

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 775
Tuesday, June 22, 1999, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Cooper Dunham, Vice Chair Perkins	Turnbo White, Chair	Arnold Beach Stump	Jackere, Legal Dept. Ackermann, Zoning Officer

The notice and agenda of said meeting was posted in the Office of the City Clerk on Friday, June 21, 1999, at 8:48 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Vice Chair, Dunham called the meeting to order at 1:10 p.m.

MINUTES:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE** the Minutes of May 25 1999 (No. 773).

UNFINISHED BUSINESS

Case No. 18308

Action Requested:

Variance of 30' frontage requirement down to 25'. **SECTION 206. STREET FRONTAGE REQUIRED**, located 2741 North Yukon.

Presentation:

The applicant, **Julius Puma**, submitted a site plan (Exhibit A-1) and stated that the property is about five acres and they would like to build a house on it. The way the land is situated, the only access to the property is from North Yukon, which is only 25' wide. The house will face west and the homeowners to the west will also use the North Yukon frontage.

Interested Parties:

Anna Lewis, 2739 North Xenophon, Tulsa, OK 74127, stated that she lives behind the subject property. Ms. Lewis is concerned about whether the road will be private or public.

Mr. Dunham explained to Ms. Lewis that the public road would continue to be public until it meets the subject property and then it will turn into a private road.

Ms. Lewis stated that she does not have a problem with the application.

Board Action:

On **MOTION** of **PERKINS**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE** Variance of 30' frontage requirement down to 25', finding the hardship to be the size of the lot. **SECTION 206. STREET FRONTAGE REQUIRED** on the following described property:

A tract of land in the S/2 of Section 22, T-20-N, R-12-E, Osage County, Oklahoma, more particularly described as follows: starting at the SW/c of the SE/4 of the SW/4 of said Section 22; thence N 00°26'35" E along the Wly line of said SW/4 and along the Wly line of Block 9 and part of Block 10, Gilcrease Hills Village IV, an addition to the City of Tulsa, Osage County, Oklahoma, a distance of 655.10' to a point of curvature; thence, along a curve to the right with a radius of 655.27' and a central angle of 00-52-06, said line being a continuation of the Wly line of said Block 9 and Part of Block 10, Gilcrease Hills Village IV, a distance of 9.93'; thence S 89°33'25" E along the Nly line of said Block 9 and part of Block 10, Gilcrease Hills Village IV, a distance of 25.0' to the point of beginning; thence, continuing S 89°33'25" E along the Nly line of said Block 9 and part of Block 10, Gilcrease Hills Village IV, a distance of 475.0'; thence, due north a distance of 460.0'; thence due W a distance of 475.0'; thence, S a distance of approximately 460.0' to the point of beginning of said tract of land.

Case No. 18394

Action Requested:

Special Exception for use of land in RS-2 for a public park including the following development: roadways, parking, sidewalks, shelters, restrooms, playgrounds, picnic tables, benches, ornamental horticultural displays, Tulsa Garden Center, visitor center, gift shop, arboretum, green houses, pole barn, storage bins and maintenance employees offices. **SECTION 402. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2**, located East 21st Street & Peoria.

Presentation:

The applicant, **Randy C. Nicholson**, City of Tulsa, Parks Department, submitted a site plan (Exhibit B-1 and B-2) and text outlining the development (Exhibit B-3) and stated that this property is the location of Woodward Park. As of today, the Parks Department is still trying to work on some issues with the neighbors. Therefore, he would like to amend his application to strike all of the proposed improvements listed in the request with the exception of the item referred to as the gift shop. Mr. Nicholson explained that the current site and facilities would stay unchanged with the exception of a gift shop that would be constructed in the current garage, which is immediately behind the Garden Center structure. The gift shop currently exists on the upper level of the Garden Center and it is their desire to move the shop to the garage to allow changes to the Garden Center building.

Comments and Questions:

Mr. Dunham asked what the size of the gift shop will be? Mr. Nicholson explained that the double car garage is a somewhat larger than the existing gift shop.

Mr. Dunham asked if the parking would change? Mr. Nicholson replied that parking on site would not change.

Mr. Cooper asked the applicant why he is dividing up the application? Mr. Nicholson explained that they have a window of opportunity with regard to utilization of the garage space for the winter and the Christmas season. They have not been able to develop final plans regarding long range traffic and access to the property. They are looking at changing the traffic patterns within the park. Mr. Nicholson explained to the Board that they would like to go ahead with the plans for the gift shop so it will be operational for the holiday season.

Mr. Beach asked Mr. Nicholson if he is asking the Board to approve the park use and the gift shop only and continue the balance the of the application until some time in the future? Mr. Nicholson replied that it may be better to refile the application. Mr. Nicholson stated that they would need at least another three to four months.

Mr. Nicholson mentioned that the Tulsa Garden Center has a lease with the Tulsa Historical Society for their utilization of their parking area. That is one of the concerns of the neighborhood. The Tulsa Historical Society will be coming before the Board soon with their plans for the restoration of their building.

