

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1120
Tuesday, July 8, 2014, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Tidwell, Secretary Van De Wiele White, Vice Chair	Henke, Chair Snyder	Miller Sparger Foster Hoyt Moye	Swiney, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, July 2, 2014, at 9:00 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

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

MINUTES

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, VanDeWiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the **Minutes** of the June 24, 2014 Board of Adjustment meeting (No. 1119).

Mr. White welcomed Ms. Nikita Moye. She is a new employee for INCOG and will be the new Planner for the Board of Adjustment. Ms. Moye will take the place of Ms. Carolyn Back.

Mr. White explained to the applicants that there were only three board members present at this meeting, and if an applicant would like to postpone his or her hearing until the

next meeting he or she could do so. If the applicant wanted to proceed with the hearing today it would be necessary for him to receive an affirmative vote from all three board members to constitute a majority and if one board member voted no today the application would be denied. Mr. White asked the applicants if they understood and asked the applicants what they would like to do. The applicants nodded their heads in understanding and no one requested a continuance.

UNFINISHED BUSINESS

21707—Eller & Detrich – Lou Reynolds

Action Requested:

Appeal of an Administrative Official determining that there is a home occupation at this residence (Section 1605); *In the alternative*, Special Exception to permit a Home Occupation in the RS-1 District (Section 402.B.6.B). **LOCATION:** 1140 South 83rd Avenue East **(CD 5)**

Presentation:

The applicant has withdrawn this case.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required; for the following property:

N/2 LT 12 BLK 2, FOREST ACRES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

NEW BUSINESS

21728—John & Allison Greene

Action Requested:

Variance to permit a non-all-weather material for off-street parking in an RS-1 District covering a maximum of 36% of the required front yard (Section 1303.D). **LOCATION:** 2626 East 33rd Street South **(CD 9)**

Presentation:

John & Allison Greene, 2626 East 33rd Street South, Tulsa, OK; stated they are proposing to have a circle driveway in front of their home using a gravel pave system.

Ms. Miller gave the Board the sample of the gravel pave system the applicant had presented at the time of submitting his application.

Ms. Greene stated that one of her neighbors has this product at their house. The grid system holds the gravel in place and it allows water to drain through for water control.

Mr. Van De Wiele asked the Greenses if they had water runoff issues. Mr. Greene stated that they have. A lot of the water runs off into their neighbor's yard and this system will help alleviate that problem.

Mr. White asked if there were load restrictions on this system. Mr. Greene stated that there should be no problem. The system keeps everything uniform.

Mr. Van De Wiele asked if the top of the rings could be seen. Mr. Greene stated that the rings could not be seen because they are below the surface of the gravel.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the request for a Variance to permit a non-all-weather material for off-street parking in an RS-1 District covering a maximum of 36% of the required front yard (Section 1303.D), subject to the conceptual site plan on 3.9. The home owner is to install and maintain the Gravel Pave 2 system as described on pages 3.14 through 3.18. The Board has found that the water runoff from the applicant's property onto the neighboring property justifies the relief granted to provide more of a porous parking surface. 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:

PRT NE NW BEG 1320S & 824E NWC NE NW TH N161 E116 S161 W116 POB LESS N25 THEREOF FOR ST SEC 20 19 13 .362AC, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21733—Lance Woolsey

Action Requested:

Variance of the maximum allowable floor space (in the aggregate) for detached accessory buildings from previously approved 1,048 square feet (BOA-21065) to 1,160 square feet in the RS-3 District (Section 402.B.1.d). **LOCATION:** 1727 South Gary Avenue East **(CD 4)**

Presentation:

Lance Woolsey, 1727 South Gary Avenue, Tulsa, OK; stated he had an opportunity to construct a treehouse by Nelson Treehouse Supply as part of the Animal Planet show Treehouse Masters. It was not something that he had been planning on, it was just a random offer and he took the opportunity. He has spoke to the permit center last fall about the possibility and he was told then that he did not need a building permit because the treehouse was less than 200 square feet, it was a detached structure and is on a non-conforming lot. The treehouse is a play area for his grandchildren.

Mr. Van De Wiele asked about the other detached building that is in the yard. Mr. Woolsey stated there is a detached garage and a detached cottage which has a bedroom and bath, and it was constructed about 11 years ago. It was approved by the Board of Adjustment.

Mr. White stated that the Board has received several pages of signatures from the neighbors showing support for the treehouse.

