

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 783
Tuesday, October 26, 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
Dunham, Vice Chair Perkins White, Chair	Cooper Turnbo	Arnold Beach Stump	Jackere, Legal Dept. Ackermann, Zoning Official

The notice and agenda of said meeting was posted in the Office of the City Clerk on Monday, October 25, 1999, at 8:16 a.m., as well as in the Reception Area of the INCOG offices.

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

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UNFINISHED BUSINESS

Case No. 18511

Action Requested:

Variance to permit the outdoor display of merchandise offered for sale within 300' of an R zoned district. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES; Use Conditions**, located 1235 North Sheridan.

Comments and Questions:

Mr. Beach reminded the Board that this application was before them on September 28, 1999. The Board granted a Special Exception to allow sale and repair of motorcycles, ATV's, personal watercraft and boats in a CS district with all repairs to be conducted indoors. There was an issue about the applicant selling some of the merchandise but they are located within 300' of an R District. The applicant was not advertised for that relief and is asking that relief today.

Presentation:

The applicant, **Yvonda McKerrell**, 12605 East 34th Street, Tulsa, OK, submitted a site plan (Exhibit A-1) and stated that the operating hours are 9:00 a.m. to 6:00 p.m. The items will remain outside until about 6:30 when they will then be moved inside. The shop will be open five days a week.

Case No. 18511

Interested Parties:

None.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Variance** to permit the outdoor display of merchandise offered for sale within 300' of an R zoned district. **SECTION 1217.C.2. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES; Use Conditions**, subject to the merchandise being moved indoors after business hours and the merchandise can only be displayed between the hours of 8:00 a.m. and 7:00 p.m., Monday through Friday, on the following described property:

W 150' of the S 66' of Lot 1, and the W 150' of the N 66' of Lot 2, Block 1, Aviation View Subdivision, City of Tulsa, Tulsa county, State of Oklahoma.

Case No. 18512

Action Requested:

Special Exception modifying or removing the requirement that use be screened from abutting RS district on south side of subject property along lot line in common with RS district, since existing physical features provide visual separation of uses, and purposes of screening requirement cannot be otherwise achieved. **SECTION 212.C. SCREENING WALL OR FENCE Modification Of the Screening Wall or Fence Requirement and SECTION 1213.C.2. USE UNIT 13. CONVENIENCE GOODS AND SERVICES, Use Unit 13;** a Variance from the requirement that any structure be setback from the centerline of the abutting street, to permit the location of a vertical monument sign within the landscaped portion of the street right-of-way to be dedicated by plat. **Section 214. MAJOR STREET PLAN;** and a Variance from the requirement for setback from the centerline of abutting street, from 100' to 50'. **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS,** located SE/c North Lewis Avenue & East 46th Street North.

Comments and Questions:

Mr. Beach informed the Board that the applicant has submitted a timely request for continuance (Exhibit B-1). The case will be continued to the meeting of November 23, 1999 to allow additional advertising.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **CONTINUE** to the meeting of November 23, 1999.

Case No. 18532

Action Requested:

Variance of required 30' of frontage on a public street to permit a lot split. **SECTION 206. STREET FRONTAGE REQUIRED - Use Unit 6**, located 8160 South Elwood.

Comments and Questions:

Mr. Beach informed the Board that the applicant is reviewing their lot-split application and trying to reconfigure the split and the applicant may not need the relief requested. The applicant has asked for a continuance (Exhibit C-1) to November 9, 1999.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo "absent") to **CONTINUE** Case No. 18532 to the meeting of November 9, 1999.

NEW APPLICATIONS

Case No. 18542

Action Requested:

Special Exception to allow Use Unit 12, 13, 14 & 18 in an IL District, located SW/c East 41st & South Sheridan.

