

**BOARD OF ADJUSTMENT**  
**MINUTES** of Meeting No. 1102  
Tuesday, September 24, 2013, 1:00 p.m.  
Tulsa City Council Chambers  
One Technology Center  
175 East 2<sup>nd</sup> Street

**MEMBERS  
PRESENT**

Henke, Chair  
Snyder  
Tidwell, Secretary  
Van De Wiele  
White, Vice Chair

**MEMBERS ABSENT**

**STAFF PRESENT**

Miller  
Back  
Sparger  
Walker

**OTHERS  
PRESENT**

VanValkenbergh,  
Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, September 19, 2013, at 10:07 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.

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Ms. Back read the rules and procedures for the Board of Adjustment Public Hearing.

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**MINUTES**

On **MOTION** of **TIDWELL**, the Board voted 4-0-1 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; Henke "abstaining"; none absent) to **APPROVE** the **Minutes** of the September 10, 2013 Board of Adjustment meeting (No. 1101).

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**NEW BUSINESS**

**21627-Wagoner—Wilma Woodson**

**Action Requested:**

Special Exception to allow a Manufactured Home in an AG District for 20 years (Section 301, Table 1). **LOCATION:** 19409 East 21<sup>st</sup> Street South **(CD 6)**

**Presentation:**

No presentation was made. The staff is requesting a continuance to October 8, 2013 due to a sign company installation error.

**Interested Parties:**

There were interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **TIDWELL**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to **CONTINUE** the request for a Special Exception to allow a Manufactured Home in an AG District for 20 years (Section 301, Table 1) to the Board of Adjustment meeting on October 8, 2013; for the following property:

**TR OF LAND IN E2 SW 7-19-15 DESC AS FOLLOWS: BEG AR SW COR OF SAID E2 - 0°09'17"W ALONG W LINE OF SD E2 A DIST OF 880' TO A PT – S 89°59'28" E 148.50' – S 0°09'17"E 880' TO S LINE OF SE SW – S 89°59'28"W 148.50' TO POB AND THE W2 OS THE SW DEC 7 T19N R15E LESSS AND EXEPT THE S338' OF THE W646' OF THE SW OF SEC 7 T19N R15E, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21633-Osage—John 3:16 Mission, Inc. – Kevin Coutant**

**Action Requested:**

Special Exception to permit a residential treatment center/transitional living center (Use Unit 2) in an AG District (Section 301); Special Exception to reduce the spacing requirement of 1/2 mile (2,640 feet) from any other lot containing a detention/correctional, emergency and protective shelter, homeless center, residential treatment center and transitional living center use (Section 1202.C.7).

**LOCATION:** North of NE/c of West Edison Street and North 39<sup>th</sup> West Avenue **(CD 1)**

**Presentation:**

No presentation was made. The staff is requesting a continuance to October 8, 2013 due to a sign company installation error.

**Interested Parties:**

There were interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **TIDWELL**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to **CONTINUE** the request for a Special Exception to permit a residential treatment center/transitional living center (Use Unit 2) in an AG District (Section 301); Special Exception to reduce the spacing requirement of 1/2 mile (2,640 feet) from any other lot containing a detention/correctional, emergency and protective shelter, homeless center, residential treatment center and transitional living center use (Section 1202.C.7) to the Board of Adjustment meeting on October 8, 2013; for the following property:

**The East 660 feet of the West 1320 feet of the North 660 feet of the South 1320 feet of Section 33, Township 20 North, Range 12 East of the Indian Meridian, Osage County, Oklahoma, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

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**OTHER BUSINESS**

**21626—RIO Restaurant and Bar**

**Action Requested:**

Appeal of an Administrative Official (Complaint No. 101564) determining that there is a night club at this address (Section 1605). **LOCATION:** 2120 South Sheridan Road East **(CD 5)**

**Presentation:**

No presentation was made. This case was withdrawn by staff because the appeal was not filed within 10 day timeframe per Section 1605. The applicant is requesting a refund of \$270.25.

