AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, January 22, 2019, 1:00 P.M.

Meeting No. 1220

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of December 11, 2018 (Meeting No. 1218).

UNFINISHED BUSINESS

None.

NEW APPLICATIONS

2. **22571—Robert Bromley**
Variance to reduce the lot area and lot area per unit requirement; Variance to reduce the required front street setback; Variance to reduce the required rear yard setback; Variance of the open space requirement in an RS-3 District (Section 5.030). **LOCATION:** 1610 West Easton Place North **(CD 4)**

3. **22572—Clifford E. Phillips**
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 3618 East Admiral Place North **(CD 4)**

4. **22573—Sizemore, Weisz & Associates**
Variance of the minimum lot area per unit requirement; Variance of the minimum open space per unit requirement in a RM-1 District (Section 5.030-A). **LOCATION:** SW/c of North Lewis Avenue East & East Archer Street North **(CD 3)**

5. **22574—Corey Robison**
Special Exception to allow an Indoor Commercial/Assembly and Entertainment Use (RC Car Racetrack) in the IM District (Section 15.020). **LOCATION:** 6240 East 15th Street South **(CD 5)**

6. **22575—James & Sandra Williamson**
Special Exception to allow a Bed and Breakfast with on-site events in a RS-3 District (Sections 5.020 & 40.060). **LOCATION:** 6111 South Trenton Avenue East **(CD 2)**

7. **22576—Matt King**
Variance to allow a detached accessory structure to exceed 18 feet in height and exceed 1-story in the rear setback in an RS-2 District (Section 90.090-C). **LOCATION:** 2115 East 23rd Street South **(CD 4)**

8. **22577—A-Max Sign Company**
Special Exception to permit a dynamic display sign to be located within 200 feet of an R District (Section 60.100-F); Special Exception to allow a dynamic display sign to be located in an RS-2 District (Section 60.050-B.2). **LOCATION:** 3820 East 41st Street South **(CD 9)**

9. **22578—Eller & Detrich – Nathalie Cornett**
Special Exception to exceed the allowable driveway width within the right-of-way and within the street setback (Section 55.090-F.3). **LOCATION:** 676 West 77th Place South **(CD 2)**

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 Tulsa Planning Office @ (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 Tulsa Planning Office, 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 Tulsa Planning Office at (918) 584-7526 if you require an official posted agenda.

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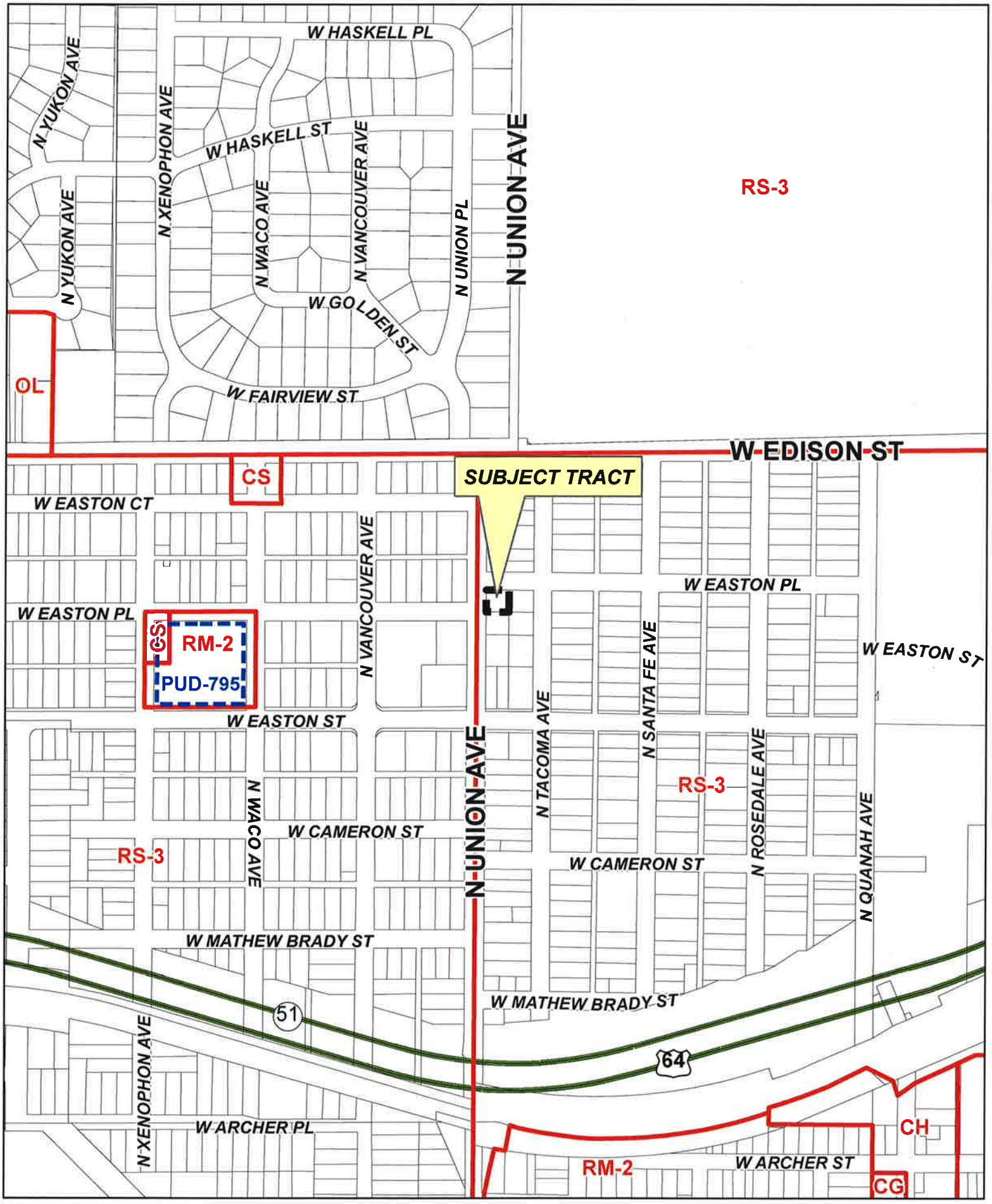

Feet
0 200 400

BOA-22571

19-12 02

2.1

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BOARD OF ADJUSTMENT
CASE REPORT

STR: 9202 Case Number: **BOA-22571**

CZM: 36

CD: 4

A-P#:

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Robert Brumley

ACTION REQUESTED: Variance to reduce the lot area and lot area per unit requirement; Variance to reduce the required front street setback; Variance to reduce the required rear yard setback; ~~Variane to reduce the required side street setback;~~ Variance of the open space requirement in an RS-3 district (Section 5.030)

LOCATION: 1610 W. Easton Pl. N. (SE/c of W. Easton Pl. & N. Union Ave.) **ZONED:** RS-3

PRESENT USE: residential **TRACT SIZE:** 5625 SQ FT

LEGAL DESCRIPTION: W 75' LTS 1 2 3 BLK 5, PARK HILL ADDN AMD

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:
BOA-19995; on 3.08.05, the Board **approved** a *Variance* of the front yard requirement from 35 feet to 11 feet to allow for the establishment of a single-family dwelling in the RS-3 District. Located: 1612 W. Edison St. (SW/c of N. Union Ave. & W. Edison 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'.

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 surrounded by RS-3 zoned residences on all sides.

STAFF COMMENTS:

On 12/21/18, a Lot Line Adjustment (LLA-63) was approved by INCOG. The applicant is proposing to build a single-family detached residence on the combined subject lot.

The existing lot is 5625 sq. ft. For a single-family detached residence use in the RS-3 district the Code requires a lot area and lot area per unit of 6900 sq. ft. The applicant has requested a **Variance** to reduce the required lot area and lot area per unit from 6900 sq. ft. to 5625 sq. ft.

The applicant is requesting a **Variance** to reduce the front street setback from 25 ft. to 20 ft. along W. Easton Pl. Based on the submitted plan, W. Easton Pl. is indicated as the front setback. The Major Street and Highway Plan considers this a *non-arterial* street and would therefore be required by code to maintain a building setback of 25 feet in an RS-3 zoned district (Sec.5.030-A).

The Code states that, for detached houses on corner lots, the minimum side street setback along a *non-arterial* may be reduced to 15 feet provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater (5.030-B.3). As shown on the submitted plan, the side street setback along N. Union Ave. is 17 ft. The Variance request to reduce the required side street setback is not needed.

The Code requires that detached houses maintain a rear setback of 20ft in an RS-3 zoned district (Sec. 5.030-A). As shown on the submitted site plan, the proposed residence would encroach 15ft. into the required rear setback. Per the code, a **Variance** to reduce the rear setback from 20ft. to 5ft. (Section 5.030-A) is required to construct the proposed residence.

The Code requires a open space per unit of 4,000 sq. ft for detached houses in an RS-2 zoned district. Open space per unit refers to the amount of outdoor open space required to be provided on a lot for each dwelling unit on the subject lot. The following may be counted toward satisfying minimum open space-per unit requirements: (1) Outdoor areas that are not occupied by buildings, driveways or parking areas and are generally useable by residents; (2) Driveways and parking areas located in the rear yard of a detached house or duplex; and; (3) Green roofs covering 25% or more of the subject building's overall roof area. The applicant has requested a **Variance** to reduce the open space per unit requirement to 3520 sq. ft. (lot area – building area).

Sample Motion

Move to _____ (approve/deny) a **Variance** to reduce the lot area and lot area per unit requirement from 6900 sq. ft. to 5625 sq. ft.; a **Variance** to reduce the required front street setback from 25 ft. to 20 ft. along W. Easton Pl.; a **Variance** to reduce the required rear yard setback from 20 ft. to 5 ft.; a **Variance** of the open space requirement from 4,000 sq. ft to 3520 sq. ft. in an RS-3 district (Section 5.030);

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

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

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

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

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

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

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

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

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

Interested Parties:

Howard Joiner, 7015 East Haskell, stating he came to find out what were the applicant's plans. They were open to family oriented activities and advantageous to the community.

Tim Lewis, 7305 East Latimer Place, stated there has been a history of vandalism, when the bowling alley existed.

Mr. Dunham offered the applicant and interested parties time to discuss the application outside of the room to resolve any issues and be heard later in the meeting.

Board Action:

To be heard later in the meeting.

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Case No. 19994

Action Requested:

Verification of required 300 ft distance from another family day care home (Section 402.B.5.g), located: 11866 East 36th Street South.

Presentation:

Jerry Ray, 4750 Hobbyhorse Lane, stated he is the father of the applicant. He added they did a survey and did not find another home day care within 300 ft.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Stephens,** the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **APPROVE** a Verification of required 300 ft distance from another family day care home (Section 402.B.5.g), on the following described property:

LT 9 BLK 6, GARNETT PARK ADDN, City of Tulsa, Tulsa County, State of Oklahoma

****

Case No. 19995

Action Requested:

Variance of front yard requirement from 35 feet to 11 feet to allow for the establishment of a single-family dwelling in the RS-3 District, SECTION 4 – Use Unit 6, located: 1612 West Edison Street.

FILE COPY

Presentation:

Michael Simmons, 1719 West Easton Court, the subject property has been neglected with a history of code violations. They are trying to improve the neighborhood and he bought this property to improve it also. This property is unique, being the only lot facing Edison in Owen Park that would have a structure built under the current zoning code. He submitted photographs (Exhibits B-1 and B-2) to support his presentation. He pointed out one house is close to the street and the small lots. There would be no garage and the curb cut is on Union.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Stephens**, the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **APPROVE** a **Variance** of front yard requirement from 35 feet to 11 feet to allow for the establishment of a single-family dwelling in the RS-3 District, SECTION 4 -- Use Unit 6, finding the lot was created prior to the current zoning code and created a substandard lot, on the following described property:

W 50' OF LTS 1 2 & 3 BLK 4, PARK HILL ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma

****

Case No. 19996

Action Requested:

Special exception to allow Use Unit 5 - Community Center- in an SR zoned district (Section 851), located: 11545 East 43rd Street South.

Mr. Dunham abstained from Case No. 19996.

Presentation:

Josh Fowler, stated he is the Executive Vice-President of the Home Builders Association of Greater Tulsa, 11545 East 43rd Street. They were not adding onto the structure or changing the use from what they have done for years. It was found that they were originally approved for office space, but they need a special exception to have the members meetings there and comply with the code.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 3-0-1 (Stephens, Stead, Henke "aye"; no "nays"; Dunham "abstained"; Paddock "absent") to **APPROVE** a **Special Exception** to allow Use Unit 5 - Community Center- in an SR zoned district (Section 851), on the following described property:

Feet
0 200 400

Subject Tract

BOA-22571

19-12 02

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

Aerial Photo Date: February 2018

2.7

Feet
0 50 100

Subject Tract

BOA-22571

19-12 02

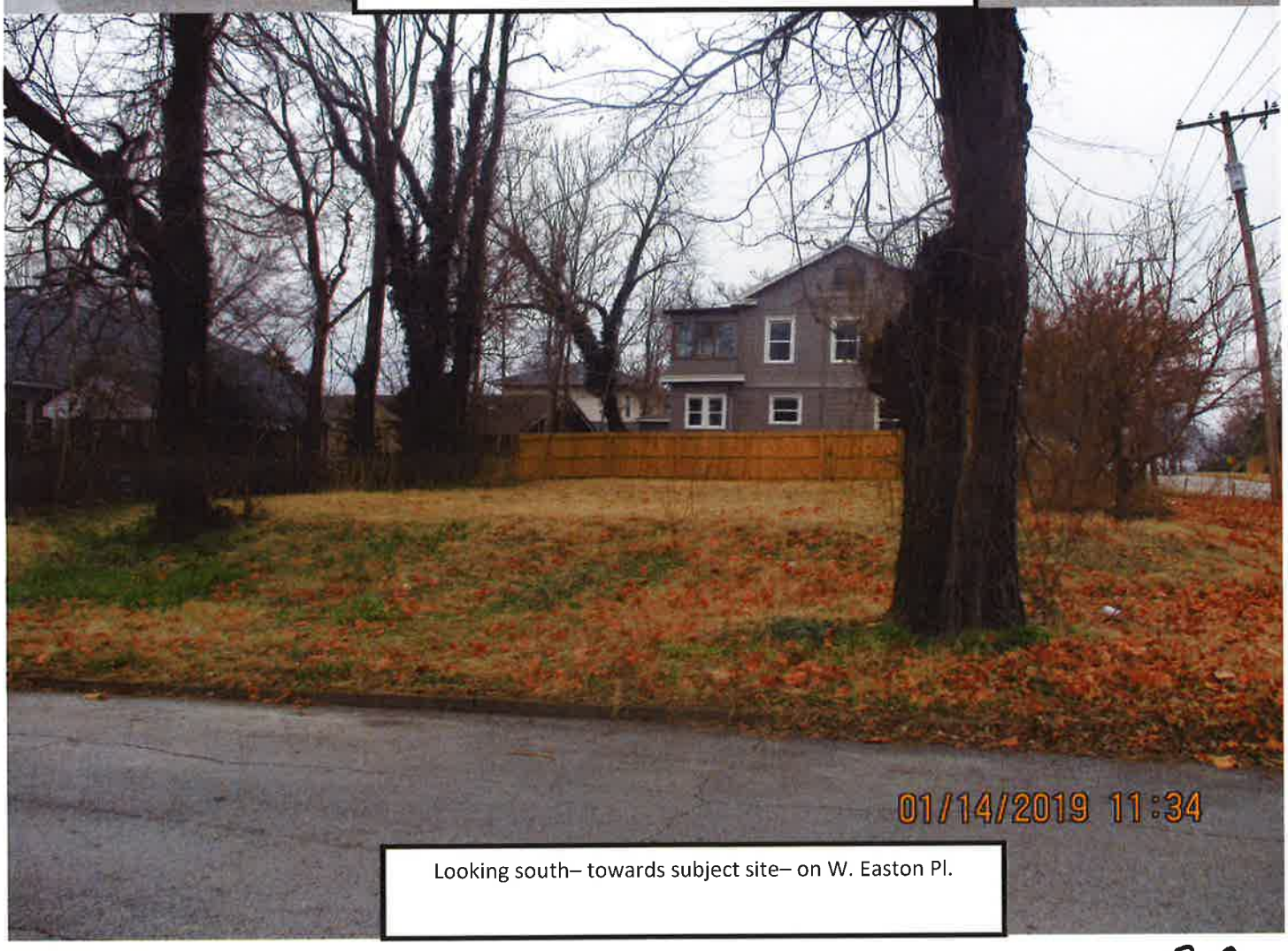
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

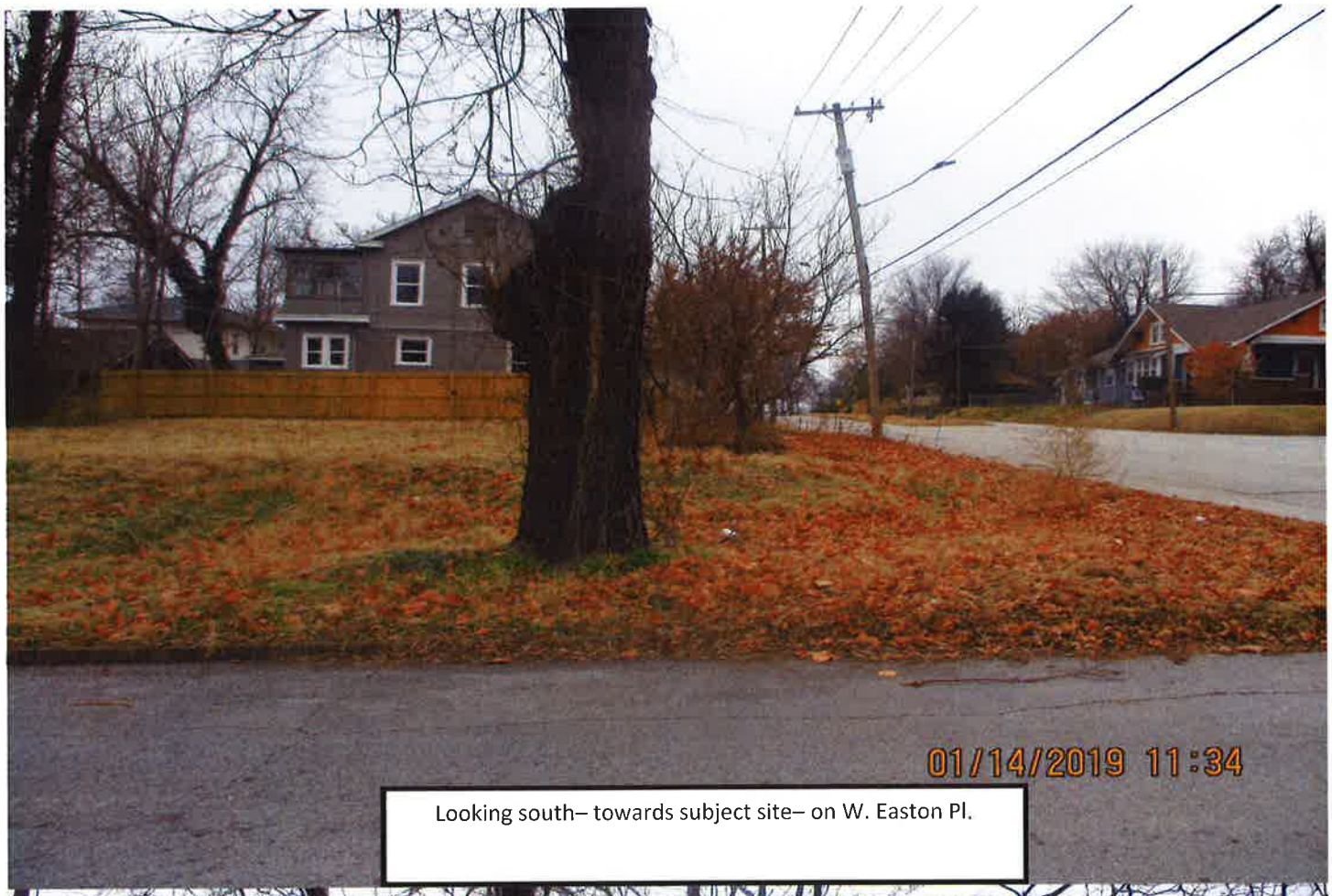
N

2.8

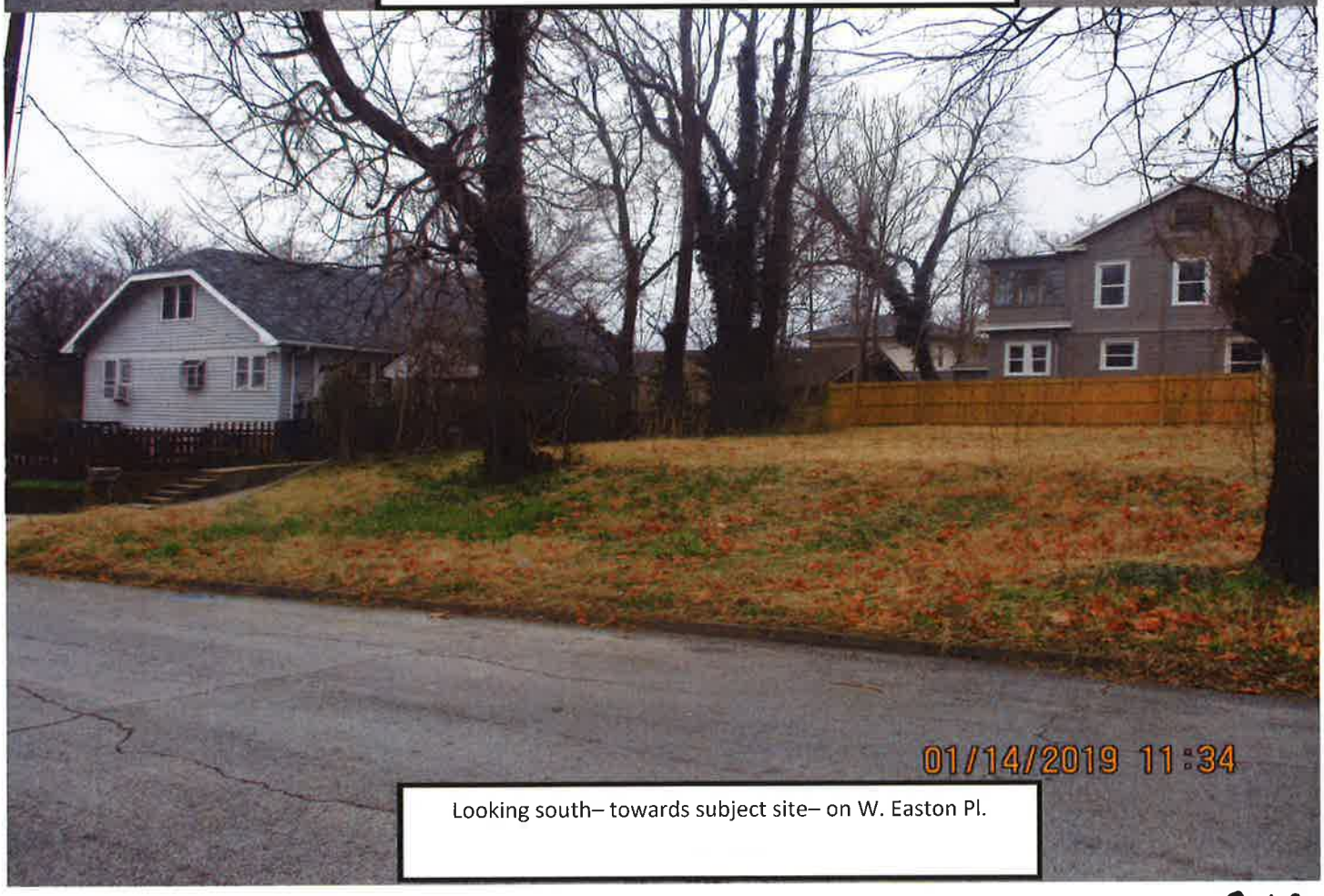
Looking south– towards subject site– on W. Easton Pl.



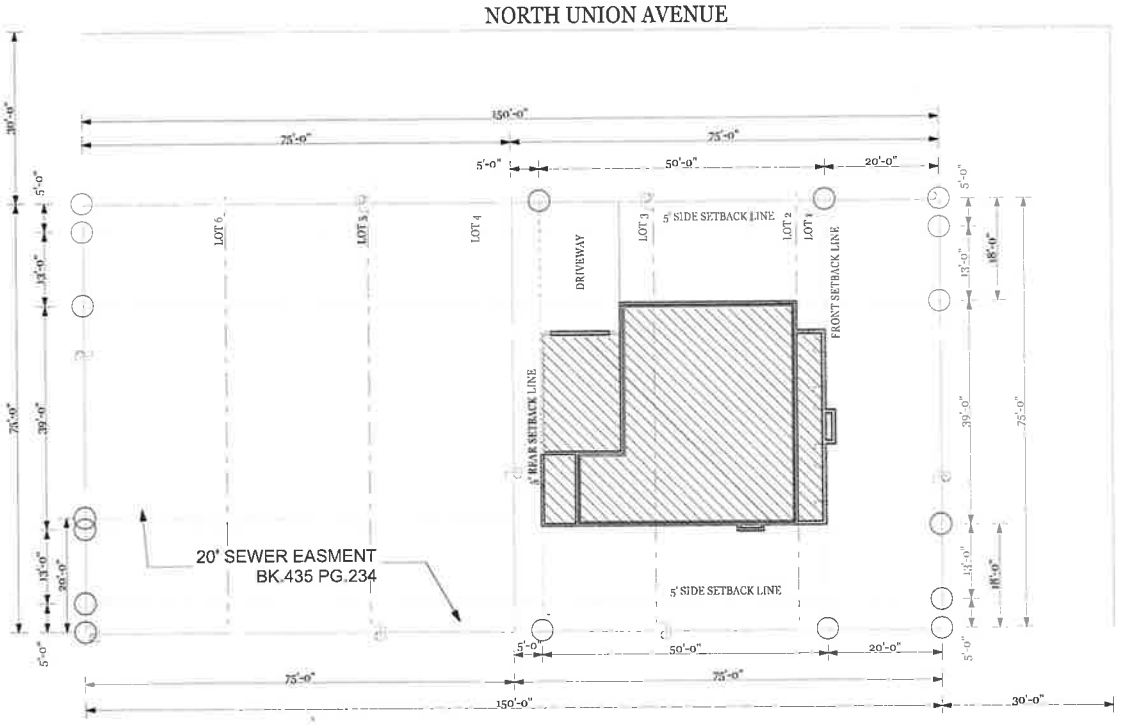
Looking south– towards subject site– on W. Easton Pl.



Looking south– towards subject site– on W. Easton Pl.



Looking south– towards subject site– on W. Easton Pl.



3 SITE PLAN
SCALE: 1" = 10'

ROBERT BROMLEY OWEN PARK

Project Description:
1610 W EASTON PL
TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE:
08/02/2018

Drawn by: K.C.
Checked by: T.S.
Date Issued:
Revised Date:
Scale: REFER TO PLAN

A5.1

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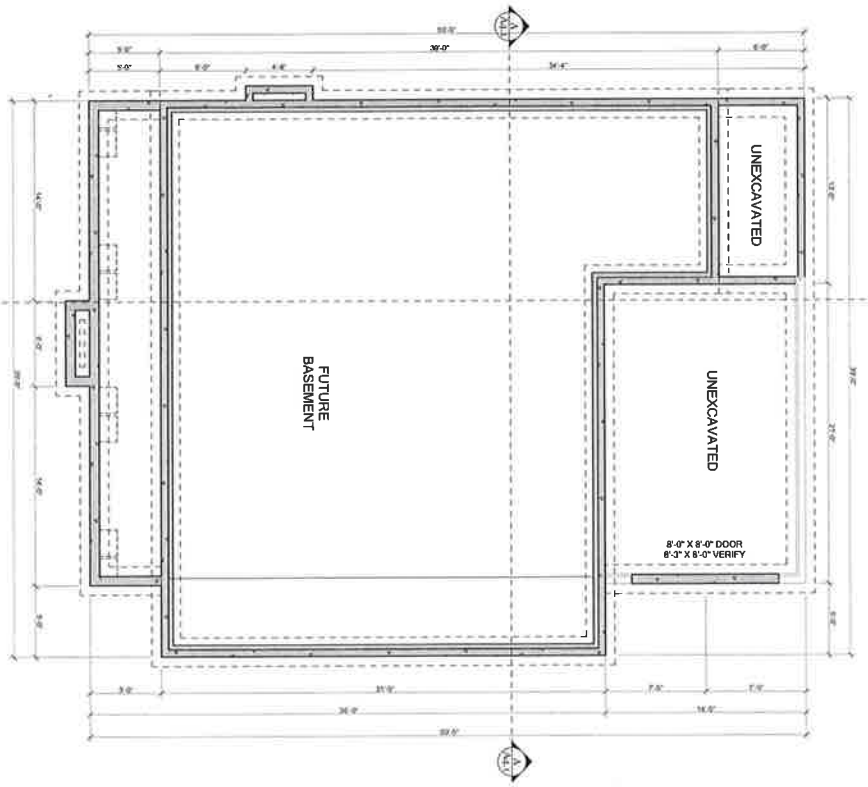
ARCHITECTURAL SEAL AREA

CERTIFICATION OF THE DRAWINGS

Simonsen Design Studios, Inc.
Fargo, ND Ph: (701) 232-3281

1 FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



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Fargo, ND Ph: (701) 232-3281

ARCHITECTURAL SEAL AREA

CERTIFICATION OF THE DRAWINGS

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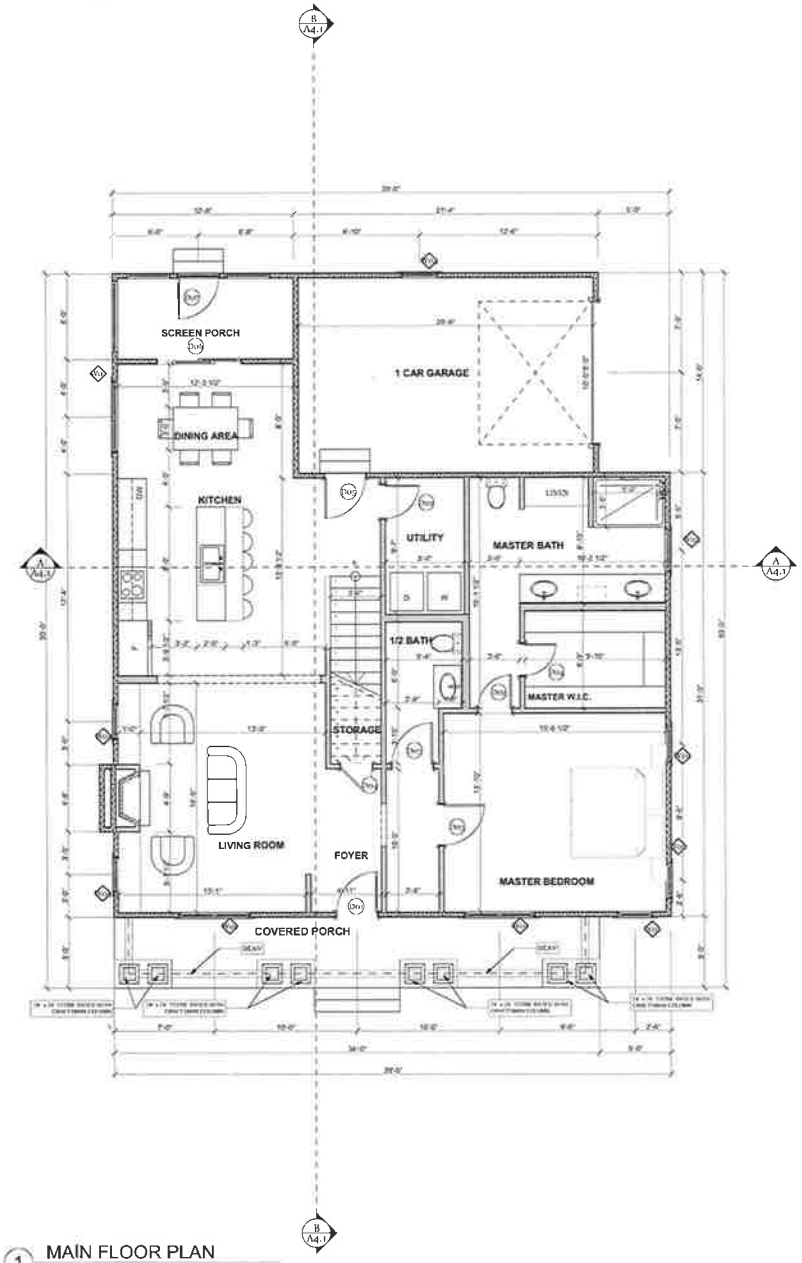
Project Description:
1610 W EASTON PL
TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE:
08/02/2018
IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH THE DESIGNER AT SIMONSON'S THAT YOU HAVE THE MOST RECENT SET OF DOCUMENTS.

ROBERT BROMLEY
OWEN PARK

Drawn by: KC	Checked by: TS	A1.1
Date Issued:	Revised Date:	
Scale: REFER TO PLAN	Simonson Design Studios, Inc. is not responsible for any changes after the date above.	

2.12



1 MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE NOTES:
A. ALL GLASS TO BE LOW-E2 SEALED DOUBLE PANE/ARGON
B. GLAZING TO BE SAFETY GLAZING PER IRC R308
C. REFER TO PLANS/ELEVATIONS FOR SPECIFIC LOCATION OF REQUIRED SAFETY GLAZING PER IRC R308
D. EMERGENCY ESCAPE AND RESCUE OPENING: MIN 24" HEIGHT, MIN 20" WIDTH, MIN 5.7 S.F. OPENING PER IRC SECTION R310
E. EMERGENCY ESCAPE AND RESCUE OPENING SHALL BE OPERATIONAL FROM THE INSIDE OF THE ROOM WITHOUT THE USE OF KEYS OR SPECIAL KNOWLEDGE

WINDOW INSTALLATION INSTRUCTIONS:
INSTRUMENTS MUST BE ON SITE FOR INSPECTIONS. LEAVE WINDOW STICKERS ON UNITS. U.A. VALUE IS VALIDATED BY INSPECTOR AND APPROVED ON ENERGY CERTIFICATE

WINDOW SCHEDULE - USE GERKIN.

HOME STORY	QTY	WINDOW TAG	LOCATION	WINDOW ID	ROUGH OPENING	NOMINAL HEAD HEIGHT
MAIN FLOOR	3	W01	LIVING ROOM	MODEL 4300 CASEMENT	5'-0"x5'-0"	6'-10 7/8"
MAIN FLOOR	1	W01	STUDY/BEDROOM 4	MODEL 4300 CASEMENT	5'-0"x5'-0"	6'-10 7/8"
MAIN FLOOR	1	W02	M21-8147- 99999/99999/M2	W02	2'-8"x5'-0"	6'-10 7/8"
MAIN FLOOR	2	W02	MASTER BEDROOM	MODEL 4300 CASEMENT	2'-8"x5'-0"	6'-10 7/8"
MAIN FLOOR	1	W03	MUDROOM	MODEL 4400 AWNING	3'-0"x1'-6"	6'-0"
MAIN FLOOR	1	W04	GARAGE	MODEL 4300 CASEMENT	2'-8"x2'-8"	6'-10 7/8"
MAIN FLOOR	2	W05	LIVING ROOM	MODEL 4300 CASEMENT	2'-8"x2'-8"	6'-10 7/8"
UPPER FLOOR	1	W01	BEDROOM 2	MODEL 4300 CASEMENT-2W	5'-0"x5'-0"	6'-10 7/8"
UPPER FLOOR	2	W01	BEDROOM 3	MODEL 4300 CASEMENT	5'-0"x5'-0"	6'-10 7/8"
UPPER FLOOR	1	W08	BATH 3	MODEL 4300 CASEMENT	7'-0"x4'-0"	7'-0"
UPPER FLOOR	1	W06	LIVING ROOM	MODEL 4300 CASEMENT	7'-0"x6'-0"	8'-10 7/8"
UPPER FLOOR	1	W07	FUTURE REC ROOM	MODEL 4300 CASEMENT	5'-0"x3'-0"	6'-10 7/8"
	16					

EXTERIOR DOOR SCHEDULE - MAIN FLOOR

HOME STORY	QTY	DOOR TAG	LOCATION	TYPE	SIZE	JAMB
MAIN FLOOR	1		GARAGE	O.H. GARAGE DOOR	10'-0"x8'-0"	24EXTFA
MAIN FLOOR	1	D01	FOYER	SINGLE DOOR	3'-0"x8'-0"	24EXTFA
MAIN FLOOR	1	D05	GARAGE	SINGLE DOOR	3'-0"x8'-0"	24EXTFA
MAIN FLOOR	1	D07	SCREEN PORCH	SINGLE DOOR	3'-0"x8'-0"	24DFA
	4					

INTERIOR DOOR SCHEDULE

HOME STORY	QTY	DOOR TAG	LOCATION	TYPE	SIZE	JAMB
MAIN FLOOR	2	D02		SINGLE DOOR	2'-6"x6'-8"	24INTFA
MAIN FLOOR	1	D03	1/2 BATH	SINGLE DOOR	2'-6"x6'-8"	24INTFA
MAIN FLOOR	1	D03	MASTER BEDROOM	SINGLE DOOR	3'-0"x6'-8"	24INTFA
MAIN FLOOR	1	D04		SINGLE DOOR	2'-4"x6'-8"	24INTFA
MAIN FLOOR	1	D04	FOYER	SINGLE DOOR	2'-4"x6'-8"	24INTFA
MAIN FLOOR	1	D06	SCREEN PORCH	SINGLE DOOR	6'-0"x6'-8"	24DFTFA
UPPER FLOOR	1	D02		SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D02	BEDROOM 2	SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D02	BEDROOM 3	SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D04		SINGLE DOOR	2'-4"x6'-8"	24DEXTFA
UPPER FLOOR	2	D04		SINGLE DOOR	2'-4"x6'-8"	24INTFA
UPPER FLOOR	1	D04	BATH 3	SINGLE DOOR	2'-4"x6'-8"	24INTFA
UPPER FLOOR	1	D05		DOUBLE DOOR	4'-0"x6'-8"	24INTFA
UPPER FLOOR	1	D05	BEDROOM 3	DOUBLE DOOR	4'-0"x6'-8"	24INTFA
	16					

GENERAL NOTES:
1. ALL PLATE/CEILING HEIGHTS ARE 9'-1 1/8" UNLESS NOTED DIFFERENT (**FIGURED 2 X 4 AND 2 X 6 X 104 5/8" PRE-CUT MATERIALS**)
-ALL EXTERIOR 2 X 6 WALLS ARE DRAWN 6 7/16" THICK.
-ALL INTERIOR 2 X 10 WALLS ARE DRAWN 10 1/2" THICK. ALL INTERIOR 2 X 4 WALLS ARE DRAWN 4 1/2" THICK.
2. ALL GARAGE WALLS ARE FRAMING ONLY 2 X 6 X 10'-7 7/8" - **(MATCH MAIN FLOOR HOSE PLATE HEIGHTS)**
A. VERIFY IF ENTIRE GARAGE TO BE INSULATED. SHEET ROCKED WITH CLIENTS & CONTRACTOR
B. VERIFY SIZES AND LOCATIONS OF GARAGE FLOOR DRAINS WITH CLIENTS & CONTRACTOR
C. LVL HEADER MATERIALS ABOVE GARAGE DOORS- SEE TRUSS MANUFACTURE ON SIZES
3. VERIFY ALL KITCHEN, BATH ROOM, LAUNDRY ROOM AND ANY OTHER BUILT-IN CABINET LAYOUTS WITH CABINET DESIGNER AND CONTRACTOR
A. VERIFY ANY ADDITIONAL WEIGHT ON FLOOR SYSTEM FOR TRUSS MANUFACTURE
-EXAMPLE: GRANITE COUNTER TOPS, CERAMIC TILE, ETC.
4. VERIFY TYPE OF BEAMS/HEADERS REQUIRED TO SUPPORT FLOOR & ROOF LOADS WITH TRUSS MANUFACTURE
-IF LVL MATERIALS REQUIRED, TRUSS MANUFACTURE TO SIZE, LOCATE ON PLANS AND SUPPLY
5. ALL WINDOWS, DOORS, AND OPENING 5'-0" & LARGER ARE TO HAVE (2) JACK STUDS UNDER EITHER SIDE OF HEADERS IN ACCORDANCE WITH IRC & CITY CODE REQUIREMENTS

PROJECT SQUARE FOOTAGE -ANSI Z765-2003 GUIDELINES

MAIN LEVEL	1,313.14
UPPER LEVEL	699.57
	2,012.71 sq ft

SQUARE FOOTAGE DISCLAIMER:
Simonson Design Studios, Inc. expressly disclaims any liability with respect to the square footage listed on any floor plans or renderings above. Buyer or Contractor is responsible for verifying the square footage of the plans prior to pricing or estimates.

