

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1057
Tuesday, October 11, 2011, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Henke, Chair Stead Tidwell, Secretary Van De Wiele White, Vice Chair		Alberty Sansone Sparger Back	Swiney, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, October 6, 2011, at 11:10 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

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

MINUTES

On **MOTION** of **TIDWELL**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the **Minutes** of the September 27, 2011 Board of Adjustment meeting (No. 1056).

NEW BUSINESS

21329—Tanner Consulting, LLC

Action Requested:

Variance of the building setback from an R District from 75' to 10' (Section 903-Table 2) and a Special Exception to waive the screening requirement abutting an R

District along the east property line (Section 1226.C.2). **Location:** 1031 North Columbia Place East

Staff is requesting a continuance for this case to be re-advertised. The issue is that one of the requests was advertised as a Variance and it should have advertised as a Special Exception. All the code sections were cited correctly and the staff is being cautious on the conservative side by requesting a continuance.

Mr. Henke noted that applicant was present and that there were no interested parties in the gallery for this case. At this point Mr. Jones came forward.

Presentation:

Ricky Jones, Tanner Consulting, 5323 South Lewis Avenue, Tulsa, OK; stated that he does not believe the notice is in error. The advertisement was for a Variance and the staff thinks it should be a Special Exception, and after discussion with staff Mr. Jones stated that it would be his risk if the action requested was improperly noticed and he is willing to take the risk. The request is for screening relief and staff advertised it as a Variance and screening relief is a Special Exception. A Variance is more difficult to receive permission for and Mr. Jones thinks it is all right to hear the case today because he can prove the Variance with the hardship. Mr. Jones asked the Board to hear the case today.

Ms. Stead stated that she had no information in the Board Agenda Packet on the case. Mr. Sansone stated that case packets had been made and ready to be given to the Board if the Board grants permission to hear the case today.

Mr. Henke asked Mr. Swiney for guidance and Mr. Swiney stated that if the applicant is willing to proceed with the heavier burden it would be permissible.

Interested Parties:

None.

Mr. Henke told Mr. Jones the Board would allow Mr. Jones to present his case today in the order as it is listed on the agenda. Mr. Jones returned to his seat.

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UNFINISHED BUSINESS

21327—Nicole Watts

Action Requested:

Variance of the parking requirements for a public school (UU1) from 55 to 44 (Section 1201.D); Variance of the building setback for a Special Exception use in an R District from another R District from 25' to 12' (Section 404.F.4); and a Minor

Special Exception to reduce the required setback from a public street for a special exception use in an RM-2 District from 10' to 6.3'. **Location:** 1920 South Cincinnati

Presentation:

Nicole Watts, Tanner Consulting, 5323 South Lewis Avenue, Tulsa, OK; stated this request is for a proposed cafeteria addition for Lee Elementary School. The addition is a 7,500 square foot building addition on the west side of the existing school. The existing school is 58,700 square feet which requires 49 parking spaces. The parking variance is requested because there are currently 44 parking spaces so the school does not meet the parking requirements now. The existing cafeteria location is being changed with a proposed addition but the use is not new or increasing the use. The building setback request is requested to match the existing school building which is approximately six feet off the parking line along 21st Street, and the Historical District has requested that the proposed addition match the existing building.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the request for a Variance of the parking requirements for a public school (UU1) from 55 to 44 (Section 1201.D); a Variance of the building setback for a Special Exception use in an R District from another R District from 25' to 12' (Section 404.F.4); and a Minor Special Exception to reduce the required setback from a public street for a special exception use in an RM-2 District from 10' to 6.3'. The Board has found that the elementary school is in need of an expansion for a school cafeteria as shown on conceptual plan on pages 2.6 and 2.7. This use will not increase the need for additional parking spaces and the proposed building line is to match the current building line on the existing portion of the school to conform to the historic character of the building. The Historic Preservation Commission has issued a Certificate of Appropriateness, which supports the variances and special exceptions. The Board has found that in granting the Variances these are extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan. In granting the Special Exception and the Minor Special Exception the Board has found that the Special Exception and Minor 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; for the following property:

ALL OF BLK 16 17, SOUTH SIDE ADDN, SECOND SOUTH SIDE ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21324—Sharon A. Walsh

Action Requested:

Special Exception to allow manufactured/modular homes (UU 9) in an AG District for classroom purposes (Section 301). **Location:** 5150 East 101st Street South

Presentation:

No presentation was made.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”) to **APPROVE** the request for a Special Exception to allow manufactured/modular homes (UU 9) in an AG District for classroom purposes (Section 301) for a period up to July 1, 2013 per plan on page 3.8. The Board finds that in granting the special exception 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; for the following property:

Lot 1, Block 1 Life Christian Center, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21325—James Kilman

Action Requested:

Variance of the parking requirement to permit office and salon use in an existing building in the CH district from 24 spaces to zero spaces. (Sections 1211.D & 1215.D). **Location:** 2510 East 15th Street South

Mr. Tidwell recused himself at 1:15 P.M.

