested Parties:**

No interested parties were present.

### **Comments and Questions:**

Mr. Wallace stated that he did not have any issues with this. He thought there are a few around this area already and things seem to be going right. It this seems to this district is heading in that direction.

Mr. Bond asked Mr. Hood what was this historically.

Mr. Hood stated that in his research, they tried to do some manufacturing, some medical marijuana accessory manufacturing, which he did not think that was approved. Before that it was printing. It was a paper and printing supplies.

### **Board Action:**

On **MOTION** of **Wallace**, the Board voted 3-0-0 (Bond, Radney, Wallace all "ayes", no "nays", no "abstentions", Barrientos "absent") to **APPROVE** a Special Exception to allow a Low-impact Manufacturing and Industry Use in the Central Business District (CBD) (Sec.15.020, Table 15-2) per the Conceptual Plans shown on page 6.8 of the Agenda packet; subject to the following conditions that it be limited to a microbrewery.

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:

**PRT LTS 4 & 5 & PRT VAC S GREENWOOD AVE & PRT VAC ALLEY LYNG BETWEEN LTS 4 & 5 DESC AS BEG SWC LT 4 TH SW70 NW176.48 NE67.61 SE25 NE29.60 SE150 SW50 POB BLK 113,TULSA-ORIGINAL TOWN , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.**

## **23503 - Shane Hood**

### **Action Requested:**

Variance to allow a Bar within 300-feet of another Bar (Sec. 40.050-A.3)

**Location:** 1732 S. Boston Ave. **(CD-4)**

### **Presentation:**

**Shane Hoods**, 608 East Third Street, Tulsa, Oklahoma 74120, stated that they were asking for a Variance to allow a bar within 300 feet of another bar and 18<sup>th</sup> and Boston and is identified as a downtown neighborhood area of growth by the comp plan. The Mercury Lounge is 300 feet from the perimeter of the building. If you look at the dashed line it encompasses all that district, which is kind of celebrated by Visit Tulsa is a place for restaurants, cafes, and entertainment. The owners of those buildings have buildings that were built prior to the 1980 Zoning Adoption. Those buildings have been there since the 20s, 30s, 40s, and 50s. So the hardship is that if we want to develop this area, as we have identified it as we have identified wanting to develop it, that this kind of prevents that from happening, in some instances. He would also point out that these this exact Variance was granted in the past, and then a couple of places right there and then around town where we would cover these situations.

Mr. Bond stated that in full disclosure, he was not within 300 feet of this area, which is what others code states, but he is not too far outside of 300 feet, so make sure no one has any objections to participating in this. What kind of bar is it going to be?

Mr. Hood stated that is the question. They have a full kitchen. They can serve food. It is really whether there is a 51/49 kind of split on the food with a bar. It is going to be a higher end cocktail and wine bar. can be replaced. Kind of like, what Vintage was right across the street from Mercury, but with the kitchen.

Mr. Bond asked if he expect any loud two wheeled conveniences.

Mr. Hood stated that he spoke with the owner of Mercury Lounge about it, he asked about music. There is not even any room in this space to have music or loud stuff happening outside of the perimeter of the bar.

Ms. Radney asked what the occupancy of the space was.

Mr. Hood stated that right now is 70 or 72.

Ms. Radney asked is unique about this spot. Tell us something that is and see what is standard here. Something that is demonstrably caused by the physical surrounding shape or topographical conditions of the subject property along the lines of a hardship.

Mr. Hood stated that the hardship is the fact that the zoning has been applied to this district. This district is a commercial district that has been championed by the City of Tulsa and by development for the past at least 20 years as a place for entertainment, for restaurants, for pre evening festivities for places that people can live in the neighborhood and come down to enjoy a drink, do that type of stuff. The fact that it is so dense, it is the areas as dense as it is, was what we're also looking for, as well. We felt like this causes one business, being able to eliminate the use of any other kind of business or kind of competing business. But if anybody else wants to bring in a bar with the food portion to the kitchen portion or something like that. They are not able to do that. In addition, these buildings cannot do that because of how dense the physical areas are.

Ms. Radney asked what the square footage of this unit in this building is.

Mr. Hood stated that the square footage total is there's a good-sized basement in it. He wanted to say that the total is 5300 with the basement. The basement is being partitioned off, he thought it is total with the storage in the basement in the actual bar place that is like 2900 square feet.

Ms. Radney stated that it was roughly 2900 square feet that is accessible to the public.