ROBERT BROMLEY
OWEN PARK

A1.2

Drawn by: K.C. | Checked by: T.S.
Date issued: | Revised Date:
Scale: REFER TO PLAN

Project Description:
1610 W EASTON PL
TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE:
08/02/2018
IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH THE MOST RECENT INDEX IN THAT YOU HAVE THE MOST RECENT SET OF DOCUMENTS.

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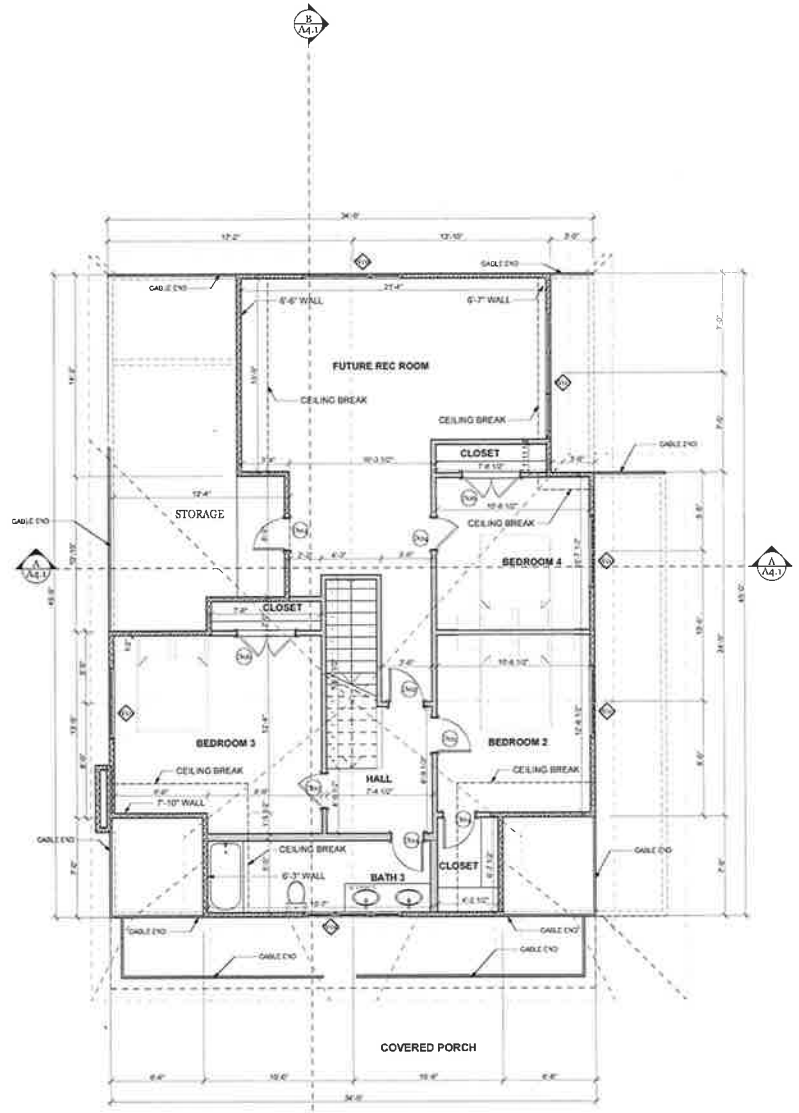
ARCHITECTURAL SEAL/AREA

CERTIFICATION OF THE DRAWINGS

Simonson Design Studios, Inc.
Fargo, ND Ph: (701) 232-3381



1 UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE NOTES:
A. ALL GLASS TO BE LOW E2 SEALED DOUBLE PANED WINDOW
B. GLAZING TO BE SAFETY GLAZING PER IRC R308
C. REFER TO PLANS/ELEVATIONS FOR SPECIFIC LOCATION OF REQUIRED SAFETY GLAZING PER IRC R308
D. EMERGENCY ESCAPE AND RESCUE OPENING, MIN 24" HEIGHT, MIN 20" WIDTH, MIN 5.7 S.F. OPENING PER IRC SECTION R310
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HOME STORY	QTY	WINDOW TAG	LOCATION	WINDOW ID	ROUGH OPENING	NOMINAL HEAD HEIGHT
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MAIN FLOOR	1	W01	STUDY/BEDROOM 4	MODEL 4300 CASEMENT	3'-0"x5'-0"	6'-10 7/8"
MAIN FLOOR	2	W02	LIVING ROOM	MODEL 4300 CASEMENT	3'-6"x3'-4"	6'-10 7/8"
MAIN FLOOR	1	W03	KITCHEN	MODEL 4300 CASEMENT	2'-6"x3'-6"	6'-10 7/8"
MAIN FLOOR	1	W04	GARAGE	MODEL 4300 CASEMENT	2'-6"x2'-6"	6'-10 7/8"
MAIN FLOOR	2	W05	MASTER BEDROOM	MODEL 4300 CASEMENT	2'-6"x5'-0"	6'-10 7/8"
MAIN FLOOR	1	W36	MUDROOM	MODEL 4400 AWNING	4'-0"x1'-6"	8'-0"
UPPER FLOOR	2	W01	LIVING ROOM	MODEL 4300 CASEMENT	3'-0"x5'-0"	6'-10 7/8"
UPPER FLOOR	2	W07	LIVING ROOM	MODEL 4300 CASEMENT	7'-0"x4'-0"	6'-10 7/8"
UPPER FLOOR	1	W08	LIVING ROOM	MODEL 4300 CASEMENT	5'-0"x3'-0"	6'-10 7/8"
	14					

EXTERIOR DOOR SCHEDULE - MAIN FLOOR

HOME STORY	QTY	DOOR TAG	LOCATION	TYPE	SIZE	JAMB
MAIN FLOOR	1		GARAGE	O.H. GARAGE DOOR	16'-0"x6'-0"	24EXTFA
MAIN FLOOR	1	D01	FOYER	SINGLE DOOR	3'-0"x6'-8"	24EXTFA
MAIN FLOOR	1	D05	GARAGE	SINGLE DOOR	3'-0"x6'-8"	24EXTFA
MAIN FLOOR	1	D07	SCREEN PORCH	SINGLE DOOR	3'-0"x6'-8"	24SFA
	4					

INTERIOR DOOR SCHEDULE

HOME STORY	QTY	DOOR TAG	LOCATION	TYPE	SIZE	JAMB
MAIN FLOOR	2	D02		SINGLE DOOR	2'-6"x6'-8"	24INTFA
MAIN FLOOR	1	D03	1/2 BATH	SINGLE DOOR	2'-0"x6'-8"	24INTFA
MAIN FLOOR	1	D03	MASTER BEDROOM	SINGLE DOOR	2'-0"x6'-8"	24INTFA
MAIN FLOOR	1	D04		SINGLE DOOR	2'-4"x6'-8"	24INTFA
MAIN FLOOR	1	D04	FOYER	SINGLE DOOR	2'-4"x6'-8"	24INTFA
MAIN FLOOR	1	D05	SCREEN PORCH	SINGLE DOOR	6'-0"x6'-8"	24EXTFA
UPPER FLOOR	1	D02		SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D02	BEDROOM 2	SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D02	BEDROOM 3	SINGLE DOOR	2'-6"x6'-8"	24INTFA
UPPER FLOOR	1	D04		SINGLE DOOR	2'-4"x6'-8"	24EXTFA
UPPER FLOOR	2	D04		SINGLE DOOR	2'-4"x6'-8"	24INTFA
UPPER FLOOR	1	D04	BATH 3	SINGLE DOOR	2'-4"x6'-8"	28INTFA
UPPER FLOOR	1	D06		DOUBLE DOOR	4'-0"x6'-8"	24INTFA
UPPER FLOOR	1	D06	BEDROOM 3	DOUBLE DOOR	4'-0"x6'-8"	24INTFA
	16					

GENERAL NOTES :
1. ALL PLATE/CEILING HEIGHTS ARE 9'-1 1/8" UNLESS NOTED DIFFERENT (SQUIRED 2 X 4 AND 2 X 6 X 104 5/8" PRE-CUT
MATERIALS:
- ALL EXTERIOR 2 X 6 WALLS ARE DRAWN 6 7/16" THICK
- ALL INTERIOR 2 X 10 WALLS ARE DRAWN 10 1/2" THICK, ALL INTERIOR 2 X 4 WALLS ARE DRAWN 4 1/2" THICK
2. ALL GARAGE WALLS ARE FRAMING ONLY 2 X 6 X 10'-7 7/8" ← (MATCH MAIN FLOOR HOSE PLATE HEIGHTS)
A. VERIFY IF ENTIRE GARAGE TO BE INSULATED, SHEET ROCKED WITH CLIENTS & CONTRACTOR
B. VERIFY SIZES AND LOCATIONS OF GARAGE FLOOR DRAINS WITH CLIENTS & CONTRACTOR
C. LVL, HEADER MATERIALS ABOVE GARAGE DOORS- SEE TRUSS MANUFACTURE ON SIZES
3. VERIFY ALL KITCHEN, BATH ROOM, LAUNDRY ROOM AND ANY OTHER BUILT-IN CABINET LAYOUTS WITH CABINET DESIGNER AND CONTRACTOR
4. VERIFY ANY ADITIONAL, WEIGHT ON FLOOR SYSTEM FOR TRUSS MANUFACTURE
(EXAMPLE: GRANITE COUNTER TOPS, CERAMIC TILE, ETC
4. VERIFY TYPE OF BEAMS/HEADERS REQUIRED TO SUPPORT FLOOR & ROOF LOADS WITH TRUSS MANUFACTURE IF LVL MATERIALS REQUIRED, TRUSS MANUFACTURE TO SIZE, LOCATE ON PLANS AND SUPPLY
5. ALL WINDOWS, DOORS, AND OPENING 5'-0" & LARGER ARE TO HAVE (2) JACK STUDS UNDER EITHER SIDE OF HEADERS IN ACCORDANCE WITH IRC & CITY CODE REQUIREMENTS

FLOOR AREAS SCHEDULE MAIN FLOOR PLAN

MAIN LEVEL	1,388.90
UPPER LEVEL	543.00
	1,932.90 sq ft

SQUARE FOOTAGE DISCLAIMER:
Simonson Design Studios, Inc. expressly disclaims any liability with respect to the square footage listed on any floor plans or renderings above. Buyer or Contractor is responsible for verifying the square footage of the plans prior to pricing or estimates.

ROBERT BROMLEY
OWEN PARK

Drawn by: K.C | Checked by: T.S | A1.3
Date Issued: | Revised Date:
Scale: REFER TO PLAN

Project Description:
1810 W EASTON PL
TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE:
08/02/2018
IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH THE BUILDER REMODELER THAT YOU HAVE THE MOST RECENT SET OF DOCUMENTS

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CONTRACTOR

ARCHITECT/DESIGNER

CERTIFICATION OF THE DRAWINGS
I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE DESIGN SHOWN AND DESCRIBED IN THESE PLANS AND SPECIFICATIONS IS IN COMPLIANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE AS AMENDED BY THE STATE OF OKLAHOMA.

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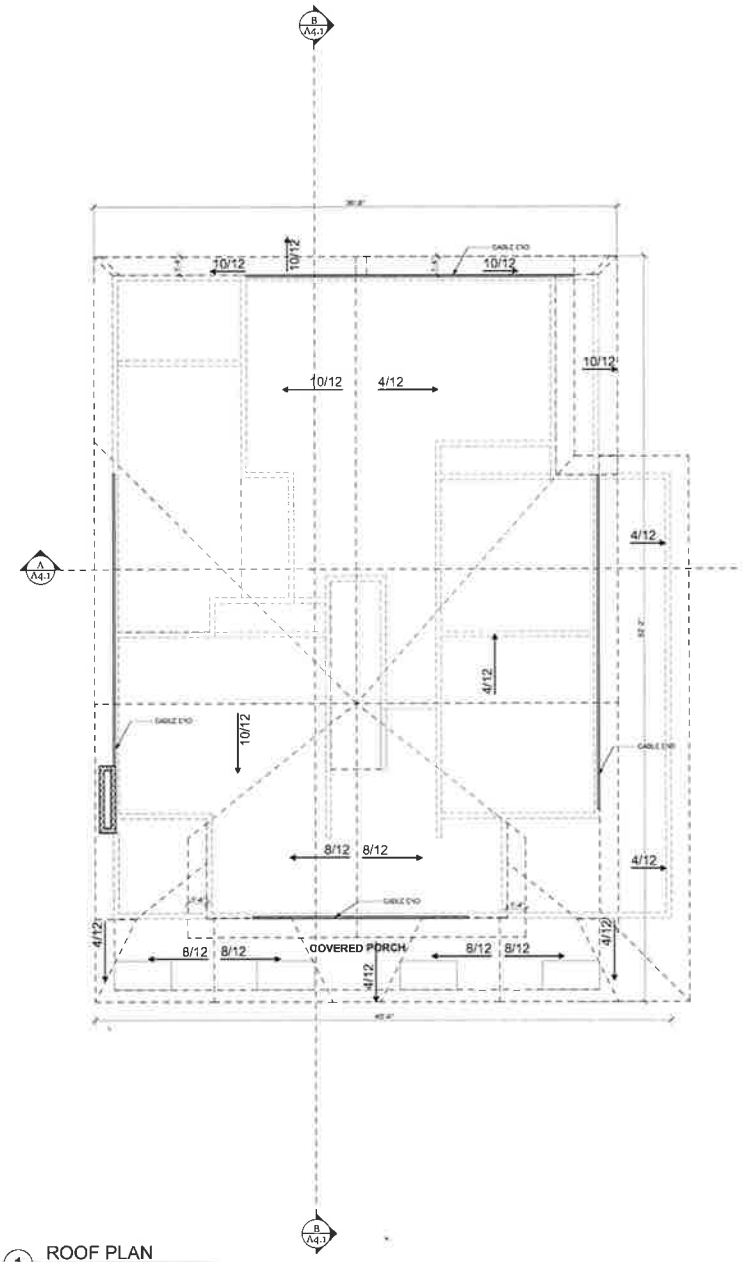

1 ROOF PLAN
SCALE: 1/4" = 1'-0"

ICE & WATER SHIELD NOTE:
PROVIDE ICE & WATER SHIELD AT EAVES ALL TO POINT THAT IS 24" FROM INSIDE OF HEATED WALL LINE AT ALL VALLEYS RUN 18" EACH WAY AND AT ALL LOW SLOPED ROOFS (LESS THAN 4:12) AND AT ALL WALL ROOF INTERSECTIONS UNDER FLASHING (RUN 18" EACH WAY)

FRAMING NOTE:
CARPENTER TO ADJUST PLATE HEIGHT AS REQUIRED WHERE RAFTER SIZES DIFFER SUCH THAT ROOF EAVES STAY ALIGNED
CONTRACTOR HAS OPTION TO UPSIZE ALL RAFTERS TO THE SAME SIZE

ATTIC VENTILATION NOTE:
INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR FROM THE EAVE INTO THE ATTIC
FOR AIR IMPERVIOUS INSULATION IN VENTED ATTICS, A BAFFLE MUST BE INSTALLED BETWEEN EACH RAFTER ALONG THE SIDE AND OVER THE INSULATION

FRAMING NOTE:
ROOF CONTAINS DIFFERENT SIZE RAFTERS
CONTRACTOR CAN ADJUST BEARING HEIGHT BY ADDED WOOD PLATES OR INCREASING RAFTER HEEL CUT OR COMBINATION OF BOTH TO KEEP EAVE FACE IN LINE
FOR DIFFERENT ROOF SLOPES, ADJUST THE OVERHANG TO ALIGN EAVES

ROOF PLANS

GENERAL NOTES:
1. ALL PLATE CEILING HEIGHTS ARE 9' 1 1/8" UNLESS NOTED DIFFERENT (FIGURED 2 x 4 & 2 x 6 x 104 5/8" PRE-CUTS)
2. GARAGE WALLS (FRAMING ONLY) FIGURED 2 x 6 x 9' - 1 1/8" (MATCH MAIN FLOOR HOUSE PLATE HTS.)
3. ROOF PITCH IS 8/12 WITH 24" OVERHANGS HEELS NTS ARE APPROXIMATE 6" +/- VERIFY, UNLESS NOTED DIFFERENT
A. VERIFY TYPE OF HEADERS/BEAMS REQUIRED TO SUPPORT ROOF LOADS WITH TRUSS MANUFACTURE
B. LVL MATERIALS REQUIRED TRUSS MANUFACTURE TO SIZE, LOCATE ON PLANS, AND SUPPLY
C. VERIFY POSSIBLE WINDOW HEADERS UP IN ROOF TRUSS SYSTEM SEE TRUSS MANUFACTURE AND CONTRACTOR
D. CONTRACTOR MUST VERIFY ALL WINDOWS, DOORS, AND OPENING HEADER SIZES WITH TRUSS MANUFACTURER

ROBERT BROMLEY
OWEN PARK

Project Description:
1610 W EASTON PL
TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE:
08/02/2018
IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH YOUR BUILDER THAT THIS IS THE MOST RECENT PLAN AND YOU HAVE THE MOST RECENT SET OF DOCUMENTS

Drawn by: K.C.
Checked by: T.S.
A1.4
Date Issued:
Revised Date:
Scale: REFER TO PLAN

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ARCHITECTURAL SEAL AREA

CERTIFICATION OF THE DRAWINGS

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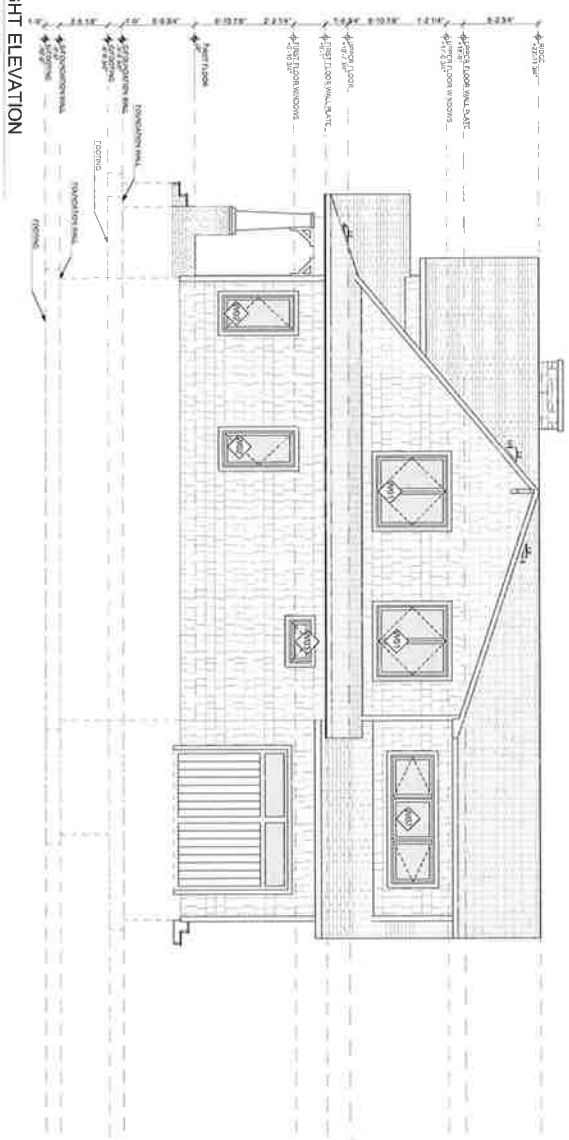
Fargo, ND Ph: (701) 232-3281

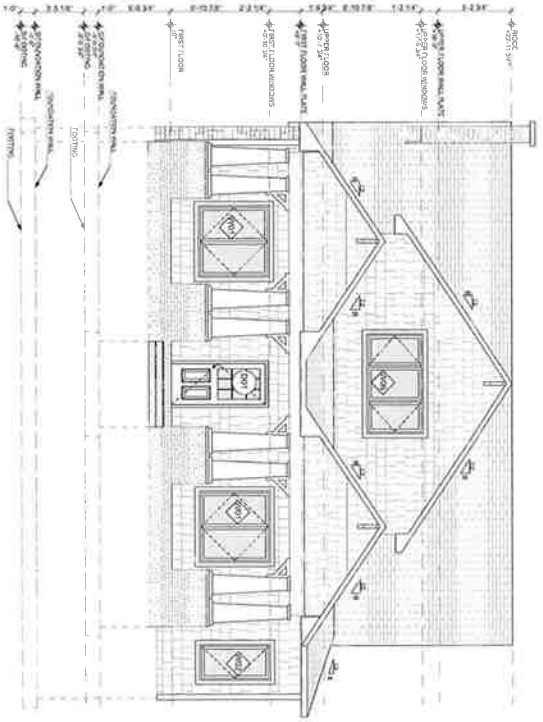
2 RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



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ARCHITECTURAL SEAL AREA

CERTIFICATION OF THE DRAWINGS

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Project Description:
1610 W EASTON PL
TULSA

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08/02/2018

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OWEN PARK

Drawn by: K.C.	Checked by: T.S.	A2.1
Date Issued:	Revised Date:	
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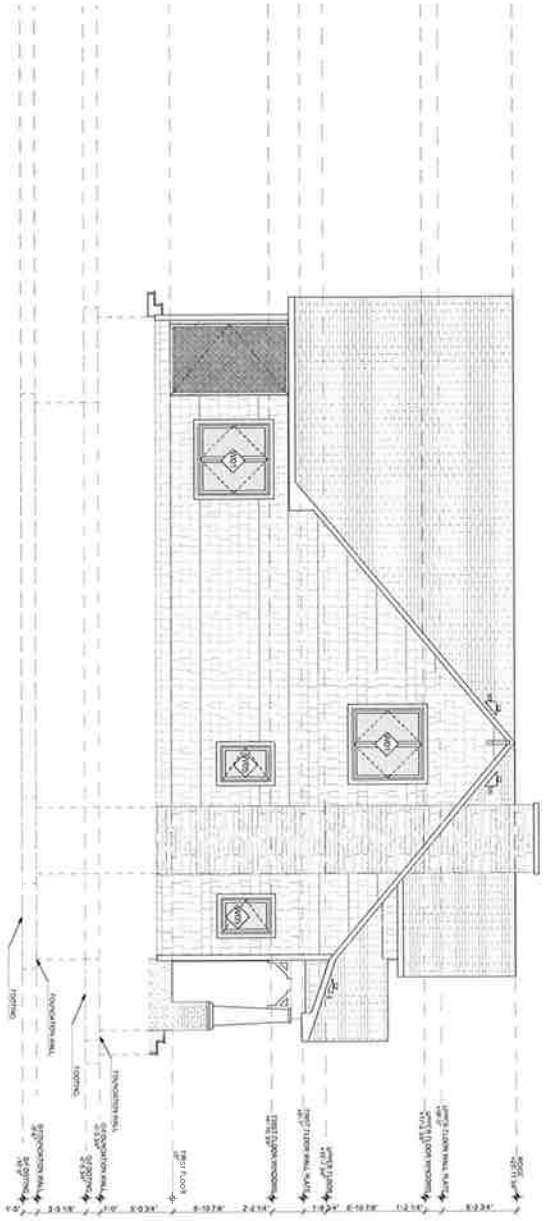
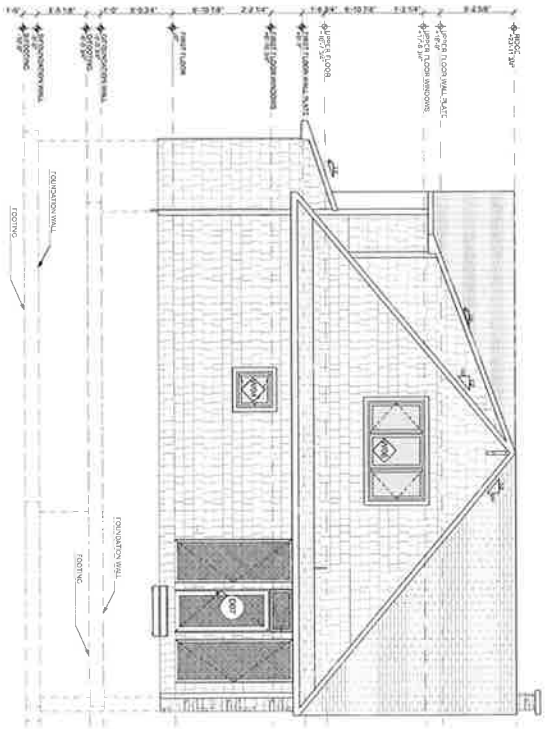
2.16



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



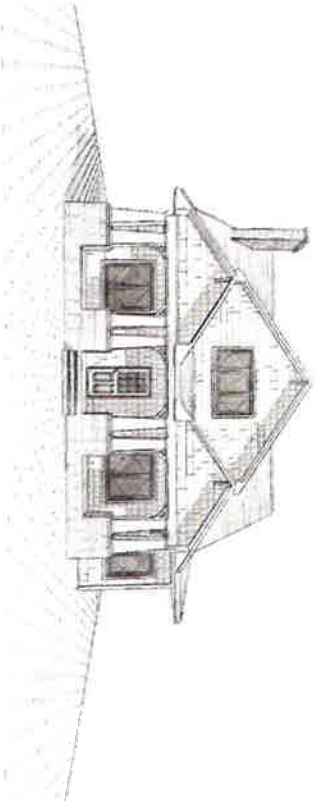
1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

Simonson Design Studios ,Inc. Fargo ,ND Ph: (701) 232 3281	ARCHITECTURAL SEAL AREA CERTIFICATION OF THE DRAWINGS	CONTRACTOR	Disclaimer of Warranties Copyright	Project Description: 1610 W EASTON PL TULSA THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE: 08/02/2018 IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH THE DESIGNER AT SIMONSON'S THAT YOU HAVE THE MOST RECENT SET OF DOCUMENTS	ROBERT BROMLEY OWEN PARK Drawn by: K.C. | Checked by: T.S. | A2.2 Date Issued: | Revised Date: Scale: REFER TO PLAN

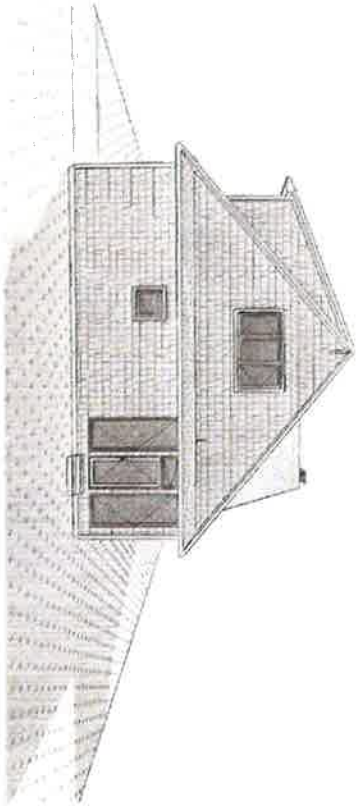
2.17

RIGHT 3D VIEW

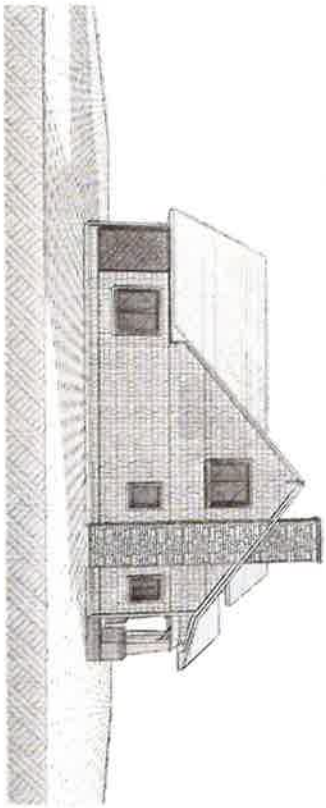
FRONT 3D VIEW



REAR 3D VIEW



LEFT 3D VIEW



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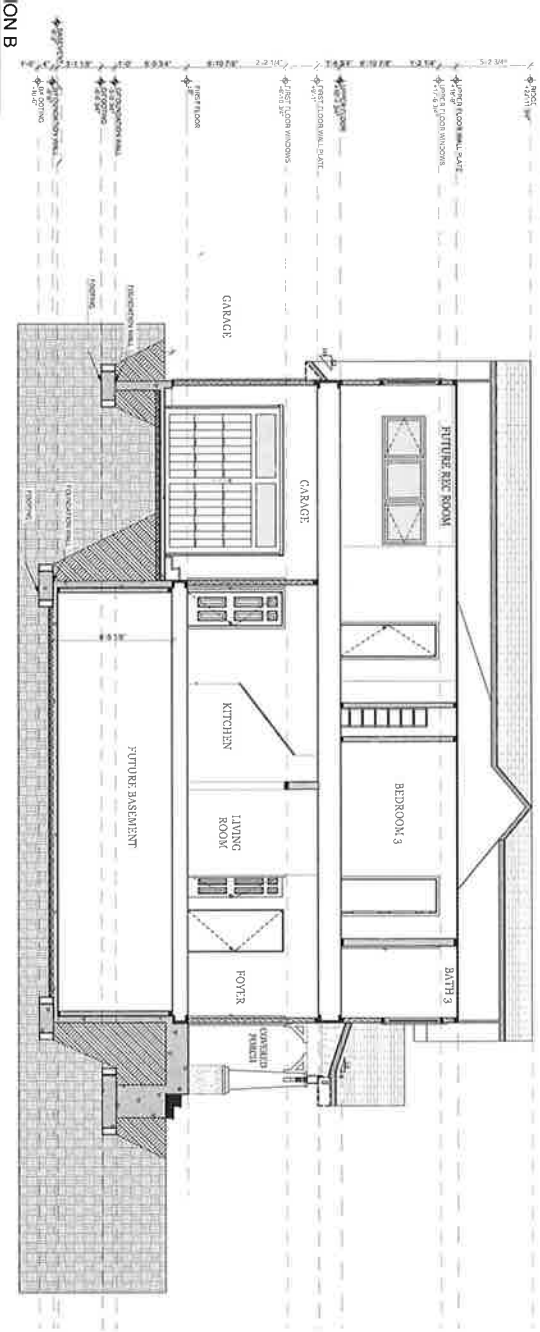
2.18

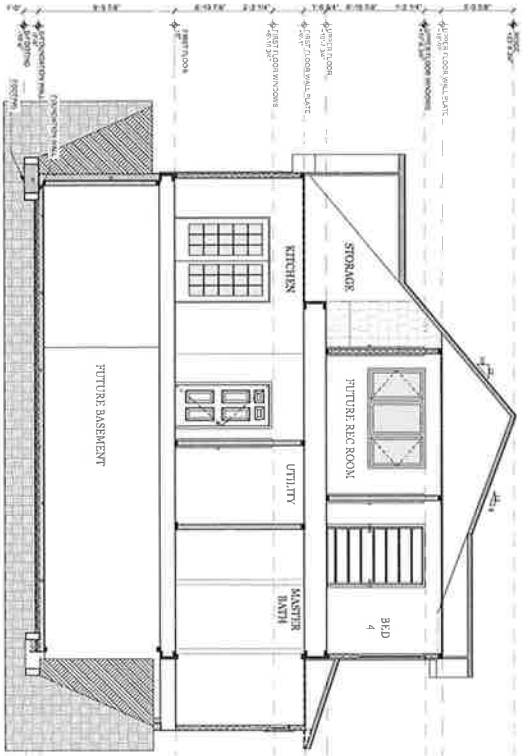
2 SECTION B

SCALE: 1/4" = 1'-0"



1 SECTION A

SCALE: 1/4" = 1'-0"



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OWEN PARK

Drawn by: K.C.	Checked by: T.S.	A4.1
Date Issued:	Revised Date:	
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2.19

ROBERT BROMLEY OWEN PARK

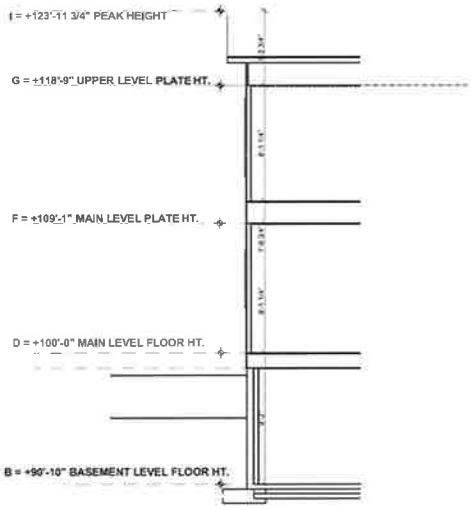
LINE SEGMENT	DESCRIPTION	VALUE	ENGINEERING VALUE
A	DATUM POINT (AVERAGE ELEVATION OF BOTH PROPERTY LINES AT FRONT YARD SETBACK)		
	ELEVATION #1 (USED ABOVE AT FRONT YARD SETBACKS)		
	ELEVATION #2 (USED ABOVE AT FRONT YARD SETBACKS)		
GI	HEIGHT OF ROOF (BOTTOM OF CEILING JOIST OR TOP OF PLATE TO TALLEST PEAK)		
AG=(0.5*GI)	MEAN HEIGHT		
AC	DATUM POINT TO BASEMENT CEILING		
AD	DATUM POINT TO TO FIRST STORY FINISHED FLOOR		
AK	HEIGHT OF FOUNDATION		
BC	HEIGHT OF KNEEWALL ABOVE FOUNDATION		
DF	HEIGHT OF FIRST STORY (TOP OF FLOOR JOIST TO BOTTOM OF FLOOR JOIST)		
FG	HEIGHT OF SECOND STORY (TOP OF JOIST TO BOTTOM OF CEILING JOIST)		
AI	PEAK HEIGHT		

ITEM	AREA IN SQUARE FEET (S.F.)	DESCRIPTION
1	1,689.65	FOOTPRINT OF PRINCIPLE STRUCTURE
2	N.A.	FOOTPRINT OF DETACHED GARAGE
3	N.A.	TOTAL LOT SQUARE FOOTAGE
4	N.A.	BUILDING COVERAGE = (ITEM 1 + ITEM 2) / ITEM 3
5	N.A.	GROSS S.F. OF BASEMENT
6	1,313.14	GROSS S.F. OF FIRST FLOOR
7	294.58	GROSS S.F. OF ATTACHED GARAGE
8	77.33	GROSS S.F. OF ENCLOSED PORCH
9	689.57	GROSS S.F. OF SECOND FLOOR
10	402.06	GROSS S.F. OF FUTURE REC ROOM
11	2,786.88	TOTAL GROSS S.F.

ITEM	AREA IN SQUARE FEET (S.F.)	DESCRIPTION
FLOOR AREAS	77.33	SCREEN PORCH
FLOOR AREAS	294.58	GARAGE
FLOOR AREAS	402.06	FUTURE REC ROOM
FLOOR AREAS	689.57	UPPER LEVEL
FLOOR AREAS	1,313.14	MAIN LEVEL
	2,786.88 sq ft	

CODES FOR CITY, STATE	
2012	INTERNATIONAL RESIDENTIAL CODE (IRC)
2012	INTERNATIONAL FIRE CODE (IFC)
2012	INTERNATIONAL MECHANICAL CODE (IMC)
2012	INTERNATIONAL FUEL GAS CODE (IFGC)
2012	INTERNATIONAL ENERGY CONSERVATION CODE (IEC)
2011	NATIONAL ELECTRICAL CODE (NEC)
2013	INTERNATIONAL PLUMBING CODE (IPC)

ZONING REQUIREMENTS		
	REQUIRED	ACTUAL
ZONING USE:		
FRONT YARD SETBACK:		
CORNER YARD SETBACK:		
SIDE YARD SETBACK:		
REAR YARD SETBACK:		
BLDG LOT COVERAGE:		
FLOOR AREA RATIO (FAR):		
MAX BUILDING HT (RIDGE):		
MAX BUILDING HT (MEAN):		
LOT AREA = S.F.		



FRONT 3D VIEW

GENERAL REQUIREMENTS

ALL WORK TO BE PERFORMED SHALL BE IN COMPLIANCE WITH APPLICABLE LOCAL, STATE, NATIONAL, AND INTERNATIONAL CODES AND REGULATIONS.

THIS DRAWING SET IS MEANT AS SCOPE DOCUMENTS INDICATING THE GENERAL DESIGN INTENT, DIMENSIONS OF PROJECT, MAJOR DESIGN ELEMENTS, AND BASIC ORGANIZATION OF MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS. THESE DRAWINGS DO NOT NECESSARILY DESCRIBE OR INDICATE ALL MATERIALS AND/OR WORK REQUIRED FOR FULL PERFORMANCE OF BUILDING SYSTEMS AND FINAL COMPLETION OF PROJECT. CONTRACTOR(S) ARE RESPONSIBLE FOR PROVIDING ALL ITEMS REQUIRED FOR PROPER EXECUTION AND COMPLETION OF THE PROJECT IN ACCORDANCE WITH APPLICABLE BUILDING CODES.

CONTRACTOR SHALL NOTIFY DESIGNER OF ANY DISCREPANCIES BETWEEN THE DRAWINGS, SPECIFICATIONS, AND/OR EXISTING FIELD CONDITIONS. NOTIFICATION SHALL BE MADE UPON DISCOVERY OF DISCREPANCY AND PRIOR TO PERFORMING ANY WORK IN QUESTION.

ALL CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL SAFETY REQUIREMENTS. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTORS TO INITIATE, MAINTAIN, AND SUPERVISE ALL SAFETY MEASURES, PRECAUTIONS, AND PROGRAMS IN CONNECTION WITH THE WORK.

ALL SUB CONTRACTORS SHALL BE LICENSED AND INSURED WITHIN THE JURISDICTION IN WHICH WORK IS TO BE DONE.

CONTRACTOR SHALL OBTAIN AND PAY FOR ANY PERMITS AND FEES REQUIRED TO PERFORM THE WORK, UNLESS OTHERWISE DIRECTED BY SIMONSON DESIGN STUDIOS.

EACH CONTRACTOR SHALL BE RESPONSIBLE FOR STORAGE AND SAFETY OF THEIR OWN MATERIALS, WORK, AND FOR PROPERLY REMOVING THEIR DEBRIS FROM THE JOB SITE.

CONTRACTOR TO NOTIFY THE DESIGNER OF WORK REQUIRING SPECIAL DETAILING, WHICH HAS NOT BEEN INCLUDED WITHIN ISSUED DRAWING SET.

DIMENSIONS AND NOTES PROVIDED FOR A GIVEN CONDITION ARE TYPICAL FOR ALL SIMILAR CONDITIONS, UNLESS OTHERWISE NOTED.

DEFINITIONS:

FURNISH - TO PURCHASE AND/OR SUPPLY AND DELIVER TO SITE COMPLETE WITH RELATED ACCESSORIES AND TRANSFER TO INSTALLER FOR INSTALLATION.

INSTALL - TO RECEIVE, CONSTRUCT, AND CONNECT COMPLETE FOR USE AND REGULAR OPERATION AS APPLICABLE, INCLUDING RELATED ACCESSORIES.

PROVIDE - TO FURNISH AND INSTALL.

