CITY OF TULSA BOARD OF ADJUSTMENT

Regularly Scheduled Meeting Tulsa City Council Chambers 175 East 2nd Street, 2nd Level One Technology Center Tuesday, November 14, 2023, 1:00 p.m.

Meeting No. 1327

Members Present Bond, Chair Radney, Vice Chair Stauffer Barrientos Wallace Members Absent

Staff Present A. Chapman **Others** A. Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on November 11, 2023, at 4:31 p.m.

Mr. Bond called the meeting to order at 1:07 p.m.

Approval of Minutes

On **MOTION** of **Radney**, the Board voted 5-0-0 (Wallace, Stauffer, Barrientos, Bond, Radney "ayes", no "nays"; no "abstentions", none "absent") to <u>Continue</u> the **Minutes** of August 22, 2023 (Meeting No. 1322) to the December 12th meeting.

Unfinished Business

23557 – Lou Reynolds

<u>Action Requested</u>: <u>Special Exception</u> to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); <u>Variance</u> to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

Location: 1110 E. 45th Pl. S. (CD 9)

(Item was approved on August 8th, 2023; the Board moved to reconsider item on September 12th, 2023; Board further continued item until 11/14/2023)

Board Action:

On **MOTION** of **Radney**, the Board voted 5-0-0 (Wallace, Bond, Barrientos, Stauffer, Radney "ayes"; no "nays"; no "abstentions"; no "absent") to <u>Continue</u> the request for a <u>Special Exception</u> to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); <u>Variance</u> to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3) to the December 12th meeting.

Property Description

A tract of land located in the City of Tulsa, Tulsa County, State of Oklahoma, more particularly described as follows, to-wit: The East 995 feet of the South 474 feet of the Annie May Grant Tract "B" of the L.J.F. Rooney Survey of Annie May Grant (nee Abdo) and Harry N. Abdo lands in Section 25, Township 19 North, Range 12 East, according to the recorded plat thereof, the East boundary thereof being the center of the Section line between said Section 25, T-19-N, R-12-E, and Section 30 T-19-N, R-13- E; and the East 995 feet of the Annie May Grant Tract "C" of the L.J.F. Rooney Survey of Annie May Grant (nee Abdo) and Harry N. Abdo lands in Section 25, Township 19 North, Range 12 East, according to the recorded plat thereof, the East boundary thereof being the center of the Section 19 North, Range 12 East, according to the recorded plat thereof, the East boundary thereof being the center of the Section line between said Section 25, T-19-N, R-12-E, and Section 30, T-19-N, R-13-E, LESS a tract of ground in the Southwest corner of the Annie May Grant "C" Tract (which is part of the N/2 of NE/4 of SE/4 of 25-19-12) specifically described as: Beginning at a point in the center of Section line on the East side of said Section 25 at the Southeast corner of the Annie May Grant "C" Tract, according to the recorded plat and running thence North in the center of said Section line along the East boundary of said Section 25 a distance of 160 feet, thence Gue West and parallel with the South boundary line of said Section 25 a distance of 170 feet, thence South and parallel with the East boundary line of said Section 25 a distance of 170 feet, thence South and parallel with the East boundary line of said Section 25 a distance of 170 feet, thence South boundary line of said Annie May Grant "C" Tract a distance of 170 feet to the Point of Beginning.

New Applications

23593 – Charles Okyere

Action Requested: <u>Special Exception</u> to increase the permitted driveway width in an RS district (Sec. 55.090-F.3)

Location: 2501 S. Birmingham Pl. (CD 4)

Presentation

Charles Okyere, 2501 S. Birmingham Pl., stated that he would like to extend the driveway width from 27 feet to 30 feet in the right-of-way, as well as make a circle driveway.

Mr. Radney asked if the original plan was to build a circular driveway. Mr. Okyere answered that it was not in the original site plan but was done after the fact.

Mr. Bond asked if he knew of any other circular driveways in the neighborhood. Mr. Okyere answered that there are several in the neighborhood.