Presentation:

The applicant, **Bruce G. Bolzle**, submitted a site plan (Exhibit D-1) and stated that his company Tarro Developers, L.L.C., purchased the building formerly known as the Telex Building in June, 1999. The reason for the purchase was the lack of buildings of this size (185,000 SF) that were available for office uses in the marketplace. Mr. Bolzle mentioned that they attracted the Bank of Oklahoma operations center and thus keeping them in the City of Tulsa. After Bank of Oklahoma looked at the site and reviewed the plans, they decided that instead of utilizing the front portion of the property for parking and expansion, they acquired a 4½ acre tract immediately to the west of the site. The parking site is located behind the Academy Sports tract. The result of that action is that three acres of frontage was returned back to them and will be unleased by the bank and is available for future development. It is apparent that the greatest use for the property is for retail and restaurant use. Abutting properties are retail in nature with the sole exception being the Nelson Electric site. The proposal before the Board today is to take a depth of around 205' to allow uses 12, 13, 14 & 18 in that area. Mr. Bolzle reminded the Board what types of uses are typically found in those Use Units. They would specifically exclude 12a. Adult Entertainment Establishments. Mr. Bolzle explained that there will probably be one or two sit-down restaurant type uses on the tract. There is a main entrance road that services the

Bank of Oklahoma facility. It is intended that the access will always remain open and serve as a common access for both the bank and the proposed uses. The bank's operations are served by three curb cuts total. Mr. Bolzle explained that even though they are not sure what use will go in they want to be able to tell potential buyers that uses 12, 13, 14 & 18 will be allowed.

Comments and Questions:

Mr. Beach stated that if the Board finds that the stated uses will be appropriate on this location approval can be subject to detail site plan review at a future date.

Mr. Stump stated that Mr. Bolzle has already offered to have mutual access on the property, but it might be appropriate for the Board to make a condition of approval that if the property is subdivided, all the lots must have mutual access to all other lots in the area to avoid further curb cuts.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a Special Exception to allow Use Unit 12, 13, 14 & 18 in an IL District, subject to site plan approval as the site develops and mutual access easements will be required for all the subject sites, on the following described property:

A tract of land that is part of Lots 1, 2 and 3 of Amended Tulsa View Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a point that is the NW/c of said Lot 3, Block 1, Amended Tulsa View Addition; thence due S along the Wly line of said Lot 3 for a distance of 235.00' to a point; thence S 89°52'08" E parallel to and 285.00' Sly of the Nly line of Section 27, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma for a distance of 620.00' to a point on the E line of Lot 1, Block 1, Amended Tulsa View Addition; thence due N along said E line of Lot 1, parallel to and 50.00' Wly of the Ely line of said Section 27, T-19-N, R-13-E for a distance of 235.00' to a point that is the NE/c of said Lot 1, Block 1, Amended Tulsa View Addition; thence N 89°52'08" W along the N lines of said Lots 1, 2 and 3, Block 1, Amended Tulsa View Addition, parallel to and 50.00' Sly of the Nly line of said Section 27, T-19-N, R-13-E for a distance of 620' to the point of beginning of said tract of land.

Case No. 18543

Action Requested:

Special Exception to allow a museum in an OL zoned district (Use Unit 5), located 4636 South Harvard.

Comments and Questions:

Mr. Beach informed the Board that the application has been withdrawn by the applicant.

Board Action:

None Taken.

Case No. 18544

Action Requested:

Variance of the minimum frontage requirement of 150' to 25' to permit a lot-split.
SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 1, located 16901 East Admiral Place.

Presentation:

The applicant, **Wallace Engineering**, was represented by **John Hubbard**, 201 West 5th Street, Suite 200, Tulsa, OK, submitted a site plan (Exhibit E-1) and stated that Williams Communications is building a co-generation facility to boost their fiber optic cables. They need to build on this property because it is adjacent to an existing telecommunications facility. Williams only needs a small site with a driveway access. They only need 25' of frontage for road access.

Comments and Questions:

Mr. White asked the applicant how tall the tower will be? Mr. Hubbard replied that it will not be a tower. The structure will be a pre-cast metal building about 30' x 40' in size.

Mr. Beach reminded the Board that the applicant must show a hardship. There does not appear to be physical constraints on the property that would prevent the lot split from going straight down and leaving a lot 150' wide. Mr. Hubbard stated that the only hardship would be that this would reduce the amount of available property for the property owner. Mr. Hubbard reminded the Board that Williams does not need any more land than what is proposed.

