

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, July 10, 2018, 1:00 P.M.

Meeting No. 1209

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of June 26, 2018 (Meeting No. 1208).

UNFINISHED BUSINESS

2. **22458—David Lynch**
Special Exception to permit a carport in the street setback and front (street) yard to exceed 20 feet in width and to exceed the minimum side setback requirements (Section 90.090-C.1). **LOCATION:** 8539 East 34th Street South **(CD 5)**
3. **22461—KKT Architects – Nicole Watts**
Special Exception to allow a dynamic display in an RS-4 District (Section 60-050.B); Variance to allow a dynamic display to exceed 32 square feet in area (Section 60-050.B.2). **LOCATION:** B/t East Independence Avenue North & East Latimer Street North and B/t North MLK, Jr. Boulevard & North Main Street **(CD 1)**

NEW APPLICATIONS

4. **22447—John Watchous**
RECONSIDERATION of a Special Exception to allow a Personal Improvement Use in an OM District (Section 15.020). **LOCATION:** 1222 South Lewis Avenue East **(CD 4)**
5. **22464—Hoby Ferrell**
Variance to permit an accessory building to exceed 30% coverage of the floor area in the rear setback (Section 90.090-C-2). **LOCATION:** 1215 East 20th Street South **(CD 4)**

6. **22465—Bryan Adams**
Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B). **LOCATION:** 3225 West 80th Street South (CD 2)
7. **22468—Brad Brown**
Variance to reduce the minimum lot width in an RS-1 District (Section 5.030-A) to permit a lot-split. **LOCATION:** 2630 East 36th Street South (CD 9)
8. **22469—Jack Arnold**
Variance to reduce the minimum frontage requirement in an OL District (Section 15.030-A) to permit a lot-split. **LOCATION:** 7320 South Yale Avenue East (CD 8)
9. **22470—Jody Cole**
Variance to permit an accessory building to exceed 40% of the floor area of the principal residential structure (Section 45.030-B). **LOCATION:** 724 North Kingston Avenue East (CD 3)
10. **22471—Jody Cole**
Variance to permit an accessory building to exceed 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow a detached accessory building that exceeds the maximum height requirement (Section 90.090-C.2). **LOCATION:** 237 Hazel Boulevard East (CD 4)
11. **22472—Ty Hood**
Variance of the required street setback from East 61st Street South to permit a swimming pool (Section 90.090-C and Section 5.030-A). **LOCATION:** 6025 South 73rd Avenue East (CD 7)
12. **22473—Brian Sellers**
Special Exception to allow a carport in the street yard in an RS-3 District (Section 90.090-C.1). **LOCATION:** 3423 South Yorktown Avenue East (CD 9)
13. **22474—Susan Bedwell**
Special Exception to allow a fence to exceed 8 feet in height within the required building setbacks (Section 45.080-A). **LOCATION:** 1409 East 37th Place South (CD 9)
14. **22475—A-MAX Sign Company**
Special Exception to allow a dynamic display in a RS-3 District (Section 60.050.2.c). **LOCATION:** 10818 East 17th Street South (CD 5)

15. 22476—A-MAX Sign Company

Variance to permit a dynamic display within 50 feet of a driving surface of a signalized intersection (Section 60.100-D); Variance to permit a dynamic display within 20 feet of the driving surface of a street (Section 60.100-E). LOCATION: 8080 South Yale Avenue East (CD 8)

16. 22477—A-MAX Sign Company

Variance to permit a projecting sign to exceed the maximum permitted height of 35 feet to be installed 79.16 feet above grade with a 50 foot setback from South Elgin Avenue East (Section 60.080-D). LOCATION: 121 South Elgin Avenue East (CD 4)

17. 22478—Justin Doolin

Special Exception to allow the driveway width to exceed 30 feet on the lot and 20 feet in the right-of-way in an RS-1 District (Section 55.090-F.3). LOCATION: 10212 South Oswego East (CD 8)

18. 22479—Tanner Consulting – Erik Enyart

Modification to previously approved site plans (BOA-17791 and BOA-18491). LOCATION: 1213 & 1217 South 129th Avenue East (CD 6)

19. 22480—Anthony Smith

Special Exception to permit a temporary tent to exceed 30 days per lot per year and exceed 10 consecutive days (Section 50.030-D). LOCATION: 5260 North Peoria Avenue East (CD 1)

OTHER BUSINESS
NEW BUSINESS
BOARD MEMBER COMMENTS
ADJOURNMENT

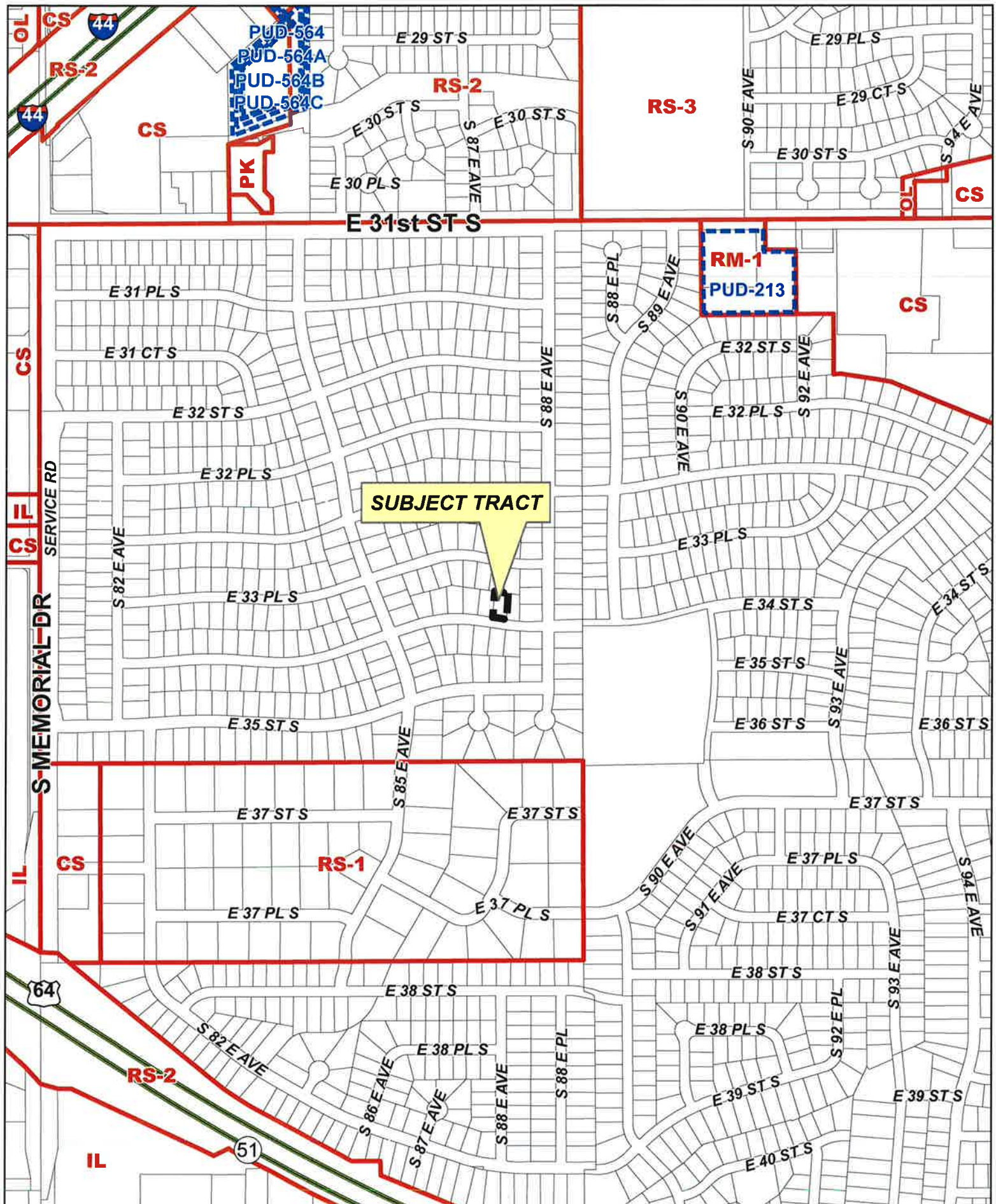
Website: www.cityoftulsa-boa.org

E-mail: esubmit@incog.org

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918)584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Land Development Services, INCOG. **ALL** electronic devices **MUST** be **silenced** 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.



BOA-22458

2.1



19-13 24



BOARD OF ADJUSTMENT CASE REPORT

STR: 9324

Case Number: **BOA-22458**

CZM: 48

CD: 5

A-P#:

HEARING DATE: 06/26/2018 1:00 PM

APPLICANT: David Lynch

ACTION REQUESTED: Special Exception to permit a carport in the street setback and front (street) yard to exceed 20 ft. in width. and to exceed the minimum side setback requirements. (Sec. 90.090-C.1)

LOCATION: 8539 E 34 ST S

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 8764.31 SQ FT

LEGAL DESCRIPTION: LT 18 BLK 14, LONGVIEW ACRES 2ND

RELEVANT PREVIOUS ACTIONS:

None relevant

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

The **Areas of Stability** include 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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residential uses on all sides.

2.2

STAFF COMMENTS:

The applicant is requesting a **Special Exception** to allow a carport to be located in the required street setback and yard in an RS-3 zoned district (Section 90.090-C.1).

Per the Code, Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception:

- A carport may be a detached accessory building or an integral part of the principal building.
- The area of a carport may not exceed 20 feet in length by 20 feet in width.
- A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.
- The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.
- The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.
- All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.
- The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

As shown on the attached plans, the existing carport is 18'x27', which exceeds the 20' width requirement. The existing carport does not align with the depth of the principal building setback and appears to be 11" from the side lot line to the west.

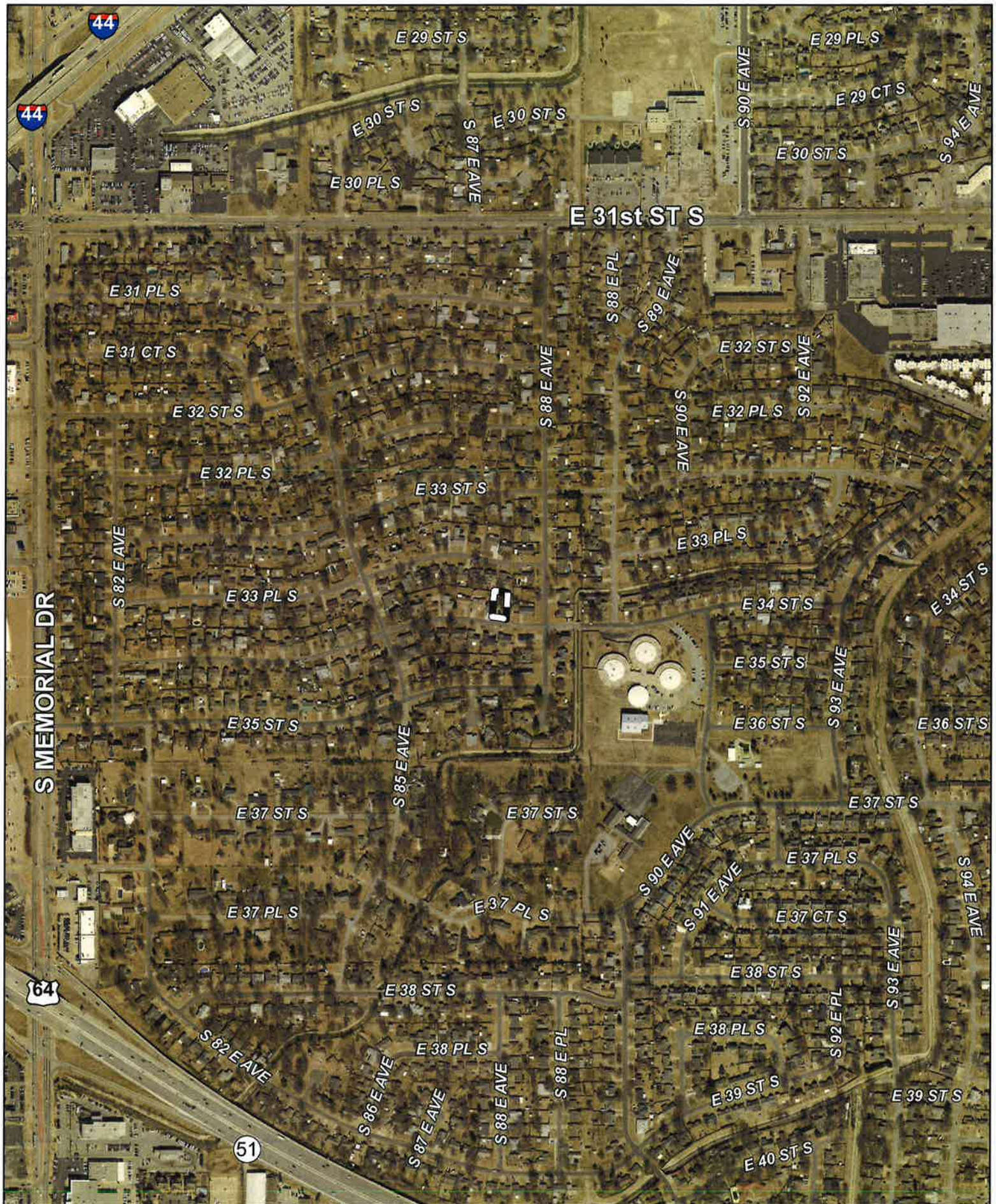
The Code's street yard setback requirement for carports is intended to ensure that carports located within the street setback are compatible with a minimum desired residential character found in the neighborhood and do not hinder transparency for other vehicles.

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to permit a 18'x27' carport in the street setback and front (street) yard to be 11" from the side lot line. (Sec. 90.090-C.1)

- 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 Feet 300 600



Subject Tract

BOA-22458

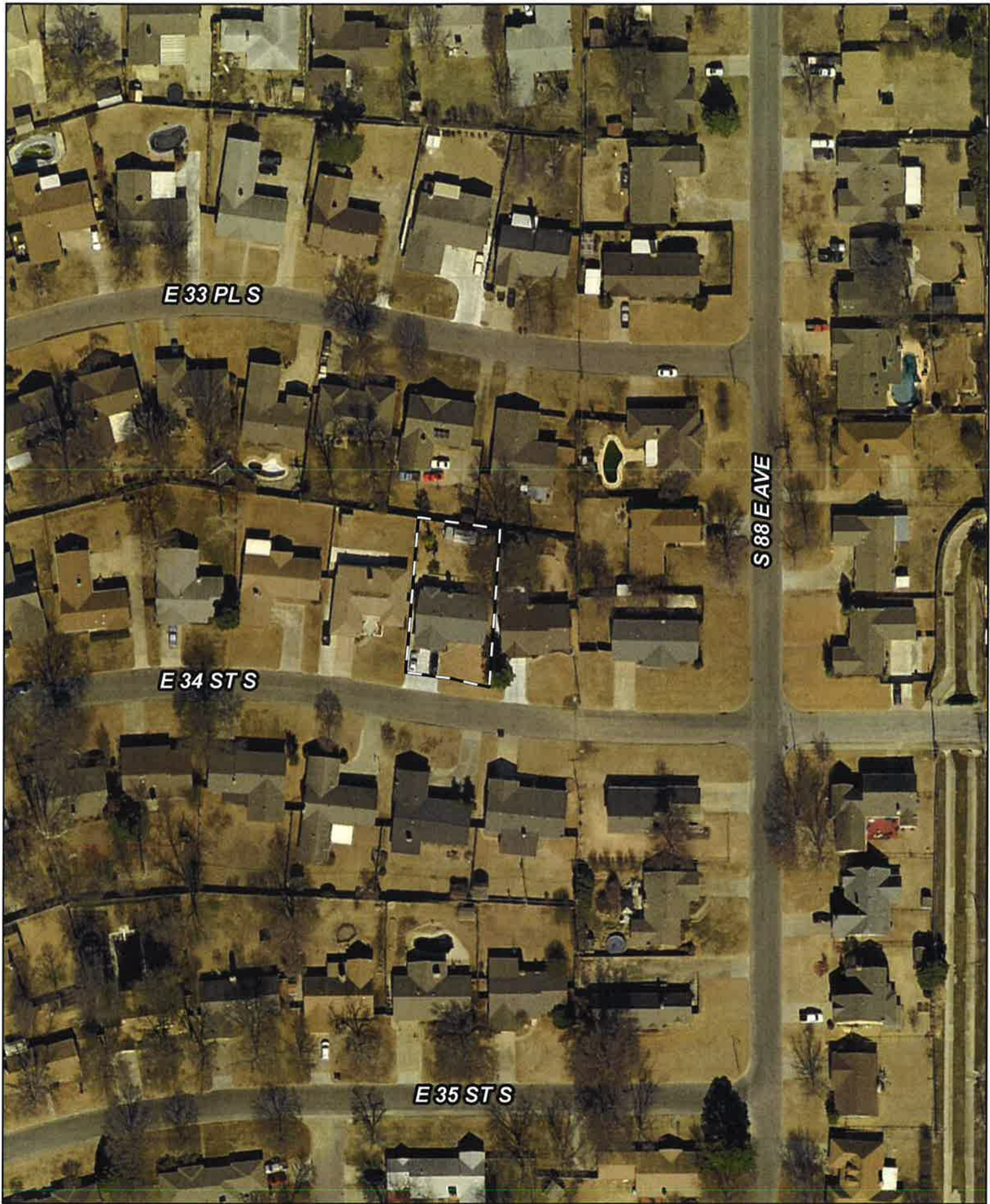
19-13 24

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

Aerial Photo Date: February 2018



2.4



0 50 100
Feet
0 50 100



Subject
Tract

BOA-22458

19-13 24

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

Aerial Photo Date: February 2018

2.5



127.31'

SIDEWALK

43.0'

53.0'

1-STORY
BRICK FRAME
HOME

35.1'

14.9'

3.8'

16.9'

21.2'

25' BUILDING LINE

1' FROM FRONT

11.4'

127.96'

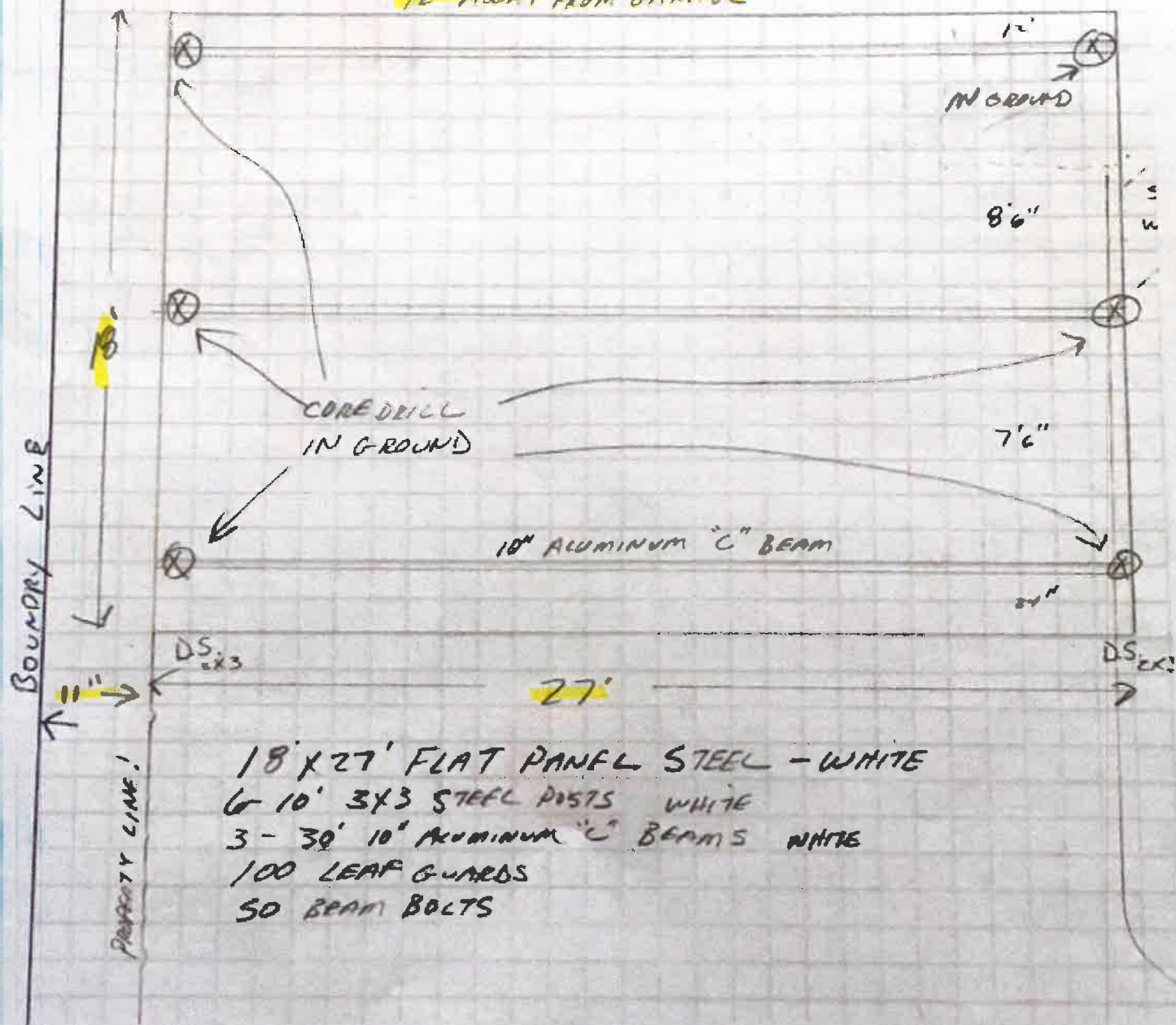
32.69'

HOUSE

LYNCH

18' X 27' FREE STAN

12" AWAY FROM GARAGE



8 FEET TALL



DEVELOPMENT SERVICES

OFFICIAL NOTICE - CARPORT REGULATIONS

ADDRESS: 8539 E. 34th ST. S. CASE NUMBER: 000658-2018
ASSIGNED INSPECTOR / PHONE: KEVIN MINTON 918-636-1203

To the Property Owner or Other Responsible Party:

The Building Inspections Office has received a complaint that a carport has been or is being constructed without the required permit. Upon receipt of a complaint, it is our duty to investigate whether this structure complies with minimum building and zoning code standards. Realizing that many citizens are unaware of these requirements, the following references are offered to assist in achieving compliance with the applicable ordinances:

Tulsa Revised Ordinances, Title 51, Tulsa Building Code, Chapter 2, Section R105.1 specifies that a building permit is required for a new carport before it is constructed:

Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Tulsa Revised Ordinances, Title 42, Tulsa Zoning Code, Chapter 2, Section 210.B.10 specifies that building permits for new carports require approval by the Board of Adjustment and that carports are limited in size and location on the property:

Permitted Obstructions in Required Yards. Carports may be permitted in required front yards by special exception. Such a carport may be a detached accessory building or an integral part of the principal building. Any carport which occupies a portion of the required front yard shall comply with the following restrictions:

- a. No carport shall cover an area with dimensions greater than 20 feet in length by 20 feet in width.*
- b. No portion of a carport structure shall be nearer to the side lot lines than the principal building on the lot, nor 5 feet, whichever is a greater distance from the side lot line.*
- c. No portion of a carport structure shall extend more than 20 feet from the rear of the required front yard, nor more than twenty 20 feet from the front of the existing principal building, whichever is less.*
- d. No carport shall exceed 8 feet in height at its perimeter, nor 10 feet at the highest point of its interior ceiling. Carports which are not an integral part of the principal building shall not exceed 10 feet in height at their highest horizontal point. All heights shall be measured from the average ground elevation at the perimeter of the carport.*
- e. All sides of a carport that are within the required front yard shall be open and unobstructed, except for support columns, which in total shall not obstruct more than 15% of the area of any side.*
- f. The entire area under a carport shall only be used to park operable licensed motor vehicles (i.e., cars, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of this area shall be permitted.*
- g. Carports shall only be permitted by the grant of a special exception by the Board of Adjustment, as provided in Chapter 16 of this title.*

For the application procedures and cost of applying for a special exception for a carport, you may contact:

City of Tulsa Board of Adjustment
2 W. 2nd Street, Suite 800, Tulsa, Oklahoma 74103
Phone: (918) 584-7526 Fax: (918) 583-1024 Email: boa@incog.org
Online: <http://www.cityoftulsa-boa.org/>

Tulsa Revised Ordinances, Title 49, Administrative, Permit and License Fees establishes fees for building permits. For information regarding building permit application procedures and costs, you may contact:

City of Tulsa Permit Center
175 E 2nd Street, Suite 450, Tulsa, Oklahoma 74103
Phone: (918) 596-9456 Fax: (918) 699-3500 Email: creichman@cityoftulsa.org
Online: <http://www.cityoftulsa.org/>

Tulsa Revised Ordinance, Title 51, Tulsa Building Code, Chapter 2, Section R113.5 provides penalties for non-conformance:

Violation-Penalties. It shall be unlawful and an offense for any person or limited liability company to violate any of the provisions of this code, fail to comply with any of the requirements thereof, or to erect, construct, alter, or repair any building or structure in violation of an approved plan or directive of the building official or of a permit issued under the provisions of this code. Any person or limited liability company convicted of a violation of this code shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than \$500.00, excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding 90 days, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued, or permitted shall be deemed a separate offense.

The assigned building inspector will be performing a follow-up investigation on your carport in 10 working days. If the carport has been removed or a building permit has been obtained, no further action will be taken. **If the violation has not been abated, further enforcement action will be taken.** Your prompt resolution of this matter will be appreciated.

Please call if I can be of assistance.

Terry Dexter
Building Inspections Supervisor
(918)596-9663
tdexter@cityoftulsa.org

N

8539 E. 34TH ST

W

E

CARPORT

S

19'3"

TO CURB

CURB

32' TO
CENTER
OF
STREET

CURB

CURB



Looking northeast- towards site- on E. 34th St. S.



Looking north- towards site- on E. 34th St. S.



Looking east— on E. 34th St. S.



BOARD OF ADJUSTMENT CASE REPORT

STR: 157 Case Number: **BOA-22461**

CZM: 28

CD: 1

A-P#:

HEARING DATE: 07/10/18 1:00 PM (continued from 06/26/2018)

APPLICANT: KKT Architects, Inc.

ACTION REQUESTED: Special Exception to allow a dynamic display in an RS-4 district (Sec.60-050.B.2);Variance to allow a dynamic display to exceed 32 sq. ft. in area (Sec. 60-050.B.2)

LOCATION: B/t E. Independence Ave. & E. Latimer St. & B/t N. MLK Jr. Blvd. & N. Main St.

ZONED: RM-1,CS,RS-4

PRESENT USE: School

TRACT SIZE: ± 29.26 acres

LEGAL DESCRIPTION: ALL BLKS 19 & 20 & W/2 VAC BOSTON AVE ADJ BLKS 19 & 20 & VAC KING ST ADJ BLK 19 & 20 & N/2 VAC JASPER ST ADJ ON S BLK 20; LTS 17 THRU 22 & S/2 VAC JASPER ST ADJ ON N & E7 PRT ADJ TO ALLEY LESS S29.5 LT 17 FOR ST BLK 21; ALL BLK 2 & E/2 VAC BOSTON AVE ADJ BLKS 2 & 3 & VAC KING ST ADJ BLKS 2 & 3 LESS E40 THEREOF & ALL BLK 3 LESS E40 LT 1 & LESS LT 24 BLK 3 & N/2 VAC JASPER ADJ ON S BLK 3; LTS 1 THRU 6 & S/2 VAC JASPER ST ADJ ON N & W/2 VAC BOSTON AVE ADJ ON E & W7 PRT ADJ TO ALLEY LESS S29.5 LT 6 FOR ST BLK 21; LTS 1 - 24 & S/2 VAC JASPER ST ADJ ON N LESS E12 BLK 4, KIRKPATRICK HGTS, BURGESS HILL ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA 22295; on 7.25.17 the Board approved a special exception to permit a school and accessory uses in an R district.

BOA 22042; on 04.12.16 the Board approved special exception to permit a school use in an RM-2 district; located at the northeast corner of E. Jasper St. and N. M.L.K. Jr. Blvd.

BOA 16829; on 09.27.94 the Board approved an amended site plan to allow mobile classrooms on the subject site.

BOA 8851; on 02.04.75 the Board approved a special exception to allow a public school use; and a minor variance for permission to build across lot lines on the subject property.

BOA 6296; on 05.06.69 the Board approved a special exception to allow a school use on the subject property.

BOA 5659; on 12.06.67 the Board approved a special exception to allow a school use on the subject property.

3.2

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the portions of the subject property as part of an “Existing Neighborhood”; a “Downtown Neighborhood”; an Area of Stability and an Area of Growth.

The **Existing 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.

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.

The intent of an **Area 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 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. 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 abuts RS-4 zoned residential uses to the west; CS and RM-1 zoned vacant lots to the south; RM-1 and RM-2 zoning abuts the site on the east; CS zoning and RS-4 zoned residential abuts the site to the north.

STAFF COMMENTS:

According to the submitted site plan and drawings the proposed ground sign along S. Garnett Rd. will contain a 38 sq. ft. dynamic display sign. 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 on a lot occupied by an allowed public, civic or institutional use; the Board is authorized to approve a special exception for the allowed freestanding sign to include a dynamic display. If approved the permitted dynamic display in an AG 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.

An allowed dynamic display component may not exceed 32 square feet in area. The applicant has requested a variance to increase the permitted size of a dynamic display to allow the 38 sq. ft. dynamic display sign as proposed.

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a dynamic display sign that is 38 sq. ft. in size; **Special Exception** to permit a dynamic display on an R zoned Lot. (Section 60.050)

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

The Board finds that the requested Special Exceptions 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.

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

"a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

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

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

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

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

f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and

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



0 250 500
Feet



Subject
Tract

BOA-22461

20-12 35

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

Aerial Photo Date: February 2018

3.5



- | | |
|---|--------------------------|
| Site Data: | |
| Land Area Summary | |
| SITE LAND AREA: | 882.514 06 SF [20.26 AC] |
| Site Data | |
| ZONING: | RM-1 |
| Building Data | |
| EXISTING BUILDING | 55,075 SF |
| PROPOSED AUDITORIUM ADDITION | 6,690 SF |
| PROPOSED CATERING ADDITION | 2,684 SF |
| PROPOSED PRE-K/K ADDITION | 11,195 SF |
| TOTAL BUILDING | 77,644 SF |
| Off-Street Parking Requirements | |
| REQUIRED: (0.85 SPACES/1000 SF) | 143 PARKING SPACES |
| PROVIDED: | 128 PARKING SPACES |
| Handicap Parking Requirements | |
| REQUIRED: | 8 HANDICAP SPACES |
| PROVIDED: | 6 HANDICAP SPACES |
| Impervious Area | |
| TOTAL SITE AREA: | 882.514 06 SF [20.26 AC] |
| TOTAL DISTURBED AREA: | 882.514 06 SF [20.26 AC] |
| EXISTING IMPERVIOUS AREA: | 248,505 SF |
| PROPOSED IMPERVIOUS AREA: | 244,155 SF |
| NET DECREASE: | 4,350 SF |
| Legal Description | |
| LOTS 1-12 BLOCK 7F, LOTS 1-12 BLOCK 20, LOTS 1-22 BLOCK 21, BURRISSE HILL ADDITION, LOTS 1-3 BLOCK 2, LOTS 1-34 BLOCK 3, LOTS 1-34 BLOCK 4, LOTS 1-34 BLOCK 5, GERRARDVILLE HEIGHTS, VACATED E. JASPER STREET RIGHT OF WAY BETWEEN MAIN STREET AND KUL, JR. BLVD., AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SECTION 36, TOWNSHIP 36 NORTH, RANGE 12 EAST. | |

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ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA SPECIFICATIONS (INCLUDING O.D.C.)

TPS

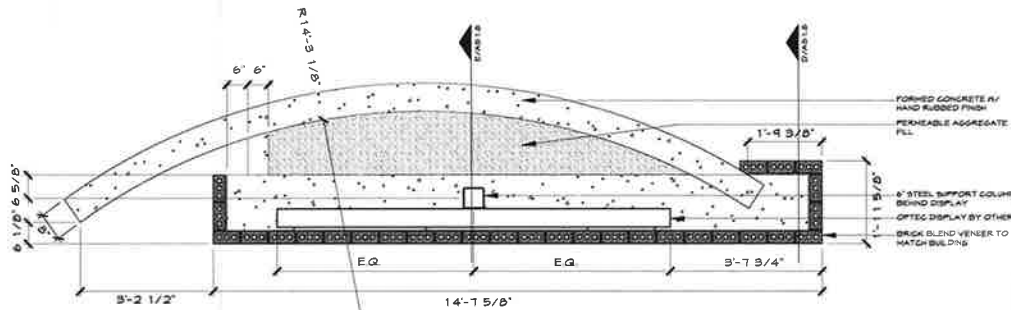
EMERSC
ELEMENT,
REMEDI
ADDITIO
BUILDING PERM
HASE 02 CONSTR

910 N. MLK JI
TULSA, OK :

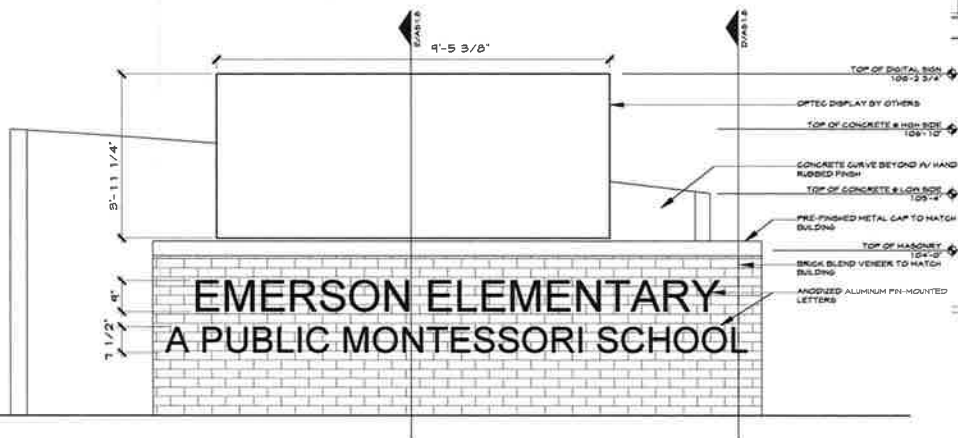


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VERT SCALE	*
ATLAS PAGE NO.	*
IDP NO.	*
MANAGER	*
DRAWN BY	*
DATE	*

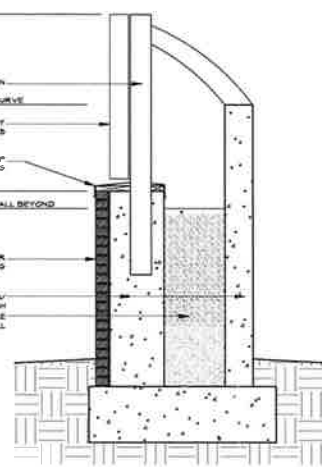
BOARD OF AD.
SIGN EXT-**EXHIB**



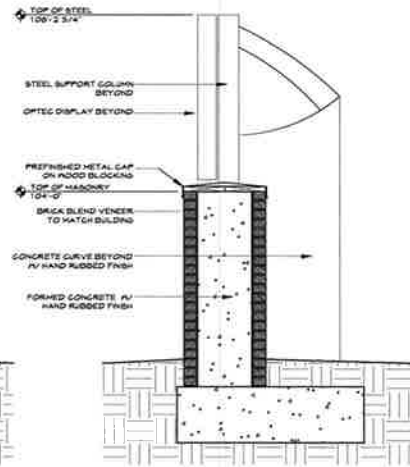
C MONUMENT SIGN PLAN
SCALE: 3/4" = 1'-0"



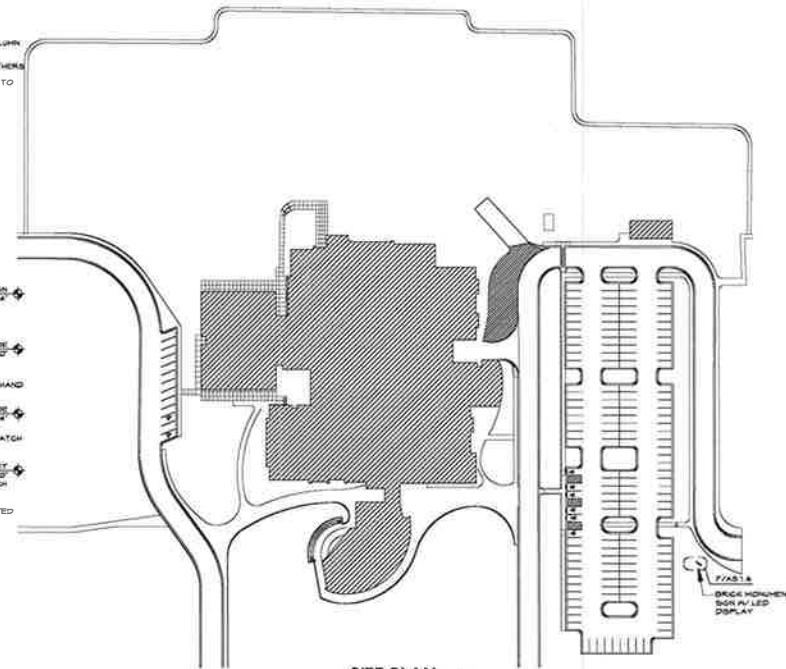
B MONUMENT SIGN ELEVATION
SCALE: 3/4" = 1'-0"



E MONUMENT SIGN SECTION
SCALE: 3/4" = 1'-0"



D MONUMENT SIGN SECTION
SCALE: 3/4" = 1'-0"



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



KKT ARCHITECTS, INC.
2000 SQUIM UTICA PLACE, SUITE 200
TULSA, OKLAHOMA 74114
[P] 918.744.4270 \ [F] 918.744.7849
WWW.KKTARCHITECTS.COM
C OF A #5305 EXPIRES 6/30/17

TPS

EMERSON
ELEMENTARY
REMODEL/
ADDITION

910 N. MLK JR BLVD.
TULSA, OK 74106



09/14/2016 SIGN PERMIT

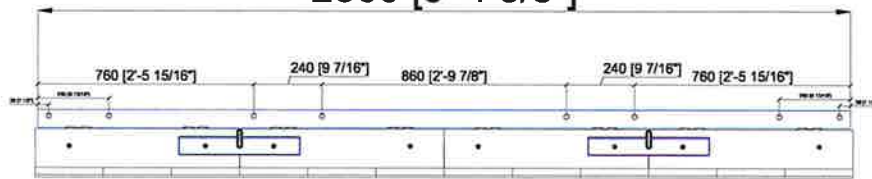
MONUMENT SIGN

AS1.8

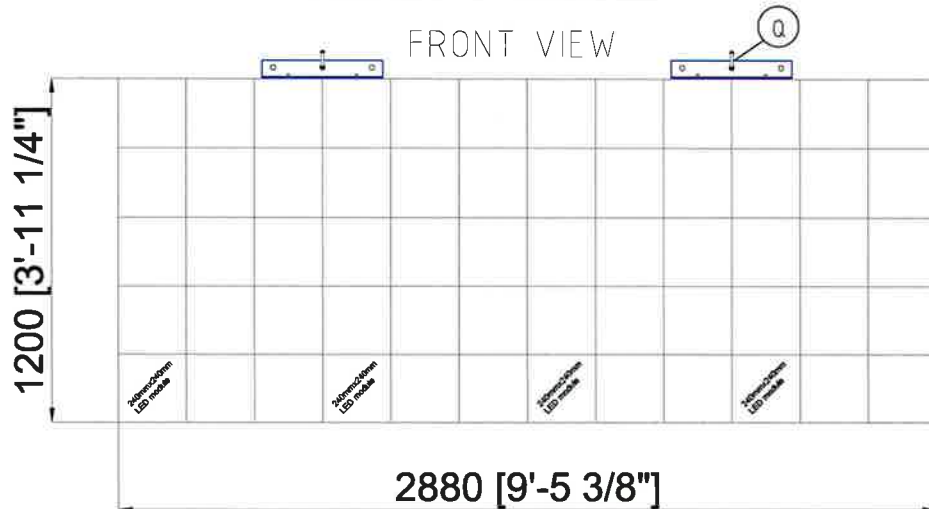
3.7



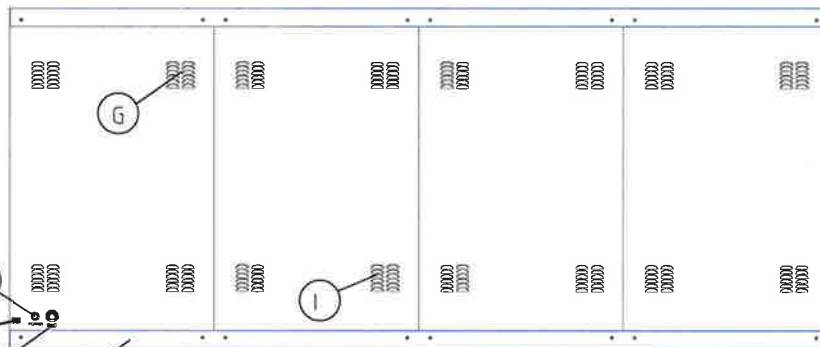
TOP VIEW
2860 [9'-4 5/8"]



FRONT VIEW



2880 [9'-5 3/8"]



REAR VIEW

CALL OUT IDENTIFICATION	
K	ANGLE IRON - SEE DETAIL K
Q	LIFTING POINT-SEE DETAIL Q
I	VENTILATION INTAKE
G	VENTILATION EXHAUST
A	DETAIL A
D	DATA PORT - CONDUIT
J	GROUND LUG
P	POWER PORT - STRAIGHT ANGLE CONDUIT

MASTER FACE

NOTES:

MATERIAL: 6052-H32

FINISHING:

CABINET - MATTE BLK

SUPPORT FRAME - MATTE BLK

SPECS: 75 x 180 1R1G1B

PITCH 16 MM

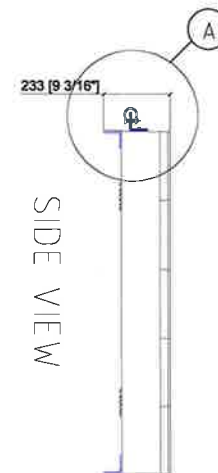
DISPLAY AREA: 1200mm x 2880mm
(3' 11 1/4" x 9' 5 3/8")

OVERALL DIMENSION :

(1200mm x 2880mm x 233mm)

(3' 11 1/4" x 9' 5 3/8" x 9 3/16")

ESTIMATED WEIGHT: 408 lbs per Face



Total Power Required: 1724 Watt/Face

Avg. Operating Power: 500 Watt/Face

Max. Power Load Per Single Face

Circuits	120 VOLT Each Circuit		240 VOLT Each Circuit	
	WATTS	AMPS	WATTS	AMPS
1	1724	14.3		

MASTER

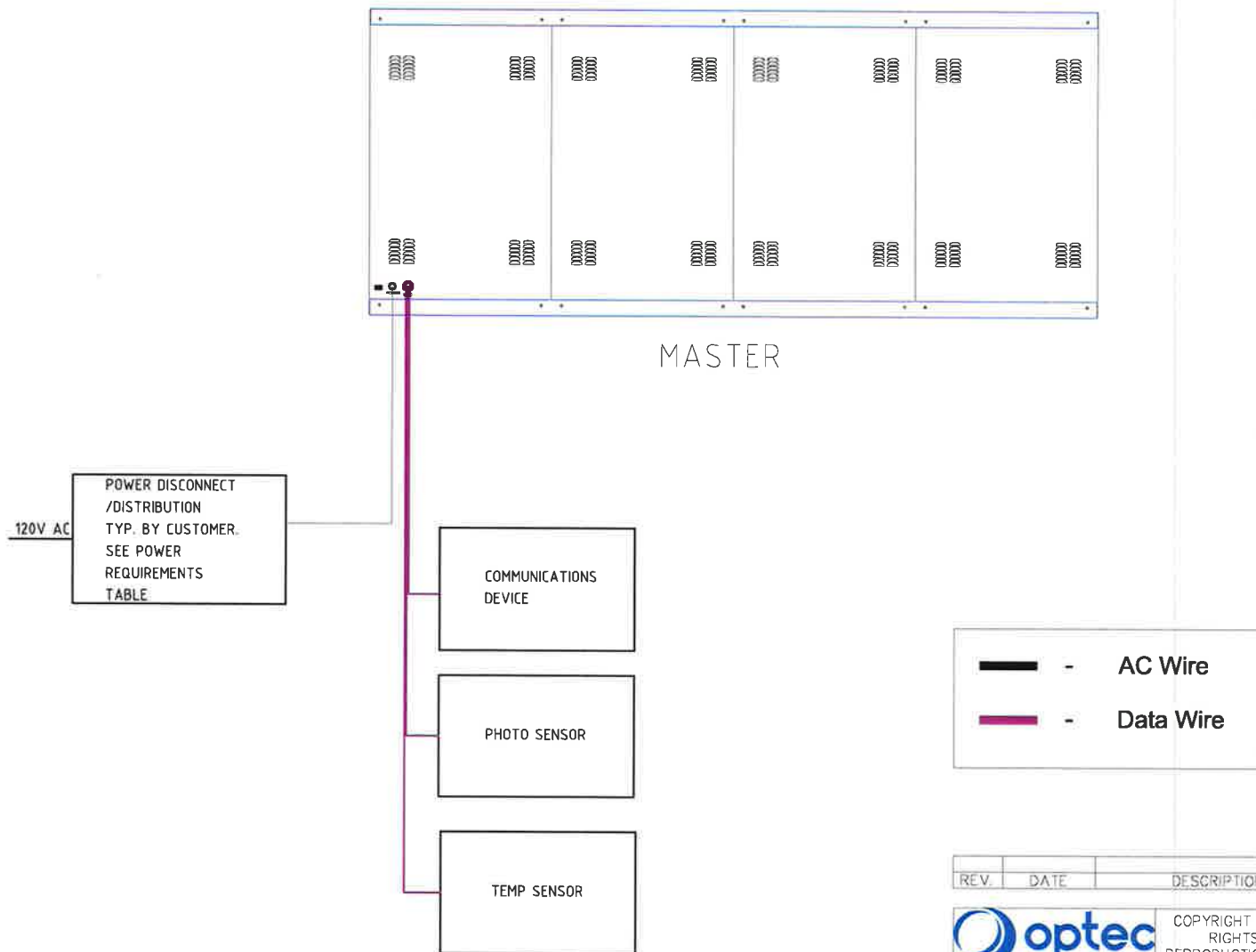
INPUT VOLTAGE FOR DISPLAY MUST BE SPECIFIED AT TIME OF ORDER


xxElectrical must be installed in accordance with the requirements of National Electrical Codes or local codes.

REV.	DATE	DESCRIPTION	BY	APPR
COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED				
DISPLAY MODEL: INF-MOD-16-RGB-Z-P-S-QR - 75x180				
DRAWING NUMBER: REFERENCE				
DESIGNED BY: BRYAN ARMAS				
DRAWN BY: BRYAN ARMAS				
DATE: 2018-05-02				
PAGE: 1				
SCALE/SHEET SIZE: 1:1			TOLERANCE: ±1/4"	
			UNITS: MM(INCHES)	
			REVISION:	

6.9

3.10



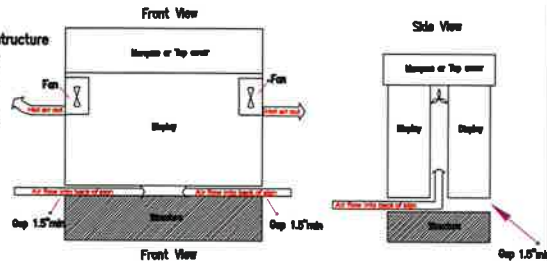
REV.	DATE	DESCRIPTION	BY	APPR																																			
<div><div><div>COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED</div></div><table><tr><td>DISPLAY MODEL</td><td colspan="4"></td></tr><tr><td>DRAWING NUMBER</td><td colspan="4">INF-MOD-16-RGB-Z-P-S-QR - 75x180</td></tr><tr><td>REFERENCE</td><td colspan="4"></td></tr><tr><td>DESIGNED BY</td><td colspan="2"></td><td>SCALE/SHEET SIZE</td><td>1:1</td></tr><tr><td>DRAWN BY</td><td colspan="2">Bryan Armas</td><td>TOLERANCE</td><td>±1/4"</td></tr><tr><td>DATE</td><td colspan="2">2018-05-02</td><td>UNITS</td><td>MM(INCHS)</td></tr><tr><td>PAGE</td><td colspan="2">2</td><td>REVISION</td><td></td></tr></table></div>					DISPLAY MODEL					DRAWING NUMBER	INF-MOD-16-RGB-Z-P-S-QR - 75x180				REFERENCE					DESIGNED BY			SCALE/SHEET SIZE	1:1	DRAWN BY	Bryan Armas		TOLERANCE	±1/4"	DATE	2018-05-02		UNITS	MM(INCHS)	PAGE	2		REVISION	
DISPLAY MODEL																																							
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DATE	2018-05-02		UNITS	MM(INCHS)																																			
PAGE	2		REVISION																																				

Air Ventilation Requirements(Force Air): FAN CFM = 3.19 x Total Watts/20

DO

Forced Air Circulation

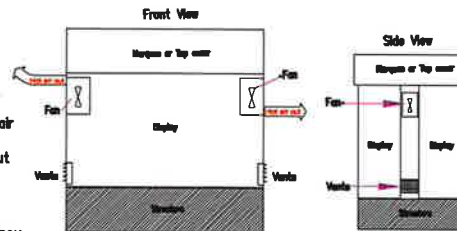
- DO Provide Sufficient Vents to allow outside air into a skinned/closed structure
- DO Provide Fans if necessary to push Hot Air out of closed Structures
- DO Maintain minimum of 1.5 inch clearance at bottom of enclosed sign
- DO Maintain Temperature inside sign between -22to +130 Degrees F
- DO Keep Temperatures below 110 Degrees F inside cabinet
- DO Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- DO Provide Thermal Switches to turn on Fans at 90-105 degrees F



Forced Air Circulation

DON'T

- DON'T Block Cabinet Vents at back of Display
- DON'T Place cabinet against a wall without back side of cabinet open to outside air
- DON'T Allow Heat to Rise above 110 Degrees F inside cabinet
- DON'T Mount an ID Sign/Marquee Cover above or below the Optec LED Sign without 1.5" clearance needed for ventilation



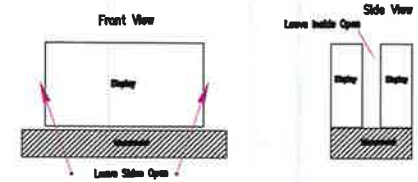
NOTE: THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION

AIR Ventilation Requirements(Natural Convection):

DO

Natural Convection

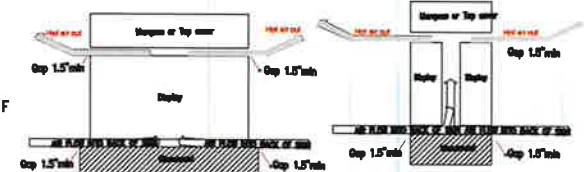
- DO Provide Outside Air TO Reach Cabinet Air Input Vents
- DO Maintain Temperature inside sign -22 to +130 Degrees F
- DO Provide Sufficient Venting For Natural Convection If Skinned
- DO inspect Vents Periodically to Ensure they are Clear/Open
- DO Keep inside cabinet temperature below 110 degrees F
- DO Maintain clearance above and below cabinet a min of 1.5"



Natural Convection II

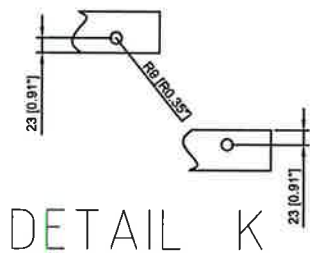
DON'T

- DON'T Block Cabinet Air Vents in back of Display
- DON'T Allow Temperature to Rise Above 110 degrees F

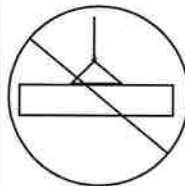


NOTE: THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION

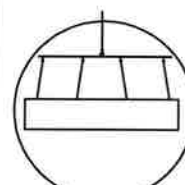
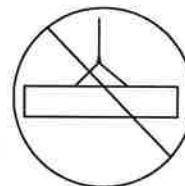
DATA & POWER FITTING DETAIL



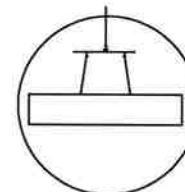
DETAIL K



WRONG



RIGHT



CALL OUT IDENTIFICATION

K	63x63x6 ANGLE IRON-SEE DETAIL K
Q	LIFTING POINT-SEE DETAIL Q

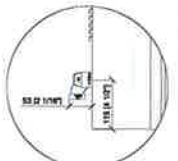
Lifting Point



DETAIL Q



Rear View



Side View

REV.	DATE	DESCRIPTION	BY	APPR
<p>optec DISPLAYS, INC.</p> <p>COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED</p>				
DISPLAY MODEL				
DRAWING NUMBER				
REFERENCE				
DESIGNED BY				
DRAWN BY				
DATE				
PAGE				
		SCALE/SHEET SIZE	1:1	
		TOLERANCE	±1/4"	
		UNITS	MM/INCHES	
		REVISION		

Board Action:

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond, Flanagan absent) to **APPROVE** the request for a **Variance** to allow a detached accessory building to exceed 500 square feet in size (Section 45.030). The Board has found the hardship to be that the lot is surrounded by commercial zoned or commercially used property, some of which are also zoned in the R District. The approval is per conceptual plans 11.7, 11.8, 11.9 and 11.10 and the other storage buildings on the subject property will be removed. 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; for the following property:

LT 22 BLK B; LT 23 BLK B, CREST VIEW ESTATES, City of Tulsa, Tulsa County, State of Oklahoma

22295—KKT Architects, Inc. – Nicole Watts

FILE COPY

Action Requested:

Special Exception to permit a school and accessory uses in the R District (Section 5.020-F). **LOCATION:** Between East Independence Avenue North & East Latimer Street North and Between North M. L. King, Jr. Boulevard West & North Main Street (CD 1)

Presentation:

Nicole Watts, KKT Architects, 2200 South Utica Place, Suite 200, Tulsa, OK; stated TPS is in the process of expanding and remodeling Emerson Elementary. In the past the Board granted a Special Exception to allow the existing school be in a residential zone. OSU has leased the five acres south of Jasper to the school for growth and the

BOA-22295

FILE COPY

school will be building into those five acres. The five acres are zoned residential thus the Special Exception request.

