

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 575
Thursday, November 15, 1990, 1:00 p.m.
City Council Room, Plaza Level
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Wednesday, November 14, 1990, at 9:10 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 2-0-2 (Bradley, White, "aye"; no "nays"; Bolzle, Chappelle, "abstaining"; Fuller, "absent") to **APPROVE** the Minutes of November 1, 1990.

UNFINISHED BUSINESS

Case No. 15573

Action Requested:

Variance of: 1) the minimum lot width on Lot 2 from 60' to 45'; 2) the minimum lot area on Lot 2 from 6900 sq ft to 6471 sq ft, more or less; 3) the minimum land area per dwelling unit on Lot 2 from 8400 sq ft to 7721 sq ft, more or less; 4) livability space from 4000 sq ft to 3500 sq ft - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6.

Variance of 20% maximum coverage of the required rear yard and the maximum size of a detached accessory building (750 sq ft) on Lot 1 to 53% coverage and 855 sq ft in size, more or less - **Section 402. ACCESSORY USES IN RESIDENTIAL DISTRICTS** and **Section 210.B.5 PERMITTED YARD OBSTRUCTIONS** - Use Unit 6, located 1608 South Gary Place.

Presentation:

The applicant, **Philip E. Marshall**, 5424 South Memorial, Suite B-2, Tulsa, Oklahoma, informed that this case was continued from the October 18th meeting to allow sufficient time for preparation of a site plan. Mr. Marshall submitted a plan (Exhibit A-1) for the proposed dwelling, and noted that the design is typical of the neighborhood, and will be an asset to the area. He explained that

Case No. 15573 (continued)

the lot in question is the same size as other lots in the area except for a small portion to the rear which will be added to the adjoining lot in order to retain an existing garage.

Comments and Questions:

In response to Mr. Bolzle, Mr. Gardner explained that the lot is actually 50' wide; however, the removal of the portion of land containing the garage will reduce the "average" width of the lot to 45'.

Protestants:

Betty Trinka, 5712 East 98th Street, Tulsa, Oklahoma, represented her mother, Ms. R. W. Brown, who lives across the street from the subject property. She stated that she has reviewed the plans and can support the application if the house is constructed in alignment with the existing dwellings, and sufficient off-street parking is provided.

Mr. Jackere pointed out that the existing dwellings may have been built closer to the street than the current Code permits, and if it is the intent of the Board that any new construction align with the existing houses, that should be made a condition of approval.

Additional Comments:

In response to Mr. Bolzle's inquiry as to the setback for the proposed dwelling, the applicant replied that he will align the new structure with the existing houses, and will construct the house as depicted on the plot plan.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bradley, Bolzle, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Variance** of: 1) the minimum lot width on Lot 2 from 60' to 45'; 2) the minimum lot area on Lot 2 from 6900 sq ft to 6471 sq ft, more or less; 3) the minimum land area per dwelling unit on Lot 2 from 8400 sq ft to 7721 sq ft, more or less; 4) livability space from 4000 sq ft to 3500 sq ft - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6; and to **APPROVE** a **Variance** of 20% maximum coverage of the required rear yard and the maximum size of a detached accessory building (750 sq ft) on Lot 1 to 53% coverage and 855 sq ft in size, more or less - **Section 402. ACCESSORY USES IN RESIDENTIAL DISTRICTS** and **Section 210.8.5 PERMITTED YARD OBSTRUCTIONS** - Use Unit 6; per plot plan submitted; subject to the proposed structure being aligned with the existing residences; finding that the nonconforming lot and new structure will be comparable in size and design to the existing homes in the neighborhood; and the granting of the variance requests will not be detrimental to the area; on the following described property:

Lots 1 and 2, Block 7, Exposition Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 15585

Action Requested:

Minor Variance of the front yard requirement as measured from the centerline of East 55th Place from 50' to 45', and a Minor Variance of the side yard requirement as measured from the centerline of Zunis Avenue from 40' to 35' - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 2146 East 55th Place.