SYMBOLS	
X/XX	DRAWING NUMBER SHEET NUMBER
X/XX	DRAWING NUMBER SHEET NUMBER
	STORY NAME ELEVATION
X	WINDOW TAG
#	DOOR TAG
00	EQUIPMENT TAG
00	PARTITION TAG
KITCHEN 00 X 00 #####	ROOM NAME ROOM DIMENSIONS FLOOR FINISH
4/12	ROOF PITCH RATIO
00	KEYNOTE
	OUTLET
	SINGLE SWITCH
	DOUBLE SWITCH

ABBREVIATIONS	
A.F.F.	ABOVE FINISH FLOOR
A.S.F.	ABOVE SUB-FLOOR
C.J.	CEILING JOIST
CL	CENTER LINE
EQ	EQUAL
BD	BOARD
GYP	GYPSUM
O.C.	ON CENTER
FD	FLOOR DRAIN
EP	ELECTRICAL PANEL
CK	CURCUIT
TYP	TYPICAL
EL	ELEVATION
HDR	HEADER
CLG	CEILING
T/O	TOP OF
SIM	SIMILAR
JTS	JOIST
MAX	MAXIMUM
MIN	MINIMUM
MT	MOUNTED
FLR	FLOOR
R.R.	ROOF RAFTER
WGFI	WATERPROOF GFI
TEMP	TEMPERED GLAZING

HATCHES	
EXISTING WALL	EARTH
NEW WALL	MASONRY
DEMOLISHED WALL	GRAVEL
LOAD BEARING	INSULATION
STONE VENEER	WOOD BLOCKING
BRICK VENEER	GYPSUM BOARD
SIDING	ASPHALT SHINGLE
CONCRETE	CEDAR SHAKES
POST TO RIDGE	BEARING POINT

INDEX OF DRAWINGS

	COVER SHEET
A1.1	FOUNDATION PLAN
A1.2	MAIN FLOOR PLAN
A1.3	UPPER FLOOR PLAN
A1.4	ROOF PLAN
A2.1	ELEVATIONS
A2.2	ELEVATIONS
A3.1	3D VIEWS
A4.1	SECTIONS
A5.1	SITE PLAN

ROBERT BROMLEY OWEN PARK

Project Description: 1610 W EASTON PL TULSA

THIS PLAN IS THE MOST CURRENT PLAN AS OF THIS DATE: **08/02/2018**

IF THIS DATE IS MORE THAN 1 WEEK OLD PLEASE VERIFY WITH THE DESIGNER IF ANYTHING HAS BEEN CHANGED THAT YOU HAVE NOT BEEN NOTIFIED OF.

Drawn by: K.C. | Checked by: T.S.

Date Issued: | Revised Date:

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CERTIFICATION OF THE DRAWINGS

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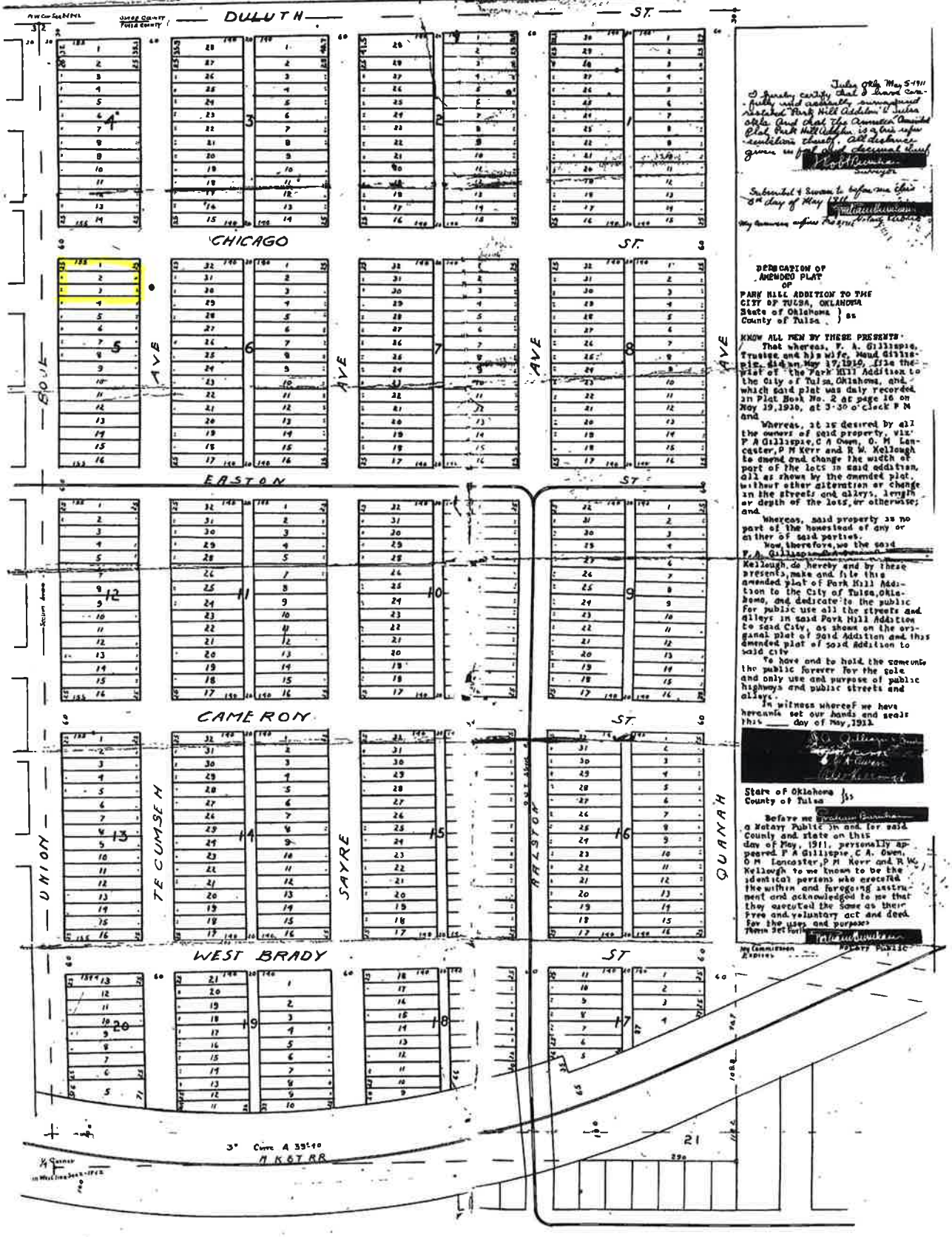
AMENDED PLAT PARK HILL ADD. TO TULSA OKLA

Being the South West Quarter of the North West Quarter and Lot 3 of Section P. T 19N, R 12 E. of Ind Mer Sikote in Tulsa County, Okla.

Scale 100 ft. = 1 in.



Tulsa Okla May 5-1911

I hereby certify that I have carefully and accurately surveyed and platted the annexed Amended Park Hill Addition to Tulsa Okla. and that the accompanying Amended Plat Park Hill Addition is a true and correct plat of said addition thereof. All distances given are feet and decimal parts thereof.

[redacted]
Surveyor.

Subscribed & Sworn to before me this 8th day of May 1911

[redacted]

My Commission expires Feb 21st 1913

DESCRIPTION OF AMENDED PLAT OF PARK HILL ADDITION TO THE CITY OF TULSA, OKLAHOMA

State of Oklahoma } ss
County of Tulsa }

KNOW ALL MEN BY THESE PRESENTS:

That whereas, P. A. Gillispie, Trustee and his wife, Maud Gillispie, did on May 17, 1910, file the plat of the Park Hill Addition to the City of Tulsa, Oklahoma, and, which said plat was duly recorded in Plat Book No. 2 at page 16 on May 19, 1910, at 3:30 o'clock P M and

Whereas, it is desired by all the owners of said property, viz: P A Gillispie, C A Owen, O M Lancaster, P M Kerr and R W. Kellough to amend and change the width of part of the lots in said addition, all as shown by the amended plat, without other alteration or change in the streets and alleys, length or depth of the lots, or otherwise; and

Whereas, said property is no part of the homestead of any or either of said parties.

Now, therefore, we the said P. A. Gillispie [redacted] Kellough, do hereby and by these presents, make and file this amended plat of Park Hill Addition to the City of Tulsa, Oklahoma, and dedicate to the public for public use all the streets and alleys in said Park Hill Addition to said City, as shown on the original plat of said Addition and this amended plat of said Addition to said city

To have and to hold the same unto the public forever for the sole and only use and purpose of public highways and public streets and alleys.

In witness whereof we have hereunto set our hands and seals this ____ day of May, 1911.

[redacted]

State of Oklahoma }ss
County of Tulsa

Before me [redacted] a Notary Public in and for said County and state on this ____ day of May, 1911, personally appeared P A Gillispie, C A. Owen, O M Lancaster, P M Kerr and R W. Kellough to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

[redacted]
My Commission Expires [redacted] Notary Public

2.21

LLA-63

Jeff S. Taylor
Zoning Official
Plans Examiner

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

Robert Bromley
Oklahomie Builders

DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

12/12/2018

APPLICATION NO: BLDR-19658-2018 (*PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE*)
Project Location: 1610 W Easton Pl N
Description: Detached House

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)

2.22

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-19658-2018**

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.

   Review Comments: You are proposing a detached house on more than one lot.

   1. Please apply for a lot combination at INCOG located at Two West Second Street, Suite 800. Please direct all questions concerning lot combinations and all questions regarding TMAPC application forms and fees to an INCOG representative at 584-7526.

   2. After you receive a copy of the lot combination agreement from INCOG you will need to go to the Tulsa county clerk's office at 500 s. Denver and have the lot combination agreement recorded.

   3. Submit a copy of the lot combination agreement with the Tulsa county clerks recording sticker on it to this office as a revision.

2. **5.030-A: Setback(s) (Residential)**: In the RS-3 zoned district the minimum front setback shall be 25' from the front property line.

   Review Comments: The proposed plans indicate a 20' front setback from the P/L. Revise the plans indicating compliance with a 25 ' front setback or you may pursue an administrative adjustment from INCOG to reduce the front setback from 25' to 20'.

3. **5.030-A:** In the RS-3 zoned district the minimum rear yard setback shall be 20 feet from the rear property line.

Review Comments: Revise your plans to indicate a 20' rear setback to the property line, or apply to INCOG for a variance to allow less than a 20' rear setback.

4. **5.030-A – Setback(s) (Residential)**: In the RS-3 zoned district, the minimum side yard requirement not abutting a public street shall be 5 feet, and the minimum side yard setback abutting a public street shall be 15 feet from the property line abutting the street (20' for the garage accessing the street).

   Review Comments: Revise site plan to indicate a 15' side street setback from the property line along Union Ave. If you are unable to meet the setback requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the side street setback requirement(s).

5. **5.030-A Table of Regulations**
   The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90.

   Review Comments: Per table 15-3 an RS-3 zoning district requires a minimum 6,900 sq ft of lot area per unit. You are proposing 5625 sq ft of lot area for a Detached House. If you are unable to meet the Minimum lot area requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the required Minimum lot area requirements.

6. **5.030-A Table of Regulations**
   The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90.

   Review Comments: RS-3 zoned lots require a minimum open space of 4000 square feet on this lot. You are proposing 3520 sq ft which is less than the required amount. Revise plans to show compliance or apply to BOA for a variance to allow less than 4000 sq ft of open space on this lot.

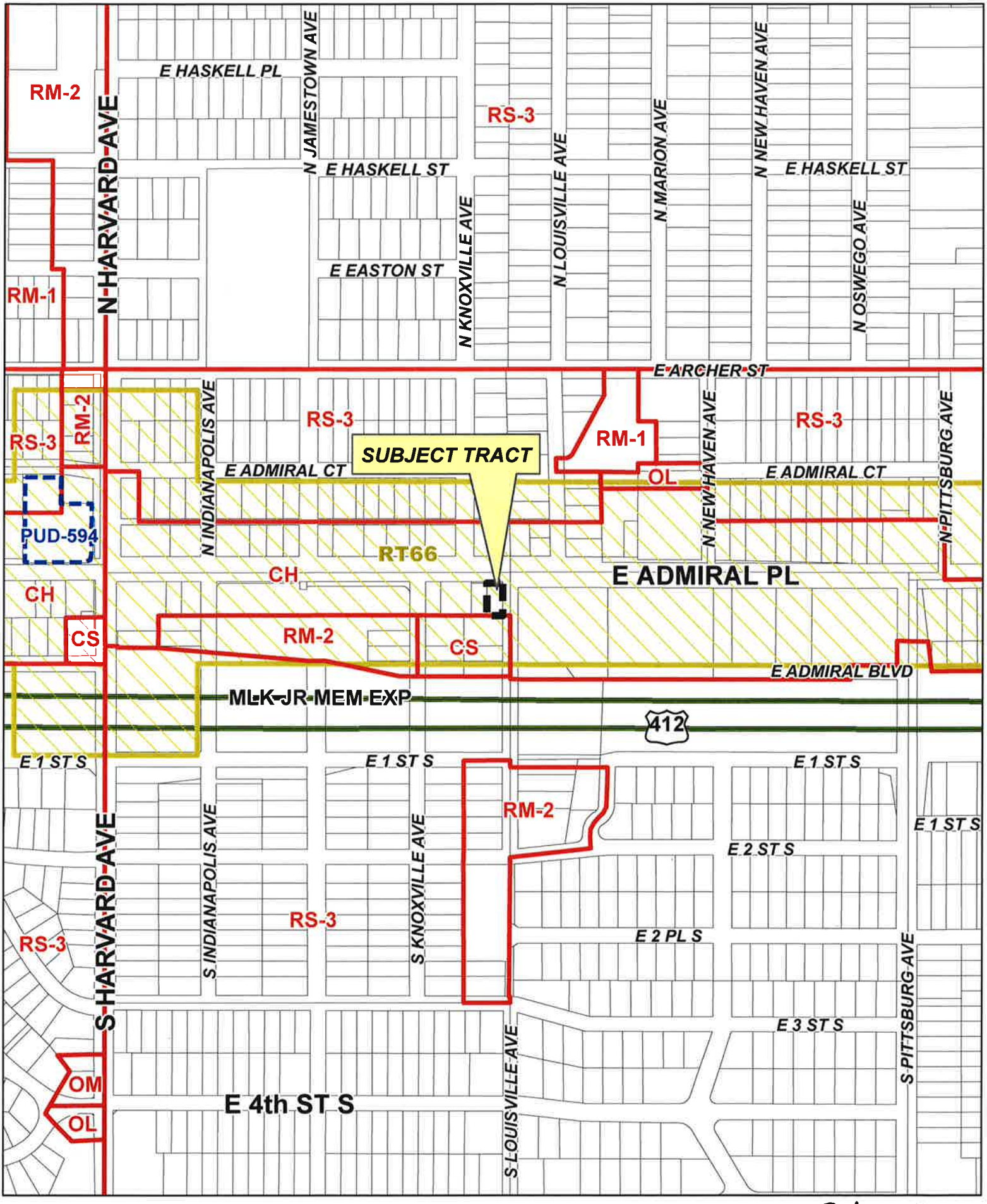
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Please Notify Plans Examiner By Email When You Have Submitted A Revision.

END –ZONING CODE REVIEW

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

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



BOA-22572

19-13 04

3.1

BOARD OF ADJUSTMENT
CASE REPORT

STR: 9304
CZM: 37
CD: 4
A-P#:

Case Number: **BOA-22572**

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Clifford Phillips

ACTION REQUESTED: Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)

LOCATION: 3618 E ADMIRAL PL S

ZONED: CH

PRESENT USE: vacant

TRACT SIZE: 5323.05 SQ FT

LEGAL DESCRIPTION: LT 1 LESS N 5 CITY BLK 1, WALNUT PARK ADDN

RELEVANT PREVIOUS ACTIONS:
Subject Property:
BOA-14218; on, the Board **approved** per drawing, a *Variance* of the required 50 feet setback from the centerline of East Admiral Place to 35 feet to permit two business signs.

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 CH zoned parcels to the east and west; CS zoned commercial uses to the south; E. Admiral Pl. is immediately north of the subject property.

STAFF COMMENTS:
On 11/30/18, the City Council voted to adopt, with emergency, amendments to the City of Tulsa Zoning Code regarding Medical Marijuana.

The applicant is proposing to convert the existing building into a medical marijuana dispensary. To permit the dispensary the applicant is before the Board requesting a Spacing Verification for medical marijuana dispensary in a CH district from other medical marjuana dispensaries (Section 40.225-D).

Per the newly adopted amendments, a medical marijuana dispensary is permitted by right in the CH district as long as it meets the spacing requirement of 1,000 ft. from from other medical marijuana dispensaries (Section 40.225-D). The spacing requirement must be verified before the Board of Adjustment in a public hearing to distribute public notice to property owners within the required distance radius. Surrounding neighbors and property owners are provided the ability to notify the Board of any conflicting uses within the required spacing radius.

In Section 40.225-I, the separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health prior to December 1, 2018 for the particular location.

The applicant submitted exhibits indicating a radius around the subject property that contains the proposed medical marijuana dispensary and has labeled the uses of property within the subject building and that radius in support of the verification.

Sample Motion:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary.

Case No. 14217

Action Requested:

Minor Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of the required setback from the centerline of South Louisville Avenue from 50' to 40' to allow proposed construction, located on the NE/c of East 87th Place South and South Louisville Avenue.

Presentation:

The applicant, Robert Beckstrom, 2227 East Skelly Drive, Tulsa, Oklahoma, and the developer who is selling the lot, was represented by Jon Vrooman, 6138 South Louisville, Tulsa, Oklahoma. He submitted a plot plan (Exhibit K-1) and explained that other lots in the area have been approved for a similar request. Mr. Vrooman pointed out that, due to 2 street setbacks on the corner lot, a very narrow space remains for construction. He stated that the the house will align with the structure to the north.

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Minor Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of the required setback from the centerline of South Louisville Avenue from 50' to 40' to allow proposed construction; per plot plan submitted; finding a hardship imposed by the corner lot location and 2 street setbacks; on the following described property:

Lot 1, Block 3, Harvard Manor Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14218

Action Requested:

Minor Variance - Section 1221.3(f) - General Use Conditions for Business Signs - Request a minor variance of the minimum required setback from the centerline of Admiral Place from 50' to 35' to permit 2 business signs to be installed on a single pole, located SW/c of Louisville and Admiral Place.

Presentation:

The applicant, Louis Abraham, 3606 East 66th Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit L-2) and photographs (Exhibit L-1). Mr. Abraham stated that he is representing his father who is requesting to change the two existing signs to a single pole which will be 36' from the centerline, with the property line being 35' from the centerline. He informed that the building was erected many years ago and the sign has very little exposure behind the other signs in the area.

Case No. 14218 (continued)

Board Action:

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none, "absent") to **APPROVE** a **Minor Variance** (Section 1221.3(f) - General Use Conditions for Business Signs) of the minimum required setback from the centerline of Admiral Place from 50' to 35' to permit 2 business signs to be installed on a single pole; per sign plan submitted; finding that there are other signs in the area as close to the street as the sign in question; on the following described property:

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

NEW APPLICATIONS

Case No. 14199

Action Requested:

Variance - Section 240.2(e) - Permitted Yard Obstructions - Request a variance to exceed the maximum floor area for accessory buildings from 750 square feet to 4,640 square feet, located NW/c of 13th Street and 143rd East Avenue.

Presentation:

The applicant, Leon Henderson, 1244 South 143rd East Avenue, Tulsa, Oklahoma, asked the Board to permit him to finish construction of a pole barn on his property at the above stated address. He informed that the barn was already framed when he was notified that he would need to acquire a Building Permit. Mr. Henderson stated that he complied with this request, but construction was delayed when Stormwater Management informed him that the property is located in a flood zone. He informed that he was then sited by Code Enforcement and allotted 10 days to remove the building materials and other items from his back yard, but at his request, was given a 30 day extension to complete the cleanup. Mr. Henderson stated that he continued to work on the barn and that it is now 75% complete. He informed that, with Stormwater Management approval, he was able to obtain a Building Permit for the structure, but needs this Boards approval to allow him to finish the project.

Comments and Questions:

Ms. Hubbard informed that the case report reflects that the barn contains 4,640 sq. ft. of floor space and the plans that are in her office call for 6,296 sq. ft.

Mr. Henderson stated that there is an existing 600 sq. ft. building on his property and a barn which is 72' by 52'.

Feet
0 200 400

Subject Tract

BOA-22572

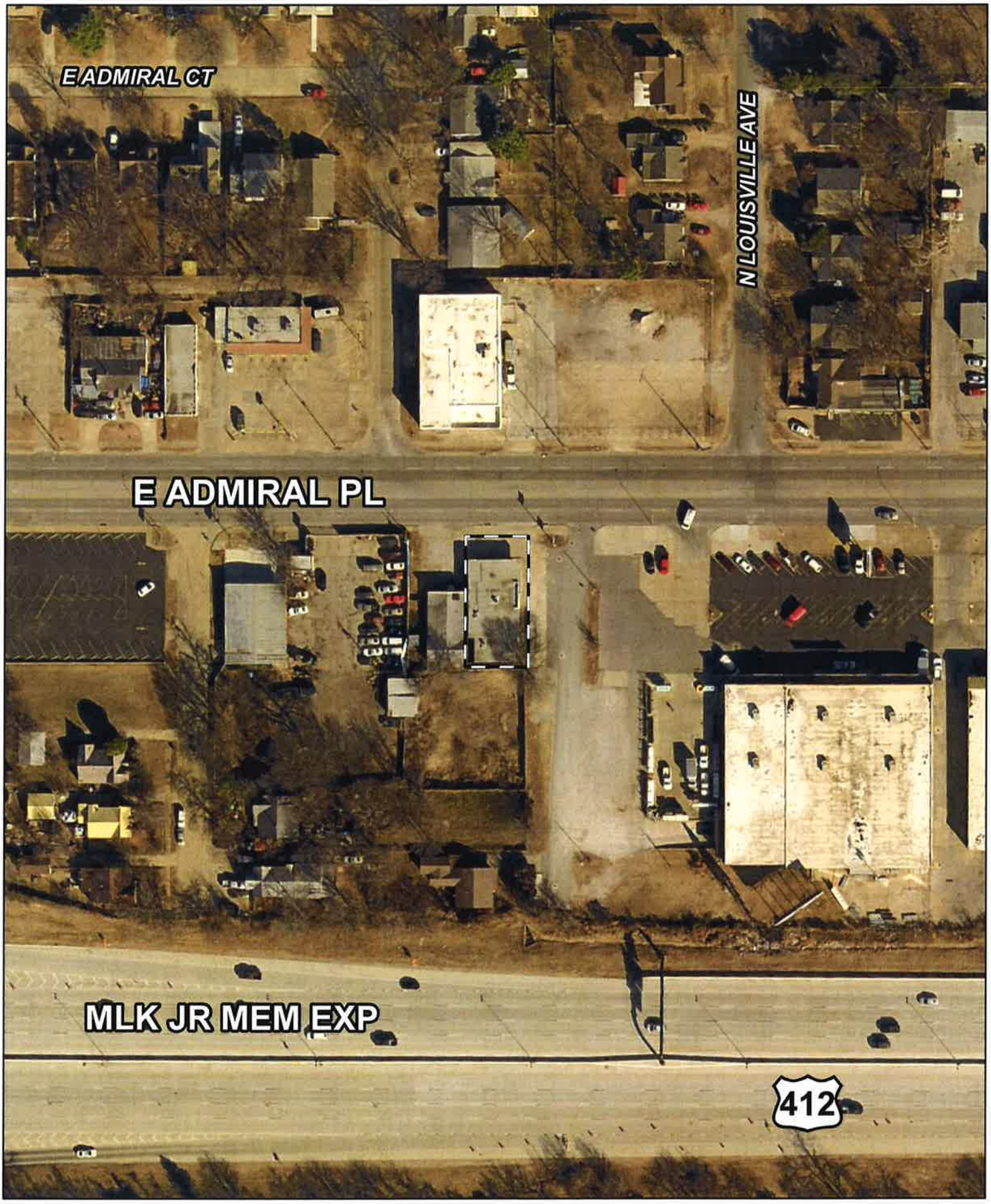
19-13 04

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

Aerial Photo Date: February 2018

N

3.6



Feet
0 50 100

Subject Tract

BOA-22572

19-13 04

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

Aerial Photo Date: February 2018

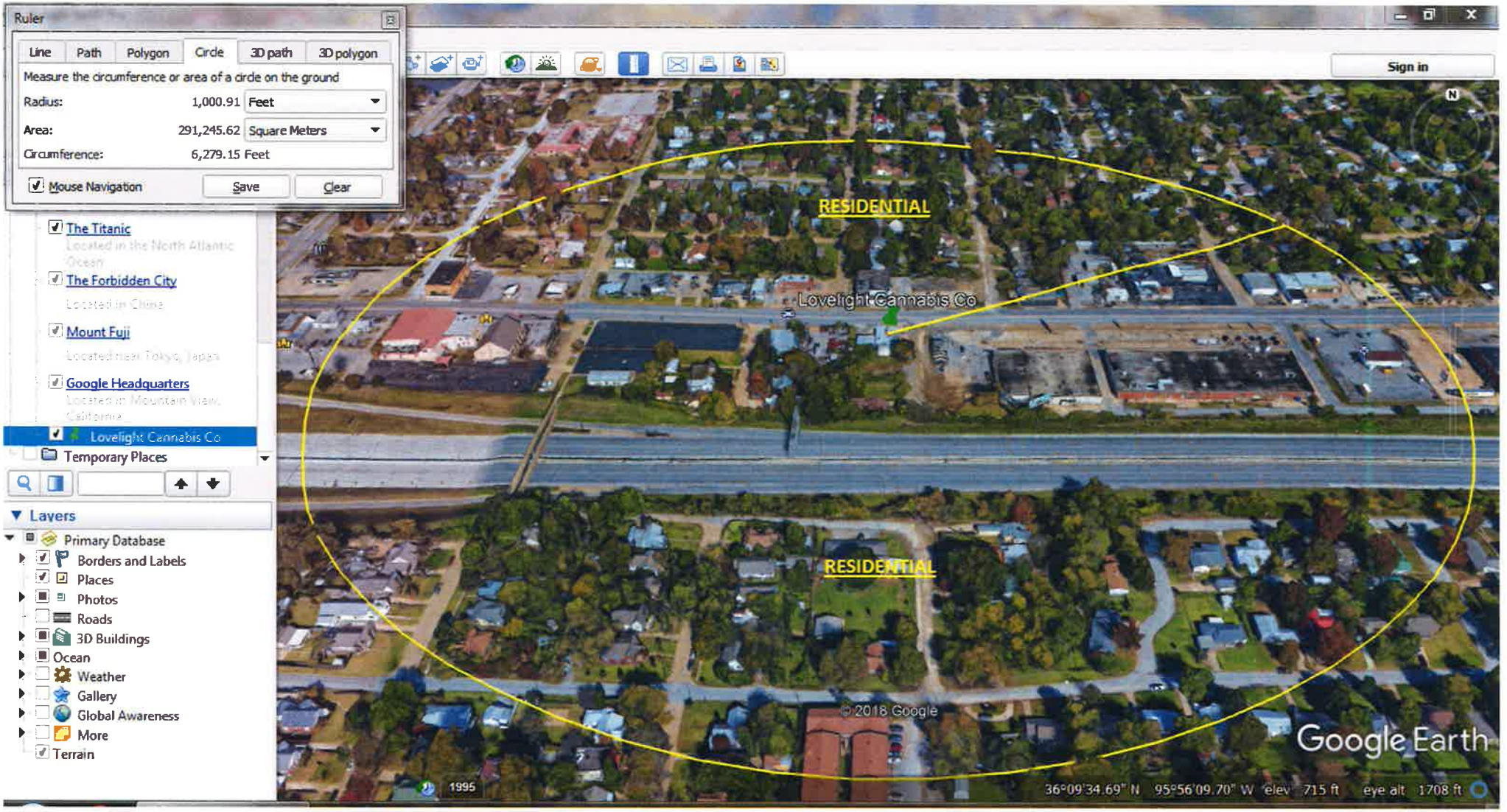
N

3.7

Looking west– on subject site

Looking west– on subject site– along E. Admiral Pl.

Looking southwest– on subject site– along E. Admiral Pl.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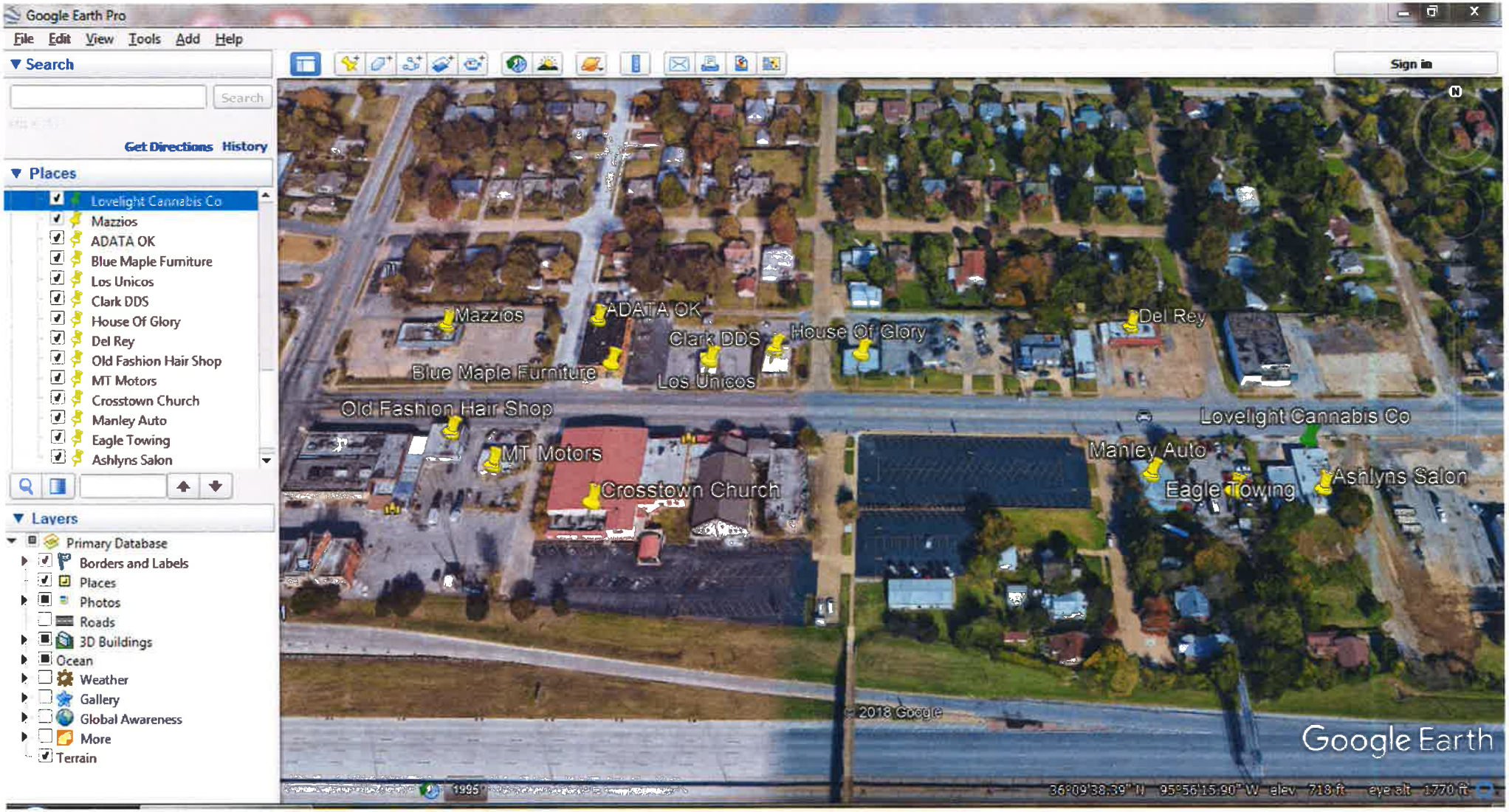
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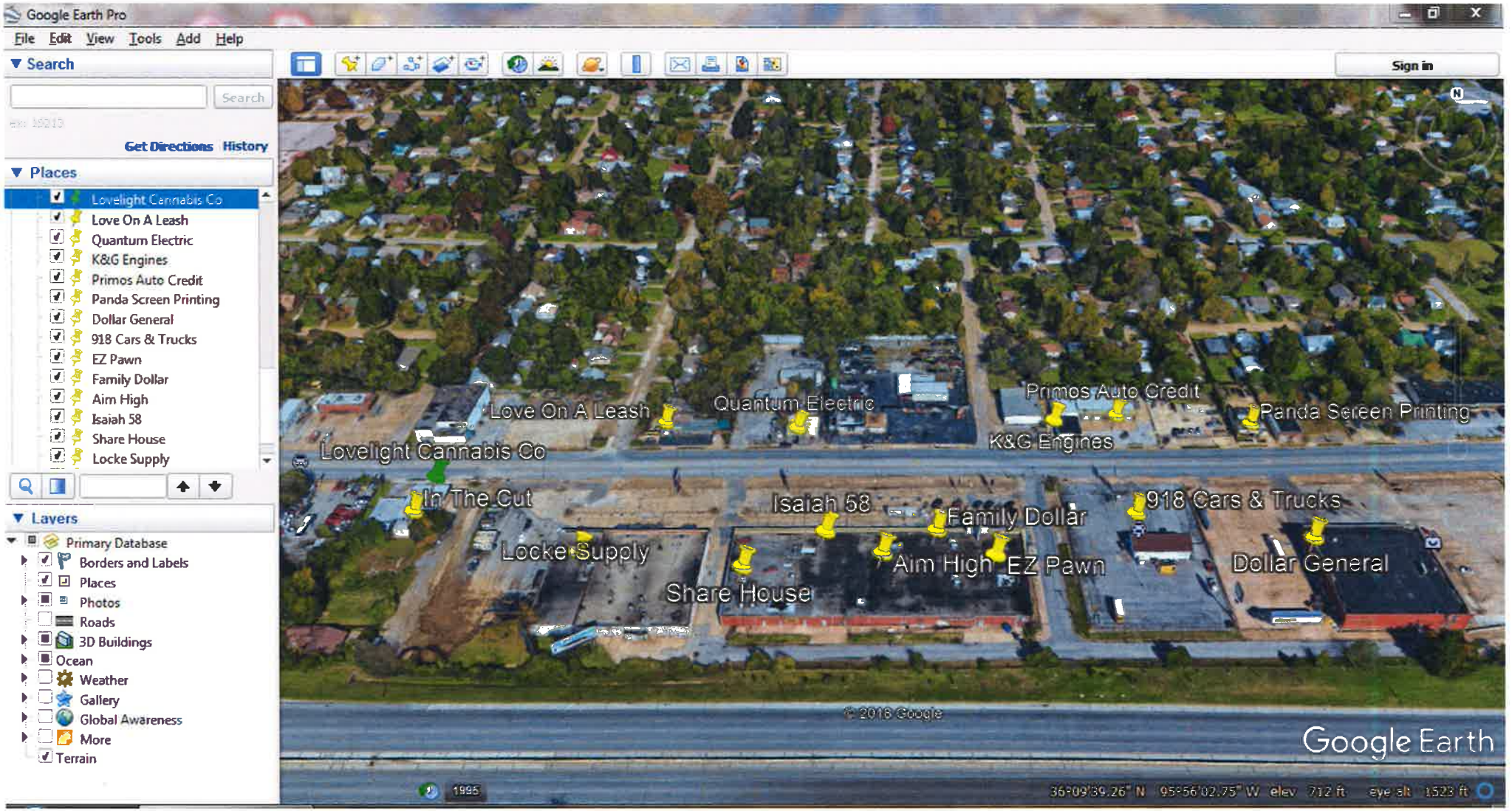
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Dollar General
918 Cars & Trucks
EZ Pawn
Family Dollar
Aim High
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Aim High
EZ Pawn
Dollar General
Share House
© 2018 Google
Google Earth
1995
36°09'39.26" N 95°56'02.75" W elev 712 ft eye alt 1523 ft

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: 1

January 3, 2019

Clifford Phillips
524 S Pittsburg Ave
Tulsa, OK 74112

Phone: 405.623.0901

APPLICATION NO: **COO-020042-2018**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **3618 E Admiral PL N**
Description: **Medical Marijuana Dispensary**

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF DRAWINGS if SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTEDON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

3. A COPY OF A "RECORD SEARCH" **[X]IS** **[ ]IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

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

Application No. COO-020042-2018 3618 E Admiral PL N January 3, 2019

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.
Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. **Sec.40.225-D:** A medical marijuana dispensary may not be located within 1000 feet of another medical marijuana dispensary.
   Review comment: You have a Spacing Verification scheduled with the BOA on January 22, 2019 (BOA-22572). Submit a copy of the results as a revision to this application.

2. **Sec.40.225-H:** No medical marijuana grower operation, processing facility, dispensary or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma Department of Health for the use at the location.
   Review comment: Submit a copy of your state license as a revision to this application.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf

Please notify the reviewer via email when your revisions have been submitted

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.

OKLAHOMA MEDICAL MARIJUANA AUTHORITY

Website: OMMA.ok.gov | Email:OMMA@ok.gov | Phone: (405) 522-6662

Friday, December 7, 2018

License #: DAAA-4YRN-7QGY

LOVELIGHT CANNABIS LLC

3618 E ADMIRAL PL
TULSA, OK, 74115

RE: **Approval** of Medical Marijuana Commercial License

The Oklahoma Medical Marijuana Authority (OMMA) has determined that your application has met licensure requirements for a COMMERCIAL DISPENSARY LICENSE license in accordance with Title 63 O.S. § 420 et seq. and the Oklahoma Administrative Code (OAC) 310:681. Your approved licensure start date is:

12/06/2018 and will expire one(1) year after this date, on **12/11/2019**.
It is your responsibility to submit a timely renewal application prior to this expiration date.
Your license number is: **DAAA-4YRN-7QGY**

In addition to submission of timely renewal, it is the responsibility of the licensee to notify the OMMA in the event of:

1) changes in contact information; or
2) changes that may affect the licensee's qualifications for licensure.

Ongoing monthly yield and/or sales reports are also required by law, and shall be deemed untimely if not received by the OMMA by the fifteenth (15th) of each month, to reflect the applicable data for the preceding month. Reporting tools may be accessed at OMMA.ok.gov.
Included with this letter is your license certificate. If you have any questions, please do not hesitate to contact a member of my staff at omma.ok.gov or by phone at (405) 522-6662.

Sincerely,

Tom Bates

Tom Bates, J.D.
Interim Commissioner
Oklahoma State Department of Health

Attachment: License Certificate

INVOICE (INV-00039207)
FOR CITY OF TULSA

BILLING CONTACT
Clifford Phillips

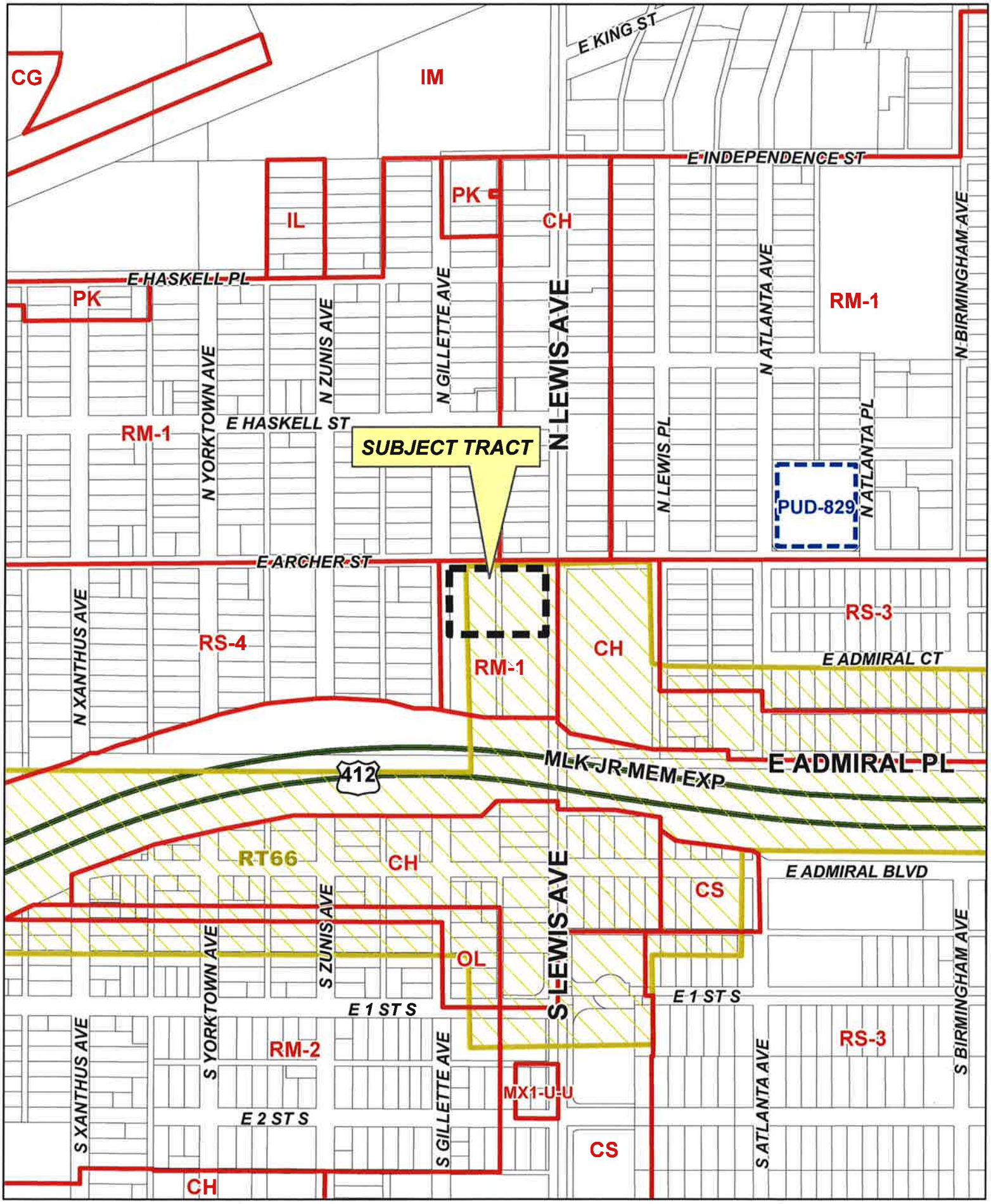
INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00039207	12/14/2018	12/14/2018	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
COO-020042-2018	Certificate of Occupancy for a new building	$55.00
	System Development Fee (Additional)	$3.85
3618 E Admiral Pl N Tulsa, OK 74112	**SUB TOTAL**	$58.85

REMITTANCE INFORMATION
City of Tulsa 175 E 2nd St., Suite #450 Tulsa, OK 74103

TOTAL **$58.85**

3.16



BOA-22573

19-13 06

4.1

BOARD OF ADJUSTMENT
CASE REPORT

STR: 9306 Case Number: **BOA-22573**

CZM: 37

CD: 3

A-P#:

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Greg Weisz

ACTION REQUESTED: Variance of the minimum lot area per unit requirement; Variance of the minimum open space per unit requirement in a RM-1 district (Section 5.030-A)

LOCATION: SW/c of E. Archer St. & N. Lewis Ave. **ZONED:** RM-1

PRESENT USE: vacant **TRACT SIZE:** ± 1.608 sq. ft. (proposed Tract A)

LEGAL DESCRIPTION: A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01°06'54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR 242.74 FEET; THENCE SOUTH 88°53'06" WEST FOR 10.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°53'06" WEST FOR 309.29 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01°06'54" WEST ALONG SAID WESTERLY LINE FOR 195.69 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 89°11'59", A CHORD BEARING OF NORTH 43°29'05" EAST, A CHORD DISTANCE OF 42.13 FEET FOR AN ARC LENGTH OF 46.70 FEET; THENCE NORTH 88°05'05" EAST PARALLEL WITH AND 13.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID BLOCK 4 FOR 261.92 FEET; THENCE SOUTH 51°45'39" EAST FOR 23.04 FEET; THENCE SOUTH 01°06'54" EAST PARALLEL WITH AND 10.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 214.74 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID TRACT OF LAND CONTAINING 1.608 ACRES, OR 70,025 SQUARE FEET, MORE OR LESS.