Mr. Van De Wiele asked if Jasper was going to be closed. Ms. Watts answered affirmatively and stated that the case is going through Court now to get the street vacated.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BACK**, the Board voted 3-0-0 (Back, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond, Flanagan absent) to **APPROVE** the request for a **Special Exception** to permit a school and accessory uses in the R District (Section 5.020-F). The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

Lots 1-12, Block 19, Lots 1-12, Block 20, Lots 1-5 and Lots 18-22, Block 21, Burgess Hill Addition; Lots 1-24, Block 2, Lots 1-24, Block 3, and Lots 1-24, Block 4, Kirkpatrick Heights and vacated East Jasper Street Right of Way between Main Street and MLK Jr. Blvd., City of Tulsa, Tulsa County, State of Oklahoma

22286—Simon Reyes

Action Requested:

Special Exception to permit a Commercial/Building Service Use in the CS District (Section 15.020). **LOCATION:** 4702 East Apache Street North (CD 1)

Presentation:

The applicant was not present.

Mr. Van De Wiele asked staff if they knew what the applicant was going to use the property for. Ms. Miller stated that building service use is typically HVAC companies, or plumbing or electrical. The applicant stated he wanted an office and storage space for company vehicles and equipment. The building permit looked at the use closely and determined it is that use and will also be used as temporary storage of items and materials for customers whose properties are undergoing repair and/or restoration.

Interested Parties:

There were no interested parties present.

UNFINISHED BUSINESS

FILE COPY

22042—Eller & Detrich – Lou Reynolds

Action Requested:

Special Exception to permit a school use in the RM-2 District (Section 5.020-C).

LOCATION: 301 East Jasper Street North (CD 1)

Mr. Henke recused and left the meeting at 1:13 P.M.

Presentation:

Lou Reynolds, Eller & Detrich, 2727 East 21st Street, Tulsa, OK; stated he represents the Drexel Academy and this request to allow the operation of a school on the subject property for two years and six months. Mr. Reynolds had a zoning map placed on the overhead projector and discussed the surrounding zoning and the subject property's zoning. The property has been vacant for several years and is owned by the University of Tulsa Center Authority. The Drexel Academy has leased the property and this will be a temporary location while Drexel Academy looks for a permanent location. Mr. Reynolds presented a new site plan and had it placed on the overhead projector. The original buildings that Drexel Academy intended to purchase have been sold but the new site plan is similar to the original site plan. Mr. Reynolds had a new building plan placed on the overhead projector and stated that the facility will be totally fenced in. There is a designated place for the parents to drop off and pick up their children. Drexel Academy is a non-profit charter school and they are focused on underserved neighborhoods and the subject property is in the center of their area. Drexel Academy is authorized by Oklahoma State University, the Oklahoma State Board of Regents sponsors the school, and the Oklahoma State College of Education provides their governments. Commencing on August 1, 2016 Drexel Academy will operate three grades, K-2 which will have 15 students in each grade. Next year on August 1, 2017 Drexel Academy will operate four grades, K-3 with 15 students in each grade. There will not be more than 60 children in attendance and they will attend school 11 months out of the year. The typical day is 7:30 A.M. to 5:00 P.M. for ten months; then in June the day will be from 9:00 A.M. to 3:00 P.M., and the students will take July off. This will not be injurious to the neighborhood and behalf of Drexel Academy he would request the Board approve the Special Exception per the conceptual site plan for two years and six months.

Mr. Van De Wiele asked staff about the e-mail from Julie Miner regarding the zoning and the land use issue. Ms. Miner is raising concerns about the buildings being trailers

BOA-22042

FILE COPY

and Mr. Van De Wiele asked if that was accurate. Mr. Reynolds stated they are not trailers, they are temporary buildings. They will be dressed up in a nice way and skirted. The buildings will be there temporarily only and they are very appropriate for the area. There is no one around the subject property and Mr. Reynolds believes the complaint saying the buildings are trailers is a mischaracterization.

Mr. White asked Mr. Reynolds about how this will affect the other educational facilities in the area and will this interfere with their development plans. Mr. Reynolds stated that he cannot imagine this will interfere because Drexel Academy has leased the property from the University Center Authority which is a public authority. This has been through all the City processes and no one has come forward to lease the subject property.

Mr. Snyder asked Mr. Reynolds how long the lease is for the subject property. Mr. Reynolds stated that lease is for one year with three one year options.

Ms. Moye stated that the application was noticed to the property owners within 300 feet and to date she has not received any comments from any of the neighboring property owners, other than the comment this is included in the Board's agenda packet. In terms of the temporary buildings and the City of Tulsa has stated that the temporary buildings will be allowed.

Ms. Miller stated the Ms. Julie Miner had a meeting to attend or she would have been in attendance today. It is Ms. Miller's understanding that the TDA had meetings to work on the renderings of the buildings and their appearance and today's submittal looks totally different than what was originally submitted which is a concern for her.

Mr. Van De Wiele asked Ms. Miller if her concern was that it is going from better to worse. Ms. Miller stated that her concern is that the process this went through before it reached INCOG possibly did not see what was submitted to the Board today. Ms. Miller stated that Ms. Miner had commented on the rendering that is in the Board's agenda packet and Ms. Miller stated that she has seen iterations of today's submittal and saw how it evolved over time aesthetically, and now it looks like it took a few steps backward with a stripped down look of what was submitted today. Ms. Miller stated this is a concern given all the improvements made in Emerson School and the other things happening in the area.

Mr. Reynolds stated that Drexel Academy will be on the subject property for two years and six months only. The buildings that were presented in the Board's agenda packet were lost because another party paid a higher price for them than Drexel did after a hand shake and an agreement.

Ms. Snyder asked Mr. Reynolds if the plans are to remove the buildings after the two years and six months. Mr. Reynolds answered affirmatively.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

BOA-22042

FILE COPY

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-1 (Flanagan, Snyder, Van De Wiele, White "aye"; no "nays"; Henke "abstaining"; none absent) to **APPROVE** the request for a **Special Exception** to permit a school use in the RM-2 District (Section 5.020-C), subject to the conceptual plan submitted today, April 12, 2016. The Special Exception approval will expire two years and six months from today's date. This approval is with the further understanding that the buildings to be located on the subject property will be removed within three months after the expiration of the two years and six month period. 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:

LTS 1 - 24 LESS BEG SWC LT 13 TH N18 SELY TO A PT ON SL LT 13 TH W12 POB & LESS BEG NWC LT 12 TH S77.07 TO PT ON NL W8.56 POB BLK 1 & E38 LT 4 & ALL LTS 5 THRU 9 & W5 LT 10 BLK 1 RAMONA ADDN & ALL VAC STREETS ADJ THERETO & LESS BEG 18 N SWC LT 13 TH, SUNSET HILL ADDN, RAMONA ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. Henke re-entered the meeting at 1:24 P.M.

NEW APPLICATIONS

22048—Don Oltman

Action Requested:

Variance to reduce the minimum lot width from 60 feet to 50 feet to permit a duplex, per lot, in the RM-2 District (Section 5.030-A). **LOCATION:** N of NW/c of South Newport Avenue & East 61st Street (CD 9)

Presentation:

Marilyn Oltman, Oltman Homes, Inc., P. O. Box 713, Jenks, OK; stated she has purchased nine lots and six of the lots have duplexes on them that her firm built. Those six duplexes were sold and the lady that purchased them reserved the right to purchase the three subject lots. During this process it was discovered that a Variance is now needed to be able to build duplicate duplexes.

OTHER BUSINESS

Case No. 16829

Action Requested:

Amended site plan approval

Comments and Questions:

Ms. Russell informed that school use, per plot plan, was previously approved at this location; however, the addition of a mobile classroom is proposed, which requires an amendment to the previously approved plan.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Aaron Peters**, 1555 North 77th East Avenue, who requested that the previously approved plan be amended to include a mobile classroom. An amended plot plan (Exhibit T-1) was submitted.

Protestants:

None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-0-0 (Bolze, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** an amended site plan, as submitted.

Case No. 16830

Action Requested:

Amended site plan approval

Comments and Questions:

Ms. Russell informed that school use, per plot plan, was previously approved at this location; however, the addition of a mobile classroom is proposed, which requires an amendment to the previously approved plan.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Aaron Peters**, 1555 North 77th East Avenue, who requested that the previously approved plan be amended to include a mobile classroom. An amended plot plan (Exhibit W-1) was submitted.

Protestants:

None.

8850

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District located at 18538 East 1st Street.

Presentation:

Jim Baker advised the Board that he and his wife reside at 18532 East 1st Street and plan to operate a children's nursery on the subject property, noting that he had been in contact with the Welfare Department and City-County Health Department who advised that 37 children could be cared for in the existing structure. Mr. Baker advised that they were operating a nursery, at the present time, at 185th and Admiral which is too small for their needs. The hours of operation are 6 a.m. to 6 p.m. and the traffic varies such that there are usually no more than two persons at the center at one time. The present facility has a double driveway and the proposed facility has a single driveway. Mrs. Baker advised that the present facility is located on a corner and they have experienced traffic problems because of the amount of traffic on Admiral. She advised that she had spoken with neighbors in the area and they have no objection to parents parking on-street in front of their residences. She also noted that the driveway of her residence can also be used for parent parking if necessary.

The Staff advised that the Board should consider that this Section permits a 32 square foot sign by right unless the Board specifically prohibits a sign or reduces the size of the sign.

Protests: None.

Board Action:

On MOTION of PURSER, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205- Community Services, Cultural and Recreational Facilities) to operate a children's nursery between the hours of 6 a.m. and 6 p.m., subject to no advertising signs being permitted, in an RS-3 District on the following described tract:

Lot 10, Block 4, Rolling Hills Third Addition to the City of Tulsa, Oklahoma.

8851

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for public school use; and a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts- Under the Provisions of Section 1630) for permission to build across lot lines in an RM-1 and CS District located at 103 East King Street.

12.4.75:201(7)

8851 (continued)

Presentation:

Alan Fedman, representing Tulsa Independent School District #1, submitted the plot plan (Exhibit "E-1") advising that the seven acres adjacent to Emerson Elementary was acquired from the Tulsa Urban Renewal Authority and is to be used for a new and larger Emerson Elementary School. He noted that the plan as proposed will require a vacation of King from Main to Cincinnati and a vacation of Boston from Latimer to Jasper, which will require District Court action. He requested approval of the proposal per plot plan.

The Staff noted that the Board's action should they choose to support the application will in no way be an endorsement of the vacation of the proposed streets for the completion of the development. That is a matter for the City and the Courts to decide.

Interested Parties:

Interested citizens, unnamed, were present and concerned with which portions of the streets were to be vacated. Mr. Fedman reviewed the plan with the citizens for clarification purposes.

R. C. Simpson, Sapulpa, advised the Board that he owns two properties in the area and questioned whether or not the development would devalue his properties by placing the children closer to his properties, after which the Chair noted that this would be a question of environmental impact which is something that the Board cannot answer.

Mr. Gardner advised that a campus theme is proposed, noting that the school itself will be more than a block to the east of Mr. Simpson's properties. For the most part, the school will be visible, but the area between will be of a park-like nature. He felt that there would be no adverse impact on the neighborhood.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410- Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for public school use; and a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to build across lot lines, per plot plan, in an RM-1 and CS District on the following described tract:

The vacated Boston and King Streets; and All of Blocks 19 and 20, Burgess Hill Addition; Block 2, Kirkpatrick Heights Addition; All of Block 3, Kirkpatrick Heights Addition, less the east 40' of Lot 1, and Lot 24, All in the City of Tulsa, Oklahoma.

8852

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1225 - Light Manufacturing and Industry) to operate a light machine shop in a CH District located at 1228 South Detroit Avenue.

12.4.75:201(8)

3.19

6294 (continued)Parcel No. 3

Beginning at a point in the South line of said SE/4 of the NW/4, 325 feet from the Southwest corner thereof; thence Easterly ~~along said South line a distance of 150 feet;~~ thence Northerly and parallel to the West line of said SE/4 of the NW/4 a distance of 100 feet; thence Westerly and parallel to the South line of said SE/4 of the NW/4 a distance of 150 feet; thence Southerly and parallel to the West line of said SE/4 of the NW/4 a distance of 100 feet to the point of beginning, comprising 19.36 acres, more or less, to the City of Tulsa, Tulsa County, Oklahoma.

6296

Action Requested: Exception (Section 5 (e) (aa)) to permit utilizing the property for school purposes, in a U-2A district, on a tract located at 143 East King Street.

Presentation: H. H. Edwards, representing the School Board, stated that the ground would be used for a parking lot.

Protests: None.

Board Action: On MOTION of REEDS, the Board of Adjustment (5-0) granted an Exception (Section 5 (e) (aa)), to permit utilizing the property for school purposes, in a U-2A district, on the following described property:

Lot 23, Block 2, Kirkpatrick Heights Addition,
to the City of Tulsa, Tulsa County, Oklahoma.

6297

Action Requested: Exception (Section 5 (d) (2)) to permit erecting a public school in a U-1C district, on a tract located at 13th Street and 137th East Avenue.

Presentation: H. H. Edwards, representing the School Board, was present.

Protests: None.

Board Action: On MOTION of DISLER, the Board of Adjustment (5-0) granted an Exception (Section 5 (d) (2)), to permit erecting a public school in a U-1C district, on the following described property:

5.6.69:31(17)

BOB KOLIBAS
SIGN PLANS EXAMINER
TEL (918)596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

SIGN PLAN REVIEW

June 4, 2018

LOD Number: 1

KKT Architects
2200 S Utica Place
Tulsa OK 74114

Phone: (918)622-0651

APPLICATION NO: **SIGN-002973** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: **910 N. Martin Luther King Boulevard**
Description: **Emerson Elementary A Public Montessori 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 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 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 OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH 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

Application No. SIGN-002973

910 N. Martin Luther King Boulevard

June 4, 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.

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.

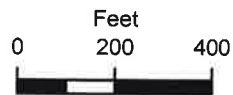
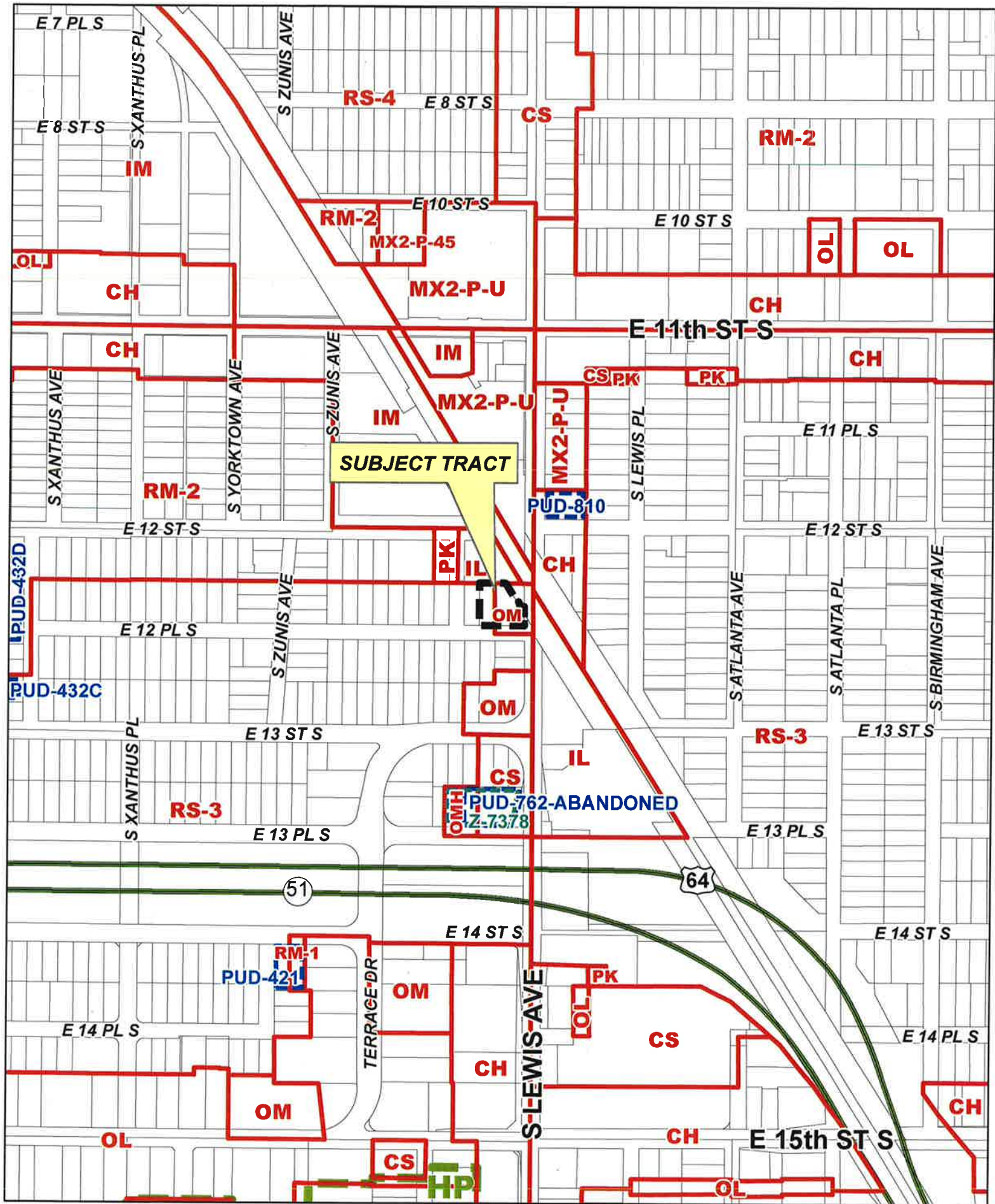
Review Comments: The proposed freestanding sign with a dynamic display is located in an RS-4 zoning district and the dynamic display sign exceeds 32 square feet. You may pursue a special exception from the BOA to permit a 38 square foot dynamic display sign (9.5x4.0) located in an RS-4 zoning district for the Emerson Elementary Public Montessori School. **Note:** Please review conditions 1-4 that apply to dynamic display signs in R zoning districts.

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-22447

19-13 07

4.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9307

Case Number: **BOA-22447**

CZM: 37

CD: 4

A-P#:

HEARING DATE: 7/10/18 1:00 PM (Reconsidered from 06/12/2018 meeting)

APPLICANT: John Watchous

ACTION REQUESTED: Special Exception to allow a Personal Improvement Use in an OM zoning district (Sec.15.020)

LOCATION: 1222 S LEWIS AV E

ZONED: RS-3,OM

PRESENT USE: commercial

TRACT SIZE: 17149.64 SQ FT

LEGAL DESCRIPTION: LTS 3 & 4 BLK 7 & PRT VAC RR RW BEG 86.51SE MOST NLY NEC LT 4 BLK 7 TERRACE DRIVE ADDN TH SE53.61 N23 W12.75 NW15.89 NW12.52 POB SEC 7 19 13 .005AC, TERRACE DRIVE ADDN AMD SUB B2-3&7, TERRACE DRIVE ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

See current staff comments.

Surrounding Properties:

None relevant.

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

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.

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts RS-3 zoned properties to the south and west; an IL zoned property to the north; to the east the subject site abuts railroad tracks.

CURRENT STAFF COMMENTS:

4.2

REVISED 7/3/2018

On 06.12.18, The Board approved the request for a Special Exception to allow a personal improvement use in an OM district at this subject property. The Board set a condition of approval that, *"the allowed personal improvement services uses allowed would only be barbers, hair and nails salons, tanning salons, day spas, body art services, and fortune telling services for the most eastern property on the corner of Lewis and 12th Place South"*.

It was later discovered that Title 27, Section 2205 of the Tulsa Revised Ordinances Penal Code does not permit fortune telling services within the City of Tulsa. The Board voted unanimously, on 6.26.18, to reconsider case #BOA-22447. This will allow the Board to remove the fortune telling services from the list of permitted uses if they choose.

PREVIOUS STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to allow a Personal Improvement Use in an OM zoning district (Sec.15.020).

The applicant is requesting the Special Exception for the Personal Improvement Use on the OM zoned portion of the overall lot. The applicant has stated that they intend to lease the existing buildings but do not have tenants at this time. A special exception is required due to the potential adverse affects of the proposed use in the OM district; however if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted.

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

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Personal Improvement Use in an OM zoning district (Sec.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.

- 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:

NE SW SE SW LESS W25 SEC 10 18 12, City of Tulsa, Tulsa County, State of Oklahoma

22447—John Watchous

FILE COPY

Action Requested:

Special Exception to allow a personal improvement use in an OM District (Section 15.020). **LOCATION:** 1222 South Lewis Avenue East (CD 4)

Ms. Blank stated the western portion of the subject property is zoned RS-3 and it appears the legal description for the Special Exception includes the RS-3 portion. The Board will need a legal description for just the OM portion of the subject property because that is what the Special Exception will apply to if granted.

Ms. Miller stated if the Board chooses to grant this request, and they make the motion to only cover the OM portion of the subject property, before the applicant would receive the paperwork required to take to the City Permit office he could send the legal description for just the OM portion of the subject property so the records could be adjusted at INCOG.

Presentation:

John Watchous, 1401 South Boulder Avenue, Tulsa, OK; stated there are two commercial buildings located on the lot and the Special Exception request is for the OM portion to allow personal improvement use. The personal improvement use approval would allow for barber shops, nail salons, yoga studios, etc.

Mr. Van De Wiele asked if the request would apply to both buildings. Mr. Watchous stated that he would prefer to apply it to both, but it was to be limited he would request that it be limited to the vacant building, which is 2311.

Mr. Van De Wiele asked Mr. Watchous if there is a vacant lot there also. Mr. Watchous answered affirmatively and stated there was a house there that had been torn down by the owner.

Mr. Watchous stated that he thinks this is a fair request since there is IL and IM to the north of the subject property, and across Lewis there is CH and IL. This seems like a logical fit for the area with all the redevelopment that is happening along 11th, the Pearl District and Kendall Whittier moving toward 15th Street.

BOA-22447

FILE COPY

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Van De Wiele asked staff if there were any uses under the Personal Improvement Use that the Board should discuss. Ms. Blank stated the Code describes the Personal Improvement Services as "Uses that provide personal grooming, cosmetic or health and well-being related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, body art services and fortune telling services."

Ms. Back asked Mr. Watchous if he would be opposed to the Board removing the body art services and the fortune telling services since the subject property is near a residential area. Mr. Watchous stated that he would prefer to leave those in because there was an interest from a tattoo parlor about leasing a space.

Mr. Van De Wiele asked Mr. Watchous if the owner of the subject property also owned the lot to the left of the black and white dotted line on the aerial photo. Mr. Watchous stated the owner owns from Lewis all the way to Gillette.

Ms. Back stated that if this were for the house on the corner that fronted on the major arterial she would be inclined to approve for all the personal services. Coming in closer and out to Gillette probably and making it all a commercial triangle makes sense except if you were living south of it or across from it on Gillette; these people are in a well-established neighborhood. She does not have a problem with the personal services from the little red house located on the subject property, but she would make a motion that there would not be any body arts or the fortune telling services in the red brick house.

Mr. Flanagan agreed with Ms. Back.

Ms. Ross stated that she does not have an issue with this as long as it did not go any farther than the red brick house; beyond that is getting into the neighborhood.

Ms. Miller stated that the list Ms. Blank quoted from is not an all-inclusive list, they are just things that could be included. There could be things that are considered a personal service that may not even be a thing right and no one is thinking about that are not included in the list that could possibly be more objectionable. This is a very broad open category and there is not definitely not an all-inclusive list here.

Mr. Van De Wiele stated he does not have an issue in approving all of the request including the body art services and the fortune telling services for the pink building on the subject property, but he would leave out the body art services and fortune telling services for the red brick building. That brings in the question as to what happens if the buildings being discussed are torn down. He would limit his approval to "as

BOA-22447

FILE COPY

constructed" with a full list as to the eastern property and a limited list to the western property.

Board Action:

On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Flanagan, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to allow a personal improvement use in an OM District (Section 15.020), subject to the "as constructed" plans as they exist on the site today and as shown on page 4.6 of the agenda packet. The approval is subject to the following conditions: the allowed personal improvement services uses allowed would only be barbers, hair and nail salons, tanning salons, day spas, body art services and fortune telling services for the most eastern property on the corner of Lewis and 12th Place South. The uses allowed for the most western property in the OM zoned district, the little red brick house, the uses would be barbers, hair and nail salons, tanning salons, and day spas. The applicant is to submit to INCOG a corrected copy of the legal description depicting only the two properties that are included in the OM District; the building on the corner of Lewis and 12th Place and the little red brick building and does not include the vacant lot. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LTS 3 & 4 BLK 7 & PRT VAC RR R/W BEG 86.51SE MOST NLY NEC LT 4 BLK 7 TERRACE DRIVE ADDN TH SE53.61 N23 W12.75 NW15.89 NW12.52 POB SEC 7 19 13 .005AC, TERRACE DRIVE ADDN AMD SUB B2-3&7, TERRACE DRIVE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

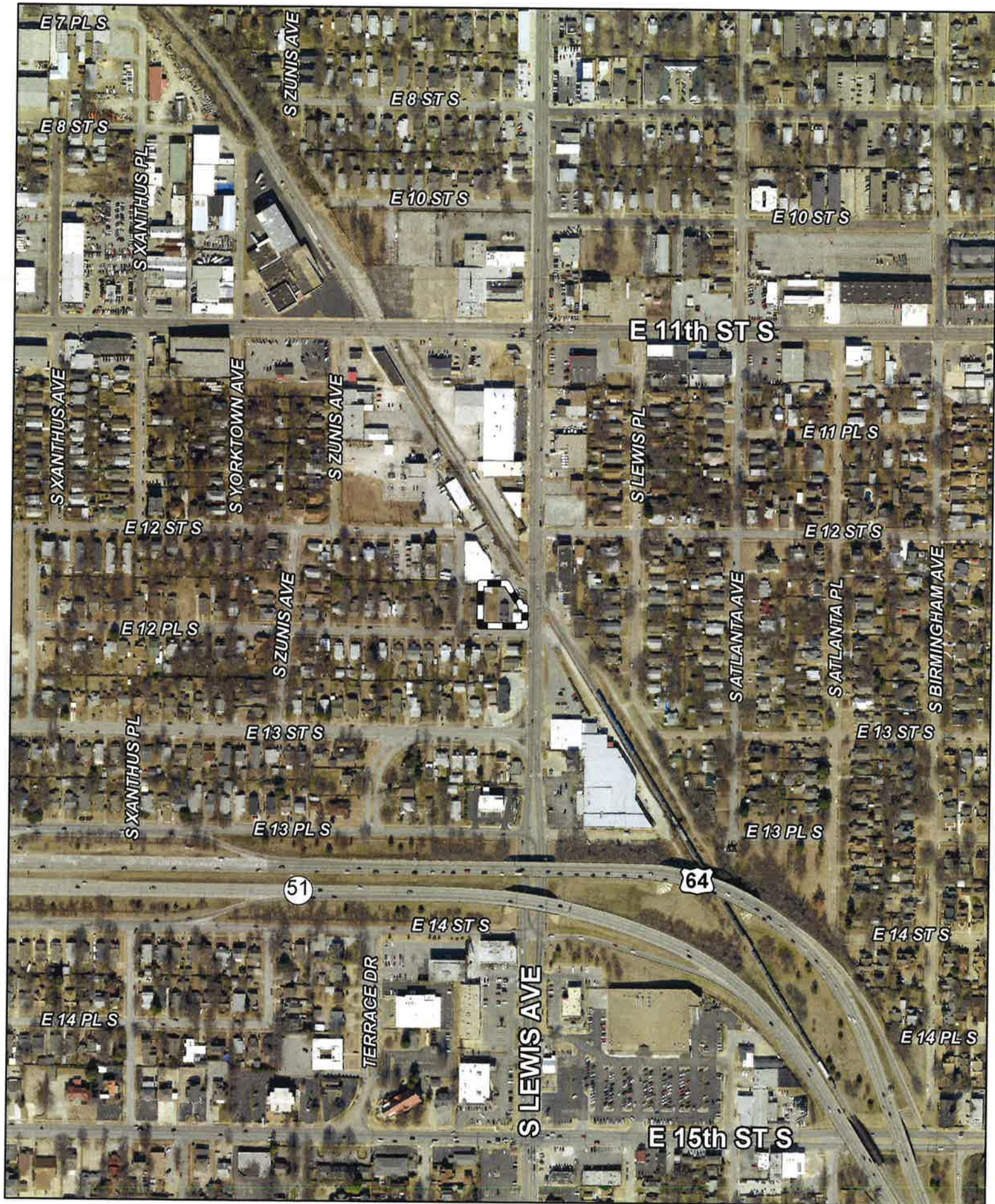
22448—David Kvach

Action Requested:

Variance to permit a bar to be located within 300 feet of a religious assembly use (Section 40.050). **LOCATION:** 321 South Frankfort Avenue East (**CD 4**)

Presentation:

David Kvach, 4302 South 137th West Avenue, Sand Springs, OK; stated he one of the owners of the subject property. This is a warehouse type building and currently there is a brew pub and a brewery being constructed inside. He has been approached by another tenant that would like to have a community service/church in the basement of the building. This is a very urban type situation. The building time for constructing the church would be shorter than the construction time for the brewery. Mr. Kvach stated he had a conversation with Casey Stowe, one of the owners of The Boxyard, who expressed a concern of a church being located on the subject property because it would restrict his use of The Boxyard where there are already bars and restaurants located.



0 Feet
200 400



Subject
Tract

BOA-22447

19-13 07

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

Aerial Photo Date: February 2016



4.7



E12STS

S LEWIS AVE

E12STS

E12PLS

E13STS



Subject
Tract

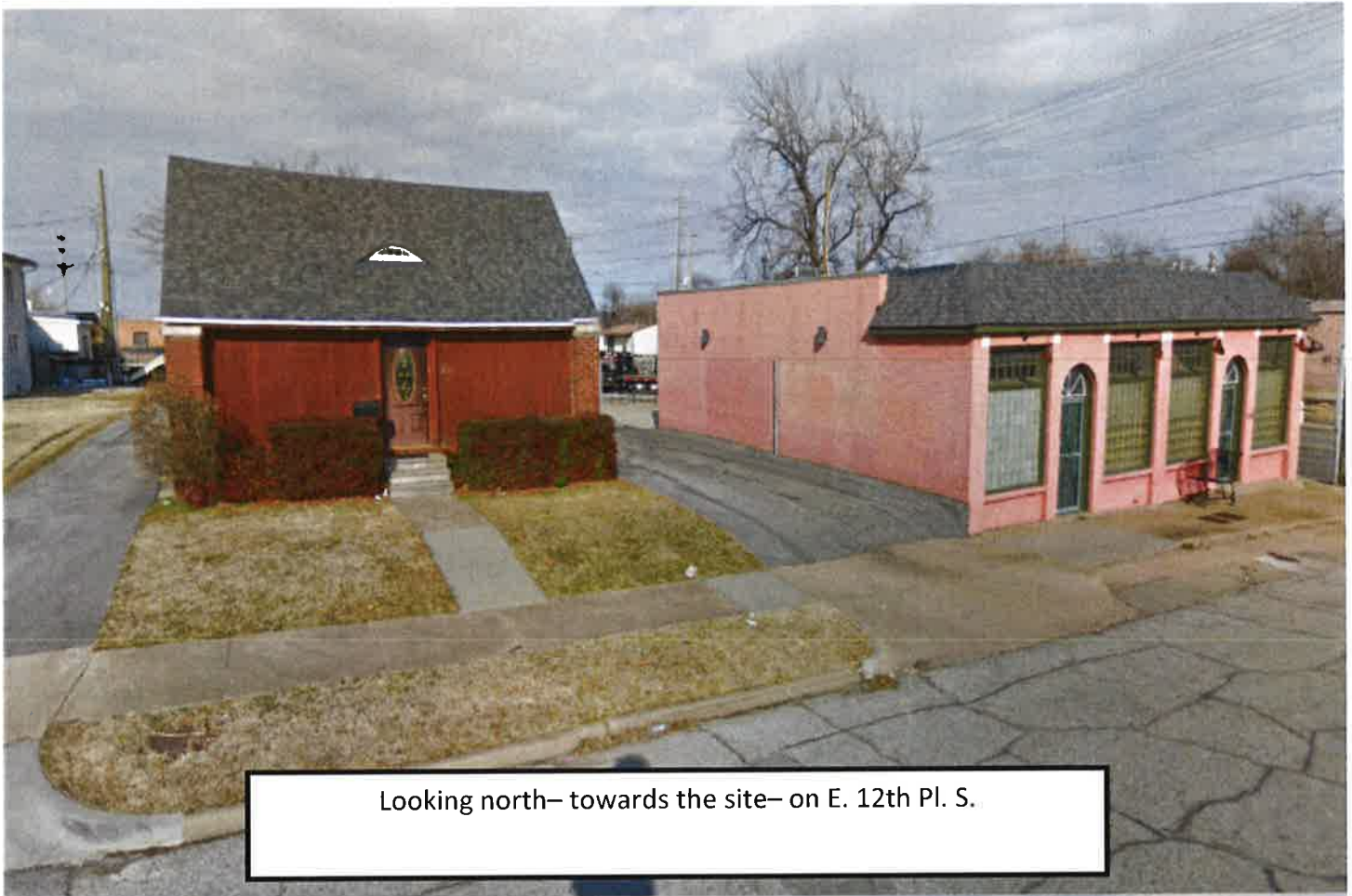
BOA-22447

19-13 07

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

Aerial Photo Date: February 2016

N
4.8



Looking north- towards the site- on E. 12th Pl. S.



Looking east- on E. 12th Pl. S.



Looking northeast— on E. 12th Pl. S.

RTIFICATION
007

gns
& B
ACTS C & D

do hereby certify to the aforesaid
that I have made a careful survey of

division of Blocks Two (2), Three (3),
to the City of Tulsa, Tulsa County,
the Amended Plat thereof.

division of Blocks Two (2), Three (3),
to the City of Tulsa, Tulsa County,
the Amended Plat thereof.

Subdivision of Blocks 2, 3 and 7,
to the City of Tulsa, Tulsa County, State
Amended Plat thereof.

East Quarter of the Northeast
Township Nineteen (19) North,
and Meridian, Tulsa County,
and States Government Survey thereof,
is, to-wit:

East corner of Lot Four (4), Block
division of Blocks Two (2), Three (3),
an Addition to the City of Tulsa,
to the Recorded Plat thereof;
East line of said Lot 4, Block 7,
a railroad right-of-way for
a continuing South 32°03'34" East
westerly line for 93.48 feet to the
A 4, Block 7; thence North
West for 12.75 feet; thence North
in 52°12'50" West for 11.63 feet;
thence South 50°51'32" West for

in the ground, and correctly shows the
all other improvements situated on the
the encroachments on the subject
property except as shown hereon.

which it is based were made in
ing in the State of Oklahoma, and with
nants for ALTA/ACSM Land Title
ed by ALTA, ACSM and NSPS in 1999
(as adopted by ALTA and ACSM and in
l of a Urban Survey, as defined
requirements modified to meet current
ite of the state in which the subject
s 1,2,3,8,10, and 11a in table "A"

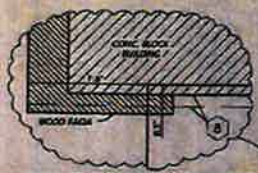
same as the property described in
instrument No. E-177877 with an
6, 2006 at 7:00 A.M., TRACT B,
T C & D January 11, 2007 at 7:00
and restrictions referenced in said
tical inspection of the site or
red hereon or otherwise noted as to

in an area having a Zone Designation

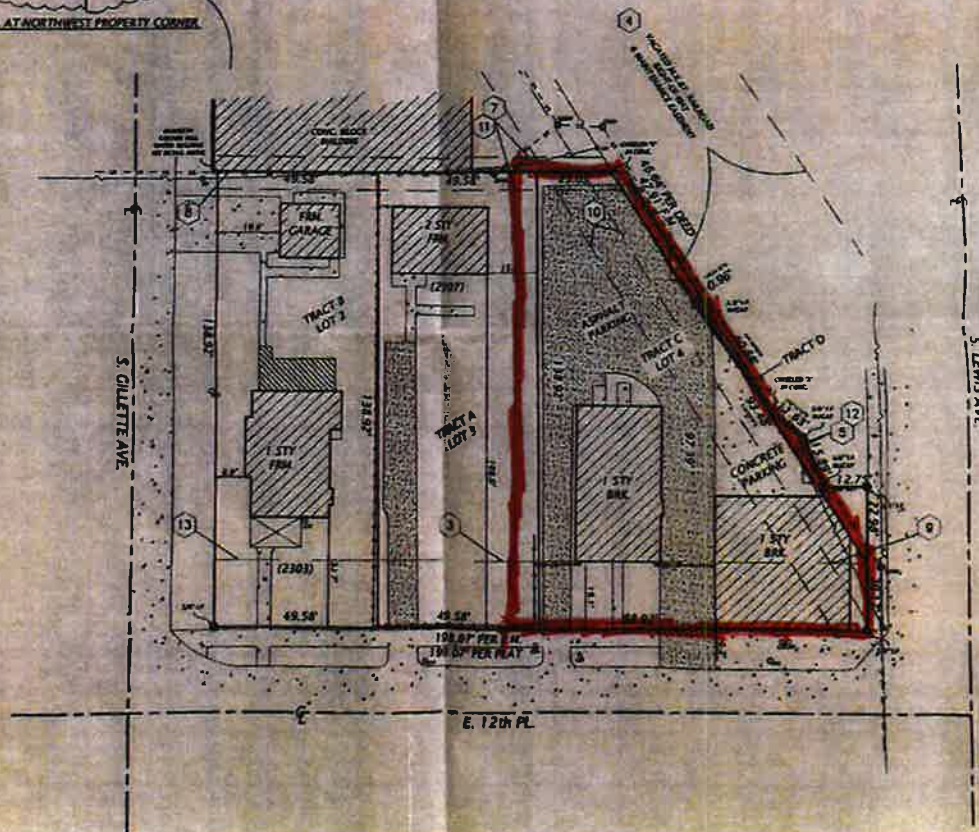
ALTA / ACSM LAND TITLE SURVEY



Scale: 1" = 20'



DETAIL AT NORTHWEST PROPERTY CORNER



EASEMENTS

1. Terms, conditions back lines as of 1922, filed Sept recorded in Book for failure or re new that apply
2. Restrictive cove Deed, dated Dec recorded in Bo at 2:20 p.m., for failure or re properly as sh
3. Restrictive cove 6, 2004, filed Page 1387, in TRACT D appli
4. Terms, condi filed July 17, which does ni & D does ni applies to ar can not asce
5. Terms, condi Oklahoma, d recorded in applies to a
6. Terms, con Real Estate recorded in applies to a
7. Restrictive c 28, 1918, f Page 432, l affects subf
8. Terms, con dated Febr Page 537 - shown, how
9. Terms, con dated Febr Page 538 - shown
10. Terms, con August 12, 2005 (107) shown
11. Restrictive 1918, filed 024, TRAC subject pr

BASIS OF
RECORDING

4.11

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1064682-1

May 01, 2018

JOHN WATCHOUS
1240 S FLORENCE AV E
TULSA, OK 74104

Phone: (918)991-8519
Fax: (918)663-6402

BOA-22447

APPLICATION NO: 9641 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 2311 E 012 PL S
Description: SELF IMPROVEMENT USE

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

4.12

REVIEW COMMENTS

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

Application No. 9641

2311 E 012 PL S

May 01, 2018

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

Sec.15.020 Table 15-2: The proposed Commercial/Commercial Services/Personal Improvement Use is located in an OM zoning district. This will require a Special Exception, reviewed and approved by the BOA per Sec.70.120.

Review comment: Submit the approved BOA Special Exception to allow a Commercial/Commercial Services/Personal Improvement Use in an OM zoning district. This required to be submitted as a revision to this application.

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

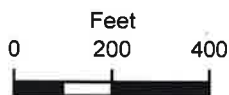
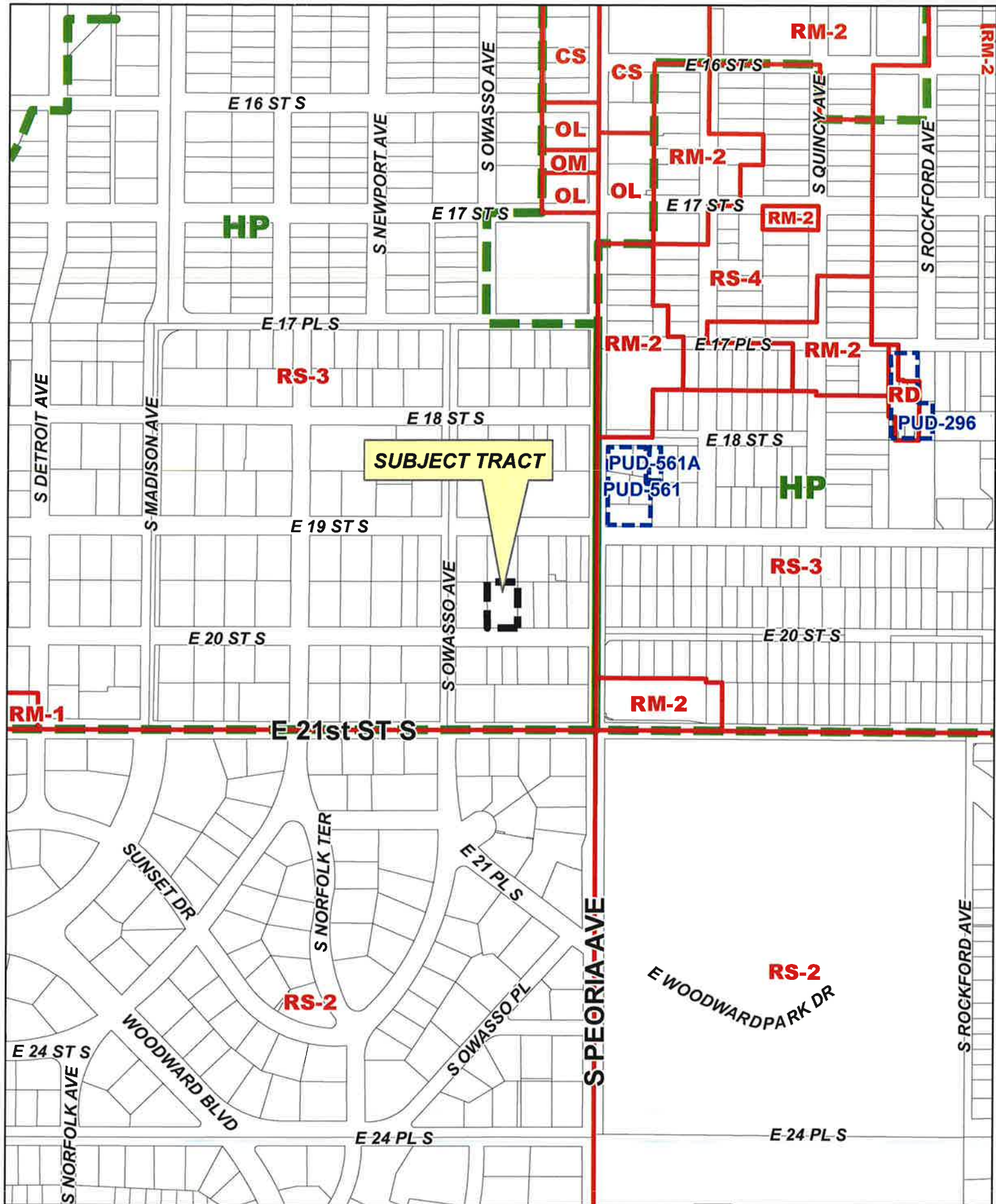
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

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

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

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BOA-22464

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19-12 12



BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-22464**

CZM: 36

CD: 4

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Hoby Ferrell

ACTION REQUESTED: Variance to permit an accessory building to exceed 30% coverage of the floor area in the rear setback (Sec. 90.090-C.2)

LOCATION: 1215 E 20th ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 15002.13 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 3, MAPLE HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA 21913: on 8.25.15, the Board **approved** a *Variance* to exceed the permitted height of 10 ft at the top of the top plate; and a *Variance* to exceed 1-story in height (Sec.210.B) to permit a detached accessory building.

Surrounding Properties:

BOA 18287: on 2.23.99, the Board **approved** a *Variance* of the setback from South Peoria from 15' to 5' for a detached garage; and a *Variance* of the allowable fence height in the front yard from 4 to 8'. Located; 1234 East 20th St.

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 located in the North Maple Ridge Historic Preservation (HP) district and is surrounded by RS-3 residences.

STAFF COMMENTS:

The Code states that detached accessory buildings can only cover up to 30% of the required 20 ft. rear setbacks in an RS-3 district. The rear setback is defined as the minimum distance set out by the zoning code of open, unoccupied space between the rear lot line and the required rear setback (Section 90.090-A.3; Section 95.220).

The maximum 30% area that is allowed by the Code on this lot is 600 sq. ft.(100'x20'x30%). The proposed new addition to the existing garage will result in 722 sq. ft. of coverage in the rear setback. The applicant has requested a **Variance** to exceed 30% of coverage in the required rear setback to permit construction of an addition to an existing detached garage as shown in the conceptual plan.

The applicant has provided the following statement; *"It is desired to construct a one-story 13'x15' bonus room to the existing garage. The structure will be identical to the existing garage and will be architecturally correct. You can not view the new structure proposed from the street."*

Sample Motion

Move to _____ (approve/deny) a **Variance** to permit an accessory building to exceed 30% coverage of the floor area in the rear setback (Sec. 90.090-C.2)

- 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.”

UNFINISHED BUSINESS

FILE COPY

21913—Peter Kroner

Action Requested:

Variance to exceed the permitted height of 10 feet at the top of the top plate for a detached garage; Variance to exceed one story in height (Section 210.B.5).

LOCATION: 1215 East 20th Street South (CD 4)

Presentation:

Weldon Bowman, W Design, 815 East 3rd Street, Suite C, Tulsa, OK; stated this is for a new detached accessory structure on the northwest corner of the property. The old existing garage will be razed. The new building will be almost the same size as the older structure and it the new will be in the same location. The lower level is 600 square feet.

Mr. White asked Mr. Bowman if the neighbors to the north and to the west have given their blessing to the project. Mr. Bowman stated that he has not heard anything from the neighbors.

Mr. Van De Wiele asked Mr. Bowman about the three other existing garages. Mr. Bowman stated that they are all together and are six inches apart as far as the roofs. The garage to the north is a two-story structure and the one to the west is a one-story detached structure.

Mr. Bowman stated there are no windows on the north side of the building and there is one window that looks out to the west that views the roof of the detached neighboring garage. The building is under 18 feet and the dormers are 15 feet above finished grade. The overall plate is at 10 feet. The building will not be sublet or leased. The homeowners have a teenage daughter who has to live at home and that is the purpose of the proposed detached garage with living quarters. This will allow her to still live at home and have some independence. There is no kitchen range or cooktop but it does have a small kitchenette.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to exceed the permitted height of 10 feet at the top of the top plate for a detached garage; Variance to exceed one story in height (Section 210.B.5),

BOA-21913

FILE COPY

subject to conceptual plan 2.10 for the location and conceptual plan 2.12 for the height. The Board has found the garage to be constructed is generally in the same footprint and location as the garage to be demolished. There are other two-story garages in the vicinity and this is in keeping with the character and context of the neighborhood. 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 variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT 6 BLK 3, MAPLE HGTS ADDN. CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21928—Will Wilkens

Action Requested:

Special Exception to allow a duplex use in the RS-4 District (Section 401, Table 1);

Variance of the front yard setback from 20 feet to 14 feet (Section 403, Table 3);

Variance of the side yard setback from 15 feet to 5 feet (Section 403.A.5);

Variance from the stated Bulk and Area requirements in Section 404.C.1, 2 & 4.

LOCATION: 1024 North Denver Avenue West (CD 1)

Presentation:

William Wilkens, 615 North Cheyenne Avenue, Tulsa, OK; stated this request is for a corner lot on the southwest corner of Denver and Latimer. It is a non-conforming lot given the RS-4 restrictions. The overall width is 45 feet and in the RS-4 there is a 15 foot setback from the side street of Latimer which abuts a pedestrian bridge. This case passed through the Tulsa Preservation Commission (TPC) with overwhelming approval last week. There are prevailing duplexes within the neighborhood. This proposed duplex has been designed to conform to TPC standards.

Interested Parties:

Robert Getchell, 100 West 5th Street, Suite 1100, Tulsa, OK; stated he represents Mr. and Mrs. Randall Davis, who own the property immediately to the north of the subject property, and other home owners whose names were submitted to the Board. The neighbors oppose this application on a number of grounds. He has not heard anything other than what the plans are for the subject property. There has been no evidence or statements by the applicant to show why a Special Exception should be granted. Should a Special Exception be granted why should there be four separate Variances granted to allow this project to go forward. In order to grant the Special Exception the Board must find that the Special Exception would be in harmony with the spirit and the intent of the Code and not injurious to the neighborhood. This property is within the Brady Heights historic district. The Brady Heights new construction guidelines, which

Case No. 18286 (continued)

Pasadena, an addition to the City of Tulsa, Tulsa County, State of Oklahoma; thence due S parallel to the E boundary of said E/2 SE/4 NE/4, a distance of 489.29' to a point in the N right-of-way line of 45th Pl.; thence N 89°49'28" E along the N right-of-way line of 45th Pl., a distance of 355.00' to a point 50' W of the E boundary of said E/2 SE/4 NE/4; thence due N a distance of 489.29' to the point of beginning **AND TRACT II:** All that part of the E/2 of the SE/4 of the NE/4 of Section 25, T-19-N, R-12-E of the IBM, Tulsa County, State of Oklahoma, more particularly described as follows: commencing at the NE/c of said E/2 SE/4 NE/4; thence due S along the E boundary of said E/2 SE/4 NE/4, a distance of 330.63', thence South 89°49'28" W, a distance of 405' to the point of beginning, said point of beginning being the SE/c of Block 3, Pasadena, an addition to the City of Tulsa, Tulsa County, Oklahoma; thence S 89°49'28" W along the S boundary of Pasadena, an addition to the City of Tulsa, Tulsa County, Oklahoma, a distance of 150' to a point; thence due S parallel to the E boundary of said E/2 SE/4 NE/4, a distance of 489.29' to a point in the N right-of-way line of 45th Pl.; thence N 89°49'28" E along the N right-of-way of 45th Pl., a distance of 150' to a point 405' W of the E boundary of said E/2 SE/4 NE/4, thence due N a distance of 489.29' to the point of beginning

Case No. 18287**Action Requested:**

Variance of the setback from S. Peoria from 15' to 5' for a detached garage. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6** and a Variance of the allowable fence height in the front yard from 4' to 8'. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS**, located 1234 E. 20th St.

Comments and Questions:

Mr. White asked Mr. Beach if the second variance needs to be changed to a special exception per Staff comments and Mr. Beach replied affirmatively and reminded the Board that no hardship finding will be necessary.

Presentation:

The applicant, **Scott Sanford**, 1234 E. 20th St., submitted a site plan (Exhibit B-1), photos (Exhibit B-2) and stated that he is trying to renovate his house that was constructed in 1920. Their garage and parking spaces back out onto Peoria and they would like to build a full drive that would come off of 20th Street and go straight to the back of the house. Mr. Sanford stated that when the house was built in 1920, Peoria was just two lanes and now it is four lanes and their drive space has been cut in half. It has created a dangerous situation by having to back out onto Peoria. Mr. Sanford

Case No. 18287 (continued)

mentioned that there will be an 8' fence that will sit next to a 4' brick wall that is existing and the garage will be out of view from anyone driving down Peoria. The fence will be 8' tall and will be setback 10' from the property line. The fence will slope back down to 4' so people who will be pulling onto Peoria from 20th Street will be able to see oncoming traffic. Mr. Sanford submitted photos of his property and explained how the fence will be constructed.

Interested Parties:

None.

Comments and Questions:

Ms. Turnbo stated that she has no problem with this application because it will be less dangerous to pull out on 20th Street than to pull out onto Peoria Ave.

Mr. Beach does not believe that the applicant is advertised properly. The setback requirement for the garage from Peoria would be 70' from the centerline. It may be questionable about the way this was advertised because the applicant is wanting to build in the planned right-of-way.

Mr. Jackere found that the notice is flawed and needs additional relief. The case needs to be continued for additional notice.

Mr. Sanford did not agree with the continuance. Mr. Beach stated to the applicant that it must be readvertised. Because of the technical requirements of the Zoning Code and the way the notice was given, the Board does not have proper standing to hear the case and make a decision today.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins White "aye"; no "nays", Cooper "abstentions"; no "absent") to **CONTINUE** Case No. 18287 until the February 23, 1998 meeting.

Case No. 18287

Action Requested:

Variance from the required setback from the centerline of S. Peoria Ave. from 70' to 29.75'. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6** a Variance to permit a structure in the Planned Right-of-Way of S. Peoria Ave. **SECTION 215. STRUCTURE SETBACK FROM ABUTTING STREETS** and a Variance of the allowable fence height in the front yard from 4' to 8'. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS**, located 1234 E. 20th St.

Presentation:

The applicant, **Scott Sanford**, 1234 E. 20th St., stated that he is asking to construct a garage in his backyard and he is limited to a very small amount of space in which to do it. He now backs onto Peoria Ave. and he would like to move the garage so he does not have to do that now. The structure will be hidden by an 8' privacy fence that will run parallel down Peoria Ave.

