

**SPECIAL MEETING
AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 5, 2019, 2:00 P.M.**

Meeting No. 1221

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

UNFINISHED BUSINESS

1. **22555—Greg Helms**
Verification of the 300-foot spacing requirement for a liquor store from other liquor stores, bail bonds offices, plasma centers, day labor hiring centers or pawnshops (Section 40.300-A). **LOCATION:** 1522 East 15th Street South **(CD 4)**
2. **22558—K. B. Enterprises**
Variance of the dustless, all-weather surfacing requirement to permit a gravel drive (Section 55.090-F). **LOCATION:** 4401 South Olympia Avenue West **(CD 2)**
3. **22559—Brett Baldwin**
Variance to reduce the minimum lot area and lot area per unit requirement in an RS-1 District to permit a lot split (Table 5-3); Variance to reduce the minimum required street setback requirement in an RS-1 District (Table 5-3). **LOCATION:** 5220 East 91st Street South **(CD 8)**
4. **22561—George Anding**
Variance to reduce the required side (interior) setback in an RS-3 District (Section 5.030-A). **LOCATION:** 1535 South Yorktown Avenue East **(CD 4)**
5. **22562—918 MVP**
Variance to allow a detached accessory structure to exceed 500 square feet or 40% of the of the floor area of the principal structure (Section 45.030-B); Variance to allow stairs to be located in the required side (interior) setback (Section 90.090-C); Variance to permit an accessory building to exceed 30% coverage of the floor area in the rear setback (Section 90.090-C-2); Variance to allow a

detached accessory structure to exceed 18 feet in height and exceed 1-story in the rear setback in an RS-3 District (Section 90.090-C). **LOCATION:** 3403 East 8th Street South **(CD 4)**

6. **22563—Shane & Frances Bevel**

Variance to allow a detached accessory structure to exceed 500 square feet or 40% of the floor area of the principal structure (Section 45.030-B); Variance to reduce the required side (interior) setback in an RS-3 District (Section 5.030-A). **LOCATION:** 816 South Jamestown East **(CD 4)**

7. **22566—Tom Neal**

Variance to reduce the required street (rear) setback in an RS-3 District (Section 5.030-A); Variance to allow an accessory structure to be located less than 3 feet from a side interior lot line (Section 90.090-C.2); Variance to allow a detached accessory structure to exceed 500 square feet or 40% of the floor area of the principal structure (Section 45.030-B). **LOCATION:** 4618 East 14th Place South **(CD 4)**

8. **22569—Red Bud Elixirs, LLC**

Special Exception to allow an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-Impact Medical Marijuana Processing Facility in the IL District (Section 15.020). **LOCATION:** 5903 South 107th Avenue East **(CD 7)**

9. **22570—Encinos 3D Custom Products & Signs**

Variance from requirement that dynamic displays not be located within 200 feet of an R District (Section 60.100-F); Variance from the requirement that dynamic displays not be located within 20 feet of the driving surface of a curb/roadway (Section 60.100-E). **LOCATION:** 1442 South Quaker Avenue East **(CD 4)**

10. **22567—KKT Architects – Nicole Watts**

Special Exception to allow a Bed and Breakfast with on-site events in an RS-3 District (Sections 5.020 & 40.060). **LOCATION:** 2210 South Main Street East **(CD 4)**

BOARD MEMBER COMMENTS

ADJOURNMENT

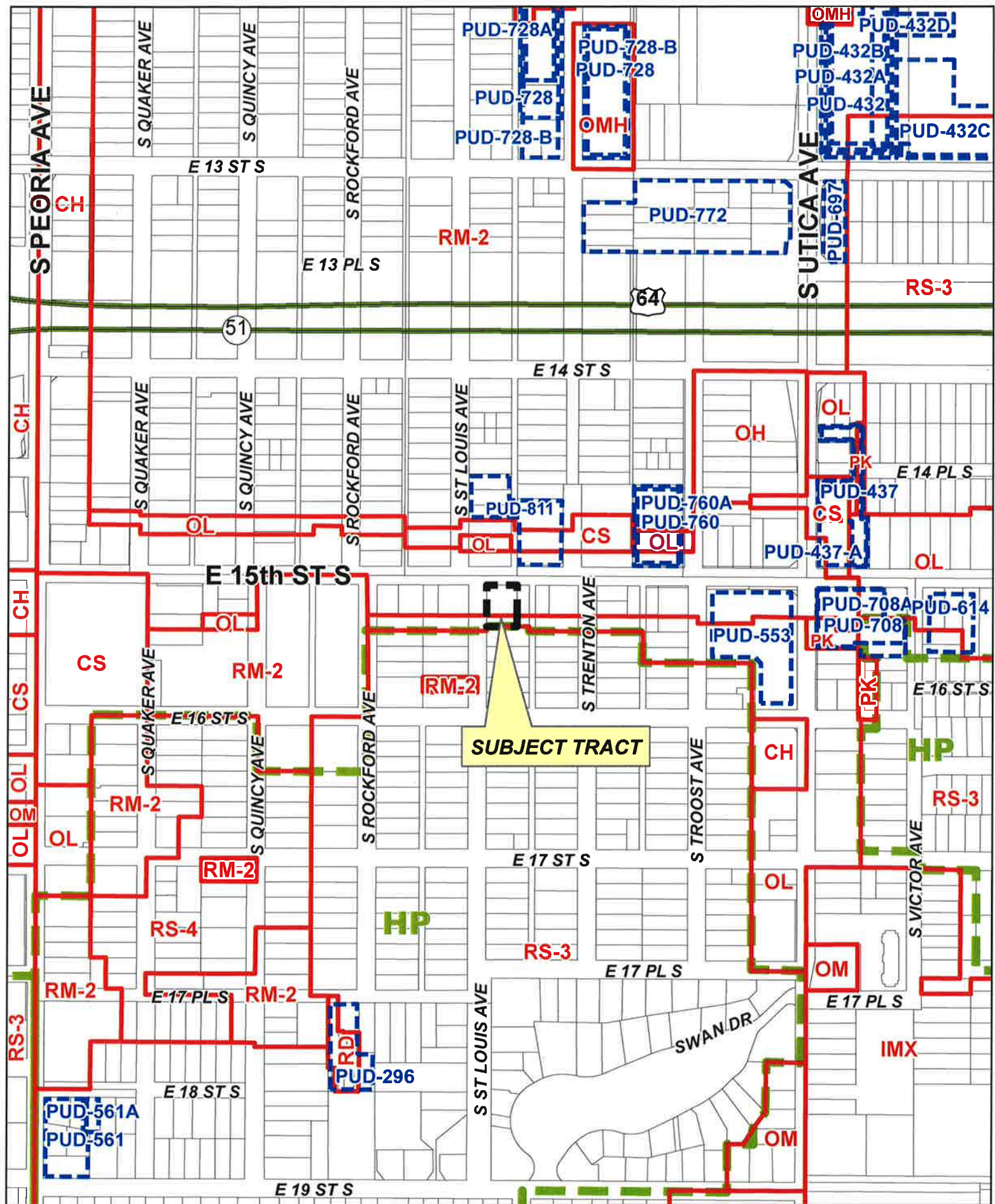
Website: www.cityoftulsa-boa.org

E-mail: esubmit@incog.org

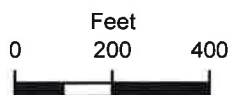
CD = Council District

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.

**BOA-22555**

19-13 07



BOARD OF ADJUSTMENT CASE REPORT

STR: 9307

Case Number: BOA-22555

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Gregory Helms

ACTION REQUESTED: ~~Special Exception to permit the expansion of a liquor store on a lot within 150 ft of an R-zoned lot (Sec. 15.020-G);~~ Verification of the 300-foot spacing requirement for a liquor store from other liquor stores, bail bonds offices, plasma centers, day labor hiring centers, or pawnshops (Sec. 40.300-A).

LOCATION: 1522 E 15 ST S

ZONED: OL,CH

PRESENT USE: commercial center

TRACT SIZE: 13499.3 SQ FT

LEGAL DESCRIPTION: N 35' W 100' LT 14 & W 100' LTS 15 & 16 BLK 4, ORCUTT ADDN

RELEVANT PREVIOUS ACTIONS: No relevant history

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 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

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 is along a commercial corridor. The subject tract abuts CH/OL zoned commercial uses to the east and west; RS-3 residences to the south; E. 15th St. S. is immediately to the north.

CURRENT STAFF COMMENTS

On 1/08/19, verification of spacing for a liquor store was accepted for # BOA-22555 with a 5-0-0 vote. Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22555.

At the 1/08/19 meeting, staff requested an amendment to item #4 (BOA-22555) on the agenda. The amended agenda item read as below:

4. 22555- Gregory Helms

~~Special Exception to permit the expansion of a liquor store on a lot within 150 ft of an R-zoned lot (Sec. 15.020-G);~~ Verification of the 300-foot spacing requirement for a liquor store from other liquor stores, bail bonds offices, plasma centers, day labor hiring centers, or pawnshops (Sec. 40.300-A).

After review from City Legal, it was found that the applicant did not need a *Special Exception* for the expansion of the liquor store. The requirement in Section 15.020-G that uses require a special exception if intoxicating or low-point beer are sold or served, and the subject lot is located within 150 of any residential lot applies to bars and not liquor stores.

PREVIOUS STAFF COMMENTS:

The applicant is proposing to expand a portion of the perimeter wall of the existing liquor store. To permit expansion of the existing liquor store the applicant is before the Board requesting a Spacing Verification for a liquor store in a CH district from other liquor stores, plasma centers, day labor hiring centers, bail bond offices or pawnshops (Sec. 40.300-A).

The overall subject tract is zoned CH and OL. The proposed liquor store appears to be located on the CH zoned portion of the lot. A liquor store is permitted by right in the CH district as long as it meets the spacing requirement of 300 ft. from from other **liquor stores, plasma centers, day labor hiring centers, bail bond offices or pawnshops**. 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.

The applicant submitted an exhibit indicating a radius around the subject property that contains the existing liquor store and has labeled all uses of property within the subject building and that radius in support of the verification. Staff did not notice any of the above-mentioned conflicting uses within 300 ft. of the subject site.

The applicant has requested a **special exception** as Section 15.020-G of Code requires special exception approval for a use if intoxicating beverages or low-point beer are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right-of-way. The lot abuts an RM-2 zoned lot directly to the south.

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 expansion of the existing liquor store subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store.



0 Feet 200 400



Subject Tract

BOA-22555

19-13 07

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

Aerial Photo Date: February 2016



1.4



0 50 100
Feet



Subject
Tract

BOA-22555

19-13 07

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

Aerial Photo Date: February 2018

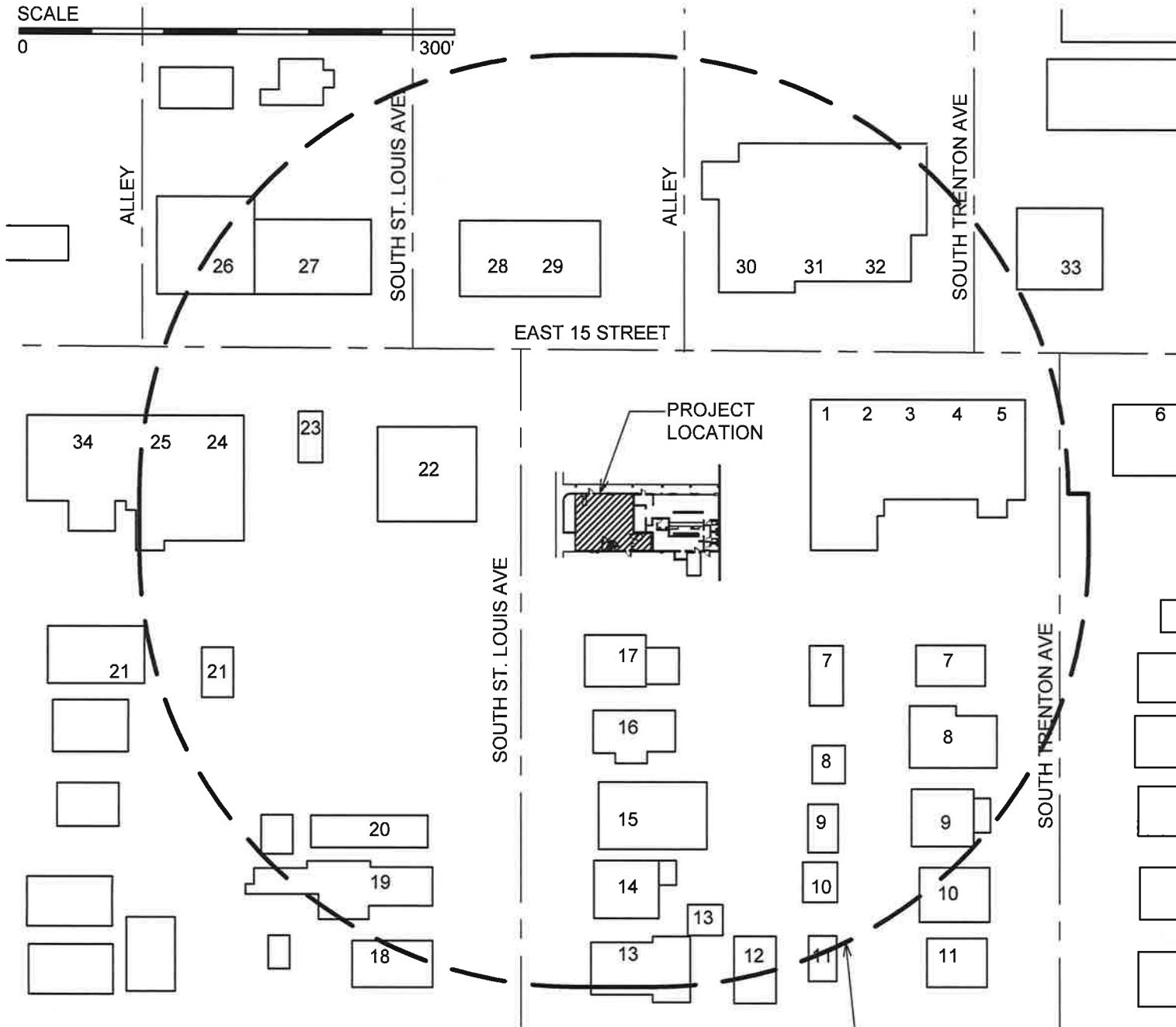


1.5

SCALE

0

300'



BUSINESS NAME

- ① SMOKE WOOD FIRE GRILL (RESTAURANT)
- ② DRAKES TAVERN (BAR)
- ③ ANDOLINI'S INCORPORATED (OFFICE)
- ④ VACANT
- ⑤ ANDOLINI'S PIZZERIA (RESTAURANT)
- ⑥ THE LINGERIE BOUTIQUE (RETAIL)
- ⑦ THRU ②① RESIDENCE
- ②② QDOBA MEXICAN EATS (RESTAURANT)
- ②③ THE NEST (RETAIL)
- ②④ FIFTEEN AND HOME FURNITURE & DECOR (RETAIL)
- ②⑤ TOM'S BICYCLE (RETAIL)
- ②⑥ FUTURE LOFT APARTMENTS UNDER CONST. (RESIDENCE)
- ②⑦ BUILDING UNDER CONST.
- ②⑧ VACANT
- ②⑨ CRUSHED RED (RESTAURANT)
- ③⑦ ROOSEVELT GASTRO PUB (BAR)
- ③① TAZIKI'S MEDITERRANEAN CAFE (RESTAURANT)
- ③② ORANGE THEORY (FITNESS)
- ③③ GELATERIA ICE CREAM (RESTAURANT)
- ③④ THE COFFEE HOUSE ON CHERRY STREET (RESTAURANT)

300' ZONE MEASURED IN ACCORDANCE TO THE ZONING CODE SECTION 40.300 A & B



NORTH

AGING VERIFICATION SITE PLAN

1022 EAST 15th STREET - TULSA, OKLAHOMA

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 3rd, 2018

Greg Helms
424 S Main
Jenks, OK 74037

Phone: 918.298.7257

APPLICATION NO: **BLDC-012575-2018**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **1522 E 15th ST**

Description: **Addition**

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS 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)

1.7

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. BLDC-012575-2018

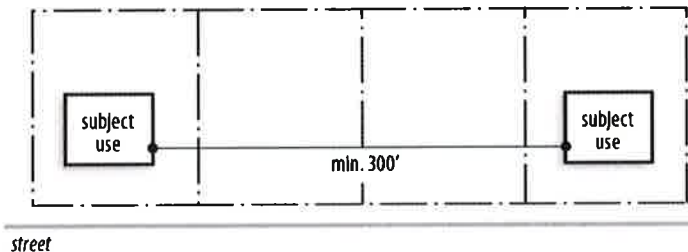
1522 E 15th ST

November 3, 2018

Note: Please direct all questions concerning spacing verifications, appeals of an administrative official 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.

Sec.40.300-A & B: Plasma centers, day labor hiring centers, liquor stores, bail bond offices and pawn shops must be separated by a minimum distance of 300 feet. For uses established after July 1, 2001, the separation distance requirement of *Sec.40.300-A* must be measured in a straight line from the nearest perimeter wall of the portion of the building occupied by one of the subject uses to the nearest perimeter wall of the portion of the building of any other subject use.

*Figure 40-11: Measurement of Required Use Separation
(Permits Issued after 7/1/2001)*



Review comment: The perimeter wall of the portion of the building occupied by the liquor store has been altered by the proposed expansion. This has modified the distance that the liquor store is required to be separated from the nearest perimeter wall of the portion of a building occupied by any other subject use. Submit a spacing verification reviewed and accepted by the BOA per *Sec.70.110* that demonstrates compliance with *Sec.40.300-A & B*.

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.

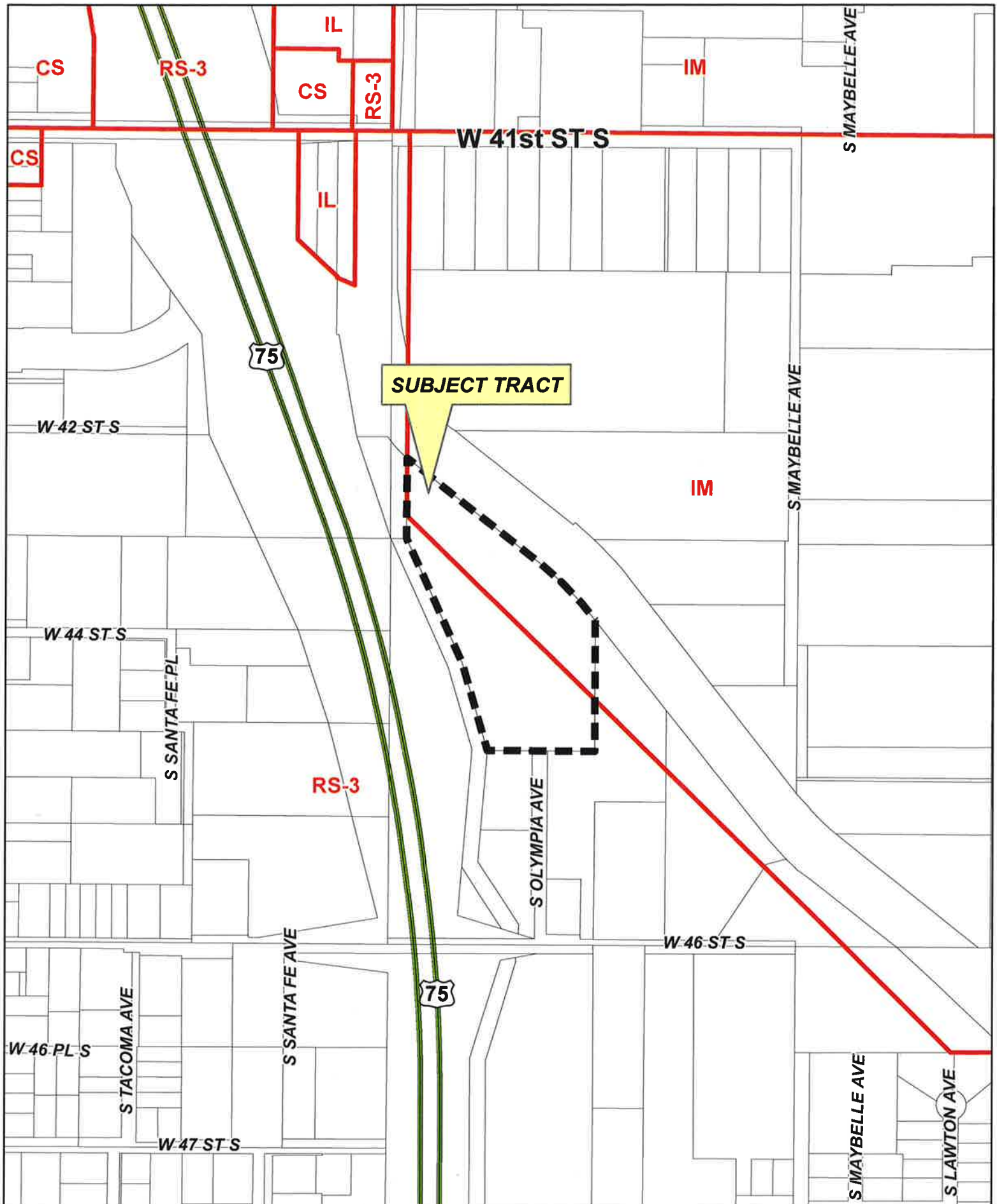
A hard copy of this letter is available upon request by the applicant.

