

**AGENDA**  
**CITY OF TULSA BOARD OF ADJUSTMENT**  
**Regularly Scheduled Meeting**  
**Tulsa City Council Chambers**  
**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center**  
**Tuesday, March 27, 2018, 1:00 P.M.**

**Meeting No. 1202**

**CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

1. Approval of **Minutes** of March 13, 2018 (Meeting No. 1201).

**UNFINISHED BUSINESS**

2. **22397—Donny Beeler**

Variance to reduce the minimum lot area and lot area per unit; Variance to reduce the minimum street frontage to 0 feet in a AG District; Variance to reduce the required lot width to permit a lot split (Section 25.020). **LOCATION:** 8217, 8223 and 8231 South Maybelle Avenue West **(CD 2)**

**The applicant has requested a continuance to April 10, 2018.**

3. **22401—Nelson Allen**

Special Exception to allow a self-storage facility in a CS District (Section 15.020). **LOCATION:** 2817 North Peoria Avenue East **(CD 1)**

4. **22406—Brian Seller**

Variance to reduce lot width in an RS-4 District to allow a lot split (Section 5.030). **LOCATION:** 1301 North Main Street **(CD 1)**

**NEW APPLICATIONS**

5. **22410—Deborah Richards**

Variance to allow required accessible parking spaces to be located off site from the principal use (Section 55.080-D-1). **LOCATION:** 1007 South Peoria Avenue East **(CD 4)**

6. **22413—Eller & Detrich – Andrew Shank**  
Spacing Verification for a digital display outdoor advertising sign (Section 60.100-K). **LOCATION:** 10029 East 45<sup>th</sup> Place South **(CD 7)**
7. **22414—Mary Huckabee**  
Variance to reduce the side setback from 15 feet to 10 feet in an RE District (Section 5.030-A). **LOCATION:** 2618 East 37<sup>th</sup> Street South **(CD 9)**
8. **22415—Claude Neon Federal Signs – Bob Dail**  
Variance to permit the display surface area for the Community Care wall sign with logo to be increased from 330 square feet to 580 square feet on the southwest wall (Section 60.080-B-1); Variance to permit the display surface area for the Community Care wall sign with logo to be increased from 432 square feet to 580 square feet on the north wall (Section 60.080-B-1). **LOCATION:** 2 West 2nd Street South **(CD 4)**
9. **22416—Andy Patel**  
Variance to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Denver Avenue West (Section 60.080-D); Variance to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Cheyenne Avenue West (Section 60.080-D). **LOCATION:** 202 West 5<sup>th</sup> Street South **(CD 4)**
10. **22417—Scott Rodehaver**  
Modification of a previously approved site plan. **LOCATION:** 1003 North 129<sup>th</sup> Avenue East **(CD 3)**
11. **22420—Carly Goodnight**  
Special Exception to allow a dynamic display sign in an RS-3 District (Section 60.050); Modification to a previously approved site plan (BOA-17775). **LOCATION:** 202 South 117<sup>th</sup> Avenue East **(CD 3)**

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**Website:** [www.cityoftulsa-boa.org](http://www.cityoftulsa-boa.org)

**E-mail:** [esubmit@incog.org](mailto: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.

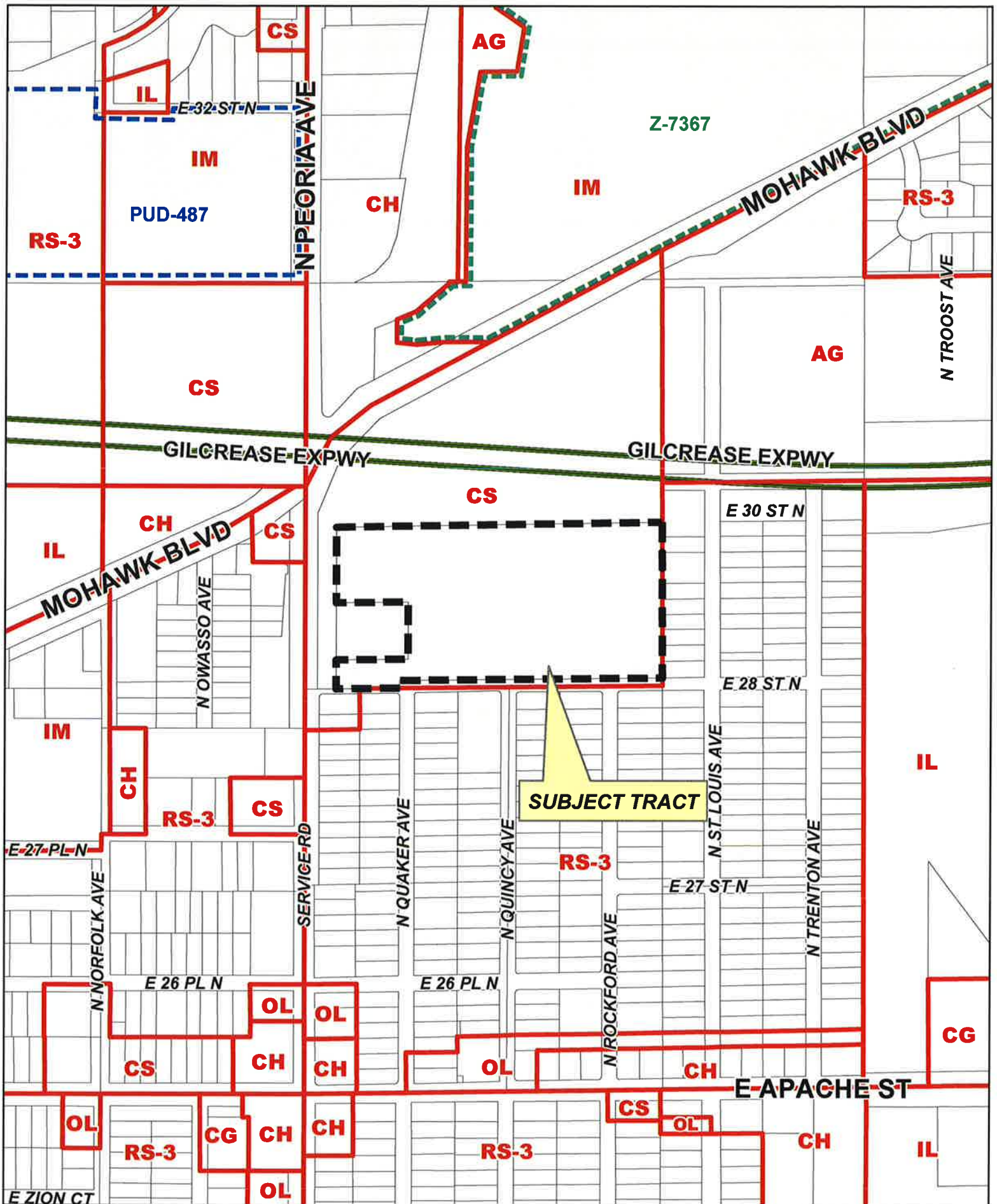
**NOTE:** This agenda is for informational purposes only and is not an official posting. Please contact the INCOG Office at (918) 584-7526, if you require an official posted agenda.

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**BOA-22397—DONNY BEELE**

**THE APPLICANT HAS REQUESTED A  
CONTINUANCE TO APRIL 10, 2018**



BOA-22401

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20-13 19

# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 0319

Case Number: **BOA-22401**

**CZM:** 29

**CD:** 1

**A-P#:** 9501

**HEARING DATE:** 03/27/2018 1:00 PM (continued from 2/27/2018)

**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.*

**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.





0 200 400  
Feet



Subject  
Tract

**BOA-22401**

20-13 19

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

Aerial Photo Date: February 2016



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# LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE U.S. GOVERNMENT LOT THREE (3), SECTION NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE TWENTY (20) WEST, OKLAHOMA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO-WIT:

**ZONED CS**  
P/L 1067.18

**TOTAL LOT AREA: 11.06 ACRES**

ALL PARKING AND BUILDINGS SHOWN DASHED REPRESENT FUTURE DEVELOPMENT



**MIXED USE DEVELOPMENT**  
**GILCREASE EXPRESS DEVELOPMENT**

2797 NORTH PEORIA AVENUE  
TULSA, OK. 74106

108 North Greenwood Avenue  
Tulsa, Oklahoma 74120

918-794-0758  
www.kingarchitecturalsolutions.com

**King Architectural Solutions, PLLC**

**A SITE PLAN**  
SCALE: 1"=100'-0"

**SITE PLAN**  
**A1.0**

SCALE: 1"=100'-0"  
PREPARED BY: [Signature]  
DRAWN BY: [Signature]  
DATE: 07/20/18

ARCHITECTURAL SEAL











**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> 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 2<sup>nd</sup> 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☒ **IS** ☐ **IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.CITYOFTULSA-BOA.ORG](http://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 ft<sup>2</sup> of floor area. The floor area for this use is 22,500 ft<sup>2</sup>. The minimum parking requirement is 80 spaces. The minimum parking ratio for the self-service storage use is .2 spaces per 1,000 ft<sup>2</sup> of indoor floor and outdoor area. The area for this use is 135,000 ft<sup>2</sup>. 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:

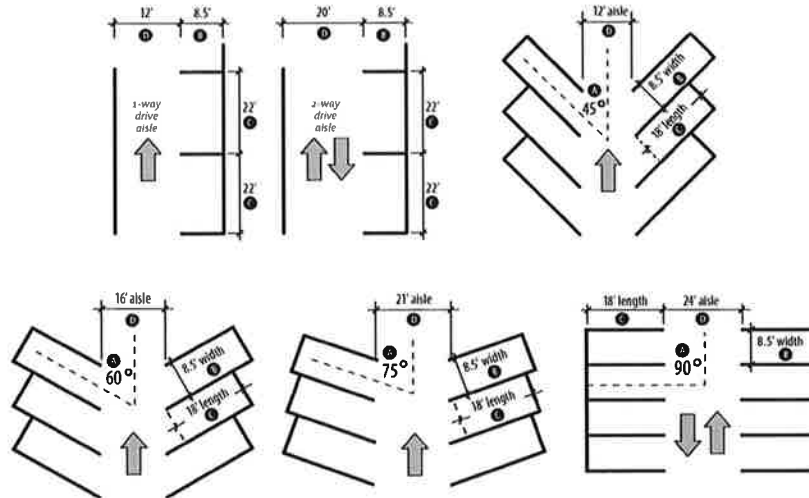
- **Sec.55.090-A:** The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.
- **Sec.55.090-B:** All parking areas must be designed to allow vehicles to enter and exit a street 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.

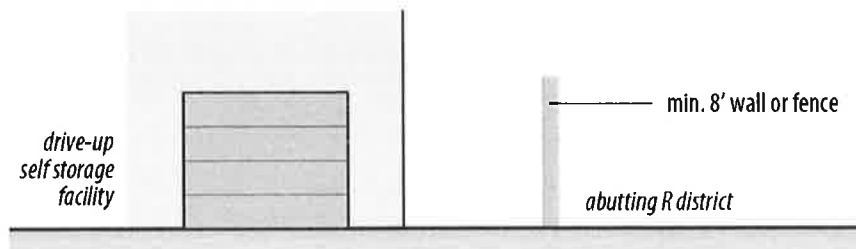
- **Sec.55.060-D1:** Short-term bicycle parking spaces must comply with the following location and design criteria.
  - a. Location:** Short-term bicycle parking spaces must be located in highly visible areas that do not interfere with pedestrian movements. At least 50% of required short-term bicycle 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 minimum 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 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.

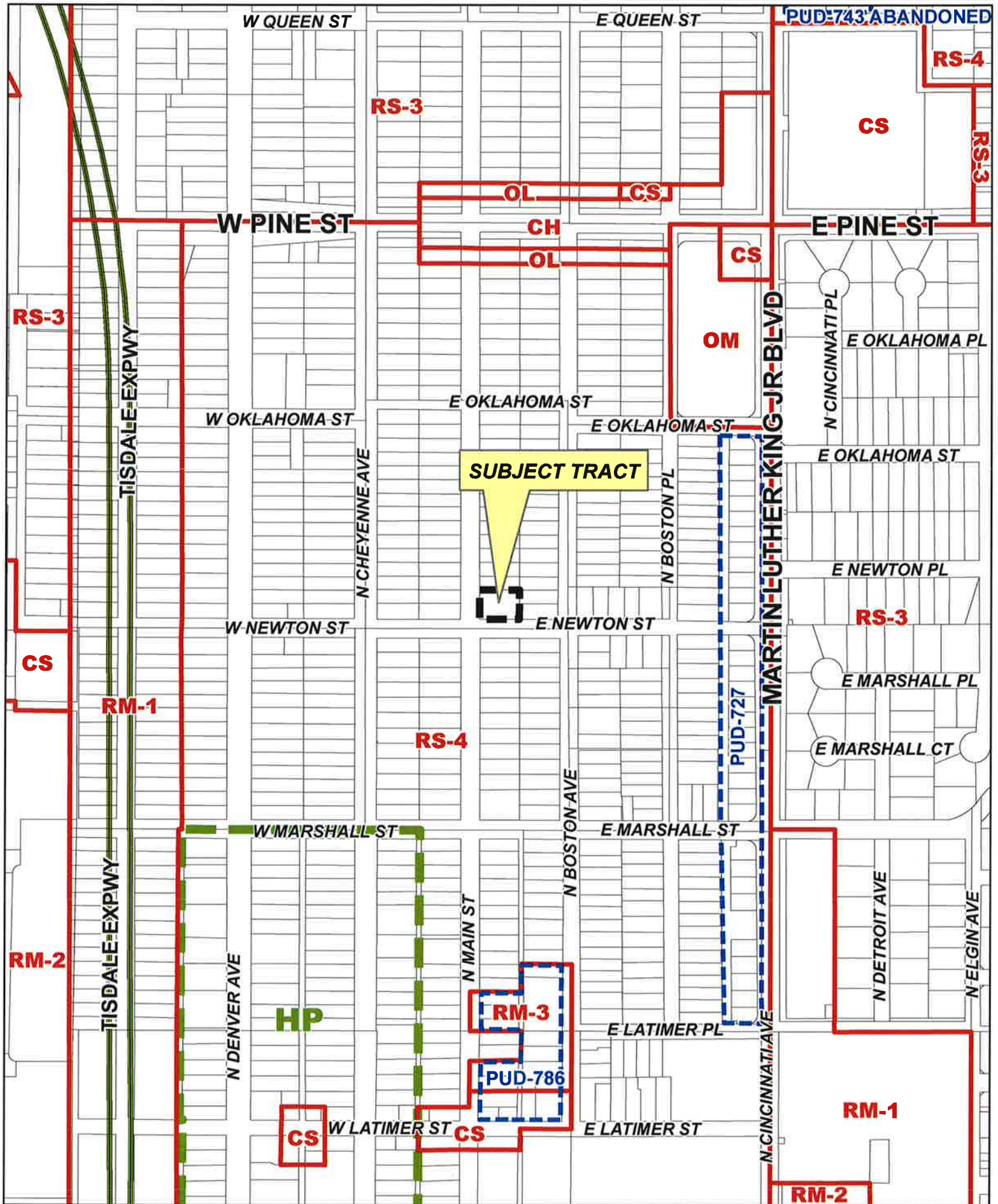
**This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.**

**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-22406

4.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 0235

Case Number: BOA-22406

CZM: 28

CD: 1

A-P#: N/A

**HEARING DATE:** 03/27/2018 1:00 PM (Continued from 3/13/2018)

**APPLICANT:** Brian Seller

**ACTION REQUESTED:** Variance to reduce the required lot width from 50 ft. to 45 ft. to allow a lot split in the RS-4 district. (Section 5.030)

**LOCATION:** 1301 N MAIN ST E

**ZONED:** RS-4

**PRESENT USE:** Residential

**TRACT SIZE:** 12580.18 SQ FT

**LEGAL DESCRIPTION:** LTS 14 & 15 BLK 2, KRAATZ-GERLACH 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-4 zoning.

**STAFF COMMENTS:**

As shown on the attached site plans the applicant is proposing to split off a portion of the subject lot; the proposed Lot 14 will be 5,873 sq. ft. and contain a lot width of 45 ft. The Code requires that a RS-

4.2

4 zoned lot maintain a lot area and lot area per unit of 5,500 sq. ft.; an open space per unit of 2,500 sq. ft.; and a lot width of 50 ft. The applicant intends to build a single-family new home on the Lot 14.

To permit Lot 14 as proposed the applicant has requested a **Variance** to reduce the permitted lot width to 45 ft. The subject property is twice the lot width of most lots in the surrounding area. The density proposed by the applicant with the lot split is compatible with the existing development pattern in the neighborhood.

### Sample Motion

Move to \_\_\_\_\_ (approve/deny) a Variance to reduce the required lot width from 50 ft. to 45 ft. to allow a lot split in the RS-4 district. (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."*





0 Feet 200 400



Subject Tract

**BOA-22406**

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

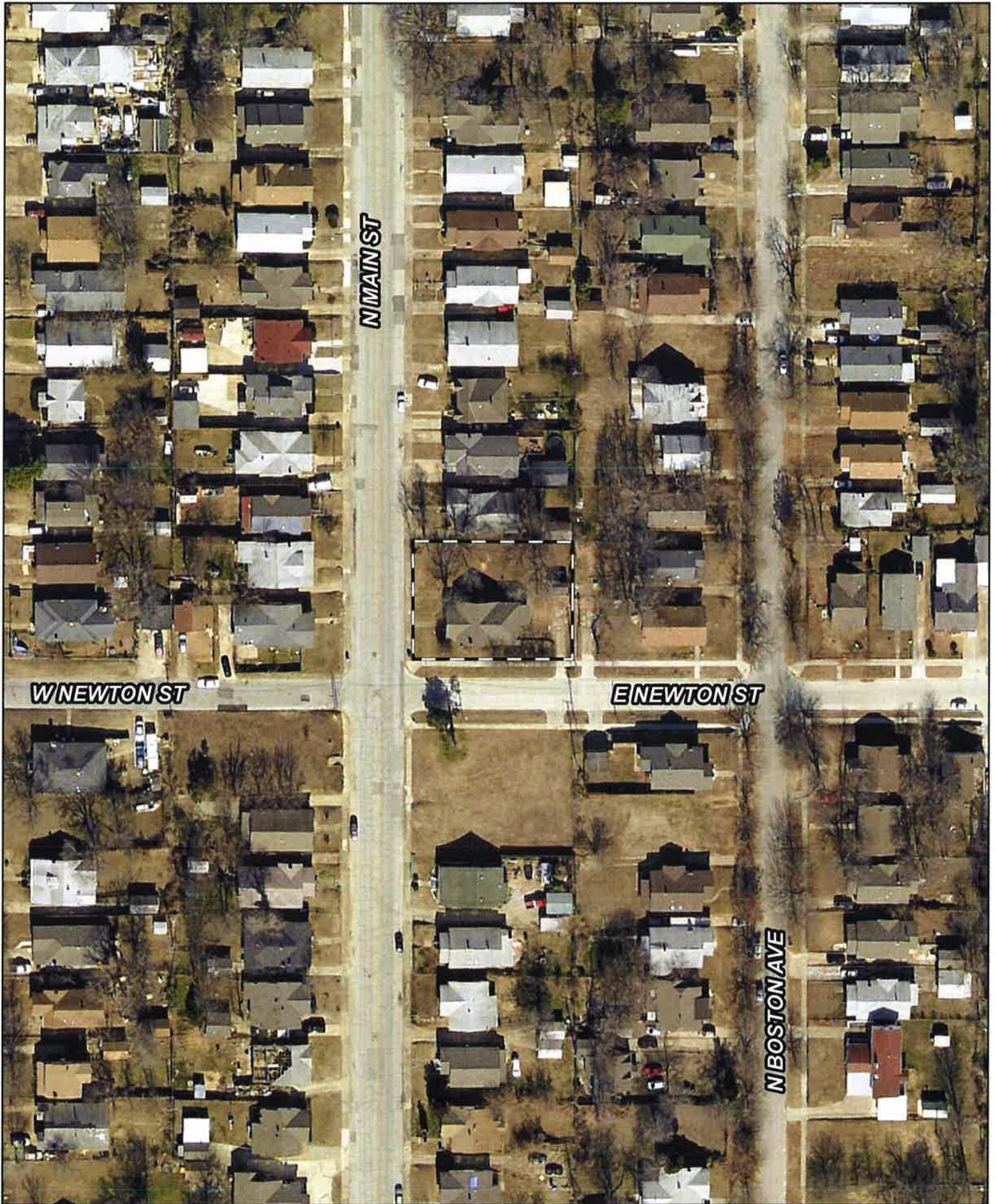


20-12 35

Aerial Photo Date: February 2016

4.4





0 Feet 50 100



Subject  
Tract

**BOA-22406**

20-12 35

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

Aerial Photo Date: February 2016



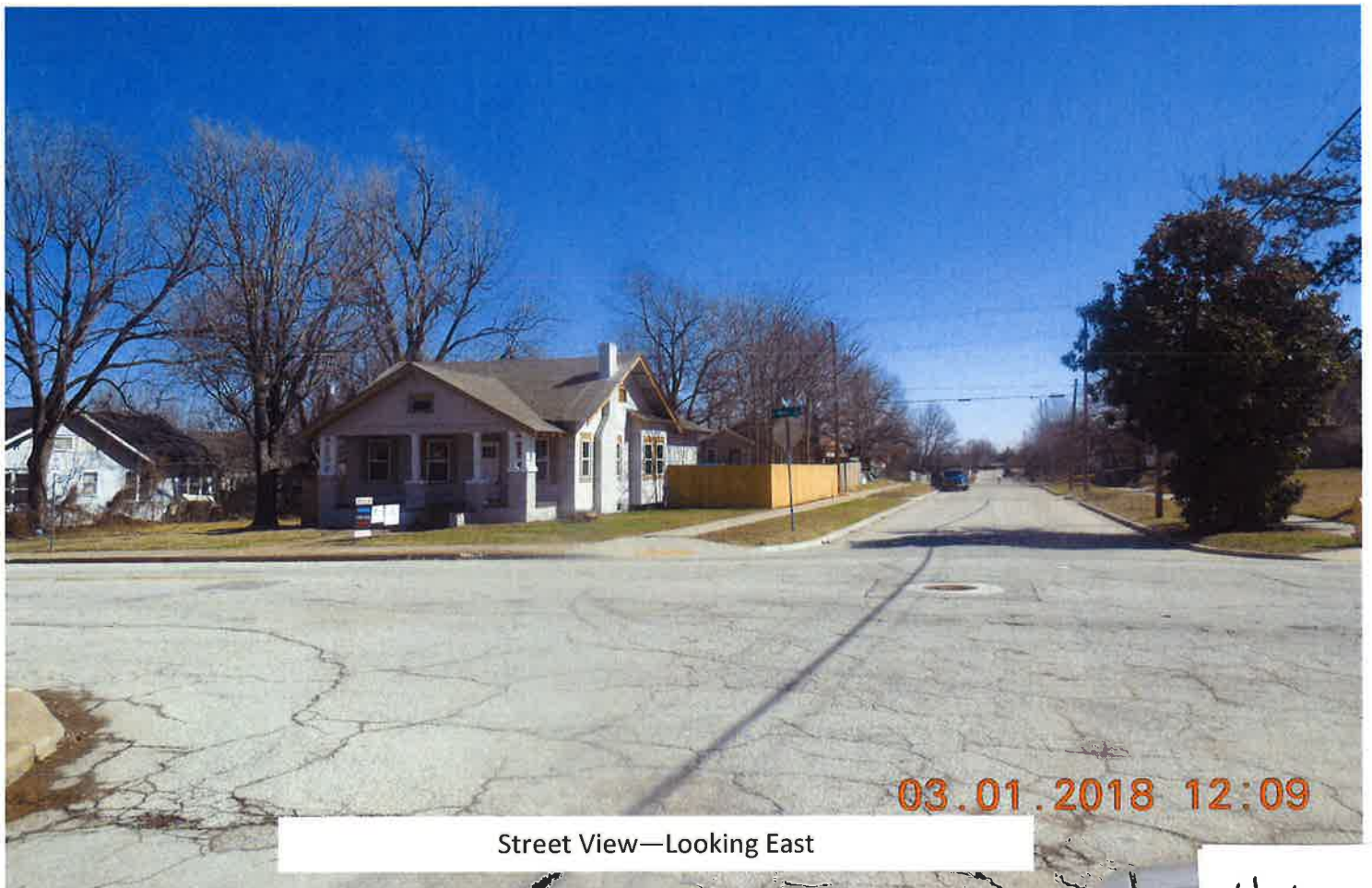
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BOA 22406



Subject Site—Looking East



Street View—Looking East

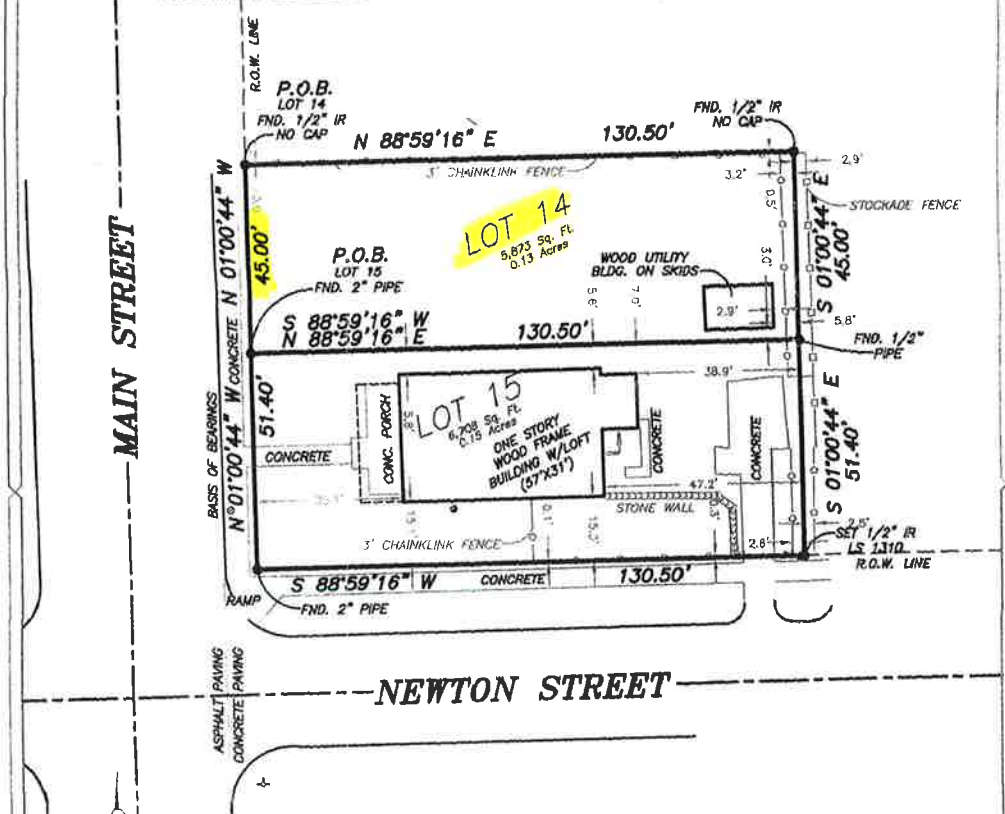
03.01.2018 12:09

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# BOUNDARY SURVEY

PROPERTY ADDRESS: 1301 NORTH MAIN STREET, TULSA, OK 74108



## LINETYPE LEGEND

EASEMENT LINE ROAD CENTERLINE SUBJECT BOUNDARY LINE  
 P.O.B. - POINT OF BEGINNING; FND - FOUND; IR - IRON ROD  
 P.O.C. - POINT OF COMMENCEMENT; R.O.W. - RIGHT OF WAY  
 ⦿ - POWER POLE ⦿ - WATER METER ⦿ - FIRE HYDRANT ⦿ - GAS METER

## NOTES:

1) SURVEY CONDUCTED WITHOUT BENEFIT OF TITLE EXAMINATION.

## ORIGINAL DESCRIPTION PER DEED #2017074982:

LOTS FOURTEEN (14) AND FIFTEEN (15), BLOCK TWO (2), KRAATZ-GERLACH ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 237, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

## LOT 14 AS SURVEYED:

ALL OF LOT 14, BLOCK 2, KRAATZ-GERLACH ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 237, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" IRON ROD AT THE NORTHWEST CORNER OF SAID LOT 14; THENCE N 88°59'16" E A DISTANCE OF 130.50 FEET TO A FOUND 1/2" IRON ROD AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE S 01°00'44" E A DISTANCE OF 45.00 FEET TO A FOUND 1/2" PIPE AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE S 88°59'16" W A DISTANCE OF 130.50 FEET TO A FOUND 2" PIPE AT THE SOUTHWEST CORNER OF SAID LOT 14 AND IN THE EAST RIGHT OF WAY LINE OF MAIN STREET; THENCE N 01°00'44" W, ON SAID RIGHT OF WAY LINE, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5,873 SQ. FT. OR 0.13 ACRES, MORE OR LESS.

## LOT 15 AS SURVEYED:

ALL OF LOT 15, BLOCK 2, KRAATZ-GERLACH ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 237, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 2" PIPE AT THE NORTHWEST CORNER OF SAID LOT 15; THENCE N 88°59'16" E A DISTANCE OF 130.50 FEET TO A FOUND 1/2" PIPE AT THE NORTHEAST CORNER OF SAID LOT 15; THENCE S 01°00'44" E A DISTANCE OF 51.40 FEET TO A SET 1/2" IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 15 AND BEING IN THE NORTH RIGHT OF WAY LINE OF NEWTON STREET; THENCE S 88°59'16" W A DISTANCE OF 130.50 FEET, ALONG SAID RIGHT OF WAY LINE TO A FOUND 2" PIPE AT THE SOUTHWEST CORNER OF SAID LOT 15 AND AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF NEWTON STREET AND THE EAST RIGHT OF WAY LINE OF MAIN STREET; THENCE N 01°00'44" W, ON SAID RIGHT OF WAY LINE, A DISTANCE OF 51.40 FEET TO THE POINT OF BEGINNING, CONTAINING 6,708 SQ. FT. OR 0.15 ACRES, MORE OR LESS.



## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THE PURPOSES OF THIS SURVEY IS PER GPS OBSERVATIONS BETWEEN FOUND MONUMENTS ALONG WEST PROPERTY LINE HAVING A BEARING OF N 01°00'44" W.

## CERTIFICATION:

THIS SURVEY MEETS OR EXCEEDS MINIMUM STANDARDS FOR RURAL PROPERTY AS SET FORTH BY THE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS.



RED PLAINS LENDER SURVEYS  
 214 Enterprise Drive, Edmond, OK 73013  
 Phone: 855-283-2333 / Fax: 405-947-9536  
 Email: info@LenderSurveys.com  
 Oklahoma CoA No.: 7462, Expires 06/30/19

J.N. 21022X - DRAWN BY: L.S.