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-19923; on 10.12.04, the Board **approved** a *Special Exception* to allow medical offices (Use Unit 11) in an RM-1 zoned district. (meeting minutes unavailable)

BOA-16016; on 4.28.92, the Board **approved** a *Special Exception* to permit public school use in a RM-1 zoned district for the existing Whittier School.

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter

auto trips. Areas of Growth are parts of the City where general agreement exists that development or redevelopment is beneficial.

ANALYSIS OF SURROUNDING AREA: The proposed Tract A is surrounded by a mix of uses. The proposed Tract A abuts vacant RM-1 zoned lots to the south; a large CH zoned tract to the east; RS-4 zoned properties to the west; E. Archer St. is immediately to the north.

STAFF COMMENTS:
On 12/18/18, a Lot-split application and the attached Lot-Split exhibit were submitted to INCOG. At the time of this staff report, Staff had not received comments from City of Tulsa Development Services. The applicant is proposing to construct the apartment building on Tract A if the Lot-Split application is approved.

The applicant is proposing to construct an apartment building on a north portion of the overall subject site. Per the Code, a apartment is defined as a principal residential building on a single lot that is occupied by 3 or more dwelling units (other than a multi-unit house) that share common walls and/or common floor/celinings. An apartment building use is by permitted by right in the RM-1 district.

The proposed Tract A is 70,025 sq. ft. For an apartment use in the RM-1 district the Code requires a lot area of 10,000 sq. ft. and a lot area per unit of 1,750 sq. ft. As shown on the attached site plan, the apartment building will have 52 dwelling units. Per the code, the lot would need to be a total of 91,000 sq. ft. (1,750 sq. ft.x52 dwelling units) to meet the lot area per unit requirement for the apartment building as proposed.The minimum lot area per unit requirement of 1,750 sq. ft. for the 70,025 sq. ft. lot would allow for 40 dwelling units. The applicant has requested a **Variance** to reduce the lot area per unit requirement from 1,750 sq. ft. per unit to 1,346 sq. ft. per unit (70,025 sq. ft./52 dwelling units).

The Code requires a open space per unit of 600 sq. ft for apartment buildings in an RM-1 zoned district. Open space per unit refers to the amount of outdoor open space required to be provided on a lot for each dwelling unit on the subject lot. The following may be counted toward satisfying minimum open space-per unit requirements:

- Outdoor areas that are not occupied by buildings, driveways or parking areas and are generally useable by residents;
- Driveways and parking areas located in the rear yard of a detached house or duplex;
- Green roofs covering 25% or more of the subject building's overall roof area.

The applicant has stated that "with the current site plan there are 569 sq. ft. of open space per dwelling units".The applicant has requested a **Variance** to reduce the open space per unit requirement from 600 sq. ft. per unit to 56 0 sq. ft. per unit.

Sample Motion

Move to _____ (approve/deny) a **Variance** of the minimum lot area per unit requirement; a **Variance** of the minimum open space per unit requirement in a RM-1 district (Section 5.030-A)

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

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

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

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

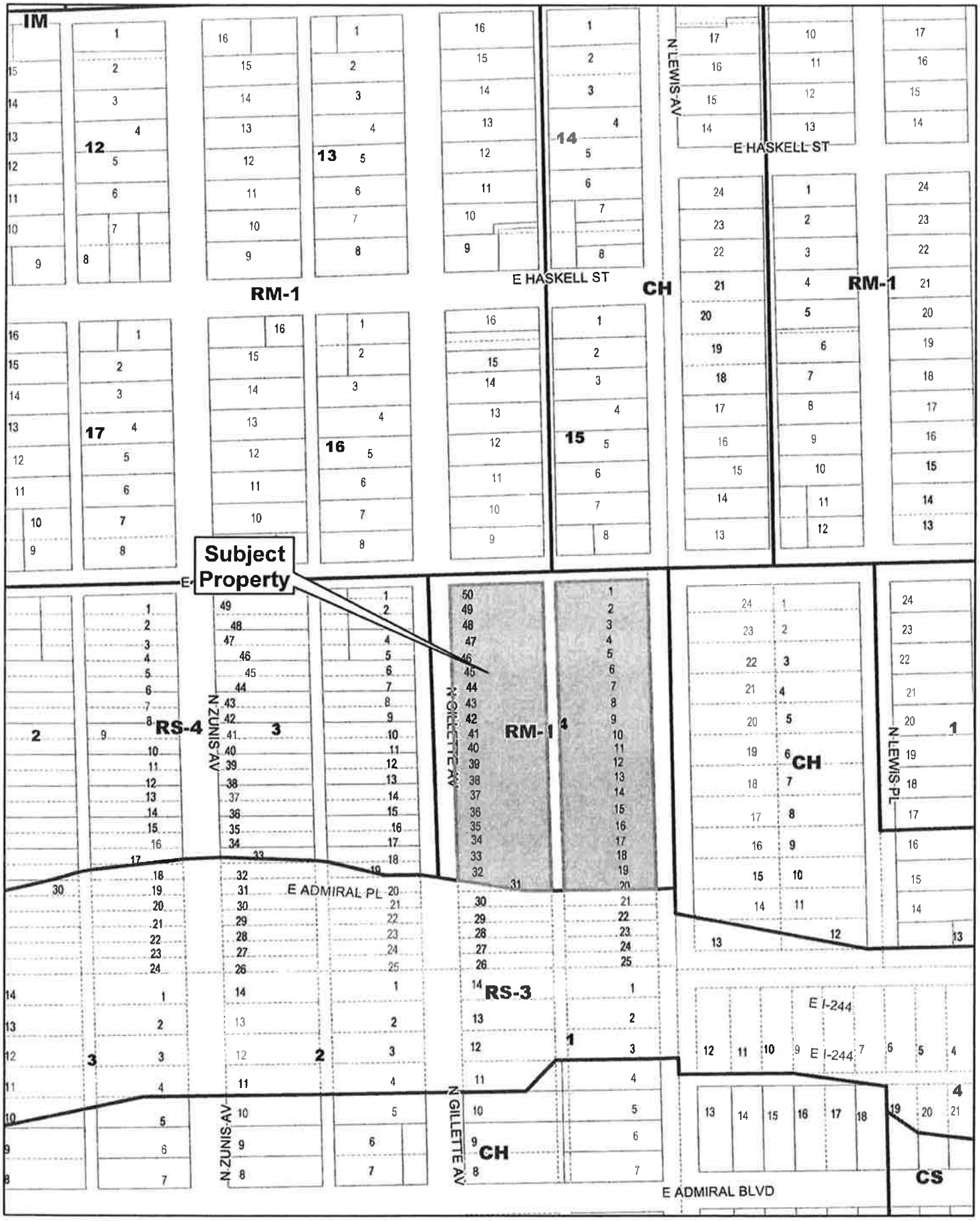
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

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

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

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

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



Feet
0 100 200

BOA-19923

9306

N

4.5

Case No. 16015

Action Requested:

Variance of the setback from the centerline of East 21st Street from 110' to 103' to permit a drive-in window - **Section 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS** - Use Unit 12, located 1923 South Garnett.

Presentation:

The applicant, **Long John Silver's**, was represented by **Don Godsey**, 8900 Indian Creek Parkway, Overland Park, Kansas, who submitted a plot plan (Exhibit W-1) for the addition of a drive-through window to an existing restaurant. He pointed out that the new window would alleviate dining room and parking lot congestion.

Comments and Questions:

Mr. Jackere asked if the entire building encroaches into the setback, and Mr. Godsey stated that the actual building was constructed to comply with the 110' required setback.

Protestants:

None.

Additional Comments:

Mr. Jones stated that it has been discovered that property owners within 300' feet of the subject property may not have received adequate notice of the hearing, and suggested that the case be continued to May 12, 1992.

Protestants:

None.

Board Action:

On **MOTION** of **FULLER**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 16015 to May 12, 1992.

Case No. 16016

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located at 68 North Lewis Avenue.

Case No. 16016 (continued)

Presentation:

The applicant, **Tulsa Public Schools**, was represented by Jim Choate, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit AA-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, Fuller, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5; per plan submitted; finding that the temporary units will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lots 1-20 and Lots 31-50, Block 4, Eastland Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16017

Action Requested:

Special Exception to permit a public school in an R District - **Section 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 5, located 3441 East Archer.

Presentation:

The applicant, **Tulsa Public Schools**, was represented by **Jim Choate**, 1555 north 77th East Avenue, Tulsa, Oklahoma, who explained that mobile units are being proposed in order to bring the class size into compliance with House Bill 1017 requirements. A plot plan (Exhibit BB-1) was submitted.

Comments and Questions:

Ms. Hubbard stated that the school is in compliance with all other Code requirements.

Protestants:

None.

Feet
0 200 400

Subject Tract

BOA-22573

19-13 06

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

Aerial Photo Date: February 2018

4.8

Feet
0 50 100

Subject Tract

BOA-22573

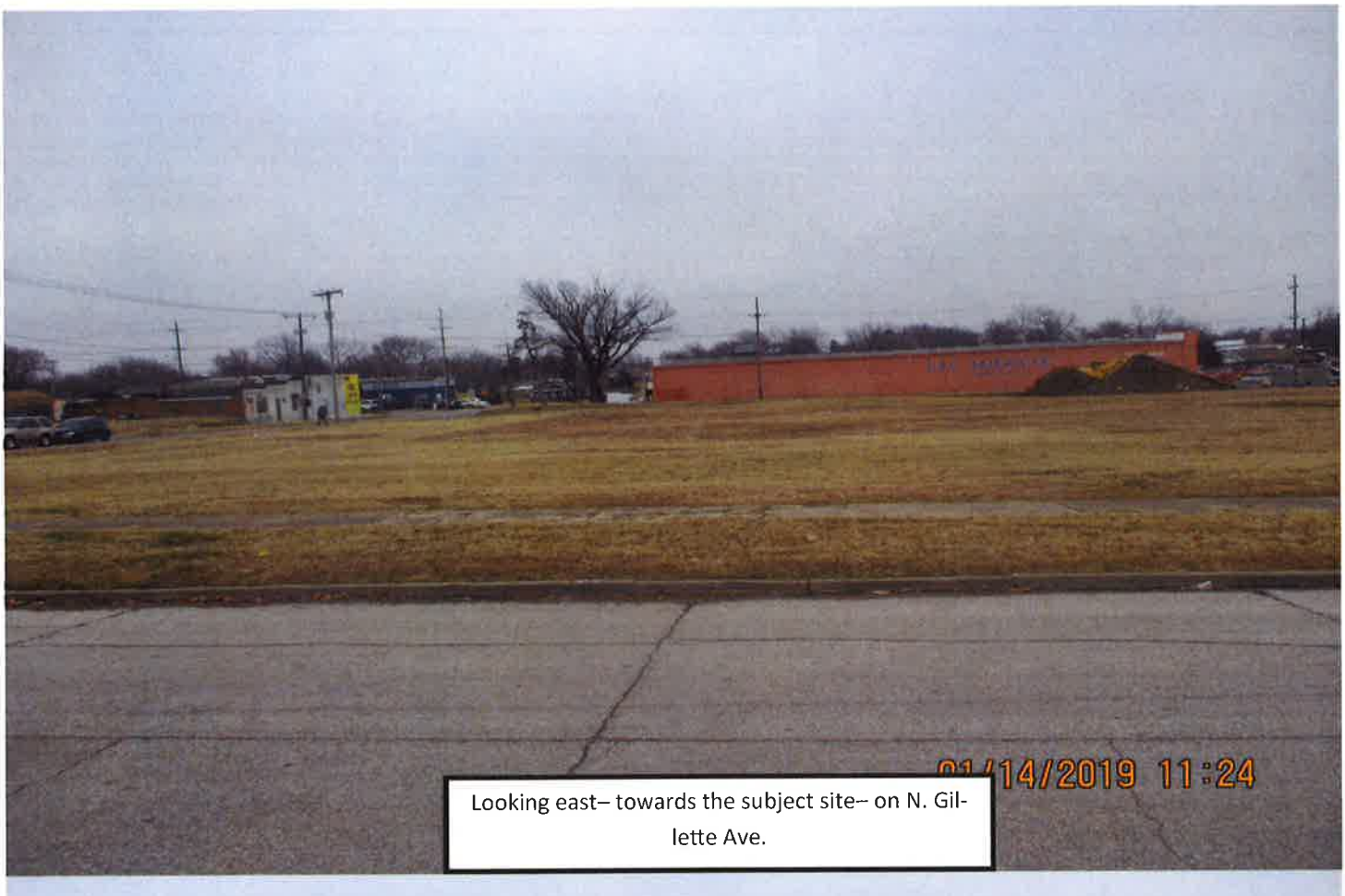
19-13 06

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

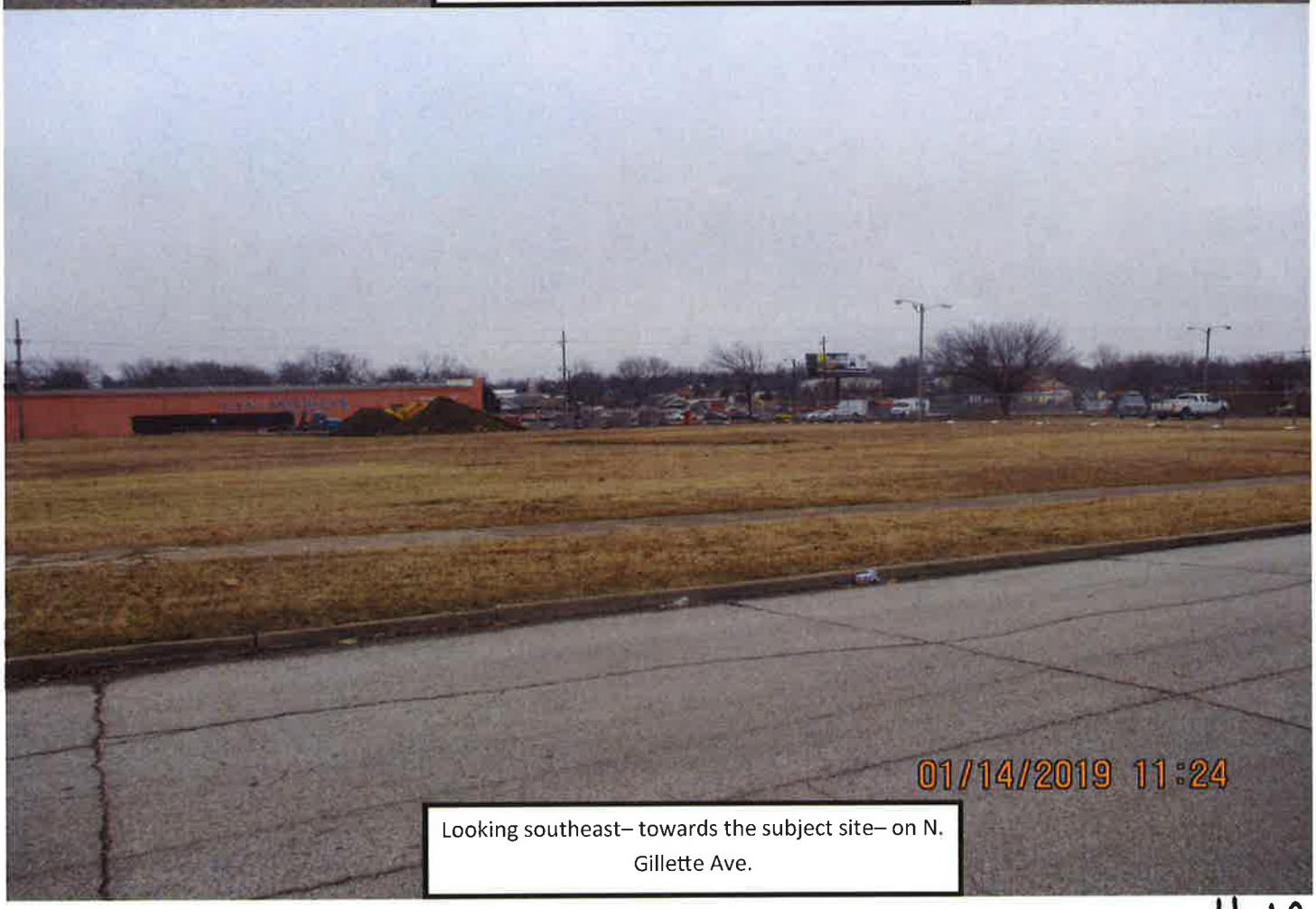
Aerial Photo Date: February 2018

N

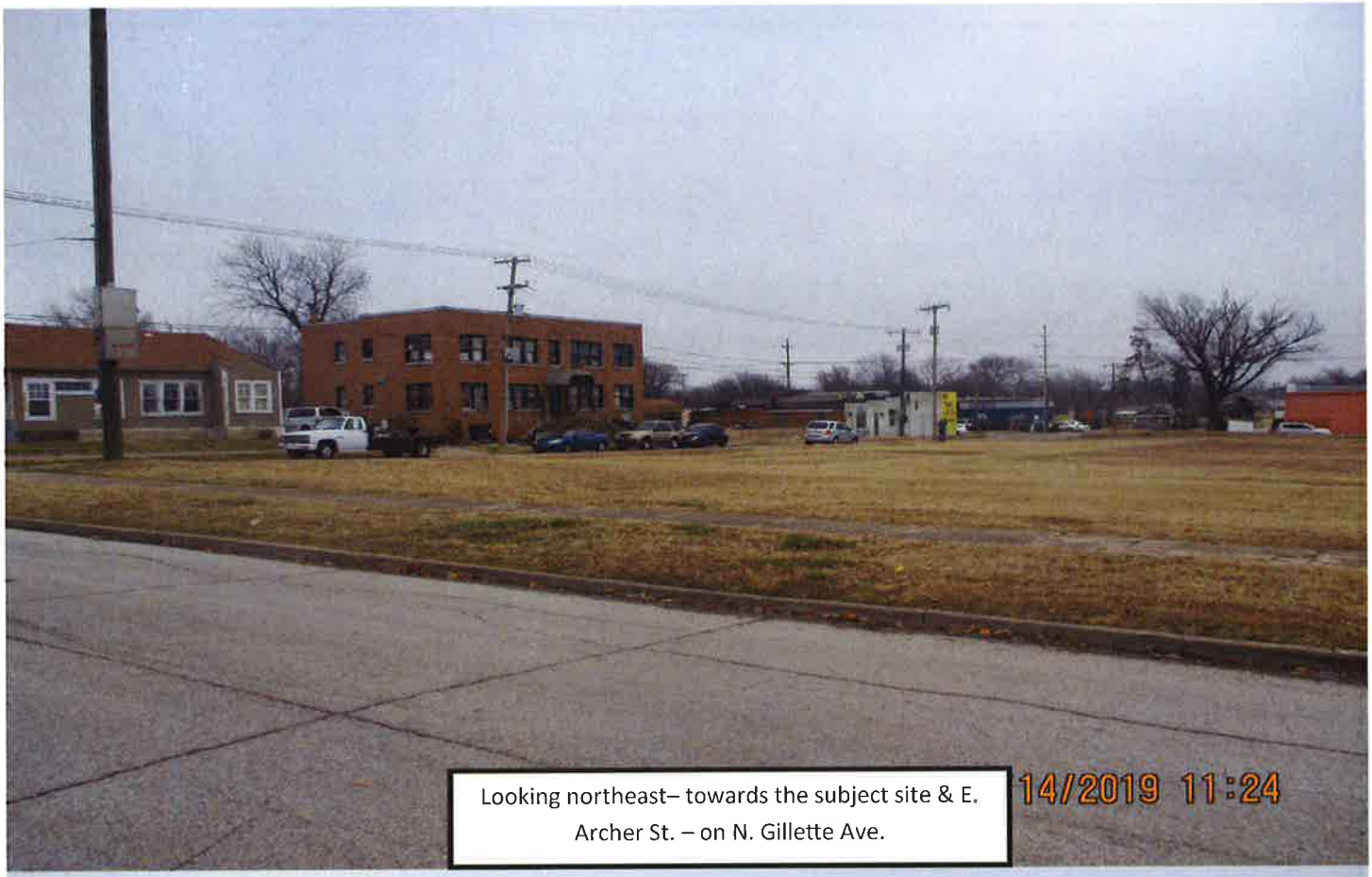
4.9



Looking east– towards the subject site-- on N. Gillette Ave.



Looking southeast– towards the subject site– on N. Gillette Ave.



Looking northeast– towards the subject site & E. Archer St. – on N. Gillette Ave.

Looking east– towards the subject site– on N. Gillette Ave.

Sisemore Weisz & Associates, Inc.

Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping

6111 E. 32nd Place Tulsa, OK. 74135 (918)-665-3600

LEGAL DESCRIPTION
Tract A

A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01°06'54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR 242.74 FEET; THENCE SOUTH 88°53'06" WEST FOR 10.00 FEET TO THE **POINT OF BEGINNING** OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°53'06" WEST FOR 309.29 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01°06'54" WEST ALONG SAID WESTERLY LINE FOR 195.69 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 89°11'59", A CHORD BEARING OF NORTH 43°29'05" EAST, A CHORD DISTANCE OF 42.13 FEET FOR AN ARC LENGTH OF 46.70 FEET; THENCE NORTH 88°05'05" EAST PARALLEL WITH AND 13.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID BLOCK 4 FOR 261.92 FEET; THENCE SOUTH 51°45'39" EAST FOR 23.04 FEET; THENCE SOUTH 01°06'54" EAST PARALLEL WITH AND 10.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 214.74 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID TRACT OF LAND CONTAINING 1.608 ACRES, OR 70,025 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION CERTIFICATION

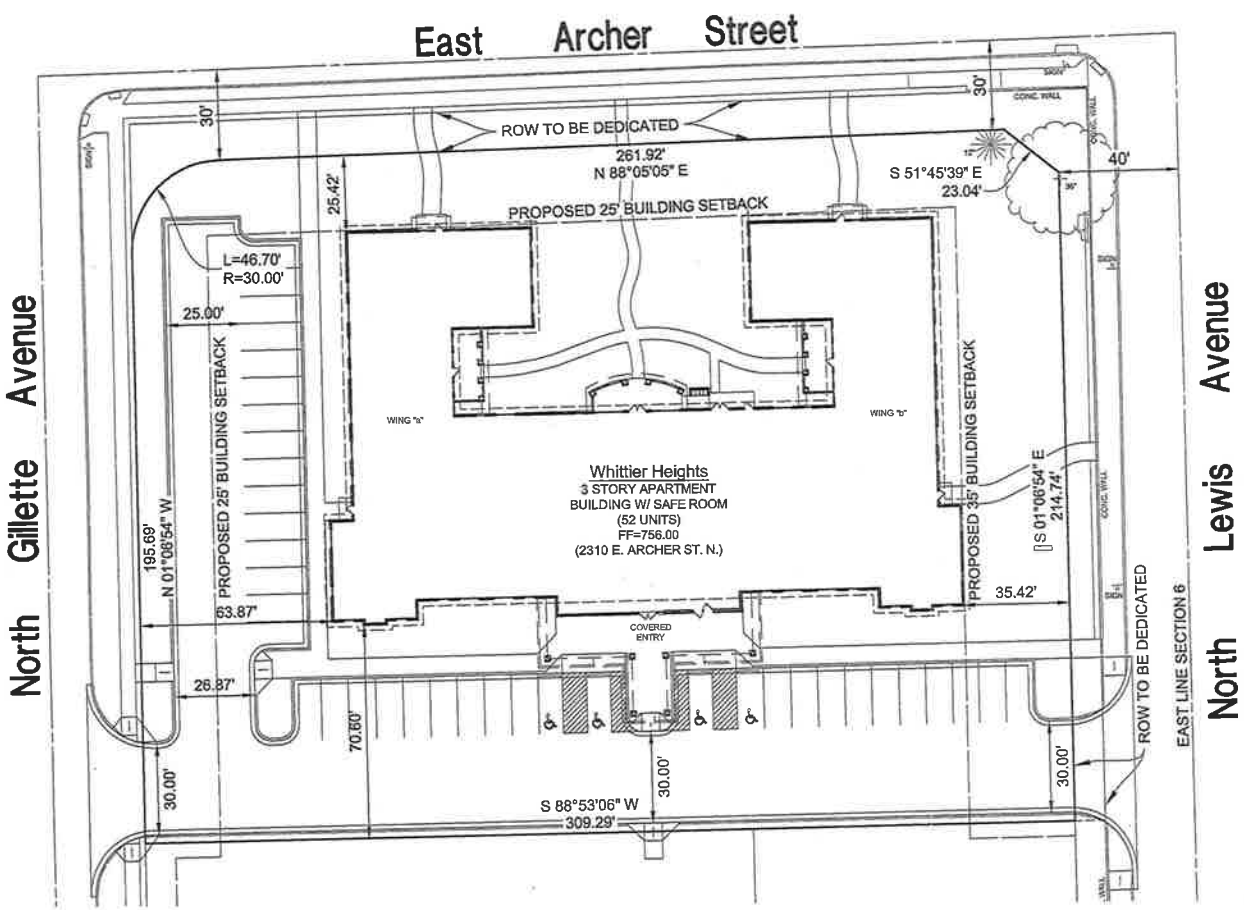
I, SHAWN A. COLLINS, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

SISEMORE WEISZ & ASSOCIATES, INC.
BY SHAWN A. COLLINS

12.14.2018
DATE

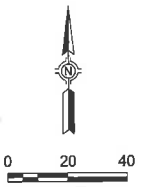
SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/19

LICENSED PROFESSIONAL LAND SURVEYOR
SHAWN A. COLLINS
1788
OKLAHOMA



Location Map

NOT TO SCALE



SCALE: 1"=40'

Whittier Heights

Board of Adjustment Site Plan Exhibit

DATE PREPARED: DECEMBER 17, 2018

BOA-22573

Exhibit "A"

FILE: 1913.06 WO#: 17614.03

Sisemore Weisz & Associates, Inc.
6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/19

K:\17614.03\EXHIBITS\17614.03NSPL-EXHBT.dwg N-STPL Dec 17, 2018 - 12:36:55pm SISEMORE WEISZ & ASSOCIATES, INC., 2018

Ulmer, Amy

From: Greg Weisz <gweisz@sw-assoc.com>
Sent: Thursday, January 03, 2019 2:57 PM
To: Ulmer, Amy
Cc: Glenn Murray
Subject: RE: BOA-22573

Amy,

We would like to request relief on this requirement to 560 SF/du. With the current Site Plan there are 569 SF of open space per du. There are 52 dwelling units planned. Thanks.

Greg Weisz
Sisemore Weisz & Associates
918.665.3600

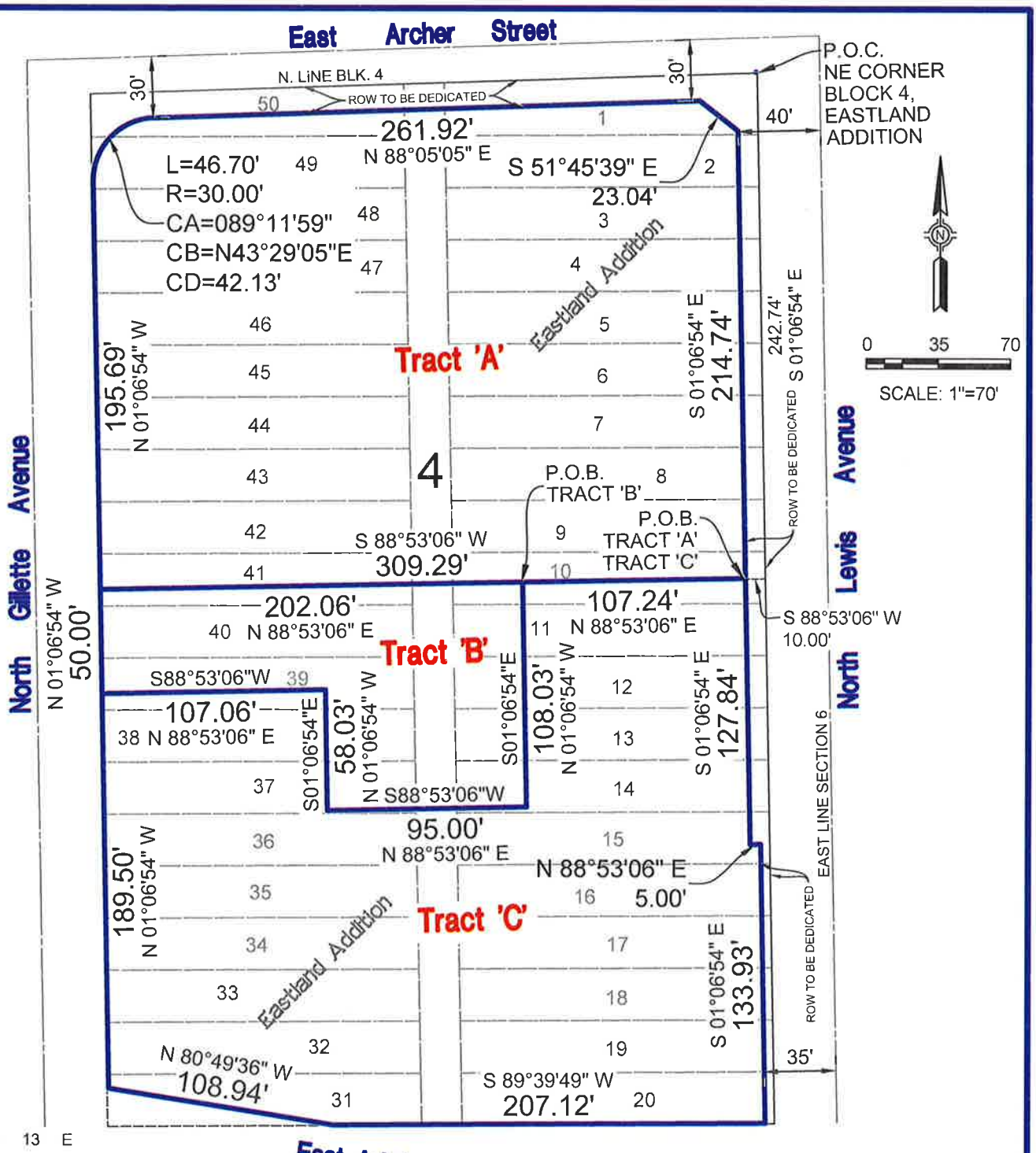
From: Ulmer, Amy [mailto:aulmer@incog.org]
Sent: Thursday, January 03, 2019 10:17 AM
To: Greg Weisz
Subject: BOA-22573

Greg,

One last thing, could you provide me with the open space per unit calculation? The minimum the Code requires for an RM-1 district is 600 sq. ft. per unit. I just want to verify that you will not need additional relief. Let me know if you have any questions.

Amy Ulmer | Land Development Planner
2 West Second Street, Suite 800
Tulsa, OK 74103
918.579.9437
918.579.9537 fax
aulmer@incog.org

4.14



Location Map

NOT TO SCALE

Legend

P.O.C. = POINT OF COMMENCEMENT

P.O.B. = POINT OF BEGINNING

Lot Split Exhibit

of

PART OF BLOCK 4, EASTLAND ADDITION
SECTION 6, TOWNSHIP 19 NORTH, RANGE 13 EAST,
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

FILE:1913.06 WO#:17614.04 DATE:12-11-2018

Sisemore Weisz & Associates, Inc.
6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
PHONE (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/19

K:\17614.04\LOTSPLIT-EXHBT.dwg LOT SPLIT Dec 14, 2018 - 8:40:23am SISEMORE WEISZ & ASSOCIATES, INC., 2018

Ulmer, Amy

From: Chapman, Austin
Sent: Thursday, January 03, 2019 2:00 PM
To: Ulmer, Amy
Subject: FW: LLA-66

From: Greg Weisz <gweisz@sw-assoc.com>
Sent: Thursday, January 3, 2019 11:20 AM
To: Chapman, Austin <AChapman@incog.org>
Subject: RE: LLA-66

Austin,

There is a sanitary sewer line in the alley. We have an approved IDP for relocation the sanitary sewer line and that work is under construction now. As oon as it is completed the application for closing the alleyway can move forward. It has been submitted.

Greg Weisz
Sisemore Weisz & Associates
918.665.3600

From: Chapman, Austin [mailto:AChapman@incog.org]
Sent: Thursday, January 03, 2019 10:44 AM
To: Greg Weisz
Subject: LLA-66

Mr. Weisz ,

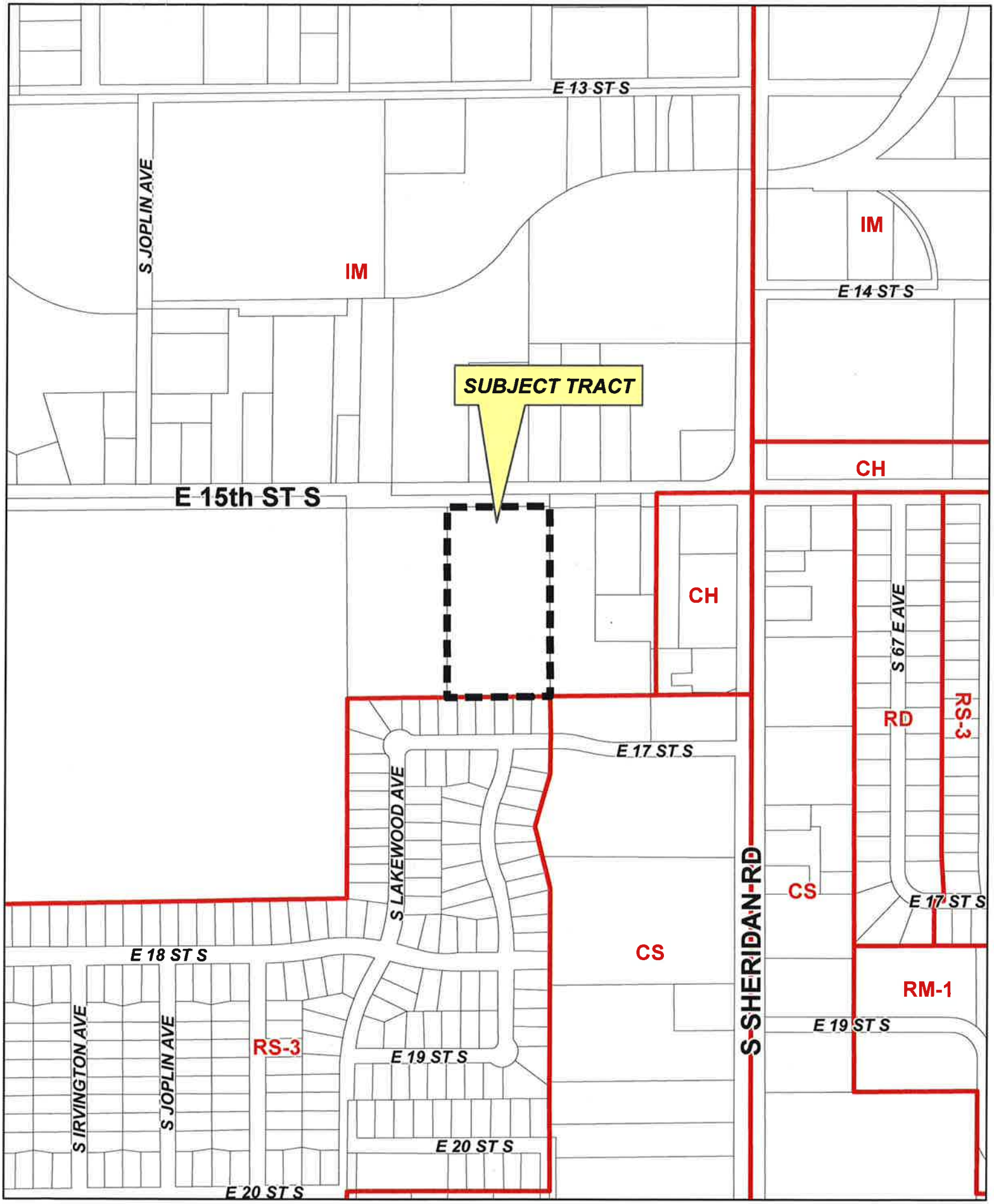
I work over at INCOG with Amy Ulmer and I am processing the lot line adjustment application submitted by Mark Capron who I understand is no longer working at SWA. The application involves an alley that is marked vacated. Our records still show that alley as open, have you completed the alley vacation yet?

Best,

Austin Chapman | Assistant Planner
2 West 2nd Street Suite 800 | Tulsa, Oklahoma 74103
ph: 918.579.9471 | fax: 918.579.7522
web: www.incog.org | email: achapman@incog.org
INCOG | Land Development Services

Determining compliance to zoning or building code requirements is not a function of this office.
The Building Permits Division will address compliance upon application for a building permit or occupancy permit. {(918) 596-9456}

4.16



BOA-22574

19-13 10

5.1

BOARD OF ADJUSTMENT
CASE REPORT

STR: 9310 Case Number: **BOA-22574**
CZM: 38
CD: 5
A-P#:

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Corey Robison

ACTION REQUESTED: Special Exception to allow a Indoor Commercial/Assembly and Entertainment Use (RC Car Racetrack) in the IM district (Section 15.020)

LOCATION: 6240 E 15 ST S **ZONED:** IM

PRESENT USE: warehouse **TRACT SIZE:** ± 5 acres

LEGAL DESCRIPTION: E/2 NW NE SE SEC 10 19 13,

RELEVANT PREVIOUS ACTIONS:

Surrounding property:
BOA-14379; on 02.05.87, the Board **approved** a *special exception* Use Units 13, 14 and restaurant and bar use only in Use Unit 12 in an IM zoned district located west of the northwest corner of East 15th Street South and South Sheridan Road (6239 East 15th Street South).