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.

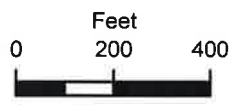
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BOA-22558

19-12 26

2.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9226

Case Number: BOA-22558

CZM: 46

CD: 2

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: K.B. Enterprise homes

ACTION REQUESTED: Variance of the dustless, all-weather surfacing requirement to permit a gravel drive (Section 55.090-F).

LOCATION: 4401 S OLYMPIA AV W

ZONED: IM,RS-3

PRESENT USE: residential

TRACT SIZE: \pm 7.526 acres

LEGAL DESCRIPTION: BEG 637.6N & 318.79E SWC SE NW TH E345.41 N418 NW75 NW CRV LF 180.91 NW TO PT 1579.4N & 50E SWC SE NW TH S248.39 TO PT 50E NWC SE NW SE443.37 SELY297.96 SLY5.30 POB SEC 26 19 12 7.526ACS,

RELEVANT PREVIOUS ACTIONS: No relevant history

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

The 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.

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

ANALYSIS OF SURROUNDING AREA: The subject tract abuts IM zoned tracts abuts large IM zoned lots to the north and east; RS-3 zoned residences to the south; the Okmulgee Expressway is to the west.

CURRENT STAFF COMMENTS

On 1/08/19, the Board approved #BOA-22558 with a 5-0-0 vote. The following conditions were applied:

- Per the conceptual site plan submitted by the applicant; per the site visit exhibit submitted by staff

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22558.

PREVIOUS STAFF COMMENTS:

The Code requires that all off-street parking areas be surfaced with a dustless, all-weather surface. The applicant is before the Board requesting a variance to allow a gravel drive as shown on the attached plan. The applicant has stated that the proposed gravel driveway will be 20ft. in width and connect to a concrete driveway from the house to the gravel road.

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

Sample Motion for a Variance

Move to _____ (approve/deny) a Variance of the dustless, all-weather surfacing requirement to permit a gravel drive (Section 55.090-F).

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

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

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

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

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

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

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

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

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



0 200 400
Feet



Subject
Tract

BOA-22558

19-12 26

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

Aerial Photo Date: February 2011

2.4

N



Looking north— towards subject site— on S. Olympia Ave.



Looking north— towards subject site— on S. Olympia Ave.

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF THE EAST HALF (E/2), OF THE NORTHWEST QUARTER (NW/4), OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12), EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING FROM THE SOUTHWEST CORNER OF SAID W/2 E/2 NW/4; THENCE NORTH 00°00'00" EAST AND ALONG THE WEST LINE OF SAID W/2 E/2 NW/4, FOR A DISTANCE OF 1331.01 FEET; THENCE NORTH 90°00'00" EAST AND PERPENDICULAR TO SAID WEST LINE, FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'00" EAST AND PARALLEL WITH SAID WEST LINE, FOR A DISTANCE OF 248.39 FEET; THENCE SOUTH 52°03'27" EAST AND ALONG THE SOUTH LINE OF THE CHERRY CREEK DRAINAGE CHANNEL, FOR A DISTANCE OF 554.99 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID SOUTH LINE BEING A CURVE TO THE RIGHT WITH A RADIUS 801.45 FEET, A CHORD BEARING OF SOUTH 45°35'27" EAST, FOR A CHORD DISTANCE OF 180.52, FOR AN ARC DISTANCE OF 180.91 FEET; THENCE SOUTH 39°07'28" EAST, CONTINUING ALONG SAID SOUTH LINE, FOR A DISTANCE OF 75.00 FEET; THENCE SOUTH 00°00'00" WEST AND PARALLEL WITH SAID WEST LINE, FOR A DISTANCE OF 418.00 FEET; THENCE NORTH 89°45'42" WEST, FOR A DISTANCE OF 345.18 FEET; THENCE NORTH 04°29'35" EAST, FOR A DISTANCE OF 5.32 FEET; THENCE NORTH 16°19'10" WEST, FOR A DISTANCE OF 297.96 FEET; THENCE NORTH 24°43'55" WEST, FOR A DISTANCE OF 443.34 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS: 4401 S. Olympia Avenue, Tulsa, Ok.

7 acres

North

248.39'

554.99'

143.34'

180.91' 75.00'

418.00'

96.162'

5.32'

345.18'

Concrete

gravel

Requesting:

37'x20'

Concrete Driveway

From House to

Gravel road that

leads to Street,

Gravel Road is 20'w.

S. OLYMPIA AVE.

Comments

55.090-F Surfacing. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Corrective Action

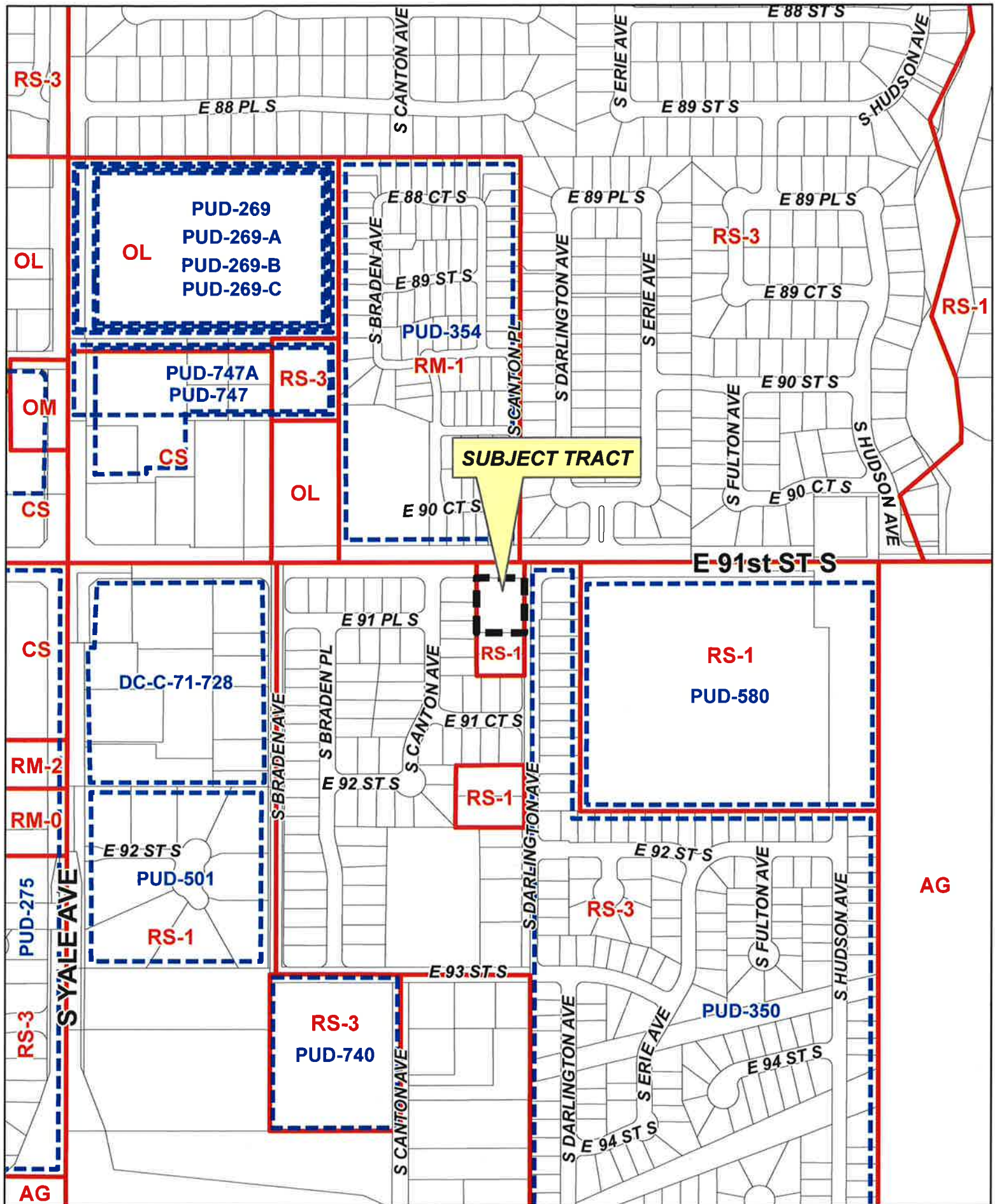
Review Comments: Provide an all-weather parking surface from the public street to the garage or apply to the Board of Adjustment for a Variance (section 70.120) to allow a material other than an approved material meeting the requirements of 55.090-F.

<< < 1 > >>

Results per page 1 - 2 of 2

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BOA-22559

3.1

18-13 22



BOARD OF ADJUSTMENT CASE REPORT

STR: 8322

Case Number: BOA-22559

CZM: 57

CD: 8

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Brett Baldwin

ACTION REQUESTED: Variance to reduce the minimum lot area and lot area per unit requirement in an RS-1 district to permit a lot split (Table 5-3); Variance to reduce the minimum required street setback requirement in an RS-1 district (Table 5-3).

LOCATION: 5220 E 91 ST S

ZONED: RS-1

PRESENT USE: residential

TRACT SIZE: 28078.89 SQ FT

LEGAL DESCRIPTION: PRT NW BEG 1320W & 50S NEC NW TH S180 E156 N180 W156 POB SEC 22 18 13 .644ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-10921; on 3.6.89, the Board **approved** an *Exception* to permit the operation of a children's day care.

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 abuts RS-1 zoned residential uses to the south; RS-3 residential uses to the west; E. 91st St. S. is immediately to the north and S. Darlington Ave. is directly to the east.

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** the *Variance* request to reduce the minimum required street setback requirement with a 5-0-0 vote; the Board **denied** the *Variance* request to reduce the minimum lot area and lot area per unit requirement with a 5-0-0 vote. The following conditions were applied to approval:

- Per the conceptual site plan submitted by the applicant.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22559.

PREVIOUS STAFF COMMENTS:

As shown on the attached site plans the applicant is proposing to split the subject lot into two tracts; the proposed "*south tract*" will be 17,663 sq. ft. and the proposed "*north tract*" will be 10,435 sq. ft. The Code requires that a RS-1 zoned lot maintain a lot area and lot area per unit of 13,500 sq. ft.

To permit the "*north tract*" as proposed the applicant has requested a **Variance** to reduce the minimum lot area and lot area per unit requirement from 13,500 sq. ft. to 10,435 sq. ft.

The applicant is also requesting a **Variance** to reduce the minimum required street setback for the existing house that is shown to be located in the proposed "*south tract*". The code requires that detached houses maintain a street setback of 35ft in an RS-1 zoned district (Sec. 5.030-A). As shown on the submitted site plan, the existing detached house encroaches a little less than 10 ft. into the required street setback. Per the code, a Variance to reduce the street setback from 35 ft. To 24 ft.-9 in. (Section 5.030-A) along S. Darlington Ave.

Sample Motion

Move to _____ (approve/deny) a **Variance** to reduce the minimum lot area and lot area per unit requirement from 13,500 sq. ft. to 10,435 sq. ft. for the "*north tract*"; **Variance** to reduce the minimum required street setback from 35 ft. to 24 ft.-9 in. (Section 5.030-A) along S. Darlington Ave for the "*south tract*".

- 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.”

10920

Action Requested:

Exception - (Section 610 - Principal Uses Permitted in the Office District - Section 1208 - Multifamily Dwelling and Similar Uses) - Request for an exception use in an Office District as allowed under Section 640 - To comply with RM-2 Bulk and Area Requirements to construct 6 Townhouses. (Section 640 would allow 10 units).

Presentation:

Steve Turner, Turner - Fox Associates, Inc., (Architects), advised that the request is to construct six dwelling units as condominiums and submitted a plot plan (Exhibit "P-1") and stated that all fronts of the proposed condominiums will look alike (Exhibit "P-2") similar to the look of New England cottages.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye"; no "nays"; no "abstentions") to grant an Exception - (Section 610 - Principal Uses Permitted in the Office Districts - Section 1208 - Multifamily Dwelling and Similar Uses as allowed under Section 640) - To comply with RM-2 Bulk and Area Requirements and to construct 6 townhouses, per plot plan submitted, on the following described tract:

Lots 6, 7, & 8, Block 7, Morningside Addition to the City of Tulsa, Oklahoma.

10921

Action Requested:

Exception - (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) - Request for permission to operate a children's day care center in an RS-1 District southwest of 91st Street and Canton Avenue.

Presentation:

Ruth Craven, 3837 South Winston, presented a plot plan (Exhibit "Q-1") and stated that there is a need for a day care center in the south Tulsa area. Ms. Craven has a fairly new 1650 square foot house, double concrete driveway and a surfaced parking area on the subject property. The state licensing department allows 15 children per toilet stool, but she would like to have 30 children in the center because she plans to enclose the porte cochere. Mr. Jones presented letters of approval from the property owners (Exhibit "Q-2").

Protests: None.

Board Action:

On MOTION of THOMPSON, the Board voted 5-0-0 (Lewis, Purser, Smith, Thompson, Wait "aye"; no "nays"; no "abstentions") to grant an Exception - Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's day care center in an RS-1 District per plot plan submitted, contingent upon seeing and approving the plans for the

3.6.80:305(18)



0 Feet
200
400



Subject
Tract

BOA-22559

18-13 22

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

Aerial Photo Date: February 2018



3.6



0 50 100
Feet



Subject
Tract

BOA-22559

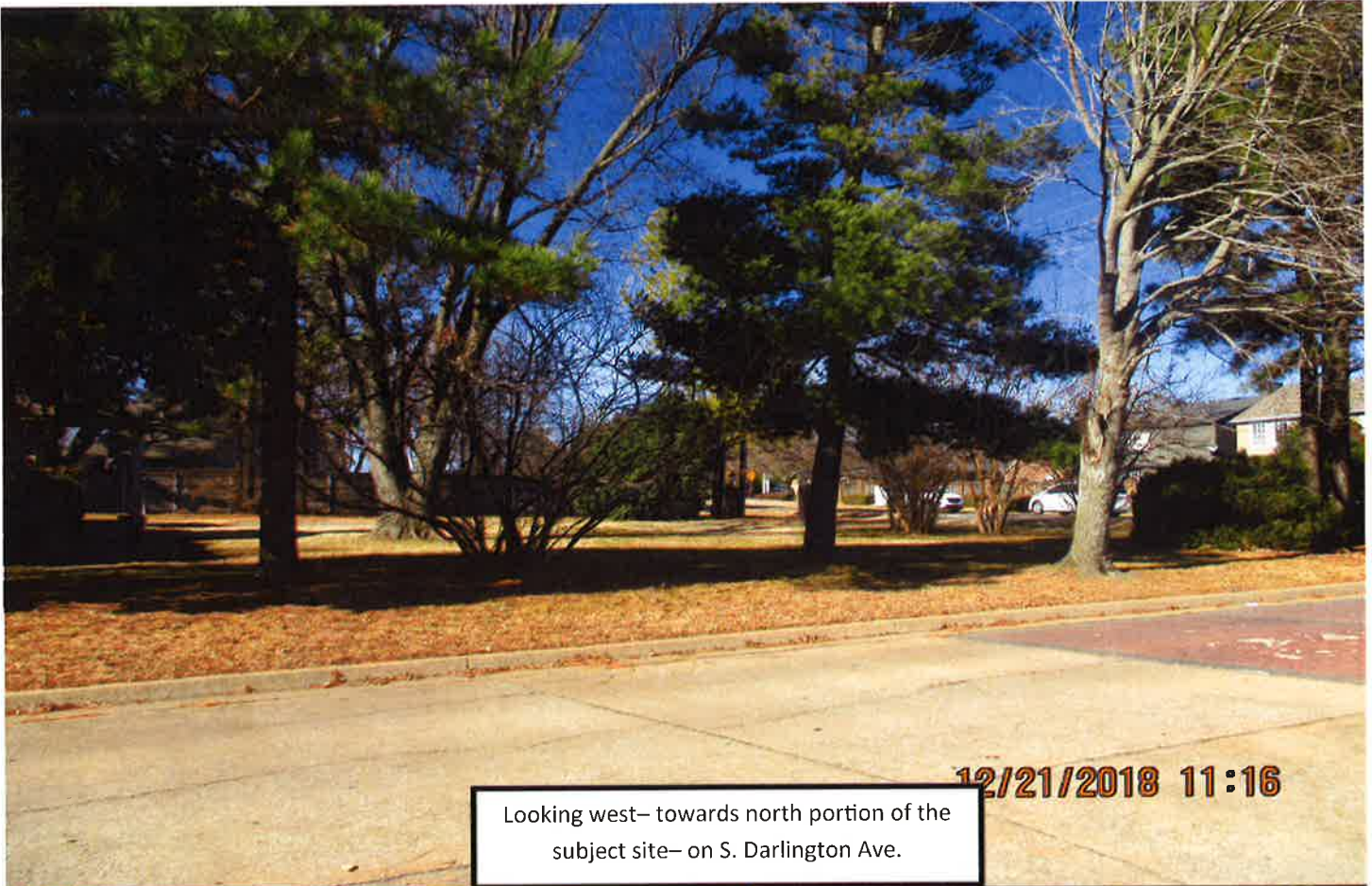
18-13 22

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

Aerial Photo Date: February 2018



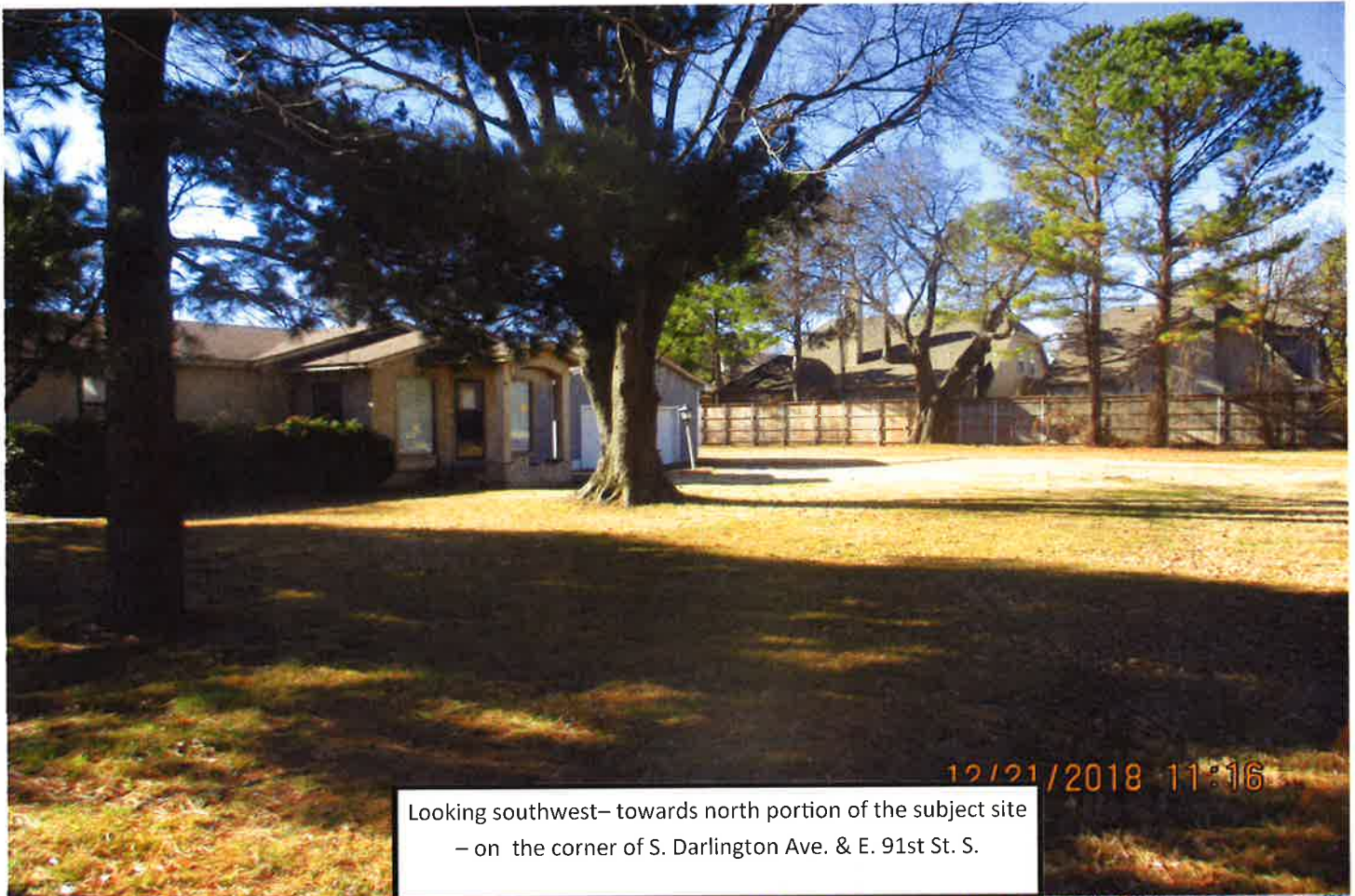
3.7



Looking west— towards north portion of the subject site— on S. Darlington Ave.