Interested Parties:

Mark Sutcliffe, 1731 South Gary Avenue, Tulsa, OK; stated he is the nearest neighbor to the treehouse. He wanted to know there was not a permit filed prior to the building of the treehouse and why was he not informed about the treehouse prior to the construction. This treehouse may be for the grandchildren but it is two stories tall starting about ten feet from the ground. This treehouse looks over his backyard and a part of the front yard. If he had seen plans before the construction he would have stated his concerns at that time, but now he is being given the opportunity by the request of this Variance which is after the project is complete. This seems almost inappropriate and a little illegal in the fact that a permit was not filed.

Mr. Van De Wiele asked Mr. Sutcliff what his thoughts are now after the fact. Mr. Sutcliff stated that he does not like it, because it is hard not to notice that tours are being given of the treehouse. He has even heard people comment that they can see into all of the neighboring backyards. It is invasive. He is worried about the treehouse affecting his property, because it is overlooking his backyard. It is a nice structure that

was built by Treehouse Masters. If he would have been able to change things he would have made there were not decks overlooking his backyard. The treehouse is approximately three feet from the fence line. His garage is the only thing that blocks the view of a small portion of his yard.

Carolyn Back, Wallace Engineering, 200 East Matthew Brady Street, Tulsa, OK; stated that for detached accessory structures, they can be up to three feet away from any neighbor's property and the overall lot coverage is not what is before the Board today. That was previously approved by the Board 11 years ago. The applicant is asking for only a little over 100 more square feet in addition to that. If their lot were not 50 feet wide, if it were 65 feet wide the applicant would not need to appear before the Board today. Ms. Back stated this is information that she simply wanted to bring to the Board's attention.

Rebuttal:

Lance Woolsey came forward.

Mr. White asked Mr. Woolsey what the height of the structure is. Mr. Woolsey stated the height from the ground to the ridge is 26'-6" which is less than the 35 feet quoted by the code.

Mr. Woolsey stated there is one deck on the front of the treehouse that faces into his yard and a person can look down in between his house and the next house. The back deck of the treehouse does overlook Mr. Sutcliff's backyard, but with the tree growth there will be screening especially as the tree continues to flourish outward. In the winter the rear deck of the treehouse might provide a more direct view.

Mr. Tidwell asked Mr. Woolsey if the City told him he did not need a permit. Mr. Woolsey answered affirmatively. He stated that in November he had asked the City the policy governing treehouses. The City told him that there is not one, but they did ask about the size, and told them it would be approximately 100 square feet. That is when the City told him the treehouse did not need a building permit.

Comments and Questions:

Mr. Van De Wiele asked staff what the minimum lot width for a lot in the RS-3 District is. Ms. Miller stated the minimum lot width is 60 feet or a minimum area of 6,900 square feet.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the request for a Variance of the maximum allowable floor space (in the aggregate) for detached accessory buildings from previously approved 1,048 square feet (BOA-21065) to 1,160 square feet in the RS-3 District (Section 402.B.1.d), subject to as built as shown on 4.15. The Board has found that the treehouse as constructed is over 100 square feet but is less than the maximum allowable height, and the property is more narrow than is

typically required for a RS-3 lot. The lot was platted significantly before the current zoning code was placed into effect. The increase in the square footage allowable for detached accessory buildings is justified by those reasons. 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:

LT 11 BLK 4, FLORENCE PARK ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21734—John Ward

Action Requested:

Special Exception to allow a Church (Use Unit 5) in an RS-3 District (Section 401, Table 1). **LOCATION:** 1424 North 67th East Avenue **(CD 3)**

Presentation:

John Ward, 415 North Broadway, Oklahoma City, OK; stated the existing church is approximately 10,000 square feet and they would like to add a small chapel onto the side which will be approximately 1,500 square feet. The architecture has been carefully crafted to blend with the existing structure. The proposed chapel will be between the church and the school.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Henke, Snyder absent) to **APPROVE** the request for a Special Exception to allow a Church (Use Unit 5) in an RS-3 District (Section 401, Table 1), subject to conceptual plan 5.14. The Board has found that this will be attachment to an existing building and it will blend in with the existing structure and the neighborhood. Finding the 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:

LTS 1 THRU 5 BLK 4, SAINT PETER AND PAUL SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21735—Nathan Cross

Action Requested:

Variance from the building line setback from West 1st Street from 25 feet to 0 feet in an IL District (Section 903, Table 2); Variance of the building line setback from 25 feet to 13.3 feet in an IL District (Section 903, Table 2); Variance of the building line setback from abutted RS-3 District from 10 feet to 0 feet (Section 903, Table 2); Variance of the off-street parking requirement from 12 spaces to 2 spaces (Sections 1211.D, 1223.D, 1225.D). **LOCATION:** 802 West 1st Street South **(CD 4)**

Presentation:

Nathan Cross, 502 West 6th Street, Tulsa, OK; stated this is a long time corporate resident of Tulsa, Litho Print. They have been in business at this location since 1962 doing the exact same thing they are doing today. Because of the changing needs of the printing business an expansion of the business is needed, and they propose to add a warehouse. During the process of obtaining a building permit it was discovered that all the different lots were never combined but that has been taken care of with a lot combination. The business encroaches the RS District which is actually a highway and a railroad. There are setback issues off First Street and Lawton Avenue and it was decided to just pull them from the property line. Finally there is a parking issue. There are two spaces on site and 11 spaces are needed. The warehouse addition will require one additional parking space thus the relief request for the parking.

Mr. Van De Wiele asked Mr. Cross where the rest of the parking is. Mr. Cross stated the rest of the parking is up and down Lawton Avenue and First Street. The company has 10 employees, and the company does not have any customers that come to their office. Even with the warehouse expansion their parking needs are not going to change. The employees have been parking in the manner described for decades, at least since First Street was cut off because of the highway. The intensity of the parking is not going to change.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Henke, Snyder absent) to **APPROVE** the request for a Variance from the building line setback from West 1st Street from 25 feet to 0 feet in an IL District (Section 903, Table 2); Variance of the building line setback from 25 feet to 13.3 feet in an IL District (Section 903, Table 2); Variance of the building line setback from abutted RS-3 District from 10 feet to 0 feet (Section 903, Table 2); Variance of the

off-street parking requirement from 12 spaces to 2 spaces (Sections 1211.D, 1223.D, 1225.D), subject to conceptual plan 6.13 for the proposed add-on and the conceptual plan 6.14 for the as constructed portions for the remainder of the building. The Board has found that the very uniquely shaped property which is shaped by in large by various highway and street right-of-way takings over the years. The change of the property is not an increase of the vehicular traffic to or from the property, justifying the Variance for the parking. The as constructed buildings and the to-be constructed building, based on the configurations on the lot, will support the granting of the Variances. 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:

LT 1 & W30 VAC ST ADJ ON E LESS HWY BEG NWC TH E55 SW52.14 TO SL W40 N50 POB BLK 35, PRT LT 2 BEG 40 E NWC TH E95 S50 NW107.58 POB & W30 VAC ST ADJ ON E BLK 35, ALL BLK 36 & E30 VAC STREET ADJ ON W LESS PRT BLK 36 BEG SWC TH N26 NELY TO PT ON NL TH ELY45 SWLY TO POB, PRT BLK 36 BEG SWC TH N26 NELY TO PT ON NL TH ELY45 SWLY TO POB, OWEN ADDN AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21736—Darshan Patel

Action Requested:

Verification of the 300 foot spacing requirement for a liquor store (Section 1214.C.3).

LOCATION: 4117 South Harvard Avenue (CD 9)

Presentation:

Weldon Bowman, W Design, 1513 East 15th Street, Suite A, Tulsa, OK; stated this verification of spacing is for a new liquor store that will be approximately 3,500 square feet in an existing shopping center. The liquor store will be on the southeast corner of 41st Street and South Harvard.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Henke, Snyder absent) based upon the facts in this matter as they presently exist, the Board **ACCEPTS** the applicant’s verification of the spacing

requirement for a liquor store subject to the action of the Board being void should another liquor store or other conflicting use be established prior to this liquor store; for the following property:

**Lot 2, Block 1 , HARVARD SQUARE SOUTH AMD RESUB LTS 2 & 3 & PRT LT 4
BLK 1 HARVARD SQUARE SOUTH, CITY OF TULSA, TULSA COUNTY, STATE OF
OKLAHOMA**

21737—Jeremy Shadrick

Action Requested:

Spacing verification for a liquor store in the CS District from blood banks, plasma centers, day labor hiring centers, other liquor stores, bail bond offices and pawn shops (Section 1214.C.3). **LOCATION:** 6124 South Sheridan Road East **(CD 9)**