Mr. Dunham asked Mr. Nicholson if the neighborhood was aware of the action he is asking the Board to take today on the gift shop? **Bonnie Hammond**, Executive Director of the Garden Center, 2435 South Peoria, stated that there were some neighborhood residents present at the meeting but all parties to the application went outside and explained what the Tulsa Garden Center was trying to do. They have had a subsequent meeting with the neighbors, put together a task force and the point of concern is the traffic through the existing parking lot. Ms. Hammond explained that they are in the process of addressing that right now, but it will take some time. The reason that the Tulsa Garden Center would like approval now for the gift shop is it is a non-profit organization and they had originally thought the gift shop would be up and running by the holiday season. Ms. Hammond stated that there is no controversy about the gift shop.

Interested Parties:

None.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; Cooper "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Special Exception** for use of land in RS-2 for a public park and gift shop only, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and **STRIKE** the balance of the application which has been withdrawn by the applicant, on the following described property:

BEG at the NW/c Lot 2 thence S 246' E 330' N 23' E 121' SE on curve 43.98' E 145.8' S 109.5' E 63.6' S 109.5' E 526.35' N 470' W 1218.36' to POB Section 18, T-19-N R-13-E.

Case No. 18419 (continued)

Case No. 18419

Action Requested:

Special Exception to permit a church in an IL zoned district. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5,** a Variance to permit required parking on lot other than lot on which church is located. **SECTION 1205. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES OR IN THE ALTERNATIVE** a Variance of the required number of parking spaces. **SECTION 1301. GENERAL REQUIREMENTS,** located SW/c & SE/c South 91st East Avenue & Broken Arrow Expressway.

Presentation:

The applicant, **John W. Moody**, 7146 South Canton, submitted a site plan (Exhibit C-1) and stated that he is representing Guts Church. Mr. Moody stated that the church has been very successful over the past few years and needs to expand. Mr. Moody explained that the church has many programs designed for the youth that require a lot of additional space. The proposed site appealed to the church because the location of the building near the expressway makes it easy for everyone to get to the church. The building is located within an IL zoned area and a majority of the businesses do not operate in the evening hours, as the church does. Mr. Moody explained to the Board that a portion of the existing tract where the church is located has been condemned by the City of Tulsa for the Mingo Creek Flood Project Detention Facility thus, reducing the number of parking spaces on the property. The owner of the church property also owns the property across the street which is leased by Name Brand Clothing, who uses it as a distribution center. There is plenty of room on the adjacent property for non simultaneous uses to accommodate the parking needs of the church. The distribution center activities occur during daytime hours and the church's primary activities are during the evenings and on weekends. Mr. Moody stated that the total required parking spaces are 400. The church will be able to provide 153 spaces on-site and 265 spaces on the west site for a total of 418 parking spaces. It is not unusual for church parking to be located across the street from the sanctuary. Mr. Moody mentioned that the hardship is the condemnation of a portion of the property by the City of Tulsa which affected the number of parking spaces that could be placed on the property.

Interested Parties:

Stephen A. Schuller, stated that he represents the Trustees of the Alexander Memorial Fund. His clients are the owners of the property on the west side of 91st East Ave. Mr. Schuller mentioned to the Board that his clients do not have an objection to the application and does not object to the church using the property for parking.

Comments and Questions:

Mr. Stump asked the applicant how long the lease is for? Mr. Schuller replied that the lease will expire April 20, 2000.

Case No. 18419 (continued)

Mr. Dunham stated that he has no problem with the application as long as the church has the lease for the additional parking.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE *Special Exception*** to permit a church in an IL zoned district, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5**, and a **Variance** to permit required parking on lot other than lot on which church is located. **SECTION 1205. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES**, , finding that it meets the requirements of Section 1607.C., and provided that the church has the right to use the lot across the street to the west; solely for church use and for the parking on the lot to the west provide no less than 250 parking spaces for the church's use, on the following described property:

Lot 1, and the N 100' of Lot 2, Block 1, and Lots 1 and 2, Block 2, less a portion condemned for a detention facility, all in Alexander Trust Amended Addition, City of Tulsa, Tulsa County, State of Oklahoma.

NEW APPLICATIONS

Case No. 18435

Action Requested:

Variance of structure setback from Denver from the required 50' to 35' to permit replacement of an existing sign. **SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, General Use Conditions for Business Signs – Use Unit 11**, located 1605 South Denver.

Comments and Questions:

Mr. Beach mentioned to the Board that after review it was determined that there is no relief needed. The case should be stricken from the Agenda.

Board Action:

None taken.

Case No. 18436

Action Requested:

Variance of maximum allowable floor area for a detached accessory building from 983 SF (40% of principle dwelling) to 1,364 SF. **SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions**, located 1940 West 82nd Street South.

Presentation:

The applicant, **Kimberley M. Hendrix**, 1940 West 82nd Street South, submitted a site plan (Exhibit E-1) and stated that they currently have an RV garage that has about 600 square feet. They would like to construct a three car garage as a hobby garage. The building is typical for the area. Their lot is over an acre in size and can adequately handle a detached building of this size.

Interested Parties:

None.