Presentation:

The applicant, **Stephen Olsen**, 324 East 3rd Street, Tulsa, Oklahoma, submitted a site plan (Exhibit B-1), and stated that he is the architect for the owner of the property. He explained that the existing house was constructed over the setback, and the owner is proposing to enclose an open porch, which will not extend further toward the street than the existing building wall.

Protestants: None.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Minor Variance** of the front yard requirement as measured from the centerline of East 55th Place from 50' to 45', and a **Minor Variance** of the side yard requirement as measured from the centerline of Zunis Avenue from 40' to 35' - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6; per plot plan submitted; finding that the porch enclosure will not extend closer to the street than the existing walls of the house; on the following described property:

Lot 8, Block 1, Rondo Valley Third Addition, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 15575

Action Requested:

Special Exception to permit Christmas tree sales on a seasonal basis each year for an unlimited number of years - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 2, located north of NW/c 51st Street and Sheridan Avenue.

Presentation:

The applicant, **Jim Schaeffer**, 36252 South Kropf Road, Woodburn, Oregon, was as represented by **Greg Darr**, 823 East 7th Street, Stillwater, Oklahoma, who submitted a location map (Exhibit C-1) for a proposed Christmas tree sales lot. He explained that a similar

Case No. 15575 (continued)

sales business was operated last Christmas season at the corner of 27th and Memorial, which proved to be very successful. Mr. Darr asked the Board to approved the sale of Christmas trees at the above stated location. He informed that the property will be insured, and the days and hours of operation will be 9:00 a.m. to 9:00 p.m., November 23 to December 25.

Comments and Questions:

Mr. Jackere advised that Christmas tree sales is listed in the Code as one of the activities that is limited to 30 days, by special exception, for each application. He stated that this indicates to him that the legislators wanted the Board to review each individual activity prior to beginning operation.

Mr. Gardner stated that the sale of Christmas trees is a temporary seasonal use, and suggested that the Board might limit a new sales operation to one year only, with a more lengthy permit for succeeding years if the lot proves to be compatible with the area.

Mr. Jackere pointed out that, although an approval might be appropriate in this particular situation, the Board may hear similar applications in residential or office districts, which may not be an appropriate use for the area.

Mr. Bolzie asked Mr. Darr if this is the first year for a tree sales business at this location, and he answered in the affirmative.

Ms. White stated that she has some concern with approving a first-time application for more than one year, as it is difficult to determine how the additional traffic will affect the surrounding area.

Mr. Bolzie and Mr. Chappelle concurred that the approval of the application for two years would not be detrimental to the area, as Sheridan Road carries four lanes of traffic at this location.

Interested Parties:

Richard Polishuk, 3309 East 66th Street, Tulsa, Oklahoma, stated that he is one of the owners of the subject property, and requested that the Board approve the application for more than one year.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Special Exception** to permit Christmas tree sales on a seasonal basis each year for a period of two years only - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS - Use Unit 2; per plan submitted; subject to hours of operation being, 9:00 a.m. to 9:00 p.m., November 23 to December 25, 1990 and 1991; finding that the temporary use will not be detrimental to the area; on the following described property:**

Case No. 15575 (continued)

Beginning at a point on the east boundary line 325' north of the southeast corner of Sheridan Plaza Center Addition; thence north 100'; thence west 30'; thence south 100'; thence east 30' to the POB, containing 3,000 sq. ft. more or less, all out of Lot 1, Block 1, Sheridan Plaza Center Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 15582

Action Requested:

Appeal of the City of Tulsa zoning officer's determination that an application for 24-hour care for five senior citizens, including meals and housekeeping, is a permitted Use Unit 6 in an RS-2 (PUD 129) zoned district - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL - Use Unit 6.**

Comments and Questions:

Ms. Bradley noted that the applicant, **Ms. Deborah Fleak**, has notified the Building Inspector by letter (Exhibit X-1) that her permit for a 24-hour care facility for five senior citizens has been withdrawn.

Interested Parties:

Michael Keester, 3800 First National Tower, Tulsa, Oklahoma, stated that he appealed the determination of the zoning officer in this case and is present to make certain the request for a permit is officially withdrawn.

