

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 553
Thursday, December 21, 1989, 1:00 p.m.
Francis F. Campbell Commission Room
Plaza Level of City Hall, Tulsa Civic Center

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|----------------------------------------------------------------|-----------------------|---------------------------------------|--------------------------------------------------------------------|
| Bolzle Bradley Chappelle Fuller White, Chairman | | Gardner Jones Moore Richards | Jackere, Legal Department Hubbard, Protective Inspections |

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, December 19, 1989, at 9:15 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On **MOTION** of **BRADLEY**, the Board voted 4-0-1 (Bolzle, Bradley, Fuller, White, "aye"; no "nays"; Chappelle, "abstaining"; none "absent") to **APPROVE** the Minutes of December 7, 1989.

UNFINISHED BUSINESS

Case No. 15313

Action Requested:

Special Exception - Section 910 - Permitted Uses in the Industrial Districts - Use Unit 2 - Request a special exception to allow retail sales in an IL zoned district, located south of SE/c East 41st Street and South Memorial Drive.

Presentation:

The applicant, **Chet Blackington**, was not present.

Comments and Questions:

Mr. Jones noted that the applicant lives in another state, and all attempts to contact him have been unsuccessful.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bolzle, Bradley, Fuller, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **DENY** a **Special Exception** (Section 910 - Permitted Uses in the Industrial Districts - Use Unit 2) to allow retail sale of plants in an IL zoned district; finding that the applicant failed to appear at two scheduled meetings; on the following described property:

Case No. 15313 (continued)

Beginning at the NW/c of the NW/4, NW/4, thence south 560' to a point, thence east 25' to the POB, thence southeast 846.70' to a point, thence southwest a distance of 208' to a point, thence northwest 325.93' to a point, thence due west 376.44' to the west line of Section 25, T-19-N, R-13-E, thence north 320' to a point, thence east 25' to POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15325

Action Requested:

Variance - Section 430 - Bulk and Area Requirements In the Residential Districts - Use Unit 6 - Request a minor variance of the required lot width from 75' to permit a lot split (front -75', rear -57'; average $\pm 66'$) in a RS-2 zoned district, located SW/c of 26th Street and South St. Lewis Avenue.

Presentation:

The applicant, **Kenneth L. Hird**, was not present.

Comments and Questions:

Due to the fact that the applicant was not present, and there were numerous protestants present, it was the general consensus of the Board that the case should not be continued to the next meeting.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Boizle, Bradley, Fuller, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **DENY** without prejudice a **Variance** (Section 430 - Bulk and Area Requirements In the Residential Districts - Use Unit 6) of the required lot width from 75' to permit a lot split (front -75', rear -57'; average $\pm 66'$) in a RS-2 zoned district; finding that the applicant was not present after the request had appeared on two consecutive agenda; on the following described property:

Lots 14, 15 and the north 20' of Lot 13, Block 13, Terwilliger Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15318

Action Requested:

Special Exception - Section 910 - Permitted Uses In the Industrial Districts - Use Unit 2 - Request a special exception to permit the operation of a concrete ready-mix plant (construction facility - off-site) in an IL zoned district for a period of not more than two years, located SE/c of East 45th Place South and South 100th East Avenue.

Case No. 15318 (continued)

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma, stated that Roy Johnson previously presented the case in his absence. Mr. Norman advised that he has reviewed the minutes of that meeting and noted that there were some Board concerns with the proposed location of the temporary concrete ready-mix plant under application. It was noted that his client has been attempting to find other locations in the area, and an existing batch plant at the railroad right-of-way will be vacating a site which may be obtained for the Mingo project. Mr. Norman stated that his client and representatives of the Union Pacific Railroad are discussing the possibility of acquiring the property for the temporary plant. He pointed out that the railroad site is located in an IM District and can be operated without Board approval. Mr. Norman requested that the case be continued until February 15, to allow negotiations with the railroad to continue. He stated that the application will be withdrawn if the railroad site is approved, but a different property could require Board approval. It was noted that the present cold weather conditions have delayed the beginning of the project approximately two weeks.

Protestants:

John May, 1 West 3rd Street, Tulsa, Oklahoma, counsel for the protestants, requested that the special exception be denied, due to the fact that the proposed location is not an acceptable site for a batch plant. He pointed out that property owners in the area have already appeared at two meetings, and would not be favorable to another continuance.