Mr. White recused himself at 1:15 P.M.

Presentation:

James Kilman, 1705-R South Madison Avenue, Tulsa, OK; stated at the last meeting the Board had requested some additional information be prepared for today. One of the requests for a parking space calculation by staff and it was found that 26 parking spaces will be required for the building. There was a neighborhood meeting and there was positive input in this meeting with the neighborhood challenges recognized by the applicant. The site plan has been further developed, per the request of the Board, and it now shows parking laid out on the southern portion of the property. With a five foot landscape buffer and a 50' setback line from the centerline of the street, the maximum numbers of parking spaces that can be obtained are 12 spaces. If the landscape buffer can be waived and the setback requirements reduced, the parking spaces can be increased to 18 spaces.

Mr. Van De Wiele asked Mr. Kilman how far back the 50' setback would be eliminated. Mr. Kilman gave no answer but presented a drawing to the Board.

Ms. Stead asked Mr. Kilman if the use agreement with McKee's had been secured. Mr. Kilman stated no further agreement was secured other than the special conditions in the sale contract, which allows the applicant to use as many parking spaces as needed. Mr. Van De Wiele asked Mr. Kilman if he had the agreement with him today and Mr. Kilman stated that he did not. Mr. Kilman then offered to have the agreement brought to the meeting while he continued his presentation. Ms. Stead informed Mr. Kilman that the use agreement was very important to the Board.

Ms. Stead stated that the Board could not cure all the previous ailments in the neighborhood, and with the proposal presenting several offices in the upper floor, with an undetermined number of employees needing parking spaces, it could pose great detriment to the neighborhood. Mr. Kilman stated Mr. Schellhorn does have a business plan and the offices are to be small offices for small start-up businesses without high intensity use. There is a shared common space to foster small entrepreneurs. There has been a zoning clearance permit received. Mr. Kilman stated that part of the proposal is for a salon containing seven chairs and two shampoo stations.

Mr. Henke stated that with one receptionist, a possibility of nine clients in the salon, and the gallery on the first floor, there is a requirement of 16-plus parking spaces.

Ms. Stead stated that if the Board makes decision based on the shared use of the McKee's parking lot the Board needs to see the agreement and needs to know how many spaces there are in the McKee's parking lot. Mr. Henke confirmed Ms. Stead's statement, and stated the Board had asked for an idea of how many free spaces McKee had available in their lot. Mr. Kilman stated that the McKee property is currently vacant and there is no plan for the use of that property until it is sold, so it cannot be determined how many free spaces will be available in the future.

Interested Parties:

Karen Dale, 1527 South Atlanta Avenue, Tulsa, OK; stated there are cars parked on the street the length of the entire block all the time.

Ms. Stead asked Ms. Dale how many times she or the Homeowner's Association or one of the neighbors asked the City to barricade or ban parking on one side of the street. Ms. Dale stated about a year ago the City placed No Parking signs for one side of the street. Ms. Stead asked Ms. Dale if anyone had pursued the issue because the City has to enforce the no-parking zone for the street. Mr. Henke asked Ms. Dale if the parking problem was due to Brothers Hooligan Restaurant, and Ms. Dale confirmed that it was. Ms. Dale stated the problem is that the proposed project is too big for the neighborhood because it requires far more parking than ever will be obtained, even with the shared McKee parking.

Mr. Van De Wiele asked Ms. Dale if it was her and the neighborhood's contention to see the older buildings that have been built right on the property line, such as the building being discussed today, sit vacant. Ms. Dales stated it would be preferable to find an owner or tenant whose project the available space. Mr. Van De Wiele stated that the building has zero space available. Ms. Dale concurred and even if the Board wanted to give a stamp of approval to bring business to the neighborhood, it is maxed out. Ms. Dale stated that ideally one of the old buildings could be torn down and taken out to create some legitimate parking for the business. Mr. Van De Wiele then asked Ms. Dale if she would prefer to look at a large concrete parking lot at the entrance to her neighborhood every day, and Ms. Dale that is not what she would want.