Mr. Jackere advised that the applicant has withdrawn her application and does not wish to use the property for a 24-hour care facility, therefore, the appeal is moot. He further advised that Board action is not necessary.

The Chair declared the item stricken (Case No. 15582) and the appeal moot, as the request for the permit has been withdrawn.

Case No. 15583

Action Requested:

Special Exception to permit Use Unit 17 uses (automobile repair, no body work) - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS - Use Unit 17, located 1323-G East 53rd Place South.**

Presentation:

The applicant, **Gary Glenn**, 1323 East 53rd Place, Tulsa, Oklahoma, was represented by **Gene Raines**, 4828 South Peoria, Suite 209, Tulsa, Oklahoma, contractor for the remodeling project. He submitted photographs (Exhibit D-1) and explained that the building was constructed approximately three and one-half years ago, and the business began operation without approval of a special exception. He pointed out that an automobile repair shop has been located on the north end of the building for approximately 30 years.

Case No. 15583 (continued)

Comments and Questions:

Ms. Bradley asked the location of the business in question, and Mr. Raines stated that the repair operation is located in the south portion of the building.

In response to Ms. Bradley's question concerning body work and doors on the east side of the building, Mr. Raines stated that the business in question does not do body work and does not have doors on the east side of the building.

After discussion concerning the possible need for screening the east boundary of the business (waived by a previous action), it was the consensus of the Board that screening would not be necessary if the east side of the building remains a solid wall.

Protestants: None.

Board Action:

On **MOTION** of **BRADLEY**, the Board voted 4-0-0 (Bradley, Bozle, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a Special Exception to permit Use Unit 17 uses (automobile repair, no body work) - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17; subject to all work being completed inside the building, with no outside storage of materials; subject to no body work; and subject to the east side of this portion of the building remaining a solid wall; finding that there are similar uses in the immediate vicinity, and the granting of the special exception request, with conditions, will not be detrimental to the area; on the following described property:

The east 130' of Lots 5, 6 and 7, Cantrell Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15584

Action Requested:

Variance of the maximum square footage permitted for detached accessory buildings from 750 sq ft to 1600 sq ft to permit construction of a new building - **Section 210. YARDS** - Use Unit 6, located 7404 East 98th Street.

Presentation:

The applicant, **Dennis Fritts**, 2301 West Quantico Street, Broken Arrow, Oklahoma, submitted a sketch and photographs (Exhibit E-1), and explained that he is proposing to purchase the subject property if he is permitted to store his business machinery on the premises. Mr. Fritts pointed out that the tract is surrounded on three sides by a detention facility, with 98th Street abutting the north boundary line. The applicant stated that he is proposing to construct a storage facility large enough to secure his equipment.

Case No. 15584 (continued)

Comments and Questions:

Ms. White inquired as to the type of equipment that will be stored on the property, and the applicant replied that he will store a "bobcat" and a backhoe in the accessory building.

In response to Ms. Bradley, Mr. Fritts stated that the new storage facility will be connected to the existing 20' by 24' building. He stated that the portable storage building can be removed if that is made a condition of approval.

Ms. White asked the applicant how much storage space is required to house his equipment, and he stated that the construction of a 20' by 24' addition to the existing building (total 960 sq ft) would provide sufficient storage space for his business equipment.

Mr. Jackere asked if a "bobcat" and backhoe would be the only business equipment stored on the subject property, and Mr. Fritts answered in the affirmative.

Mr. Jackere advised that residential districts are for residential uses. He stated that, although some residents of such districts might drive home pickup trucks used in their businesses, "bobcats" and backhoes are not typically found in residential areas. He suggested that this use of the property is not in accordance with the Code.

Ms. Bradley stated that the applicant has not presented a hardship for the variance request.