Case No. 18544 (continued)

Mr. Stump asked Mr. Hubbard how much traffic will the site generate and how many employees? Mr. Hubbard replied that there will be no employees and the only utilities expected on the site will be an electric line and telephone line. There will be no water or sewer line. There will be one employee for a maximum of one hour per day to maintain the equipment to boost the fiber optic signal.

Mr. Stump stated that the Board may want to consider this as a Use Unit 4 use that does not have minimum frontage requirements because they are utility sites and do not have employees or customers coming and going.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Variance** of the minimum frontage requirement of 150' to 25' to permit a lot-split, finding the hardship to be that there will be limited traffic and there is no need for the normal frontage. **SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 1**, subject to the building not being a home base for permanent employees and subject to the site/building having no water or sewer utilities, on the following described property:

Lot 1, Block 1, Dalton Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18546

Action Requested:

Variance to waive all landscape requirements. **SECTION 1002. LANDSCAPE REQUIREMENTS - Use Unit 23**, located 16709 East Admiral Place North.

Presentation:

The applicant, **Gary L. Driver**, submitted a site plan (Exhibit F-1) and stated that he would like to construct a 45' x 75' storage building. The proposed building will sit behind the existing office building and an 8' privacy fence. All the buildings in the area are typically of the same metal construction and have no landscaping. The existing office building that faces Admiral is currently landscaped.

Comments and Questions:

Mr. White and Ms. Perkins mentioned that there is no landscaping anywhere along that portion of the street and that the office building in the front is heavily landscaped.

Case No. 18546 (continued)

Mr. Stump informed the Board that the Zoning Code exempts the office building from the landscape requirement because it was constructed prior to the landscape chapter being adopted. It does have a provision that if you more than double the size of an existing building, the entire tract comes under the provisions of the landscape ordinance.

Mr. Ackermann, Zoning Official, stated that the applicant is a asphalt contractor and would like to construct this storage building to store his equipment.

Mr. Dunham stated that he did not have any concern because the applicant is just adding a storage building. There is no landscaping anywhere in the area because it is an industrial area.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Variance** to waive all landscape requirements, finding the hardship to be the existing conditions in the neighborhood and the fact that this property already has more landscaping than what is presently on any other tract. **SECTION 1002. LANDSCAPE REQUIREMENTS - Use Unit 23**, per plan submitted, on the following described property:

The E 80' of the W/2 of Lot 3 and the W 220.2' of the E/2 of Lot 3, less and except the E 175' and the N 108.5' and less the S 40' thereof for street, Section 2, T-19-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma.

Case No. 18547

Action Requested:

Appeal from determination of City of Tulsa Zoning Official, that concrete grass paver blocks do not constitute "all-weather material" as defined by the provisions of Section 1800 of the Zoning Code, for use in surfacing unenclosed off-street parking areas, and request for interpretation that such material does constitute "all-weather material" permitted for use in surfacing off-street parking areas in residentially-zoned district. **SECTION 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL**, located 1907 South Boston Avenue.

Presentation:

The applicant, **Stephen A. Schuller**, 500 Oneok Plaza, 100 West 5th Street, Tulsa, OK 74103, stated that his client is Carmine Funding Corporation which is renovating it office at 1907 South Boston Avenue. The Board previously granted a special exception on the property to permit office use in the RM-2 zoned district. Mr. Schuller reminded the Board that this area is a mix of office and residential uses. The property consists of a house that has been restored to appear as a log cabin. Instead of paving

large areas of grass with asphalt or concrete for a parking lot, Mr. Schuller's client would like to use concrete paver blocks which allow grass to grow in the square open areas. The all-weather material definition in the Zoning Code is one that is a hard surface, dust-free material capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions. Mr. Schuller explained to the Board that the paver blocks are a hard surface, they are made of concrete and provides a firm, hard parking surface. The blocks are designed to be used in parking areas such as in residences or other areas where maintaining a residential or less intense appearance is important. The blocks are dust-free concrete blocks that are filled with dirt that is then planted with grass. The blocks interlock with each other when installed and a smooth, even appearance is maintained. Mr. Schuller mentioned that the handicapped parking for the office will not be made of paver blocks but of concrete material. It is the consensus of the neighborhood that this kind of material is preferred to just paving with concrete or asphalt. The paver blocks maintains the low-density, residential character of the neighborhood. Given the appearance of grassy areas as preferable to concrete or asphalt areas especially in a residentially zoned district where office use has been permitted and given that this material is a hard-surface, dust-free, capable of withstanding without deterioration, normal weather conditions, they request that the Board determine that this material meets the definition of all-weather material under the Zoning Code.