Comments and Questions:

It was the general consensus of the Board that there may not be another available site for the ready-mix plant, and the property in question may have to be considered.

Mr. Gardner pointed out that a site must be located somewhere in the general area, or the Mingo Improvement project cannot be completed.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Boizie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 15318 to February 15, 1990, as requested by the applicant.

Case No. 15324

Action Requested:

Special Exception - Section 440.2 - Special Exception Uses in Residential District; Requirements - Use Unit 6 - Request a special exception to permit a home occupation (tire repair) in an RS-3 zoned district, located 854 East 46th Street North.

Case No. 15324 (continued)

Presentation:

The applicant, **Clifton Gibbs**, 854 East 46th Street North, Tulsa, Oklahoma, submitted photographs (Exhibit A-1), and requested permission to operate a tire repair business on the subject property.

Comments and Questions:

Ms. White commented that the case was continued from the previous meeting to allow Board members to view the site.

Ms. Bradley stated that she viewed the site and has made the determination that a tire repair shop would not be compatible with the residential neighborhood.

In response to Mr. Fuller, the applicant stated that he has lived at this location for approximately four years, but has not been operating a tire repair business for that length of time. He stated that he is the preacher for the church located on the property, and will do repair work for church members only. Mr. Gibbs pointed out that all repair equipment is kept inside the garage.

There was discussion as to the debris located on the property at this time, and whether or not all work could be completed inside the building.

Mr. Fuller commented that he tends to support the application, and that the condition of the area would not be substantially altered by the tire repair business.

Mr. Chappelle asked Mr. Gibbs if he can comply with all Home Occupation Guidelines, and he answered in the affirmative.

The applicant stated that the tires will be installed outside the garage, but all tire repair will be completed inside the building.

Ms. Bradley reiterated that a tire repair business is not an appropriate use in the residentially zoned area.

Mr. Gibbs pointed out that there are many different uses along 46th Street North, and asked the Board to allow him to repair tires on the site.

It was noted by Ms. White that the triangular shaped lot is virtually isolated from other properties by the water channel and 46th Street North.

Mr. Bolzle stated that he could support the application if there is no outside storage, with all installation of tires being done inside the fenced area, and the Valley View Creek channel is screened (per Stormwater Management approval),

Case No. 15324 (continued)

There was discussion as to the tire installation process, and Mr. Jackere pointed out that the Home Occupation Guidelines state that all work must be completed inside the principal building or customary accessory building.

Mr. Gibbs stated that the majority of his business is repair of tires only, with very few tire installations.

Mr. Bolzle pointed out to the applicant that he would not be allowed to install tires outside the building if the application is approved, and he replied that he will comply with the Home Occupation Guidelines.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-1-0 (Bolzle, Chappelle, Fuller, White, "aye"; Bradley, "nay"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 440.2 - Special Exception Uses In Residential District; Requirements - Use Unit 6) to permit a home occupation (tire repair) in an RS-3 zoned district; subject to no outside storage of tires or other materials; subject to the installation of screening along the property line abutting the Valley View Creek channel (per Stormwater Management approval); and subject to Home Occupation Guidelines; finding that there are varied uses along 46th Street North; and finding that the triangular shaped property is partially isolated by the water channel on the west and 46th Street North; on the following described property:

Lots 1 and 2, Block 1, Suburban Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 15327

Action Requested:

Variance - Section 430, Table 3 - Bulk And Area Requirements In Residential Districts - Use Unit 6 - Request a variance of the required 20' setback from Detroit Avenue to 11', located NW/c North Detroit and East Young Street.

Presentation:

The applicant, **Ruby J. Griffith**, 245 East Young Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit B-2) and photographs (Exhibit B-1), stated that she has constructed a carport on her property at the above stated location.

Case No. 15327 (continued)

Comments and Questions:

Ms. Hubbard advised that the carport was constructed without a building permit.

Ms. Bradley pointed out that the existing house is encroaching into the required setback.

Mr. Chappelle noted that the carport is approximately 1' closer to the street than the existing house.