Ms. Radney asked the applicant if he could explain why he wants a circular driveway, and why it is worthy of a special exception. Ms. Okyere answered that the owner of the home asked for it and the general contractor stated that it would not be a problem to make a circular driveway. He said that he assumed that the proper steps were taken but unfortunately, they were not. He continued, stating that there are several circular driveways in the neighborhood, and it would be in line with what the neighborhood expects.

Mr. Barrientos asked if it is totally completed. Mr. Okyere answered that it is complete.

Comments and Questions

Mr. Chapman stated that damage has been done to city infrastructure in the right-of-way, and so he clarified that if the board approves the application, the applicant will still have to build it in accordance with the City of Tulsa right-of-way engineering standards and would need permits or inspections.

Mr. Okyere asked if he could address what was just stated. Mr. Okyere stated that he spoke to a City of Tulsa engineer and what was damaged was an inlet from the storm drain. He said that the engineer stated that the inlet could be relocated two feet down from out of the circle driveway, and that they have received several bids on getting everything back to code.

Mr. Chapman suggested that the board ask Michael Skates, the director of Development Services at the City of Tulsa, to speak and answer questions about the right-of-way permit.

Michael Skates stated that the driveway was built without permits, and he said if the board agrees to grant the special exception, there are still many other things that the applicant must do. He explained that the property had been issued a notice of violation, and several departments are involved to make sure that everything is done correctly.

Mr. Bond stated that the board has heard from applicants seeking forgiveness, but that out of all those, there have not been ones where there are more problems that follow.

Ms. Radney stated that she would be inclined to support it and said that she understands that there are a lot of other problems that the applicant must take care of. She pointed out that what is brought before them is whether they can increase the width of the driveway, not the other issues that they will have to take care of.

Mr. Wallace stated that he is leaning toward a no vote because of all the other issues that have arisen with them building the driveway without a permit.

Ms. Stauffer stated a circular driveway is not a detriment to the neighborhood, which has several. She stated that she would be inclined to support the application, understanding that the relief that they give will not remove all the other issues that have to be addressed.

Mr. Barrientos stated that he is a no because of the many problems that have arisen due to the applicant not going through the correct avenue to make sure everything was done correctly.

Mr. Bond stated that he is a no right now because of all the issues that still must be resolved. He indicated that he would be willing to continue the item until a further date to give the applicant time to resolve all the problems. Mr. Bond asked Mr. Skates what the best path would be moving forward, whether to approve it or wait until they correct the issues.

Mr. Skates stated that whether the application is approved or not, the applicant will still have to get the other things resolved. He stated that a continuance would not allow the applicant to move forward with getting the other things resolved since he is requesting a special exception to increase the driveway width.

Ms. Stauffer pointed out that it is the job of the board to see if the extended width of the driveway is or is not injurious to the neighborhood, not to consider other factors. Ms. Radney stated that she concurred with Ms. Stauffer.

Board Action:

On **MOTION** of **Radney**, the Board voted 3-2-0 (Barrientos, Stauffer, Radney "ayes"; Wallace, Bond "nays"; no "abstentions"; none "absent") to <u>Approve</u> the request for a <u>Special Exception</u> to increase the permitted driveway width in a RS district (Sec. 55.090-F.3) per the conceptual plans shown on page 3.7 of the agenda packet, subject to the condition that the applicant proceed in a manner that is in accordance with the approved City of Tulsa right-of-way permit and to remedy the deficiencies that were cited in the hearing.

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

LT 1 N.44 LT 2 BK 1, PERAGEN ADDN RESUB L3-4 B1 WOODY CREST & PRT J P HARTER'S CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

23594 – Lou Reynolds

Action Requested: <u>Special Exception</u> to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5) Location: 1017 N. Greenwood Ave. (CD 1)

Presentation

Lou Reynolds, 2727 E. 21st St., representing the Tulsa City-County Library, stated that they comply with every zoning code requirement except the library would be in the RS-3 District. He noted that they are replacing the existing library four blocks from the proposed site, and it will be a much larger facility.

Interested Parties

Benita Industrioso, 641 E. Latimer PI., stated that she thinks that the library is a great asset to the community, but is concerned about traffic flow on Latimer Place.