Comments and Questions:

Mr. White asked where the blocks are intended to be placed? Mr. Schuller replied that it will be two parking spaces near the rear of the property. The parking spaces are to be located to the right of the driveway on the south side of the building. The area will roughly 18' x 19' (two parking spaces).

Mr. White asked how many parking spaces are required for the building? Mr. Schuller replied that his client is required to provide four parking spaces and these will be considered as two of the four spaces.

Ms. Perkins asked Mr. Schuller what kind of sub-grade material will be placed under the paver blocks to keep them from sinking? Mr. Schuller replied that they will be placed upon a hard-packed dirt surface.

Mr. Jackere, City Legal Department, asked Mr. Schuller if the parking spaces will be used all the time? Mr. Schuller replied affirmatively. Mr. Jackere asked if it would be difficult to get the grass to grow if there will be cars parked on the surface for six or seven hours a day? Mr. Schuller replied that these blocks have been designed to allow the grass to grow even if cars are parked on top of them for long periods of time. He stated that cars will not be parked there continuously during the day and there will be no cars there on the weekend.

Interested Parties:

Charles Pile, 1507 South Madison, stated that the blocks will interlock together. The blocks will not sink in mud because they are all locked together. If for some reason it does sink, the entire parking area will sink. There are two employees in the business and the business is a financial services company that does most of its business over the phone. The business will have an average of one or two clients per week.

Comments and Questions:

Mr. Ackermann mentioned to the Board that this application is a "friendly" appeal in order to get more information from the Board. The Code does not contemplate a partial hard surface. Mr. Ackermann stated that the only other case like this was a part of the McBirney mansion case and the parking area was only to be used for special events parking and not off-street parking. Mr. Ackermann stated that he is concerned that if the Board interprets this to meet the requirements of an all-weather dust-free surface, are they able to apply that interpretation to a large parking lot for a large office complex or a shopping center? Would the Board be willing to limit its interpretation for a small parking area or on a case by case manner?

Mr. White stated that he is inclined to use this as a test case for the material itself. Mr. White suggested putting a time frame on the approval of about 18 months and see how the material holds up.

Mr. Jackere stated that he has some problems with that suggestion. One being that at the end of the time period, what stops the applicant from laying down new paver blocks or moving the cars off the drive area to allow the grass grow better? Who will inspect the paver blocks during that time period?

Mr. White suggested putting a time limit on the approval, readvertise at the end of that time frame and allow the neighbors a chance to come in and voice opinions about the paver blocks.

Mr. Jackere stated that he does not believe that the Board has it within their power to apply this interpretation to only small lots or parking areas. If this is an all-weather dust-free material then it is for all parking lots. Mr. Jackere mentioned that if the applicant had come in with a variance of the parking requirement and asked the Board to approve this material, under the Board's variance power, they could impose conditions upon it and apply it to a piece of property that is not going to generate a lot of traffic use.

Mr. Dunham stated that he has no problem with approving paver blocks in this particular instance and feels that it does need some conditions. He would like the applicant to bring the case back as a variance request.

Case No. 18547 (continued)

Mr. Schuller informed the Board that the reason for not filing the application as a variance request was that in reviewing the matter, he did not perceive a hardship for a variance request that would mandate or compel the Board to grant a variance for the use of the material on the property. It is a location in a residentially zoned area, but there are other offices in residentially zoned areas with concrete or asphalt parking areas.

Mr. Jackere suggested developing a new standard to parking material and amending the Code.

Mr. Schuller asked the Board to continue the application and allow him time to readvertise and bring the case back as a variance.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **CONTINUE** Case No. 18547 to the meeting of November 23, 1999 to allow the applicant time to readvertise.

Case No. 18548

Action Requested:

Special Exception to allow wedding receptions, special events, neighborhood functions (U.U. 5 - community center) in an RS-4 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 5**, located 620 North Denver Avenue.

