

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 27, 2018, 1:00 P.M.

Meeting No. 1200

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of February 13, 2018 (Meeting No. 1199).

UNFINISHED BUSINESS

None.

NEW APPLICATIONS

2. **22394—Carolyn Ingram**
Special Exception to allow a residential/group living/transitional living center in the RS-3 District (Section 5.020); Verification of spacing for a transitional living center use (Section 40.130). **LOCATION:** 272 East 54th Street North (**CD 1**)
3. **22395—David Fugate**
Variance to allow more than 30% coverage in the rear setback area; Variance to reduce the minimum side yard setback for a garage from a public street to 3 feet (Sections 5.030 and 90.090). **LOCATION:** 332 North Rosedale Avenue West (**CD 4**)
4. **22396—Jeremy Bates**
Special Exception to allow the driveway width to exceed 20 feet on the lot and in the Right-Of-Way in an RS-4 District (Section 55.090). **LOCATION:** 18509 East 43rd Street South (**CD 6**)
5. **22398—Jason Mills**
Variance of the minimum open space requirement on a RS-3 zoned lot (Section 5.030). **LOCATION:** 1535 East 34th Street South (**CD 9**)
6. **22399—KKT Architects – Nicole Watts**
Variance to reduce the minimum frontage requirement to 0 feet to allow private streets in a residential subdivision (Section 5.030). **LOCATION:** East of the NE/c of East 31st Street South and South 161st Avenue East (**CD 6**)

7. **22400—W Design – Shane Hood**
Variance to permit a retaining wall and other structures to be located within City of Tulsa Planned Street Right-of-Way (Section 90.090). **LOCATION:** 222 South Kenosha Avenue East (CD 4)
8. **22401—Nelson Allen**
Special Exception to allow a self-storage facility in a CS zoned district (Section 15.020). **LOCATION:** 2817 North Peoria Avenue East (CD 1)
9. **22402—Eller & Detrich – Nathalie Cornett**
Verification of the spacing requirement for an outdoor advertising sign of 1,200 feet from another outdoor advertising sign on the same side of the highway (Section 60.080). **LOCATION:** 8220 East Skelly Drive South (CD 5)

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: www.cityoftulsa-boa.org

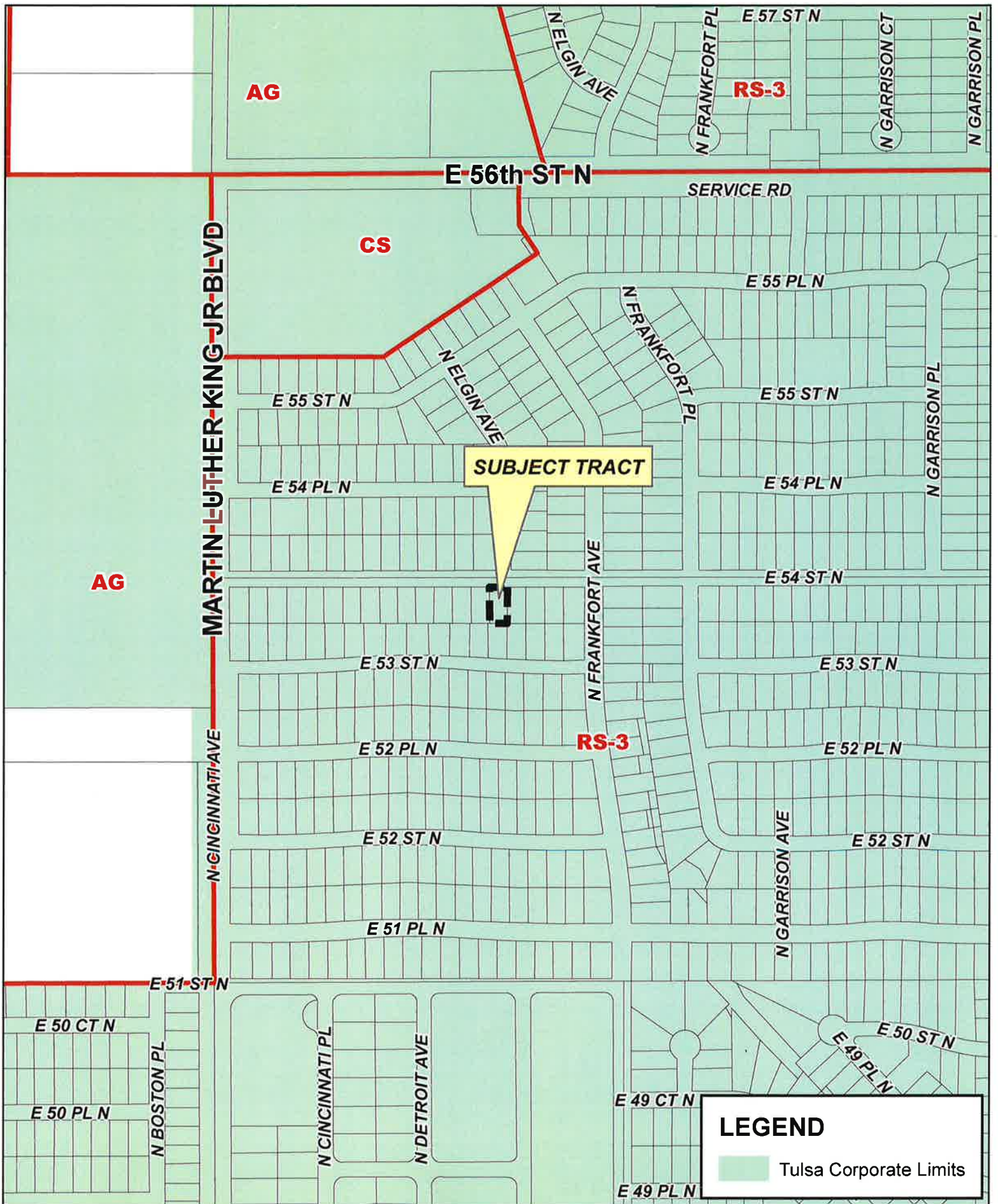
E-mail: esubmit@incog.org

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-22394

20-12 12

2.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0212
CZM: 21
CD: 1
A-P#: 434057

Case Number: BOA-22394

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Carolyn Ingram

ACTION REQUESTED: **Special Exception** to allow a Residential/Group Living/Transitional Living Center in the RS-3 district (Section 5.020); **Spacing verification** for a transitional living center use (Section 40.130).

LOCATION: 272 E 54 ST N

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7139.51 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 42, VALLEY VIEW ACRES SECOND 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 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 requesting a Special Exception to permit a Residential/Group Living/Transitional Living Center in the RS-3 district. Additionally, the applicant is before the Board to verify the spacing requirement for a transitional living center of 2,640 ft. from other transitional living centers, residential treatment centers, detention/correctional facilities, emergency and protective shelters, homeless centers.

The subject lot will be used as a transitional living center for adolescent girls. A Transitional Living Center is a community-based residential facility that provides room and board, a supervised living environment, counseling and rehabilitation services for persons with a history of juvenile delinquency and behavioral disorders. The applicant has stated that there will be no more than 6 girls in the facility; 24 hr. supervision will be provided on site. A special exception is required as the transitional living center is a use which is not permitted by right in the RS-3 district because of potential adverse effect, but which if controlled as to its relationship to the neighborhood may be permitted.

Staff has attached a map illustrating a 2,640 ft. radius around the subject property. The applicant has stated that there are no existing transitional living centers or conflicting uses within the spacing radius. Staff could find no evidence of a special exception being granted for a similar facility within the spacing radius.

Sample Motion for the Spacing Verification:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing for the transitional living center subject to the action of the Board being void should another conflicting use be established prior to this transitional living center.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Residential/Group Living/Transitional Living Center in the RS-3 district (Section 5.020).

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- 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.
re.



0 200 400
Feet



Subject
Tract

BOA-22394

20-12 12

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

Aerial Photo Date: February 2016

2.4





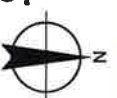
BOA-22394

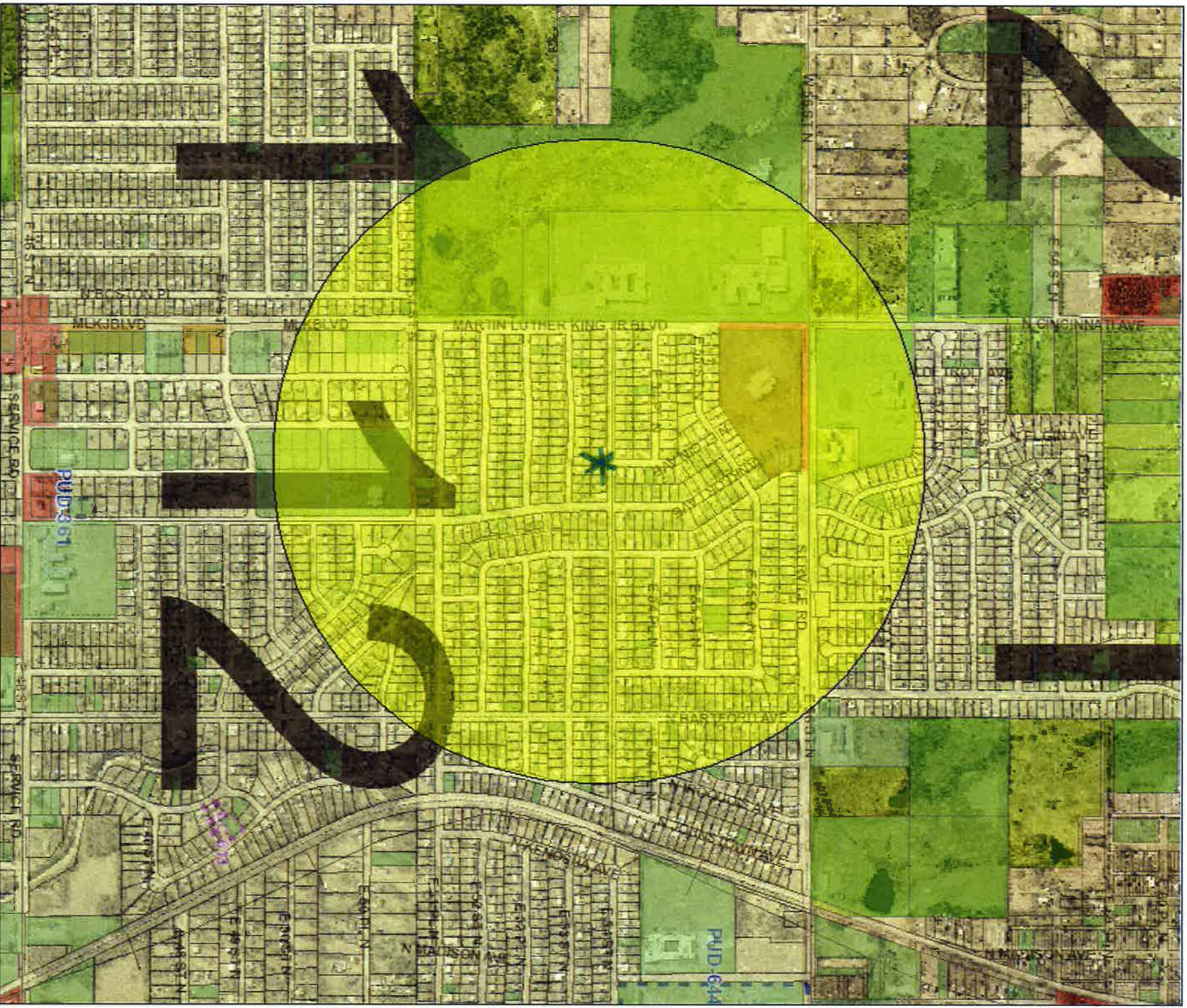
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

20-12 12

2.5





Feet
1:200



BOA 22394

Moye, Nikita

Subject: FW: AP#434057 Abundant Living

From: Carolyn Ingram [mailto:larcar1973@hotmail.com]

Sent: Thursday, January 18, 2018 10:42 AM

To: Moye, Nikita <nmoye@incog.org>

Subject: Re: AP#434057 Abundant Living

I have reviewed the land uses within the required spacing radius and there are no existing community group homes, emergency protective shelters, transitional living centers, homeless shelters, residential treatment centers or detention/correctional facilities with within 2,640 ft. of my lot at 272 E 54 Street North.

Carolyn Ingram

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: 1040403-1

November 28, 2017

LARRY INGRAM
ABUNDANT LIVING
546 E PINE PLACE
TULSA, OK 74106

Phone: (918)892-2046

APPLICATION NO: 434057 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 272 E 054 ST N
Description: NOT APPLICABLE

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. 434057

272 E 054 ST N

November 28, 2017

Note: Please direct all questions concerning special exceptions, separation distance verifications, and all questions regarding BOA 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.

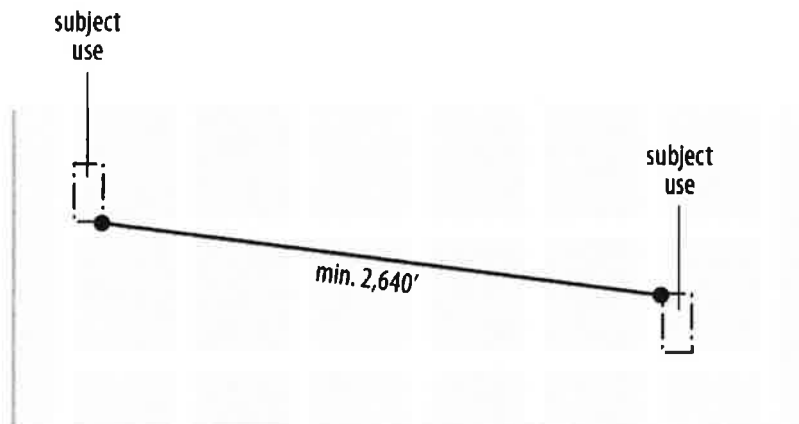
1. **Sec.5.020 Table 5-2:** You are proposing a Residential/Group Living/Transitional Living Center use which is located in an RS-3 zoning district.

Review Comments: This use only allowed in an RS-3 zoned lot by Special Exception. Submit a Special Exception, reviewed and approved per *Sec.70.120*, to allow a Residential/Group Living/Transitional Living Center use to be located in an RS-3 zoning district. This will need to be submitted as a revision to this application.

2. **Sec.40.130-B:** To avoid over-concentration, all detention and correctional facilities, emergency and protective shelters, homeless centers, residential treatment centers and transitional living center uses must be separated from one another by a minimum distance of 2,640 feet, as measured in a straight line from the nearest point on the lot line of the property occupied by one of these uses to the nearest point on a lot line of the other property occupied by one of the subject uses (*see Figure 40-6*). The separation distance requirements of this subsection may be reduced if approved through the special exception approval process.

Review comment: Your application is for a transitional living center use. This will require Verification, reviewed and approved per *Sec.70.110*, of the minimum Separation Distance of 2,640 feet from all detention and correctional facilities, emergency and protective shelters, homeless centers, residential treatment centers and other transitional living center uses. Submit a copy of the approved Separation Distance Verification as a revision to this application.

Figure 40-6: Dispersal Standards Measurement



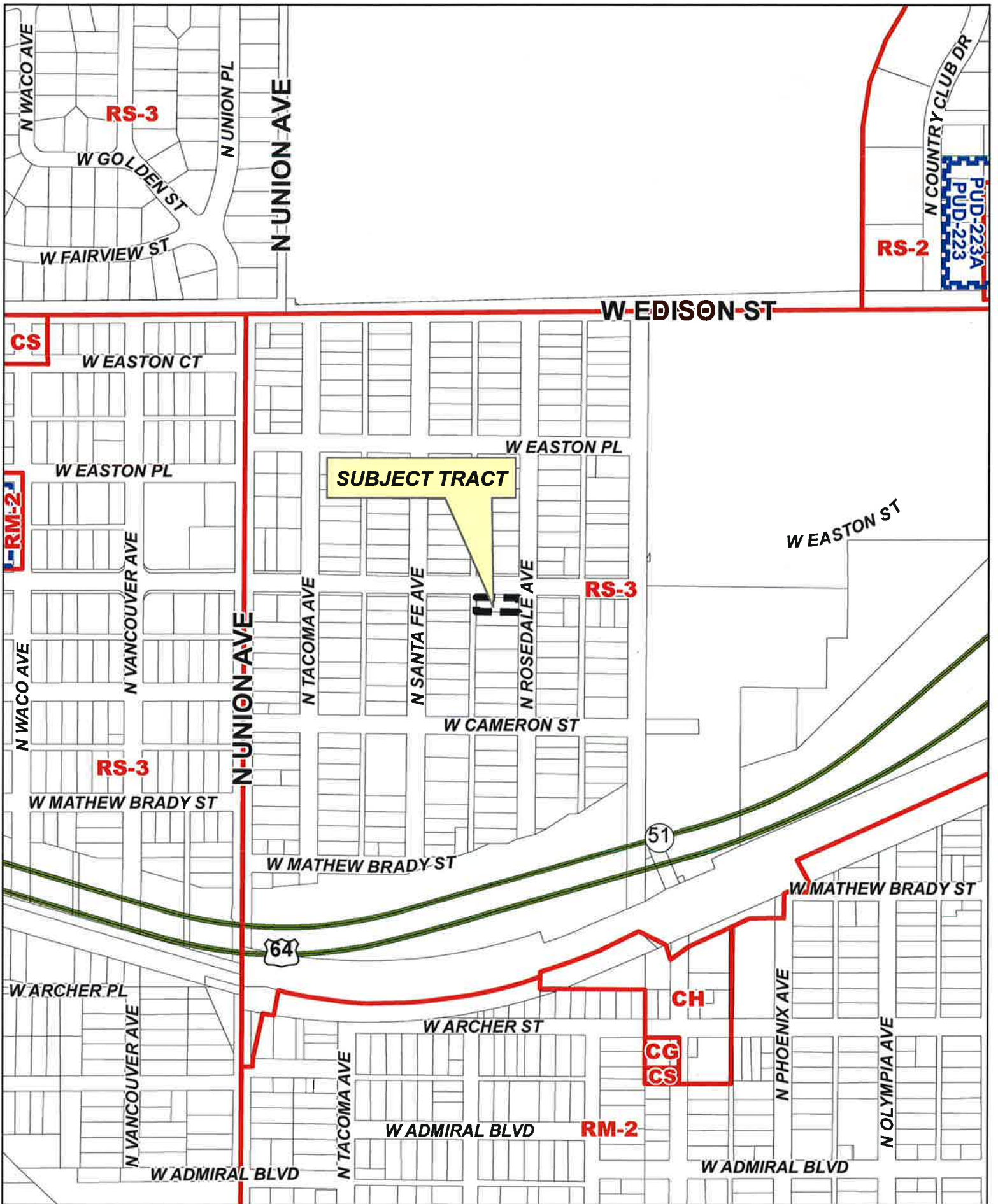
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

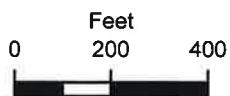
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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-22395

3.1



19-12 02



BOARD OF ADJUSTMENT CASE REPORT

STR: 9202
CZM: 36
CD: 4
A-P#: 9499

Case Number: **BOA-22395**

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: David Fugate

ACTION REQUESTED: **Variance** to allow more than 30% coverage in the rear setback and **Variance** to reduce to minimum side yard setback for a garage from a public street from 20 ft. to 3 ft. (Sections 5.030 and 90-090)

LOCATION: 332 N ROSEDALE AV W

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 6298.8 SQ FT

LEGAL DESCRIPTION: S 15 LT 1 ALL LT 2 N 5 LT 3 BLK 10, PARK HILL ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 7581; on 08.28.72 the Board approved a variance to construct a garage that exceeds 20% of the rear yard area; located at southwest corner of W. Easton St. and N Rosedale Ave.