Deborah Wolfe, 641 E. Latimer PI., stated that she has no problem with the library, but she is concerned about the entry and exit onto Latimer. She said that if someone goes through their neighborhood, the only way to get back to the main street is through Greenwood, which will cause more traffic.

Rebuttal

Mr. Reynolds stated that the second entrance on Latimer is designed to make it more convenient for the neighbors who live northeast of the proposed library. Mr. Reynolds stated that the architects laid it out to be localized, while the others will be using Greenwood to enter the library.

Mr. Bond asked if he had heard any comments about the proposed library from the neighbors. Mr. Reynolds answered that it has all been positive.

Ms. Radney stated that the library is more than a local library, that it is also a regional library that draws in traffic with the events that happen, and they fill the parking lot. She clarified that the neighbor was concerned about the traffic flow through the neighborhood during those events. Mr. Reynolds replied that it would actually be easier for neighbors to get in and out.

Comments and Questions

Mr. Bond stated that he does not have any concerns about the number of entry points.

Ms. Radney stated that she is in support of the change in use but is sensitive to the concerns of the neighborhood regarding the entry and exit onto Latimer PI. She clarified that she would be inclined to support it on condition of only having one entry/exit point, which would be on Greenwood.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-1-0 (Stauffer, Radney, Wallace, Bond "ayes"; Barrientos "nays"; no "abstentions"; none "absent") to **Approve** the request for a <u>Special Exception</u> to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5) per the conceptual plans shown on pages 4.6-4.7 of the agenda packet, subject to the condition that the approval is contingent upon the removal of the point of ingress and egress that opens onto Latimer PI. to the residential neighborhood, and that it be moved to an appropriate location exiting onto North Greenwood Ave.

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

Lots Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Sixteen (16), GREENWOOD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, AND Lots Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), and Twenty-five (25), Block One (I), WASHINGTON ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the East 5 feet of Lot Sixteen (16), Block One (I), WASHING TON ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, AND Lots Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirtyone (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), and Thirty-five (35), Block Two (2), WASHINGTON ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the East 5 feet of Lots Sixteen (16) and Thirty-five (35), Block Two (2), WASHINGTON ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

23595 – Lou Reynolds

Action Requested: <u>Variance</u> to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1) Location: 2157 E. 26th Pl. (CD 4)

Presentation

Lou Reynolds, 2727 E. 21st St., representing the homeowner, explained the request for an accessory building in a side setback. He indicated that the accessory building has piers in place and the footing has been set; the only thing that they are waiting for concrete slab to be poured. He mentioned they had to stop work because they planned to construct the accessory building in the rear of the yard, but it is considered the side yard because the rear yard is down in Crow Creek in the floodplain.

Mr. Bond asked if there had been any feedback from the neighbors. Mr. Reynolds answered that the neighbor on the east side likes it and the home behind them does as well.

Comments and Questions

Mr. Bond stated that there is almost a cliff embankment behind their home which would be topographically unique. Ms. Stauffer concurred with Mr. Bond.

Ms. Radney stated that it is a reasonable accommodation to her since the eastern section is not buildable.

Board Action:

On **MOTION** of **Stauffer**, the Board voted 5-0-0 (Barrientos, Stauffer, Radney, Wallace, Bond "ayes"; no "nays"; no "abstentions"; none "absent") to <u>Approve</u> the request for a <u>Variance</u> to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1)), finding the hardship to be the terrain of the lot that is topographically unique, per the conceptual plans shown on page 5.9 of the agenda packet.

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: that the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; that the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; 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 zoning code or the comprehensive plan.

Property Description

E 10 OF LT 16 ALL OF LT 17 W 25 OF LT 18BLK 2, FOREST HILLS CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

23596 – City of Tulsa C/O Gary Schellhorn

Action Requested: <u>Special Exception</u> to modify a previously approved site plan and conditions for a Park use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120) Location: 5002 N. Wheeling Ave. (Berry Park) (CD 1)

Presentation

Gary Schellhorn, 175 E. 2nd St., stated that he is updating the approved site plan to add amenities to Berry Park on North Wheeling Ave. He told the board that the City will be adding two large open-air pavilions on the north and south side that allow basketball in one and a playground in the other. He indicated that there will also be additional seating areas, a splash pad, and a large sports field in the middle, with playground facilities on the side.