Presentation:

Jeremy Shadrick, 6619 South 76th East Avenue, Tulsa, OK; stated that he has installed a dividing fence in the rear, and he presented pictures to the Board showing the erected fence.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Henke, Snyder absent) based upon the facts in this matter as they presently exist, the Board **ACCEPTS** the applicant’s verification of the spacing requirement for a liquor store subject to the action of the Board being void should another liquor store or conflicting use be established prior to this liquor store; for the following property:

**E100 LT 1 BLK 1, DEBORAH JEAN ADDN, CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA**

21738—Morehead Construction

Action Requested:

Special Exception to allow a water theme park (Use Unit 20) in an AG District (Section 301, Table1). **LOCATION:** 4707 East 21st Street **(CD 4)**

Presentation:

Jack Marshall, P. O. Box 632, Locust Grove, OK; stated that Big Splash would like to build a canopy for their patrons thus allowing to get out of the sun while they are waiting in line.

Mr. White asked staff if this request is granted, since the application covers the entire water park will this be taking it out the County's approval process and place it into the City's approval process? Ms. Miller stated the applicant needs this blanket approval at this point time.

Mr. Van De Wiele asked if the Board was approving anything in particular at this point in time. Ms. Miller stated the canopy is just shown on the site plan.

Mr. White asked if the applicant was going to need a building permit since this is now in the City. Ms. Miller answered affirmatively.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the request for a Special Exception to allow a water theme park (Use Unit 20) in an AG District (Section 301, Table1). Finding that the 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:

N615 S675 W900 E960 SE SE SEC 9 19 13 12.706ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21739—Verizon Wireless

Action Requested:

Special Exception to permit the construction of a 100 foot cellular tower 48 feet from an OM District (Section 1204.C.3.g). **LOCATION:** 1501 East 71st Street South (**CD 2**)

Presentation:

Jessica Jones, 555 Enterprise Drive, Edmond, OK; stated this request for a 100 foot cell tower will enhance the coverage for data and voice on East 71st Street and the adjoining neighborhoods.

Interested Parties:

Robert Irwin, 1515 East 71st Street, Suite 200, Tulsa, OK; stated he is the manager for the 1515 Building, LLC. The building is three stories tall or 40 feet, and he cannot imagine a 100 foot tower in that location which is immediately next door to the building.

Rebuttal:

Jessica Jones came forward and stated that a 100 foot tower is a relatively small sized tower. The land lease has been in effect since 2006, and at the time of the lease zoning was not required. The tower will be able to hold two more carriers.

Mr. Van De Wiele asked where the nearest tower is. Ms. Jones stated there is a U. S. Cellular tower but she does not know the exact address and there is a picture of it in the Board's packet. That tower does not meet the coverage objectives and there is no other land space or tower space for lease available at this time.

Mr. Swiney asked what would happen if the tower fell. Ms. Jones stated the tower is designed to break at the stress point or half of the tower height. This tower is designed to break at no more than 48 feet.

Mr. White stated that generally people do not look up and after a short time people will not notice this tower, and this tower is at the rear of the 1515 Building property.

Mr. Swiney stated that the storage building to the north of the proposed site is within 100 feet of the tower.

Comments and Questions:

Mr. Tidwell stated that once the tower is erected it will hold three cell carriers, which to him, means the cell company is trying to do their part to keep the number of towers down in the city.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the request for a Special Exception to permit the construction of a 100 foot cellular tower 48 feet from an OM District (Section 1204.C.3.g), subject to conceptual plans 10.15, 10.17 and 10.18. Finding that the 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:

BEG 30N SWC SE SW TH N331.5 E180.7 S331.5 W180.7 POB LESS S30 SEC 6 18 13 1.25AC, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21740—Michael Clark (Osage County)

Action Requested:

Special Exception to allow a manufactured home in RS-3 District (Section 404, Table 1); Special Exception to extend the one year time limit to ten years (Section 404.E); Variance of the 25 feet front yard setback to 15 feet to permit a manufactured home (Section 403, Table 3). **LOCATION:** 1521 West Oklahoma Street **(CD 1)**

Presentation:

The applicant was not present. The Board chose to move this item to the end of the agenda to allow time for the applicant to arrive.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required at this time.