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.

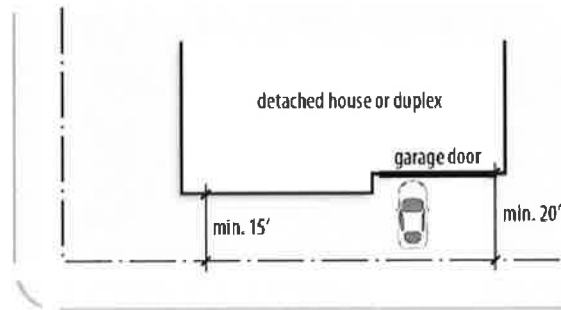
The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of 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 proposing to construct a new 28 ft. x 32 ft. or 896 sq. ft. detached garage rear (west) of the existing house on the site. The Code requires that street-facing garage doors maintain a street setback of 20 ft.

Figure 5-1: Street Side Setback on Corner Lots



The applicant has requested a **Variance** of the required street setback the garage from 20 ft. to 3 ft. along W. Easton St. as shown on the attached plan. The applicant has stated, *"The existing dilapidated accessory building will be replaced with a new structure of similar size and location as the original and will match the style and roof type of the existing residence. The new structure will include a living space for the home owner's mother. Several accessory buildings of similar size and use are located in surrounding neighborhood."*

The Code states that detached accessory buildings can only cover up to 30% of the required 20 ft. rear yard in an RS-3 district. The proposed 896 sq. ft. building covers 67.6% of the rear setback area. The applicant has requested **Variance** to exceed 30% of coverage in the required rear yard to permit construction of the detached garage as proposed in the conceptual plan. The lot is unique because it is a legal non-conforming lot with an existing lot width of 45 ft. and lot area of 6,298 sq. ft. The required lot width in the RS-3 district is 60 ft. and the required lot area and lot area per unit is 6,900 sq. ft.

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow more than 30% coverage in the rear setback and **Variance** to reduce to minimum side yard setback for a garage from a public street from 20 ft. to 3 ft. (Sections 5.030 and 90-090).

- 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.”*

7580 (continued)

Portions of Blocks 16, 17, 19, and 20 of West Tulsa Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the duly recorded plat thereof, and being more particularly described as follows:

Beginning at the Southeast corner of Lot 13, said Block 20; thence West along the South line of Lot 13, said Block 20, and continuing West along the extended South line of Lot 13, said Block 20 to the South line of Block 19, West Tulsa Addition to the Southwest corner of Lot 17, said Block 19 a distance of 485'; thence North along the West line of Lots 17 and 20, said Block 19, and continuing North along the extended West line of Lot 20, said Block 19 to the West line of Lot 14, Block 17, West Tulsa Addition to a point on the West line of said Lot 14, said point being 100' North of the Southwest corner of said Lot 14, and a distance of 460' from the Southwest corner of Lot 17, said Block 19; thence East and parallel to the South line of Lots 14, 15, 16, 17 and 18, said Block 17 to the North line of Lot 21, said Block 17, and East along the North line of said Lot 21, and continuing East along the extended North line of said Lot 21 to the North line of Lot 16, Block 16, West Tulsa Addition to the Northeast corner of said Lot 16 a distance of 485'; thence South along the East line of Lots 16, 15, 14 and 13, said Block 16, and continuing South along the extended East line of said Lots to the Northeast corner of Lot 24, Block 20 and South along the East line of Lots 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14 and 13 to the Southeast corner of Lot 13, a distance of 460' and to the point of beginning.

7581

Action Requested:

Variance (Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1470) to erect a garage in access of 20% of the area required for a rear yard in an RS-3 District located at 532 North Rosedale Avenue.

Presentation:

Mr. R. R. Nance, the applicant, submitted the plot plan (Exhibit "F-1") to the Board.

Protests:

None.

8.28.72:118(6)

7581 (continued)

Board Action:

On MOTION of Mrs. BLANKENSHIP, the Board (3-0) approved a Variance (Section 240.2 (e) - Permitted Yard Obstructions - Under the Provisions of Section 1470) to erect a garage in access of 20% of the area required for a rear yard in an RS-3 District, subject to the plot plan submitted, on the following described tract:

Lots 1 & 2, Block 7, Park Hill Addition
to the City of Tulsa, Oklahoma.

7582

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1470) for a modification of setback requirements on corner lots from 25' to 15' in an RS-3 District located between 24th and 26th Streets, and between 147th and 145th East Avenues.

Presentation:

Earl Wilkerson, representative for the applicant, submitted the plot plan (Exhibit "G-1") to the Board.

Protests:

None.

Board Action:

On MOTION of HENDRICKS, the Board of Adjustment (3-0) approved a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1470) for a modification of setback requirements on corner lots from 25' to 15' in an RS-3 District, subject to the exclusion of Lots 3 and 6 of Block 5, Lot 20 of Block 4, and Lots 12 and 17 of Block 10 of the plot plan, on the following described tracts:

Eastland Acres Addition and Eastland Acres Amended, a Resubdivision of Block 3, Eastland Acres Addition ALL in the City of Tulsa, Tulsa County, Oklahoma.

7583

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a home beauty shop in an RS-3 District located at 4044 East 27th Street.

Presentation:

Ina Coleman, the applicant, was present and stated that she would like to put a beauty shop in her home. She also advised the Board that she had

8.28.72:118(7)



0 200 400
Feet



Subject
Tract

BOA-22395

19-12 02

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

Aerial Photo Date: February 2016



3.7

N SANTA FE AVE

WEASTON ST

N ROSEDALE AVE

W CAMERON ST



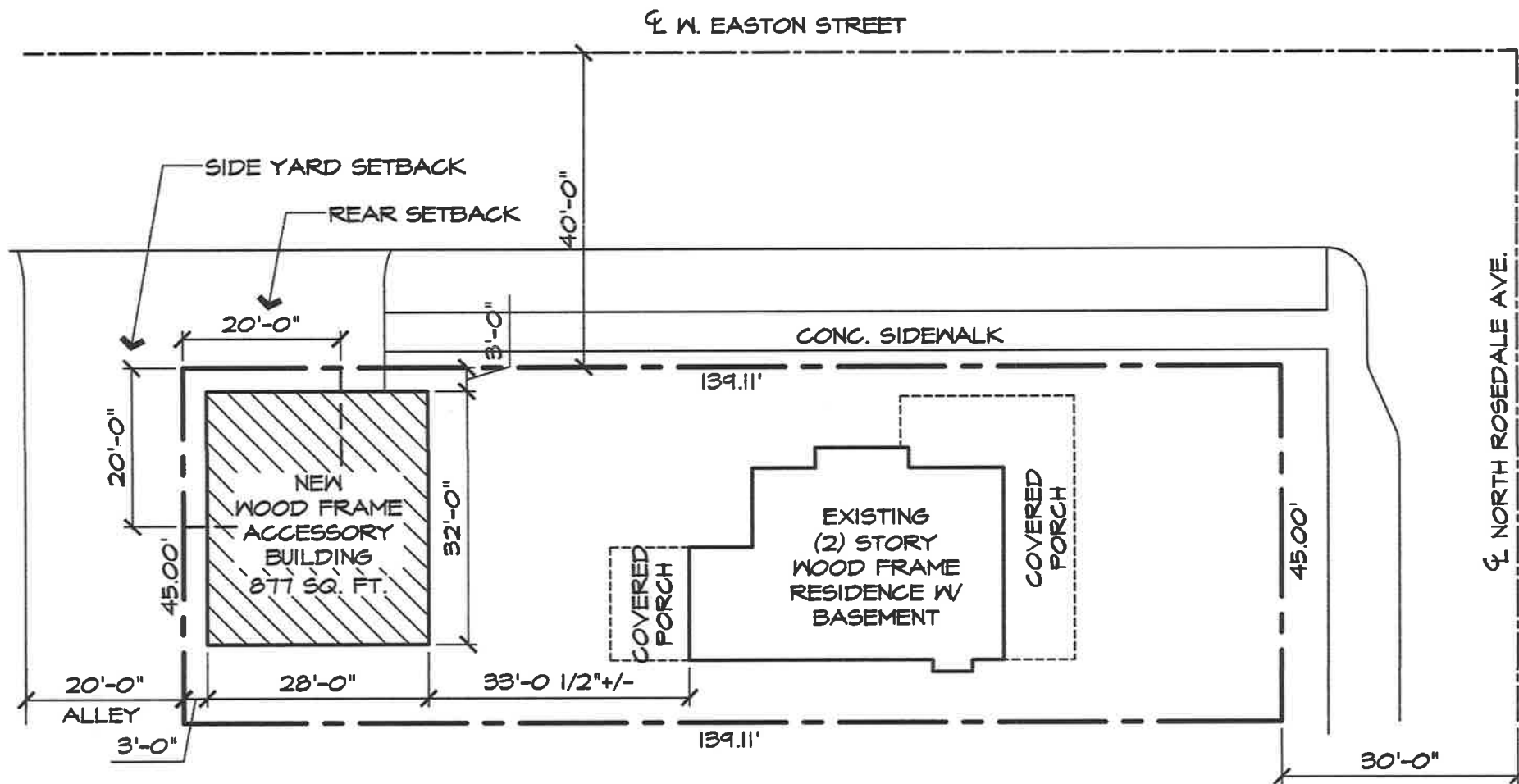
BOA-22395

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

19-12 02

Aerial Photo Date: February 2016

3.8



1 SITE PLAN
SCALE: 1"=20'-0"



STUDIO
FUGATE
DESIGN

TRESCH RESIDENCE
01.18.18

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1048974-1

January 17, 2018

DAVID FUGATE
STUDIO FUGATE
4612 S BIRMINGHAM AV
TULSA, OK 74105

Phone: (918)237-1225
Fax: (918)746-0446

APPLICATION NO: **9499** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **332 N ROSEDALE AV W**
Description: **ACCESSORY TO RESIDENTIAL**

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.

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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

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3. A COPY OF A "RECORD SEARCH" 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.).

REVIEW COMMENTS

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WWW.CITYOFTULSA-BOA.ORG

Application No. 9499

332 N ROSEDALE AV W

January 17, 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.

This lot is an existing non-conforming lot

1. 90.090-C.2 Detached Accessory Buildings

a. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that:

(2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

Review Comments: This lot is zoned RS-3. The rear setback is defined as the minimum distance set out by the zoning code of open unoccupied space between the rear lot line and the required rear setback (in your case, 20 feet from the rear property line). A maximum 30% area can be covered by the accessory building; (45' X 20' X 30%) allows 270 sq ft of coverage. You are proposing 609 sq ft of coverage in the rear setback. Revise your plans to show compliance or apply to BOA for a variance to allow more than 30% coverage in the rear setback.

2. 90.90.C.2: Detached Accessory Buildings

b. Detached accessory buildings in the rear yard must be set back at least 3 feet from all interior lot lines; For lot lines abutting street right-of-way, detached accessory buildings must comply with the same setback requirements that apply to principal buildings;

Review Comments: Revise plans to indicate that the detached accessory building will set back at least 3 feet from all interior lot lines or apply to the BOA for a variance to allow an accessory structure to be located less than 3 feet from all interior lot lines.

3. Figure 90-10 & 5.030-A – Setback(s) footnote [3]: In the RS-3 zoned district, the minimum front yard setback requirement shall be 25 feet from the front property line, and for the garage accessing Easton street the minimum side yard setback requirement abutting a public street shall be 20 feet from the property line abutting the street.

Review Comments: Revise plans to indicate a 20' street setback from Easton Street. If you are unable to meet the street setback requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the required street setback.

4. 35.010-A Detached House

A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units. Detached houses include conventional ("stick-built") construction and construction involving modular or system-built components as long as such construction complies with city building codes.

Review Comments:

1. Provide a written statement describing the use of the detached accessory building, and that its use is NOT designated for use by a family that is independent of the occupants of the primary residence, or
2. Obtain a Variance from the Board of Adjustment (BOA), to permit two Detached Houses per one lot of record, if it is a dwelling unit designated for use by a family that is independent of the occupants of the primary residence.

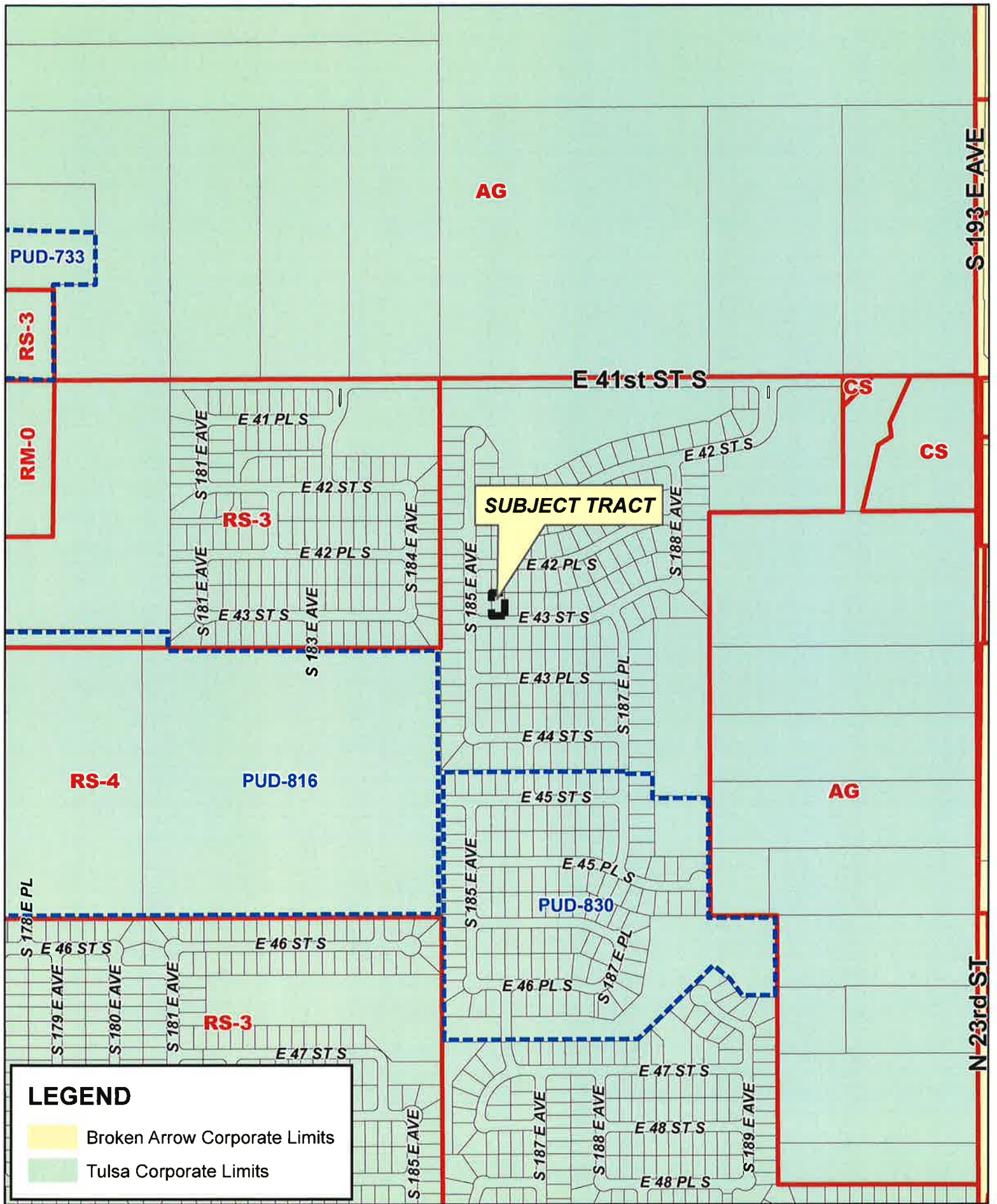
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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-22396

4.1



19-14 25



BOARD OF ADJUSTMENT

CASE REPORT

STR: 9425

Case Number: **BOA-22396**

CZM: 50

CD: 6

A-P#: N/A

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Jeremy Bates

ACTION REQUESTED: Special Exception to allow the driveway width to exceed 20 ft. to allow 30 ft. in an RS-4 district. (Section 55.090)

LOCATION: 18509 E. 43rd St S.

ZONED: RS-4

PRESENT USE: Vacant Lot

TRACT SIZE: 7427.01 SQ FT

LEGAL DESCRIPTION: LT 27 BLK 7, CYPRESS CREEK, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 22181; on 01.10.17 the Board approved a Special Exception to increase the permitted driveway width from 20 ft. to 30 ft. on various lots in an RS-4 Cypress Creek subdivision.

BOA 22155; on 11.08.16 the Board approved a special exception to increase the maximum driveway width, within the right-of-way and on the lot from 20 ft. to 30 ft. in an RS-4 district; located at 18521 E 44th St.

BOA 21440; on 06.26.12 the Board approved Variance to increase maximum area of all-weather material from 34% to 36% in the RS-3 district; located at 4102 S 181st E Ave.

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

4.2

while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects.

ANALYSIS OF SURROUNDING AREA: The subject tracts is surrounded by RS-4 zoned lots.

STAFF COMMENTS:

A recent Code interpretation provided that the limitation on the maximum driveway width on the lot (outside the right-of-way) **shall only be applied to the portion of the driveway located with the street setback area**. Beyond the street setback, any applicable open space requirements will guide maximum lot coverage based on the size and location of buildings, driveways and parking areas on the lot.

As shown on the attached plan the proposed driveway width within the right-of-way/to the curb is 30 ft. The required street setback for an RS-4 zoned lot is 20 ft.; the driveway width within the 20-ft. street setback area appears to be 30 ft. The driveway widths within the right-of-way and setback area exceeds the 20 ft. allowed driveway width in the RS-4 zoning district.

In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#):

Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
Within Right-of-Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

Sample Motion:

Move to _____ (approve/deny) a Special Exception to allow the driveway width to exceed 20 ft. to allow 30 ft. in an RS-4 district. (Section 55.090)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- 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

22180—Ronnie Potter

Action Requested:

Verification of the spacing requirement for liquor stores of 300 feet from plasma centers, day labor hiring centers, bail bonds offices, pawn shops, and other liquor stores (Section 40.300-A). **LOCATION:** 11512 East 21st Street South (CD 6)

Presentation:

Ronnie Potter, 15405 East 530 Road, Inola, OK; no formal presentation was made but the applicant stated he is the agent for the owner.

Mr. Van De Wiele stated the Board is in receipt of the applicant's spacing verification.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing for the proposed liquor store subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store; for the following property:

LT 1 BLK 1, BURRIS SQUARE, City of Tulsa, Tulsa County, State of Oklahoma

22181—J. D. Harp

FILE COPY

Action Requested:

Special Exception to increase the permitted driveway width from 20 feet to 30 feet in the right-of way and on the lot within in an RS-4 District (Section 55.090-F). **LOCATION:** West and South of the SW/c of South 193rd Avenue East and East 41st Street South (CD 6)

Presentation:

J. D. Harp, 11885 South Yale, Tulsa, OK; stated the property was developed in 2007 and due to economic dips it has taken longer than expected to complete. About 98% of the houses in the subdivision have three car garages. In January 2017 the zoning code changed and only allowed two car garages in an RS-4 District. Originally the RS-4 zoning was chosen because of the 20 foot setback for garages. He would like to complete the development with three car garages as it was started.

BOA-22181

Ms. Miller stated this situation is not impacted by the change that is being proposed in regards to driveway widths. This is an example of looking at things on a case by case basis, because it could be argued that it would be appropriate to have that size of driveway because it is in character with the neighborhood. The change in the driveway width in the Zoning Code have to do with recognizing the fact that it was already approved in a PUD, that the approval is still valid, and the applicant does not need to go through the Special Exception process.