Protestants: None.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 430, Table 3 - Bulk And Area Requirements In Residential Districts - Use Unit 6) of the required 20' setback from Detroit Avenue to 11'; per plot plan submitted; finding that the existing house is encroaching into the required setback, and the carport extends an additional 1' toward the street; on the following described property:

Lot 24, Block 2, Reservoir View Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15328

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 17 - Request to operate automobile sales/services in a CS zoned district, located west of SW/c South Memorial Drive & 14th Street.

Presentation:

The applicant, **John Ratchford**, requested by letter (Exhibit C-1) that Case No. 15328 be continued to February 15, 1990.

Protestants:

Ms. Rodney James, 8126 East 14th, Tulsa, Oklahoma, stated that she was unaware the property was zoned CS.

Comments and Questions:

Mr. Gardner pointed out that the property has been zoned CS for a long period of time, but the request for automobile sales is a more intense use than the zoning permits by right. He pointed out to Ms. James that she can protest the use if she feels it is inappropriate for the area.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 15328 to February 15, 1990, as requested by the applicant.

Case No. 15329

Action Requested:

Special Exception - Section 710, Principal Uses Permitted In Commercial Districts - Use Unit 17 - Request a Special Exception to permit automotive and allied activities in a CS (commercial shopping center) zoned district, 5902 Charles Page Boulevard.

Presentation:

The applicant, **Doyle Noe**, was represented by **Robert Nichols**, 111 West 5th Street, Tulsa, Oklahoma, who informed that a car lot has been in operation on the property at various times during the past 10 years. He stated that his client is also in need of a variance of the 300' requirement for storage of vehicles on the property, as well as a variance of the screening requirement. Mr. Nichols requested that the special exception portion of the application be heard, with the remainder of the application being continued to January 18, 1990. He stated that the property will be used for the sale of automobiles only.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 710, Principal Uses permitted in Commercial Districts - Use Unit 17) to permit automotive and allied activities in a CS (commercial shopping center) zoned district; and to **CONTINUE** the balance of the application to January 18, 1990; subject to used car sales only; finding that a car sales business has previously been conducted on the property, and has proved to be compatible with the area; on the following described property:

Lots 11 and 12, Block C, Medio Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15330

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted In Commercial Districts - Use Unit 17 - Request a special exception to permit auto sales and services (detail and wash) in a CS District.

Variance - Section 730 Bulk And Area Requirements In The Commercial Districts - Use Unit 17 - Request a variance of the required 10 feet setback from an abutting "R" District to 5 feet, located NE/c 8th Street and Sheridan Avenue.

Case No. 15330 (continued)

Presentation:

The applicant, **Richard Preston**, requested that Case No. 15330 be withdrawn.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **WITHDRAW** Case No. 15330, as requested by the applicant.

Case No. 15331

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted In Commercial Districts - Use Unit 2 - Request a special exception to permit Christmas tree sales in a CS zoned district, located SW/c East 91st Street and South Harvard Avenue.

Presentation:

The applicant, **Scott Staggs**, requested by letter (Exhibit D-1) that Case No. 15331 be continued to January 18, 1990, to allow sufficient time to advertise for additional relief.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 15331 to January 18, 1990, as requested by the applicant.

Case No. 15332

Action Requested:

Variance - Section 420.2(A2) - Accessory Use Conditions - Use Unit 6 - Request a variance of the required 25' front yard to 4' to permit a carport, located at intersection of East 23rd Street South and South 117th East Avenue.

Presentation:

The applicant, **Dan W. Rowe**, 2243 South 117th West Avenue, Tulsa, Oklahoma, submitted photographs (Exhibit E-1) and requested that an existing carport be allowed to remain at its present location.

Comments and Questions:

There was discussion as to the responsible party for obtaining the building permit for the carport.

The applicant stated that the contractor advised him that a building permit would not be required if the carport was not attached to the house.

Case No. 15332 (continued)

There was Board discussion concerning other carports in the area, and Ms. White asked the applicant how long he has lived at this location. Mr. Rowe stated that he has lived at this address approximately 21 years.

Mr. Gardner pointed out that the applicant has a garage, and inquired as to the reason for construction of the carport. Mr. Rowe stated that his van is above average height and requires a cover taller than the garage.