Mr. Bond asked if he had heard any neighborhood feedback. Mr. Shellhorn stated that they have had two neighborhood meetings, and everyone approved of the updates.

Interested Parties

Ronnie Barclow, 4819 N. Wheeling Ave., stated that he has lived in the neighborhood for 51 years, and he questioned what kind of traffic the updates would cause on Wheeling. He asked if the city would improve the street and if there would be any other exit and entry in the park in addition to the ones on Wheeling. He stated that other than a few questions, he is completely in favor of the park.

Rebuttal

Mr. Bond asked Mr. Schellhorn if any changes are planned for the parking lot. Mr. Shellhorn answered that the entry to the parking lot will remain the same, but they will be rebuilding the parking lot on the southern end of the park.

Ms. Stauffer asked if the number of parking spaces is the same. Mr. Shellhorn answered that there will be a little less parking, but that it will be sufficient for how many people they believe will utilize the park.

Comments and Questions

Mr. Bond stated that the project looks great, and he is inclined to support it. Mr. Barrientos concurred with Mr. Bond.

Ms. Radney stated that it is a great neighborhood park, and adding amenities and leaving the center open for a large sports field is ideal. She stated that she would support it.

Board Action:

On **MOTION** of **Wallace**, the Board voted 5-0-0 (Barrientos, Stauffer, Radney, Wallace, Bond "ayes"; no "nays"; no "abstentions"; none "absent") to <u>Approve</u> the request for a <u>Special Exception</u> to modify a previously approved site plan and conditions for a Park use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120) per the conceptual plans shown on page 6.7 of the agenda packet, subject to the condition that lighting is acceptable as long as it meets city codes.

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

SW NW SE & S/2 NW NW SE SEC 7 20 13, NORTHRIDGE SECOND ADDN AMD, NORTHRIDGE ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

23597 – Trigon Inc.

Action Requested: <u>Variance</u> to increase the permitted sign area of 32 square feet for a wall sign in a residential district (Sec. 60.050-B.2) Location: 5840 S. Hudson Ave. (CD 9)

Presentation

Steven Ryan, 11345 E. 60th Pl., representing Tulsa Public Schools as the service construction manager for the project to replace the signage that was on the building before the new façade was put in place. He said the wall sign is smaller than the previous sign, but it is still larger than the allowable square footage.

Mr. Bond asked if there had been any feedback from the neighbors. Mr. Ryan answered that it all has been good feedback.

Comments and Questions

Mr. Bond stated that this is a very large building with high traffic, that they have already been granted a variance with a larger sign, and he concluded the hardship is granted.

Ms. Stauffer stated that she is in support of the sign, but she noted that she is on the board of the Foundation for Tulsa Schools, and financially supports the district, but there is no conflict of interest.

Board Action:

On **MOTION** of **Barrientos**, the Board voted 4-0-1 (Barrientos, Stauffer, Radney, Bond "ayes"; no "nays"; Wallace "abstentions"; none "absent") to <u>Approve</u> the request for a <u>Variance</u> to increase the permitted sign area of 32 square feet for a wall sign in a residential district (Sec. 60.050-B.2), finding the hardship to be that the existing building is large and not typical for a neighborhood, per the conceptual plans shown on pages 7.7-7.10 of the agenda packet.

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: that the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; that the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; 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 zoning code or the comprehensive plan.

Property Description

BEG 985N & 80W SECR SW TH N1865 W560 S875 W205 SWLY202 S790.63 E797.5 POB SEC 34 19 13 29.30ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

23598 – Keith Robertson

Action Requested: <u>Special Exception</u> to permit a fraternal organization in the CS district (Sec. 15.020, Table 15-2); <u>Special Exception</u> to increase the allowed fence height of four feet inside the street setback (Sec. 45.080-A)

Location: 3950 S. Union Ave. (CD 2)

Presentation

Keith Robertson, 4073 Southwest Blvd., stated that he is proposing to build a masonic temple on S. Union Ave., adding that the neighbors have voiced no opposition to them building the temple in the vacant lot. He said that they are proposing to increase the allowable fence height to six feet inside the street setback, with spaces between each pilaster.