Mr. Van De Wiele asked if it would be an appropriate statement to say that when the neighborhood was platted the driveway widths were approved. Ms. Miller stated that it was a different measure. It was not a width, it was a lot coverage. There are examples where it was a complicated math equation, and the inspectors did not check it so a lot of three car driveways were approved when in fact they were not in compliance with the Code. Ms. Miller stated there were no approvals for these driveways so she is not sure if they meet the lot coverage that would have allowed it or not.

Mr. White asked Ms. Miller if this will create problems for the Code. Ms. Miller stated that it would not because it is an example of a neighborhood that is in character. The key is that it is in character with the neighborhood.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to increase the permitted driveway width from 20 feet to 30 feet in the right-of way and on the lot within in an RS-4 District (Section 55.090-F), subject to the property description shown on page 9.2, under legal description and indicated on the subdivision plat shown on 9.10. 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; for the following property:

LT 1 BLK 3; LT 7 BLK 2; LT 2 BLK 3; LT 8 BLK 3; LT 10 BLK 3; LT 4 BLK 8; LT 3 BLK 9; LT 14 BLK 9; LT 3 BLK 4; LT 3 BLK 7; LT 25 BLK 6; LT 9 BLK 7; LT 12 BLK 7; LT 13 BLK 7, CYPRESS CREEK, City of Tulsa, Tulsa County, State of Oklahoma

22182—Brent Barnes

Action Requested:

Special Exception to permit used car sales in the CS District (Section 15.020).

LOCATION: 1901 South Garnett Road East (CD 6)

SAID SOUTH LINE 225.00 FEET TO THE WEST LINE OF LOT 1; THENCE NORTH 00°09'51" WEST ALONG SAID WEST LINE 125.00 FEET; THENCE NORTH 89°42'15" EAST A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.646 ACRES, City of Tulsa, Tulsa County, State of Oklahoma

22155—Charles Sanders Homes, Inc.

Action Requested:

Special Exception to increase the maximum driveway width within the right-of-way and on the lot from 20 feet to 30 feet in an RS-4 District (Section 55.090-F.3).

LOCATION: 18521 East 44th Street South (CD 6)

Presentation:

Charles Sanders, Charles Sanders Homes, Inc., 107 South Ash, Broken Arrow, OK; no formal presentation was made by the applicant but he was available for any questions.

Mr. Van De Wiele asked Mr. Sanders if the other driveways in the neighborhood were 20 or 30 feet. Mr. Sanders stated that he counted the houses on the street and there are 19 and only one house had a 20 foot driveway while all the others had 30 foot driveways.

Mr. Sanders stated that he picked up his building permit from the City on March 28, 2016 and built the house. In the middle of September the City Inspector said the regulations had been changed in January and they were aware of it but approved the plan that had been turned in. Mr. Sanders he built the house and the driveway was poured when he was informed the Code had been changed.

Mr. White stated this is a problem the Board has encountered before the Code change in January. Other properties in the area, which are very close to Broken Arrow city limits, had over width by Tulsa standards that were allowed by Broken Arrow. He does not know how many applications the Board has heard for basically the very same thing. This is the first application that has come before the Board as a "gotcha" situation because of the Zoning Code change. At this point, since the Board will probably have more, the Board needs to come up with a procedure where the applicant will have similar problems.

Ms. Miller stated driveways are being treated differently in the new Code, the driveway is based on the width rather than lot coverage which use to require a Variance which requires a hardship, a higher test. In order to offset that, the City does not want anyone to pave half or more of the front yard, so a wider driveway is now requested by a Special Exception. Code changes are being worked on to clarify that process.

Ms. Back asked staff if she understood correctly that Mr. Sanders received his permit in March and the City missed the new Code change. Ms. Miller stated she was not sure,

but the new Code change took effect on January 1, 2016. The permit center had more flexibility on how they reviewed an application.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to increase the maximum driveway width within the right-of-way and on the lot from 20 feet to 30 feet in an RS-4 District (Section 55.090-F.3), as constructed as shown per 7.8. The Board finds that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 17 BLK 9, CYPRESS CREEK, City of Tulsa, Tulsa County, State of Oklahoma

22156—Perry Dunham

Action Requested:

Special Exception to allow a non-conforming 2-story detached garage to be reconstructed (Section 80.030); **Variance** to increase the footprint of a non-conforming structure; **Variance** to allow an accessory structure to exceed 10 feet at the top of the top plate; **Variance** to allow a building to cover more than 25% of the rear yard setback area (Section 90.090). **LOCATION:** 2619 South Boston Place East (CD 4)

Presentation:

Perry Dunham, 2619 South Boston Place, Tulsa, OK; stated he is the owner of the subject property. He would like to rebuild the existing garage that had been built in 1930 and it is in poor condition. He would like to extend the garage to facilitate a modern vehicle because the existing garage is not deep enough. The stairs originally were set behind the structure on the outside on the utility easement and he wants to bring the stairs to the interior of the garage.

Mr. Van De Wiele asked Mr. Dunham if he was expanding the garage toward the house. Mr. Dunham answered affirmatively.

Mr. Van De Wiele asked Mr. Dunham if he had visited with his neighbors to see if they had any issues. Mr. Dunham stated that he had visited with everyone on the block and their general opinion is that the new garage will be a significant improvement to the neighborhood.

Mr. Henke stated the Board had received a letter from Jane Malone, President of the Chamberlain Neighborhood Association.

Rebuttal:

Ms. Thomas stated that the manufactured home has been twice in seven years and has been well kept.

Ms. Stead asked Ms. Thomas if she owned the lot where the manufactured home is proposed to be placed. Ms. Thomas stated that she just recently acquired the property immediately next to it. Her Godmother owns the subject property so in the future it will be hers. Ms. Thomas believes the manufactured would become an asset to the neighborhood because the houses closest to the subject property appear to be abandoned, are in very poor condition and an eyesore. If her request is approved it will create a hardship for her, but this is something she has worked for. If she is allowed to place the manufactured home on the subject property she and her son will have access public transportation relieving one of her worries.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-1-0 (Henke, Tidwell, Van De Wiele, White "aye"; Stead "nay"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to permit a manufactured home (Use Unit 9) in an RS-3 district (Section 401); **Special Exception** to extend the time limitation from 1 year to 5 years from today's date (Section 404.E.1), finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. This approval is subject to the site plan on page 7.6 with a time limit of 5 years from today's date of June 26, 2012; for the following property:

LT 1 BLK 4, THE BEN C FRANKLIN ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21440—Shaw Homes, Inc.

FILE COPY

Action Requested:

Variance to increase maximum surface area of all-weather material from 34% to 36% in the RS-3 district (Section 1303.D). **LOCATION:** 4102 South 181st East Avenue (CD 6)

Presentation:

Glen Shaw, 1420 West Kenosha Street, Broken Arrow, OK; stated this is a large cul-de-sac lot with a narrow front, and the covenant require two parking spaces on the

BDA-21440

FILE COPY

outside. The zoning code only allows for 34% front coverage, and to be able to have a two-car driveway to the street an additional 2% is needed. This 36% coverage would allow for a normal driveway to the street.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Variance** to increase maximum surface area of all-weather material from 34% to 36% in the RS-3 district (Section 1303.D). The Board finds that the very unusual, triangular lot contains over 15,000 square feet has requirements which prohibit ordinary building practices according to the current zoning code. The Board makes this approval per conceptual plan on page 8.6. In granting this variance the Board has found that by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT 12 BLK 1, OAK RIDGE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21441—Paul Crosby

Action Requested:

Variance of the front yard setback from 25 feet to 22.7 feet in the RS-3 district;
Variance of the side yard (west) setback from 5 feet to 4.9 feet in the RS-3 district
(Section 403.A, Table 3). **LOCATION:** 421 West 77th Street South (**CD 2**)

Presentation:

Michael Miller, 655 West 79th Street, Tulsa, OK; no presentation was made.

Mr. White left the meeting at 2:41 p.m.



S 193 E AVE

N 23rd ST

E 41st ST S

E 42 ST S

S 188 EAVE

E 42 PLS

E 43 STS

S 187 E.PL

E 43 PLS

E 44 STS

E 45 STS

S 185 EAVE

E 45 PLS

S 187 E.PL

E 46 PLS

E 47 ST S

S 188 EAVE

E 48 STS

E 49 PLS

S 187 EAVE

S 185 EAVE

S 182 EAVE

S 181 EAVE

S 180 EAVE

S 179 EAVE

S 178 E.PL

E 46 STS

E 47 STS

E 48 STS

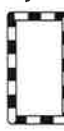


Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

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Subject Tract

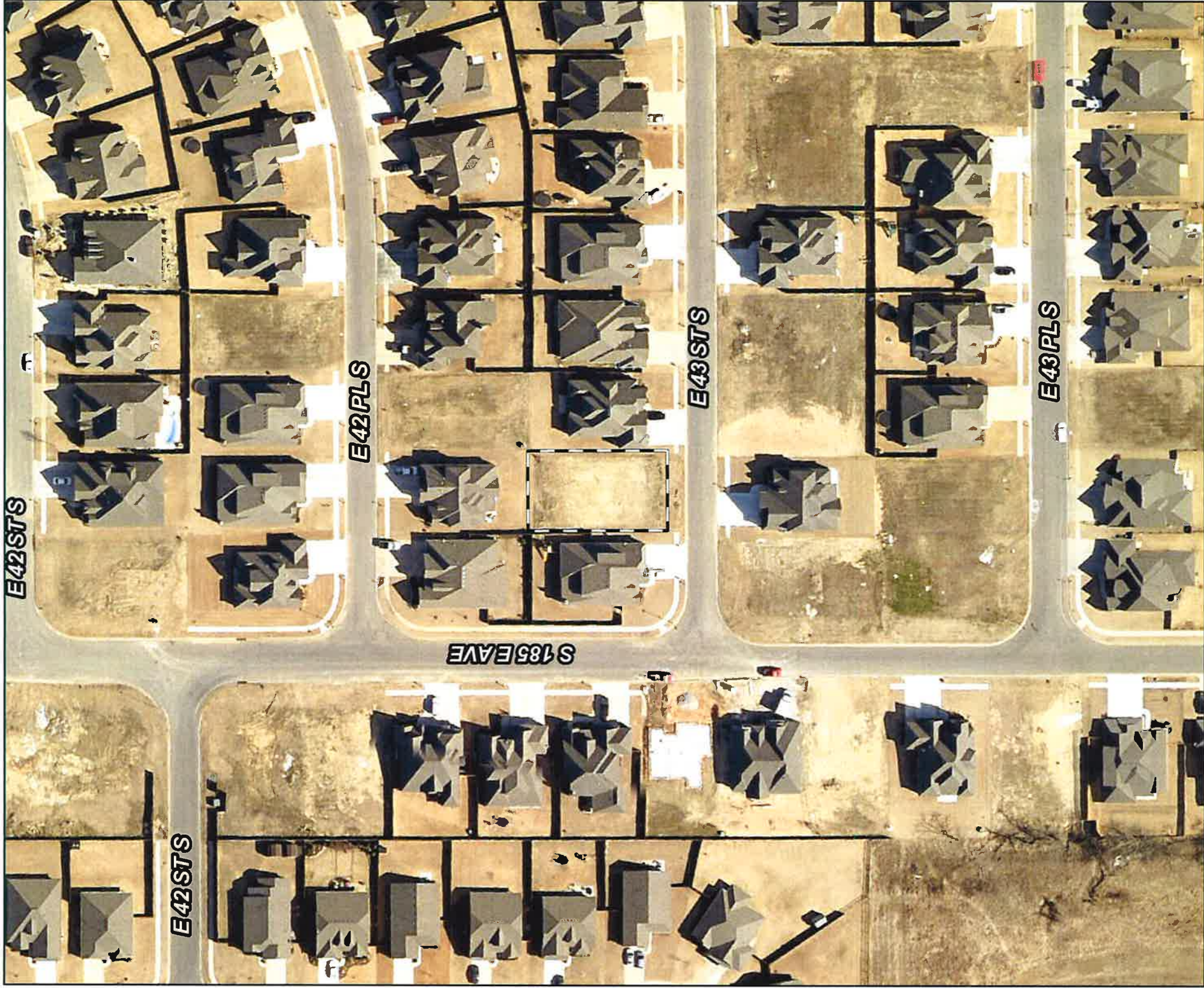


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Subject
Tract

BOA-22396

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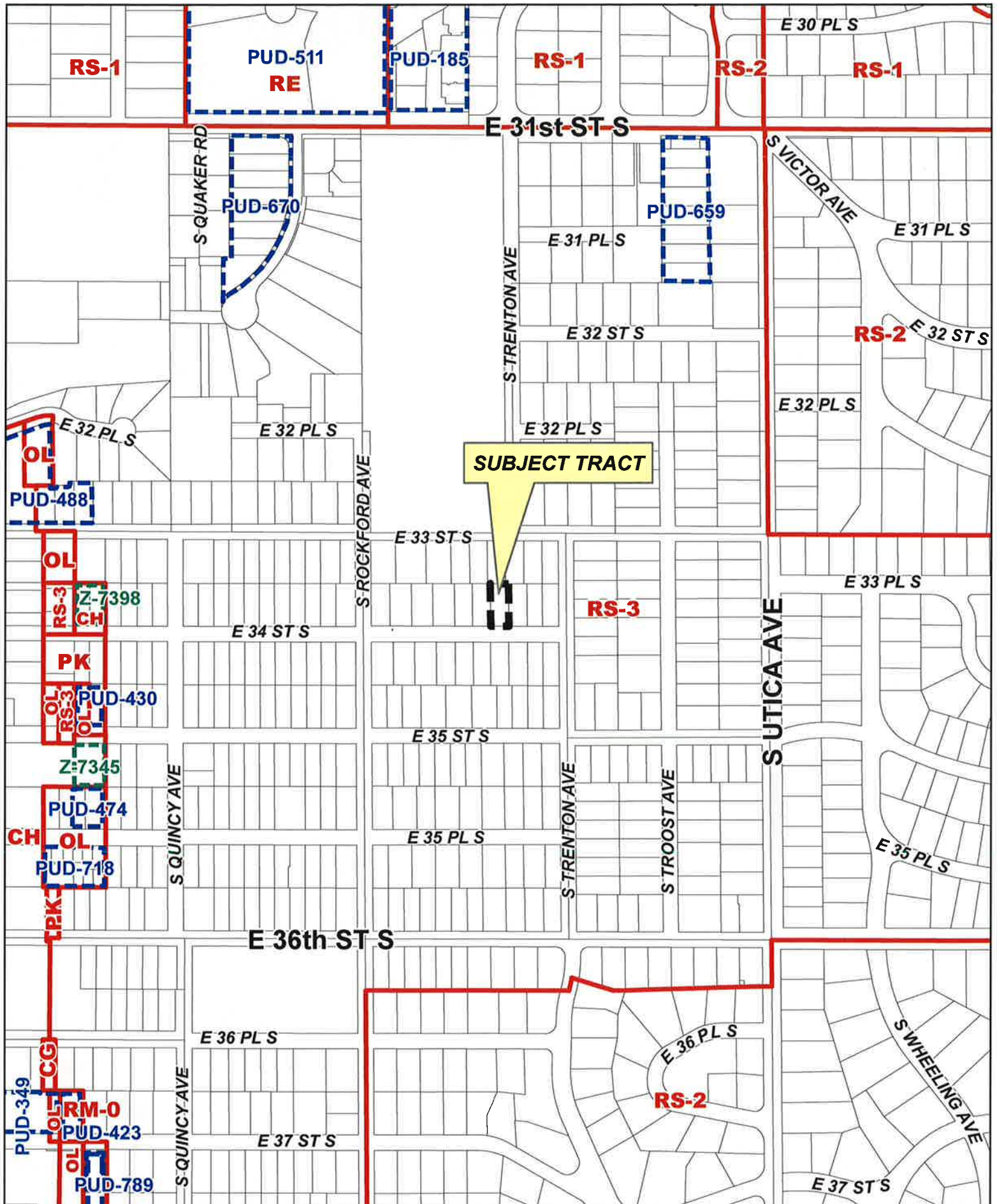
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016 **4.11**



CYPRESS CREEK





SUBJECT TRACT

BOA-22398

5.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-22398**

CZM: 47

CD: 9

A-P#: 436626

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Jason Mills

ACTION REQUESTED: Variance of the minimum open space requirement on a RS-3 zoned lot from 4,000 sq. ft. to 3,410 sq. ft. (Sec. 5.030).

LOCATION: 1535 E 34 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 8398.4 SQ FT

LEGAL DESCRIPTION: W. 40 OF LT-16- E. 20 OF LT-17-BLK-1, PARRAMORE 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 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 proposing to construct an addition to the rear portion of the existing house on the site. To permit the addition as proposed the applicant is requesting a **Variance** to reduce total open space requirement on the lot from 4,000 sq. ft. to 3,410 sq. ft. The applicant provided the following statement: *"Due to 2 knee surgeries, and a 3rd planned, the Owner wishes to add a main level master suite to an existing multi-level residence, where currently no bedrooms or bathrooms exist on the main floor. The boundaries and topography of the site and layout of existing house and detached garage do not afford other areas to accomplish the addition successfully, while providing minimal stairs from exterior grade (and future ramps) to the main level. The Owner wishes to remain in this home for many years, but needs the proposed addition in order to do so, and have a main level master suite that is usable."*

The following may be counted toward satisfying minimum open space-per unit requirements on a lot:

- Outdoor areas that are not occupied by buildings, driveways or parking areas and are generally useable by residents;
- Driveways and parking areas located in the rear yard of a detached house or duplex; and

Sample Motion

Move to _____ (approve/deny) a Variance of the minimum open space requirement on a RS-3 zoned lot from 4,000 sq. ft. to 3,410 sq. ft. (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;

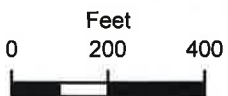
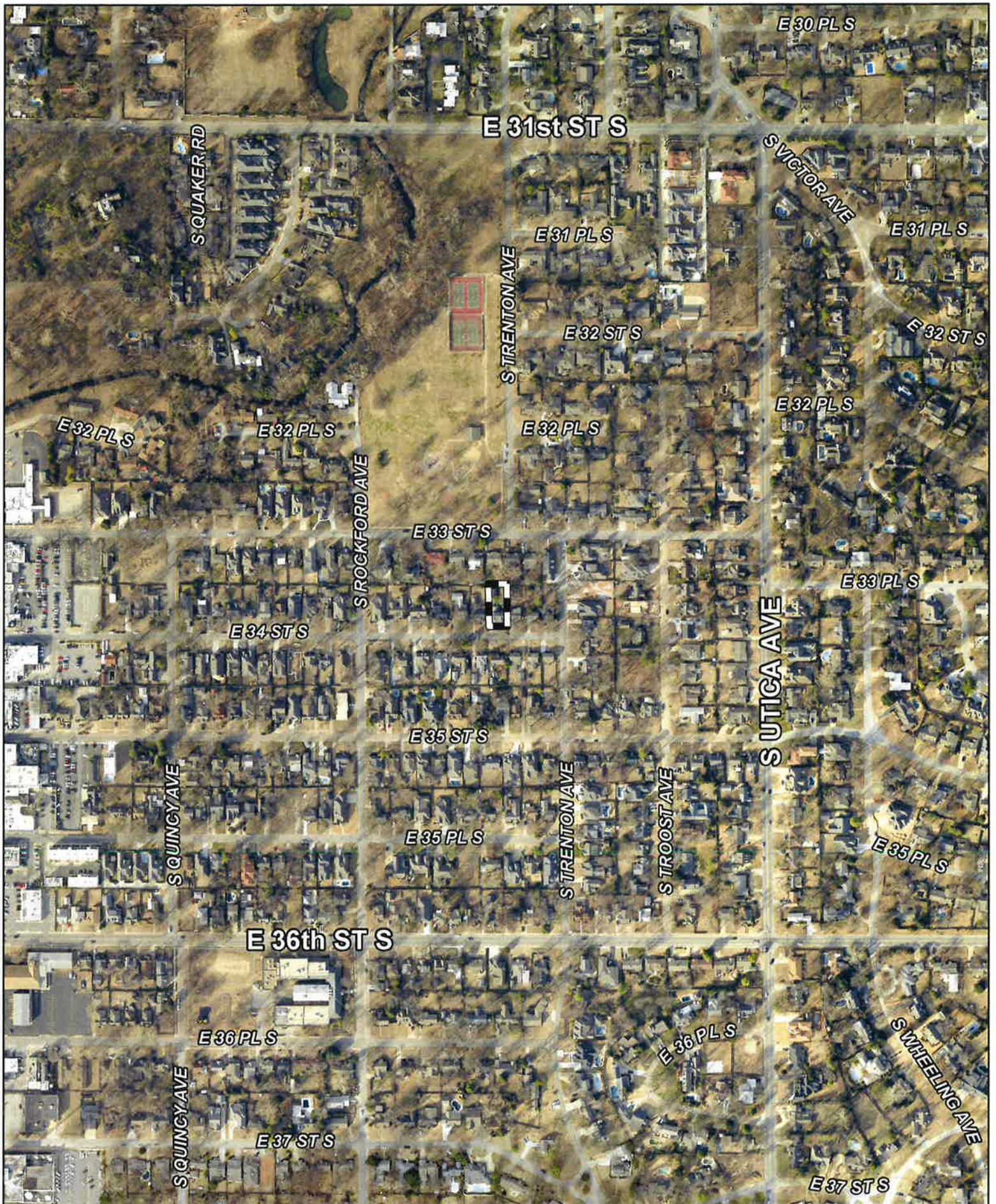
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

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."