**Board Action:**

On **MOTION** of **TIDWELL**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to **APPROVE** the request for a refund of \$270.25; for the following property:

**BEG 50W & 250S NEC NE TH S1012.56 W630.88 N1211.54 E440 S200 E200 POB  
SEC 15 19 13 16.76ACS, MARY FRANCES ADDN, CITY OF TULSA, TULSA  
COUNTY, STATE OF OKLAHOMA**

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**NEW BUSINESS**

**21628—A-MAX Sign Company**

**Action Requested:**

Variance of the maximum height of a projecting sign from 25 feet to 50 feet in a CBD District (Section 1221.E.1). **LOCATION:** 111 North Main Street East **(CD 4)**

**Presentation:**

**Brian Ward**, A-MAX Sign Company, 9520 East 55<sup>th</sup> Place, Tulsa, OK; stated in designing the sign for the front of the subject building A-MAX looked at options for a rectangular box type sign to stay within the height restriction, but that type of sign would have projected over the sidewalk. Therefore, another sign design was chosen. The front of the building has a glass front and to properly mount the proposed sign it must be attached to the brick of the building. This building design has forced the sign to be moved upward on the front of the building.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **SNYDER**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to **APPROVE** the request for a Variance of the maximum height of a projecting sign from 25 feet to 50 feet in a CBD District (Section 1221.E.1), subject to conceptual plan 3.24. Finding that there is a glass front on the building and combined with the length of the name of the establishment it requires the sign to be at the 50 foot height. 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 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; for the following property:

**ALL LTS 4 & 5 & S40 LT 6 BLK 41, TULSA-ORIGINAL TOWN, CITY OF TULSA,  
TULSA COUNTY, STATE OF OKLAHOMA**

**21629—Neera Singh**

**Action Requested:**

Verification of the spacing requirement for a family day care home of 300 feet from another family day care home (Section 402.B.5.g). **LOCATION:** 1019 East 35<sup>th</sup> Place South **(CD 9)**

**Presentation:**

**Neera Singh**, 1019 East 35<sup>th</sup> Place, Tulsa, OK; no presentation was made but the applicant was available for any questions.

Mr. Henke asked Ms. Singh if she had surveyed her neighborhood for any other day care homes. Ms. Singh stated that she had and had even looked on-line to see if there were any other day care homes listed and there were none.

**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, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) based upon the facts in this matter as they presently exist to **ACCEPT** the applicants request for a Spacing Verification for a family day care home, subject to the action of the Board being void should another family day care home be established prior to this family day care home; for the following property:

**ALL LT 5 & S55 LT 6 BLK 1, PEORIA COURT RESUB B1 PEORIA GARDENS AMD  
& PRT PEORIA GDNS, PEORIA GARDENS ADDN AMD, CITY OF TULSA, TULSA  
COUNTY, STATE OF OKLAHOMA**

**21630—A-MAX Sign Company**

**Action Requested:**

Variance to permit a 3'-0" x 8'-0" electronic message center (EMC) in an RS-3 District (Section 402.B.4); ~~Variance to allow an electronic message center (EMC) within 200 feet of an R District (Section 1221.C.2).~~ **LOCATION:** 5805 South Sheridan Road East **(CD 7)**

Ms. Back stated the second Variance under Section 1221.C.2 has been stricken but it was advertised. It has been determined that is not needed. The Variance under Section 1221.C.2 will be discussed later under Other Business on today's agenda.

**Presentation:**

**Scott Pryer**, 9710 South Oswego, Tulsa, OK; stated he is before the Board today representing a local church. They are upgrading the street front to the church and remodeling. That includes updating a church sign that is approximately 50 years old. The sign will be moved back approximately 40 feet farther away from Sheridan Road. The church would like to add a LED electronic message board to the sign. The sign will be within 200 feet of a residential area which is directly across the street from the church and the area in general is very commercialized. The sign will be used to communicate with the community.

Ms. Snyder asked Mr. Pryer what hours the sign would be lit for the public. Mr. Pryer stated the sign would be off after midnight.

**Interested Parties:**

**Mary Rowe**, 6506 East 58<sup>th</sup> Street, Tulsa, OK; stated she lives immediately adjacent to the church; she is immediately next to Parkview Baptist Church. Her backyard joins the parking lot of the church and has lived there for five years. There are five houses that are adjacent to the parking lot of the church. She is concerned about the height of the proposed sign and the lighted LED portion of the sign. There are also three signs in front of the church, one of them being a banner sign, which she wanted to know if the signs would be removed. The Board requested Ms. Back to display a picture of the proposed on the overhead screen for Ms. Rowe to view, which showed the location and the proposed sign with the LED portion. Ms. Rowe stated that if the sign displayed on the overhead screen was the actual sign she was pleased with the proposal and the proposed location of the sign.

Mr. Henke asked Ms. Rowe if she agreed to have sign turned off at midnight and not come back on until 6:00 A.M. Ms. Rowe stated that would be very good.

