

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 13, 2018, 1:00 P.M.

Meeting No. 1199

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of January 23, 2018 (Meeting No. 1198).

UNFINISHED BUSINESS

2. **22387—The Outsiders Museum Association**
Special Exception to allow a Public, Civic and Cultural Exhibit/Museum Use in an RM-1 District (Section 5.020); Variance to reduce the building setback from East Independence Street North (Section 5.030). **LOCATION:** SE/c of East Independence Street North and North St. Louis Avenue East **(CD 1)**

NEW APPLICATIONS

3. **22389—Stephanie Coughran**
Special Exception to permit an addition to the rear of non-conforming structure (Section 80.030-D); Variance to increase the permitted size of a sign or nameplate in the RS-3 District (Section 60.030-C). **LOCATION:** 6504 East 5th Street South **(CD 3)**
4. **22390—Timothy Hayes**
Variance of the minimum lot width from 60 feet to 50 feet to permit a lot split in an RS-3 District (Section 5.030). **LOCATION:** 1425 East 35th Place South **(CD 9)**
5. **22391—Deborah Everett**
Special Exception to allow a Bed and Breakfast (short-term rental) in a RS-3 District (Section 5.020). **LOCATION:** 5726 East 51st Street South **(CD 9)**
6. **22393—Douglas Gorman**
Special Exception to permit Manufactured Home sales in a CS zoning district. (Sections 15.020 and 35.050-Q5) **LOCATION:** 9528 East Admiral Place South **(CD 3)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: www.cityoftulsa-boa.org

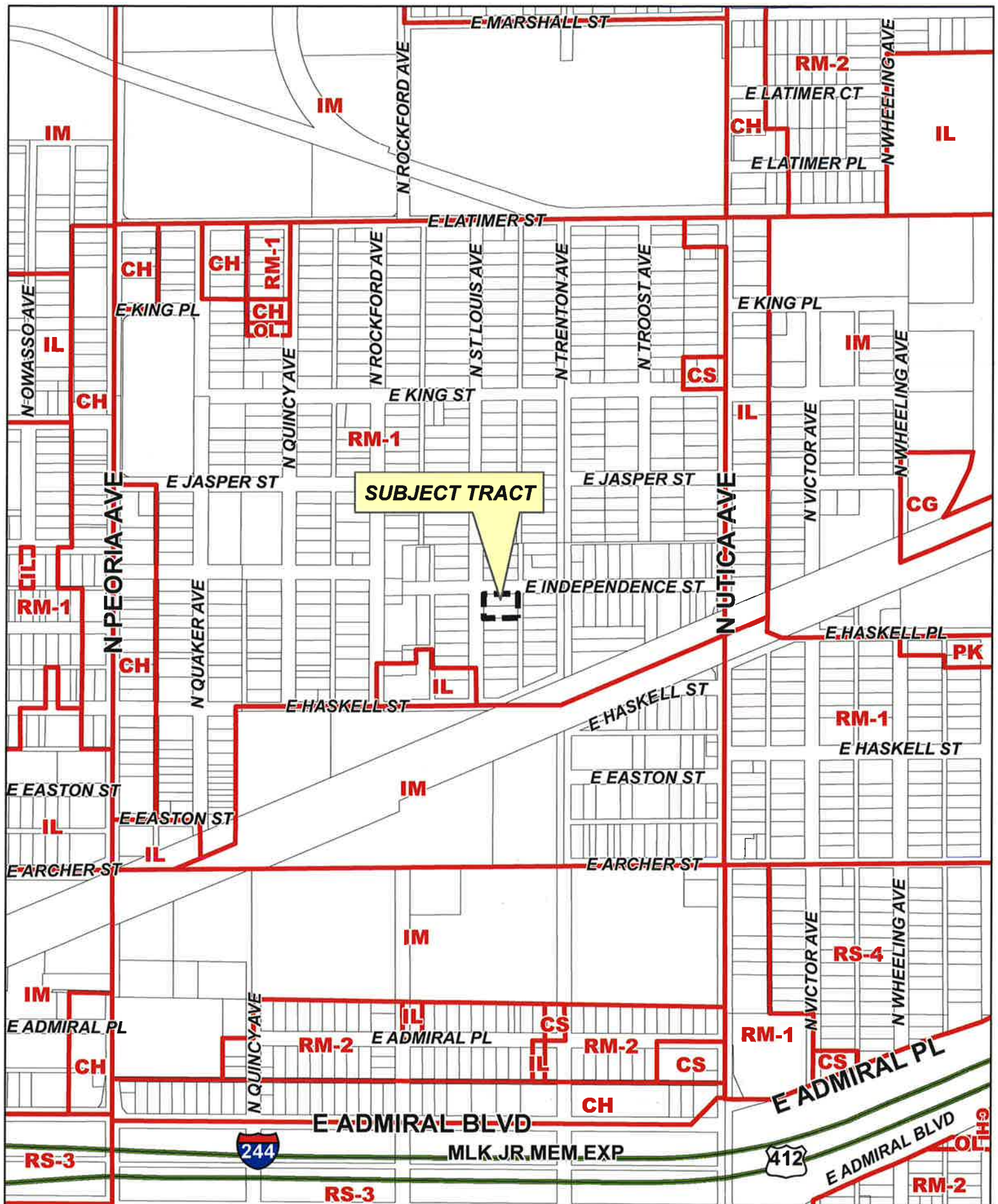
E-mail: esubmit@incog.org

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918)584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Land Development Services, INCOG. The ringing/sound on a cell phones and paggers must be turned off during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the INCOG Office at (918) 584-7526, if you require an official posted agenda.

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BOA-22387

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20-13 31



BOARD OF ADJUSTMENT CASE REPORT

STR: 0331

Case Number: **BOA-22387**

CZM: 29

CD: 1

A-P#: 430540, 438105

HEARING DATE: 02/13/2018 1:00 PM

APPLICANT: The Outsiders Museum Association

ACTION REQUESTED: **Special Exception** to allow a Public, Civic and Cultural Exhibit/Museum Use in an RM-1 district (Section 5.020); **Variance** to reduce the building setback from E. Independence Street from 25 ft. to 6 ft. (Section 5.030).

LOCATION: SE/c of E. Independence St. N. St. Louis Ave.

ZONED: RM-1

PRESENT USE: Vacant Residence

TRACT SIZE: 14000.24 SQ FT

LEGAL DESCRIPTION: LT-15-BLK-10; LT-14-BLK-10, INGRAM-LEWIS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

None Relevant.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The Areas of Stability includes existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RM-1 zoning.

STAFF COMMENTS:

As shown on the attached site plan the applicant is proposing to construct a 1000 sq. ft. gallery on the site currently occupied by the *Outsiders House Museum*. The museum will offer public tours of

the existing house and proposed gallery on the subject site. On 01.17.18 the TMAPC approved a lot combination (LC-972) to combine the subject lots.

The applicant has requested a **Special Exception** to permit a Public, Civic and Cultural Exhibit/Museum use in an RM-1 district. A special exception is required because a Cultural Exhibit/Museum is a use which is not permitted by right in the RM-1 due to potential adverse effect. Based on the site plan it appears that the proposed gallery will have a setback of 6 ft. from E. Independence St. The applicant has requested a **Variance** to reduce the required street setback from E. Independence Ave. from 25 ft. to 6 ft.

As the writing of this case report no comments have been submitted from the surrounding neighbors or property owners.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Public, Civic and Cultural Exhibit/Museum Use in an RM-1 district (Section 5.020); Variance to reduce the building setback from E. Independence Street from 25 ft. to 6 ft. (Section 5.030).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

The Board finds that the requested 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.

In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

"a. 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;

b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

c. 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;

d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

e. That the variance to be granted is the minimum variance that will afford relief;

f. 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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."



0 250 500
Feet



Subject
Tract

BOA-22387

20-13 31

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016





0 50 100
Feet



Subject
Tract

BOA-22387

20-13 31

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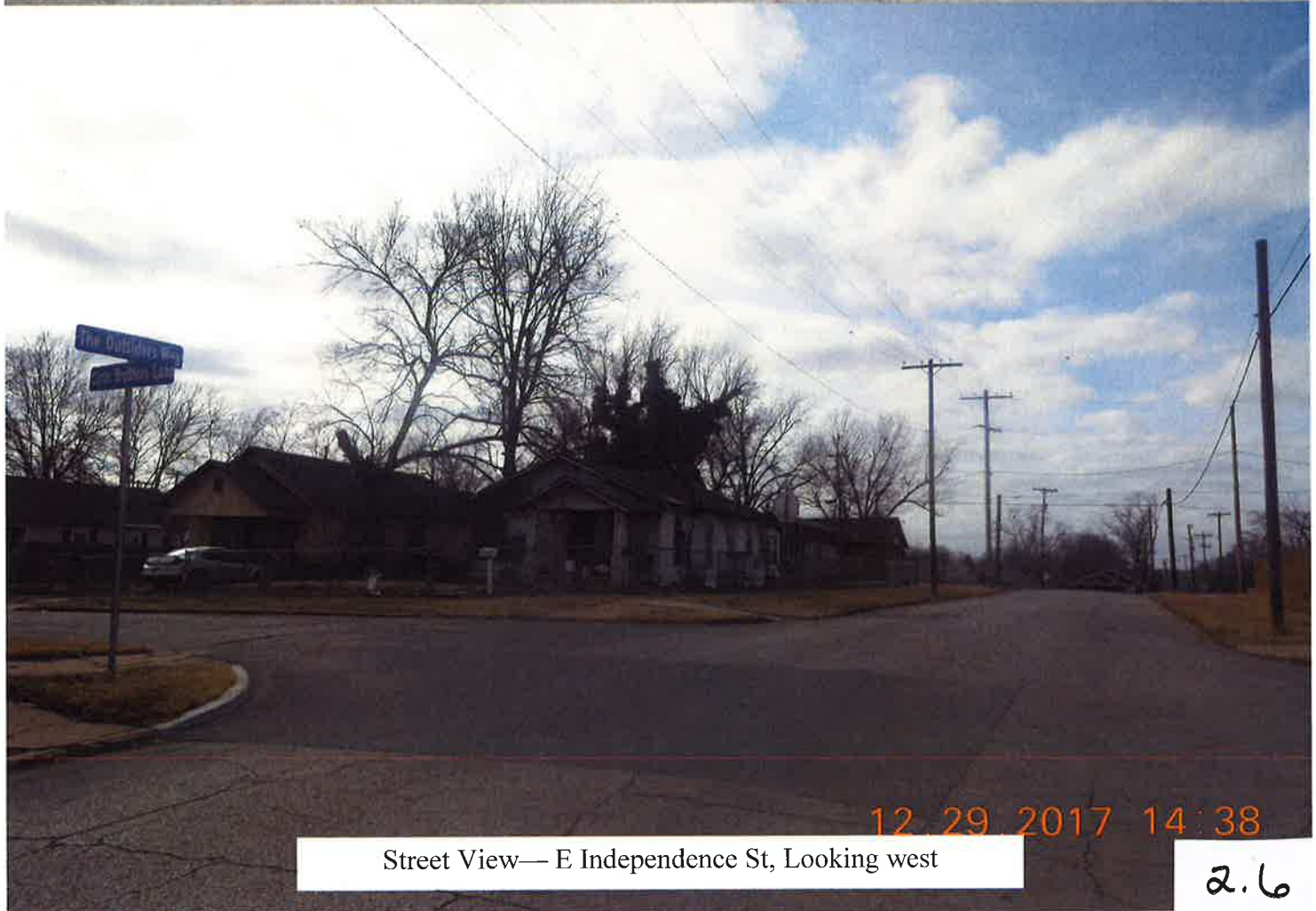


