

**CITY BOARD OF ADJUSTMENT**  
MINUTES of Meeting No. 845  
Tuesday, July 9, 2002, 1:00 p.m.  
Francis F. Campbell City Council Room  
Plaza Level of City Hall  
Tulsa Civic Center

**MEMBERS  
PRESENT**

Dunham, Vice Chair  
Cooper  
Turnbo  
White, Chair  
Perkins

**MEMBERS  
ABSENT**

**STAFF  
PRESENT**

Beach  
Butler

**OTHERS  
PRESENT**

Boulden, Legal  
Cox, Neighborhood  
Insp.

The notice and agenda of said meeting was posted in the Office of INCOG, 201 W. 5<sup>th</sup> St., Suite 600, on Wednesday, July 3, 2002, at 10:35 a.m., as well as at the City Clerk's office, City Hall.

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

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

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Mr. Dunham arrived at 1:02 p.m.

**CONTINUANCES and CASES WITHDRAWN**

**Case No. 19381**

**Action Requested:**

Appeal from decision of Tulsa Preservation Commission in granting a Certificate of Appropriateness to allow a five unit apartment building, located NW/c 17<sup>th</sup> Pl. & S. Quincy Ave.

**Presentation:**

**Paul Adkins**, 1638 E. 17<sup>th</sup> Pl., asked for a continuance of this case. A letter of request for continuance was submitted (Exhibit A-1).

**Board Action:**

On **MOTION** of **Turnbo**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **CONTINUE** Case No. 19381 to the meeting on July 23, 2002.

Lot 8, Block 23, Orcutt Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19394**

**Action Requested:**

Review and approval of an amended site plan previously approved with conditions (BOA #19056), located 1432 S. Rockford.

Mr. Beach stated the purpose of the application was to consider an amended site plan. The new plan is not completed yet.

**Presentation:**

**Beth Mathers**, 1401 E. 15<sup>th</sup>, stated she is waiting for the architect to complete the site plan.

**Mr. Cooper** arrived at 1:05 p.m.

**Board Action:**

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 19394 to the meeting on July 23, 2002.

Lots 8 and 9, Block 6, Bellview Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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**MINUTES:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Perkins, Cooper, Turnbo "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the Minutes of June 25, 2002 (No. 844), as amended.

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**UNFINISHED BUSINESS**

**Case No. 19392**

**Action Requested:**

Variance to allow a detached accessory building to be two-stories high and the exceed 10' to the top plate and 18' to the ridge.

**Presentation:**

The applicant was not present. The case was tabled until later in the meeting.

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**Case No. 19393**

**Action Requested:**

Variance to allow a carport in the side yard to be built to the property line. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6, located 2132 S. Delaware Ct.

**Presentation:**

**Edwin Marla**, 2132 S. Delaware Ct., has begun building a carport to the property line on the north side of his house. It will be open sided, with a gate at the end of it. It would be painted the same color as the house. He talked with the neighbors to the north and south and submitted letters of support (Exhibit C-3) from each. A site plan was provided (Exhibit C-1).

**Comments and Questions:**

Mr. Cooper asked for the hardship. Mr. Marlar stated that flooding of his property is the hardship. The flooding covers his property, the neighbors next door all the way back to the Broken Arrow Expressway. Mr. Cooper asked how the carport makes a difference. Mr. Marlar replied that it would not be on the lowest part of the property. Mr. Marlar submitted photographs (Exhibit C-2) of other properties with carports.

**Interested Parties:**

There were no interested parties who wished to speak. Mr. White noted one interested party suggested a condition for guttering.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to allow a carport in the side yard to be built to the property line, to remain open-sided, with guttering to divert the water from the property to the north, per plan, finding the hardship is that the property is in the flood plain and it would be difficult to build a normal garage in the area, on the following described property:

Lot 6, Block 3, Wilshire Manor, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19392**

**Action Requested:**

Variance to allow a detached accessory building to be two-stories high and to exceed 10' to the top plate and 18' to the ridge. SECTION 210.B. YARDS, Permitted Obstructions in Required Yards – Use Unit 6, located 1389 E. 27<sup>th</sup> St.