Mr. Hood stated that no, he would say that probably about 1800 square feet is accessible to the public. Of that, it is probably whittled little down to 1300 when you take out the kitchen.

Ms. Radney stated that would be exceptionally low square footage in the modern environment, right. In terms of being able to build and construct a commercial space for a business of this sort. You would not go out and build an 1800 square foot unit.

Mr. Hood stated that he thought that was why people identify places like this to move their businesses to say that someone can start something that they would have been saving seed money aside in a place like this as opposed to going to new retail developments that are offering 3000 4000 square foot at premium prices.

Mr. Bond asked Staff is dealing NIO is that the designated area of growth in downtown neighborhood.

Mr. Chapman stated that the NIO is an overlay related to residential housing. It applies to properties that have an R zoning, in essence, eliminated single family zoning and the neighborhoods around downtown that are a part of the NIO. It is not applicable to commercial properties.

Ms. Radney asked how far you are from the boundary of the CBD.

Mr. Hood stated that they are about a quarter to a half a mile.

**Interested Parties:**

No interested parties were present.

**Comments and Questions:**

Ms. Radney stated that she thought that we could make an argument that there is not anything intrinsically different about this section of Boston Avenue to the north than inside the CBD. That to a certain degree that the boundaries of the Central Business District are arbitrary in the sense that they are following more or less frequent.

Mr. Bond stated that the only thing different is this is much more intense, that this is what the rest of Boston used to look like going into downtown until we turn it into a giant parking lot until you get into most of downtown. He thought the comprehensive plans were designed to combat that. This is a very unique area of town; very dense area of town and he could not think of one that has more of a mixture.

Ms. Radney asked that on the track size at 12,998 square feet outside of this area would that be too small for a bar any other place in the city. She was trying to figure out how to get that the fact that this is a use that is dense. The only reason it is an issue is that it is 300 feet away from another bar. But if it sits in a part of town where the zoning was reflecting that density, that in a way that predates the code, because if you were going to build a new bar someplace in south Tulsa, you would not build it on a block that size. Likely, you would not build it in 1800 square feet because it would not be economical. Are we asking for the owners of these commercial buildings to conform with a business content that is more likely inside the Central Business District than it is like a suburban model, which is kind of the standard we are holding them to.

Mr. Bond stated that he agreed, and he thought the analogy here is we deal with all the time, and that is Accessory Dwelling Units within the small area not too far from here. They are putting them on to where they're rebuilding or remodeling on something which is already on an existing lot something which obviously, demonstrably predated the existing code. The code has changed over the years. He fully agreed with her. In this area, what they have done, he did not think it encapsulates the existing use. He did not think they intended to strangle out that use. We talked a lot about in rightfully so about as a self-imposed hardship, and this does not rise to being self-imposed in his mind. He thought this is something that zoning was intended to allow.

Ms. Radney stated except for the density, it would be allowed by right. If it were if it were, in fact, the first bar.



Mr. Wallace stated that this is becoming the new Cherry Street or Brookside. It is another entertainment district that our city is trying to identify.

Mr. Hood stated that he had spoken with some of the owners who desire this type of density to be happening, including Mercury Lounge who was kind of in a way that the kind of what is preventing everything from happening over there, but they want that as well.

Ms. Radney asked Mr. Chapman what makes a bar a bar. Is that a certain proportion of the business?

Mr. Hood stated that if you sell more in a year of alcohol sales than you do food, that is what constitutes a bar.

**Board Action:**

On **MOTION** of **Wallace**, , the Board voted 3-0-0 (Bond, Radney, Wallace all “ayes”, no “nays”, no “abstentions”, Barrientos “absent”) to **APPROVE** a Variance to allow a Bar within 300-feet of another Bar (Sec. 40.050-A.3) per the Conceptual Plans shown on page 7.11 of the Agenda packet. Finding the hardship to be an existing neighborhood character that predates the current Zoning Code.

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:

**LTS 1 & 2 BLK 2, STUTSMAN ADDN , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

Mr. Bond stated that there is language in the Special Exception and Variance that talk about the if something is harmful to the neighborhood. He did not want this to be seen as blanket exception for this area or this type of facility. These cases are view on a case-by-case basis.

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**OTHER BUSINESS**

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**NEW BUSINESS**

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**BOARD MEMBER COMMENTS**

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There being no further business, the meeting adjourned at 2:57 p.m.

Date approved: \_\_\_\_\_

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Chair