Comments and Questions:

Mr. Dunham asked the applicant if there would be any commercial activity taking place within the building? Ms. Hendrix replied no, they build street rods for fun, as a hobby.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Variance** of maximum allowable floor area for a detached accessory building from 983 SF (40% of principle dwelling) to 1,364 SF. **SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions**, subject to there being no commercial activities on the property; finding the hardship to be the size of the lot; on the following described property:

W 165.23' of N 260.2' of Lot 13, Ross Homesite Subdivision, Tulsa County,
State of Oklahoma

Case No. 18437

Action Requested:

Variance of the 40' setback requirement for a sign down to 32' to allow a structure in the planned right-of-way. **SECTION 215. STRUCTURE SETBACK FROM ABUTTING STREETS – Use Unit 11**, located 1307 South Boulder Avenue.

Case No. 18437 (continued)

Presentation:

The applicant, **Richard H. Craig**, submitted a site plan (Exhibit F-1), a sign plan (Exhibit F-2) and stated that to place a small 2' x 5' sign on the property.

Comments and Questions:

Mr. Dunham asked the applicant if he had any problem with a removal contract and he replied that he did not.

Board Action:

On **MOTION** of **PERKINS**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Variance** of the 40' setback requirement for a sign down to 32' to allow a structure in the planned right-of-way. **SECTION 215. STRUCTURE SETBACK FROM ABUTTING STREETS – Use Unit 11**, subject to a removal contract; finding the hardship to be the 60' right-of-way; on the following described property:

Lots 7, 8, 9, 10, 11 and 12, less the part of Lot 12, beginning at the NW/c, thence S 10', thence NE 12.24', thence W 7' to the point of beginning, all in Block 5, Horner Addition Amended, to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18438

Action Requested:

Variance to allow gravel parking. **SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS – Use Unit 11**; a Variance to waive the landscape requirements. **SECTION 1002. LANDSCAPE REQUIREMENTS**; a Variance to waive the screening requirement from an R District to the north. **SECTION 1220.C. USE UNIT 20. COMMERCIAL RECREATION: INTENSIVE**; a Variance of the setback from the centerline of 95th E. Ave. from 50' to 0'. **SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS**, located 9502 East Mohawk Boulevard.

Presentation:

The applicant, **George M. Brower**, 9502 East Mohawk Boulevard, submitted a site plan (Exhibit G-1) and stated that the purchase of this property was for the intent to operate a motorcross (Motorcycle) track. The Tulsa area currently does not have a motorcross racetrack. Mr. Brower mentioned to the Board that he is not sure if Tulsa can support a track like this and at this time would like to be allowed to put in gravel parking. If the track is not profitable for him, he will not have a lot of money tied up in paving. Mr. Brower submitted photos of the property (Exhibit G-2) showing all the existing trees and landscaping. It is their intent to keep all of the trees and keep the

appearance of a park. Mr. Brower withdrew the variance to waive the screening requirement. Mr. Brower explained that the reason for the variance of the setback from the centerline is because he has no structures on the property. There is temporary fencing, temporary seating and a temporary scoring tower.

Interested Parties:

Harold Charney, stated that he represents Marie Ford, 5524 North 97th East Avenue. Mr. Charney mentioned that Ms. Ford lives across the street from the track. They are worried about the dust and gravel from the race track. Mr. Charney believes that the track will be a nuisance to the neighborhood. Mr. Charney asked the Board to deny the application.

Roy McCombs, 9615 East 55th Place North, stated that he lives directly across the street from the race track. Mr. McCombs explained to the Board that there is a great deal of noise and dust created by this track. Mr. McCombs submitted photos of the track and the surrounding area (Exhibit G-3).

Mr. Dunham asked Mr. McCombs if he understood that this use is a use by right in the IM District? Mr. McCombs replied that he understands that it is but he would like for Mr. Brower to follow the Zoning Code and put a paved road in and put up a screening fence. Mr. McCombs explained that Mr. Brower has been using this track without having the proper permits.

Delana Jungens, 9316 East Mohawk Boulevard, submitted photos (Exhibit G-3) and played a tape of the noise from the race track for the Board. Ms. Jungens is opposed to the race track.

Ms. Perkins explained to Ms. Jungens that Mr. Brower can have the track on the property, by right the only thing under discussion is the landscaping and the setback.

Applicant's Rebuttal:

Mr. Brower, stated that he was not operating on the property in October. The track was not opened for public use until April 1, 1999. He was approached by a zoning officer, advising him to apply for a zoning clearance permit. Mr. Brower explained that he locks the track to prevent people from coming onto the property after hours and using track. He purposefully shuts the track down at 8:00 p.m. to allow the neighbors peace in the evenings. Mr. Brower informed the Board that his hours of operation are Monday through Thursday, 4:00 p.m. to 8:00 p.m.; Saturday, 9:00 a.m. to 6:00 p.m. The track is closed on Friday and Sunday. Mr. Brower stated that if he required to put in paved parking, he would like a time allowance of about a year to put the parking in.