Subject
Tract

BOA-22398

19-13 19

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

Aerial Photo Date: February 2016

5.4





0 50 100
Feet



Subject
Tract

BOA-22398

19-13 19

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

Aerial Photo Date: February 2016

5.5



EAST 34TH STREET

25'-0"

NOTE:
SITE PLAN PREPARED FROM LIMITED OBSERVATION
AND INFORMATION PROVIDED BY OWNER. BUILDING
CORNER AT AREA OF PROPOSED ADDITION SHALL BE
CONFIRMED BY LICENSED SURVEYOR TO CONFIRM
LAYOUT IS BUILDABLE AS SHOWN AND PRIOR TO
CONSTRUCTION START.

60'

LOT 16

LOT 17

EXISTING
2 STORY BRICK & FRAME
DWELLING

5'-5 1/2"

140'

PROPOSED 1
STORY ADDITION

29'-8"

EXISTING DRIVE

140'

LOT 16

LOT 17

NEW STONE
PATIO

38'-3"

NEW COVERED
PORCH AT
GARAGE ENTRY

EXISTING
1 STORY WOOD
FRAME GARAGE

10'-0"
WFE

60'

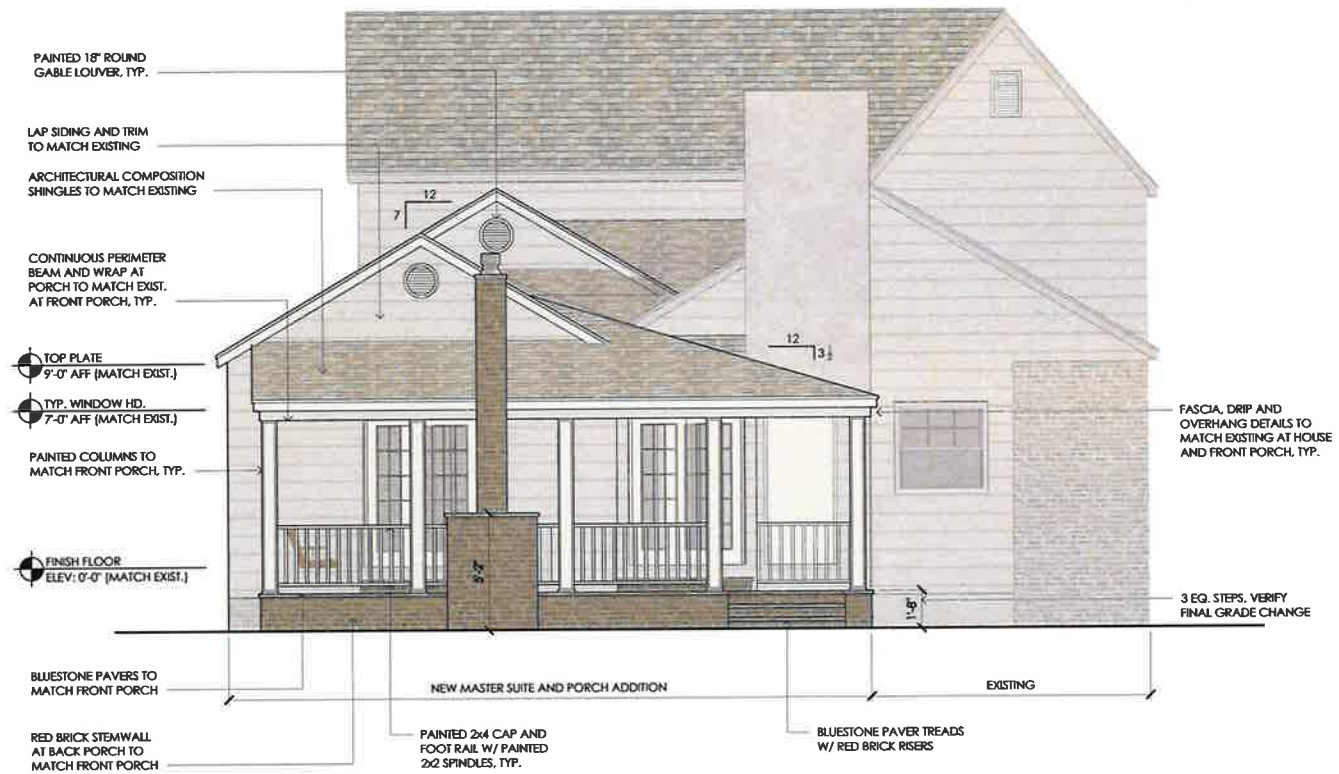
LEGAL DESCRIPTION:
THE WEST FORTY (40) FEET OF LOT SIXTEEN (16), AND THE EAST TWENTY (20) FEET
OF LOT SEVENTEEN (17), BLOCK ONE (1), PARRAMORE ADDITION TO THE CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED
PLAT THEREOF, AND KNOWN AS 1535 EAST 34TH STREET.

1

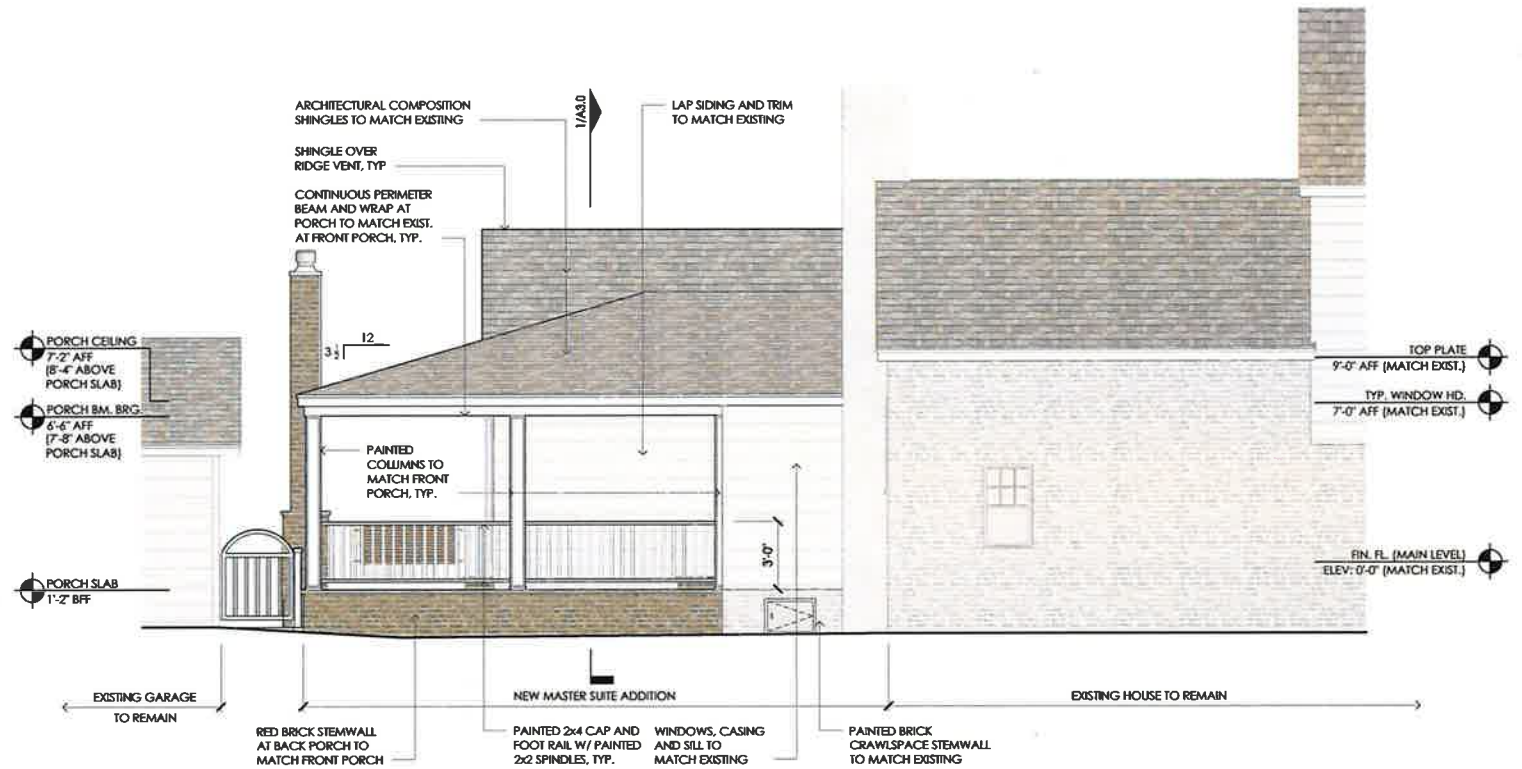
SITE PLAN
SCALE: 3/32" = 1'-0"



5.6



3 NORTH ELEVATION
SCALE: 3/8" = 1'-0"



2 WEST ELEVATION
SCALE: 3/8" = 1'-0"

FASCIA, DRIP EDGE AND SOFFIT DETAILS AND MATERIALS TO MATCH EXISTING, TYPICAL.

TOP PLATE (UPSTAIRS INFILL)
12'-5" AFF

TOP PLATE
9'-0" AFF (MATCH EXIST.)

TYP. WINDOW HD.
7'-0" AFF (MATCH EXIST.)

FINISH FLOOR
ELEV: 0'-0" (MATCH EXIST.)

LAP SIDING TO MATCH EXISTING.
(NOTE: STAGGER JOINTS AT "OLD TO NEW" TRANSITION AND REPAIR EXISTING AS NEEDED FOR UNIFORM APPEARANCE AT SECOND LEVEL.)

1/4"3.0

ARCHITECTURAL COMPOSITION SHINGLES TO MATCH EXISTING

SHINGLE OVER RIDGE VENT, TYP.

CONTINUOUS PERIMETER BEAM AND WRAP AT PORCH TO MATCH EXISTING AT FRONT PORCH, TYP.

16"x16" CHIMNEY

12 3 1/2

PAINTED COLUMNS TO MATCH FRONT PORCH, TYP.

3'-0"

LAP SIDING AND TRIM TO MATCH EXISTING

RED BRICK STEMWALL AT BACK PORCH TO MATCH FRONT PORCH

PAINTED 2x4 CAP AND FOOT RAIL W/ PAINTED 2x2 SPINDLES, TYP.

NEW COVERED ENTRY AT GARAGE

PORCH CEILING
7'-2" AFF (8'-4" ABOVE PORCH SLAB)

PORCH BEAM BEARING
6'-6" AFF (7'-8" ABOVE PORCH SLAB)

RAKE TRIM, FASCIA, DRIP AND SOFFIT TO MATCH EXISTING, TYP.

PAINTED SMOOTH CEDAR 6x6 COLUMNS W/ 1x3 BASE TRIM, TYP. 2 COLUMNS AT GARAGE COVERED ENTRY

PORCH SLAB
1'-2" BFF

EXISTING HOUSE TO REMAIN

WINDOWS, CASING AND SILL TO MATCH EXISTING

PAINTED BRICK CRAWLSPACE STEMWALL TO MATCH EXISTING

NEW MASTER SUITE ADDITION

EXISTING GARAGE TO REMAIN

RELOCATED OR NEW GARAGE DOOR TO MATCH EXISTING. REMOVE EXISTING EAST DOOR AND INFILL WALL TO MATCH EXISTING. (NOTE: STAGGER JOINTS AT INFILL SIDING AND REPAIR EXISTING AS NEEDED FOR UNIFORM APPEARANCE)

1 EAST ELEVATION
SCALE: 3/8" = 1'-0"

5.9







JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1044958-1

December 19, 2017

JUSTIN HADDOCK
JHADDOCK CONSTRUCTION
1055 N OWASSO
TULSA, OK 74106

Phone: (918)698-1556

APPLICATION NO: **436626** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 1535 E 034 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.).

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. 436626

1535 E 034 ST S

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.

Table 5-3 Minimum Open Space Detached House

Review Comments: Minimum required open space for Detached House in a RS-3 zoned lot is 4000 square feet. Calculations indicate per the submitted site plan and county assessor's property search that you will have 3410 sq ft of open space on this lot. If you are unable to reduce the size of your addition to meet the 4000 sq ft requirement you will need to apply to BOA for a variance to allow less than 4,000 sq ft of open space on this lot.

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.

S 161st East Ave

AG

SUBJECT TRACT

RS-1

RM-1

E 31st St S

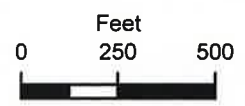
AG

RM-1

AG

RS-3

AG



BOA-22399

19-14 14

6.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9414
CZM: 40, 50
CD: 6
A-P#: NA

Case Number: **BOA-22399**

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Nicole Watts/KKT Architects, Inc.

ACTION REQUESTED: Variance to reduce the minimum frontage requirement from 30 ft. to 0 ft. to allow private streets in a residential subdivision (Section 5.030).

LOCATION: E of the NE/c of E. 31st ST. S. and S. 161st E. Ave. **ZONED:** RS-1

PRESENT USE: Vacant

TRACT SIZE: 47.41 acres

LEGAL DESCRIPTION: A tract of land that is part of the Southwest Quarter (SW/4) of Section 14, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, and being more particularly described as follows to wit: commencing at the SW/4 of Section 14, Township 19 North, Range 14; thence N88°41'01"E a distance of 650.24 ft. to the point of beginning; thence N01°11'02"W a distance of 1,320.49 ft.; thence N88°43'03"E a distance of 1,562.34 ft.; thence S01°21'48"E a distance of 1,319.56 ft.; thence S88°41'01"W a distance of 1,566.48 ft. to the point of beginning.

RELEVANT PREVIOUS ACTIONS:

None relevant.

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

The New Neighborhood Residential Building Block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center.

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 surrounded AG zoned vacant lots.

6.2

STAFF COMMENTS:

The applicant proposes a gated single-family residential subdivision on the 47.41 subject site. The applicant has submitted a conceptual layout of the subdivision; please note that the final plat for this development has not been approved by the TMAPC so the configuration of the streets and lots may change. It appears that the conceptual site plan submitted to the Board will need relief from the City of Tulsa Subdivision Regulations; relief from the Subdivision Regulations will have to be approved by the TMAPC.

Based on the conceptual layout, it appears that the proposed subdivision will have access along E. 31st St. S., which is labeled as a *50 ft. dedicated public right-of-way*. As shown on the conceptual layout, certain lots within the subdivision will not have frontage on a public street; there will be private streets that provide access to the residential lots.

Section 5.030 of the Code requires that RS-1 zoned lots to maintain 30 ft. of frontage on a public street to ensure that each parcel used for a residential purpose has proper access for public and emergency services. To permit a gated community with private streets the applicant has requested a **Variance** to reduce the required street frontage of a RS-1 zoned lot from 30 ft. to 0 ft.

If inclined to approve the Board may consider the following conditions of approval:

- A homeowner's association be created and vested with sufficient authority and financial resources to properly maintain all private streets within the subdivision.
- The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by private streets.

The Board may consider any other condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion

Move to _____ (approve/deny) a Variance to reduce the minimum frontage requirement from 30 ft. to 0 ft. to allow private streets in a residential subdivision (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 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.”