Comments and Questions

All the board members stated that they do not have any issues with the application.

Ms. Radney stated that it is a beautiful building, and it will be a great asset to the area.

Board Action:

On **MOTION** of **Stauffer**, the Board voted 4-0-1 (Barrientos, Stauffer, Radney, Wallace "ayes"; no "nays"; Bond "abstentions"; none "absent") to <u>Approve</u> the request for a <u>Special Exception</u> to permit a fraternal organization in the CS district (Sec. 15.020, Table 15-2); and a <u>Special Exception</u> to increase the allowed fence height of four feet inside the street setback (Sec. 45.080-A), per the conceptual plans shown on page 8.10 and the pilaster and fence elevation renderings in the agenda packet.

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

PRT LT 13 & PRT LT 14 BEG NWC LT 13 TH E307.62 SE112.34 S77 W330 N187 POB BLK 6, INTERURBAN ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

23599 – Philip Doyle

Action Requested: <u>Special Exception</u> to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); <u>Variance</u> to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); <u>Variance</u> to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in an RS-2 District (Section 90.090-C); <u>Variance</u> to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate. (Section 90.090-C) Location: 1324 E. 26th PI. (CD 4)

Presentation

Philip Doyle, 1720 S. Newport Ave., representing the owner of the property, stated that the property owner wants to build a living area on top of the current garage to accommodate their parents. He stated that instead of building another unit, they wanted to make it less intrusive on the neighborhood, so they have chosen to build on top of the garage, which is guite small and does not fit modern day vehicles.

Mr. Bond asked if there have been issues or concerns from the neighbors. Mr. Doyle answered that he had not heard anything.

Mr. Chapman noted that he spoke to the permit department and the applicant does not need the variance for the floor area, since the covered cabana does not include the floor area.

Interested Parties

Stephen DeCanio, 1316 E. 26th St., stated that he does not think it is a good idea because it does not conform to the nature of the neighborhood. He stated that the building is more like an apartment and that even though now it may be for the parents of the owners, that could change in the future. He added that it would lead to parking congestion and create a precedent for the neighborhood.

Anne Kirchner, 1316 E. 26th St., stated that her concern is not for what the applicant will use the ADU for, but for what will happen in the future. She stated that it is not certain that it will remain a mother-in-law suite forever.

Rebuttal

Mr. Doyle reassured Mr. DeCanio that they will not be using the ADU for any other purposes but to have the parents of the owner in there. He stated that he has built several ADUs, and the City of Tulsa has been very open to having them in the neighborhoods.

Comments and Questions

Ms. Stauffer stated that she understands the concerns of the neighbors, but she is familiar with the area and almost everyone in the area has an ADU. She noted that she would support the application.

Mr. Bond and Mr. Wallace concurred with Ms. Stauffer's assessment.

Mr. Wallace asked what the hardship was. Mr. Doyle responded that the hardship is the placement of where the ADU is at. He said that there is significant water drainage coming through the middle, and so to avoid any blockage, they chose to make the ADU taller.

Board Action:

On **MOTION** of **Barrientos**, the Board voted 5-0-0 (Wallace, Barrientos, Stauffer, Radney, Bond "ayes"; no "nays"; no "abstentions"; none "absent") to **Approve** the request for a <u>Special Exception</u> to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); a <u>Variance</u> to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in an RS-2 District (Section 90.090-C); a <u>Variance</u> to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate (Section 90.090-C), finding the hardship to be the existing issue with the drainage that constitutes a unique condition to the property, per the conceptual plans shown on pages 9.9-9.10 of the agenda packet.

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: that the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; that the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; 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 zoning code or the comprehensive plan.

Property Description

W1/2 LT 14 & ALL LT 15 BLK 1, TRAVIS HGTS ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Other Business

New Business

Board Member Comments

Mr. Chapman reported that he will not be at the next meeting, and Nathan Foster will be a substitute.

Adjournment

There being no further business, the meeting was adjourned at 3:07 p.m.

Date approved: <u>12 - 12 - 23</u> Chair: <u>A · M</u>