Comments and Questions:

Mr. Cooper asked Staff, if the Board allows Mr. Brower to build parking, how much parking must he build since there is no floor area? Mr. Stump replied that it has to do with the amount of spectator area. Mr. Ackermann mentioned that Code says that parking would be provided at 1 per 4 seats, if spectator seating is provided. However, for all other uses it is 1 per 800 square feet of site. Mr. Brower stated that he is going to provide seating for 100 people. Mr. Dunham asked Mr. Ackermann if he would calculate the parking by the land area requirement or the seating requirement? Mr. Ackermann replied that if spectator seating is provided, then they would use the seating requirement. Mr. Beach mentioned that more than likely there will be many people in a pit area or at various points on the track watching the races. Mr. Ackermann stated that it might be better to use the 1 per 800 square feet of site area.

Mr. Dunham asked the applicant if he intends to build 95th East Avenue, the road is platted, but it is not built or existing. Mr. Brower replied that if the Board does not support the application, he may have to develop the area in the future and construct the road.

Mr. Dunham stated that he believes that there will be enough dust created by the actual track and he is opposed to a permanent variance on the gravel. He could approve the variance with a maximum of six month time limit. Mr. Dunham stated that because of the amount of trees on the property he can support the landscaping variance. Mr. Cooper agreed with Mr. Dunham.

Mr. Dunham stated that the entire area is zoned either IM or IL and some of the uses that would be allowed under that zoning would be a lot more objectionable than the race track.

Mr. Cooper feels that there is no hardship for the variance to allow gravel parking and it would be injurious to the neighborhood.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **DENY** a **Variance** to allow gravel parking. **SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS – Use Unit 11** and a **Variance** of the setback from the centerline of 95th E. Ave. from 50' to 0'. **SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS, APPROVE** a **Variance** to waive the landscape requirements, finding the hardship to be that there is a significant number of trees on the property and provided that the applicant does not remove any of the existing trees and landscaping, the hours of operation on the property shall be Monday through Thursday, 4:00 p.m. to 8:00 p.m.; Saturday from 9:00 a.m. to 6:00 p.m. and be closed on Friday and Sunday. **SECTION 1002. LANDSCAPE REQUIREMENTS;** to **WITHDRAW** a **Variance** to waive the screening requirement from an R District to

Case No. 18438 (continued)

the north. **SECTION 1220.C. USE UNIT 20. COMMERCIAL RECREATION: INTENSIVE**; on the following described property:

Lot 1, Block 2, and Lot 1, Block 3, Carmac Industrial Park Second, City of Tulsa, Tulsa County, State of Oklahoma.

..*.*.*.*.*.*.*.*.

Case No. 18439

Action Requested:

Special Exception to permit auto sales in a CS District. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17**; and a Variance to permit open air storage or display of merchandise offered for sale within 300' of an R District. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Use Conditions**, located 2201 South Garnett.

Presentation:

The applicant, **Joseph A. McCormick**, 601 Park Tower, 5314 South Yale, Tulsa, OK, submitted a site plan (Exhibit H-1) and stated that he represents the owner of the property. The purpose of the application is to allow the sale of used cars. Mr. McCormick does not believe that the neighborhood will be harmed by this use.

Interested Parties:

John Roy, 9018 East 38th Street, East Tulsa Mingo Valley Association, stated that this association covers Council Districts 5 and 6. Mr. Roy stated that they wish to oppose this application because they feel it is inappropriate to put a car lot in this location. Mr. Roy submitted a petition of opposition (Exhibit H-2) to the application. Mr. Roy submitted some suggestions that the Board might take into consideration if they vote to approve the application. Those suggestions include: (1) no chain link fences around the property; (2) any perimeter barrier around the property not be any higher than 3'; (3) no banners, streamers, advertising attached or hung from poles, light poles, buildings or canopies; (4) not to allow parking on adjacent properties; (5) only light mechanical be performed inside a building and not on an open lot.

Matt Martin, 200 Civic Center, Tulsa, OK, stated that he is representing Councilor Art Justis, District 6. Mr. Martin mentioned that the neighborhood has been in contact with Councilor Justis about this application. Mr. Martin relayed Councilor Justis' urge for denial of the application.

Bernard Sussman, 2228 Garnett, stated that he owns the Plaza Del Ray office building which is on the same side of the street as the proposed car lot. Mr. Sussman mentioned that he has owned the building since 1993 and has made several improvements to the building in that time. Mr. Sussman does not believe that this car lot would be an asset to the area.

Applicant's Rebuttal:

Mr. McCormick stated to the Board that this car lot will not cause injury to the neighborhood or other businesses in the area. Mr. McCormick agreed to the conditions suggested by Mr. Roy.

Comments and Questions:

Mr. Dunham asked Staff if there is a restriction on the number of cars that can be placed on a 20,000 square foot lot? Mr. Stump replied negatively.

Mr. Cooper is concerned about the neighborhood because there are not any car dealerships in this immediate area. Mr. Dunham responded that he does not see that it is a problem. By looking at the aerial photo and the case map, where could a person put another one? You can't go south because of the zoning, to the north is a shopping center and to the west is another series of shopping centers.

