

CITY BOARD OF ADJUSTMENT
MINUTES of a Special Meeting
Tuesday, December 22, 2003, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

**MEMBERS
PRESENT**

White, Chair
Dunham, Vice Chair
Stephens
Perkins

**MEMBERS
ABSENT**

Turnbo

**STAFF
PRESENT**

Beach
Butler
Alberty

**OTHERS
PRESENT**

Boulden, Legal

The notice and agenda of said meeting was posted in the City Clerk's office, City Hall, on Wednesday, December 10, 2003, at 10:30 a.m., as well as at the Office of INCOG, 201 W. 5th St., Suite 600.

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

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

NEW APPLICATIONS

Case No. 19717

Action Requested:

Special Exception to permit a single-family dwelling in a CG district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 6; and a Variance of 100' required frontage in a CG district to 44.8' to permit a lot split. SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS, located: 3717 North Columbia Avenue.

Presentation:

Mr. Beach informed the Board that the applicant is going to submit a new document that will change the amount of relief he is asking with the variance. Mr. Beach added that the Board could hear the special exception if they chose to, but the variance needed to be continued to January 13, 2004 with a new notice.

Brian Summers, 3717 N. Columbia Ave., stated his request for a single-family dwelling in the CS district.

Mr. Beach pointed out the property on the site map.

Mr. White abstained from Case 19717.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Perkins**, the Board voted 3-0-1 (Dunham, Perkins, Stephens "aye"; no "nays"; White "abstained"; Turnbo "absent") to **APPROVE** a **Special Exception** to permit a single-family dwelling in a CG district; and **CONTINUE** to the meeting on January 13, 2004 for additional relief, on the following described property:

N/2 of Lot 5, less E 1 acre thereof, Barrett and Evans Subdivision, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19718

Action Requested:

Special Exception to allow a church and related church uses on AG zoned property, located: 17101 East 21st Street.

Presentation:

John Sanford, P. O. Box 33186, Tulsa, Oklahoma, stated this property was previously approved for a special exception, but the time allowance ran out. The same church is now prepared to continue the previous plans. A site plan was provided (Exhibit A-1).

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Stephens "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Special Exception** to allow a church and related church uses on AG zoned property, per plan, finding it 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, on the following described property:

A tract of land in the E 2/3rd of the W/2 SE/4 of Section 11, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows: Commencing at a point 441.00' S 89°22'27" W of the SE/c of W/2 SE/4 of said Section 11; thence N 00°51'58" W a distance of 175.00' to the POB of said tract; thence N 00°51'58" W a distance of 225.00'; thence S 89°22'27" W a distance of 441.00'; thence S 00°51'43" W a distance of 400.00';

thence N 89°22'27" E a distance of 50.00'; thence N 00°51'43 W a distance of 175.00'; thence N 89°22'27" E a distance of 390.99' to the POB.

Case No. 19719

Action Requested:

Special Exception to permit a cable television utility facility in a RS-3 district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 4, located 3605 South Indianapolis Avenue.

Presentation:

Brett Peters, 6804 E. 44th St., with Cox Communications, stated this is to place another hub site, similar to others in town. He submitted a conceptual site plan and photograph (Exhibits B-1 and B-2). The subject property is a landscaped lot, with security fence.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Stephens "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Special Exception** to permit a cable television utility facility in a RS-3 district, per the conceptual plan, with condition that if any proposed items need to be moved around they can be, as long as they stay the same general size, on the following described property:

Lot 1 and the N/2 of Lot 2, Block 3 of 36th Street, Suburb Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Mr. Jim Stephens recused himself from Case No. 19723.

Case No. 19723

Action Requested:

Special Exception to Section 701 of the Zoning Code in order to permit the property to be used as a drive-in restaurant Use Unit 18, in connection with restaurant use as shown on the attached site plan. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 18, located: S of SW/c of E 81st St S and S Sheridan Rd.

Presentation:

Lou Reynolds, 2727 E. 21st St., stated the request to build a drive-in restaurant in connection with the proposed restaurant facility. It would be about 3,100 sq. ft. with eight drive-in bays. A site plan was provided (Exhibit C-1).

Comments and Questions:

Mr. Dunham asked if the site plan meets requirements for landscaping and parking. Mr. Beach replied it appeared to meet all of the landscaping, parking, setbacks, and screening requirements.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Perkins, "aye"; no "nays"; no "abstentions"; Turnbo, Stephens "absent") to **APPROVE** a ***Special Exception*** to Section 701 of the Zoning Code in order to permit the property to be used as a drive-in restaurant Use Unit 18, in connection with restaurant use as shown on the attached site plan, per plan, on the following described property:

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

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There being no further business, the meeting was adjourned at 1:17 p.m.

Date approved: _____

Chair