Ms. Bradley stated that she has viewed the area, and there are no other carports in the neighborhood.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 5-0-0 (Boizle, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **DENY** a **Variance** (Section 420.2(A2) - Accessory Use Conditions - Use Unit 6) of the required 25' front yard to 4' to permit a carport; finding that there are no carports in the area; and finding that the applicant failed to present a hardship; on the following described property:

Lot 7, Block 2, Leslie Leigh Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15333

Action Requested:

Special Exception - Section 610 - Principal Uses Permitted in Office Districts, - Use Unit 5 - Request a special exception to allow a day care center in an existing church building, located NE/c Boston Avenue and 27th Street North.

Presentation:

The applicant, Beautiful Gate Church of God in Christ, was represented by **Elijah Hill**, 3717 North Lansing Place, Tulsa, Oklahoma, who requested permission to operate a 24-hour day care center at the above stated location.

Comments and Questions:

In response to Ms. White, Mr. Hill stated that the day care center will be open Monday through Friday each week.

Ms. Bradley inquired as to the number of children that will be enrolled at the center, and Mr. Hill replied that the building will accommodate approximately 42 students.

Protestants: None.

Case No. 15333 (continued)

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 610 - Principal Uses Permitted In Office Districts, - Use Unit 5) to allow a 24-hour day care center in an existing church building; subject to the days of operation being Monday through Friday; finding that the use is compatible with the area, and the special exception will not violate the spirit and intent of the Code; on the following described property:

South 198', E/2, NE/4, SE/4, SE/4, Section 23, T-20-N, R-12-E, and Lot 10, Block 1, Highland Hills Addition.

Case No. 15334

Action Requested:

Variance - Section 430.1 - Bulk & Area Requirements In Residential Districts - Request a variance of the required 95' setback from centerline of East 21st to 45.5', and of the required 85' setback from centerline of South Peoria to 65', located SW/c 21st Street and South Peoria Avenue.

Presentation:

The applicant, **John Walton**, 2101 South Madison, Tulsa, Oklahoma, submitted a plot plan (Exhibit F-1) and requested permission to construct a residence on the subject property.

Comments and Questions:

Ms. Bradley asked if this application is identical to the one filed in 1985, and he replied that it is the same, except the setback from 21st Street will be 60', instead of 45.5', as shown in the case report. He stated that the time limitation for the previous request has expired.

Mr. Gardner stated that the the plot plan submitted by the applicant reflects the 60' setback.

Protestants: None

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk & Area Requirements In Residential Districts) of the required 95' setback from centerline of East 21st to 60', and of the required 85' setback from centerline of South Peoria to 65'; per plot plan submitted; finding a hardship imposed on the applicant by the corner lot location and major setbacks from two streets; finding that the house will align with existing structures on abutting lots; on the following described property:

Case No. 15334 (continued)

Lot 4, Block 15, Sunset Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15335

Action Requested:

Variance - Section 1212.4 - Off-Street Parking And Loading Requirements - Use Unit 12 - Request a variance of the required 1 parking space per 100 square feet to 1 parking space per 400 square feet of building area, located NE/corner East 15th Street and Peoria Avenue.

Presentation:

The applicant, **Olsen-Coffey Architects**, was represented by **Steve Olsen**, 324 East 3rd Street, Tulsa, Oklahoma. He stated that the owner has renovated the building in question and is proposing to rent a portion of the building for restaurant use.

Comments and Questions:

Mr. Gardner asked if the existing restaurant in the east portion of the building is permitted, and the applicant answered in the affirmative. Mr. Gardner pointed out that the Code was amended to require more parking for restaurants because the City was deficient in restaurant parking. He advised that the existing parking spaces should be close to the required number for a restaurant, and noted that this property appears to have far less than the requirement.

Ms. Bradley pointed out that street parking is already a problem in the area, and Ms. White noted that there is no available property for additional parking spaces.

Ms. Hubbard informed that all uses in Use Unit 14 would be allowed by right at this location.

Mr. Gardner asked if the building on Quaker will be removed to provide additional parking, and Mr. Olsen stated that the building will not be removed. He explained that the existing restaurant contains 2300 sq ft of floor space, requiring 23 parking spaces, and the total number of parking spaces is 56.

It was noted by Ms. White that this area is part of the Cherry Street special consideration area.

Mr. Jackere pointed out that the parking lot does not provide sufficient parking to accommodate the existing businesses, and the granting of a variance of the required spaces would be worsening an existing parking problem.