21741—Eller & Detrich – Lou Reynolds

Action Requested:

Variance of the definition of "Accessory Use or Structure" as it relates to Section 402.A (Section 1800); Variance to permit a 3,300 square foot accessory use bus barn for a church (Section 402.B.1.d); Variance to build across the side lot lines on a lot other than the lot with the principal use (Section 403.A, Table 3). **LOCATION:** S of the SW/c of South Maybelle Avenue and West 23rd Street **(CD 2)**

Presentation:

Lou Reynolds, 2727 East 21st Street, Tulsa, OK; stated he is representing the West Tulsa Freewill Baptist Church and there are church representatives also in attendance today. The purpose of the project is to permit the church to construct an indoor parking facility or a bus barn. The church would use this building as an accessory for the entire church use. The church owns all of the block except for one lot because they are in the process of establishing a campus. An accessory use is required to be located on the same lot as the principle use is located in the zoning code. There have been tie agreements in the past but the church has now acquired more lots, and it is proposed to amend the past tie agreements to tie all the church lots together. The church does own a parsonage across the street but there is no reason to tie that to the church use.

Mr. White stated the Board cannot grant a Variance for the use unit and he asked Mr. Swiney if the language used in the request would create any problems. Mr. Swiney

stated that it is a little unusual to have a Variance of definition but he thinks if the Board were inclined to grant this Variance and limit the Variance as an interpretation and limit it to only this one case it would be allowed. The unique feature of the applicant's lot is that it is not on the same lot as the principle use. If the Board is to interpret the principal use as the church it is all part of the church use. So to have the bus barn as an accessory use would be okay.

Mr. Van De Wiele asked Mr. Reynolds what the open sliver of land is. Mr. Reynolds stated that it is an alley. The church told him the reason the alley had been left open is to allow for fire passage between the two buildings on the property. The church could ask to vacate that piece of property but it is just an alleyway, or City easement.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke, Snyder absent) to **APPROVE** the request for a Variance of the application of the definition of "Accessory Use or Structure" as it relates to Section 402.A (Section 1800); Variance to permit a 3,300 square foot accessory use bus barn for a church (Section 402.B.1.d); Variance to build across the side lot lines on a lot other than the lot with the principal use (Section 403.A, Table 3), subject to conceptual plan 12.27. In the preparation in the filing of a tie agreement for the lots in question, specifically excluding the parsonage lot across South Nogales Avenue. The Board has found that the various lots in question contain the principal church use and that the bus barn to be constructed is an accessory use or structure to the church use. The entirety of the applicant's property once tied will be considered, for purposes of approval, a single lot. 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:

LTS 1-9 & E15' LT 10 & LTS 11-18 BLK 42 & LTS 15-18 BLK 41 WEST TULSA ADDN; & LTS 1-3 & 5 & 6 BLK 2 & LT 6 BLK 1, WEST DALE ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21740—Michael Clark (Osage County)

Action Requested:

Special Exception to allow a manufactured home in RS-3 District (Section 404, Table 1); Special Exception to extend the one year time limit to ten years (Section 404.E); Variance of the 25 feet front yard setback to 15 feet to permit a manufactured home (Section 403, Table 3). **LOCATION:** 1521 West Oklahoma Street **(CD 1)**

Presentation:

The applicant was not present.

Mr. White informed the Board that manufactured home is already in place. He asked Mr. Swiney if he would recommend continuing this case or hearing it as it is. Ms. Miller stated that Mr. Clark had called staff before the meeting and informed them that he would be attending the meeting today. Mr. Swiney stated he recommends continuing this case.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Henke, Snyder absent) to **CONTINUE** the request for a Special Exception to allow a manufactured home in RS-3 District (Section 404, Table 1); Special Exception to extend the one year time limit to ten years (Section 404.E); Variance of the 25 feet front yard setback to 15 feet to permit a manufactured home (Section 403, Table 3) to the Board of Adjustment meeting on July 22, 2014; for the following property:

ALL OF THE E 50 FT OF THE W 100 FT OF THE S/2 OF THE W/2 OF LOT TWO (2), BLOCK THREE (3), LOMBARD SUBDIVISION OF THE SW/4 OF THE SE/4 OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN IN OSAGE COUNTY, CITY OF TULSA, STATE OF OKLAHOMA

OTHER BUSINESS

None.

NEW BUSINESS

None.

BOARD MEMBER COMMENTS

None.

There being no further business, the meeting adjourned at 2:15 p.m.

Date approved: August 26, 2014

Frank X. Hernandez

Chair