BUYER: ARTURO SALDIVAR

**2 EXISTING SURVEY**  
 SCALE: NTS



**NEW  
SINGLE-FAMILY  
RESIDENCE**

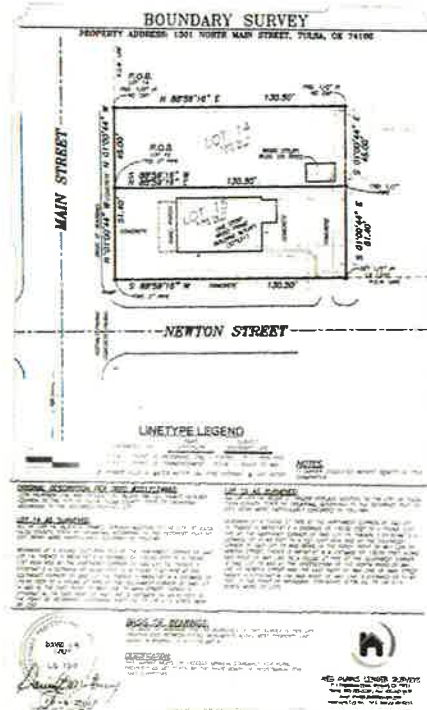
**LOT 14, BLOCK 2  
KRAATZ-GERLACH  
ADDITION**

**PROJECT #  
17004**

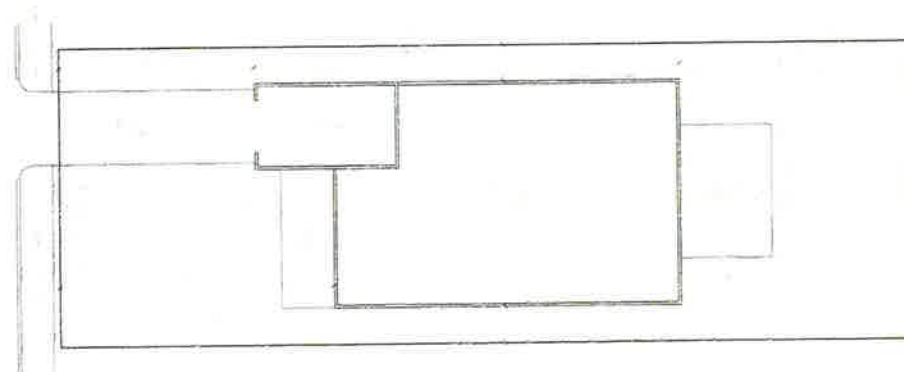
10.25.2017

ARCH  
SITE PLAN

**A1.0**

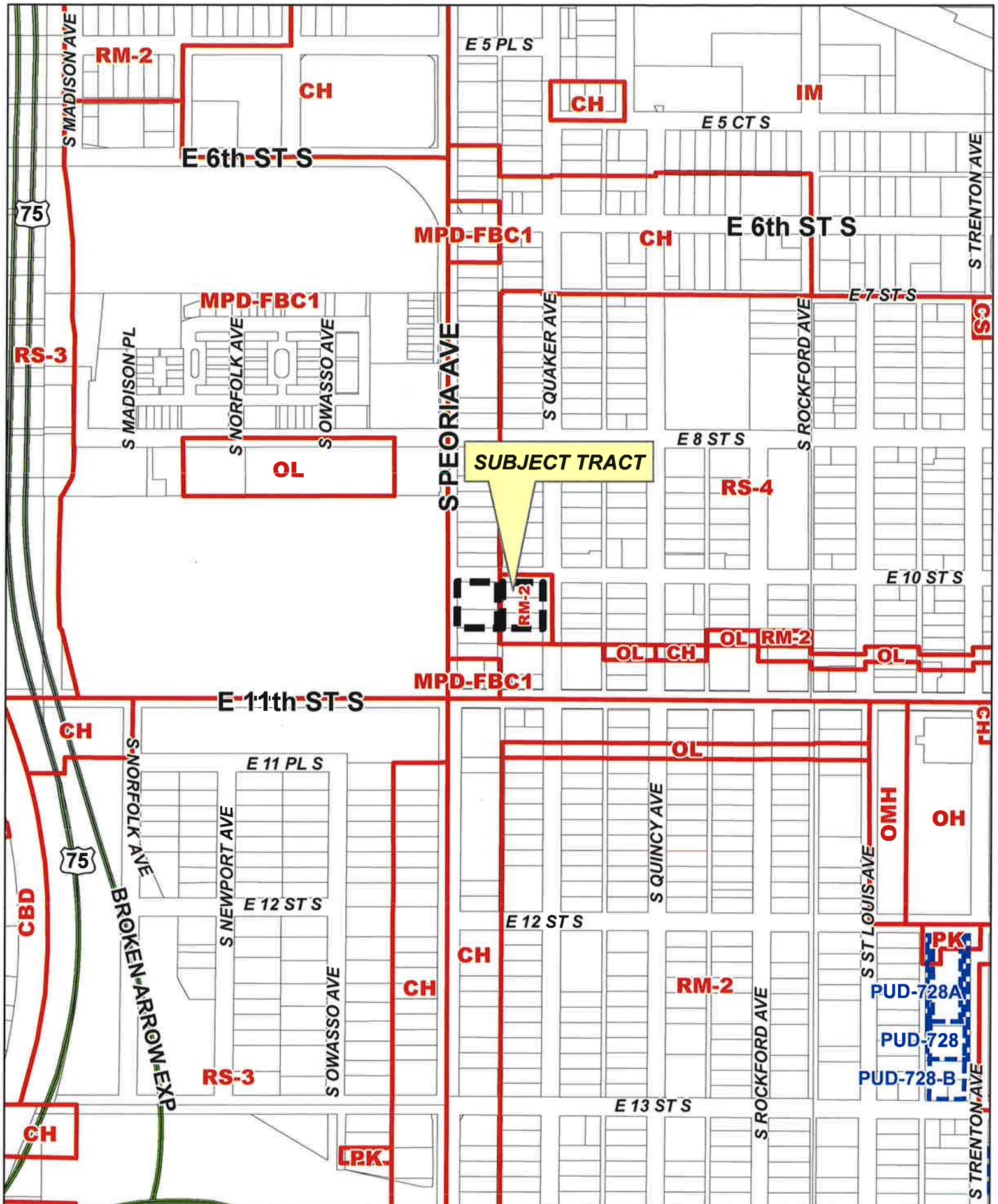


**2 EXISTING SURVEY**  
SCALE NTS



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

4.8



BOA-22410

5.1



19-13 06



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9306

Case Number: **BOA-22410**

CZM: 37

CD: 4

A-P#:

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Deborah Richards

**ACTION REQUESTED:** **Variance** to allow required accessible parking spaces to be located off site from the principal use (Sec. 55.080-D.1)

**LOCATION:** 1007 S PEORIA AV E

**ZONED:** RM-2,CH

**PRESENT USE:** Office space and parking lot

**TRACT SIZE:** 38999.43 SQ FT

**LEGAL DESCRIPTION:** N. 40 OF LT 13 ALL OF LOT 14 BLK 10; LT 12 S 10 FT LT 13 BLK 10; LT 1 BLK 10; LT 2 BLK 10; LT 3 BLK 10, EAST LYNN ADDN

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject Site (RM-2 zoned tracts):**

BOA 15650: on 2/26/1991 the Board approved a **Special Exception** to permit off-street parking in an RM-2 District; **Variance** of the required setback for unenclosed off-street parking, as measured from the centerline of Quaker Avenue, from 50' to 25', and a **Variance** of the setback, as measured from the centerline of 10th Street, from 55' to 30'; **Variance** to waive the screening requirements along the property lines in common with R Districts for unenclosed off-street parking areas which are principal uses, located southwest corner of 10th Street and Quaker Avenue.

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

**Downtown Neighborhoods** are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

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 requests involves two separate subject sites. The RM-2 zoned subjects tracts are abutted by RS-4 zoning to the north and east; RM-2 zoning to the south; and CH zoned tracts to the west. The CH zoned subject area is abutted by CH zoning to the north; MPD-FBC-1 zoned tracts to the west and south; and RM-2 zoning to the east.

**STAFF COMMENTS:**

The applicant has requested a **Variance** to allow required accessible parking spaces to be located off-site. The code requires that all accessible required parking be located on the same lot as the principal use (Section 55.080-D.1). The site plan submitted by the applicant shows that the required accessible parking would be located on the lot directly to the east of the principal use. The code defines required accessible parking spaces as accessible parking for people with disabilities (Section 55.110).

The applicant provided the following statement with their application: *The building and it's adjacent parking lot have been on the property for many years, an alley divides them. The owner of the property is planning a new building that supports the Tulsa Comprehensive Plan by having the new building façade along Peoria Avenue. The parking is planned to be behind the building, on the east side of the alley. The existing alley prohibits the owner from combining the two parts of their property. The proposed accessible parking spaces will be designed in accordance with all applicable codes and be along the shortest route to the entrance.*

**Sample Motion**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to allow required accessible parking spaces to be located off-site from the principal use (Section 55.080-D.1).

- 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.”*

Action Requested:

Special Exception to permit off-street parking in an RM-2 District - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 10.

Variance of the required setback for unenclosed off-street parking, as measured from the centerline of Quaker Avenue, from 50' to 25', and a Variance of the setback, as measured from the centerline of 10th Street, from 55' to 30' - **Section 1302.B. SETBACKS** - Use Unit 10.

Variance to waive the screening requirements along the property lines in common with R Districts for unenclosed off-street parking areas which are principal uses - **Section 1303.E. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS** - Use Unit 10, located southwest corner of 10th Street and Quaker Avenue.

Presentation:

The applicant, **Louis Levy**, was not present.

Interested Parties:

**Nancy Kachel**, 1568 South Gillette, Tulsa, Oklahoma, stated that Mr. Levy is representing the Planned Parenthood organization, and does plan to attend the meeting.

Presentation:

The applicant, **Louis Levy**, 5314 South Yale, Tulsa, Oklahoma, submitted a plot plan (Exhibit B-2) and stated that he is representing Planned Parenthood. He requested Board approval to locate 26 additional parking spaces on RM-2 property adjacent to the principal office use on Peoria Avenue. Mr. Levy explained that the property is now vacant, as the two houses located on the lot have been razed to accommodate the parking area. A brochure (Exhibit B-3) and photographs (Exhibit B-1) of the surrounding area were submitted. The applicant stated that the residents of the three houses across the street from the proposed parking lot have not voiced a concern with the proposal, and the East Lynn Neighborhood Association are supportive of the application. Mr. Levy informed that the parking lot will be in use from 8:00 a.m. to 6:00 p.m., Monday through Friday, and Saturday from 9:00 a.m. to 12:00 noon, with evening classes being conducted on Tuesday and Thursday. He stated that the entrance to the parking lot will be from the alley, with no access points on 10th Street or Quaker Avenue. Mr. Levy informed that the parking lot will be lighted continuously, and a screening fence could be constructed, however, the neighborhood is somewhat divided on this issue.



**Case No. 15650 (continued)**

**Comments and Questions:**

Ms. White asked Mr. Levy if his client would be agreeable to the execution of a tie contract between the two lots, and he answered in the affirmative.

In regard to the screening requirement, Ms. White pointed out that this requirement is to protect the residential neighborhood.

Mr. Levy stated that a fence could conceal illegal activities that might take place on the parking lot, and the neighborhood did not want a solid fence.

**Protestants:** None.

**Board Action:**

On **MOTION** of **FULLER**, the Board voted 3-0-0 (Bradley, Fuller, White, "aye"; no "nays"; no "abstentions"; Bolzle, Chappelle "absent") to **APPROVE** a **Special Exception** to permit off-street parking in an RM-2 District - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 10; to **APPROVE** a **Variance** of the required setback for unenclosed off-street parking, as measured from the centerline of Quaker Avenue, from 50' to 25', and a **Variance** of the setback, as measured from the centerline of 10th Street, from 55' to 30' - **Section 1302.B. SETBACKS** - Use Unit 10; and to **APPROVE** a **Variance** to waive the screening requirements along the property lines in common with R Districts for unenclosed off-street parking areas which are principal uses - **Section 1303.E. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS** - Use Unit 10; per plot plan submitted; subject to all lighting being shielded and directed away from the residences; finding the use to be compatible with the area; and finding that the parking lot will not have a detrimental impact on the residential neighborhood, as there will be no access points on 10th Street or Quaker Avenue; on the following described property:

Lots 1 and 2, Block 10, East Lynn Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15655**

**Action Requested:**

An appeal from the decision of the Building Inspector in determining that the existing signage is in violation of the Zoning Code - **Section 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL** - Use Unit 11.

Variance to permit more than one business sign on each street frontage of a lot, and variance to exceed the permitted square footage of display surface area per lineal foot of street frontage - **Section 602.B.4. Signs** - Use Unit 11, located 6711 South Yale.





0 200 400  
Feet



Subject  
Tract

**BOA-22410**

19-13 06

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

Aerial Photo Date: February 2016



5.7





0 Feet 50 100



Subject  
Tract

**BOA-22410**

19-13 06

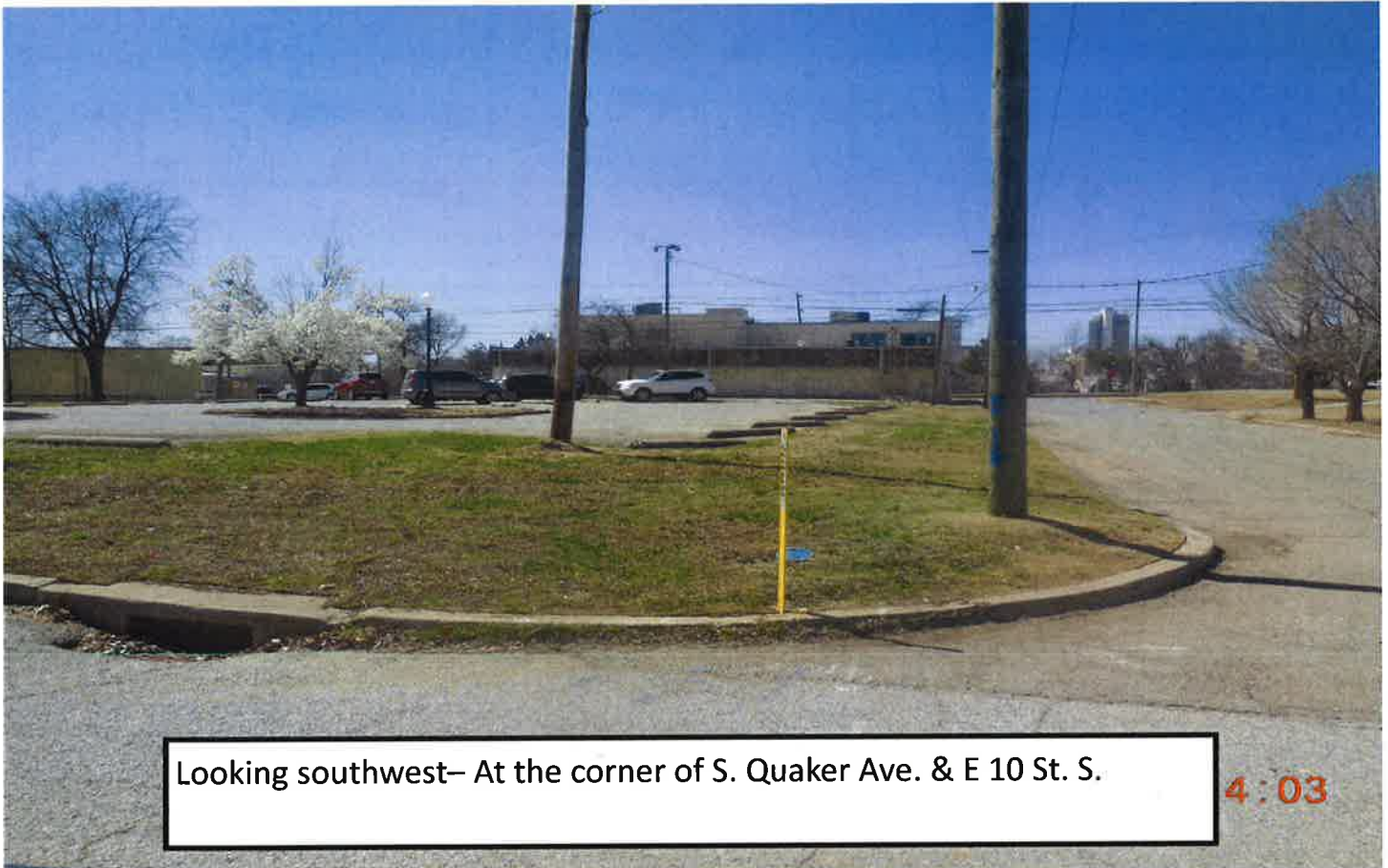
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016

5.8







Looking southwest– At the corner of S. Quaker Ave. & E 10 St. S.

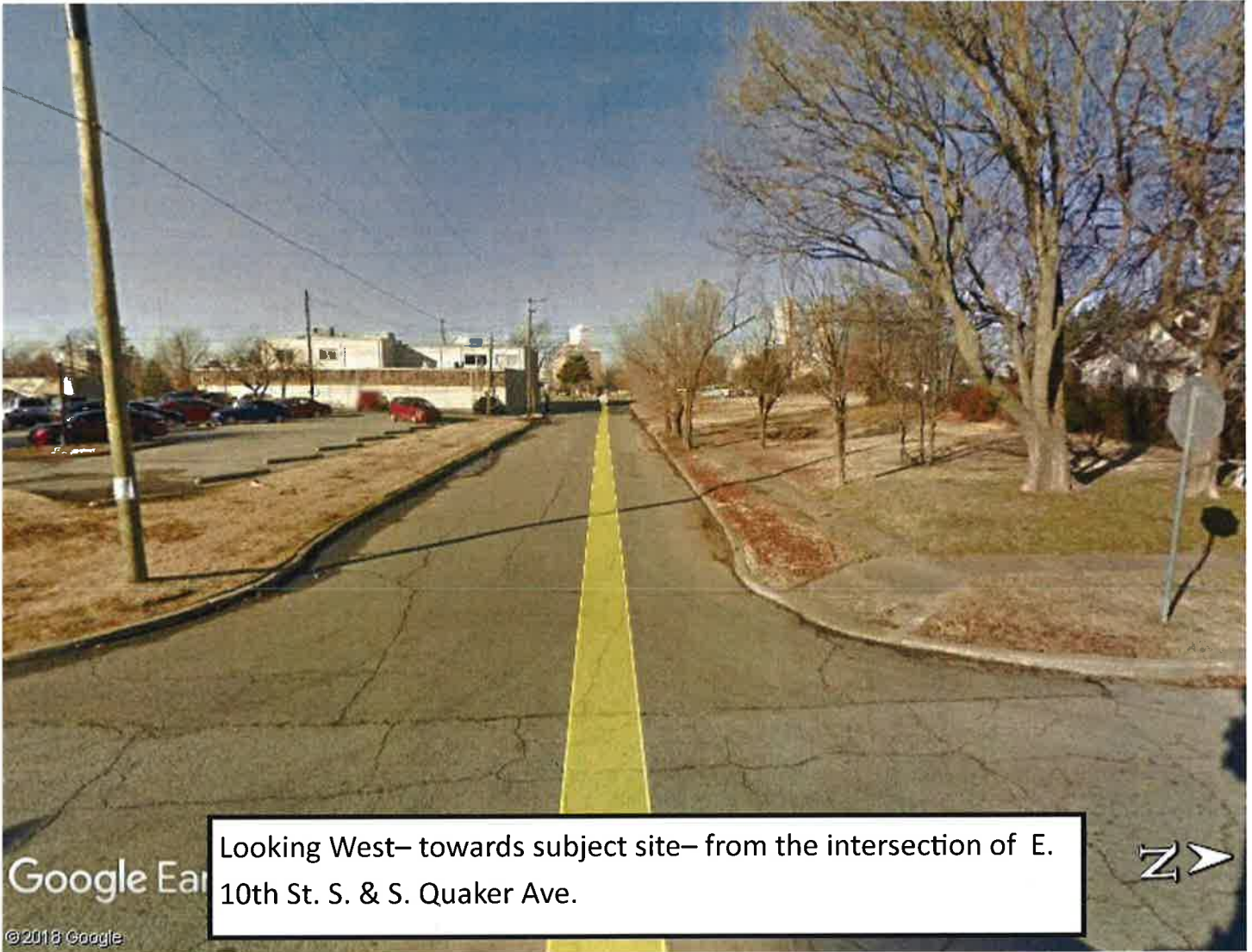
4:03



Looking southeast– across the street from 10th Street





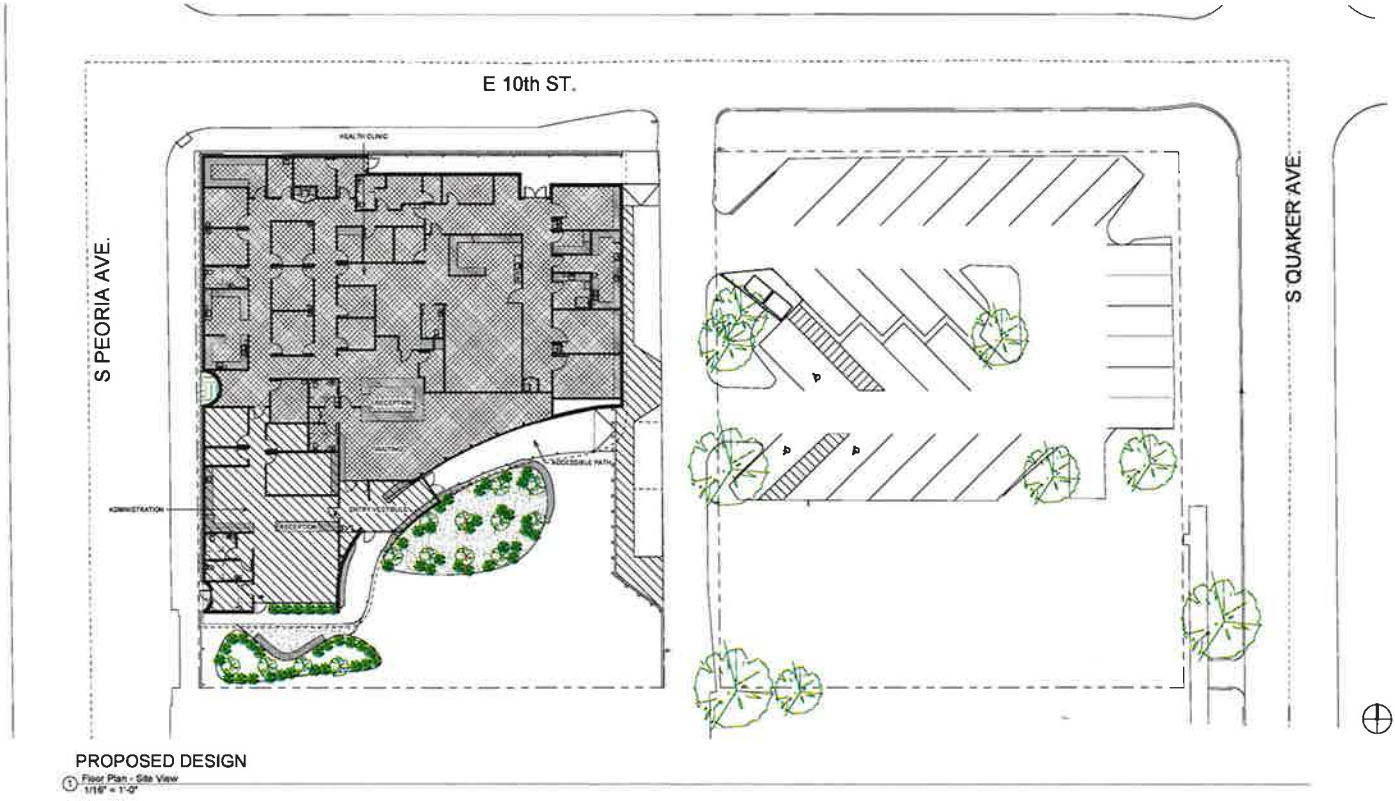


Google Earth

©2018 Google

Looking West— towards subject site— from the intersection of E.  
10th St. S. & S. Quaker Ave.





PROPOSED DESIGN  
 Floor Plan - Site View  
 1/16" = 1'-0"

# HEALTH CENTER

PROJECT  
 Health Center

DESIGNER  
 Inter-Projects Architecture, PLLC  
 1007 S. Peoria Ave.  
 Peoria, IL 61602  
 Tel: 309.696.1111  
 Email: info@inter-projects.com

CLIENT  
 1007 S. PEORIA AVE, LLC

Inter-Projects  
 architecture, pllc

Copyright © Inter-Projects Architecture, PLLC

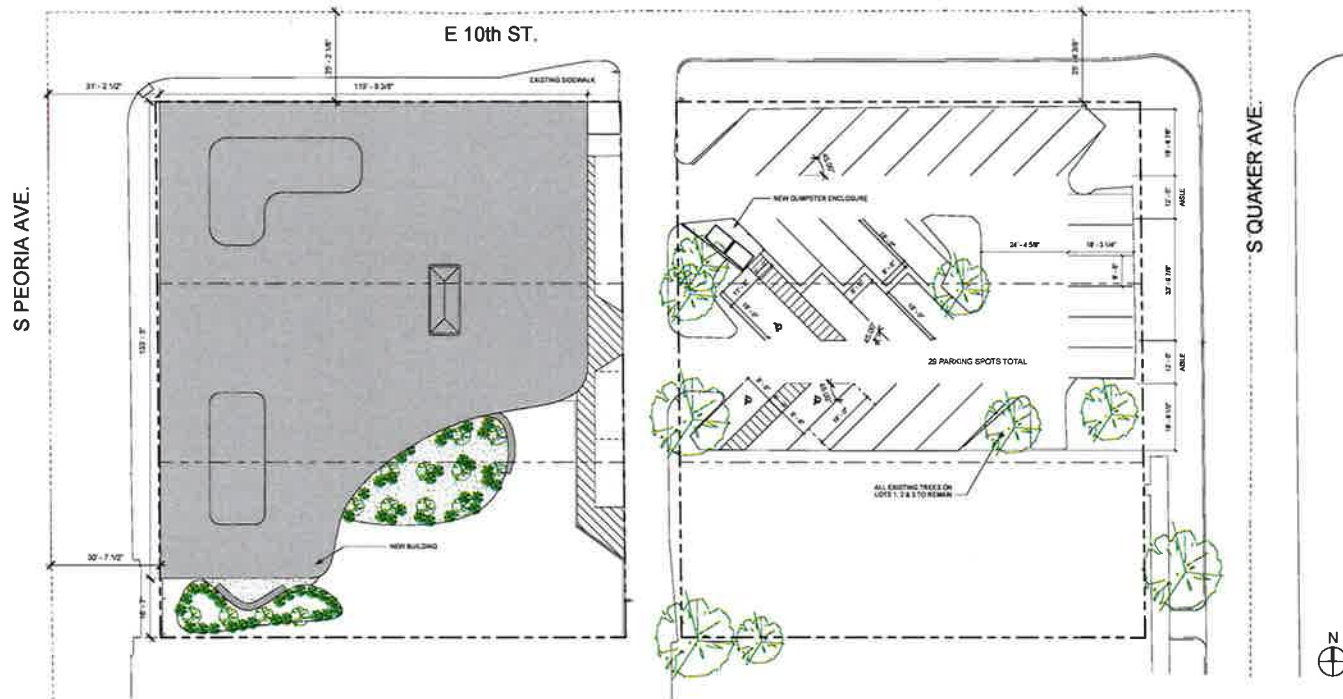
NO.	DESCRIPTION	DATE
01		
02		
03		
04		
05		
06		
07		

## FLOOR PLAN

LAUNDRY 100, Washing  
 CLEANING 100, Washing  
 STORAGE 100, Washing

A101

5.12



PROPOSED DESIGN

① Site - Parking  
1/16" = 1'-0"

# HEALTH CENTER

PROJECT  
Health Center

1007 S Peoria Ave  
Peoria, IL 61602

ARCHITECT  
Inter-Projects Architecture, PLLC  
110 W. Commercial  
Quincy, IL 61705  
Tel: 312.255.0850  
Email: info@inter-projects.com

OWNER  
1007 S PEORIA AVE, LLC

Inter-Projects  
architecture, pllc  
Peoria, IL

Inter-Projects Architecture, PLLC

REVISIONS	DATE
1.0	01/11/2017
2.0	01/11/2017
3.0	01/11/2017
4.0	01/11/2017
5.0	01/11/2017
6.0	01/11/2017
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9.0	01/11/2017
10.0	01/11/2017

DRAWING TITLE

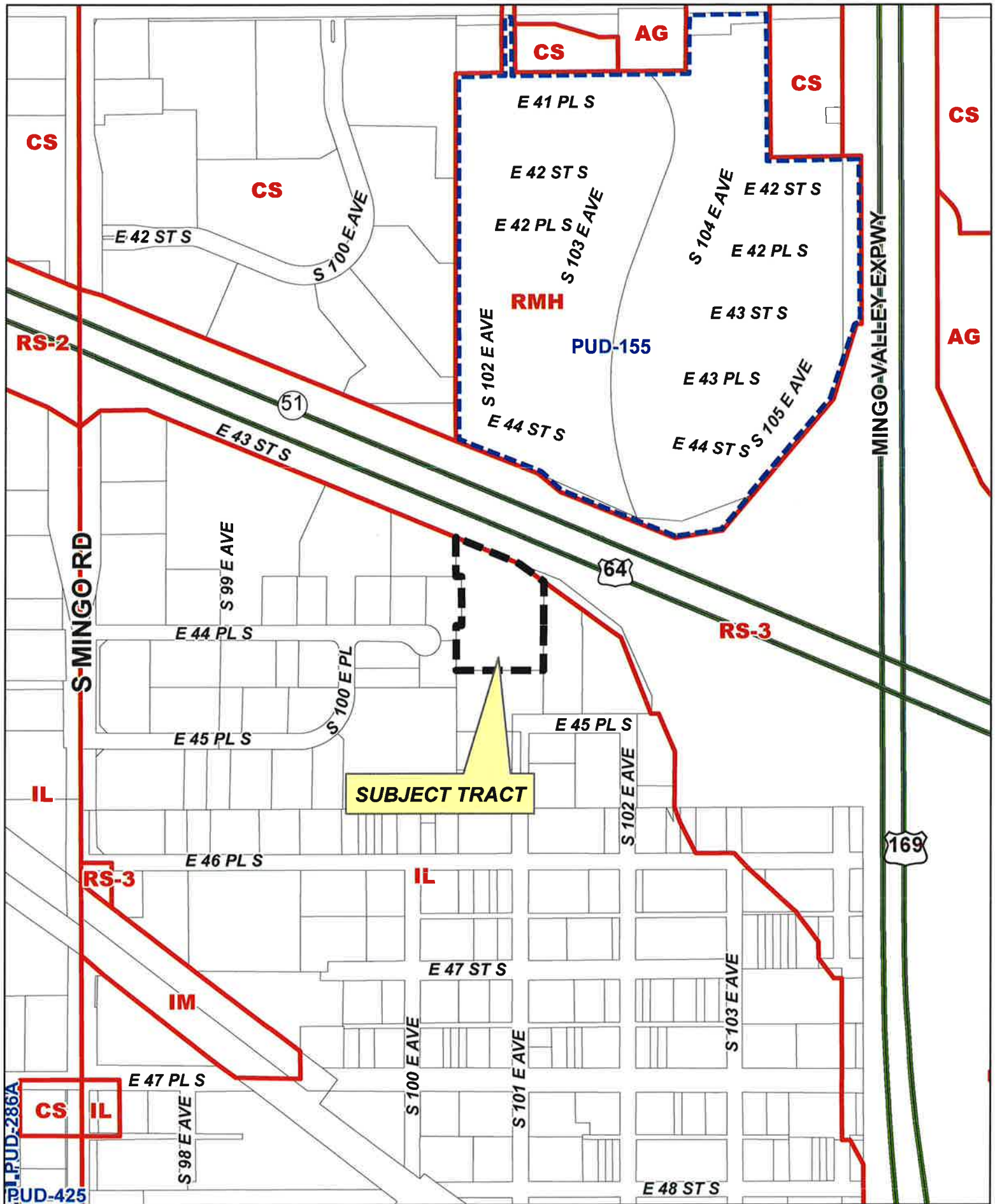
SITE

DATE: 01/11/2017  
SCALE: 1/16" = 1'-0"

DRAWING NUMBER

A100





BOA-22413

19-14 30





**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9430

Case Number: **BOA-22413**

**CZM:** 49

**CD:** 7

**A-P#:**

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Andrew Shank

**ACTION REQUESTED:** Verification of spacing requirement for a digital display outdoor advertising sign ( Sec. 60.100-K)

**LOCATION:** 10029 E 45 PL S

**ZONED:** IL

**PRESENT USE:** Industrial

**TRACT SIZE:**  $\pm$  2.32 acres

**LEGAL DESCRIPTION:** PRT TR IN SE NW ADJ LT 1 & PRT LT 1 BEG 200N SWC LT 1 TH N APR 142.37 E18 N160 W18 N142.33 SE217.90 SE90.74 S303.33 W275.03 POB BLK 1 SEC 30 19 14 .33AC, IDEAL BRICK INDUSTRIAL TRACTS

**RELEVANT PREVIOUS ACTIONS:**

None relevant.