Case No. 15335 (continued)

Protestants:

Gene Johnson stated that he owns a photography studio on the corner of 15th and Quincy, and explained that he does not want additional restaurant parking in his parking lot. Mr. Johnson pointed out that there are numerous businesses around his studio that do not have adequate parking, and requested that the parking problem not be made more severe by approving the variance request.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **DENY** a **Variance** (Section 1212.4 - Off-Street Parking And Loading Requirements - Use Unit 12) of the required 1 parking space per 100 square feet to 1 parking space per 400 square feet of building area; finding that the applicant failed to present a hardship that would warrant the granting of the variance request; on the following described property:

Lots 1, 2, 3, 6, and 11, Broadmoor Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15336

Action Requested:

Special Exception - Section 310 - Permitted Uses In The Agricultural Districts - Use Unit 5 - Request a special exception to allow church use in an AG zoned district, located South of SW/corner 81st and Mingo.

Presentation:

The applicant, **Adrian Smith**, 5157 East 51st Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit G-1) and a plat of survey (Exhibit G-2), stated that he is representing the Korean United Methodist Church. He informed that the church is proposing to construct a building on the subject property, which will be completed in two phases. Mr. Smith stated that the sanctuary (3936 sq ft) will be constructed during the first phase of development, and adequate parking is available on the subject property.

Protestants: None.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 5-0-0 (Bolzle, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 310 - Permitted Uses In The Agricultural Districts - Use Unit 5) to allow church use in an AG zoned district; per plot plan submitted; finding that the use is compatible with the surrounding area; on the following described property:

Case No. 15336 (continued)

A tract of land in the NE/4, SE/4 of Section 13, T-18-N, R-13-E of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the US Government survey thereof, being more particularly described as follows, to-wit: Beginning at the NE/c of the said SE/4, thence S 00°02'29" E and along the east line of said Section 13, a distance of 330.05' to a point; thence S 89°46'36" W and parallel to the north line of said SE/4, a distance of 659.95' to a point ; thence northerly and generally following the easterly bank of a pond, to a point on the north line of said SE/4, said point being 489.35' west of the NE/c of said SE/4; thence N 89°46'36" E and along the north line of said SE/4, a distance of 489.35' to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15337

Action Requested:

Special Exception - Section 410 - Permitted Uses In The Residential Districts - Use Unit 9 - Request a special exception to allow a mobile home in a RM-2 zoned district, located East of the SE/c of West 9th Street and South 63rd West Avenue.

Presentation:

The applicant, Eidon R. Mulanax, 6139 West 10th Street, Tulsa, Oklahoma, requested permission to install a mobile home on a lot at the above stated location. He explained that the house on the property is in bad repair and is not suitable for a residence.

Comments and Questions:

Mr. Gardner commented that the area is zoned for multi-family use, but has a mixture of homes and mobile homes. He asked Mr. Mulanax if the mobile home will be permanently installed, and he replied that the unit will be skirted and will be his permanent residence.

Protestants: None.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Boizie, Bradley, Chappelle, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to APPROVE a Special Exception (Section 410 - Permitted Uses In The Residential Districts - Use Unit 9) to allow a mobile home in a RM-2 zoned district for a period of one year only (removal bond required); finding that there are numerous mobile homes in the area, and the granting of the special exception request will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

N/2 of the north 155' of Lot 7, Block 6, except east 12.5', Lawnwood Addition, City of Tulsa, Tulsa County, Oklahoma.

OTHER BUSINESS

Case No. 15082

Action Requested:

Correction of legal description for Case No. 15082, heard March 2, 1989.

Comments and Questions:

Mr. Gardner explained that three sites for an asphalt plant were before the Board for their consideration, and the minutes for Case No. 15082 reflect legal descriptions for all three locations; however, only one temporary site was approved for the use.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 3-0-2 (Bradley, Chappelle, White, "aye"; no "nays"; Bolzle, Fuller, "abstaining"; none "absent") to **APPROVE** a correction to the legal description for Case No. 15082 as follows: The W/2, N/2, NE/4, NW/4, Section 28, T-20-N, R-14-E, less the north 209' of the east 209', City of Tulsa, Tulsa County, Oklahoma.

There being no further business, the meeting was adjourned at 2:35 p.m.

Date Approved

Jan. 4, 1990

Sharry White
Chairman