Comments and Questions:

Ms. Turnbo asked Mr. Sanford if he would object to a removal contract with the City of Tulsa in case they ever widen Peoria. Mr. Sanford stated that if the City ever widened Peoria right there they would have to buy his house because the new right-of-way line would run through the middle of his property. Mr. Sanford agreed to a removal contract with the City of Tulsa.

Interested Parties:

None.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Variance of the setback from S. Peoria from 15' to 5' for a detached garage. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6** and a Variance of the allowable fence height in the front yard from 4' to 8'. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS**, subject to a removal contract along the right-of-way of Peoria Ave., finding the hardship to be the topography and size of the lot, on the following described property:

E/2, Lot 1, Block 4, Maple Heights Addition.



Feet

0 200 400

A horizontal number line with tick marks at 0, 200, and 400. The word "Feet" is centered above the line. The segment between 100 and 200 is shaded gray.

**Subject
Tract**

BOA-22464

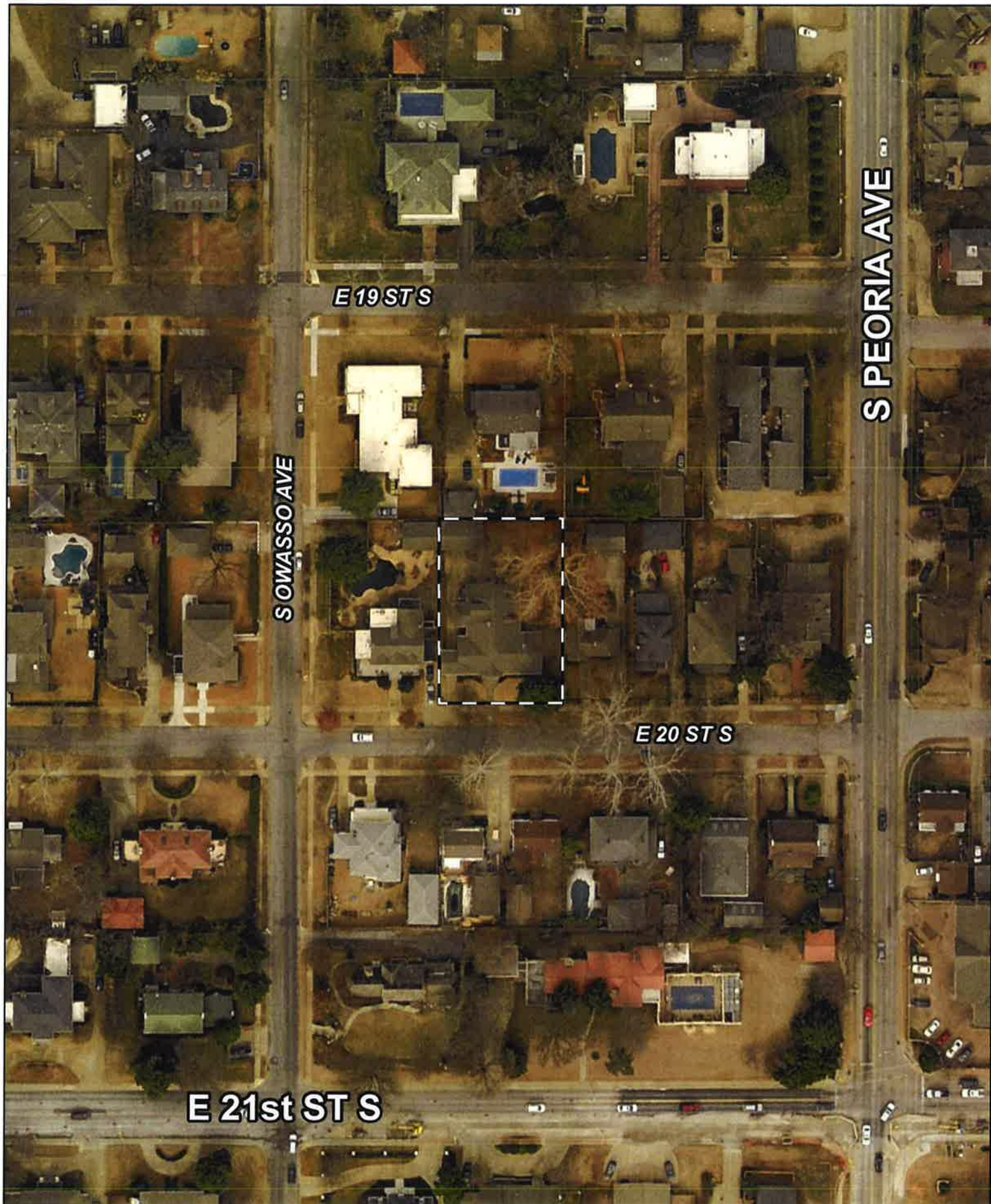
19-12 12

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

Aerial Photo Date: February 2018.



5.10



0 50 100
Feet



Subject
Tract

BOA-22464

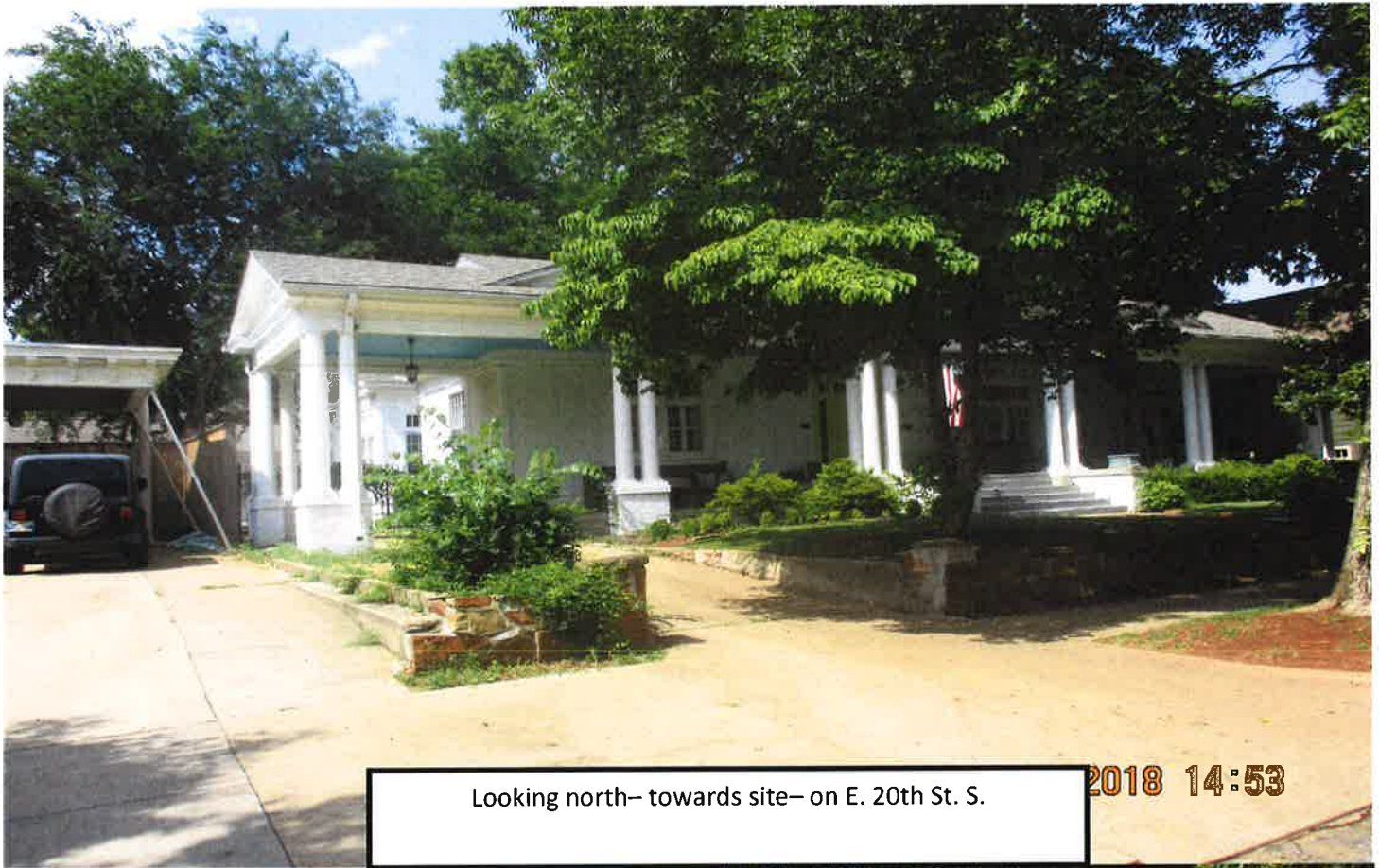
19-12 12

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

Aerial Photo Date: February 2018

5.11





Looking north— towards site— on E. 20th St. S.

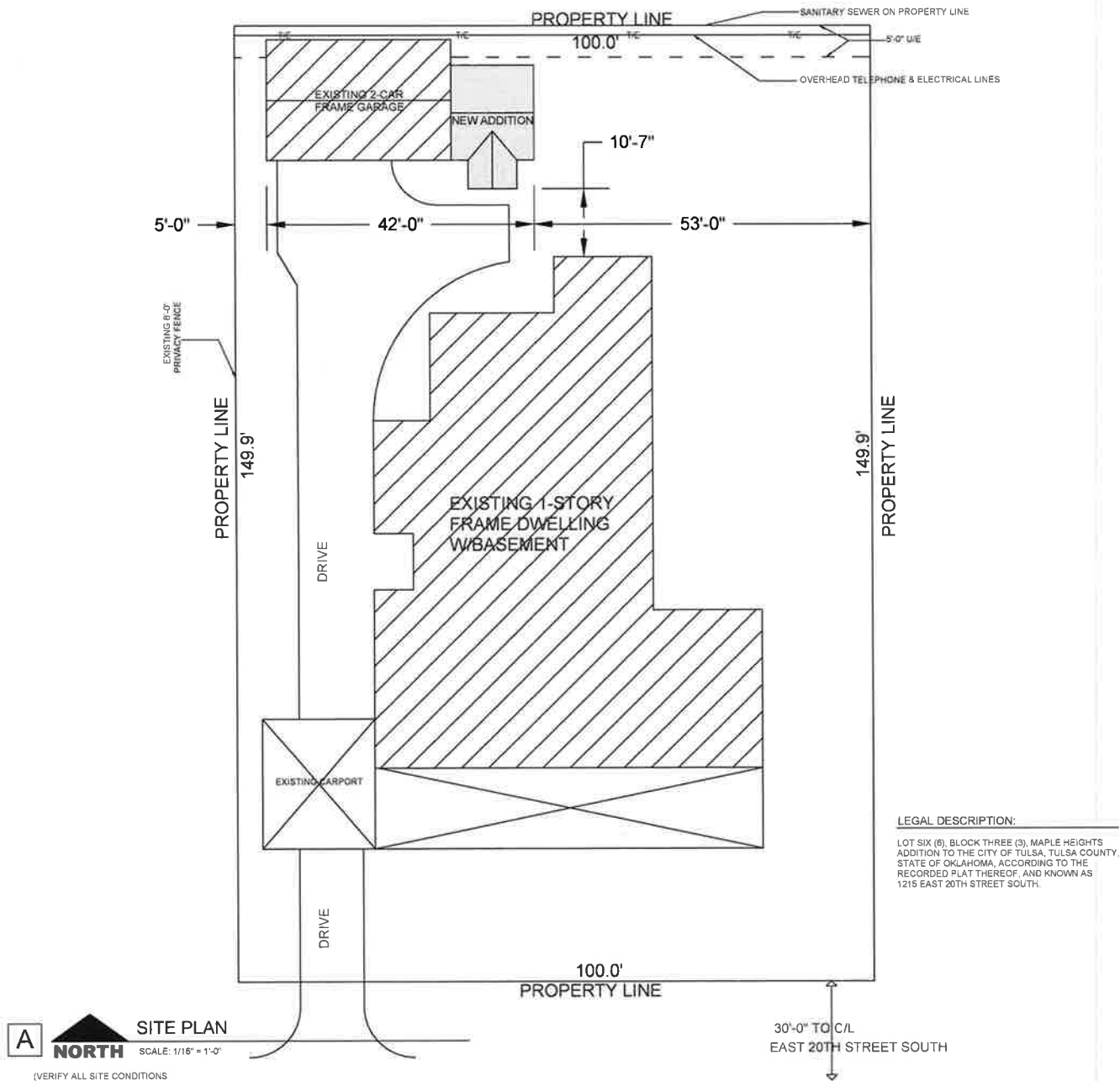
2018 14:53



Looking north— towards site— on E. 20th St. S.

07/02/2018 14:53

5/13



JOHN & TONJA CANNON RESIDENCE

TULSA, OKLAHOMA

1215 EAST 20TH STREET

☐ DRAWING TITLE:
SITE PLAN

☐ SCALE:
AS NOTED

☐ DATE: MAY 7, 2018

☐ REVISED DATE:



SHEET # **DRW 3**

TULSA, OKLAHOMA

1215 EAST 20TH STREET

☐ SCALE:
AS NOTED

☐ DATE: MAY 7, 2018

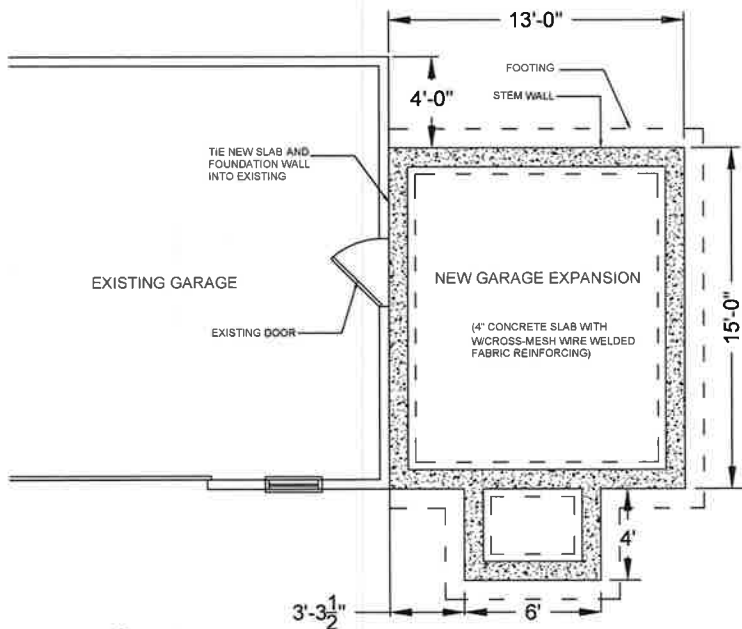
☐ REVISED DATE:
MAY 24, 2018

2501 EAST 15TH STREET Tulsa, Oklahoma 74104
OFFICE-918-582-5025 Ferrell710@aol.com

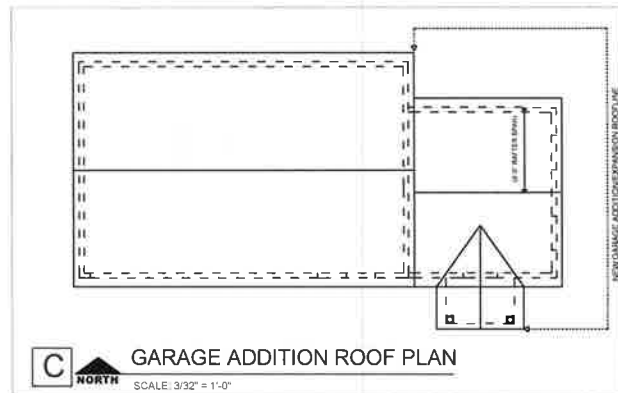
SHEET # DRW 1



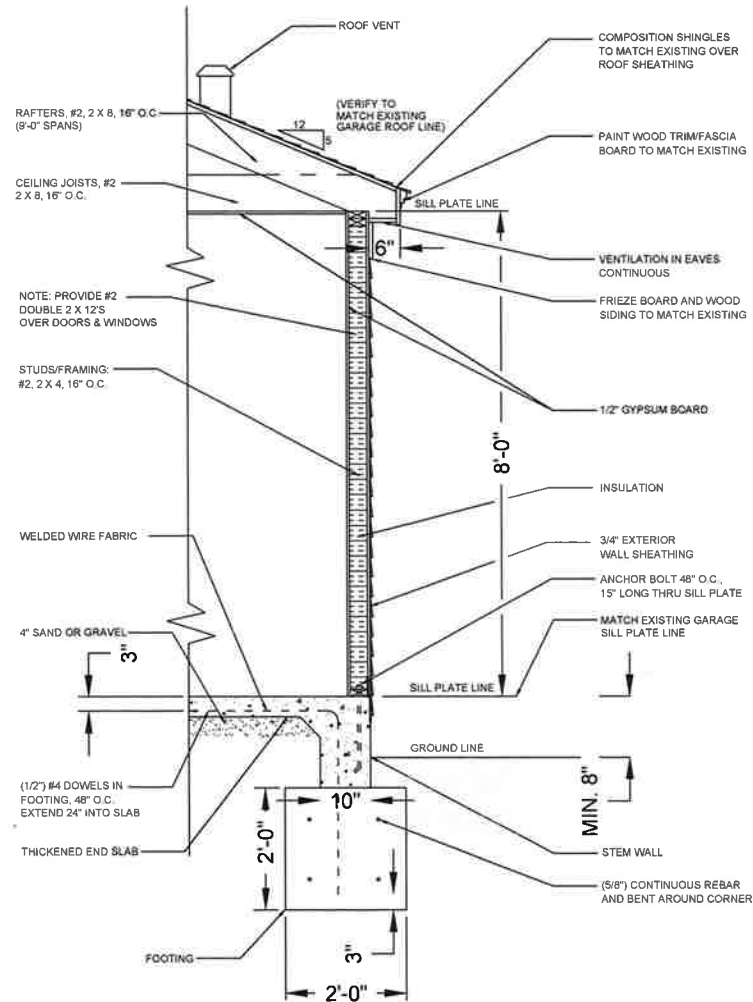
515



A **NORTH** SCALE: 3/16" = 1'-0"
(VERIFY ALL SITE CONDITIONS AND DIMENSIONS)



C **NORTH** SCALE: 3/32" = 1'-0"



B **NORTH** SCALE: 1/2" = 1'-0"

JOHN & TONJA CANNON RESIDENCE TULSA, OKLAHOMA 1215 EAST 20TH STREET

□ DRAWING TITLE:
GARAGE EXPANSION BONUS ROOM
FOUNDATION PLAN AND TYPICAL
BUILDING SECTION
□ SCALE:
AS NOTED
□ DATE: MAY 7, 2018
□ REVISED DATE:
MAY 24, 2018

**FERRELL
RENOVATION
MANAGEMENT**
2501 EAST 15TH STREET Tulsa, Oklahoma 74104
OFFICE-918-582-5025 Ferrell0710@aol.com

SHEET # **DRW 2**

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

May 29, 2018

John & Tonya Cannon
1215 E 20th St S
Tulsa, OK 74119

APPLICATION NO: **BLDR-001125-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1215 E 20th St S
Description: Accessory Building Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

5.16

REVIEW COMMENTS

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

Application No. BLDR-001125-2018

1215 E 20th St S

May 29, 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.

90.090-C.2 Detached Accessory Buildings

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

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

Review Comments:

#2. This lot is zoned RS-3. The rear setback is defined as the minimum distance set out by the zoning code of open unoccupied space between the rear lot line and the required rear setback (in your case, 20 feet from the rear property line). A maximum 30% area can be covered by the accessory building; (100' X 20' X 30%) allows 600 sq ft of coverage. You are proposing 722 sq ft of coverage in the rear setback. Revise your plans to show compliance or apply to BOA for a variance to allow more than 30% coverage in the rear setback.

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

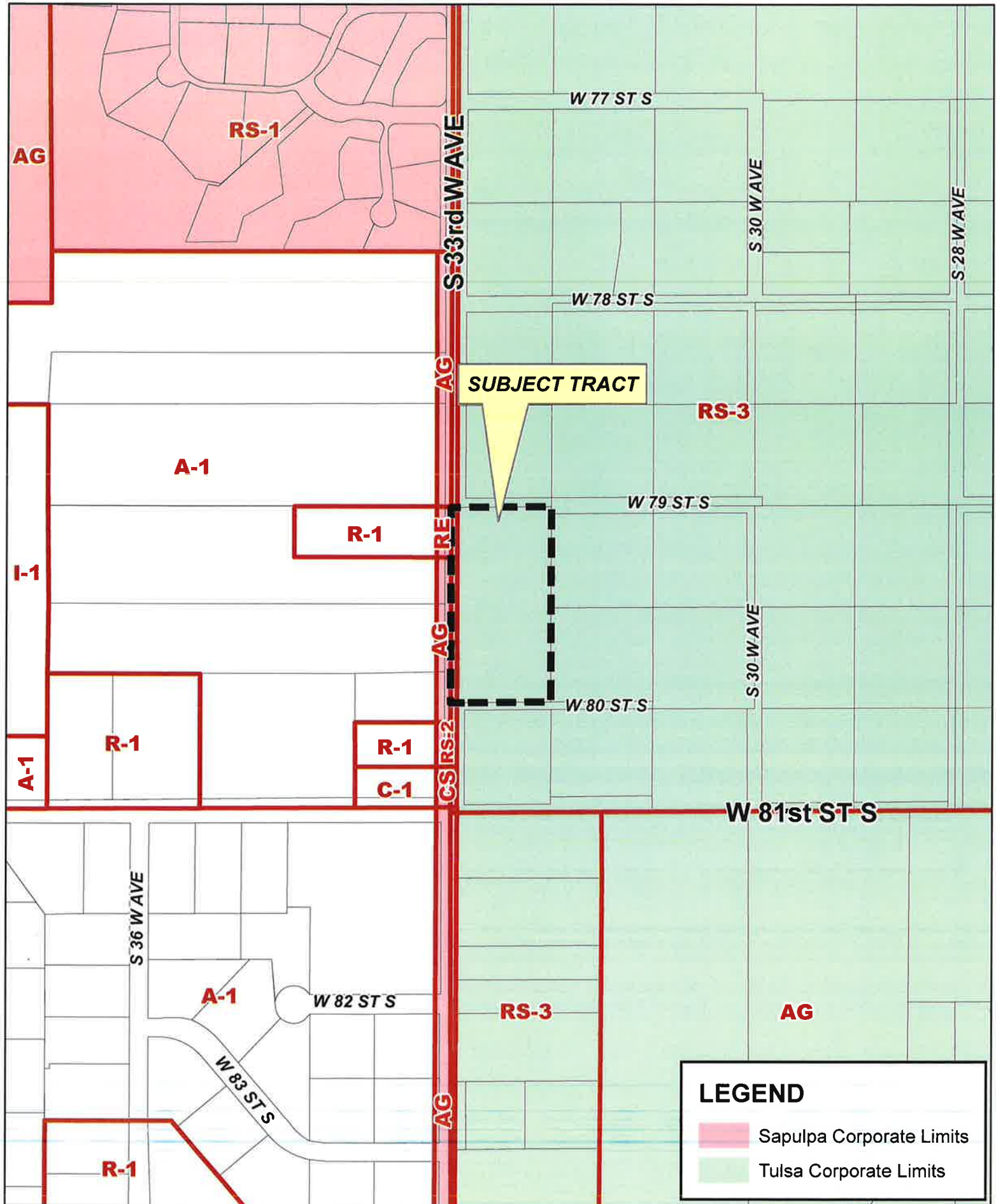
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

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

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

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BOA-22465

18-12 10

6.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 8210

Case Number: BOA-22465

CZM: 51

CD: 2

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Bryan Adams

ACTION REQUESTED: Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B);

LOCATION: 3225 W 80th ST S

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: ±4.81 acres

LEGAL DESCRIPTION: NW SW SW SW LESS S25 THEREOF & SW NW SW SW SEC 10 18 12 4.081ACS,

RELEVANT PREVIOUS ACTIONS:

None relevant.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residences to the north, south and east; and abuts Sapulpa Corporate limits to the west.

STAFF COMMENTS:

The Code states that in an RS-3 district detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, whichever is greater. Based on the size of the residence (3997 sq. ft.), the maximum allowed floor area for detached accessory buildings on the lot is 1,598 sq.ft. (40% of the principal residence). The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 1,598 sq. ft to 2,880 sq. ft.

In September 2013, the Tulsa Metropolitan Planning Commission approved a lot-combination (LC-521) at this property.

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B).

- 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."



0 200 400
Feet



Subject
Tract

BOA-22465

18-12 10

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

Aerial Photo Date: February 2018



S 33rd W AVE

W 80 ST S

0 Feet 50 100



Subject Tract

BOA-22465

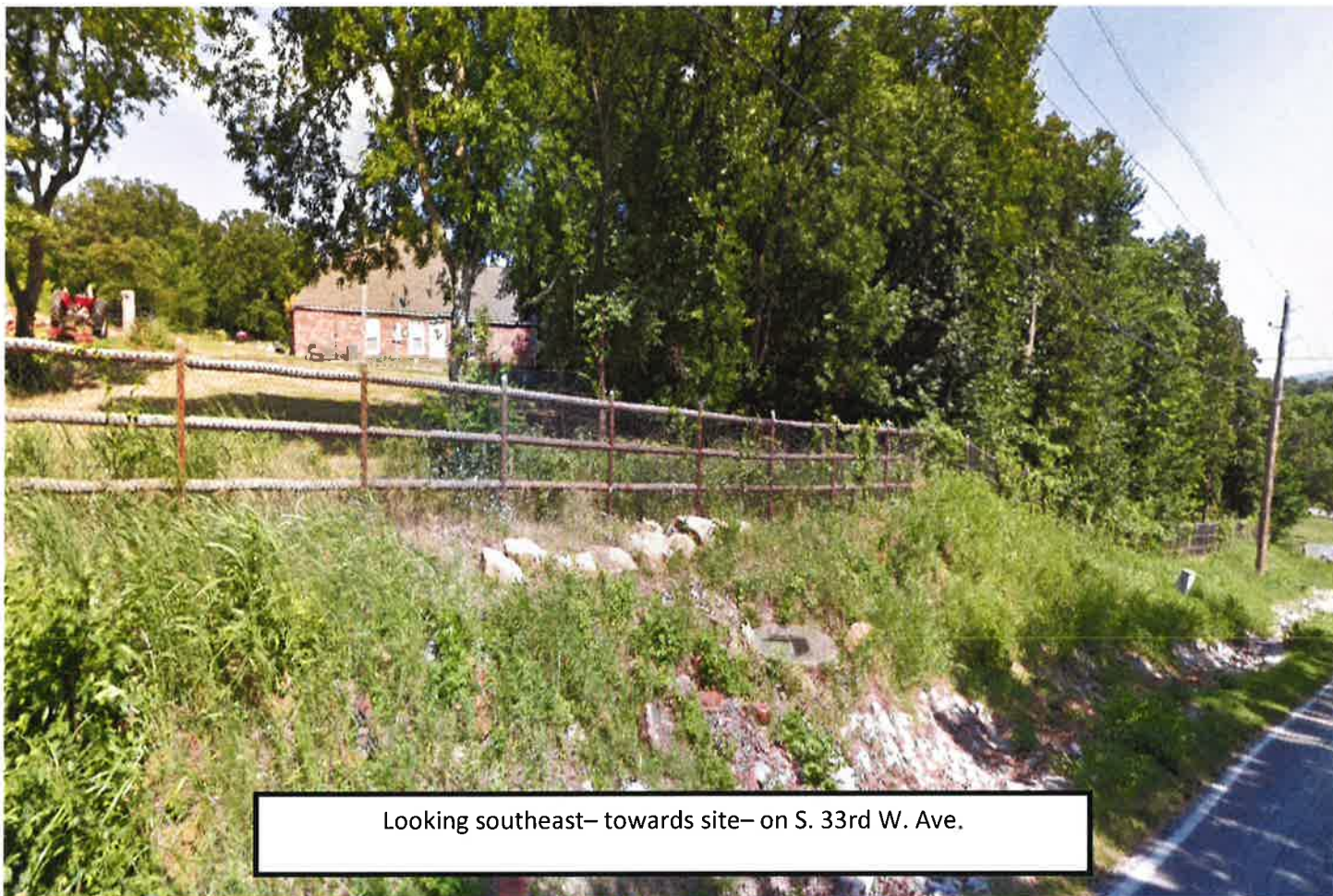
18-12 10

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

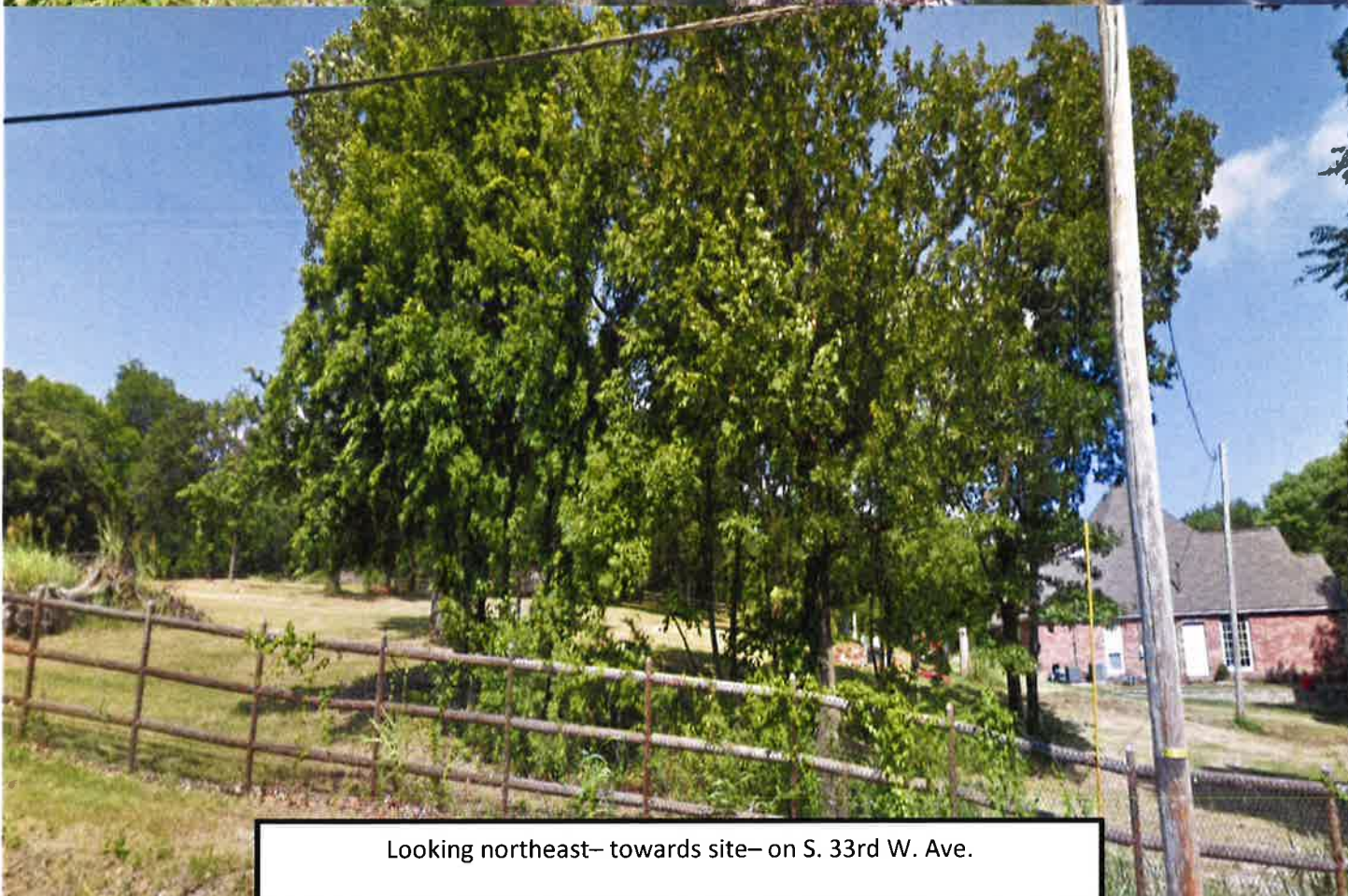
Aerial Photo Date: February 2018

6.5





Looking southeast— towards site— on S. 33rd W. Ave.

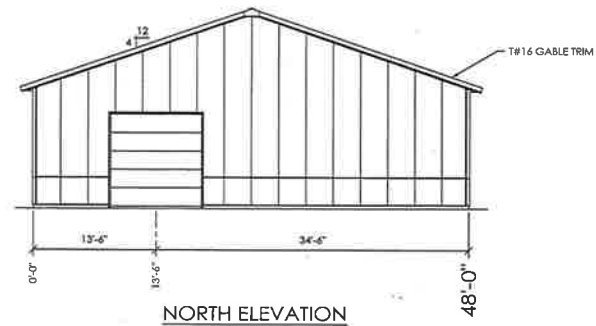


Looking northeast— towards site— on S. 33rd W. Ave.

OFFICE:
MUSKOGEE, OK

JOB NO.
070-078747

OK MATT KIRKLAND TULSA, OK
ALLIED DESIGN ARCHITECTURAL & ENGINEERING GROUP, P.C.
 100 S. FISHING, P.O. BOX 110, HORTON, LA 71557 COA 04/27/91 FE (ENG) PHONE NUMBER: 507-263-4105



DRAWN BY:	TRH
DATE:	5/4/2018
CHECKED BY:	V. DEVERA
DATE:	5/9/2018
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—



SCALE: AS NOTED
SHEET NO.
S4 OF S7

Number 

No records to display.

Corrections

 Export

Sort

Correction Order 

Correction Order:

0

Type:

General

Resolved:

No

Resolved On:

Comments

45.030-B RS-2, RS-3, RS-4 and RS-5 Districts
In RS-2, RS-3, RS-4 and RS-5 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

Corrective Action

Review comments: You are proposing 2880 sq ft of detached accessory structure floor area. The proposed detached structure exceeds 500 sq ft and 40% of the size of your house. Based on the size of your house (3997) you are allowed 1598 sq ft of detached accessory structures floor area on your lot. Reduce the size of your proposed detached accessory structure to be less than 1598 sq ft of total floor area or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

6.9

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9320

Case Number: **BOA-22468**

CZM: 47

CD: 9

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Brad Brown

ACTION REQUESTED: Variance to reduce the minimum lot width in an RS-1 District (Section 5.030-A) to permit a lot-split.

LOCATION: 2630 E 36 ST S

ZONED: RS-1

PRESENT USE: Vacant

TRACT SIZE: 42749.96 SQ FT

LEGAL DESCRIPTION: PRT LT 7 BLK 1 BEG NWC LT 7 TH E ON NL 150 TH S ON EL 284.30 TH W TO PT ON WL 285.40S OF NWC TH N ON WL TO POB, OAKVIEW ESTATES

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 12096: on 08.05.92, the Board **approved** a *Variance* of the required 55 feet setback from the centerline of Birmingham Avenue to 36 feet located at the northeast corner of East 37th Street South and South Birmingham Avenue (3641 South Birmingham Avenue).

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

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

The **Areas of Stability** include 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 by RS-1 zoned residences on the north, east and west; and RE zoned residences on the south.

7.2

REVISED 7/3/2018

STAFF COMMENTS:

As shown on the attached exhibit, the applicant is proposing to split the subject lot into two tracts; both proposed tracts will be $\pm 21,232$ sq. ft. and contain an average lot width of ± 74.5 ft. The Code requires that a RS-1 zoned lot maintain a lot area and lot area per unit of 13,500 sq. ft.; and a lot width of 100 ft.

To permit both tracts as proposed the applicant has requested a **Variance** to reduce the permitted lot width from 100 ft. to ± 74.5 ft. The applicant has provided the following hardship statement; *The platting of the property took place prior to the Zoning Code. A majority of the lots in the neighborhood are less than 100' wide and non-conforming.*

Sample Motion

Move to _____ (approve/deny) a Variance to reduce the minimum lot width from 100 ft to no less than 74' to permit a lot split in an RS-1 district. (Sec. 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.

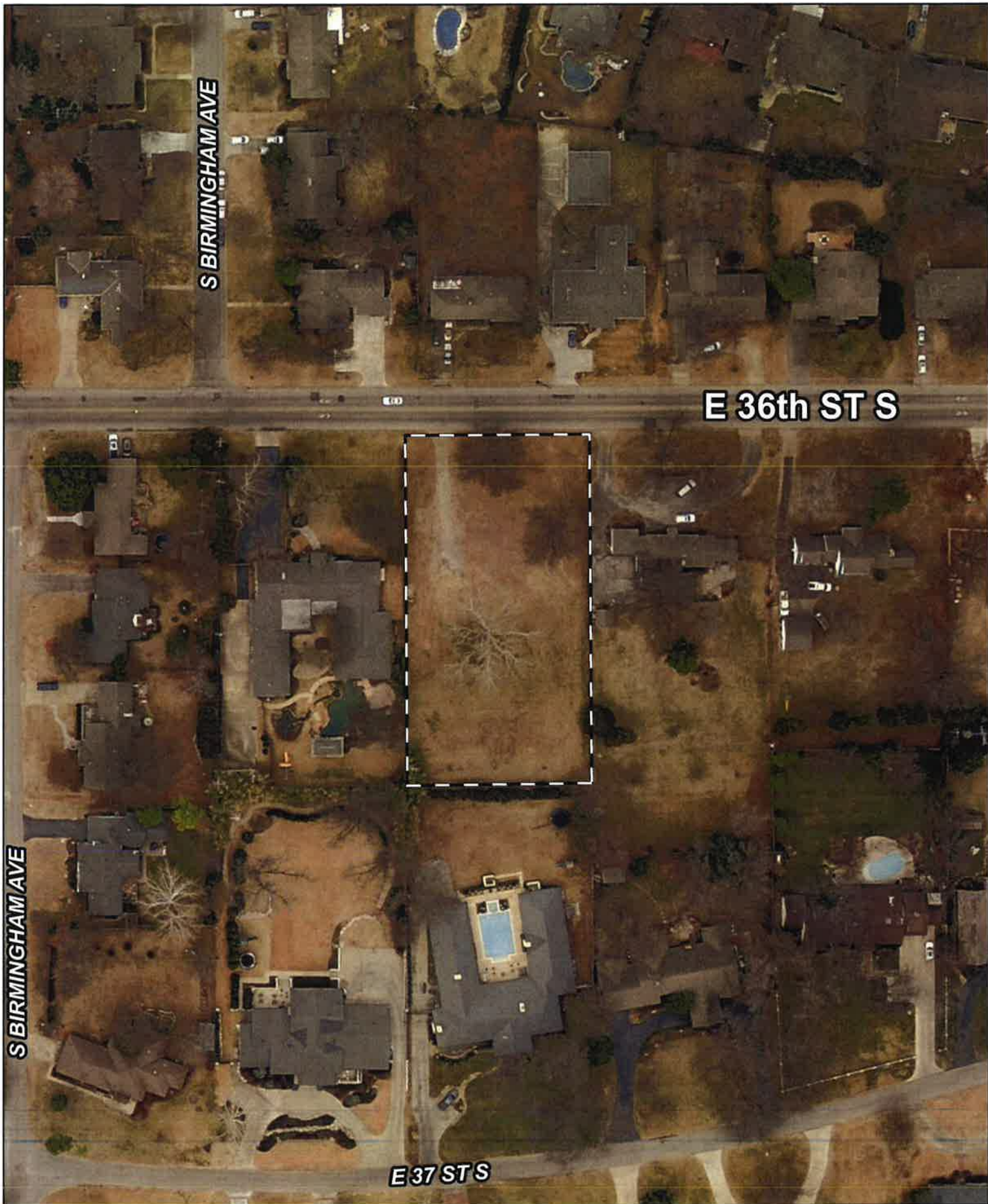
Mr. Smith asked if the mobile homes would be served by the sanitary sewer system and Mr. Lucero answered in the affirmative.

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'

8.5.82:368(7)



S BIRMINGHAM AVE

E 36th ST S

S BIRMINGHAM AVE

E 37th ST S



Subject
Tract

BOA-22468

19-13 20

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

Aerial Photo Date: February 2018

7.6





0 250 500
Feet



Subject
Tract

BOA-22468

19-13 20

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

Aerial Photo Date: February 2018



7.7

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I, ALBERT JONES III, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY STATE THAT THE ABOVE MAP REPRESENTS A SURVEY PERFORMED IN THE FIELD UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THE DATE THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF OKLAHOMA AS SET FORTH BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS OF THIS DATE.



2630 E 36th St.



WHITE SURVEYING COMPANY

• 8826 EAST 55TH PLACE TULSA, OKLAHOMA 74148 • (918) 663-8924



1"=40'

INVOICE NO.: FTA 17-86381
MORTGAGOR: THE CATHERINE ALLISON GREENE REVOCABLE TRUST

CLIENT: FIRSTTITLE & ABSTRACT SERVICES, LLC.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
118222

MORTGAGE INSPECTION REPORT

LEGEND

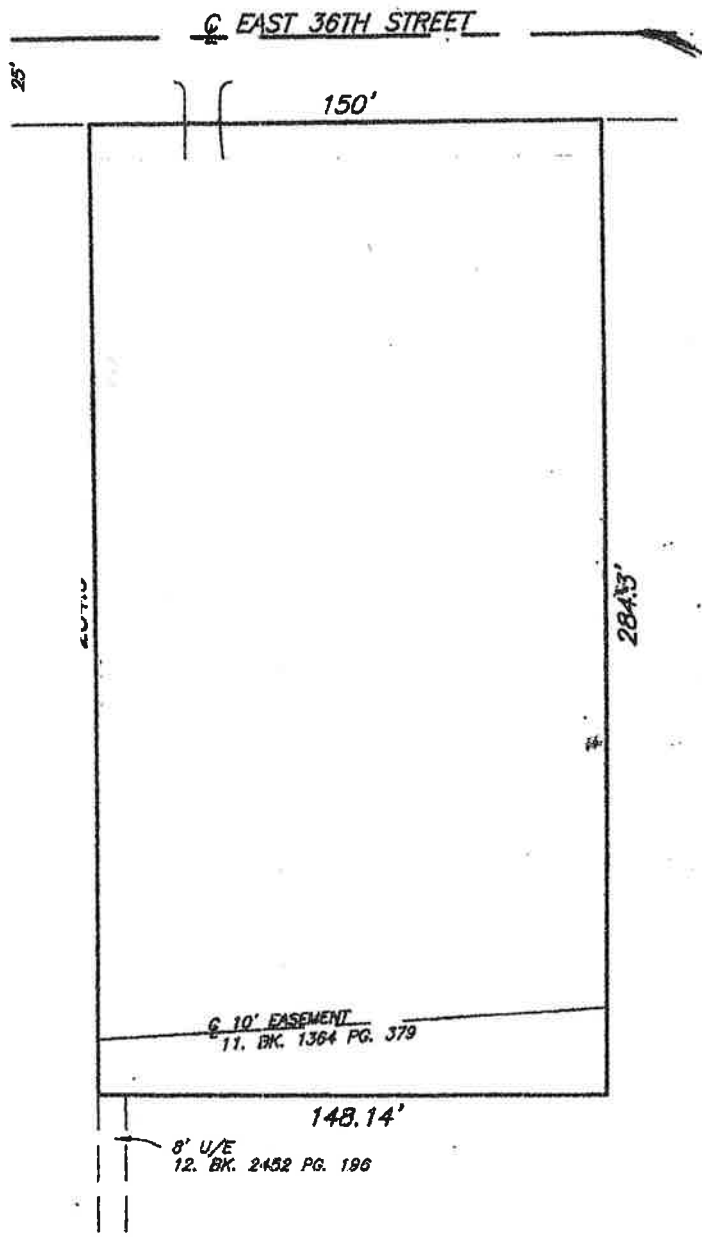
- FENCE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- M/P METERING POINT
- S/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
- B.L. BUILDING LINE
- O.B.L. OUTBUILDING LINE



BEFORE YOU DIG,
CALL OKC
1-800-522-8543

THIS PROPERTY LIES IN ZONE "X-UNSHADED" FLOOD
HAZARD AREA PER F.I.R.M. NUMBER 40143C0352L, AS
LAST REVISED 10/16/12.

existing
Lot

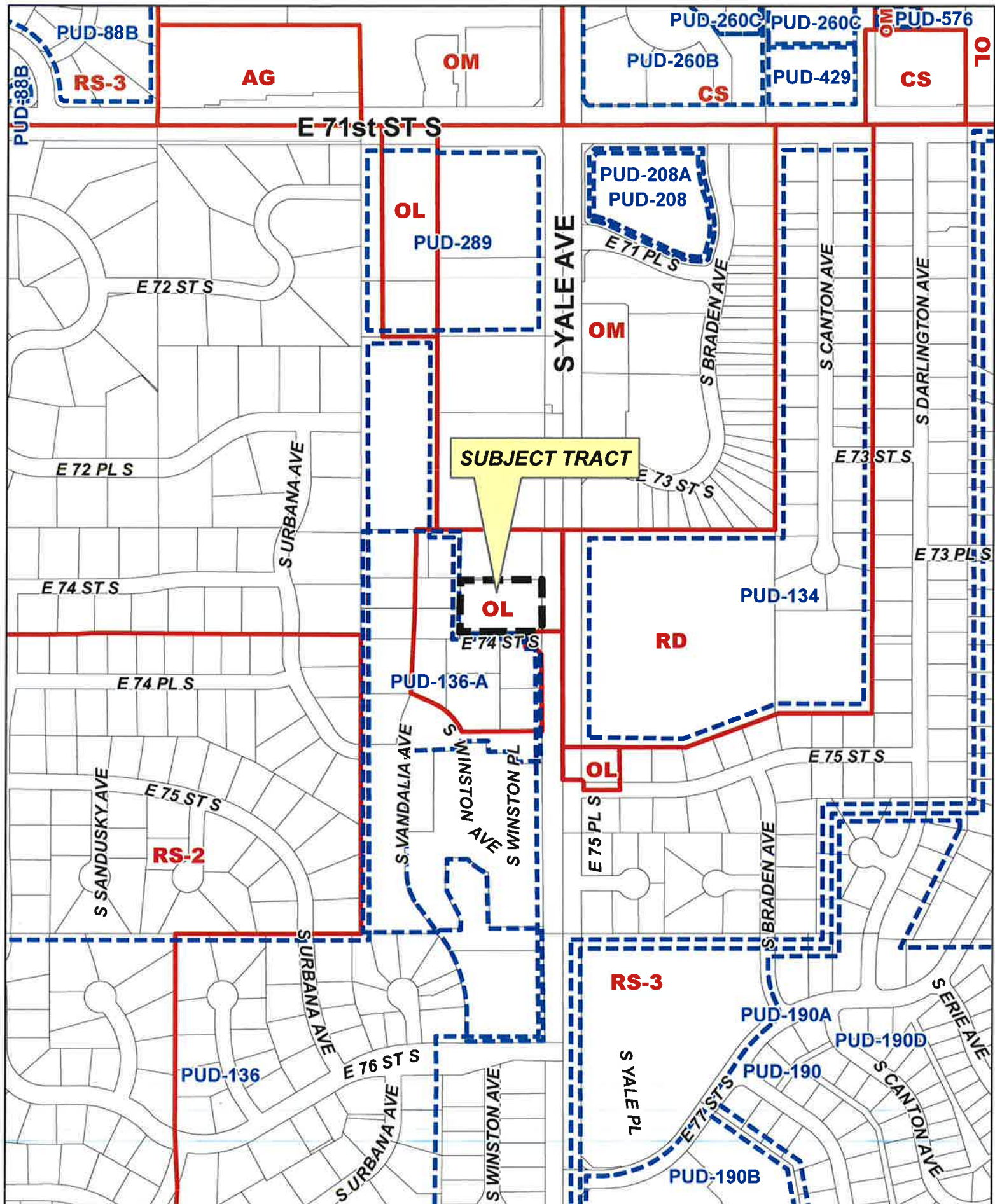


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BOA-22469

18-13 09

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BOARD OF ADJUSTMENT CASE REPORT

STR: 8309

Case Number: BOA-22469

CZM: 52

CD: 8

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Jack Arnold

ACTION REQUESTED: Variance to reduce the minimum frontage requirement in an OL district (Section 15.030-A) to permit a lot-split.

LOCATION: 7320 S YALE AV E

ZONED: OL

PRESENT USE: office

TRACT SIZE: ±1.04 acre

LEGAL DESCRIPTION: LT 2 LESS BEG SECR LT 2 TH W19.78 NE27.98 W19.82 POB BLK 1, STACY PARK, SILVER RIDGE, SILVER OAKS B1-5

RELEVANT PREVIOUS ACTIONS:

Surrounding properties:

BOA-12142: On 9.2.82 the Board **approved** a *variance* of the required 30 feet of lot frontage on a public street to 0 feet; a *variance* of the bulk and area requirements in the OL zoned district to permit a lot split. Located; immediately north of the subject property.

BOA-18053: On 5.26.98 the Board **approved** a *special exception* to allow an increase of the maximum floor area ratio of .30 to .40 in an OL district. Located; immediately north of the subject property.

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

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.

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

ANALYSIS OF SURROUNDING AREA: The subject tract is OL zoned tracts to the north; PUD zoned (PUD-136 & PUD-136-A) tracts, with underlying OL zoning, to the south and west; the tract abuts S. Yale Ave. to the east.

STAFF COMMENTS:

As shown on the attached exhibit, the applicant is proposing to split the subject lot into two tracts. The Code requires that a OL zoned lot have a minimum of 50 ft. frontage on a public street. Per the exhibit, the proposed western tract will have 5ft of frontage along S. Yale Ave.

To permit the lot-split as proposed the applicant has requested a **Variance** to reduce the 50 ft. minimum frontage requirement in an OL district

Sample Motion

Move to _____ (approve/deny) a **Variance** to reduce the minimum frontage requirement in an OL district (Section 15.030-A) to permit a lot-split.

- 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.”



0 200 400
Feet



Subject
Tract

BOA-22469

18-13 09

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

Aerial Photo Date: February 2018

8.4





S YALE AVE

E 74 ST S

S VANDALIA AVE

S WINSTON AVE



Subject
Tract

BOA-22469

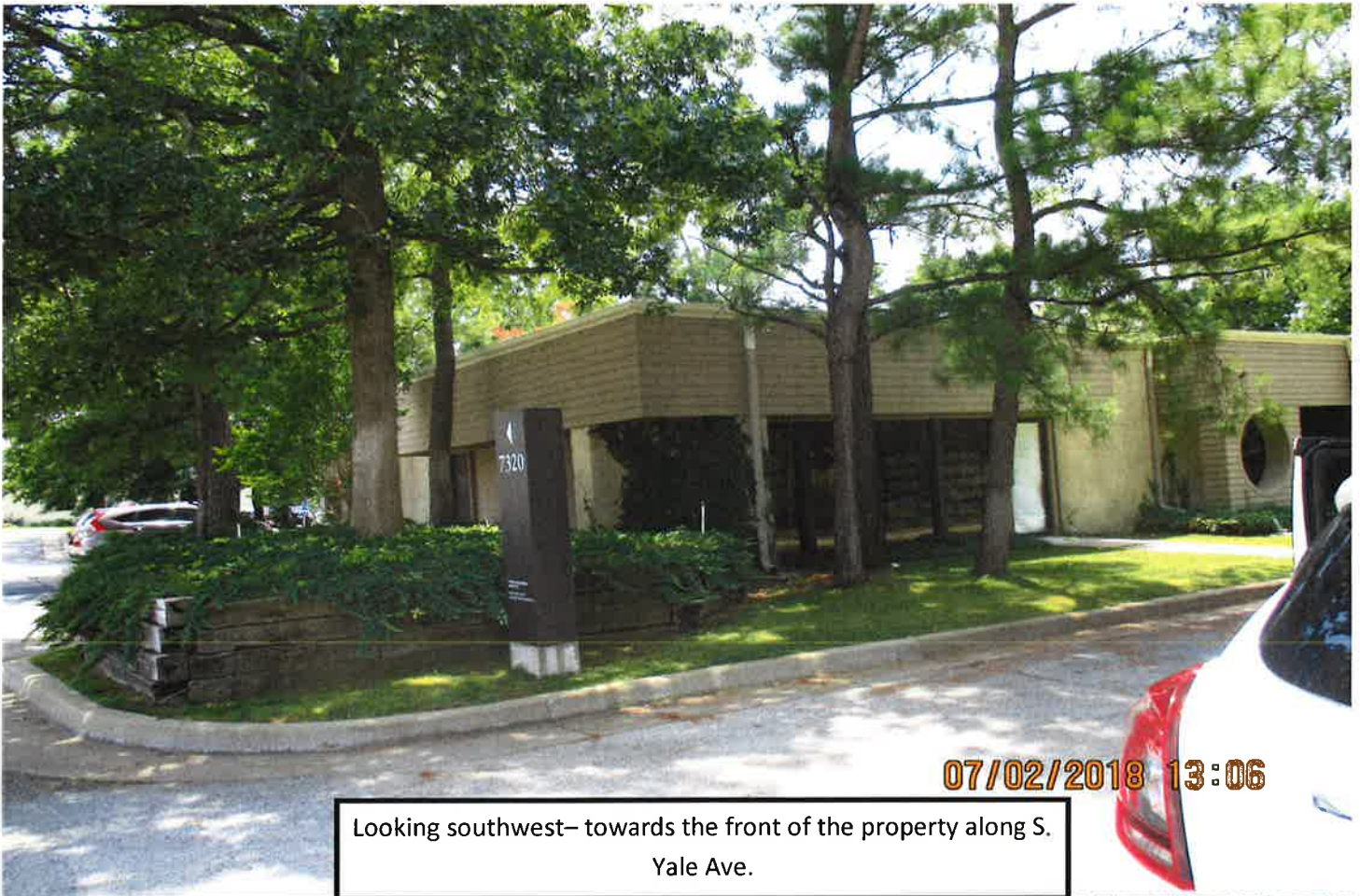
18-13 09

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

Aerial Photo Date: February 2018

8.5





Looking southwest- towards the front of the property along S.
Yale Ave.