Looking west— towards south portion of the subject site— on S. Darlington Ave.



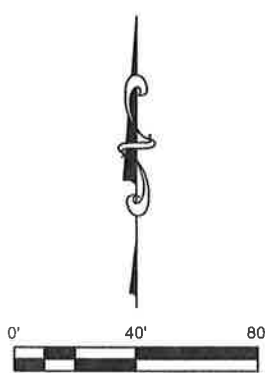
12/21/2018 11:16

Looking southwest— towards north portion of the subject site
— on the corner of S. Darlington Ave. & E. 91st St. S.



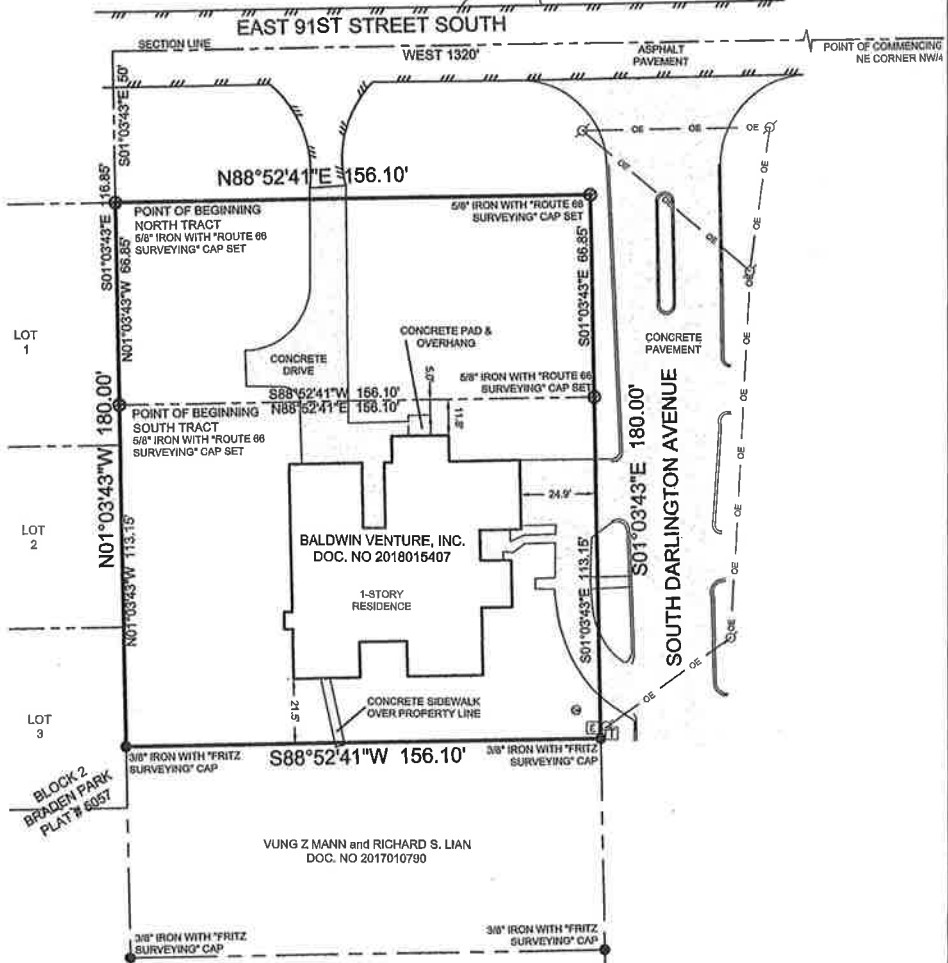
12/21/2018 11:17

Looking west— towards north portion of the
subject site— on S. Darlington Ave.



ACREAGE TABLE

OVERALL TRACT:	28,098 S.F.
	0.645 AC.
NORTH TRACT:	10,435 S.F.
	0.240 AC.
SOUTH TRACT:	17,663 S.F.
	0.405 AC.



LEGAL DESCRIPTION OVERALL TRACT:

Part of the Northwest Quarter (NW/4) of Section Twenty-two (22), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, Beginning at a Point 1320 feet West of the Northeast Corner of the NW/4 of said Section; Thence South 370 feet; Thence East 156 feet; Thence North 370 feet; Thence West 156 feet to the Point of Beginning, LESS AND EXCEPT the North 50 feet thereof, and LESS AND EXCEPT the South 140 feet thereof.

LEGAL DESCRIPTION NORTH TRACT:

Part of the Northwest Quarter (NW/4) of Section Twenty-two (22), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, Beginning at a Point 1320 feet West and 50 feet South of the Northeast Corner of the NW/4 of said Section; Thence North 88°52'41" East 156.10 feet; Thence South 01°03'43" East 66.85 feet; Thence South 88°52'41" West 156.10 feet; Thence North 01°03'43" West 66.85 feet to the Point of Beginning.

LEGAL DESCRIPTION SOUTH TRACT:

Part of the Northwest Quarter (NW/4) of Section Twenty-two (22), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, Beginning at a Point 1320 feet West and 116.85 feet South of the Northeast Corner of the NW/4 of said Section; Thence North 88°52'41" East 156.10 feet; Thence South 01°03'43" East 113.15 feet; Thence South 88°52'41" West 156.10 feet; Thence North 01°03'43" West 113.15 feet to the Point of Beginning.

NOTES:

1. Basis of bearings is the Oklahoma State Plane Coordinate System NAD83 (2011).
2. The subject tract has ingress/egress from East 91st Street South and South Darlington Avenue (both dedicated rights-of-way).
3. There are no visible encroachments except as shown on the face of this survey.
4. The subject property is zoned RS-1 - Residential Single Family.
Minimum Lot Area (sq. ft.) - 13,500
Minimum Lot Width (ft.) - 100
Minimum Street Frontage - 30
Building Setbacks -
Street - 35
Side (Interior) - 5
Rear - 25
Minimum Open Sp./Unit (sq. ft.) - 7,000
Max. Building Height (feet) - 35
5. This survey was performed without benefit of title commitment. This surveyor has not abstracted the subject tract.
6. This survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

LEGEND

●	FOUND CORNER	○	GAS METER
○	SET CORNER MARKED	—	COMMUNICATIONS PEDESTAL
○	"ROUTE 66 SURVEYING CAB737"	—	FENCE LINE
○	POWER POLE	—	OVERHEAD POWER LINES
○	ELECTRIC PEDESTAL		



John L. Libby, Jr., PLS Signature Date 10/16/2018



LOT SPLIT EXHIBIT
PART OF THE NW/4
SECTION 22-T18N-R13E
5220 EAST 91ST STREET, TULSA, OK

ROUTE 66 SURVEYING, LLC

4845 S SHERIDAN RD, SUITE 508
TULSA, OK 74145
(918) 845-6633

OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. 6737
TEXAS FIRM REGISTRATION NO. 10193911
www.route66surveying.com info@route66surveying.com

SHEET: 1 of 1 FIELD DATE: 10/11/2018 JOB NO. 18039

3.10

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:



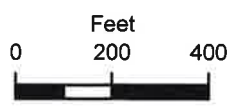
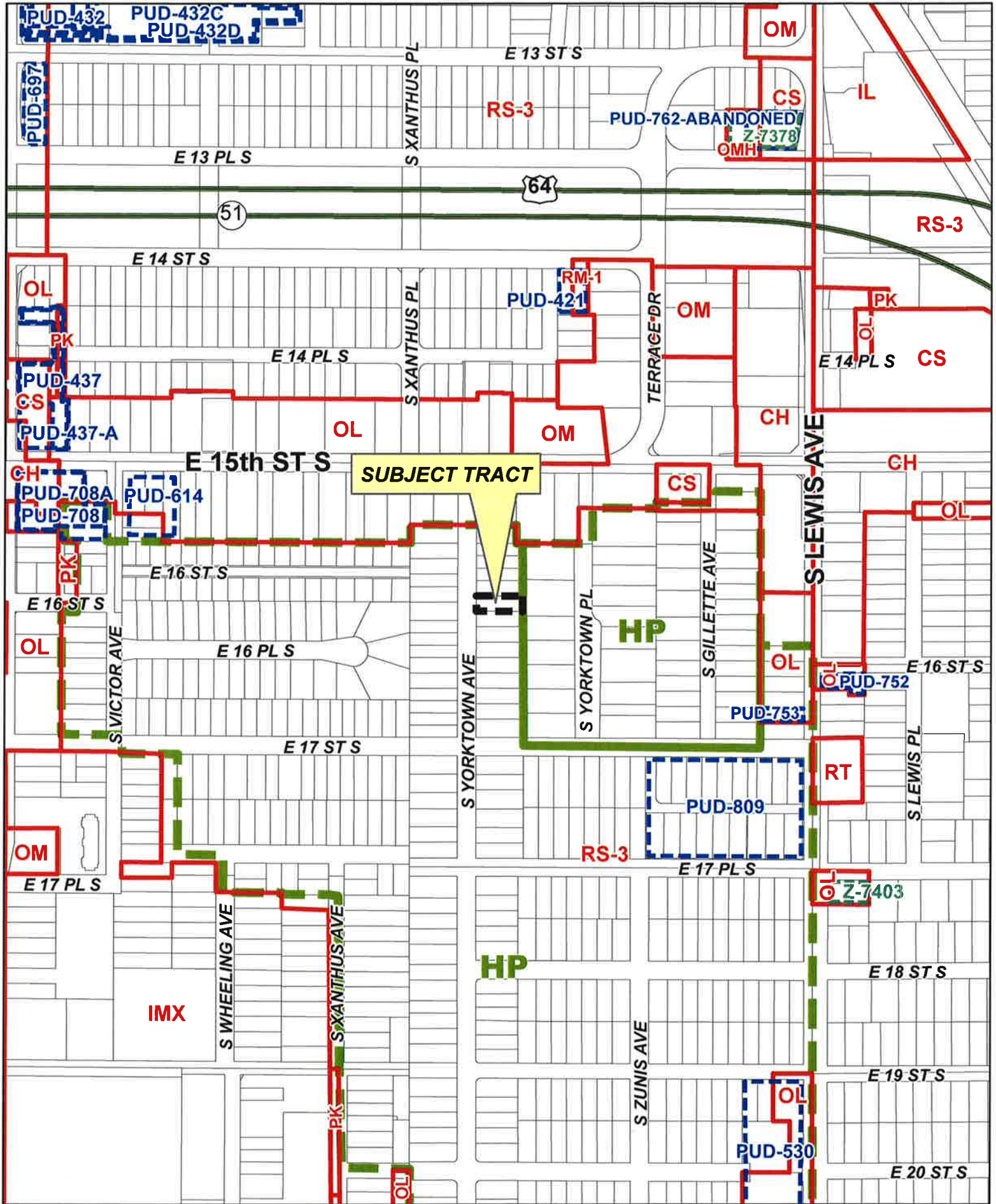
Applicant's Signature



Date

Approved by: _____

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BOA-22561

19-13 07

4.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9307

Case Number: BOA-22561

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: George Anding

ACTION REQUESTED: Variance to reduce the required side setback in an RS-3 district (Section 5.030-A)

LOCATION: 1535 S YORKTOWN AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7749.36 SQ FT

LEGAL DESCRIPTION: LT 10 BLK 1, MAYWOOD ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: No relevant history

Surrounding Property:

BOA-21973 October 27, 2015: The Board of Adjustment **approved** a variance to increase the maximum permitted floor area of a detached accessory building to 1,279 sq. ft.; **approved** a variance to increase the nonconformity of a structure; **approved** a variance to permit a two-story detached accessory building; **approved** a variance to exceed 18 feet in height and 10 feet at the top of the top plate; and **approved** a variance to exceed 30% of coverage in the rear yard area subject to conceptual plans, on property located at 1546 South Yorktown Place East.

BOA-14617 October 1, 1987: The Board of Adjustment **denied** a variance of the required 20% rear yard coverage and of the 750 s. ft. maximum for a detached accessory building; and **denied** a variance to allow for two dwellings on one lot of record; and **denied** a variance of the rear yard setback from 20' to 5'; and **denied** a variance of the land area per dwelling unit from 8400 sq. ft. to 7800 sq. ft., on property located at 1544 South Yorktown Place.

BOA-2997 October 9, 1957: The Board of Adjustment **approved** a variance to extend an accessory building to within 2 feet 9 inches of the rear property line, on property located at 1526 South Yorktown Avenue East.

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

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the

rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

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

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22561 with a 5-0-0 vote. The following conditions were applied to approval:

- Per the 3 conceptual site plans submitted by the applicant.
- The required side (interior) setback is reduced to 3ft.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22561.

PREVIOUS STAFF COMMENTS:

The applicant has requested a **Variance** to reduce the required side interior setback from 5 ft. to \pm 3.0 ft. in an RS-3 district (Section 5.030-A). As shown on the attached site plan, the applicant is proposing to build an addition to the existing house.

The applicant provided the following statement with their application: "*Necessary to relocate existing mechanical equipment for HVAC, narrow historical lot*".

Sample Motion

Move to _____ (approve/deny) a **Variance** to reduce the required side setback from 5 ft. to 3 ft. in an RS-3 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."*

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Flanagan, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to permit an underground detached accessory building in the required front yard (Section 402.B.1.b), Variance to reduce the required front yard from 30 feet to 0 feet to permit an addition to the existing garage in the RS-2 District (Section 403.A, Table 3), subject to the conceptual plans submitted today, October 27, 2015. The Board has found that the garage is in need of replacement due to deterioration of the existing garage, and the other changes to the property to be necessary for safety concerns with the existing stairwell. The Board has found that the front face of the garage to be generally in line with the existing construction. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

E 12.67' LT 7 ALL LT 8, BLK 11, RIVERSIDE DRIVE ADDN THIRD AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

21973—Darwin Olson

FILE COPY

Action Requested:

Variance to increase the maximum permitted floor area of a detached accessory building to 1,279 square feet (Section 402.B.1.d); Variance to increase the nonconformity of a structure (Section 1405.A); Variance to permit a two-story detached accessory building; Variance to exceed 18 feet in height and 10 feet at the top of the top plate; Variance to exceed 30% of coverage in the rear yard area (Section 210.B.5). **LOCATION:** 1546 South Yorktown Place East (CD 4)

10/27/2015-1150 (6)

Presentation:

BOA-21973

FILE COPY

Wally Wozencraft, Architect, 1619 South Boston, Tulsa, OK; stated the garage apartment is being renovated due to safety concerns; there are structural problems that need to be addressed because the building was built in 1923. The home owner would like to use the apartment for visiting family. The garage apartment is not intended to be used as a rental or any kind of non-family activity. The existing building is being enlarged by the fact that the second floor is only partially occupied at this time. The second floor will be expanded within the perimeter of the existing building. The floor coverage of the building will not be increased but the floor coverage of the second floor is merely being improved. The roof parameter will be changed in that fact that it will be widened on the slope as it comes down to the bearing point of the second floor. The ridge line of the building will remain the same except at the perimeter wall where it will be widened slightly so the single window dormer on the east side to make it a triple window, and there will be a triple window on the west side also.

Interested Parties:

Edward Bret, 1557 South Yorktown Place, Tulsa, OK; stated he lives across the street from the subject property. His concern is that in the past the Olson's have exhibited an interest in making the house immediately to the south, which they also own, a bed and breakfast. He is real concerned about the use of the expansion in terms of a rental and he wants to make sure that it cannot be used as a rental.

Mike Hodstrom, 1527 South Yorktown Place, Tulsa, OK; stated that his concerns are that the primary residence associated with the subject request is currently not occupied and it currently being used as a vacation by owner rental. His concern is that the improvements on the property will be used as a rental property.

Barbara Olson, 1554 South Yorktown Place, Tulsa, OK; stated she is the owner of the subject property. She expressed her gratitude to her neighbors for being so concerned about the neighborhood. It is this spirit of liking the neighborhood that prompted her to purchase the property. She owns the subject property and the house immediately next door. The house she currently lives in is very large and she raised her seven children in it along with several international students there also. When she purchased the subject property in 2012 it was her intent to sell her present dwelling to live in the subject house because it is considerably smaller. It has taken a lot of time and money to get it remodeled because nothing had ever been done to the house. She sent a letter to everyone in the neighborhood explaining her intent and she heard nothing in return. It is her intent to live in the subject house once it is ready. She is not planning on renting out the subject space being discussed today.

Susan Braselton, 1526 South Yorktown Place, Tulsa, OK; stated that this is a historical district. Ms. Braselton stated that she did receive a letter stating that the Olson's were interested in having a bed and breakfast; it was never a vacation rental by owner that the neighbors were informed of which was found out by accident. The neighbors did communicate through the association's president that there were some people for it and some people were against it. She has e-mails showing the responses to the

BOA-21973

FILE COPY

proposition. The neighbors were promised in the letter about the bed and breakfast that there would be no parking on the street, and there have been numerous people parking on the street. There have been big groups that rent both the Olson houses and it concerns the neighbors about having rental property in the neighborhood.

Rebuttal:

Mr. Wozencraft came forward and stated that he has been told by the owner that the house is to be lived in and use it for family uses. The building has been in existence for a very long time and needs repairs for the garage apartment as did the house.

Mr. Van De Wiele asked Mr. Wozencraft about the second floor windows that overlook the yard toward the west; is the subject garage obscured by the garage on the property directly to the west. Mr. Wozencraft stated that he had not noticed. Mr. Van De Wiele asked Mr. Wozencraft if he knew whether the westerly property had a two-story garage. Mr. Wozencraft stated that he did not know but he knows there are a lot of trees around the subject garage giving beautiful coverage.

Comments and Questions:

Mr. Henke stated he could support the relief with the prohibition in the motion that subject property will not be rented out.

Mr. Van De Wiele stated that he knows the Board has seen the limitation on a property being a separate residence, but he does not know about saying the house cannot be rented. Mr. Henke stated that he is speaking of not renting out the garage apartment.