BOA-12495; on 3.24.83, the Board **approved** a *special exception* to allow a veterinarian hospital in an IM zoned district located west of the northwest corner of East 15th Street South and South Sheridan Road (6231 East 15th Street South).

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. 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 abuts RS-3 zoned residences to the south; large IM zoned parcels to the east and west; E. 15th St. S. is immediately north of the overall property.

STAFF COMMENTS:
The applicant is before the Board requesting a Special Exception to allow a Indoor Commercial/Assembly and Entertainment Use (RC Car Racetrack) in the IM district (Section 15.020). The overall parcel consists of several warehouse and industrial buildings. As indicated on the attached site plan, the proposed radio controlled race track will be in the highlighted building as it exists presently.

A special exception is required as the proposed radio-controlled race track is a use which is not permitted by right in the IM district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted.

The applicant has stated that the radio-controlled car races occur twice a week, usually on Tuesday and Saturday, and practices are on Thursday. The applicant also stated that there has not been more than 45 people at the events in the past.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Indoor Commercial/Assembly and Entertainment Use (RC Car Racetrack) in the IM district (Section 15.020)

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

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

Case No. 14377 (continued)

that the neighborhood is concerned with the traffic generated by the business operation in the area. Mr. Karlovich informed that the homes in the area are very nice, with costs being in the $200,000 price range. He stated that vandalism has also been a problem in the neighborhood, and asked the Board to deny the application.

Mr. Jackere asked how long the business has been in operation at the Hornak home, and Mr. Karlovich replied that he is sure it has been open for 6 months, and maybe longer.

Board Action:

On **MOTION** of **QUARLES**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **DENY** a **Special Exception** (Section 440 - Special Exception Uses in Residential Districts - Use Unit 1212) to allow for an existing home occupation - merchandise sales by appointment in a RS-1 zoned district; finding that the granting of the special exception request would be detrimental to the neighborhood and would violate the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lot 5, Block 1, Southern Hills 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14379

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Request a special exception to allow for Use Units 12, 13, and 14 in an IM zoned district, located at 6239 East 15th Street.

Presentation:

The applicant, Millard Mashburn, 108 South Ora, Pryor, Oklahoma, stated that he has a building at the above stated location and asked the Board to permit the requested uses. He pointed out that he will have a better opportunity to sell or lease the building if more uses are allowed. Mr. Mashburn informed that on three occasions he has had a chance to rent his building for a sexually oriented business, but has declined the offers. He pointed out that he does not want this type of operation on his property. Mr. Mashburn informed that he has visited with the adjoining property owners and they are not opposed to the variance request.

Board Action:

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Smith, Quarles, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 910 - Principal Uses Permitted in Industrial Districts) to allow all uses in Use Units 13 and 14, and only eating establishments and a bar in Use Unit 12;

Case No. 14379 (continued)

subject to no sexually oriented business; finding that there are numerous other commercial uses and multiple zoning classifications in the area; on the following described property:

A tract of land being located in the SE/4 of the NE/4 of Section 10, T-19-N, R-13-E, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point on the south line of said SE/4 of the NE/4 said point being 497.52' west of the SE/c of said SE/4 of the NE/4; thence northerly and parallel to the east line of said SE/4 of NE/4 a distance of 496.00'; thence westerly and parallel to the south line of said SE/4 of the NE/4 a distance of 125.00'; thence southerly and parallel to the east line of said SE/4 of NE/4 a distance of 496.00' to a point on the south line of said SE/4 of NE/4; thence easterly along said south line a distance of 125.00' to the point of beginning, LESS AND EXCEPT the south 40' thereof for street right-of-way, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14381

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow for a church and related uses in an RS-3 zoned district.

Variance - Section 1205.3 - Use Conditions - Use Unit 1205 - Request a variance of the minimum lot area of 1 acre and of the lot width of 100 feet, located at 1223 South Canton Avenue.

Presentation:

The applicant, Spiritual Assembly, was represented by Kay Connell, 2423 North Boston Place, Tulsa, Oklahoma, who submitted a plot plan (Exhibit C-1) and a packet (Exhibit C-2) containing the Baha'I meeting schedule and guidelines. She informed that a house at the above stated location has been donated to the congregation. Ms. Connell gave a brief explanation of the function of the organization and asked the Board to allow church use in a residential neighborhood. She stated that the exterior of the house will not be changed, but a driveway and landscaping will be added.

Comments and Questions:

Mr. Chappelle asked Ms. Connell to state the number of members that will be meeting in the church, and she informed that the membership is approximately 25.

Mr. Quarles asked the applicant to give a brief description of the the house, and she informed that there are 3 rooms downstairs and 2 rooms upstairs. She stated that the kitchen, library and meeting room will be located in the downstairs portion.

Case No. 12490 (continued)

Discussion:

Mr. Victor did not feel that the variance request was appropriate and did not feel that a hardship was proven. Mr. Jackere advised that since the applicant can use the property for the desired use, duplex use, a hardship does not exist. Mr. Jackere, Legal Counsel, advised that the applicant has the choice of being heard by this Board which requires the finding of a hardship or to be heard by the Planning Commission. Mr. Victor advised that he did not oppose the request, but felt that it would be more appropriate for the applicant to go through the PUD process.

Board Action:

On MOTION of CHAPPELLE and SECOND by WAIT, the Board voted 3-0-0 (Chappelle, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to deny a Variance (Section 430 - Bulk and Area Requirements in the Residential Districts) of the front setback requirements from 25' to 20' and a variance of the side yard requirement to allow a zero lot line to allow duplexes to set across lot lines and a variance of the minimum lot width and lot area, on the following described property:

A tract of land, containing 7.50 acres, that is the W/2 of the NW/4 of the SE/4 of the SE/4 and the W/2 of the E/2 of the NW/4 of the SE/4 of the SE/4 of Section 16, Township 18 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, Oklahoma.

Case No. 12495

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in the Industrial District - Request to allow a (Use Unit 14) veterinarian hospital, located at 6231 East 15th Street.

Presentation:

Attorney Curtis Culver, 5136 East 21st Street, was present representing Dr. D. H. Hohman, and submitted four (4) photographs of the subject property (Exhibit "I-1"). Mr. Hohman has operated a veterinarian hospital at the subject location for a number of years and desires to expand the facility. As the applicant made application to this Board he was advised that this property might be a nonconforming use which would require a special exception for the expansion. Mr. Culver advised that the veterinarian hospital is a Use Unit 14 and is permitted in an Industrial District by special exception.

Protestants: None.

Board Action:

On MOTION of CHAPPELLE and SECOND by WAIT, the Board voted 3-0-0 (Chappelle, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in the Industrial District) to allow a (Use Unit 14) veterinarian hospital, on the following described property:

A tract of land being located in the SE/4 of the NE/4, Section 10, Township 19 North, Range 13 East, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point on the South line of said SE/4 of the NE/4 said point being 622.52' West of the SE corner of said SE/4 of the NE/4; thence Northerly & parallel to the east line of said SE/4 of the NE/4 a distance of 496.00'; thence Westerly and parallel to the South line of said SE/4 of the NE/4 a distance of 100.00'; thence Southerly

Case No. 12495 (continued)

and parallel to the East line of said SE/4 of the NE/4 a distance of 496.00' to a point on the South line of said SE/4 of the NE/4; thence Easterly along said South line a distance of 100.00' to the point of beginning, subject to an easement on the South 40' for Highway purposes, easements on the North 10' and the East 7.5' for utility purposes and other easements and building restrictions of record, containing 1.05 acres more or less.

Case No. 12497

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Request to permit a day care center. This property is at the SE corner of 36th Street and Hudson Avenue.

Presentation:

Dale Edmond, 6044 South Lakewood, requested permission to locate a day care center in Phillips Elementary School. The facility will provide day care needs for pre-schoolers, ages 4 and 5, and will provide day care for school aged children before and after school. The center will operate Mondays thru Fridays from 6:30 a.m. to 6:30 p.m., for twelve months a year.

Protestants: None.

Board Questions:

Mr. Chappelle inquired if any signs would be placed on the subject property and Ms. Edmond answered no. Mr. Chappelle also asked if there was a fenced play area for these children who attend the day care center and Ms. Edmond answered in the affirmative.

Board Action:

On MOTION of CHAPPELLE and SECOND by WAIT, the Board voted 3-0-0 (Chappelle, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, Smith, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in the Residential Districts) to permit a day care center five days a week (Monday thru Friday) from 6:30 a.m. to 6:30 p.m., and that there be no sign permitted, on the following described property:

A tract of land lying in the SE/4 of Section 22, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows, to-wit:

Beginning at a point in the North boundary of and 85 feet East of the Northwest corner of said SE/4 of Section 22; thence South and parallel to the West boundary of said SE/4 a distance of 500.00 feet to a point; thence East a distance of 670.00 feet to a point; thence North a distance of 500.00 feet to a point in the North boundary of said SE/4; thence West along the North boundary of said SE/4 a distance of 670.00 feet to the point of beginning, said Tract containing 7.7 acres more or less.

Feet
0 200 400

Subject Tract

BOA-22574

19-13 10

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

Aerial Photo Date: February 2018

N

5.8

Feet
0 50 100

Subject Tract

BOA-22574

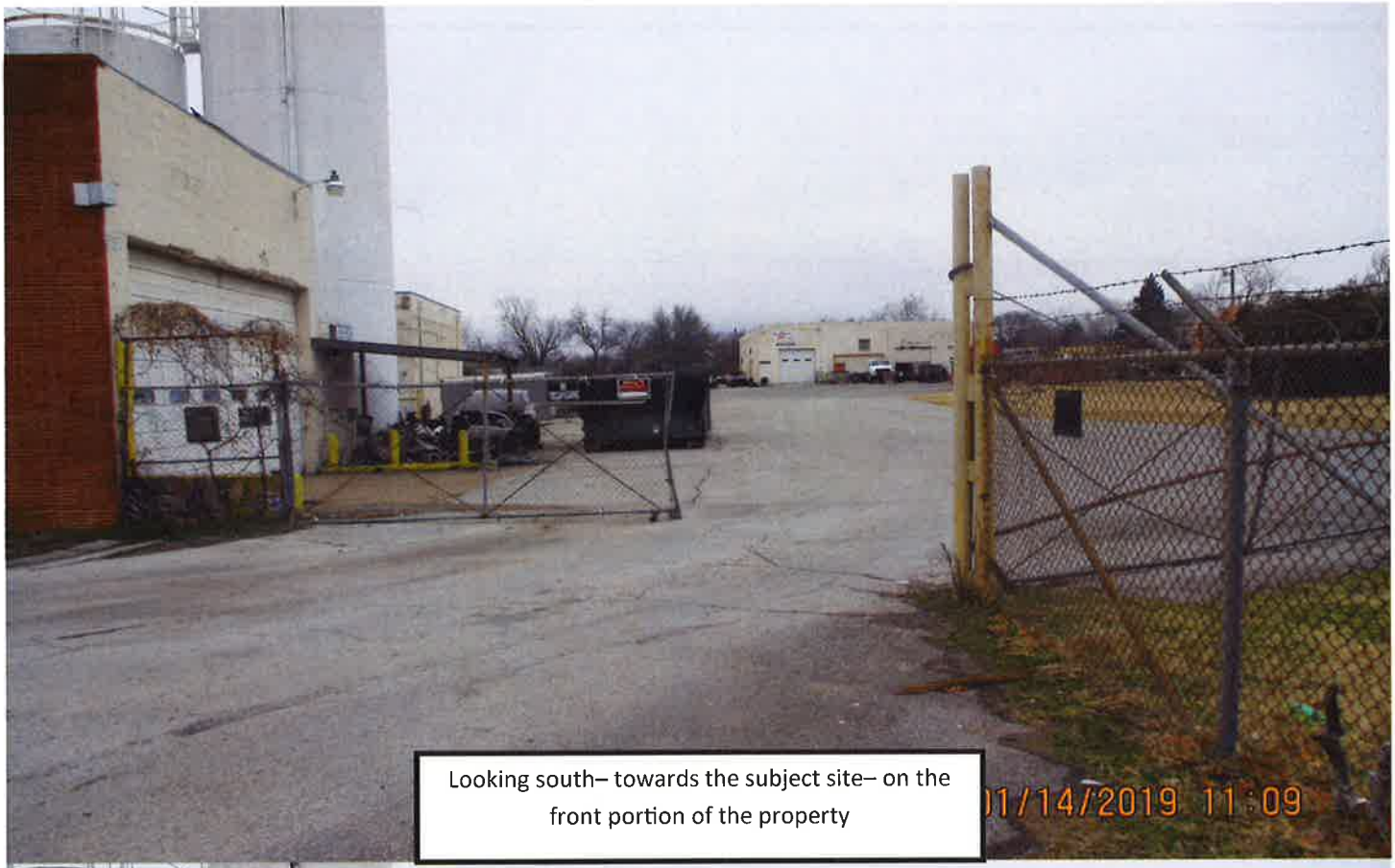
19-13 10

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

Aerial Photo Date: February 2018

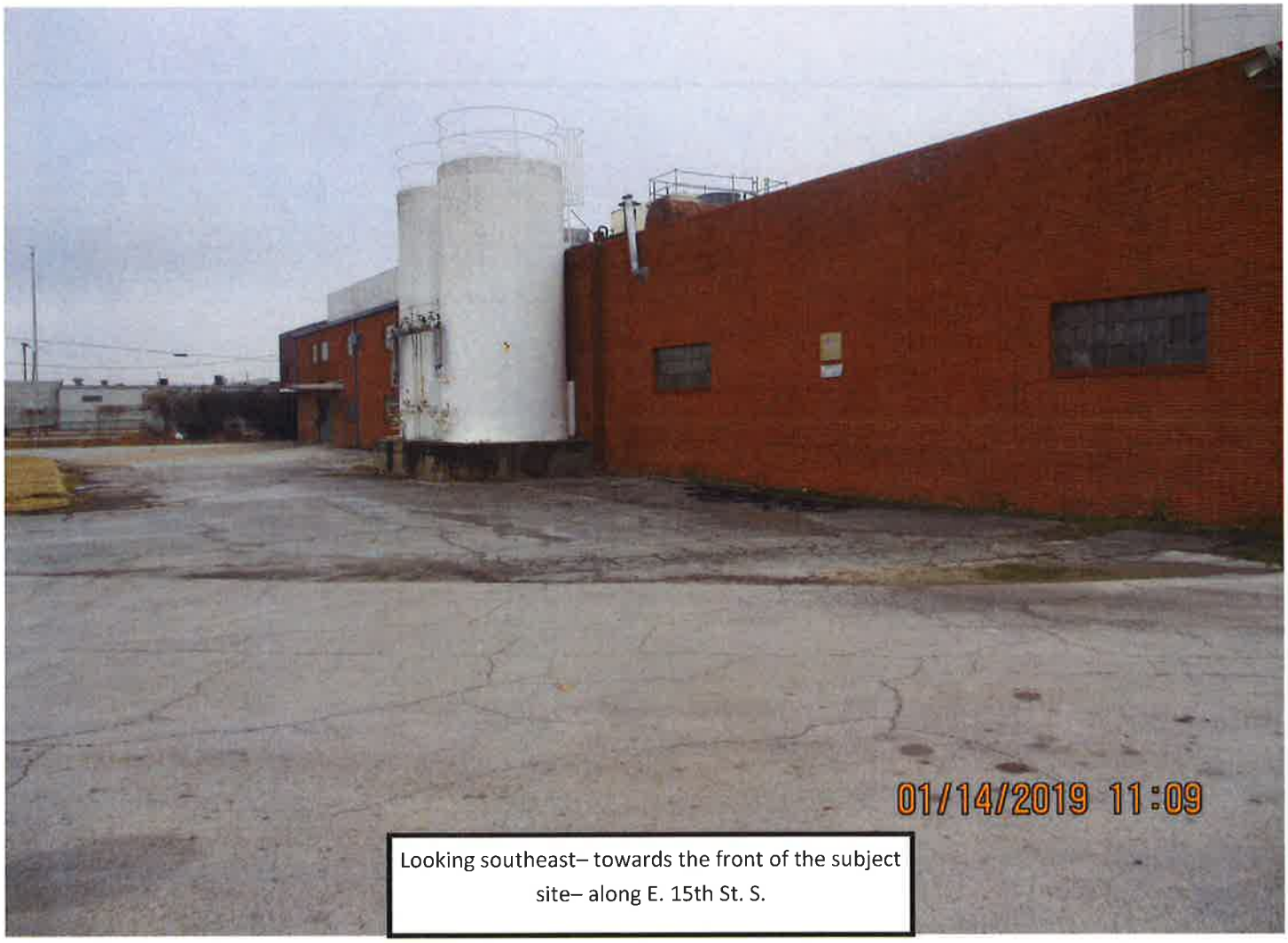
N

5.9

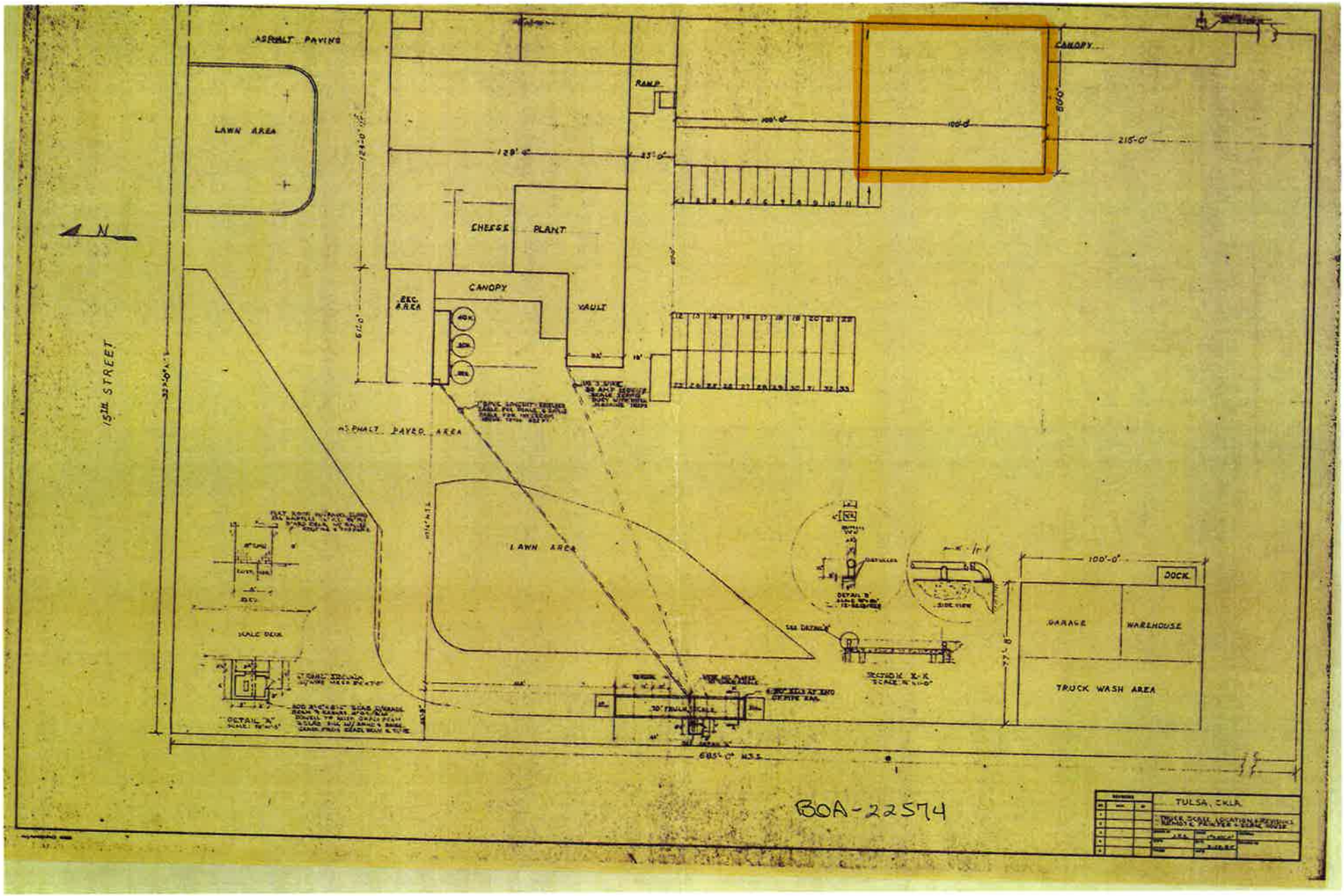


Looking south– towards the subject site– on the front portion of the property

Looking south– towards the subject site– on the front portion of the property



Looking southeast– towards the front of the subject site– along E. 15th St. S.


ASPHALT PAVING
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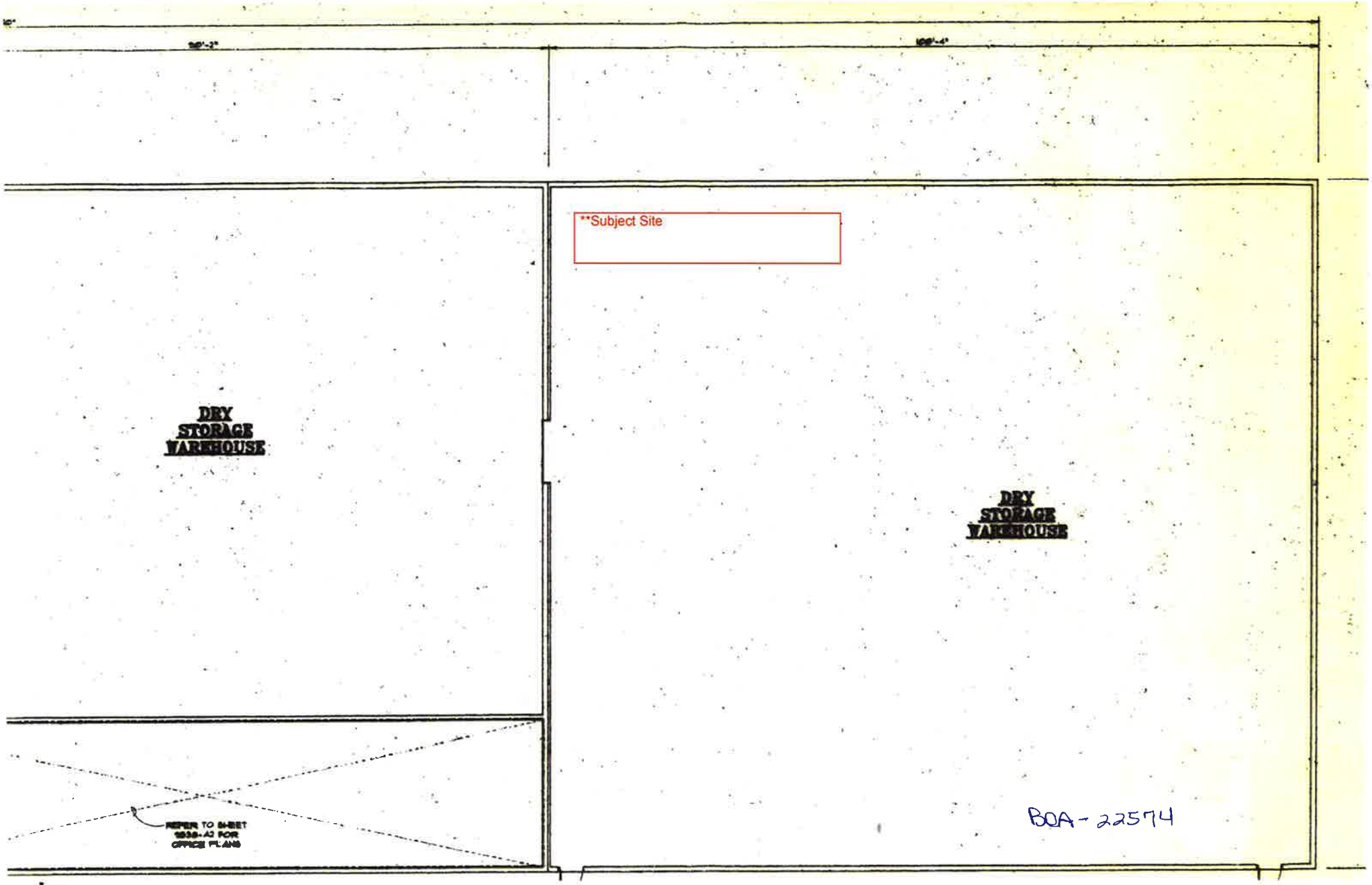
RAMP
CANOPY
215'-0"
CHEESE PLANT
CANOPY
ELEC. AREA
VAULT
15TH STREET
ASPHALT PAVED AREA
LAWN AREA
DOCK
GARAGE
WAREHOUSE
TRUCK WASH AREA
685'-0" M.S.L.
BOA-22574

5.12


**Subject Site
DRY STORAGE WAREHOUSE
DRY STORAGE WAREHOUSE
REFER TO SHEET 1838-A2 FOR OFFICE PLANS
BOA-22574

5.13

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: 1

November 30, 2018

Corey Robison
4912 S Norfolk Ave
Tulsa, OK 74105

Phone: 918.619.7387

APPLICATION NO: **COO-018102-2018**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **6240 E 15 ST**
Description: **RC Car Racetrack**

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 OF DRAWINGS if SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

3. A COPY OF A "RECORD SEARCH" **[X]IS** **[ ]IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

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

Application No. COO-18102-2018 6240 E 15 ST November 30, 2018

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

1. **Sec.15.020 Table 15-2:** The proposed RC car racetrack is designated a Commercial/Indoor Assembly and Entertainment Use. It is located in an IM zoned district. This will require a Special Exception approved by the BOA.
   Review comment: Submit an approved BOA Special Exception to allow a Commercial/Indoor Assembly and Entertainment Use in an IM zoned district.

2. **Sec.55.020 Table 55-2:** The proposed RC car racetrack is designated a Commercial/Indoor Assembly and Entertainment Use. It is located in an IM zoned district. The minimum parking requirement is 3.75 spaces per 1000 ft^2 of floor area. The proposed floor area is 8000 ft^2. This will require 30 parking spaces.
   Review comment: Revise and submit a site plan providing 30 spaces. The parking spaces are required to be on the same lot as the building and compliant with the design criteria listed *Sec.55.090*. If you are unable to meet the parking requirement you may wish to consider submitting an alternative compliance parking ratio reviewed and approved through the special exception procedures of *Sec.70.120* or an off-site parking agreement in compliance with *Sec.55.080-D.*

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf

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.

Sparger, Janet

From: Greg Thompson <gtrcguru@hotmail.com>
Sent: Tuesday, January 15, 2019 8:44 AM
To: BOA; c-robison@sbcglobal.net
Subject: Shiftys RC Racway

I am emailing in my support for Shiftys RC Raceway to stay open. It is a fun family friendly place to take your family for a cheap night of safe for the family fun!!

5.16

Sparger, Janet

From: Marcus Carver <carverme@aol.com>
Sent: Monday, January 14, 2019 7:26 PM
To: BOA
Cc: c-robison@sbcglobal.net
Subject: Shifty's RC raceway support to make sure track stays open.

Sending in my support for Shifty's RC raceway to be able to stay open to allow us a building to be able to run our Radio Control cars. I drive from Bartlesville, OK down to Shifty's RC raceway to run my Radio Control cars and also eat at surrounding restaurants while at the track.

Thanks,
Marcus Carver

5.17

Sparger, Janet

From: Alex Noah <alex.noah34@yahoo.com>
Sent: Monday, January 14, 2019 4:36 PM
To: BOA
Subject: Shiftys R/C Raceway

Hello, to all it may concern. I was informed that Shifty's R/C raceway was under threat of closing down and if I wrote this email, hopefully someone would reconsider. My dad has raced for many years as a kid, I've been racing rc since my dad passed it down when I was 10, I am now 23 and still loving it. There use to be 3-5 tracks within an hour of me (Tulsa, Oklahoma) now it's down to 1, sadly. I truly wish I had more places to race, but I'm still happy to be able to and not have to sell everything I have. I have a 2 year old son and hes been out to shiftys numerous times & loves it so much. I hope for him to have his own car and race it one day. But mostly me pass down this hobby to him where we can spend time together and bond. But if there are no tracks near us, I dont see that possible. I would love for shiftys to stay open where friends and family can come together for good, clean fun. These arent just little toy cars.. (well they are) but they're so much more than that. This brings people together & keeps dreams alive. Thank you for taking the time to read.

Sent from Yahoo Mail on Android

5.18

Sparger, Janet

From: okboykevin@aol.com
Sent: Monday, January 14, 2019 11:46 AM
To: BOA
Subject: rc racetrack

Sirs,

I feel compelled to write to you about the change in zoning for this area and this r/c track.

It seems this area looks and seems to be pretty much in a great state of dis-repair. If anyone would want to occupy the space and have any kind of business there, one would think they would want to be in full compliance with any and all applicable codes and regulations.

If you allow this, why not allow the body shop on the same land to just not follow any codes or regulations?

If you grant any exemptions to any codes for this business, what would keep any current or future business for asking for the very same?

Why would you compromise the safety and well being of any of your residents? There are houses immediately to the south of this location and also to the east.

If a fire happens, why would you risk the the safety of your own city workers who would be there to fight the fire?

Make them follow any and all regulations if they wish to have a business there.

5.19

Sparger, Janet

From: matt mcghee <mmcghee83@hotmail.com>
Sent: Wednesday, January 16, 2019 12:57 PM
To: BOA
Subject: Shifty's RC Raceway

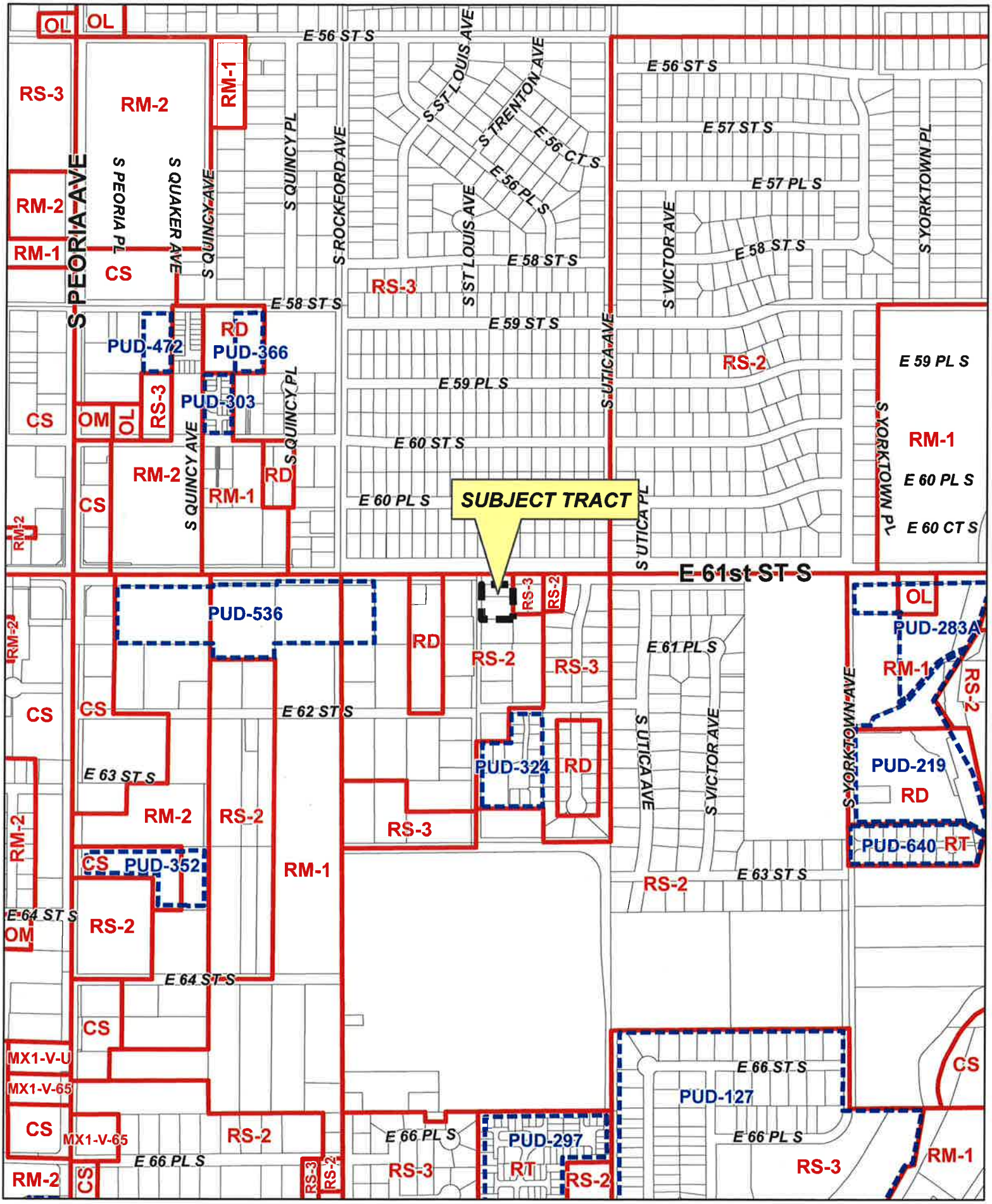
BOA-22574

To whom it may concern,

I am writing in regard to Shifty's RC track. I have been to this facility for a big race, and I was very impressed. I made the 4 hour trip from Olathe, KS. It's a nice, big facility that is perfect for RC racing. The race program was very well run, and the owner went out of his way to welcome out of town racers as well as the local racers. RC racing is a great hobby, one that I have thoroughly enjoyed for 4 years now with my twelve year old son. Competitive RC racing teaches the value of consistency, respect, etiquette, and patience. I truly believe it is one of the best things for a father and son to do together, or the entire family for that matter. In an age where so many kids are at home playing questionable video games and doing other things they should not be doing, I think having a local RC track is an excellent option.

Matt McGhee

5.20


SUBJECT TRACT
E 61st ST S
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PUD-283A
PUD-219
PUD-640
PUD-127
PUD-297
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BOA-22575
18-13 06
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BOARD OF ADJUSTMENT
CASE REPORT

STR: 8306 Case Number: **BOA-22575**

CZM: 52

CD: 2

A-P#:

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Sandra Williamson

ACTION REQUESTED: Special Exception to allow a Bed and Breakfast with on-site events in a RS-3 District (Section 5.020; Section 40.060).

LOCATION: 6111 S TRENTON AV E **ZONED:** RS-2

PRESENT USE: residential **TRACT SIZE:** 26924.55 SQ FT

LEGAL DESCRIPTION: BEG 25E & 50S NWC W/2 NE LT 3 TH S60 E158 N60 W158 TO POB SEC 6 18 13 .217ACS; PRT LT 3 BEG 110S & 25E NWC W/2 NE LT 3 TH S110.42 E158 N110.42 W158 TO POB SEC 6 18 13 .400AC,

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

BOA-14180; on 8.21.86, the Board **denied** a *special exception* to permit a day care center in a RS-2 zoned district. Located at 6108 South Trenton Avenue (immediately west of the subject property).

BOA-7380; on 4.6.72, the Board **approved** an *exception* to permit erecting two duplexes in an RS-3 district. Located immediately east of the subject property.

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 abuts RS-3 zoned lots to the east; RS-2 zoned residences to the south and west; and E. 61st St. S. is immediately to the north.

STAFF COMMENTS:
The applicant is before the Board requesting a **Special Exception** to permit a Bed & Breakfast with on-site events on "Subject Property A" (Section 5.020). The applicant has provided a detailed explanation of the proposed use in the attached documents.

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

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

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to allow a Bed and Breakfast with on-site events in a RS-2 District (Section 5.020; Section 40.060).

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

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

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. 14179 (continued)

Board Action:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to APPROVE a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1205) of required 25' rear yard setback in an RS-2 district to 10' to allow proposed construction to line up with the existing church; per plot plan submitted; subject to Stormwater Management requirements; finding that the new addition will align with the existing building; on the following described property:

The east 352.12' of the south 126' of Lot 10, and the east 352.12' of the north 97.786' of Lot 11, Block 1, Allens Sub-Division, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14180

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request a special exception to allow a day care center as well as a single-family dwelling in an RS-2 zoned district, located at 6108 South Trenton.

Presentation:

The applicant, David Fletcher, 4839 South Braden, No. 1404, Tulsa, Oklahoma, submitted a plot plan (Exhibit N-5) and photographs (Exhibit N-1) and asked the Board to allow a day care center to be operated in a house at the above stated location.

Comments and Questions:

Ms. Bradley asked the applicant if he intends to live in the house where the day care will be located and he replied that he will live there for approximately 3 months.

Mr. Quarles asked Mr. Fletcher how long he has been in the day care business and he replied that this will be his first experience with a day care center, but that he plans to employ a grade school teacher to work with the children.

Mr. Chappelle asked the hours of operation for the center and the number of children it will serve. The applicant stated that the day care will be open from 7 a.m. to 6 p.m., Monday through Friday, and will have 15 preschool children.

Protestants:

Kevin Jeffords stated that he represents 13 homeowners (Exhibit N-3) surrounding the subject property, who are of the opinion that this business would add to an already hazardous traffic situation. He submitted a location map (Exhibit N-4) of Metro Christian Academy

Case No. 14180 (continued)

and informed that this street is one of the access streets to the school. Mr. Jeffords stated that his clients do not feel that the day care center is in harmony with the residential character of the neighborhood and asked the Board to deny the application. Photographs (Exhibit N-1) of the substandard street were submitted.

Floy Hartman, 1547 East 61st Street, Tulsa, Oklahoma, stated that there are many children walking in the area and that any added traffic to the already congested area would be a hazard to these children.

Karen Thomas, 6135 South Trenton, Tulsa, Oklahoma, stated that at times the street is so congested that she is unable to get out of the driveway of her home and asked the Board to deny the application.

Letters of protest (Exhibit N-2) were received by the Board.

Applicant's Rebuttal:

The applicant stated that there are 3 access streets to Mc Clure High School and that he agrees there is a traffic problem in the area, but has never seen 3 or 4 cars waiting at the stop sign.

Additional Comments:

Mr. Smith asked the applicant if he has already purchased the property in question and he answered in the affirmative.

Board Action:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **DENY** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205) to allow a day care center as well as a single-family dwelling in an RS-2 zoned district; finding that a day care center is not compatible with the neighborhood and the special exception request is not in harmony with the Code and the Comprehensive Plan; on the following described property:

South 134.4' of Lot 1, Valley Center Addition to the City of Tulsa, Tulsa County, Oklahoma.

OTHER BUSINESS

Case No. 13697

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Use Unit 1217 - Request a special exception to allow a modification to a previously approved site plan for a car

7376 (continued)

over-built for the area. He advised the Board that a representative for M & M Lumber Company informed him that the proposed structure would not be all brick, nor would they be as high quality in design or construction as the existing duplex. He stated that approval of the subject request would set the precedent in the area for duplex development. He stated that the area surrounding the subject tract is vacant with the exception of one house, and approval of the subject request would lead to further requests for duplex development.

A woman present advised the Board that approval of the subject request would increase the traffic in the area, presenting a hazard to children in the neighborhood.

Remarks: Mr. Doyle advised the Board that it would be impossible to erect a structure similar to the existing duplex on the subject tract. He maintained that the requested use would be beneficial to the neighborhood, and advised the Board that after discussion with several members of the neighborhood, it was his impression that the request would not be objected to.

Mr. Leland advised the Board that, as representative for the protestants, they objected to approval of duplex use in the area regardless of the design or construction.

Board Action: On MOTION of COHEN, the Board (3-2, with Hendricks and Jolly voting "nay") denied application no. 7376 on the following described tract:

The North 90' of the South 180' of the East 137.5' of Block 30, Albert Pike Subdivision, AND the South 90' of the South 180' of the East 137.5' of Block 30, Albert Pike Subdivision to the City of Tulsa, Oklahoma.

7380

Action Requested: Exception (Section 410 - Principal Uses Permitted in Residential Districts) to permit erecting two duplexes in an RS-3 District, and

Variance (Section 440 (3) (c) - Duplexes in RS-3 Districts - Under the Provisions of Section 1470) to modify the front footage requirements from 75' to 73.46' in an RS-3 District on a tract located in the 1600 Block of East 61st Street.