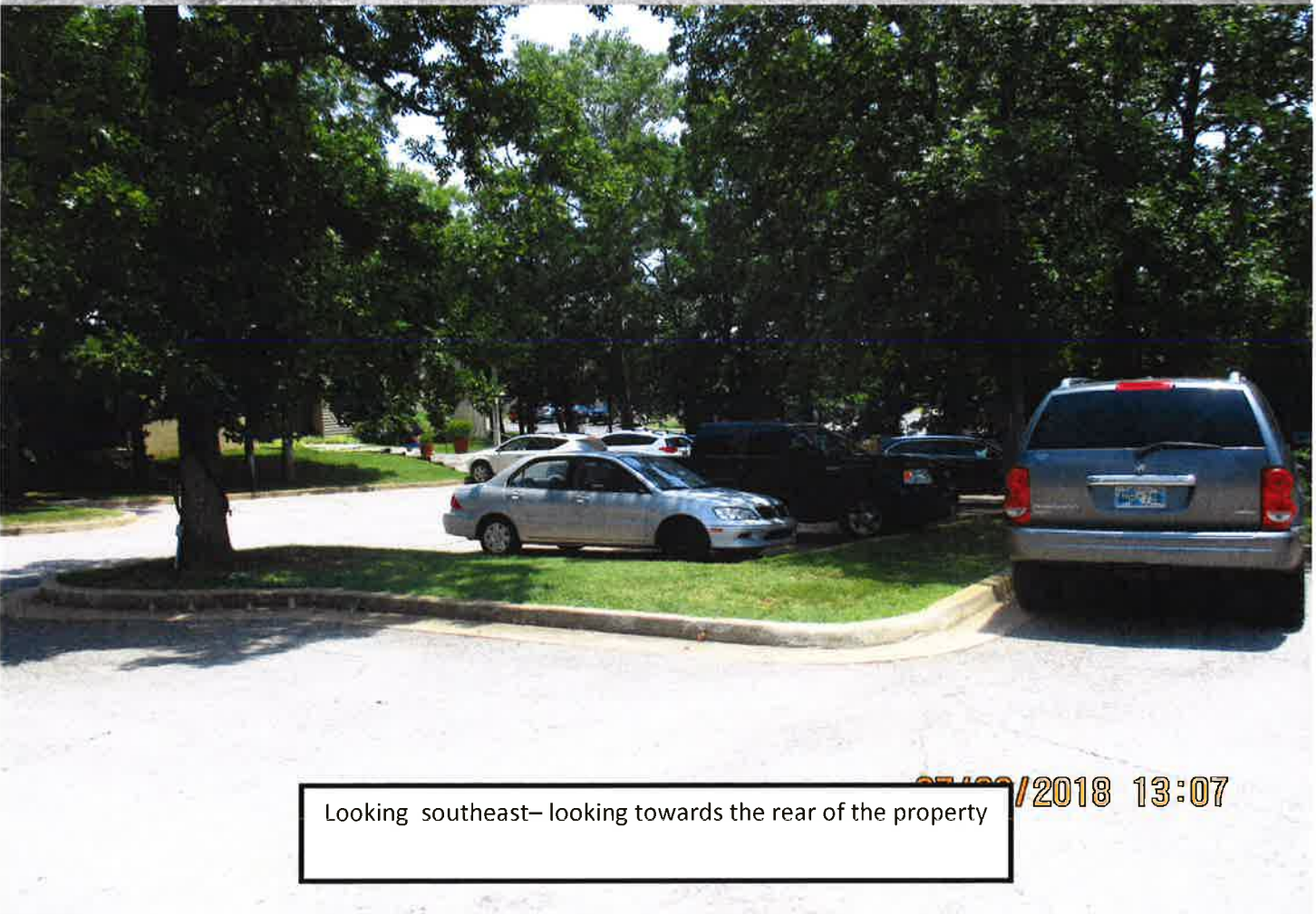


Looking south- towards the front of the property along S. Yale
Ave.



Looking east– looking towards the rear of the property

2018 13:07



Looking southeast– looking towards the rear of the property

07/29/2018 13:07

Case No. 18052

Action Requested:

Special Exception for church use, accessory parking. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** located 1607 Queen St.

Comments and Questions:

Mr. Beach stated that there was a timely request for continuance made by interested parties.

Tommy L. Jones, Jr., 1529 N. College, stated that his father wrote the letter for continuance of the application. Mr. Jones' mother and father are out of town and could not change their schedule. They had a meeting with the other party and at that meeting they were not able to get answers to their questions, that is the reason for the continuance. Mr. Jones stated that there was an informal meeting at the church, at the church's request, the pastor of the church was not there. There were several questions about survey plans, drainage plans, etc., nothing was available for them to look at.

Mr. White asked Mr. Tom Jones if another meeting has been scheduled. Mr. Jones answered no.

Pastor Harold W. Jones, 1609 N. Evanston Place, stated that the meeting was called to see if they could do anything to settle the dispute with the neighbors.

Mr. White asked Pastor Jones if it would be a problem if the Board continued the application to June 9, 1998 for the church to have an opportunity to meet with the opposition. Pastor Jones answered that it would be no problem.

Board Action:

On **MOTION** of **COOPER**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White, "aye"; no "nays", no "abstentions"; no "absent") **CONTINUE** Case No. 18052 to the meeting of June 9, 1998.

Case No. 18053

Action Requested:

Special Exception to allow an increase of the maximum floor area ratio of .30 to .40. **SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS.**

Presentation:

The applicant, **James E. Stanton**, represented by **Jack Arnold**, 7318 S. Yale, stated that his offices are adjacent to the property mentioned in the application. Mr. Arnold stated that they are planning to build an office building at 7310 S. Yale. There are two buildings currently together on two acres, 43,000 SF. There is a sloping lot which is

Case No. 18053 (continued)

about 12' in grade. They would like to take advantage of the slope and put a basement underneath. Therefore, that would require a variance from a .3 floor area ratio to a .4. Mr. Arnold stated that if a person were to utilize the entire square footage of the land, even with the variance they are asking for they will only be .22 coverage.

Comments and Questions:

Mr. White asked if there would be any change in the height of the building. Mr. Arnold answered yes.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Perkins, White, "aye"; Turnbo "nays", no "abstentions"; no "absent") to **APPROVE** Special Exception to allow an increase of the maximum floor area ratio of .30 to .40. **SECTION 603. BULK AND AREA REQUIREMENTS IN THE OFFICE DISTRICTS** per plan submitted, on the following described property:

N 159.70' W 122.68' & N 5' E 147' L.1 B. 1 Stacy Park, City of Tulsa, Tulsa County, Oklahoma,

Case No. 18054

Action Requested:

Variance of required 5' side yard to 0.9' to allow an existing carport. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** located 4143 S. Norfolk Ave.

Presentation:

The applicant, **Steve McGinnis**, 4143 S. Norfolk, stated that there is a carport that has been there for 20 years.

Comments and Questions:

Mr. Dunham asked the applicant what the reason was for the application. Mr. McGinnis answered that he has sold the house and they are making it a requirement that the existing carport be approved.

Board Action:

On **MOTION** of **COOPER**, the Board voted 4-0-1 (Cooper, Dunham, Turnbo, Perkins, "aye"; no "nays", White "abstentions"; no "absent") to **APPROVE** Variance of required 5' side yard to 0.9' to allow an existing carport. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** per plan submitted, on the following described property:

Case No. 12114 (continued)

Liberty Towers. Mr. Levy presented the District 7 Plan Map showing the subject area and indicated that it is for high intensity use and for commercial purposes. The subject property which is located in Sub-area A is designated for high intensity commercial use.

Protestants:

James E. Walker, 1639 South Cheyenne Avenue, was present and submitted a protest petition containing approximately 114 signatures of the surrounding neighbors (Exhibit "A-2"), and twelve (12) photographs of the subject property and surrounding properties (Exhibit "A-3"). He advised that he and the neighbors in the immediate area are in opposition to the parking lot.

Milton Cochran, 1524 South Cheyenne Avenue, was present in protest to the application requesting that the area remain residential in nature.

Kenneth Kelly, 231 Hazel Boulevard, was present and submitted six (6) pictures of the property which he owns, 1603 and 1605 South Cheyenne (Exhibit "A-4"). He advised that he has spent a large sum of money in improving the condition of the duplex and is fearful that the property value will decrease if the application is approved.

Dawna Menges, 213 West 17th Street, was present in protest to the application and requested that the area remain residential in nature.

Board Comments:

Discussion ensued concerning the District 7 Plan Map and its accuracy. Mr. Compton advised that the Plan Map was developed in 1970 and they are constantly updated annually. The Sub-area "A", as was referred to, is office and commercial and high intensity use according to the text.

Applicant's Rebuttal:

Mr. Levy advised that the area is not only a single-family residential area, but is also being used for apartments, office buildings, business establishments and parking lots...

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 DENY a Special Exception (Section 410 - Principal Uses Permitted in the Residential District) for off-street parking in an RM-2 District, on the following described property:

Lots 1 and 2, Block 9, Stonebraker Heights, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12142

Action Requested:

Variance - Section 207 - Street Frontage Required - Request for a variance to have less than 30' on a dedicated street to permit a lot-split; and a Variance - Section 630 - Bulk and Area Requirements in the Office District - Request for a variance of the bulk and area requirements to permit a lot-split. This property is located north of the NW corner of 74th Street and Yale Avenue.

9.2.82:370(2)

8.10

Case No. 12142 (continued)

Presentation:

Jack Arnold was present representing the applicant, Roberta Wren, 7318 South Yale Avenue, and Design Properties. Mr. Arnold submitted a plat of survey (Exhibit "B-1") and six (6) photographs of the subject property (Exhibit "B-2").

Mr. Arnold advised that there is presently an office building on the subject property and another office building is proposed behind the existing building. It was always the intent for the proposed building to be constructed behind the existing building. The lot which is intended to be split will be 20,000 square feet and utility service, City sewer, electricity and gas lines are already in place on the lot.

Protestants: None.

Board Comments:

Mr. Compton advised that the Planning Commission approved the lot-split, subject to this Board's approval of the application and the grading plan.

Discussion ensued concerning the application being properly advertised. Mr. Pauling, Legal Council, advised that the Board could hear the case but the first variance falls under Section 630 of the Zoning Code.

Discussion ensued concerning mutual easement always being provided to the subject property and Mr. Arnold assured the Board that there would always be mutual easement to the property as stated in the abstract.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-0-1 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; none "absent") to approve a Variance (Section 630 - Bulk and Area Requirements in the Office Districts) of the frontage requirement to permit a lot-split; and a Variance (Section 630 - Bulk and Area Requirements to permit a lot-split (L-15525) on the following described property:

Lot 1, Block 1, Stacey Park Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 12144

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the setback from an abutting R District. This property is located at 8107 East Admiral Place.

Presentation:

Mike Auxier, 12248 East 60th Street, was present and submitted the site plan (Exhibit "C-1") and the drainage plan (Exhibit "C-2"). Mr. Auxier advised that an office building is presently being constructed on the subject property. Because of the steepness in the front of the lot, the variance of the 25' rear setback is requested to allow more parking. It would eliminate some of the parking in the front which is too steep.

Mr. Auxier advised that the application was continued from the last meeting because the application had not been properly advertised. A portion of the application was approved at the previous meeting.

9.2.82:370(3)

8.11

STACY PARK, LOT 2 LOT SPLIT – LEGAL DESCRIPTION OF EACH PARCEL

TRACT 1 LEGAL:

An easterly and southerly portion of Lot 2, Block 1, Stacy Park, An Addition To The City Of Tulsa, Tulsa County, Oklahoma. Being more particularly described as follows, to-wit:

Commencing at the Northeast corner of SE/4 NE/4 SE/4 NE/4 of Section 9, T 18 N, R 13 E of the Indian base and meridian; thence S89°56'52"W along the North boundary of said SE/4 NE/4 SE/4 NE/4 a distance of 79.78' to the point of beginning; thence S89°56'52"W a distance of 249.57' along the northerly boundary of said SE/4 NE/4 SE/4 NE/4 and southerly boundary of Stacy Park Addition to the SW corner of Lot 2, Block 1, Stacy Park; thence N0°03'08"W a distance of 5.00' to a point along the westerly boundary of Lot 2, Block 1, Stacy Park; thence N89°36'52"E a distance of 81.35'; thence N0°03'08"W a distance of 95.00'; thence N89°36'52"E a distance of 18.00'; thence N89°36'52"E a distance of 59.69'; thence N89°36'52"E a distance of 170.00' to a point along the easterly boundary of Lot 2, Block 1, Stacy Park; thence S0°10'15"E along the easterly border of Stacy Park Addition a distance of 139.87' to a point; thence S46°18'47"W a distance of 28.00' to the point of beginning.

TRACT 2 LEGAL:

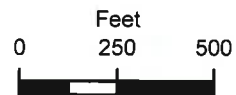
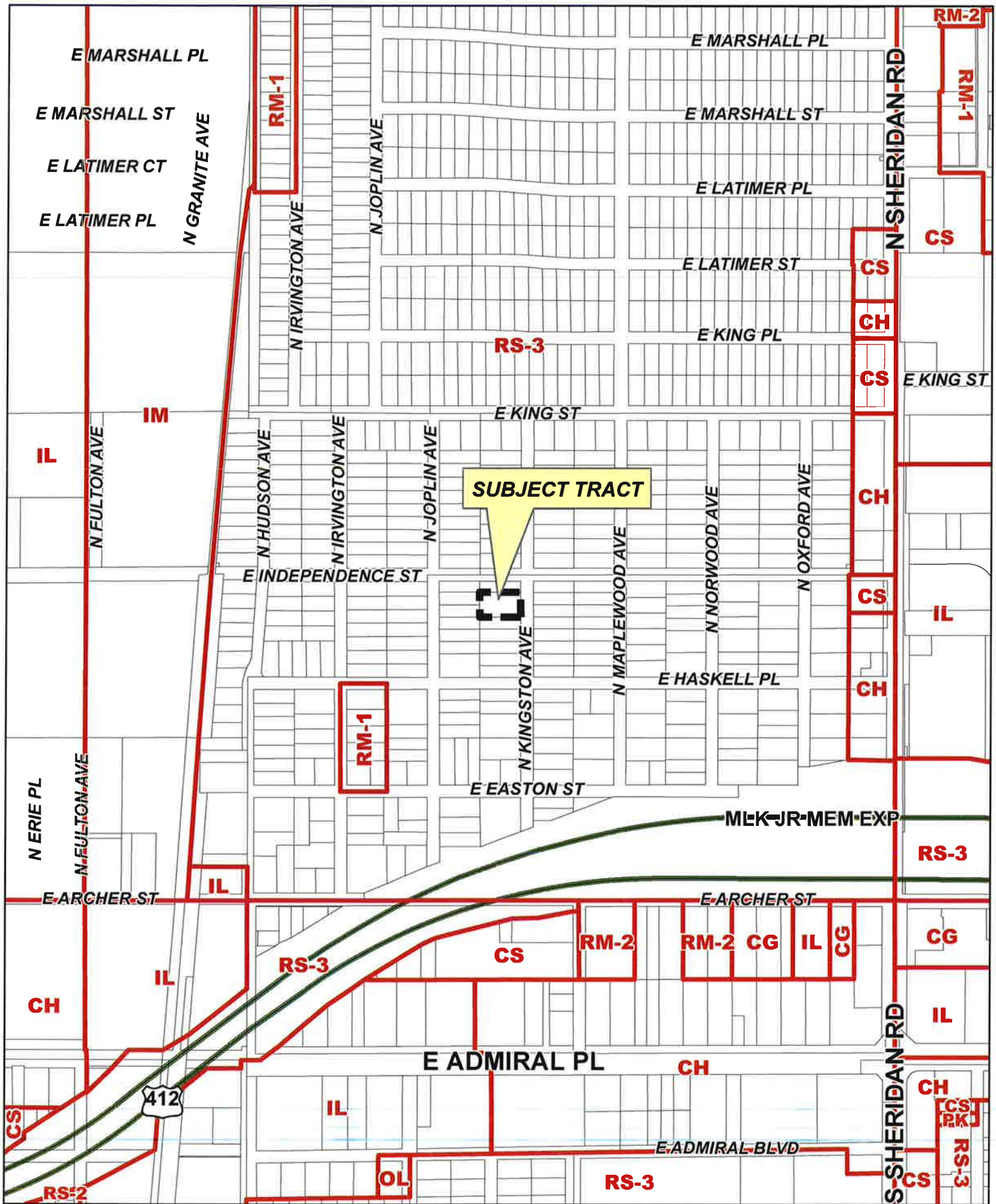
A westerly and northerly portion of Lot 2, Block 1, Stacy Park, An Addition To The City Of Tulsa, Tulsa County, Oklahoma. Being more particularly described as follows, to-wit:

Commencing at the Northeast corner of SE/4 NE/4 SE/4 NE/4 of Section 9, T 18 N, R 13 E of the Indian base and meridian; thence S89°56'52"W along the North boundary of said SE/4 NE/4 SE/4 NE/4 a distance of 329.35' to the SW corner of Lot 2, Block 1, Stacy Park; thence N0°03'08"E a distance of 5.00' to the point of beginning along the westerly boundary of Lot 2, Block 1, Stacy Park; ; thence N89°36'52"E a distance of 81.35'; thence N0°03'08"W a distance of 95.00'; thence N89°36'52"E a distance of 18.00'; thence N0°03'08"E a distance of 59.69'; thence N89°36'52"E a distance of 170.00' to a point along the easterly boundary of Lot 2, Block 1, Stacy Park; thence N0°03'08"E a distance of 5.00' to the NE corner of Lot 2, Block 1, Stacy Park; thence S89°56'52"W a distance of 269.35' along the northerly boundary of Block 2, Block 1, Stacy Park to the NW corner of Lot 2, Block 1, Stacy Park; thence S0°10'15"E a distance of 159.69' to the point of beginning.

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BOA-22470

20-13 34

9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0334

Case Number: **BOA-22470**

CZM: 30

CD: 3

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Jody Cole

ACTION REQUESTED: Variance to permit an accessory building to exceed 40% of the floor area of the principal residential structure (Sec. 45.030-B)

LOCATION: 724 N KINGSTON AV E

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 16360.07 SQ FT

LEGAL DESCRIPTION: N 50 S 100 & S50 N94.2 LT 1 BLK 5, FAIRLAND ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: No relevant history

Surrounding Properties:

BOA-20568; on 09.11.07 the board **denied** a *variance* of the maximum permitted square footage for a detached accessory building in the RS-3 district from 500 sq. ft. to 1,200 sq. ft. (Section 402.B.1.d), finding it is out of proportion for the neighborhood and a lack of hardship; located at 6303 East King Street North.

BOA-19680; on 10.14.03 the board **denied** a *variance* of required 5 ft. yard to 1.4 ft. to permit the addition of a garage in an RS-3 district, finding lack of a hardship; located at 822 North Kingston Avenue.

BOA-11496; on 6.11.81 the board **denied** a *variance* of the side yard requirements from 5' to 1'3" to enlarge a non-conforming garage in a RS-3 zoned district; located at 808 North Kingston Avenue.

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

9.2

sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 residential to the north, south, east, and west.

STAFF COMMENTS:

The Code states that detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, **whichever is greater**. Based on the size of the residence/attached garage, as shown on the submitted site plan, the maximum allowed floor area for detached accessory buildings on the lot is 500 sq. ft. (40% of the principal residence). The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 500 sq. ft. to 670 sq. ft.

In February 2017, the Tulsa Metropolitan Planning Commission approved a lot-combination (LC-854) for the subject property. The applicant has stated that, "*The lot-combination has created a non-conformance*".

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B).

- 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.”

W 150 LT 4 BLK 6, CEDAR GARDENS, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20568

Action Requested:

Variance of the maximum permitted square footage for a detached accessory building in the RS-3 district from 500 sq. ft. to 1,200 sq. ft. (Section 402.B.1.d), located: 6303 East King Street North.

Presentation:

Tim Taylor, 6306 East King Street, submitted a site plan and photographs (Exhibit F-1). He proposed to construct an accessory building to store his personal truck, tools and equipment. He does not plan to operate a business. There will not be any plumbing to the building. He has obtained large tools to work on the restoration of the truck that he needs room to store.

Comments and Questions:

Ms. Stead stated the building was too large in comparison to his house. Mr. Stephens asked for the hardship. He stated the hardship is that it would be difficult to add on to his house and preserve the patio. Mr. Henke advised it would be better to add on to his house. Ms. Stead informed Mr. Taylor that he could build 500 sq. ft. without Board approval. Mr. Taylor noted there are other large buildings in the neighborhood.

Interested Parties:

Carl Parson, 30355 South 4230 Road, Inola, Oklahoma, stated he is the contractor for this project. He indicated this would be an improvement to the property and the neighborhood. He noted the precedent has been set in the neighborhood.

Board Action:

On **Motion of White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a Variance of the maximum permitted square footage for a detached accessory building in the RS-3 district from 500 sq. ft. to 1,200 sq. ft. (Section 402.B.1.d), finding it is out of proportion for the neighborhood and a lack of hardship, on the following described property:

LT 25 BLK 21, MAPLEWOOD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

screening and the close proximity was only being traded from one group of homeowners to another. He asked for a new proposal from the applicant. Ms. Perkins asked what he would suggest. He proposed the parking lot site as an obvious alternative.

Carroll Webb, 4923 E. 102nd, expressed concern that if they already need more space, within the five years they would ask for more pre-manufactured buildings.

Dick Hackbarth, 4910 E. 102nd St., 4910 E. 102nd St., suggested a taller fence, and shrubs or trees.

Applicant's Rebuttal:

Mr. Moody emphasized that this is not a mobile building but a pre-fabricated building that would be placed on a slab. The school is willing to plant 20 pine trees, 20' high along the west boundary along the fence. There would be two classrooms with an entrance at the center of the building.

Board Action:

On **Motion of Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Stephens "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** an Amendment of a previously approved site plan (BOA 11843) to permit temporary classrooms, per plan submitted today, with conditions: the applicant will plan 20 pine trees, 20' tall between the new building and neighbors to the west beginning no further south than the north line of the existing building and extend north beyond the location of the proposed building; and not to exceed a five year time limit for the temporary building, on the following described property:

Lot 1, Block 1, Life Christian Center, City of Tulsa, Tulsa County, State of Oklahoma.

*****.

NEW APPLICATIONS

Case No. 19680

Action Requested:

Variance of required 5' side yard to 1.4' to permit the addition of a garage in an RS-3 district. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6, located: 822 N. Kingston Ave.

Presentation:

Linda Loflin, 822 N. Kingston Ave., stated she built a garage a year and one-half ago. She added that it was built too close to the property line and she did not get a building permit. She explained that she built it for her safety and could not build it farther away because of the steps onto her carport, the utility lines and a big tree in the back yard. Ms. Perkins noted the carport is illegal. Ms. Loflin stated the carport was there when she bought the property. She submitted photographs of

19680
cont.

the front and rear views of the garage (Exhibit B-1). Mr. White asked for the hardship. She informed the Board the property is in the 100-year flood plain; the utility lines run across her back yard and a big tree were her hardships. She submitted a petition (Exhibit B-2) to the Board with signatures of neighbors in support of the application. She received notice from Neighborhood Inspections.

Comments and Questions:

Mr. Beach read the examiner's response to the application for a building permit. The reviewer stated that the site is in a regulatory flood plain, with a base elevation of 692.93. The requirements for a garage in a flood plain are: provide a site plan from a registered land surveyor showing the new structure is built outside the flood elevation; the slab may be at grade and flood vents must be installed; the top of the stem wall must be one foot above the base flood elevation or set at an elevation of 693.93; and any electrical or water connections, sanitary sewer drains or equipment servicing the building must be one foot above base flood elevation. Ms. Turnbo asked why there was a door on the back of the garage. Ms. Loflin replied in order to pull a truck in or to deliver yard and garden supplies.

Interested Parties:

Mary Mason, 821 N. Kingston, stated she did not oppose the application. She lives across the street. The applicant and neighbors discussed safety issues after a woman was kidnapped nearby. They thought the garage was a good idea for the applicant's safety.

Martha Mills, 827 N. Kingston Ave., stated she does not oppose the application. She was harassed by neighbors for building a garage on her property. She obtained permits and had it built to code.

Dale Mills, 827 N. Kingston Ave., stated that as his wife said, they have been harassed for building a garage. They opposed this application because it was done outside of the code and requirements for permits.

Applicant's Rebuttal:

Ms. Loflin stated she was not trying to get around the law. The only reason she built the garage was for her safety.

Comments and Questions:

Ms. Perkins asked for what purpose she used the back door to the garage. Ms. Loflin replied to have access to her back yard. Ms. Perkins noted it must have been used a lot because there was no grass behind the door but the rest of the yard is covered with grass. Ms. Perkins asked if she was parking a vehicle there. Ms. Loflin replied that she was not. She stated she had moved some dirt into her back yard. Mr. Dunham cautioned her about moving much dirt; and that she could not displace water. Ms. Perkins commented that utilities could be moved and one tree could be cut down in order to build the garage in a different direction.

19680 cont.

Board Action:

On **Motion** of **Turnbo**, the Board voted 4-1-0 (White, Turnbo, Perkins, Stephens "aye"; Dunham "nay"; no "abstentions"; no "absences") to **DENY** a **Variance** of required 5' side yard to 1.4' to permit the addition of a garage in an RS-3 district, finding lack of a hardship, on the following described property:

Lot 6, Block 5, Mary Ellen Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19682

Action Requested:

Special Exception to allow a single-family dwelling in a CH zoned district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 6, located: 934 S. Yale.

Presentation:

Martin Veale, 936 S. Yale, and his wife, **Aurora Veale** of the same address, stated they purchased the property in 1993. They planned to live there. They have applied for building permits. They are seeking a special exception for the house that exists there. A site plan was provided (Exhibit C-1).

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Stephens "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to allow a single-family dwelling in a CH zoned district, per 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:

Lot 7, Block 1, Yale Heights, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

OTHER BUSINESS

Case No. 19681

Action Requested:

Applicant requested a refund.

11490 (continued)

the height not to exceed 33% of the surface area or the footprint of the building; and, an Exception (Section 610 - Principal Uses Permitted in Office Districts - Section 1204 - Public Protection and Utility Facilities - Under the Provisions of Section 1680) to permit the construction of a radio tower whose height will not exceed 190'; and, a Variance (Section 620.2 (d) Accessory Use Conditions - Under the Provisions of Section 1670) of the size of a business sign in an OL District, not to exceed 216 square feet and 40 feet high and in accordance with the setback requirements, subject to the applicant returning to the Board for approval of final drawings, and subject to the tower being constructed as described by the applicant, all on the following described property:

Lots 3 and 4, Block 3, Memorial Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS:

11496

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in the Residential Districts - Under the Provisions of Section 1670) request for a variance of the side yard requirements from 5' to 1'3" in an RS-3 District. This property is located at 808 North Kingston Avenue.

Presentation:

Carl Barnes, 2121 South Columbia, representing the property owners, was present to address the Board and submitted a plot plan (Exhibit "I-1"). Mr. Barnes advised that the owners of the property, Mr. and Mrs. Robert Barnes, wished to extend the sideline of a nonconforming use which has a present setback requirement of 5' on the side and that the present garage was 1'3" from the property line. Mr. Barnes further advised that the proposed construction would be in the form of additional garage space and storage space and would be enclosed. Mr. Barnes explained that this addition would be accomplished by extending the side of the existing garage up toward the front of the house, and then out to the parallel front of the house. The front of the garage would then be brought over to the porch, enclosing the porch area. Mr. Barnes stated that this extra storage was needed because the owner was an automobile enthusiast and several complaints had been received recently from neighbors over the number of cars in the area. Mr. Barnes also stated that there was no structure within 10' of the existing garage.

Protestants:

Darlene Reiniger, 812 North Kingston Avenue, stated that she was opposed to the request due to the fact that the existing garage was already too close to the property line. Ms. Reiniger advised that she lived directly next door to the subject property.

Board Action:

On MOTION of LEWIS and SECOND by VICTOR, the Board voted 4-0-0 (Lewis, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith "absent") to deny a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts - Under the Provisions of Section 1670) of the side yard requirements from 5' to 1'3" in an RS-3 District, on the following described property:

6.11.81:337(13)

Lot 9, Block 5, Mary Ellen Addition to the City of Tulsa, Tulsa County, Oklahoma.

11497

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1680) request for an exception to permit the operation of a truck repair business in an RS-2 District; and, a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 1217 - Automotive and Allied Activities - Under the Provisions of Section 1670) request for a use variance to permit the operation of a truck repair business in an RS-2 District. This property is located at 419 South 129th East Avenue.

Presentation:

Arnold Webster, 419 South 129th East Avenue, was present to address the Board. A packet of information from the Building Inspector's Office was submitted to the Board (Exhibit "J-1").

Remarks:

Mr. Gardner advised the Board that two pieces of property were involved in the application--the northernmost containing the applicant's house and the southernmost containing parked trucks on which the applicant works. Mr. Gardner explained that the applicant had purchased the lot to the southeast so that he could gain access to 130th East Avenue and Fourth Street since there was no way access could be gained to the rear of the applicant's house without coming off of 130th East Avenue. Mr. Gardner noted that the applicant had filed a zoning application for IL on both pieces of property, and the Planning Commission had suggested the applicant appear before the Board to request the exception and use variance and continued the case pending review by the Board of Adjustment. Discussion by the Planning Commission centered around how access might be obtained to the business if approved by the Board, but the Commission indicated that it did not wish to see the property rezoned. Mr. Gardner pointed out that there was property to the east on Fourth Street on which an easement might be obtained, allowing the applicant access to his property from Fourth Street, and that the Board might place a condition on approval that screening be erected on the south and east of the northernmost lot in order to obscure the vision of the trucks from any development that might occur in the future to the southeast.

Protestants:

Ruben Montanes, 3772 South 82nd East Avenue, advised that he owned the property, Lot 18, Block 3, 429 South 129th East Avenue, in that Addition, and objected to the request because the disassembled trucks created an unsightly appearance to the neighborhood. Mr. Montanes also stated that Mr. Webster drove trucks through his lot to gain access to 129th East Avenue and that often times, Mr. Webster's trucks were parked on Mr. Montanes' property, as well. Mr. Montanes did state that he had sent a letter to Mr. Webster approximately eight months earlier asking him to remove the trucks from his property and that he had received no response to that letter. Mr. Montanes advised that he had a prospective buyer for the property and, upon viewing it, he stated that he would not buy it because he did not realize it was next to a "junk-yard."



0 250 500
Feet



Subject
Tract

BOA-22470

20-13 34

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

Aerial Photo Date: February 2018

9.11





0 50 100
Feet



Subject
Tract

BOA-22470

20-13 34

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

Aerial Photo Date: February 2018

9.12



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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1054086-2

April 02, 2018

CARLOS & SABRINA IRVIN
HOMEOWNERS
724 N KINGSTON AV
TULSA, OK 74115

Phone: (918)261-0363

APPLICATION NO: **440387** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 724 N KINGSTON AV E
Description: ADDITION

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

Application No. 440387

724 N KINGSTON AV E

April 02, 2018

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

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

1.) 35.010-A Detached House

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

Review Comments:

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

2.) 45.030-B RS-2, RS-3, RS-4 and RS-5 Districts

In RS-2, RS-3, RS-4 and RS-5 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

Review comments: You are proposing an addition to a detached accessory building. The proposed detached structure including the addition exceeds 500 sq. ft. and 40% of the size of your house/garage. Based on the size of your house/garage (912 sq. ft.) you are allowed 500 sq. ft. of detached accessory structures floor area on your lot in an RS-3 zoning district. Reduce the size of the proposed detached accessory structure to be less than 500 sq. ft. of total floor area or apply to BOA for a variance to permit a detached accessory structure to be increased from 500 sq. ft. of floor area to 670 sq. ft. of floor area in an RS-3 zoning district.

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

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

END – ZONING CODE REVIEW

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

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

724 NORTH KINGSTON
TULSA, OKLAHOMA

APPLICABLE CODE:	2015 INTERNATIONAL RESIDENTIAL CODE
OCCUPANCY TYPE:	RESIDENTIAL GARAGE (SECTION R309)

AREA CALCULATIONS:
DROPPING HOUSE 630 SF

PROPERTY AREA	8,330 SF
---------------	----------

CODE ANALYSIS:

ALL NEW PLUMBING SYSTEMS SHALL COMPLY WITH 2015 INTERNATIONAL RESIDENTIAL CODE.
ALL NEW ELECTRICAL SYSTEMS SHALL COMPLY WITH 2014 NATIONAL ELECTRIC CODE.

SITE INFORMATION:
0.71 ACRES(50,952 SF)
PARCEL NUMBER: 70600833-458720
LIT: BUKS
PA ISLAND ADDITION
SECTION 34
TOWNSHIP 20
RANGE 13
BUILT IN 1948

PROPERTY WAS LOT JOINED WITH THE ADJACENT LOT C2 21, 17. THE LOT IS BEING
TO BE OFFERED

ADDITIONAL SET INCLUDES A 4x3 BP SLAB ON GRADE STRUCTURE.



EXISTING CONDITIONS ARE DEVELOPED FROM ASBUILT PLANS (WHEN AVAILABLE), FIELD MEASUREMENTS, AND VISIBLE CONDITIONS. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO SUBMITTING FINAL BIDS. CONTRACTOR SHALL CAREFULLY COORDINATE NEW WORK AND DEMOLITION WITH ALL OTHER DISCIPLINES AND EXISTING CONDITIONS.

SITE PLAN

PREPARED BY: 18-119
DATE: EX. 13.18
DRAWN BY: JPC
SCALE: AS NOTED

SHEET:

SP1



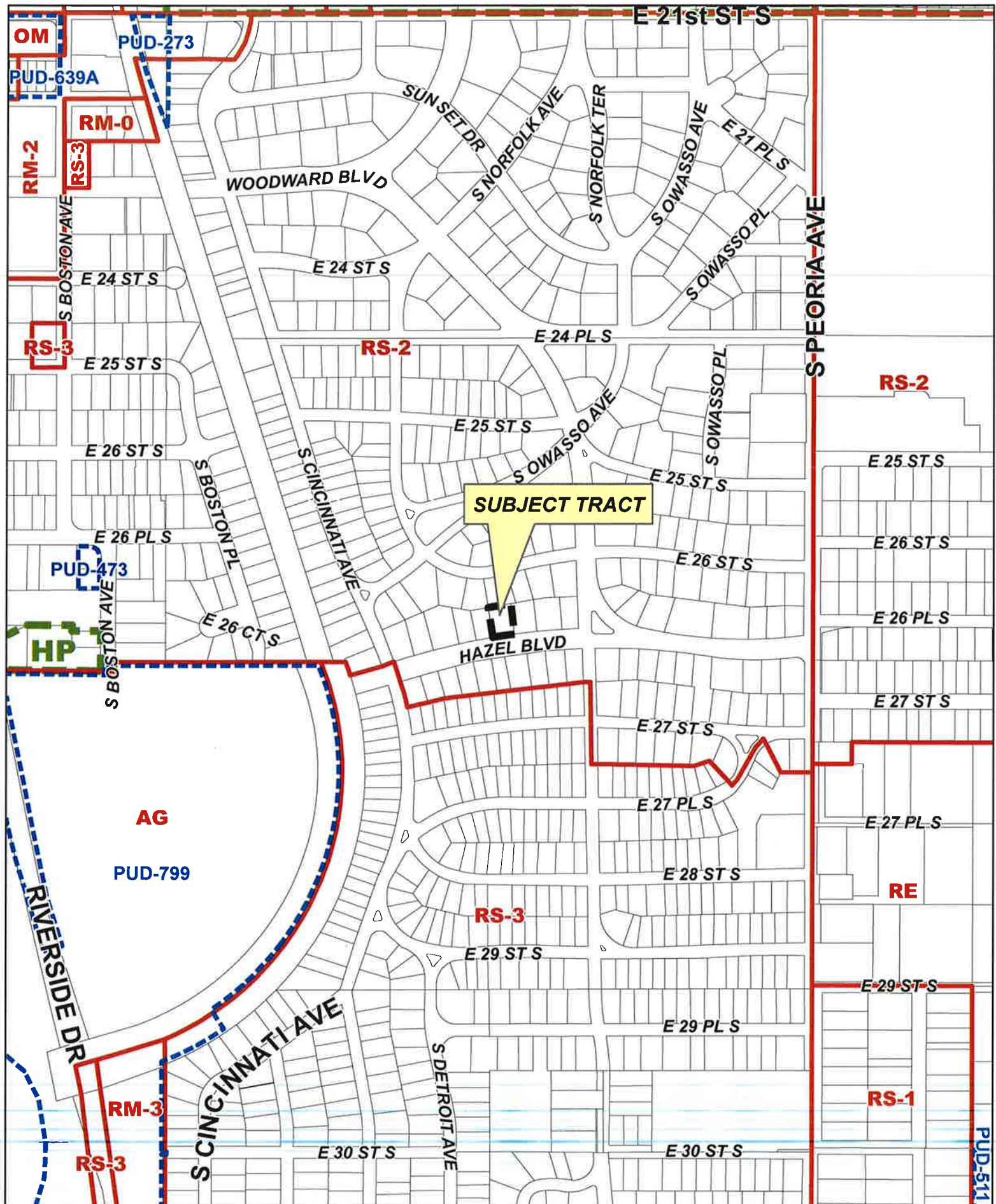
JODY PATRICK COLE, AIA
ARCHITECT OF RECORD

DOCUMENTS WITHOUT
SIGNATURE AND REQUIRED
SEAL ARE
NOT FOR CONSTRUCTION

DRAWINGS PREPARED BY:
JODY P COLE, AIA
2440 WEST 81ST STREET
TULSA OKLAHOMA 74132
818.605.7537

RESIDENTIAL RENOVATION/ADDITION:
CARLOS AND SABRINA IRVIN
726 NORTH KINGSTON AVENUE
TULSA OKLAHOMA 74115

DATE TO POWER	01/25/18
ADDRESS 1	2034 W
ISSUE	DATE



BOA-22471

19-12 13

10.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9213

Case Number: **BOA-22471**

CZM: 36

CD: 4

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Jody Cole

ACTION REQUESTED: Variance to permit an accessory building to exceed 40% of the floor area of the principal residential structure (Sec. 45.030-B); Variance to allow a detached accessory building that exceeds the maximum height requirement (Section 90.090-C.2)

LOCATION: 237 E HAZEL BV S

ZONED: RS-2

PRESENT USE: residential

TRACT SIZE: 11961.62 SQ FT

LEGAL DESCRIPTION: ALL LT 18 W 20 LT 19 BLK 12, SUNSET TERRACE

RELEVANT PREVIOUS ACTIONS:

Subject Property: No relevant history

Surrounding Property:

BOA-22047; on 4.12.16 the Board **approved** a *special exception* to permit horizontal and vertical extensions to a nonconforming exterior wall (Section 80.030-D); a *variance* to allow a two-story detached accessory building; a *variance* to allow a detached accessory building that exceeds 18 feet in height and exceeds 10 feet at the top of the plate (Section 90.090-C2.a.1); Located at 1219 East 26th Street South.

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** include 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

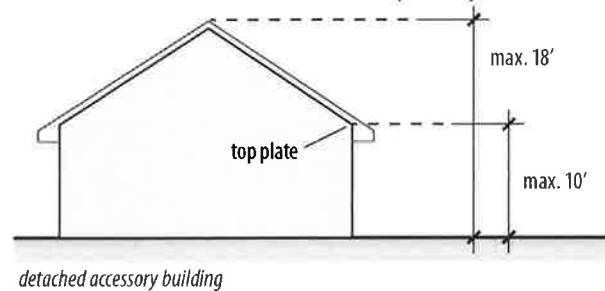
qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-2 residential to the north, south, east, and west

STAFF COMMENTS:

The Code states that detached accessory buildings in RS districts may be located in the required rear setbacks if the building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the plate (Section 90.090-C.2).

Figure 90-9: Maximum Height of Accessory Buildings In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)



As shown on the attached site plan, the proposed addition to the existing garage will exceed the 18' overall height requirement and will be more than 10 feet in height to the top of the plate. The applicant has requested a **Variance** to allow the accessory building to exceed 18' in height to allow a overall height of no more than 22' and to exceed 10' in height to the top of the plate to allow for no more than 11'.

The Code states that detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, **whichever is greater**. Based on the size of the residence, as shown on the submitted site plan, the maximum allowed floor area for detached accessory buildings on the lot is 584 sq. ft. (40% of the principal residence). The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 584 sq. ft. to 684 sq. ft.

The applicant has submitted an attached document detailing the history of the site and a statement of hardship.

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B); **Variance** to allow a detached accessory building that exceeds the maximum height requirements (Section 90.090-C.2)

- 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."*

Presentation:

Mr. Reynolds was not present. The Board has moved this item to the end of the agenda.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required at this time.

* * * * *

NEW APPLICATIONS

FILE COPY

22047—Jason Gibson

Action Requested:

Special Exception to permit horizontal and vertical extensions to a nonconforming exterior wall (Section 80.030-D); Variance to allow a two-story detached accessory building; Variance to allow a detached accessory building that exceeds 18 feet in height and exceeds 10 feet at the top of the top plate (Section 90.090-C2.a.1).

LOCATION: 1219 East 26th Street (CD 4)

Presentation:

Bailey Austin, Austin Bean Design Studio, 409 East 8th Street, Tulsa, OK; stated the owner would like to add on to an existing two car garage. The existing garage does not accommodate modern vehicles because it is too shallow and not wide enough. The owner would like to extend the portion facing the driveway to accommodate two vehicles and they would also like to add a second story to the garage. Ms. Bailey presented pictures on the overhead screen showing similar garages near the subject property.

Mr. Henke asked Ms. Austin how the property owner planned to use the second story of the garage. Ms. Austin stated the property owner's plans were to use it for storage and an outdoor office space. Ms. Austin stated there will not be a bathroom on the second story.

Mr. White asked Ms. Austin if there were plans to use the second story as living quarters. Ms. Austin stated that it will not be living quarters.

BOA-22047

FILE COPY

Mr. Henke asked Ms. Austin when the original garage was built. Ms. Austin stated that she believed it was built in the 1920s.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Flanagan, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit horizontal and vertical extensions to a nonconforming exterior wall (Section 80.030-D); Variance to allow a two-story detached accessory building; Variance to allow a detached accessory building that exceeds 18 feet in height and exceeds 10 feet at the top of the top plate (Section 90.090-C2.a.1). The hardship being this is an extension of the existing walls and in many of the cases there are numerous two-story structures of detached buildings in the immediate neighborhood. The height increase requested does not exceed that of other detached structures that have been approved in the area. This approval will be per plans 3.14, 3.15, 3.16, 3.17 and 3.18. 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. Finding in the Variances 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:

PRT LT 13 BEG SECR W15 N TO PT ON NL E16.8 S134.85 POB & ALL LT 14 BLK 10, SUNSET TERRACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



0 250 500
Feet



Subject
Tract

BOA-22471

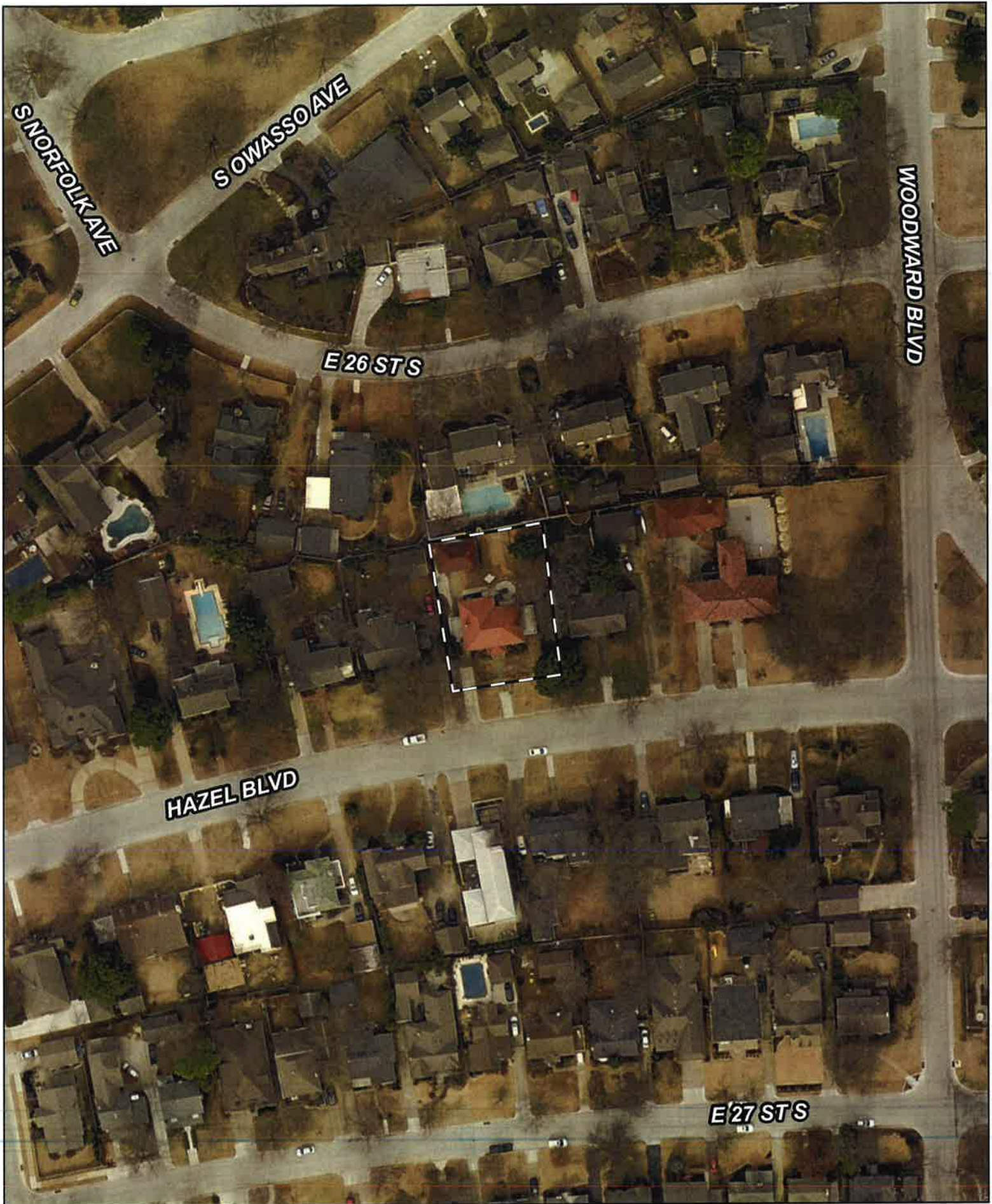
19-12 13

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

Aerial Photo Date: February 2018

10.7





0 50 100
Feet



Subject
Tract

BOA-22471

19-12 13

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

Aerial Photo Date: February 2018

10.8





07/09/2018 14:26

Looking north— towards subject site— on Hazel Blvd.

237 HAZEL BLVD
TULSA, OKLAHOMA

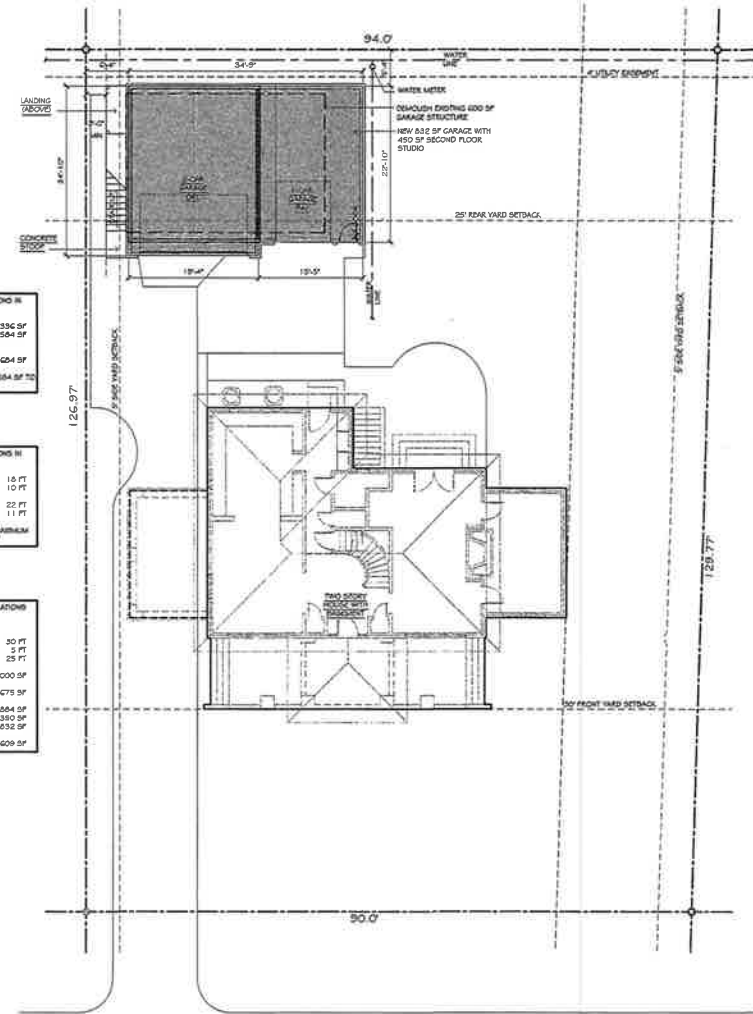
CODE CRITERIA

APPLICABLE CODE:	2015 INTERNATIONAL RESIDENTIAL CODE
OCCUPANCY TYPE:	RESIDENTIAL (SINGLE FAMILY)
JOINING:	RS-2 (SEMI DETACHED)
AREA CALCULATIONS:	
DISTING HOUSE BASEMENT	300.5 SF
DISTING HOUSE FIRST FLOOR (NO W/HS THIS AREA)	1,327.3 SF
DISTING HOUSE SECOND FLOOR (NO W/HS THIS AREA)	1,110.5 SF
DETACHED GARAGE DISTING	220.5 SF
PROPOSED GARAGE	632.5 SF
PROPOSED SECOND FLOOR STUDIO	450.5 SF
PROPERTY AREA (50X150)	11,257.5 SF
TOTAL OFFER AREA REQUIRED	5,009.5 SF
TOTAL OFFER AREA REMAINING	6,248.0 SF
CODE ANALYSIS:	
ALL NEW FURNISHING SYSTEMS SHALL COMPLY WITH 2015 INTERNATIONAL RESIDENTIAL CODE.	
ALL NEW ELECTRICAL SYSTEMS SHALL COMPLY WITH 2014 NATIONAL ELECTRIC	

TABLE 80-1: FORGOTTEN SETBACK OBSTRUCTIONS IN RESIDENTIAL DISTRICTS	
FEAR YINQ SETBACK AREA	= 2,39C SF
25% MAX AREA	= 564 SF
PROPOSED AREA/STRUCTURE IN FEAR YINQ SET BACK	= 624 SF
VARIANCE REQUEST TO ALLOW INCREASE OF 664 SF	664 SF

TABLE 90-1 PERMITTED SETBACK OBSTRUCTIONS IN RESIDENTIAL DISTRICTS	
HEIGHT LIMITATIONS AT RIDGE	18 FT
PLATE HEIGHT	10 FT
PROPOSED HEIGHT AT RIDGE	22 FT
PROPOSED PLATE HEIGHT	11 FT
VARIANCE REQUEST TO ALLOW INCREASE IN MAXIMUM HEIGHT TO 11 FT AND PLATE HEIGHT TO 11 FT	

RS-2 RESIDENTIAL	
FRONT YARD SETBACK	30 FT
SIDE YARD SETBACK	5 FT
REAR YARD SETBACK	25 FT
OPEN SPACE	5,000 SF
LOT AREA	11,675 SF
HOUSE (FOOTPRINT)	1,884 SF
FRONT DRIVE	380 SF
PROPOSED GARAGE (FOOTPRINT)	632 SF
REMAINING OPEN SPACE	6,609 SF



HAZEL BLVD



PROPOSED SITE PLAN

100%

JOJO PATRICK COLE, AIA
ARCHITECT OF RECORD

DOCUMENTS WITHOUT
SIGNATURE AND REQUIRED
SEAL ARE
NOT FOR CONSTRUCTION

DRAWINGS PREPARED BY:
JODY P COLE, AIA
2440 WEST 81ST STREET
TULSA OKLAHOMA 74132
918.605.7537

GARAGE RENOVATION:

COLE AND J LORAE DAVIS
237 HAZEL BLVD
TULSA OKLAHOMA 74114

COLE AND JONES
237 HAZEL BLVD
TULSA OKLAHOMA 74114

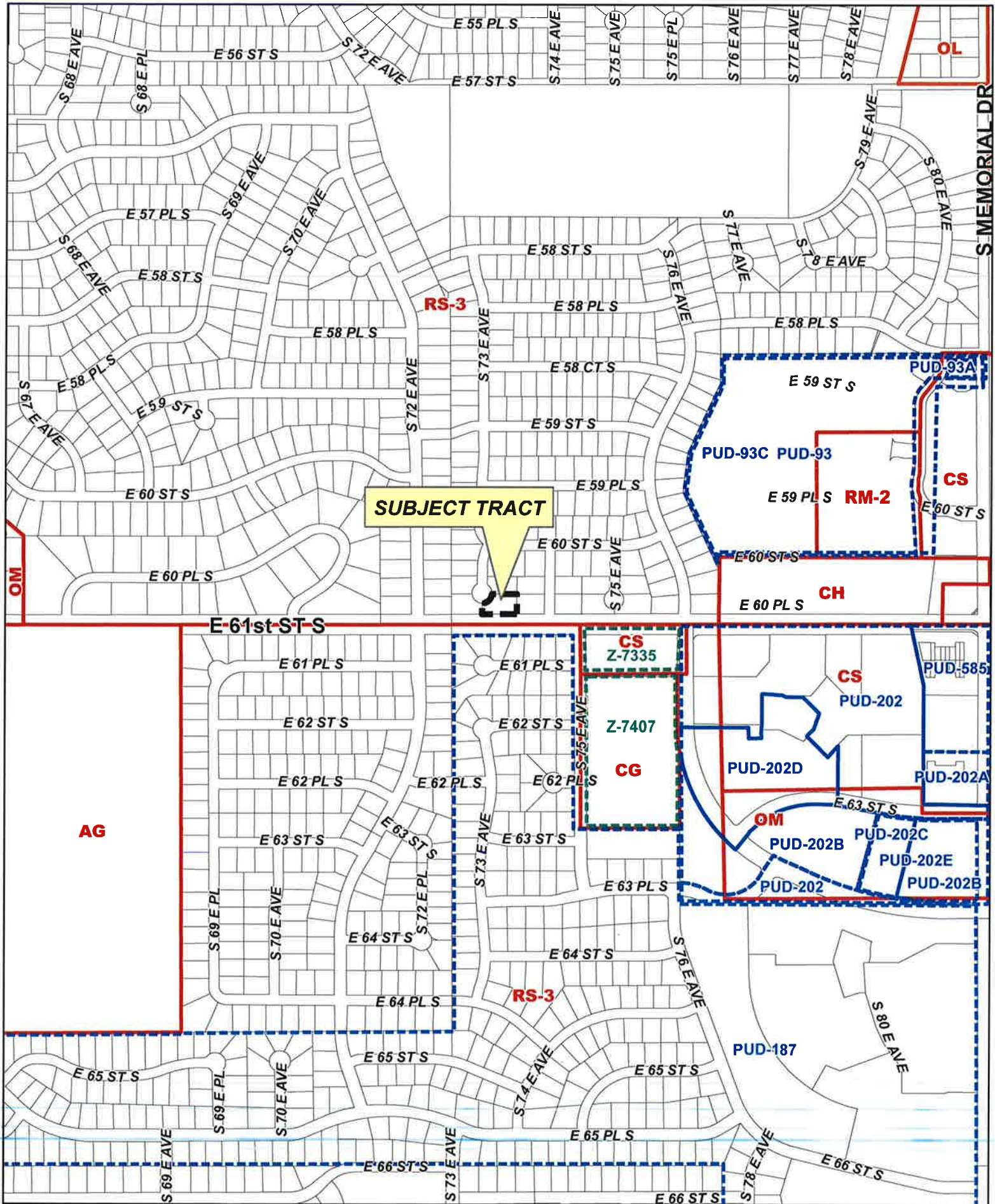
Author	2003.06.12
Version	DATE

SITEPLAN

PROJECT NUMBER: ET-113
DATE: 06.06.18
DRAWN BY: JPC
SCALE: AS SHOWN
(CHECK)

SP 1

10.10



BOA-22472

BOARD OF ADJUSTMENT CASE REPORT

STR: 9335

Case Number: **BOA-22472**

CZM: 48

CD: 7

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Ty Hood

ACTION REQUESTED: Variance of the required street setback from E. 61st St. S. to permit a swimming pool (Section 90.090-C; Section 5.030-A).