**Presentation:**

**Robert Giefer**, 5350 E. 39<sup>th</sup> Pl., stated they propose to build a two-story garage. The upper level would be for personal storage only, no living quarters, and no plumbing. The lower level would be for garage.

**Chuck Tolison**, 1375 E. 27<sup>th</sup> St., submitted a brochure with photographs (Exhibit B-2) of neighboring properties with similar garages. He pointed out that 35% of them have two-story garages.

Mr. Giefer stated the original garage was removed because of extensive termite damage. They would like to keep as much yard as possible, but they need the extra storage space. The older home does not have much storage space. He submitted a site plan (Exhibit B-1). The original had a second story servants' quarters.

**Comments and Questions:**

Ms. Perkins asked what they did with the water lines. Mr. Giefer replied the lines were removed.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to allow a detached accessory building to be two-stories high and to exceed 10' to the top plate and 18' to the ridge, per plan, for storage only, no living quarters, on the following described property:

The W 25' of Lot 3 and all of Lot 4, Block 1, Sunset View Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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**NEW APPLICATIONS**

**Case No. 19395**

**Action Requested:**

Special Exception to permit a cable television utility facility in an RD district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 4, located 2115 S. 120<sup>th</sup> E. Ave.

**Mr. White stated he would abstain from Case No. 19395.**

**Presentation:**

**Brett Peters**, 6804 E. 44<sup>th</sup> St., stated he was with Cox Communications. He described the building as an unmanned facility that houses electronic equipment.

There is a small cabinet existing at the site currently. They have outgrown the facility to provide advanced services. There would be no tower. The site would be visited of maintenance reasons only. A site plan was provided (Exhibit D-1).

**Comments and Questions:**

Mr. Cooper asked for a description of the building. Mr. Peters responded it would be a 20' x 26' concrete, pre-fabricated building, and 12' in height. There would be an 8' fence.

**Interested Parties:**

**Chrisan Heffernan**, 2141 S. 20<sup>th</sup> E. Ave., she described the area as broken into three sections by the creek and her property faces the site. Since the cabinet was put in, there has not been a driveway. The maintenance person drives over the curb and up the handicap access from 21<sup>st</sup> to the property. There is a lot of pedestrian traffic that cross the field. A lot of children during the school year cross the field. She stated there are several trucks at the facility each week. Ms. Heffernan mentioned there has been a lot of theft in the neighborhood. She was concerned that this facility might have items that would interest thieves and increase theft in the area. She asked about lighting of the facility also.

The Board received a letter (Exhibit D-2) from J.D. and Sylvia Caldron listing concerns regarding noise from the generator; the appearance of the building; too much lighting; and the possibility of company trucks being parked at the site.

**Applicant's Rebuttal:**

Mr. Peters responded that a driveway was included in the site plan because of the existing condition mentioned by Ms. Heffernan. He stated there would be only one light at the door of the building, pointing down. The fencing surrounds their structures. The generator would be in sound attenuated housing, and it is on the opposite side of the property from the residents. It would run once per week for fifteen minutes, and they try to schedule it for the time of the city siren testing. The generator would run if electric power were out.

**Comments and Questions:**

Ms. Turnbo asked about the landscaping plans, noting the staff did not think they were providing enough. Mr. Peters replied that they would put in whatever is required. Mr. Cooper asked about vehicle storage on this lot. Mr. Peters replied that there would only be a truck there during maintenance.

Board discussion ensued.