Feet
0 300 600

Subject Tract

BOA-22575

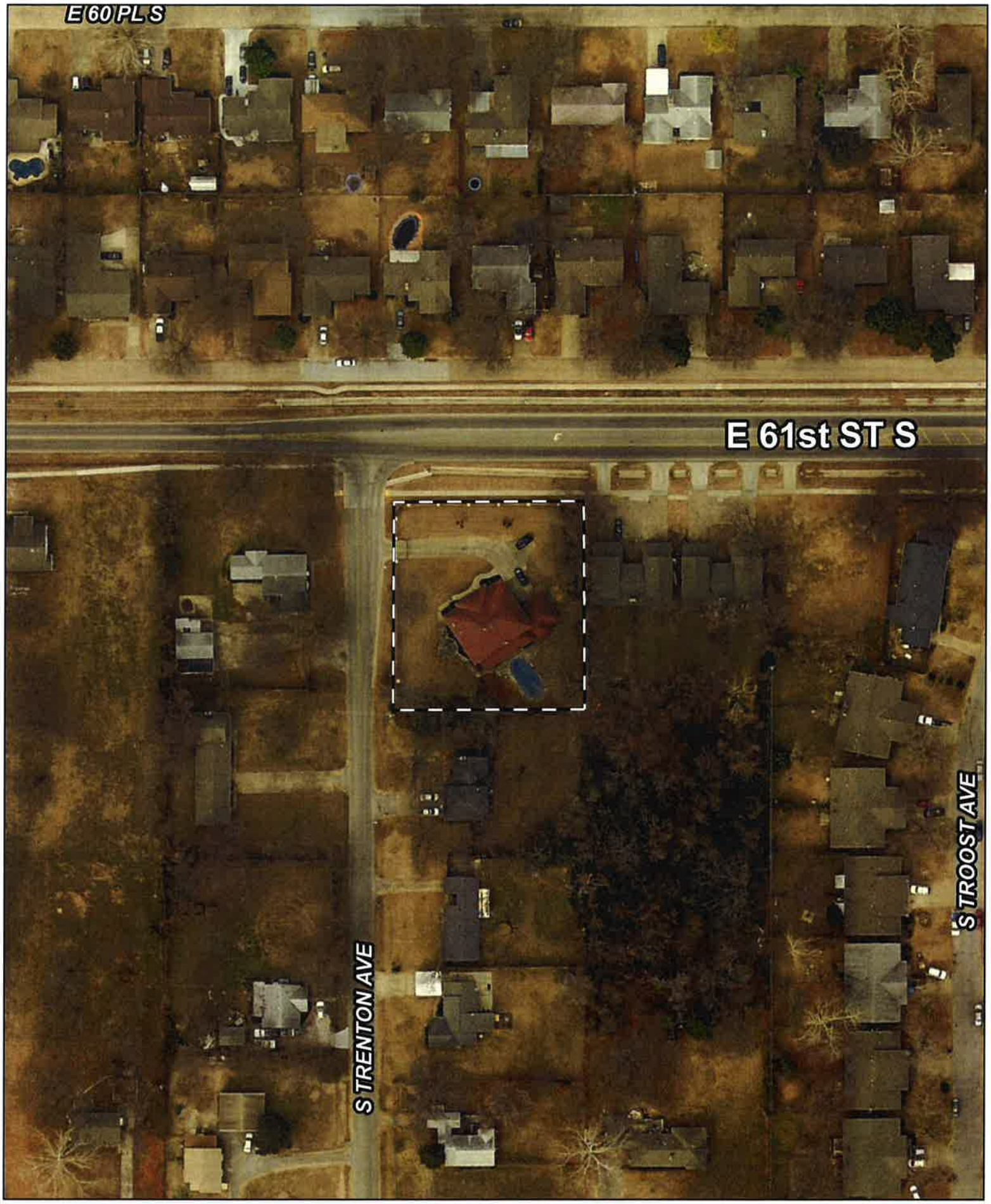
18-13 06

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

Aerial Photo Date: February 2018

N

6.7



Feet
0 50 100

Subject Tract

BOA-22575

18-13 06

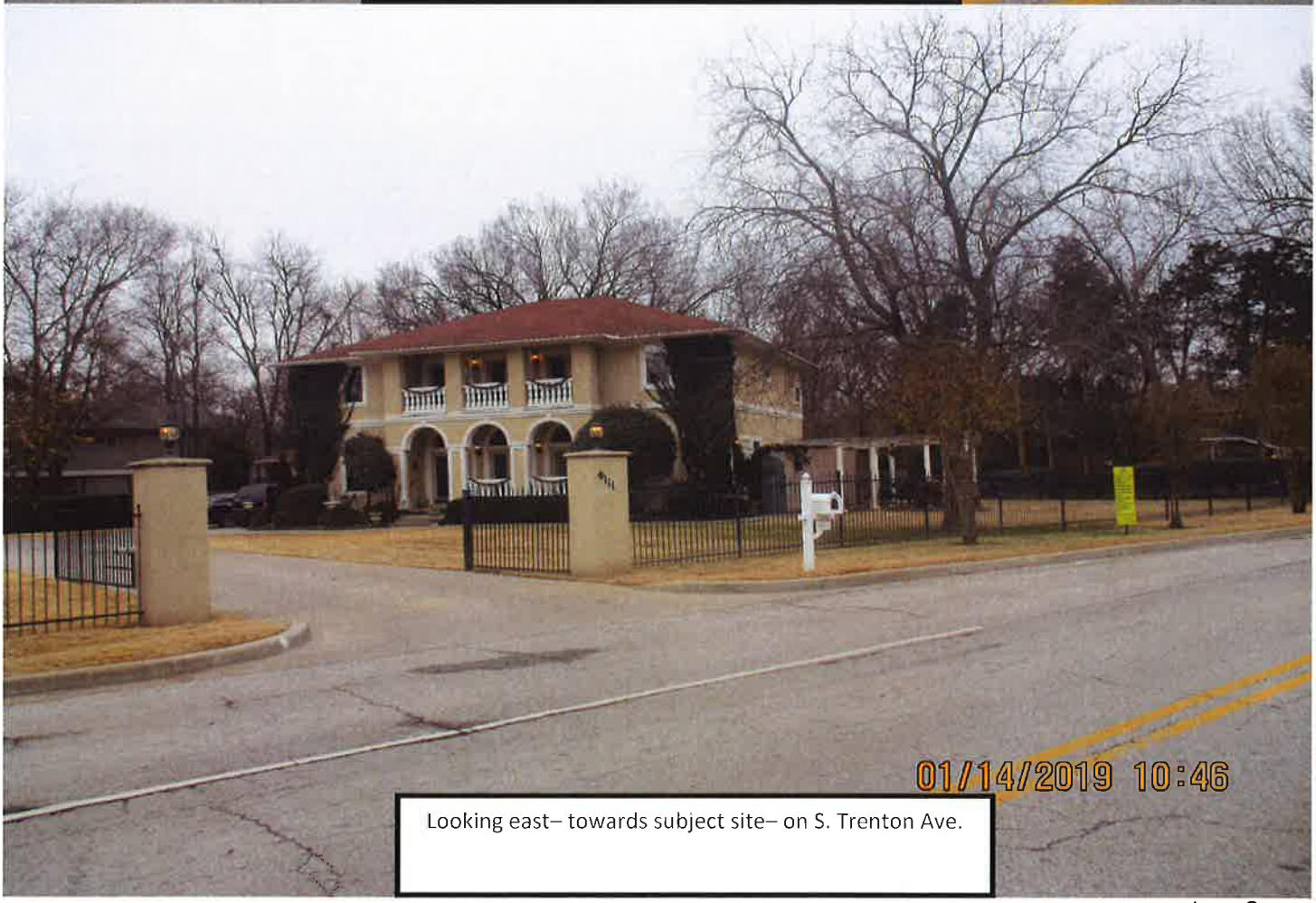
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

6.8

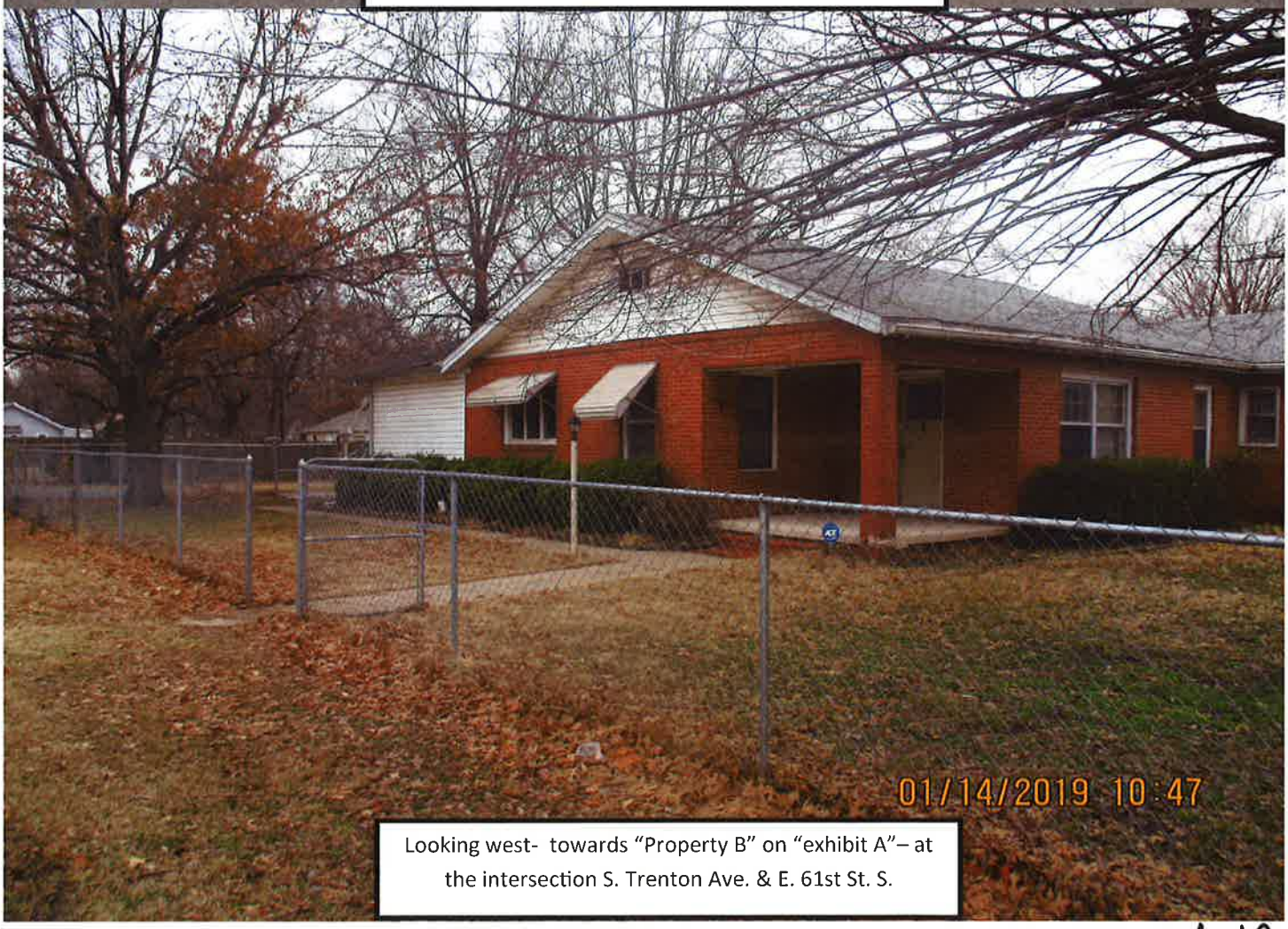
N

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



Looking east– towards subject site– on S. Trenton Ave.

Looking northeast– towards front of subject site– at the intersection S. Trenton Ave. & E. 61st St. S.



Looking west- towards "Property B" on "exhibit A"– at the intersection S. Trenton Ave. & E. 61st St. S.

The Proposed Plan:

A Taste of Italy Inn is comprised of the following:

1. Amenities:
   a. 4 bedrooms
   b. 2.5 baths (2 additional baths to make 4.5 baths, upon Special Exception approval)
   c. Game / Video Room
   d. Front office
   e. Living Room
   f. Dining Room
   g. Family Room
   h. Kitchen w/ dinette
   i. Swimming Pool
   j. On approx. 2/3's acre
   k. Pergola
   l. 2 Porches
   m. 3 Decks
   n. 10 exterior doors
   o. 3900 sq ft, 4752 after additions
   p. Addition: 44 x 18 greenroom / solarium (upon approval of Special Exception (See Exhibit G)
2. Rental Season: All year (home will be reserved for personal family events on major holidays and at other times during the year). Check-in will be 4 to 6 pm, check-out 11 am.
3. We live on-site and we will live between this home and "Property B" (property just to the west) when all four of our bedrooms are reserved.
4. Fresh breakfast each morning, coffee, tea, water, mid-day appetizers will be provided.
5. Average stay is estimated to be 2 to 3 nights, but may be up to 14 nights.
6. Alcohol will not be served. Wine and beer may be brought in. This will require the hiring of a security guard during a booked event.
7. This will NOT be an Airbnb, VRBO, or other like rental. *A Taste of Italy Inn* will be a Traditional Bed and Breakfast Inn, with events, which could include any of the following: Bridal party overnights, small weddings, receptions, afternoon ladies' teas, business meetings, anniversary parties, birthday parties, engagement parties, retirement parties, holiday parties, sweet sixteen parties, graduation parties, family reunions, business luncheons, meetings, fundraising events, client appreciation parties, dinner parties, and the like. These events are such that are held in private homes often, and have been held in this home many times prior to this without charging a fee.
8. Events will have at least one staff member on sight; overnight guests will have proprietors on sight or across Trenton in office house.
9. Due to the extensive renovations that will be made at a cost of approximately $150,000, a *perpetual* Special Exception is requested (no expiration date).
10. Request is made that no limitations be put on the number of nights lodging or events that *A Taste of Italy Inn* may hold due to the accepted industry rate of approximately 44% occupancy. Should the *A Taste of Italy Inn* have a higher percentage of days of usage, it would only mean an increased positive reputation for the neighborhood and the city of Tulsa.
11. Use of land and structures (See Exhibit A)
    a. Purchased Property B
    b. Additions to Property A are noted in #1 above, which include 2 baths, enlarged pantry, and a green room (Ex G, B-1, B-2)
    c. Addition of parking on Property B
    d. Update exterior of Property B

Special Exception request supporting information for: ***A Taste of Italy Inn***

CONDITIONS WILL BE MET FOR THE SPECIAL EXCEPTION AS FOLLOWS:

1) The special exception will be in harmony with the spirit and intent of the Zoning Code. (Please see attached Site Plan and accompanying documents Exhibit A):

   a. The owners will reside on the properties being used for the Bed and Breakfast with Events as set forth herein;

   b. The property will be used for lodging, breakfast, events, just as any residential property would be used.

   c. The property (Property A) is located on the east corner of 61st and Trenton Ave., location is not in the middle of a neighborhood, but on a main thoroughfare. Ex B.

   d. 8 car parking available on the gated property driveway.

   e. Professional Yard Service and Pool Service provided.

   f. No pets will be allowed.

2) The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare as described in the following subparagraphs:

   a. It is the applicants' position that not only will the special exception not be injurious or otherwise detrimental to the neighborhood, but the plan put forth here will actually help this area improve and also offer to the city a Traditional Bed and Breakfast Inn establishment that will add to the appeal of the city and its eclectic offerings. This Bed and Breakfast Inn will also be unique, adding a new style to the B&B offerings in Tulsa. *A Taste of Italy Inn* is Italianate and the furnishing are along the same lines, differing from the antique or western themes offered by many B&B's in Oklahoma. Ex. C, C(1), C(2),

   b. 3 surrounding parcels of land are owned or in the process of being purchased by applicants (See Ex. D). The parcel of land directly to the south of the subject property is owned by a neighbor, Julie Johnston, who is in full support of this proposal and is evidenced by a letter emailed to the Board and attached hereto. Ex D(1).

   c. The property just steps directly to the west (Property B) is in contract for purchase by your applicants and will be improved and used for office, extra living space, and additional parking. Ex A

   d. The property directly to the south of Property B has been vacant for over 3 years. The owner, Josh Barrett, keeps the outside of the property in good repair and uses it as a parking lot for his travel trailer, as well as parking for his trailer of seado's, and another trailer of lawn equipment. Ex. E.

   e. The property directly to the east are duplex units (also by special exception) with long term renters. Ex. F

   f. Metro Christian Academy is 1.5 blocks south on Trenton from the subject property, and applicants have allowed MCA to put signage up on the corner to help direct traffic to their school. Traffic for the proposed bed and breakfast inn will not cause additional traffic on Trenton as the subject property and additional parking on Property B is sufficient for the uses proposed with direct access to 61st street.

   g. Due to the extensive renovations that will be made at a cost of approximately $150,000 (see Proposed Plan), a *perpetual* Special Exception is requested (no expiration date).

   h. Permission for use of signage is requested for both Trenton Ave and E 61st Street

   i. Request is made that no limitations be put on the number of nights lodging or events that *A Taste of Italy Inn* may hold due to the accepted industry rate of approximately 44% occupancy. Should the *A Taste of Italy Inn* have a higher percentage of days of usage, it would only mean an increased positive reputation for the neighborhood and the city of Tulsa.

   j. Property A is fully fenced, as is Property B. Property A will be used for the B&B w/events, Property B will be used for the work office (Property A has small check-in office), additional sleeping quarters for owners, and parking.

A Taste of Italy Inn

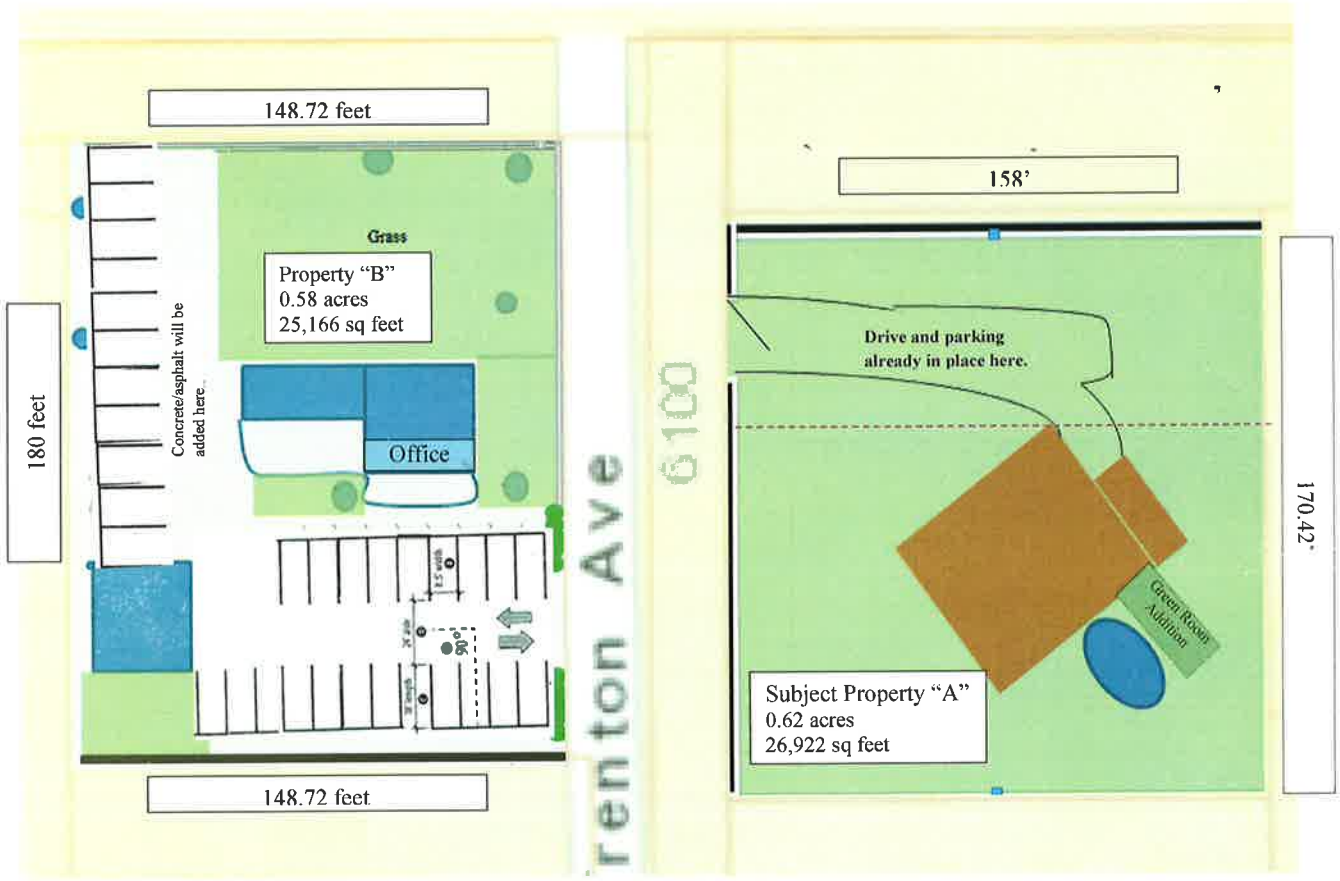
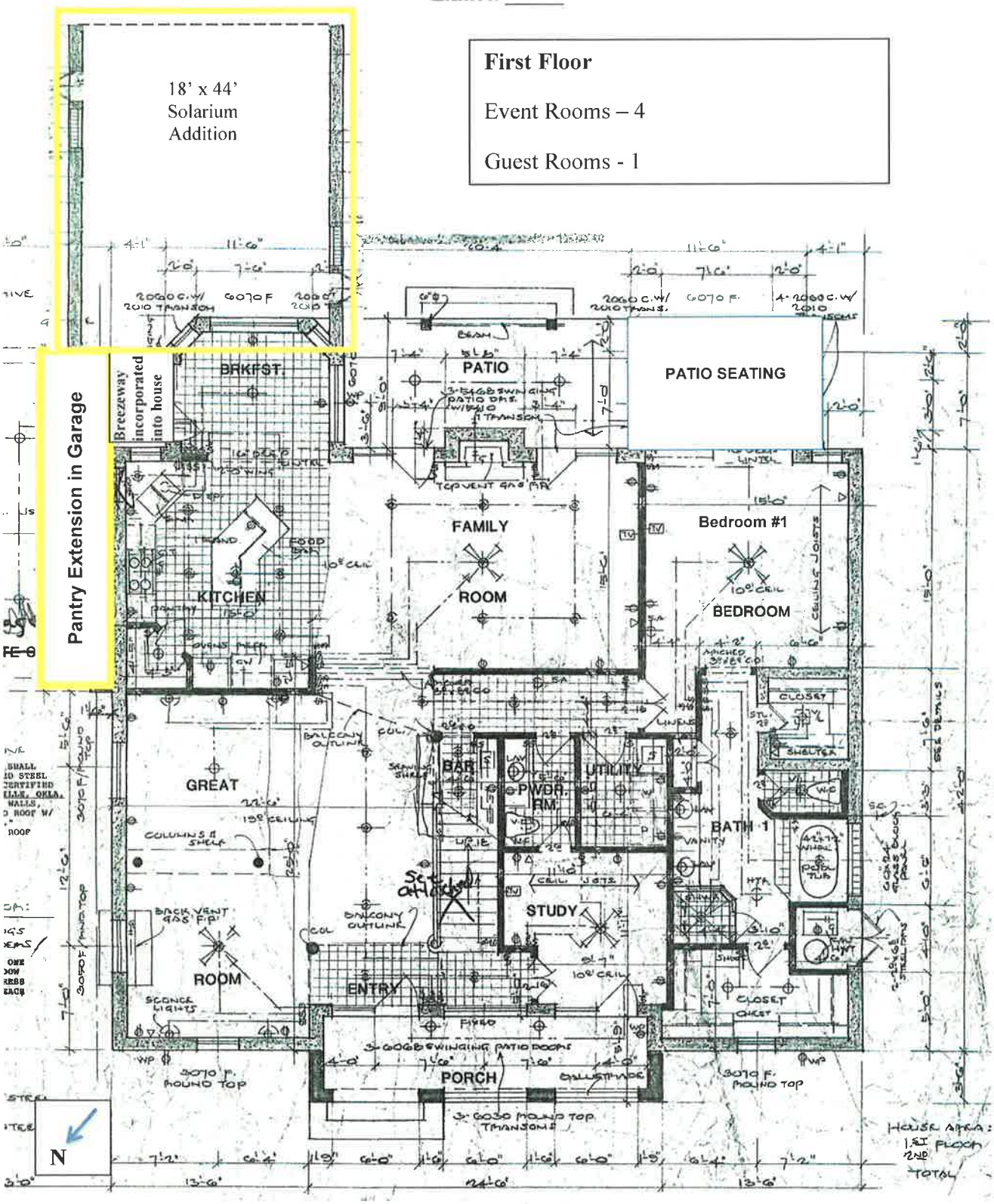


Exhibit A
Plat

A Taste of Italy Inn

Exhibit B

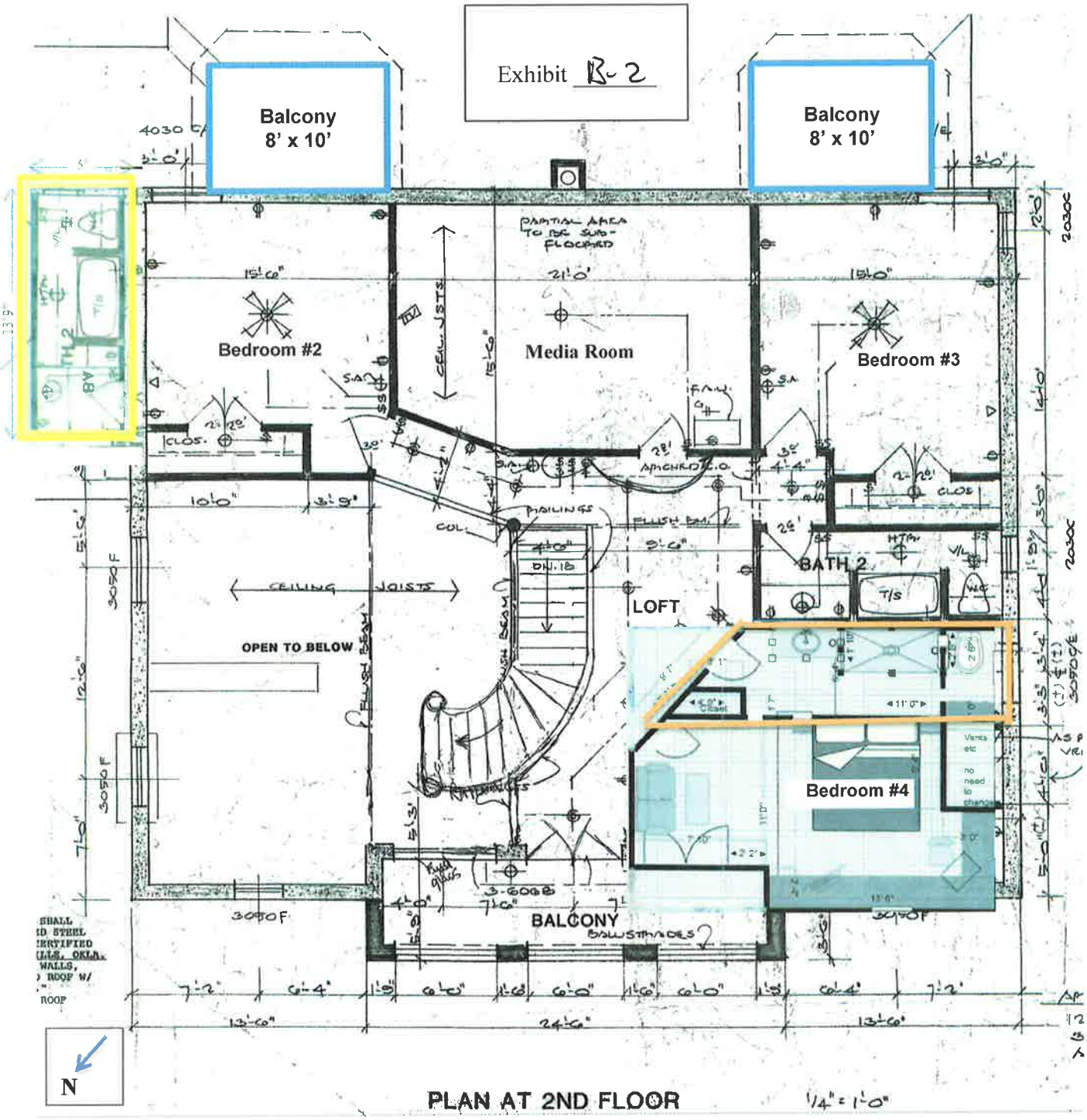
Exhibit B-1



Event rooms:
Great Room: 22'6" x 25'= 562.5 sq ft - NO REMODELING
Family Room: 21 x 15'6" = 325.5 sq ft - NO REMODELING
Study / Library: 12 x 12 = 144 sq ft -NO REMODELING
Solarium: 18 x 44 = 792 sq ft – NEW ADDITION
Pantry: 5' x 24'= 120 sq ft – NEW ADDITION (for servicing events)

Guest rooms:
#1 Guest Room: 15' x 15' = 225 sq ft, with on-suite Bathroom: 21.25' x 13' = 276.25 sq ft - NO REMODELING

6.15



Event Room:
Media Room – 15'6" x 24'6" = 380 sq ft – NO REMODEL

Guest rooms:
#2 Guest Room: 15'6" x 13'9" = 212 sq ft – ADDITION: Balcony8' x 10' (Blue highlight)
ADDITION: Bathroom – 5' x 13'9" (Yellow highlight)
#3 Guest Room 15 x 16 = 240 sq ft – ADDITION: Balcony 8' x 10' (Blue highlight)
#4 Guest Room 22 x 11.5 = 253 sq ft – REMODEL TO ADD BATH: 5' x 17' = 85 sq feet (Orange highlight)
original 22 x 16.5

6.16

A TASTE OF ITALY INN

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GIFT CERTIFICATES | DRIVING DIRECTIONS

Welcome Rooms Breakfast & Recipes Packages Elopements & Weddings Area Find Us

Ex C

6.17

Ex C1

Ex C2

6.19

6.20

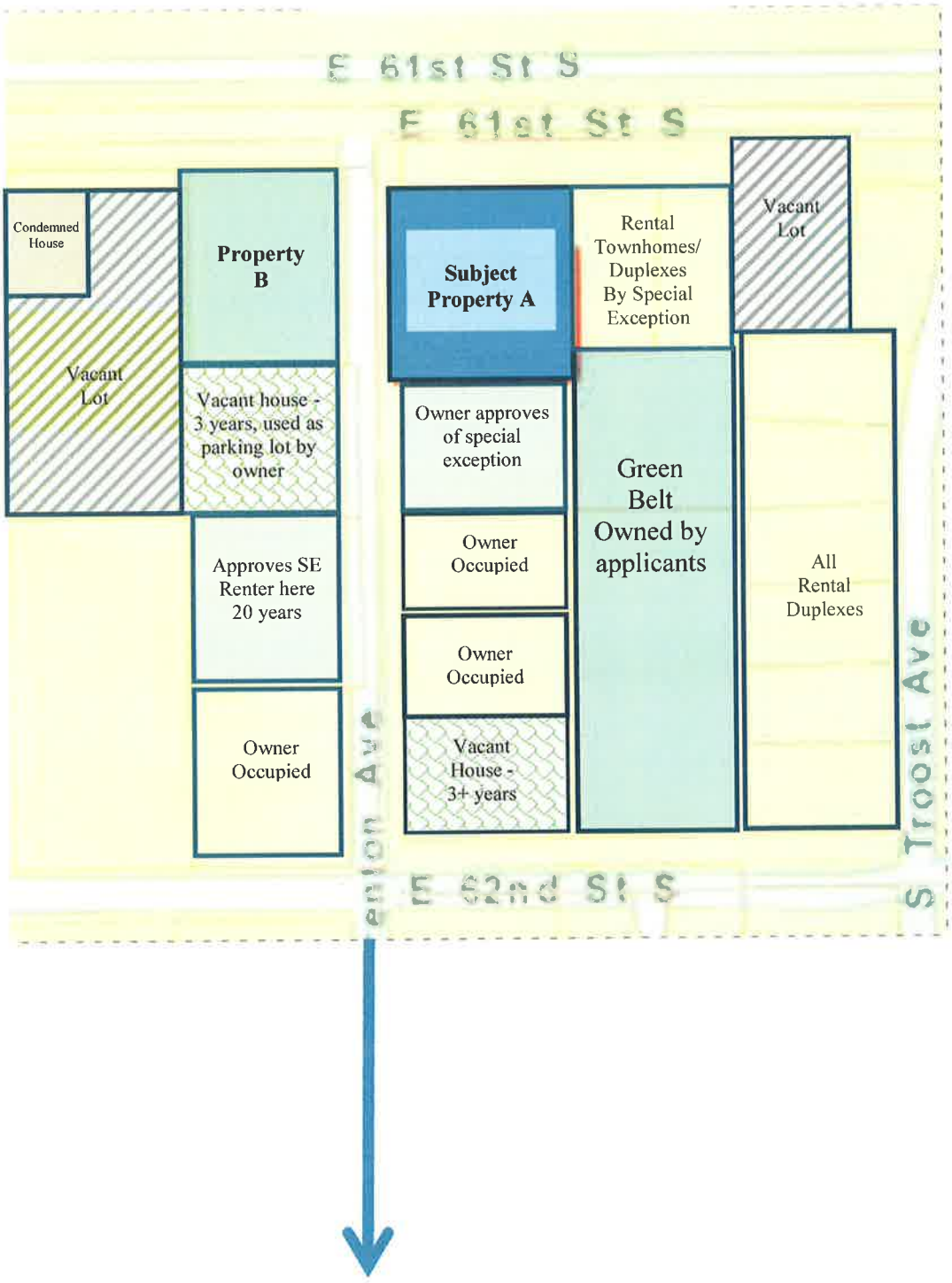
6.21

L. 28

6.23

A Taste of Italy Inn

Exhibit D



Josh Barrett Property used as parking lot

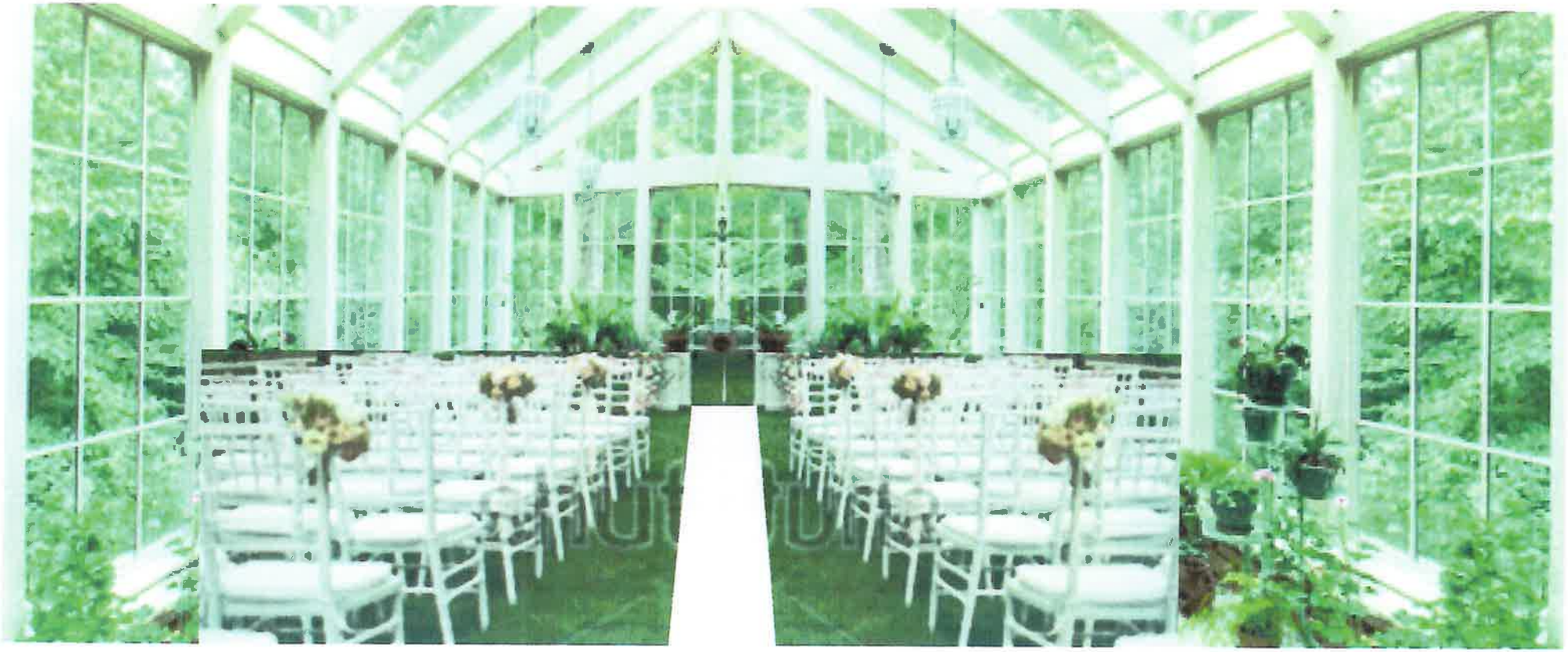
Exhibit E

6.25

Exhibit F
East Neighbors

Green Room

Exhibit G



18 x 44 green room / solarium

Roof will be solid (no glass)

HVAC and Electrical

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: 1

December 11, 2018

Sandra Williamson
6111S Trenton Ave
Tulsa, OK 74136

Phone: 918.810.8003

APPLICATION NO: **ZCO-019115-2018**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **6111 S Trenton Ave**
Description: **Bed & Breakfast**

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 OF DRAWINGS if SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTEDON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

3. A COPY OF A "RECORD SEARCH" **[X]IS [ ]IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

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

Application No. ZCO-019115-2018 | 6111 S Trenton Ave | December 11, 2018

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

1. **Sec.35.050-G1:** Your application is for a Bed & Breakfast which is located in an RS-2 zoning district. This use is allowed in the RS-2 district by Special Exception *(Table 5-2: R District Use Regulations).*
   Review Comment: Submit a copy of the Special Exception reviewed and approved per *Sec.70.120* to allow a Bed & Breakfast in the RS-2 zoning district. w/ limits 4 guest rooms
2. **Sec.40.060-A:** Bed and breakfast are limited to a maximum of 12 guest rooms unless a lower limit is established by the board of adjustment as a condition of an approved special exception.
   Review Comment: Submit a floor plan that provides the location and size of event room(s) and the number and location of Guest rooms.
3. **Sec.40.060-F:** Public restaurants are prohibited. Meals may be served only to overnight guests and for on-site events expressly authorized by the BOA at the time of Special Exception approval. The BOA may authorize bed and breakfasts to be rented for events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc. The use of bed and breakfasts for on-site events requires express authorization of the BOA, in accordance with the Special Exception procedures of *Sec.70.120*. As part of approval of the Special Exception, the BOA is authorized to establish the maximum number of on-site events per year and the maximum number of guests per any single event, based on the availability of off-street parking and the facility's likely impacts on the area.
   Review Comment: Submit a copy of the Special Exception reviewed and approved per *Sec.70.120* to allow on-site events at the Bed & Breakfast in the RS-2 zoning district.
4. **Sec.55.020 Table 55-1:** The parking requirement for the proposed Bed & Breakfast is .85 spaces per guestroom and 3.75 spaces per 1000 ft^2 of special event floor area.
   Review comment: Submit a site plan providing the location of parking spaces and that are in compliance with the following sections
   - **Sec.55.090-F1:** All off-street parking areas must be surfaced with a dustless, all-weather surface
   - **Sec.55.110:** Accessible parking facilities must be provided in accordance with the building code.
   - **Sec.55.090-A:** The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.