**Rebuttal:**

Mr. Pryer stated that the church office sign and the banner sign are to come down. He cannot say whether the preschool sign will be removed because where that sign is placed is the entry for the preschool and he thinks the church would desire to have that sign stay in place. For the LED portion of the proposed sign, the last thing the church wants is to be flashy and glitzy. The church does want to communicate to the community of events that will be happening and be a ministry outreach to the community. The church does not want to appear to be a casino.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) based upon the facts in this matter as they presently exist to **APPROVE** the request for a Variance to permit a 3’-0” x 8’-0” electronic message center (EMC) in an RS-3 District (Section 402.B.4), subject to conceptual plan 5.14 depicting the size of the overall sign, the EMC portion on the sign, and the general location of the sign. This approval is further subject to the EMC sign shall not be operated between the hours of 12:00 midnight and 6:00 A.M. There will be no blinking, twinkling, flashing, rolling, or animation. Scrolling will be only from right to left. This approval is also subject to the other restrictions and conditions contained in Section 1221.C.2 exclusive of Section 1221.C.2.c. The Board has found that this new sign is replacing an older sign that is further from the driving surface and is more customary and up-to-date and will be able to provide information and messages to the community and church membership. 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 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; for the following property:

**BEG NWC SW SW TH E408.38 S504.88 W408.38 N504.74 POB LESS W50 & LESS TR BEG 50E SWC THEREOF TH N25 E250 TH ON CRV RT 112.26 TO SWC THEREOF TH W358.38 POB SEC 35 19 13 3.968ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21631—Wayman Tisdale Specialty Health Center**

**Action Requested:**

Variance to permit 2 signs in the public right-of-way (East 36<sup>th</sup> Street North & North Hartford Avenue) per pending approval of license agreement (Section 1221.C.14).

**LOCATION:** 591 East 36<sup>th</sup> Street North **(CD 1)**

Ms. Back informed the Board that the display surface area calculations in the Staff Report were miscalculated. The applicant does meet the display surface area requirements with the submitted documents that are now before the Board.

**Presentation:**

**Malcolm Rosser**, 321 South Boston Avenue, Suite 500, Tulsa, OK; stated he represents the Board of Regents from the University of Oklahoma. The property is located at the northwest corner of 36<sup>th</sup> Street North and Hartford. It is a two-story facility consisting of 45,000 square feet which was completed in 2012, and offers medical care

with eleven different medical specialties. At the present time there is no signage other than what is on the building itself. The University would like to have one sign on 36<sup>th</sup> Street North and one sign on Hartford. The proposed signs will be approximately eight feet wide and thirteen feet tall. The signs will not be lit, neither internally or externally. There is a unique nature to the location. Hartford is designated as a residential collector, which would normally have a 60 foot right-of-way, but in actuality the right-of-way is 80 feet of dedicated right-of-way. There is 40 feet from the centerline to the property line and the property line is approximately 23 feet back from the curb. The pavement at the south end of the property is not centered within the easement which results in a greater offset between the curb and the property line. The only way for a sign to be visible from the south end is for the sign to be placed in the right-of-way, which would result in the sign being approximately seven feet from the curb and approximately twenty feet from the intersection encroaching into the right-of-way approximately ten feet. East 36<sup>th</sup> Street North is a secondary arterial 100 foot right-of-way. At the property line is a 15 foot utility easement for the City, and this is an additional setback which would result in the sign being 42 feet from the curb. Another situation that is unique to the property, approaching the property from the west and looking to the east, there is a large tree line that completely blocks the visibility so one could not see the sign along 36<sup>th</sup> Street North. This sign is proposed to be nine feet from the curb and located approximately 150 feet from the intersection of 36<sup>th</sup> Street North and Hartford, and approximately 150 feet from the common entrance that is shared between the existing shopping center and the Tisdale Center. This all is conditional upon the City agreeing to a license agreement, and it is scheduled to go before the City Council Thursday. It is also with the understanding that if the City were to perform utility work or widen the street it will be the University's responsibility to remove the signs at their expense. With the lack of visibility caused by conditions that are unique to the two streets at this particular location he would ask for an approval on this proposal.

Mr. Van De Wiele asked Mr. Rosser if he had an inclination of how the City is going to respond to his request. Mr. Rosser stated that all indications are everything is going to be routine and should be allowed, because this has already gone through Public Works.