**Board Action:**

On **MOTION** of **Cooper**, the Board voted 4-0-1 (Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; White "abstained"; no "absences") to **APPROVE** a **Special Exception** to permit a cable television utility facility in an RD district, per plan, with conditions there be no communications tower on the site; no storage of vehicles;

any lighting would be shielded away from the neighborhood; limit approval to the north 215' of the site; and generator will operate only during emergencies and at such times needed to keep it operational, on the following described property:

The N 275' of a tract of land in the E/2 NW/4 of Section 17, T-19-N, R-14-E, of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Beg. at the NE/c E/2 NW/4 of said Section 17; thence S 0°05'41" E along the E line of said E/2 a distance of 500.00' to a point, said point being the NE/c of Lot 1, Block 4, Leslie Leigh Second Addition; thence due W along the N line of said Lot 1, a distance of 140.00'; thence N 0°05'41" W along the E line of S. 120<sup>th</sup> E. Ave., a distance of 500.00' to a point on the N line of the NW/4 of said Section 17; thence due E a distance of 140.00' to the POB.

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**Case No. 19396**

**Action Requested:**

Variance of required number and design of parking spaces for business school. SECTION 1211. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES; SECTION 1302. SETBACKS; and SECTION 1303. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS – Use Unit 11, located 2843 E. 51<sup>st</sup> St.

**Presentation:**

Mr. Johnsen stated he had a family medical emergency that caused him to be late and he needed a few minutes with his client. He asked the Board to table this case to later on the agenda. Mr. White agreed to do that.

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**Case No. 19397**

**Action Requested:**

Variance of maximum structure height from 35' to 47' for an addition in an RS-3 district. 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 5; and a Variance of required 25' setback from abutting properties in an RS district to expand a parking lot. SECTION 404.F.4. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS, located 2206 S. Lewis.

**Presentation:**

**Wally Wozencraft**, 1619 S. Boston, stated he is the architect for the project for Monte Casino Schools. They propose to build a three-story addition to the west end of the present structure. The existing structure is 24' in height at the east end. He added that the land slopes down on the west end. To keep the continuity of the present building he is asking for a variance of the 35' height limit. He stated the

expansion of the parking would amount to fourteen additional parking spaces. A site plan and elevations (Exhibit E-1 and E-2) were provided.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of maximum structure height from 35' to 47' for an addition in an RS-3 district; and a **Variance** of required 25' setback from abutting properties in an RS district to expand a parking lot, per plan, finding that it is consistent with the existing structure, and the topography of the land requires the height to exceed the allowable, and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

Lots 1-11, Block 4; Lots 1-9, Block 5, Brentwood Heights, including that part of vacated Zunis Ave. and E. 22<sup>nd</sup> St. adjacent to said lots; And a tract of land in the NE/4 NE/4 of Section 18, T-19-N, R-13-E, described as follows, to-wit: Beg. at the NE/c of said Section 18; thence Wly along the Nly line of Section 18 for 1101.50' to the Ely line of S. Yorktown Ave.; thence Sly along said Ely line produced for 150.00'; thence to the right on a curve with a radius of 1680.08' for 344.90'; thence SWly along a tangent for 139.60'; thence Ely and parallel with the Nly line of Section 18 for 1170.00' to the E line of Section 18; thence Nly along said E line for 630.00' to the POB of said tract of land, less and except The Yorktown Addition, all located within the City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19398**

**Action Requested:**

Variance of minimum separation of an outdoor advertising sign from required 1,200' for a sign that is located between two other signs, one is 528' distant and the other is 624' from an existing advertising sign that is being rebuilt. SECTION 1221.F.2. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, Use Conditions for Outdoor Advertising Signs – Use Unit 21, located 3318 S. Santa Fe.

**Presentation:**

**William Hickman**, 8201 S. 69<sup>th</sup> E. Ave., stated he is legal council for Ron Havens, and Clear Channel Outdoor. They propose to rebuild an old existing non-conforming sign. The old sign would be removed. The sign would be moved back 24' from the nearest sign. The dimensions and height would remain the same. It

is a safety measure as well, to protect the public from the dilapidated sign. A site plan (Exhibit F-1) was provided.