LOCATION: 6025 S 73 AV E

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 14827.88 SQ FT

LEGAL DESCRIPTION: LT 12 BLK 8, WOODLAND VIEW FIFTH ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: No relevant history

Surrounding Property: No relevant history

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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residential to the west, north, and east. The property abuts East 61st Street on the south.

STAFF COMMENTS:

The applicant is before the Board requesting a **Variance** of the 35ft required street setback in the RS-1 district (Section 5.030- A) to permit a swimming pool. Per the code, swimming pools are not a permitted obstruction within the required street setback (90.090-C; Table 90-1)

The proposed swimming pool will establish a side (street) yard setback of less then 35ft along E. 61st St. S. The RS-1 district requires a street setback of 35 ft. along arterial roads in an attempt to establish and preserve development intensity and a uniform development pattern within the district.

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

Sample Motion

Move to _____ (approve/deny) a **Variance** of the required street setback from E. 61st St. S. to permit a swimming pool (Section 90.090-C; 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."

Ulmer, Amy

From: Charonmike Blood <mckblood@yahoo.com>
Sent: Tuesday, June 12, 2018 4:53 PM
To: Ulmer, Amy
Subject: Request for relief from building restriction

In reference to residence at 6025 South 73rd East Ave Tulsa. Case number:BOA-22472

Amy

I spoke with you yesterday concerning our request for relief for the restriction placed on our property.

My sister and I took this \$160,000 home in south Tulsa from the 1960's and did a \$150,000 remodel to make it our dream home.

The final phase of the remodel was to create a recreational backyard for our children and grandchildren.

Our request for a permit to allow a pool was denied due to a building restriction that comes 35 feet into our yard from the south side of the property. The south side of our house faces 61st street and is only 16 feet from the property line. The additional 19 ft takes up about half of the yard. We can't move the pool that far north as it would put us right up to the neighbors driveway. The positioning of the house on the lot will not allow us to reposition things to accommodate the restriction. We are requesting a variance for that 19 feet.

There would nothing that would be visible above the fence that could possibly be a detriment to the view or the neighborhood.

We are committed to making this home a beautiful new addition to the neighborhood.

I have attached a picture of our home so you can see the improvements we have made to date.

We appreciate you help.

Sincerely,

Charon Blood
720-839-0532

Sent from Yahoo Mail for iPad





S 73rd AVE

E 60th ST S

S 74th AVE

E 61st ST S

E 61st PL S

S 75th AVE

0 50 100
Feet



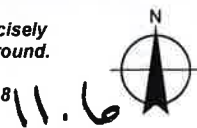
Subject
Tract

BOA-22472

19-13 35

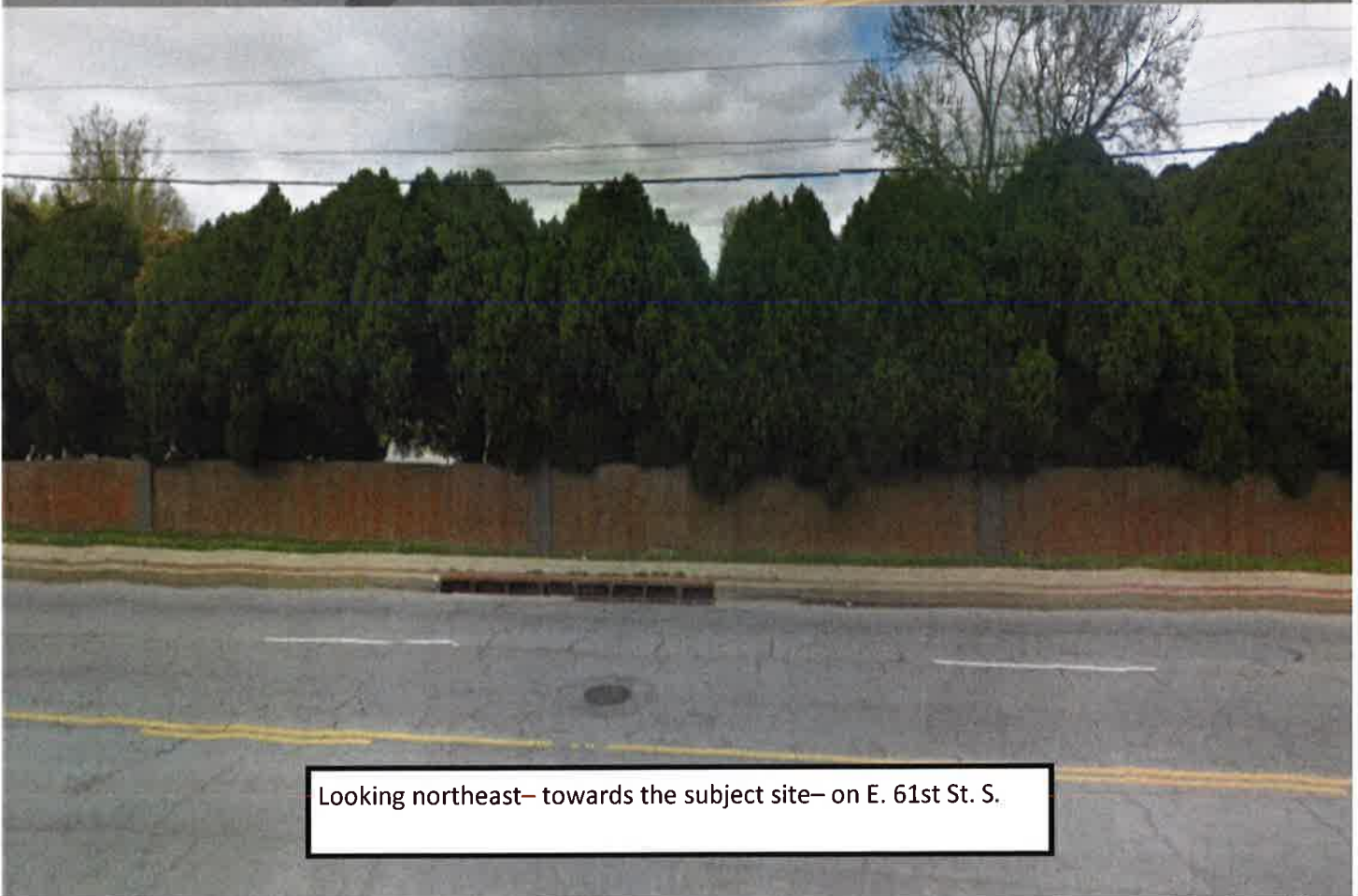
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2018





Looking northwest- towards the subject site- on E. 61st St. S.



Looking northeast- towards the subject site- on E. 61st St. S.

Pool 16' from fence line



◀ Back ()

Permit Number: POOLR-000413-2018



Review Detail () | Review Items () | Main Menu ()

Review Type:

Pool Review

Status:

Requires Re-submit

Version:

1

Received Date:

05/03/2018

Due Date:

05/17/2018

Completed Date:

05/17/2018

Review Items

📄 Export

Sort

Review Type ▼	
Review Type	Building
Status	Approved
Due Date	05/17/2018

11.9

Completed Date

05/07/2018

Assigned To

Larkey Roger

Review Item[Details](#)**Review Type**

Planning/Zoning

Status

Requires Re-submit

Due Date

05/17/2018

Completed Date

05/17/2018

Assigned To

Taylor Jeff

Review Item[Details](#)**Review Type**

Water/Sewer/Drainage

Status

Approved

Due Date

05/17/2018

Completed Date

05/10/2018

Assigned To

Jordan Roy

Review Item[Details](#)

<< < 1 > >>

Results per page 10 ▼ 1 - 3 of 3

[Comments \(\)](#) | [Recommendations \(\)](#) | [Corrections \(\)](#) | [Review Detail \(\)](#) | [Review Items \(\)](#) | [Main Menu \(\)](#)**Comments**

No comments to display.

Recommendations**Sort**

Number ▼

11.10

No records to display.

Corrections

 Export

Sort

Correction Order ▼

Correction Order:

0

Type:

General

Resolved:

No

Resolved On:

Comments

5.030-A: In the RS-3 zoned district the minimum side yard setback from an arterial street shall be 35 feet from the side property line which is 61 street.

Corrective Action

Review Comments: Revise your plans to indicate a 35' side setback from pool to the property line, or apply to INCOG for a variance to allow less than a 35' side setback along 61 street.

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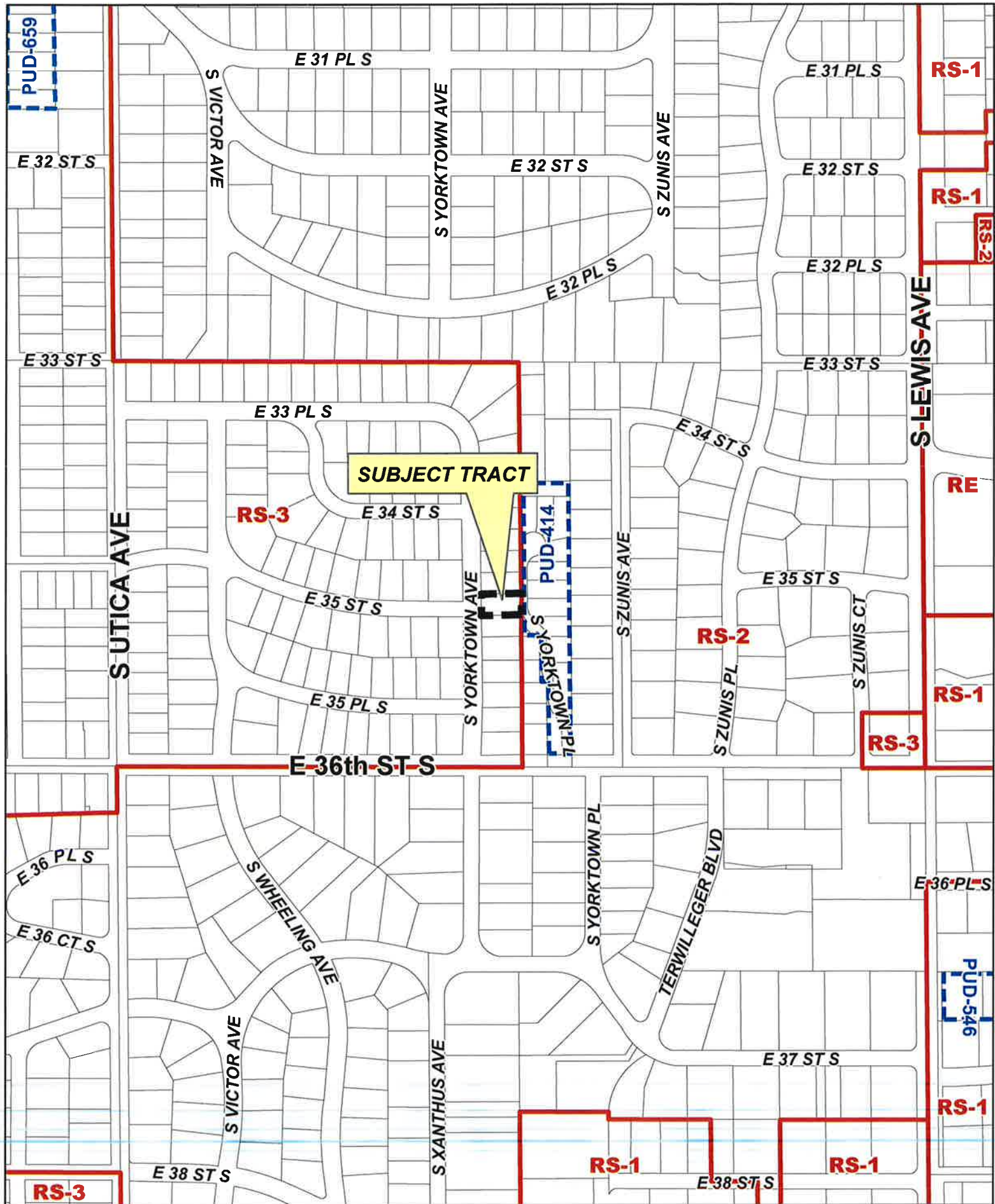
Results per page 10 ▼ 1 - 1 of 1

11.11

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BOA-22473

12.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-22473**

CZM: 47

CD: 9

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Brian Sellers

ACTION REQUESTED: Special exception to allow a carport in the street yard in an RS-3 District.
(Section 90.090-C.1)

LOCATION: 3423 S YORKTOWN AV E

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 8890.63 SQ FT

LEGAL DESCRIPTION: LT 7 BLK 1, KENNEBUNKPORT, ADAMS ESTATES

RELEVANT PREVIOUS ACTIONS:

Subject Property: No relevant history

Surrounding Property: No relevant history

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.

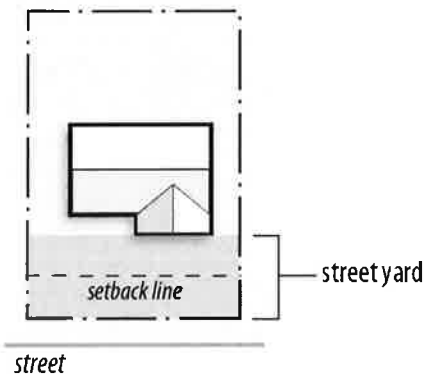
The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residential properties on the north, west, and south; east of the property is a Planned Unit Development with an RS-2 zoning.

12.2

The applicant is requesting a **Special Exception** to allow a 12' x 20' carport to be located in the required street yard in an RS-3 zoned district (Section 90.090-C.1). The street yard setback is shown in the figure below. As shown on the attached plans the applicant is proposing to construct a carport within the required street yard setback of the site.

Figure 0-1: Street Yard



Per the Code, Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception:

- A carport may be a detached accessory building or an integral part of the principal building.
- The area of a carport may not exceed 20 feet in length by 20 feet in width.
- A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.
- The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.
- The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.
- All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.
- The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

The Code's street yard setback requirement for carports is intended to ensure that carports located within the street setback are compatible with a minimum desired residential character found in the neighborhood and do not hinder transparency for other vehicles.

Sample Motion

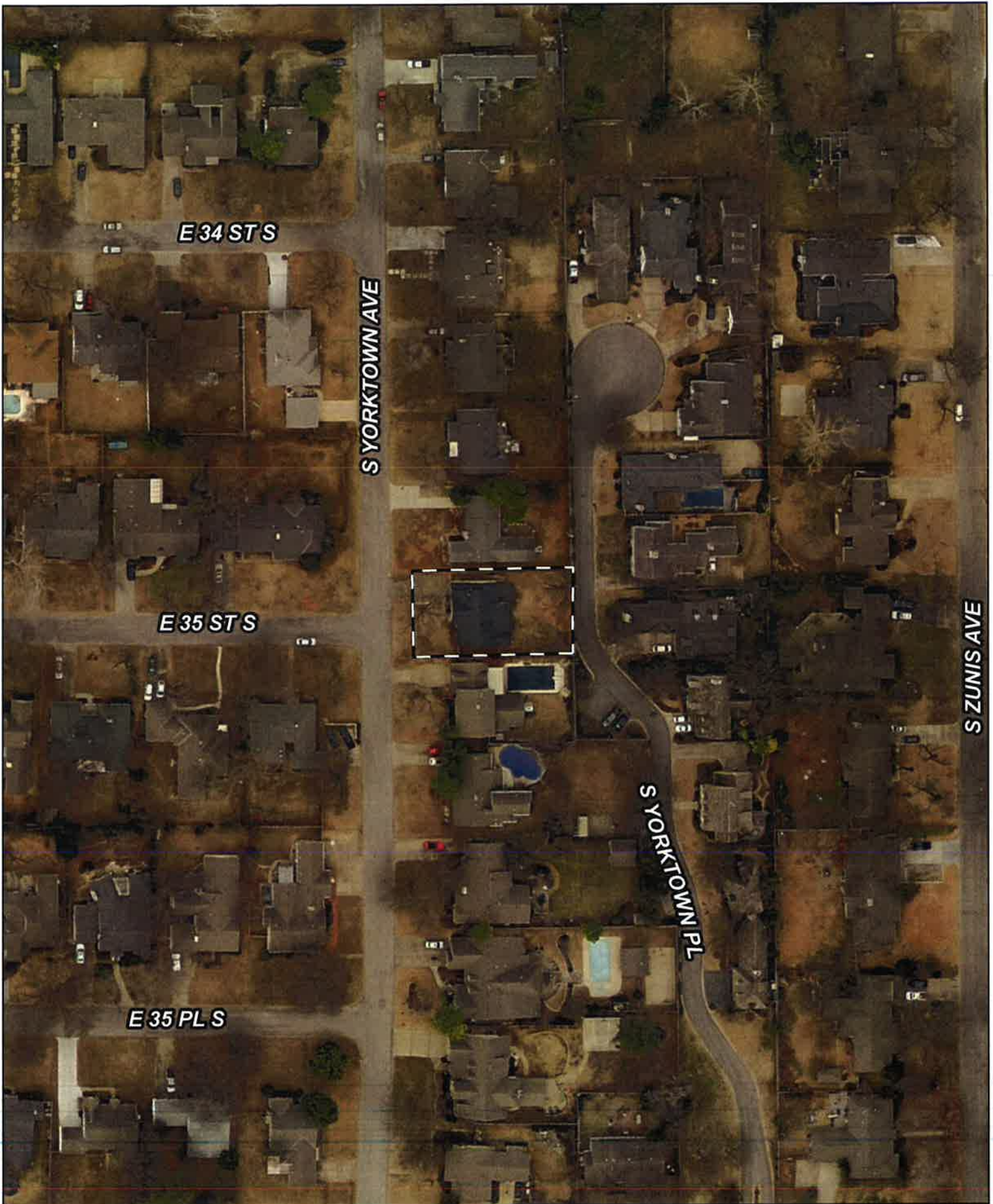
Move to _____ (approve/deny) a **Special Exception** to allow a carport in the street yard in an RS-3 District. (Section 90.090-C.1)

- 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.



12.5



0 50 100
Feet



Subject
Tract

BOA-22473

19-13 19

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

Aerial Photo Date: February 2018



12.6



Looking east- on S. Yorktown Ave.- towards subject site



Looking southeast- on S. Yorktown Ave.- towards subject site

CARPORT ADDITION

3423 S. Yorktown Ave.
Tulsa, OK 74105



PROJECT TEAM

DESIGN+BUILD

DV LADA CONSTRUCTION
3902 E 51ST STREET
TULSA, OK 74135

BRIAN SELLERS, PM
918.810.8960
bsellers@dvlada.com

SCOPE OF WORK

SUMMARY:

EXISTING SITE GRADING TO REMAIN. EXISTING RESIDENTIAL
STRUCTURE TO BE REMAIN. NEW ADDITION TO INCLUDE
COVERED CARPORT ONLY.

PROJECT:

**CARPORT
ADDITION
SINGLE-FAMILY
RESIDENCE**

**3423 S YORKTOWN
AVE
TULSA, OK 74105**

**LOT 7, BLOCK 1
ADAMS ESTATES**

**PROJECT #
3423Y-1**

CONSULTANT:

REVISIONS:

ISSUE DATE:

05.25.18

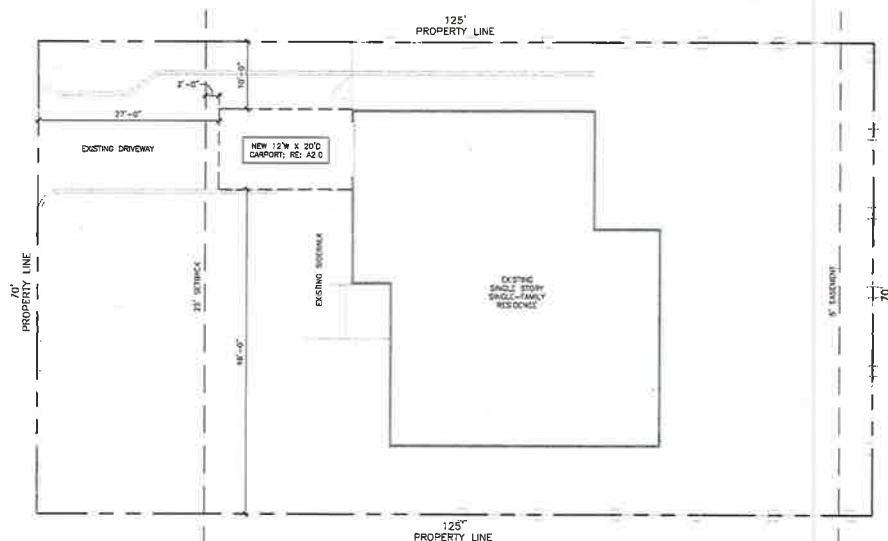
SHEET NAME:

**ARCH
SITE PLAN**

SHEET NUMBER:

A1.0

DRAWN BY: BDS



LOT 7, BLOCK 1, ADAMS ESTATES
3424 S YORKTOWN AVE, TULSA, OK 74105



SITE LOCATION MAP
SCALE: NTS



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

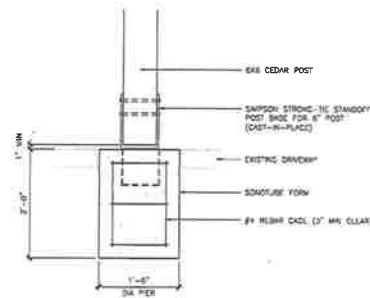


12.8
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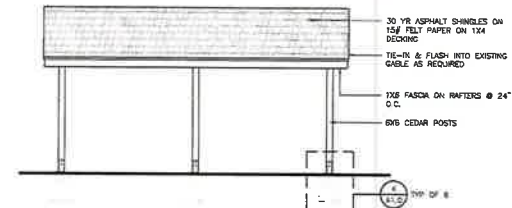


GENERAL NOTES

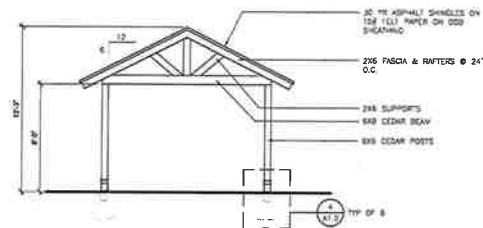
1. POSTS AND BEAMS TO BE RED CEDAR UNTREATED ABOVE GROUND & GRADE OR BETTER.
2. TYPICAL ROOF FRAMING LUMBER TO BE SOUTHWEST PINE #2 OR DOUGLAS FIR-LARCH #2 GRADE.
3. SEE 2009 IRC TABLE R102.5.1 FOR SIZE AND SPACING OF ROOF RAFTERS, UNLESS SPECIFICALLY NOTED OTHERWISE.
4. SEE 2009 IRC TABLE R102.5.1 FOR SIZE AND SPACING OF CEILING JOISTS, UNLESS SPECIFICALLY NOTED OTHERWISE.
5. SEE 2009 IRC TABLE R102.5.2 FOR HEADER AND GIRDLE SIZES, UNLESS SPECIFICALLY NOTED OTHERWISE.
6. PROVIDE WALL BRACING PER 2009 IRC SECTION R612.1.



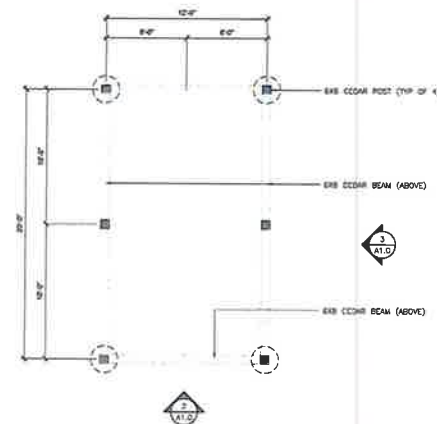
4 PIER DETAIL
SCALE: 1" = 1'-0"



3 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



1 FOOTING AND POST LAYOUT
SCALE: 1/4" = 1'-0"

PROJECT:

**CARPORT
ADDITION
SINGLE-FAMILY
RESIDENCE**

**3423 S YORKTOWN
AVE
TULSA, OK 74105**

**LOT 7, BLOCK 1
ADAMS ESTATES**

**PROJECT #
3423Y-1**

CONSULTANT:

REVISIONS:

ISSUE DATE:

05.25.18

SHEET NAME:

**CARPORT
DETAILS**

SHEET NUMBER:

A2.0

DRAWN BY EDS

12.9

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

June 6, 2018

Brian Sellers
DV LADA Construction
3902 E 51 St
Tulsa, OK 74135

APPLICATION NO: **BLDR-003316-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 3423 S Yorktown Ave
Description: PROJECT DESCRIPTION

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:

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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

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2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☐ IS ☒ IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

12.10

REVIEW COMMENTS

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

Application No. BLDR-003316-2018

3423 S Yorktown Ave

June 6, 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.

Special exception approval required; see §90.090-C1.

1. **Sec.90.090-C.1 Carports:** Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

- a. A carport may be a detached accessory building or an integral part of the principal building.
- b. The area of a carport may not exceed 20 feet in length by 20 feet in width.
- c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.
- d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.
- e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.
- f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

- g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed

Review comment: The proposed carport is located in the street yard area and requires special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance. Please note: the regulations underlined above must be addressed as part of the special exception process as the proposed structure is not in compliance with said regulations as submitted. If approved, submit a copy of the approved special exception as a revision to your application.

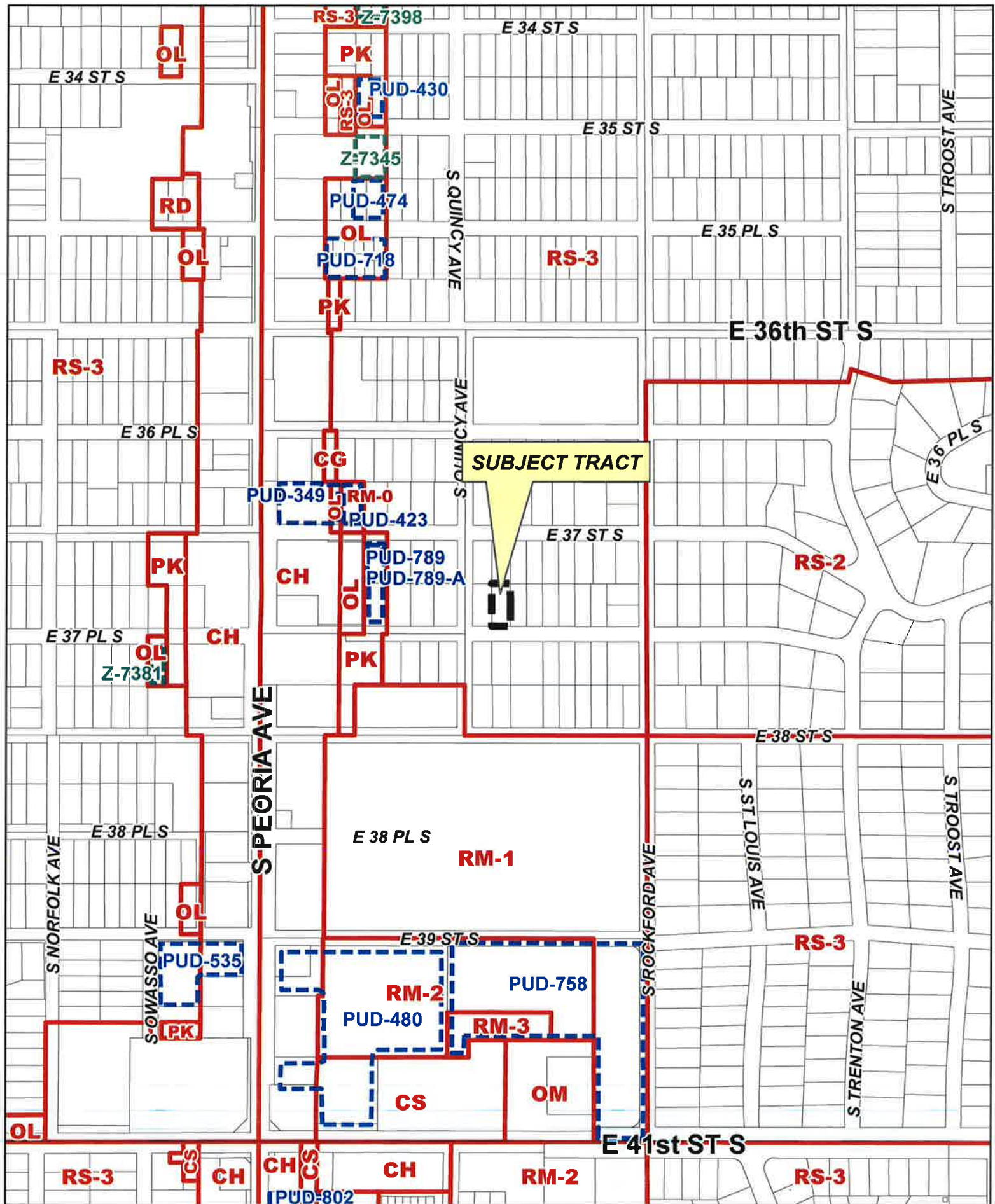
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

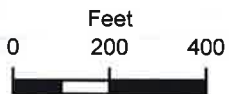
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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



BOA-22474

13.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-22474**

CZM: 47

CD: 9

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Susan Bedwell

ACTION REQUESTED: Special Exception to allow a fence to exceed 8 ft. in height within the required building setbacks.(Section 45.080-A)

LOCATION: 1409 E 37 PL S

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 8542.15 SQ FT

LEGAL DESCRIPTION: E60.9 LT 10 BLK 3, LEOKI PLACE

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-19003: on 3.13.01 the Board **approved** a *variance* of required 5' side yard to 4' to permit an addition to an encroaching structure; a *variance* of required 5' side yard to 2' to permit the addition of a carport; and a minor *special exception* to allow a carport to extend 5' into the required 25' front setback; Located at 1409 East 37th Place South.

Surrounding Property: No relevant history

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

of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residential to the north, south, east, and west.

STAFF COMMENTS:

As shown in the attached plan the property owner is proposing to build a new privacy fence with a section to be 10' in height within the required building setback along the east side yard of the property. Per the code, fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setback fences may not exceed 4 feet in height (Section 45.080-A).

The Code permits the Board of Adjustment to increase the permitted height through special exception approval. The applicant has requested a **Special Exception** to allow a section of the new fence to exceed 8 feet in height within the required building setback to 10ft.

The applicant has provided the following statement; *"Due to new residence on the east adjacent property with a 4'-0" above the grade elevated patio to the rear yard, we are requesting to be allowed to build a section of the new privacy fence at 10'-0" only where necessary to provide privacy between an existing pool and the new elevated patio. The 10'-0" tall fencing section would provide the equivalency pf a 6'-0" privacy zone at the patio."*

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to allow a fence to exceed 8 ft. in height within the required building setbacks.(Section 45.080-A)

- 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.

Case No. 19002

Action Requested:

Special Exception to permit outdoor tournament for a one-day event for a period of 5 years. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 2, located 725 E. 36th St. N.

Presentation:

Gary Hack, 2826 S. Delaware Pl., came to present case.

Comments and Questions:

Mr. Dunham asked if it is a one-day tournament. Mr. Hack responded in the affirmative.

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, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Special Exception** to permit outdoor tournament for a one day event for a period of 5 years, for basketball tournament, 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 Block 2, Northland Center Addition, and that part of the SW/4 SW/4 SE/4 Section 13, T-20-N, R-12-E, of the IBM, more particularly described as follows, to-wit: Beg. at the SE/c SW/4 SW/4 SE/4; thence W along the S boundary of said SW/4 SW/4 SE/4 a distance of 501.19'; thence N a distance of 50' to the SE/c Block 2, Northland Center; thence N along the E boundary of said Block 2, a distance of 611.46'; thence E along the N boundary of said SW/4 SW/4 SE/4 a distance of 501.11' to the NE/c of said SW/4 SW/4 SE/4; thence S along the E boundary of said SW/4 SW/4 SE/4 a distance of 661.37' to the POB, all located within the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19003

Action Requested:

Variance of required 5' side yard to 4' to permit an addition to an encroaching structure. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6; a Variance of required 5' side yard to 2' to permit the addition of a carport. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; and a Minor Special Exception to allow a carport to extend 5' into the required 25' front setback.

03:13:01:814(9)

13.4

19003

SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located 1409 E. 37th Pl.

Presentation:

Suzanne Bedwell, 1409 E. 37th Pl, described the design plans and encroachment. She stated that the pergola would help stabilize the carport structure.

Comments and Questions:

Mr. Cooper asked for the hardship of the second Variance. Ms. Bedwell replied that the tree in the front yard near the driveway is a River Birch and leans somewhat over the street. Mr. Cooper noted the large size. She added that the trunk is split into three to four portions of twelve inches in diameter. Mr. Beach asked for the overall dimension of the carport. Ms. Bedwell replied that it is 18 ½ feet square to accommodate two cars. Mr. Beach responded that it is just barely large enough for two cars. She commented that she was trying not to impact her neighbors by keeping the size to a minimum, but that they did need protection for their two cars.

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, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Variance** of required 5' side yard to 4' to permit an addition to an encroaching structure; a **Variance** of required 5' side yard to 2' to permit the addition of a carport; and a **Minor Special Exception** to allow a carport to extend 5' into the required 25' front setback, per plan submitted, finding the hardship to be the size of the lot and if the carport were any smaller it would not accommodate two cars, and the application applies only to the east half of Lot 10, Block 3, Leoki Place Addition, on the following described property:

Lot 10, Block 3, Leoki Place Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19004

Action Requested:

Variance to allow required parking to extend to lots not containing use. SECTION 1301.D. GENERAL REQUIREMENTS – Use Unit 12; and a Special Exception to permit a parking lot in an RM-2 district. SECTION 404.H. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS, located 1413 E. 15th St.



0 50 100
Feet



Subject
Tract

BOA-22474

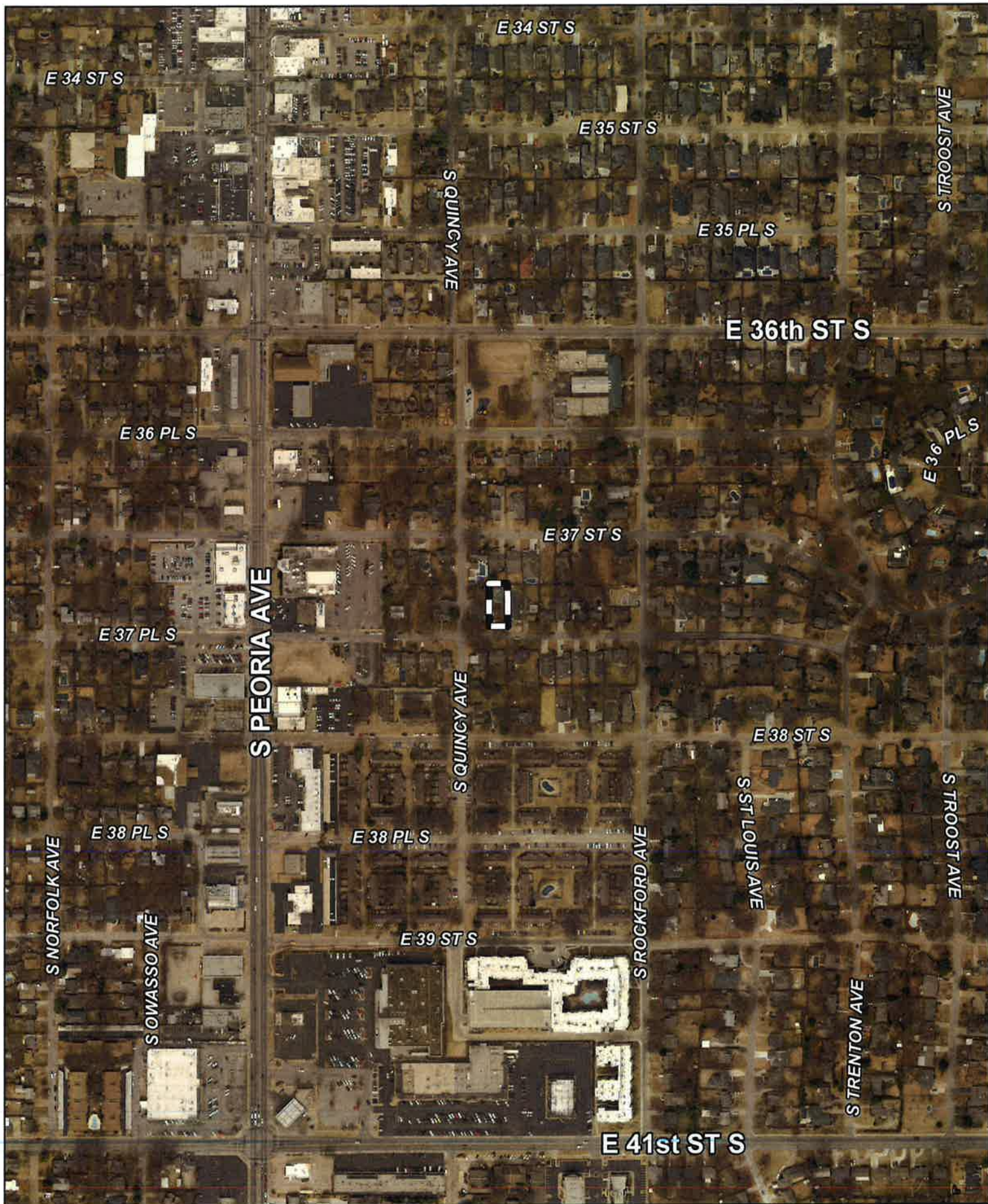
19-13 19

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

Aerial Photo Date: February 2018



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Feet



Subject
Tract

BOA-22474

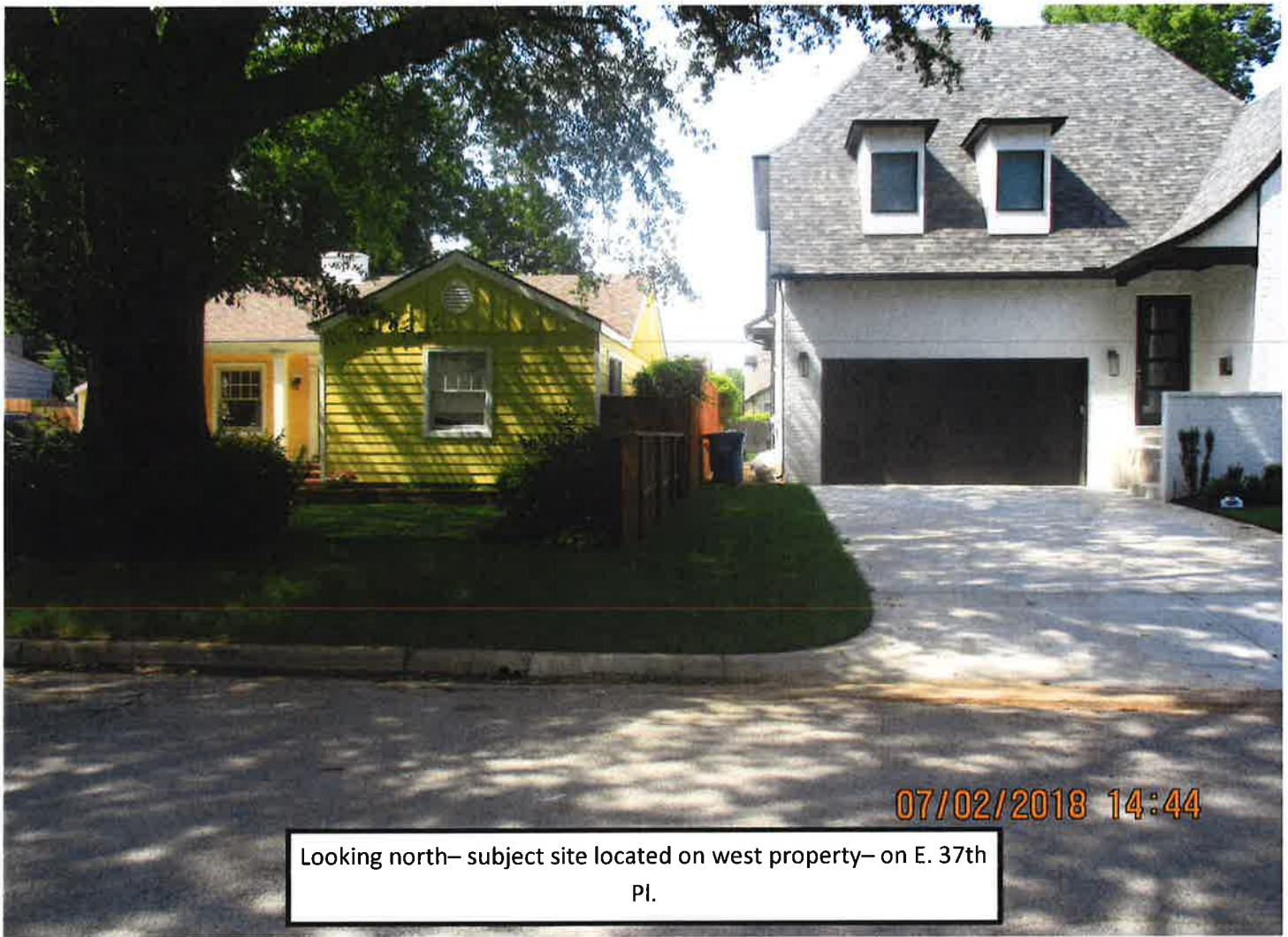
19-13 19

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

Aerial Photo Date: February 2018

13.7

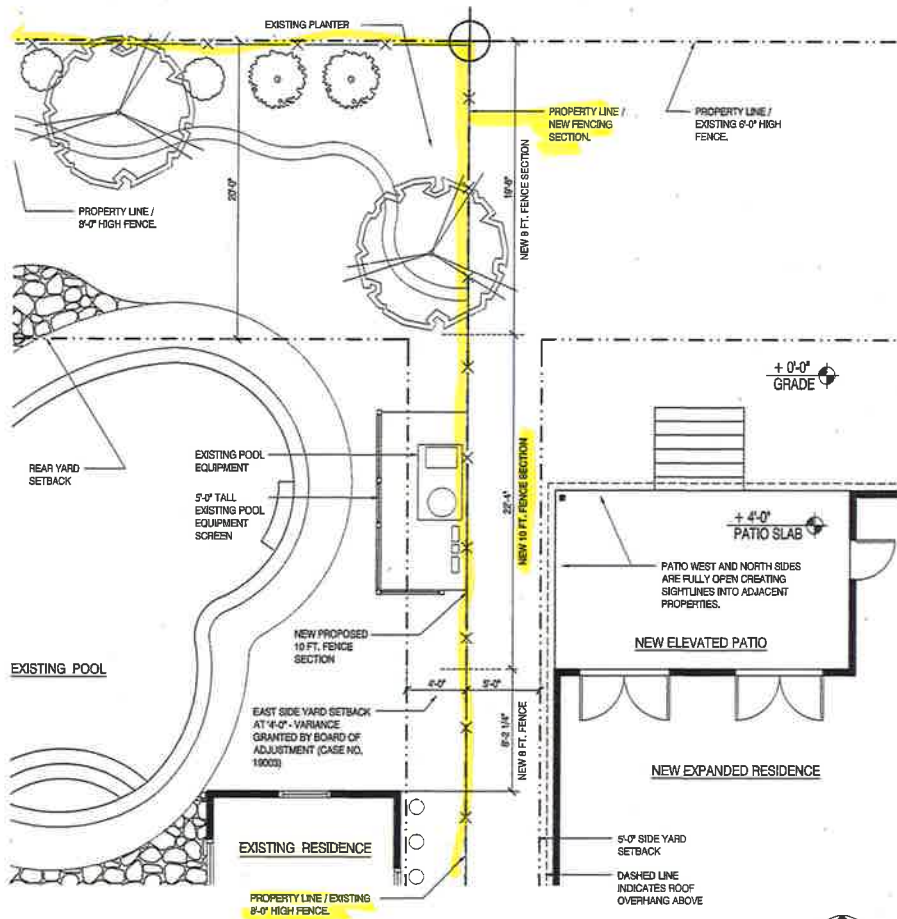




07/02/2018 14:44

Looking north— subject site located on west property— on E. 37th
Pl.

13.9



B PROPOSED SITE PLAN
SCALE 1/8"=1'-0"

SCOPE OF WORK - 50 FT. OF NEW PRIVACY FENCING

DUE TO NEW 2-STORY RESIDENCE CONSTRUCTED ON ADJACENT PROPERTY TO THE EAST WITH ELEVATED REAR PATIO AT 4'-0" ABOVE FINISH GRADE, THE SCOPE OF WORK FOR THIS PROJECT IS TO REMOVE THE EXISTING 6'-0" TALL FENCE AT THE EAST SIDE OF THE REAR YARD AND CONSTRUCT A NEW PRIVACY FENCE AT 8'-0" TALL, WITH A SECTION OF THE FENCE AT 10'-0" TALL ONLY WHERE NECESSARY TO PROVIDE PRIVACY BETWEEN THE EXISTING POOL AND THE NEW ELEVATED PATIO OF THE NEW RESIDENCE ON THE ADJACENT PROPERTY. THE 10'-0" TALL FENCING SECTION WOULD PROVIDE THE EQUIVALENCY OF A 6'-0" PRIVACY ZONE AT THE ELEVATED PATIO.

THE NEW PRIVACY FENCING SHALL MATCH EXISTING FENCING IN APPEARANCE AND SHALL BE CONSTRUCTED OF 3-1/2" WIDE CEDAR PICKETS, TREATED 2X4 RAILS AND 3-1/2" DIAMETER SCHEDULE 40 GALVANIZED STEEL POST AT 4' SPACING AT 10'-0" TALL SECTION AND 8'-0" SPACING AT 8'-0" TALL SECTIONS. POST FOUNDATION SHALL BE 3'-0" DEEP.

ZONING INFORMATION

ZONED: RS-3 - RESIDENTIAL SINGLE-FAMILY DISTRICT

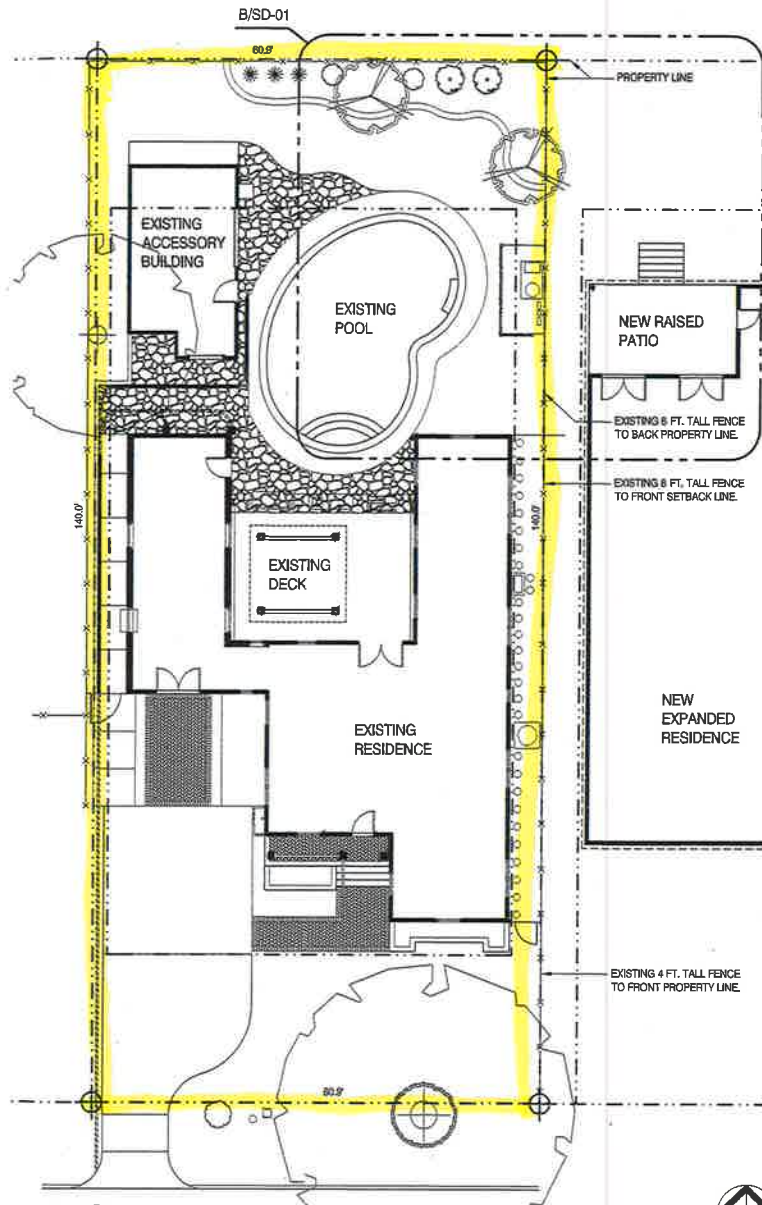
USE: RESIDENTIAL

EXISTING SQUARE FOOTAGE:
LIVING AREA 2105 SF. (GROSS AREA)

BOARD OF ADJUSTMENT CASE NO. 19003:
VARIANCE GRANTED ADJUSTING THE EAST SIDE YARD SETBACK TO 4'-0".

VARIANCE GRANTED ADJUSTING THE WEST SIDE YARD SETBACK TO 2'-0".

MINOR SPECIAL EXCEPTION GRANTED ADJUSTING THE FRONT YARD SETBACK TO 20'-0" FOR GARPORT. (GARPORT HAS NOT BEEN BUILT.)

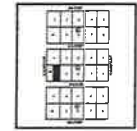


A SITE PLAN
SCALE 1/16"=1'-0"



FENCE MODIFICATION FOR NEV & SUZANNE BEDWELL

CITY OF TULSA
TULSA COUNTY, OKLAHOMA



1409 EAST 37th PLACE
LEGAL DESCRIPTION:
EAST 37th PLACE ADJACENT
EAST 60.9 FEET OF LOT 20,
BLOCK 3, PLAT NO. 825

ARCHITECT:

SUZANNE BEDWELL, AIA
1409 EAST 37th PLACE
TULSA, OK 74105
(918) 618-0533



REVISIONS		
NO.	DATE	DESCRIPTION
△	_____	_____
△	_____	_____
△	_____	_____
△	_____	_____
△	_____	_____
△	_____	_____
△	_____	_____

DATE: 06.21.2018
SCALE: AS SHOWN
TITLE:

SITE PLAN

(DRAWING NO.)

SD-01

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

June 7, 2018

Susan Bedwell
1409 E 37th PI
Tulsa, OK 74105

APPLICATION NO: **BLDR-002917-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1409 E 37th PI
Description: Fence

INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

13.10

REVIEW COMMENTS

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

Application No. BLDR-002917-2018

1409 E 37th PI

June 7, 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.

45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height. . However in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses and duplexes located on double frontage lots. The board of adjustment is authorized to modify these fences and wall regulations in accordance with the special exception procedures of Section 70.120.

Review Comments- Provide documentation indicating the proposed fence will not exceed 8' in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 8' in height.