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

**Employment Areas** contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is adjacent to IL zoning on the east, south, and west. The northern boundary of the property is adjacent to the Broken Arrow Expressway.

**STAFF COMMENTS:**

The applicant is requesting a spacing verification to permit a digital outdoor advertising sign on the subject lot. The Code requires any outdoor advertising sign constructed be separated a minimum distance of 1,200 feet from any other outdoor advertising sign. **This spacing limitation shall not apply between signs separated by a 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.

6.2

REVISED 3/21/2018

The Code also requires that a **dynamic display outdoor advertising be separated by a minimum distance of 1,200 feet from any other dynamic display outdoor advertising sign facing the same traveled way.** The 1,200 feet shall be measured in a straight line from the center of a sign's structure, as located on the ground, to the center of any other outdoor advertising sign's structure, as located on the ground.

Based on the attached survey it appears that the proposed outdoor advertising sign does not meet the spacing requirement for a standard (non-digital) outdoor advertising sign due to the existence of two additional signs within 1,200 feet. The provided survey indicates both signs within the 1200 feet are being removed. A verification of spacing for standard outdoor advertising should be conditioned upon the removal of those existing signs. Staff conducted a site visit on March 16, 2018 and the existing signs had not been removed.

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.

**Sample Motion to Accept the Spacing Verification for a Digital Outdoor Advertising Sign:**

I move that based upon the facts in this matter as they presently exist, we approve the applicant's verification of spacing between dynamic display (digital) outdoor advertising signs subject to the action of the Board being void should another outdoor advertising sign or conflicting use be constructed prior to this sign.

**Sample Motion to Accept the Spacing Verification for a Standard (non-digital) Outdoor Advertising:**

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing between non-digital outdoor advertising signs subject to the action of the Board being void should another outdoor advertising sign or conflicting use be constructed prior to this sign **and subject to the removal of the two existing outdoor advertising signs shown on Exhibit \_\_\_\_\_.**

The Board may also choose to **continue** the case to a later hearing date to ensure removal of the existing signs.





0 200 400 Feet



Subject Tract

**BOA-22413**

19-14 30

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

Aerial Photo Date: February 2016



6.4





51

64

E44PLS

E45PLS

S101 EAVE



Subject  
Tract

**BOA-22413**

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

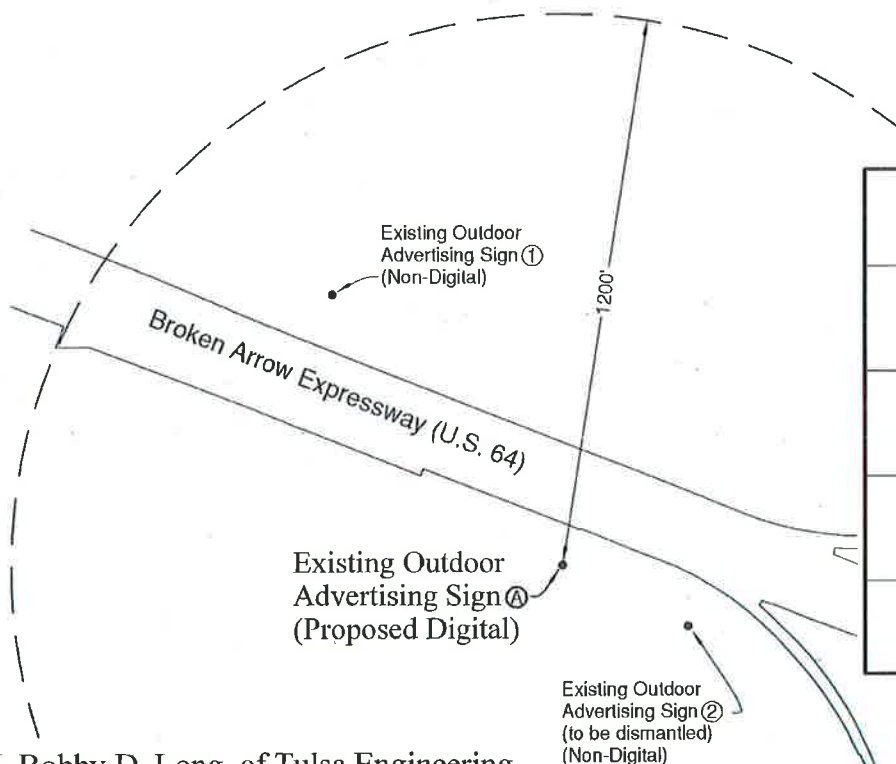
19-14 30

Aerial Photo Date: February 2016

6.5



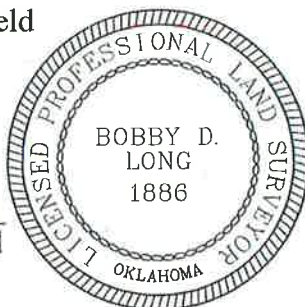




Sign Description	Latitude Longitude
Existing Outdoor Advertising Sign ④	36°05'58.24" 95°51'51.88"
Existing Outdoor Advertising Sign ①	36°06'04.17" 95°51'57.82"
Existing Outdoor Advertising Sign ②	36°05'56.86" 95°51'48.58"
Existing Outdoor Advertising Sign ③	36°05'53.42" 95°51'44.89"

I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that this exhibit accurately portrays the locations of and distances between proposed and existing outdoor advertising signs as determined by field survey data gathered on the 19th of February, 2018.

Bobby D. Long 02/22/18  
Bobby D. Long Date Signed



## BOARD OF ADJUSTMENT OUTDOOR ADVERTISING SPACING EXHIBIT

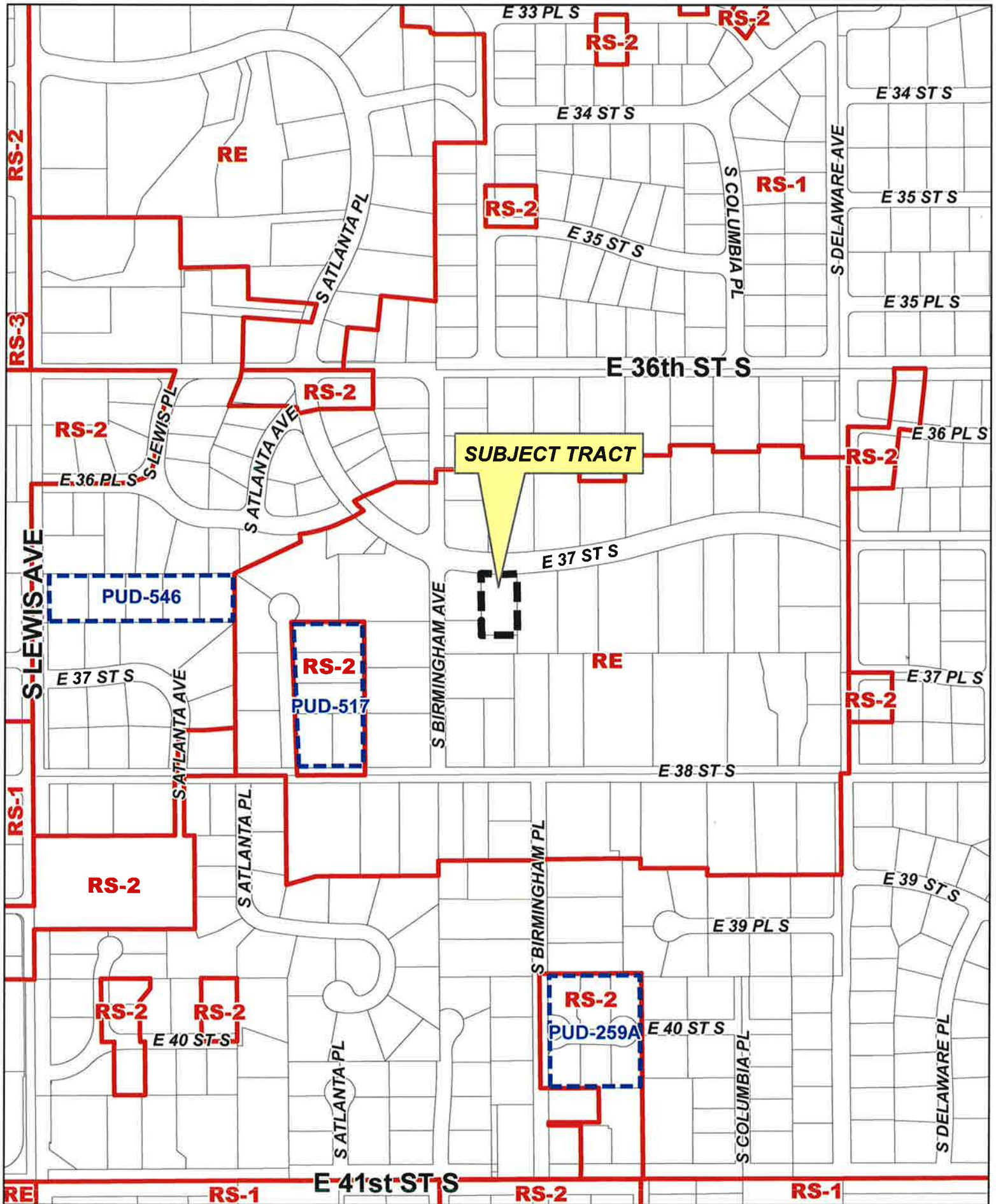


Tulsa Engineering & Planning Associates, Inc.  
9820 East 41st Street South Tulsa, Oklahoma 74146  
Phone: 918-252-9621 Fax: 918-250-4566



Job No: 18-014  
Scale: 1" = 400'  
Date: 02/21/2018

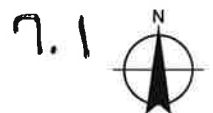
Certificate of Authorization No. 531 Renewal Date June 30, 2019



BOA-22414



19-13 20



**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9320

Case Number: **BOA-22414**

**CZM:** 47

**CD:** 9

**A-P#:**

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Mary Huckabee

**ACTION REQUESTED:** Variance to reduce the side setback from 15 feet to 10 feet in an RE district (Section 5.030-A)

**LOCATION:** 2618 E 37 ST S

**ZONED:** RE

**PRESENT USE:** Residential

**TRACT SIZE:** 23356.97 SQ FT

**LEGAL DESCRIPTION:** E/2 LT 6 LESS S60 & LESS BEG 105N SWC TH N143.82 CRV RT 44.65 CRV LF 89.84 S34.70 E.25 S119.28 W.25 S1.37 W120.12 POB BLK 2, OAKVIEW ESTATES

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**BOA 12096;** on 8.5.82 the Board approved a **Variance** of the setback from the centerline of Birmingham Avenue from 55' to 36', per plan submitted. Located: 3641 South Birmingham Avenue.

**BOA 21428;** on 5.22.12 the Board approved a **Variance** of the required side yard from 15' to 8 feet for an addition to align with existing structure, per conceptual plan submitted. Located: 2685 East 37<sup>th</sup> Street South.

**BOA 21540;** on 3.12.13 the Board approved a **Variance** of the required side yard from 15' to 8.2 feet to permit a garage addition, per conceptual plan submitted. Located: 2661 East 38<sup>th</sup> Street South.

**BOA 21662;** on 2.10.13 the Board approved a **Variance** of the required yard setback from 15' to 10', per conceptual plan submitted.

**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

7.2

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 abutted on all sides by RE zoning and single-family residential uses.

**STAFF COMMENTS:**

The applicant has requested a **Variance** to reduce the required side (interior) yard setback from 15 ft. to 10 ft. in an RE district (Section 5.030-A). The applicant is proposing to build a covered patio area onto the rear of their home.

The applicant provided the following statement with their application: *As the home was constructed in 1991, the west side of the home is set back 10 feet from the property line. The minimum side setback for the RE lot is 15 feet. Mr. & Mrs. Essman did not construct the home and were unaware of the encroachment until they requested a building permit to add a covered patio area onto the rear of their home. The homeowners merely plan to extend the existing roofline farther south into their backyard. The addition will not encroach farther west into the setback than the home already encroaches. Many of the homeowners' neighbors have similar side setbacks that are not in compliance with RE regulations, so to grant the variance to a 10-foot setback would not alter or interfere with the character of the neighborhood. No change will be visible from the street due to the fact that the home already sits within the 15-foot side setback.*

**Sample Motion**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required sideyard setback from 15 ft. to 10 ft in an RE district. (Section 5.030-A)

- 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.”*

Case No. 12094 (continued)

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a day care center in an RS-3 District, on the following described property:

The East 1/2 of the South 1/2 of the NE/4 of the NW/4 of Section 14, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12095

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to locate a day care center in an RS-3 District. This property is located at 1135 South Yale Avenue.

Presentation:

Laura Delehanty, 5525 East 51st Street - #125, was present requesting permission to locate a day care center in two of the classrooms at Franklin Elementary School. The playground facility will be located behind the School on the corner of 11th Street and Yale Avenue. Ms. Delehanty advised that the State Licensing Department requested that the facility be placed at the subject location. The facility was approved by the Tulsa Public Schools and the principal at Franklin Elementary School.

Protestants:

Lester Zimmerman, 4132 East 41st Street, was present in protest to the application because there are two other day care centers within 100 yards of the proposed location. He felt that there is no need for another facility and if it was added it would take away from the existing day care centers.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) to locate a day care center in an RS-3 District, on the following described property:

The W/2 of the NW/4 of the NW/4 of the NW/4, Section 10, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12096

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback from the centerline of Birmingham Avenue from 55' to 36'. This property is located at 3641 South Birmingham Avenue.

Presentation:

Gilbert Livingston, 3641 South Birmingham, was present and submitted a plot plan (Exhibit "D-1"). Mr. Livingston is requesting the variance in order to convert his present garage into additional living space and

8.5.82:368(6)

Case No. 12096 (continued)

extend the garage toward the street. He stated that he wants his property to line up with other properties on Birmingham Avenue. He stated that the extension of the garage will improve the quality and appearance of the neighborhood. His neighbors have been contacted concerning the request and they had no objections.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the setback from the centerline of Birmingham Avenue from 55' to 36', per plot plan submitted, on the following described property:

Lot 5, Block 1, of the Amended Plat of Block 7 and Lot 9, Block 1, Oakview Estates Addition to the City of Tulsa, Tulsa County, Okla.

Case No. 12097

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in the Residential District - Request to allow two mobile homes in an RS-3 District. This property is located at 5015, 5119 and 5121 East Virgin Avenue.

Presentation:

Gabriel Lucero, 5423 East Young Court, was present requesting permission to place two mobile homes on the subject property; one for himself and the other for his daughter.

Protestants: None.

Board Comments:

Mr. Victor asked if there were other mobile homes in the area and Mr. Lucero stated that there are other mobile homes within two or three blocks.

Mr. Smith asked if the mobile homes would be served by the sanitary sewer system and Mr. Lucero answered in the affirmative.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to allow two mobile homes in an RS-3 District, for a one-year period, removal bond required, subject to approval by Tulsa City-County Health Department, on the following described property:

The West 75' of the East 150' of the West 730.5' of Lot 13, Block 1, S. R. Lewis Addition and a tract of land being at a point located directly on the North Boundary Line a distance of 375' West of the NE corner of Lot 13, Block 1, S.R. Lewis Addition; thence from said point running in a Westerly direction along said North Boundary Line of said Lot 13, a distance of 50'

21428—Scott Pohlenz

FILE COPY

**Action Requested:**

Variance of the side yard requirement, on the west side, from 15 feet to 8 feet for an addition to align with existing structure (Section 403). **LOCATION:** 2685 East 37<sup>th</sup> Street (CD 9)

**Presentation:**

**Scott Pohlenz**, Architect, 3402 South Peoria Avenue, Tulsa, OK; stated that he is available for any questions the Board might have. He also presented additional information to the Board for their review.

**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 of the side yard requirement, on the west side, from 15 feet to 8 feet for an addition to align with existing structure (Section 403), subject to the conceptual site plan on page 5.24. Finding that this large lot with estate residential zoning is adequate to support the addition. The addition will not protrude further than the existing house. In granting this variance the Board has found that there are 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; all for the following property:

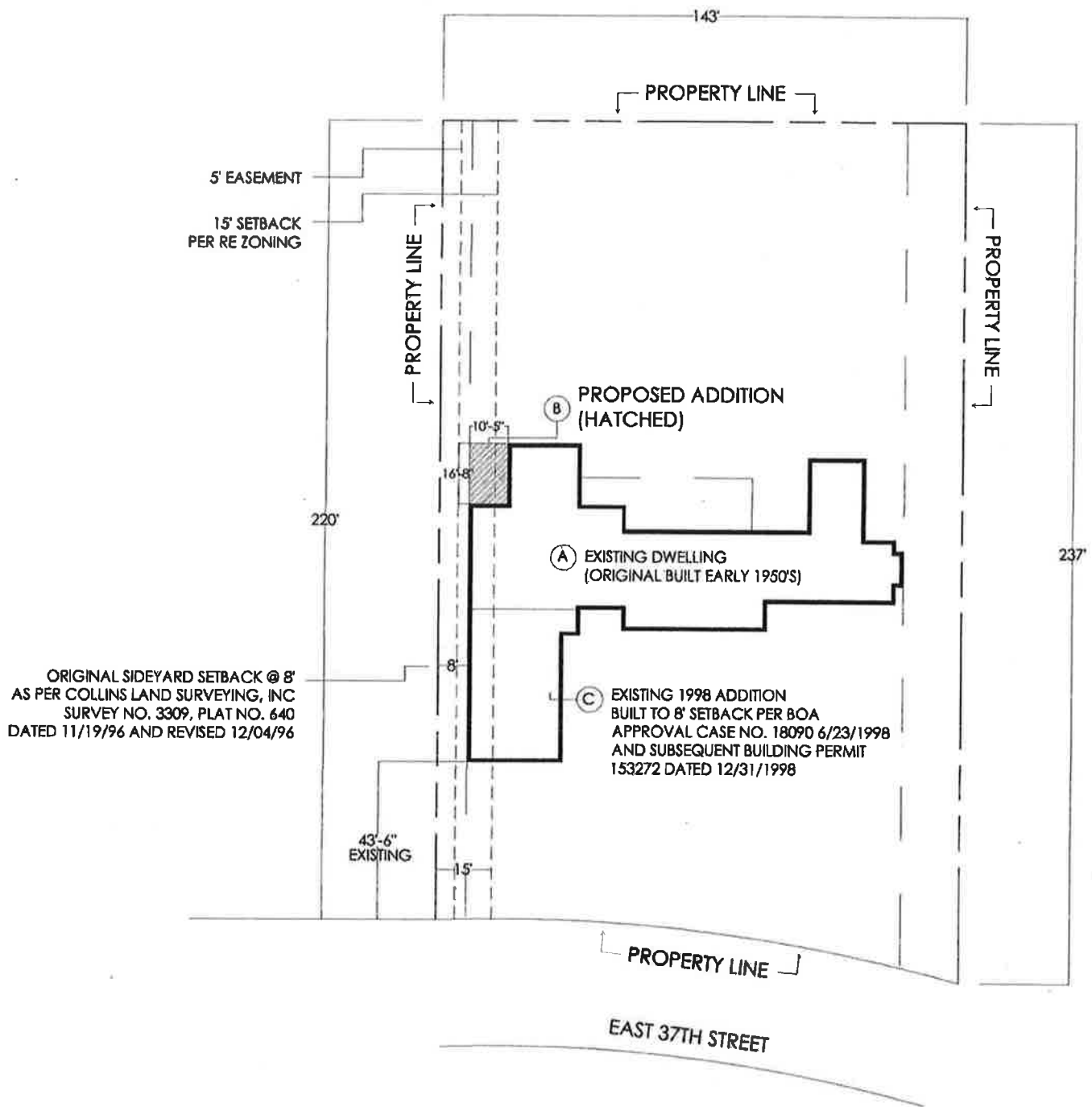
**PRT LT 2 BEG SWC LT 2 TH N220 E TO PT 237N SECR LT 2 TH S237 W145.88  
POB BLK 1, OAKVIEW ESTATES, CITY OF TULSA, TULSA COUNTY, STATE OF  
OKLAHOMA**

**17111-A—Gary Schellhorn (City of Tulsa)**

**Action Requested:**

Modification to previously approved site plan (BOA-17111) to permit demolition of dilapidated structures and construction of new facilities for Turner Park.  
**LOCATION:** 3503 East 5<sup>th</sup> Place (CD 4)





SITE PLAN  
2685 EAST 37TH STREET  
12 APRIL 2012

M. SCOTT POHLENZ, AIA, NCARB

**21540—Jefferey Baum**

**Action Requested:**

Variance of the required side yard from 15 feet to 8.2 feet to permit a garage addition (Section 403.A). **LOCATION:** 2661 East 38<sup>th</sup> Street South (CD 9)

**Presentation:**

**Jefferey C. Baum**, 2300 Mid-Continent Tower, 401 South Boston, Tulsa, OK; stated the property would like to make an addition of an attached garage. There is a creek that is on the northeast portion of the lot that makes the location of the attached garage the only practical location as depicted by the site plan. The proposed garage will have the same stone exterior as the house, and will be an extension of the existing west edge of the structure taking away a portion of the existing circular drive.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**FILE COPY**

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a Variance of the required side yard from 15 feet to 8.2 feet to permit a garage addition (Section 403.A). This approval is subject to conceptual plan on page 5.7. The Board has found that the topography of the lot requires the garage be placed in the area designated. The addition will line up with the west side of the house and will not create a further encroachment than is currently present by this home that was built prior to the Zoning Code. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**LT 10 BLK 2, OAKVIEW ESTATES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21541—Robert Thomas**

**Action Requested:**

Variance of the north side yard setback from 5 feet to 2 feet - 5.5 inches in the RS-3 District (Section 403.A. Table 3). **LOCATION:** 1315 North Atlanta Avenue East (CD 3)

225.00'  
S89°56'10"W

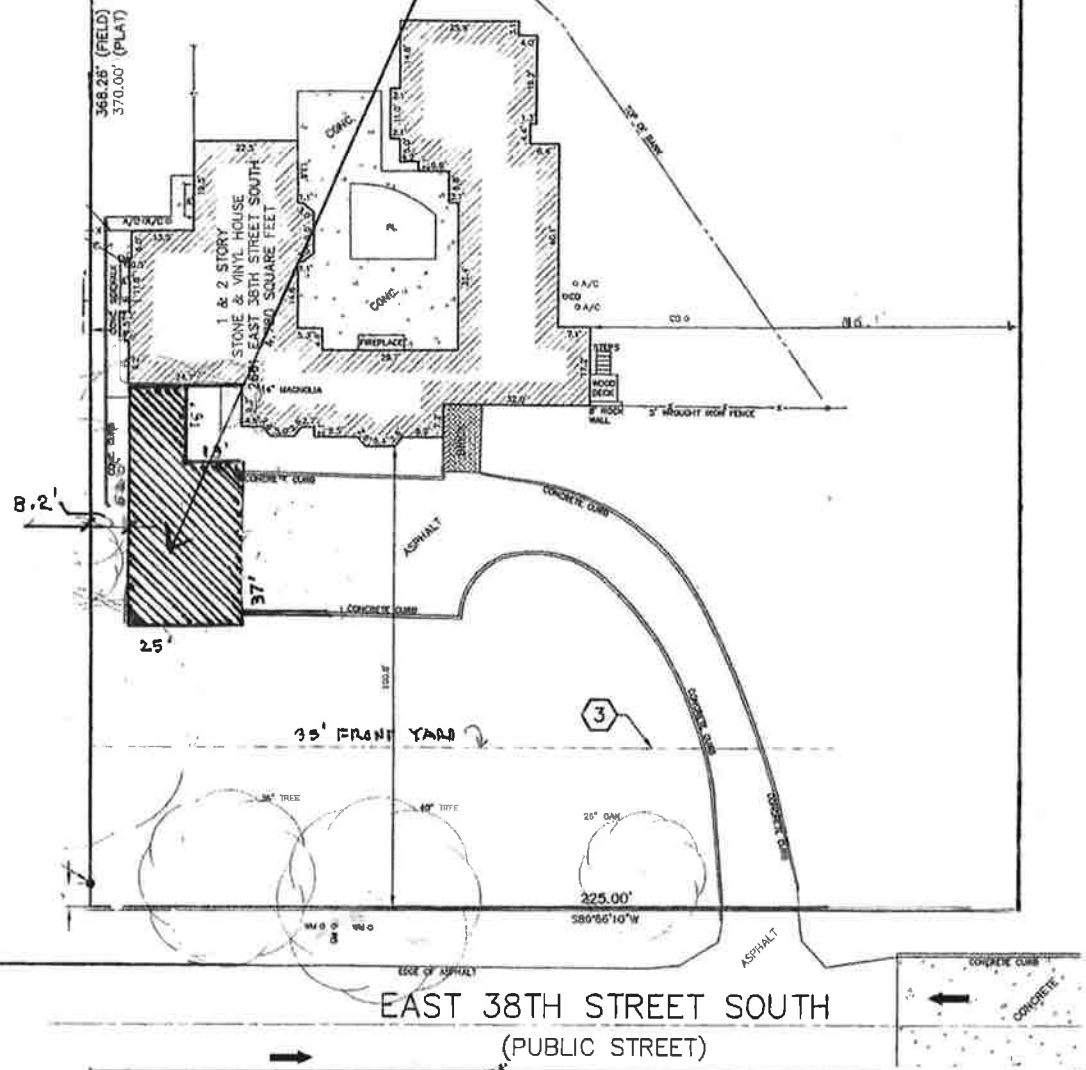
Legal Description:  
All of lot 10, Block 2, Oakview Estates  
An addition to the City of Tulsa  
Also known as 2661 East 38<sup>th</sup> Street

Proposed Addition  
2 storey frame/stone garage w/  
play room above, attached to existing  
structure

Variance Requested:  
Property is zoned RE, with 15 foot side yard  
setbacks. Request is to reduce this setback to  
8.2 feet to align with existing structure

Scale: 1" = 30'-0"

368.26' (FIELD)  
370.00' (PLAT)



7.10

**Action Requested:**

Variance of the required side yard from 15 feet to 10 feet on the east side of lot in an RE District (Section 403). **LOCATION:** 2677 East 38<sup>th</sup> Street South (CD 9)

**Presentation:**

**Philip Doyle**, 2616 East 14<sup>th</sup> Street, Tulsa, OK; stated Variance requested will affect just the east side of the property. The area where the addition will be built abuts a creek and that is part of the reason for the request. The angle of the lot follows the creek bed.