**Comments and Questions:**

Mr. Cooper noted they would be increasing the separation of the signs.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of minimum separation of an outdoor advertising sign from required 1,200' for a sign that is located between two other signs, one is 528' distant and the other is 624' from an existing advertising sign that is being rebuilt, per plan, on condition the sign remain the same height, finding the sign has been there in excess of 20 years, and signage is the highest and best use of this property in that location, at the following described property:

Beg. 404.4' E SW/c NW NW then E 160' to a point 100' W SE/c W/2 NW NW, then N 280' SWly 322.54' POB in Section 23, T-19-N, R-12-E, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19399**

**Action Requested:**

Variance to permit two wall signs on the upper building façade of the west facing wall (S. Utica Ave.) identifying the Oklahoma Heart Institute at Hillcrest Medical Center containing a total of 102.5 square feet of display surface area and on the upper building façade of the south facing wall (E. 13<sup>th</sup> St.) identifying the Oklahoma Heart Institute at Hillcrest Medical Center containing a total of 102.5 square feet of display surface area, located E side of Utica between 12<sup>th</sup> & 13<sup>th</sup> St.

**Ms. Turnbo recused herself from Case No. 19399.**

**Presentation:**

**Charles Norman**, 2900 Mid-Continent Tower, stated he was representing Hillcrest Medical Center. He added that six years ago he came before the Board for signage at this location. He stated this is part of a PUD for all of the Hillcrest complex. He submitted a site plan, photographs and a scale drawing (Exhibit G-1, G-2 and G-3). He pointed out that tree growth has obstructed the view of the signage. They also proposed to include additional words to the Oklahoma Heart sign to read Oklahoma Heart Institute at Hillcrest Medical Center. They became aware that patients coming north from the Broken Arrow Expressway are having difficulty locating this major clinic. They requested to use a new material for the



lettering that makes it appear black in the daytime and with backlighting it appears white at night. He submitted samples of the material (Exhibit G-4).

**Interested Parties:**

**Don Barnham**, 1910 E. 13<sup>th</sup>, stated he is President of the Terrace Drive Neighborhood Association. He reminded the Board that the association was also represented at the previous Board hearing of this property. They asked at that time for no lighting to be allowed; and that signage be made as small as possible. He suggested that the trees be removed or cut back for visibility of signage. He asked what they would do ten years from now when the trees are even larger. He questioned lighting these letters at night for a clinic.

**Applicant's Rebuttal:**

Mr. Norman responded that the signs could not go any higher. He noted that the signs are 30.9'. It was his understanding that the trees would not be removed because the neighborhood insisted on them in the early planning of this development. He considers the request to be a modest change and compatible with the signage throughout the center.

**Comments and Questions:**

Ms. Perkins asked why they were asking for lighted letters now. He responded the tenant believes it helps people to become familiar with the location of facilities within the complex in the evening hours. He replied that this is the softest lighting available and would be an acceptable compromise for the tenants' preference for lighted signs.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 3-1-1 (White, Dunham, Cooper "aye"; Perkins "nay"; Turnbo "abstained"; no "absences") to **APPROVE** a **Variance** to permit two wall signs on the upper building façade of the west facing wall (S. Utica Ave.) identifying the Oklahoma Heart Institute at Hillcrest Medical Center containing a total of 102.5 square feet of display surface area and on the upper building façade of the south facing wall (E. 13<sup>th</sup> St.) identifying the Oklahoma Heart Institute at Hillcrest Medical Center containing a total of 102.5 square feet of display surface area, per plan, on condition that existing signs be removed, finding the hardship to be the trees and the underlying zoning is too restrictive for this type of facility, on the following described property:

A tract of land that is part of Block 2 of Ridgedale Terrace Addition, City of Tulsa, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows, to-wit: starting at the SE/c of said Block 2; thence N 89°40'00" W along the Sly line of Block 2 for 110.00' to the POB of said tract of land; thence continuing N 89°40'00" W along said Sly line for 147.22'; thence N 44°50'00" W for 14.35'; thence N 00°19'45" E for 522.38'; thence due N for 0.00' to a point of curve; thence Nly NEly and Ely along a curve to the right with a central angle of 88°39'35" and a radius of 20.12' for 31.13' to a point of reverse

curve; thence NEly along a curve to the left with a central angle of 30°52'24" and a radius of 156.00' for 84.06' to a point of reverse curve; thence NEly and Ely along a curve to the right with a central angle of 32°04'07" and a radius of 104.00' for 58.21'; thence due S parallel with the Ely line of said Block 2 for 593.50' to the POB.