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

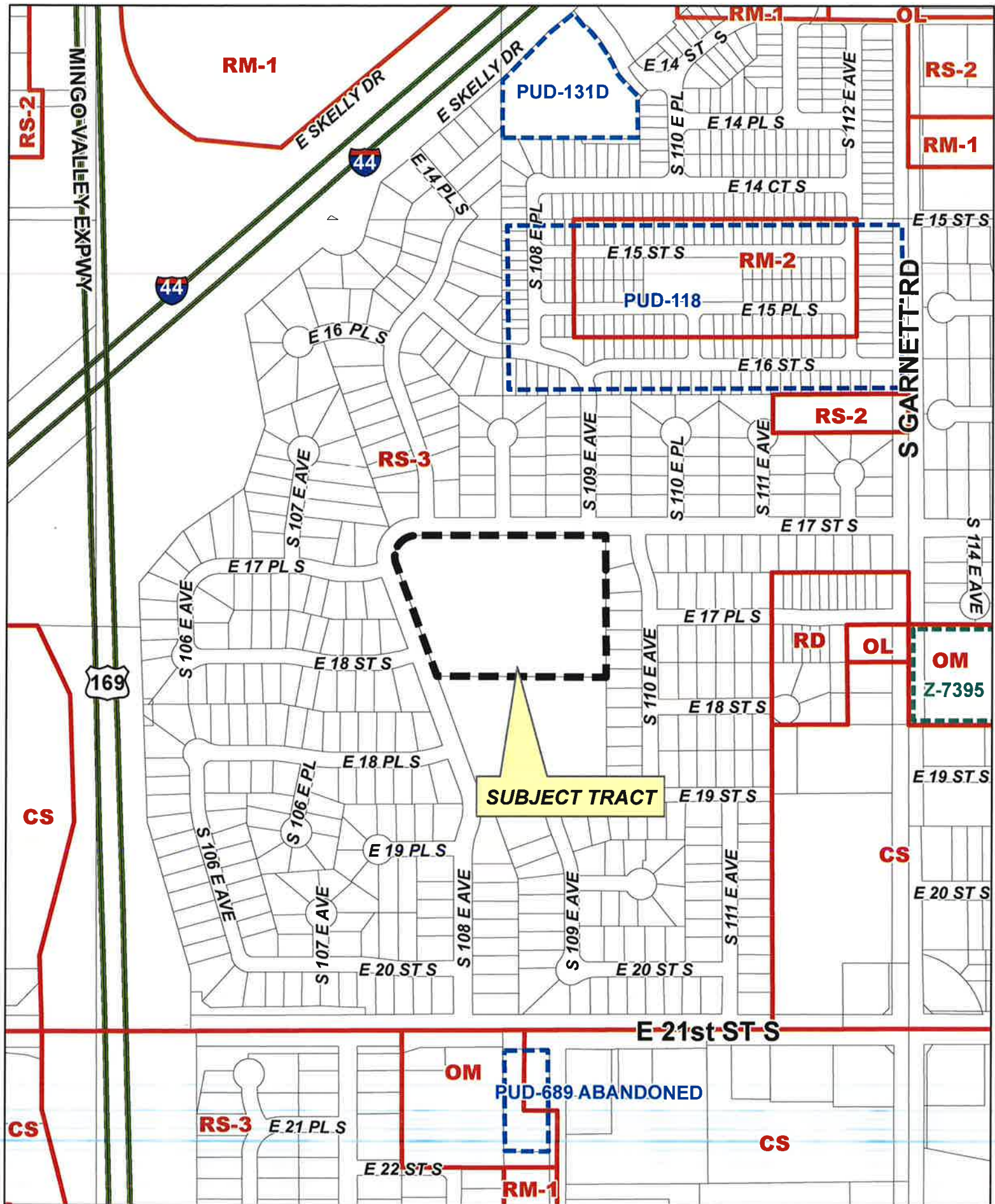
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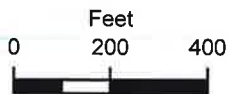
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BOA-22475

19-14 07

14.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9407

Case Number: **BOA-22475**

CZM: 39

CD: 5

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Special exception to allow a dynamic display in a RS-3 zoning district (Section 60.050.2.c)

LOCATION: 10818 E 17 ST S

ZONED: RS-3

PRESENT USE: School

TRACT SIZE: ±6.44 acres

LEGAL DESCRIPTION: LT 1 BLK 18, MAGIC CIRCLE ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-17774: on 7.22.97 the Board **approved** a *special exception* for a school and accessory uses in a RS-3 zoned district (Section 401); Located at 10818 East 17th Street South.

Surrounding Property: No relevant history

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** include 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.

14.2

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residential to the west, north, and east; it abuts Cowan Park to the south.

PREVIOUS STAFF COMMENTS:

According to the submitted site plan and drawings the proposed ground sign located on the northwest corner of the site will contain a 11.13 sq. ft. (5.3x21.1) dynamic display sign. 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 on a lot occupied by an allowed public, civic or institutional use; the Board 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.
- (Dynamic displays are subject to the dynamic display regulations of Section 60.100.

The proposed freestanding sign with a dynamic display is located in an RS-3 zoning district. The applicant is requesting a **special exception** to allow a dynamic display in a RS-3 zoning district (Section 60.050.2.c).

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to to allow a dynamic display in a RS-3 zoning district (Section 60.050.2.c)

- 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.

Case No. 17726 (continued)

Presentation:

The applicant, **Jeffrey Levinson**, submitted a letter and requested that Case No. 17726 be withdrawn (Exhibit A-1).

Case No. 17736

Action Requested:

Variance of maximum permitted height for a ground sign from 40' to 60'. **SECTION 1221.D.1. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING**, located East of 165th East Avenue and Admiral Place.

Presentation:

The applicant, **Paul W. McKnight**, submitted a letter and requested Case No. 17736 be withdrawn (Exhibit B-1).

Case No. 17774

Action Requested:

Special Exception for a school and accessory uses in a RS-3 zoned district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located 10818 East 17th Street South.

Presentation:

The applicant, **Benjamin F. Samuels/Architectural Plus Associates**, 5350 East 46th Street, representing Tulsa Public Schools, submitted a site plan (Exhibit C-1) and stated the request is to add an addition to the Perry Elementary School. The additions will be for two classrooms on the end of the building and a library on the rear of the building. The classroom addition will be 2,528 SF and the library will be 1,600 SF.

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** for a school and accessory uses in a RS-3 zoned district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, 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:

Lot 1, Block 18, Magic Circle Addition, City of Tulsa, Tulsa County, Oklahoma.



Feet

0 200 400



**Subject
Tract**

BOA-22475

19-14 07

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

Aerial Photo Date: February 2018



14.5



0 50 100
Feet



Subject
Tract

BOA-22475

19-14 07

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

Aerial Photo Date: February 2018

14.6





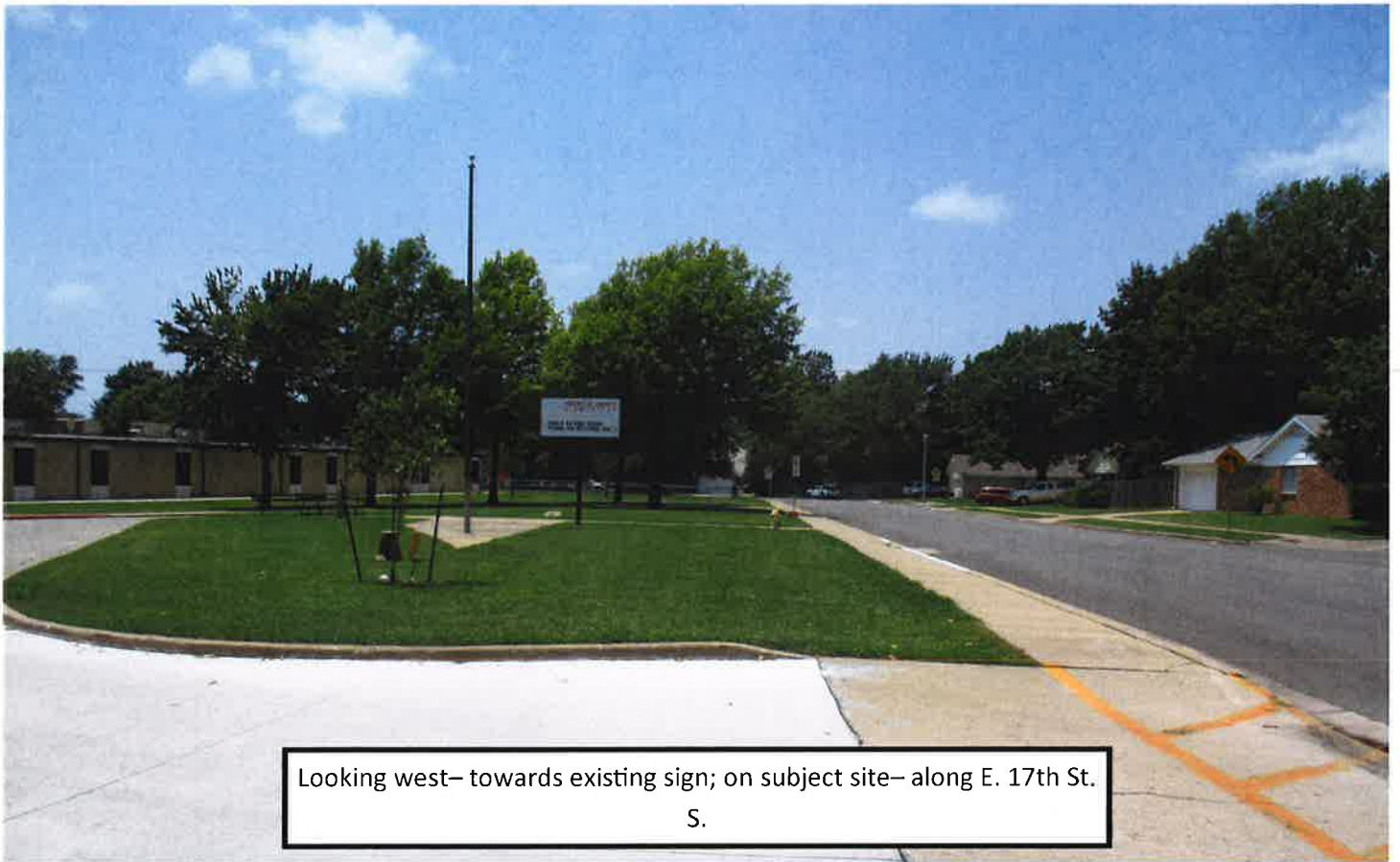
Looking east- towards existing sign; on subject site - along E. 17th St.
S.

018 12:40



Looking east- towards existing sign; on subject site - along E. 17th St.
S.

07/02/2018 12:40



Looking west— towards existing sign; on subject site— along E. 17th St.
S.



Looking west— towards existing sign; on subject site— along E. 17th St.
S.

NEW CABINET AND MESSAGE CENTER FOR EXISTING POLE

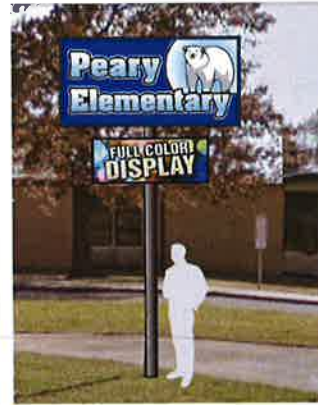
SCALE: 1/2" = 1'

1.0

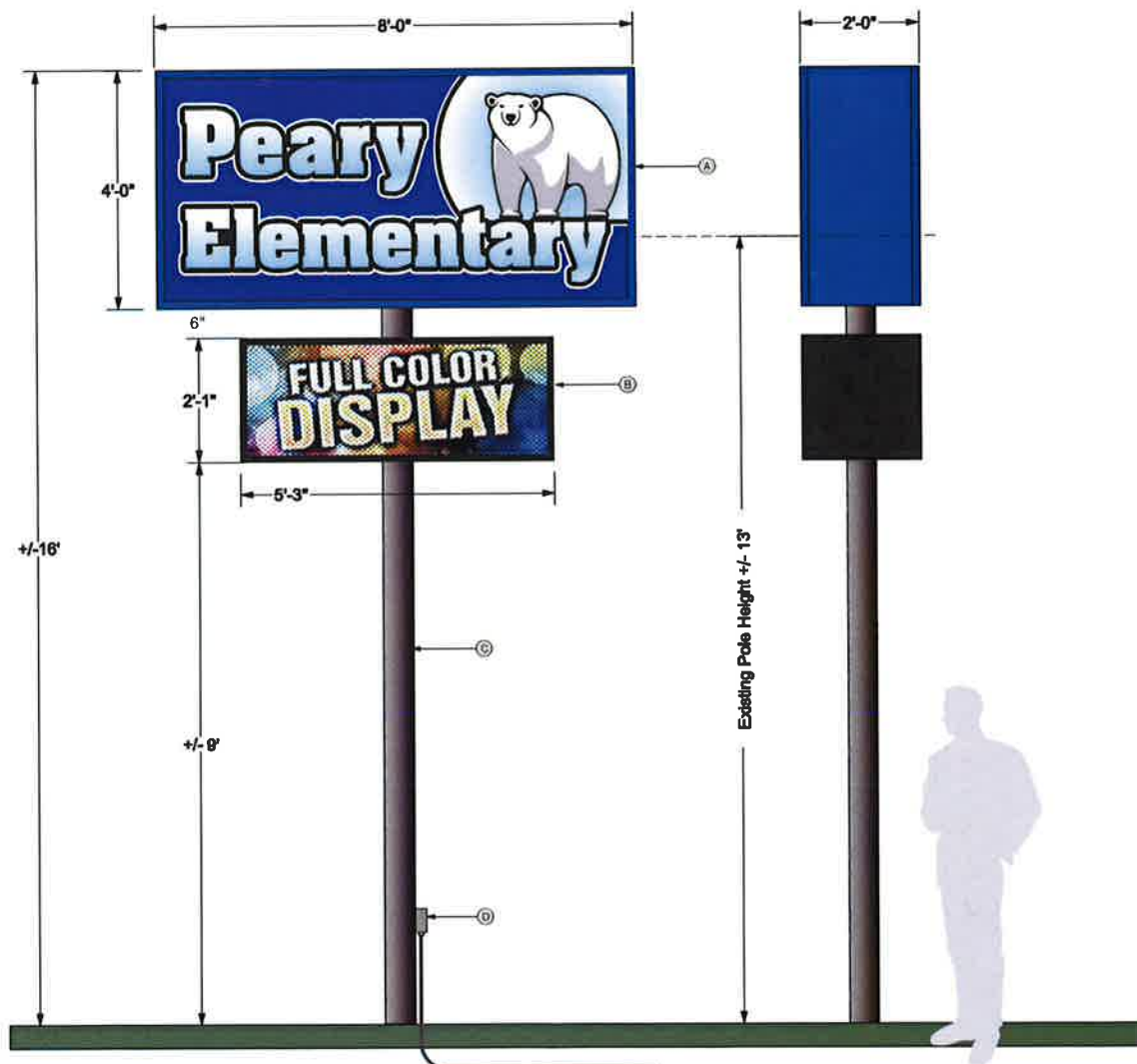
- (A) NEW Double sided Fabricated Metal Sign Cabinet. 1-1/2" Pre Finished Heron Blue Retainers. Acrylic Face with Dual Layer Digital Print w/ Luster Laminate. White LED Illumination
- (B) Optec Double Sided Message Center Provided by Image Builders
- (C) Existing 18-1/4" DIAMETER Pole
- (D) 120V Circuit to Sign By Electrician



EXISTING
SCALE: 3/16" = 1'



PROPOSED
SCALE: 3/16" = 1'



• Dimensions, Descriptions and Depictions stated or shown here are subject to minor modifications to accommodate numerous considerations such as final agreements on project pricing, future confirmed site conditions and requirements, fabrication method, and raw material yields.
• We will strive to match specific colors, such as Pantone values, and/or matching existing signage or surrounding building colors and/or textures. We cannot always guarantee an exact match due to the varying differences in materials, age, sheen and how colors are applied.

a-max
SIGN COMPANY, INC.
9520 E. 55th Place Tulsa, Oklahoma 74145
ph: (918)622-0651 fax: (918)622-0659
www.amaxsign.com

PROJECT: Peary Elementary
LOCATION: 10818 E. 17th St., Tulsa, OK
SALES REP: Bruce Anderson
FILE NAME: 4x8 wMSG Cntr-REV1
DATE: 05-17-18 SCALE: AS NOTED
DRAWN BY: BB CLIENT APPROVAL / DATE:



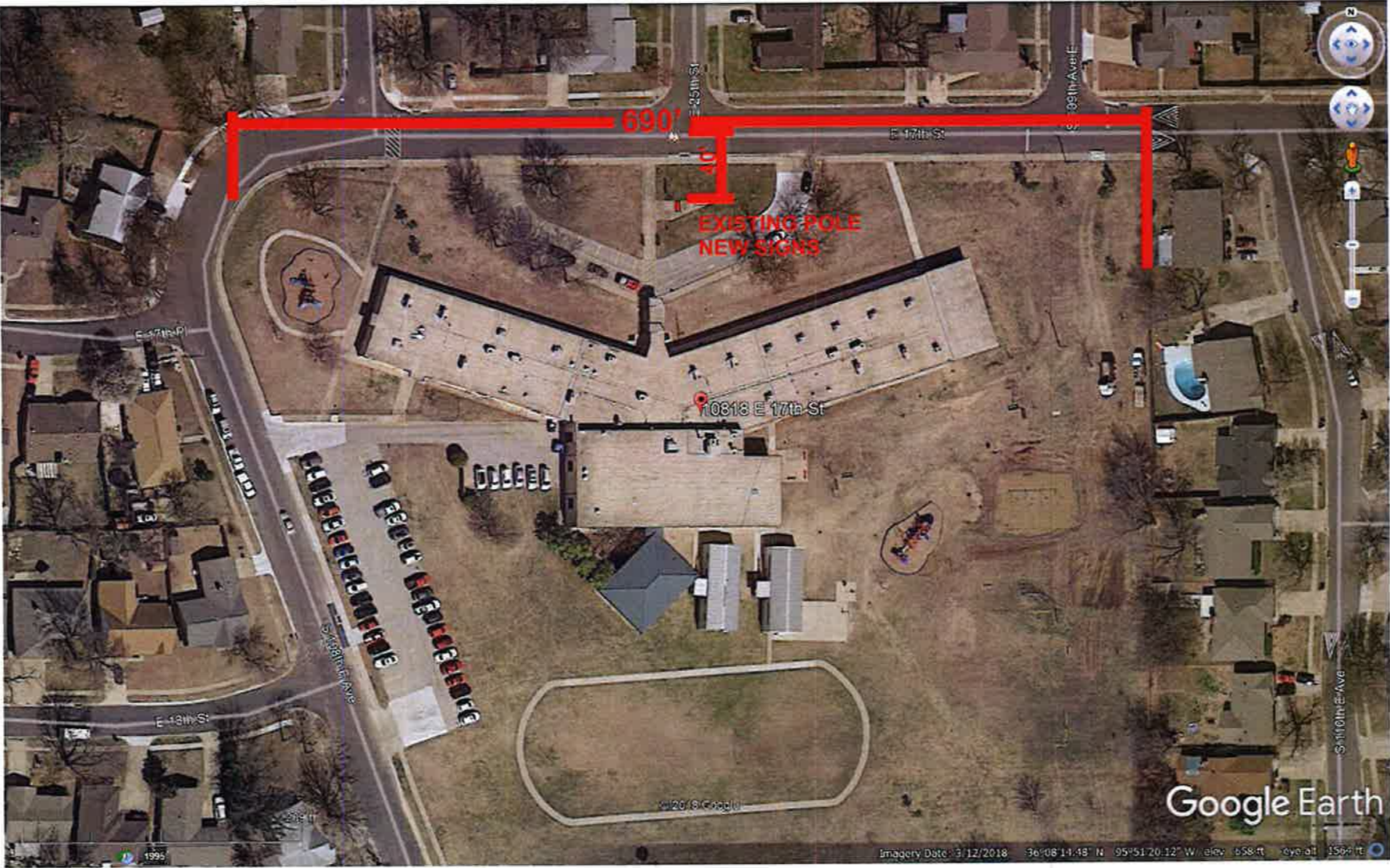
UL LISTED
All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.
This drawing is for the purpose of a final sign design and should not be used for construction or installation without the approval of the sign manufacturer.
© 2018 A-Max Sign Co. All rights reserved.

REVISIONS
1. 1
2. 2
3. 3
WORK ORDER 54031
DWG 051718-30

Project Manager:

14.9

PEARY ELEMENTARY
10818 E 17TH ST.



14.10

BOB KOLIBAS
SIGN PLANS EXAMINER
TEL (918)596-9664



DEVELOPMENT SERVICES

175 EAST 2ND STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

SIGN PLAN REVIEW

June 5, 2018

LOD Number: 1

Amax Sign Company
9520 E. 55th PI
Tulsa OK 74145

Phone: (918)622-0651

APPLICATION NO: SIGN-003017 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 10818 E. 17th Streets S.

Description: PEARY ELEMENTARY WITH LOGO 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 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 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 OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH 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)

14.11

REVIEW COMMENTS

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

Application No. SIGN-003017

10818 E. 17th Streets S.

June 5, 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.

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.

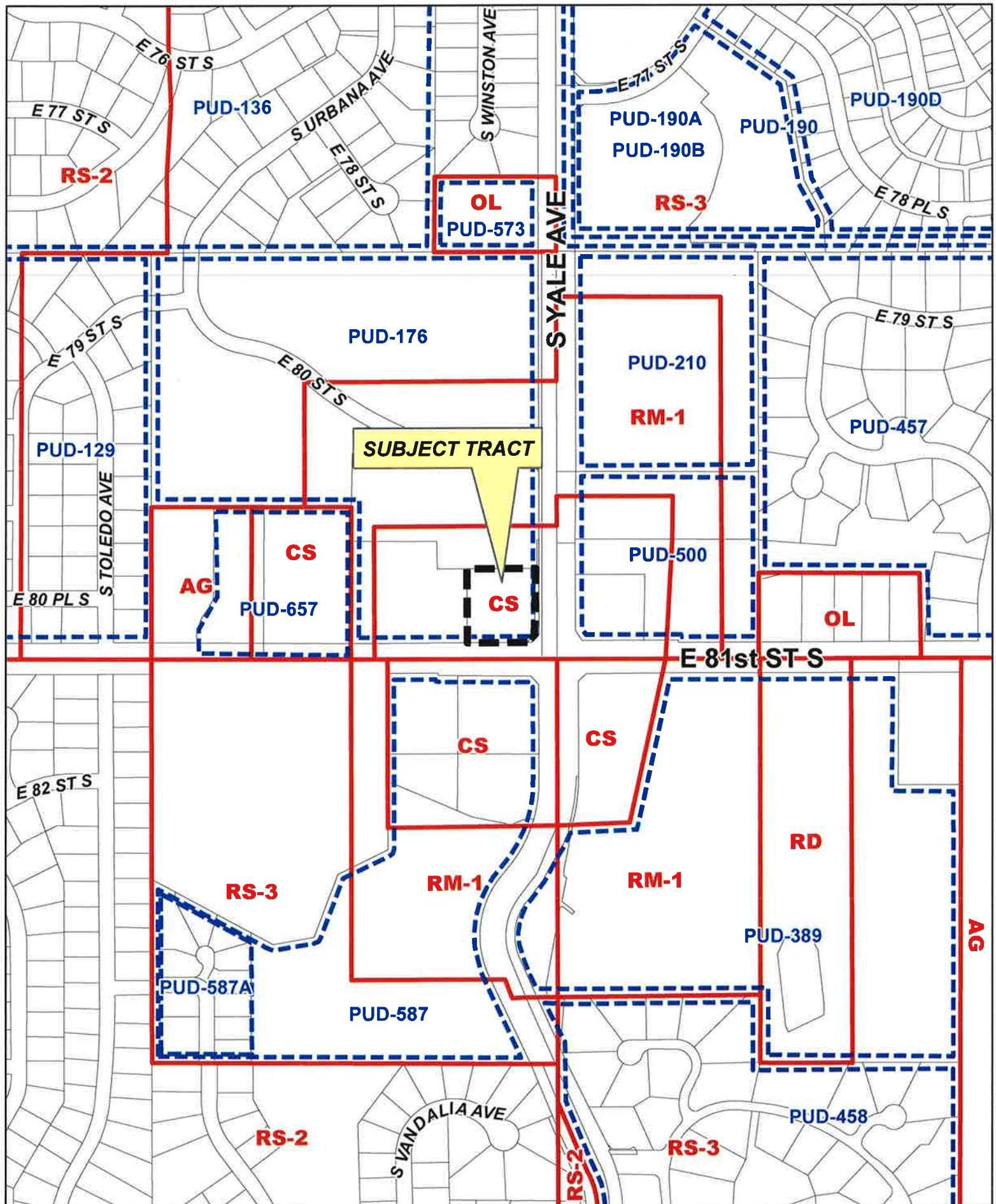
Review Comments: The proposed freestanding sign with a dynamic display is located in an RS-3 zoning district. You may pursue a special exception from the BOA to permit a dynamic display sign (5.3x2.1) to be located in an RS-3 zoning district. **Note:** Please review conditions 1-4 that apply to dynamic display signs in R zoning districts.

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-22476

15.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 8309

Case Number: **BOA-22476**

CZM: 52

CD: 8

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to permit a dynamic display within 50 feet of a driving surface of a signalized intersection. (Section 60.100-D); Variance to permit a dynamic display within 20 feet of the driving surface of a street. (Section 60.100-E)

LOCATION: 8080 S YALE AV E

ZONED: CS

PRESENT USE: Commercial property.

TRACT SIZE: ± 1.24

LEGAL DESCRIPTION: LT 2 LESS BEG SWC TH N335 E280 S89.36 E98.02 S245.64 W377.42 POB & LESS BEG NEC TH S225 SW28.25 W14.13 NE34.08 N220.87 NL E10 POB FOR ST BLK 1, COUNTRY HOLLOW CENTER, COUNTRY HOLLOW

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-20254: on 5.23.06 the Board **denied** a *variance* of the required 50' distance from the driving surface of a signalized intersection to 27' and the required 20' distance from the driving surface of a street to 13.5' to permit a changeable copy sign, stating the applicant has the right to put up no more than a 2' x 5' LED or changeable copy sign; Located at 8080 South Yale Avenue.

Surrounding Property:

BOA-21344; On 11.22.11 the Board **denied** a *variance* to reduce setback from 50 feet to 18 feet from driving surface of a signalized intersection (Section 1221.C.2.a); and a *variance* to reduce setback from 20' to 17'1" from the driving surface of a street to allow for an Electronic Message Center (Section 1221.C.2.b); Located on the northwest corner of South Yale Avenue and East 91st Street South.

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

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for

markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the City where general agreement exists that development or redevelopment is beneficial.

ANALYSIS OF SURROUNDING AREA: The subject tract is CS zoned commercial uses to the north, south, east, and west and an undeveloped lot to the southeast.

STAFF COMMENTS:

Section 60.100-D of the Code states that dynamic display signs shall not be located within 50 ft of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection. The proposed 3.0x10.0 sq. ft. dynamic display sign appears to be within 50 feet of a signalized intersection along S. Yale Ave. & E. 81st St.

Section 60.100-E of the Code requires that no dynamic display sign shall be located within 20 feet of the driving surface of a street, measured in a straight line from the nearest point on a sign structure to the nearest point of the street curb, or edge of the traveled roadway. The proposed sign appears to be within 20 ft. of the driving surface of the road along S. Yale Ave. & E. 81st St.

The applicant has requested a **variance** from the requirement that dynamic displays not be located within 20 ft of the driving surface of a street; and a **variance** to allow the dynamic display within 50 ft. of a signalized intersection. The applicant has stated that, *"The sign location is restricted due to the widening of the streets, sign moved anywhere else would be in traffic. The sign currently has a dynamic display but does not work."*

The Code provides minimum setbacks in an attempt to establish and maintain desired separation between a digital sign and signalized intersections as well as driving surfaces so as to mitigate the impact of the digital signage, or more specifically its lighting, on the motoring public.

Sample Motion for a Variance

Move to _____ (approve/deny) **Variance** to permit a dynamic display within 50 feet of a driving surface of a signalized intersection. (Section 60.100-D); **Variance** to permit a dynamic display within 20 feet of the driving surface of a street. (Section 60.100-E)

- 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."*

the height of the auditorium and gymnasium to the northwest of the site. The pictures showed the view from 11th Street. He informed the Board that there is space for collocation on the 100 ft. pole and in the equipment room.

Comments and Questions:

Mr. Dunham asked if he had checked on the existing towers in the area, which he had and found that none of them would meet their needs. Mr. Reynolds submitted a letter from their engineer stating they comply with the FCC and FAA regulations (Exhibit A-3). He responded to other questions, stating the pole is bigger and to accommodate future collocation. He added that it would be white and metal unless the Board requested something different.

Board Action:

On **Motion of Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to allow a cell tower in an RS-3 district and a Special Exception of the required 110 percent distance from an R and O district, having examined all eleven components of Section 1204.C.5 and making the following conditions: 9 ft. matching masonry wall as shown in exhibit S-1; allow passage between the utility yard and school; mesh fencing above wall; 100 ft. metal monopole with lighting specified by the school; available collocation; existing light pole to be removed; on the following described property:

NE NE NW SEC 8 19 13, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

Case No. 20254

Action Requested:

Variance of the required 50 ft. distance from the driving surface of a signalized intersection to 27 ft. and the required 20 ft distance from the driving surface of a street to 13.5 ft. to permit a changeable copy sign, located: 8080 South Yale Avenue.

Presentation:

John Moody, 1800 South Baltimore, Suite 900, represented the owner and the sign company. He stated that the sign location is the same as the former Valley National Bank that was located on the northwest corner. The bank built a new building on the south side of 81st Street. The property owner has leased this space to the WilServ Credit Union and this will be their main office. They believed they already had a permitted sign location and the owners informed them that they had an agreement with the city to permit a sign at this location. They ordered the new sign and it has been constructed. They filed an application for the sign permit, as it was in a planned unit development, which required a detailed sign plan approval

20254

by INCOG staff. They were informed that staff could not approve the sign because of the changeable copy message board and it did not comply with zoning code requirements for a distance of 50 ft. from pavement of a signalized intersection and 20 ft. from the pavement of South Yale. Mr. Moody explained that to obtain the same visibility it would take two signs to replace the one they have.

Comments and Questions:

Mr. Dunham asked if the LED portion is the only thing triggering this application. Mr. Moody replied the previous sign also had LED. Ms. Stead asked Mr. Moody to further explain the hardship. Mr. Moody stated the hardship is due to the physical characteristics of the lot with the buildings on it. He added there is not a place to put a sign for WilServ unless you put it behind the building. Ms. Stead did not agree and added that they might have to use two signs. He also relied on the previous approval and stated they could reduce the LED to the size of the changeable copy on the previous sign. Mr. Dunham stated it would be helpful if the Board had a copy of the agreement with the city. Mr. Moody was willing to provide a copy to the Board, though he did not have it with him. Mr. Alberty explained that if the sign was non-conforming it could remain, but if it is removed, the new sign has to conform. Mr. Dunham requested to see the PUD and the agreement at a future meeting. Mr. Ackermann asked if the applicant has received a letter of deficiency from the plans examiner and sign permit at development services. He suggested the applicant provide that to the Board also. Mr. Moody replied that they do have a letter of deficiency, asking that the PUD sign plan be review by TMAPC. He added that it did not require anything for the LED portion. The Board members asked for more information before they could make a decision.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Henke**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20254 to the meeting on May 23, 2006, on the following described property:

LT 2 LESS BEG SWC TH N335 E280 S89.36 E98.02 S245.64 W377.42 POB &
LESS BEG NEC TH S225 SW28.25 W14.13 NE34.08 N220.87 NL E10 POB
FOR ST BLK 1, COUNTRY HOLLOW, COUNTRY HOLLOW CENTER, City of
Tulsa, Tulsa County, State of Oklahoma

21344—Global Sign Solutions

Action Requested:

Variance to reduce setback from 50 feet to 18 feet from driving surface of a signalized intersection (Section 1221.C.2.a); and Variance to reduce setback from 20 feet to 17 feet - 1 in from the driving surface of a street to allow for an Electronic Message Center (Section 1221.C.2.b). **Location:** 9014 South Yale Avenue East (CD 8)

Presentation:

Richard Craig, 2830 Telegraph Road, St. Louis, Missouri; stated there are four existing cabinets on sign and the proposed request is for the third cabinet from the top which is approximately 13 feet to the bottom of the digital display from the ground with an overall height of approximately 15 feet, and approximately 18 feet from the curb.

Interested Parties:

Mike Schnake, 8908 South Yale, Suite 400, Tulsa, OK; stated he is representing ONB Bank which the property on the northwest. There are many accidents at 91st and Yale, and the building is wrapped in signage. This type of signage is not necessary for the area and it would present a hazardous distraction to traffic.

Rebuttal:

Mr. Craig does not feel that the 18 foot distance would create a problem because the sign does not face the intersection; it is perpendicular to the corner.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Henke, Stead, Tidwell, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **DENY** the applicant's request for a Variance to reduce setback from 50 feet to 18 feet from driving surface of a signalized intersection (Section 1221.C.2.a); and **DENY** a Variance to reduce setback from 20 feet to 17 feet - 1 in from the driving surface of a street to allow for an Electronic Message Center (Section 1221.C.2.b); for the following property:

LT 1 LESS BEG NEC THEREOF TH W10 S155.02 NE14.15 N145.02 POB BLK 1, STAR CENTER II, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21346—Lou Reynolds

Action Requested:

Special Exception to allow Use Unit 2 - Governmental Services, NEC (Not Elsewhere Classified) in an RS-3 District. **Location:** 3310 East Mohawk Boulevard North (CD 3)



0 Feet
200
400



Subject
Tract

BOA-22476

18-13 09

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

Aerial Photo Date: February 2018

15.8





E 80th St S

S YALE AVE

E 81st St S

0 50 100
Feet



Subject
Tract

BOA-22476

18-13 09

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

Aerial Photo Date: February 2018

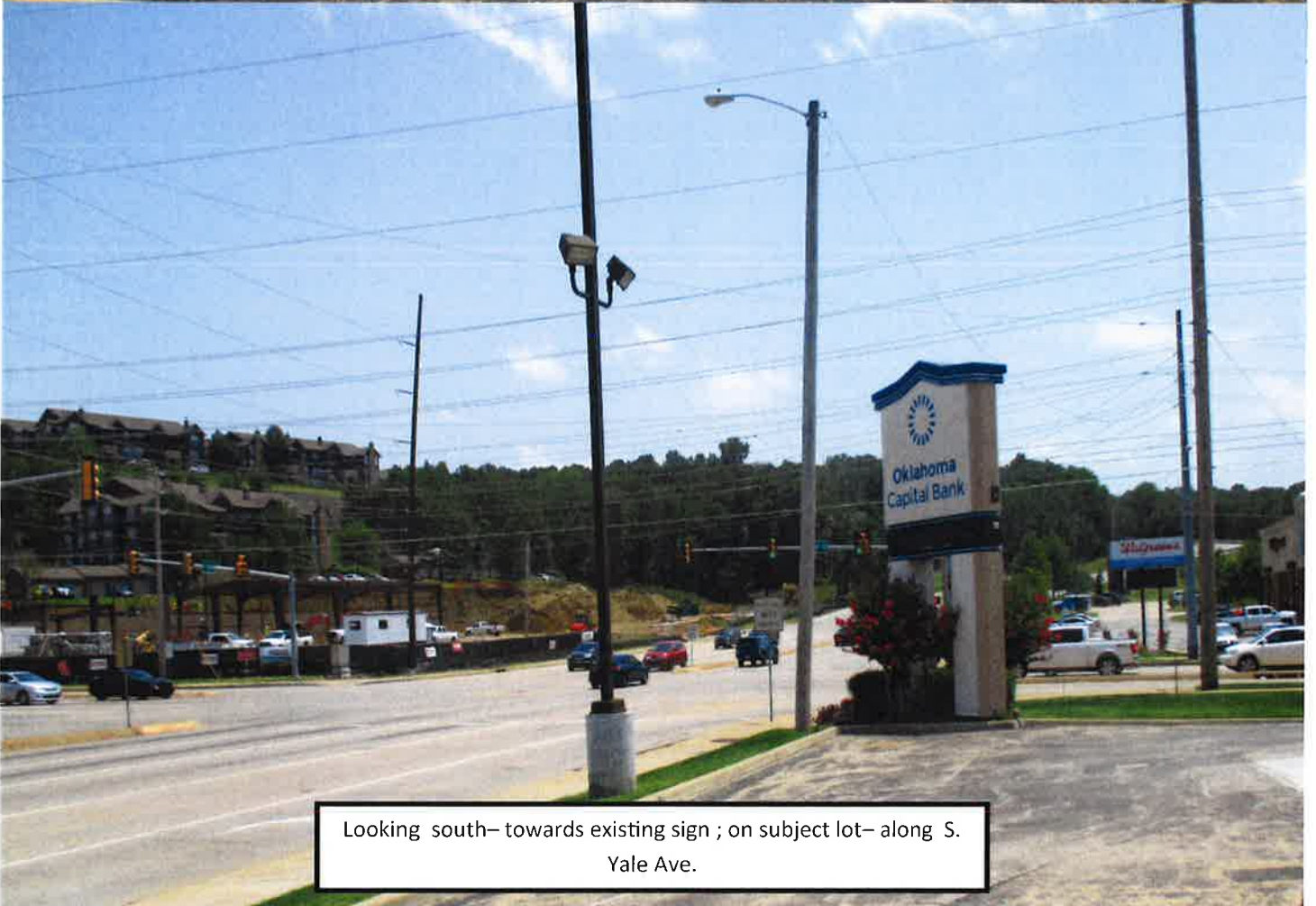


15.9



Looking east— towards existing sign ; on subject lot— along E. 81st
St. S.

2/2018 13:11



Looking south— towards existing sign ; on subject lot— along S.
Yale Ave.

15.11



www.amaxsign.com
9520 E. 55th Place
Tulsa, Oklahoma 74145
ph. (918)622-0651 ... fax. (918)622-0659

QUALITY VALUE ASSURANCE

SCALE: 3/8" = 1'
DATE: 12-06-17
FILE NAME: New MSG CNTR-REV1
SALES REP: Bruce Anderson
DRAWN BY: BB
PROJECT: Oklahoma Capital Bank
LOCATION: Tulsa, OK
ADDRESS: 8080 S. Yale

UL LISTED
Signs will be built to meet UL specifications as required.
All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.

CLIENT APPROVAL / DATE:
LANDLORD APPROVAL / DATE:

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© A-Max Sign Company 2015

REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SHEET NUMBER
2
DWG
120617-28

9' X 10' = 90SQFT
3' X 10' = 30SQFT
TOTAL 120SQFT

2.1

ADD NEW FULL COLOR MESSAGE CENTER TO EXISTING MAIN ID
SCALE: 3/8" = 1'

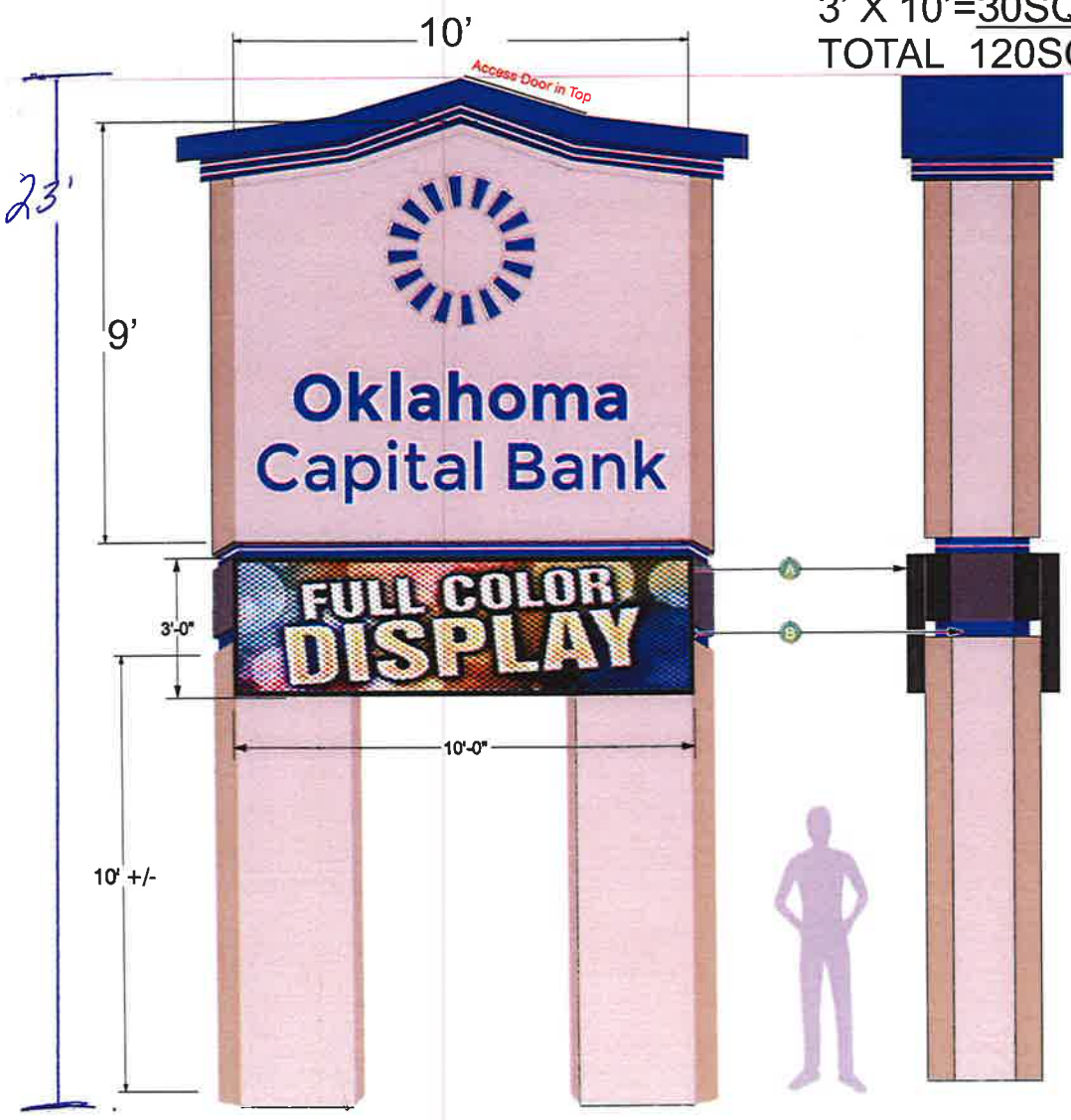
- A Install New Full Color LED Programmable Message Centers. New Displays Cover Old Ones
- B Remove Neon From Bottom Reveal



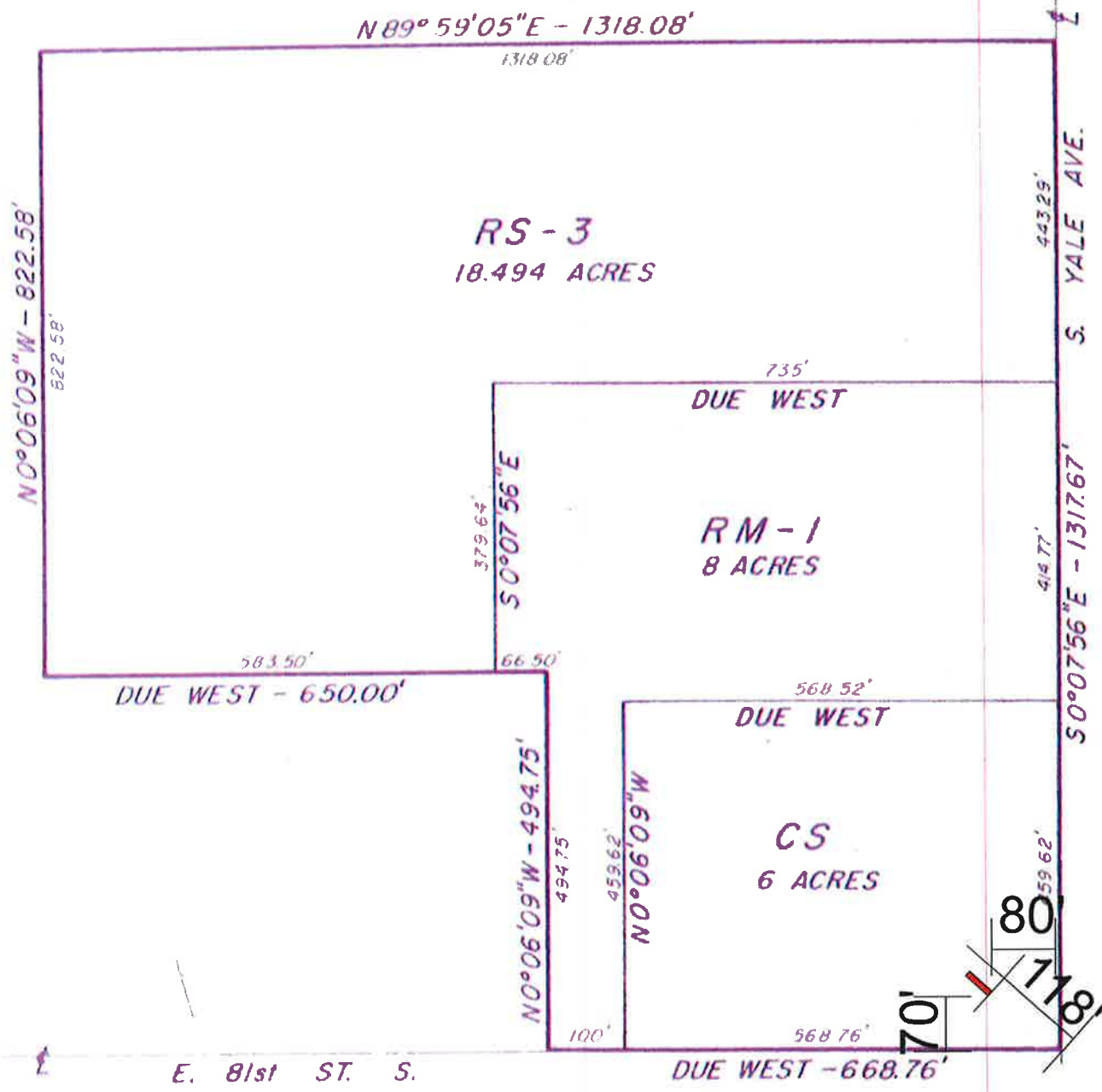
EXISTING
SCALE: 3/16" = 1'



PROPOSED
SCALE: 3/16" = 1'



ZONING CASE NO. 4481



HAMMOND ENGINEERING CO.

ORDER NO. 259

TULSA, OKLAHOMA

SCALE 1" = 200'

BOB KOLIBAS
SIGN PLANS EXAMINER
TEL (918)596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

SIGN PLAN REVIEW

May 08, 2018

LOD Number: 1

Amax Sign Company
9520 E 55th Place
Tulsa OK 74145

Phone: (918)622-0651

APPLICATION NO: **SIGN-000007-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 8080 S. Yale Avenue
Description: Dynamic Display Ground Sign

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 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 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 OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH 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

Application No. SIGN-000007-2018

8080 S Yale Avenue

May 08, 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.) 60.100-D Dynamic displays may not be located within 50 feet of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.

Review Comments: The proposed 3.0x10.0 sq. ft. dynamic display sign appears to be within 50 feet of a signalized intersection along S. Yale Avenue and E. 81st Street. You may relocate the dynamic display sign outside of the 50 foot area or you may pursue a variance from the BOA to permit a dynamic display sign to be located within 50 feet of a signalized intersection.

2.) 60.100-E Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled road-way marked or understood as such.

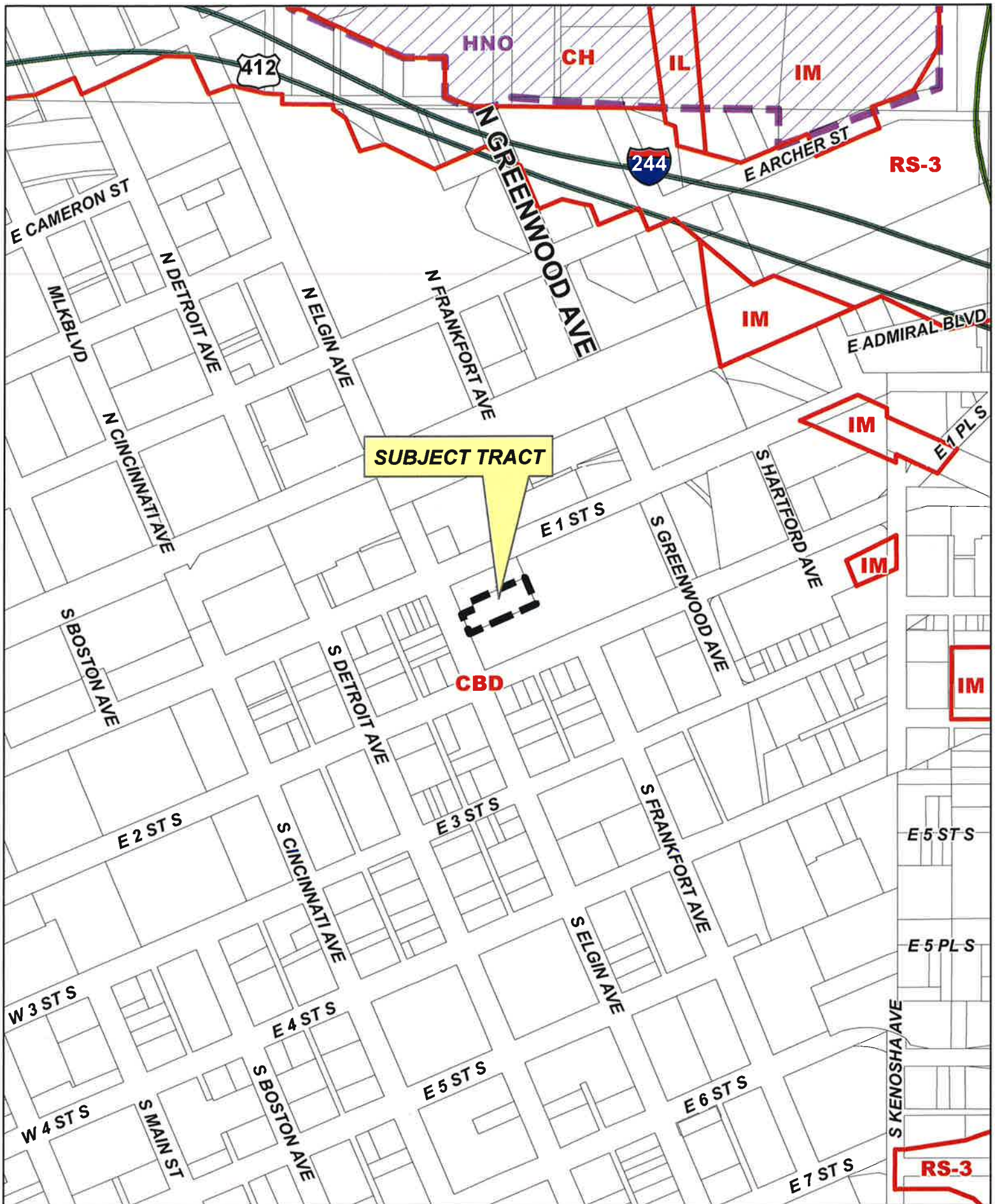
Review Comments: The proposed dynamic display appears to be within 20 feet of the driving surface of the road along S. Yale Avenue and E. 81st Street. You may relocate the dynamic display sign 20 feet from the edge of the curb/roadway or you may pursue a variance from the BOA to permit a dynamic display sign to be located closer than 20 feet to the edge of the curb/roadway.

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-22477

19-12 01

16.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9201

Case Number: **BOA-22477**

CZM: 36

CD: 4

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to permit a projecting sign to exceed the maximum permitted height of 35 feet to be installed 79.16 feet above grade with a 50 ft setback from S. Elgin Ave. (sec. 60.080-D)

LOCATION: 121 S ELGIN AVE

ZONED: CBD

PRESENT USE: Hotel currently under construction.

TRACT SIZE: 21643.09 SQ FT

LEGAL DESCRIPTION: PRT BLK 85 BEG 44.50SWC BLK 85 TH NE195.50 SE95 SW240 NW69 NE44.50 NW26 POB BLK 85, TULSA-ORIGINAL TOWN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None relevant history

Surrounding Property:

BOA-21582: on 7.9.13 the Board **approved** a *variance* to allow one wall sign to extend above the parapet wall in the CBD District (Section 1221.C.11). Located at 401 East 1st Street South (Tenant Space: 421 East 1st Street South)

BOA-21565; on 5.14.13, the Board **APPROVED** a Variance to allow 2 projecting wall signs above wall line in the CBD District. LOCATED: 302 E 1ST ST S

BOA-20502; on 5.8.07, the Board **APPROVED** a Variance of the maximum permitted height of a promotional sign in the CBD. LOCATED: 310 E 1st ST S

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "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,

16.2

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 located in the CBD is surrounded by mixture of uses including surface parking lots, office space and restaurants/bars.

STAFF COMMENTS:

The applicant is requesting a **Variance** to to permit a projecting sign to exceed the maximum permitted height of 35 feet to be installed 79.16 feet above grade with a 50 ft setback from S. Elgin Ave. (sec. 60.080-D)

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.

Sample Motion

Move to _____ (approve/deny) a **Variance** to permit a projecting sign to exceed the maximum permitted height of 35 feet to be installed 79.16 feet above grade with a 50 ft setback from S. Elgin Ave. (sec. 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.”

NEW BUSINESS

FILE COPY

21582—Chuck Gawey – dba Albert G's BBQ

Action Requested:

Variance to allow one (1) wall sign to extend above the parapet wall in the CBD District (Section 1221.C.11). **LOCATION:** 409 E 1ST ST S (Tenant Space: 421 E 1st St S) (CD 4)

Presentation:

Chuck Gawey, 2748 South Harvard, Tulsa, OK; stated he would like to install the neon sign on the building to attract business and mark his business.