**Mr. Tidwell re-entered the meeting at 3:30 P.M.**

Mr. Doyle stated that he has met with the adjacent neighbor to the east and the neighbor does not have any problems with the proposed plan. The existing structure is a one-story structure and the addition will maintain the one-story structure, and the roof line will remain the same. The owner wants to maintain the integrity of the creek.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance of the required side yard from 15 feet to 10 feet on the east side of lot in an RE District (Section 403), subject to conceptual site plan on page 12.18 showing the areas of imposed encroachment. The Board has found that this uniquely shaped lot which is bordered by a creek on the east side poses a hardship. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:



FILE COPY

BOA-21662

PRT LT 11 BEG SWC TH E165 N171.69 NW30.83 NLY100 NE19 NWLY68.3 NL W101.10 NWC S370 POB BLK 2, OAKVIEW ESTATES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**21663—Showcase Properties**

**Action Requested:**

Variance to enlarge a building with a nonconforming use (Section 1402.A); Variance to allow a reduction in setback from centerline from 50 feet to 45 feet on West 14<sup>th</sup> Place and from 50 feet to 44 feet on South Elwood Avenue (Section 1405.A and Section 703, Table 2); Variance to increase the permitted floor area ratio from 50% to 52% (2,349 square feet) (Section 703, Table 2). **LOCATION:** 1431 South Elwood Avenue West / 318 West 14<sup>th</sup> Place (CD 4)

**Presentation:**

**Jim Brackett**, 330 North Boulder Avenue, Tulsa, OK; stated he has owned the property for approximately 39 years. In 1999, after finding knob and tube wiring in the duplex, he gutted the duplex and started all over. The duplex has been totally remodeled. The backside of the duplex is a very traditional layout. The apartment dwellers want all the amenities provided to them, and they also want protection for their vehicles. So he is requesting permission to build a couple of garages for the property.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **SNYDER**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to enlarge a building with a nonconforming use (Section 1402.A); Variance to allow a reduction in setback from centerline from 50 feet to 45 feet on West 14<sup>th</sup> Place and from 50 feet to 44 feet on South Elwood Avenue (Section 1405.A and Section 703, Table 2); Variance to increase the permitted floor area ratio from 50% to 52% (2,349 square feet) (Section 703, Table 2), subject to conceptual plans on pages 13.17, 13.18, 13.19, 13.20, 13.21 and 13.22. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, which the Board references the age of the neighborhood and the lot's shape and the fact that the duplexes never had garages, therefore, 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:

12/10/2013-1107 (23)

7.12







0 Feet 200 400



Subject Tract

**BOA-22414**

19-13 20

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

Aerial Photo Date: February 2016







0 Feet 50 100



Subject  
Tract

**BOA-22414**

19-13 20

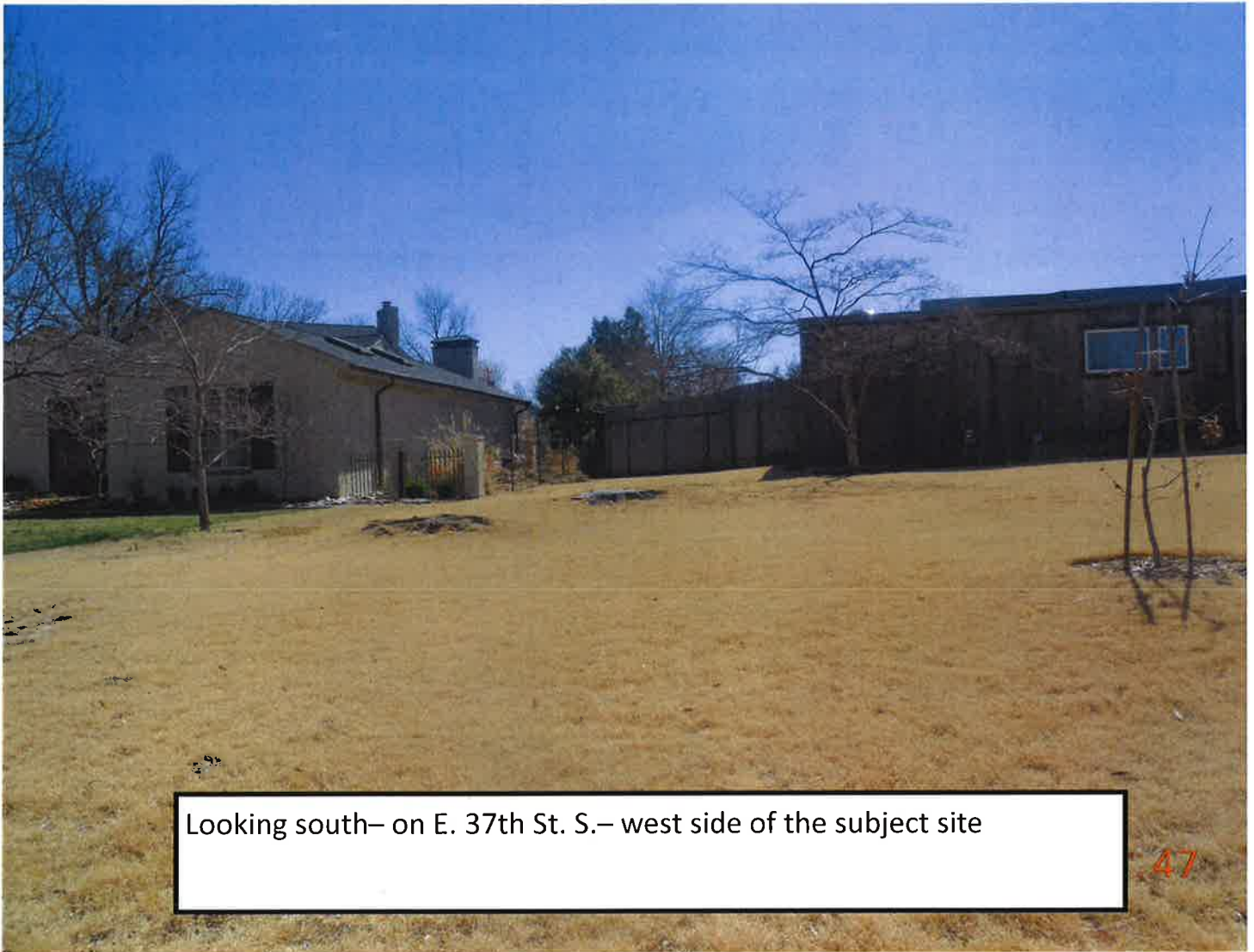
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016

7.15







Looking south— on E. 37th St. S.— west side of the subject site

47





JEFF S. TAYLOR  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1049644-2

February 08, 2018

CHAD MCCUTCHEN  
HOME INNOVATIONS  
621 E LAKEVIEW DR  
SAPULPA, OK 74066

Phone: (918)282-9213

APPLICATION NO: **439165** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Location: **2618 E 037 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 2<sup>nd</sup> 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" **[ ] IS [ 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.).

7.18

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

Application No. 439165

2618 E 037 ST S

February 08, 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.

**5.030-A:** In the RE zoned district the minimum side yard setback shall be 15 feet from the property line.

**Review Comments:** Revise your plans to indicate a 15' side setback to the property line, or apply to INCOG for a variance to allow less than a 15' side setback.

**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

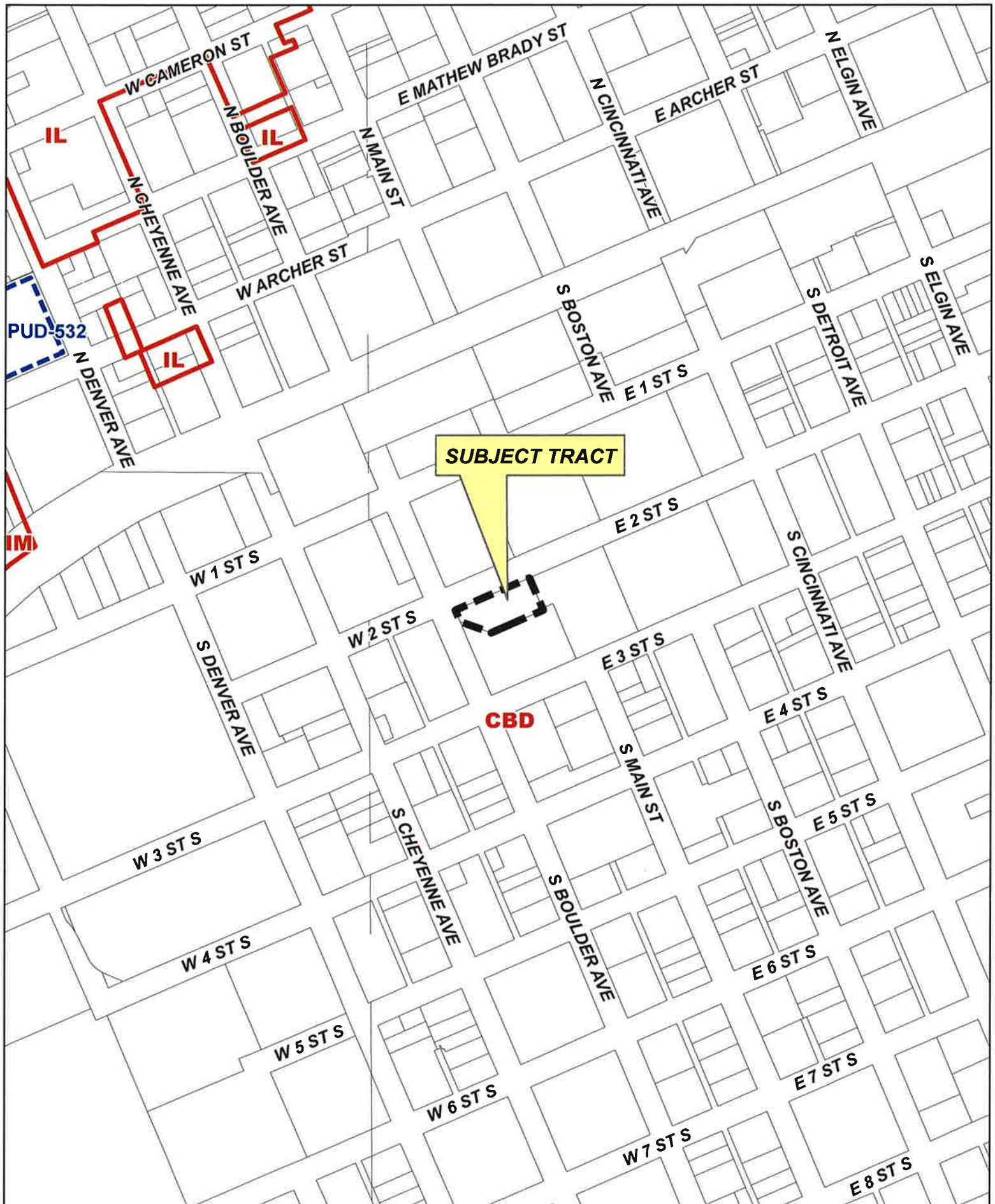
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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

7.19

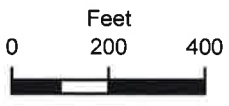
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SUBJECT TRACT

CBD



BOA-22415

8.1

19-12 01



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9201

Case Number: BOA-22415

CZM: 36

CD: 4

A-P#:

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Bob Dail

**ACTION REQUESTED:** Variance to permit the display surface area for the Community Care wall sign with Logo to be increased from 330 square feet to 580 square feet on the southwest wall. Variance to permit the display surface area for the Community Care wall sign with Logo to be increased from 432 square feet to 580 square feet on the north wall. (Section 60.080-B.1)

**LOCATION:** 2 W 2 ST S

**ZONED:** CBD

**PRESENT USE:** office

**TRACT SIZE:** 26162.24 SQ FT

**LEGAL DESCRIPTION:** BEG NWC BLK 104 TH SLY41.05 SELY99.51 ELY186.63 NLY111.42 WLY257 POB BLK 104, TULSA-ORIGINAL TOWN

**RELEVANT PREVIOUS ACTIONS:**

None relevant.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of "Downtown" 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 zoning.

### **STAFF COMMENTS:**

The Code states that wall signs may not exceed 3 square feet per linear foot of building wall to which they are attached. Wall signs are counted against a lot's allowed sign budget. (Section 60-080-B.1)

The applicant has requested a variance for two separate wall signs. The north wall elevation would permit 432 square feet of display area per the 144 feet of building wall. The proposed sign is 580 square feet and requires a variance to permit the additional 148 square feet of display area. The southwest wall of the building would permit 330 square feet of display area per the 110 feet of building wall. The proposed sign is 580 square feet and requires a variance to permit the additional 250 square feet of display surface area.

### **Sample Motion**

Move to \_\_\_\_\_ (approve/deny) a Variance to permit the display surface area for the Community Care wall sign with Logo to be increased from 330 square feet to 580 square feet on the southwest wall; and a Variance to permit the display surface area for the Community Care wall sign with Logo to be increased from 432 square feet to 580 square feet on the north wall.

- 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."*



## DESCRIPTION OF HARDSHIP / CommunityCare

Community Care has move their main office from 218 W. 6<sup>th</sup> to it's current location on the 22<sup>nd</sup> and 23<sup>rd</sup> floors of Williams Tower 2. In doing so, it disposed of its original wall sign. They currently do not have any exterior identification.

The sign allowance for businesses within the Central Business District is designed to communicate with street level traffic. Unfortunately, the signage for Community Care is located two hundred and sixty-six feet above the sidewalk. Contrary to most businesses within this zone, their sign will not be visible to the passing public unless they are several blocks away.

Due to the height and distance of their sign, they face a unique challenge. If the sign is installed according to the sign ordinance, it will be too small and difficult to read. We are asking the Board of Adjustment to allow Community Care to place a sign that is scaled to fit the size and height of Williams Tower 2. It is extremely important that Community Care be able to present itself as a stable leader within the Tulsa Community. Proper signage assures the public that health care and Community Care will continue to be strong and dependable.

Granting approval of this variance will not cause any detriment to the public good. It will not impair the spirit or intent of the comprehensive plan for downtown. Additionally, granting Community Care relief from the ordinance demonstrates Tulsa's long-term commitment to its business partners. We look to you for your help.

We thank you for your consideration.



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

**Aerial Photo Date: February 2016**

19-12 01

**BOA-22415**

Subject  
Tract





0 50 100  
Feet



Subject  
Tract

**BOA-22415**

19-12 01

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

Aerial Photo Date: February 2016

8.6







SIGN PER CODE

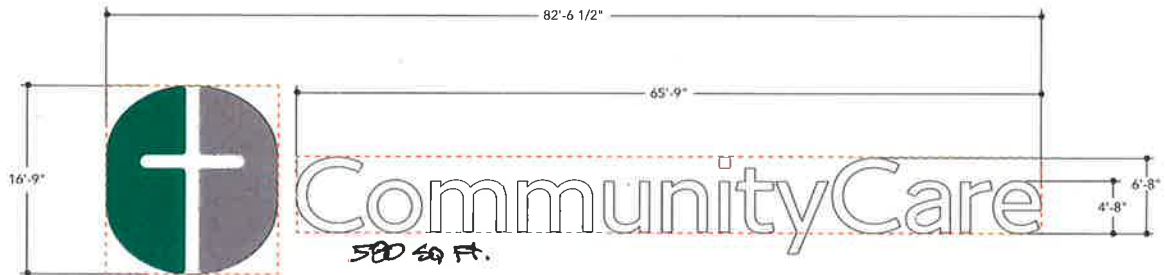


A NORTH ELEVATION  
SCALE: 3/32" = 1'-0"



B NORTH ELEVATION  
SCALE: NOT TO SCALE

	<input type="checkbox"/> APPROVED AS SHOWN <input type="checkbox"/> APPROVED AS NOTED PROJECT/CLIENT NAME: COMMUNITY CARE LOCATION: TULSA, OK ACCOUNT EXEC: BOB DAIL DESIGNER: JOE KESTERSON DATE OF ORIGINAL DATE: FEBRUARY 21, 2018 REVISION HISTORY: 02.21.18 V 1.0 SIGN TYPE/DESCRIPTION: CHANNEL LETTER ID SIGN	SHEET NAME: N-2.0
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A NORTH ELEVATION  
SCALE: 3/32" = 1'-0"



B NORTH ELEVATION  
SCALE: NOT TO SCALE

	<p>APPROVED AS SHOWN <input type="checkbox"/> APPROVED AS NOTED <input type="checkbox"/></p>	<p>PROJECT/CLIENT NAME: COMMUNITY CARE</p>	<p>LOCATION: TULSA, OK</p>	<p>ACCOUNT EXEC: BOB DARL</p>	<p>DESIGNER: JOE KESTERSON</p>	<p>DATE OF ORIGINAL DWG: FEBRUARY 21, 2018</p>	<p>REVISION HISTORY: 02.21.18 V 1.0</p>	<p>SIGN TYPE/DESCRIPTION: CHANNEL LETTER ID SIGN</p>	<p>SHEET NAME: N-1.0</p>
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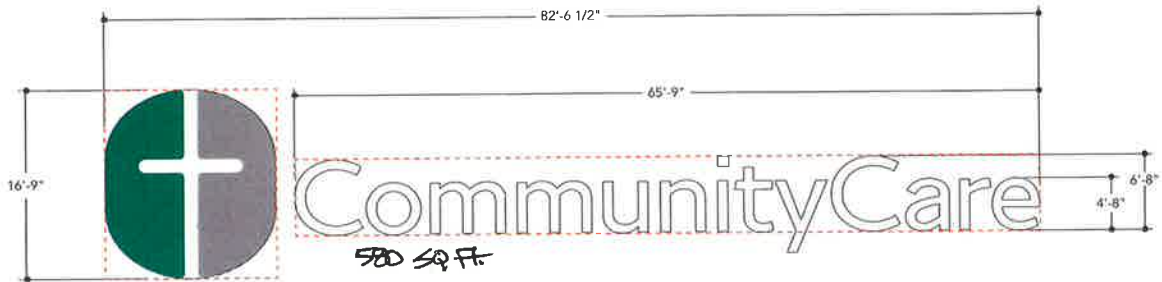


A | SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"



	<p>1111 UNIVERSITY DRIVE TULSA, OK 74103 TEL: 918.596.1000 FAX: 918.596.1001 WWW.CNF.COM</p>	<p><input type="checkbox"/> APPROVED AS SHOWN <input type="checkbox"/> APPROVED AS NOTED</p>	<p>PROJECT/CLIENT NAME: COMMUNITY CARE</p>	<p>LOCATION: TULSA, OK</p>	<p>ACCOUNT EXEC: BOB DAIL</p>	<p>DESIGNER: JOE KESTERSON</p>	<p>DATE OF ORIGINAL DWS: FEBRUARY 21, 2018</p>	<p>REVISION HISTORY: 02.21.18 V 1.0</p>	<p>SIGN TYPE/DESCRIPTION: CHANNEL LETTER ID SIGN</p>	<p>SHEET NO. <b>S-2.0</b></p>
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A SOUTH ELEVATION  
SCALE: 3/32"=1'-0"



	<p>1000 WEST 15TH AVENUE TULSA, OKLAHOMA 74104 PH 918.243.1111 FAX 918.243.1112 WWW.CNF-OKLAHOMA.COM</p>	<p><input type="checkbox"/> APPROVED AS SHOWN <input type="checkbox"/> APPROVED AS NOTED</p>	<p>PROJECT/CLIENT NAME: COMMUNITY CARE</p>	<p>LOCATION: TULSA, OK</p>	<p>ACCOUNT EXEC: BOB DAIL</p>	<p>DESIGNER: JOE KESTERSON</p>	<p>DATE OF ORIGINAL DWG: FEBRUARY 21, 2016</p>	<p>REVISION HISTORY: 02.21.16 V 1.0</p>	<p>SIGN TYPE/DESCRIPTION: CHANNEL LETTER 10 SIGN</p>	<p>SHEET NAME: S-1.0</p>
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BOB KOLIBAS  
SIGN PLANS EXAMINER  
918-596-9664



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### SIGN PLAN REVIEW

February 22, 2018

LOD Number: 1053757-1

Sign contractor:  
Claude Neon Federal Signs  
1225 N Lansing Avenue  
Tulsa OK 74106

APPLICATION NO: **441246** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Location: **2 W 002 ST S/Southwest wall Elevation**  
Description: **Community Care w/LOGO**

#### 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)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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 OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. 441246

2 W 002 ST S WEST WALL

February 22, 2018

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

**1.) Title 51 ¶ 106.1.1 Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

**Review comment:** Provide mounting installation documents for the wall sign stamped by an Oklahoma Engineer to be in compliance with the 2015 IBC.

### **2.) Section 60.080 Signs in Mixed-use, Commercial and Industrial Zoning Districts**

#### **60.080-B Signs Allowed**

In addition to any sign exceptions allowed pursuant to Section 60.030, the following signs are the only signs allowed in all mixed-use, commercial and industrial zoning districts:

#### **1. On-premise Wall Signs**

On-premise wall signs are allowed in all mixed-use, commercial and industrial zoning districts. Wall signs may not exceed an aggregate area of more than 3 square feet per linear foot of building wall to which they are attached. Wall signs are not counted against a lot's allowed sign budget, pursuant to §60.080-C.

**Review Comments:** The proposed 580.0 square foot Community Care wall sign on the Southwest wall elevation exceeds the 330 square foot permitted display surface area based on the 110 feet of wall frontage. You may pursue a variance from the BOA to permit the display surface area for the Community Care wall sign with Logo be increased from 330 square feet to 580 square feet of display surface area.

**NOTE:** Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office 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.

## END – ZONING CLEARANCE AND SIGN CODE REVIEW

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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 CITY OF TULSA SIGN PERMIT.



BOB KOLIBAS  
SIGN PLANS EXAMINER  
918-596-9664



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### SIGN PLAN REVIEW

February 22, 2018

LOD Number: 1053759-1

Sign contractor:  
Claude Neon Federal Signs  
1225 N Lansing Avenue  
Tulsa OK 74106

**APPLICATION NO:** 441247 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
**Location:** 2 W 002 ST S/ North wall Elevation  
**Description:** Community Care w/LOGO

#### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

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[WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. 441247

2 W 002 ST S NORTH WALL

February 22, 2018

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**1.) Title 51 ¶ 106.1.1 Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

**Review comment:** Provide mounting installation documents for the proposed wall sign stamped by an Oklahoma Engineer to be in compliance with the 2015 IBC.

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In addition to any sign exceptions allowed pursuant to Section 60.030, the following signs are the only signs allowed in all mixed-use, commercial and industrial zoning districts:

**1. On-premise Wall Signs**

On-premise wall signs are allowed in all mixed-use, commercial and industrial zoning districts. Wall signs may not exceed an aggregate area of more than 3 square feet per linear foot of building wall to which they are attached. Wall signs are not counted against a lot's allowed sign budget, pursuant to §60.080-C.

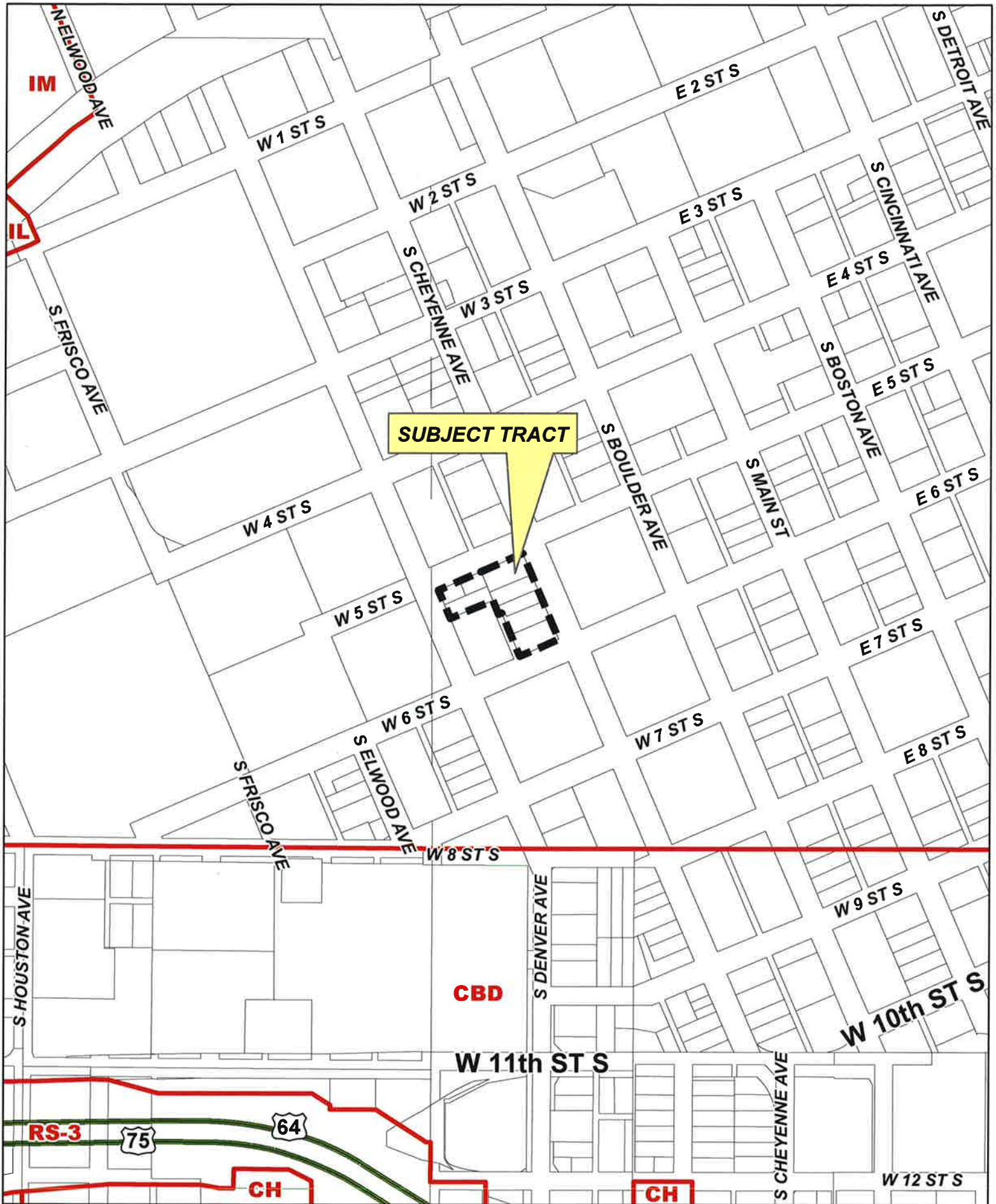
**Review Comments:** The proposed 580.0 square foot Community Care wall sign on the North wall elevation exceeds the 432 square foot permitted display surface area based on the 144 feet of wall frontage. You may pursue a variance from the BOA to permit the display surface area for the Community Care wall sign with Logo be increased from 432 square feet to 580 square feet of display surface area.

**NOTE:** Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office 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.

## END – ZONING CLEARANCE AND SIGN 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 CITY OF TULSA SIGN PERMIT.



BOA-22416

19-12 01

9.1





# BOARD OF ADJUSTMENT CASE REPORT

**STR:** Case Number: **BOA-22416**

**CZM:** 36

**CD:** 4

**A-P#:**

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Andy Patel

**ACTION REQUESTED:** **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Denver Avenue (Section 60.080-D); **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Cheyenne Avenue (Section 60.080-D).

**LOCATION:** 202 W 5 ST

**ZONED:** CBD

**PRESENT USE:** hotel

**TRACT SIZE:** ± 1.3 acres

**LEGAL DESCRIPTION:** LTS 1 -3 & LT 6 & VAC ALLEY THEREIN BLK 151; S75 LT 3 BLK 151, TULSA-ORIGINAL TOWN

## **RELEVANT PREVIOUS ACTIONS:**

### **Surrounding properties:**

**BOA 22141;** on 10.11.16 the Board approved a **Variance** to permit a projecting sign to exceed the maximum allowable height above grade to allow a 52.8 foot projecting sign. Located: the NW/c of W 3 St S and S Cheyenne Ave.

**BOA 22158;** on 12.13.16 the board approved a **Variance** to allow a projecting sign to exceed the maximum allowable height to permit a sign 60 ft above grade with a 31 ft setback from the center line of W 4th St and S Boulder Avenue (Sec.60.080-D). Located: 206 S. Boulder Avenue West

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

**Downtown Neighborhoods** are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

**Areas of Growth** are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the

opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is surrounded by CBD zoning and a blend of downtown urban uses to include, but not limited to, office, restaurant, parking, commercial, hospitality, and municipal uses.

**STAFF COMMENTS:**

The applicant is requesting a **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Denver Avenue (Section 60.080-D); **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Cheyenne Avenue (Section 60.080-D).

The applicant provided the following statement with their application: *In order to be visible for passing traffic, we feel the placement of these blade signs is at the optimum location on our building.*

The Code (Section 60.080-D) states in the CBD district on-premise projecting signs and freestanding signs on lots with frontage on major streets may not exceed 25 feet in height, except that a maximum height of 40 feet is allowed if the sign is set back from the planned right-of-way line at least one foot for each foot of sign height in excess of 25 feet. The Code limits the height of the proposed projecting sign on the subject lot to 25 ft above grade. The Code attempts to manage the presentation and impact of signage along a given corridor within the CBD district.

A Lot-Combination (LC-996) is scheduled to be on the 4.4.18 Planning Commission agenda.

**Sample Motion**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Denver Avenue (Section 60.080-D); **Variance** to permit a projecting sign to exceed the maximum allowable height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from South Cheyenne Avenue (Section 60.080-D).

- 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.”*



operable vehicles for sale on the subject lot. The lot must comply with all other zoning requirements including screening and parking/driving surfaces. The parking is to meet the code requirements per Section 55.090-D. The Board determines 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. Finding that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

**LTS 148 & 149 LESS W5 THEREOF BLK 13, TULSA HGTS, City of Tulsa, Tulsa County, State of Oklahoma**

\*\*\*\*\*

**NEW APPLICATIONS**

**FILE COPY**

**22141—Matthew Wilson**

**Action Requested:**

Variance to allow a projecting sign to exceed the maximum allowable height to permit a sign 52.8 feet above grade with a 41 feet setback from the center line of South Cheyenne Avenue (Section 60.080-D). **LOCATION:** 211 West 3<sup>rd</sup> Street South (CD 4)

**Presentation:**

**Matt Wilson**, 3201 Manor Way, Dallas, TX; stated the sign is for the Hampton Inn and Suites that is currently under construction at the corner of 3<sup>rd</sup> and Cheyenne. The proposed location of the sign is the southeast corner mounted on the direct corner to provide visibility to the 3<sup>rd</sup> Street and Cheyenne Street motorists and pedestrians. The

BOA-22141

sign will have a 4'-6" projection with an overall height of 32'-8". The sign size was designed at the appropriate scale in relationship to the building. The design specs are geared to fit in with the spirit of the downtown setting. There will be a red LED border around the perimeter of the sign to simulate neon with 5" deep channel letters mounted to the aluminum back ground to provide dimension and fit into the old look of downtown projecting blade signs.

Mr. Van De Wiele asked if there was any issue with the wall sign today. Ms. Moye stated the Board is only considering the blade sign today. Mr. Van De Wiele asked if there is a license with the sign being over the City right-of-way sidewalk. Ms. Moye stated that she is not aware of any issues.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 5-0-0 (Back, Bond, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to allow a projecting sign to exceed the maximum allowable height to permit a sign 52.8 feet above grade with a 41 feet setback from the center line of South Cheyenne Avenue (Section 60.080-D), subject to conceptual plans 5.10, 5.12 and 5.14. The Board determines 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; for the following property:

BOA-22141

LT 4 & E10 VAC ALLEY ADJ ON W BLK 102, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma

**22142—Brandon and Amanda Cooper**

**Action Requested:**

Appeal of a Decision by the Tulsa Preservation Commission to deny a historic permit application – HP-16-056. **LOCATION:** 1824 East 16<sup>th</sup> Place South (CD 4)

**Presentation:**

**Mike Daniel**, 2130 East 47<sup>th</sup> Street, Tulsa, OK; stated he is appearing on behalf of the Coopers. The question today is whether the Tulsa Preservation Commission properly applied the Tulsa Zoning Code and in addition whether they properly applied their own regulations. The Coopers love the midtown area, bought a house and started making improvements. Their intent was to provide a safe and secure environment for themselves and their son. They were aware that they lived in a historical area but they did not fully understand what that meant. They had previously replaced windows without any issues and there had been windows replaced on the house without any issues. The Coopers were not aware that they needed to apply for a historical permit or any permit to install the eight windows that are at issue today. On August 15<sup>th</sup>, the day the Coopers had lined up for the window installation, the installer was approached by a woman in the neighborhood who turned out to be Commissioner McKee of the Tulsa Historical Preservation Commission. After a couple of confrontations Commissioner McKee called the efforts to a stop claiming she would have a cease and desist order issued claiming she is good friends with the Mayor and would return. Commissioner McKee informed everyone that if any of the old windows were removed or replaced the Coopers would be forced to reinstall them again. The Coopers and the window installers made the decision to stop. Staff from the Tulsa Preservation Commission visited the site later the same day and Dr. Porter who was very polite and professional provided information to the Coopers for them to file an application. To be able to make the next hearing date the Coopers had less than 24 hours to file the application. At the hearing before the Commission the request was denied. One of the Commissioners brought up the issue of visibility of certain windows. Mr. Daniel believes the Commissioner interpreted the standard incorrectly because they wanted to know the visibility was from a public right-of-way and the rule of standard is the adjoining street. It was also noted that some of the windows were covered by vegetation. One of the Commissioners noted that they did not see sufficient deterioration in the windows to justify replacement. Mr. Daniel stated that he believes there have been a lot of materials provided by both sides and the power point presentation was the primary focus at the hearing on August 23<sup>rd</sup> but the presentation did not include all the pictures regarding the windows conditions but more pictures were included in the staff report. The power point presentation did not cover all the windows; it covers five of the eight windows in question. Commissioner McKee also spoke in the hearing about what she had heard from the window installer and about the homeowner's response to being notified of the need for a permit. Mr. Daniel believes there are three reasons the



not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION ELEVEN (11) OF TOWNSHIP EIGHTEEN (18) NORTH AND RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF THE NE/4 OF SEC. 11, T-18-N, R-12-E, I.B.&M.; THENCE S 89°09'10" W ALONG THE NORTH LINE OF SAID NE/4 A DISTANCE OF 1327.82 FEET TO THE NE CORNER OF THE NW/4 OF SAID NE/4; THENCE S 89°09'10" W ALONG THE NORTH LINE OF SAID NE/4 A DISTANCE OF 310.00 FEET; THENCE S 01°18'39" E A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING BEING ON THE INTERSECTION OF THE PRESENT SOUTH RIGHT-OF-WAY OF WEST 71ST STREET SOUTH AND THE PRESENT EAST RIGHT-OF-WAY OF SOUTH JACKSON AVENUE; THENCE N 89°09'10" E A DISTANCE OF 50.00 FEET; THENCE S 01°18'39" E A DISTANCE OF 25.00 FEET; THENCE N 89°09'10" E ALONG SAID PRESENT SOUTH RIGHT-OF-WAY OF WEST 71ST STREET SOUTH A DISTANCE OF 50.00 FEET; THENCE S 01°18'39" E A DISTANCE OF 215.01 FEET TO SAID PRESENT SOUTH RIGHT-OF-WAY OF WEST 71ST STREET SOUTH; THENCE N 89°08'57" E A DISTANCE OF 210.00 FEET; THENCE S 01°18'39" E ALONG THE EAST LINE OF SAID NW/4 NE/4 A DISTANCE OF 477.00 FEET; THENCE S 89°08'57" W A DISTANCE OF 310.00 FEET TO THE EAST LINE OF SAID NW/4 NE/4; THENCE N 01°18'39" W ALONG SAID PRESENT EAST RIGHT-OF-WAY OF SOUTH JACKSON AVENUE A DISTANCE OF 717.02 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.917 ACRES, MORE OR LESS, City of Tulsa, Tulsa County, State of Oklahoma

22158—John Moody

FILE COPY

**Action Requested:**

Variance to allow a projecting sign to exceed the maximum allowable height to permit a sign 60 feet above grade with a 31 foot setback from the center line of East 4<sup>th</sup> Street South and South Boulder Avenue (Section 60.080-D). **LOCATION:** 406 South Boulder Avenue West (CD 4)

**Presentation:**

**John Moody**, 6004 South Marion Avenue, Tulsa, OK; stated this request is to permit a sign for an insurance company. The sign is to be located on the building located at the southwest corner of 4<sup>th</sup> Street and Boulder Avenue. The sign itself is very similar to the original sign that was on the building when it was the Fourth National Bank building, as shown on exhibit 4.13 in the agenda packet. Because the building was constructed many years ago it is impossible to comply with the setback to meet the height requirement. The height requirement is exceeded to be able to make the sign

BOA - 22158

aesthetically and architecturally compatible with the height of the building and the other signs in the area, plus it will be very similar to the original sign that was on the building. The building has been historically preserved on the outside. The various awnings on South Boulder make it more difficult to erect the sign lower because the awnings cause a visibility problem. The proposed location works better given the architectural features of the building. The sign is compatible with the signage that is in the Central Business District, and Mr. Moody presented photos. The sign will obstruct visibility for motorists and will not create any traffic problems. Mr. Moody believes the sign fits in with the character of the city while retaining the flavor of downtown. The Board has approved, as recently as last month, a Variance for a projecting sign at the corner of West 3<sup>rd</sup> Street and South Cheyenne, and in 2013 the Board approved a sign that exceeds 40 feet in height.