Presentation:

The applicant, **Suzanne Rogers**, Remax Executives, submitted a site plan (Exhibit H-1) and stated that she is the Director of the Brady Mansion project. Ms. Rogers informed the Board that they have been renovating the Brady Mansion to be used for weddings, receptions and special events. Ms. Rogers has contacted the McBriney Mansion and Harwelden and have both of their blessings on the project. The mansion has three entrances from the street. There are four separate entrances to the house from the first level and one from the second level. The neighborhood is in support of the project and Ms. Rogers submitted letters of support (Exhibit H-3) from the neighbors and photos (Exhibit H-2) of the area. Ms. Rogers has approval from St. Mary's church to use their parking lot which is located directly across the street. The St. Mary's parking lot has 50 to 100 parking spaces.

Comments and Questions:

Mr. Dunham asked the applicant how many parking spaces will be provided on-site? Ms. Rogers replied that they have 12 parking spaces on-site. There is a dead-end street that runs along the side of the mansion that will provide additional parking.

Case No. 18548 (continued)

Mr. Jackere suggested a tie agreement between the mansion and the church parking lot. Mr. Beach stated that the special exception is to allow several uses that could potentially generate a lot of traffic. The requirement is, by Code, six spaces but that is a minimum amount of spaces required. When considering the special exception it is appropriate to consider whether there is adequate parking in the event of a big wedding.

Mr. Ackermann asked the applicant if she plans to have the required off-street parking on the circular drive? Mr. Ackermann stated that the parking spaces must meet the Zoning Code requirements as to size. Ms. Rogers mentioned that there are three spaces next to the house and an entire circle drive for parking. There is also a drive behind the house.

Interested Parties:

None.

Board Action:

On **MOTION** of **DUNHAM** the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Special Exception** to allow wedding receptions, special events, neighborhood functions (U.U. 5 - community center) in an RS-4 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 5**, subject to an Occupancy Permit and the applicant must meet the off-street parking requirements on-site, on the following described property:

Part Lots 1 & 2, Beg NE/c Lot 1, S 130' W 18' N 5' INCHE S W 172' N 125' NW/c Lot 2, E 190' to the POB less N 125', W 32' of Lot 2, Block 7, North Tulsa Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18549

Action Requested:

Special Exception to permit use of subject property for a church, located West side of South 131st East Avenue, South of 11th Street.

Comments and Questions:

Mr. Beach informed the Board that the application has been withdrawn by the applicant.

Board Action:

None Taken.

Case No. 18550

Action Requested:

Variance of side yard requirement from 15' to 7' in an RE district to permit an addition to a nonconforming structure. **SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts - Use Unit 6, 2240 East 26th Street South.**

Presentation:

The applicant, **Lori O'Brien**, was represented by **Charles E. Norman**, 2900 Mid-Continent Tower, Tulsa, OK, who submitted a site plan (Exhibit J-1) and photos (Exhibit J-2). Mr. Norman stated that this application involves a lot that is on 26th Street that is zoned RE district. The property directly across the street in the same subdivision is zoned RS-2. This particular RE area was rezoned several years ago from RS-1 to RE district. Because of this lot's size, it became a nonconforming lot. The lot does not meet the size, width or area requirements for the RE district. However, the lot does meet all of the requirements for the RS-1 district. Mr. Norman pointed out that the property has a 32' side yard on the east and 5' on the west side. Mr. Norman is requesting a variance from the 15' side yard requirement to 7' to permit the addition to the existing building. The hardship was created by the rezoning of the lot to an RE district when the lot did not and could not meet the requirements of the RE district.

Interested Parties:

None.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Variance** of side yard requirement from 15' to 7' in an RE district to permit an addition to a nonconforming structure, finding the hardship to be the change in the zoning. **SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts - Use Unit 6**, per plan submitted, on the following described property:

Lot 2, Block 2 and part of Lot 1, Block 2, Forest Hills Addition, City of Tulsa, Tulsa County, State of Oklahoma, which part of Lot 1, Block 2 is more particularly described as follows: Beginning at the SW/c of Lot 1, thence Ely along the S line of said Lot, 6.8' to a point, thence Nly on a straight line to the NW/c of said Lot 1, thence Sly along the W line of Lot 1, 165.5' to the SW/c of Lot 1 and the point of beginning.