Mr. White asked Mr. Gawey what his hardship is. Mr. Gawey stated that to move the proposed sign to any other place than proposed it would not have the same affect or be in keeping with the historical warehouse look of the building.

Interested Parties:

Peter Janzen, Acura Neon Sign Company, 1801 North Willow Avenue, Tulsa, OK; stated Synergy originally designed the awnings for the building to compliment the historical look of the building and keep in the character of the area. The restaurant is next door to McNellie's which is in a building that is approximately 110 years old. The awnings are designed similar to an old-fashioned awning and are to protect the pedestrians on the sidewalk. Mr. Janzen stated that the awnings are required as designed to be part of the building and with that there is not enough room to bring the sign below the parapet creating a hardship. An alternative that was offered by the City of Tulsa is to brick up the parapet to the height of the sign but the applicant would really like to keep the original look of the building.

Comments and Questions:

None.

Board Action:

On **MOTION** of **SNYDER**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to allow one (1) wall sign to extend above the parapet wall in the CBD District (Section 1221.C.11), subject to per plan 5.14 pertaining to the Albert G sign. The hardship is that this is an old building and the applicant wants to keep the parapet of the building so awnings, and once the awnings were installed the sign would not fit on the wall so it must be above the parapet. 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

BOA-21582

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 3 & E65 LT 4 BLK 76 & LT 4 BLK 77 & VAC ALLEYS & VAC FRANKFORT AVE
ADJ THERETO, TULSA-ORIGINAL TOWN, CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA**

20454-A—Charles Martin

Action Requested:

Special Exception to allow automobile sales (Use Unit 17) in a CS District (Section 701, Table 1); Variance to allow open air storage and display of merchandise within 300 feet of an adjoining R district (Section 1217.C.2). **LOCATION:** 1606 North Sheridan Road East (CD 3)

Presentation:

Charles Martin, P. O. Box 3463, Broken Arrow, OK (18210 East 48th Place, Tulsa, OK); stated he has purchased the subject property and was informed that the existing zoning expired.

Mr. Van De Wiele asked Mr. Martin if he planned on having auto repairs. Mr. Martin stated that it would be in house only for the existing cars that were to be sold. The building has a two-bay garage with a lift and there would be supporting activity for a car lot.

Mr. Van De Wiele asked Mr. Swiney if the request could be re-instated or does the Board need a new finding for a hardship? Mr. Swiney stated that it was not so much a hardship that must be found but an extraordinary or unusual condition whereby a literal enforcement of the code would be a hardship. On page 6.4 in the Board's packet it is stated that the subject property is very shallow and the literal interpretation of the code would not permit outside display of merchandise anywhere on the property. That, perhaps, would be the extraordinary circumstance the Board needs.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a

circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT 7 BLK 5, MAPLE PARK ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21565—Dale Bennett

FILE COPY

Action Requested

Variance to allow 2 projecting wall signs to extend above the parapet wall in the CBD District (Section 1221.C.11). **LOCATION:** 302 East 1st Street South (CD 4)

Presentation:

Dale Bennett, Claude Neon Federal Sign Company, 1225 North Lansing, Tulsa, OK; stated the request is to allow two projecting wall signs be raised 2'-11" above the roof line but not past the parapet line of the building.

Interested Parties:

Seth Nimmo, Rib Crib, 8802 East 110th Place, Tulsa, OK; stated the BBQ arrows on the proposed do not extend above the highest point of the second parapet but will extend above the lower parapet wall. He respectfully requests for the Board's approval on this project.

Michael Sager, 328 East 1st Street, Tulsa, OK; stated he is the closest party to this building in every direction, and he is absolutely in favor of the redevelopment of this space. Mr. Sager owns the buildings to the east and south, and the building across the street west of the subject property. The building that he owns to the east of the subject property is only about eight inches away and his building has windows facing the proposed project, and he is fully in favor of the proposed sign locations.

Comments and Questions:

None.

Mr. Van De Wiele re-entered the meeting at 1:43 P.M.

BOA-21565

Board Action:

On **MOTION** of **SNYDER**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, White "aye"; no "nays"; Van De Wiele "abstaining"; none absent) to **APPROVE** the request for a **Variance** to allow 2 projecting wall signs to extend above the parapet wall in the CBD District (Section 1221.C.11). Finding that the actual sign does not extend above the tallest parapet wall but extends above the lower parapet wall which was done for design purposes. This approval will be per plan on pages 7.10 and 7.11. 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:

W50 LT 6 BLK 86, TULSA-ORIGINAL TOWN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21566—Gregory Helms**Action Requested:**

Variance to reduce the rear yard setback in an RS-1 District from 25 feet to 10 feet for an addition to existing single-family residence (Section 403.A, Table 3).

LOCATION: 10922 South Knoxville Avenue East (CD 8)

Presentation:

Greg Helms, 424 East Main Street, Jenks, OK; stated the house sits on an irregularly shaped lot, and what prompts the variance request is that the southwest corner of the house sits approximately 100 feet closer to the property line than the opposite corner of the house. The proposed project is to have an addition on the house which will not meet with the 25 foot setback requirement. The 10 feet is not being requested for the entire property but only where the proposed triangular addition will be. Most of this triangular addition is a covered patio that will be a trellised patio not a solid roof. Even with this proposed addition there will still be approximately 125 feet to the closest house. Once the addition is complete the property will be re-landscaped for screening between the properties.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

structure has deteriorated and needs to be replaced for safety and other reasons; 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 variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, subject to there being no kitchen and no commerce in the addition, on the following described property:

PRT LT 7 BEG SECR LT 7 TH N73 W139 S77.86 E138.6 POB LESS BEG 73N
SECR LT 7 TH W139.83 S4.09 E138.83 POB BLK 1 , SUNSET PARK AMD,
City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20502

Action Requested:

Variance of the maximum permitted height of a promotional sign in the CBD (Section 1221.E.1), located: 310 East 1st Street South.

Presentation:

Tom Green, 1435 East 50th Street, stated this is a temporary use, and they hoped to continue it once a year. The sign would be up from May 15th to August 15th. The sign will be a type of vinyl material.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Stead**, the Board voted 4-0-0 (Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; White "absent") to **APPROVE** a Variance of the maximum permitted height of a promotional sign in the CBD, finding this is temporary in nature, to be erected on or about May 15th and removed on or about August 15th; finding these are exceptional conditions and do not apply to other property in the same use district; and finding the variance will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan,

Mr. Cuthbertson mentioned to the Board that as this motion was worded it would only be good for one time rather than temporary as far as the amount of time per year. Mr. Green informed the Board this is the sixth annual event. They trust they will continue to hold the event in the coming years.

On **Motion of Tidwell**, the Board voted 4-0-0 (Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; White "absent") to **Reconsider the Motion**.

On **Amended Motion of Stead**, the Board voted 4-0-0 (Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; White "absent") to **APPROVE** a Variance of the maximum permitted height of a promotional sign in the CBD, finding this is temporary in nature, to be erected for a period of three months only during the years 2007, 2008 and 2009, finding these are exceptional conditions and do not apply to other property in the same use district; and finding the variance will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

E90 LT 6 BLK 86, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma

NEW BUSINESS

"Under the Open Meeting Act, this agenda item is authorized only for matters not know about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda."

Lou Reynolds, 2727 East 21st Street, stated that the Board denied a request for a special exception and variances related to a carport in Case No. 20479. The applicant's have engaged an architect to redesign the carport to be more conducive with the house and neighborhood (Exhibit C-1). They asked for reconsideration of the application. He pointed out that he located a carport that is very similar in the neighborhood. They were willing to discuss it with the neighborhood and seek their approval.

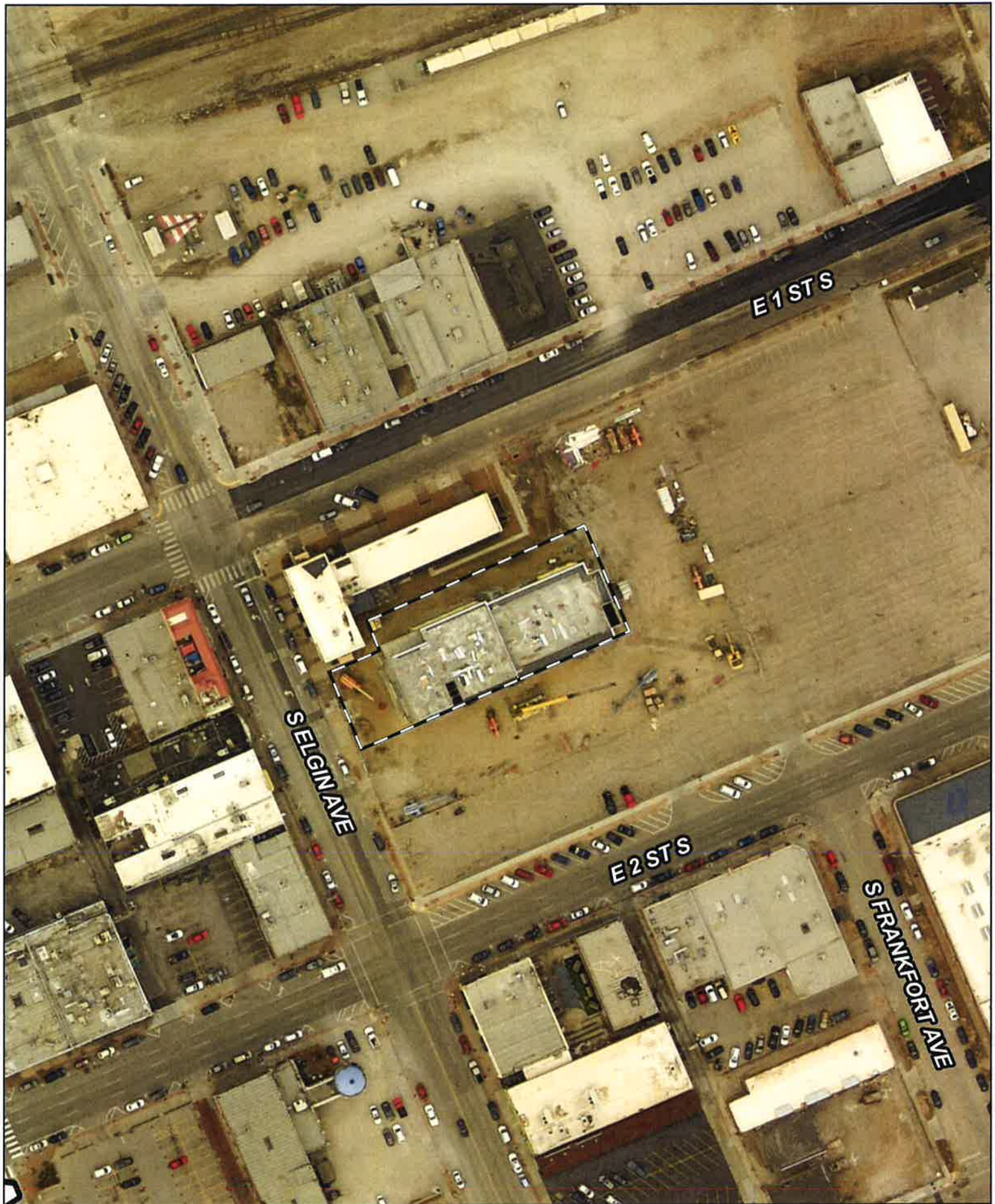
Board Action:

On **Motion of Stead**, the Board voted 4-0-0 (Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; White "absent") to **Reconsider** Case No. 20479 regarding a carport at 3152 South Cincinnati, at the meeting on May 22, 2007.

There being no further business, the meeting adjourned at 3:02 p.m.

Date approved: 6/12/07


Chair



0 50 100
Feet



Subject
Tract

BOA-22477

19-12 01

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

Aerial Photo Date: February 2018



16.12

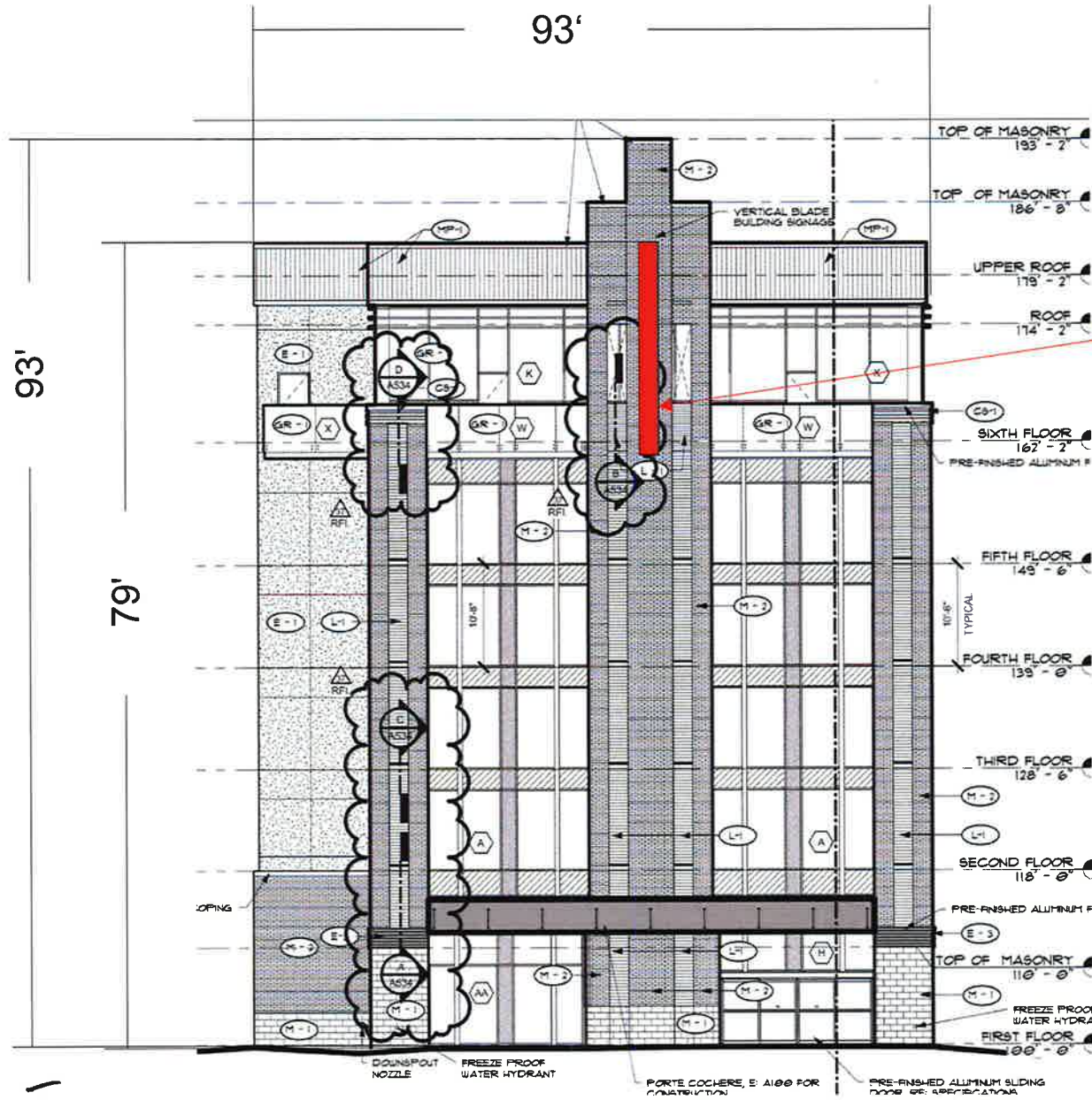
HOTEL INDIGO
111 S ELGIN
TULSA, OK



$5.33' \times 22.16' = 118.11 \text{ SQFT}$

16.13

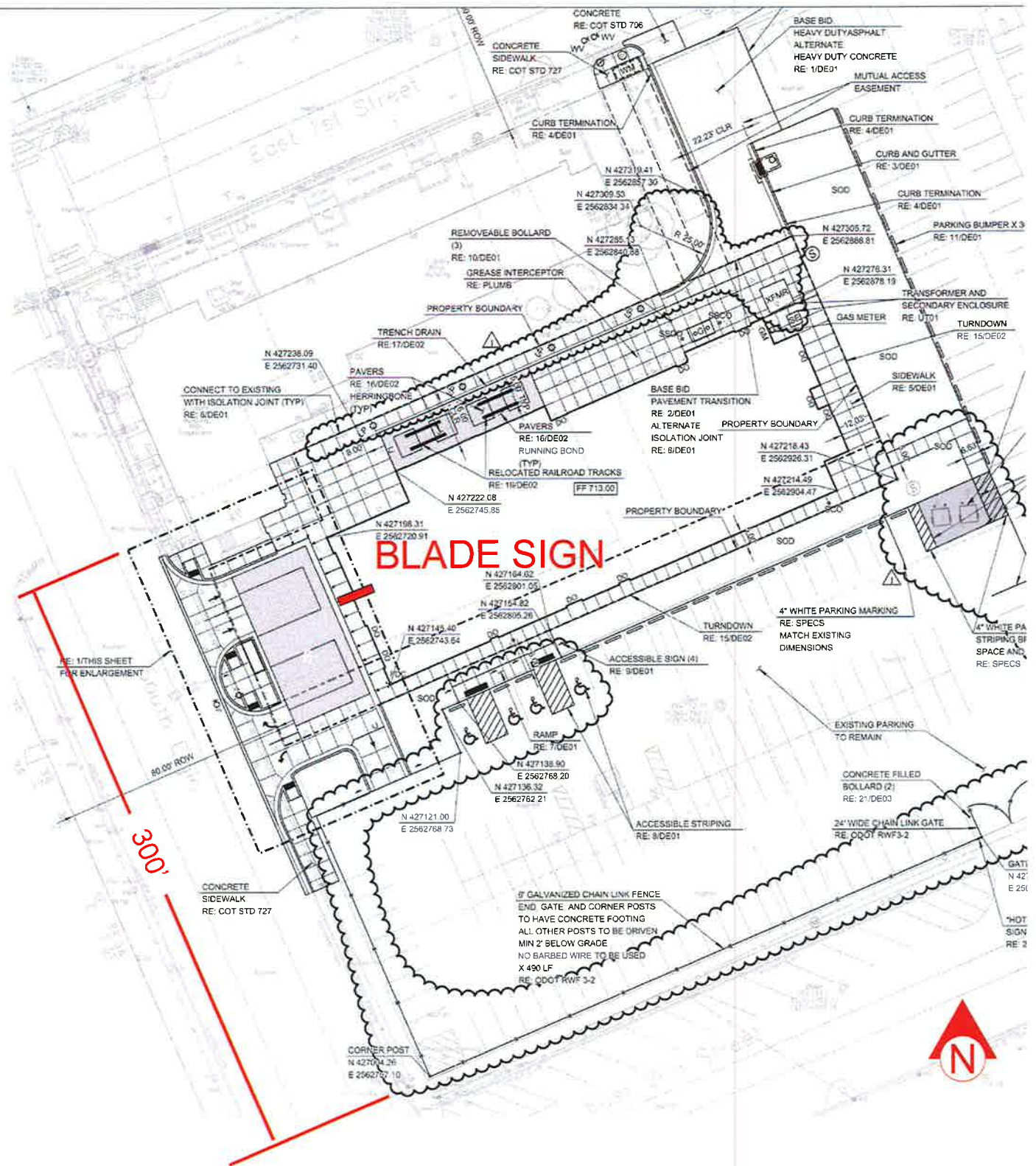
WEST FACING ELEVATION LOCATION OF PROJECTING SIGN



PROJECTING
SIGN

16.14

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BOB KOLIBAS
SIGN PLANS EXAMINER
TEL (918)596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

SIGN PLAN REVIEW

May 16, 2018

LOD Number: 1

Amax Sign Company
9520 E 55th Place
Tulsa OK 74145

Phone: (918)622-0651

APPLICATION NO: **SIGN-000485-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 121 S. Elgin Avenue
Description: hotel INDIGO Projecting Sign

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 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 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 OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH 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)

16.16

REVIEW COMMENTS

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

Application No. SIGN-000485-2018

121 S. Elgin Avenue

May 16, 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.

60.080-C Sign Budget

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 hotel INDIGO projecting sign height of 79.16 feet above grade exceeds the permitted 35 foot height above grade with a 50 foot setback from the C/L of S. Elgin Avenue. You may seek a variance from the BOA to permit a projecting sign to exceed the maximum permitted height of 35 feet to be installed 79.16 feet above grade with a 50 foot setback from S. Elgin Avenue.

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

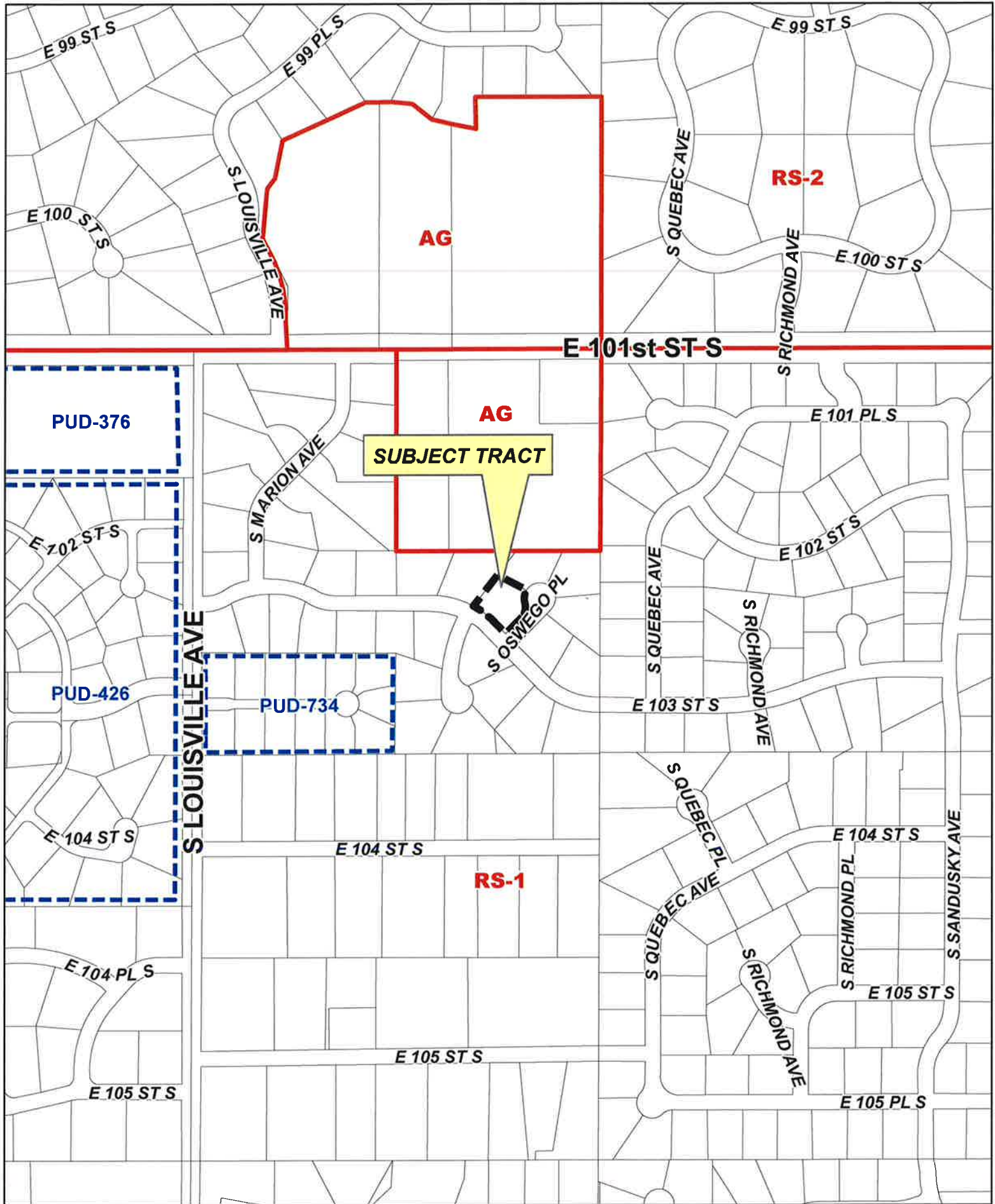
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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.

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BOA-22478

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**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 8328

Case Number: **BOA-22478**

CZM: 56

CD: 8

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Justin Doolin

ACTION REQUESTED: Special Exception to allow the driveway width to exceed 30ft on the lot and 20ft in the right-of-way in an RS-1 district (Sec.55.090-F.3)

LOCATION: 10212 S OSWEGO PL E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 19345.08 SQ FT

LEGAL DESCRIPTION: LT 12 BLK 1, SHADY OAKS ESTATES II

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-13008: on 2.23.84 the **Board** approved a *variance* of the required setback from the centerline of East 103rd Street from 60' to 54'; and a *variance* of the required setback from the east property line from 35' to 15' in an RS-1 District. Located at 10212 S. Oswego Place East

Surrounding Property: No relevant history

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** include 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-1 Residential Single-family homes on the north, south, east, and west.

STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit construction of a driveway greater than 30' in width on the lot (outside the right-of-way) and 20' within the right-of-way. A recent Code interpretation provided that the limitation on the maximum driveway width on the lot (outside the right-of-way) **shall only be applied to the portion of the driveway located with the street setback area**. Beyond the street setback, any applicable open space requirements will guide maximum lot coverage based on the size and location of buildings, driveways and parking areas on the lot.

The required street setback for an RS-1 zoned lot is 30 ft.; the driveway width within the 30-ft. street setback area appears to exceed the maximum allowed driveway width of 30ft. As shown on the attached plan the proposed driveway width within the right-of-way/to the curb exceeds the 20ft driveway width requirement.

The driveway widths within the right-of-way and setback area exceeds the allowed driveway width in the RS-1 zoning district.

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

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

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow the driveway width to exceed 30ft on the lot and 20ft in the right-of-way in an RS-1 district (Sec.55.090-F.3)

- 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.

TRACT B: The East-Half of the Northwest Quarter of the Northeast Quarter (E/2 NW/4 NE/4) of Section 20, Township 18 North, Range 13 East of the Indian Base and Meridian, lying South and adjacent to the Wimbledon Place, more particularly described as follows, to wit: Commencing at the Northwest Corner of the East-Half of the Northwest Quarter of the Northeast Quarter (E/2 NW/4 NE/4), thence South 00°-18'-09" West a distance of 450.0' to the Point of Beginning which is the Southwest Corner of Wimbledon Place, a Subdivision to the City of Tulsa, Tulsa County, Oklahoma; thence running South 00°-18'-09" West and along the West boundary of said East-Half of the Northwest Quarter of the Northeast Quarter (E/2 NW/4 NE/4) of Section 20, Township 18 North, Range 13 East, a distance of 270.0'; thence due East parallel with the South line of Said Wimbledon Place a distance of 480.0'; thence North 00°-18'-09" East a distance of 270.0' to the Southeast Corner of Wimbledon Place; thence due West along the South boundary of Wimbledon Place a distance of 480.0' to the Point of Beginning.

Case No. 13008

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the RS, RD and RM Districts - Use Unit 1206 - Request for a variance of the required setback from the centerline of East 103rd Street from 60' to 54' and a variance of the required setback from the east property line from 35' to 15' in an RS-1 District under the provisions of Section 1670, located at the NW corner of East 103rd Street and South Oswego Place.

Presentation:

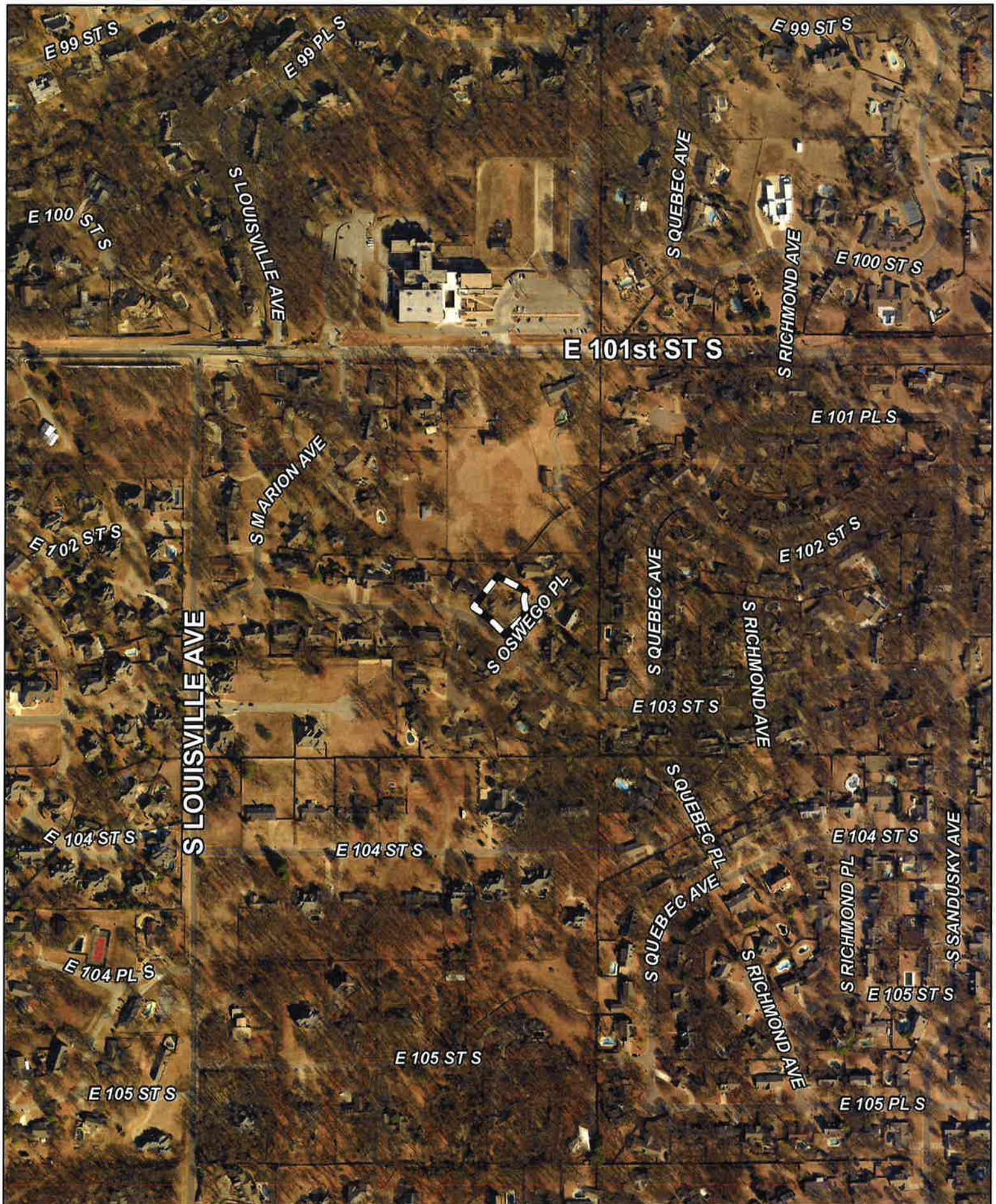
Martin E. Brown, 3904 South Sandusky Avenue, represented the owner of the property, Robert Morgan. He informed the applicant wishes to make two additions to his existing residence. He submitted a plot plan (Exhibit "P-1") and informed one of the additions will be on the front of the residence and one will be to the rear. The subject property is situated on a corner lot on a cul-de-sac street. The way the house sits with the existing septic system leaves the applicant only one place that he might be able to upgrade his residence. He informed they showed some drawings to the area residents to indicate what they are planning. They have contacted the people in area, and the neighbors agree that this will improve the property in the area--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 430.1 - Bulk and Area Requirements in the RS, RD, and RM Districts - under the provisions of Use Unit 1206) of the required setback from the centerline of East 103rd Street from 60' to 54' and a variance of the required setback from the east property line from 35' to 15' in an RS-1 District under the provisions of Section 1670, per plot plan, on the following described property:

Lot 12, Block 1, Shady Oaks Estates II Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.



0 Feet 200 400



Subject
Tract

BOA-22478

18-13 28

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

Aerial Photo Date: February 2018



17.5



E 103 ST S

SOSWEGO PL

SOSWEGO AVE

0 50 100
Feet



Subject
Tract

BOA-22478

18-13 28

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

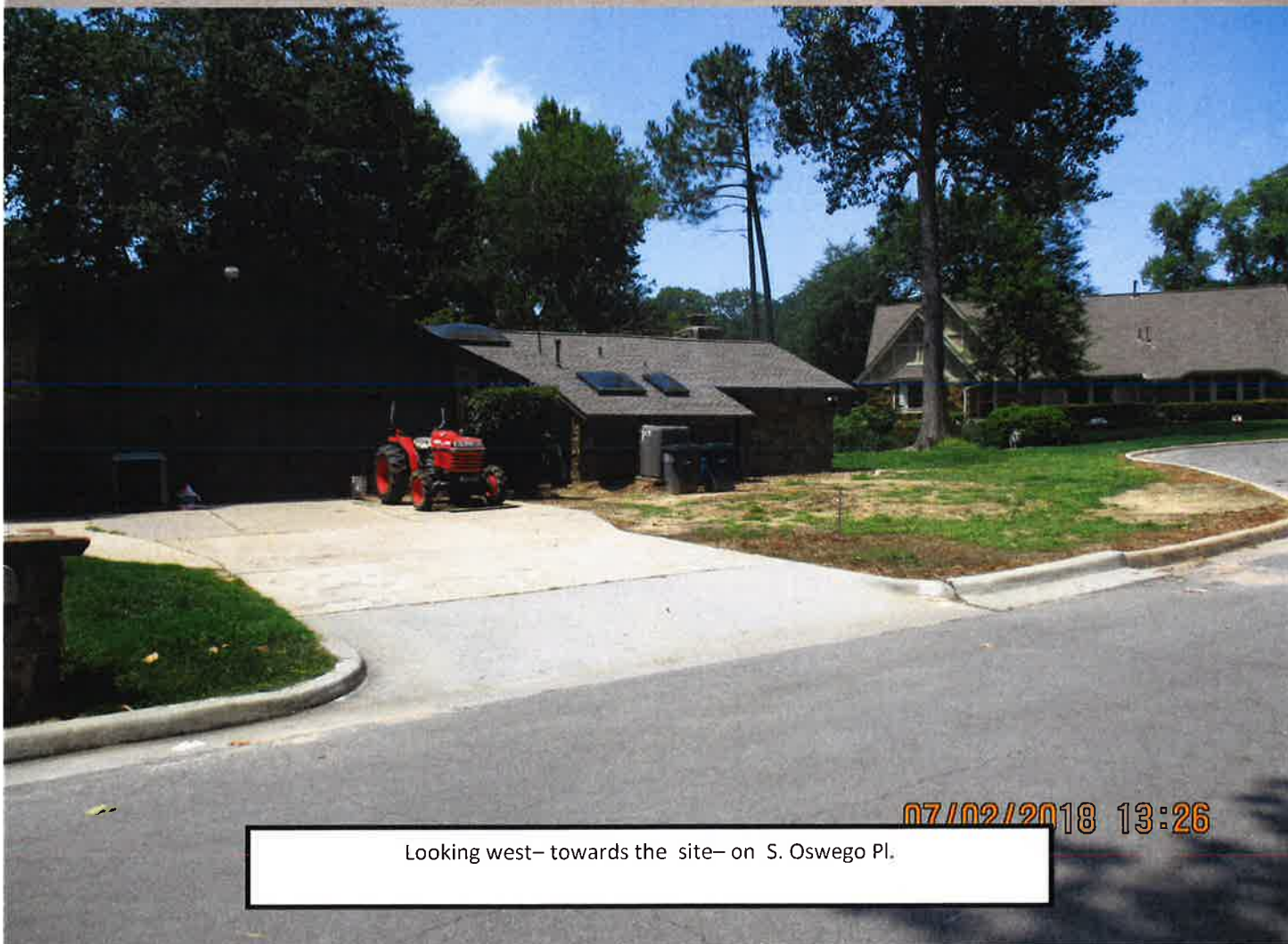
Aerial Photo Date: February 2018

17.6





Looking west- towards the site- on S. Oswego Pl.



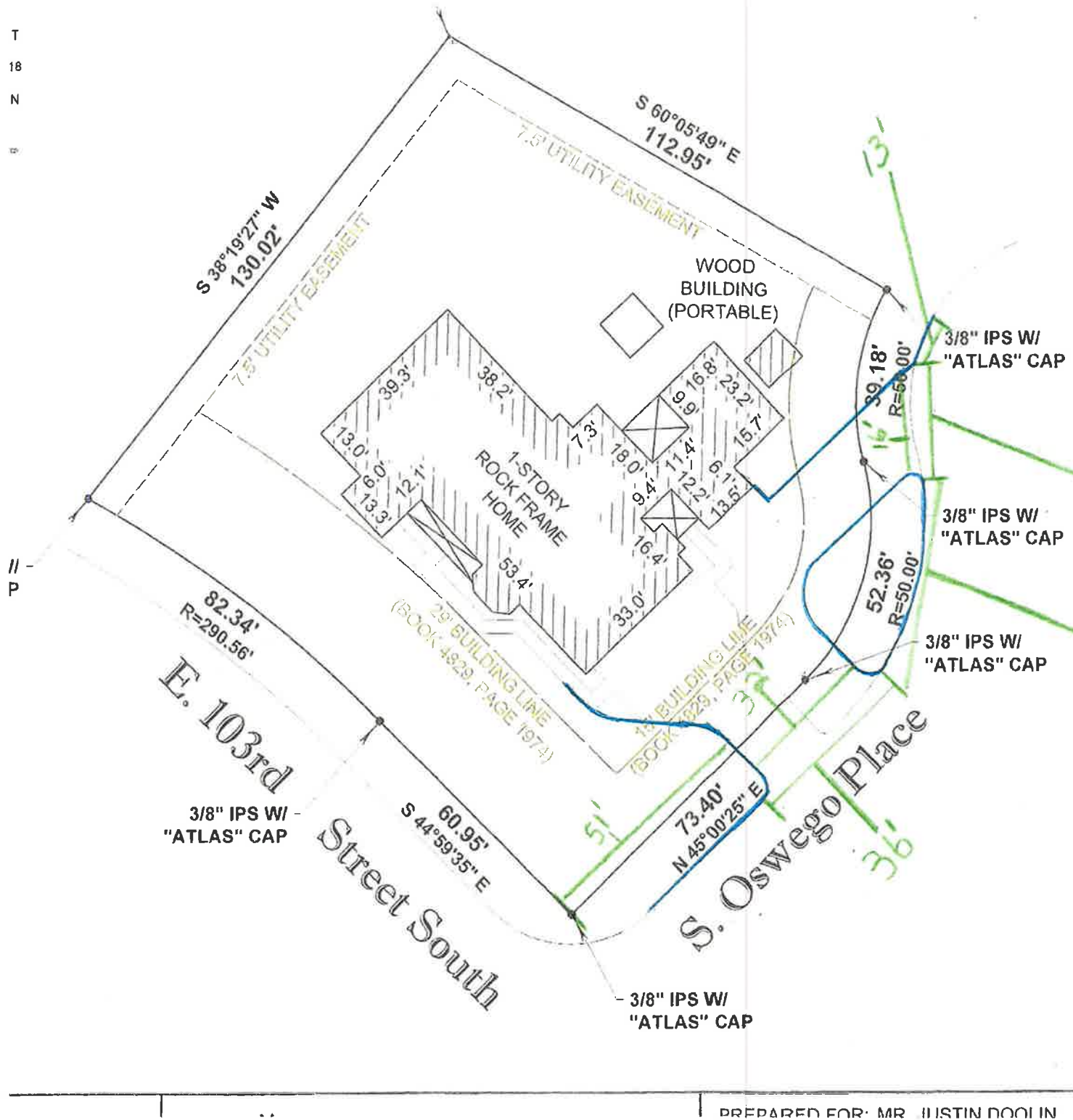
Looking west- towards the site- on S. Oswego Pl.



07/02/2018 13:27

Looking west- towards the site- on S. Oswego Pl.

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JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

June 1, 2018

Justin Doolin
DeepFork INs
10212 S Oswego PI
Tulsa, OK 74137

APPLICATION NO: **ZCO-001756-2018** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 10212 S Oswego PI

Description: PROJECT DESCRIPTION

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

IMPORTANT INFORMATION

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

(continued)

17.10

REVIEW COMMENTS

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

Application No. ZCO-001756-2018

10212 S Oswego PI

June 1, 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.

55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in RS-1 is 20' within ROW and 30' outside of ROW on your lot.

Review Comments: The submitted site plan proposes a driveway width of more than 30' on the lot and more than 20' wide in ROW which exceeds the maximum allowable driveway width both within and outside of the ROW. Revise plans to indicate the driveway shall not exceed the maximum allowable width or apply to the BOA for a special exception, one for the proposed driveway width within the ROW and also for the proposed driveway width outside of the ROW.

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

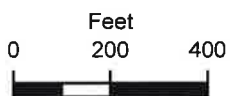
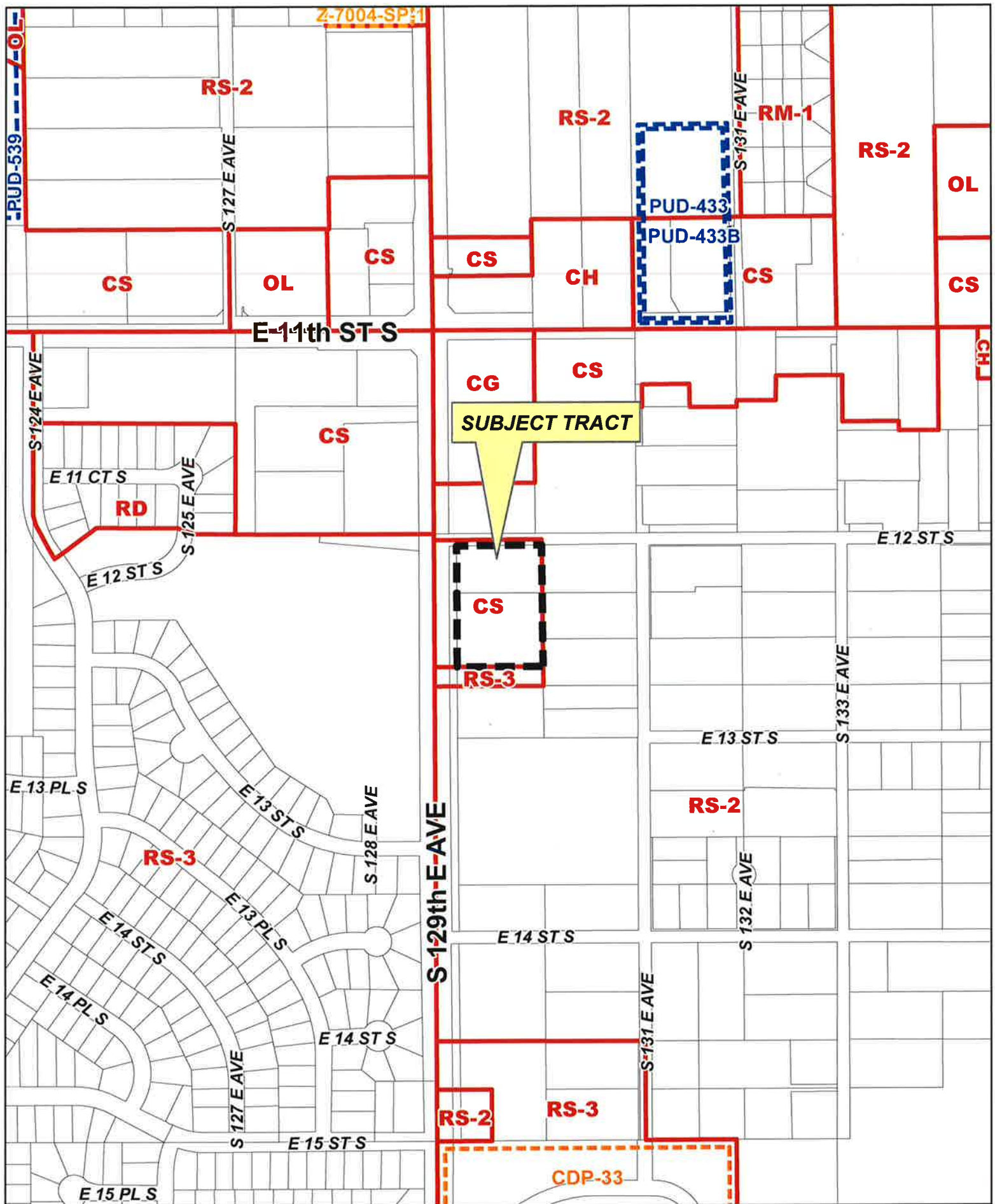
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

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

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

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BOA-22479

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9409

Case Number: **BOA-22479**

CZM: 39

CD: 6

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Erik Enyart

ACTION REQUESTED: Modification to a previously approved site plan (BOA-17791;BOA-18491)

LOCATION: 1217 S 129 AV E; 1213 S 129 AV E

ZONED: CS

PRESENT USE: Transco

TRACT SIZE: + 2.67 acres

LEGAL DESCRIPTION: N91.5 LT 6 & ALL LT 7 LESS W25 THEREOF BLK 4; LT 8 LESS W25 THEREOF BLK 4, ROMOLAND

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-18491: on 8.24.91 the Board **approved** a *variance* of landscape and irrigation requirements to substitute existing mature trees. Located on the subject property at 1217 South 129th East Avenue

BOA-17791: on 8.12.96 the Board **approved** a *Special Exception* to allow Use Unit 15 in a CS district; and **approved** an amended previously approved site plan. Located on the subject property at 1217 South 129th East Avenue

BOA-17096: on 7.11.95 the Board **approved** a *special exception* to permit a boat repair shop in a CS district; **approved** a *special exception* to permit an industrial supply business in a CS district; **approved** a *variance* to permit temporary gravel parking for one year; a *special exception* to remove the screening requirement from an abutting residential district. Located on the subject property at 1217 South 129th East Avenue

Surrounding Property: No relevant history

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.

18.2

REVISED 7/5/2018

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 abuts RS-2 zoning on the north, east, and west. The property to the west is zoned RS-3 and the property to the northwest is zoned CS.

STAFF COMMENTS:

The applicant is before the Board requesting a **modification** of a previously approved site plan (BOA-17791; BOA-18491) to permit the expansion of the existing Transco building with expanded parking. The proposed expansion is located on the northeast portion of the subject property.

As the special exception for Use Unit 15 (other trades and services) and expansion of the site in the CS 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 this use 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

Case No. 18490

Action Requested:

Variance of the required 300' distance from another adult entertainment establishment o 275'. **SECTION 1212a.C. Use Unit 12a. ADULT ENTERTAINMENT ESTABLISHMENTS, Use Conditions Use Unit 12a.**, located 3128-3156 South Mingo Road.

Comments and Questions:

Mr. Beach informed the Board that Staff is in receipt of a timely request for continuance (Exhibit B-1). The applicant requested a continuance to September 28, 1999 because of scheduling conflicts with their attorney.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 3-0-0 (Dunham, Perkins, Turnbo, "aye"; no "nays", no "abstentions"; Cooper White "absent") to **CONTINUE** Case No. 18490 to the meeting of September 28, 1999.

Case No. 18491

Action Requested:

Variance of landscape and irrigation requirements to substitute existing mature trees. **SECTION 1002. LANDSCAPE REQUIREMENTS - Use Unit 15 & 17**, located 1217 South 129th East Avenue.

Presentation:

The applicant, **Carolyn Harter**, submitted a site plan (Exhibit G-1) and stated that she and her husband own the subject property. Ms. Harter explained that on her site plan, everything in yellow is going to be concrete. She mentioned that there are many existing mature trees on the site. In the third phase of building she will have more landscaping added to the front of the property. Because of the amount of concrete on the property, Ms. Harter feels that there is no place to put any irrigation.

Interested Parties:

Mary Hill, 1115 South 129th East Avenue, stated that she owns the property to the north of Ms. Harter's property and she fully supports this application.

John Roy, 9008 East 38th Street, stated that he represents the East Tulsa Mingo Valley Association. Mr. Roy and the Association support the application. The Board is in receipt of a letter of support (Exhibit G-2).

Case No. 18491 (continued)

Board Action:

On **MOTION** of **PERKINS** the Board voted 3-0-0 (Dunham, Perkins, Turnbo, "aye"; no "nays", no "abstentions"; Cooper White "absent") to **APPROVE Variance** of landscape and irrigation requirements to substitute existing mature trees, finding that the size of the existing trees justifies the variance. **SECTION 1002. LANDSCAPE REQUIREMENTS - Use Unit 15 & 17**, per plan, on the following described property:

N 91.5' of Lot 6 and Lot 7, less W 25' thereof & Lot 8, less the W 25',
Block 4, Romoland Addition, City of Tulsa, Tulsa County, State of
Oklahoma.

Case No. 18492

Action Requested:

Special Exception to permit office use in an RM-2 District. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS and SECTION 1211.C.1. USE UNIT 11** and a Special Exception of the screening requirements from an abutting R District on the east and west sides of the property to substitute a decorative iron fence. **SECTION 212. SCREENING WALL OR FENCE**, located 234 West 13th Street.

Presentation:

The applicant, **Robyn Owens**, submitted a site plan (Exhibit H-1) and stated that she and her father own this property which consists of several vacant lots. Ms. Owens informed the Board that they would like to construct a one-story office building of approximately 3,100 square feet in size with appropriate parking. Ms. Owens asked the Board to waive the screening fence on the east and west sides so they may put up a decorative wrought iron fence around the perimeter. The apartment complexes that were previously on the property had various problems and there was a fire in the building. The decision was made to raze the apartment buildings and since that time the property has been vacant.

Interested Parties:

Tulia Cardoso, 1311 South Frisco Avenue, stated that she is the President of the Riverview Neighborhood Association. Ms. Cardoso supports this application for an office use. The property has a view of the freeway and sees no reason to object the application.

Bruce Bolzle, KMO Development Group, mentioned that he sold the Owens family this property and they have struggled for many years to find a use for the property that was compatible with the neighborhood. Mr. Bolzle supports the application.

E. 12TH ST. S. (NOT OPEN)

S 89°36'39" E
280.00'
BLOCK-4

FUTURE

FUTURE

EXIST.
TREE
(TYP)

FUTURE

NEW
APPROACH
PER CITY
STANDARD

R 20'

NEW 6" CONCRETE
PAVING

NEW
OFFICE
&
WAREHOUSE

IC

LOT - 8

LOT - 7

EXISTING
BUILDING

EXISTING
BUILDING

CASE NO. 18491
OFFICIAL RECORDS EXHIBIT 61-1
ENTERED IN THE 8-24-1999
MINUTES OF THE TULSA BOARD OF
ADJUSTMENT.

LOT - 7

LOT - 6

18.6

Case No. 17790

Action Requested:

Special Exception to permit a 100' tower for a wireless communications antenna to replace a previously approved 40' tower in an RS-2 zoned district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 4 and a Special Exception to reduce the required 110% setback from abutting residential properties. **SECTION 1204.C.3.g.(1) USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES**, located 3701 East 71st Street.

Presentation:

The applicant, **Land Acquisitions, Inc., Denny Redmon**, has requested a continuance to September 9, 1997.

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 **CONTINUE** Case No. 17790 to September 9, 1997, at 1:00 p.m.

Case No. 17791

Action Requested:

Special Exception to allow Use Unit 15 in a CS district and approval of an amended previously approved site plan. **SECTION 1204.C.3.g.(1) USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES**, located 1217 South 129th East Avenue.

Presentation:

The applicant, **Danny Mitchell**, represented by **Carolyn Harter**, 1238 South 105th Street, submitted a site plan (Exhibit G-1) and letters of support (Exhibit G-2). Ms. Harter stated that her and her spouse own Transcontinental Supply and Harter Service & Repair. She explained that she has been in business for 19 years and the business is located on 3 acres. Ms. Harter stated she would like to build a warehouse on the subject property.

Comments and Questions:

Mr. Beach asked the applicant if this is an expansion of the existing business? She stated she currently has an office and a small warehouse. She explained that the warehouse is too small for both businesses and the new warehouse will be for the Transcontinental Supply Business.

Mr. White stated that the site plan indicates three (3) additional buildings. Ms. Harter stated that the three (3) additional buildings are for in the future. She explained that the first building to be built will be the building indicated in the back of the three (3) acres (4,750 SF).

Case No. 17791 (continued)

In response to Mr. White, Ms. Harter stated that she would like approval for all three (3) additional buildings, however, she will not be building all three (3) at the same time.

Mr. Beach informed the Board that the applicant has already received a special exception to allow the use on the subject property. The applicant is actually modifying her site plan.