S 161st East Ave

E 31 ST S

0 250 500
Feet



Subject
Tract

BOA-22399

19-14 14

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

Aerial Photo Date: February 2016

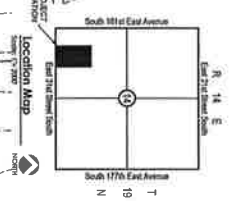
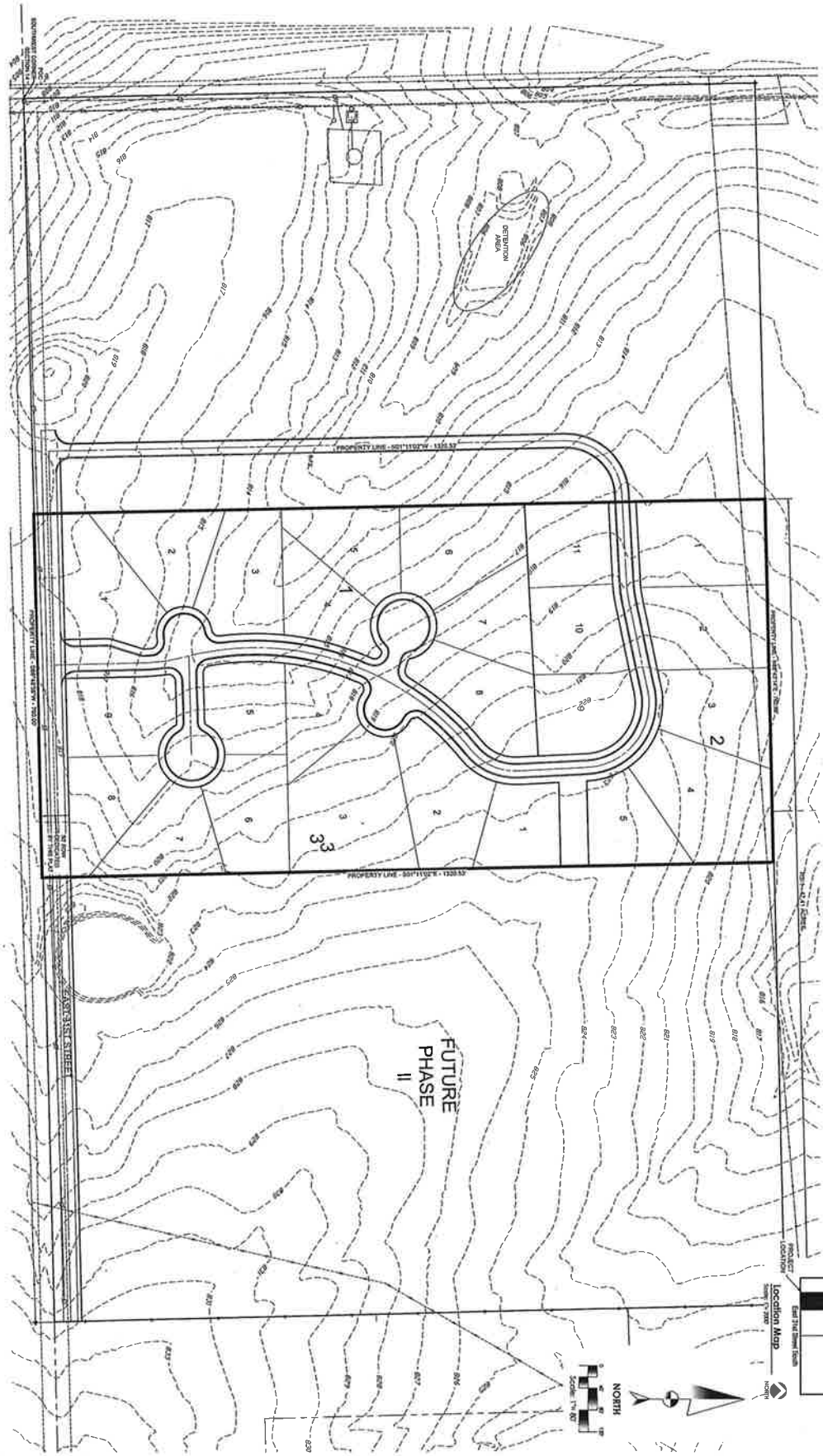
6.5

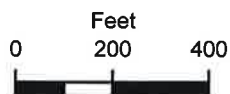
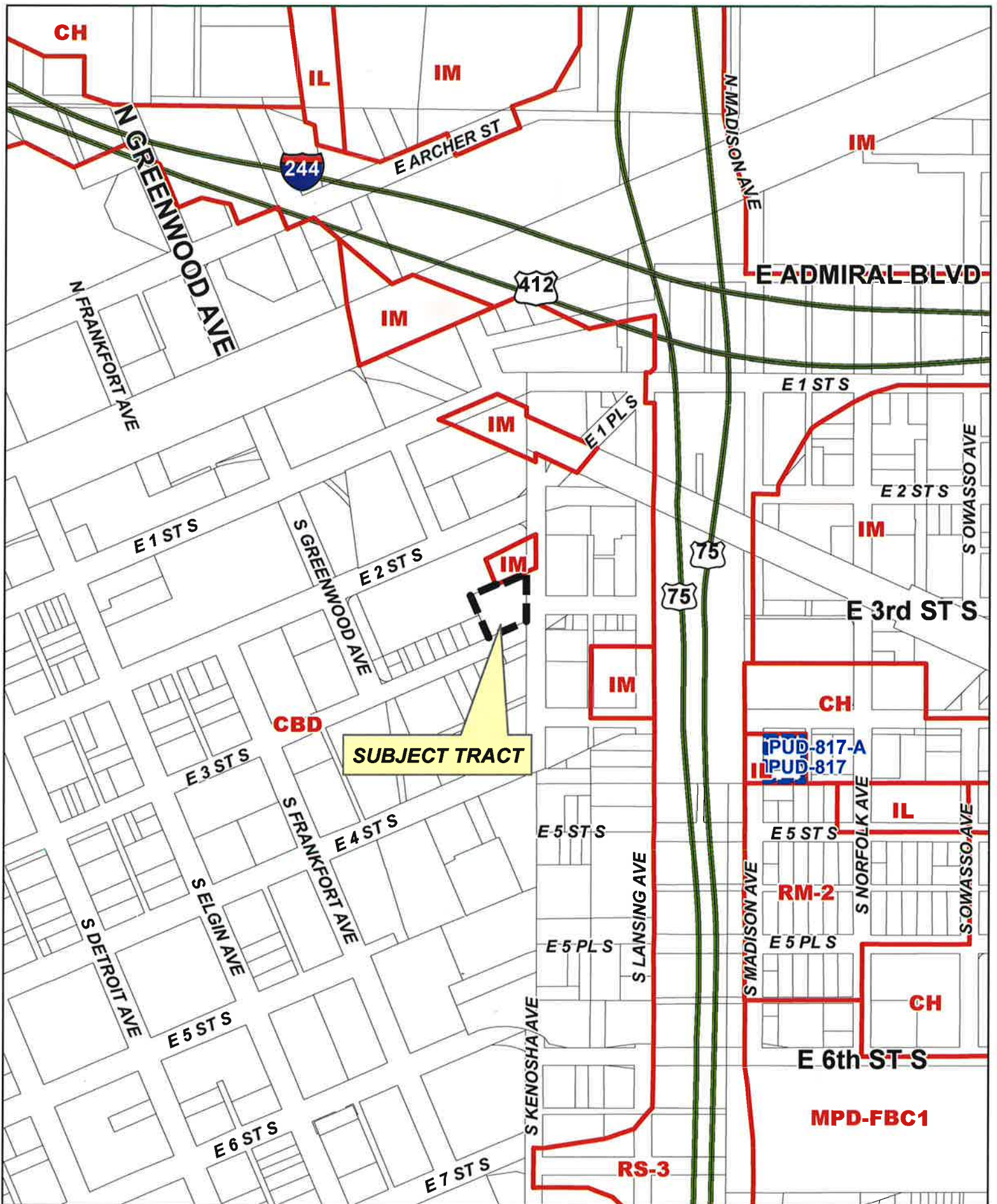


BOARD OF ADJUSTMENT CONCEPTUAL SITE PLAN

Reserve at Prairie Hill

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA,
 BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 14,
 TOWNSHIP 19 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN.





BOA-22400

19-12 01

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9201

Case Number: BOA-22400

CZM: 36

CD: 4

A-P#: 438099

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Shane Hood

ACTION REQUESTED: Variance to permit a retaining wall and other structures to be located within City of Tulsa Planned Street Right-of-Way (Sec. 90.090)

LOCATION: 222 S KENOSHA AV E

ZONED: CBD

PRESENT USE: Vacant Building

TRACT SIZE: 24,676.84 SQ FT

LEGAL DESCRIPTION: LTS 1 & 2 & S10 VAC ALLEY ADJ ON N LESS PRT ALLEY BEG 4.56N NEC LT 1 TH N5.44 SW109.1 SE5 NE106.86 POB BLK 112, TULSA-ORIGINAL TOWN, THIRD & GREENWOOD ADDN RESUB BLK 111 VAC ALLEY & LTS 3-5 BLK 112 & PRT VAC ALLEY & VAC S HARTFORD AV TULSA-OT, HODGE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 20427; 01.23.07 the Board **approved** variance to reduce the required structure setback from the centerline of the abutting streets. Located at the northeast corner of E. 3rd Street and S. Kenosha Avenue.

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

Downtown Core is Tulsa's most intense regional center of commerce, housing, culture and entertainment. It is an urban environment of primarily high-density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism and educational institutions. Downtown core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.

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 surrounded by CBD zoned office, industrial, residential, and commercial use.

STAFF COMMENTS:

The total planned right-of-way along S. Kenosha Ave. and E. 3rd St. S. is 80 ft.; therefore, the required building and/or structure setback along S. Kenosha Ave. and E. 3rd St. S. is 40 ft. from the centerline of the street. Based on the proposed site plan it appears that the proposed retaining wall, trellis structure, concrete stairs and outdoor patio along E. 3rd St. S. and the outdoor patio along South Kenosha Ave. extend 10 ft. into the planned street right-of-way (R-O-W). The applicant has requested a Variance to permit a retaining wall, concrete stairs and outdoor patio with trellis structure along E 3rd Street and the outdoor patio portion of the parking area along South Kenosha to be located within City of Tulsa planned street R-O-W.

Sample Motion

Move to _____ (approve/deny) a Variance to permit a retaining wall and other structures to be located within City of Tulsa Planned Street Right-of-Way (Sec. 90.090).

- 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."*

mentioned a fence that needs repair. He also noted that this has operated adequately and appropriately as an educational institution, though it is in an unusual location. The applicant provided a site plan (Exhibit H-1).

Comments and Questions:

Ms. Stead mentioned a letter of opposition from Heartland Realty Company (Exhibit H-2). Mr. Norman indicated that the school has not heard from the interested party regarding any complaint. She pointed out that if this involves after school activity the school is not responsible but if it is regarding the hole in the fence, they expect the school to repair it. She also suggested if the students are bothering the business during lunchtime, then they need a monitor. Mr. Norman stated he would contact the school so they can communicate with the real estate company.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Stead**, the Board voted 4-0-1 (Stephens, Henke, Stead, Tidwell "aye"; no "nays"; White "abstained"; no "absences") to **APPROVE** a Special Exception to permit public school use in an IL district (Section 901); and a Modification of a previously approved site plan (per Exhibits from the agenda packet marked 8.7 and 8.8) related to public school use on the property, with the condition that the fences to the north, south and west of the three buildings involved be repaired or replaced as necessary to make them secure; finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

BEG 401.47S NEC LT 2 TH W450 S699.52 E450 N699.52 POB BLK 5, PRT LTS 2 3 & 9 BEG 181.47S NEC LT 2 TH S220 W450S249.52 W395 N470.09 E845 POB BLK 5, PRT LT 9 BEG 181.47S & 845W NEC LT 2 TH S470.09 E395 S450 W655.68 N920.25 E260.68 POB BLK 5, METRO PARK, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20427

Action Requested:

Variance of the required structure setback from the centerline of abutting streets 1/2 of the right-of-way designated on the Major Street Plan. (Section 215), located: East of South Kenosha Avenue between 2nd Street and 3rd Street.

Presentation:

Tim Terrill, 6737 South 85th East Avenue, with the Tulsa Engineering and Planning Associates, stated they have a 60 ft. right-of-way as opposed to the Major

FILE COPY

Street and Highway Plan requirement for 80 ft. right-of-way. In this case, the actual setbacks are the same as the right-of-way line, which is a zero setback. They proposed to build eight condominium units fronting on Kenosha Street and a small amount of commercial development fronting on 3rd Street. There will be sidewalks on Kenosha, 2nd and 3rd Streets. They plan to demolish all of the existing buildings on the property. They will not move the PSO substation. The applicant provided a conceptual plan (Exhibit I-1).

Comments and Questions:

Mr. Alberty informed the Board that this case came before the Board a couple of months ago. He stated they have initiated an amendment to the Major Street and Highway Plan to accommodate the proposed development, or staff would not be able to recommend approval. He stated the Planning Commission will be hearing an amendment to the Major Street and Highway Plan. Mr. Alberty also noted a concrete patio or something that extends into the right-of-way. He sought clarification of that with the applicant. Mr. Terrill stated that was not their intent.

Mr. Cuthbertson noted since the property is in the CBD, there is a lot of flexibility in the development process. This development will not necessarily require re-platting. He suggested that if the Board wanted a guarantee of sidewalks on the perimeter of this site, they might want to add it to the motion.

Mr. Tidwell asked if there is a cell tower on the property. Mr. Alberty replied there is a tower located there but is supposed to be relocated or removed from the property.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On Motion of Stead, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the required structure setback from the centerline of abutting streets 1/2 of the right-of-way designated on the Major Street Plan (Section 215), subject to there being no development in the right-of-way; that sidewalks be repaired or replaced around the entire perimeter; that the modification of the MSHP to a 60 ft. right-of-way be accomplished, per the conceptual plan, finding that the plan is in accordance with the infill development of the City of Tulsa; finding the literal enforcement of the terms of the code would result in an unnecessary hardship, and that such extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district; finding the variance will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

FILE COPY

TRACT A: Lots Eight (8), Nine (9), Ten (10), and Eleven (11), Block Five (5), Hodge Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof. TRACT B: Lot Twelve (12) and part of Lot Thirteen (13), Block Five (5), Hodge Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows: Beginning at the southwest corner of said Lot 12, said point being on the east right of way line of Kenosha Avenue; Thence N 00°03'00"E along said right of way line and the west line of Lots 12 and 13, a distance of 77.85 feet to a point, said point being 22.15 feet south of the northwest corner of Lot 13; Thence N 76°39'46" E a distance of 77.09 feet to a point on the south right of way line of Second Street; Thence S 89°57'00" E along said right of way line a distance of 65.00 feet to a point 4.30 feet south of the northeast corner of Lot 13; Thence S 00°03'00" W along the east line of Lots 13 and 12, a distance of 95.70 feet to the southeast corner of Lot 12; Thence N 89°57'00" W along the south line of Lot 12, a distance of 140.00 feet to the Point of Beginning. AND The West Half (W/2) of the alley lying adjacent to the east boundary line of said Lot 13, Block 5, Hodge Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

OTHER BUSINESS

Ms. Stead asked for a meeting of the Board of Adjustment, INCOG staff and Dewayne Smith with Code Enforcement, regarding sidewalks, concrete and asphalt surfaces. Mr. Alberty indicated he would follow-up on the request.

There being no further business, the meeting adjourned at 2:40 p.m.

Date approved: 2/27/07

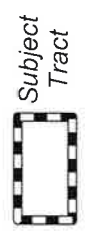
Charles X. [Signature]
Chair



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

Aerial Photo Date: February 2016 7.7

BOA-22400



19-12 01



0 50 100
Feet



Subject
Tract

BOA-22400

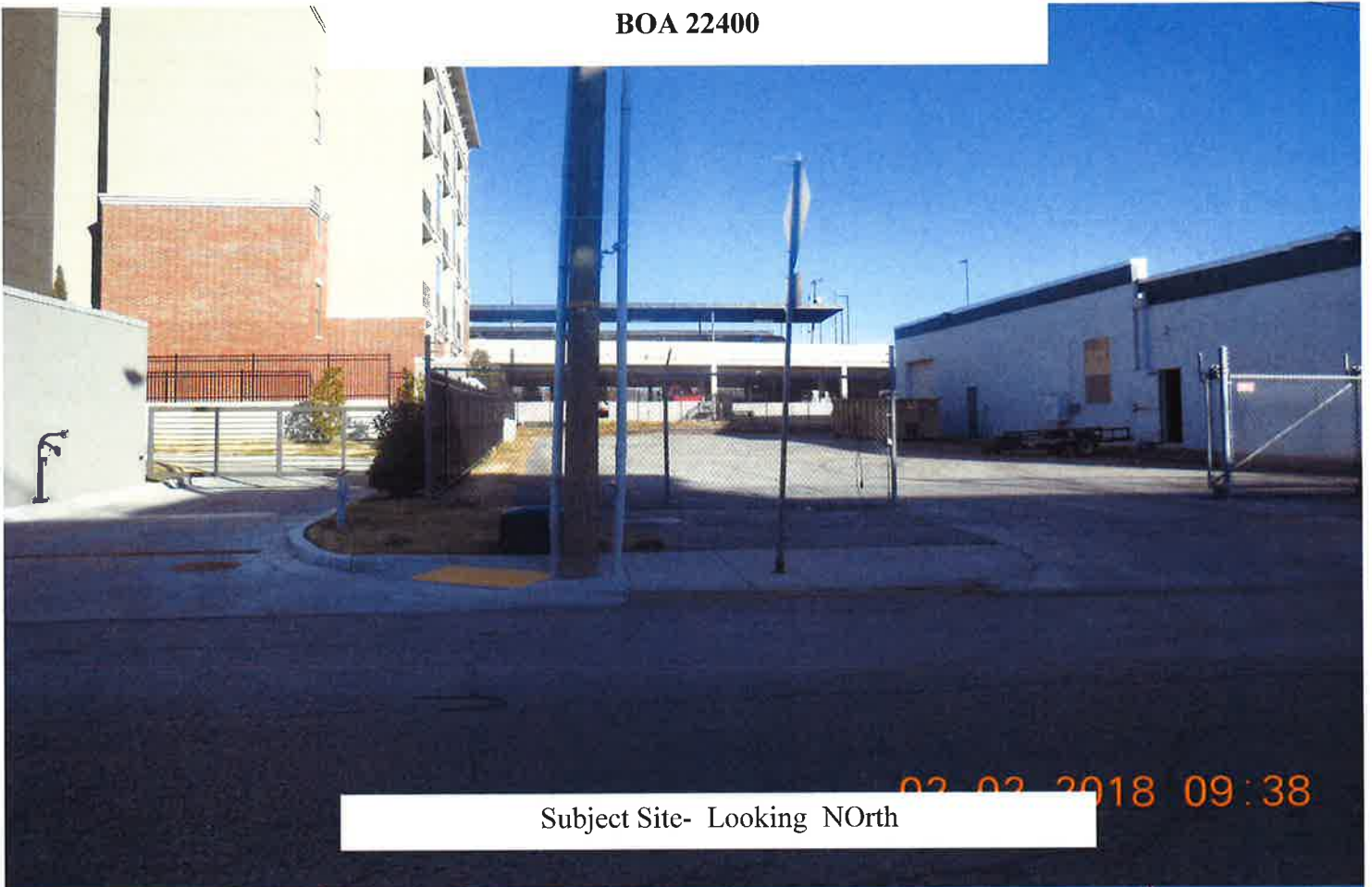
19-12 01

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

Aerial Photo Date: February 2016

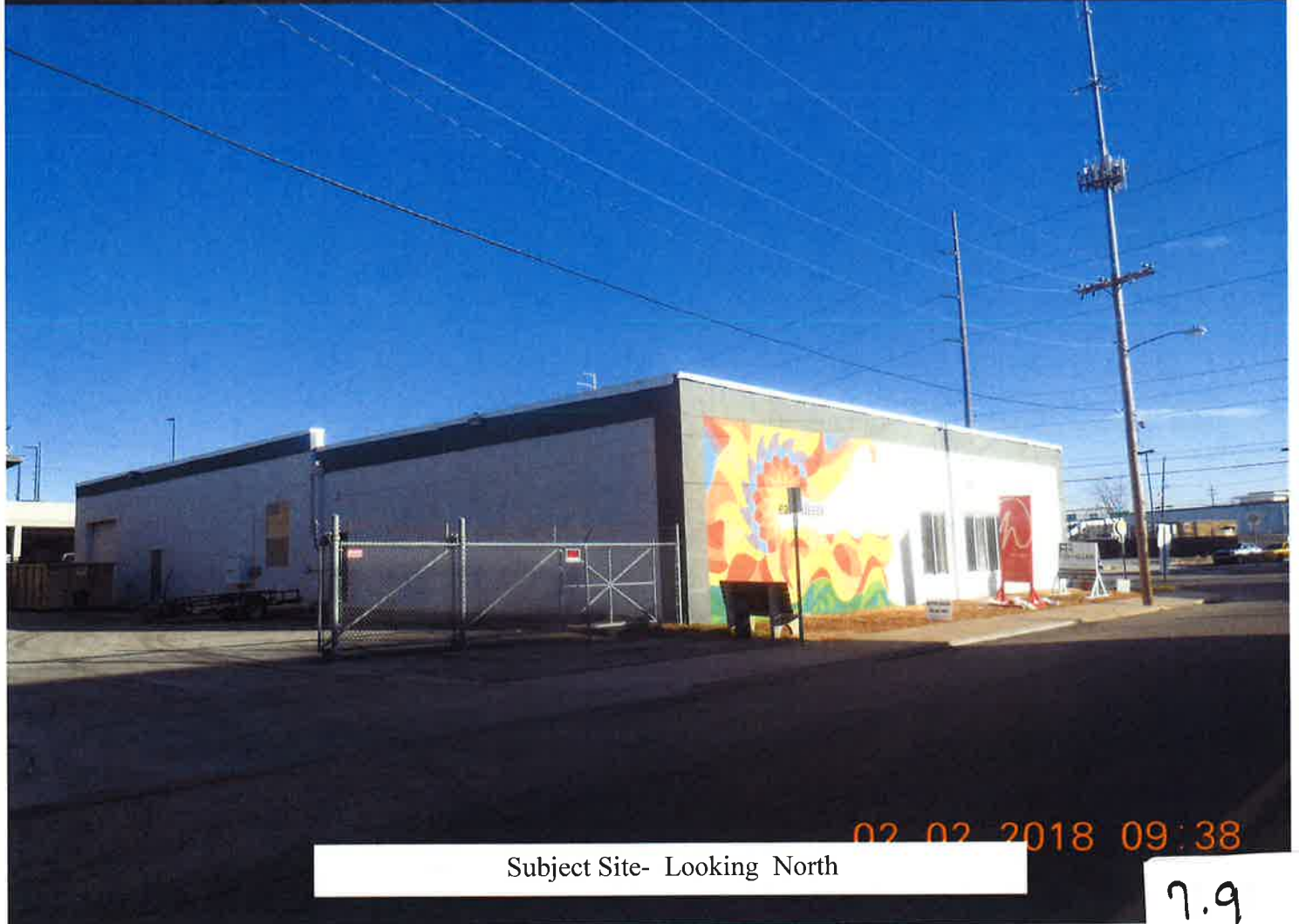
7.8





Subject Site- Looking NORTH

02 02 2018 09:38



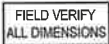
Subject Site- Looking North

02 02 2018 09:38

7.9



Subject Site- Looking NE



Subdivision: TULSA-ORIGINAL TOWN
Legal: LTS 1 & 2 & S10 WAC ALLEY ADJ ON N
LESS PRT ALLEY BEG 4.56N NEC LT 1 TH NS.44
SW109.1 SES NE106.85 POB BLK 112
Section: 01 Township: 19 Range: 12

EAST THIRD STREET

1 SITE PLAN

W

SEAL:



PROJECT:

CONSULTANT:

REVISIONS:

1 REVISION 01/09/2018
2 LOD 01/23/2018

ISSUE DATE:

12.21.2017

SHEET NAME:

PROPOSED SITE PLAN

SHEET #:

(AS101)

DIAN HUI ZHOU

117



7.12

1. ALL EXTERIOR PAINT COLORS TO BE APPROVED BY ARCHITECT/OWNER PRIOR TO COMMENCEMENT OF WORK.
2. G.C. TO PROVIDE A SAMPLE FOR ARCHITECT/OWNER'S APPROVAL OF FINISHES AT EACH FRESH LOCATION.
3. ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN. G.C. TO VERIFY WITH OWNER PRIOR TO PROCUREMENT.
4. OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
5. G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS. DOWNSPOUTS TO BE ROUTED TO UNDERGROUND LEADER TERMINATING AT CURB, FINISH TO MATCH STUCCO.