Protestants:

Phil Frazier, 1424 Terrace Drive, Tulsa, Oklahoma, submitted photographs (Exhibit E-2) and stated that he is the attorney for the homeowners in the immediate area. He pointed out that the applicant has not presented a hardship for the variance request. Mr. Frazier stated that the large equipment will require a truck for hauling, and the transporting of this equipment in and out of the area will be detrimental to the residential neighborhood. He informed that the surrounding homes are on large lots, and the business activity will not be appropriate at this location.

Protestants in attendance who did not choose to speak were as follows:

Marian West, 7463 East 98th Street, Tulsa, Oklahoma.

Vicki and Don Rose, 7425 East 98th Street, Tulsa, Oklahoma.

Jesse Clifton, 9802 South 74th East Avenue, Tulsa, Oklahoma.

Darrel Mullins, 8944 East 113th Street, Bixby, Oklahoma.

Case No. 15584 (continued)

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **DENY** a **Variance** of the maximum square footage permitted for detached accessory buildings from 750 sq ft to 1600 sq ft to permit construction of a new building - **Section 210. YARDS** - Use Unit 6; finding that the applicant failed to demonstrate a hardship that would warrant the granting of the variance request; and finding that the transporting and storage of large machinery in the residential area would be an inappropriate use and would be detrimental to the neighborhood; on the following described property:

Beginning at the northeast corner of the NW/4 SE/4 NW/4 SE/4; thence west 181.27' southwesterly on a curve to a point; thence southeasterly 445.77' to a point; thence northeasterly 368.8' north to the POB, Section 23, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15586

Action Requested:

Special exception to permit off-street parking in an RM-2 zoned district - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS.** Use Unit 10, located NE/c of East 11th Street South and South Hudson Avenue.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma, submitted photographs (Exhibit F-2) and a plot plan (Exhibit F-1), and stated that he is representing Oklahoma Fixture Company. He explained that the business, which was established in 1928 and presently employs approximately 700 people, is located in a CH zoned district and was developed prior to the adoption of the off-street parking requirement for CH zoned property. Mr. Norman stated that the company is proposing to construct a 200' by 500' facility, along with required parking, which will be located in a CH zoned area. He pointed out that the company also owns RM-2 property to the north, which will provide an additional 350 parking spaces, with Board approval. It was noted by the applicant that this additional parking area will alleviate any need for parking in the neighborhood. Mr. Norman stated that the north boundary and the northeast and northwest corners, which abut single-family dwellings, will be screened with trees, shrubbery and a 6' solid screening fence. He further noted that the dwellings to the north have deep rear yards, with the nearest residence being 110' from the north property line. Mr. Norman informed that the lighting fixtures in the parking area will be restricted to 16', or 8' lower than two existing private security lights on the north boundary. In regard to ingress and egress, Mr. Norman stated that the only exit from the existing CH parking lot is on Hudson; however, the new plant and parking area will be accessed from 11th Street, with only one exit

Case No. 15586 (continued)

on Hudson, which will direct all traffic to turn south and proceed to 11th Street. He pointed out that this will prevent motorists from turning right into the residential neighborhood, which has created a disturbance in the past. He submitted a copy of a letter (Exhibit F-3) explaining the application, which was mailed to the neighbors of Oklahoma Fixtures. A letter of support (Exhibit F-4) from the Mid-Tulsa Neighborhood Association was submitted.

Comments and Questions:

Ms. Bradley asked the applicant if the proposed RM-2 parking is located to the south of 9th Street, and Mr. Norman stated that the parking will be located north of the centerline of 9th Street, along with a required detention facility.

Interested Parties:

Gary Howell, 565 South Hudson, Tulsa, Oklahoma, stated that he is an area resident and is supportive of the application.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Special Exception** to permit off-street parking in an RM-2 zoned district - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS.** Use Unit 10; per landscape and plot plan submitted; finding that the approval 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:

All of Blocks 66 and 67 in Glenhaven Addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded subdivision thereof, and the vacated and closed R/W for East 9th Street adjacent thereto, and part of Lot 3 and all of Lots 4 through 8 in Block 4 of Glenhaven Resubdivision to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof, and part of Lot 2 in Block 53 of Glenhaven Addition Amended to the City of Tulsa, Tulsa County, Oklahoma according to the recorded plat thereof.