Cathy Furlong, 1527 South Atlanta Avenue, Tulsa, OK; stated one hour ago there were 15 cars parked along Atlanta Avenue to her house and she is the fifth house from 15th Street. The greatest traffic congestion time periods are the noon hour and the dinner hour. Three years ago the City performed a traffic test to see what the Atlanta Avenue requirements would be and that is when the City placed the no parking signs on the east side of the street, but people are still parking on the east side of the street. When a person calls about the illegal parking, the response is there is not enough manpower for the neighborhood police officers to drive by frequently enough to issue tickets to make it a deterrent. There are many days that eighteen-wheel trucks drive down the street to gain access to Brothers Hooligan or Reasor's grocery. There are time periods where the street cannot be accessed by work crews because of the parking dilemma. The traffic congestion will become worse if the Board were to grant this request without the required parking spaces.

Kurt Townsend, 1512 South Lewis Place, Tulsa, OK; stated there are four elements required before the Board grants a parking variance. One of the elements, an unnecessary hardship, is a subjective standard. The Oklahoma Supreme Court has ruled that first that no special benefit be given to an individual or company based on the financial gain or loss. Mr. Townsend stated that he believes that is the exact scenario for this request because Mr. Schellhorn knew the property before he made the purchase

did not have the required parking and he proceeded with the purchase. This creates a self-inflicted financial burden.

Mr. Van De Wiele asked Mr. Townsend if he thought a zero lot line property, developed in the 1920s, is a hardship. Mr. Townsend stated that his position is that Mr. Schellhorn knew of the requirements before he purchased the property and Mr. Schellhorn has never made a claim of an unnecessary hardship nor has he made any claim that the parking requirement makes the business practically useless. Mr. Townsend believes that Mr. Schellhorn is requesting the Board to relieve his financial burden of needing to pay for construction and maintenance of a parking lot.

Ms. Stead asked Mr. Townsend who he was representing in this case. Mr. Townsend's response was that he lives in the neighborhood, is on the Homeowner's Board and is speaking on behalf of the Homeowner's Board collectively.

Sharon Moody, 2446 East 18th Street, Tulsa, OK; stated she lives three blocks south of 15th Street and Atlanta Avenue, and she has overflow traffic at her house. Even though Mr. Schellhorn has created the parking necessary for the Board to grant his request it does not mean that the parking lot will be used strictly by his tenants because reality is once a parking lot is created, people and all businesses in that area will use it. As homeowners the only option open is to call the police to have the offender ticketed and it is proven to not work. To have additional traffic or parking in this neighborhood she would ask the Board to give every consideration to the homeowners who already live in the neighborhood.

Stacy Sweeten, 2421 East 19th Street, Tulsa, OK; stated he was at the last meeting and is going to speak on behalf of the neighborhood association and as the president of the Lewiston Gardens Neighborhood Association. There have been many conversations with Mr. Schellhorn and they tried to work out a reasonable agreement. What concerns the neighborhood is during the meetings the discussions were based around 17 to 19 parking spaces and when it came to the actual presentation the homeowner's the discussion was for 12 parking spaces. Ms. McKee even attended the neighborhood meeting with Mr. Schellhorn and she indicated that she is not willing to extend a permanent agreement for the parking spaces. All the neighborhood asks is the Board enforce the 26 required parking spaces and take some of the burden off the streets.

Mr. Van De Wiele asked Mr. Sweeten if the neighborhood would be willing to support the 17 to 19 parking spaces mentioned in the meeting. Mr. Sweeten that the neighborhood did not want to support the 17 to 19 spaces but listened to the suggestion because it was closer to the required 26 spaces than the proposed 12 parking spaces.

Scott Stack, 1519 South Atlanta Avenue, Tulsa, OK; stated he is a new resident in the neighborhood. His concern is the parking issue and if parking is increased without adequate parking space requirements enforced, it will become a major issue because he lives three houses from the proposed project.

Mr. Van De Wiele asked Mr. Stack if the Hooligan Brothers traffic had given him second thoughts about purchasing the home. Mr. Stack stated that he had a very good realtor in showing the house at certain times. Unfortunately, he was moving into the city from Houston and did not have the time to sit in the neighborhood through the day to see what was truly going on in the area. It was only after he had moved into the house did he become aware of the parking situation, and if he had known of the parking problems it would have been a large factor in his decision on buying the house.

Rebuttal:

Mr. Kilman came forward and presented the parking agreement to the Board for their review. The interested portion of the agreement was placed on the overhead projector and it stipulated that eight spaces until Ms. McKee sells the property.