**Interested Parties:**

There were interested parties present but no one wanted to speak.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 5-0-0 (Back, Bond, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Variance** to allow a projecting sign to **exceed** the maximum allowable height to permit a sign 60 feet above grade with a 31 foot setback from the center line of East 4<sup>th</sup> Street South and South Boulder Avenue (Section 60.080-D), subject to conceptual plan 4.12. The hardship is the existing building was built in the Central Business District with no building setbacks making it impossible to meet the Code requirement for the height requirements. 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

BOA-22158

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; for the following property:

**E100 LT 1 N1/2 LT 2 BLK 134, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma**

**22159—Nick Puma**

**Action Requested:**

Special Exception to increase the maximum driveway width from 30 feet to 75 feet on the lot in the RS-1 District (Section 55.090-F3). **LOCATION:** 6033 East 118<sup>th</sup> Street South (CD 8)

**Presentation:**

**Nick Puma**, 1506 East 35<sup>th</sup> Street, Tulsa, OK; stated that at the last meeting there were two parties that had concerns and since then he has spoke with them. Those two parties have written letters of support because their questions regarding stormwater run off have been answered. The proposed driveway cannot be tied together without ruining the courtyard area in the center that serves the upstairs apartment and the two garages.

Mr. Van De Wiele asked Mr. Puma if the apartment was going to be a rental. Mr. Puma stated that the apartment would not be a rental, it is for family use.

Mr. Van De Wiele asked staff when does a driveway stop being a driveway and start being a patio. Ms. Miller stated there was a lengthy discussion with the building permit office about the driveway and there is a difference in the Code between a driveway and a parking area.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 5-0-0 (Back, Bond, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to increase the maximum driveway width from 30 feet to 75 feet on the lot in the RS-1 District (Section 55.090-F3), subject to conceptual plan 5.6. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:





0 200 400  
Feet



Subject  
Tract

**BOA-22416**

19-12 01

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

Aerial Photo Date: February 2016



9.11





0 50 100  
Feet



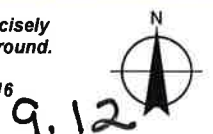
Subject  
Tract

**BOA-22416**

19-12 01

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

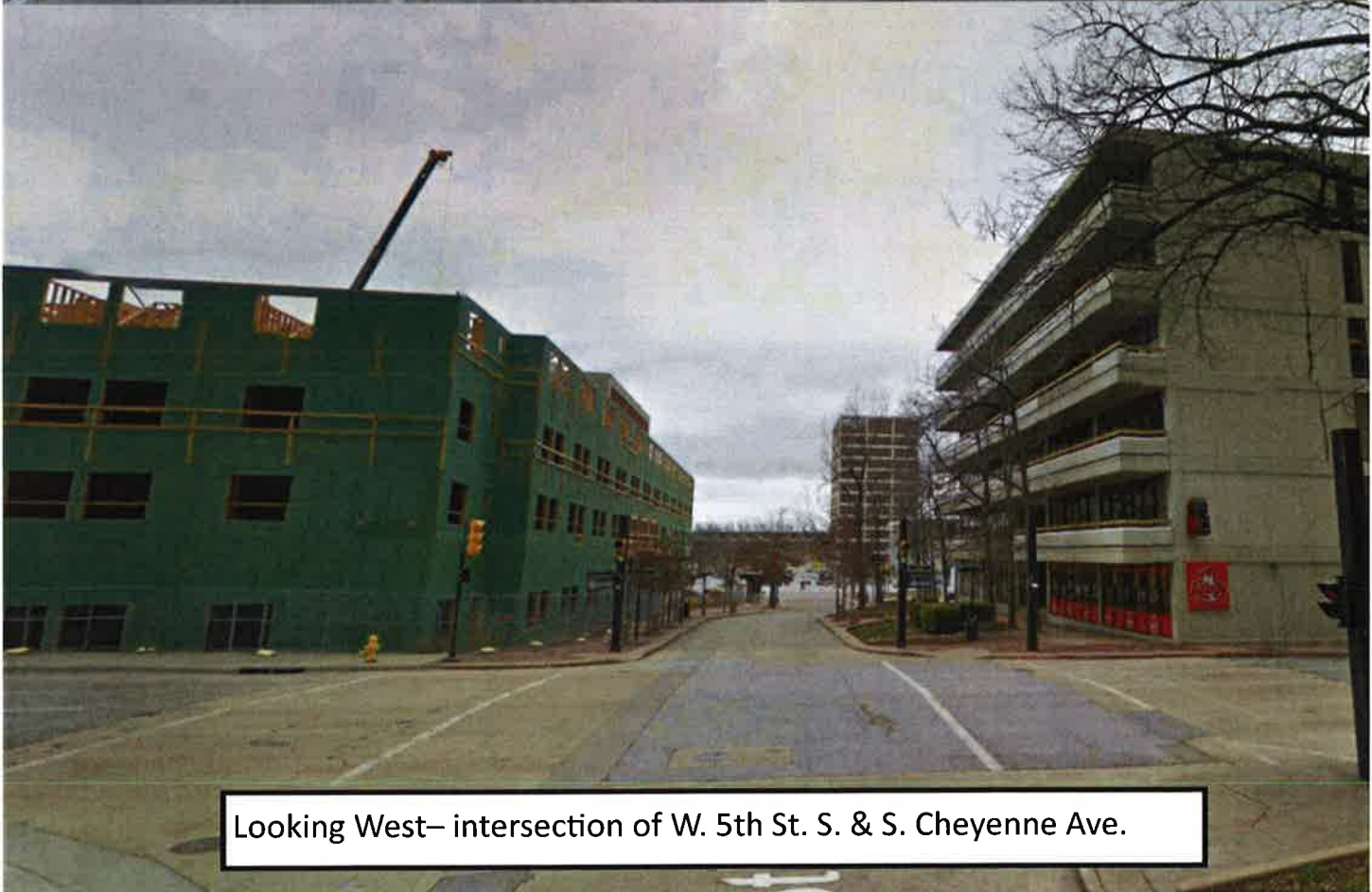
Aerial Photo Date: February 2016





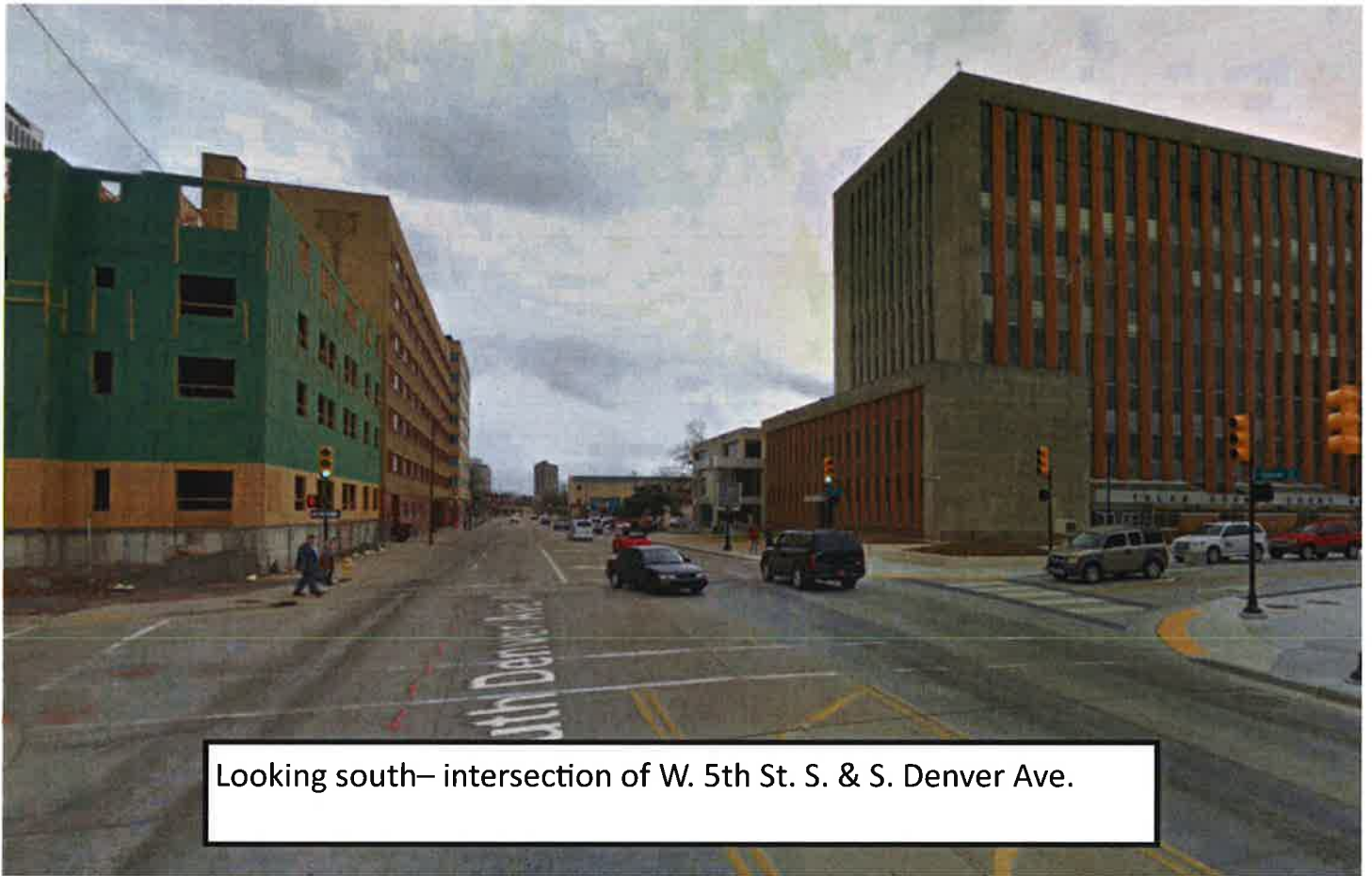


Looking South— intersection of W. 5th St. S. & S. Cheyenne Ave.



Looking West— intersection of W. 5th St. S. & S. Cheyenne Ave.





# ENTRY ELEVATION

SCALE: 1/32" = 1'-0"

QUANTITY 2

3'-6"



1

33'-8 11/16"

6'-3 1/4"

4'-0"

# Residence INN

BY MARRIOTT

CHANNEL LETTER DETAIL  
SCALE: 3/16" = 1'-0"  
211.40 SQ.FT

24'-0"

Residence INN  
BY MARRIOTT

2

2'-6"  
CANOPY

45'-5"  
CANOPY

25'-1 7/8"

# Residence INN BY MARRIOTT

NON-ILLUMINATED LETTER DETAIL  
SCALE: 3/16" = 1'-0"  
41.93 SQ.FT

BLADE SIGN DETAIL  
SCALE: 3/16" = 1'-0"  
84 SQ.FT

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

Date

**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

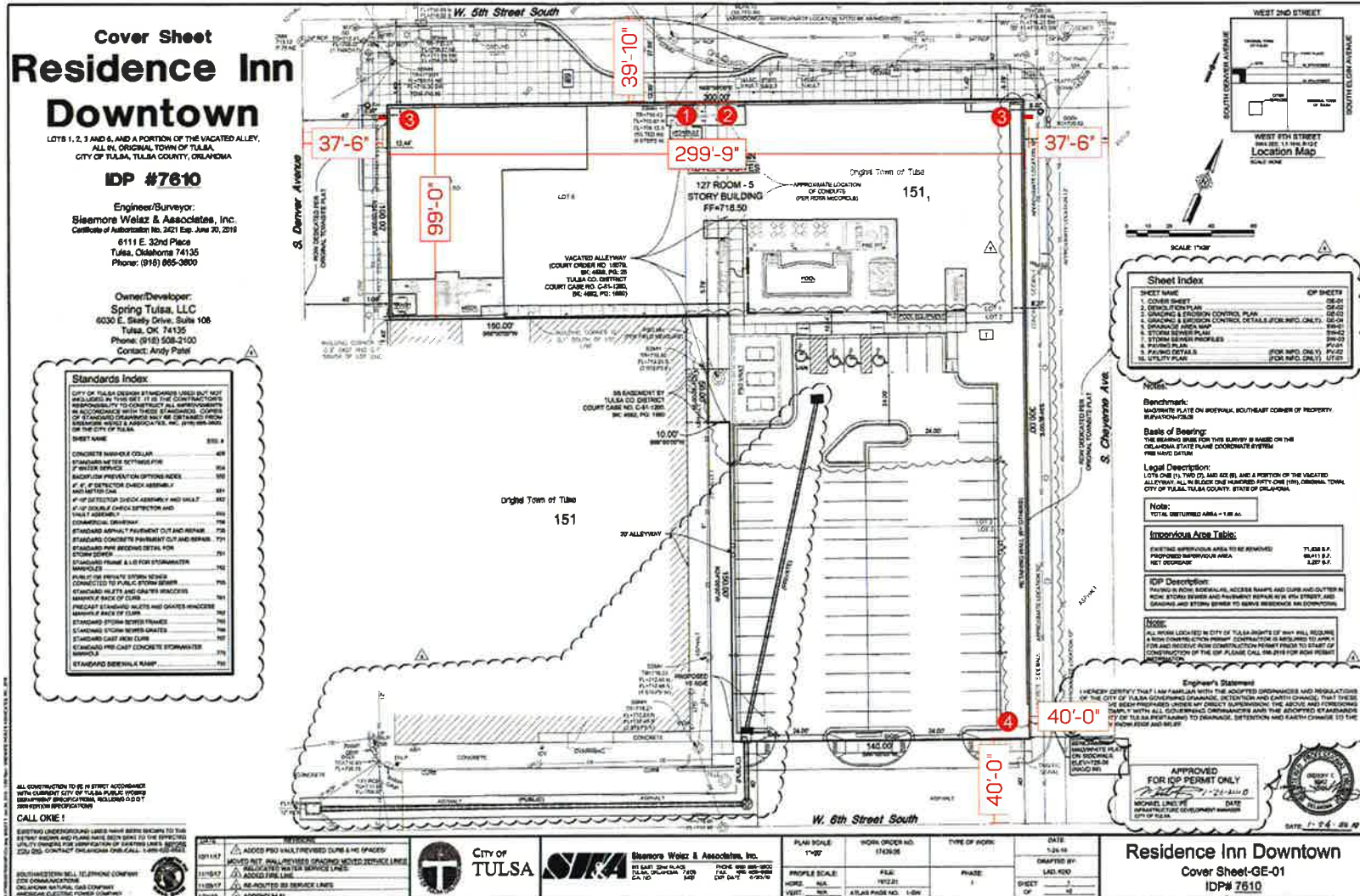
Customer: <b>RESIDENCE INN</b>	Date: <b>17JAN18</b>	Prepared By: <b>IDV/KH/AT/CM/SC</b>	<div>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</div>	<div><b>persōna</b> SIGNS   LIGHTING   IMAGE</div>	<div>DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com</div>
Location: <b>TULSA, OK</b>	File Name: <b>157342 - R14 - TULSA, OK</b>	Eng: <b>-</b>			




RESIDENCE INN  
TULSA, OK

PROPOSED SIGNS:

- ① 48" CHANNEL LETTER SET (2'6" - "BY MARRIOTT")
- ② 10" NON-ILLUMINATED PIN MOUNTED LETTER SET ON 2'-6" x 45'-5" BACKER
- ③ 24'-0" x 3'-6" BLADE SIGN - QUANTITY 2
- ④ 2'-6" x 7' 3-11/16 AT 5'-0" OAH MONUMENT SIGN



**NOTE:** Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: <b>RESIDENCE INN</b>	Date: <b>2/15/18</b>	Prepared By: <b>IDV/KH/CM/AT</b>	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.	 <b>persona</b> SIGNS   LIGHTING   IMAGE	<b>DISTRIBUTED BY SIGN UP COMPANY</b> 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
Location: <b>TULSA, OK</b>	File Name: <b>157342 - R14 - TULSA, OK</b>	Eng: <b>-</b>			



BOB KOLIBAS  
SIGN PLANS EXAMINER  
918-596-9664



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### SIGN PLAN REVIEW

February 15, 2018

LOD Number: 1053178-1

Sign contractor:  
Superior Graphics and Signs  
515 S. Main Street  
Muskogee OK 74401

APPLICATION NO: **440911** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Location: **202 W 005 ST S**  
Description: **Residence Inn projecting sign/S. Cheyenne Frontage**

#### 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)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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 OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(continued)

9.17

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. 440906

202 W 005 ST S

February 15, 2018

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### 1.) Section 60.080-D Maximum Height of On-premise Projecting and Freestanding Signs

#### 2. Lots with Frontage on Major Streets

On-premise projecting signs and freestanding signs on lots with frontage on major streets may not exceed 25 feet in height, except that a maximum height of 40 feet is allowed if the sign is set back from the planned right-of-way line at least one foot for each foot of sign height in excess of 25 feet. Projecting signs and freestanding signs may not exceed 40 feet in height unless the subject lot abuts a freeway, in which case the maximum allowed height is 50 feet.

**Review Comments:** The proposed projecting sign height of 41 feet exceeds the permitted 25 foot maximum height above grade with a 37.5 foot setback from the C/L of S. Denver Avenue. You may seek a variance from the BOA to permit a projecting sign to exceed the maximum permitted height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from S. Denver Avenue. (Note: ROW ordinance 22419 applies in the CBD for projecting signs).

#### 2.) Title 42. Chapter 95. Definitions:

**Sign, On-premise business:** Any sign which directs attention to a business, commodity, service, or entertainment conducted on the premises.

**Sign, Off-premise Outdoor Advertising:** A sign which directs attention to a business, commodity, service, or entertainment, sold or offered elsewhere than the lot on which it is located.

**Review Comments:** The proposed projecting sign does not appear to be located on the premises (lot) where the business is located (permitted). Off Premise signs for use as business signs are not permitted. Relocate the projecting sign on the lot addressed 202 W 5<sup>th</sup> street or provide a lot combination stamped and filed with the county clerk for the proposed projecting sign location as a revision to the application.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office 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.

## END – ZONING CLEARANCE AND SIGN 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 CITY OF TULSA SIGN PERMIT.

BOB KOLIBAS  
SIGN PLANS EXAMINER  
918-596-9664



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### SIGN PLAN REVIEW

February 15, 2018

LOD Number: 1053168-1

Sign contractor:  
Superior Graphics and Signs  
515 S. Main Street  
Muskogee OK 74401

APPLICATION NO: **440906** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Location: **202 W 005 ST S**  
Description: **Residence Inn projecting sign/S. Denver Frontage**

#### 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)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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 OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(continued)



## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. 440911

202 W 005 ST S

February 15, 2018

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### 1.) Section 60.080-D Maximum Height of On-premise Projecting and Freestanding Signs

#### 2. Lots with Frontage on Major Streets

On-premise projecting signs and freestanding signs on lots with frontage on major streets may not exceed 25 feet in height, except that a maximum height of 40 feet is allowed if the sign is set back from the planned right-of-way line at least one foot for each foot of sign height in excess of 25 feet. Projecting signs and freestanding signs may not exceed 40 feet in height unless the subject lot abuts a freeway, in which case the maximum allowed height is 50 feet.

**Review Comments:** The proposed projecting sign height of 41 feet exceeds the permitted 25 foot maximum height above grade with a 37.5 foot setback from the C/L of S. Cheyenne Avenue. You may seek a variance from the BOA to permit a projecting sign to exceed the maximum permitted height of 25 feet to be installed 41 feet above grade with a 37.5 foot setback from S. Cheyenne Avenue. (Note: ROW ordinance 22419 applies in the CBD for projecting signs).

#### Title 42. Chapter 95. Definitions:

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**Sign, Off-premise Outdoor Advertising:** A sign which directs attention to a business, commodity, service, or entertainment, sold or offered elsewhere than the lot on which it is located.

**Review Comments:** The proposed Wall sign does not appear to be located on the premises (lot) where the business is located. Off Premise signs for use as business signs are not permitted. Relocate the wall sign on the lot addressed 202 W 5<sup>th</sup> Street S. Revise and submit.

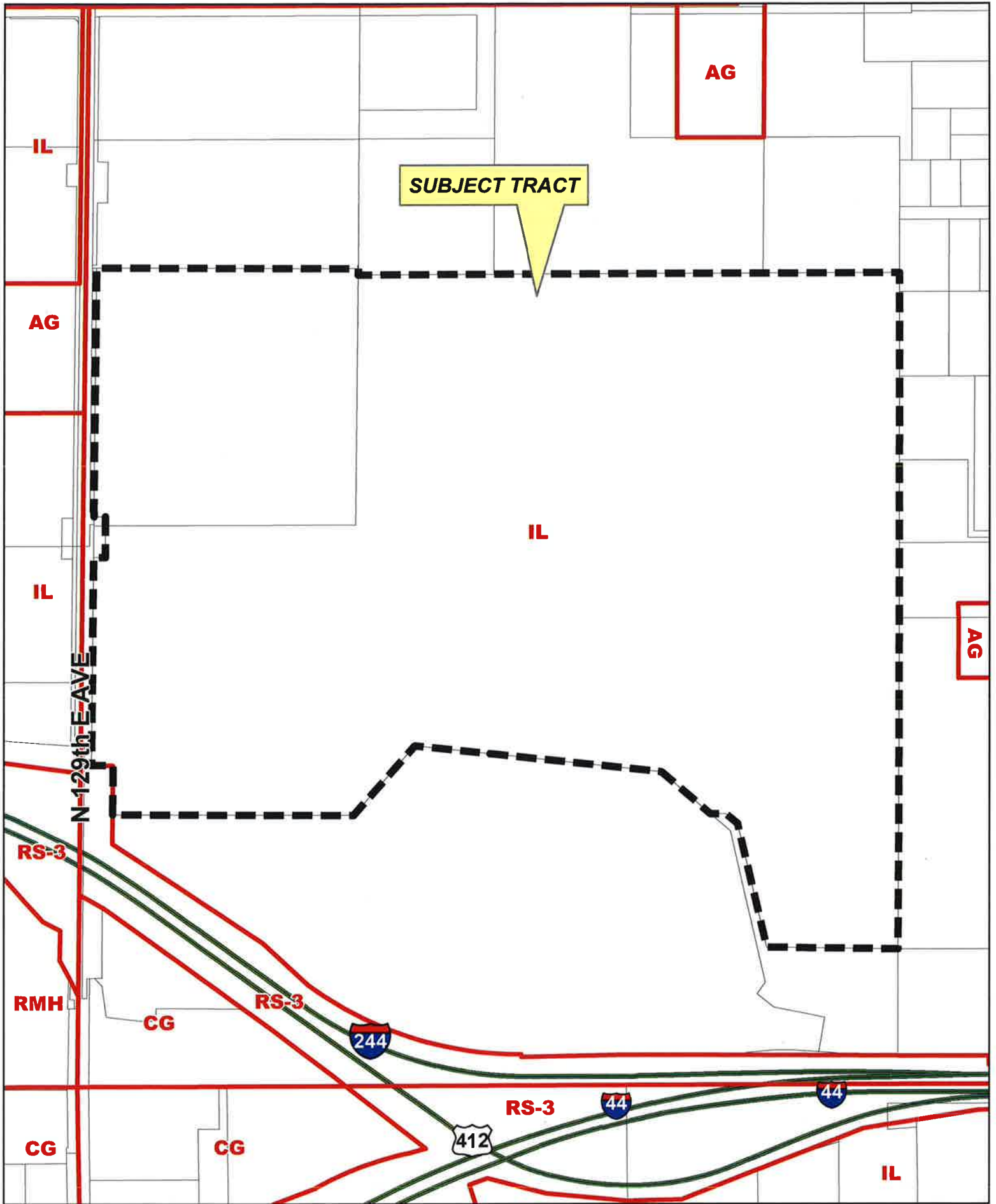
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## END – ZONING CLEARANCE AND SIGN CODE REVIEW

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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 CITY OF TULSA SIGN PERMIT.

9.20<sup>2</sup>



**BOA-22417**

20-14 33

10.1

**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 0433

Case Number: **BOA-22417**

**CZM:** 31

**CD:** 3

**A-P#:**

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Scott Rodehaver

**ACTION REQUESTED:** Modification of a Previously approved Site Plan.

**LOCATION:** 1003 N 129 AV E

**ZONED:** IL

**PRESENT USE:** Church Campus/School

**TRACT SIZE:** ± 239.94 acres

**LEGAL DESCRIPTION:** LT 1 BLK 1 LESS BEG NWC THEREOF TH E55 S100 S54.86 W55 N54.92 N100.05 POB; LT 2 BLK 1 LESS BEG SWC THEREOF TH E55 N45.09 W55 S45.09 POB, SAMPSON INDUSTRIAL PARK, CHURCH ON THE MOVE, AIRPORT INDUSTRIAL CENTER AMD

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**BOA-19599-A;** on 5.13.14, the Board **APPROVED** a Special Exception for approval of amended site plan previously approved under BOA-19599, per plan submitted.

**BOA-20966-A;** on 11.26.13, the Board **APPROVED** a modification to a previously approved site plan (BOA-20966) to permit the addition of three (3) safe rooms.

**BOA-20966;** on 9.8.09, the Board **APPROVED** a minor Special Exception to amend a previously approved site plan for an existing church, per plan submitted, the Board cites approval is consistent with intent of previous approvals.

**BOA-19599;** on 5.27.03, the Board **APPROVED** a Special Exception for approval of amended site plan previously approved under BOA-19462, per plan submitted.

**BOA-19462;** on 10.22.02, the Board **APPROVED** a Special Exception to amend a previously approved site plan with revision to NE/c and E portions of property, per plan submitted.

**BOA-19382;** on 6.25.02, the Board **APPROVED** an amended site plan submitted.

**BOA-19336;** on 4.23.02, the Board **APPROVED** a Special Exception to allow five portable units (manufactured buildings) for two years for classrooms; and **APPROVED** an amended site plan to include locker rooms at the football stadium, per site plan submitted.

**BOA-19112;** on 6.26.01, the Board **APPROVED** an amended site plan approved under BOA-18799.



**BOA-19037**; on 4.24.01, the Board **APPROVED** a Special Exception to allow church and church school and related accessory uses in an IL-zoned district; and **APPROVED** a Variance of street frontage from 50 ft to 0 ft, subject to a tie agreement between the new parcel to existing parcel.

**BOA-18799**; on 7.11.00, the Board **APPROVED** a Special Exception to allow church and related uses and K-12 school uses, including school sports facilities, bus barn, and related parking, per plan.

**BOA-18725**; on 5.23.00, the Board **APPROVED** a conceptual plan for the church and customary accessory uses only, subject to all buildings being subject to detail requirements of Code.

**BOA-17658**; on 3.25.97, the Board **APPROVED** a Special Exception to allow church use in an IL district to include additional land for an existing church; and **APPROVED** a minor Special Exception to approve an amended site plan subject to applicant returning with detailed site plans for the new tracts being added to the overall site prior to building permits being issued for the area.

**BOA-15738**; on 5.28.91, the Board **APPROVED** a Special Exception to permit a tent revival on July 3-4, 1991; and **APPROVED** a Special Exception to permit a day school (K-12) and other outdoor recreational uses, per plan submitted, subject to applicant returning to the Board for approval of any significant deviation in the depicted school location; subject to all outdoor lighting, such as baseball field or tennis courts, should be directed away from abutting properties; and subject to all landscaping being detailed in submitted site plans.

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

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

**Areas of Growth** are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is surrounded by IL zoning districts on all sides and abutted to the west by N 129<sup>th</sup> Avenue.

**STAFF COMMENTS:**

The applicant is before the Board requesting a **modification** of a previously approved site plan (BOA-19599-A) to permit the extension of the existing Lincoln Christian School Elementary gymnasium. The proposed site is near the existing cluster of buildings located toward the southwest section of the subject property.

As the special exception for church use and expansion of the church use in the IL district over the years has consistently been approved by the Board 'per plan', modifications to the site that are not shown on the most recent 'approved plan' are required to obtain Board approval before they are. The most recent 'approved plan' is attached.