Case No. 15587

Action Requested:

Variance of the one story building height regulation to two-story construction to permit the erection of a partial 2nd floor within the confines of an existing building - **Section 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS** - Use Unit 11, located 5546 South 79th East Place.

Case No. 15587 (continued)

Presentation:

The applicant, Gary Spriggs, 400-B South Elm Place, Broken Arrow, Oklahoma informed that he is construction contractor for the Oklahoma Members First Credit Union. He submitted a photograph and plot plan (Exhibit G-1) and requested permission to convert a 17' high foyer into offices and a break room for the employees. He explained that the break room will be located in the partial second floor, with the space on the lower floor being converted to office use. Mr. Spriggs stated that the second floor construction will not alter the outside of the building in any way.

Comments and Questions:

Ms. White asked if additional tenants will move to the building, and the applicant stated that there will be no new tenants, as the space will be utilized by the credit union.

Ms. Bradley inquired as to the amount of space converted to a break room, and the applicant stated that the upper room will be approximately 12' by 20'.

Protestants:

Klorine Spiker, 5543 South 78th East Avenue, Tulsa, Oklahoma, submitted a petition of opposition (Exhibit G-2) and stated that she lives to the rear of the property in question. She voiced a concern with the installation of a partial second floor, adequate parking for the business, increased traffic and the impact further construction could have on the water run-off in the area.

Interested Parties:

Jerry Stewart, 5630 South Memorial, Tulsa, Oklahoma, stated that he owns a building in the office addition, and was under the impression that the existing structure would be converted to a two-story office building. He stated that, although he is opposed to a two-story office structure at this location, he is supportive of the application as presented. Mr. Stewart added that he is unaware of the existence of a water run-off problem in the area.

Additional Comments:

Ms. Bradley asked Mr. Spriggs if the number of employees will be increased, and he replied that he is not aware of an increase in the number of employees. He added that the new space is required for computers.

Mr. Gardner stated that the Building Inspector has reviewed the plans and has determined that the only relief needed is a variance of the height regulation. He pointed out that the flooring of the upper portion of the foyer creates a partial second story, which technically requires Board action, even though the roofline will not change.

Case No. 15587 (continued)

Ms. Bradley asked Ms. Hubbard if the building will have adequate parking after the foyer is renovated, and she answered in the affirmative.

In response to Mr. Bolzle's question concerning a hardship, Mr. Gardner stated that the fact that there is no provision in the Code for a partial story or loft in an OL District, even though the roofline will not change, is what makes this situation unusual.

Mr. Bolzle stated that, although he is sensitive to the concerns of the neighborhood, it appears that any water run-off problem would not be worsened by the construction, as the exterior of the building would not be altered. He stated that the privacy issue can be controlled by requiring that the wall to the break room be solid, with no windows or doors.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bradley, Bolzle, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Variance** of the one story building height regulation to two-story construction to permit the erection of a partial 2nd floor within the confines of an existing building - **Section 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS** - Use Unit 11; per plot plan and construction plans submitted; subject to no interior changes in the ceiling or lighting in the loft area; subject to no exterior changes in the roof line be made to accommodate the second floor, or otherwise add any cubic content to the new second floor; subject to no exterior windows in the new second floor area; finding that the building construction will not add a second story to the existing building, but the upper portion of a vaulted ceiling will be converted into a 12' by 20' break room; finding a hardship demonstrated by the fact that there is not a provision in the Code to utilize finished building space by adding a partial floor or loft in an OL District, which is what is unique about the request; on the following described property:*

Lot 5, Block 1, Memorial Drive Office Park, City of Tulsa, Tulsa County, Oklahoma.

*Motion clarified at the December 6, 1990 Board of Adjustment meeting.

Case No. 15588

Action Requested:

Special Exception to expand a single-family dwelling in a CS District - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 6.

Variance of the building setback requirement, as measured from the centerline of Sheridan from 100' to 75' to permit construction of an addition to the existing residence - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 6, located 6503 East Pine Place.