Mr. Henke stated that he would be willing to vote in favor of the applicant's request if there was a tie-agreement to show 26 spaces, so until the applicant can show that he has an agreement that he has 26 other spaces on a lot or lots that could be tied together he could not vote for the variance. Mr. Kilman then asked Mr. Henke if a continuance could be asked for.

Mr. Swiney stated that after he reviewed the agreement he noticed there is a court action for probate. Mr. Van De Wiele asked Mr. Kilman if the sale on the property had been closed. Mr. Kilman stated that it had been. Mr. Van De Wiele asked Mr. Kilman if the court action had been taken care of and settled. Mr. Kilman made no response.

Mr. Alberty stated that basically the applicant has 12 parking spaces on his lot without the Board granting relief so that would mean to get a total of 26 parking spaces the applicant would find it necessary to come up with 14 additional spaces. Or, if he is unable to find 14 spaces and needs to add six spaces to his lot, the applicant will need to advertise for a greater relief or the Board cannot consider more than 12 spaces that exist on the lot. Another thing the Board needs to be aware of, there needs to be a plan showing exactly how many spaces that are attached to the McKee's commercial building and how many free spaces would be available to share.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 3-0-0 (Henke, Stead, Van De Wiele "aye"; no "nays"; no "abstentions") to **CONTINUE** the request for a Variance of the parking requirement to permit office and salon use in an existing building in the CH district from 24 spaces to zero spaces (Sections 1211.D & 1215.D) to the meeting of October 25, 2011; for the following property:

E40 N5 LT 22 & E40 LT 23 & E40 LT 24 LESS PRT E40 LT 24 BEG NEC TH W40 S9.3 SE40 N18 POB BLK 1, FIFTEENTH STREET ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. Alberty came forward and stated that if the applicant needs relief two weeks will not give staff enough time to notice the case. Mr. Sansone stated that if the applicant needs relief from the landscape requirements or another variance then another notice will need to be sent out and the October 25th meeting will not be enough time to perform those duties because there is a ten day notice requirement.

On **MOTION** of **STEAD**, the Board voted 3-0-0 (Henke, Stead, Van De Wiele “aye”; no “nays”; no “abstentions”) to **RECONSIDER** the previous motion to hear the request for a Variance of the parking requirement to permit office and salon use in an existing building in the CH district from 24 spaces to zero spaces (Sections 1211.D & 1215.D) on October 25, 2011 due to notification time constraints should the applicant need to request additional relief; for the following property:

E40 N5 LT 22 & E40 LT 23 & E40 LT 24 LESS PRT E40 LT 24 BEG NEC TH W40 S9.3 SE40 N18 POB BLK 1, FIFTEENTH STREET ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

On **MOTION** of **STEAD**, the Board voted 3-0-0 (Henke, Stead, Van De Wiele “aye”; no “nays”; no “abstentions”) to **CONTINUE** the request for a Variance of the parking requirement to permit office and salon use in an existing building in the CH district from 24 spaces to zero spaces (Sections 1211.D & 1215.D) to the meeting of November 8, 2011; for the following property:

E40 N5 LT 22 & E40 LT 23 & E40 LT 24 LESS PRT E40 LT 24 BEG NEC TH W40 S9.3 SE40 N18 POB BLK 1, FIFTEENTH STREET ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. White re-entered the meeting at 2:32 P.M.
Mr. Tidwell re-entered the meeting at 2:34 P.M.

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NEW BUSINESS

21328—Phil Marshall

Action Requested:

Variance to reduce lot width in and RS-3 District from 60' to 50' to permit a lot split (Section 403). **Location:** 3308 South Quincy Avenue East

Presentation:

Phil Marshall, P. O. Box 701316, Tulsa, OK; stated the property is located on South Quincy Avenue and is located in the Brookside area. The property meets all the other bulk and area requirements of the zoning code. Mr. Marshall believes the request for a lot-split follows the new comprehensive plan and the Brookside plan that encourages smaller lots for infill development. The hardship is that the owner needs the variance for reduction in the lot width in order to obtain a lot-split from the Planning Commission. This is also following the trend in the neighborhood where many similar cases have been approved by the City Board of Adjustment in this area in the past.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”) to **APPROVE** the request for a Variance to reduce lot width in and RS-3 District from 60' to 50' to permit a lot-split (Section 403). This lot and area platted in approximately 1924 contains 7,160 square feet which would comply with the minimum lot area requirement of 6,900 square feet. It is surrounded by 50'-0” wide lots. The Board finds that by reason of the original platting in granting this variance this is peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; subject to page 5.8; for the following property:

LT 8 BLK 1, OLIVERS ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21329—Tanner Consulting, LLC

Action Requested:

Variance of the building setback from an R District from 75' to 10' (Section 903-Table 2) and a Special Exception to waive the screening requirement abutting an R District along the East property line (Section 1226.C.2). **Location:** 1031 North Columbia Place East

This is a continuation of the same case previously heard at the beginning of today's meeting.