Board Action:

On **MOTION** of **PERKINS** the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE *Special Exception*** to permit auto sales in a CS District, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17;** and a ***Variance*** to permit open air storage or display of merchandise offered for sale within 300' of an R District, subject to the open air sale being of cars only; finding the hardship to be that that R District is blocked from the commercial use. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Use Conditions,** subject to the following conditions: (1) no chain link; (2) the fence is not to exceed 4' in height; (3) there shall be no banners, streamers or balloons; (4) can have the appropriate sign footage; (5) no parking on adjacent property; (6) no mechanical work done at all on the property; (7) the hours of operation will be Monday through Saturday, 9:00 a.m. to 9:00 p.m.; (8) light poles must be constructed to shine inward and downward; on the following described property:

Lot 1, Block 4, Burris Square Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18440

Action Requested:

Variance of minimum 750 SF of accessory building to 2,722 SF to add a pool cabana and garage. **SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6** and a Variance to permit the accessory buildings to cover more than 20% of the required rear yard up to 27%. **SECTION 210.B.5. YARDS, Permitted Obstructions in Required Yards**, located 2423 East 37th Street.

Presentation:

The applicant, **David F. James**, 2423 East 37th Street was present and explained his site plan (Exhibit I-1) to the Board.

Interested Parties:

None.

Board Action:

On **MOTION** of **PERKINS**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Variance** of minimum 750 SF of accessory building to 2,722 SF to add a pool cabana and garage. **SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6** and a **Variance** to permit the accessory buildings to cover more than 20% of the required rear yard up to 27%. **SECTION 210.B.5. YARDS, Permitted Obstructions in Required Yards**, finding the hardship to be the unusual shape of the lot and the large rear yard, on the following described property:

Lots 3 and 4, less the W 10' of Lot 3, Block 1, Oakview Estates, a resubdivision of Lots 8, 9, and 10, Block 3, Oak View Estates, City of Tulsa, Tulsa County, State of Oklahoma.

*****.

Case No. 18441

Action Requested:

Special Exception to allow a mini-storage in a RM-1 zoned district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 16;** a Variance from the requirement that mini-storage developments shall have frontage on and access to an arterial street. **SECTION 404.I.8. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS;** a Variance from the required setback from a freeway service road from 50' to 24'. **SECTION 404.I.2. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS**, located West of NW/c I-244 & North Memorial.

Presentation:

The applicant, **David B. Dooley**, 1833 North 15th Street, Broken Arrow, OK, submitted a site plan (Exhibit J-1) and stated that they originally applied to change the zoning of the property from RS-1 to CG. After discussion with Staff and the Planning Commission, because the change was not in conformance with the Comprehensive Plan, they were given two options: (1) submit a PUD or (2) RM-1 and apply to the Board of Adjustment for relief. Mr. Dooley mentioned that they did apply for rezoning to RM-1 and it was unanimously approved by both the Planning Commission and City Council. This piece of property borders the old Admiral Twin Drive-in. The south portion of the property borders I-244. Mr. Dooley mentioned that even though the property is zoned RM-1 he does not think it will ever be developed as apartments because the property lies directly in the flight path of Tulsa International Airport.

Comments and Questions:

Ms. Perkins asked Mr. Dooley if he would be willing to move his building 1' closer to the rear to avoid the variance of the setback? Mr. Dooley stated that he could do that.

Mr. Dunham stated to the applicant that he would also need screening along the west property line. Mr. Dooley mentioned that their site plan shows a 6' privacy fence along that property line. Mr. Dunham mentioned that the fence needs to be 8' tall and Mr. Dooley said that he would comply with that request.

Interested Parties:

None.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE *Special Exception*** to allow a mini-storage in a RM-1 zoned district, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 16; a *Variance*** from the requirement that mini-storage developments shall have frontage on and access to an arterial street, finding the hardship to be the service road frontage meets the intent of the Code. **SECTION 404.I.8. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS; DENY a *Variance*** from the required setback from a freeway service road from 50' to 24'. **SECTION 404.I.2. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS**, on the following described property:

W 176.75' of Lots 14-15, less the S 25' Bloomfield Heights, City of Tulsa,
Tulsa County, State of Oklahoma

Case No. 18442

Action Requested:

Special Exception to permit church and related uses in RS-2 and RS-3 Districts. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5;** Variance of Section 404.F.2. Minimum lot size. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS;** a Variance of Section 404.F.3. Minimum frontage. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS;** Variance of Section 404.F.4. Minimum 25' setback from abutting properties within an R District. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS;** Variance of Section 1205.B.1.a. 1 acre lot area and 100' lot width requirements. **SECTION 1205.B. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Included Uses;** Variance of Section 1205.B.1.b. to permit parking in the front yard. **SECTION 1205.B. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Included Uses,** located S & E of 55th St. S. & S. Harvard Ave.

Presentation:

The applicant, **Jim Satrum**, 5511 South Harvard Avenue, submitted a site plan (Exhibit K-1) and stated that he is representing Woodland Acres Baptist Church. The church property is bounded by South Harvard Avenue, East 55th Street South and an R District. Mr. Satrum mentioned that the church acquired the four duplexes directly south of the church a year and a half ago. The other two duplexes, which abut East 56th Place South, are rented. There have been discussions between the present owners and the church about the church possible purchasing them in the future. The application today is related to the four duplexes which the church owns. The church intends to use the four duplexes for church uses, specifically on Sunday mornings and Sunday evening for Bible study. They also intend to use them for Bible study throughout the week. Mr. Satrum mentioned that the property would be accessed through the church property and not the street leading into the duplexes. South Harvard Court is a private street and the church will gate their portion of the street so cars cannot be permitted to enter the church property through the street.