BOA 22387



Subject Site- Looking East

017 14:38

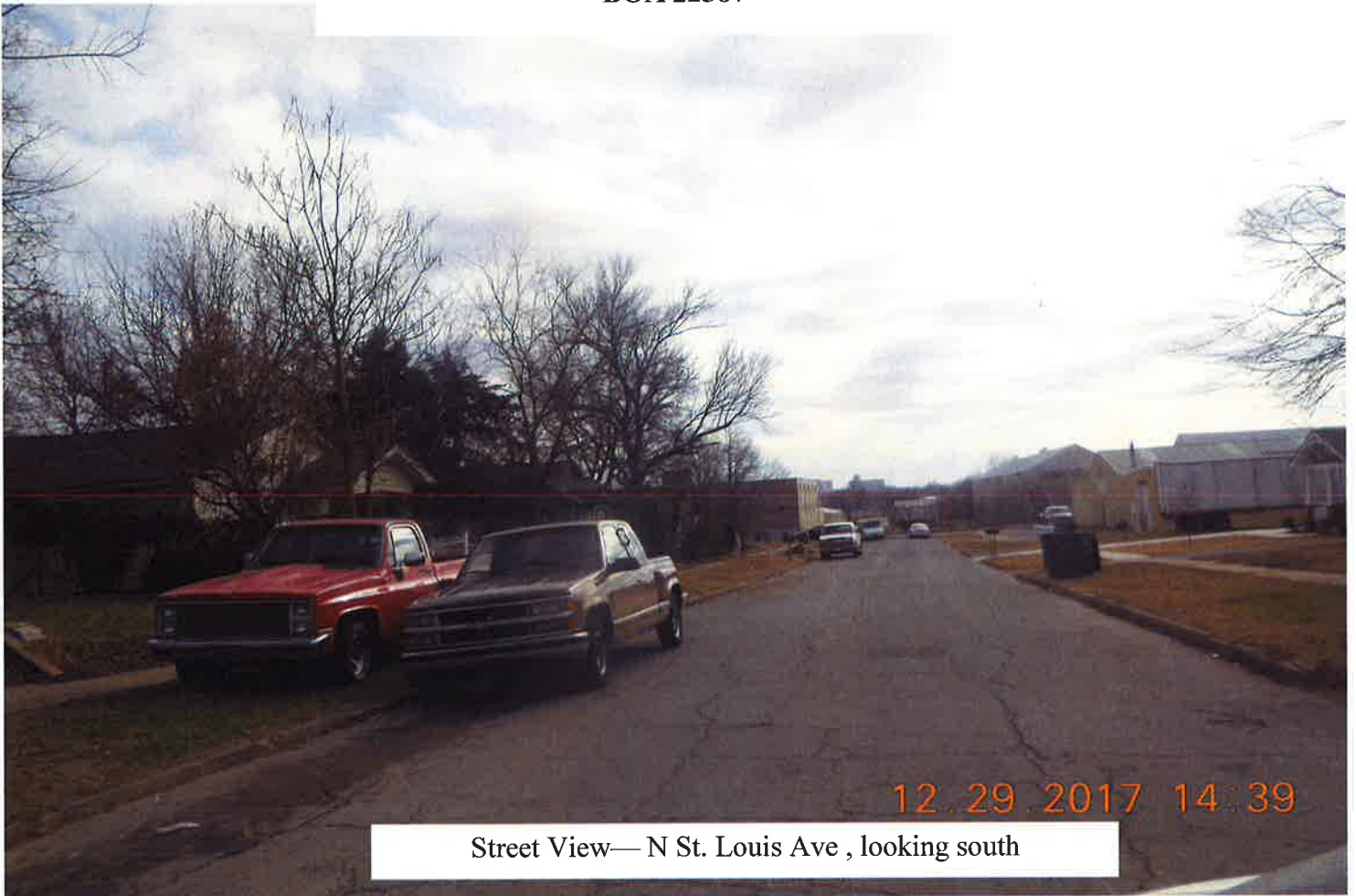


Street View— E Independence St, Looking west

12 29 2017 14:38

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BOA 22387



Street View— N St. Louis Ave , looking south

Architectural drawings of the interior of the 'Covey' area. The drawings show a long corridor with a central staircase and side rooms. The drawings are labeled 'Covey Area' and 'Covey Area'.

5 SPACES @ 22' = 110'

15'

2 FH

[illegible]

207

REVISED SITE PLAN

Project Number	718
Date	

Dele

DRAWING

1-R

1. Proposed Gallery (Size and location of demoulded building)
2. Ramp and accessible entrance to House Museum.
3. Concrete pedestrian access from loading zone.
4. Concrete passenger loading zone with 4' wide gate.
5. Vehicle pull-up space.
6. New fence at alley with operable gate

demolished building.)

2. Ramp and accessible entrance to House

Museum.

3 Concrete pedestrian access from loading

zone.

4. Concrete passenger loading zone with 4'

wide gate.

5. Vehicle pull-up space.

6. New fence at alley with operable gate

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1047607-1

January 05, 2018

DANNY O'CONNER
115 W 5TH ST APT 1301
TULSA, OK 74103

Phone: (310)435-9671

APPLICATION NO: 438105 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 1540 E INDEPENDENCE ST N
Description: NEW

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" **[X] IS [] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Application No. 438105

1540 E INDEPENDENCE ST N

January 05, 2018

Note: Please direct all questions concerning variances, special exceptions, lot combinations, alternative landscape plans and all questions regarding BOA and TMAPC application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Sec.5.020 Table 5-2: Your proposed Museum Gallery is designated a Public, Civic & Institutional/Library or Cultural Exhibit/Museum Use and is located in an RM-1 zoning district.

Review Comments: This use only allowed in an RM-1 zoned lot by Special Exception. Submit a Special Exception, reviewed and approved per Sec.70.120, to allow a Public, Civic & Institutional/Library or Cultural Exhibit/Museum Use to be located in an RM-1 zoning district.

2. Sec.5.030 Table 5-3: The proposed museum gallery is located on a 7000 ft² lot. The minimum lot area for a use, approved by special exception, in an RM-1 district is 12,000 ft².

Review comment: Submit a Variance, reviewed and approved per Sec.70.130, to reduce the minimum lot area from 12,000 ft² to 7000 ft².

3. Sec.5.030 Table 5-3: In an RM-1 district the front street setback is 25'. The proposed museum gallery has a 6' setback from the lot line abutting E Independence ST.

Review comment: Submit a Variance, reviewed and approved per Sec.70.130, to reduce the minimum setback from the lot line abutting E Independence ST from 25' to 6'.

4. Sec.55.090-A: The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.

- **Sec.55.090-B:** All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.
- **Sec.55.090-C:** Parking spaces must be at least 8.5 feet in width and 18 feet in length, exclusive of access drives and aisles. In parking areas where permanent wheel stops have been installed, 2.5 feet of the parking space length (depth) beyond the wheel stop may be counted as part of the required stall length if that area is unobstructed and not part of another parking stall, drive aisle or sidewalk.
- **Sec.55.090-D:** Parking areas must be designed in accordance with the dimensional standards of *Table 55-5 and Figure 55-5* which show minimum dimensions for various parking layouts (angles).

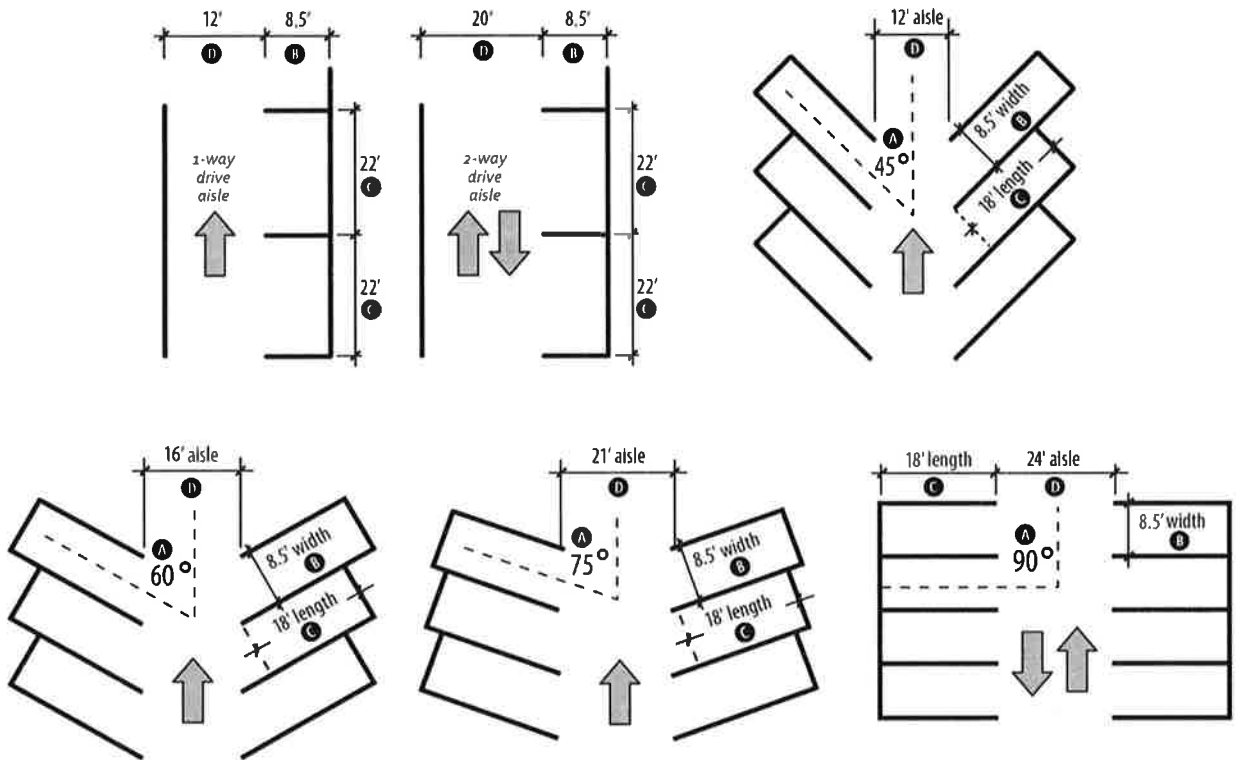
Table 55-5: Parking Area Geometrics

A	B	C	D
0	8.	2	12.0/2
	9.	2	12.0/2
4	8.	1	12.0/2
	9.	1	11.0/1
6	8.	1	16.0/2

	9.	1	15.0/2
7	8.	1	21.0/2
	9.	1	20.0/2
	8.	1	-/24.0
9	9.	1	-/22.0
	10	1	-/20.0

A = Stall Angle, B = Stall Width, C = Stall Length, D = Aisle Width (1-way/2-way)

Figure 55-5: Parking Area Geometrics



Review Comment: Resubmit your site plan providing the dimensions of the proposed parking area that are compliant with this section.

3. Sec.55.090-F1: All off-street parking areas must be surfaced with a dustless, all-weather surface. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Review comment: On your revised site plan provide all off-street parking areas with an all-weather surface that is compliant with this section. Gravel is not considered a dustless, all-weather surface. You may consider a variance, reviewed and approved per Sec.70.130, to allow parking on a compacted gravel surface.

4. Sec.55.110 Accessible Parking for People with Disabilities: Accessible parking facilities must be provided in accordance with the building code.

Review comment: Provide accessible parking facilities, on your site plan, with that are compliant with this section and in accordance with the building code Sec.1106.

5. Sec.65.040-B1: The parking lot landscaping requirements of this section are intended to help soften the visual impacts of parking lots and provide shading. The following parking lot landscaping requirements apply in surface off-street parking lots that are located in RM-1 zoning district.

a. Off-street parking areas located within 25' of an R zoning district must be separated from the R district by a landscaped area that is at least 10 feet in width and that contains an S1 screen (see Sec.65.060-C1) containing at least 3, 5-gallon shrubs per 10 linear feet.

b. All parking spaces must be located within 50 feet of a tree. Required parking lot trees must be located in a landscaped area that is at least 64 square feet in area and that has a minimum width or diameter of 8 feet.

Review comment: Your proposed parking area is located within 25' of an R district to the south. Submit a Landscape Plan compliant with this section.

6. Sec.65.070-A: An underground irrigation system must be provided for all required landscaped areas.

7. Sec.65.070-C: Required landscaping must be installed in accordance with an approved landscape plan that includes at least the following information:

1. The date, scale, north arrow, and name of the owner;
2. The location of property lines and dimensions of the site;
3. The approximate center line of existing water courses, the approximate location of significant drainage features, the location and size of existing streets and alleys, existing and proposed utility and existing and proposed sidewalks on or adjacent to the lot;
4. The location, size and type (tree, shrub, ground cover) of proposed landscaping and the location and size of the proposed landscape areas;
5. Planting details and/or specifications;
6. The method of protecting any existing trees and vegetation proposed to be preserved, including the identification of existing and finished contours illustrating the limits of grading near the drip line of any trees;
7. The proposed irrigation plan for each required landscape area;
8. The schedule of installation of required trees, landscaping and appurtenances;
9. The location of all proposed drives, alleys, parking and other site improvements;
10. The location of all existing and proposed structures on the site;
11. The existing topography and proposed grading;
12. The area in which grading and vegetation removal will occur; and
13. The area and dimensions of each landscape area and the total landscape area provided on the site.

NOTE: You may consider approval of an Alternative Landscape Plan per Sec.65.080-D.

8. Sec.65.080-B: Required landscape plans for sites that have an area of more than 50,000 square feet and that are occupied by buildings with a combined gross floor area of more than 15,000 square feet must be prepared and sealed by an architect, landscape architect or engineer licensed to practice in the State of Oklahoma. All other required landscape plans must meet the same requirement or be accompanied by written certification from an architect, landscape architect or engineer licensed to practice in the State of Oklahoma, that the landscape plan is in conformance with the minimum requirements of this chapter.