**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, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to permit 2 signs in the public right-of-way (East 36<sup>th</sup> Street North & North Hartford Avenue) per pending approval of license agreement (Section 1221.C.14), subject to per plan 6.12 for the sign and per plan 6.15 for the location. The Board has found that due to the unually wide street right-of-way, and because of the existing tree



line it is necessary for the signs to be on the public right-of-way in order to be seen. This approval is subject to license agreement being approved by the City of Tulsa. 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 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; for the following property:

**A TRACT OF LAND THAT IS LOCATED IN NORTHLAND CENTER IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTEEN (13), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK ONE (1) NORTHLAND CENTER, THENCE S89°50'14"W A DISTANCE OF 120.82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°50'14"W A DISTANCE OF 175.36; THENCE N00°03'11"E A DISTANCE OF 592.20 FEET; THENCE N36°11'50"E A DISTANCE OF 18.69 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 201.35 FEET AND AN ARC LENGTH OF 127.20 FEET WHOSE CHORD BEARS S71°54'07"E A DISTANCE OF 125.10 FEET; THENCE DUE EAST A DISTANCE OF 150.23 FEET TO THE WEST RIGHT OF WAY OF HARTFORD AVENUE; THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY OF HARTFORD AVENUE ON A CURVE TO THE LEFT WITH A RADIUS OF 1960.00 FEET AND AN ARC LENGTH OF 226.37 FEET WHOSE CHORD BEARS S0°12'46"E A DISTANCE OF 226.24 FEET; THENCE S03°31'17"E A DISTANCE OF 95.05 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 4701.54 FEET AND AN ARC LENGTH OF 132.63 FEET WHOSE CHORD BEARS S02°42'48"E A DISTANCE OF 132.62 FEET; THENCE S89°50'14"W A DISTANCE OF 118.74 FEET; THENCE S00°09'46"E A DISTANCE OF 114.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 3.45 ACRES, MORE OR LESS. AND A TRACT OF LAND BEING A PART OF BLOCK ONE (1), NORTHLAND CENTER TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2190, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 1, NORTHLAND CENTER TO THE CITY OF TULSA; THENCE SOUTH 89°50'13" WEST ALONG THE SOUTH LINE OF BLOCK 1 A DISTANCE OF 120.82 FEET; THENCE NORTH 0°09'47" WEST A DISTANCE OF 114.0 FEET; THENCE NORTH 89°51'01" EAST A DISTANCE OF 118.74 FEET TO A POINT ON A CURVE AND THE EAST LINE OF BLOCK 1; THENCE IN A SOUTHERLY DIRECTION ON A 1°13'07" CURVE TO THE RIGHT HAVING A RADIUS OF 4701.54 FEET AND A LENGTH OF 114.0 FEET TO THE POINT OF BEGINNING, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

## **21632—Redfish Advertising – Dax Neal**

### **Action Requested:**

Verification of the spacing requirement for an outdoor advertising sign of 1,200 feet from another outdoor advertising sign on the same side of the highway (Section 1221.F.2); Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 feet from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10). **LOCATION:** NW/c of Highway 75 and 61<sup>st</sup> Street South **(CD 2)**

Mr. Henke asked if there was a question regarding the survey. Ms. Back stated that the surveyor certificate that the Board has depicting the latitude and longitude is the most recently submitted survey, but Mr. Neal has submitted another survey. Mr. Henke acknowledge the receipt of that survey.

### **Presentation:**

**Daxton Neal**, 1416 East 19<sup>th</sup> Street, Tulsa, OK; no presentation was made but the applicant was available for any questions.

### **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, Snyder, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) based upon the facts in this matter as they presently exist, the Board **ACCEPTS** the applicant’s verification of spacing between outdoor advertising signs, for a digital or convention billboard, subject to the action of the Board being void should another outdoor advertising sign be constructed within the spacing requirement prior to this sign. This approval will be for the acceptance of verification for the spacing requirement for an outdoor advertising sign 1,200 feet from another outdoor advertising sign on the same side of the highway (Section 1221.F.2) and verification of the spacing requirement for a digital outdoor advertising sign 1,200 feet from any other outdoor advertising sign facing the same traveled way (Section 1221.G.10); for the following property:

**LOT 1 BLK 2, PARKVIEW TERRACE RESUB TURKEY MOUNTAIN HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

## **21634—Roy D. Johnsen**

### **Action Requested:**

Variance to increase maximum building height from 35 feet to 67 feet (Section 403.A, Table 3); Modification of previously approved plan to permit a new building for Tulsa University. **LOCATION:** NE/c of vacated East 5<sup>th</sup> Place South & vacated South Florence Avenue **(CD 4)**

### **Presentation:**

**Roy Johnsen**, 1 West 3<sup>rd</sup> Street, Suite 1010, Tulsa, OK; stated he is before the Board today representing Tulsa University. The overall property is 97 acres but today's request is for the northeast corner of Florence and 5<sup>th</sup> Place. The Master Plan for the University of Tulsa has been adopted by the City of Tulsa as part of the Comprehensive Plan and it is also included in the new Comprehensive Plan, PLANiTULSA. The university was founded in 1894. It has been determined that in 2006 that the area was improved for university use, and for the opportunity to have off-site parking from the building in question. What is in front of the Board today is a concept site plan and another site plan depicting what is presently existing, as well as a request regarding the maximum building height. The proposal is for a three-story building that will be a continuation of the student services. The demand for additional student housing has increased and the proposed building will have the capacity for approximately 300 beds.