Mr. Bolzle stated that the Board was specific when they approved the special exception for the Use Unit 15 to be limited to the west building. Mr. Bolzle commented that the Board should act on the special exception.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to allow Use Unit 15 in a CS district and approval of an amended previously approved site plan. **SECTION 1204.C.3.g.(1) USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES;** per plan submitted; 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:

N 91.5', Lot 6 and Lot 7, Less W 25' thereof and Lot 8, Less the W 25', Block 4, Romoland Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17792

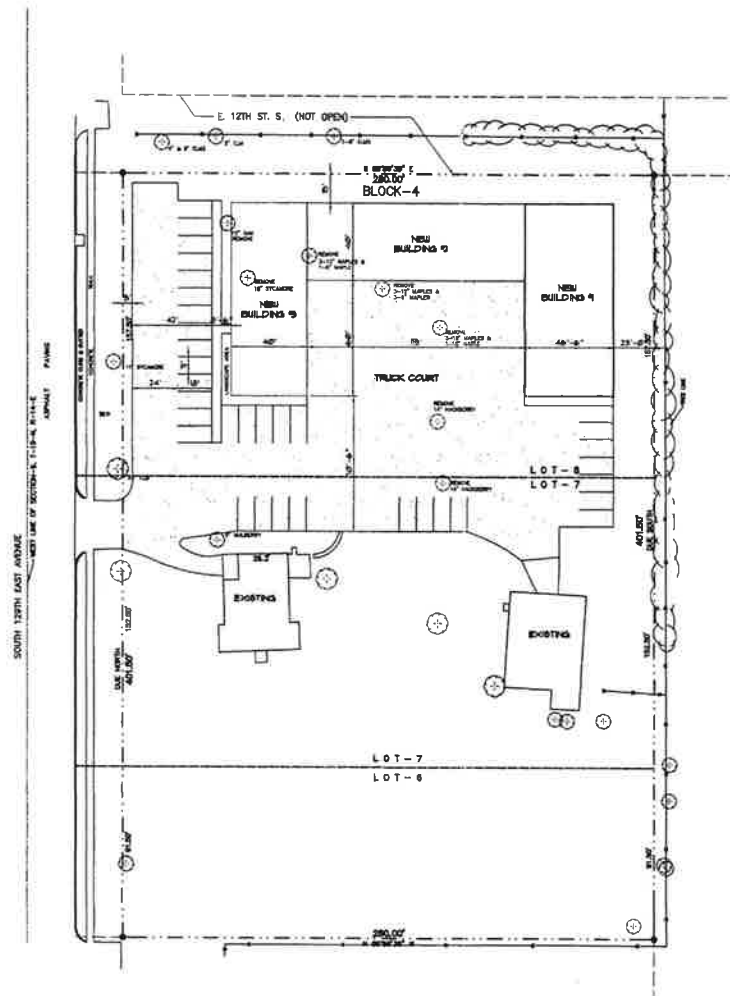
Action Requested:

Special Exception to allow church use in an AG district. **SECTION 301. PRINCIPAL USES PERMITTED IN AGRICULTURE DISTRICTS** - Use Unit 2, a Variance of lot size in an AG zoned district. **SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, a Variance to meet parking requirements on a lot other than the lot where the principal use is located. **SECTION 1301.D. OFF-STREET PARKING; GENERAL REQUIREMENTS**, and a Variance of the required 200' lot width requirements. **SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS**, located SW/c East 61st Street and South 89th East Avenue.

Comments and Questions:

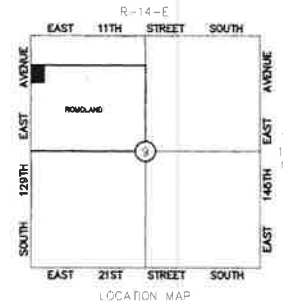
Mr. Beach informed the Board that there was some confusion on the legal description provided by the applicant. He stated that there is a possibility that the notice is flawed and the case may need to be continued for additional advertising.

18.9



SITE PLAN

1" = 30'



LEGAL DESCRIPTION

THE NORTH NINETY-ONE AND FIVE TENTHS (91.5) FEET OF LOT SIX (6), AND LOT SEVEN (7), LESS THE WEST 25 FEET THEREOF AND LOT EIGHT (8) LESS THE WEST 25 FEET THEREOF, BLOCK FOUR (4), ROWLAND, AN ADDITION TO THE CITY OF TULSA, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

TABULATIONS

SITE AREA	12,341,987 SQ. FT. (282.5 AC.)
PAVED AREA	78,033.00 SQ. FT.
BUILDING 1	4,800 SQ. FT.
BUILDING 2	4,800 SQ. FT.
BUILDING 3	4,800 SQ. FT.
EXISTING BUILDINGS	3,200 SQ. FT.
TOTAL BUILDING AREA	17,600 SQ. FT.
SITE COVERAGE	83.64%
LANDSCAPE AREA	88.47%
PARKING PROVIDED	34 CARS
PARKING RATIO	192.41

CASE NO. 17791
OFFICIAL RECORDS EXHIBIT G-1
ENTERED IN THE 8-12-97
MINUTES OF THE TULSA BOARD OF
ADJUSTMENT.

DANNY R. MITCHELL, AIA, P.C.
ARCHITECTURE, PLANNING
0100 S. MEMORIAL DRIVE
TULSA, OK 74103
918 / 482 - 0845 TEL
918 / 250-4828 FAX

TRANSCO
TRANS CONTINENTAL SUPPLY, INC.
TULSA, OKLAHOMA

© COPYRIGHT 1997 DANNY R. MITCHELL, AIA, P.C.

SITE PLAN

DATE: 7-1-97

PROJECT NO.: 96-053

REVISIONS:

SHEET NO.

111000

FILE COPY

Case No. 17096

Action Requested:

Special Exception to permit a boat repair shop in a CS District, special exception to permit an industrial supply business in a CS District and a variance to permit temporary gravel parking for one year - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** and **SECTION 1303.D. Design Standards for Off-Street Parking**; special exception to remove the screening requirement from an abutting residential district - **SECTION 212. SCREENING WALL OR FENCE** - Use Units 15 & 17, located 1217 South 129th East Avenue.

Presentation:

The applicant, **Robert Harter**, 1238 South 105th East Avenue, was represented by **Carolyn Harter**, who requested that she be permitted to relocate her business and her husband's business to the above stated location (Exhibit E-3). Ms. Harter informed that she has visited with the abutting landowners and has found no objection to the proposed use of the property. Letters of support (Exhibit E-1) and photographs (Exhibit E-2) were submitted.

Comments and Questions:

Mr. Doverspike asked if both buildings will be used for the businesses in question, and Ms. Harter answered in the affirmative.

In reply to Mr. Doverspike, Mr. Harter informed that a house, which has numerous accessory buildings, is located to the south of the subject tract.

Mr. Harter remarked that they were not aware the businesses were prohibited until the land purchase had been finalized.

Ms. Harter informed that their business hours are from 8 a.m. to 5 p.m. , Monday through Friday.

In reply to Mr. Doverspike, Mr. Harter informed that the major portion of the motor testing is outside the building, but the neighbors have not voiced a concern with the noise level.

In reply to Mr. Bolzle, Ms. Harter informed that her supply business consists of hand tools, cutting tools, etc., but no large tools.

In reply to Mr. Bolzle, Mr. Harter stated that storage for his business is similar to that of a car repair operation and there will be no boat storage on the property.

Protestants:

None.

Case No. 17096 (continued)

Interested Parties:

Mary Hill, 1115 South 129th East Avenue, informed that her property abuts the subject tract and stated that she is supportive of the application.

In response to Ms. Turnbo's question concerning screening, Mr. Doverspike noted that the developed portion of the abutting residentially zoned property is quite a distance from the subject tract.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a boat repair shop in a CS District, **special exception** to permit an industrial supply business in a CS District and a **variance** to permit temporary gravel parking for one year - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** and **SECTION 1303.D. Design Standards for Off-Street Parking**; special exception to remove the screening requirement from an abutting residential district - **SECTION 212. SCREENING WALL OR FENCE** - Use Units 15 & 17; per plan submitted; subject to days and hours of operation being Monday through Friday, 8 a.m. to 5 p.m., subject to boat repair being conducted in the east building only; and subject to the industrial supply business being limited to the west building; finding the use to be compatible with the area; finding that the abutting residential district remains undeveloped near the subject tract; and finding that approval of the requests will not cause substantial detriment to the public good or violate the spirit and intent of the Code; on the following described property:

North 91½' Lot 6 and Lot 7 less west 25' and Lot 8 less west 25', Block 4, Romoland Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 17097

Action Requested:

Special Exception for a home occupation (custom draperies) in an RS-3 zoned district - **SECTION 402.B.6. ACCESSORY USES IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 11015 East 38th Street.

Presentation:

The applicant, **Darrell Boyd**, 11015 East 38th Street, explained that he has lived at the current address for approximately 20 years and his family has made custom draperies in their home for the last 12 years. He informed that customers are seen by appointment only and requested that the business be permitted to continue.



Feet

0 200 400



**Subject
Tract**

BOA-22479

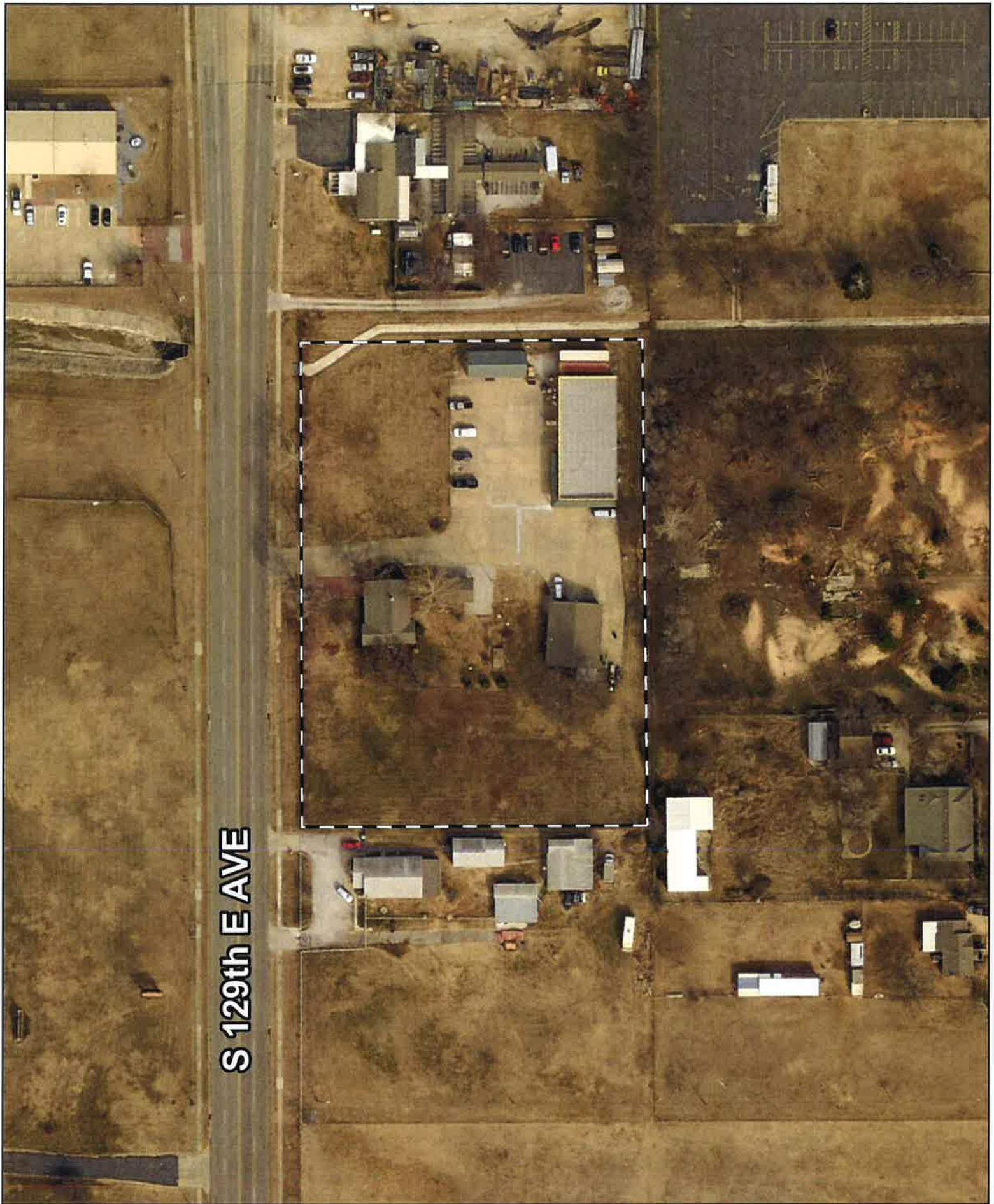
19-14 09

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

Aerial Photo Date: February 2018



18.12



S 129th E AVE

0 50 100
Feet



Subject
Tract

BOA-22479

19-14 09

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

Aerial Photo Date: February 2018

18.13





Looking east— towards subject site— on S. 129 E. Ave.



Looking east— towards subject site— on S. 129 E. Ave.

Transco

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION NINE (9),
TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

General Notes

- 1.1 TOPOGRAPHIC INFORMATION SHOWN HEREIN WAS PROVIDED BY TANNER CONSULTING, LLC.
- 1.2 ALL GRADES ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1985 (NAVD83).
- 1.3 WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, OKLAHOMA UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE.
- 1.4 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY WORK ORDERS AND PERMITS FROM THE CITY, INCLUDING PROVISION OF BONDS AND INSURANCE AS REQUIRED.
- 1.5 THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEERING SERVICES DEPARTMENT AT LEAST 24 HOURS PRIOR TO START OF CONSTRUCTION.
- 1.6 ONE-TIME CONSTRUCTION STAKING SHALL BE PROVIDED BY THE OWNER. ANY RE-STAKING WILL BE REQUESTED AND PAID FOR BY THE CONTRACTOR.
- 1.7 NO NEW SIGNAGE, LANDSCAPING, OR FENCING KNOWN TO THE PROJECT ENGINEER AT THIS TIME. SEE ARCHITECTURAL PLANS FOR DETAILS.
- 1.8 NO NEW POLE-MOUNTED LIGHTING KNOWN TO THE PROJECT ENGINEER AT THIS TIME. SEE ARCHITECTURAL PLANS FOR BUILDING-MOUNTED LIGHTING.

Legend

BM	BENCHMARK	RCB	REINFORCED CONCRETE BOX
BL	BUILDING LINE	R/W	RIGHT-OF-WAY
CONC	CONCRETE	SD	STORM DRAIN
EPED	ELECTRIC PEDESTAL	SEP	SEPARATE INSTRUMENT
EMPT	EASEMENT	SF	SQUARE FEET
FF	FINISH FLOOR	SS	SANITARY SEWER
FI	FIRE HYDRANT	SSM	SANITARY SEWER MANHOLE
FL	FLOWLINE	SY	SQUARE YARDS
G	GUTTER	TP	TOP OF PAVING
GLY	GUY ANCHOR	TR	TOP OF RIM
ODE	OVERLAND DRAINAGE EASEMENT	WL	WATERLINE
OE	OVERHEAD ELECTRIC	WM	WATER METER
PVC	POLYVINYL CHLORIDE PIPE	WV	WATER VALVE
R	RADIUS	UG	UNDERGROUND GAS LINE
		U/E	UTILITY EASEMENT

Contact List

TANNER CONSULTING, LLC
KEVIN NORTON
5223 SOUTH LEWIS AVENUE
TULSA, OK 74105
PHONE: (918) 745-9929

AEP/PSO
JOSEPH CHEN/BAI
5223 SOUTH GARNETT AVENUE
TULSA, OK 74146
PHONE: (918) 256-6229

CITY OF TULSA
MICHAEL LING, P.E.
175 EAST SECOND STREET
TULSA, OK 74103
PHONE: (918) 596-7265

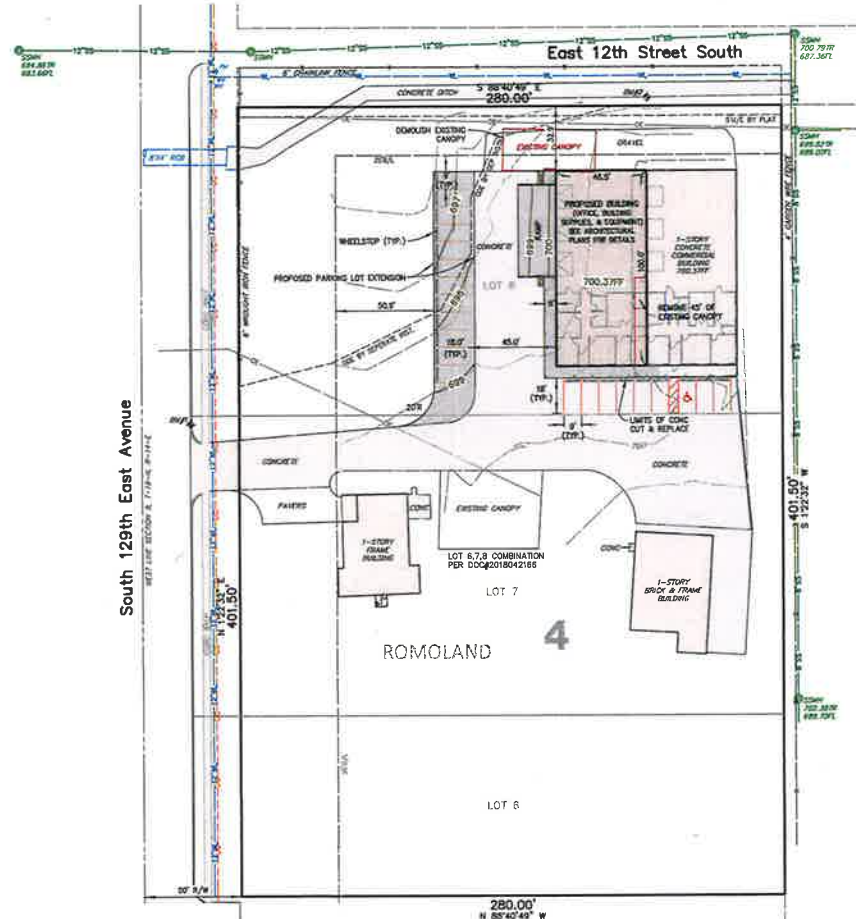
OKLAHOMA NATURAL GAS
RICK SHOENAKER
1844 EAST 15TH STREET
TULSA, OK 74112
PHONE: (918) 831-8950

Project Description

A TRACT OF LAND THAT IS A PART OF LOT SIX (6), AND ALL OF LOTS SEVEN (7), AND EIGHT (8) BLOCK FOUR (4), ROMOLAND, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 36275), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT EIGHT (8), BLOCK FOUR (4) OF SAID "ROMOLAND"; THENCE SOUTH 89°56'40" EAST AND ALONG THE NORTH LINE OF SAID LOT 8, FOR A DISTANCE OF 280.00 FEET TO A POINT AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 0°00'00" WEST AND ALONG THE EAST LINE OF SAID LOT 8, FOR A DISTANCE OF 401.50 FEET TO A POINT; THENCE NORTH 89°56'40" WEST FOR A DISTANCE OF 280.00 FEET TO A POINT; THENCE NORTH 0°00'00" EAST AND ALONG THE WEST LINE OF SAID LOT 6 FOR A DISTANCE OF 401.50 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 60,229 SQUARE FEET OR 2.581 ACRES



NORTH
Scale: 1"=30'
Tanner Consulting



OWNER/DEVELOPER:
Transco
CONTACT: DAVE HARTER
1213 South 129th East Avenue
Tulsa, Oklahoma 74108
Phone: (918) 436-0980

Benchmark 1 +
CHISELED X FOUND ON TOP OF CURB AT NORTH CURB RETURN TO SITE ENTRANCE, LOCATED ON THE EAST SIDE OF SOUTH 129TH, APPROXIMATELY 850' SOUTH OF INTERSECTION OF S. 129TH E. AVE. AND S. 13TH ST. (844179 9315N, 260203 2246E)
ELEVATION = 696.000' (NAVD 83)

Benchmark 2 +
CHISELED FOUND X ON TOP OF CURB ON SOUTH SIDE OF CONCRETE UNED DITCH ON NORTH SIDE OF SITE, LOCATED APPROXIMATELY 470' SOUTH AND 240' EAST OF INTERSECTION OF S. 129TH E. AVE. AND S. 13TH ST. (844351 5464N, 2608434 7502E)
ELEVATION = 697.55' (NAVD 83)

Impervious Areas	
PROPERTY AREA (LOTS 6, 7, & 8)	(2.581 ACRES) 112,240 SF
EXISTING IMPERVIOUS AREA	(28.0%) 32,120 SF
PROPOSED IMPERVIOUS AREA	(31.0%) 34,828 SF
INCREASE IN IMPERVIOUS AREA	(2.4%) 2,708 SF



Tanner Consulting, LLC
CIVIL ENGINEERING | LAND SURVEYING
LANDSCAPE ARCHITECTURE (PENDING)
5223 SOUTH LEWIS AVENUE
TULSA, OKLAHOMA 74105-9929
OFFICE: (918) 745-9929
www.tannerconsulting.com

CERTIFICATE OF AUTHORIZATION NO. 00043483 SEP. 2009



THIS PLAN AND ANY INSTRUMENTS HEREON ARE NOT TO BE CONSIDERED VALID UNLESS THEY ARE FIRST REVIEWED AND APPROVED BY THE CITY OF TULSA ENGINEERING SERVICES DEPARTMENT. ANY INSTRUMENTS NOT SO REVIEWED AND APPROVED SHALL BE VOID AND OF NO EFFECT. THE CITY OF TULSA ENGINEERING SERVICES DEPARTMENT DOES NOT WARRANT THE ACCURACY OF ANY INSTRUMENTS NOT SO REVIEWED AND APPROVED. THE CITY OF TULSA ENGINEERING SERVICES DEPARTMENT SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF THE USE OF ANY INSTRUMENTS NOT SO REVIEWED AND APPROVED.

DATE: 6/21/18
BY: [Signature]
TITLE: [Title]

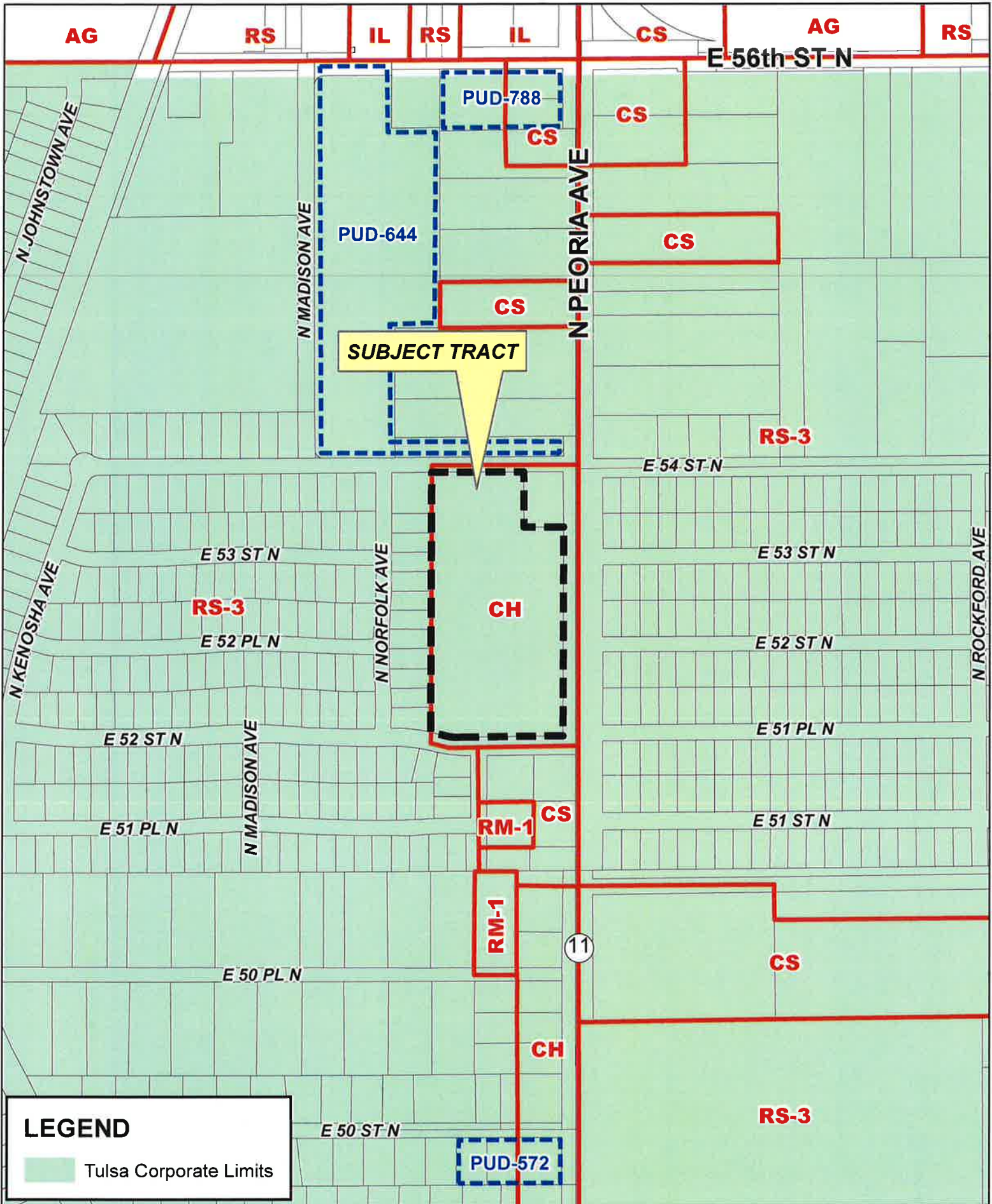
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING AND SPECIFICATIONS (INCLUDING C.E.D. 1, 2009 EDITION).

PROJECT: 17096
ISP NUMBER: 0000
ISSUE DATE: 6/21/2018
PLAT PAGE NO.: 209
PLAT SCALE (H): 1"=30'
(V): N/A

Board of Adjustment Site Plan

SP01

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BOARD OF ADJUSTMENT CASE REPORT

STR: 0212

Case Number: **BOA-22480**

CZM: 21

CD: 1

A-P#:

HEARING DATE: 07/10/2018 1:00 PM

APPLICANT: Anthony Smith

ACTION REQUESTED: Special exception to permit a temporary tent to exceed 30 days per lot per year and exceed 10 consecutive days (Sec. 50.030-D).

LOCATION: 5260 N PEORIA AV E

ZONED: CH

PRESENT USE: Commercial

TRACT SIZE: ± 7.93 acres

LEGAL DESCRIPTION: E. 430' RESERVE-A-LESS E. 130' N.180.01', SHARON HGTS ADDN B10 SUB PRT RES A SHARON HGTS, SHARON HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-21878: on 4.28.15 the Board **approved** a *special exception* to permit a tent revival (Use Unit 2) in the CH District for a total of 21 days in June, July, or August in the years 2015, 2016, and 2017. Located on the subject property at 5260 North Peoria Avenue

Other Property:

Related to the applicant but not on the subject property:

BOA-21288; on 6.28.11, the Board **approved** a *special exception* for the same applicant to permit a tent revival for a ten-day period total per year for 2011, 2012, 2013, 2014, and 2015 on a property located at in a IM district at 2432 E Apache Street North with additional conditions.

BOA-20241; on 4.11.06 the Board **approved** a *Special Exception* to permit a tent revival for 10 days per year from 2006 through 2010 between May and August (UU2); and a *Special Exception* of the all-weather surface requirement for off-street parking, subject to prior approved conditions; located at 5201 E. Pine St.

BOA-19059; on 4.24.01 the Board **approved** a *Special Exception* to permit a tent revival for ten days in the years of 2001, 2002, and 2003 during the months of June, July, and August; and a *Variance* of the all-weather surface requirement for off-street parking, with conditions for health department approval, public address system inside the tent, no outside speakers, hours of operation from 10:30a to 10:30p; located at 5201 E. Pine St.

BOA-17753; on 6.24.97 the Board **approved** a *Special Exception* to permit a tent revival for 21 days in June, July, or August in the years 1997-1999; and a *Variance* of the all-weather surface requirement for off street parking; per plan submitted; subject to health department approval, public address system being restricted to the interior of the tent, no outside speakers, hours of operation from 10:30a to 10:30p; located at the NE/c of E. Pine St. and N. Yale Av. (5201 E. Pine St.).

BOA-16925; on 2.14.95 the Board **approved** a *Special Exception* to permit a tent revival for 21 consecutive days in the years 1995, 1996, and 1997 (June, July or August), and a *Variance* of the required all-weather requirement for off-street parking; per plan submitted; subject to health Department approval; subject to public address system being restricted to the interior of the tent, with no outside speakers; and subject to hours of operation being 10:30a to 9:30pm; finding the temporary use, per conditions to be compatible with the area; located at the NW/c of N. Lewis Av. and E. Apache St.

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

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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 abutted by RS-3 zoning on the south, west and north; a small CS zoned lot on the north and CS zoning on the south; N Peoria Ave and RS-3 zoning on the east.

STAFF COMMENTS:

The applicant is requesting a **Special Exception** to permit a 13,000 sq. ft. temporary tent for a tent revival to be held from July 31st to August 4th. The applicant stated that there would be two services per day; at 11:00am and 7:00pm.

Per the code, temporary uses that do not comply with all applicable regulations and all conditions of approval may be approved as special exceptions in accordance with Section 70.120 The development administrator is authorized to refer any temporary use to the board of adjustment for consideration in accordance with special exception procedures of Section 70.120. (Section 50.020-D)

The City of Tulsa Permit Department has a separate process for tent permitting. The attached flowchart depicts the current processing for tent applications. The Permit Department also confirmed

that the period of time it takes to set up and take down the tent are counted as part of the overall time period allotment.

Sample Motion

Move to _____ (approve/deny) a Special Exception to permit a temporary tent to exceed 30 days per lot per year and to exceed 10 consecutive days for a tent revival (Sec. 50.030-D).

- 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.

Presentation:

Richard Morgan, 7798 East 24th Street, Tulsa, OK; stated he represents Aberdeen Dynamics. They own two pieces of property at the corner of Lynn Lane and Admiral. The subject area has a new warehouse constructed on the property and the company applied for a permit to install a small machine shop inside the warehouse which created the situation of additional parking. The company has increased the parking lot for approximately 180 vehicles for the existing building on the corner. Aberdeen is requesting to allow the employees that work in each of the buildings, and go back and forth during the day, to be able to park on the west side.

Mr. Henke asked Mr. Morgan if he was opposed to executing a tie agreement for the two properties. Mr. Morgan stated that a tie agreement could be done.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, 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 **Special Exception** to permit required parking on a lot other than the lot containing the principal use (Section 1301.D), subject to conceptual plan 8.8. This approval is subject to a tie agreement being executed between the subject property and the lot immediately to the west of the subject property in so far as they are both utilized by the same company. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 1 BLK 1, THE PLAINS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21878—Anthony Smith

FILE COPY

Action Requested:

Special Exception to permit a tent revival (Use Unit 2) in the CH District for a period of 21 days in June, July, or August in the years 2015, 2016, and 2017 (Section 701, Table 1). **LOCATION:** 5260 North Peoria Avenue (**CD 1**)

Presentation:

Anthony Smith, 8828 N.W. 121st, Oklahoma City, OK; stated the location will be new to his organization, but he has held tent revivals for 15 years. This will not be a 21 day tent revival but only for ten days. The 21 days requested allows him to set up and take

BOA-21878

FILE COPY

down the tent and equipment. There are only four or five businesses located in the nearby shopping center and they are on the south end of the complex.

Mr. Van De Wiele asked Mr. Smith if he was requesting for 21 days for each of the three months listed. Mr. Smith stated that he was not. The request is for 21 days in either June or July or August.

The tent will have the major thoroughfare and the sound system will also be facing the traffic. The City of Tulsa will come out for an inspection and he works closely with the Fire Department. The number of port-o-johns is based on the number of people in attendance, and they will be placed on the north side of the tent. The parking will be on the south side of the tent going northward.

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 **Special Exception** to permit a tent revival (Use Unit 2) in the CH District for a total of 21 days in June, July, or August in the years 2015, 2016, and 2017 (Section 701, Table 1), subject to conceptual plan 9.12. 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:

E. 430' RESERVE-A-LESS E. 130' N.180.01', SHARON HGTS ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21879—Eller & Detrich – Lou Reynolds

Action Requested:

Variance of the allowed coverage of the required front yard in the RS-3 District from 34% to 38% (Section 1303.D). **LOCATION:** 1332 East 35th Street (CD 9)

Presentation:

Lou Reynolds, 2727 East 21st Street, Tulsa, OK; stated the subject property is in the middle of the block between Quincy and Peoria, and the property backs up to the Consortium Center. The house is currently under construction and the driveway will go straight into the garage with no flared out sides, about 19 feet wide. The lot is 50 feet wide and typically it would be 60 feet wide thus making the request for 38% for the all weather material. The hardship is the fact that the lot is 50 feet wide.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** a Special Exception to allow a machine shop (Use Unit 25) in a CH district (Section 701). The Board has found that the RM-1 zoning to the north is not a residential property; it is office. The hours of operation are limited to 7:00 A.M. to 7:00 P.M., weekdays and weekends. The existing shade cloth fence on the west and on the south side be maintained in good condition. In granting the special exception the Board has found 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; for the following property:

LTS 8 9 10 11 BLK 9, DAWSON AMD (ORIGINAL TOWNSITE), CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Case No. 21288—Anthony Smith

Action Requested:

Special Exception to permit a tent revival (Use Unit 2) in an IM district (Section 901); and a Special Exception to permit an alternative material for off-street parking (Section 1202.C.1). **Location:** 2432 East Apache Street North

Presentation:

Anthony Smith, 1602 North Denver, Tulsa, OK; stated he has been before the Board on several occasions for previous tent revivals at different locations and today the request is for an East Apache location. He is requesting the hours be from 9:00 A.M. to 1:00 P.M. and from 7:00 P.M. to 10:00 P.M., and would like this to be granted for a five-year term. The revival will be for ten consecutive days, during the summer only, and then the tent will be removed.

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 (Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Special Exception to permit

BOA - 21288

a tent revival (Use Unit 2) in an IM district (Section 901); and a Special Exception to permit an alternative material for off-street parking (Section 1202.C.1); limiting the special exception to a ten-day period total per year for the 2011 to 2015 time period, with further limits of the time period to occur between May 1st and August 31st of each year. This will be subject to Health Department approval. There is to be no outside speakers. The hours of operation are to be from 9:00 A.M. to 10:30 P.M.; subject to the conceptual site plan on page 6.8, further providing that the tent will be no larger than as shown on page 6.8. In granting these special exceptions the Board has found that these special exceptions 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:

**PRT NW NW BEG 16.5E & 40S NWC NW TH S357.85 NE189.28 NE184.9 NE104.33
NE211.3 N30 W120 NE11.43 W466.25 POB SEC 29 20 13 3.11ACS, CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

Case No. 21289—Brad Lewis

Action Requested:

Variance of the maximum permitted building height for a detached accessory building located in the required rear yard from one story, 10 ft. at the top plate and 18 ft. total (Section 210.B.5.a); a Variance of the maximum coverage of the required rear yard permitted in the RS-3 district (Section 210.B.5.a) from 30% to 36%; and a Variance of the maximum permitted floor area for a detached accessory building in the RS-3 district (Section 402.B.1.d) from 768 sq. ft. to 1,090 sq. ft. **Location:** 1212 South Gary Avenue East

Mr. Cuthbertson announced the second variance request had been eliminated due to a revision of the site plan.

Presentation:

Brad Lewis, 1212 South Gary Avenue, Tulsa, OK; stated that his father owned the house and he is planning to purchase it in the near future. The lot was purchased in 2009 and the 60'-0" x 32'-0" house was built in 2010. The lot is a non-conforming lot and the house has been designed to fit into the neighborhood with the garage door off the frontage like the rest of the neighborhood. The existing garage was deteriorated so it was razed and the new garage was built and moved forward to adjust for the rear fence. Mr. Lewis would like to use the space above the garage as storage or an office, with the possibility of using it as a sleeping room with a bathroom and kitchenette in the future.

Interested Parties:

extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district; and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan. The **Motion Failed** and the application is **DENIED**, on the following described property:

S80 LT 2 & N20 LT 3 BLK 2, VILLA GROVE PARK, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20241

Action Requested:

Special Exception to permit a tent revival for 10 days per year from 2006 to 2010 between May and August (UU2); and a Special Exception of the all-weather surface requirement for off-street parking, located: **5201 East Pine.**

NE/c Pine → Yc12

Presentation:

Anthony Smith, 1602 North Denver, asked for a five-year term of approval and everything else is the same as previously approved.

Comments and Questions:

Ms. Stead asked if they would keep the hours of operation of 10:30 a.m. to 10:30 p.m. Mr. Davis confirmed those hours.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Henke**, the Board voted 4-0-0 (Dunham, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Special Exception to permit a tent revival for 10 days per year from 2006 through 2010 between May and August (UU2); and a Special Exception of the all-weather surface requirement for off-street parking, 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, subject to prior approved conditions, on the following described property:

SW SW S OF RR R/W LESS W50 THEREOF & LESS S200 SESW SW SEC 27
20 13 23.55AC, HOMESTEAD ADDN, City of Tulsa, Tulsa County, State of
Oklahoma

Case No. 19059

Action Requested:

Special Exception to permit a tent revival for ten days in the years of 2001, 2002, 2003 during the months of June, July or August. SECTION 1202. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES; and a Variance of the all-weather surface requirement for off-street parking. 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS, located NE/c of Pine and Yale.

Presentation:

Anthony Smith, 1602 N. Denver, came before the Board to present his case.

Comments and Questions:

Mr. White asked if this request is same as previous application including: health department approval, public address system inside the tent, no outside speakers, hours of operation 10:30 a.m. to 10:30 p.m. Mr. Smith responded that in the affirmative, mentioning there are two services, one in the morning and one at night.

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 *Special Exception* to permit a tent revival for ten days in the years of 2001, 2002, 2003 during the months of June, July or August; and a Variance of the all-weather surface requirement for off-street parking, with conditions for health department approval, public address system inside the tent, no outside speakers, hours of operation 10:30 a.m. to 10:30 p.m.

Case No. 19048

Comments and Questions:

Mr. Beach stated that Mr. Haslam, the applicant, was not present.

Board Action:

On MOTION of Cooper, the Board voted 3-0-0 (White, Dunham, Cooper, "aye"; no "nays"; no "abstentions"; Perkins, Turnbo "absent") to **CONTINUE** Case No. 19048 to the meeting on May 8, 2001.

FILE COPY

Case No. 17753

Action Requested:

Special Exception to permit a tent revival for 21 days in June, July or August in the years 1997, 1998 & 1999. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 2, and a Variance of the all weather surface requirement for off-street parking. **SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**, located NE/c Pine & Yale.

Presentation:

The applicant, **Anthony Smith**, 158 West 49th Place North, submitted a tent detail (Exhibit M-1) and a site plan (Exhibit M-2). Mr. Smith stated that the tent revival will not be for 21 days, but it takes a week to set up the tent and a week to remove the tent. He explained that he came before the Board approximately two (2) years ago on another location (Pine & Lewis). The previous site is under contract to be sold and it is necessary to find a new location. He explained that there will be two (2) services a day, one in the morning and one in the evening. The evening service ends at approximately 10:00 p.m. or 10:30 p.m. Mr. Smith indicated that the subject lot has twenty (20) acres and should not be a nuisance to anyone. He informed the Board that there is commercial property surrounding the subject site.

Comments and Questions:

Mr. White asked the applicant where the access will be for parking? Mr. Smith stated that there is access from Yale and Pine.

Ms. Turnbo asked the applicant if the public address system will be inside the tent or outside the tent? He stated the public address system will inside the tent and the tent will be back away from the road. Mr. Smith stated that he will furnish the port-a-johns according to whatever the Health Department requires.

In response to Ms. Turnbo, Mr. Smith stated that the morning service hours will be 10:30 a.m. to 1:00 p.m. and the evening services will be 7:30 p.m. and ends approximately 10:30 p.m.

Protestants:

None.

06:24:97:729(28)

19.11

Case No. 17753 (continued)

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Bolze, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "absentions"; none "absent") to **APPROVE** a **Special Exception** to permit a tent revival for 21 days in June, July or August in the years 1997, 1998 & 1999. **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 2, and a **Variance** of the all weather surface requirement for off-street parking. **SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**; per plan submitted; subject to Health Department approval; subject to public address system being restricted to the interior of the tent, with no outside speakers; and subject to hours of operation being 10:30 a.m. to 10:30 p.m.; finding that the requirements for a variance in Sec. 1607.C. has been met, on the following described property:

SW, SW, S of RR, R/W, LESS W 50, thereof and Less S 200, SE, SW, SW, Sec. 27, T-20-N, R-13-E, 23.55 AC, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17754

Action Requested:

Special Exception to permit Church use in an AG district. **SECTION 301. PRINCIPAL USES PERMITTED IN AGRICULTURE DISTRICTS** - Use Unit 2, and a Variance of the all-weather surface requirement to allow gravel parking. **SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**, located 8815 East 101st Street.

Presentation:

The applicant, **Jack L. Spradling**, 1660 East 71st Street, representing the Haikey Chapel, submitted a site plan (Exhibit N-10 and stated the church has been located on the subject property since 1912. He indicated that the church would like to expand the building by 20' for class room space, however the church discovered they have never been approved for church use. Mr. Spradling described the parking lot on the subject property to be concrete, asphalt and gravel. He requested a variance on the all-weather surface and to allow gravel for parking.

Comments and Questions:

Mr. Dunham asked the applicant if the church plans to keep the gravel parking permanently or will they eventually asphalt or pave the parking area? Mr. Spradling stated the church has plans to pave the parking, but they are not sure when they will have the funds to do so.

Case No. 16925

Action Requested:

Special Exception to permit a tent revival for 21 days in the years 1995, 1996 and 1997, and a variance of the required all-weather surface requirement for off-street parking - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** and **SECTION 601. PRINCIPAL USES PERMITTED IN THE OFFICE DISTRICTS** - Use Unit 2, located northwest corner of North Lewis and East Apache

Presentation:

The applicant, **Anthony Smith**, 158 West 49th Place North, submitted a plot plan (Exhibit C-1) and requested permission to conduct a revival on the subject property. He informed that the revival will be conducted for 15 days and the remainder of the 21-day period is for installation and removal of the tent. Mr. Smith stated that the revival will begin on June 4th and end on June 18th of this year, but could be held some time during the months of June, July or August in 1996 and 1997. He pointed out that the revival has been held for several years.

Comments and Questions:

In reply to Mr. Doverspike, the applicant stated that the hours will be 10:30 a.m. to 9:30 p.m., and the operation will be conducted the same each year, except the tent may be smaller than depicted on the plot plan.

Mr. White asked if adequate parking will be supplied, and the applicant answered in the affirmative.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Special Exception** to permit a tent revival for 21 consecutive days in the years 1995, 1996 and 1997 (June, July or August), and a variance of the required all-weather surface requirement for off-street parking - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** and **SECTION 601. PRINCIPAL USES PERMITTED IN THE OFFICE DISTRICTS** - Use Unit 2; per plan submitted; subject to Health Department approval; subject to public address system being restricted to the interior of the tent, with no outside speakers; and subject to hours of operation being 10:30 a.m. to 9:30 p.m.; finding the temporary use, per conditions, to be compatible with the area; on the following described property:

Beginning 50' west and 50' north of the SE/c thence west 290', north 760', east 290', south 760' to the POB, less the north 374', Section 19, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

2:14:95:674(7)

19.13



0 200 400
Feet



Subject
Tract

BOA-22480

20-12 12

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

Aerial Photo Date: February 2018





0 50 100
Feet



Subject
Tract

BOA-22480

20-12 12

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

Aerial Photo Date: February 2018



19.15

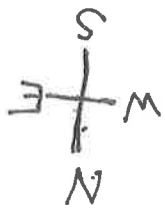


Looking west— towards the site— on N. Peoria Ave. E.



Looking northwest— towards the site— on N. Peoria Ave. E.



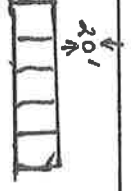


East 54th Street North

Store

800'

Parking



100'

TENT

Parking

Parking

PLAZA CENTER

765'

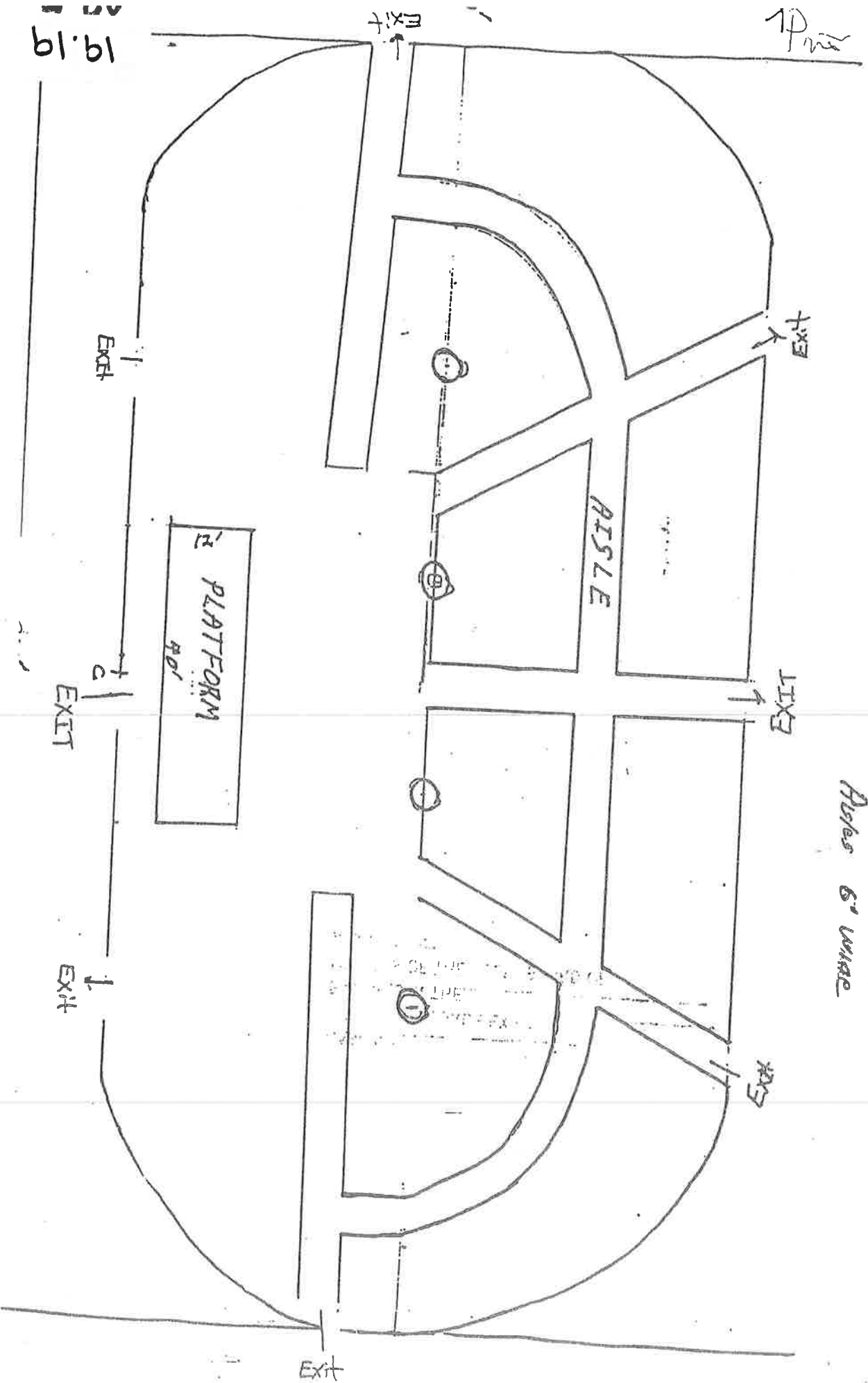
East 52nd Street North

19.18

Normal
Peoria

Tent Detail

Aisles 6' wide



Ulmer, Amy

From: Anthony Smith <Anthony.Smith@blackhawkid.com>
Sent: Monday, July 02, 2018 11:48 AM
To: Ulmer, Amy
Subject: RE: BOA-22480

Amy,

This year the event time is from July 31st till August 4th.

It takes a week to set the tent up and a week to take it down.

The Tent Church service is held only once a year. It is held in only in one of the following months either June—July – August.

Anthony

Anthony Smith

Customer Service Representative

BlackHawk Industrial

6125 W Reno Ave

Suite 600

Oklahoma City, OK 73127

Office: 405-688-2313

Fax: 405-488-2026

Anthony.Smith@blackhawkid.com



From: Ulmer, Amy [mailto:aulmer@incog.org]

Sent: Monday, July 02, 2018 11:37 AM

To: Anthony Smith

Subject: BOA-22480

Hello,

Regarding your Board of Adjustment application, could you specify how many days the tent will be up for the entire year and the number of consecutive days within that time period. Thank you.

Amy Ulmer | Land Development Planner

2 West Second Street, Suite 800

Tulsa, OK 74103

918.579.9437

918.579.9537 fax

aulmer@incog.org

Bob Kolibas
ZONING OFFICIAL
PLANS EXAMINER



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 0002553-2018

May 30, 2018

Anthony Smith
8828 N. 121st Ter.
OKC OK 73162

Phone: 918-671-9867
Fax:

APPLICATION NO: 2553-2018 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 5260 N. Peoria Avenue

Description: 13000 sq. ft. Temporary Tent installation

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

19.21

REVIEW COMMENTS

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

Application No. 002553-2018

5260 N Peoria Avenue

May 30, 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.

Chapter 50 | Temporary Uses

Section 50.030 Authorized Uses

The development administrator is authorized to approve a zoning clearance permit for temporary uses upon determining that the proposed use is a customary temporary use in the subject location and will generally be compatible with surrounding uses and not be a detriment to public safety. The following is a non-exhaustive list of the types of temporary uses and activities for which a zoning clearance permit may be approved by the development administrator:

50.030-D Outdoor carnivals, concerts, festivals, revivals and public gatherings for a maximum of 30 days per lot per year and no more than 10 consecutive days per occurrence.

Review Comments: The proposed 13000 sq. ft. tent installation requires a variance from the BOA to exceed 30 days per lot per year and exceed 10 consecutive days.

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.

Mariboho, Mindi

From: Miller, Susan
Sent: Friday, July 17, 2015 10:47 AM
To: Huntsinger, Barbara; Fernandez, Diane; Foster, Nathan; Hoyt, Jay; Mariboho, Mindi; Vandecar, Meagan; Miller, Susan; Moye, Nikita; Sparger, Janet; White, Nikki; Wilkerson, Dwayne
Subject: FW: tent permitting
Attachments: DOC070815-07082015112746.pdf, DOC070815-07082015113115.pdf

FYI

-----Original Message-----

From: Ho, Yuen [<mailto:Yuenho@cityoftulsa.org>]
Sent: Friday, July 17, 2015 10:45 AM
To: VanValkenburgh, Janine
Cc: Warrick, Dawn; Miller, Susan; Enix, Paul
Subject: FW: tent permitting

Janine:

Dawn, Susan, and I had a brief discussion this morning on tent permitting. The attached is a flow chart depicting our current processing of tent applications. The other is language to waive LODs from our office, which would be applicable to tent permitting as well. We wanted you to take a look at this flow and that the new zoning code addresses it the same way [or better]. This flow was developed because our current zoning code was woefully inadequate to administer tent permitting. Discussions with Wayne Alberty, Jack Page, Grant Easterling, and a final but quick run-by with Pat Boulden led to acceptance of this flow. Kathryn Aynes helped graph the flow. It has worked well for us since. There was buy-in from the tent industry; in fact there were about 3 meetings with an ad hoc committee to listen to stakeholders. TFD also bought in to this flow, and I think it was FM Gallahar (not 100% sure though).

Dawn's question this morning was whether the whole flow had/require formal endorsement by BOA. I do not recall any written confirmation from BOA although Wayne Alberty was part of the discussion.

Thank you.

~~~~~  
~~~~~  
Dawn:

The 1100 sf threshold was increased to 2400 sf some years ago. The chart was not updated but we have been using 2400 sf as the break line.

In 2009, in finding a HPG process for tent permitting, we tried to simplify the zoning and permitting process. As a result, tents were basically Use Unit 2 requiring Special Exception and could always be routed along a flow that fits. Where it is routed to INCOG for BOA action, the application is processed for a Use by Special Exception without needing a LOD from us.

[We can go one step further by modifying the code and not require BOA action for Special Exception approval, saving the customer about \$800, but I believe Legal advised that the process is still necessary to allow neighbors public opportunity their right to object to an adjustment.]

The second document with the text in the gray box formalizes INCOG staff discretion to not require a LOD as they may deem. Tents can fit within this policy and should fit within this exemption.

Aug-09

```

graph TD
    Start([START]) --> SE{Special Event}
    SE -- YES --> S14{≤ 14 days}
    SE -- NO --> S90{≤ 90 days}
    S14 -- YES --> A400_14{>400 sq ft}
    S14 -- NO --> A400_90{>400 sq ft}
    S90 -- YES --> A400_90
    S90 -- NO --> A400_90
    A400_14 -- YES --> A1100_14{>1100 sf app}
    A400_14 -- NO --> NPermit((No Permit Rec'd))
    A400_90 -- YES --> A1100_90{>1100 sf app}
    A400_90 -- NO --> NPermit
    A1100_14 -- YES --> A10P_14{>10% parking}
    A1100_14 -- NO --> NPermit
    A1100_90 -- YES --> A10P_90{>10% parking}
    A1100_90 -- NO --> NPermit
    A10P_14 -- YES --> BGA[BGA]
    A10P_14 -- NO --> NPermit
    A10P_90 -- YES --> BGA
    A10P_90 -- NO --> NPermit
    BGA -- Approval --> OTC([OTC Permit])
    BGA -- Denied --> CASH[CASH]
    CASH -- Approval --> OTC
    CASH -- Denied --> CC[City Council]
    CC -- Approval --> OTC
    CC -- Denied --> JUD[Continue Judicial Appeal Options]
    JUD --> CC
  
```

Change In:
 * Zoning Code from 900sf to 1100sf
 ** Zoning Code from total restriction required parking up to 10% use permitted
 *** Zoning Code Interpretation Change: accessory to principal use not required

Flowchart Details:
 - **START** (Green circle)
 - **Special Event** (Yellow diamond)
 - **≤ 14 days** (Yellow diamond)
 - **≤ 90 days** (Yellow diamond)
 - **>400 sq ft** (Yellow diamond)
 - **>1100 sf app** (Yellow diamond)
 - **>10% parking** (Yellow diamond)
 - **No Permit Rec'd** (Green circle)
 - **BGA** (Red rectangle)
 - **CASH** (Red rectangle)
 - **City Council** (Red rectangle)
 - **Continue Judicial Appeal Options** (Red rectangle)
 - **OTC Permit** (Green circle)

NOTES: WITH RECEIPT OF PERMIT

- a. Applicant will be given tent location standard info sheet for generic site.
- b. Tent installer registered with COT must be used to install permitted tents.
- c. Fire Marshal will inspect permitted tents, e.g. flame spread ratings, site conditions, etc.

19.24