Case No. 18551

Action Requested:

Special Exception to allow an alternative school (U.U. 5) in an IM zoned district. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 5**, located East of SE/c Charles Page Boulevard & 25th West Avenue.

Presentation:

The applicant, **C. Conley Tunnell**, 315 South Gilcrease Museum Road, submitted a site plan (Exhibit K-1) and stated that he is the treatment coordinator for the Tulsa County Juvenile Bureau and District Court. Mr. Tunnell asked the Board to approve the special exception for an alternative school on the property. Mr. Tunnell explained that this is an initiative by the Tulsa County Juvenile Justice Trust Authority along with the Tulsa County Board of Commissioners to offer school for kids that cannot go to another type of school because of truancy or behavior problems. There will be five full-time staff members and clinicians at the school daily.

Comments and Questions:

Mr. Dunham asked Mr. Tunnell if there was any problem in limiting the school to the existing 1,200 square foot facility? Mr. Tunnell replied that the requirement would not be a problem.

Interested Parties:

None.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Special Exception** to allow an alternative school (U.U. 5) in an IM zoned district. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 5**, subject to the use being limited to the existing 1,200 square foot facility as indicated on the site plan, on the following described property:

All that part of Lot 7 of Section 3, T-19-N, R-12-E of the IBM, City of Tulsa, Tulsa County, Oklahoma, lying S of Charles Page Blvd. and N of Sand Springs Railroad, particularly described as follows, to-wit: Commencing at the NE/c of said Lot 7; thence S 00°01'15" E along the E boundary of said Lot 7 a distance of 221.81' to a point in the Sly right-of-way line of Charles Page Blvd.; thence N 78°20'30" W along the Sly right-of-way line of Charles Page Blvd a distance of 462.40' to the POB; thence S 13°08'00" W 78.67' to a point in the Nly right-of-way line of the Sand Springs Railroad; thence N 69°51'49" W along the Nly boundary of the Sand Springs Railroad a distance of 200.00'; thence N 00°01'08" W 50.20' to a point in the Sly right-of-way line of Charles Page Blvd.; thence S 78°20'30" E along the Sly right-of-way line of Charles Page Blvd. a distance of 210.00' to the POB

Case No. 18552

Action Requested:

Special Exception to permit additions to a previously approved public park including roadways, parking, sidewalks, shelters, restrooms, playgrounds, picnic tables, benches, ornamental horticultural displays, Tulsa Garden Center, visitor center, arboretum, green houses, pole barn, storage bins and maintenance employee offices in an RS-2 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2**, located SE/c East 21st Street & South Peoria.

Presentation:

The applicant, **Fred B. Harper**, was represented by **Randy Nicholson** of the City of Tulsa Parks and Recreation Department. Mr. Nicholson submitted a site plan (Exhibit L-1) and stated that the subject of the application is Woodward Park which is located at 21st and Peoria. The park is 34 acres which contains the Tulsa Garden Center, major greenhouse operations for the City of Tulsa as well as a rose garden, azalea garden and arboretum. The opportunity presents itself to the City to make some changes to the park as it relates to traffic flow and maintenance facility. Mr. Nicholson explained that 24th Street will be removed from the park and a new roadway will traverse from 24th Street north to Woodward Drive to the east end of the rose garden. This will eliminate all public access and maintenance traffic into the park off of 24th Street. The maintenance barn area will be converted to a volunteer center and a renovation of the maintenance yard area will occur with new parking areas.

Interested Parties:

Dave Collins, 1506 East 24th Place, stated that he supports the application and is excited about the changes.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Perkins, White "aye"; no "nays", no "abstentions"; Cooper, Turnbo, "absent") to **APPROVE** a **Special Exception** to permit additions to a previously approved public park including roadways, parking, sidewalks, shelters, restrooms, playgrounds, picnic tables, benches, ornamental horticultural displays, Tulsa Garden Center, visitor center, arboretum, green houses, pole barn, storage bins and maintenance employee offices in an RS-2 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2**, the site plan is to be considered conceptual and subject to minor revisions, 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, City of Tulsa, Tulsa County, State of Oklahoma