9. Sec.65.070-D: Timing of Installation

1. All required landscaping and appurtenances, except trees, must be installed prior to final inspection.
2. All required trees must be installed prior to final inspection.
3. Within 120 days of the final inspection written certification by the owner of the property, an architect, landscape architect or engineer licensed to do business in the State of Oklahoma must be submitted to the city stating that all landscaping and appurtenances have been installed in accordance with the approved landscape plan.

Review comment: Provide landscaping compliant with this chapter.

10. Sec.65.090-C1: Outdoor lighting plans demonstrating compliance with the standards of this section are required with the submittal of a site plan. If no outdoor lighting is proposed, a note must be placed on the face of the site plan indicating that no outdoor lighting will be provided. If site lighting is proposed, applicants have 2 options for the format of the required lighting plan:

a. Option 1: Submit a lighting plan that complies with the fixture height lighting plan requirements of that provide the following:

- (1). A scale drawing of the site with all outdoor lighting locations shown;
- (2). Fixture specifications, including catalog cut-sheets or generic standards;
- (3). Pole type and height of fixture;
- (4). Lamp type and size; and
- (5). Fixture mounting and orientation.

b. Option 2: Under option 2 (Photometric Study Lighting Plan) no maximum fixture heights are established, but applicants are required to submit a photometric study in sufficient detail to demonstrate that all applicable outdoor light standards will be met. The photometric study must include at least the following:

- (1). A scale drawing of the site with all outdoor lighting locations shown;
- (2). Fixture specifications, including catalog cut-sheets or generic standards;
- (3). Lamp type and size;
- (4). Fixture mounting heights, mounting orientation, and tilt angles if applicable; and
- (5). A representative point-by-point illumination array for the site showing property lines and all off-site lighting impacts.

11. Sec.55.130-C: An on-site circulation system for pedestrian and non-motorized travel must be provided in accordance with the requirements of this section. The pedestrian circulation system must provide safe, direct and convenient pedestrian access connecting main entrances of buildings and uses with all other such entrances and with available access points including parking, streets, sidewalks and transit stops. Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:

1. Pedestrian access must consist of an accessible, easily-discernible walkway or multi-use path with a minimum width of 5 feet.
2. The pedestrian access surface located on private property must be constructed of concrete, asphalt or other fixed, firm and nonslip material, approved by the development administrator.
3. Pedestrian access routes that cross parking lots drive aisles or other vehicular use areas must be clearly differentiated from the vehicle surface through the use of physical separation or by durable, low-maintenance materials such as pavers, bricks, scored concrete, pavement textures or painted surfaces to de-fine places of pedestrian movement.

Review comment: Resubmit your site plan, providing pedestrian circulation, compliant with this section.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN

AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1031936-1

September 22, 2017

DONALD RICH
DELTA BRAVO LLC
3411 E 39 ST
TULSA, OK 74135

Phone: (918)949-1345

APPLICATION NO: 430540 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 731 N ST LOUIS AV E
Description: NOT APPLICABLE

INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

REVIEW COMMENTS

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WWW.CITYOFTULSA-BOA.ORG

Application No. 430540

731 N ST LOUIS AV E

September 22, 2017

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1. **Sec.5.020 Table 5-2:** Your proposed Museum is designated a Public, Civic & Institutional/Library or Cultural Exhibit/Museum Use and is located in an RM-1 zoning district.

Review Comments: This use only allowed in an RM-1 zoned lot by Special Exception. Submit a Special Exception, reviewed and approved per Sec.70.120, to allow a Public, Civic & Institutional/Library or Cultural Exhibit/Museum Use to be located in an RM-1 zoning district.

2. **Sec.5.030 Table 5-3:** The proposed museum is located on a 7000 ft² lot. The minimum lot area for a use, approved by special exception, in an RM-1 district is 12,000 ft².

Review comment: Submit a Variance, reviewed and approved per Sec.70.130, to reduce the minimum lot area from 12,000 ft² to 7000 ft².

3. **Sec.5.030 Table 5-3B[4]:** In an RM-1 district, uses requiring special exception approval require a minimum 25' building setback from R-zoned lots occupied by residential uses. The proposed museum is on a lot that abuts an R-zoned lot to the south. Although this lot is vacant, it is for residential use and the setback is only 5'. Submit a Variance, reviewed and approved per Sec.70.130, to reduce the minimum setback from 25' to 5'.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

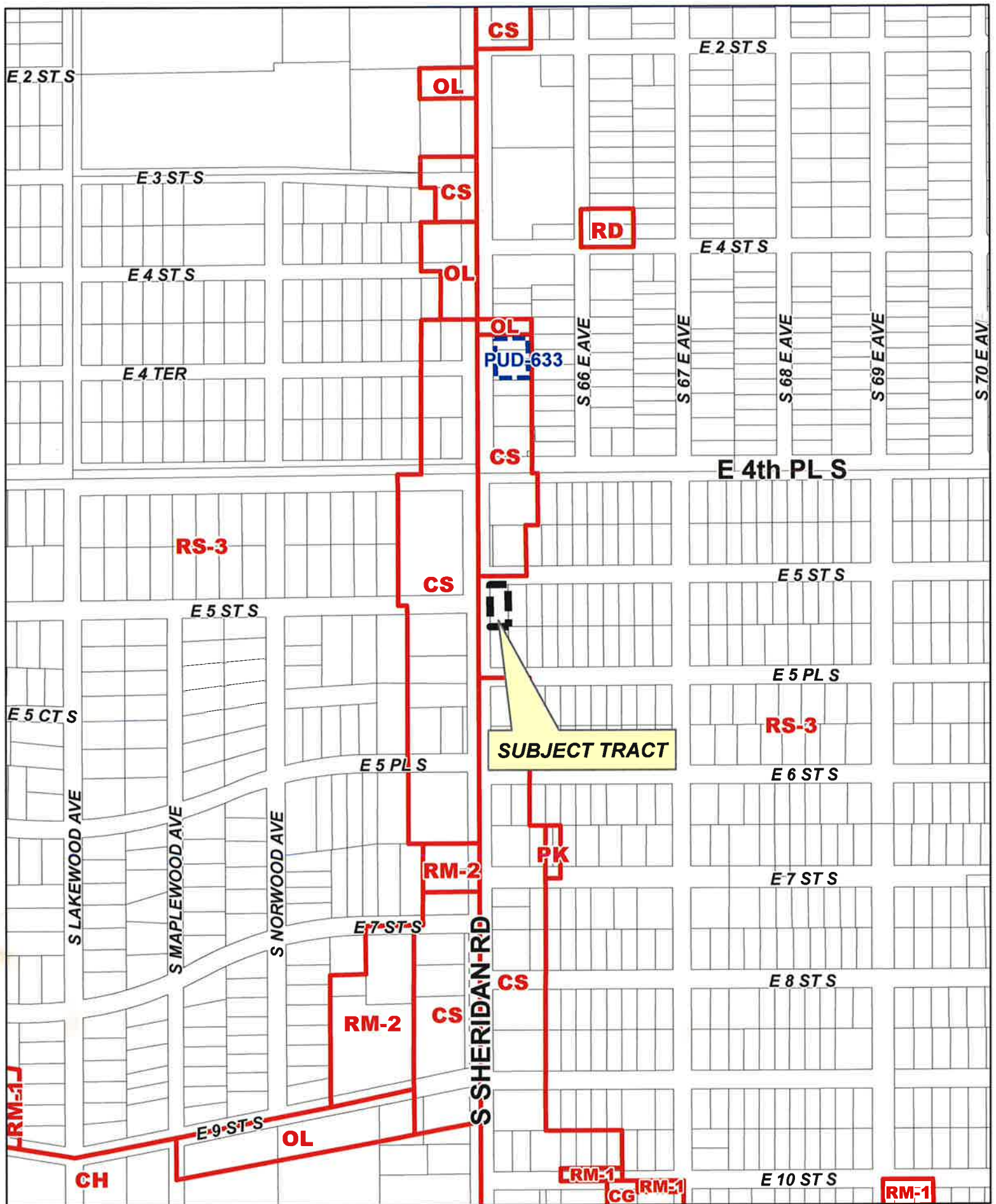
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2.16



BOA-22389

3.1



19-13 02



BOARD OF ADJUSTMENT CASE REPORT

STR: 9302
CZM: 38
CD: 3
A-P#: 437362

Case Number: BOA-22389

HEARING DATE: 02/13/2018 1:00 PM

APPLICANT: Stephanie Coughran

ACTION REQUESTED: Special Exception to permit an addition to the rear of non-conforming structure (Section 80.030-D); Variance to increase the permitted size of a sign or nameplate in the RS-3 district from 2 sq. ft. to 18 sq. ft. (Sec. 60.030-C).

LOCATION: 6504 E 5 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 8041.21 SQ FT

LEGAL DESCRIPTION: LT 11 BLK 5, SHERIDAN HILLS, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA 4421; on 09.09.64 the Board approved a request to operate a home beauty shop.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Mixed-Use Corridor" and an "Area of Growth".

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips.

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by CS zoning on the north and west; RS-3 zoned residential abuts the site on the south and east.

STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit an addition onto the rear portion of the structure as shown on the attached plan. The existing site contains a home occupation (barber/beauty salon). The applicant has stated that she wants to add a 315 sq. ft. addition onto the southeast portion of the house to increase the living space. According to the plans the existing house has a setback of 10 ft. which is less than the required 35 ft. street setback from S Sheridan Rd. Therefore, the house is considered a non-conforming structure because it does not comply with the applicable setbacks of the RS-3 district. Section 80.030-D of the Code states that horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures. It appears the proposed expansion will not extend further into the existing 10 ft. street setback from S. Sheridan Rd.

Section 60.030-C of the Code limits the size of a nameplate or sign in a residential district to 2 sq. ft. As shown on the attached pictures there are currently 3 walls signs on the house. The applicant has stated two signs will be removed; she would like to keep the 18 sq. ft. sign shown on the attached photo. The applicant has requested a **Variance** to increase the permitted size of a sign or nameplate in a RS-3 district from 2 sq. ft. to 18 sq. ft. The applicant provided the following statement: *"The conditions are unique to my lot because the lot is zoned residential but the land use designation of my site and the character of the surrounding land uses to the north and west are mixed-use commercial corridor not residential. In addition, my lot is in a RS-3 district but it is on the outer edge of the residential neighborhood facing CS zoned commercial/retail."*

Sample Motion

Move to _____ (approve/deny) Special Exception to permit an addition to the rear of non-conforming structure (Section 80.030-D); Variance to increase the permitted size of a sign or nameplate in the RS-3 district from 2 sq. ft. to 18 sq. ft. (Sec. 60.030-C).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

The Board finds that the requested 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.

In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

"a. 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;

b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

c. 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;

d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

- e. That the variance to be granted is the minimum variance that will afford relief;
- f. 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
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."

Case No. 4421-A
 Joyce Richmond
 Lot 11, Block 5,
 Sheridan Hills
 Addition

This being the date set down for public hearing on the application of Joyce Richmond for permission to operate a home beauty shop after having filed an 82% plus petition of an affected area created by the Board, on Lot 11, Block 5, Sheridan Hills Addition. There appeared Mrs. Joyce Richmond. No Protest was offered.

MOVED by Avery (Sublett) that this application be approved.

All members voting yea.

Carried.

Case No. 4426-A
 Hobart L. Dickson, Jr.
 Lot 21, less E. 165'
 of S. 140', Harter's
 Second Addition

This being the date set down for public hearing on the application of Hobart L. Dickson, Jr. for permission to erect four duplexes on Lot 21, less the East 165 feet of the South 140 feet in the Southeast corner of the lot, Harter's Second Addition. There appeared Mr. Hobart L. Dickson, Jr. There also appeared several interested parties, who wanted to know what the plans were.

Mr. Dickson presented a plot plan and explained same to the Board.

The following letter from the Tulsa Metropolitan Area Planning Commission was read:

August 13, 1964

Tulsa Zoning Board of Adjustment
 6th Floor, Kennedy Building
 Tulsa, Oklahoma

Re: Lot 21, Harter's Second Addition
 22nd Street & Birmingham Ave.

Gentlemen:

On August 12, 1964, Mr. Hobart L. Dickson, Jr. appeared before the Tulsa Metropolitan Area Planning Commission and outlined his proposal for development of the above-captioned tract of land. Mr. Dickson stated that he desires to construct a single-family residence on 22nd Street and duplexes, on four lots, in the remaining large area north toward 21st Street. The tract is zoned U-1C and has 69,860 square feet.