Ms. Miller stated that the request today the applicant is stating it is an accessory to their dwelling unit which does not require a Variance for an additional dwelling unit. But if it was to be separate or independent of the primary residence the applicant would need to obtain a Variance allowing the additional dwelling unit on the lot. Mr. Van De Wiele asked Ms. Miller what would trigger that. Ms. Miller stated that is an interesting question because if the applicant claims this is an accessory to their residence, with the family members only occupying the unit, if that evolved over time and became something else either the applicant would have to voluntarily ask for the change or neighborhood inspections would need to catch it.

Mr. White asked Ms. Miller what exactly can the owner do relative with the issues that have been brought up, on the property as a whole. Ms. Miller stated that a bed and breakfast needs a Special Exception and the applicant is not before the Board today with that request. In a residential district a home owner is limited on what can be done.

Mr. Van De Wiele asked Ms. Miller if the City or the Zoning Code has taken a position on whether a home owner is running a business if he rents his house out as a vacation home, or is that the same as renting a house on a two-year lease. Ms. Miller stated there is no real way to monitor that. Ms. Moyer stated the Zoning Code addresses sleeping rooms; it states that "in a dwelling unit as a private residence, one or more rooms may be rented or table board furnished, to not exceeding two persons not

BDA-21973

FILE COPY

members of the family occupying said premises". Ms. Moyer stated that the Zoning Code allows for private residence, for one or two rooms to be rented out, but the Code does put a cap on it. Ms. Miller stated that is assuming the home owner is primarily occupying the house. Mr. Van De Wiele stated that sounds more like a business than a residence.

Mr. Van De Wiele stated that he does not have an issue with the garage with a limitation.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Flanagan, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to increase the maximum permitted floor area of a detached accessory building to 1,279 square feet (Section 402.B.1.d); Variance to increase the nonconformity of a structure (Section 1405.A); Variance to permit a two-story detached accessory building; Variance to exceed 18 feet in height and 10 feet at the top of the top plate; Variance to exceed 30% of coverage in the rear yard area (Section 210.B.5), subject to conceptual plans 6.19, 6.20 and 6.21. The Board has found that this is a remodel of an existing garage and that the overall footprint of the garage is not changing, the overall type of the garage is not changing other than the expansion of the dormer areas. The Board has found that the remodel is necessary for improving the condition of this older property that was built prior to the Zoning Code. This approval is subject to the further condition that the detached accessory building, in particular the space on the second floor, not be used as a rental property or as a separate residence apart from the primary residence. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT 10, SEVEN ACRES PLACE, MAYWOOD ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21974—Thomas Witte

Action Requested:

Variance to increase the permitted display area of a sign to 76.5 square feet on the subject lot; Variance to allow an electronic message center in the RS-3 District (Section 402.B). **LOCATION:** 5838 South Sheridan Road East (CD 4)

Presentation:

Thomas Witte, 9529 South 88th East Place, Tulsa, OK; stated he represents the Tulsa Bible Church and is the Treasurer and Business Manager for the church. The church

Case No. 14592 (continued)

Board Action:

Mr. Quarles motion for approval of the application died for lack of a second.

Mr. Gardner pointed out that the applicant's lot is larger than those in the surrounding area, with a larger side yard than most of the surrounding residences, which are facts that could be a basis for a hardship variance.

Ms. White asked if the building will be used to conduct a business, and the applicant replied that he will be using the garage only for his hobbies and storage.

On **MOTION** of **WHITE**, the Board voted 4-0-1 (Chappelle, Quarles, Smith, White, "aye"; no "nays"; Bradley, "abstaining"; none "absent") to **APPROVE** a **Variance** (Section 240.2 - Permitted Yard Obstructions - Use Unit 1206) to allow for an existing detached accessory building to be located in the side yard, and a variance of the size of existing detached building from 750 sq. ft. to 1080 sq. ft.; subject to Stormwater Management approval; subject to filing a covenant, which will run with the land, stating that the accessory building will not be used for business purposes; finding a hardship demonstrated by the size of the lot, and the fact that the side yard is larger than those of the surrounding residences; on the following described property:

The east 126' of the north 144.85' of Lot 9, Ozark Garden Farms Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 14617

Action Requested:

Variance - Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206 - Request a variance of the required 20% rear yard coverage and of the 750 sq. ft. maximum for a detached accessory building.

Variance - Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1206 - Request a variance to allow for two dwellings on one lot of record.

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of the rear yard setback from 20' to 5' and a variance of the land area per dwelling unit from 8400 sq. ft. to 7800 sq. ft., located 1544 South Yorktown Place.

Presentation:

The applicant, Martha Braun, 1544 South Yorktown Place, Tulsa, Oklahoma, submitted a plot plan (Exhibit E-1), and asked the Board to allow the enlargement of an existing garage by 300 sq. ft., and the conversion of the structure into living quarters for her semi-invalid mother-in-law. She stated that her husband's mother is moving from another state and needs to live near the family. Ms. Braun pointed out that structures on abutting properties are less than 5' from the property line, as are many of the buildings in the older neighborhood. A petition of support (Exhibit E-2) was submitted.

Comments and Questions:

Mr. Smith asked the applicant to address the hardship for this case, and Ms. Braun stated that there is no hardship, except that the existing house cannot accommodate the addition of a bedroom and bath.

Ms. Bradley pointed out that there has been an amendment to the District Six Plan concerning Historical Preservation Areas, which requires that existing structures and land use be protected in these areas.

Ms. Braun stated that she does not think the proposed addition will be detrimental to the neighborhood. She pointed out that there are several properties in the area that have more than one dwelling unit.

Protestants:

Edward Brett, 1557 South Yorktown Place, Tulsa, Oklahoma, stated that he lives diagonally across the street from the subject property. He pointed out that the approval of this application would set a precedent in the area and be detrimental to property values. He suggested that the problem for the Braun's could be solved by adding to the existing dwelling.

Whit Mauzy, 1532 South Gillette, Tulsa, Oklahoma, stated the neighborhood is bordered on four sides by streets that have been converted to business use. He stated that approval of the additional dwelling on the lot would set a precedent in the area and might invite business encroachment into the neighborhood.

Ms. Braun stated that she has no intention of renting the property, but only needs a place for her mother-in-law to live. She asked if a covenant could be written that would bring the issue before the Board at regular intervals for review or an extension.

Case No. 14617 (continued)

Mr. Jackere informed that a private covenant is not the concern of the Board, but land use only is to be considered.

Mr. Quarles remarked that the Board is attempting to protect the character of the neighborhood.

Board Action:

On **MOTION** of **BRADLEY** the Board voted 4-0-1 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; White, "abstaining"; none "absent") to **DENY** a **Variance** (Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206) of the required 20% rear yard coverage and of the 750 sq. ft. maximum for a detached accessory building; to **DENY** a **Variance** (Section 208 - One Single-Family Dwelling per Lot of Record - Use Unit 1206) to allow for two dwellings on one lot of record; and to **DENY** a **Variance** - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of the rear yard setback from 20' to 5' and a variance of the land area per dwelling unit from 8400 sq. ft. to 7800 sq. ft.; finding that the applicant failed to demonstrate a hardship for the variance requested; on the following described property:

Lot 11, Seven Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 14623

Presentation:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of setback from the centerline of East 73rd Place South from 50' to 40', located 7335 and 7337 South Darlington Avenue.

Presentation:

The applicant, Jon T. Vrooman, 7331 South Darlington, Tulsa, Oklahoma, submitted a plot plan (Exhibit F-1), and stated that he has purchased a vacant lot which is located in an area where numerous duplexes were constructed. He informed that the rear property line abutts a single-family neighborhood. Mr. Vrooman stated that he has acquired a lot split on the property and is proposing to construct a single-family dwelling on each of the lots. He informed that the houses will align with the existing dwellings along Darlington Avenue.

Protestants: None.

Case No. 2992✓
F. L. Taulman
Lot 14, Block 14,
Gillette Hall

F. L. Taulman request for permission to convert garage into living quarters in a U-3-A District on Lot 14, Block 14, Gillette Hall Addition.

MOVED by Cohen (Galbreath) that this matter be approved.
All members voting yea. Carried.

Case No. 2993✓
J. G. Davidson
Lot 6, Block 2,
Indian Meadows

James G. Davidson request for permission to erect a duplex in a U-1-B District on Lot 6, Block 2, Indian Meadows Addition.

MOVED by Cohen (Galbreath) that this matter be set down for a public hearing.
All members voting yea. Carried.

Case No. 2994✓
First Church of the
Nazarene, Lot 22,
Block 2, Hi-Pointe
Addition

The First Church of the Nazarene request for permission to use Lot 22, Block 2, Hi-Pointe Addition for church purposes.

MOVED by Cohen (Galbreath) that this matter be set down for a public hearing.
All members voting yea. Carried.

Case No. 2995✓
M. Mann & B. Mann
Pt. SE, SE, of
Section 26-20-13

Marvin Mann and Bill Mann (DBA Ace Fence Company) request for permission to erect a dwelling in a U-4-A District on a tract of land 180 feet by 140 feet out of the SE 1/4, SE 1/4 of Section 26-20-13.

MOVED by Galbreath (Cohen) that this matter be granted.
All members voting yea. Carried.

Case No. 2996✓
St. John's Baptist
Church, Lots 12 & 13,
Block 7, Bullette
Heights Addition

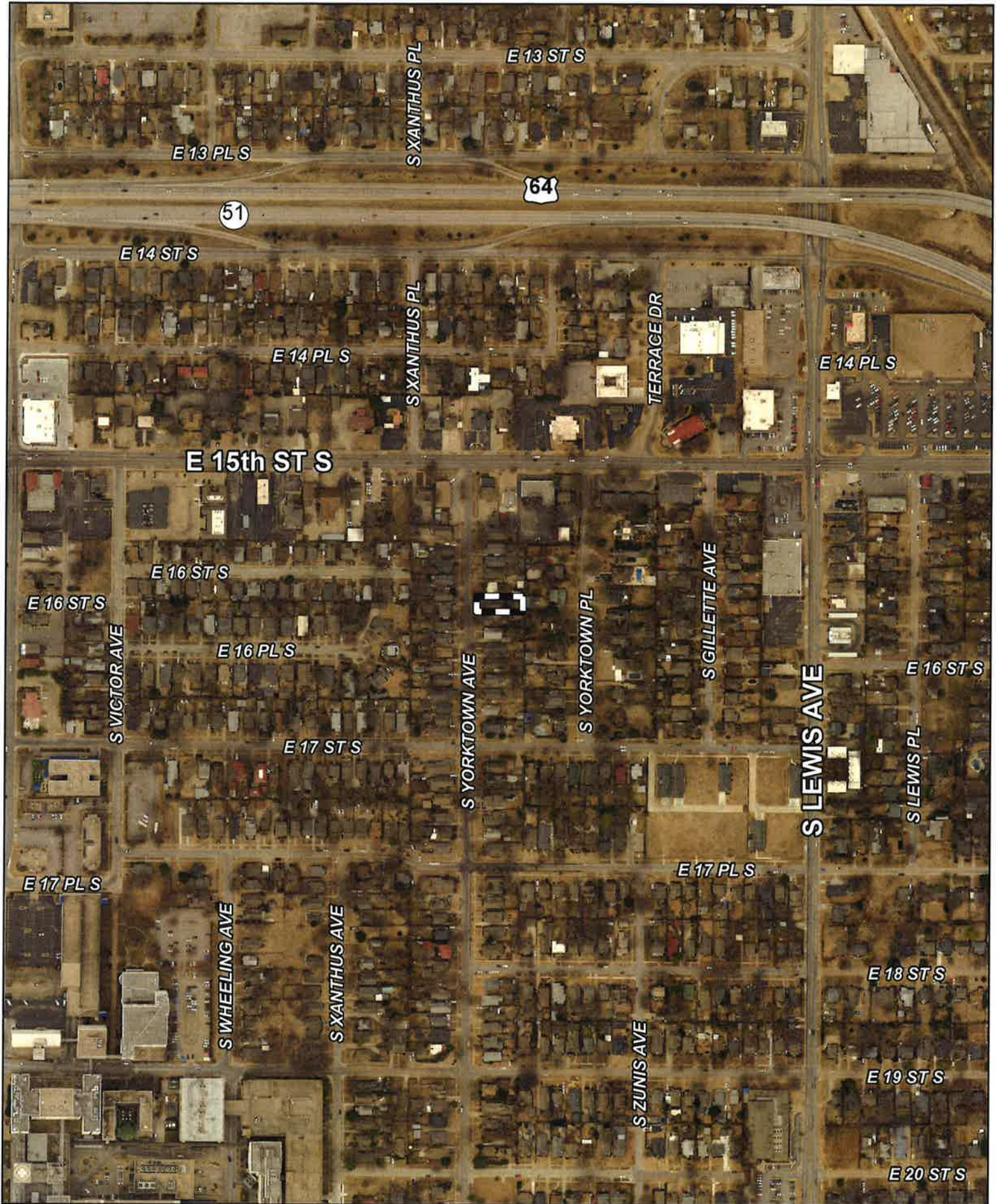
The St. John's Baptist Church request for a waiver of set-back requirement (Proposes to erect building within 15 feet of property line in a U-2-A District.) on Lots 12 & 13, Block 7, Bullette Heights Addition.

MOVED by Cohen (Galbreath) that this matter be carried over until the next regular meeting.
All members voting yea. Carried.

Case No. 2997✓
Charles S. Rawson
Lot 3, Block 2,
Maywood Addition

Charles S. Rawson Request for permission to extend accessory building to within 2 feet 9 inches of rear property line on Lot 3, Block 2, Maywood Addition.

MOVED by Galbreath (Cohen) that this matter be granted.
All members voting yea. Carried.



0 200 400
Feet



Subject
Tract

BOA-22561

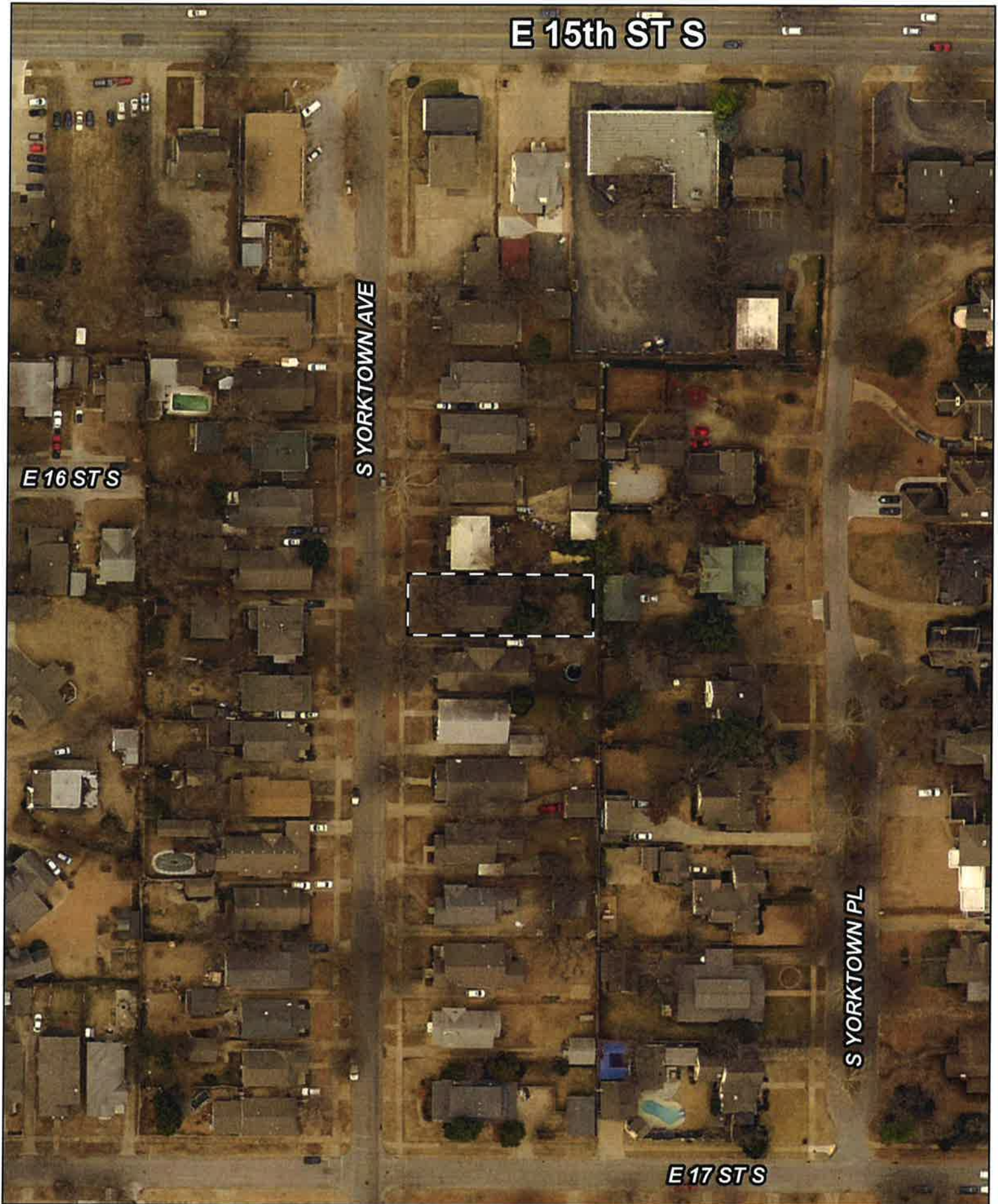
19-13 07

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

Aerial Photo Date: February 2018



4.13



E 15th ST S

E 16th ST S

S YORKTOWN AVE

S YORKTOWN PL

E 17th ST S

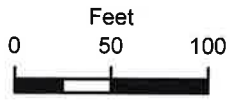
BOA-22561

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

Aerial Photo Date: February 2018

19-13 07

4.14

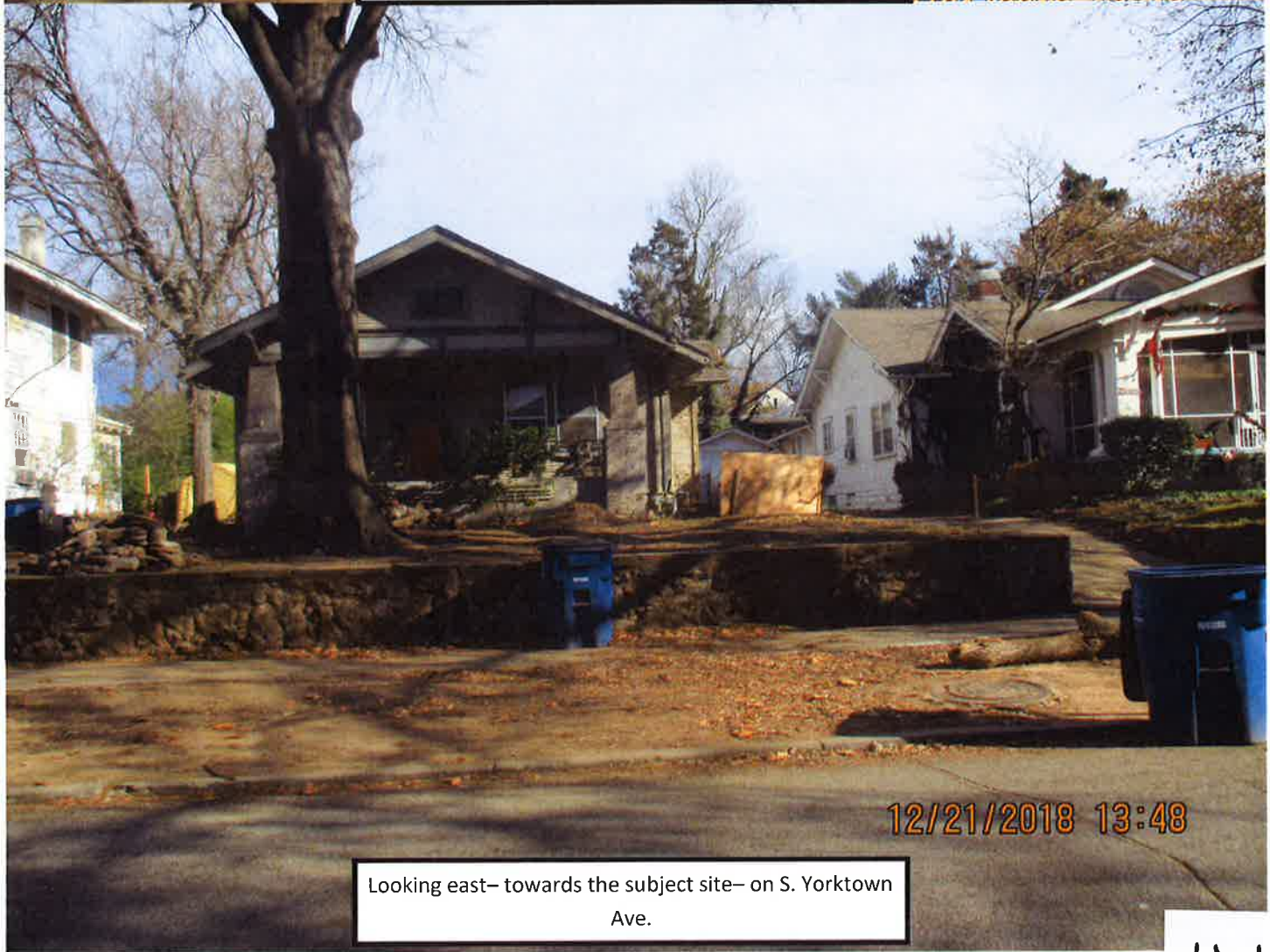


Subject
Tract





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



12/21/2018 13:48

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

WALKER/BRACKETT RESIDENCE
 SUBDIVISION: MAYWOOD ADDITION
 LEGAL DESCRIPTION: LOT 10 BLOCK 1; SECTION: 07 TNSHP: 19, R: 13
 ZONING: RS3