As the church was permitted by special exception the Board may consider utilizing the same criteria – ensuring the proposed modification to the site is consistent with the intent of the original (or previous) approval(s). If inclined to approve the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the site modification is compatible with the surrounding context.

### **Sample Motion**

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.

Move to \_\_\_\_\_ (approve/deny) a **Modification** to a previously approved site plan

**Action Requested:**

Modification to a previously approved site plan (BOA-19599) for the proposed nine new uses shown on the Church on the Move master plan dated 3/11/14.

**LOCATION:** 1003 North 129<sup>th</sup> Avenue East (CD 3)

**Presentation:**

**Jim Beach**, Wallace Engineering, 200 East Brady, Tulsa, OK; stated he is representing The Church On The Move. The Church On The Move has developed a five year Master Plan. Mr. Beach presented new exhibits to the Board and had the new exhibits displayed on the overhead projector depicting several of the planned projects for the church. The request today is for approval of the Master Plan in concept, and approval of this concept plan with acknowledgement that each of these projects will occur sometime over the next five years in hopes that the church does not need to come back before the Board again until the completion of all the proposed projects.

Mr. White asked Mr. Beach that if the Board were inclined to approve would they be approving the concept as a "conceptual plan" or a concept of a broad base. Mr. Beach stated that the Board would approve the Master Plan with each project in concept. It will be built substantially in accordance with the plan as presented today.

Mr. Van De Wiele asked staff if there was a time limit for the applicant to implement the approval, or is that just for Special Exceptions. Ms. Miller stated the time limit is for a Special Exception not a modification.

Mr. Van De Wiele asked Mr. Beach what a fortified assembly space is. Mr. Beach stated it is a tornado shelter.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

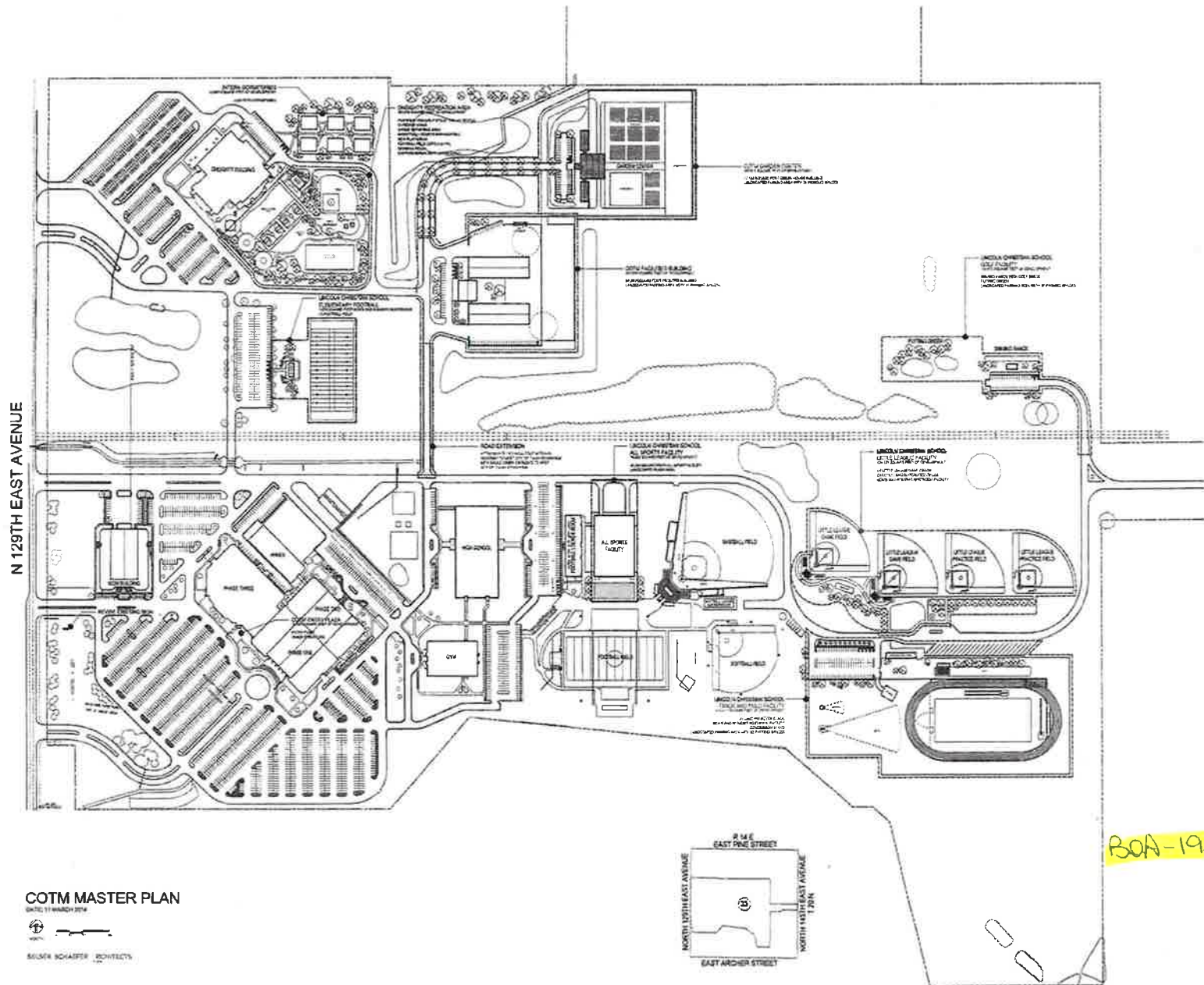
**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a Modification to a previously approved site plan (BOA-19599) for the proposed nine new uses shown on the Church on the Move Master Plan dated 3/27/2014. The Board has found that the proposed site plan presented today is compatible with the surrounding context; for the following property:

**LOT 1-2 BLOCK 1 CHURCH ON THE MOVE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**



10.6



BOA-1959-A

placed on the tenant might help enforce the noise issues. Mr. Reynolds stated that a time limit would be acceptable.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 3-0-0 (Henke, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Snyder, Tidwell absent) to **APPROVE** the request for a **Variance** of the previously approved (BOA-19983) required off-street parking count for an additional 6 parking spaces to allow for a restaurant use (Use Unit 12) in the CH District (Section 1212.D). The Board has found that the existing parking on the lot in question along with the spaces provided by the lease of the adjoining property is sufficient for the current use or the use to be undertaken with the change of the use element to the bakery and coffee shop taking a portion of the property. This approval will be subject to the conditions that the applicant provide a screening fence along the southside of the lot addressed as 1434 South Quincy Avenue and along the alleyway to the west of 1434 South Quincy Avenue on either the east or west side of the alley as determined by the property owner, Mr. Shelby Navarro at 1434 South Quincy Avenue. This approval is also subject to the further condition that the alleyway to the east of the applicant's lot, that in future leases, the alley be prohibited from being a smoking or loitering area, and that the applicant likewise in future leases will control the sound limit of amplified music such that any such music will cease at the hours of 11:00 p.m. Sunday through Thursday, and at midnight Friday and Saturday. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**LTS 13-15 & PRT VAC ALLEY ADJ ON E BEG SECR LT 13 TH N107.49 E1.86 S107.49 W1.26 POB BLK 7, BELLVIEW ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**20966-A—Wallace Engineering – Jim Beach**

**Action Requested:**

**Modification** of a previously approved site plan (BOA-20966) to permit the addition of three (3) safe rooms. **LOCATION:** 1003 North 129<sup>th</sup> Avenue East (CD 3)

**Presentation:**

**Jim Beach**, Wallace Engineering, 200 East Brady, Tulsa, OK; stated that he has given Ms. Back new plans that are different than the ones in the Board's agenda packet. He

11/26/2013-1106 (7)

BOA-20966-A

is before the Board today representing Church on the Move, and there have been a number of cases before the Board regarding this campus. The campus and church continue to grow and each new building or new facility requires re-approval of the initial site plan that was approved when the church was established. The church would like to install safe rooms at this time. Originally there were going to be three safe rooms and the plan presented today show there will be two safe rooms. The plan changed as of yesterday and there is a possibility that the plan will change slightly in the future. If the Board is inclined to approve the applicant's request he would request the Board approve it as a conceptual plan to allow flexibility, and leave the request at three safe rooms.

Mr. Van De Wiele asked Mr. Beach, if in the possible relocation of the safe rooms, would the relocation be to one of the general areas that are marked out on the plans submitted today? Mr. Beach answered affirmatively. The safe rooms are oriented to face the existing building so people can leave the building and immediately enter the safe room.

Mr. White asked Mr. Beach about the entry to the safe rooms. Mr. Beach stated the safe rooms will be free standing and people will be leaving the building before entering the safe room.

Mr. Swiney asked Mr. Beach how many people each safe room would hold. Mr. Beach stated that he did not have that information available. Mr. Swiney stated that the church holds a multitude of people and if the safe rooms are used for their safety the safe room would need to hold an awfully lot of people for the church to safely evacuate the building. Mr. Beach stated the safe rooms are intended for the school, they are not intended for the evacuation of the church. The safe rooms are positioned near the school buildings.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION of WHITE**, the Board voted 3-0-0 (Henke, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Snyder, Tidwell absent) to **APPROVE** the request for a **Modification of a previously approved site plan (BOA-20966)** to permit the addition of **three (3) safe rooms**. This approval is subject to conceptual plans submitted today, November 26, 2013. While the plans only show two safe rooms for construction there may be a third future safe room constructed. Finding the proposed modification is consistent with the intent of the original approval. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:



\*\*\*\*\*.

**Case No. 20966**

**Action Requested:**

Minor Special Exception to amend a previously approved site plan for an existing church, located: 1003 North 129<sup>th</sup> East Avenue.

**Presentation:**

Jim Beach, 200 East Brady, Tulsa, Oklahoma, with Wallace Engineering, stated this is a small portion of the Church on the Move property. The site plan was designated (Exhibit D-1). He informed the Board they are filling in a gap between two existing buildings. To avoid any inconsistency of the master site plan, they brought this case before the Board.

**Interested Parties:**

There were no interested parties.

FILE COPY

**Board Action:**

On Motion of Stead, the Board voted 5-0-0 (White, Van De Wiele, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Minor Special Exception to amend a previously approved site plan for an existing church, per plan as shown on page 7.7 in the agenda packet; and the Board sites this approval is consistent with the intent in the previous approvals; and in granting the special exception the Board finds 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:

LT 1 BLK 1, LT 2 BLK 1, CHURCH ON THE MOVE, City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*.

**Case No. 20967**

**Action Requested:**

Variance to permit an outdoor advertising sign outside of a freeway sign corridor (Section 1221.F.1), located: 9955 East 21<sup>st</sup> Street South.

**Presentation:**

Pete Patel, 9502 South 73<sup>rd</sup> East Avenue, stated they have daily problems with customers that cannot locate the Comfort Suites on the subject property. He has obtained an agreement with the owner of Dean's RV, to allow them to put a sign for Comfort Suites on the Dean's RV property. He contacted Amax Signs for help to obtain a sign that would be approved.

Brian Ward, 9520 East 55<sup>th</sup> Place, Tulsa, Oklahoma, 74145, with Amax Signs, stated that Comfort Suites and Dean's RV came to an agreement for a shared sign

09:08:09:1009(8)

\*\*\*\*\*

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**Action Requested:**

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**Presentation:**

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**Interested Parties:**

There were no interested parties.

**FILE COPY**

**Board Action:**

On Motion of Stead, the Board voted 5-0-0 (White, Van De Wiele, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Minor Special Exception to amend a previously approved site plan for an existing church, per plan as shown on page 7.7 in the agenda packet; and the Board sites this approval is consistent with the intent in the previous approvals; and in granting the special exception the Board finds 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:

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\*\*\*\*\*

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09:08:09:1009(8)

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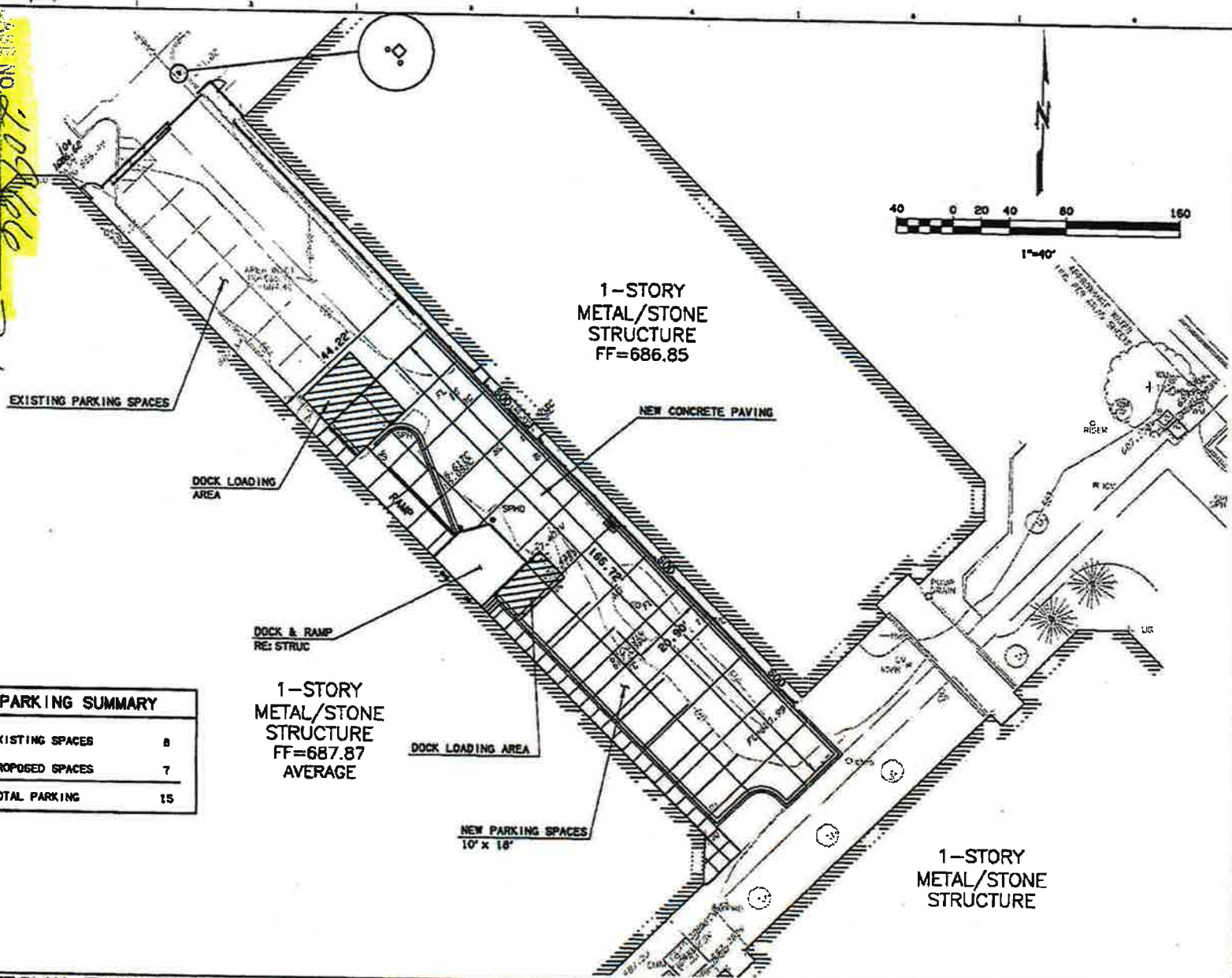
ADJUSTMENT.

OFFICIAL RECORDS EXHIBIT  
SENT IN THE  
9-8-09  
12-1

FILE NO. 100466

104-20966

PARKING SUMMARY	
EXISTING SPACES	8
PROPOSED SPACES	7
TOTAL PARKING	15



A1 SITE PLAN - EXHIBIT "A"



C400



of the SE/4 NE/4 SE/4 NE/4 of Section 27, T-20-N, R-13-E of the IBM, except the E 35.00' thereof.

\*\*\*\*\*

**Case No. 19598**

**Action Requested:**

Special Exception to modify screening requirement along Winston. SECTION 212 SCREENING WALL OR FENCE – Use Unit 11, located N of NW/c E. 89<sup>th</sup> St. & Yale.

**Presentation:**

Roy D. Johnsen, 201 W. 5<sup>th</sup>, Ste. 501, stated he appeared on behalf of 21<sup>st</sup> Properties. The property was recently zoned OL, and fronts on Winston and Yale. They filed a plat waiver. They asked for modification of the screening requirement for access on Winston.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On MOTION of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Special Exception** to modify screening requirement along Winston, except for the 25.6' access point as shown on the plan, finding it 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:

The S 100.00' N 400.00' E/2 E/2 of the SE/4 SE/4 of Section 16, T-18-N, R-13-E, less and except the E 50.00', and less and except the Wly 10.00' of the Ely 60.00' thereof; And the S 100.00' of the N 500.00' E/2 E/2 SE/4 SE/4 of Section 16, T-18-N, R-13-E, less and except the E 50.00', and less and except the Wly 10' of the Ely 60.00' thereof, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**Case No. 19599**

**Action Requested:**

Special Exception for approval of amended site plan, previously approved under BOA 19462. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5, located NE/c E. Latimer & N. 129<sup>th</sup> E. Ave.

**Presentation:**

Wallace O. Wozencraft, 1619 S. Boston, submitted a new site plan (Exhibit K-1). This case is in regards to the concessions and restrooms located behind the bleachers at the football field. This will complete the football field area.

05:27:03:865 (14)

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Special Exception** for approval of amended site plan, previously approved under BOA 19462, per plan submitted today, finding it 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:

Lot 1, Block 1, Trinity Park East, Lots 1 & 2, Block 1, Trinity Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**Case No. 19600**

**Action Requested:**

Variance of required setback from centerline of S. Lewis Ave. from 75' to 70'.  
SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 5,6, located W side of S. Lewis, N side of E. 4<sup>th</sup> St. to N side of E. 5<sup>th</sup> St.

**Presentation:**

**Monte McElroy**, Tulsa Development Authority, stated they have a contract with Sam Rader, for redevelopment of this property. He added they are in favor of the development. A site plan was provided (Exhibit L-1).

**Sam Rader**, 7103 S. Yale, stated he proposed to build nine single-family dwellings with a green belt buffer along Lewis.

**Interested Parties:**

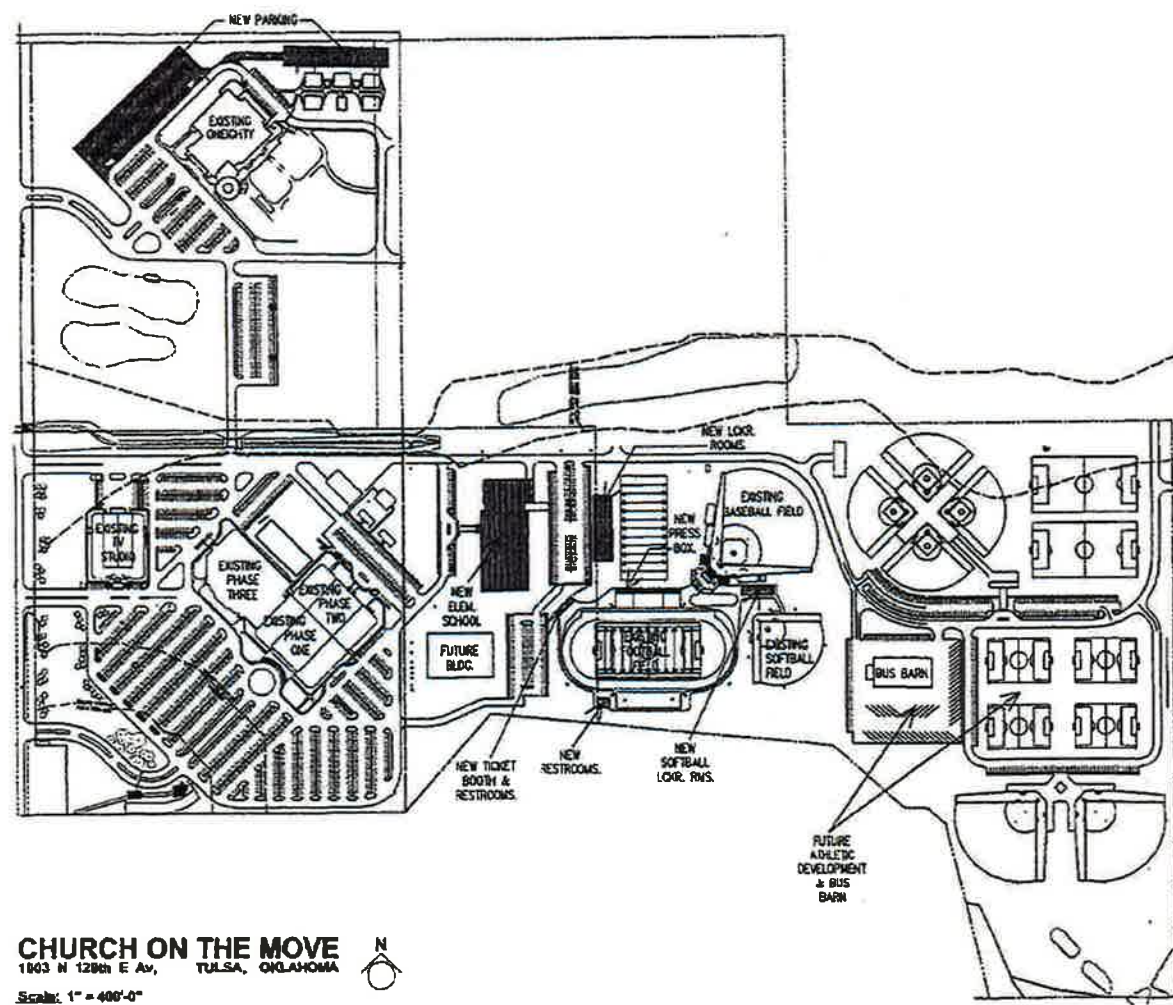
**Walt Casey**, 2306 E. 4<sup>th</sup> Pl., stated a park along Lewis would be dangerous, and there are other parks nearby. He suggested the area needed to be re-zoned so houses could not be built there. Mr. White informed Mr. Casey that the Board could not do anything about that.

**Gary Beach**, 2315 E. 4<sup>th</sup> Pl., asked if the park is just a buffer between the residences and the street. Mr. Jim Beach responded that the park is buffer area. It would be a 30' green space not a playground park. Mr. Gary Beach wanted to know how many new dwellings would be on 4<sup>th</sup> Place. Mr. Jim Beach replied there would be three new dwellings fronting 4<sup>th</sup> Place.

BOA-19599

LEGAL DESCRIPTION

LOTS 1 & 2, BLOCK 1, TRINITY PARK ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



**CHURCH ON THE MOVE**  
 1803 N 128th E Av, TULSA, OKLAHOMA  
 Scale: 1" = 400'-0"

WOZENGRAFT - MOWERY  
 AND ASSOCIATES  
 ARCHITECTS AND ENGINEERS  
 1000 N. 10th St., Suite 100  
 Tulsa, Oklahoma 74103

MASTER PLAN FOR  
 CHURCH ON THE MOVE  
 & WILLIE GEORGE MINISTRIES  
 1803 N 128th E Av, Tulsa, Oklahoma  
 1000 N 10th St, Suite 100, Tulsa, Oklahoma  
 DATE: 10/14/14  
 DRAWN BY: J. MOWERY  
 CHECKED BY: J. MOWERY  
 TITLE: MASTER SITE PLAN

BOA-19599

10.14



402.B.4.b. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 8, located S & W of SW/c E. Skelly Dr. & E. 21<sup>st</sup> St.

**Presentation:**

**John W. Moody**, 1924 S. Utica, Ste. 700, stated he represented the owners of the American Village on the Lake Apartments. The property was condemned and acquired where the sign was located. Mr. Moody indicated the proposed site to the southwest on the site plan. They propose to put the existing sign on a monopole. He researched but could not prove that the existing sign is a legal, non-conforming sign that may have been present before the apartment complex was built. He introduced **Terry Howard**, with Commercial Signs, who was present to answer any questions. A site plan was provided (Exhibit E-1).

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Variance** of 150 square feet display surface area and 20' height sign restrictions in an RM-1 district to permit relocation of an existing non-conforming sign, per plan, finding the sign is a legal non-conforming use, and the move was imposed by highway improvement plans, on the following described property:

Lots 1 and 2, Block 40, of Blocks 39 and 40, Longview Lake Estates, City of Tulsa, Tulsa County, State of Oklahoma, less and except the right-of-way for I-44 highway.

\*\*\*\*\*

**Case No. 19462**

**Action Requested:**

**Special Exception** to amend a previously approved site plan, located NE/c E. Latimer & 129<sup>th</sup> E. Ave.

**Presentation:**

**Wally Wozencraft**, 1619 S. Boston, stated he represented Church on the Move. He informed the Board they propose to add a school, locker room, toilet facility, a ticket booth with toilet facilities, and toilet facilities south of the football stadium. He also pointed out proposed parking areas.

**Comments and Questions:**

Mr. Cooper suggested as he has previously that the applicant needs to consider a PUD.

**Interested Parties:**

There were no interested parties who wished to speak.

(White, Dunham absent") to APPR  
plan, with revision  
 submitted today.

**Lots 1 and 2, Block 1, Trinity Park Addition, a Re-subdivision, and Lot 1, Block 1, Trinity Park East Addition, a Re-subdivision, all part of NW/4 SW/4 and part of NW/4 and part of W/2 NE/4 SW/4 of Section 33, T-20-N, R-14-E, City of Tulsa, Tulsa County, State of Oklahoma.**

**Case No. 19463**

Variance to allow an accessory building in the front yard. SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions – Use Unit 6; and a Variance of the allowable size of accessory buildings in the aggregate from 750 square feet to 2,868 square feet. SECTION 210.B.5.a. YARDS, Permitted Obstructions in Required Yards, located 17802 E. 12<sup>th</sup> St.

**Terry Duke**, 17802 E. 12<sup>th</sup> St., stated they propose to build an accessory metal building for personal storage of autos, equipment and an exercise area. Spunky Creek runs through the property and the topography slopes enough to affect the available building area. A site plan and elevation map were provided (Exhibits G-1 and G-2).

There were no interested parties who wished to speak.

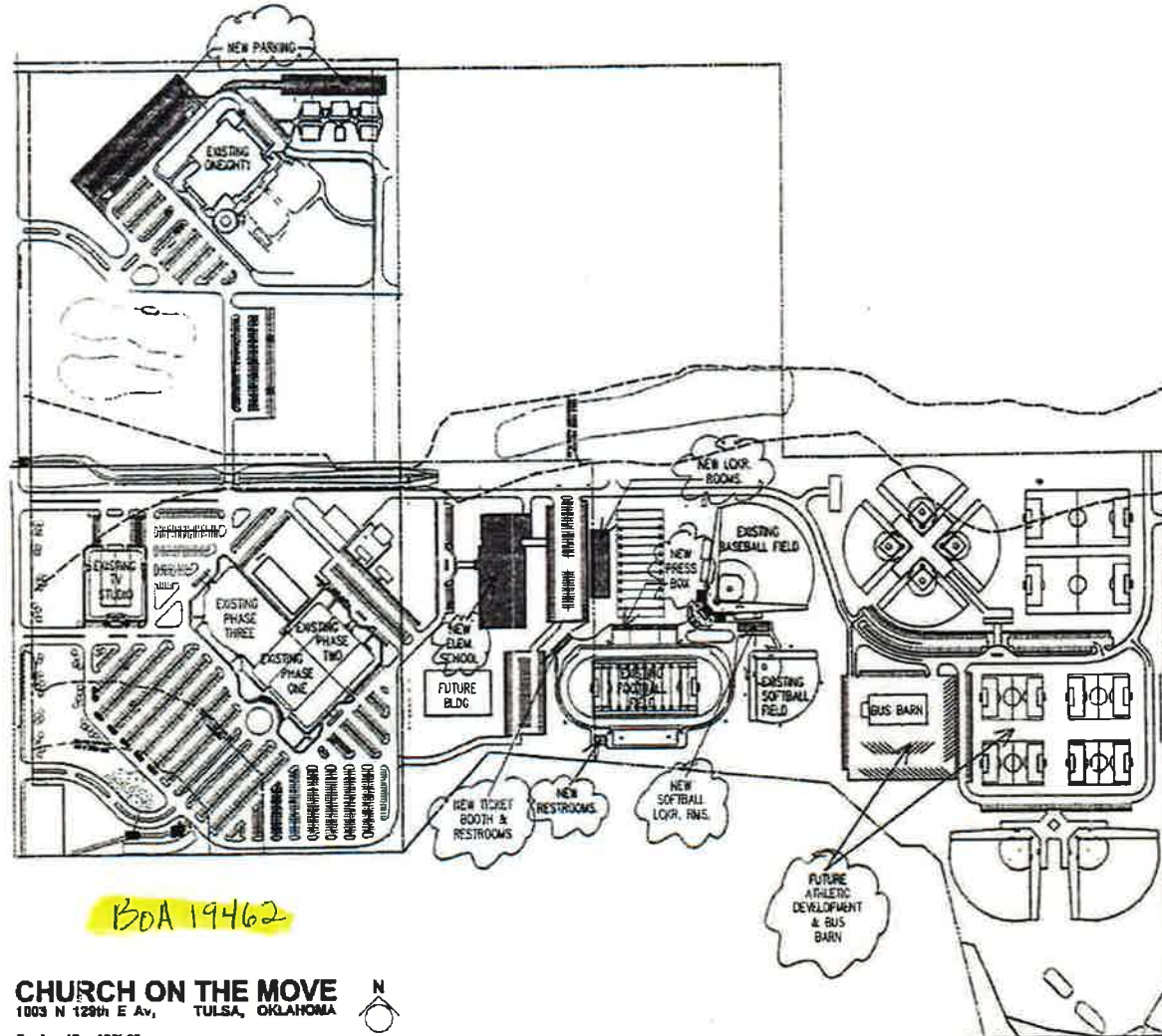
On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a ***Variance*** to allow an accessory building in the front yard; and a ***Variance*** of the allowable size of accessory buildings in the aggregate from 750 square feet to 2,868 square feet, per plan, with condition there be no commercial activity conducted in this new building, finding the property is large enough, and because of the topography it would be better to put it in the front yard than the rear yard, on the following described property:

\*\*\*\*\*

BDA-19462

LEGAL DESCRIPTION

LOTS 1 & 2, BLOCK 1, TRINITY PARK ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



BDA 19462

**CHURCH ON THE MOVE**  
1003 N 129th E Av, TULSA, OKLAHOMA

Scale: 1" = 400'-0"

CASE NO. 19462 F-1  
OFFICIAL RECORDS EXHIBIT  
ENTERED IN THE 10-22-02  
MINUTES OF THE TULSA BOARD OF  
ADJUSTMENT.

WOZENERACT - HOWERY  
ARCHITECTS AND ENGINEERS  
1011 N. W. 10th St., Suite 101, Tulsa, OK 74103  
TEL: 336-1234 FAX: 336-1235

MASTON BITE PLAN  
CHURCH ON THE MOVE  
& WILLIE GEORGE MINISTRIES  
TULSA, OKLAHOMA

10.17



**Presentation:**

Steve Olson, 502 W. 6<sup>th</sup>, stated he was the architect for St. Francis Catholic Church. They want to expand their offices for meeting space and counseling areas. There is enough parking on both lots for the uses.