Presentation:

Ricky Jones, Tanner Consulting, 5323 South Lewis, Tulsa, OK; stated he represents Sawyer Manufacturing and they have been at this location approximately 60 years. Over the years Sawyer Manufacturing recognized the need for expansion and they have been acquiring the surrounding properties. The variance request for the setback requirement from an R-zoned district from 75'-0" to 10'-0" may not be necessary, because if the City Council approves the rezoning the building will be at 81'-0" between the expansion and the nearest RS-3 zoned property. The second request is for a variance of the screening requirement. Sawyer Manufacturing is going to erect the six foot screening fence on the south property line but the request is for the screening on the east side. The east side of the property is in the mapped Coal Creek 100-year floodplain so to build a screening fence in the floodplain the fence would act as a dam for water, and Mr. Jones believes that is the hardship. In lieu of the screening fence, Sawyer Manufacturing proposes to plant four-foot to six-foot tall evergreen trees branched to the ground, thus providing the visual separation that is needed. Sawyer Manufacturing is located in an industrial area and graffiti is an on-going, full time, real problem in the area. Mr. Jones believes that if Sawyer Manufacturing is required to erect a six-foot screening fence it will be another surface to have painted graffiti.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the request for a Variance of the building setback from an R District from 75' to 10' (Section 903-Table 2) and a Variance of the screening requirement abutting an R district along the East property line (Section 1226.C.2), per plan submitted today that has a plot date of

October 10, 2011. The building setback from 75' to 10' is from the existing zoning line. Finding that the 100-year flood line poses a hardship to building a solid screening fence on the property on the east side, and the 6'-0" screening fence on the south side of the building noted on the plan as the existing house is a solid wood fence. The office expansion has been moved to accommodate concerns of the neighborhood. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LOTS FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8) AND NINE (9) AND THE SOUTH 88.89 FEET OF LOT TEN (10) ALL IN BLOCK TWO (2) MCLANE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, AND THAT PORTION OF LAND KNOWN AS KING PLACE FROM NORTH COLUMBIA PLACE EAST TO THE SOUTHEAST CORNER OF BLOCK TWO (2) AND ADJOINS LOTS SIX (6), SEVEN (7), EIGHT (8) AND NINE (9), IN BLOCK TWO (2), MCLANE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; AND LOT FIVE (5), PORTLAND PLACE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; AND THE NORTH FIFTY FEET (50') OF LOT FOUR (4) PORTLAND PLACE ADDITION TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21330—Andrew Shank

Action Requested:

Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10). **Location:** 10810 East 45th Street South

Presentation:

Andrew Shank, 2727 East 21st Street, Suite 200, Tulsa, OK; no presentation was made.

Interested Parties:

None.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”) to **ACCEPT** the request for Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10) based upon the facts in this matter as they presently exist, for the conventional and digital billboard, subject to the action of the Board being void should another conflicting outdoor advertising sign be constructed prior to this sign; for the following property:

PRT LTS 2 & 3 BEG 284.94NW SECR LT 2 TH NE365.88 NWLY35 NE110 NW71.76 TH CRV RT 78.54 NE132.06 NW92 SW21.10 TH CRV LF 189.56 W10 TH CRV RT 177.93 NW135.27 SW250.67 SE853.79 POB BLK 2, TOWNE CENTRE II, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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OTHER BUSINESS

21320—Bonnie & Khaled Rahhal

Request for refund for second application; staff is recommending \$400.00.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”) to **APPROVE** the request for refund of \$400.00 for second application on property located at 1334 East 6th Street South; for the following property:

W22.6 E60 N15 LT 6 & W20 E60 S15 N30 LT 6 & W42.6 E80 N40 LT 7 & W22.6 E60 S10 LT 7 & W42.6 E80 LT 8 BLK 10, FACTORY ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

2012 Meeting Schedule

Review and consider Board of Adjustment 2012 meeting schedule.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”) to **ACCEPT** the 2012 meeting schedule.

NEW BUSINESS:

None.

BOARD MEMBER COMMENTS:

None.

There being no further business, the meeting adjourned at 3:02 p.m.

Date approved: 10/25/11

Frank N. H. [Signature]

Chair