1531 S. YORKTOWN

LINE OF ADJACENT PROPERTY-MAIN STRUCTURE

LOT SIZE PER TULSA CO. ASSESSOR 7,750
 HOUSE SQ. FT. PER ASSESSOR 1,568
 PROPOSED ADDITION SQ. FT. 309
 TOTAL LIVABLE SPACE 5,873
 DEDUCTION FOR DRIVEWAY 597
 PROPOSED SF: ACCESSORY BUILDING 682
 TOTAL REMAINING OPEN SPACE 4,594

1ST FLOOR LIVABLE SPACE 1,568
 BASEMENT SF 396
 TOTAL LIVABLE SPACE 1,964
 40% FOR ACCESSORY .40
 MAX. SF FOR ACCESSORY BUILDING 785.6

DRIVEWAY
 <597 SF DEDUCT>

NEW DRIVEWAY

2 CAR GARAGE
 BUILDING SQ. FOOTAGE: 682
 A/P #444873

OPTION #1
 Proposed Floor Plan
 Scale: 3/16" = 1'-0"
 NOT TO SCALE

NOVEMBER 28, 2018
 WALKER RESIDENCE
 1531 S. YORKTOWN

1539 S. YORKTOWN GARAGE

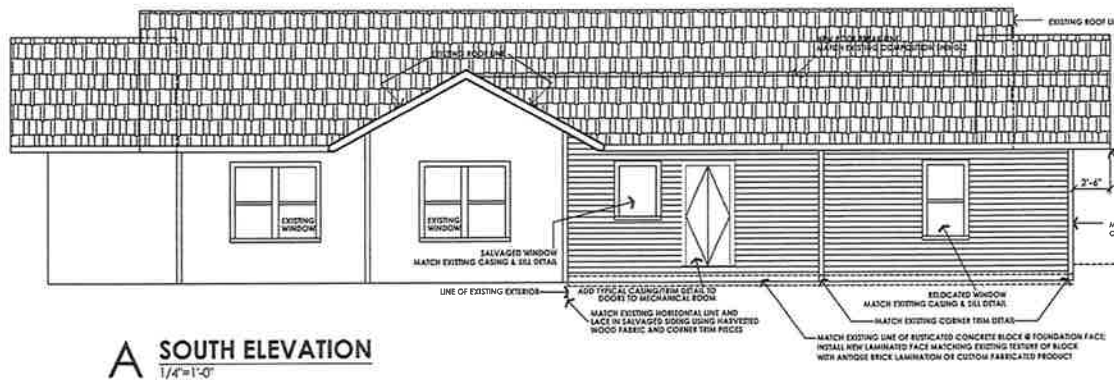
CITY OF TULSA PRESERVATION COMMISSION

APPROVED DATE: 11/21/18

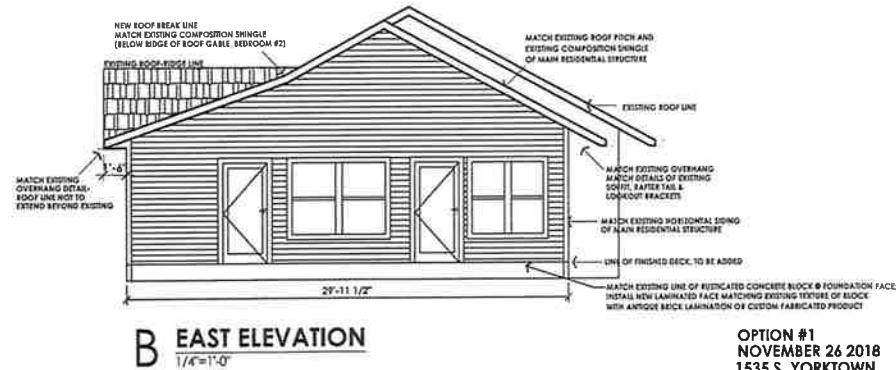
BY Jed Postin Page 2 of 3

SUCH APPROVED PLANS SHALL NOT BE CHANGED,
 MODIFIED OR ALTERED WITHOUT AUTHORIZATION

4.16

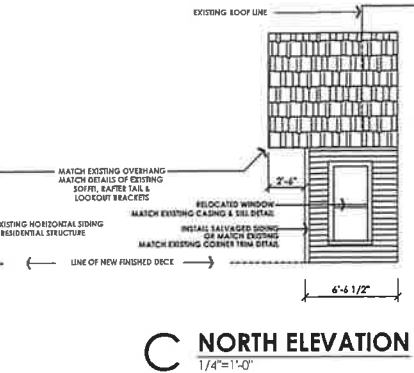


A SOUTH ELEVATION
1/4"=1'-0"

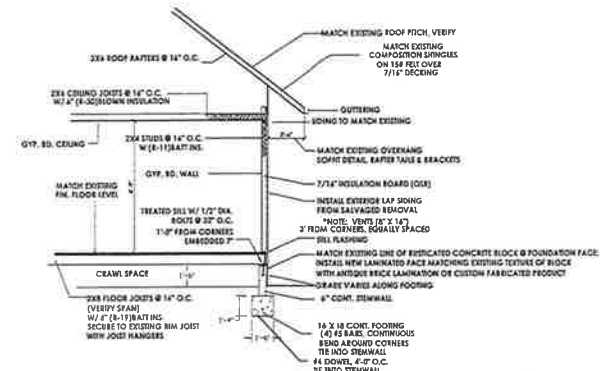


B EAST ELEVATION
1/4"=1'-0"

NOT TO SCALE



C NORTH ELEVATION
1/4"=1'-0"



D WALL SECTION PROPOSED ADDITION
1/4"=1'-0"

OPTION #1
NOVEMBER 26 2018
1535 S. YORKTOWN
WALKER/BRCKETT RESIDENCE
SUBDIVISION: MAYWOOD ADDITION
LEGAL DESCRIPTION: LOT 10 BLOCK 1; SECTION: 07 TNSHP: 19, R: 13
ZONING: RS3

CITY OF TULSA PRESERVATION COMMISSION

APPROVED DATE: 11/27/18

BY Jed Foran Page 3 of 3

SUCH APPROVED PLANS SHALL NOT BE CHANGED,
MODIFIED OR ALTERED WITHOUT AUTHORIZATION

4.18

Jeff S. Taylor
Zoning Official
Plans Examiner

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Jim Brackett
Showcase Properties

12/4/2018

APPLICATION NO: BLDR-18836-2018 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1535 s Yorktown Ave E

Description: Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT

175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☐ **IS** ☒ **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. **BLDR-18836-2018**

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

5.030-A: In the RS-3 zoned district the minimum side yard setback shall be 5 feet from the side property line.

Review Comments: Revise your plans to indicate a 5' side setback to the property line, or apply to INCOG for a variance to allow less than a 5' side setback.

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

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.

Ulmer, Amy

From: Mark Radzinski <mradzinski_98@yahoo.com>
Sent: Thursday, December 27, 2018 2:17 PM
To: Ulmer, Amy
Cc: george.anding@gmail.com
Subject: BOA Case Number - 22561 1535 S. Yorktown Ave

Ms. Ulmer,

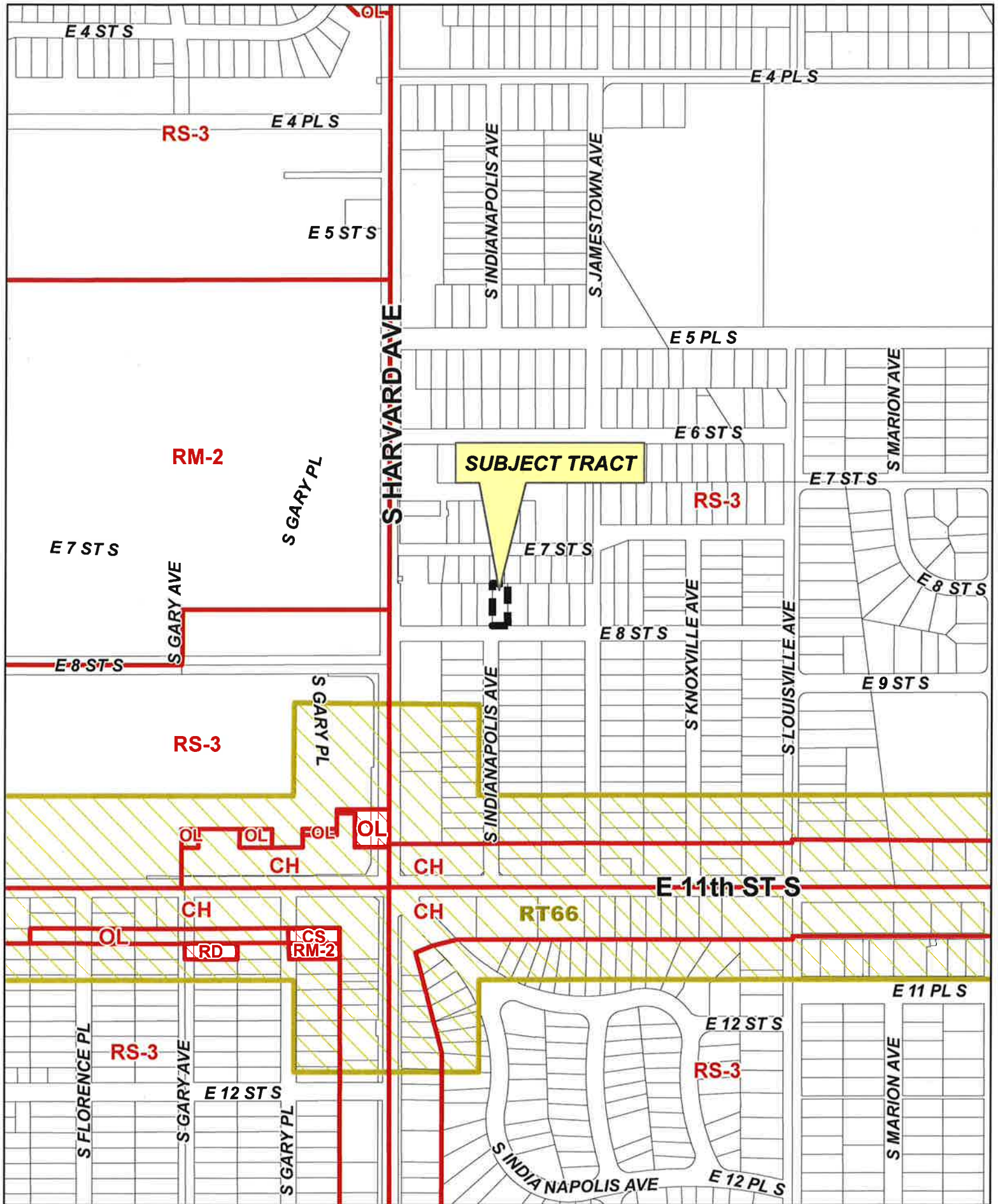
I live at 1552 S. Yorktown Ave. in Tulsa, OK, on the same block as Mr. Anding's property. I am contacting you in support of Mr. Anding's request to the BOA for a variance to reduce the required side setback for his garage building. The current requirement of 5 feet is unreasonable.

I face the same situation at my house. My house was built in 1922 and my garage is 2 feet from the property line. I also could not replace my garage and meet the current 5 foot requirement. The set back requirements are unreasonable for these houses and the requirement should be modified to prevent the hardship of spending \$300 dollars to request a variance. These garages have been in the same location for 90+ years and we should by right be allowed to replace them on the existing footprint.

I support the variance request for BOA Case Number 22561.

Mark Radzinski
1552 S. Yorktown Ave.
Tulsa, Oklahoma 74104
U.S.A.
918-744-5209 home
918-232-6853 cell
mradzinski_98@yahoo.com
www.kandyradzinski.com

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BOA-22562

5.1

19-13 04

BOARD OF ADJUSTMENT CASE REPORT

STR: 9304

Case Number: BOA-22562

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 1:00 PM

APPLICANT: Izael Quezada

ACTION REQUESTED: Variance to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the floor area of the principal structure (Sec. 45.030-B); Variance to allow stairs to be located in the required side (interior) setback (90.090-C); Variance to permit an accessory building to exceed 30% coverage of the floor area in the rear setback (Sec. 90.090-C-2) ; Variance to allow a detached accessory structure to exceed 18 ft in height and exceed 1-story in the rear setback in an RS-3 zoned district (90.090-C)

LOCATION: 3403 E 8 ST S

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 7 BLK 1, BRADEN HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

None relevant.

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

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

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

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

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22562 with a 5-0-0 vote. The following conditions were applied to approval:

- Per the conceptual site plans submitted by the applicant (labeled 1-10).
- The accessory building can not be used for short or long-term rental.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22562.

PREVIOUS STAFF COMMENTS:

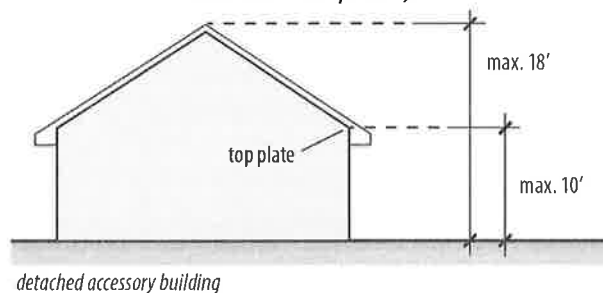
The applicant is proposing to construct a two-car garage with a full second story as shown on the attached exhibits.

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

The maximum 30% area that is allowed by the Code on this lot is 300 sq. ft (50'x20'x30%). The proposed garage will result in 360sq. ft. of coverage in the rear setback; 60 ft. more than is permitted. The applicant has requested a **Variance** to exceed 30% of coverage in the required rear setback from 300 sq. ft. to 360 sq. ft. to permit the garage as shown in the conceptual plans.

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

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



As shown on the attached 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 22'10" and to be 2-stories.

The Code states that detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, whichever is greater. The applicant is proposing 1152 sq. ft. of detached accessory structure floor area. The proposed detached accessory structure exceeds 500 sq. ft. The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 500 sq. ft. to 1152 sq. ft.

The proposed stairs are located within the 5 ft. side yard setback in an RS-3 zoning district. Section 909.090-C on the Codes states that setback in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 90-1. In Table 90-1, structures

such as stairs are not permitted as a side yard setback obstruction. The applicant is before the Board requesting a **Variance** to permit stairs to be located within the side yard setback (Sec. 90.090-C; Table 90-1).

Sample Motion

Move to _____ (approve/deny) a **Variance** to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the floor area of the principal structure to be increased from 500 sq. ft. to 1152 sq. ft. (Sec. 45.030-B); a **Variance** to allow stairs to be located in the required side (interior) setback (90.090-C); a **Variance** to allow a detached accessory building to exceed 30% coverage of the floor area in the rear setback to be increased from 300 sq. ft. to 360 sq. ft. (Sec. 90.090-C). **Variance** to allow a detached accessory building to exceed 18 ft. in height to 22 ft. and to exceed 1-story to 2-stories in the rear setback in an RS-3 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."



0 Feet 200 400



Subject
Tract

BOA-22562

19-13 04

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

Aerial Photo Date: February 2018



5.5

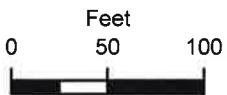
S HARVARD AVE

S JAMESTOWN AVE

E7STS

E8STS

S INDIANAPOLIS AVE



Subject
Tract

BOA-22562

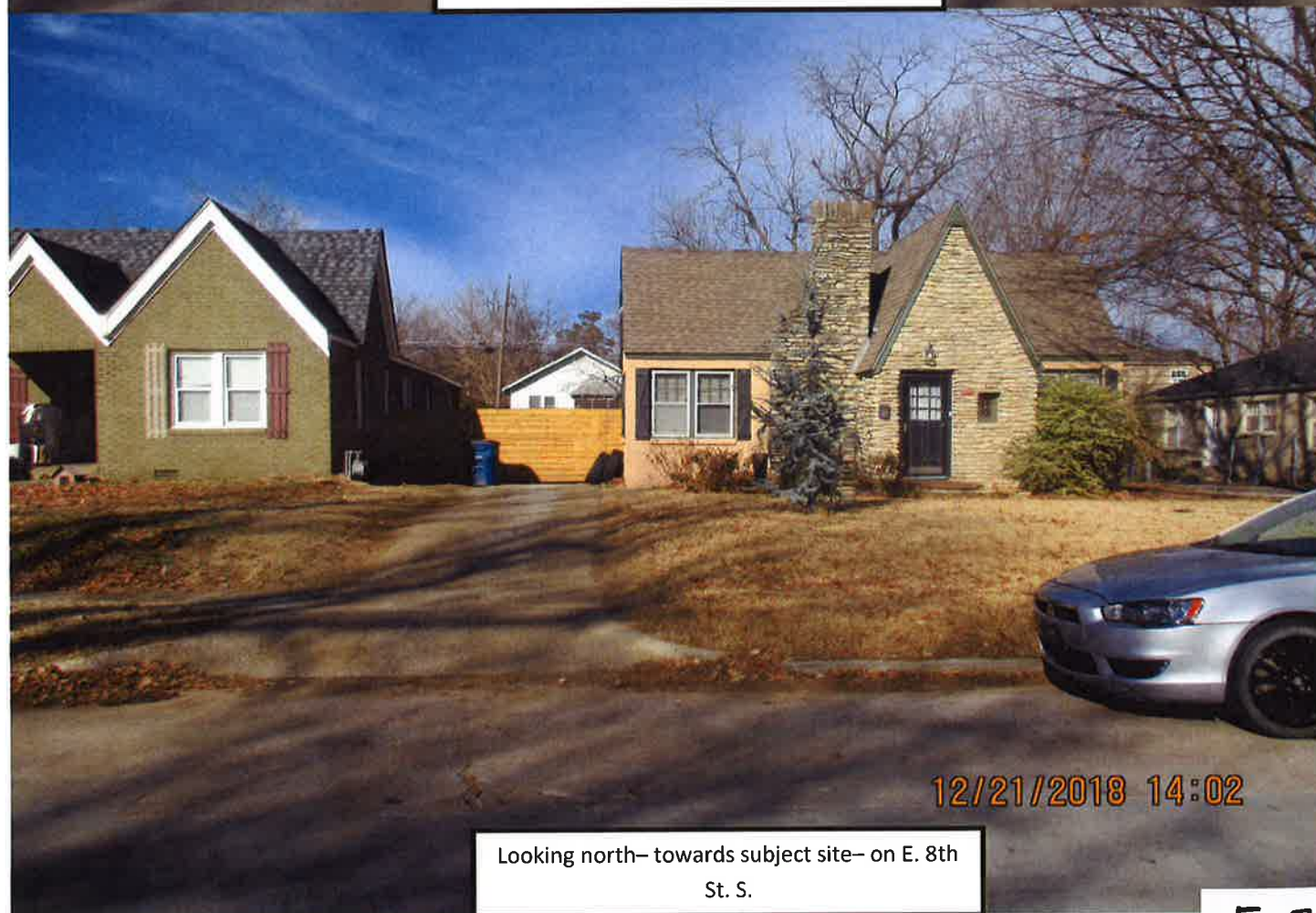
19-13 04

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

Aerial Photo Date: February 2018



5.6



Building Materials List for Plan # 1152-1

~ Local building code approved substitutions may be made to this list ~
 Variations in construction methods and materials can require modification of this list. Every attempt is made for greatest accuracy, but typographical or human error is possible. Quantities verification by the materials supplier is recommended before materials package is finalized and/or shipped.