**Interested Parties:**

Maria Barnes, 2252 E. 7<sup>th</sup> St., President of Kendall-Whittier Neighborhood Association. They are in support of the application.

**Board Action:**

On MOTION of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a *Special Exception* to use adjoining lot, under same ownership, to meet the parking requirements (12 spaces required) on a lot other than where the principal use is located, subject to a tie-agreement, finding it 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:

Lots 4 and 5, Block 5, East Highland, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

**Case No. 19382**

**Action Requested:**

Review and approval of amended site plan. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5, located NE/c E. Latimer & N. 129<sup>th</sup> E. Ave.

**Presentation:**

Wally Wozencraft, 1619 S. Boston, stated he was the architect for the project at Church on the Move. The site plan was previously approved, but since then they have decided to consolidate the athletic activity on the eastern portion of the property. An amended site plan was provided (Exhibit D-1).

**Interested Parties:**

There were no interested parties who wished to speak.

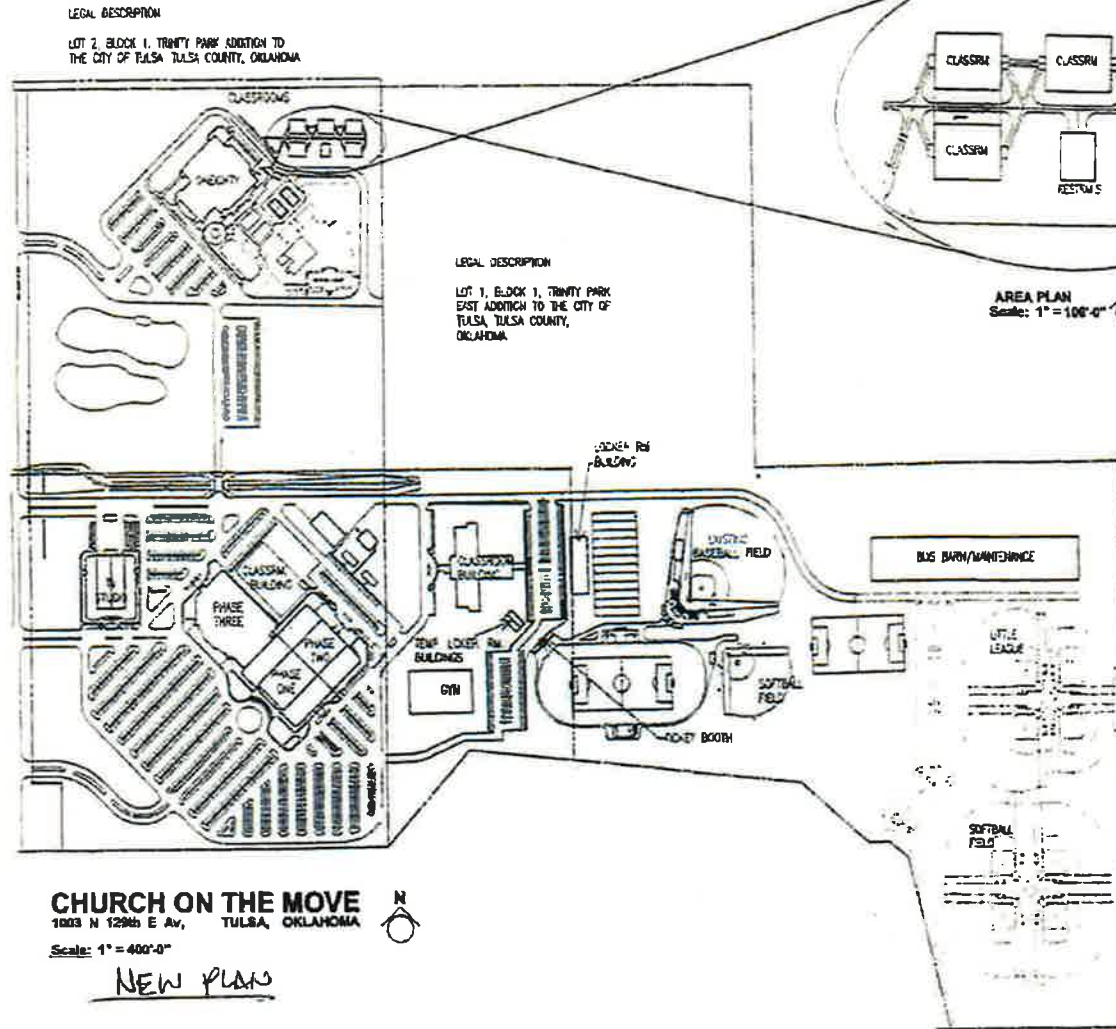
**Board Action:**

On MOTION of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a Review and approval of amended site plan, per plan submitted today, on the following described property:

Lot 2, Block 1, Trinity Park, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

10.19



WOZENCRAFT - MOWERY  
AND ASSOCIATES  
ARCHITECTS AND ENGINEERS  
1001 S. W. 10th St., Suite 100  
Tulsa, Oklahoma 74106  
Tel: 336-1111

MASTER PLAN FOR  
CHURCH ON THE MOVE  
A WILLIE GEORGE MINISTRIES  
CHURCH  
NEW MASTER SITE PLAN

BoA 14302

the requirement for 30' of frontage on a public street or dedicated right-of-way to 0' for two lots to be created by a lot-split, subject to a mutual access and utility easement filed of record along the existing driveway for the benefits of Tracts 1, 2 and 3, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the property described as follows:

A part of the N/2 SE NW, Beg. at the NE/c of N/2 SE NW; thence W 391.93' S 306.5'; E 391.89' to E line of N/2 SE NW; N 306.40' to POB, Section 28, T-18-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

**Case No. 19336**

**Action Requested:**

Special Exception to allow five portable units (manufactured buildings) for two years for classrooms SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5; and a Approval of an amended site plan to include locker rooms at the football stadium. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5, located NE/c E. Latimer and N. 129<sup>th</sup> East Ave.

**Presentation:**

Mike Lowery, 1619 S. Boston, stated he is an architect in partnership with Wallace O. Wozencraft. The church proposes to place portable units for classrooms for two years and the addition of locker rooms in an amended site plan (Exhibit D-1).

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On MOTION of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Cooper "aye"; no "nays"; no "abstentions"; Perkins "absent") to **APPROVE** a **Special Exception** to allow five portable units (manufactured buildings) for two years for classrooms; and a Approval of an amended site plan to include locker rooms at the football stadium, per amended site plan, on the following described property:

Lot 2, Block 1, Trinity Park Resubdivision, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

**Case No. 19337**

**Action Requested:**

Special Exception to allow a manufactured home in an RM-2 district; a Special Exception to extend the time limit; and a Variance to allow two dwellings on one lot, located 5123 West 11<sup>th</sup> Street.

*DBA 20966*

04:23:02:340(7)



The W 318.54' of the W/2 SE/4 NE/4, less the S 164.57' and less the N 20' for road purposes and less beg. 20' S of the NW/c of SE/4 NE/4, thence E 75', thence S 150'; thence W 75'; thence N 150' to the POB, all in Section 7, T-20-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

**Case No. 19037**

**Action Requested:**

Special Exception to allow church and church school and related accessory uses in an IL-zoned district. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5; and a Variance of street frontage from 50' to 0'. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS, located 1003 N. 129<sup>th</sup> E. Ave.

**Presentation:**

**Wallace O. Wozencraft**, 1619 S. Boston, stated he is an architect for Willie George Ministries. The applicant proposes to use property for ball fields, bus barn, and school activities. He mentioned that they are going to revise the site plan for another portion of the property in the future.

**Comments and Questions:**

Mr. Cooper asked why they didn't apply for a PUD, considering the size and uses of the property. Mr. Beach responded that this course is appropriate and does not require a PUD at this time. The applicant has purchased property in separate parcels as they became available. Mr. White asked if the only building of substance on the new request is the bus barn. Mr. Wozencraft replied that there would be smaller buildings in the baseball field areas and the bus barn. He described the plans to obtain approval to increase parking when they put up bleachers for the football field. He added that they are in the process of obtaining a water pipeline from 129<sup>th</sup> St. after approval of the City. They are in to the process of platting the property.

**Interested Parties:**

**Richard Young**, 606 N. 145<sup>th</sup>, stated he is with Industrial Piping Specialists. He asked if the traffic flow would come from the west on 129<sup>th</sup> St. He asked if he could have a site plan to take back to his company for information. Mr. White responded that access would be from 129<sup>th</sup> St.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 3-0-0 (White, Dunham, Cooper, "aye"; no "nays"; no "abstentions"; Perkins, Turnbo "absent") to **APPROVE** a **Special Exception** to allow church and church school and related accessory uses in an IL-zoned district; and a **Variance** of street frontage from 50' to 0', subject to a tie-agreement between the new parcel to existing parcel, finding it would not cause

4:24:01:817(5)

10.21

BOA 19037

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:

The SE/4 NW/4 and the E/2 NE/4 SW/4 and the NW/4 SE/4 and the N/2 SW/4 SE/4 of Section 33, T-20-N, R-14-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, less the following described tract of land: Beg. at the SW/c N/2 SW/4 SE/4; thence N 89°52'08" E on the S line of the N/2 SW/4 SE/4 for 682.34'; thence N 13°34'07" W for 621.91'; thence N 48°34'21" W for 84.46' to the N line of the N/2 SW/4 SE/4; thence S 89°51'45" W for 75.36'; thence N 48°34'21" W for 329.14'; thence N 84°13'30" W for 150.28' to the W line of the NW/4 SE/4; thence continuing N 84°13'30" W for 666.48' to the W line of the E/2 NE/4 SW/4; thence S 0°07'23" W for 302.51' to the SW/c of the E/2 NE/4 SW/4; thence N 89°51'45" E for 663.37' to the SE/c of the E/2 NE/4 SW/4; thence S 0°05'31" W for 660.87' to the SW/c N/2 SW/4 SE/4 and the POB.

\*\*\*\*\*

**Case No. 19038**

**Action Requested:**

Minor Variance of the required RM-2 setbacks to allow RS-3 setbacks (5' and 5' for side yards) for single-family homes. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located SE/c E. 60<sup>th</sup> St. & Madison Pl. & S of SW/c E. 60<sup>th</sup> St. & Newport.

**Presentation:**

Charles Patterson, 2642 E. 21<sup>st</sup>, stated he is the proprietor of Patterson Realtors. He shared the proposed plans for these nine lots to put in single-family homes to solidify the neighborhood. He stated that the RM zoning requires ten-foot setbacks on either side of the lots. He described the hardship of the narrow lots would make it difficult to build homes with a garage.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On MOTION of Dunham, the Board voted 3-0-0 (White, Dunham, Cooper, "aye"; no "nays"; no "abstentions"; Perkins, Turnbo "absent") to **APPROVE a Minor Variance** of the required RM-2 setbacks to allow RS-3 setbacks (5' and 5' for side yards) for single-family homes, finding the hardship to be the size of the lots and 10' setbacks would make them unbuildable, on the following described property:

Lots 4 - 6 and 19 - 24, Block 6, Broadview Heights Addition, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

4:24:01:817(6)

10.22

**Case No. 19112**

**Action Requested:**

Review and approval of amended site plan, previously approved under BOA 18799, located E of SW/c Latimer & 129<sup>th</sup> E. Ave.

**Presentation:**

Wallace Wozencraft presented the amended site plan.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On MOTION of Perkins, the Board voted 3-0-0 (White, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Dunham, Cooper "absent") to **APPROVE** an amended site plan, previously approved under BOA 18799, on the following described property:

Trinity Park, A Resubdivision In City of Tulsa, Tulsa County, Oklahoma.

\*\*\*\*\*

**Case No. 19113**

**Action Requested:**

Variance of required setback from an R district from 75' to 36' to permit expansion of existing building. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS -- Use Unit 15, located 7240 E. 46<sup>th</sup> St.

**Presentation:**

Dana Hutson, 1909 N. Yellowwood, stated the request with the hardship being a 15' severe slope on the property.

**Interested Parties:**

There were no interested parties present who wished to speak.

**Board Action:**

On MOTION of Perkins, the Board voted 3-0-0 (White, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Dunham, Cooper "absent") to **APPROVE** a **Variance** of required setback from an R district from 75' to 36' to permit expansion of existing building, per plan, finding the hardship to be the topography, on the following described property:

Lot 1, Block 2, Industrial Equipment Center 3<sup>rd</sup> Addition, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*



Case No. 18798 (continued)

**Exception** to allow school use in an OL district, per plan, and limited to 450 students, finding that it 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. at the SE/c of the NE/4, Section 2, T-19-N, R-13-E, thence W 357', N 384.9', E 357', S 384.9' to POB, less E 35' of the N 94' and E 50' of the S 290.9' and S 50' of the W 307' for streets AND Beg. 384.9' N of the SE/c of the NE/4 of Section 2, T-19-N, R-13-E; thence W 357', N 100', E 357', S 100' to POB, less the E 35' for street, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**Case No. 18799**

**Action Requested:**

Special Exception to allow church and related uses and K-12 school uses, including school sports facilities, bus barn, and related parking. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 5, located 1003 N. 129<sup>th</sup> E. Ave.

**Presentation:**

Mr. Beach stated that the BOA approved the site plan in May, 2000, but it was found that other principle uses needed approval. This application was filed for that reason.

Mike Mowry, 1619 S. Boston, stated he represented Mr. Wozencraft.

**Comments and Questions:**

Mr. Dunham asked if staff has no concern per plan. Mr. Beach replied in the affirmative.

**Protestants:**

None.

**Board Action:**

On **MOTION** of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to allow church and related uses and K-12 school uses, including school sports facilities, bus barn, and related parking, per plan, finding that it 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:

All of Trinity Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

07:11:00:799(12)

Case No. 18760 (continued)

**Board Action:**

On **MOTION** of **DUNHAM**, the Board voted **3-0-0** (Dunham, Perkins, White "aye", no "nays", no "abstentions", Cooper, Turnbo "absent") to **CONTINUE** Case No. 18760 to June 13, 2000 at 1:00 p.m.

\*\*\*\*\*

**MINUTES:**

On **MOTION** of **DUNHAM**, the Board voted **3-0-0** (Dunham, White, Perkins, "aye", no "nays", none "abstaining", Cooper, Turnbo "absent") to **APPROVE** the Minutes of, April 25, 2000 (No. 794).

\*\*\*\*\*

**UNFINISHED BUSINESS**

**Case No. 18725**

**Action Requested:**

Review and approval of detailed site plan as required by conditions on BOA #17658, for property located 1003 North 129<sup>th</sup> East Avenue.

**Comments and Questions:**

This application was continued to correct the legal description in the notice. The site plan to be considered lacks any dimensions or meaningful labels. The Board gave its approval in 1997 subject to a detailed site plan and that is why today's application was filed. As a graphic concept, it appears to meet the general requirements of the Zoning Code setbacks, parking layout, landscaped areas, etc., but without enough information, these things are impossible to determine. Staff has no particular concern with approval of this plan as a concept but would point out that the submittal is far from a detailed site plan. The purpose of requiring the plan to be approved before building permits may be released is to be sure the proposed development is as it was represented in 1997. If the Board is satisfied that it is, you could approve this plan today and it would still be subject to all of the detailed requirements of the Code.

Mr. Cooper in at 1:18 a.m.

**Presentation**

**Wallace O. Wozencraft**, Architect, 1619 South Boston, Tulsa, Oklahoma 74119, representing Church On The Move, stated that the TV Studio building is fully detailed and drawings presented to the building and planning departments for the City of Tulsa. The plans have been reviewed, in part, by the City and is waiting on approval by this Board before being issued a building permit. He indicated that specific details of the "180°" building, which is located in the far north of the

05:23:00(796)4

10.25

**Case No. 18725 (continued)**

subject project, is currently being developed and will be submitted for detail review by the Building Inspection Department within the first part of July.

Mr. Wozencraft indicated that other projects, such as the high school building; bus barn and a storage building, are conceptual at this time and will be developed within the next two three to years. If the staff requires a detail landscape plan and detail structural drawings he can present them for staff review on the ministry building and the "180°" building at this time. He commented that he is confused regarding how much detail the staff requires for this Board's review. He stated that it was his understanding that the Board wanted the concept plan and location plan indicating general function and the drawings submitted illustrate that.

Mr. Wozencraft explained to the Board which buildings are currently existing, in the process of waiting for a building permit and buildings that are in the conceptual phase. He listed the future plans and buildings as follows: playground facility, skating rink, tennis court, football stadium, swimming pool and numerous game activities outdoors.

Mr. Wozencraft stated that there is ample parking provided for the facility and all landscaping ordinances will be followed. He indicated that the setback requirement is not critical because the church owns a large tract of land and the setbacks are well within code compliance.

**Comments and Questions:**

Mr. White read the minutes of 1997, which indicated that the condition of the approval included that the applicant return with a detail site plans for the new tracts being added to the overall site prior to building permits being issued for the areas.

Mr. Beach stated that staff does not have a problem with the Board approving the subject plan if the Board feels that it meets the requirements and satisfactions of the motion and condition.

Mr. Jackere stated that the Zoning Code requires no special conditions for a church use. However, it does provide for setbacks and other requirements in the IL district. He pointed out that the application is subject to the Landscaping Ordinance requirements and Zoning Code requirements.

Mr. Stump stated that the applicant requested a special exception for church use and it has been granted. The church has not asked for a special exception for a high school and it is indicated on the conceptual plans. This conceptual plan cannot be considered as part of a detail site plan because it has not been properly advertised as a use and there are no immediate plans for the development. He suggested that the Board approve this application as church and customary accessory uses.



Case No. 18725 (continued)

There were no interested parties wishing to speak.

**Board Action:**

On MOTION of DUNHAM, the Board voted 4-0-0 (Cooper, Dunham, Perkins, White "aye", no "nays", no "abstentions", Turnbo "absent") to **APPROVE** the conceptual plan for the church and customary accessory uses only; subject to all buildings being subject to the detail requirements of the Code, for the following described property:

All of Trinity Park, A subdivision in City of Tulsa, Tulsa County, State of Oklahoma, and being located in an IL zoned district.

\*\*\*\*\*

Case No. 18735

**Action Requested:**

Special Exception to permit the property to be used as a cultural facility under Use Unit 5, subject to the Master Plan and Detail Landscape Plan for the East 25<sup>th</sup> Street frontage. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** – Use Unit 5, located northeast corner of East 25<sup>th</sup> Street and South Peoria.

**Presentation:**

Charles E. Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74120, representing the Tulsa Historical Society, stated that he is requesting a special exception for an addition to the existing property.

Mr. Norman stated that his client is requesting the approval of the use of the Southern Travis Mansion for the headquarters, library, museum and meeting rooms proposed to be constructed as an addition to the existing building. Mr. Norman submitted a master plan (Exhibit B-1) and site plan (Exhibit B-2). He explained that his client has entered into a contract for 99 years with the City of Tulsa for the joint and shared use of the parking facility (behind and part of the Garden Center) and the spaces that will part of the expanded Historical Society property. He reminded the Board of previously approved parking spaces (11) along the entry driveway from South Peoria, which may be jointly used by the Garden Center and the Historical Society. The staff has pointed out that the eleven spaces along South Peoria are not to be counted in the proposed site plan.

Mr. Norman stated that the site plan for the expansion indicates that there will be seven off-street parking spaces on the south side with a access from East 25<sup>th</sup> Street. This was done intentionally so that the new addition would be directed away from the residential area to the south.

05:23:00(796)6

Case No. 17657 (continued)

FILE COPY

**Protestants:** None.

**Board Action:**

On **MOTION** of **DUNHAM**, the Board voted 3-0-0 (Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; Abbott, Bolzie "absent") to **APPROVE** a **Special Exception** to permit a double-wide manufactured home in an RS-3 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; per plan submitted and placed on a foundation; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code and **CONTINUE** Case No. 17657 to April 22, 1997, 1:00 p.m., to enable the applicant to readvertise for permanent status, on the following described property:

Lots 10, 11 & 12, Block 5, Mohawk Harvard Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17658**

**Action Requested:**

Special Exception to allow church use in an IL district to include additional land for an existing church and a Minor Special Exception to approve an amended site plan. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 2, located 1003 North 129th East Avenue.

**Presentation:**

The applicant, **Wallace O. Wozencraft**, 5801 East 41st Street, representing Willie George Ministries, submitted an amended site plan (Exhibit G-1). Mr. Wozencraft stated that in March of 1991, the Board approved the 39.3 acres for church use and in May of 1992, the Board approved the first phase of development. Mr. Wozencraft detailed the different phases proposed and approved in 1992. He explained that Block 2 of the subject property was to contain the church offices and ministerial offices. He stated Block 3 was proposed to be totally recreational and in 1992 the total square footage was 222,000' of building area, which concluded Phase I. Phase I included the initial assembly area, education building, the bus garage, auditorium and 74,000 SF office/ministries headquarters building. Mr. Wozencraft explained that the Trinity Park area was replatted in 1994 to Trinity Park Amended, Lot 1, Block 1. After the replatting, the church decided it was necessary to consolidate the activities into one major structure or cluster of structures. He explained that by consolidating the activities to one major structure, the church was able to serve the sewer with one sewer system. In May of 1996, Phase II was initiated and the educational building was added to the original Phase I. He explained that the addition of Phase II added 52,800 SF, which makes a total of 105,800 SF. Mr. Wozencraft stated the next phase, which is in the subject application, is the auditorium. He explained that it has

03:25:97:723(11)

10.28

**Case No. 17658 (continued)**

been determined that the church will need 2500 seats in the auditorium. He further explained that the new church auditorium along with, nursery, youth/adult training and reception areas create a need for 83,350 SF in the new auditorium building. He stated the church has planned additional parking spaces (1264 parking spaces in the base bld, when added to the pre-existing amount). Mr. Wozencraft further stated an alternate possibility would be to add another 669 spaces should the need develop, but the 1264 will bring the church well into compliance of the Code. Mr. Wozencraft commented that a great importance to this development is the fact that the owner has purchased adjacent Lots A, B, and C, which total 93.91 acres. Mr. Wozencraft stated the church is under the 222,400 SF that was originally allocated for the three lots, which are now combined to one lot. He indicated that with the approval of the church use, the church will replat the entire area to be in conformity with the regulation for further development. Mr. Wozencraft stated the church will come back before the Board with the next process, which will be Phase IV and there will be six phases with this project.

**Comments and Questions:**

Mr. White asked the applicant if all of the six developments will be contained in the 93.91 acres? He answered affirmatively.

Mr. Gardner stated that since the applicant does not have specific plans for some of the land, the Board could approve the application for church use subject to returning with specific plans for development prior to issuing building permits.

Mr. Dunham asked the applicant if he had any objections to the approval for church use subject to returning with plans prior to issuing building permits? He answered negatively.

**Protestants:** None.

**Board Action:**

On **MOTION** of **TURNBO**, the Board voted 3-0-0 (Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; Abbott, Bolzle "absent") to **APPROVE** a **Special Exception** to allow church use in an IL district to include additional land for an existing church and a **Minor Special Exception** to approve an amended site plan. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 2;** subject to the applicant returning with detailed site plans for the new tracts being added to the overall site prior to building permits being issued for the areas; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

03:25:97:723(12)



**Case No. 17658 (continued)**

Original Tract: Lot 1, Block 1, Trinity Park Amended, an addition to the City of Tulsa, being a subdivision of Trinity Park, an addition in Tulsa County, Oklahoma according to the recorded plat thereof; and Tract A: The W/2, NE/4, SW/4, Sec. 33, T-20-N, R-14-E, I.B.M., Tulsa County, Oklahoma, according to the U.S. Government survey thereof, less and except the following described tract of land: Beg. at the SW/c, said W/2, NE/4, SW/4; thence N39°46'27"E for 451.53'; thence S85°28'19"E for 191.96'; thence S85°27'26"E for 177.91'; thence S 1°03'48"E for 302.51'; thence S88°40'33"W, for 663.37' to the POB, containing 16.25 acres, more or less, AND Tract B: S30.00', NW/4, NW/4; less and except, W30.00' thereof, and the SW/4, NW/4, less and except, the S160.00', W30.00' thereof, all in Sec. 33, T-20-N, R-14-E, I.B.M., Tulsa County, Oklahoma, according to the U.S. Government survey thereof, containing 35.39 acres, more or less AND Tract C: S100.00', SW/4, NW/4, Less and Except, W30.00', Sec. 33, T-20-N, R-14-E, I.B.M., Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, containing 2.97 acres, more or less, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17659**

**Action Requested:**

Special Exception to allow a mobile home in a RM-1 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9, located 5909 East Ute Place.

**Presentation:**

The applicant, Linda A. Bailey, 5909 East Ute Place, submitted a site plan (Exhibit H-1) and stated she is planning to place the mobile home on Lots 12 and 13. She indicated the existing home located on Lots 10 and 11 will be torn down and removed after the mobile home is connected to utilities.

**Comments and Questions:**

Mr. Dunham asked the applicant if she will be removing all of the existing structures on the north end so that the mobile home will be the only dwelling on the subject property? She answered affirmatively.

Mr. Dunham asked the applicant if the mobile home will be a permanent residence? She answered affirmatively.

Mr. Dunham explained to the applicant that she will need to continue her case in order to advertise for permanent status.

**Case No. 15738**

**Action Requested:**

Special Exception to permit a church and related uses in an industrial district - Section 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 5.

Special Exception to permit a tent revival and fireworks display on July 3rd and 4th, 1991 - Section 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 2.

Special Exception to permit a day school (K through 12) and other outdoor recreational uses, per site plan submitted - Section 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use Unit 5.

**Comments and Questions:**

Mr. Jones clarified that the Staff recommendation concerning the elimination of one of the three entrances has been revised, since the main entrance is to the south, the middle entrance is an overflow for the church use, and the third entrance is for the baseball field only. He informed that Staff finds all three access points to be appropriate on 129th East Avenue.

Mr. Jackere advised that the use of fireworks cannot be considered by the Board.

Mr. Alberty stated that he will withdraw the portion of the special exception concerning fireworks.

**Presentation:**

The applicant, Wayne Alberty, 201 West 5th Street, Tulsa, Oklahoma, submitted a master plan (Exhibit H-1), and informed that he is representing the Willie George Ministries. He explained that church use has been previously approved by the Board, and the church is proposing to erect a tent for the regularly scheduled Wednesday evening service on July 3rd, with a picnic following on July 4th. Mr. Alberty informed that the proper permits are being acquired for the fireworks display. He explained that the church is currently holding services at the Interchange Business Park, and the headquarters for the Willie George Ministries is also located on the property. Mr. Alberty stated that the church is proposing to build a new 50,000 sq ft facility, with the first phase of construction beginning in June of 1992. He informed that a 13-acre recreation area appears on the master plan, but will not be completed at this time.

**Comments and Questions:**

Ms. Bradley asked if parking is provided to the south, and Mr. Alberty answered in the affirmative. He informed that the extreme southwest portion of the property is located in a flood area and will not be developed.

In response to Mr. Fuller's inquiry as to school use, the applicant informed that a day school was included in the application, but this is a use that is planned in the future. Mr. Alberty stated that the school will not be opened until the new church building has been completed.

*BoA-20966*

05.28.91:587(11)

**Case No. 15738 (continued)**

Ms. Bradley asked the applicant if he is in agreement with the conditions recommended by Staff, and he replied that the church will comply with those recommendations.

**Board Action:**

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Boizie, Fuller, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a Special Exception to permit a church and related uses in an industrial district - Section 901. **PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 5; to **APPROVE** a Special Exception to permit a tent revival on July 3rd and 4th, 1991; and **WITHDRAW** a Special Exception to permit fireworks display on July 3rd and 4th, 1991 - Section 901. **PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 2; and to **APPROVE** a Special Exception to permit a day school (K through 12) and other outdoor recreational uses, per site plan submitted - Section 901. **PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 5; per master plan submitted; subject to the applicant returning to the Board for approval of any significant deviation in the depicted school location; subject to all outdoor lighting, such as baseball field or tennis courts, should be directed away from abutting properties; subject to compliance with the City of Tulsa Subdivision Ordinance and Department of Public Works Flood Hazard Regulations; and subject to all landscaping being completed, as detailed in the submitted site plan; finding that church use is compatible with the surrounding IL zoning, and that temporary tent use on July 3rd and 4th, 1991, will not be detrimental to the area; and finding that the Board of Adjustment does not have the authority to permit a fireworks display; on the following described property:

Part of the SW/4 Section 33, T-20-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma according to the U.S. Government survey thereof; being more particularly described as follows, to-wit: The E/2 NW/4 SW/4 of said Section 33; and the W/2 NW/4 SW/4 of said Section 33; less and except the following described tract, to-wit: Beginning at a point in the west boundary of said W/2 NW/4 SW/4, 977.63' from the NW/c thereof; thence along the northeasterly boundary of the Crosstown Expressway (I-244) as follows: south 86°43'20" east a distance of 50.14'; thence south 01°00'51" east a distance of 100.00'; thence north 88°58'09" east a distance of 104.86'; thence south 01°00'51" east a distance of 240.00' to a point in the south boundary of said W/2 NW/4 SW/4, 509.34' from the SE/c thereof; thence south 88°40'13" west along the south boundary of said W/2 NW/4 SW/4 a distance of 155.00' to the SW/c thereof; thence north 01°00'51" west along the west boundary of said W/2 NW/4 SW/4 a distance of 343.75' to the POB, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 15739**

**Action Requested:**

Variance of the required front yard, as measured from the centerline of East 22nd Place, from 50' to 47', and a variance of the required side yard, as measured from the centerline of Pittsburg Avenue, from 55' to 46' to permit the enclosure of a porch - Section 403. **BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 4067 East 22nd Place.