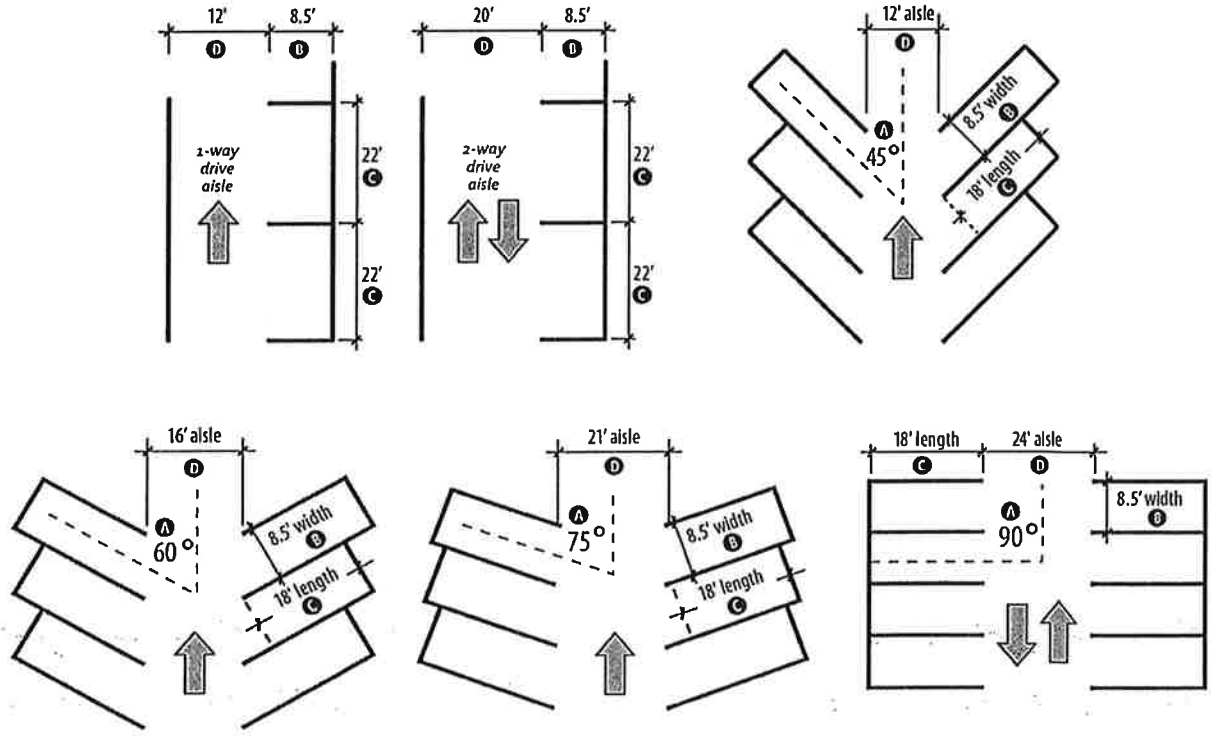
- **Sec.55.090-B:** All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.
- **Sec.55.090-C:** Parking spaces must be at least 8.5 feet in width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

Table 55-5: Parking Area Geometrics

A	B	C	D
0°	8.5	22.0	12.0/20.0
	9.0	22.0	12.0/20.0
45°	8.5	18.0	12.0/20.0
	9.0	18.0	11.0/19.0
60°	8.5	18.0	16.0/21.0
	9.0	18.0	15.0/20.0
75°	8.5	18.0	21.0/22.0
	9.0	18.0	20.0/21.0
90°	8.5	18.0	– /24.0
	9.0	18.0	– /22.0
	10.0	18.0	– /20.0

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

Figure 55-5: Parking Area Geometrics



6.30

5. **Sec.65.040-B1:** The parking lot landscaping requirements of this section are intended to help soften the visual impacts of parking lots and provide shading.

   a. Off-street parking areas located within 25 feet of a street right-of-way, residential (R) zoning district or residential development area must be separated from the abutting rights-of-way, residential districts and abutting residential development areas by a landscaped area that is at least 10 feet in width and that contains an S1 screen (see §65.060-C1) containing at least 3, 5-gallon shrubs per 10 linear feet. This area may be counted towards satisfying the minimum street landscaping requirements of §65.030-B1 if it is located within the street yard.

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

   Review comment: Your proposed parking area is located within 25' of the S Trenton Ave ROW and an R Zoned district to the South and West. Submit a Landscape Plan compliant with this section.

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

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

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

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

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

- **Sec.40.060-B:** The maximum length of stay for any guest is limited to 30 consecutive days.
- **Sec.40.060-C:** The owner/operator must maintain a register of bed and breakfast guests and on-site events for each calendar year and make the register available to city code enforcement upon request.
- **Sec.40.060-D:** Cooking facilities are prohibited in guest rooms.
- **Sec.40.060-E:** Signs are allowed in accordance with the sign regulations of the subject zoning district unless the BOA establishes stricter conditions at the time of Special Exception approval.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf

Please notify the reviewer via email when your revisions have been submitted

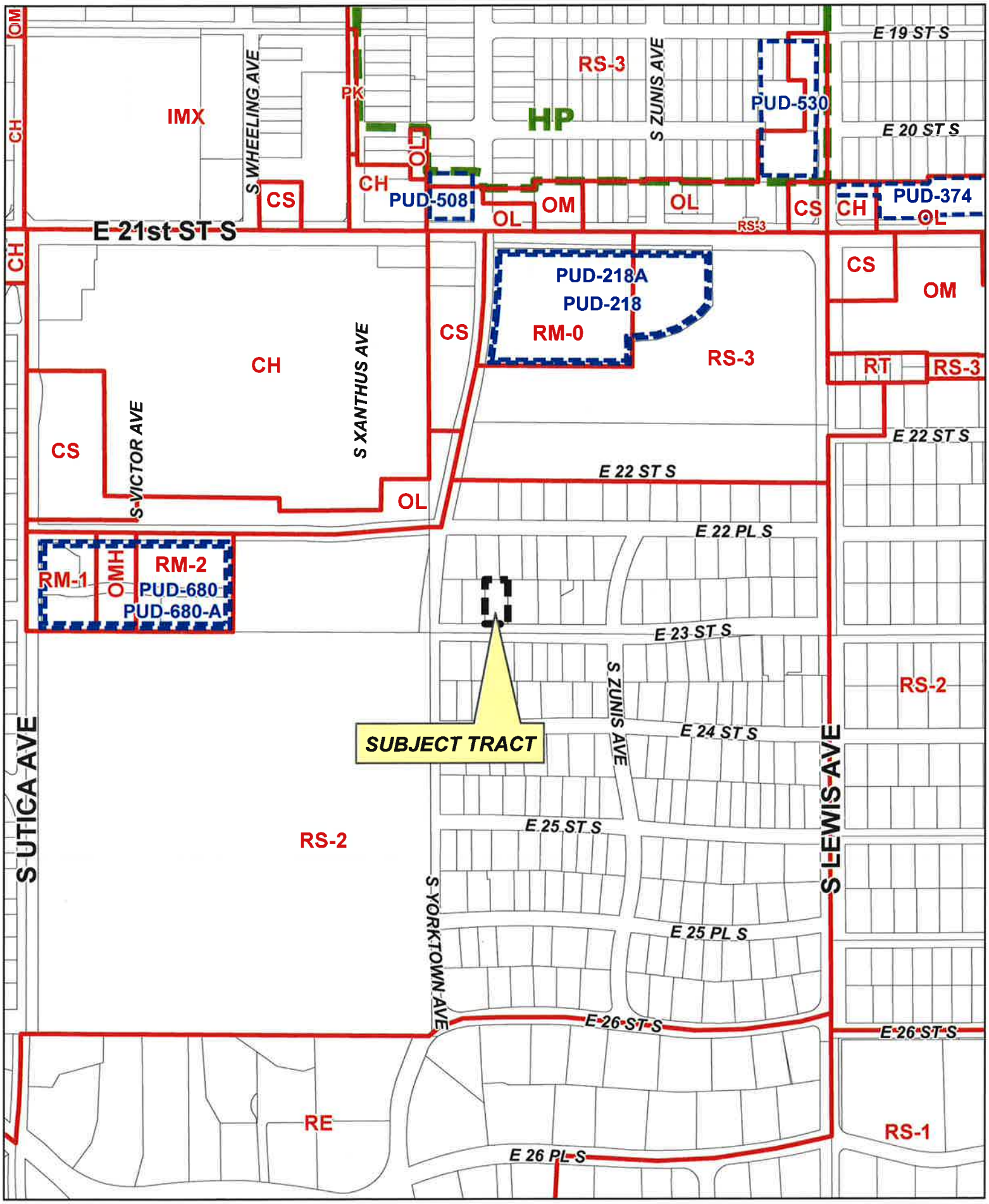
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

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

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



BOA-22576

19-13 18

7.1

BOARD OF ADJUSTMENT
CASE REPORT

STR: 9318
CZM: 37
CD: 4
A-P#:

Case Number: **BOA-22576**

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Matt King

ACTION REQUESTED: ~~Variance to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the of the floor area of the principal structure (Sec. 45.030-B);~~ Variance to allow a detached accessory structure to exceed 18 ft in height and exceed 1-story in the rear setback in an RS-2 zoned district (90.090-C)

LOCATION: 2115 E 23 ST S

ZONED: RS-2

PRESENT USE: Single-family residence

TRACT SIZE: 10876.98 SQ FT

LEGAL DESCRIPTION: ALL OF LT 14 & W1/2 OF LT 15 BLK 7, BRENTWOOD HGTS

RELEVANT PREVIOUS ACTIONS:
Surrounding Property:
BOA-20829; on 1.13.09, the Board **approved** a *Variance* of the side yard requirement in an RS-2 district from 5 ft. to 3.8 ft. (Section 403) to permit residential reconstruction and expansion. Located; 2107 E. 23rd St.

BOA-20708; on 6.24.08, the Board **approved** a *Variance* of the maximum permitted height from 18 ft. to 24 ft. and from one story to two stories for a detached accessory building located in the required rear yard of a residentially zoned property; and a Variance of the maximum permitted coverage of the required year yard of 25%. Located; 2121 E. 22nd Pl. S.

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

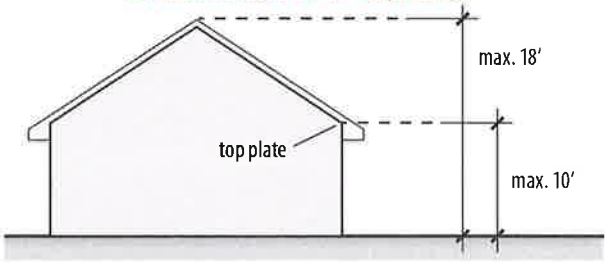
permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-2 zoned residences on all sides.

STAFF COMMENTS:
The applicant is proposing to construct a garage with a second story as shown on the attached exhibits.

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)



detached accessory building

As shown on the attached building plans, the proposed garage will exceed the 18' overall height requirement and will exceed the 1-story requirement. The applicant has requested a **Variance** to allow the detached accessory building exceed 18' in height to allow a overall height of 22'1" and to be 2-stories.

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a detached accessory building to exceed 18 ft. in height to 22ft.-1in. and to exceed 1-story to 2-stories in the rear setback in an RS-2 zoned district (90.090-C)

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

The Board finds that the 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."

FILE COPY

Case No. 20829

Action Requested:

Variance of the side yard requirement in an RS-2 district from 5 ft. to 3.8 ft. (Section 403) to permit residential reconstruction and expansion, located: 2107 East 23rd Street.

Presentation:

Zhuline Phillips, 25127 Stonebridge Parkway, Claremore, Oklahoma, 74019. Before starting this remodel, Ms. Phillips had obtained all the necessary permits and had those plans reviewed by the Board. She stated the plans have not been altered and they have strictly adhered to them. Per the request of the Planning Review Board's request, the lower portion of the addition was moved in to meet the requirement of the 5 ft. setback.

Comments and Questions:

Ms. Stead commented that the applicant had done everything that had been asked even when other requirements were requested. She confirmed with Ms. Phillips that the mechanical units on the east side would be screened.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Henke, Stead, Tidwell, Stephens "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the variance of the side yard requirement in an RS-2 district from 5 ft. to 3.8 ft. (Section 403) to permit residential reconstruction and expansion. The findings for the hardship are that the owner has submitted numerous plans meeting the distances required that they were approved by the City of Tulsa and later questioned, submitted again, later questioned and the Board finds the unnecessary length of construction caused by these events are an unnecessary hardship to the applicant in this case and that the Board accepts the building as constructed in accordance with the site plan on page 6.25. In granting this hardship, the Board finds that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the code would result in further unnecessary hardship, and that such extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district and 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. The owner shall screen the mechanical units on the east side of the following described property:

E1/2 LT 12 & ALL LT 13 BLK 7, BRENTWOOD HGTS, City of Tulsa, Tulsa County, State of Oklahoma

****

..*.*.*.*.*.*.*.*.

Case No. 20708

Action Requested:

Variance of the maximum permitted height from 18 ft. to 24 ft. and from one story to two stories for a detached accessory building located in the required rear yard of a residentially zoned property; and a Variance of the maximum permitted coverage of the required rear yard of 25% by a detached accessory building (Section 210.B.5), located: 2121 East 22nd Place South.

Presentation:

Jack Arnold, 7310 South Yale, Tulsa, Oklahoma, a Registered Architect, represented Hap Fry and Sara Fry. He submitted a sketch and photograph looking south at the lot in question (Exhibits F-2 and F-3). He pointed out the detached garage on the property, on which they plan to build. He noted it is prevalent in this neighborhood to find detached buildings in the rear yard. He explained they plan for it to be a visual and noise buffer from the parking lot of Monte Casino and the trash pick up. The sketch is a profile of the house, parking lot and beyond is a three-story structure that looks down over the house.

Comments and Questions:

Ms. Stead asked about plans for living quarters or other use for second story of the accessory building. Mr. Arnold responded it would have sewer, water, and electricity. He did not object to the condition that it would not be used for rental property.

Robert Fry, 1304 East 18th Street, Tulsa, Oklahoma, stated he and his wife personally went to the neighbors for signatures on the petition. They explained to all and not one neighbor was opposed. They were unable to communicate with someone at Utica Square or at the synagogue. Site plan and elevations are listed as (Exhibits F-14.6 and F-14.17).

Interested Parties:

There were no interested parties who wished to speak.

FILE COPY

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the maximum permitted height from 18 ft. to 24 ft. and from one story to two stories for a detached accessory building located in the required rear yard of a residentially zoned property; and a Variance of the maximum permitted coverage of the required rear yard of 25% by a detached accessory building (Section 210.B.5); finding the location of the property is near institutional property presenting a big hardship; finding these are extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship;

that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; with the provision that the completed second story will never be used for commercial rental property, per the site plan and elevation as shown on pages 14.6 and 14.17 in the agenda packet, on the following described property:

FILE COPY

ALL OF LT 16 & W1/2 OF LT 17 BLK 4, BRENTWOOD HGTS, City of Tulsa, Tulsa County, State of Oklahoma

..*.*.*.*.*.*.*.*.

Case No. 20709

Action Requested:

Special Exception to permit the restoration of a legal non-conforming structure (non-conforming as to front, side, and rear yards, and livability space) in the RS-3 district (Section 1405.B), located: 1807 East 16th Street South.

Presentation:

Dave Dankard, 2425 South Dogwood, Broken Arrow, Oklahoma, stated he has a Certificate of Appropriateness from the Historical Society (Exhibit G-2). This house was burned down during the ice storm, which they plan to rebuild where the structure was located (Exhibit G-1).

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 **APPROVE** a Special Exception to permit the restoration of a legal non-conforming structure (non-conforming as to front, side, and rear yards, and livability space) in the RS-3 district (Section 1405.B), per plan submitted as shown on page 15.9 in the agenda packet; 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; noting the applicant has provided an approved Certificate of Appropriateness from the TPC,

On **Amended Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit the restoration of a legal non-conforming structure (non-conforming as to front, side, and rear yards, and livability space) in the RS-3 district (Section 1405.B), per plans submitted as shown on pages 15.9 and 15.11 in the agenda packet; 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; noting the applicant has provided an approved Certificate of Appropriateness from the TPC, on the following described property:

Feet
0 200 400

Subject Tract

BOA-22576

19-13 18

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

Aerial Photo Date: February 2018

N

7.8

Feet
0 50 100

Subject Tract

BOA-22576

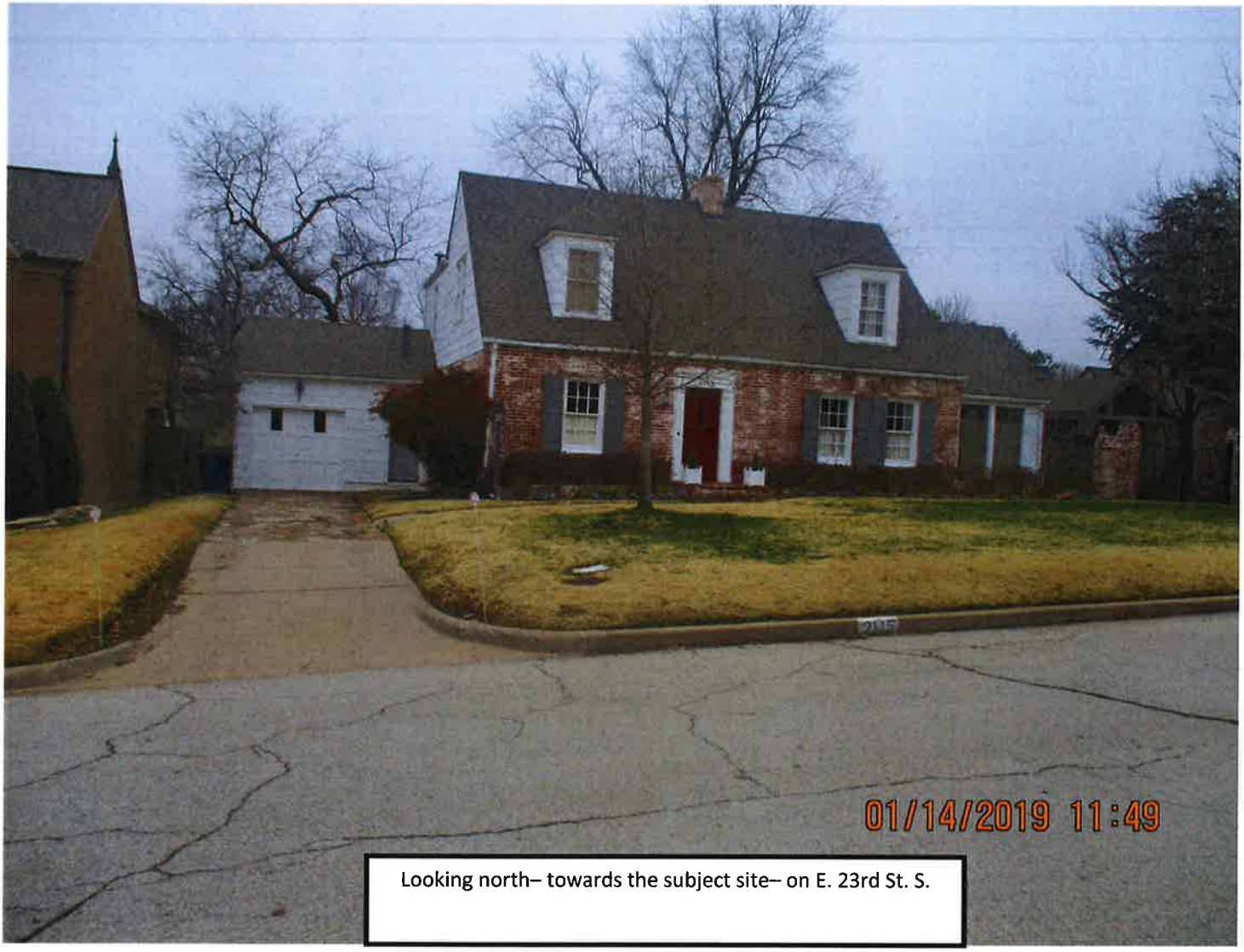
19-13 18

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

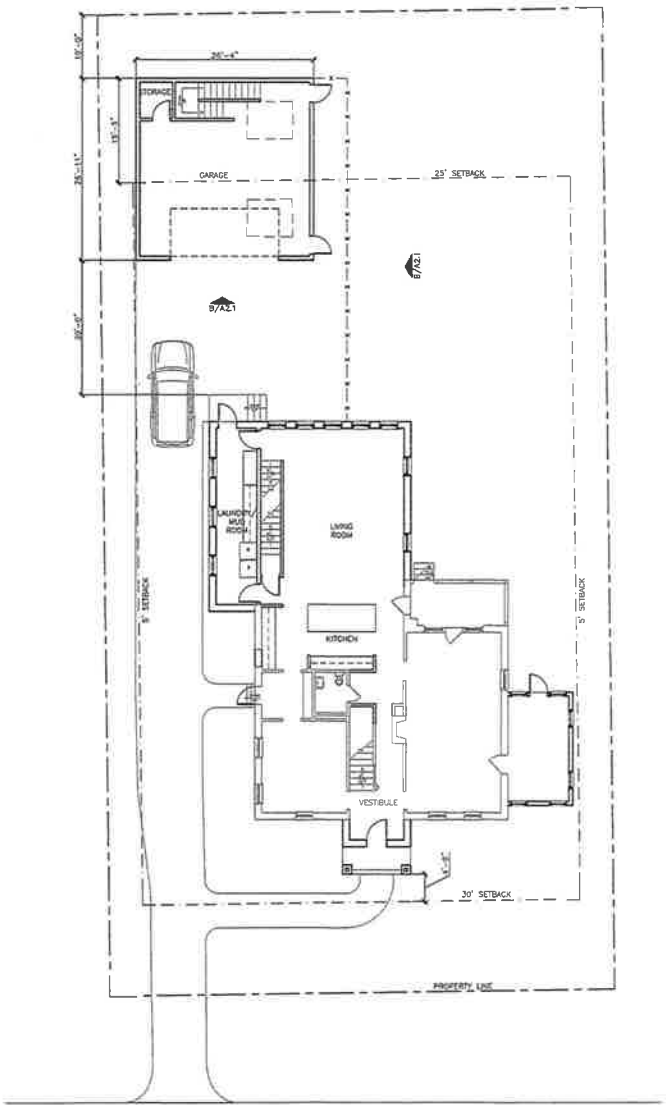
Aerial Photo Date: February 2018

N

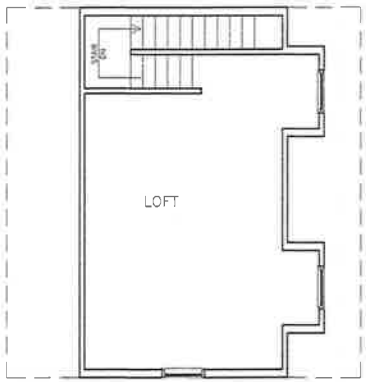
7.9



Looking north– towards the subject site– on E. 23rd St. S.



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



B **2 CARGARAGE SECOND FLOOR PLAN**
SCALE: 1/4" = 1'-0"

FLOOR PLAN LEGEND:

- ROOM NAME / ROOM NUMBER
- EXISTING WINDOW
- EXISTING DOOR
- EXISTING WOOD STUD AND GYPSUM BOARD WALL
- NEW WOOD STUD AND GYPSUM BOARD WALL
- NEW WINDOW RE: WINDOW TYPES
- NEW DOOR RE: DOOR SCHEDULE

BOA - 22576

7.11

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

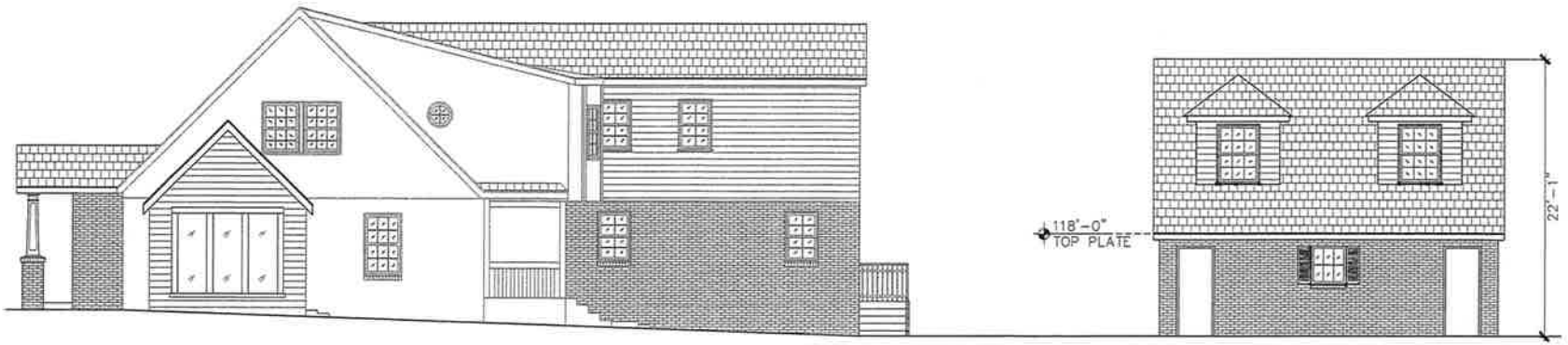
EDWARDS RESIDENCE ADDITION
ELLEN EDWARDS
2115 E 23RD STREET
TULSA, OK

ARCHITECTURAL SEAL

SCALE
FILE NAME
MANAGER
DRAWN BY
DATE

SITE PLAN
A1.0

7.12



A **EXTERIOR ELEVATION- SIDE**
SCALE: 1/8" = 1'-0"

B **EXTERIOR ELEVATION- GARAGE FRONT**
SCALE: 1/8" = 1'-0"

BOA-22576

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

EDWARDS RESIDENCE ADDITION
ELLEN EDWARDS
2115 E 23RD STREET
TULSA, OK

ARCHITECTURAL SEAL

SCALE :
FILE NAME :
MANAGER : MK
DRAWN BY : RB
DATE : 10-19-18

EXTERIOR ELEVATIONS
A2.1

Ulmer, Amy

From: Brandon Bissram <Brandon.Bissram@kingarchitecturalsolutions.com>
Sent: Wednesday, January 09, 2019 1:30 PM
To: Ulmer, Amy
Subject: RE: BOA-22576

Amy,
The areas are as listed below. We doing an addition to the existing residence as well as adding the detached garage.

Existing Residence : 1st story – 1372 sq. ft.
2nd story – 1298 sq. ft.

Addition to residence: 1st story – 713 sq. ft.
2nd story – 713 sq. ft.

Detached garage: 1st story – 648 sq. ft.
2nd story – 413 sq. ft.

Please let me know if you have any other questions.

Thank You

From: Ulmer, Amy <aulmer@incog.org>
Sent: Wednesday, January 9, 2019 12:50 PM
To: Matt King <matt.king@kingarchitecturalsolutions.com>
Subject: BOA-22576

Hello,

I have one questions regarding your Board of Adjustment (#BOA-22576) application. How many total square feet is the principal residence? Let me know if you have any questions.

Amy Ulmer | Land Development Planner
2 West Second Street, Suite 800
Tulsa, OK 74103
918.579.9437
918.579.9537 fax
aulmer@incog.org

INCOG
Regional Partners — Regional Solutions

7.13

WAIVER OF LETTER OF DEFICIENCY REQUIREMENT

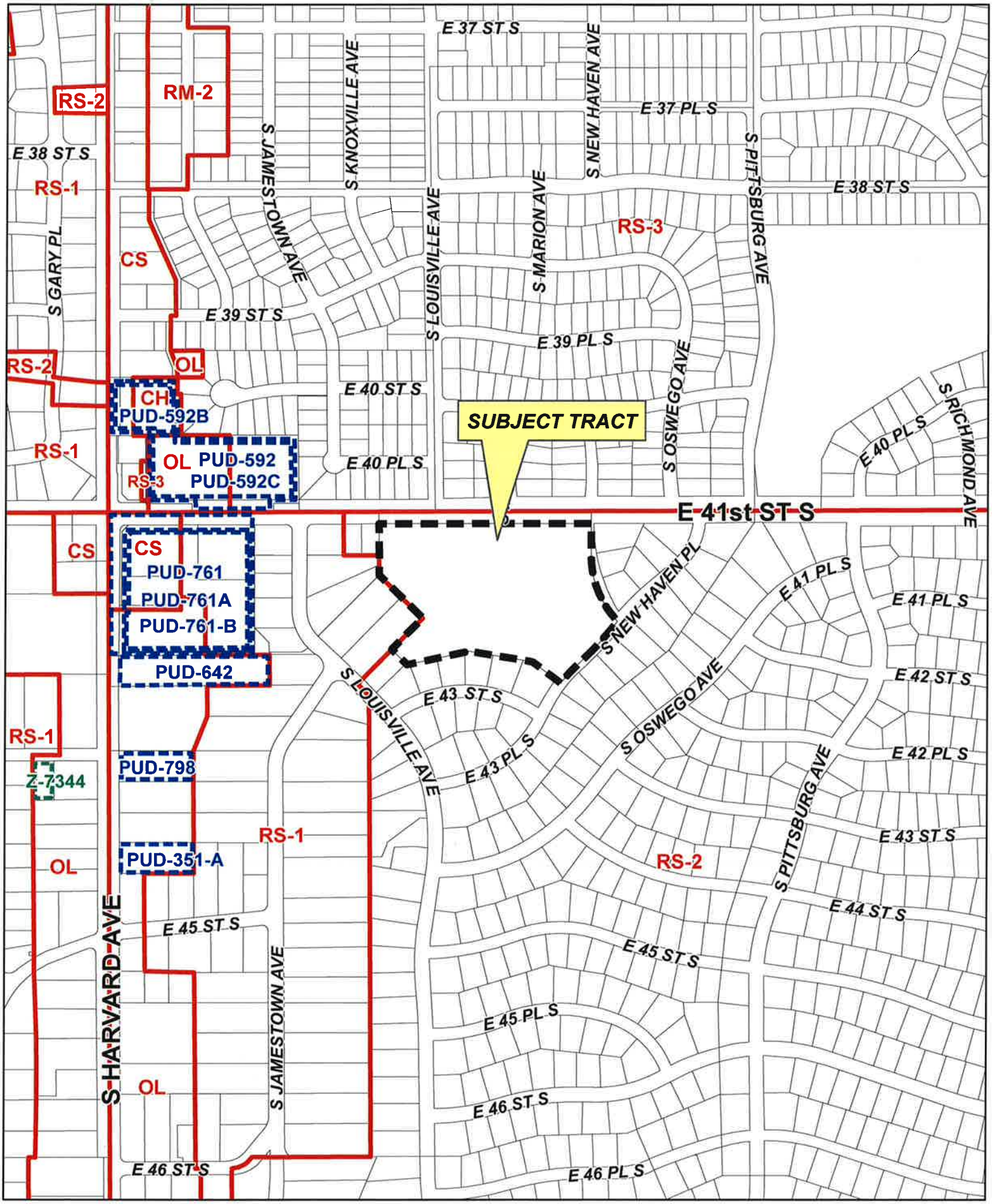
If the Board staff waives the requirement that an LOD accompany an application to the Board, the Applicant is responsible for requesting all necessary relief and for citing the sections of the Zoning Code pertinent to the relief sought. (The waiver of the requirement that an LOD accompany an application to the Board shall not be considered a waiver of the necessity to apply for a building permit or a zoning clearance permit, as may be required by the particular proposed use or construction.) In the event that the applicant does not request all necessary relief, additional BOA action may be required resulting in significant delays during the building permit process.

I hereby certify that I have read and understand the above requirements and that I will have the LOD requirement waived for the subject property in case number: _____.

Applicant's Signature

12/20/10

Date



BOA-22577

19-13 28

8.1

BOARD OF ADJUSTMENT
CASE REPORT

STR: 9328
CZM: 47
CD: 9
A-P#:

Case Number: **BOA-22577**

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Special Exception to permit a dynamic display sign to be located within 200 ft of an R district (Section 60.100-F);Special Exception to allow a dynamic display sign to be located in an RS-2 district (Section 60.050-B.2)

LOCATION: 3820 E 41 ST S

ZONED: RS-2

PRESENT USE: school

TRACT SIZE: 466342.2 SQ FT

LEGAL DESCRIPTION: PT NE NW & NW NW BEG 50S & 670W NEC NE NW TH W865 S262.13 SE 250 SW180 SE88 NE258 SE262.57 SE 145 NE307.54 TH CRV LEFT POB SEC 28 19 13,

RELEVANT PREVIOUS ACTIONS:
None relevant.

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

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

The 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 exist 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 abuts RS-2 zoned residences to the east and south; RS-1 zoned residences to the west; E. 41st St. S. is immediately to the north.

STAFF COMMENTS:
According to the submitted exhibits, the proposed freestanding sign along E. 41st St. S. will contain a 23.25 sq. ft. dynamic display sign.

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.

The applicant is requesting a **Special Exception** to allow a dynamic display sign to be located in an RS-2 district (Section 60.050-B.2) for Patrick Henry Elementary school.

Dynamic displays may not be located within 200 feet of any of the following: (1) an R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R and AG districts if approved through the special exception process. The applicant has also requested a **Special Exception** to permit a dynamic display to be located within 200 ft. of an R district. It appears the proposed sign falls within 200 ft. of the RS-3 district to the north.

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to permit a dynamic display sign to be located within 200 ft of an R district (Section 60.100-F);a **Special Exception** to allow a dynamic display sign for a school to be located in an RS-2 district (Section 60.050-B.2)

- 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.

Feet
0 250 500

Subject Tract

BOA-22577

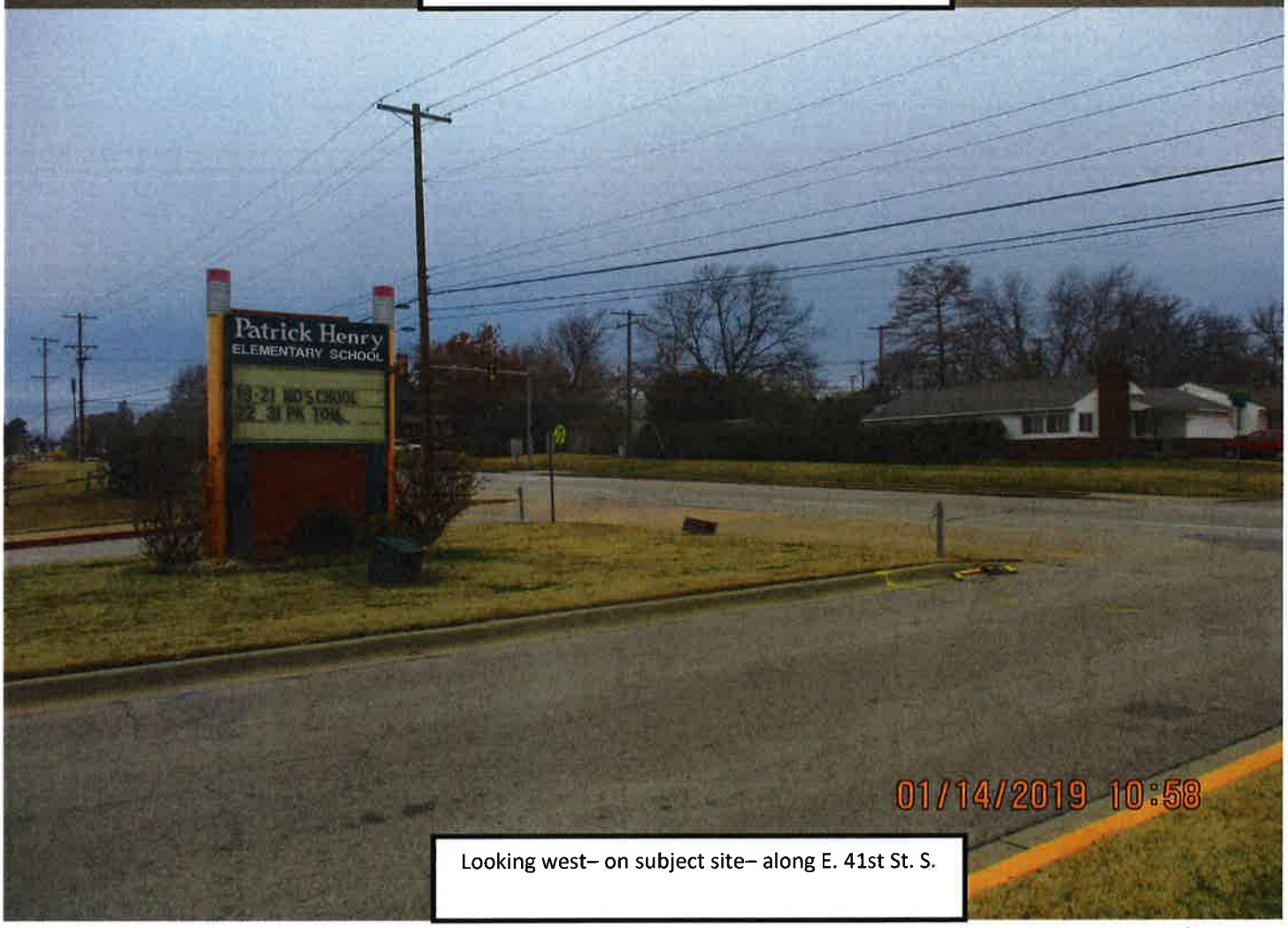
19-13 28

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

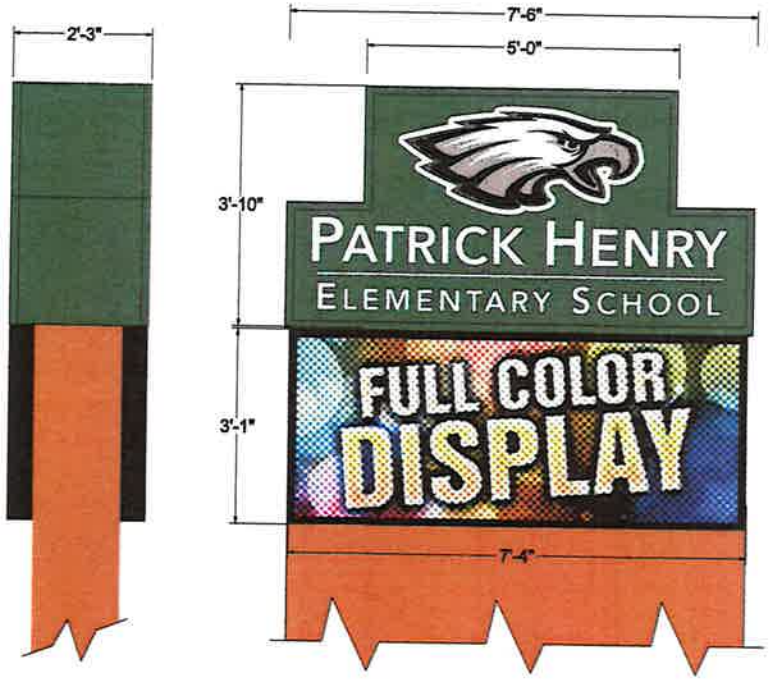
Aerial Photo Date: February 2018

8.4

Looking west– on subject site– along E. 41st St. S.



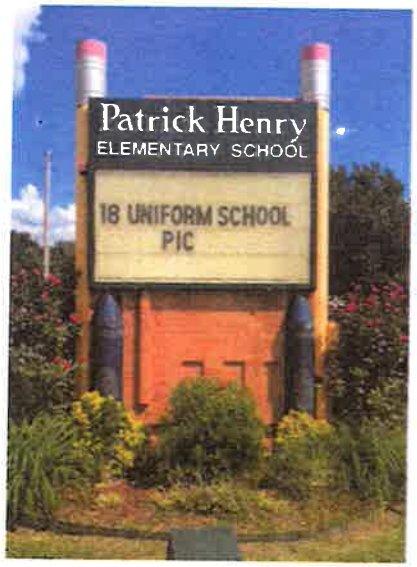
Looking west– on subject site– along E. 41st St. S.



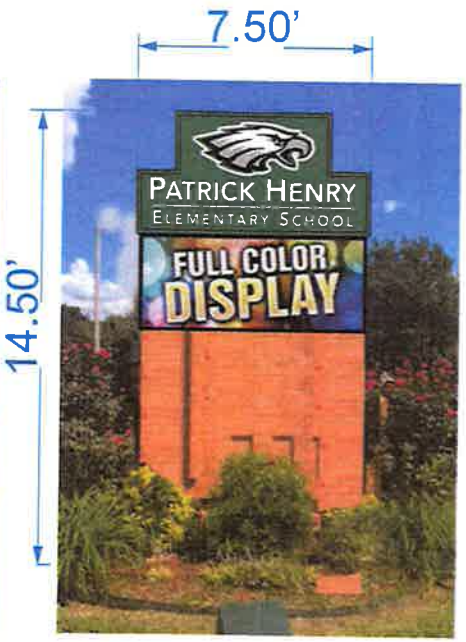
1.0 REFURBISH EXISTING DF MAIN ID SIGN

SCALE: 1/2" = 1'

- (A) Remove Existing "Pencil" and "Crayon" Accents
- (B) New Fabricated Sign Cabinet. 1-1/2" PF Ivy Green Retainers/Filler. White Acrylic Face with 3M Translucent Green Vinyl Background Dual Layer Digital Print "Eagle" Logo. White LED Illumination
- (C) New RGB LED Wireless Programmable Message Center
- (D) Existing Brick Structure. Survey Required After Old Cabinet Removal Due to Irregular Surface Accents in Structure



EXISTING
SCALE: 1/4" = 1'



PROPOSED
SCALE: 1/4" = 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.
www.amaxsign.com
9520 E. 55th Place
Tulsa, Oklahoma 74145
ph. (918) 622-0651 fax. (918) 622-0659

QUALITY VALUE ASSURANCE

SCALE: As Shown WHEN PRINTED 11 x 17
DATE: 09-19-18
FILE: Refurbish DF
SALES REP: Bruce Anderson
DRAWN BY: BB

PROJECT: Patrick Henry Elementary
LOCATION: Tulsa, OK
ADDRESS: 3820 E. 41st
CLIENT APPROVAL SIGNATURE & DATE:

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.