Rough Framing

2 x 6 x 92-1/2" HF/DF exterior "stud" wall framing	192 pcs.
2 x 6 HF/DF No. 2 wall top plate	354 lf
2 x 6 HF/DF No. 2 pressure-treated bottom plate (first story)	96 lf
2 x 6 HF/DF No. 2 wall bottom plate (second story)	96 lf
5 1/4 x 9-1/4 LVL Header 2950Fb 210E	9'-8" length -- 2 pcs.
2 x 6 DF No. 1 Header	12' length -- 8 pcs.
2 x 6 DF No. 1 Header	8' length -- 2 pcs.
16" TJI 210 series second floor I-joists	23'-9 3/4" length -- pcs.
1 1/8" x 1 1/8" thick LPL rim joist material	48 lf
3/4" T&G APA plywood exterior glue floor	4 x 8 sheets --18 shts.

Exterior Stair, Landing and Railing materials

>>>NOTE: Exterior materials shall be treated for exterior use

2 x 12 HF/DF No. 2 stair stringer	18' length -- 4 pcs.
2 x 4 stair tread material	8' length -- 21 pcs.
Landing deck beam 4 x 8	4' length -- 1 pc.
Landing deck boards 2 x 4	8' length -- 7 pcs.
Landing deck joists and ledger 2 x 8	8' length -- 4 pcs.
Landing posts 4 x 4	9' length -- 2 pcs.
Guardrail top cap 2 x 4	9' length -- 1 pc.
Guardrail top cap 2 x 4	16' length -- 1 pc.
Rail material 1 x 4	26 lf
Guardrail pickets material 2 x 2	8' length -- 24 pcs.

Roof Framing Components

Trusses : 4 in 12 slope, 24' span (include 2 reduced height end trusses)--13 trusses	
2 x 4 HF/DF No. 2 lookouts material	12' length -- 5 pcs.

Sheathing Materials

Wall sheathing 7/16" o.s.b. vert. applied	4 x 8 sheet -- 60 sheets
Roof Sheathing 15/32" 5-ply C-D APA Plywood, ext. glue P.L. 24 x 8 sheet	-- 28 sheets

Vapor Barrier

Roof 15# bituminous felt paper in 36" wide roll	300 lf
Wall 7# bituminous felt paper in 40" wide roll	300 lf
Floor .006" black polyethylene membrane	552 sf

Siding Materials

8" x 7/16" textured o.s.b.siding boards with 1" lap	1488 sf siding area
Trim: 5/4 x 3	9' length -- 8 pcs.
Trim: 5/4 x 4	8' length -- 13 pcs.
Trim: 5/4 x 4	9' length -- 17 pcs.
Trim: 5/4 x 4	10' length -- 2 pcs.
Trim: 5/4 x 4	12' length -- 3 pcs.
Horizontal siding trim board: 2 x 6	-- 58 lf
Fascia: 1 x 6	-- 52 lf
Rakeboard: 2 x 6	16' length -- 4 pcs.
Soffit framing material 2 x 3	8' length -- 12 pcs.
Soffit panel material	4 x 8 sheets -- 8 sheets

Roofing Materials

Composition Roofing Shingles	754 sf roof area
Ridgevent material	24 lf

Window and Door Assemblies

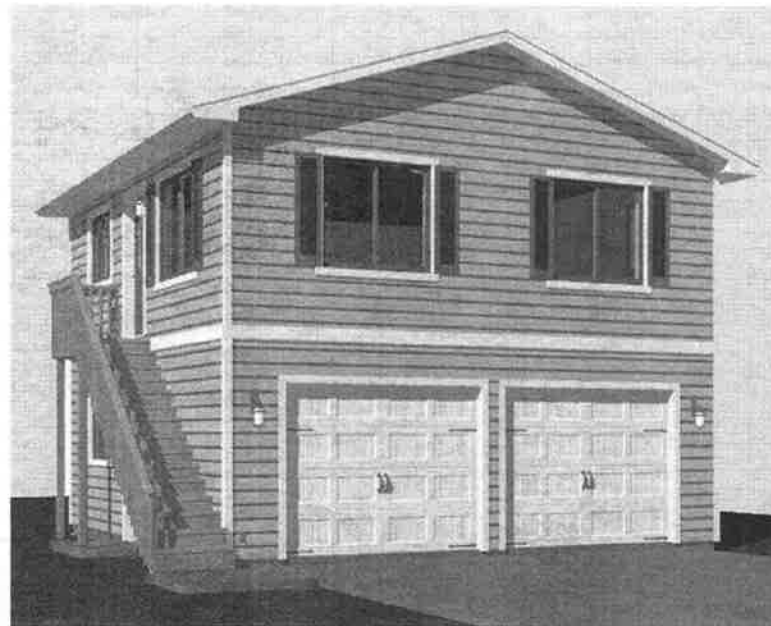
504# sliding window(s)	3 ea.
503# sliding window(s)	2 ea.
4030 sliding window(s)	2 ea.
3030 sliding window	1 ea.
9'-0" x 7'-0" sectional garage door	2 ea.
30B# exterior door	2 ea.

Metal Parts & Misc.

Anchor bolts: 1/2" dia. x 10" ASTM A-307 w/ hex nuts	22 pcs.
Flat washer: 2" x 2" square x 3/16" thick std. Pl.	22 pcs.
Simpson H10 Connectors	22 pcs.
Simpson STD14 hold-down straps	4 pcs.
Simpson U26 joist hangers	8 pcs.
Simpson U26-2 joist hangers	4 pcs.
Simpson PC44 Post Top/Beam connectors	2 pcs.
Simpson EPB44 Post Bottom connectors	2 pcs.
16d sinker nails	50 lbs.
8d common nails @ 145 nails / lb.	50 lbs.
Drip flashing for window/door heads	58 lf
Handrail, 1 1/2" dia., wood or metal	14' length -- 1 pc.
Handrail Support Brackets	4 pcs.

~ To advise corrections, call 1-800-210-6776 Thank you.~

(electrical components and finishing materials are not included in this list)



2 CAR GARAGE WITH FULL SECOND STORY PLAN #1152-1 24' W (+ 4' for stair) X 24' D

Building Categories and Data

Occupancy Classification: "U"
 Construction Type: "V"
 Grade-To-Ridge Height: 22'-10"

First Floor Area: 576 sq. ft.
 Second Floor Area: 576 sq. ft.

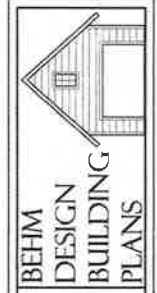
Gross Building Area: 1152 sq. ft.

Building Code Compliance

This planset was prepared to comply with the prescriptive requirements of the International Residential Code (IRC)

Parameters For Design

Wind Speed: 115 mph
 Wind Exposure: "B"
 Seismic Category: A, B and C
 Snow Load: 30# / sq.ft.



QUESTIONS: CALL
 1-800-210-6776

WWW.BEHMDESIGN.COM

1152-1

DESIGN BY:
 JJB

DATE:
 revised
 03/18

SHEET CONTENTS:

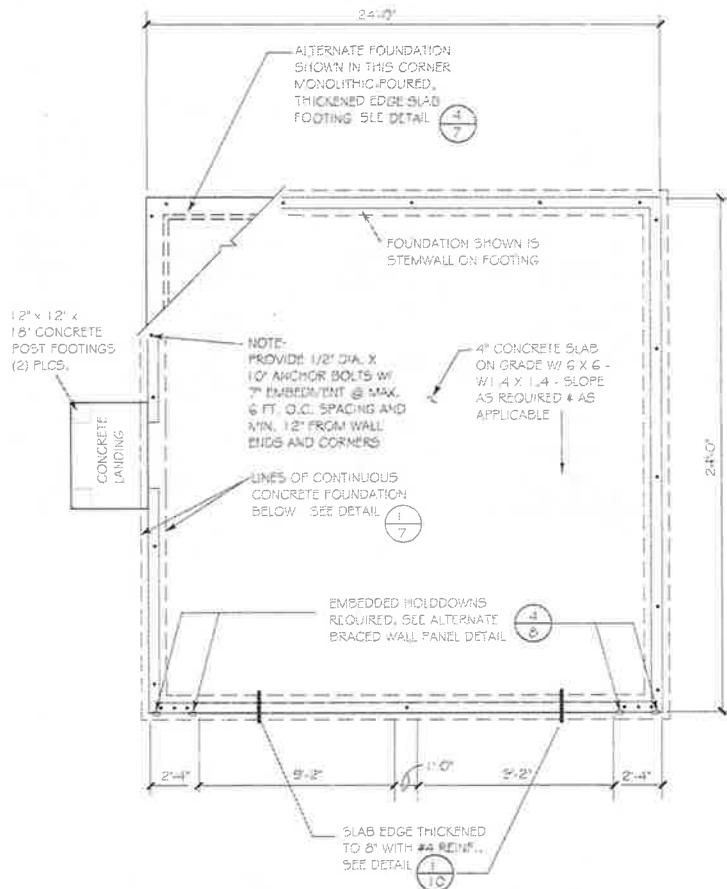
Pictorial View Of Design
 Project Data
 Building Materials List

SHEET:

1

10

5.9



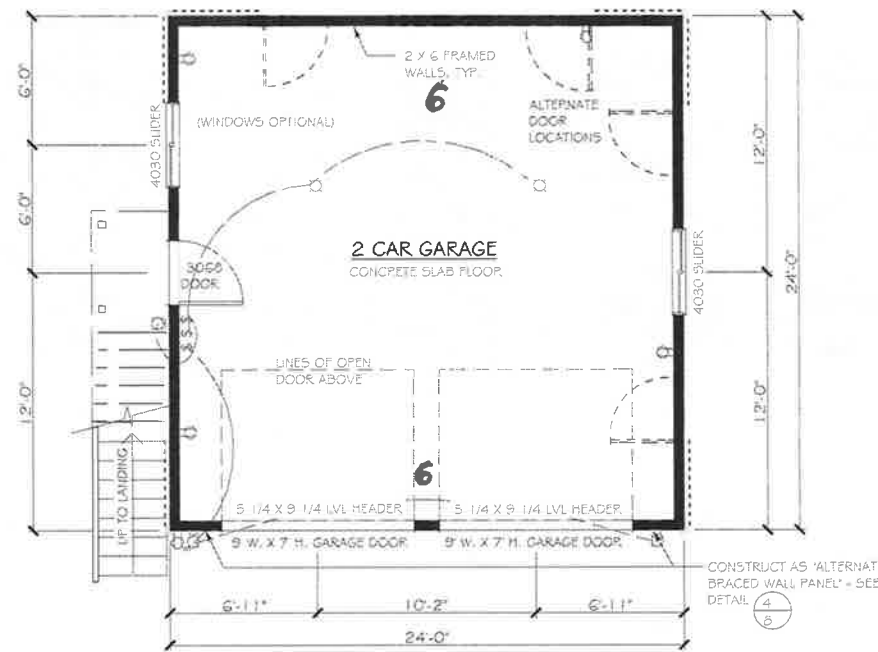
FOUNDATION PLAN

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

NOTE:
FOUNDATION PLAN DIMENSIONS ARE TO FACE OF CONCRETE OR CENTERLINE OF BEARING, AS SHOWN

BRACED WALLS AS PER
IRC S602.10. AS
APPLICABLE FOR LOCAL CODES

EFFECTIVE BRACED WALLS PANELS - METHOD: C5-W5P
MIN. 48" (SHOWN: - - - - -)
NAIL SIDING PANELS OR SHEATHING
W/ 8d @ 6" o.c. EDGES AND @ 12" O.C.
FIELD TO WALL FRAMING
(MIN. 48" OR 3 STUD SPACES)



FLOOR PLAN

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

NOTE:
FLOOR PLAN DIMENSIONS ARE TO FACE OF FRAMING OR CENTERLINE OF BEARING, TYP. AS SHOWN

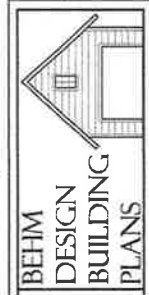
NOTE:
DOOR AND WINDOW HEADERS SHALL BE 2 X 6 UNLESS OTHERWISE NOTED

NOTE:
SEE EXTERIOR ELEVATIONS FOR SIZES AND FUNCTION

LEGEND

- \$ SWITCH LOCATION
- ⊙ CEILING MOUNTED LIGHT FIXTURE
- ⊕ 110 VOLT DUPLEX OUTLET
- ⊕ EXTERIOR WALL-MTD. LIGHT FIXTURE
- ⊕ ELECTRIC PANEL OR SUB-PANEL LOCATION, INSTALL PER LOCAL CODES

6 Smoke & Carbon monoxide Alarm



QUESTIONS? CALL
1-800-201-6776

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1152-1

DESIGN BY:
JJB

DATE:
7/15

SHEET CONTENTS

FLOOR PLAN
FOUNDATION PLAN

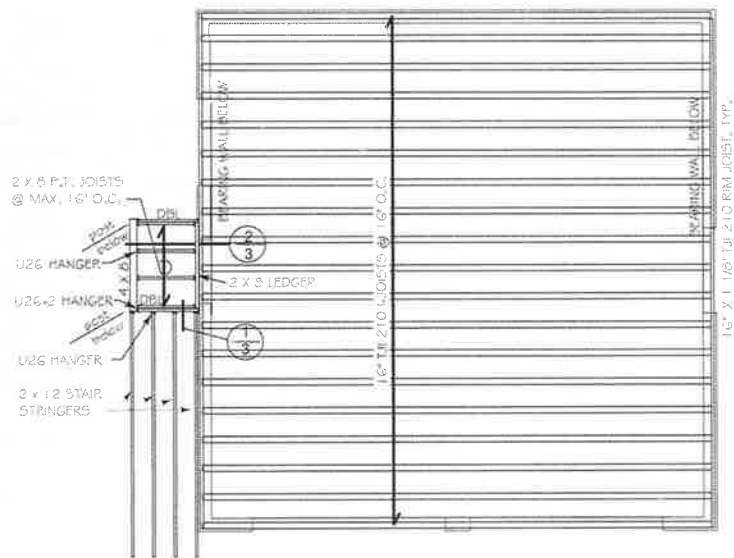
SHEET

2

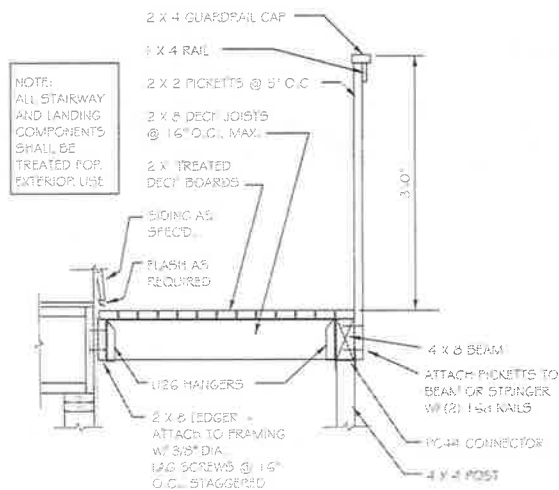
OF 10

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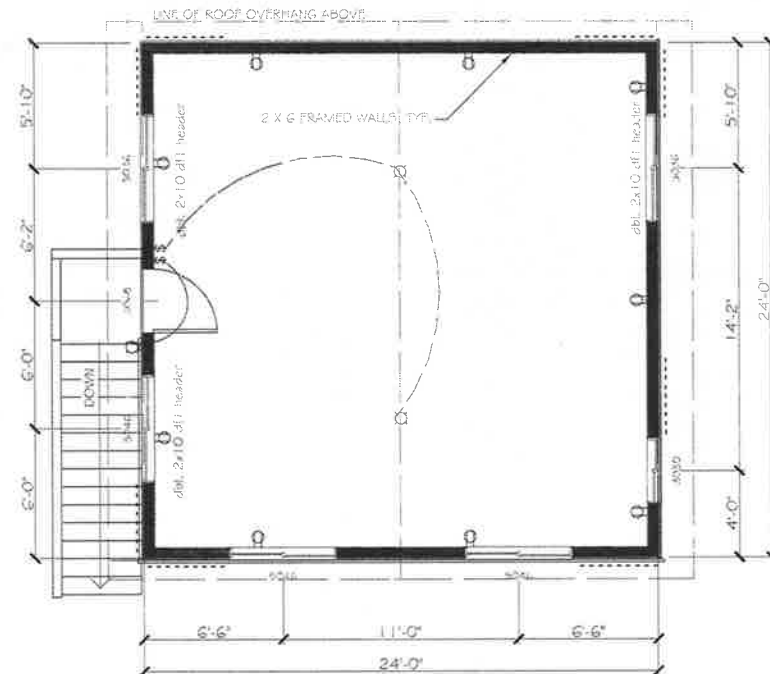
5.10



SECOND FLOOR FRAMING PLAN

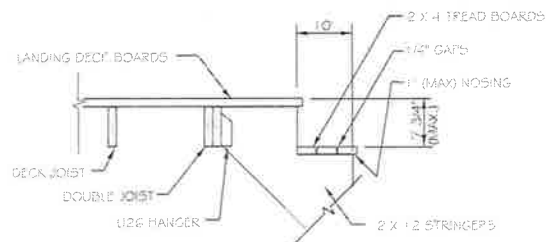


2 LANDING / GUARDRAIL DETAIL



SECOND FLOOR PLAN

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



1 OUTSIDE LANDING STRINGER SUPPORT DETAIL

NOTE:
SEE EXTERIOR ELEVATIONS
FOR WINDOW SIZES AND FUNCTION

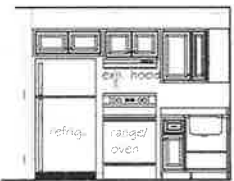
NOTE:
FLOOR PLAN DIMENSIONS ARE TO FACE
OF FRAMING OR CENTERLINE OF BEARING,
TYP. AS SHOWN

NOTE:
DOOR AND WINDOW HEADERS
SHALL BE 2- 2 X 6 UNLESS
OTHERWISE NOTED

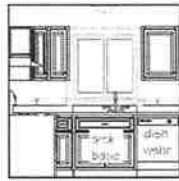
LEGEND

- ⚡ SWITCH LOCATION
- ⊙ CEILING MOUNTED LIGHT FIXTURE
- ⚡ 110 VOLT DUPLEX OUTLET
- ⊙ EXTERIOR WALLMOUNTED LIGHT FIXTURE
- ⊡ ELECTRIC PANEL OR SUB-PANEL LOCATION, INSTALL PER LOCAL CODES

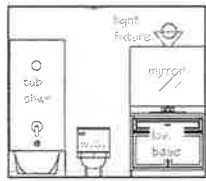
11'S



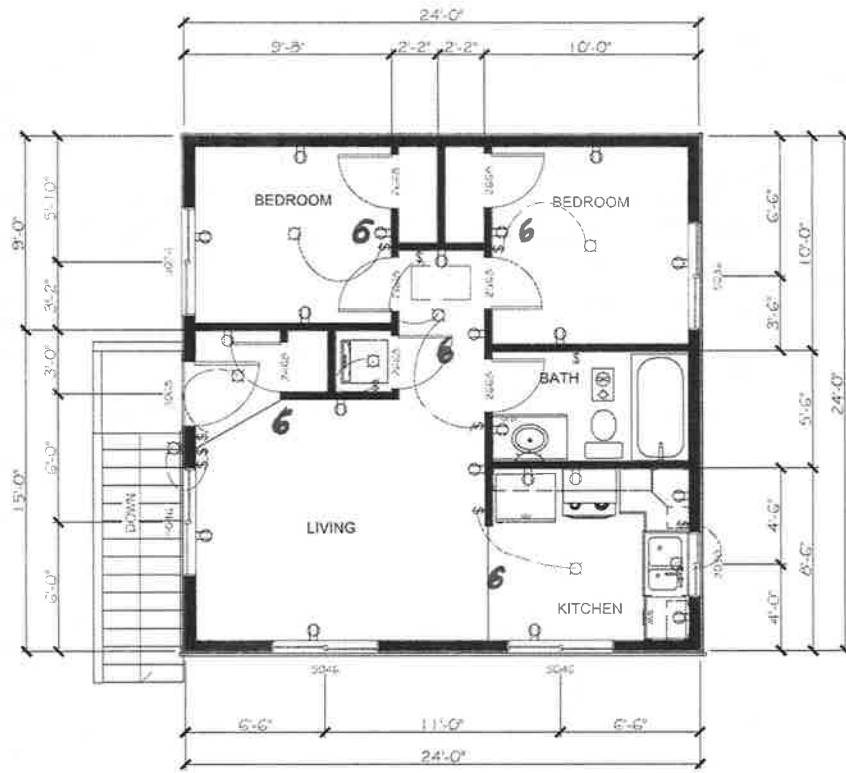
KITCHEN BACK WALL



KITCHEN SIDE WALL



BATHROOM WALL



SECOND FLOOR PLAN

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

NOTE:
FLOOR PLAN DIMENSIONS ARE TO FACE
OF FRAMING OR CENTERLINE OF BEARING
TYP. AS SHOWN

NOTE:
DOOR AND WINDOW HEADERS
SHALL BE 2" X 6 UNLESS
OTHERWISE NOTED

NOTE:
SEE EXTERIOR ELEVATIONS
FOR SIZES AND FUNCTION

LEGEND

- ⌘ SWITCH LOCATION
- ⊙ CEILING MOUNTED LIGHT FIXTURE
- ⊕ 110 VOLT DUPLEX OUTLET
- ⌘ EXTERIOR WALL-MTD. LIGHT FIXTURE
- ⌘ ELECTRIC PANEL OR SUB-PANEL
LOCATION: INSTALL PER LOCAL CODES

*6 Smoke Alarm
& Carbon monoxide Alarm*

QUESTIONS? CALL

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PLAN NO.