Case No. 15588 (continued)

Presentation:

The applicant, Gerald Bruner, 1303 East Boise Place, Broken Arrow, Oklahoma, stated that he is proposing to construct a dining room on the back portion of an existing dwelling. He informed that the house is encroaching into the required setback, and the proposed construction will not extend as close to the street as the existing garage.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a Special Exception to expand a single-family dwelling in a CS District - **Section 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 6; per plot plan submitted; finding a hardship demonstrated by the corner lot location, and setback requirements that would not permit construction on the lot without Board relief, even though the new construction is further from Sheridan Road than the existing house; on the following described property:

Lot 1, Block 1, Spartan Court Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15593

Action Requested:

Variance of the minimum required setback as measured from the centerline of East 30th Street from 50' to 30' - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 11.

Special Exception to waive the screening requirement along the west property line abutting an R zoned district - **Section 1211.C. - OFFICES AND STUDIOS, USE CONDITIONS** - Use Unit 11, located south and west of East 30th Street South and South Sheridan Road.

Presentation:

The applicant, Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma, who represented the University of Oklahoma Medical College, submitted a site plan (Exhibit J-1) for the proposed project. He informed that elevators are to be installed in the 25-year old building, and the mechanical room (8' by 19') is to be located within the existing retaining wall at the northwest corner of the building. Mr. Norman stated that the room will extend approximately 2' above the existing retaining wall. Elevations (Exhibit J-2) and photographs (Exhibit J-3) were submitted. The applicant stated that a screening fence is required between the existing building and the apartment project to the west; however, the apartment complex has installed a screening fence along that boundary to screen their pool area. He pointed out that a 6' screening wall is in place to the south, adjacent to the parking area, but at a lower elevation than the apartments. He asked that the fences be allowed to remain in their present condition.

Case No. 15593 (continued)

Protestants: None.

Board Action:

On **MOTION** of **CHAPPELLE**, the Board voted 4-0-0 (Bradley, Bolzie, Chappelle, White, "aye"; no "nays"; no "abstentions"; Fuller, "absent") to **APPROVE** a **Variance** of the minimum required setback as measured from the centerline of East 30th Street from 50' to 30' - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 11; and to **APPROVE** a **Special Exception** to waive the screening requirement along the west property line abutting an R zoned district - **Section 1211.C. - OFFICES AND STUDIOS, USE CONDITIONS** - Use Unit 11; per plot plan submitted; subject to the existing fence on the west boundary line being maintained by the college; finding a hardship imposed on the applicant by the fact that the existing building was constructed prior to the adoption of the current setback requirements in the Zoning Code; on the following described property:

A tract of land situated in the SE/4 of the SE/4 of Section 15, T-19-N, R-13-E, Tulsa County, Oklahoma being more particularly described as follows, to-wit: BEGINNING at a point 540' north and 200' west of the southeast corner of said Section 15; thence northerly and parallel to the east line of said Section 15 a distance of 102.96'; thence east and parallel to the south line of said Section 15 a distance of 25'; thence northerly and parallel to the east line of said Section 15 a distance of 150' to a point in the south Right-of-way line of East 30th Street South; thence west and along the south Right-of-way line of East 30th Street South a distance of 86.43'; thence along a curve to the left with a radius of 170' a distance of 70.61'; thence south and parallel to the east line of said Section 15 a distance of 238.46'; thence east and parallel to the south line of said Section 15 a distance of 130' to the POB; City of Tulsa, Tulsa County, Oklahoma.

UNFINISHED BUSINESS

Discussion and Adoption of Board of Adjustment Meeting Dates for 1991

Following discussion, it was the consensus of the Board that the 1991 meeting dates should be changed to the second and fourth Tuesday of each month to avoid a conflict with the City Council meetings that are held on Thursdays and begin at 4:30 in the afternoon.

There being no further business, the meeting was adjourned at 2:30 p.m.

Date Approved

Dec. 6, 1990

Harry White
Chairman

11.15.90:575(13)