Comments and Questions:

Mr. Dunham asked if there would be any other types of activities taking place on the property? Mr. Satrum replied no. The duplexes would mostly be utilized as adult Bible study.

Mr. Dunham asked the applicant if the church would have any problem with tying the properties to the remainder of the church property? Mr. Satrum replied that they would submit a tie agreement.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE *Special Exception*** to permit church and related uses in RS-2 and RS-3 Districts, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; *Variance*** of Section 404.F.2. Minimum lot size. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS; a *Variance*** of Section 404.F.3. Minimum frontage. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS; *Variance*** of Section 404.F.4. Minimum 25' setback from abutting properties within an R District. **SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS; *Variance*** of Section 1205.B.1.a. 1 acre lot area and 100' lot width requirements. **SECTION 1205.B. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Included Uses; *Variance*** of Section 1205.B.1.b. to permit parking in the front yard. **SECTION 1205.B. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Included Uses**, , finding that the variances meet the requirements of Section 1607.C.subject to the applicant filing a tie agreement, on the following described property:

Lots 1, 2, 5 and 6, Block 1, Amended Plat South Harvard Court, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18443

Action Requested:

Approval of an amended site plan to add a new activity center. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS. Use Unit 5**, located 25 South Atlanta.

Presentation:

The applicant, **Stephen J. Olsen**, submitted a site plan (Exhibit L-1) and stated that he represents St. Francis Xavier Catholic Church.

Interested Parties:

None.

Case No. 18433 (continued)

Board Action:

On **MOTION** of **PERKINS**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE** an Approval of an amended site plan to add a new activity center. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS. Use Unit 5**, per plan submitted, on the following described property:

Lots 7 through 18, Block 6, East Highland Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

*****.

Case No. 18444

Action Requested:

Variance of 40' height limitation on a ground sign to permit a sign 67' in height. **SECTION 1221.D. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, CS District Use Conditions for Business Signs – Use Unit 12**, located 3130 South Memorial.

Presentation:

The applicant, **John W. Moody**, 7146 South Canton, submitted two site plans (Exhibits M-1 and M-2) and stated that he represents the International House of Pancakes. They have under construction a restaurant located at 3130 South Memorial. The application before the Board is to permit a 67' high sign on the far northwest corner of the subject property. Their property abuts the Cracker Barrel restaurant property. In 1996, the Board of Adjustment granted a variance for the Cracker Barrel restaurant for a sign 80' in height at that location. Mr. Moody pointed out that the expressway is at an elevation which is 27½' higher than ground elevation. In order for a sign to be seen from the expressway, the minimum height they could reduce the sign would be 67' in height. Mr. Moody stated that he contacted the Fulton Neighborhood Association and they had a meeting to discuss the particulars of the application. Mr. Moody pointed out that there are two ground signs shown on the site plan. One of the signs is a 25' high sign located on the northeast corner of the property on Memorial Drive. Mr. Moody stated that the Tulsa Zoning Code permits his client, if the variance is not granted, to build a 40' high sign on the Memorial frontage by locating it as show on the site plan given to the Board. That sign could be 23'10" wide x 11'5" tall. That option was presented to the Homeowners Association and they did not want a sign that large.

Interested Parties:

John Roy, 9118 East 38th Street, stated that he is representing the Fulton Neighborhood Association which supports this application. The neighborhoods only concern is that the two trees on the west side of the property not be removed or cut down.

Comments and Questions:

Mr. Cooper asked Mr. Moody to state his hardship in the case. Mr. Moody explained that the hardship is the fact that the lot is small because of the way it was divided up. It did not leave them any frontage on the expressway. The main hardship is the topography of the lot. If the sign was built at the height allowed by the Tulsa Zoning Code it would not be seen from the expressway. Mr. Moody stated that he could not agree to a condition regarding the trees because he is not sure who exactly owns the trees since they are not sure which property they are on.

Ms. Perkins feels that due to the elevation difference between the property and the expressway, they are going to need a sign that is 67' tall.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Variance** of 40' height limitation on a ground sign to permit a sign 67' in height. **SECTION 1221.D. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, CS District Use Conditions for Business Signs – Use Unit 12**, per plan submitted—Option A on page 14-6 in the Board of Adjustment meeting packets, finding the hardship to be the difference in elevations, on the following described property:

A part of Lot 1 and Lot 3 in Interchange Center, an addition to City of Tulsa, Tulsa County, State of Oklahoma, and being more particularly described as follows: Commencing at the NE/c of said Lot 1, thence S 00°01'30" E along the E line of said Lot 1, a distance of 166.88' to the point of beginning; thence continuing S 00°01'30" E, along the E line of said Lots 1 and 3, a distance of 191.00'; thence N 89°56'45" W, a distance of 210.00'; thence N 00°01'30" W and parallel with the E line of said Lots 1 and 3, a distance of 60.21'; thence N 89°56'29" W, a distance of 10.00'; thence N 00°01'30" W and parallel with the E line of said Lots 1 and 3, a distance of 60.00'; thence S 89°56'29" E, a distance of 10.00'; thence N 00°01'30" W and parallel with the E line of said Lots 1 and 3, a distance of 70.79'; thence S 89°56'59" E, a distance of 210.00' to the point of beginning.