Mr. Dickson asked that the Planning Commission consider his proposal and if it was felt that the tract would be well utilized by such development, that the Commission endorse this proposal.



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Feet



Subject
Tract

BOA-22389

19-13 02

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016





0 50 100
Feet



Subject
Tract

BOA-22389

19-13 02

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016

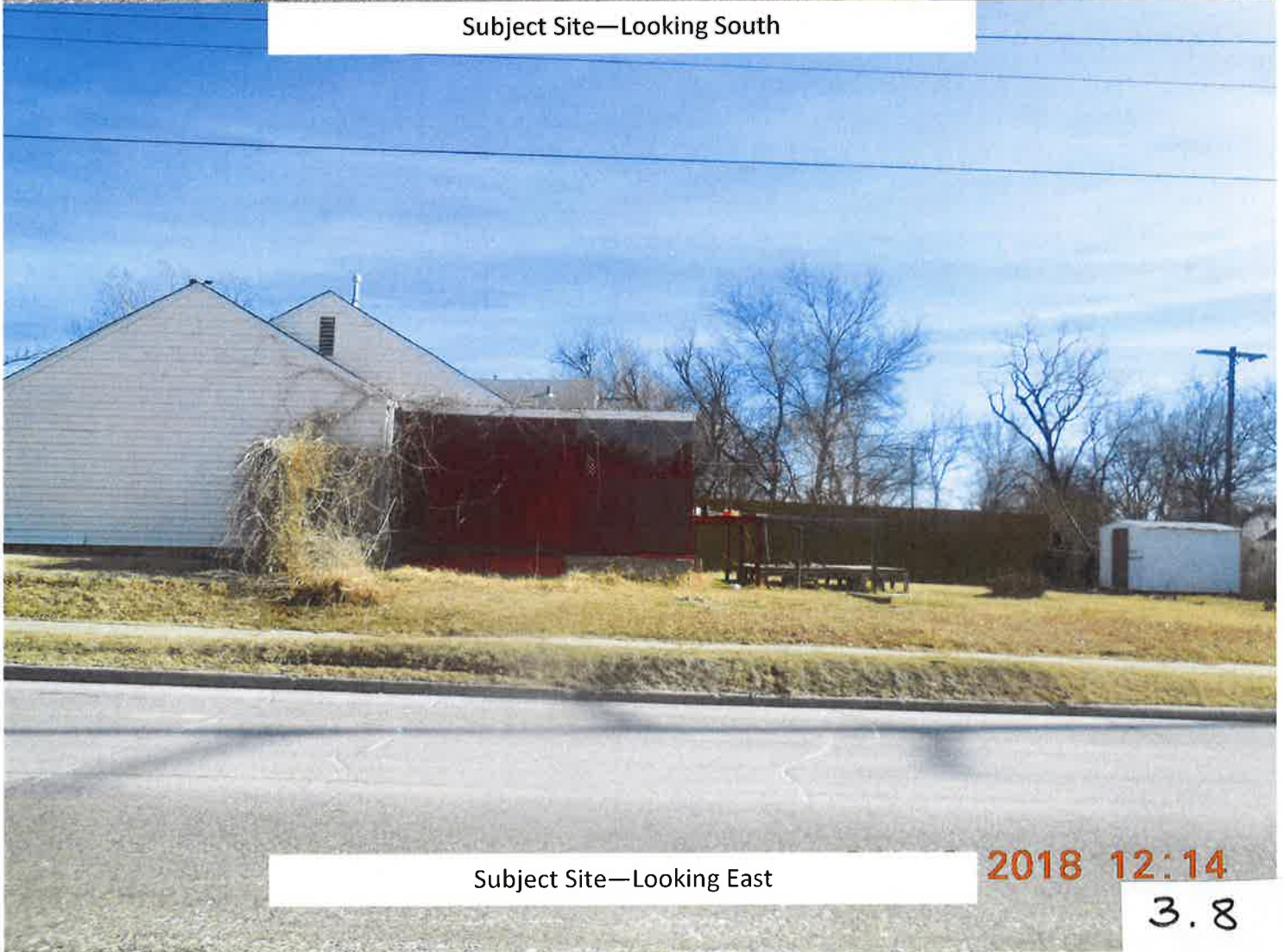
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BOA 22389