A. RE: A01 FOR GENERAL NOTES, DIRECTIVES, SYMBOLS AND ABBREVIATIONS
B. RE: A020 SERIES FOR FLOOR PLANS AND OUTLINED PLANS
C. RE: A300 SERIES FOR BUILDING SECTIONS
D. RE: A400 SERIES DRAWINGS FOR REFLECTED CEILING PLANS AND CEILING DETAILS
E. RE: A600 SERIES DRAWINGS FOR ROOF PLAN
F. RE: A700 SERIES DRAWINGS FOR DOOR AND WINDOW SCHEDULES, DOOR AND WINDOW DETAILS
G. RE: A800 SERIES FOR INTERIOR ELEVATIONS AND DETAILS
H. RE: A900 SERIES FOR INTERIOR ELEVATIONS

6. METAL PARAPET CAP FLASHING, PAINTED TO MATCH BUTUCCO
7. THREE-COAT STUCCO SYSTEM, COORDINATED COLOR WITH ARCHITECT
8. ORIGINAL STEEL WINDOWS TO BE REMOVED, SANS-BLANKET, POWDER COATED BLACK AND REGLAZED WITH DOUBLE PANE GLASS (EIGHT LOW "E" GLASS)
9. STEEL, HOLLOW CUBE DOOR, PAINTED TO MATCH STUCCO FINISH
10. 120 CEDAR BLAT WALL LEFT UNFINISHED, USE ALUMINUM OR STAINLESS STEEL NAILS ONLY. NAILS ONLY 1 1/2" DEEP, 1 1/2" DIA. SPACING
11. 60" DIA. ROUNDOH HOLE WITH A 18" STAGGER, SPOT WELD TO SUPPORTING STRUCTURE.
12. SMOOTH FINISHED CONCRETE STAIRS
13. SMOOTH FINISHED CONCRETE SLABS FOR SIDEWALKS, STAIRS AND PATIO SURFACES.
14. NOT USED
15. CEDAR BLAT AND HOT ROLLED STEEL, GUARDRAILS
16. HOT ROLLED STEEL, PIPE TRUSSES FRAMEWORK, NO FINISH.
17. HOT DIPPED GALVANIZED STEEL, RAIL
18. SIDEWALK AND SUMMITTER ENCLOSURE FENCING, CEDAR BLATS AND HOT ROLLED STEEL, FRAMEWORK, NO FINISH.
19. STONEPOINT OR GLASS SLABBER DOOR, RAIL, WINDOW TYPE "X"
20. ACCESS PANELS, VARIOUS SIZES WITH THE EXISTING UTILITY ACCESSORIES TO BE CONCRETE.
21. BALVAGED 16-1200
22. STEEL, BRACE
23. 4X8 CEDAR POST, UNFINISHED
24. STEEL, HOLLOW CUBE DOOR, PAINTED TO MATCH BUTUCCO FINISH
25. WALL, PLYWOOD, COORDINATE WITH BUTUCCO FINISH
26. STEEL, HOLLOW CUBE DOOR, PAINTED TO MATCH BUTUCCO FINISH
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100. STEEL, HOLLOW CUBE DOOR, PAINTED TO MATCH BUTUCCO FINISH



W. J.



12/21/2017
WELDON ROWMAN, A.A.
OK LICENSE NO. 4242
CALL 02 41 EXP RES 04/30/2018

**HAMILTON
KELLY**

PROJECT #
17127

222 S. KENOSHA
TULSA, OK
74120

CONSULTANT:

REVISIONS:

ISSUE DATE:

12.21.2017

SHEET NAME:
**EXTERIOR
ELEVATIONS**

SHEET #:

A304

DRAWN BY: SDH

GENERAL NOTES

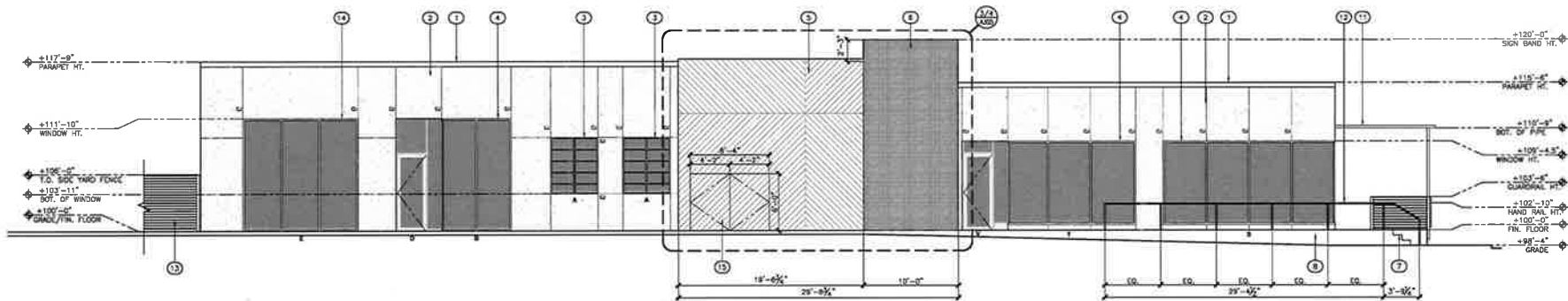
1. ALL EXTERIOR PAINT COLORS TO BE APPROVED BY ARCHITECT/OWNER PRIOR TO COMMENCEMENT OF WORK.
2. G.C. TO PROVIDE A SAMPLE FOR ARCHITECT/OWNER'S APPROVAL OF FINISHES AT EACH FINISH LOCATION.
3. ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN, G.C. TO VERIFY WITH OWNER PRIOR TO PROCUREMENT.
4. OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
5. G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS. DOWNSPOUTS TO BE ROUTED TO UNDERGROUND LEADER TERMINATING AT CURB. FINISH TO MATCH STUCCO.

REFERENCING

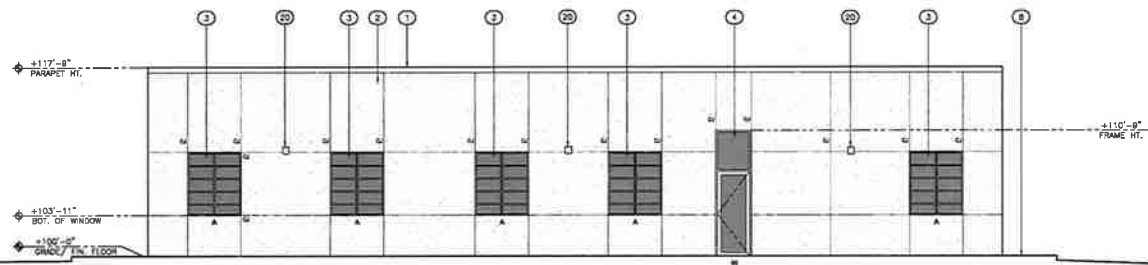
- A. RE: A301 FOR GENERAL NOTES, DIRECTIVES, SYMBOLS AND ABBREVIATIONS
 B. RE: A302 SERIES FOR FLOOR PLANS AND ENLARGED PLANS
 C. RE: A303 SERIES FOR BUILDING SECTIONS
 D. RE: A304 SERIES DRAWINGS FOR REFLECTED CEILING PLANS AND CEILING DETAILS
 E. RE: A305 SERIES DRAWINGS FOR ROOF PLANS
 F. RE: A306 SERIES DRAWINGS FOR DOOR AND WINDOW SCHEDULES, DOOR AND WINDOW DETAILS
 G. RE: A307 SERIES FOR INTERIOR ELEVATIONS AND DETAILS
 H. RE: A308 SERIES FOR EXTERIOR FINISHES

KEYNOTES

1. METAL PARAPET CAP FLASHING, PAINTED TO MATCH STUCCO
2. THREE-COAT STUCCO SYSTEM, COORDINATE COLOR WITH ARCHITECT
3. ORIGINAL STEEL WINDOWS TO BE REMOVED, SAND-BLASTED, POWDER COATED BLACK AND RE-GLAZED WITH DOUBLE FRAME GREY 8373 LOW "E" GLASS.
4. STEEL HOLLOW CORE DOOR, PAINTED TO MATCH STUCCO FINISH
5. 1X6 CEDAR SLAT WALL LEFT UNFINISHED, ONE ALUMINUM OR STAINLESS STEEL NAIL ONLY
6. PERFORATED 11 GAUGE CORTEN WALL WITH .38" ROUND HOLES AT A .88" STAGGER, SPOT WELD TO SUPPORTING STRUCTURE
7. BROOM FINISHED CONCRETE STAIRS
8. BROOM FINISHED CONCRETE SLABS FOR SIDEWALKS, STAIRS AND PATIO SURFACES.
9. HOT USED.
10. CEDAR SLAT AND HOT ROLLED STEEL GUARDRAILS.
11. HOT ROLLED STEEL PIPE TWELVE IN FRAMEWORK, NO FINISH.
12. HOT DIPPED GALVANIZED STAIR HAND RAILS.
13. SIDEYARD AND SUMMPETER ENCLOSURE FENCING, CEDAR SLATS AND HOT ROLLED STEEL FRAMEWORK, NO FINISH.
14. STOREFRONT OR GLASS GARAGE DOOR, RE: WINDOW TYPE "1"
15. ACCESS PANELS, VERIFY SIZES WITH THE EXISTING UTILITY ACCESSORIES TO BE CONSIDERED.
16. SALVAGED W-12X20
17. STEEL BRACE
18. 4X6 CEDAR POST, UNFINISHED
19. STEEL HOLLOW CORE DOOR, PAINTED TO MATCH STUCCO FINISH
20. WALL PACK LIGHT, COORDINATE WITH ARCHITECT
21. STEEL ANGLE ATTACHED TO CEDAR WALL TO PICK-UP EDGE OF CORTEN SCREEN



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



1 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

FIELD VERIFY
ALL DIMENSIONS

h1.14



wdesign
ARCHITECTURE & INTERIORS
815 E. 3rd Street, Suite C
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsne.com



PROJECT:

HAMILTON
KELLY

PROJECT #
17127

222 S. KENOSHA
TULSA, OK
74120

CONSULTANT:

REVISIONS:

ISSUE DATE:

12.21.2017

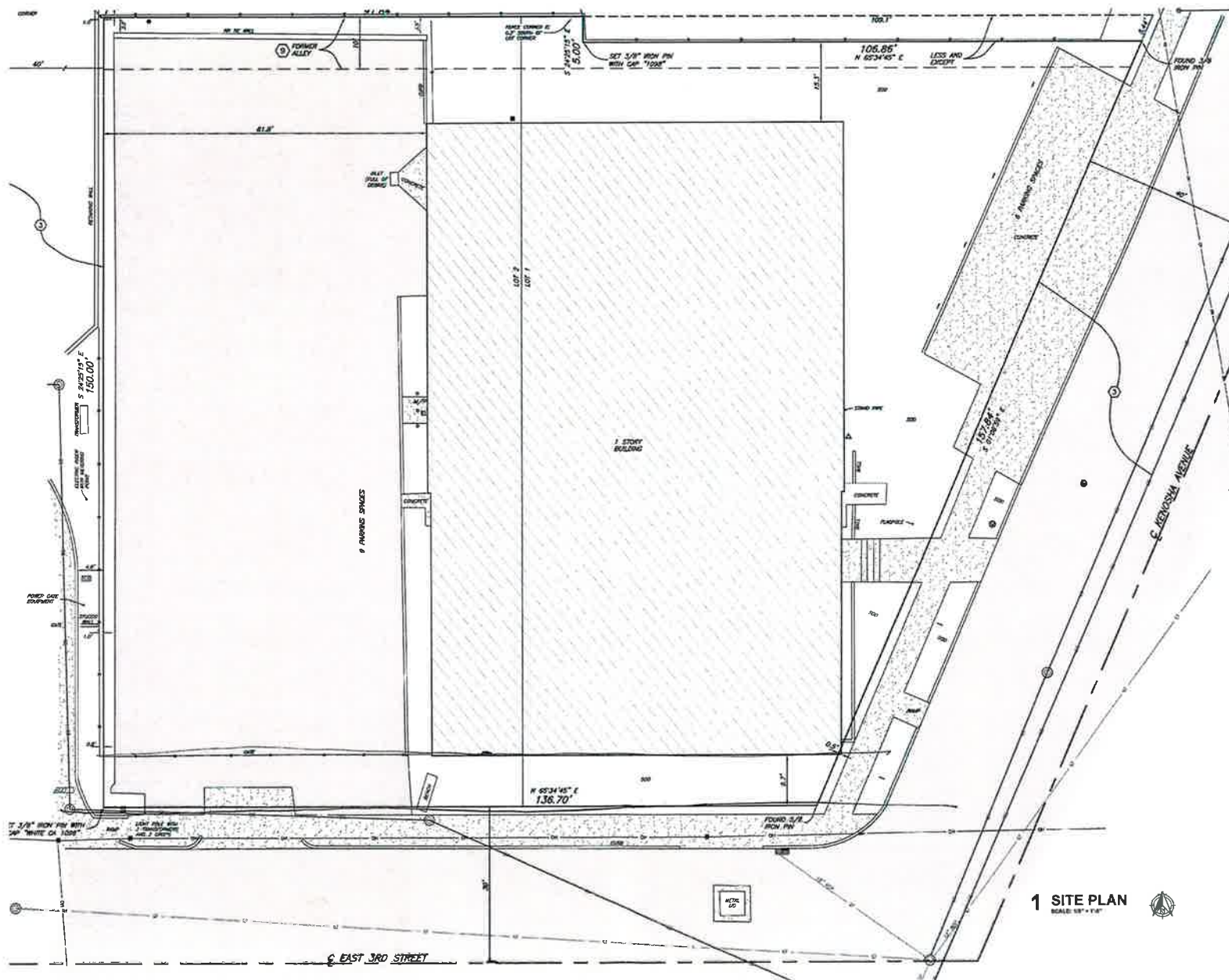
SHEET NAME:
EXTERIOR
ELEVATIONS

SHEET #:

A303

DRAWN BY: SDH

7.15



1 SITE PLAN
SCALE: 1/8" = 1'-0"



wdesign
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815 E. 3rd Street, Suite C
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Fax: 918.794.6602
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PROJECT:
HAMILTON KELLY

PROJECT #
17127

222 S. KENOSHA
TULSA, OK
74120

CONSULTANT:

REVISIONS:

1	REVISION	01.09.2016
2	UDO	01.23.2018

ISSUE DATE:

12.21.2017

SHEET NAME:
EXISTING SITE PLAN

SHEET #:



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: 1047601-1R

January 25, 2018

SHANE HOOD
WDESIGN
815 E 3 ST
TULSA, OK 74120

Phone: (918)794-6616
Fax: (918)794-6602

APPLICATION NO: **438099** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **222 S KENOSHA AV E**
Description: **ALTERATION - EXTERIOR**

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 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)

7.16

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. 438099

222 S KENOSHA AV E

January 12, 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.

1.)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-D: Parking areas must be designed in accordance with the dimensional standards of Table 55-5, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 55-5 may be interpolated from the layouts shown, as approved by the development administrator.

Review comment: The West parking area is required to have an isle width of 22 feet for 90 degree two way parking. Revise the plans to comply with 55.090.D or you may pursue a variance to permit the parking area design isle maneuvering width be reduced from 22 feet to 19 feet. In addition motorized vehicles are not permitted to back out from the parking area to the East onto a major street (Commercial Industrial Street). Revise the plans to comply with 55.090.D or you may pursue a variance from the BOA to permit vehicles to exit the lot in a rearward motion onto S. Kenosha Avenue.

2.) Sec.90.090-A: Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way (ROW), nor within the planned ROW of streets shown on the Major Street and Highway Plan (MSHP), nor within 25 feet of the centerline of the ROW on streets not shown on the MSHP. Street setbacks are measured from the actual ROW line of the street (other than an alley), provided that if the following measurement results in a greater set-back, the greater setback applies. For streets shown on the MSHP, if the width of the planned ROW exceeds the width of the actual ROW, the measurement must be taken from the planned ROW.

Review comment: The proposed retaining wall, concrete stairs and outdoor patio with trellis structure along E. 3rd Street and the outdoor patio and a portion of the parking area along S. Kenosha Avenue appear to be

7.17

located within the City of Tulsa planned Right of Way. Submit a site plan that provides the building/Structures and all parking spaces located out of the planned ROW or you may pursue a variance from the BOA to permit a retaining wall, concrete stairs and outdoor patio with trellis structure along E. 3rd Street and the outdoor patio and a portion of the parking area along S. Kenosha Avenue to be located within the City of Tulsa planned Right of Way.