1152-1

ALTERNATE 2ND FLOOR PLAN FOR APARTMENT

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SHEET CONTENTS

FLOOR PLAN

FOUNDATION PLAN

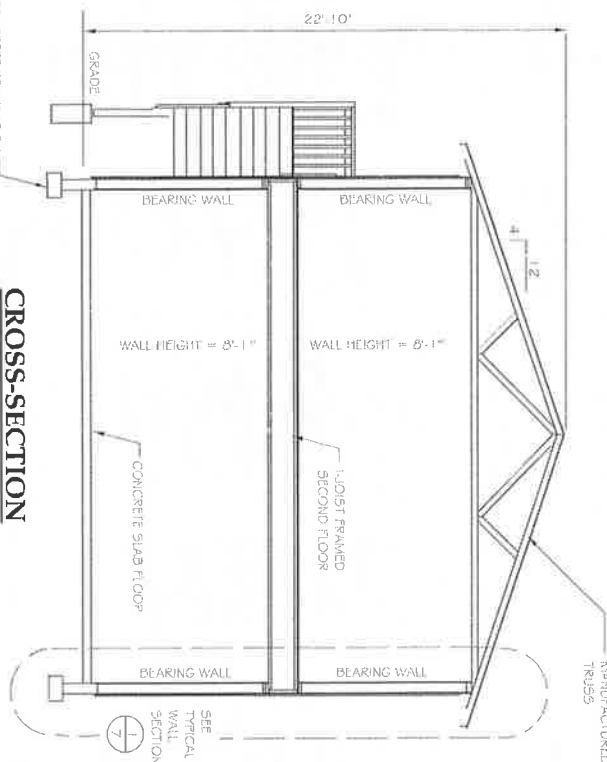
SHEET

3

ALTERNATE

OF 10

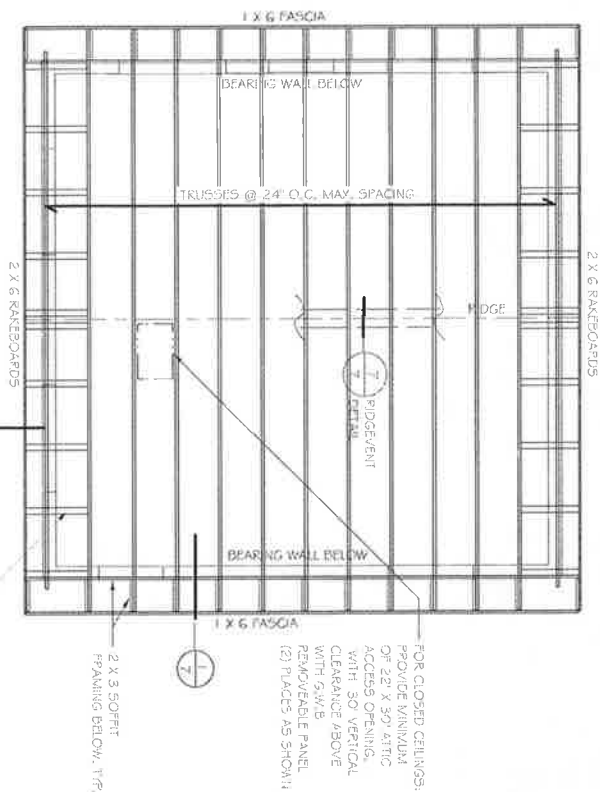
NOTE:
TRUSS PROFILE SHOWN IS
SCHEMATIC ONLY. ACTUAL
TRUSS PROFILE MAY HAVE
DIFFERENT WEB PATTERN.



CROSS-SECTION

NOTE:
FOOTING/RETAINING WALL FOUNDATION
SHOWN FOR ALTERNATIVE
THICKENED EDGE FOUNDATION
SEE DETAIL 7

FOR CLOSED CEILING,
PROVIDE MINIMUM 20" X 30" ATTIC ACCESS
OPENING W/ REMOVABLE PANEL.
SEE DETAIL 7




ROOF FRAMING PLAN

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

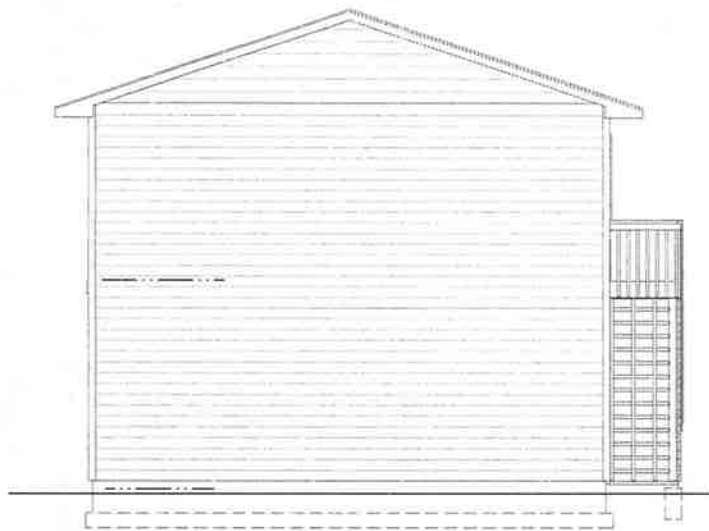
NOTE:
ALL CONNECTORS
SHOWN SHALL
BE SHIPSON STRONG-
TIE OR EQUAL

NOTE:
ARROW LINE INDICATES
EXTENT OF SPANNING
MEMBERS, NOT THE
DIRECTION OF SPAN

NOTE:
ENGINEERING DATA AND SPECIFICATIONS
SHALL BE PROVIDED FOR TRUSSES BY
TRUSS MANUFACTURER AS REQUIRED BY
THE BUILDING OFFICIAL AND SHALL BE
STATE APPROVED.

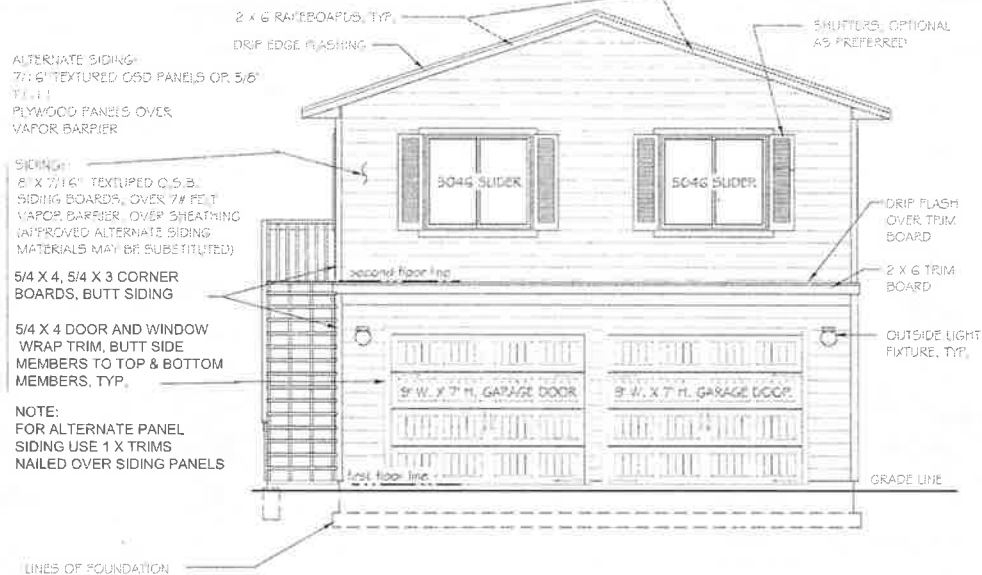
<p>4 OF 10</p>	<p>SHEET</p> <p>SHEET CONTENTS</p> <p>ROOF FRAMING PLAN</p> <p>CROSS-SECTION</p>	<p>DESIGN BY:</p> <p>JB</p> <p>DATE:</p> <p>7/15</p>	<p>PLAN NO.</p> <p>1152-1</p>	<p>QUESTIONS? CALL</p> <p>1-800-210-6776</p> <p>WWW.BEHMDISIGN.COM</p>	<p>BEHM DESIGN BUILDING PLANS</p> 
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5.12



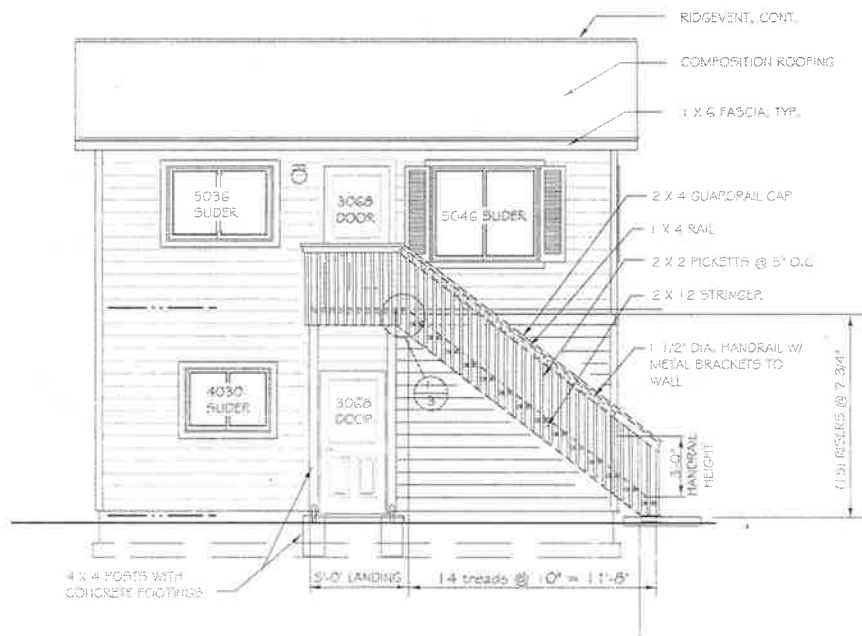
REAR ELEVATION

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



FRONT ELEVATION

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



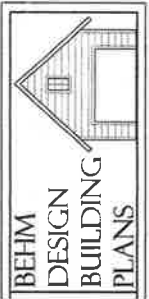
LEFT SIDE ELEVATION

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

NOTE:
NOMINAL WINDOW SIZES ARE
SHOWN: FEET/INCHES WIDE
X FEET/INCHES HIGH, TYP. -
VERIFY FRAMED OPENING
REQUIRED BY PRODUCT MFR.

NOTE:
FLASH OPENINGS AND PROVIDE
WEATHERSTRIPPING AS REQUIRED
BY LOCAL CODES

NOTE:
NOTES AND MATERIALS INDICATED
IN THIS ELEVATION ARE TYPICAL
FOR ENTIRE BUILDING AS APPLIC.



QUESTIONS? CALL
1-800-240-6776

WWW.BEIMDESIGN.COM

PLAN NO.

1152-1

DESIGN BY:
JUB

DATE:
7/15

SHEET CONTENTS:

FRONT ELEVATION

REAR ELEVATION

RIGHT SIDE ELEVATION

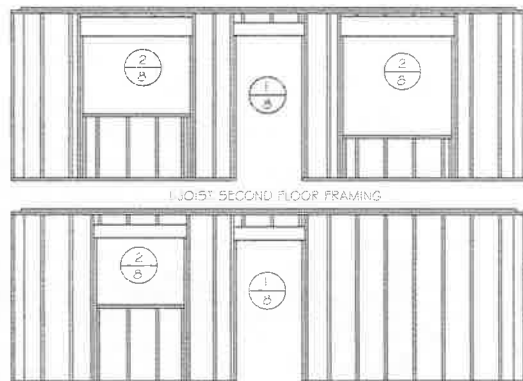
SHEET

5

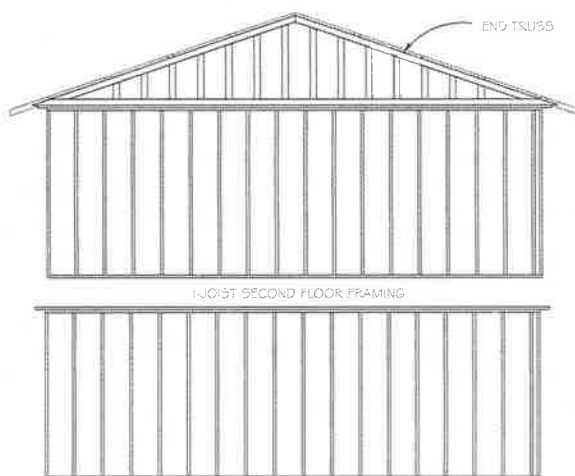
OF

10

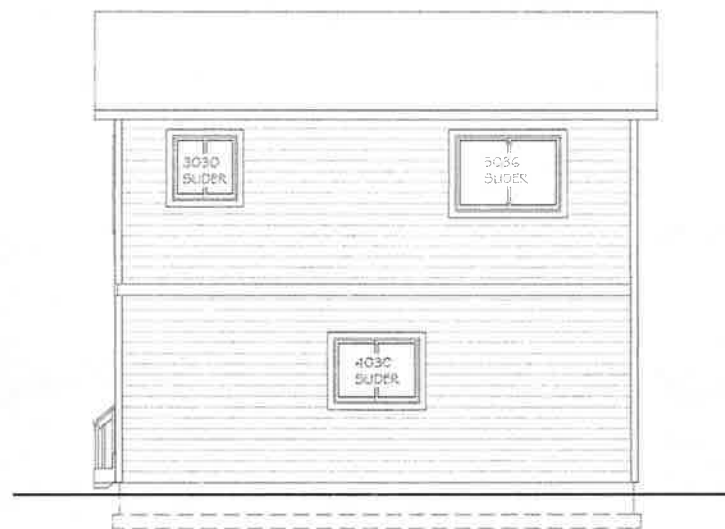
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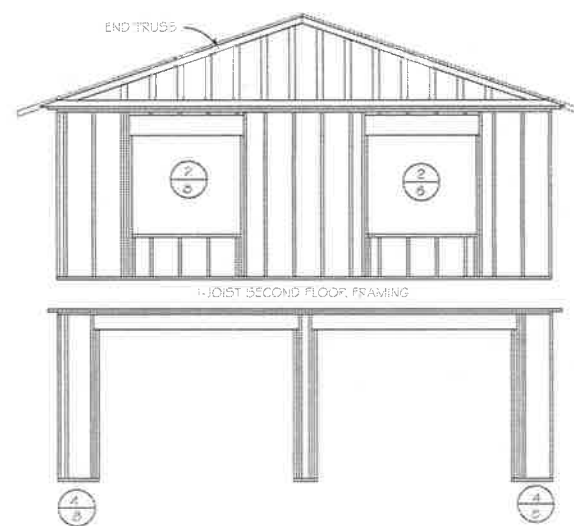
LEFT SIDE WALL FRAMING ELEVATION
RIGHT SIDE SIMILAR



REAR WALL FRAMING ELEVATION

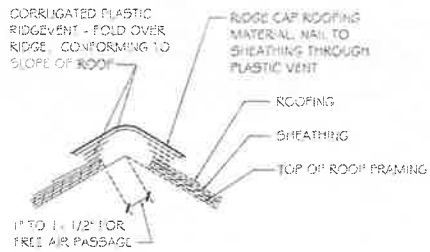


RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

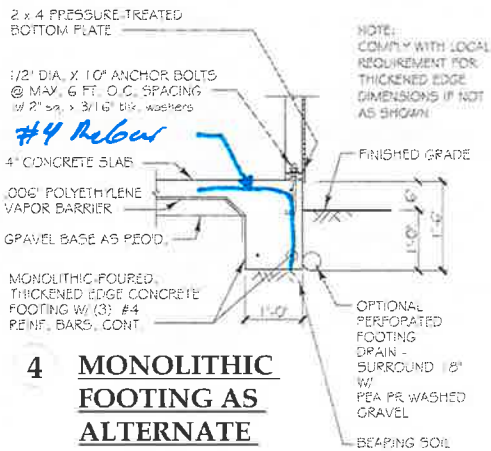


FRONT WALL FRAMING ELEVATION

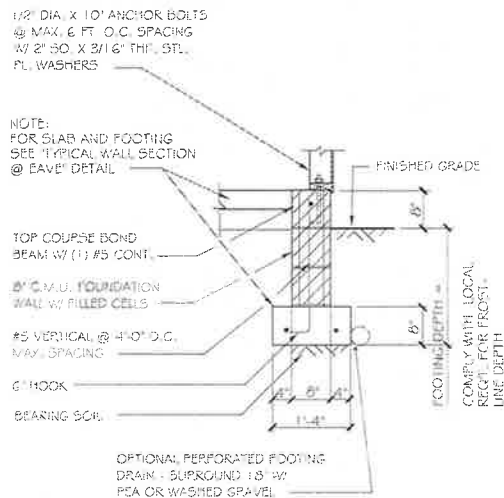
	
QUESTIONS? CALL 1-800-210-6776 WWW.BEIMDESIGN.COM	
PLAN NO. 1152-1	
DESIGN BY: JJB	DATE: 7/15
SHEET CONTENTS: LEFT SIDE ELEVATION WALL FRAMING ELEVATIONS	
SHEET 6 OF 10	