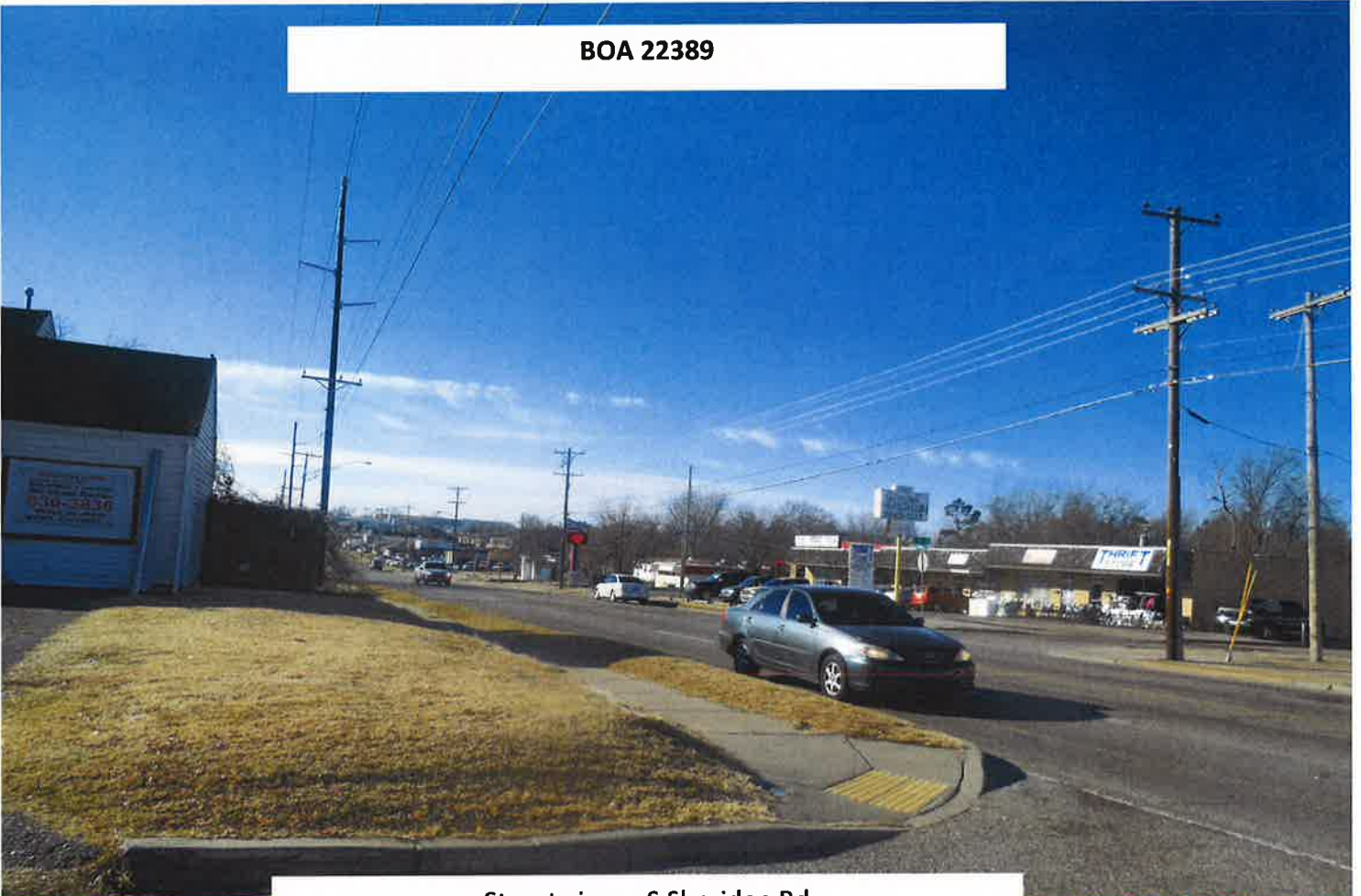
Subject Site—Looking South



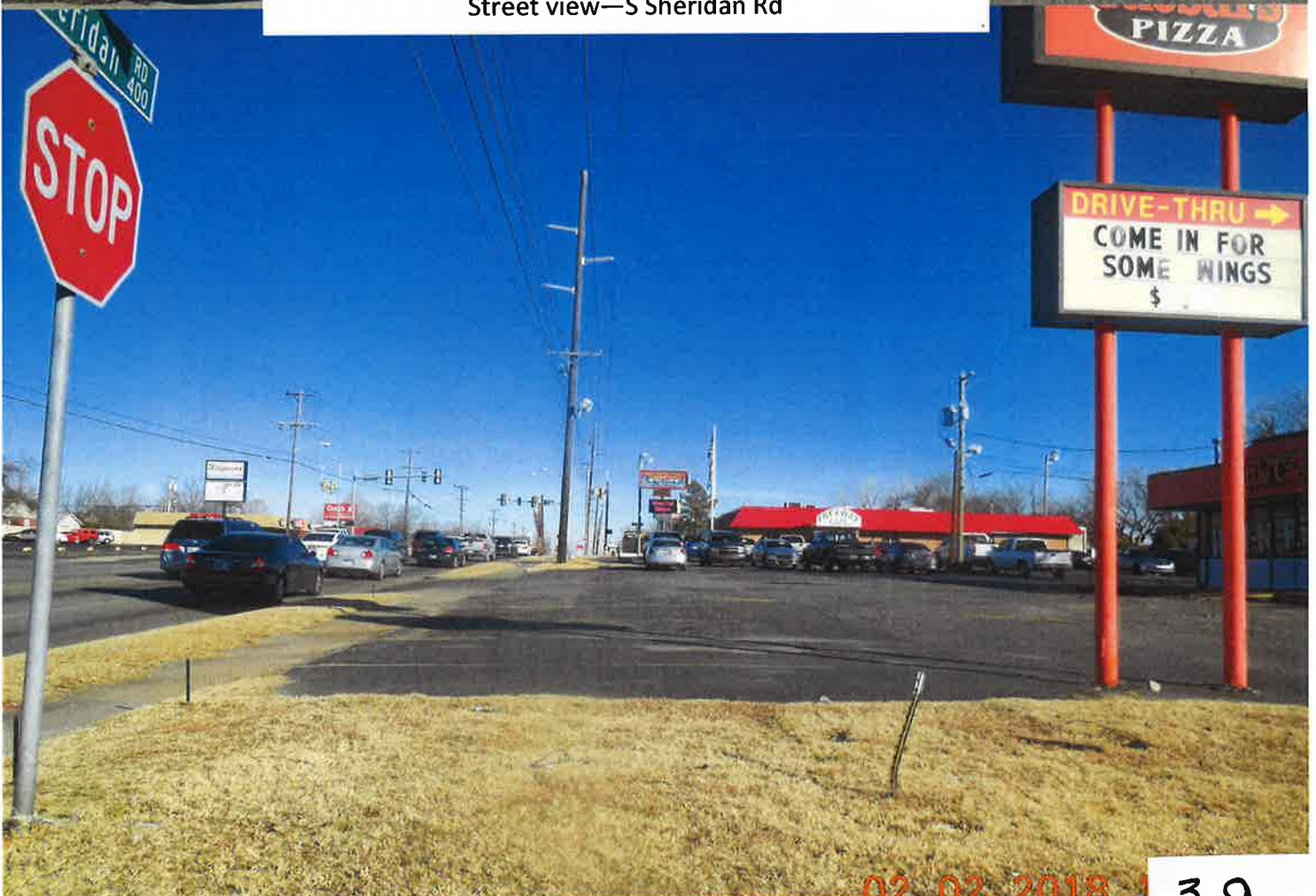
Subject Site—Looking East

2018 12:14

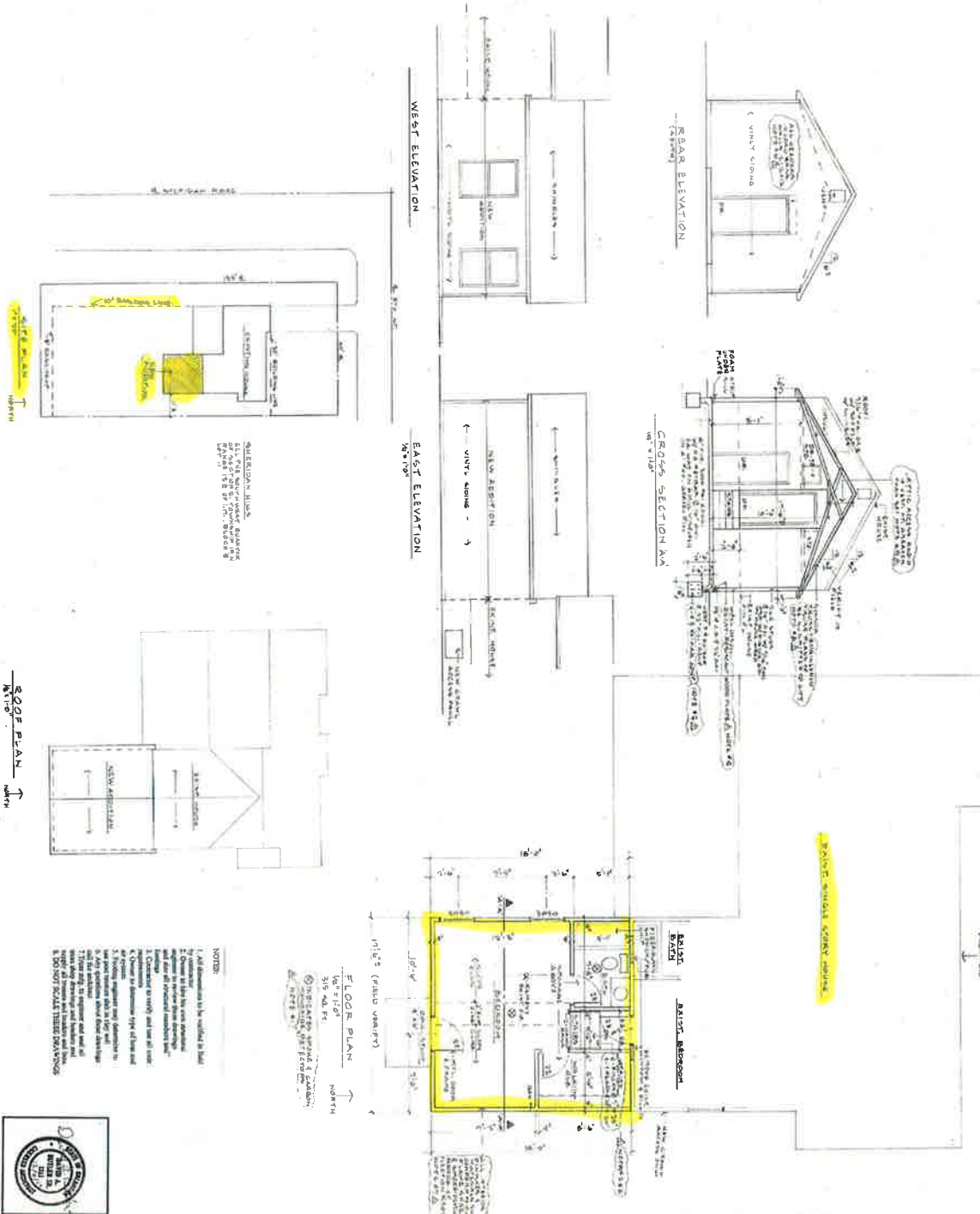
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Street view—S Sheridan Rd



02-02-2018



BOA 22389



18 sq. ft. sign

BOB KOLIBAS
ZONING OFFICIAL
PLANS EXAMINER
TEL 918-596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1046391-1

January 02, 2018

STEPHANIE COUGHRAN
6504 E 5TH ST
TULSA, OK 74112

Phone: (918)946-7082

APPLICATION NO: **437362** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 6504 E 005 ST S
Description: ADDITION

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☐ IS ☒ IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

3.12

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Application No. 437362

6504 E 005 ST S

January 02, 2018

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

Review Comments: The proposed 312 square foot addition to the rear of the existing house does not comply with the 85 foot setback (50.0 Planned ROW+35.0 Street setback) from the C/L of S. Sheridan Rd. You may pursue a special exception from the BOA to permit a 315 sq. ft. addition to the rear of an existing house to be located within the 85 foot street setback from the C/L of S. Sheridan Road.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

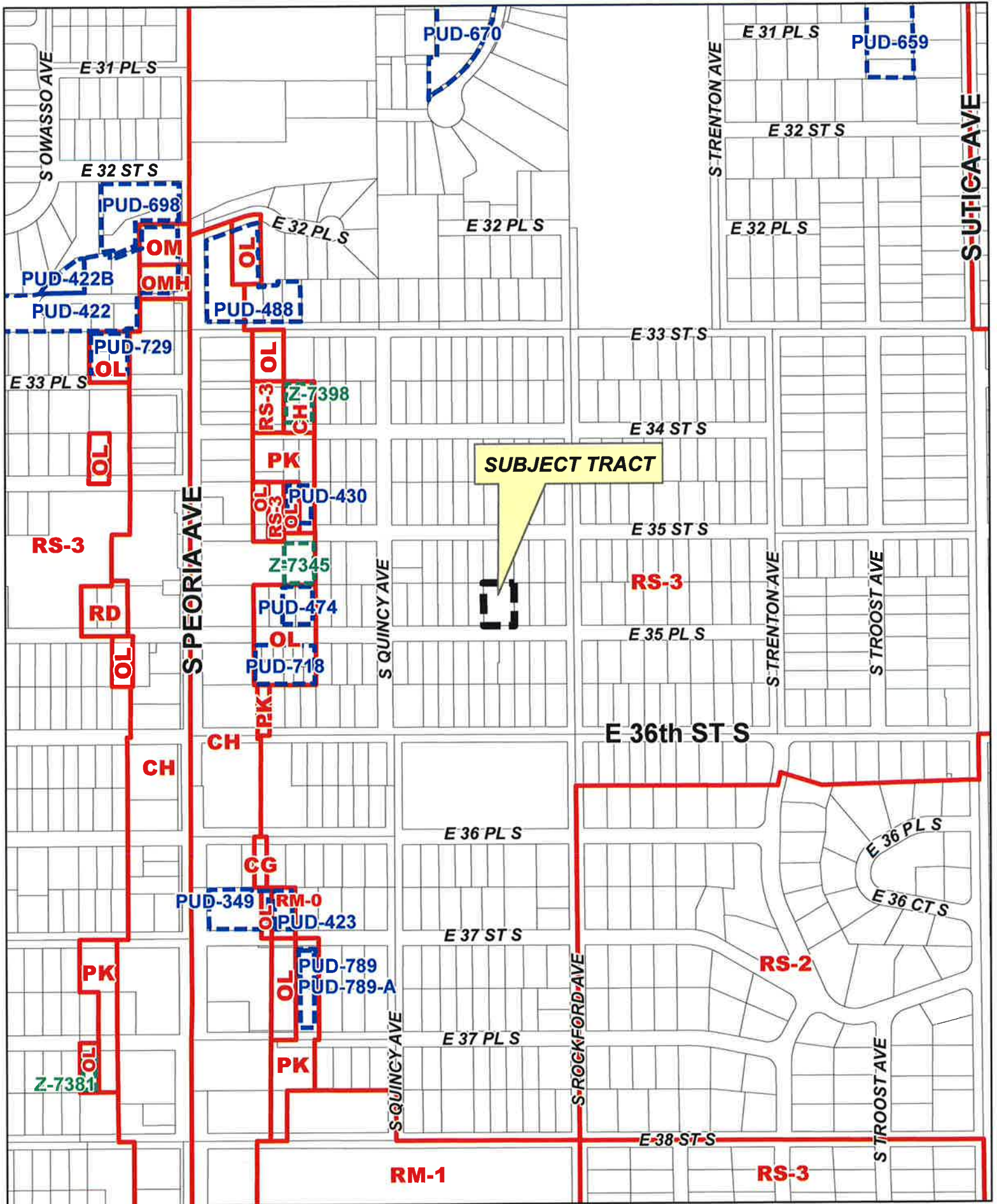
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

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BOA-22390

19-13 19

4.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-22390**

CZM: 47

CD: 9

A-P#: NA

HEARING DATE: 02/13/2018 1:00 PM

APPLICANT: Timothy Hayes

ACTION REQUESTED: Variance of the minimum lot width from 60' to 50' to permit a lot split in an RS-3 district (Sec. 5.030).

LOCATION: 1425 E 35 PL S

ZONED: RS-3

PRESENT USE: Vacant

TRACT SIZE: 14000.24 SQ FT

LEGAL DESCRIPTION: LT 4 BLK 6, OLIVERS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 21420; on 05.08.12 the Board **approved** a variance of the maximum lot width from 60 ft. to 50 ft. in an RS-3 district; and a variance of the land area per dwelling unit from 8,400 to 7,000 to permit a lot-split. Located at 1444 E. 35th Place S.; immediately southeast of the subject site.

BOA-13907, on 01.23.86, the Board **approved** a minor variance of the required 60 feet of lot width in a RS-3 zoned district to permit lot split. Located at 1412 E. 35th Place; west of the subject lot.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoning and residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a **Variance** of the maximum lot width from 60 ft to 50 ft to permit a lot split (with future Planning Commission approval) of the RS-3 zoned subject property.

Each proposed lot will be 50 ft. by 140 ft. or 7,000 sq. ft. The code requires a lot width of 60 ft. and a lot area/lot area per dwelling unit of 6,900 sq. ft. in the RS-3 district.

The subject property is twice the lot width of most lots in the surrounding area; in addition, there are many previously approved lot splits in this area. The density proposed by the applicant with the lot split is compatible with the existing development pattern in the neighborhood.

Sample Motion

Move to _____ (approve/deny) a Variance of the minimum lot width from 60' to 50' to permit a lot split in an RS-3 district (Sec. 5.030).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

The Board finds that the following facts, favorable to the property owner, have been established:

"a. 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;

b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

c. 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;

d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

e. That the variance to be granted is the minimum variance that will afford relief;

f. 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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."

21420—Executive Homes

FILE COPY

Action Requested:

Variance of the maximum lot width from 60 feet to 50 feet in an RS-3 district;
Variance of the land area per dwelling unit from 8,400 to 7,000 to permit a lot-split
(LS-20505) (Section 403). **LOCATION:** 1444 East 35th Place **(CD 9)**

Presentation:

Taylor Sokolosky, P. O. Box 1013, Owasso, OK; no presentation was made but the applicant was available for questions from the Board.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance of the maximum lot width from 60 feet to 50 feet in an RS-3 district; Variance of the land area per dwelling unit from 8,400 to 7,000 to permit a lot-split (LS-20505) (Section 403). Finding that the vast majority of the lots in this area have already been split from 50 foot width, and this will be in conformance with the other lots. In granting these variances the Board finds 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 8 BLK 5, OLIVERS ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21422—Sisemore, Weisz, & Associates

Action Requested:

Special Exception to allow required off-street parking on a lot other than the lot containing the use (Section 1301.D). **LOCATION:** 2625 South Memorial Drive **(CD 5)**

Presentation:

Darin Akerman, Sisemore, Weisz & Associates, 6111 East 32nd Place, Tulsa, OK; stated the large building on the site has been utilized for various uses in the past and

Case No. 13905 (continued)

district; finding that the outside storage of these materials is detrimental to the neighborhood and not in harmony with the spirit and intent of the Code; on the following described property:

A part of the NE/4 of the NE/4 of the SE/4 of Section 10, T-19-N, R-13-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

Beginning at a point 50' west of the east line of said Section 10; thence S 0°27'15" W, and parallel with the east line of said Section 10 a distance of 507.84'; thence S 89°58'02" W and parallel with the south line of said NE/4, NE/4, SE/4 a distance of 281.86' to the point of beginning; thence S 0°27'15" W a distance of 152.62' to a point on the south line of the NE/4, NE/4, SE/4; thence S 89°58'02" W a distance of 331' to the SW/c of the NE/4, NE/4, SE/4 of said Section 10; thence N 0°26'22" E a distance of 660.34' to a point on the north line of said NE/4, NE/4, SE/4; thence N 89°57'22" E along the north line of said NE/4, NE/4, SE/4 a distance of 150' to a point; thence S 0°26'22" W a distance of 330.18'; thence N 89°57'50" E a distance of 150'; thence south 0°26'22" W a distance of 217.64'; thence east a distance of 31.17', more or less, to the point of beginning, less the north 40' thereof dedicated for roadway.

AND

The west 331.00' of Lot 1, Block 1, Lynn Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 13907

Action Requested:

Minor Variance - Section 430.1 - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a minor variance of the lot width from 60' to 50' in order to permit a lot split, located at 1412 East 35th Place.

Comments and Questions:

Mr. Jones informed that TMAPC approved the lot-split January 22, 1986.

Presentation:

The applicant, David Reeh, 1341 East 36th Street, Tulsa, Oklahoma, stated that he has a 100' lot with a house built on the west 50' and he intends to place another house on the east portion at a later date.

1.23.86:456(11)

Case No. 13907 (continued)

Additional Comments:

Mr. Chappelle asked if there are other 50' lots in the area and Mr. Reeh answered in the affirmative.