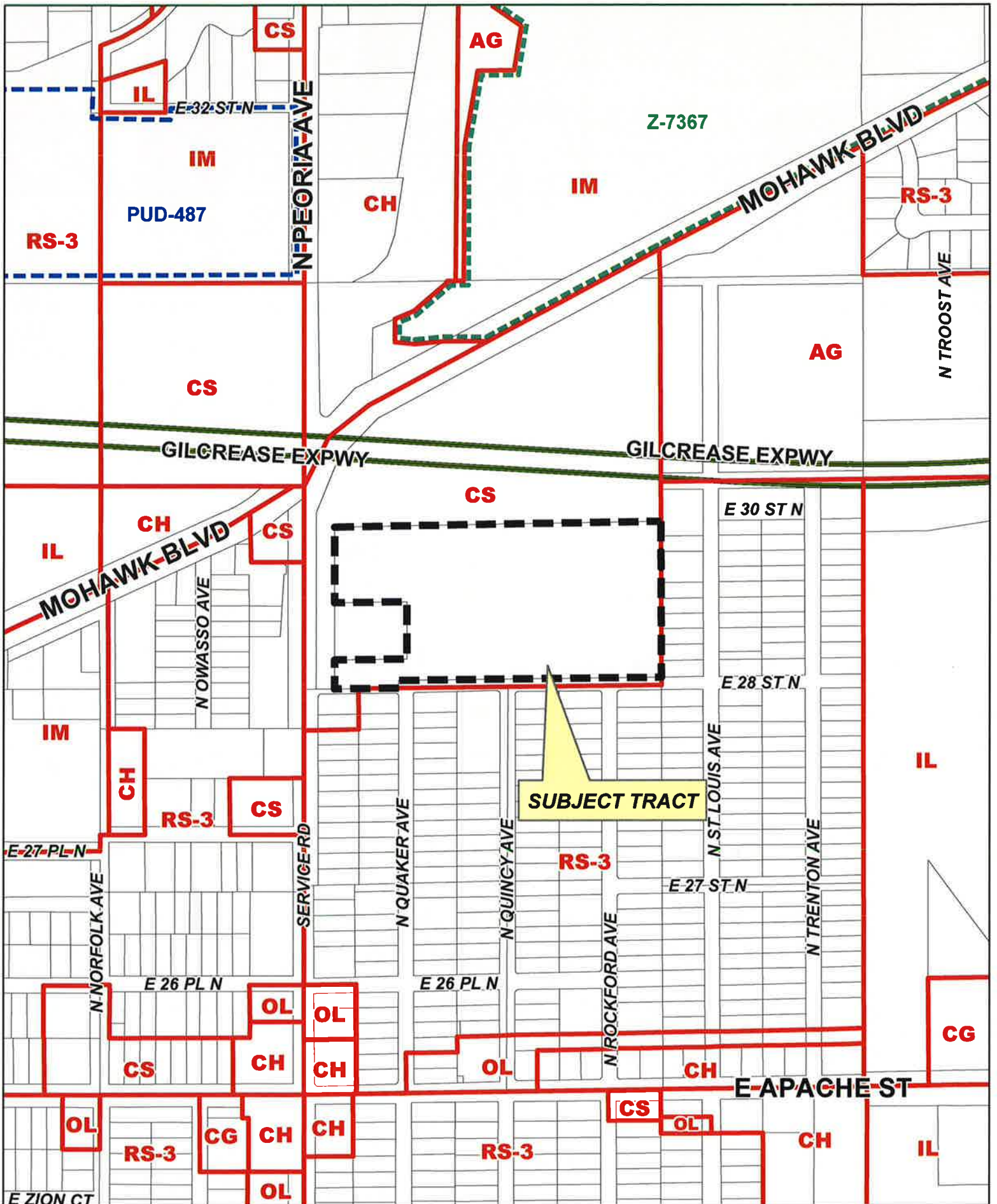
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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-22401

20-13 19

8.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0319
CZM: 29
CD: 1
A-P#: 9501

Case Number: BOA-22401

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Nelson Allen

ACTION REQUESTED: Special Exception to allow a self-storage facility in a CS zoned district. (Section 15.020).

LOCATION: 2817 N. Peoria Ave.

ZONED: CS

PRESENT USE: Vacant Lot

TRACT SIZE: 11.42 Acres

LEGAL DESCRIPTION: PRT GOV LT 3 OR NW SW BEG 1319.73S & 100E NWC GOV LT 3 TH N527.32 E10 E1057.18 S527.27 W1067.73 POB LESS BEG 1228.54S & 100E NWC GOV LT 3 TH N186 E235 S186 W235 POB & LESS S25 E857.12 THEREOF SEC 19 20 13 11.425 ACS, WINSTEAD ADDN, APACHE PLACE SECOND 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 a "Regional Center" and an "Area of Growth".

Regional Centers are mid-rise mixed-use areas for largescale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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, west and southwest; RS-3 zoning abuts the site on the south and east.

STAFF COMMENTS:

The applicant is proposing a mixed-use retail/commercial center that contains a self-storage facility. The proposed self-storage facility is only allowed by Special Exception in the CS district due to potential adverse effects. Section 40.360 of the Code places the following restrictions on self-service storage facilities in a CS zoned district:

- *A screening fence or masonry wall, as determined by the board of adjustment, is required along all lot lines that abut R-zoned lots. Required screening fences and walls must be at least 8 feet in height. The board of adjustment is authorized to allow building walls to provide this required screening, provided that any open spaces between perimeter buildings are screened with a masonry screening wall at least 8 feet in height. The screening fence/wall requirements of this section do not apply to climate-controlled self-storage buildings in which self-storage spaces are accessed only from within the building.*
- *In the CS district, no outdoor (open-air) storage of any kind is allowed that is visible at ground level from abutting R or O districts or from any street rights-of-way.*
- *A single dwelling unit may be integrated into the self-storage facility.*

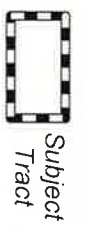
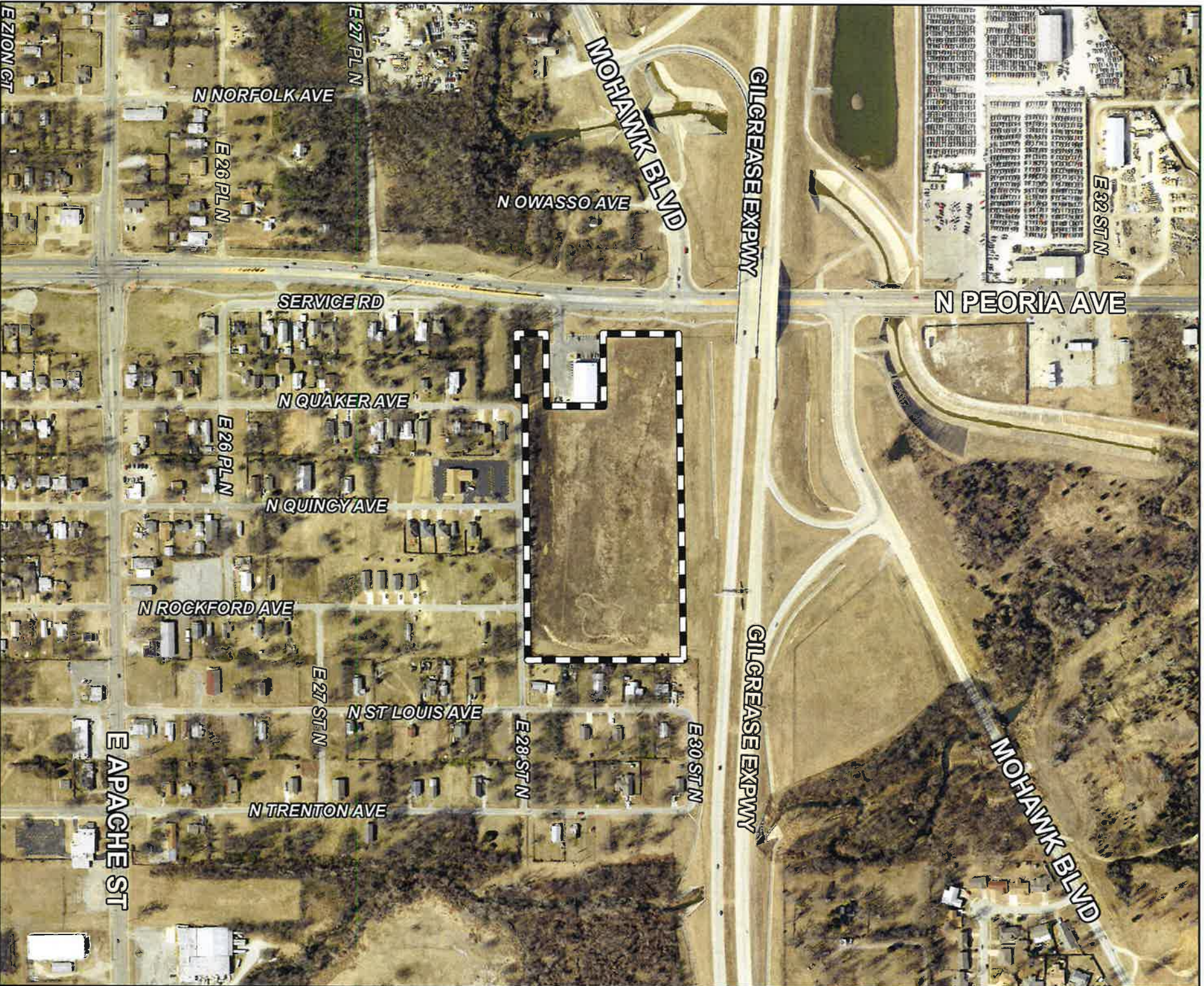
As the writing of this case report staff has not received any letters from the surrounding neighbors or property owners.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a self-storage facility in a CS zoned district. (Section 15.020)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- 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.



BOA-22401

20-13 19

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

Aerial Photo Date: February 2016

MONAWE
BOULEVARD

NORTH PEORIA AVENUE

P/L 250.13

P/L 91.1875

P/L 235.00

P/L 186.00

P/L 235.00

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE U.S. GOVERNMENT LOT THREE (3), SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

TOTAL LOT AREA: 11.06 ACRES

ZONED CS
P/L 1067.18

ALL PARKING AND BUILDINGS SHOWN DASHED REPRESENT FUTURE DEVELOPMENT.

SEASONAL TENT
RETAIL SPACE 100' X 100'
RETAIL SPACE 300' X 150'
RETAIL SPACE 400' X 200'
4,000 SF

DETENTION POND

DOLLAR GENERAL STORE SITE
ZONED CS

NORTH QUAKER AVENUE

NORTH QUINCY AVENUE

NORTH ROCKFORD AVENUE

P/L 1067.73

EAST 28TH STREET NORTH

ZONED
RS-3

ZONED
RS-3

ZONED
RS-3

RETAIL

SELF STORAGE / CLIMATE CONTROL STORAGE CENTER

FAST FOOD SINGLE STORY RESTAURANT
3,000 SF

SINGLE STORY URGENT CARE
3,000 SF

SINGLE STORY TIRE SHOP
3,000 SF

4 STORY 70 ROOM HOTEL
31,000 SF

Johnson Market

ZONED
RS-3

ZONED
RS-3

ZONED
RS-3

ZONED
RS-3



108 North Greenwood Avenue
Tulsa, Oklahoma 74120
918-794-0758
www.kingarchitecturalsolutions.com

MIXED USE DEVELOPMENT
GILCREASE EXPRESS DEVELOPMENT
2797 NORTH PEORIA AVENUE
TULSA, OK. 74106



SCALE: N.T.S.
RENAME: MK
MANAGER: MK
DRAWN BY: MK
DATE: 01/29/2016

SITE PLAN
A1.0

King Architectural Solutions, PLLC





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: 1049363-1

January 19, 2018

MATT KING
KING ARCHITECTURAL SOLUTIONS
108 N GREENWOOD
TULSA, OK 74120

Phone: (918)794-0758

APPLICATION NO: 9501 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 2817 N PEORIA AV E
Description: RETAIL AND MINI STORAGE

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. 9501

2817 N PEORIA AV E

January 19, 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.

1. **SITE PLAN for ZONING PLAN REVIEW:** 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: Submit a site plan for zoning review with the following information:

- A. North arrow
- B. Appropriate drawing scale;
- C. Legal description of the lot;
- D. Actual shape and dimensions of the lot;
- E. Lot lines and names of abutting streets;
- F. Public rights-of-way;
- G. The location and dimensions of existing buildings or structures, including distances to lot lines;
- H. The location, dimensions and height of proposed buildings or structures;
- I. Architectural projections for existing and proposed buildings and structures, i.e. stairs, porches, balconies, fireplaces, roof overhangs, etc.;
- J. The intended use of existing and proposed buildings, structures or portion of the lot;
- K. The setbacks from the proposed new buildings or structures and alterations of existing buildings or structures to the centerline of abutting Right-of-Way;
- L. 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.55.020 Table 55-2: You are proposing two uses for this property: commercial/retail use, and commercial/self-service storage use. The minimum parking ratio for the retail use is 3.3 spaces per 1,000 ft² of floor area. The floor area for this use is 22,500 ft². The minimum parking requirement is 80 spaces. The minimum parking ratio for the self-service storage use is .2 spaces per 1,000 ft² of indoor floor and outdoor area. The area for this use is 135,000 ft². The minimum parking requirement is 37 spaces. The total parking requirement is 117 spaces.

Review comment: Revise your site plan providing 117 parking spaces. The parking area must comply with the following:

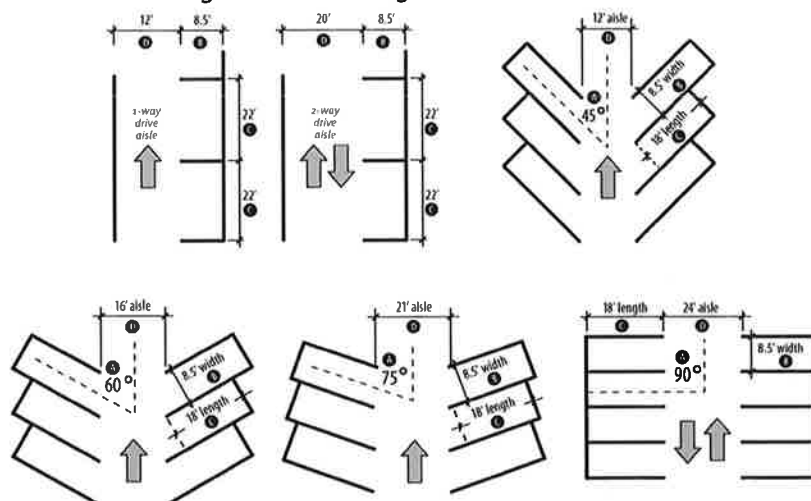
- **Sec.55.090-A:** The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.
- **Sec.55.090-B:** All parking areas must be designed to allow vehicles to enter and exit a street 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°	8.5	22.0	12.0/20.0
	9.0	22.0	12.0/20.0
45°	8.5	18.0	12.0/20.0
	9.0	18.0	11.0/19.0
60°	8.5	18.0	16.0/21.0
	9.0	18.0	15.0/20.0
75°	8.5	18.0	21.0/22.0
	9.0	18.0	20.0/21.0
90°	8.5	18.0	-/24.0
	9.0	18.0	-/22.0
	10.0	18.0	-/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: Submit a site plan providing parking a parking area compliant with this section.

- **Sec.55.090-F1:** All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. 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.

- **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*.

3. **Sec.55.060-B1:** Short-term bicycle parking spaces must be provided in accordance with the minimum ratios established in *Table 55-3*. A commercial/retail use requires 5% or 2 of the required motor vehicle parking spaces, whichever is greater

Review comment: The minimum parking requirement for the retail use is 80 spaces. The required number of bicycle parking spaces is equal to 4 spaces ($.05 \times 80 = 4$). On your revised site plan provide short-term bicycle parking that is compliant with this section.

- **Sec.55.060-D1:** Short-term bicycle parking spaces must comply with the following location and design criteria.

a. Location: Short-term bicycle parking spaces must be located in highly visible areas that do not interfere with pedestrian movements. At least 50% of required short-term bicycle parking spaces must be located within 100 feet of a customer entrance, with the remainder located no more than 300 feet from any entrance. Short-term bicycle parking must be located on the subject lot, unless a license agreement has been approved by the city to allow private bicycle parking facilities to be located in the right-of-way. Public bicycle parking spaces may be credited toward meeting short-term bicycle parking requirements if such bicycle parking spaces comply with the location requirements of this paragraph.

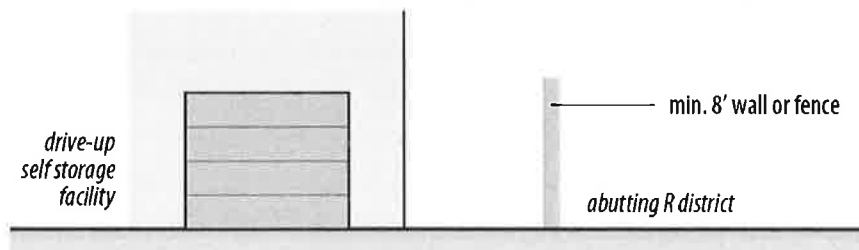
b. Design: Required short-term bicycle parking spaces must:

- (1) Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
 - (2) Be of solid construction, resistant to rust, corrosion, hammers, and saws;
 - (3) Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
 - (4) Be designed so as not to cause damage to the bicycle;
 - (5) Facilitate easy locking without interference from or to adjacent bicycles; and
 - (6) Have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.
- **Sec.55.060-E1&2:** The BOA is authorized to approve a special exception reducing the number of short-term bicycle spaces required under this section, in accordance with the special exception procedures of *Sec.70.120*. The BOA is also authorized to approve special exception to modify the bicycle parking design and location requirements of this section in accordance with the special exception procedures of *Sec. 70.120*.
4. **Sec.55.130:** 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.
- **Sec.55.130-C Pedestrian Circulation Design:** Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:
 - A. Pedestrian access must consist of an accessible, easily-discernible walkway or multi-use path with a minimum width of 5 feet.
 - B. 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.
 - C. 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:** Provide pedestrian circulation, on your revised site plan, compliant with this section.
6. **Sec.65.020-A.1 Landscaping Applicability:** The landscaping regulations of this chapter apply as set forth in the individual sections of Chapter 65.
- Review comment:** The proposed retail and self-storage use is on a lot located in a CS district. The street setback in a CS zoned district is 10'. Provide a landscaping plan compliant with the applicable sections of this chapter:
- **Sec.65.030-B:** Street yard landscaping is required to comply with the following requirements:
 - 1. At least 20% of the required street setback area must be established and maintained as landscaped area. At least one tree must be preserved or planted and maintained or replaced in required street yard landscape areas for each 1,200 square feet of area, or fraction thereof.