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**Case No. 19396**

**Action Requested:**

Variance of required number and design of parking spaces for business school. SECTION 1211. USE UNIT 11. OFFICES, STUDIOS, AND SUPPORT SERVICES; SECTION 1302. SETBACKS; and SECTION 1303. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS – Use Unit 11, located 2843 E. 51<sup>st</sup> St.

**Presentation:**

**Roy D. Johnsen**, 201 W. 5<sup>th</sup> St., Ste. 501, stated he appeared on behalf of the American Broadcasting School. The previous use was the Bryan Institute that taught nursing. He stated that the proposed use is more of a business school, Use Unit 11, than other types. He noted there is not a clear record in previous case minutes about the number of parking spaces allowed. He mentioned that in 1993 the aisle space requirements were added to the code. He suggested there are 27 parking spaces that meet the code design.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to declare, and to **APPROVE** a **Variance** of required number and design of parking spaces for business school, on condition that the use would be limited to a broadcast studio school and limited to 14 studios, finding that the broadcast studio school use falls within a Use Unit 11, and the hardship to be that this use is less intensive than the previous uses, on the following described property:

S 215.00' of Lot 17, less S 15.00' thereof, Block 3, Villa Grove Subdivision, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19400**

**Action Requested:**

Variance to permit a detached accessory building (carport) in the front yard. SECTION 402.B. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6; a Variance of minimum front yard setback from

required 25' to 6". SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts; and a Variance of minimum side yard from 5' to 1' to permit a carport in an RS-3 district. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts, located 1414 E. 49<sup>th</sup> Pl.

**Presentation:**

**Robert L. Martinez**, 1414 E. 49<sup>th</sup> Pl., proposed to build a carport on the front of his residence. It would be an open-beam structure and match the existing residence. He informed the Board that other carports in his neighborhood are metal. He expects the carport to increase the value of his property. He informed the Board that his garage would not facilitate both of his vehicles. Site plans were provided to the Board (Exhibits H-1a and H-1b).

**Interested Parties:**

**Barbara Dickeson**, 4927 S. Quincy Ave., stated she is a fourteen-year resident and she has no objection to the application.

Mr. Martinez stated that two other neighbors gave verbal support of the project, Arney and Edna across the street and Christy Fell next door.

**Comments and Questions:**

Mr. Dunham noted a number of other carports in the area. Mr. White stated it would not impede line of sight for traffic. Ms. Turnbo agreed it is not injurious to the neighborhood.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to permit a detached accessory building (carport) in the front yard; a **Variance** of minimum front yard setback from required 25' to 6"; and a **Variance** of minimum side yard from 5' to 1' to permit a carport in an RS-3 district, per plan, finding carport is consistent with the numerous carports in the neighborhood, and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan.

Lot 14, Block 11, Bellaire Acres Second Extension, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19401**

**Action Requested:**

Special Exception to amend a previously approved site plan (BOA #19053), located 6216 E. 62<sup>nd</sup> St.

**Presentation:**

**Ken Tricinella**, 6128 E. 61<sup>st</sup> St., stated when he came before the Board a few months ago, the application was approved for a mini-storage. They would like to change the type of storage to items such as medical records and finance records. Previously they had a parking area that would accommodate about 400 vehicles. They now propose to make the storage spaces larger and fewer of them. Each unit would have air-conditioning and a restroom.