### **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, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to increase maximum building height from 35 feet to 67 feet (Section 403.A, Table 3); Modification of previously approved plan to permit a new building for Tulsa University, subject to conceptual plan 9.28 showing the building in question as the proposed North Residence Hall. The Board has found that the proposed North Residence Hall project is within the map and text of the 2006 amended Tulsa University Master Plan, which is in part of the City of Tulsa Comprehensive Plan. The proposed building design, materials, and landscaping will continue the campus theme in accord with Tulsa University Master Plan. The building to be constructed is needed to provide further services to the students attending the university. 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 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. The Board has found that the proposed Modification is compatible with and non-injurious to the surrounding residential area and meets the previously granted Special Exception and Variances to the bulk and area requirements or meets the zoning requirements per code; for the following property:

**A tract of land lying east of the centerline of South Delaware Avenue, north of the centerline of East 8th Street South, west of the centerline of South Harvard Avenue, and south of the centerline of East 4th Place South, the tract of land being a part of “College Addition”, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, and all of Block 3 of “University of Tulsa Blocks 1, 2 and 3”, an addition to the City of Tulsa, Tulsa county, Oklahoma, according to the recorded plat thereof, including the vacated streets and alleyways therein, the tract of land being more particularly described as follows, to-wit: All of Blocks 4 through 22, inclusive, of “College Addition” including the vacated streets and alleyways therein and adjacent thereto, and all of Block 3 of “University of Tulsa Blocks 1, 2 and 3” including the vacated streets adjacent thereto, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

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#### **OTHER BUSINESS**

The Staff is to advise Board of Section 1221.C.2 interpretation pertaining to Electronic Message Centers (EMC) in residential zoning districts.

Ms. Back stated that Staff has been working closely with City of Tulsa Development Services Department and City Legal on a question regarding electronic message centers in the R District, and the codes that are to govern those signs. Since it is in an R District, Section 400 which is the residential section of the chapter, has been utilized to electronic message centers in the RS-3 District or in the residential districts. In the past there has also been a requirement placed on the applicant that a Variance be applied for to allow an electronic message center within 200 feet of an R District, and that is out of Section 1221.C.2. The Board staff questioned whether that was a valid code to be able to impose upon applicants since they are in a residential district and not in a commercial district. There were many discussions and there is a document currently being drafted, which the Board has in front of them today. This document is not finalized but it is a document that will eventually be able to guide the Board on how to address the signs in the future, using Section 402.B.4 and placing use conditions as seen appropriate on the signs.

Mr. Van De Wiele asked Ms. Back if, once the new document is accepted and finalized, the need for the recitation of what conditions apply to the sign will be eliminated. Ms. Back stated that is where the challenge is. The staff is still working on the details of the conditions. Everyone wants to be in agreement and that everyone is moving forward with the same vision.

Review and approval of the 2014 meeting dates for the City Board of Adjustment.

Mr. Henke stated that the proposed 2014 meeting dates look good to him. In November there is a holiday, November 11<sup>th</sup>, for which the City offices will be closed. In December he thinks the December 23<sup>rd</sup> meeting should be stricken because that is the week of Christmas.

Mr. Van De Wiele asked if the meeting day had to be the second and fourth Tuesday of every month; could the day be shifted. Ms. Miller stated no in order to work around holidays. The problem is that the Board needs the Council Chambers room to meet, so calendars must be coordinated.

Ms. Miller asked the Board if it was their desire to have only one meeting in the months of November and December. Mr. White stated that the last time the Board had a meeting in the Christmas week was in 1994 and there has not been a meeting held at that time since then. Mr. White stated that there has been meeting dates fall on Veteran's Day in the past, and the meeting was moved to Wednesday or the next day.

Ms. Miller proposed that staff can inquire as to the dates the Council Chambers room is available for the months of November and December.

Mr. Henke stated that he would recommend the proposed 2014 calendar dates be brought back before the Board at the Board of Adjustment meeting on October 8, 2013.

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**NEW BUSINESS**

None.

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**BOARD MEMBER COMMENTS**

None.

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There being no further business, the meeting adjourned at 2:03 p.m.

Date approved: \_\_\_\_\_

10/8/13



Chair