

**BOARD OF ADJUSTMENT**  
**MINUTES** of Meeting No. 1167  
Tuesday, August 9, 2016, 1:00 p.m.  
Tulsa City Council Chambers  
One Technology Center  
175 East 2<sup>nd</sup> Street

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Van De Wiele, Chair White, Vice Chair Flanagan, Secretary Back	Bond	Miller Moye Sparger Foster	Swiney, Legal Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on Thursday, August 4, 2016, at 11:00 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

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

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

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Mr. Van De Wiele explained to the applicants and interested parties that there were only four board members present at this meeting. If an applicant or an interested party 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 three board members to constitute a majority and if two board members voted no today the application would be denied. Mr. Van De Wiele asked the applicants and the interested parties if they understood and asked the applicants or interested parties what they would like to do. The audience nodded their understanding and no one requested a continuance.

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**MINUTES**

On **MOTION** of **WHITE**, the Board voted 3-0-1 (Flanagan, Van De Wiele, White "aye"; no "nays"; Back "abstaining"; Bond absent) to **APPROVE** the **Minutes** of the July 26, 2016 Board of Adjustment meeting (No. 1166).

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**UNFINISHED BUSINESS**

None.

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**NEW APPLICATIONS**

**22110—Eller & Detrich – Nathalie Schaefer**

**Action Requested:**

Special Exception to permit an existing single family home in the CS District (Section 15.020, Table 15-2). **LOCATION:** 3106 South 114<sup>th</sup> Avenue East (**CD 6**)

**Presentation:**

**Nathalie Schaefer**, Eller & Detrich, 2727 East 21<sup>st</sup> Street, Tulsa, OK; stated this Special Exception request is for an existing home. The house is currently in the process of being sold and the buyer's lender has requested that the applicant/seller receive approval for this Special Exception in order to close.

Mr. Van De Wiele asked Ms. Schaefer if the house had been used as a residence previously. Ms. Schaefer answered affirmatively and stated that the house is still being used as a residence.

Mr. White stated that there are a few houses in the area that fall under this situation.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 4-0-01 (Back, Flanagan, White, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a Special Exception to permit an existing single family home in the CS District (Section 15.020, Table 15-2), subject to being "as built" and as the structure exists. 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:

**LT 2 BLK 1, BRIARGLEN CENTER RESUB PRT AMD RESUB B2-3, BRIARGLEN CENTER ADDN RESUB B2-3 AMD, City of Tulsa, Tulsa County, State of Oklahoma**

**22111— Eller & Detrich – Nathalie Schaefer**

**Action Requested:**

Special Exception to allow Wholesale Distribution & Storage/Trucking & Transportation Terminal use in the CS District (Section 15.020, Table 15-2); Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless all-weather surface (Section 55.090-F1 & 2).  
**LOCATION:** 9502 East 21<sup>st</sup> Street South **(CD 5)**

**Presentation:**

Ms. Moye stated that the applicant has requested a continuance to the September 13, 2016 Board of Adjustment meeting because the relief request has changed.

**Interested Parties:**

**Nathan Krotzer**, Tulsa Federal Credit Union, 9323 East 21<sup>st</sup> Street, Tulsa, OK; stated that the credit union has concerns about the traffic on 92<sup>nd</sup> East Avenue and whether their clients will be able to enter or exit the property safely.

Mr. Van De Wiele recommended that Mr. Krotzer get in touch with Ms. Nikita Moye at INCOG between now and the 13<sup>th</sup> hearing she will be able to give you information on the new requested relief.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White “aye”; no “nays”; no “abstentions”; Bond absent) to **CONTINUE** the request for a Special Exception to allow Wholesale Distribution & Storage/Trucking & Transportation Terminal use in the CS District (Section 15.020, Table 15-2); Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless all-weather surface (Section 55.090-F1 & 2) to the Board of Adjustment meeting on September 13, 2016; for the following property:

**Tract 1: The E 300’ of a tract as all part of the W/2 NE/4 NE/4 of SEC 13 19 13 E of the Indian Base and Meridan, Tulsa County, State of Oklahoma according to the U.S. Govt. Survey thereof and being more accurately described as follows, to wit: BEGINNING at the NW/c of said W/2 NE/4 NE/4; thence SE along the N boundary of the W/2 NE/4 NE/4, a distance of 572.66’; thence due S a distance of 60’ to the NW/c of the FIESTA CENTER ADDITION; thence due S along the W boundary of said FIESTA CENTER ADDITION a distance of 190’; thence NW parallel to the N**

boundary of said W/2 NE/4 NE/4, a distance of 542.55' to a point 30' from the W boundary of said W/2 NE/4 NE/4 thence NW parallel to and 30' ft from the W boundary of said W/2 NE/4 NE/4, a distance of 200'; thence NW parallel to the N boundary of the W/2 NE/4 NE/4, a distance of 30' to the W boundary of the said W/2 NE/4 NE/4 thence NW along the W boundary of said W/2 NE/4 NE/4, distance of 50' to the POB. Tract 2: A tract BEGINNING 250' S and 30' E of the NW/c of the W/2 NE/4 NE/4; thence E 543.86' to a point in the W line of the FIESTA CENTER ADDITION; thence S along the W line of the FIESTA CENTER ADDITION, a distance of 50 ' thence W 544.13'; thence N 50' to POB in SEC 13 19 13 E of the Indian Base and Meridan, Tulsa County, State of Oklahoma according to the U.S. Govt. Survey thereof. Tract 3: LT 1 BLK 1 of the FIESTA CENTER ADDITION, an addition of the City of Tulsa, Tulsa County, OK according to the Recorded Plat 3063 LESS BEGINNING at the NE/c of LT1; thence S 183.82'; thence SW 151.09; thence NW 284.85'; thence SE 140.50 to the POB, City of Tulsa, Tulsa County, State of Oklahoma

## 22112—John Lynn

### Action Requested:

Special Exception to permit an existing detached house in the CH District (Section 15.020, Table 15-2). **LOCATION:** 1529 South Lewis Avenue East (CD 4)

### Presentation:

**John Lynn**, 1529 South Lewis Avenue, Tulsa, OK; stated his mother purchased the house in the 1980s and is about to retire and wants to continue living in the home.

Mr. White asked Mr. Lynn if the structure had been a business in the past. Mr. Lynn stated that his mother had a small antique shop and lived there also.

Mr. White asked staff if there would be an advantage to the applicant to request a change in the zoning on the structure. Ms. Miller stated that staff would not recommend that. In the long term the property will more than likely be a commercial property.

### Interested Parties:

There were no interested parties present.

### Comments and Questions:

None.

### Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a Special Exception to permit an existing detached house in the CH District (Section 15.020, Table 15-2), subject to being "as built". 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:

**LT 19 BLK 2, MCDONNELL'S SUB L1-5 GLEN ACRES, City of Tulsa, Tulsa County, State of Oklahoma**

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**OTHER BUSINESS**

None.

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**NEW BUSINESS**

None.

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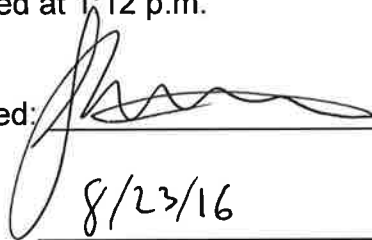
**BOARD MEMBER COMMENTS**

Mr. Van De Wiele and the Board welcomed Ms. Carolyn Back to the Board of Adjustment.

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There being no further business, the meeting adjourned at 1:12 p.m.

Date approved:

  
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8/23/16

Chair