**Comments and Questions:**

Mr. Beach stated Use Unit 16 is permitted here for mini-storage, by special exception. The configuration of these spaces is much larger, with an overhead door and restrooms. There is great potential for plumbers, electricians and other small contractors to use these for office warehouses, which is not a permitted use in this district, by exception or otherwise. Mr. Tricinella explained that they got the idea from similar units in other cities. He discovered that there is a need for medical record storage, where someone could do record searches and have a restroom available. Ms. Turnbo stated that Neighborhood Inspections would not be able to enforce this. Ms. Perkins mentioned a circumstance where a family was living in a mini-storage with no air-conditioning or restroom.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a **Special Exception** to amend a previously approved site plan (BOA #19053), finding it would not be in harmony with the spirit and intent of the Code, and would be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described properties:

Lots 1 and 2, Block 2, Deborah Jean Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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**Case No. 19405**

**Action Requested:**

Amendment to a previously approved plot plan (BOA #17557) to add a temporary 14' x 70' building in an IL district, located 9525 E. 47<sup>th</sup> Pl.

**Presentation:**

**Alfred C. Stout**, 10779 E. 29<sup>th</sup> Pl., stated he came before the Board about five years ago for an occupancy increase and it was approved. They are now requesting to add a temporary pre-fabricated building 14' x 70' for a classroom, while they build a permanent addition to the existing structure.

### Comments and Questions:

Mr. Dunham asked if he would be willing to accept a one-year time limit. Mr. Stout was agreeable to one year. Mr. White asked if it could be placed no closer to the street than the existing building for traffic to have clear visibility. Mr. Stout agreed to that also. Ms. Turnbo asked for clarification of the need for a classroom. Mr. Stout explained it is a pre-school/daycare facility. Mr. Stout stated the pre-school is located in the existing building. The temporary building would be used for daycare children. The days and hours of operation are Monday through Friday from 6:30 a.m. to 2:00 a.m. The Board members and Mr. Beach were trying to determine parking requirements. Mr. Beach finally stated that they could not analyze the parking needs conclusively without more information.

### Interested Parties:

**Jeff Arnett**, 16212 E. 460 Rd., Claremore, Oklahoma, stated he owns the building just west of the subject property. He expressed concern that the curve between 46<sup>th</sup> and 47<sup>th</sup> is 45° to 60°, presently with a 70' building and a 25' bus parked on the site. He stated that when he pulls out of his own driveway, he couldn't see cars coming from 47<sup>th</sup>. He complained that some of the daycare customers park on his parking lot. He had questions about activities related with the temporary building, whether it would be classroom only; have outside water activities; and questioned the location of an entrance and exit of the temporary building during incimate weather. He stated he did not realize they had children as old as twelve. He added that he has had two windows broken. He asked the Board to consider the bus that is parked on the driveway blocking the traffic visibility and water run-off.

### Applicant's Rebuttal:

Mr. Stout stated he would be glad to park the bus in another place. He added that during some road construction people were having a hard time getting to a parking space at the daycare, and that is the only time he thought people might have sought other parking. He had no knowledge of the broken windows. He would have replaced them if he had been informed. The teachers are always outside with the children.

### Comments and Questions:

Mr. White asked about facilities in the temporary building. Mr. Stout assured him there would be three restrooms, electricity, and other needed utilities. Mr. Dunham asked if he would be comfortable with a one-year limit for the building.

### Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Amendment to a previously approved plot plan (BOA #17557) to add a temporary, on condition that the temporary building be there for a period not to exceed one year; set no closer to street than the existing building and that the bus be parked

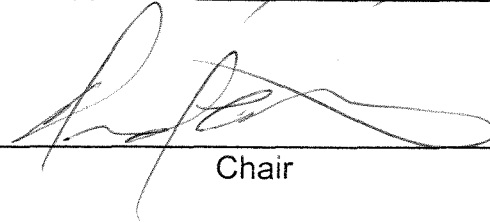
no closer to the street than the existing building, on the following described property:

Lot 4, Block 1, Regency Industrial Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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There being no further business, the meeting was adjourned at 2:55 p.m.

Date approved: July 23, 2002

  
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Chair