*BOA-20966*

05.28.91:587(12)





N 129th E AVE

244

44

412

44

0  
Feet  
300  
600



Subject  
Tract

**BOA-22417**

20-14 33

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

Aerial Photo Date: February 2016



10.35





Looking southeast on site— rear of existing gym

13:10



Looking southeast on site— rear of existing gym

13:11

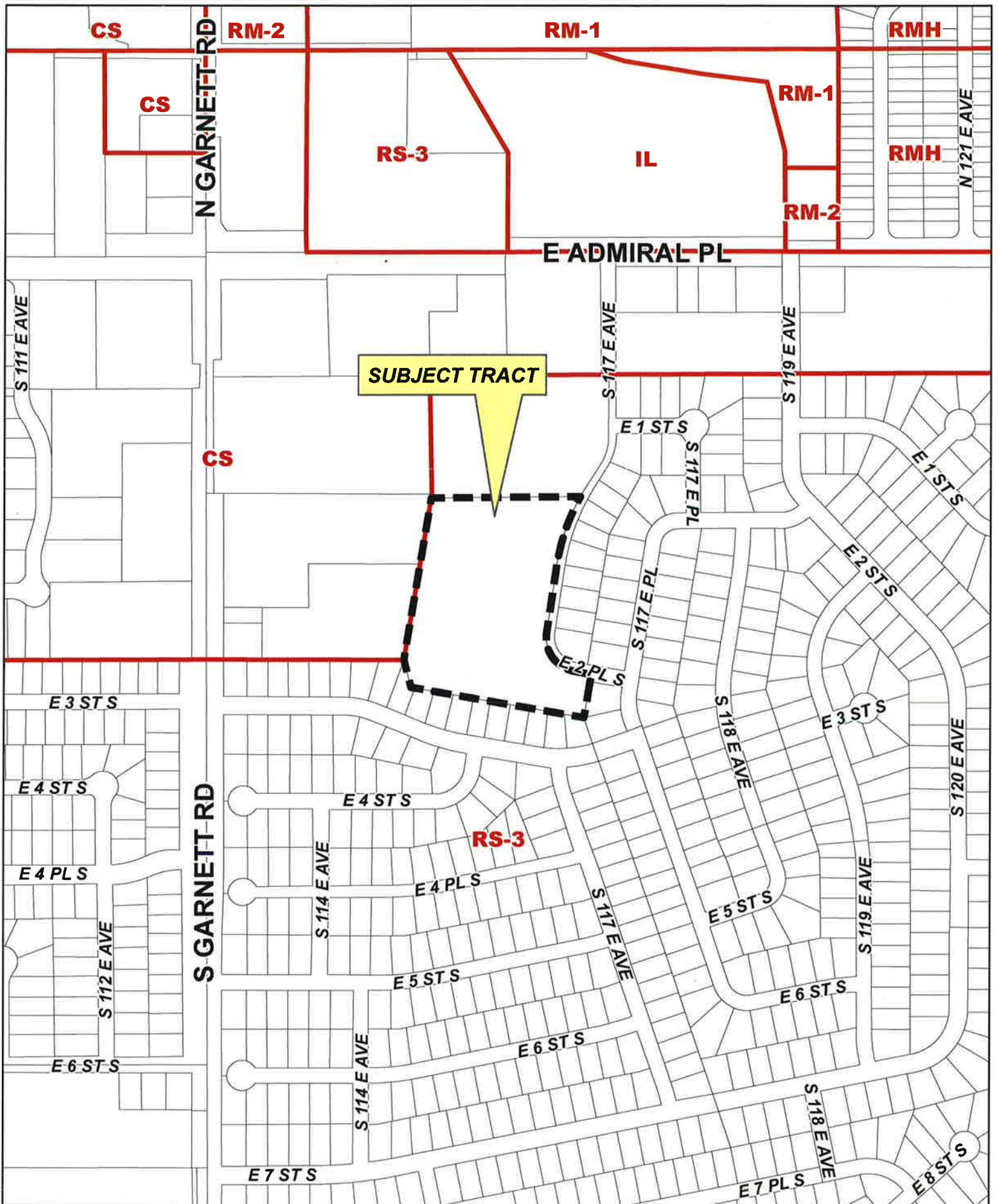


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BOA-22420

19-14 05

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# BOARD OF ADJUSTMENT CASE REPORT

STR: 9405

Case Number: BOA-22420

CZM: 39

CD: 3

A-P#:

**HEARING DATE:** 03/27/2018 1:00 PM

**APPLICANT:** Carly Goodnight

**ACTION REQUESTED:** Special Exception to allow a dynamic display sign in an RS-3 District (Sec. 60.050); Modification to a previously approved site plan for a public school (BOA-17775)

**LOCATION:** 202 S 117 AV E

**ZONED:** RS-3

**PRESENT USE:** School

**TRACT SIZE:** + 7.44

**LEGAL DESCRIPTION:** BEG NEC LT 1 BLK 1 W VILLAGE TH NE143.03 NW51.67 CRV RT 180.64 NE230 CRV RT 221.12 W495.92 SLY627 E578 POB SEC 5 19 14 7.44 ACS

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject Property:**

**BOA-17775;** on 7.22.97, the Board approved a modification to a previously approved site plan for a public school.

**BOA-16561;** on 1.11.94 the Board approved a special exception to permit a public school in the RS-3 district per plan.

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

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 adjacent to single-family residential uses to the east and south, commercial uses to the west, and a park to the north.

**STAFF COMMENTS:**

The applicant is before the Board requesting a Special Exception to permit a dynamic display for Kerr Elementary in the RS-3 district (Section 60.050-C).

According to the submitted site plan and drawings the top cabinet of the sign will be 5' ¾" x 6' 9" (34.17 SF); the top cabinet will be lit by an internal light source. The 2' 7" x 6' 9" (17.44 SF) bottom cabinet will contain a dynamic display. The Code defines a dynamic display sign as a *sign capable of displaying words, symbols, figures, images or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages or displays.*

Dynamic displays are prohibited in R districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed freestanding sign to include a dynamic display. The permitted dynamic display in an R district is subject to the following regulations:

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

Additionally, the applicant has requested a modification of the previously approved site plan for Kerr Elementary (BOA-17775) to permit the location of the sign.

**Sample Motion:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow a dynamic display sign in a R zoned District;

- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions \_\_\_\_\_.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Move to \_\_\_\_\_ (approve/deny) a **Modification** to a previously approved site plan

**Case No. 16560**

**Action Requested:**

Special exception to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 1770 East 61st Street South.

**Presentation:**

The applicant, **Tulsa Public Schools**, was presented by **Eric Nelson**, 525 South Main, Suite 300, who explained that the school is being enlarged, and during the permitting process it was determined that it had been constructed prior to Zoning Code regulations. He stated that school has not been previously approved at this location, and asked the Board to approve the special exception request in order that construction can proceed.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, S. White, T. White "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that school use is compatible with the residential neighborhood; on the following described property:

East 540.07' NW/4, NW/4, Section 6, T-18-N, R-13-E, less east 30' and north 50' for road, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 16561**

**Action Requested:**

Special exception to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 202 South 117th East Avenue.

**Presentation:**

The applicant, **Tulsa Public Schools**, was presented by **Eric Nelson**, 525 South Main, Suite 300, who explained that the school is being enlarged, and during the permitting process it was determined that it had been constructed prior to Zoning Code regulations. He stated that school has not been previously approved at this location, and asked the Board to approve the special exception request in order that construction can proceed.

**Protestants:**

None.

Case No. 16561 (continued)

**Board Action:**

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, S. White, T. White "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that school use is compatible with the residential neighborhood; on the following described property:

NW/4, NW/4, Section 5, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 16562**

**Action Requested:**

Special exception to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 1921 East 29th Street North.

**Presentation:**

The applicant, **Tulsa Public Schools**, was presented by **Eric Nelson**, 525 South Main, Suite 300, who explained that the school is being enlarged, and during the permitting process it was determined that it had been constructed prior to Zoning Code regulations. He stated that school has not been previously approved at this location, and asked the Board to approve the special exception request in order that construction can proceed.

**Protestants:**

None.

**Board Action:**

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, S. White, T. White "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit school use in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that school use is compatible with the residential neighborhood; on the following described property:

SE/4, NW/4, SE/4, Section 19, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 16563**

**Action Requested:**

Variance to permit a 6' masonry wall within the east 6' of street right-of-way - **SECTION 215. STRUCTURE SETBACK FROM ABUTTING STREETS** - Use Unit 8, located east side of Southwest Boulevard between 19th Street and 21st Street.

**Presentation:**

The applicant, **Urban Development**, 110 South Hartford Avenue, requested that Case No. 16563 be continued to January 25, 1994.

01.11.94:648(20)



**Case No. 17775**

**Action Requested:**

Special Exception to modify a previously approved site plan. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located 202 South 117th East Avenue.

**Presentation:**

The applicant, **Benjamin F. Samuels/Architectural Plus & Assoc.**, representing Tulsa Public Schools, 5350 East 46th Street, submitted a site plan (Exhibit D-1) and stated that the school is adding a small library in the rear, which will be 2,170 SF. The building will be brick with a standing seam roof.

**Comments and Questions:**

Mr. Bolzle asked the applicant if the school will be adding additional parking for the addition? He answered negatively.

Mr. Bolzle stated that it appears that the parking is non-conforming. Mr. Samuels stated that the school will not be adding any students, but will be adding a library, therefore there shouldn't be any additional parking required.

Mr. Beach informed the applicant that the Code sets a parking requirement based on square footage of the building and when you have a situation where the parking is non-conforming, it can remain non-conforming as long as parking is added to cover the additional square footage of the building. In this case the addition would require that three (3) additional parking spaces be available.

Mr. Dunham asked Mr. Samuels if he could add three (3) additional parking spaces on the site plan? Mr. Samuels stated he could add the three (3) additional parking spaces.

**Protestants:** None.

**Board Action:**

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Bolzle, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **APPROVE Special Exception** to modify a previously approved site plan. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, per plan submitted; subject to three (3) additional parking spaces be required for the addition; finding that the approval of this application will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will be in harmony with the spirit and intent of the Code, on the following described property:

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11.6

Case No. 17775 (continued)

Beg. NE/c, Lot 1, Block 1, Western Village, TH NE 143.03', NW 51.67', CRV RT 180.64', NE 230', CRV RT 221.12', W 495.92', Sly 627', E 578', POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17776

**Action Requested:**

Variance of the setback from the rear property line from 20' to 17' to add an addition to the house. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1602 East 31st Place North.

**Presentation:**

The applicant, **Mike Tapia/Four Seasons Sun Rooms**, 5345 East 41st St., submitted a site plan (Exhibit E-1) and stated that setback will be 17' from the back property line. He requested a variance of 3' to add the addition to his home.

**Comments and Questions:**

Mr. Bolzle stated that it appears from the case map that half of the right-of-way was dedicated when the subdivision was platted at 31st Street North. Mr. Bolzle asked the applicant what is behind the subject home? Mr. Tapia stated that the land is raw land and the home owner bought the ten (10) acres of property behind his home.

In response to Mr. Bolzle, Mr. Tapia stated that 31st Street North is only proposed at this time and it depends on what is developed in the area.

Mr. Bolzle asked the applicant why the addition could not be moved to the west and minimize the amount of variance needed? Mr. Tapia stated that the addition is laid out as it is because of the attachments and entrances to the room.

Mr. Gardner asked the applicant if the corner of the building is all that will be encroaching and the majority of the addition will be 20' or more back? He answered affirmatively.







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Feet



Subject  
Tract

**BOA-22420**

19-14 05

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

Aerial Photo Date: February 2016

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Feet



Subject  
Tract

**BOA-22420**

19-14 05

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

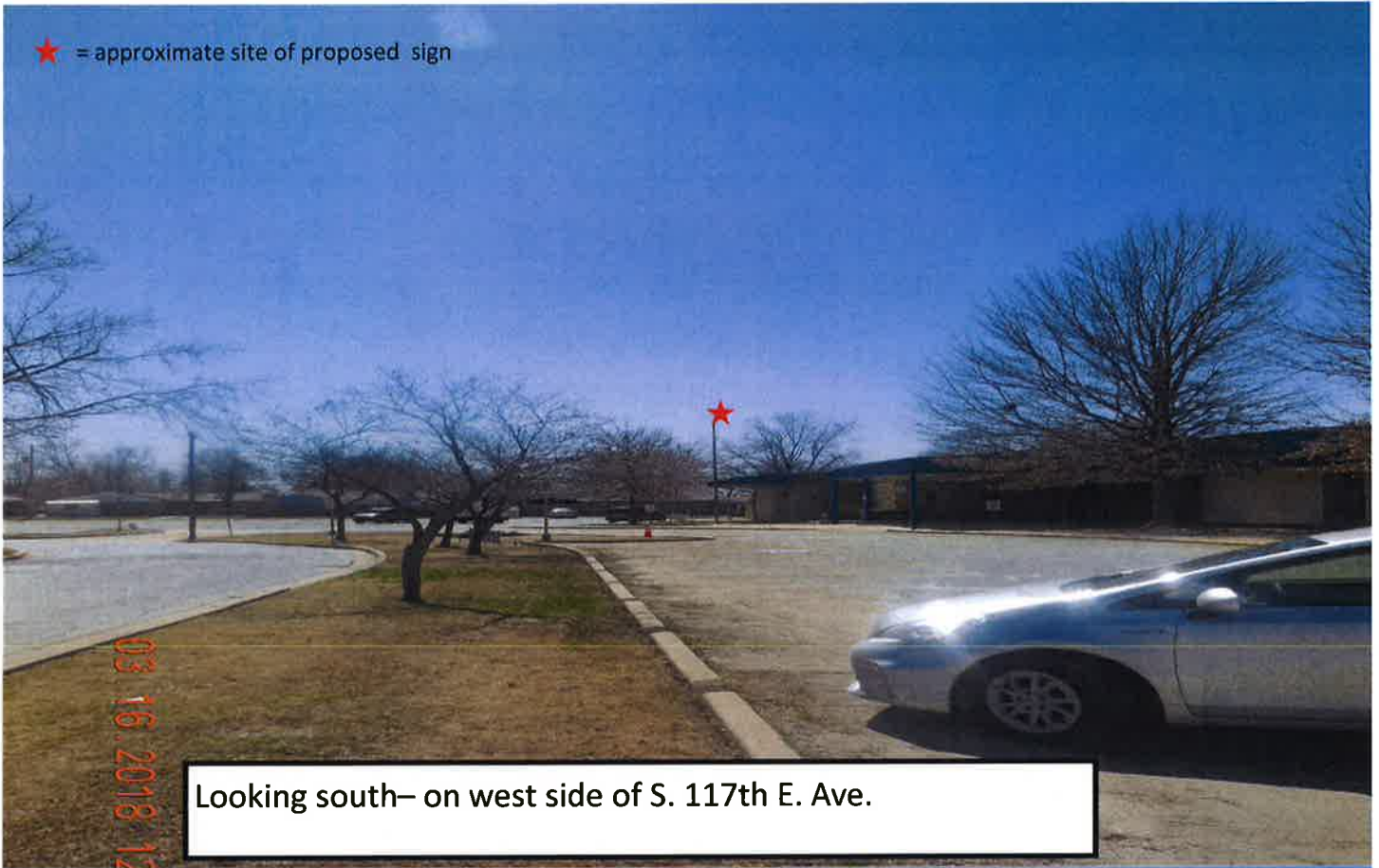
Aerial Photo Date: February 2016



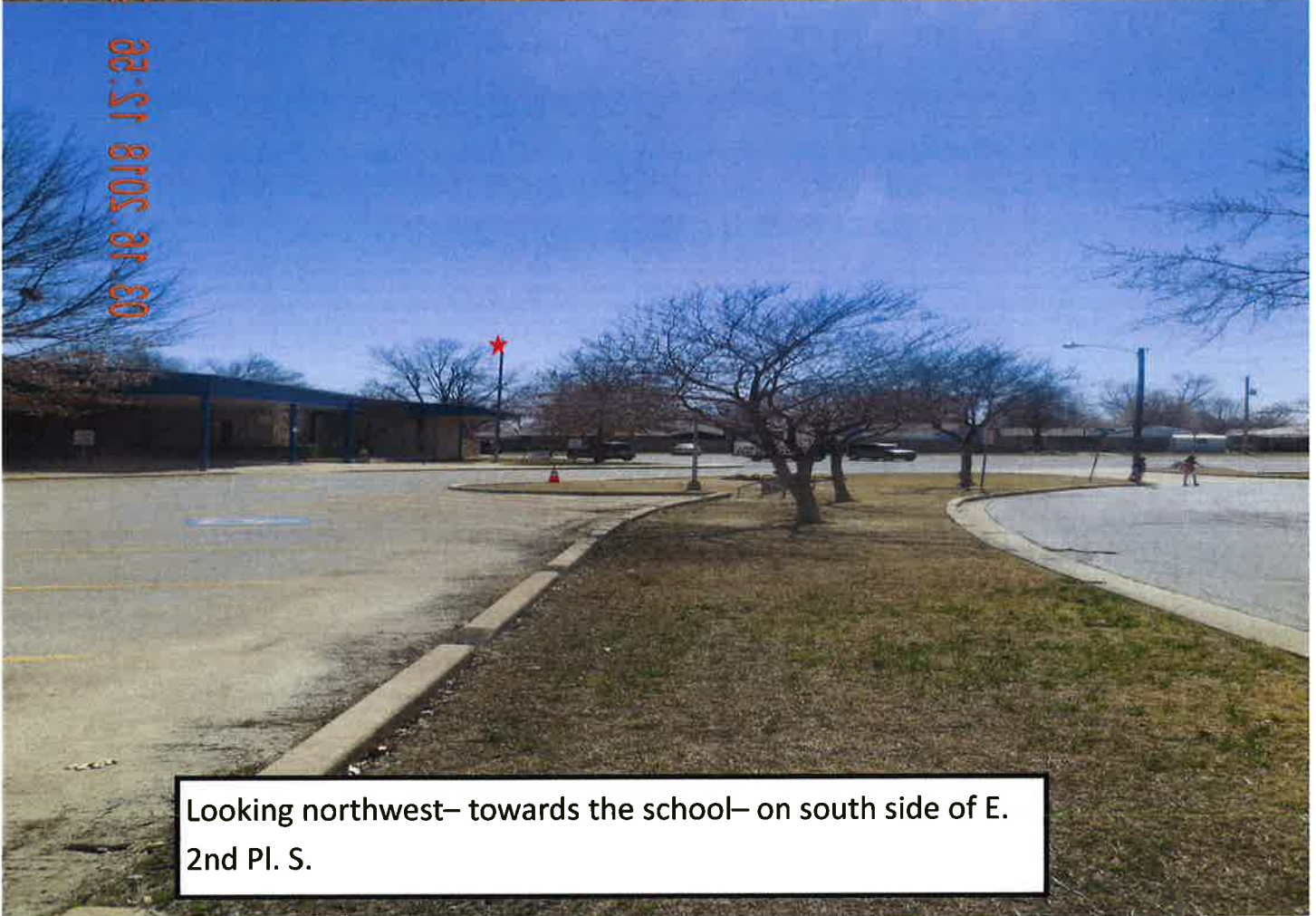
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★ = approximate site of proposed sign

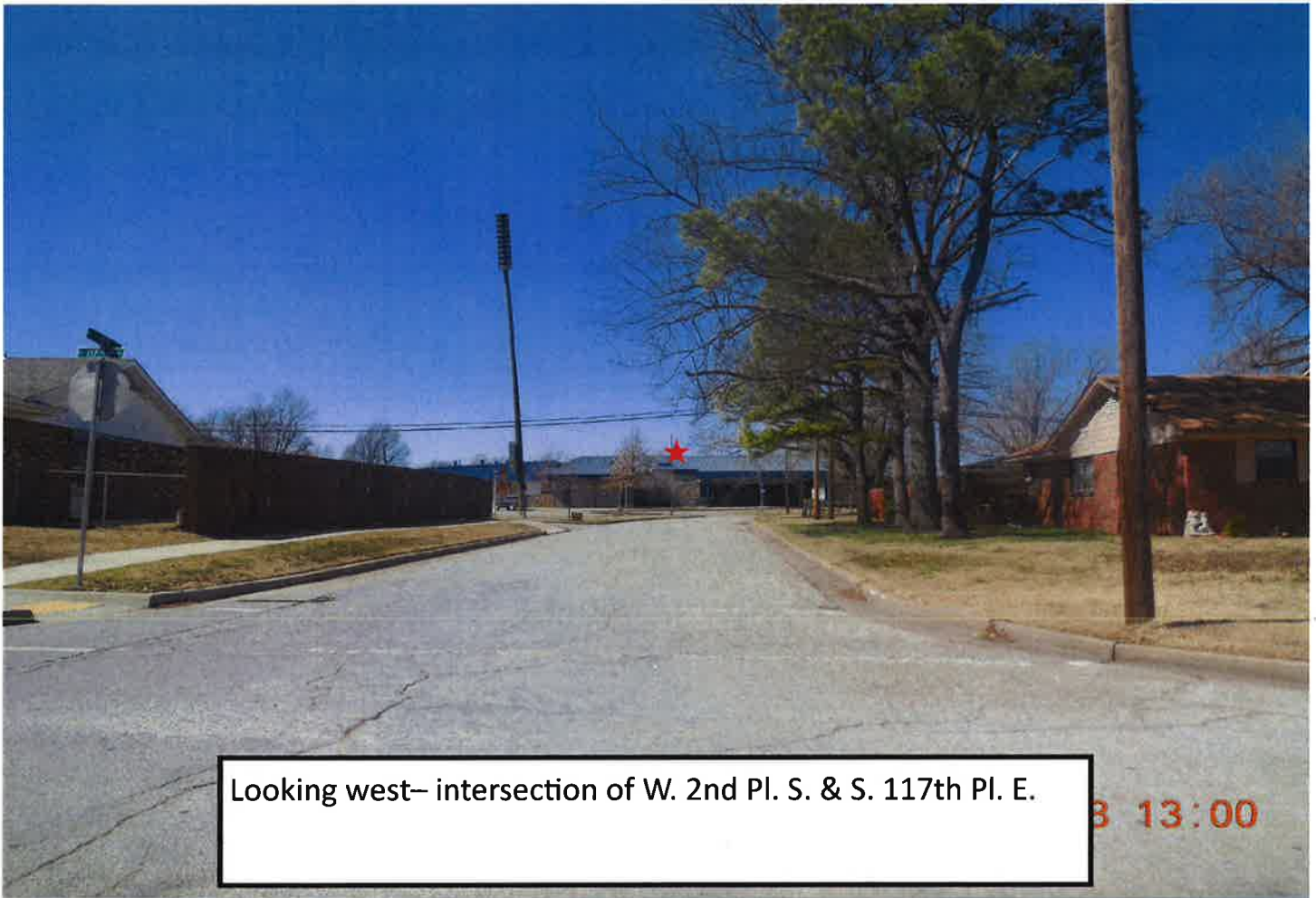


Looking south— on west side of S. 117th E. Ave.



Looking northwest— towards the school— on south side of E. 2nd Pl. S.





Looking west— intersection of W. 2nd Pl. S. & S. 117th Pl. E.

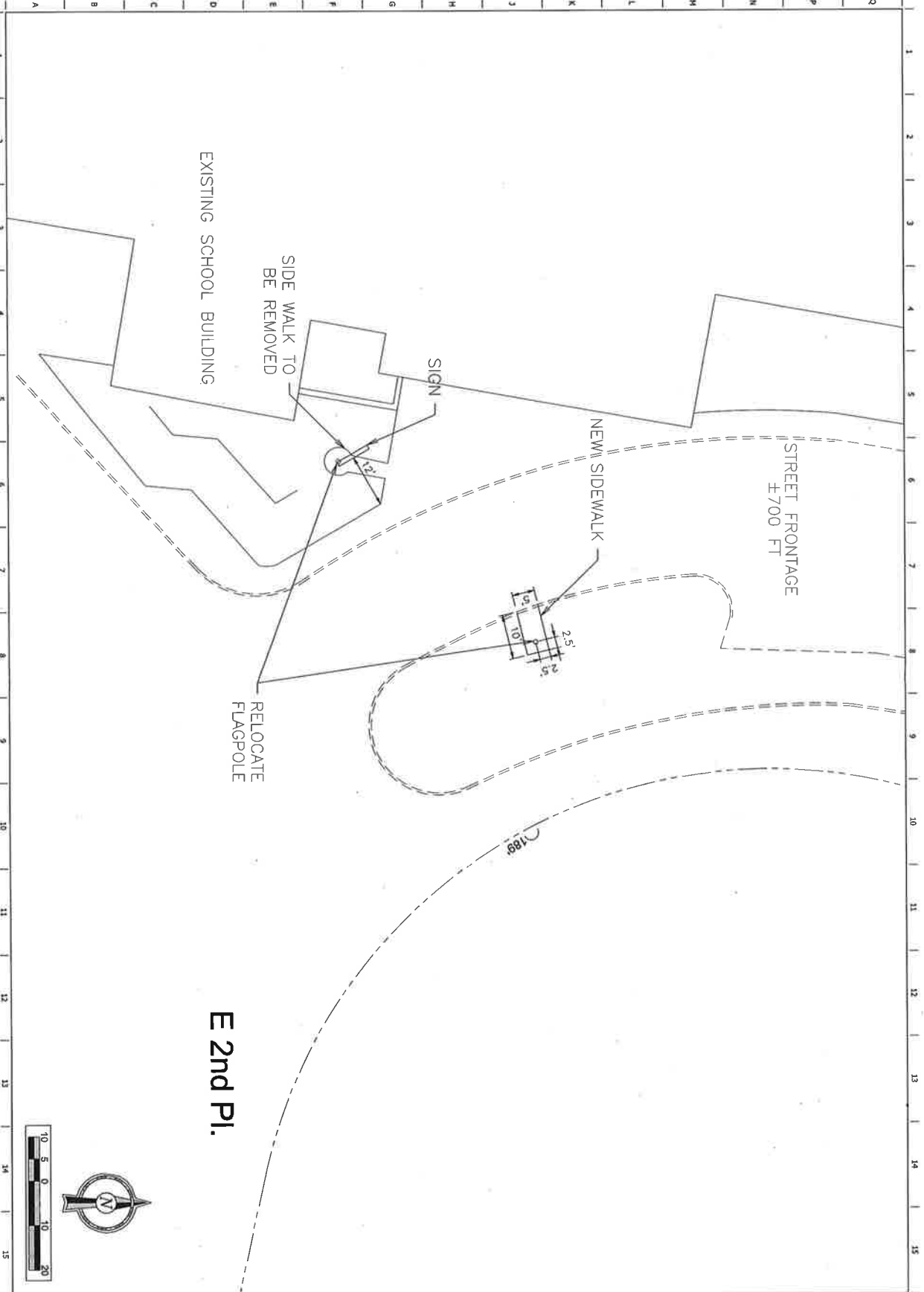


Looking southwest— middle of S. 117th E. Ave.

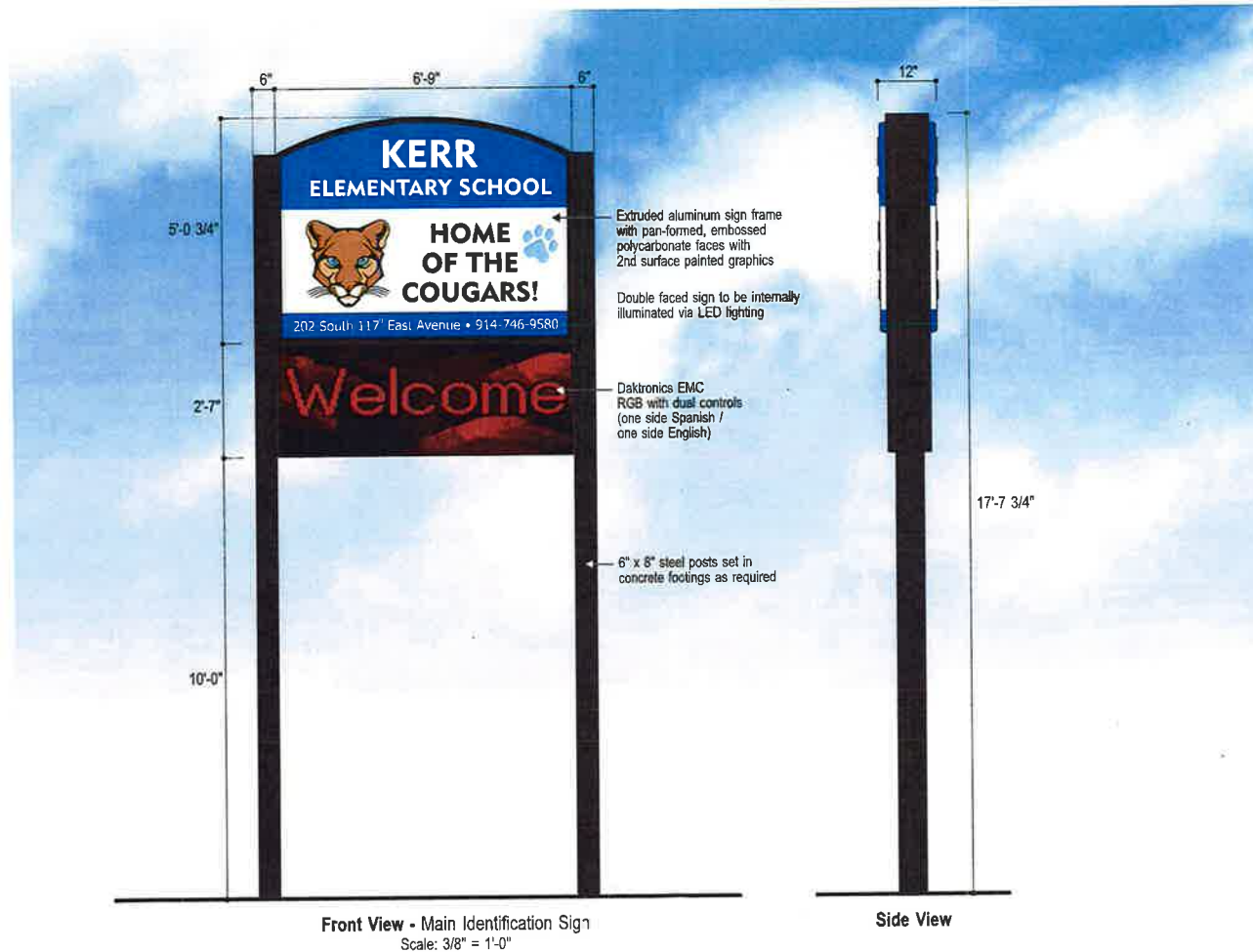


11.13

FILE LOCATION: C:\Users\Kerr\Desktop\Site Plan TAB NAME: School Site Plan USER: chowkaysa SAVED: 10/9/2017 12:38 PM PLOTTED: 10/9/2017 8:45 AM



	<b>QuikTrip No. 0000</b> 12345 S. MAIN STREET ANYTOWN, USA		PROJECT NO. 011111
	ORIGINAL ISSUE DATE:		
SHEET NO. 1	SHEET TITLE:	SHEET NO. 1	SHEET NO. 1



#### Client Review Status

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

☐ Approved ☐ Approved as Noted ☐ Revise & R submit

Name \_\_\_\_\_ Date \_\_\_\_\_

#### Declaration

The Drawing / Design illustrated is the property of QuikTrip Corporation and Allen Industries, Inc. The production, copying, or use hereof is prohibited without written consent. Any infringement will be subject to legal action.

#### Date / Description

01/24/16 Issue Date  
03/17/16 Rev. 1

#### Project Information

Client: QuikTrip Corporation  
Kerr Elementary Project  
File: QT - Kerr Project  
Sales: Tom Allen Design: CT PM: James Gentry

**Allen Industries**  
Corporate Identity Programs  
Corporate Signage Division  
6434 Burnt Poplar Road, Greensboro, NC 27409  
Phone 800-967-2553 Fax 336-668-7875  
*Because Image Is Everything™*

11.14





## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### SIGN PLAN REVIEW

February 20, 2018

LOD Number: 996387-3

Sign contractor:

Phone: (918)615-7137

CARLY GOODNIGHT  
QUIK TRIP CORPORATION  
4705 S 129 E AVE  
TULSA, OK 74134

APPLICATION NO: **412841** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Location: 202 S 117 AV E  
Description: Kerr Elementary School w/ Dynamic Display

#### 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)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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 OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. 412841

202 S 117 AV E

February 20, 2018

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### Section 60.050 Signs in R and AG Zoning Districts

#### 2. Nonresidential Uses

The following regulations apply to all principal nonresidential uses in R districts and AG districts.

##### c. Dynamic Displays

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

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

**Review Comments:** The proposed freestanding sign with a dynamic display is located in a RS-3 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office 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.

## END – ZONING CLEARANCE AND SIGN 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 CITY OF TULSA SIGN PERMIT.