Case No. 18445

Action Requested:

Variance of setback from an R District from the required 75' to 25' to permit a warehouse in an IM District. **SECTION 1223.C. USE UNIT 23. WAREHOUSING AND WHOLESALING, Use Conditions – Use Unit 23** and a Special Exception to remove the requirement for screening from an abutting R District which is vacant land on the west property line. **SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS**, located East 37th Street & Elwood.

Case No. 18445 (continued)

Presentation:

The applicant, **Russell Smith**, was not present. The Board decided to continue the case to July 13, 1999.

Interested Parties:

None.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **CONTINUE** Case No. 18445 to the meeting of July 13, 1999.

Case No. 18446

Action Requested:

Special Exception to allow a motel in an IL zoned district. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 19**, located W of SW/c E. 51st St. & S. Broken Arrow Expressway.

Presentation:

The applicant, **Danny Mitchell**, 4111 South Darlington, Suite 140, Tulsa, OK, submitted a site plan (Exhibit O-1) and stated that the Board had previously approved a special exception to allow a motel in this location. That request was never acted on and has reached its time limit and expired. There is a restaurant and motel adjacent to this property. The property is located at the intersection of 51st and the Broken Arrow Expressway.

Interested Parties:

None.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Special Exception** to allow a motel in an IL zoned district, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 19**, per plan submitted excluding the area labeled "future expansion", on the following described property:

Case No. 18446 (continued)

A tract of land that is part of Lot 2, Block 1, of Business Commons at Metro Park, a resubdivision of Part of Lot 1, Block 4, Metro Park in the City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being described as follows, to wit: Beginning at a point on the N line of said Lot 2, being 220.00' Ely of the NW/c of Lot 2; thence S 89°49'03" E along said Nly line for 198.40'; thence S 00°10'57" W for 348.72' to a point of curve; thence SWly along a curve to the right with a central angle of 30°57'00" and a radius of 100.00' for 54.02' to a point of tangency; thence S 31°07'57" W along said tangency for 18.96' to a point on the Sly line of said Lot 2; thence N 58°52'03" W along said Sly line for 132.89' to a point of curve; thence NWly along said Sly line and along a curve to the left with a central angle of 11°24'00" and a radius of 330.00' for 65.66'; thence N 00°01'25" W and parallel with the Wly line of Lot 2 for 320.11' to the point of beginning.

*****.

Case No. 18447

Action Requested:

Variance from the required maximum floor area ratio, from .50 to 1.85 for existing multiple-story medical office building. **SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS – Use Unit 11;** Variance from the requirement that required parking spaces be located on the lot containing the use. **SECTION 1301.D. GENERAL REQUIREMENTS;** Variance from the required setback of parking spaces from the centerline of abutting street. **SECTION 1302. SETBACKS;** Removal of a condition imposed in Case No. 8173 on February 7, 1974, that subject property may not be sold on individual basis, separate from adjacent hospital property; Special Exception to remove the requirement that the use be screened from the abutting R District. **SECTION 1211.C. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES, Use Conditions,** located 2325 South Harvard Avenue.

Presentation:

The applicant, **Stephen A. Schuller**, 500 Oneok Plaza, 100 West 5th Street, Tulsa, OK, 74103, submitted a site plan (Exhibit P-1) and stated that he represents Hillcrest Healthcare System. This is for the Doctor's Medical Arts Building at 25th and Harvard.

Comments and Questions:

Mr. Dunham asked Mr. Schuller if there will be any physical changes to the building? Mr. Schuller replied that nothing will change. They are just selling off a particular portion of the building in a sale/lease back transaction.

Mr. Schuller mentioned that they are asking for a variance to allow parking spaces to be located on another lot. This particular tract of land will not have all of the requisite parking spaces for this building. The parking is along the south and west sides of the building. There is also a parking lot north of the building along Harvard Avenue as well as a large parking lot along the east. These parking lots are shared by visitors of both the Medical Arts building and the Hospital. Mr. Schuller explained that they will have both a reciprocal parking and easement agreement with the hospital property.

Interested Parties:

None.

Board Action:

On **MOTION** of **COPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **APPROVE Variance** from the required maximum floor area ratio, from .50 to 1.85 for existing multiple-story medical office building. **SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS – Use Unit 11; Variance** from the requirement that required parking spaces be located on the lot containing the use subject to there being a reciprocal agreement permitting parking on the lot that currently contains the parking. **SECTION 1301.D. GENERAL REQUIREMENTS; Variance** from the required setback of parking spaces from the centerline of abutting street. **SECTION 1302. SETBACKS;** Removal of a condition imposed in Case No. 8173 on February 7, 1974, that subject property may not be sold on individual basis, separate from adjacent hospital property; **Special Exception** to remove the requirement that the use be screened from the abutting R District, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 1211.C. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES, Use Conditions**, finding the hardship on the variances to be that the nature of the use of the property will remain the same, on the following described property:

A tract of land that is part of the N/2 of the SW/4 of the NW/4 of Section 16, T-19-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being described as follows: Commencing at the NW/c of the N/2 SW/4 NW/4 of said Section 16; thence due S along the Wly line thereof for 335.00' to the point of beginning of said tract of land; thence S 60°00'00" E for 205.27'; thence S 89°57'24" E, parallel to the Nly line of said N/2 SW/4 NW/4, for 92.23'; thence due S, parallel to the Wly line of said N/2 SW/4 NW/4 for 221.00'; thence N 89°57'24" W, parallel to the Nly line of the N/2 SW/4 NW/4 of said Section 16, for 270.00' to a point on the Wly line thereof; thence due N along said Wly line for 323.50' to the point of beginning of said tract of land.

..***.***.

Case No. 18448

Action Requested:

Special Exception for automobile sales in a CS zoned district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17** and a Variance to allow open air storage/display of vehicles within 300' of an R zoned district. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Use Conditions**, located 3205 South Garnett.

Presentation:

The applicant, **Scott Andrews**, was represented by **Jason Smith**, 1425 East 71st Street, submitted a site plan (Exhibit Q-1) and stated that his client would like to put a car lot on the property.

Comments and Questions:

Mr. Cooper asked the applicant what his hardship is for the variance? Mr. Smith replied that the property is obsolete for what the original intent was, which is a convenience store.

Interested Parties:

Jim Parker, 11406 East 32nd Place, stated that Mr. Andrews is not the owner of the property nor does he lease the property. He has made the application on the basis of a proposed possible business. Mr. Parker mentioned that there is a Mazzio's Pizza adjacent to this property and they use the neighborhood as a fast and easy way to get to their deliveries. He is afraid that people test driving the cars will drive through the neighborhood at fast speeds. Mr. Parker feels that the car lot would be an additional hazard for the neighborhood to deal with. Mr. Parker submitted a petition of opposition (Exhibit Q-2) signed by every lot owner in the neighborhood. Mr. Parker mentioned to the Board that they do not have a problem with customary commercial uses in the area but they feel that the car lot could be a detriment to the neighborhood.

Kent VanFaussen, stated that he and his partners own the office building that is to the east of the proposed car lot. Mr. VanFaussen mentioned that drainage would greatly be affected by the paving of the proposed car lot. Mr. VanFaussen asked the Board to deny this application.

Nancy Craten, 245 South 120th East Avenue, Tulsa, OK, stated that she represents the East Tulsa Mingo Valley Association. Ms. Craten mentioned that this application was discussed at an Association meeting and the Association is opposed to the application. Ms. Craten informed the Board that her father, Joe Craten, owns the property directly east of the subject parcel. Ms. Craten submitted photos of the area and of the traffic flow (Exhibit Q-4). There is a City park to the south of the proposed car lot that will be affected by all the cars speeding down the streets. Ms. Craten impressed upon the Board how important it is to the neighborhood for the Board to deny this application.

Matt Martin, stated that he is appearing on behalf of Councilor Art Justis. Mr. Martin mentioned to the Board that Councilor Justis is concerned about setting a precedent in this area by adding this car lot. Mr. Martin indicated that Councilor Justis is opposed to this application.

Applicant's Rebuttal:

Mr. Smith mentioned that Mr. Andrews, the owner of the property, lives in Houston, Texas and has purchased four pieces of property in the Tulsa area and is going to use them for investments. One of his investments is a Texaco StarLube at the intersection of 31st and Garnett. Mr. Smith mentioned to the Board that a 24-hour convenience store could be put in at this location by right and would cause more detriment to the neighborhood than a car lot that is not open 24 hours a day. This car lot is a small time operation and will not utilize loud speakers. Mr. Smith mentioned that they would not be opposed to lighting restrictions.

Comments and Questions:

Mr. Cooper stated that he does not see a hardship in this case. There is no separation between the residential area.

Mr. Stump mentioned that this use is far less demanding on the neighborhood than a convenience store, but they have had a number of complaints in the 15th Street and 11th Street areas that a lot of test driving of cars with rapid acceleration occurs. This neighborhood seems to be in the right location for that type of driving through the neighborhood.

Mr. Dunham stated that the neighborhood needs to realize that this is a commercially zoned area and will be utilized in that manner.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-0-0 (Cooper, Dunham, Perkins, "aye"; no "nays", no "abstentions"; Turnbo, White "absent") to **DENY Special Exception** for automobile sales in a CS zoned district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17** and a **Variance** to allow open air storage/display of vehicles within 300' of an R zoned district. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Use Conditions**, on the following described property:

Lot 1, Block 2, amended plat of a resubdivision of Blocks 2 and 3 of Briarglen Center Addition, City of Tulsa, County of Tulsa, State of Oklahoma.

OTHER BUSINESS

Election of Officers:

The Board decided to continue the election of officers to the meeting of July 13, 1999, since there were only three members present to vote.

..*.*.*.*.*.*.

There being no further business, the meeting was adjourned at 4:10 p.m.

Date approved: AUGUST 10, 1999

[Handwritten Signature]

Chair