Protestants: None.

Board Action:

On MOTION of CLUGSTON and SECOND by WILSON, the Board voted 5-0-0 (Bradley, Chappelle, Clugston, White, Wilson, "aye"; no "nays"; no "abstentions"; none, "absent") to APPROVE a Minor Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of the lot width from 60' to 50' in order to permit a lot split; on the following described property:

Lot 11, Block 5, Oliver's Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 13908

Action Requested:

Variance - Section 430 - Bulk and Area Requirements to Residential Districts - Use Unit 1206 - Request a variance of the required 25' setback to 24' from Indianapolis; a variance of the 5' side yard setback to 4' on the south; and a variance of the 35' setback (rear yard abutting a public street) from Harvard to 34' to allow for the brick veneer encroachment, located on the SW/c of 86th Street South and Indianapolis.

Presentation:

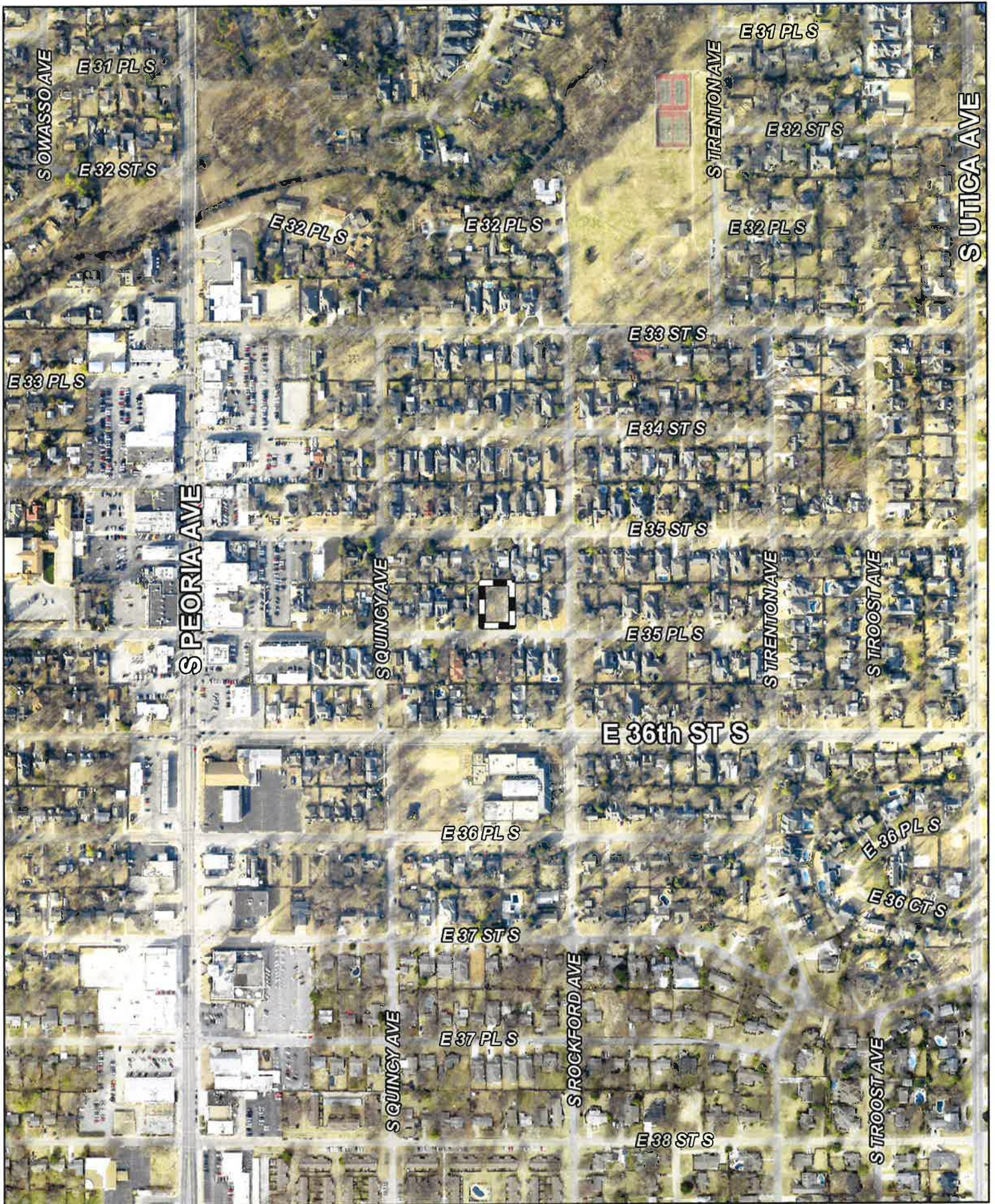
The applicant, Builders Association of Metropolitan Tulsa, was represented by Howard Kelsey, 11545 East 43rd Street, Tulsa, Oklahoma, who informed that a parade house was built without brick, but when the brick was added it encroached .4' on the east, west and south setbacks.

Board Action:

On MOTION of WILSON and SECOND by WHITE, the Board voted 5-0-0 (Bradley, Chappelle, Clugston, White, Wilson, "aye"; no "nays"; no "abstentions"; none, "absent") to APPROVE a Variance (Section 430 - Bulk and Area Requirements to Residential Districts - Use Unit 1206) of the required 25' setback to 24' from Indianapolis; a variance of the 5' side yard setback to 4' on the south; and a variance of the 35' setback (rear yard abutting a public street) from Harvard to 34' to allow for the brick veneer encroachment; on the following described property:

Lot 1, Block 4, Harvard Pointe Addition, City of Tulsa, Tulsa County, Oklahoma.

1.23.86:456(12)



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Feet



Subject
Tract

BOA-22390

19-13 19

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016



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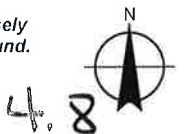
Subject
Tract

BOA-22390

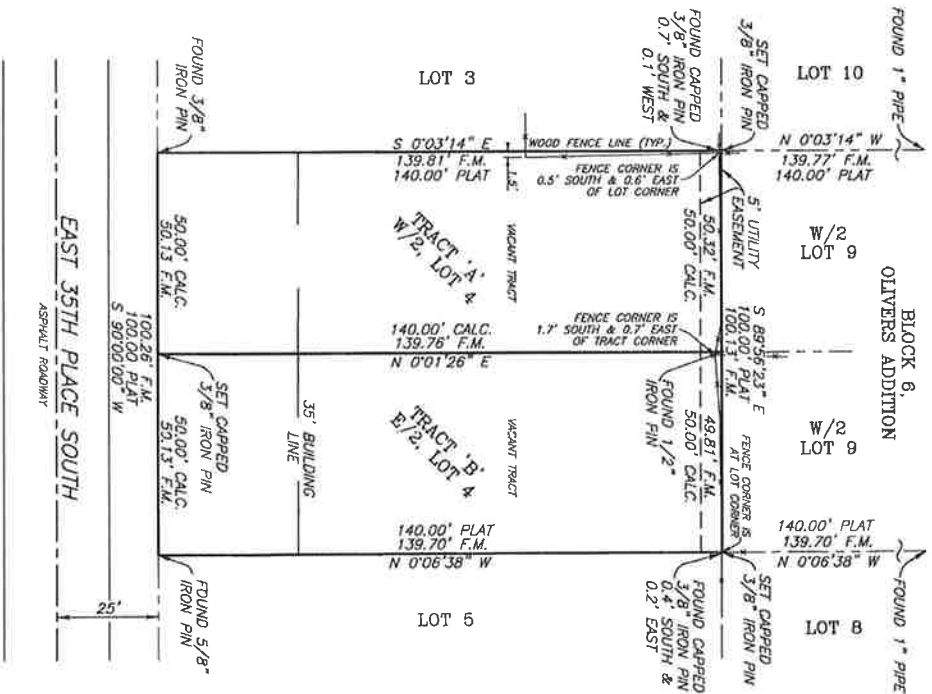
19-13 19

Note: Graphic overlays may not precisely
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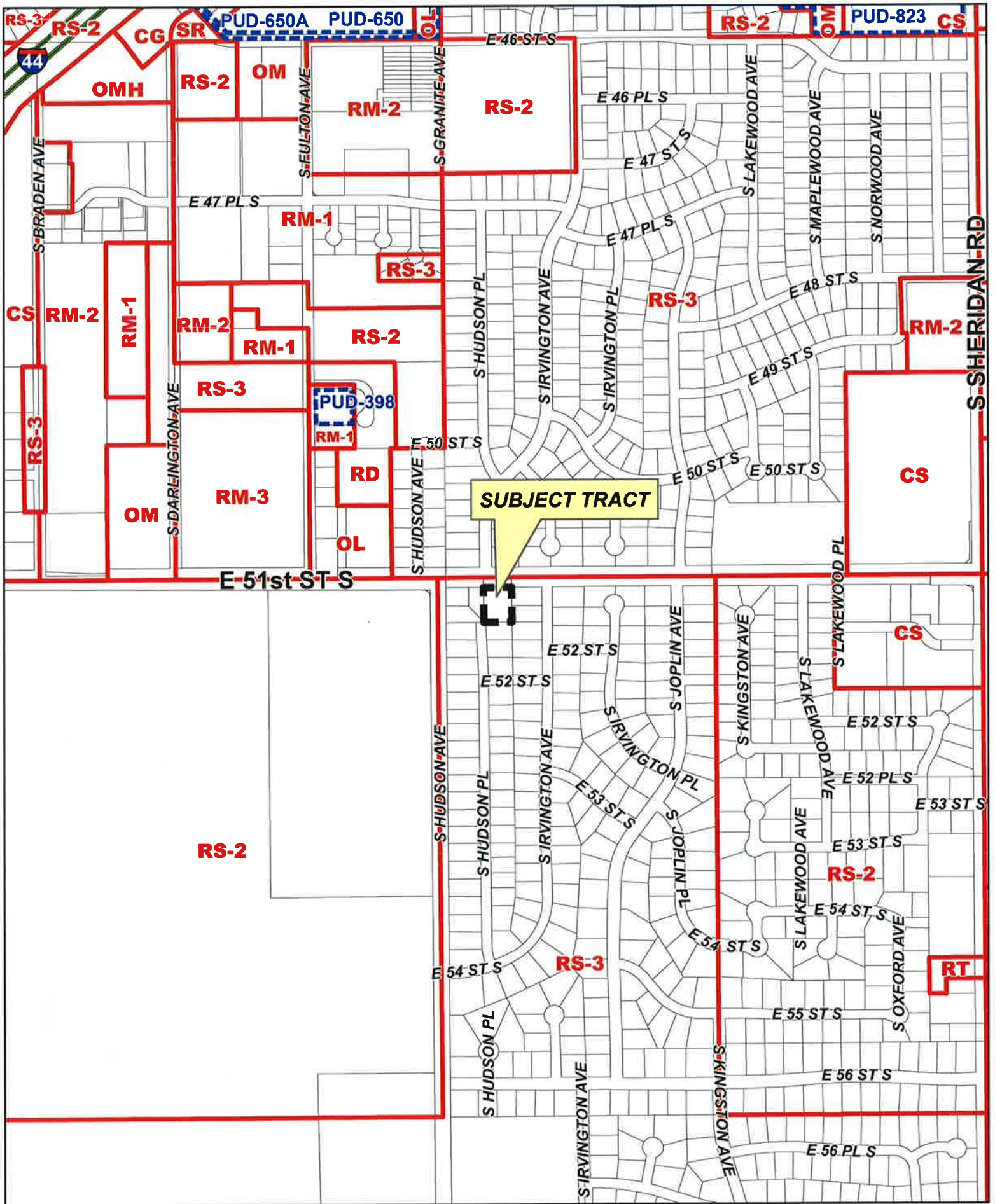
Aerial Photo Date: February 2016



Plat of Survey



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BOA-22391

19-13 34

5.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9334

Case Number: **BOA-22391**

CZM: 48

CD: 9

A-P#: 9444

HEARING DATE: 02/13/2018 1:00 PM

APPLICANT: Deborah Everett

ACTION REQUESTED: Special Exception to allow a Bed and Breakfast (short-term rental) in a RS-3 District (Section 5.020).

LOCATION: 5726 E 51 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 24097.49 SQ FT

LEGAL DESCRIPTION: N228.45 E135 W/2 W/2 NW NE LESS N50 THEREOF FOR ST SEC 34 19 13 0.55 AC, PARK PLAZA THIRD, PARK PLAZA PLACE, PARK PLAZA SECOND, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA 17093; on 07.11.95 the Board **approved** a special exception to permit a home occupation (law office) in a RS-3 district for one year; a variance to exceed the maximum area for the home occupation from 500 sq. ft to 620 sq. ft.; and **denied** a variance to permit a part-time employee.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residences.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit a Bed & Breakfast in the existing house on the subject site. The request is to permit short-term (less than 30 days) lodging/rental on the site. The applicant intends to rent a portion of the house to overnight guest; she will live onsite. The applicant has not expressed a desire to have events (weddings/receptions) on the site; it appears that the site will be used for short-term lodging/rental only.