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

This drawing is the property of A-Max Sign Co., and should not be copied, reproduced, or displayed in any fashion other than for the purchase of the product(s) depicted here.
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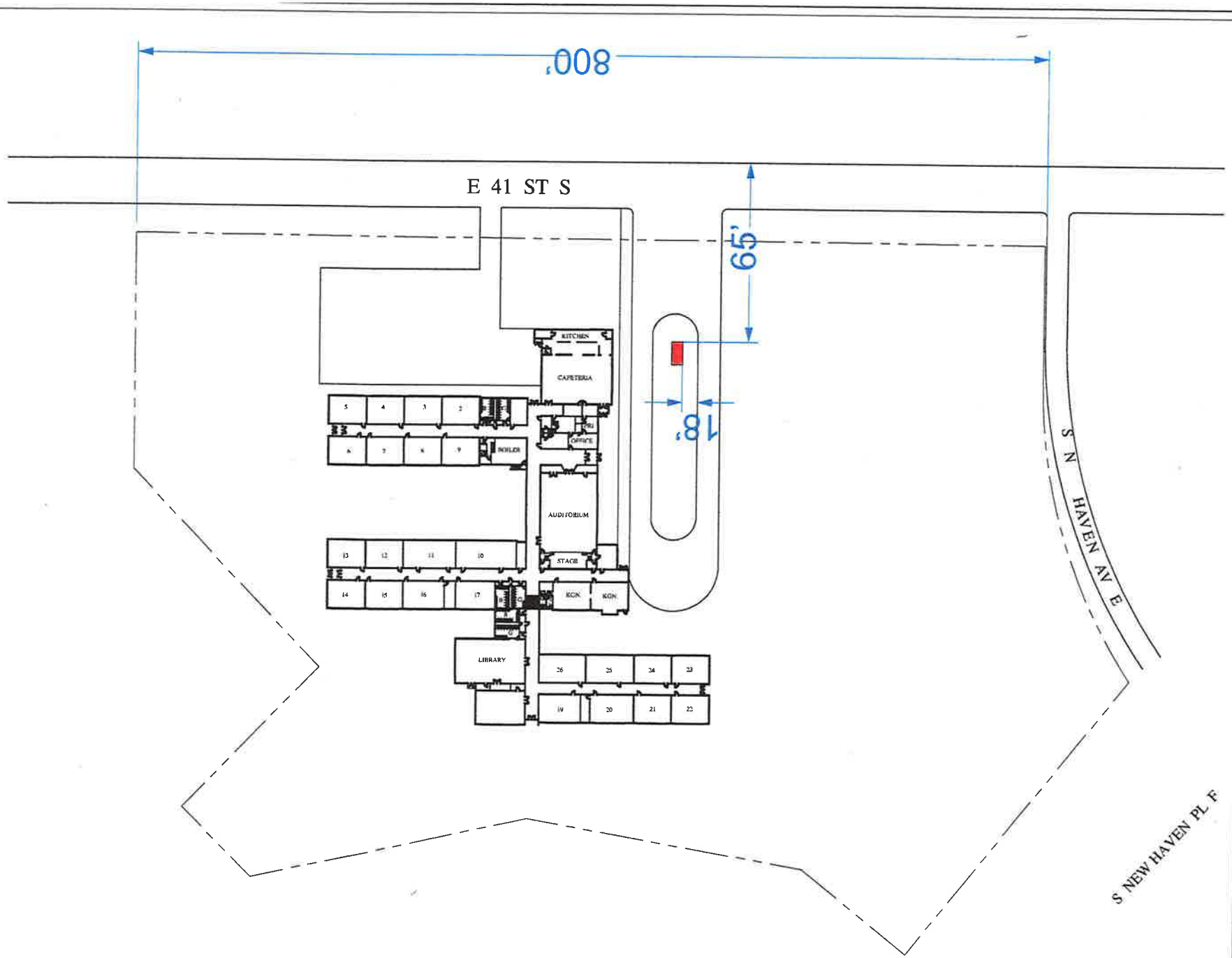
© A-Max Sign Company, 2018

FINAL APPROVAL FOR PRODUCTION

Project Manager:

SHEET NUMBER 1

DWG 091918-25



SITE PLAN
NO SCALE

TULSA PUBLIC SCHOOLS
INDEPENDENT SCHOOL DISTRICT NUMBER 1

8.7

PATRICK HENRY ELEMENTARY

3820 EAST 41 STREET

NO SCALE
DATE: 01/30/06
DRAWN BY:TPS
FILE NO. 9328

SHEET 1 OF 1

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

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

SIGN PLAN REVIEW

December 19, 2018

LOD Number: 1

Amax Sign Co
5520 E 55th Place
Tulsa OK 74145

Phone:(918)622-0651

APPLICATION NO: **SIGN-20176** (*PLEASE REFERENCE WHEN CONTACTING OUR OFFICE*)
Location: **3820 E 41st Street**
Description: **Patrick Henry Elementary School/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-020176 3820 E. 41st Street December 19, 2019

This letter of deficiencies covers Sign Plan Review items only.

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

1.) Section 60.050 Signs in R and AG Zoning Districts

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

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

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

Review Comments: The proposed freestanding sign with a 23.25 sq. ft. dynamic display is located in an RS-3 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

2.) Section 60.100 Dynamic Displays

1.) 60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R and AG districts if approved through the special exception process.

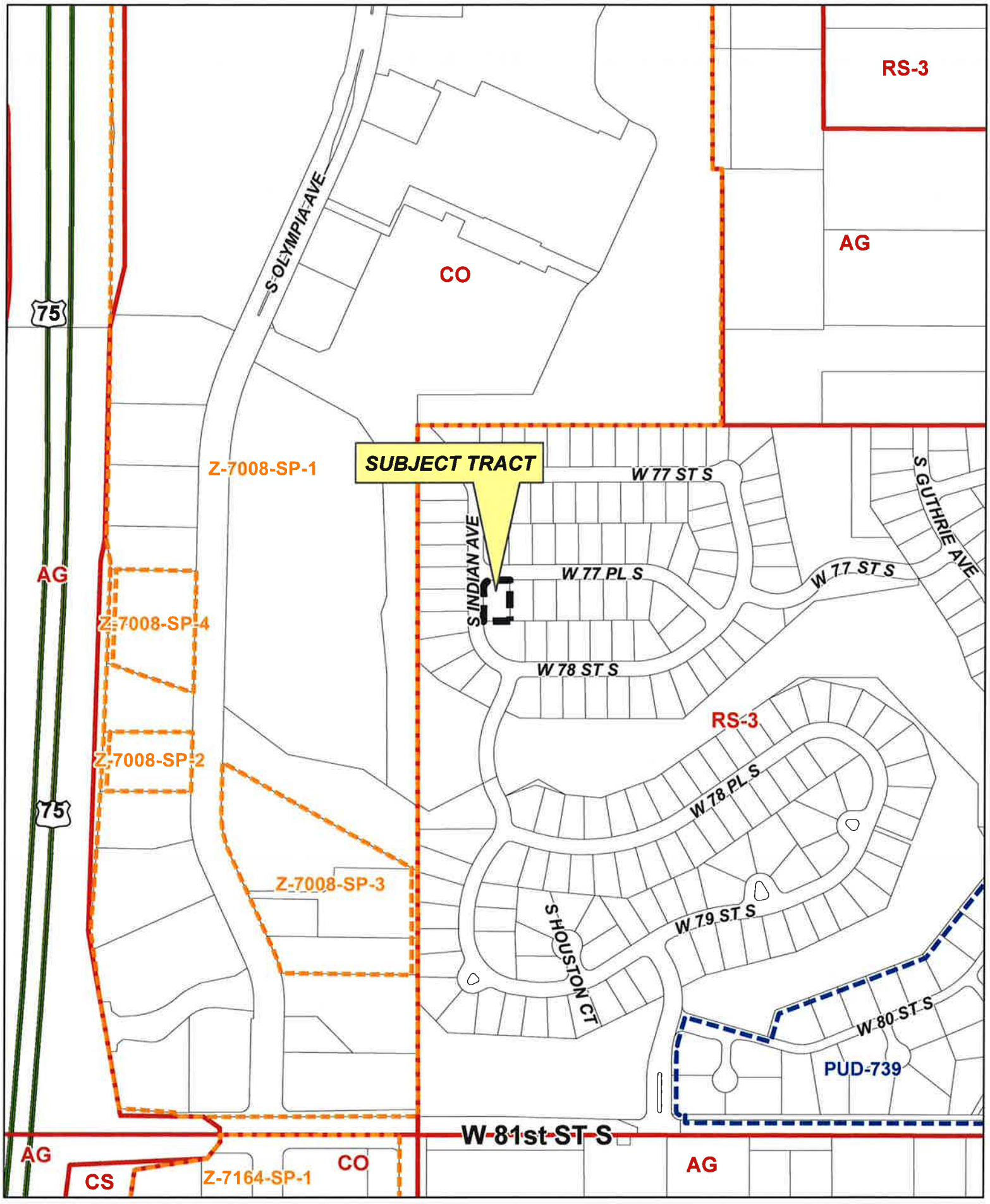
Review Comments: The proposed dynamic display sign appears to be located within 200 feet of an RS-3 Residential zoning district to the North. You may pursue a special exception from the BOA to permit a digital sign (dynamic display) to be located within 200 feet of an RS-3 zoning district.

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.


RS-3
AG
CO
S OLYMPIA AVE
75
SUBJECT TRACT
Z-7008-SP-1
W 77 ST S
S INDIAN AVE
S GUTHRIE AVE
W 77 PL S
W 77 ST S
AG
Z-7008-SP-4
W 78 ST S
RS-3
Z-7008-SP-2
75
W 78 PL S
Z-7008-SP-3
S HOUSTON CT
W 79 ST S
W 80 ST S
PUD-739
W 81st ST S
AG
AG
CS
Z-7164-SP-1
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Feet
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200
400
BOA-22578
18-12 11
9.1
N

BOARD OF ADJUSTMENT
CASE REPORT

STR: 8211
CZM: 51
CD: 2
A-P#:

Case Number: **BOA-22578**

HEARING DATE: 01/22/2019 1:00 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: Special Exception to exceed the allowable driveway width within the right-of-way and within the street setback (Sec. 55.090-F.3).

LOCATION: 676 W. 77th Pl. S.

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 11486.82 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 4, STONEBROOKE GLENN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-20458; on 4.12.05 the Board **approved** a *Variance* of the maximum coverage of an unenclosed off street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages (Section 1303.D) and this approval applies to the entire Stonebrooke Glenn Addition, finding that marketing trends have changed since the zoning code was established and that this is an exceptional circumstance; on property located west of S. Guthrie Av. and W. 77th St.

Surrounding Property:

BOA-20888; on 4.24.07 the Board **approved** a *Variance* of the maximum coverage of an unenclosed off street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages (Section 1303.D), and this approval applies to the entire Stonebrooke Glenn Addition, finding that marketing trends have changed since the zoning code was established and that this is an exceptional circumstance; on property located west of S. Guthrie Av. and W. 77th St.

BOA-20016; on 4.12.05 the Board **approved** a *Variance* of the maximum coverage of an unenclosed off-street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages with a hardship, finding it applies to the whole subdivision; located throughout StoneBrooke Park just to the east of this developing subdivision.

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 residences on all sides.

STAFF COMMENTS:

On September 18, 2018 the below driveway width amendment to the City of Tulsa Zoning Code became effective:

55.090-F Surfacing

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.123, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-I.2. (Refer to City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Maximum Driveway Width

Lot Frontage	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

In case #BOA-20458, the Board **approved** a *Variance* of the maximum coverage of an unenclosed off street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages. This approval included the subject tract and several lots in the Stonebrooke Glenn Addition.

As shown on the attached exhibit, the lot has ± 61 ft. of frontage on W. 77th Pl. S. As shown in the attached minutes for #BOA-20458, the applicant is allowed by right a driveway width of 30' within the right-of-way and 30' within the street setback. The applicant is before the Board requesting a **Special Exception** to allow a driveway width of 36'-2" in the right-of-way and in the street setback.

Sample Motion

Move to _____ (approve/deny) a Special Exception to exceed the allowable driveway width within the right-of-way and within the street setback from 30' to 36'-2" (Sec. 55.090-F.3).

- 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.

Exception to permit a carport in the required front yard in an RS-3 (Section 210.B.10); Variance of the side yard setback for a carport to .5 ft. (Section 210.B.10.b); and a Variance of the height of a carport, finding a lack of hardship and finding it would be harmful to the neighborhood, on the following described property:

N.60 LT 7, PEEBLES SECOND ADDN, City of Tulsa, Tulsa County, State of Oklahoma

****

UNFINISHED BUSINESS

Case No. 20458

Action Requested:

Variance of the maximum coverage of an unenclosed off street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages (Section 1303.D), located: West of South Guthrie Avenue and West 77th Street.

Presentation:

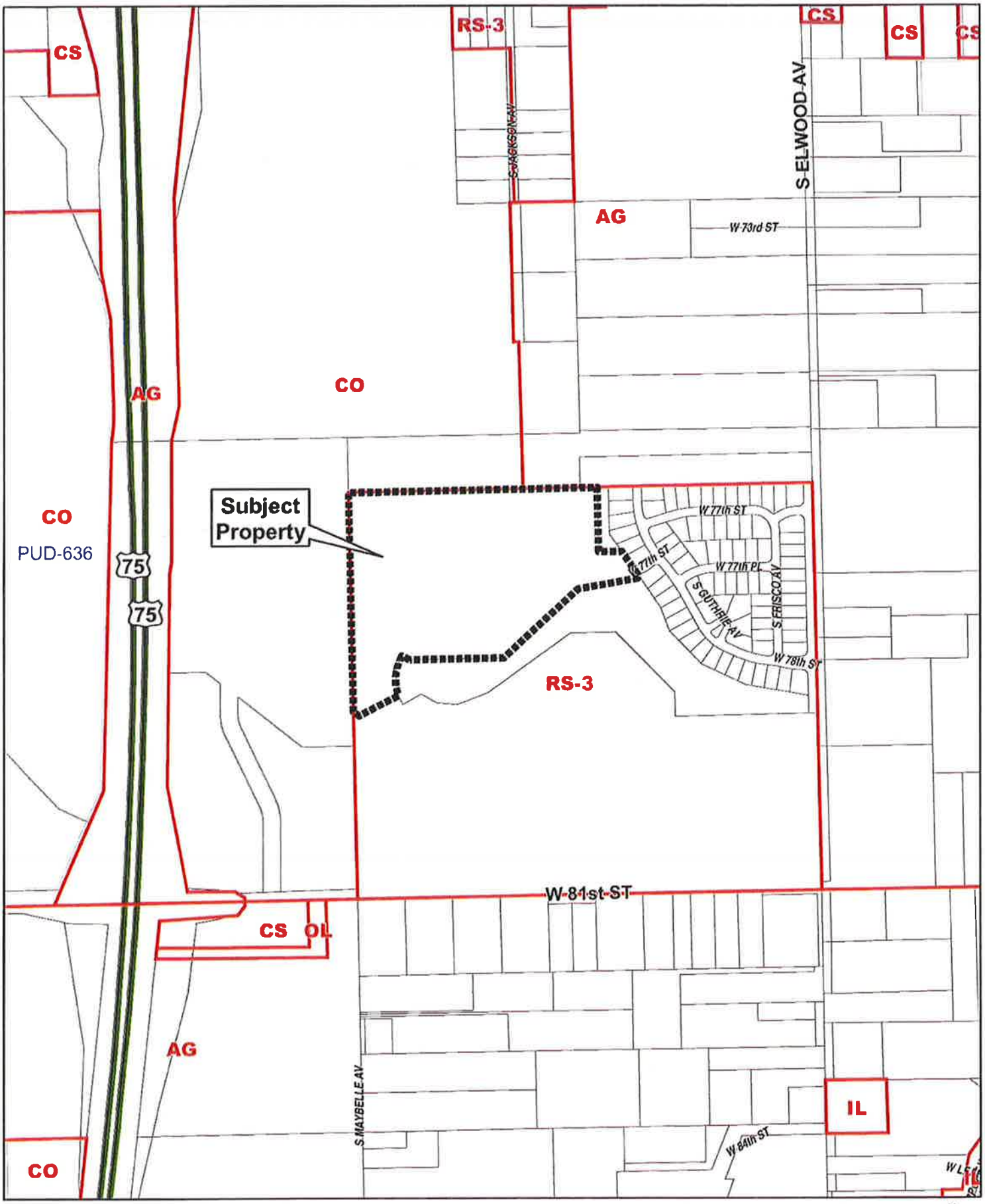
Randy Branstetter, 802 West Main, Jenks, Oklahoma, stated the subdivision they are developing is 141 acres. In Phase II of this development, the houses will range in value from $350,000 to $450,000. This market is demanding a three-car garage. He noted the Board approved a variance of the exact same nature for Phase I.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the maximum coverage of an unenclosed off street parking area in the required front yard in an RS-3 district to permit 30 ft. wide driveways for 3 car garages (Section 1303.D), and this approval applies to the entire Stonebrooke Glenn Addition, finding the marketing trends have changed since the zoning code was established and that this is an exceptional circumstance; and finding the literal enforcement of the terms of the code would result in an unnecessary hardship, and that such extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district; finding it 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:



BOA-20458

18-12 11

9.6

above referenced conflicting use be constructed prior to liquor store, on the following described property:

W165 S264 LT 2 BLK 1, AVIATION VIEW SUB, City of Tulsa, Tulsa County, State of Oklahoma

****

Case No. 20888

Action Requested:

Variance of the maximum coverage of an unenclosed off-street parking area in the required front yard in an RS-3 district (Section 1303.D) to permit driveways for 3 car garages, located: North of West 81st Street South and South Houston Avenue.

Presentation:

Randy Branstetter, 802 West Main, Jenks, Oklahoma, stated the request for a variance is for the entire Stonebrook Estates (Exhibits E-1 and E-2).

Interested Parties:

There were no interested parties who wished to speak.

FILE COPY

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the maximum coverage of an unenclosed off-street parking area in the required front yard in an RS-3 district (Section 1303.D) to permit driveways for 3 car garages, finding marketing trends and increased automobile use has changed since the zoning code was enacted; the variance applies to the entire Stonebrook Estate, as shown on pages 7.6 and lot example on 7.7 of the agenda; and creating driveways no more than 30 ft. in width; in granting this variance the Board finds these 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, on the following described property:

All Lots and Blocks, Stonebrook Estates, City of Tulsa, Tulsa County, State of Oklahoma

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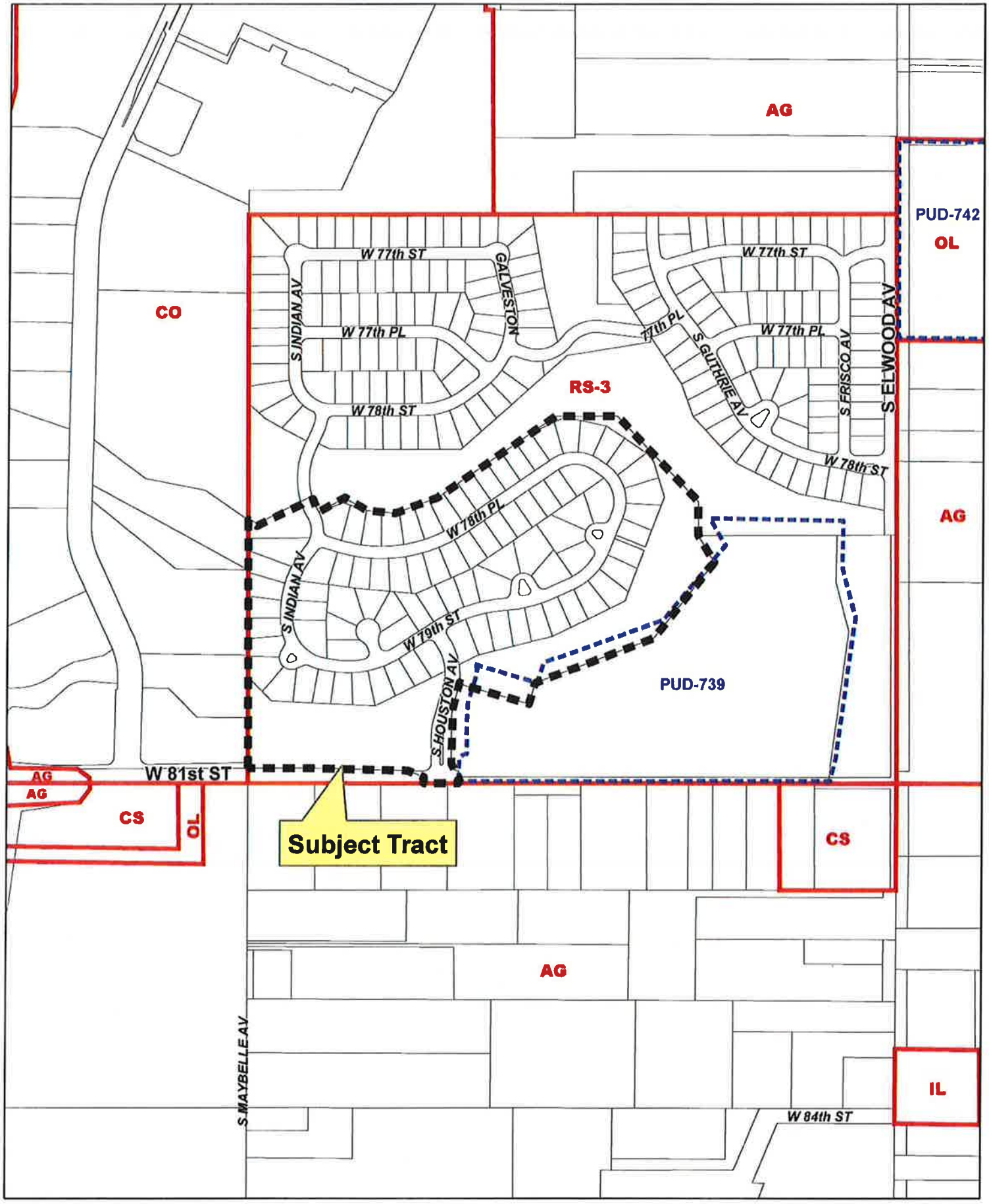


Feet
0 250 500

BOA-20888

18-12 11

N

9.8

noted the suggestion to rotate the new structure and it would not require any relief but it would block all of the windows and back door on the west side of the duplex.

Interested Parties:

Maria Barnes, 2252 East 7th Street, stated she is the President of the Kendall-Whittier Neighborhood Association. She was in agreement with the three-foot side yard. As long as the new structure is used for the purposes as presented they are in support of the application and no commercial use. The applicant has discussed it with the neighbors.

Board Action:

On **Motion** of **Stead**, the Board voted 3-0-0 (Dunham, Stead, Stephens "aye"; no "nays"; no "abstentions"; Paddock, Henke "absent") to **APPROVE** a **Variance** of the required 10 ft. setback from the side yard in an RM zoned district to 3 ft.; and a **Variance** of the required 20 ft setback from the rear yard to 5 ft. for an accessory building (40 ft. x 25 ft. garage and family game room), that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such 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, on the following described property:

LOT 8, T D EVANS, GENE SHAW'S SUB B11 T D EVANS ADDN, DR C O HOOD'S SUB, City of Tulsa, Tulsa County, State of Oklahoma

****

Case No. 20016

Action Requested:

Variance of the maximum coverage of an unenclosed off-street parking area in the required front yard in an RS-3 zoned district to permit 30 foot wide driveways for 3-car garages. 1303.D, SW/c of 77th St. and S. Elwood Ave.

Presentation:

Randy Branstetter, 4313 East 101st Place, stated he is the Manager of Stonebrook Development Group, LLC. They have about 141 acres at 77th and Elwood. Stonebrook Park is the first phase with eighty lots. There is a 35-acre greenbelt park for recreation. It was rezoned to RS-3, which allows 60 ft.-wide lots. In this first phase 82% of the lots are 70 ft. wide. They plan for three-car garages. He stated the hardship would be that the market conditions have changed since this portion of the code was adopted. He pointed out that even in smaller houses buyers are wanting three-car garages and smaller yards. Some developments are making 26' to 30' wide driveways.

FILE COPY

Comments and Questions:

Ms. Stead asked about houses on Elwood and accesses. Mr. Branstetter replied there would be no houses on Elwood and two accesses into the subdivision from Elwood. He added that they will be constructing a full masonry wall of brick with stone columns along 1200 ft. of Elwood.

Interested Parties:

Dustin Wright, 111 South Greenwood, with Tulsa Zoning Plans Review, stated that the driveways are figured by the width of the lot, according to the zoning code. On the 60' wide lot a 20.4' driveway would be allowed. The applicant is asking for a driveway as wide as the garage doors.

Mr. Wright indicated that this will probably be a recurring request. He suggested a re-evaluation of this provision of the code.

Board Action:

On **Motion** of **Stephens**, the Board voted 3-0-0 (Dunham, Stead, Stephens "aye"; no "nays"; no "abstentions"; Paddock, Henke "absent") to APPROVE a **Variance** of the maximum coverage of an unenclosed off-street parking area in the required front yard in an RS-3 zoned district to permit 30 foot wide driveways for 3-car garages with a hardship, finding that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, the literal enforcement of the terms of the Code would result in unnecessary hardship; 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, and applies to the whole subdivision, on the following described property:

Stonebrooke Park Addition, City of Tulsa, Tulsa County, State of Oklahoma

..*.*.*.*.*.*.*.*.

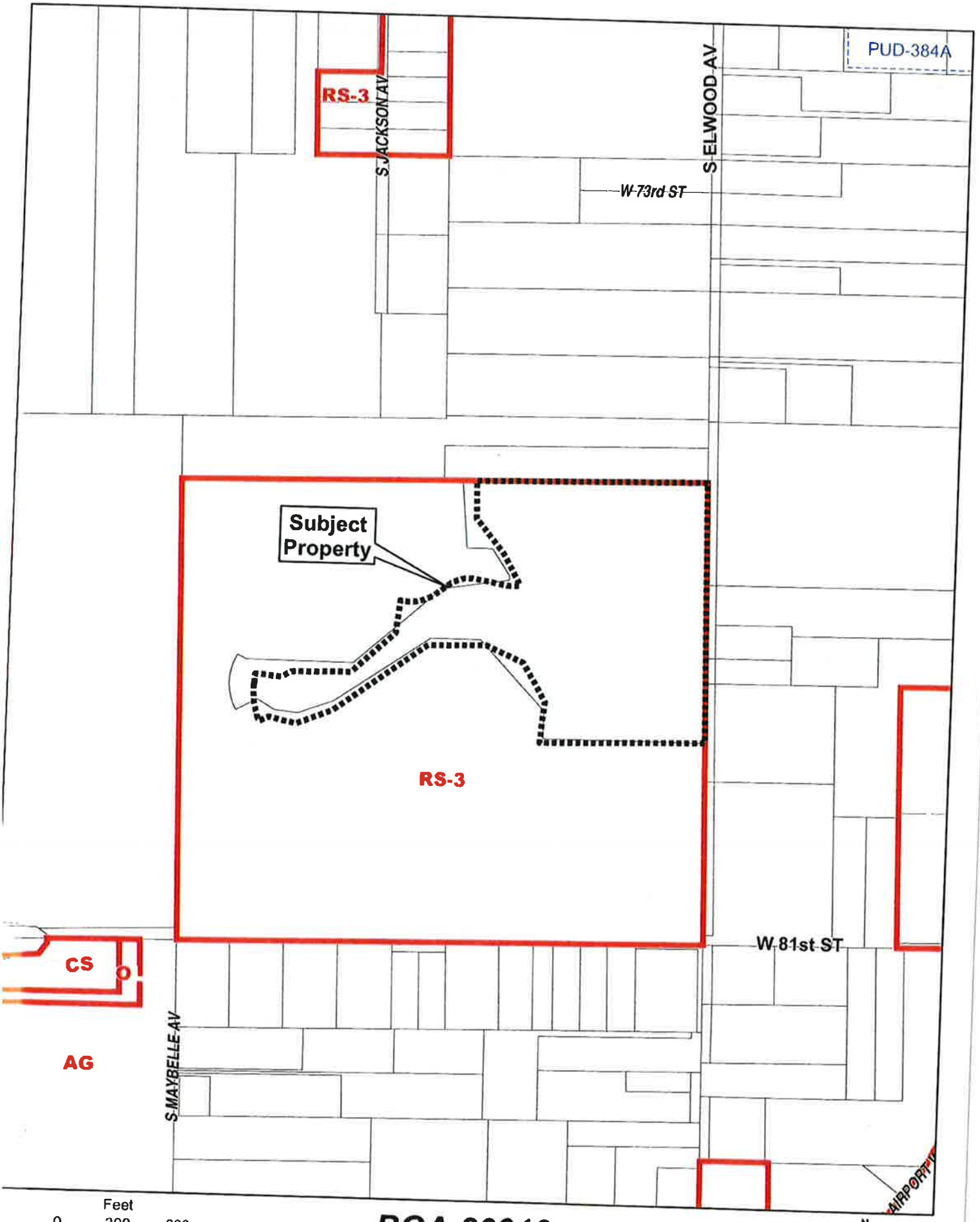
Case No. 20018

Action Requested:

Variance of the single-story limitation for multifamily dwellings within 50 feet of an RS district to allow a two story multifamily dwelling in an RM-2 district; and a Variance of the 10 ft side yard setback on the south side of Lot 21, 1935 S. Cheyenne Av. W.

Presentation:

Ken Schmidt, 4554 South Harvard, stated this property is composed of three lots, Lots 20, 21 and 22. The applicant intends to build something consistent with RM-2, probably a two-story, multi-family dwelling.



BOA-20016

8211

9.11

Feet
0 200 400

Subject Tract

BOA-22578

18-12 11

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

Aerial Photo Date: February 2018

N

9.12

Feet
0 50 100

Subject Tract

BOA-22578

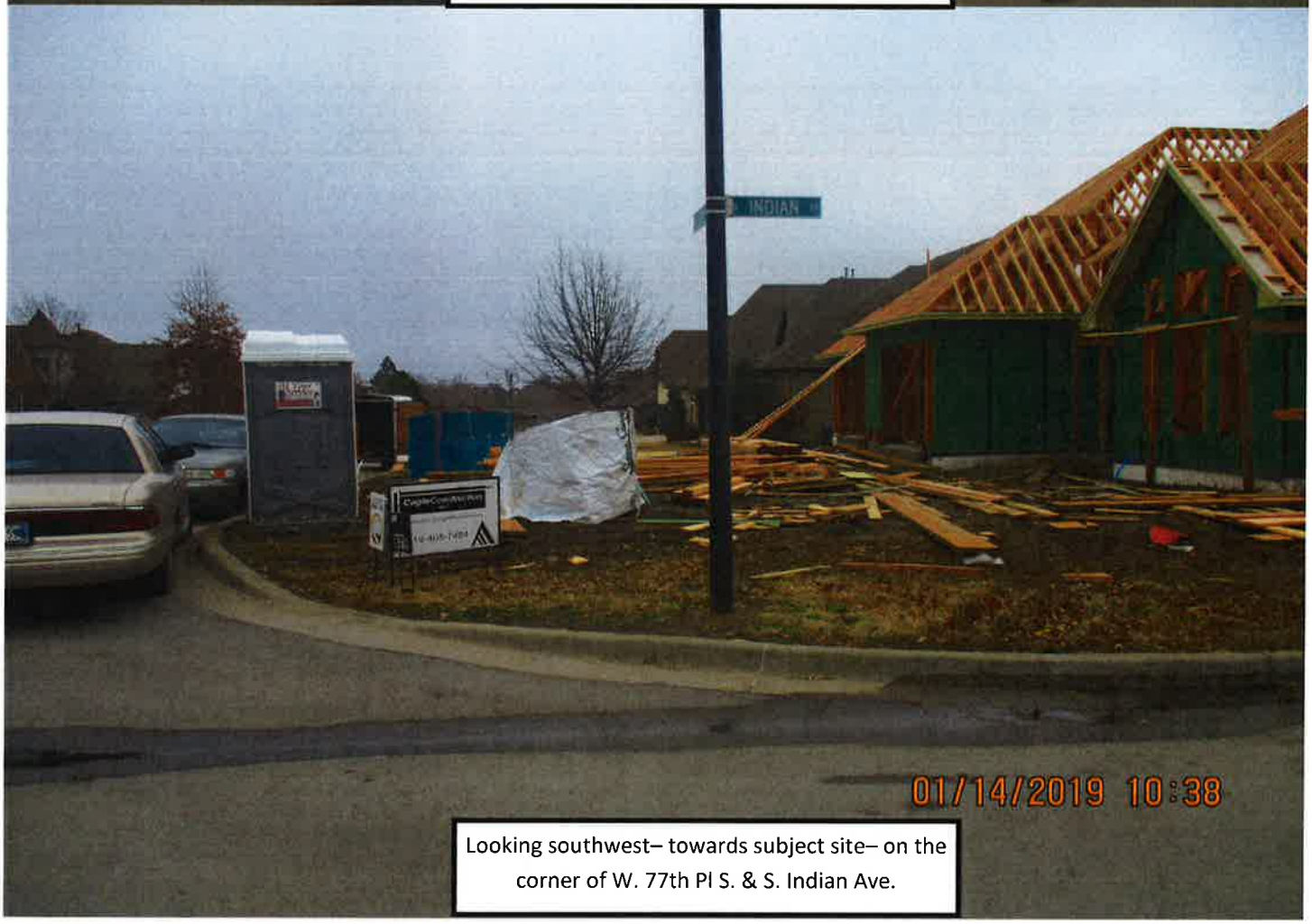
18-12 11

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

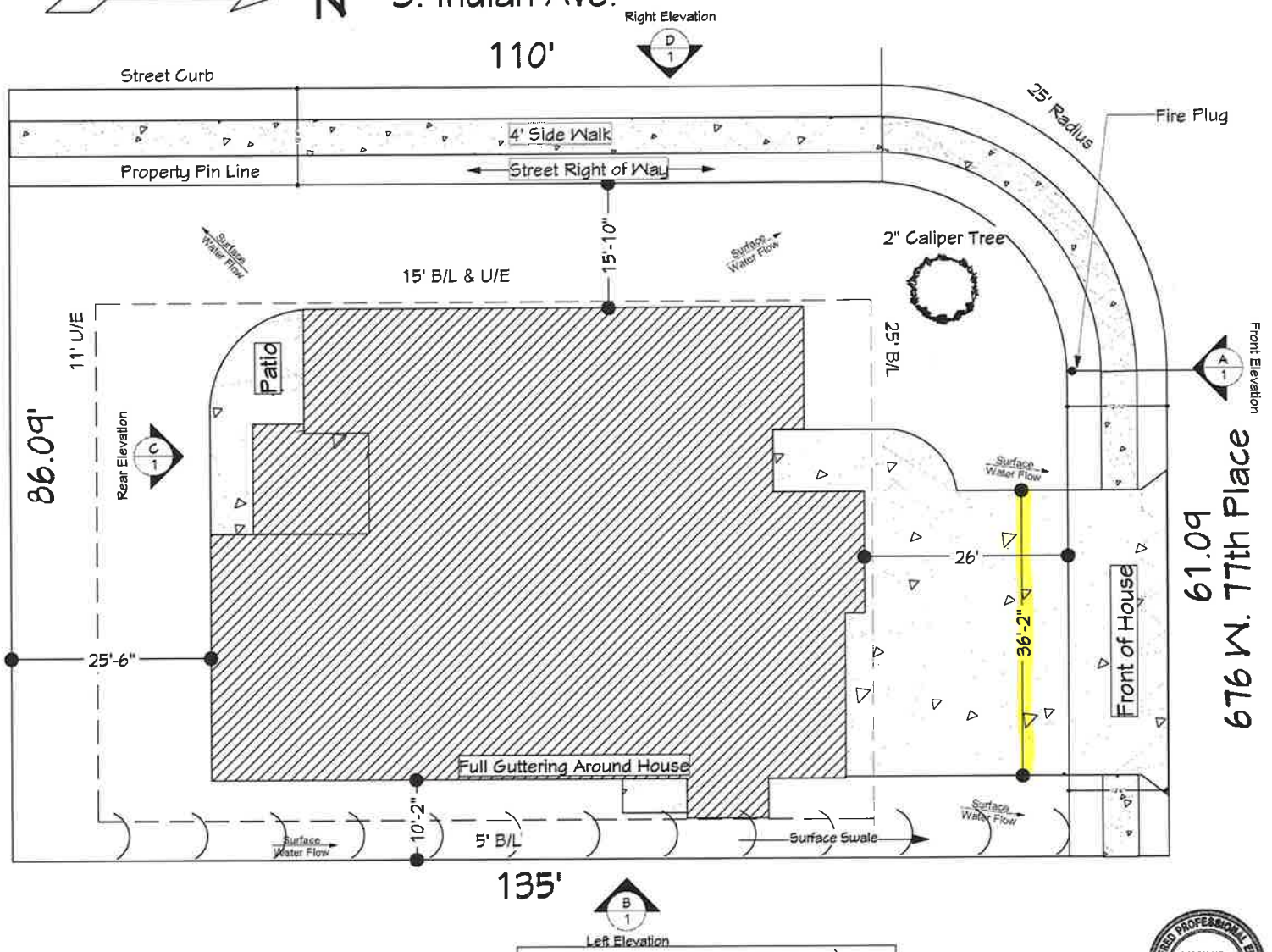
Aerial Photo Date: February 2018

9.13

Looking southwest– towards subject site– on the corner of W. 77th Pl S. & S. Indian Ave.



Looking southwest– towards subject site– on the corner of W. 77th Pl S. & S. Indian Ave.



Mike & Sherry Haechen
676 W. 77th Place S.
Lot 1, Blk 4 StoneBrook Glenn
Tulsa, OK 74132

Cagle Design/Build
918-408-7484

Scale: 1" = 20'-0:

REGISTERED PROFESSIONAL ENGINEER
LARRY LYNN CAGLE
10488
OKLAHOMA

Larry Cagle
12/5/2018

Design By:
Larry Cagle

1

Exhibit "A"

Applicant requests a Special Exception from Section 55.090-F.3 of the Tulsa Zoning Code (the "Code") to permit a residential driveway that is 36'-2" wide in an RS-3 district. Currently, the Code allows a driveway width of 26 feet within the right-of-way and 30 feet within the street setback.

The subject property is a residential corner lot located at 676 W. 77th Place S. (the "Property") and is the last lot to be developed in the subdivision. The residence on the Property will have a three-car garage. A majority of the lots in the subdivision with three-car garages have driveway widths ranging from 30 to 35 feet. The proposed driveway width for the Property is in keeping with the character of the area and is not injurious to the neighborhood. Furthermore, as the final undeveloped lot in an established neighborhood, the Special Exception is in harmony with spirit and intent of the Code.

REQUEST FOR WAIVER OF LETTER OF DEFICIENCY REQUIREMENT

If the Board staff waives the requirement that an LOD accompany an application to the Board, **the Applicant is responsible for requesting all necessary relief and for citing the sections of the Zoning Code pertinent to the relief sought.** (The waiver of the requirement that an LOD accompany an application to the Board shall not be considered a waiver of the necessity to apply for a building permit or a zoning clearance permit, as may be required by the particular proposed use or construction.) **In the event that the applicant does not request all necessary relief, additional BOA action may be required resulting in significant delays during the building permit process.**

I hereby certify that I have read and understand the above requirements and that I request that the LOD requirement be waived for the subject property in case number: BOA-22578

Nathalie Cornett
Applicant's Signature

12.21.18
Date

Approved by: Amy Ulen

9.17