2. The landscaped area must be at least 5 feet in width and extend along the entirety of abutting street right-of-way, except at points of vehicular or pedestrian access. This area may be counted towards satisfying the minimum landscaped area requirements of *Sec.65.030-B1*.
- **Sec.65.040-B:** The following parking lot landscaping requirements apply in surface off-street parking lots that are not located in the CBD zoning district.
 1. Off-street parking areas located within 25 feet of a street right-of-way, residential zoning district or residential development area must be separated from the abutting rights-of-way, residential districts and abutting residential development areas by a landscaped area that is at least 10 feet in width and that contains an S1 screen (see *§65.060-C1*) containing at least 3, 5-gal-lon shrubs per 10 linear feet. This area may be counted towards satisfying the minimum street landscaping requirements of *§65.030-B1* if it is located within the street yard.
 2. 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.
 - **Sec.65.050-B:** All required trees must be planted in a permeable area, landscape area or tree pit not less than 5 feet in diameter. Tree planting areas within off-street parking lots must have a minimum permeable area of 64 square feet, with mini-mum dimensions of at least 8 feet. Minimum required tree sizes at time of planting are as follows:
 - a. Deciduous trees used to satisfy the requirements of this chapter must be at least 8 feet in height and 1.5 inches in caliper size at the time of planting; and
 - b. Conifers/evergreen trees (e.g., pine, spruce or cedar) used to satisfy the requirements of this chapter must be at least 6 feet in height at the time of planting.
 - **Sec.65.070-A:** An underground irrigation system must be provided for all required landscape area.
 - **Sec.65.070-C:** Required landscaping must be installed in accordance with an approved landscape plan.
 1. All landscaped areas that are adjacent to pavement must be protected with curbs or equivalent barriers. Flush curbs, curb cuts, or other methods must be used to direct storm water to landscape areas that abut paved areas.
 2. Landscaping may not obstruct traffic visibility at street intersections or at access points to streets.
 3. Required landscaping must be maintained in a live and healthy condition. Dead or diseased plants must be replaced with equivalent plantings.
 4. Required landscaped areas must be maintained free of debris and litter.
 5. The owner of the property for which landscaping is required is responsible for the maintenance of all required landscaping. Landscaping that dies or is damaged must be removed and replaced by the owner of such property.
 - **Sec.65.070-D1&2:** All required landscaping and appurtenances, except trees, must be installed prior to the issuance of a certificate of occupancy. All required trees must be installed within 120 days after issuance of a certificate of occupancy or temporary certificate of occupancy.
 - **Sec.65.080-A:** All building permit applications for sites requiring landscaping must include a 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 and pro-proposed streets and alleys, existing and proposed utility easements and over-head utility lines on or adjacent to the lot, 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.
- **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.
7. **Sec.40.360-A:** The general provisions of this section apply to all self-service storage facilities. A screening fence or masonry wall, as determined by the board of adjustment, is required along all lot lines that abut R-zoned lots. Required screening fences and walls must be at least 8 feet in height. The board of adjustment is authorized to allow building walls to provide this required screening, provided that any open spaces between perimeter buildings are screened with a masonry screening wall at least 8 feet in height. The screening fence/wall requirements of this section do not apply to climate-controlled self-storage buildings in which self-storage spaces are accessed only from within the building. A single dwelling unit may be integrated into the self-storage facility. No activities other than storage and pick-up and deposit of stored materials are allowed within the storage units.

Figure 40-12: Screening of Drive-up Style Self-Storage Facilities from Abutting R Districts



- **Sec.40.360-C:** In the CS district, no outdoor (open-air) storage of any kind is allowed that is visible at ground level from abutting R or O districts or from any street rights-of-way.

Review comment: Revise your site plan providing screening compliant with this section. Outdoor (open-air) storage of any kind that is visible at ground level from abutting R district to the east and south and from the E 28 SN right-of-way is not permitted. Submit a variance, reviewed and approved per Sec.70.130, to allow outdoor (open-air) storage of any kind that is visible at ground level from abutting R district to the east and south and from the E 28 SN right-of-way.

8. Sec.45.050-B: Dumpsters and recyclable material bins are allowed as an accessory use.

- **Sec.45.050-C:** Dumpsters and recyclable material bins are subject to the following regulations:

1. Dumpsters and recyclable material bins may only be placed with the written permission of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights-of-way and R-zoned property in accordance with §65.060-B2, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
 - a. Obstruct motorized or non-motorized traffic;
 - b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
 - c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
 - d. Be located in a required parking space.

9. Sec.65.060-B1: This subsection establishes screening requirements for several common site features that require visual separation from streets and abutting lots. Other uses, districts, structures and activity areas may also require screening in accordance with other provisions of this zoning code.

- All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Required screening must consist of an F1 screening fence or wall in accordance with Sec.65.060-C2. One side of the storage area must be furnished with an opaque, lockable gate.
- **Ground-mounted Equipment:** Mechanical equipment located at ground level, such as heating or cooling equipment, pumps, or generators must be screened from view of the street and any abutting R districts by walls, fences or vegetation. Screening must be at least as tall as the tallest part of the equipment required to be screened.
- **Roof-mounted Equipment:** Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zoning district:
 1. A parapet along facades facing the R district that is at least as tall as the tallest part of the equipment;
 2. A screening fence or wall around the equipment that is at least as tall as the tallest part of the equipment required to be screened; or
 3. An equipment setback from roof edges facing the R district by at least 3 feet for each one foot of equipment height.

10. Sec.65.060-C Type of Screens

1. S1, Low-profile Screen

- a. The S1, low-profile screen is intended to help soften visual impacts of certain site features and provide an "urban edge" along lot borders and other site features, while maintaining some visibility of the areas required to be screened.
- b. The S1 screen requires shrubs planted to form a continuous visual barrier at least 3 feet in height. A 3-foot tall masonry wall may be substituted for the shrubs.

2. F1, Screening Fence or Wall

b. F1 screening requirements may be met by either of the following options.

(1) The installation of an opaque fence at least 6 feet in height and at least one tree per 25 linear feet of fence; or

(2) The installation of a masonry wall with a minimum height of 6 feet.

c. When located in the required street setback, fences and walls may not exceed 4 feet in height.

d. When a fence or wall already exists that provides screening that is as least as effective as would be achieved with a new F1 screening fence or wall, the development administrator is authorized to waive or reduce the fence or wall requirements of this subsection.

3. Fences and walls provided to meet the screening standards of this section must:

a. Be constructed with customarily used fencing materials;

b. Be designed and arranged to provide visual separation of uses irrespective of vegetation;

c. Be constructed with all braces and supports on the interior, except when both sides are of the same design and appearance;

d. Be erected prior to the occupancy of the building or initiation of the use required to be screened;

e. Be uniform in height, except for significant changes in topography;

f. If painted, be earth-tone in color when abutting an R district boundary; and

g. Not be a chain link fence that utilizes inserts of metal or other materials.

4. Fences and walls provided to meet the screening standards of this section must be maintained by the owner of the lot containing the use or feature required to be screened from view.

5. Modification of Requirements

a. Applicable screening requirements may be eliminated or modified through the alternative compliance approval process (see §65.080-D) or through the special exception approval process when existing physical features provide at least as effective visual screening as would strict compliance or when the screening requirement cannot be achieved or is prohibited by other ordinances and/or regulations.

b. An extension of time to install required screening may be approved through the special exception approval process when the properties benefited by the screening are undeveloped.

6. When the erection of a screening wall or fence or setback is required by this zoning code because a use abuts one or more R districts, such wall, fence, or setback is not required if the actual use of the abutting R district is a freeway, expressway, turnpike, nonresidential use previously approved by the board of adjustment; or a nonresidential development area. This exemption from screening does not apply to junk or salvage yard uses.

Review comment: On your revised site plan provide screening for site features per *Sec.65.060-B2&3*.

11. Sec.65.090-B All outdoor lighting must comply with the following general standards:

1. Recessed fixtures must be used in all under-canopy lighting. No lamps, reflectors, refractors or focusing or diffusing may extend below the underside of the canopy surface.

2. Light sources must be concealed or shielded with cutoffs so that no more than 2.5% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 90 degrees above nadir and no more than 10% of the light emitted directly from

the lamp or indirectly from the fixture is projected at an angle of more than 80 degrees above nadir.

3. Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting an agricultural or residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum illumination levels are measured 3 feet above grade or from the top of any opaque screening fence or wall along the property line.
- **Sec.65.090-C:** 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. Applicants have 2 options for the format of the required lighting plan:
 - **Option 1:** Fixture Height Standard Lighting Plans establishes maximum light fixture heights but does not require submittal of a detailed photometric plan.

- Information Required:

- 1) Fixture height standard lighting plans must include at least the following:
- 2) A scale drawing of the site with all outdoor lighting locations shown;
- 3) Fixture specifications, including catalog cut-sheets or generic standards;
- 4) Pole type and height of fixture;
- 5) Lamp type and size; and
- 6) Fixture mounting and orientation.
- 7) Allowable heights of light fixtures must be measured from the light emitting surface to finished grade at the base of the pole. Maximum allowed light fixture heights are based on the (ground-level) horizontal distance between the light fixture and any agricultural or residential zoning district or public right-of-way, as established in *Table 65-1*:

Table 65-1: Maximum Light Fixture Heights

Distance from AG District, R District or Public Right-of-Way (feet)	Maximum Fixture Height (feet)
0 – 50	16
50.01 – 250	20
More than 250	35

- **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:
 - a. A scale drawing of the site with all outdoor lighting locations shown;
 - b. Fixture specifications, including catalog cut-sheets or generic standards;
 - c. Lamp type and size;

- d. Fixture mounting heights, mounting orientation, and tilt angles if applicable; and
 - e. A representative point-by-point illumination array for the site showing property lines and all off-site lighting impacts.
- **Sec.65.090-D:** Light levels must be measured with a direct-reading, portable light meter, calibrated annually by an independent laboratory regularly engaged in the calibration of such instruments. The meter's sensor must be located at the top of the visual screening fence or wall along on the property line (or at a height of 3 feet above finished grade at the property line if there is no fence or wall), aimed towards the subject property in horizontal position. Readings must be recorded after the value has stabilized. Measurements are made after establishment of darkness with the light sources to be measured illuminated, and then with those light sources extinguished. The difference between these 2 readings must then be compared to the maximum allowed illumination at the property line. In this way, contributions to light levels by the moon and other ambient light sources are eliminated and the light intensity from the subject light sources can be accurately determined.

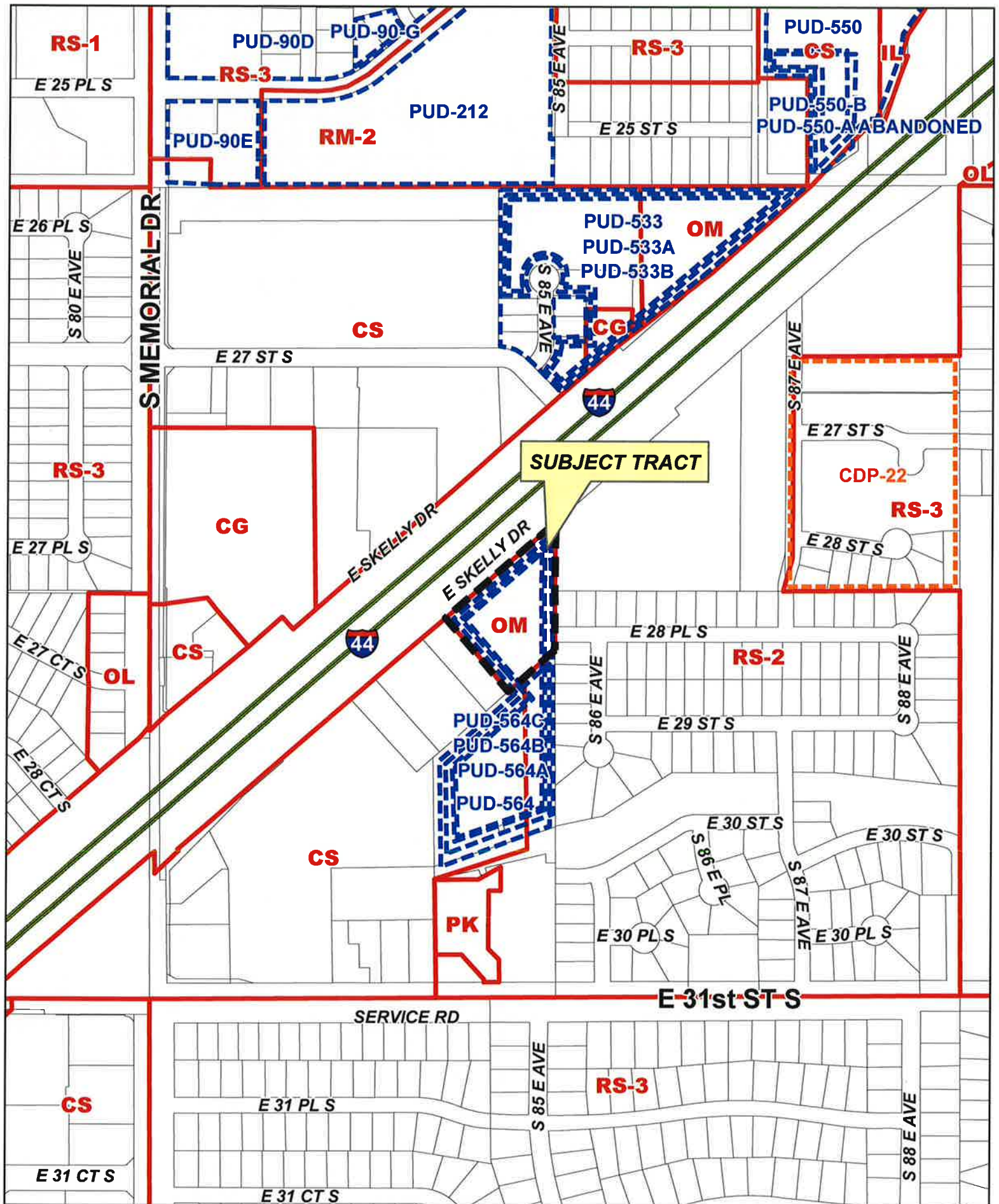
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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-22402

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9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9313

Case Number: BOA-22402

CZM: 38

CD: 5

A-P#: N/A

HEARING DATE: 02/27/2018 1:00 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 60.080-F.5).

LOCATION: 8220 E SKELLY DR S

ZONED: OM/PUB-564 A&B

PRESENT USE: Commercial

TRACT SIZE: 2.5 Acres

LEGAL DESCRIPTION: LT 1 BLK 1, GROVELAND ADDN, CANDLELIGHT, RIVERSIDE NISSAN ADDN RSB PT L7 B1 GROVELAND ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA 22297; on 08.22.07 the Board accepted a Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway

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

Regional Centers are mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 west and south; RS-2 zoning abuts the site in the south and east. I-44 abuts the site on the north.

STAFF COMMENTS:

The applicant is before the Board to verify the spacing requirement for a non-digital outdoor advertising sign on the subject lot.

The Code requires outdoor advertising signs to be separated a minimum distance of 1,200 feet from any other outdoor advertising sign. **Spacing limitations shall not apply between signs separated by the freeway.** The 1,200 feet shall be measured in a straight line from the center of an outdoor advertising sign's structure to the center of any other outdoor advertising sign's structure.

According to the attached survey the proposed billboard meets the spacing requirement for a standard outdoor advertising sign.

The verification is executed through a public hearing process to ensure that surrounding property owners are notified and have the ability to provide information to the Board relevant to the verification.

The Board must find that the proposed outdoor advertising sign meets or does not meet the spacing requirement.

Language traditionally utilized by the Board in verifying the spacing requirement:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing between outdoor advertising signs subject to the action of the Board being null and void should another outdoor advertising sign be erected within the required spacing radius prior to this sign.

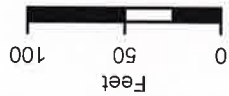
Subject
Tract

BOA-22402

19-13 13

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





Subject Tract

BOA-22402

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

Aerial Photo Date: February 2016

9.5

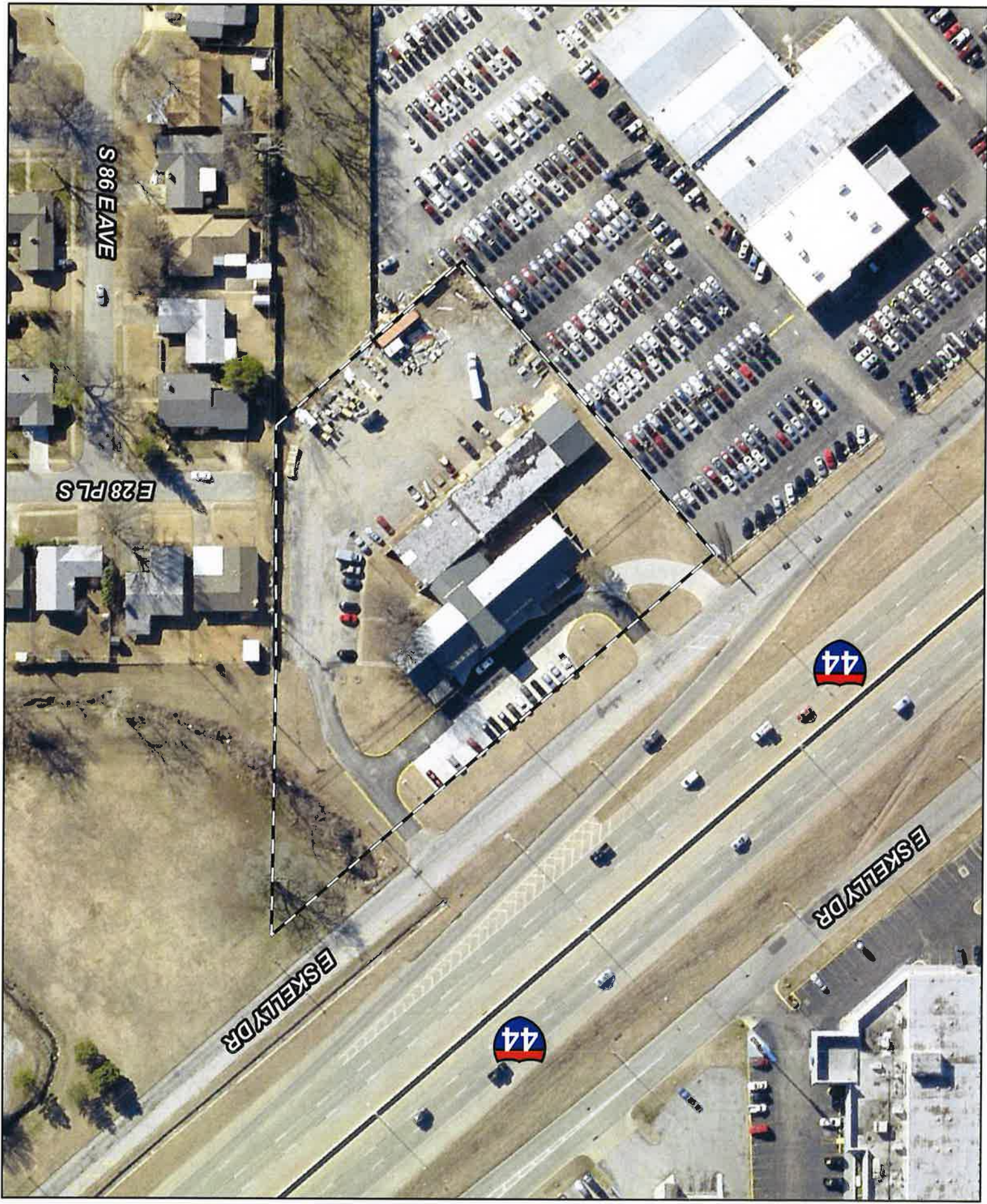


Exhibit "A"

Applicant requests verification of spacing requirements for a static Outdoor Advertising Sign (the "Sign") following approval by TMAPC of Major Amendment PUD 564-C on May 3, 2017. PUD 564-C added outdoor advertising as a permitted use to Development Area B.

The Board of Adjustment previously verified the spacing requirements of the Sign in BOA-22297 on August 22, 2017. Applicant is resubmitting this verification because the coordinates of the Sign have been modified. Exhibit A-1 attached shows the new proposed location of the Sign.

DATE: 1/29/18
SCALE: N/A

Nickle & Associates, Inc.
108 S. 109th E. PLACE, Tulsa, Oklahoma, 74128
(918) 664-5411. C.A. #1749 Expires 6/2019.



Proposed Sign Lat/Long 36 07 20.35 95 52 59.67

I hereby certify that the proposed sign is more than 1200 feet from any other outdoor advertising sign on the same side of the highway. The foregoing certifications are based on the measurement of a straight line from the center of the proposed sign structure, as located on the ground, to the center of any other outdoor advertising sign structure, as located on the ground.



Gregory Nickle, PLS #1396 Oklahoma