The following supplemental use regulations in **Section 40.060** apply to all bed and breakfast uses.

- Bed and breakfast are limited to a maximum of 12 guest rooms unless a lower limit is established by the board of adjustment as a condition of an approved special exception.
- The maximum length of stay for any guest is limited to 30 consecutive days.
- The owner/operator must maintain a register of bed and breakfast guests and on-site events for each calendar year and make the register available to city code enforcement upon request.
- Cooking facilities are prohibited in guest rooms.
- Signs are allowed in accordance with the sign regulations of the subject zoning district unless the board of adjustment establishes stricter conditions at the time of special exception approval.

Section 60.050-B.2,a - Wall Signs - Nonresidential uses in R districts are allowed a maximum of one wall sign per public building entrance. Such signs may not exceed 32 square feet in area.

Section 60.050-B.2,b - Freestanding Signs - Nonresidential uses in R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Section 60.050-B.2,c - Dynamic Displays - Dynamic displays are prohibited in R districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

- Public restaurants are prohibited. Meals may be served only to overnight guests and for on-site events expressly authorized by the board of adjustment at the time of special exception approval. The board of adjustment may authorize bed and breakfasts to be rented for events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc. The use of bed and breakfasts for on-site events requires ex-press authorization of the board of adjustment, in accordance with the special exception procedures of Section 70.120. As part of approval of the special exception, the board of adjustment is authorized to establish the maximum number of on-site events per year and the maximum number of guests per any single event, based on the availability of off-street parking and the facility's likely impacts on the area.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Bed and Breakfast (short-term rental) in an RS-3 district. (Section 5.020)

- Subject to the following conditions (including time limitation, if any): _____

The Board finds that the requested 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.

NEW APPLICATIONS

Case No. 17093

Action Requested:

Special Exception to permit a home occupation (law office) in an RS-3 District , and a variance to exceed maximum 500 sq ft and to permit a part-time employee - **SECTION 404.B.2.8. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 6, located 5726 East 51st Street.

Presentation:

The applicant, **Kathryn Colbert**, was represented by **Allen Core**, 5726 East 51st Street, who requested permission to conduct his law practice at the above stated location. He explained that the residence faces 51st Street and has a circle drive with a double-car garage. Mr. Core submitted photographs (Exhibit C-3) and informed that his office is to the rear of the garage and is not visible from the street. The applicant stated that the major portion of his business consists of federal Indian law issues and many clients are in other states. Mr. Core informed that he has very few walk-in customers and is only in need of a part-time employee. He pointed out that the front of his home is not visible to the neighboring residents.

Comments and Questions:

Mr. Doverspike asked the applicant if his business is advertised in the yellow pages or the telephone book or any other publication, and Mr. Core advised that he is listed in the yellow pages.

In reply to Mr. Doverspike, the applicant stated that the yellow-page ad reads "concentrating in Indian law".

Mr. Doverspike asked the applicant if he would be opposed to a one-year approval to prove compatibility with the neighborhood, and Mr. Core replied that he would have no problem with a one-year approval.

In reply to Mr. Doverspike, the applicant stated that he is familiar with the home occupation guidelines.

Ms. Turnbo inquired as to the hours of operation, and the applicant stated that he schedules appointments between 9 a.m. and 4:30 p.m., with the part-time employee working between 9 a.m. and 1:30 p.m.

Protestants:

Debbie Bunting, 5114 South Irvington, informed that her back yard abuts the subject property and the traffic at Mr. Core's home is visible from her home; however, the major concern is the possibility that the property will be used for commercial purposes.

07:11:95:684(6)

Case No. 17093 (continued)

Harry Stahl, 5123 South Hudson Place, stated that he lives to the rear of the subject property and has filed a complaint concerning the business sign. He informed that the sign has now been removed. He asked that the residential character of the neighborhood be retained.

Lloyd Hobbs, planning chairman for District 18, submitted letters of protest (Exhibit C-2) and informed that he has received several phone calls from individuals protesting the application. Mr. Hobbs stated that a similar application was recently denied by the Board and requested that this case be denied.

A zoning violation notice (Exhibit C-1) was submitted.

Comments and Questions:

Mr. White noted that the application referred to by Mr. Hobbs was deep inside a residential neighborhood and the applicant was operating more than one business.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a home occupation (law office) in an RS-3 District for **one year only** from this date; to **APPROVE** a **variance** to exceed the maximum 500 sq ft to 620 sq ft; and to **DENY** a **variance** to permit a part-time employee - **SECTION 404.B.2.8. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 6; subject to the home occupation guidelines; subject to the hours of operation being 9 a.m. to 4:30 p.m., Monday through Friday; subject to no signage other than the existing directional office sign near the dwelling (not visible from the street); finding that the one year time limitation will allow the Board to determine compatibility with the neighborhood; on the following described property:

North 228.45', east 135', W/2, W/2, NW/4, NE/4, less north 50' for street, Section 34, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17095

Action Requested:

Special Exception to allow an auto repair service in a CS District - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17, located 4604 North Peoria Avenue.



BOA-22391

Aerial Photo Date: February 2016

5.6





0 50 100
Feet



Subject
Tract

BOA-22391

19-13 34

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016







Street view—E 51 St S, Looking West

18 10:42

Moye, Nikita

From: Rocky Sturm <rockysturm1@cox.net>
Sent: Monday, February 05, 2018 1:42 PM
To: Moye, Nikita
Subject: case # BOA-22391

My wife and I are opposed to the zoning change for our neighborhood for this purpose.

Rocky & Margie Sturm
5838 South Hudson Place
Tulsa, Oklahoma 74135

Sent from my iPhone

Moye, Nikita

From: 4roosters@gmail.com
Sent: Monday, February 05, 2018 1:41 PM
To: Moye, Nikita
Subject: Case number BOA-22391 :Oppose zoning change proposal

We appose any change to zoning that would change the nature of our neighborhood and/or cause issues with the neighbors.

Do not allow this zoning change to pass.

Thank you.

Paul and Lori Hahn
5517 S Hudson Pl
Park Plaza - Key
918-340-5166

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1044493-1

December 04, 2017

DEBORAH EVERETT
5726 E 51ST ST
TULSA, OK 74135

APPLICATION NO: 9444 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 5726 E 051 ST S
Description: AIR BNB

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☒ **X** ☐ **IS** ☐ **IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Application No. 9444 5726 E 051 ST S December 04, 2017

Note: Please direct all questions concerning special exceptions, platting and appeals of an administrative official decision and all questions regarding BOA application forms and fees to an INCOG representative at 918-584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Sec.35.050-G1: Your application is for a Bed & Breakfast which is located in an RS-3 zoning district. This use is allowed in the RM-2 district by Special Exception (*Table 5-2: R District Use Regulations*).

Review Comment: Submit a copy of the Special Exception reviewed and approved per *Sec.70.120* to allow a Bed & Breakfast in the RS-3 zoning district.

NOTE: The following supplemental use regulations of *Sec.40.060* apply to all bed and breakfast uses.

- **Sec.40.060-A:** Bed and breakfast are limited to a maximum of 12 guest rooms unless a lower limit is established by the board of adjustment as a condition of an approved special exception.
- **Sec.40.060-B:** The maximum length of stay for any guest is limited to 30 consecutive days.
- **Sec.40.060-C:** The owner/operator must maintain a register of bed and breakfast guests and on-site events for each calendar year and make the register available to city code enforcement upon request.
- **Sec.40.060-D:** Cooking facilities are prohibited in guest rooms.
- **Sec.40.060-E:** Signs are allowed in accordance with the sign regulations of the subject zoning district unless the BOA establishes stricter conditions at the time of Special Exception approval.
- **Sec.40.060-F:** Public restaurants are prohibited. Meals may be served only to overnight guests and for on-site events expressly authorized by the BOA at the time of Special Exception approval. The BOA may authorize bed and breakfasts to be rented for events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc. The use of bed and breakfasts for on-site events requires express authorization of the BOA, in accordance with the Special Exception procedures of *Sec.70.120*. As part of approval of the Special Exception, the BOA is authorized to establish the maximum number of on-site events per year and the maximum number of guests per any single event, based on the availability of off-street parking and the facility's likely impacts on the area.

2. Sec.70.080-B1b(5): In order to help ensure a proper arrangement of streets and the adequacy of open spaces for traffic, utilities and emergency vehicle access, commensurate with the intensification of land use customarily incident to a zoning map amendment, a platting requirement is established. Except as expressly stated in *Sec.70.080-B2*, no building permit or zoning clearance permit may be issued until that portion of the subject parcel for which the permit is sought has been granted a plat waiver (*Sec.70.080-B2a*), or has been included within a subdivision plat or replat (*Sec.70.080-B2b*) that has been submitted to and approved by the planning commission, and filed of record in the county clerk's office of the county

in which the property is located. This platting requirement applies to any property for which a special exception was approved for a Bed & breakfast.

Review comment: Submit a copy of a plat waiver, or a plat or replat that has been submitted to and approved by the planning commission, and filed of record in the county clerk's office of the county in which the property is located.

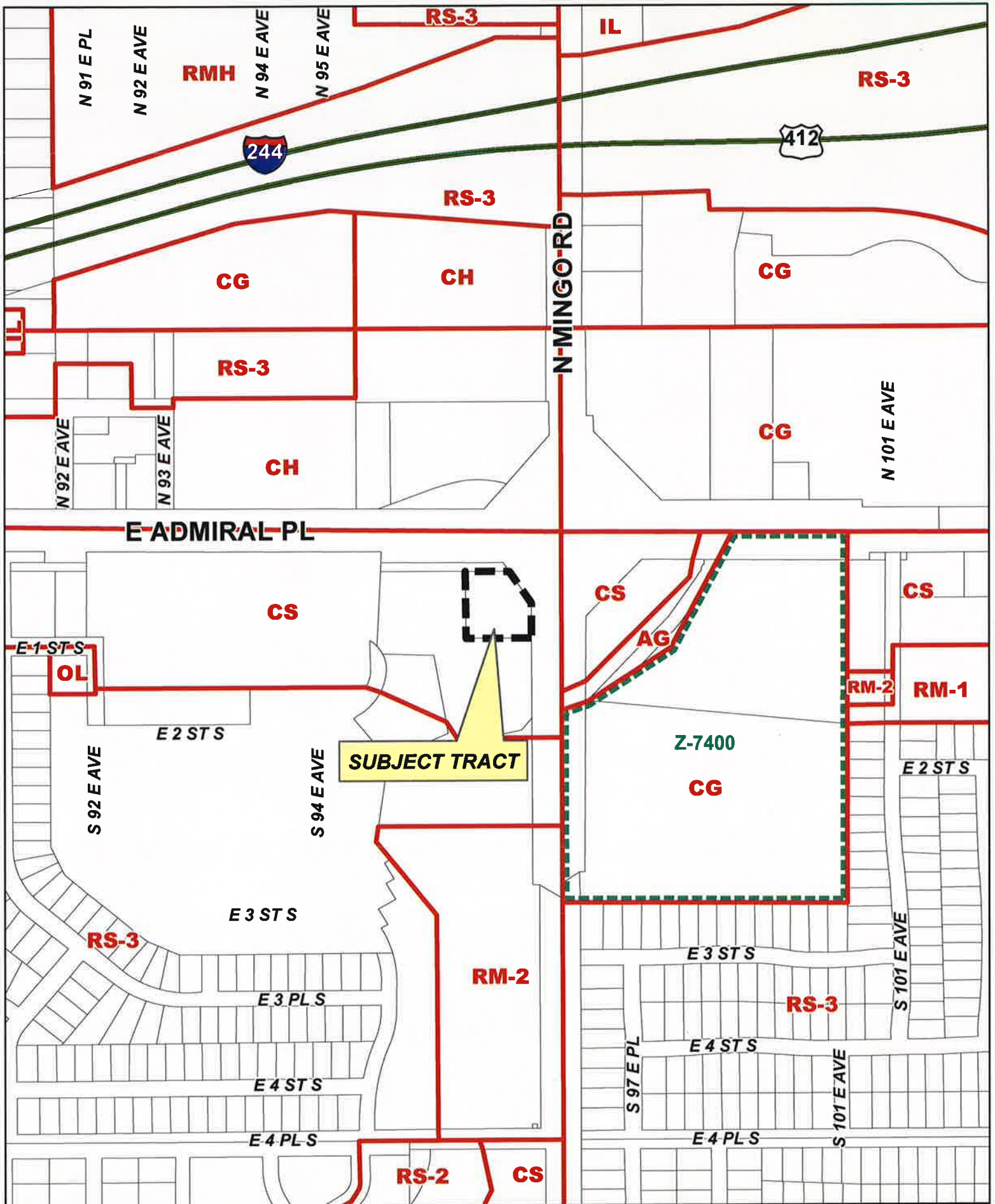
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



BOA-22393

19-13 01

6.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9301
CZM: 38
CD: 3
A-P#: 436878

Case Number: **BOA-22393**

HEARING DATE: 02/13/2018 1:00 PM

APPLICANT: Douglas Gorman

ACTION REQUESTED: Special Exception to permit Manufactured Home sales in a CS zoning district.
(Sections 15.020 and 35.050-Q5)

LOCATION: 9528 E ADMIRAL PL S

ZONED: CS

PRESENT USE: Office

TRACT SIZE: 42,924.2 SQ FT

LEGAL DESCRIPTION: PRT RESERVE B BEG 1639.70N & 100W SECR NE SEC 1 19 13 TH W227.16 N251.18 E98.13 SE TO EL RESERVE B S TO POB LESS N30 FOR ST, MEADOWOOD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Site:

BOA 17295; on 02.13.96 the Board **approved** a variance of the maximum sign height in a CS district from 25' to 36'.

Surrounding Properties:

BOA 16172; on 10.27.92 the Board **approved** a special exception to allow mobile home sales in a CS district, located immediately south and west of the subject site.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Neighborhood Center" and an "Area of Growth".

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by CS zoned manufactured homes sales on the west and south.

6.2

STAFF COMMENTS:

The applicant has requested a Special Exception to permit a modular office/administrative building on the subject site for a manufactured home dealership. A special exception is required because Manufactured Home sales, classified as Vehicle Sales under the current Code, is a use which is not permitted by right in the CS district because of potential adverse effect.

As the writing of this case report no comments have been submitted from the surrounding neighbors or property owners.

Sample Motion

Move to _____ (approve/deny) a Special Exception to permit Manufactured Home sales in a CS zoning district. (Sections 15.020 and 35.050-Q5)

- Subject to the following conditions (including time limitation, if any): _____

The Board finds that the requested 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.

FILE COPY

NEW APPLICATIONS

Case No. 17294

Action Requested:

Variance of the required setback from a R District from 50' to 45' to permit a business sign in an OL District - **SECTION 602.B.4.d ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21, located 9063 East 31st Street.

Presentation:

The applicant, **Larry Waid**, 4714 South 69th East Avenue, submitted a plot plan (Exhibit C-1) and informed that the sign would be located in the driveway if installed at the required setback. He stated that the existing sign will be replaced by the new structure, and will not extend closer to the residential neighborhood.

Comments and Questions:

Mr. Bolzle noted that the size of the lot constitutes a hardship for this case.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the required setback from a R District from 50' to 45' to permit a business sign in an OL District - **SECTION 602.B.4.d ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21; per plan submitted; finding that the new sign will merely replace the old sign and will not be moved closer to the residential property; finding a hardship imposed on the applicant by the long narrow shape of the lot; on the following described property:

West 60' Lot 1, Block 1, Longview Center Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17295

Action Requested:

Variance of the maximum sign height in a CS zoned district from 25' to 36' - **SECTION 1221.D.1 CS District Use Conditions for Business Signs** - Use Unit 21, located 9516 East Admiral Place.

Case No. 17295 (continued)

Presentation:

The applicant, **Craig Neon, Inc.**, 1889 North 105th East Avenue, was represented by **Doug Gorman**, 9516 East Admiral Place, who requested that the sign height for the HOME-MART store be extended from 26' to 36'. He noted that the sign will be placed on existing 26' poles that were previously used for another business sign. Mr. Gorman informed that an environmental display of landscaped homes is proposed at this location.

Comments and Questions:

In reply to Mr. White, Mr. Gorman stated that he is not aware of any recent use of the sign poles. He added that two existing signs, one on Mingo Road and one on Admiral, will be removed from the property.

In response to Mr. Bolzle, Mr. Gorman stated that he is requesting that the sign be 36' because of visibility and the fact that the poles are existing.

Mr. White noted that elevating the sign would allow it to be above the existing power lines.

Mr. Gorman stated that unobstructed visibility is important at this location because maneuvering the traffic circle takes a lot of driver concentration.

Mr. Bolzle agreed that maneuvering the traffic circle would limit the ability of motorists to focus on low signs.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of the maximum sign height in a CS zoned district from 25' to 36' - **SECTION 1221.D.1 CS District Use Conditions for Business Signs** - Use Unit 21; per plan submitted; subject to the removal of the two small signs (Mingo Road and Admiral); finding that the installation of the sign on the existing poles will not be detrimental to the area, or violate the spirit and intent of the Code; and finding that a traffic and visibility hardship is created by the heavy traffic and the nature of the traffic flow at this location; on the following described property:

Case No. 17295 (continued)

A tract of land in the NE/4 Section 1, T-19-N, R-13-E, Tulsa County, Oklahoma, more particularly described as follows: Starting at the cross marking the SE/c, NE/4, said Section 1 and said cross marking the NE/c Clarland Acres Addition; thence due north along the east line said Section 1 for 1026.77'; thence S89°55'15"W for 80'; thence due north and parallel to the east line Section 1, for 612.93' to POB; thence due west for 247.18'; thence N0°08'10"E for 251.18'; thence S89°51'50"E for 98.13'; thence S44°59'04"E for 208.97'; thence due south parallel to and 80' west of east line Section 1 for 102.43' to POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17296

Action Requested:

Variance of required lot area from 6000 sq ft to 4500 sq ft; variance of required land area; variance of required setback from the centerline of 14th Place from 40' to 34' and a variance of required setback from Frisco Avenue from 45' to 40' to construct two single family dwellings in an RM-2 zoned district - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located southeast corner Frisco Avenue and 14th Place.

Presentation:

The applicant, **Jack Crowley**, 2134 East 61st Street, #430, submitted a plot plan (Exhibit E-1) for the project. He explained that a building permit was issued in the 1980s for the construction of five townhouses at this location; however, construction was stopped prior to completion and these existing footings will be used for two single-family dwellings. He pointed out that the neighborhood is made up of older homes, apartments and duplexes. A location map (Exhibit E-2) was submitted.

Comments and Questions:

Ms. Turnbo stated that she is familiar with the neighborhood and is supportive of the request.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzie, Box, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** of required lot area from 6000 sq ft to 4500 sq ft; **variance** of required land area; **variance** of required setback from the centerline of 14th Place from 40' to 34' and a **variance** of required setback from Frisco Avenue from 45' to 40' to construct two single family dwellings in an RM-2 zoned district - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that there are mixed types of residential uses in the area; and the construction of two dwelling units will be a reduction of the number that was

FILE COPY

Board Action:

On MOTION of CHAPPELLE, the Board voted 4-0-0 (Chappelle, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to CONTINUE Case No. 16171 to the November 10, 1992, meeting, as requested.

Case No. 16172

Action Requested:

Special exception to permit mobile home sales in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17, located SE/c E. Admiral Pl and S. Mingo Rd.

Presentation:

The applicant, Douglas Gorman, 9516 East Admiral Place, informed the area of the subject property is basically known as the mobile home strip. Their request is consistent with other businesses in the area. The subject property has been in use as a mobile home retail sales center since at least 1969. He was not aware of a zoning problem when he purchased the property a little over three years ago. The sales center is completely fenced in and has gravel surface under all the homes and striped asphalt parking for 16 to 18 customers. He further described the business and improvements they have made on the subject property. He submitted an aerial photograph (Exhibit O-1) and a survey of the area (Exhibit O-2).

Interested Parties:

Mike Patrick, City Counselor for this district, informed this is a flood plain area, and the applicant has been a help to the City by donating land which the City needed to help its Mingo Creek channel improvements. He requested that the Board approve this application.

Comments and Questions:

Ms. White informed a letter had been received from Mr. Howard Heller, Kin Properties, in White Plains, New York (Exhibit P-1). He objects to the application as he feels approval would devalue the property.

Board Action:

On MOTION of CHAPPELLE, the Board voted 4-0-0 (Chappelle, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to APPROVE a **Special exception** to permit mobile home sales in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 17; per survey submitted and per aerial photo exhibiting the layout dated March 1991 finding the use to be consistent with similar uses in the area; on the following described property:

Case No. 16172 (continued)

PRT RES A BEG NEC TH W47.66 S277.24 TO NWC LT. 1, BLK 1, MEADOWS ADD TH NE132.86 TH NWLY 212.41 POB LESS N30 THEREOF FOR ST, AND PRT RESERVE A & B & PRT LT 1, BLK 1 BEG NEC RESERVE A TH SE259.29 E163.52 N251.18 W226.34 POB LESS N30 THEREOF FOR STREET, AND PRT RESERVE B & PRT LTS 1, 2, & 3, BLK 1 BEG 1026.77N & 80W SECR NE SEC 1, T-19-N, R-13-E, TH W533.09 NE215.31 NELY 208.15 NW40 NWLY 31.08 NW269.96 E410.68 S612.93 POB.

Case No. 16177

Action Requested:

Minor variance of the required front yard setback from 25' to 23' to permit an existing residence - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 6516 E. 86th St.

Presentation:

The applicant, Margaret Beshear, 6550 East 71st Street, informed she is appearing on behalf of Rosella Geiger, 6516 East 86th Street. She informed that this variance would accommodate one corner of a porch. This action is needed to clear title.

Board Action:

On **MOTION** of T. WHITE, the Board voted 4-0-0 (Chappelle, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, "absent") to **APPROVE** a Minor variance of the required front yard setback from 25' to 23' to permit an existing residence - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per survey submitted in order to clear title of the property and finds the encroachment minimal; on the following described property:

Lot 3, Block 3, Huntington Place Addition

There being no further business, the meeting was adjourned at 4:38 p.m.

Date approved: _____

November 24, 1992

Chairman

6.8



0 Feet
200
400



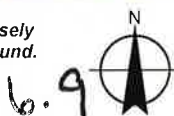
Subject
Tract

BOA-22393

19-13 01

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016





E ADMIRAL PL

S MINGO RD



Subject
Tract

BOA-22393

19-13 01

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



BOA 22393



Subject Site—Looking South



6.11

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1045513-1

December 19, 2017

DOUGLAS GORMAN
FREEDOM HOMES
9516 E ADMIRAL PL
TULSA, OK 74115

Phone: (918)728-2277

APPLICATION NO: 436878 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 9528 E ADMIRAL PL N
Description: NEW

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" [X] IS [] IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

6.12

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Application No. 436878

9528 E ADMIRAL PL N

December 19, 2017

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Sec.70.080-C: Applications for a Building Permit shall include a site plan that provides zoning data for the Zoning review portion of the Building Permit application. You have submitted a site plan that does not sufficiently cover all pertinent zoning data necessary for a complete review.

Review comment: Resubmit your site plan providing the following:

- North arrow
- Appropriate drawing scale;
- The correct address for the lot (*9528 E Admiral PL*);
- Legal description of the lot;
- Actual shape and dimensions of the lot;
- Lot lines and names of abutting streets;
- Public rights-of-way;
- The location and dimensions of existing buildings or structures, including distances to lot lines;
- The location, dimensions and height of the proposed building, including distances to lot lines;
- The setbacks from the proposed new building the centerline of abutting Right-of-Way;
- Architectural projections for existing and proposed buildings and structures, i.e. stairs, porches, balconies, fireplaces, roof overhangs, etc.;
- The intended use of existing and proposed buildings, structures or portion of the lot;
- Location and dimensions of parking areas. This includes the parking spaces, the maneuvering areas necessary to enter and exit the spaces and the drives providing access to the parking spaces and maneuvering areas from a public or private street or other parking areas.

NOTE: The zoning review for your permit application will resume after a zoning site plan is submitted. Additional deficiencies may be found and are required to be resolved prior to approval of your application.

2. Sec.35.050-Q5: Your proposed manufactured home dealership is designated a Commercial/Vehicle Sales & Service/Commercial Vehicle Sales & Rentals Use and is located in the CS zoning district. *Please note the Zoning Clearance Permit (AP 9163) that was issued on 6/26/2017 was for the adjacent lot to the west and south.*

Review comment: A Special Exception, approved by the BOA, is required for manufactured home sales at this location. This will require you to submit a Special Exception, reviewed and approved in accordance with

the Special Exception procedures of Section 70.120, for Commercial/Vehicle Sales & Service/Commercial Vehicle Sales & Rentals to be allowed in the CS district.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.