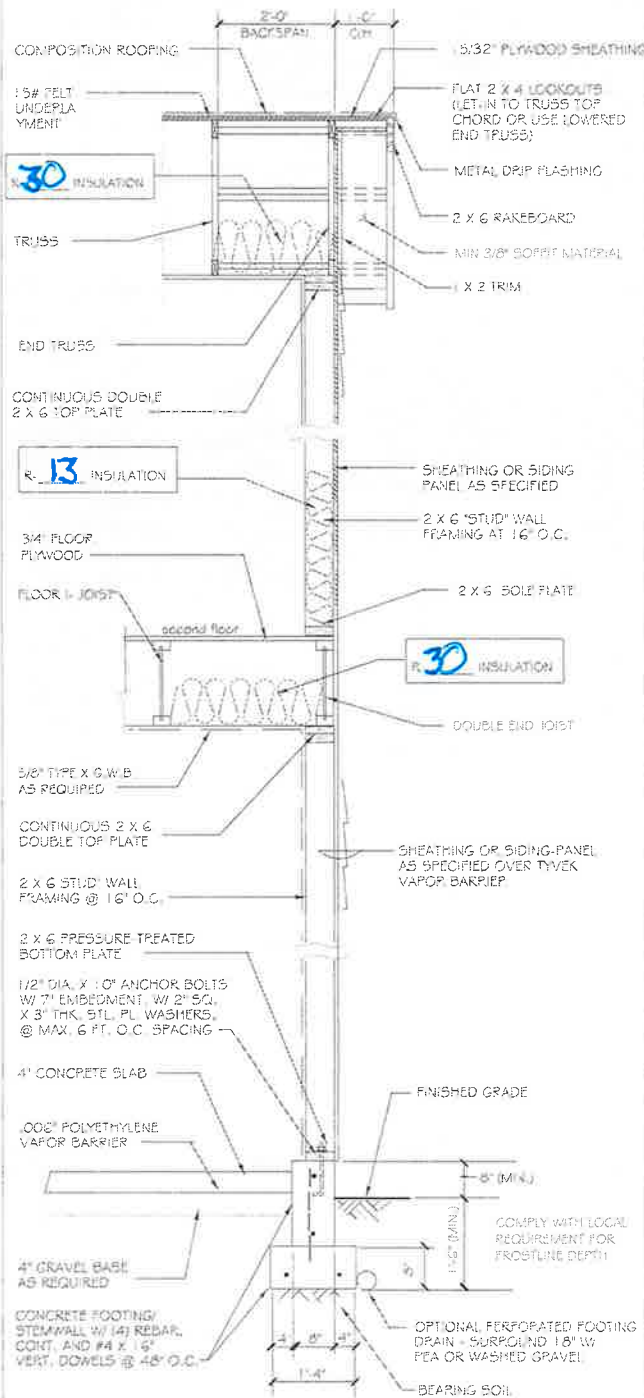
5 RIDGEVENT DETAIL



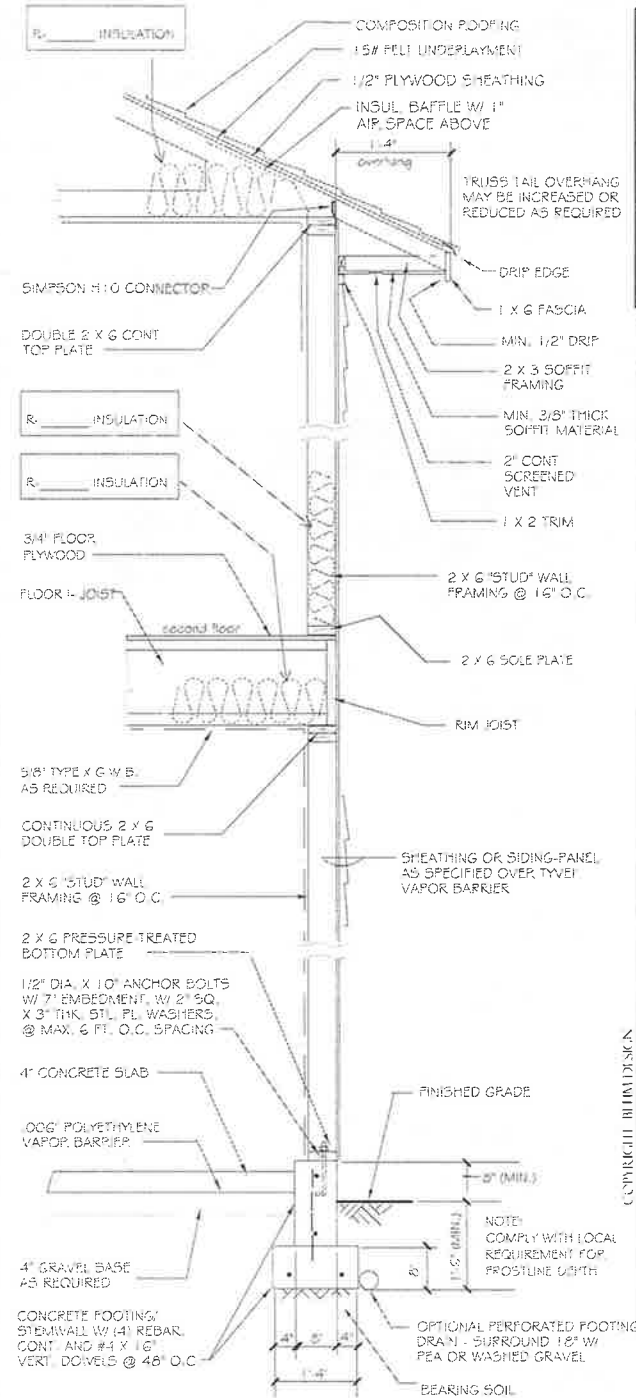
4 MONOLITHIC FOOTING AS ALTERNATE DETAIL



3 ALTERNATE BLOCK FOUNDATION WALL DETAIL (N.T.S.)



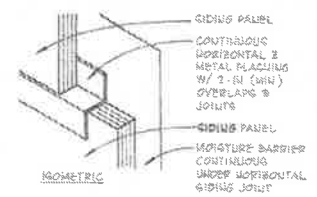
2 TYPICAL WALL SECTION @ GABLE
SCALE: 3/4\"/>



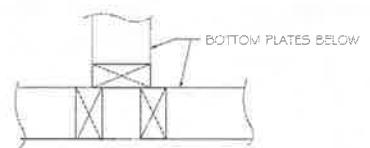
1 TYPICAL WALL SECTION @ EAVE
SCALE: 3/4\"/>

	QUESTIONS/CALL	1152-1	DESIGN BY:
	1-800-210-6776		J/B
WWW.BEHMDSIGN.COM			DATE:
			Revised: 6/23/17
SHEET CONTENTS:		TYPICAL WALL SECTIONS FOUNDATION DETAILS ROOF OVERHANG DETAILS JOIST/FRAMING DETAILS	
SHEET		7	
		OF 10	

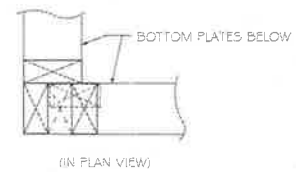
5.16



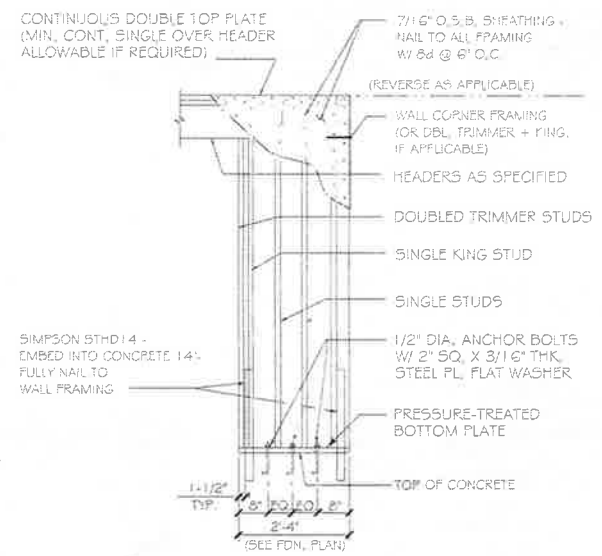
5 FLASHING DETAIL (PANEL SIDING)



STUDS @ INTER-SECTING WALL



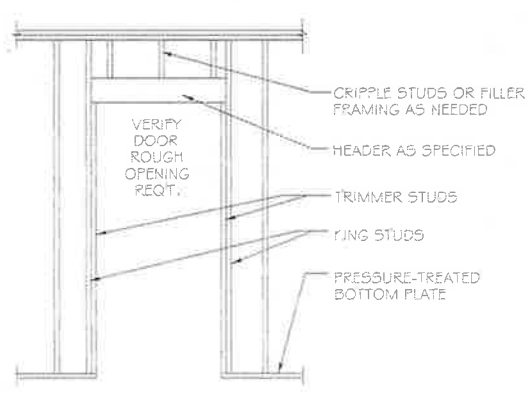
STUDS @ CORNER



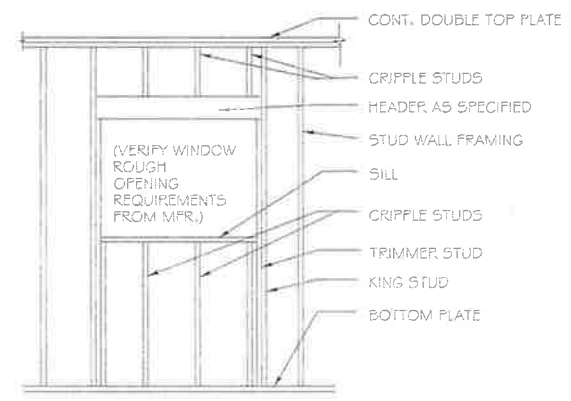
4 ALTERNATE BRACED WALL PANEL DETAIL ABW



3 STHD HOLDDOWN



2 DOOR OPENING DETAIL



1 WINDOW OPENING DETAIL



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DESIGN BY: JPB

DATE: 7/15

SHEET CONTENTS:
WALL FRAMING DETAILS
ALTERNATE BRACED WALL PANEL DET
FLASHING DETAIL (PANEL SIDING)
INTERIOR BRACED WALL
CONTINUITY DETAILS

SHEET

8

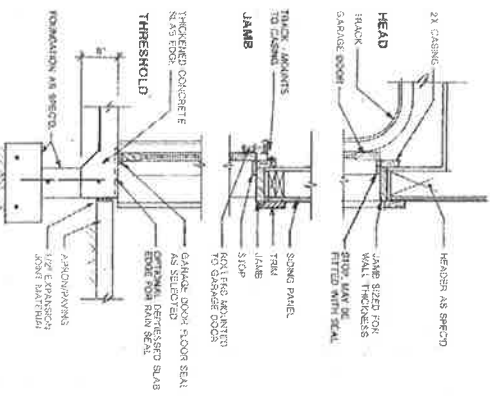
OF 10

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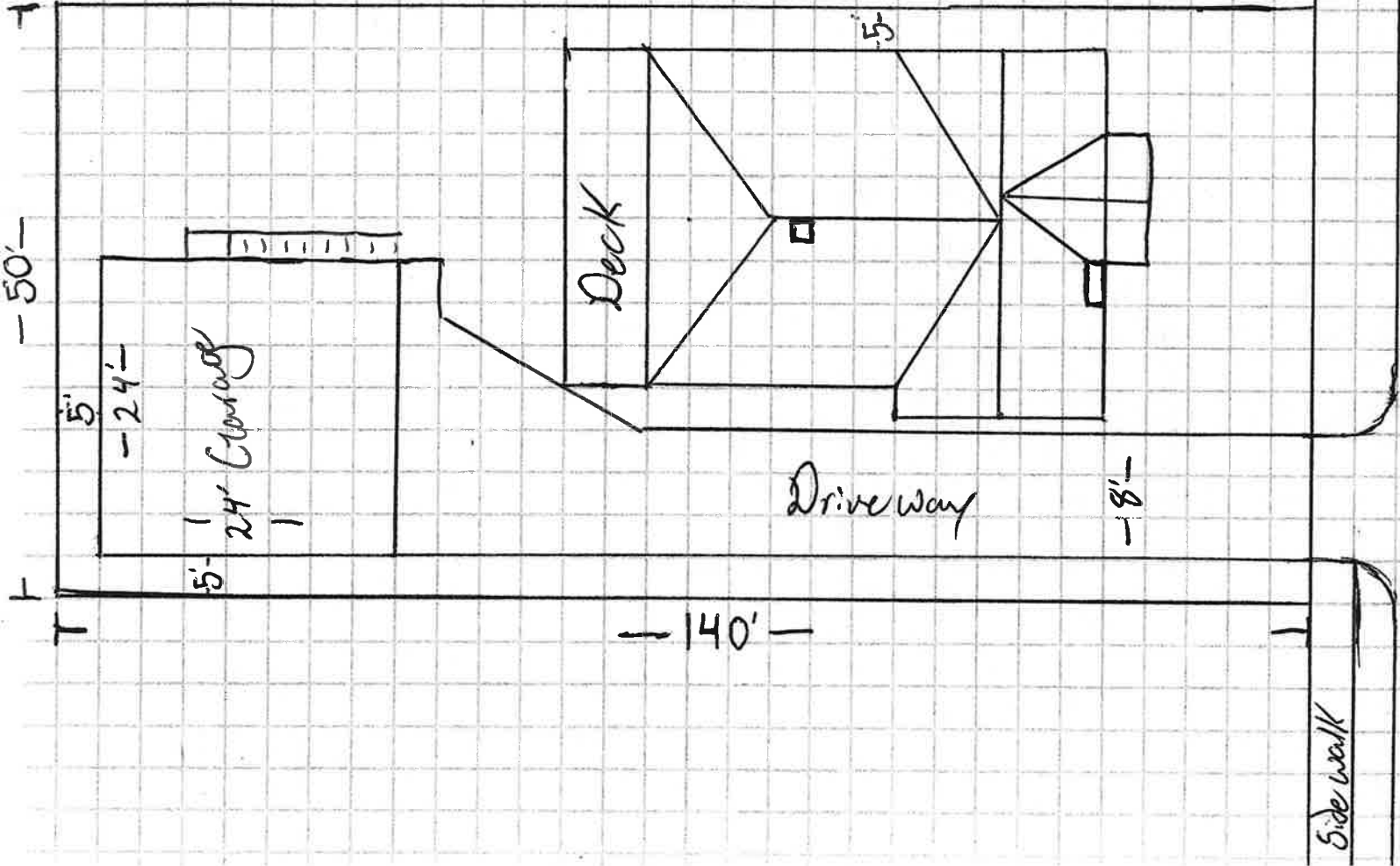
[illegible]

TYPICAL SCHEDULE FOR STRUCTURAL MEMBERS				
COLLAPSE OF BUILDING ELEMENTS		MAJOR AND/OR MINOR FAILURE MODE	SPACING OF REINFORCEMENT	
ITEM	DESCRIPTION OF COLLAPSE ELEMENTS	REINFORCEMENT	REINFORCEMENT	SPACING OF REINFORCEMENT
1	Beam-column joints in shear in the shear wall	3-6# 170Y + 0.117%	3# 3x.	
2	Column under axial and shear	3-6# 170Y + 0.12%	1# 6x, 2# 6x, 3# 6x, 4# 6x, 5# 6x, 6# 6x, 7# 6x, 8# 6x, 9# 6x, 10# 6x, 11# 6x, 12# 6x, 13# 6x, 14# 6x, 15# 6x, 16# 6x, 17# 6x, 18# 6x, 19# 6x, 20# 6x, 21# 6x, 22# 6x, 23# 6x, 24# 6x, 25# 6x, 26# 6x, 27# 6x, 28# 6x, 29# 6x, 30# 6x, 31# 6x, 32# 6x, 33# 6x, 34# 6x, 35# 6x, 36# 6x, 37# 6x, 38# 6x, 39# 6x, 40# 6x, 41# 6x, 42# 6x, 43# 6x, 44# 6x, 45# 6x, 46# 6x, 47# 6x, 48# 6x, 49# 6x, 50# 6x, 51# 6x, 52# 6x, 53# 6x, 54# 6x, 55# 6x, 56# 6x, 57# 6x, 58# 6x, 59# 6x, 60# 6x, 61# 6x, 62# 6x, 63# 6x, 64# 6x, 65# 6x, 66# 6x, 67# 6x, 68# 6x, 69# 6x, 70# 6x, 71# 6x, 72# 6x, 73# 6x, 74# 6x, 75# 6x, 76# 6x, 77# 6x, 78# 6x, 79# 6x, 80# 6x, 81# 6x, 82# 6x, 83# 6x, 84# 6x, 85# 6x, 86# 6x, 87# 6x, 88# 6x, 89# 6x, 90# 6x, 91# 6x, 92# 6x, 93# 6x, 94# 6x, 95# 6x, 96# 6x, 97# 6x, 98# 6x, 99# 6x, 100# 6x, 101# 6x, 102# 6x, 103# 6x, 104# 6x, 105# 6x, 106# 6x, 107# 6x, 108# 6x, 109# 6x, 110# 6x, 111# 6x, 112# 6x, 113# 6x, 114# 6x, 115# 6x, 116# 6x, 117# 6x, 118# 6x, 119# 6x, 120# 6x, 121# 6x, 122# 6x, 123# 6x, 124# 6x, 125# 6x, 126# 6x, 127# 6x, 128# 6x, 129# 6x, 130# 6x, 131# 6x, 132# 6x, 133# 6x, 134# 6x, 135# 6x, 136# 6x, 137# 6x, 138# 6x, 139# 6x, 140# 6x, 141# 6x, 142# 6x, 143# 6x, 144# 6x, 145# 6x, 146# 6x, 147# 6x, 148# 6x, 149# 6x, 150# 6x, 151# 6x, 152# 6x, 153# 6x, 154# 6x, 155# 6x, 156# 6x, 157# 6x, 158# 6x, 159# 6x, 160# 6x, 161# 6x, 162# 6x, 163# 6x, 164# 6x, 165# 6x, 166# 6x, 167# 6x, 168# 6x, 169# 6x, 170# 6x, 171# 6x, 172# 6x, 173# 6x, 174# 6x, 175# 6x, 176# 6x, 177# 6x, 178# 6x, 179# 6x, 180# 6x, 181# 6x, 182# 6x, 183# 6x, 184# 6x, 185# 6x, 186# 6x, 187# 6x, 188# 6x, 189# 6x, 190# 6x, 191# 6x, 192# 6x, 193# 6x, 194# 6x, 195# 6x, 196# 6x, 197# 6x, 198# 6x, 199# 6x, 200# 6x, 201# 6x, 202# 6x, 203# 6x, 204# 6x, 205# 6x, 206# 6x, 207# 6x, 208# 6x, 209# 6x, 210# 6x, 211# 6x, 212# 6x, 213# 6x, 214# 6x, 215# 6x, 216# 6x, 217# 6x, 218# 6x, 219# 6x, 220# 6x, 221# 6x, 222# 6x, 223# 6x, 224# 6x, 225# 6x, 226# 6x, 227# 6x, 228# 6x, 229# 6x, 230# 6x, 231# 6x, 232# 6x, 233# 6x, 234# 6x, 235# 6x, 236# 6x, 237# 6x, 238# 6x, 239# 6x, 240# 6x, 241# 6x, 242# 6x, 243# 6x, 244# 6x, 245# 6x, 246# 6x, 247# 6x, 248# 6x, 249# 6x, 250# 6x, 251# 6x, 252# 6x, 253# 6x, 254# 6x, 255# 6x, 256# 6x, 257# 6x, 258# 6x, 259# 6x, 260# 6x, 261# 6x, 262# 6x, 263# 6x, 264# 6x, 265# 6x, 266# 6x, 267# 6x, 268# 6x, 269# 6x, 270# 6x, 271# 6x, 272# 6x, 273# 6x, 274# 6x, 275# 6x, 276# 6x, 277# 6x, 278# 6x, 279# 6x, 280# 6x, 281# 6x, 282# 6x, 283# 6x, 284# 6x, 285# 6x, 286# 6x, 287# 6x, 288# 6x, 289# 6x, 290# 6x, 291# 6x, 292# 6x, 293# 6x, 294# 6x, 295# 6x, 296# 6x, 297# 6x, 298# 6x, 299# 6x, 300# 6x, 301# 6x, 302# 6x, 303# 6x, 304# 6x, 305# 6x, 306# 6x, 307# 6x, 308# 6x, 309# 6x, 310# 6x, 311# 6x, 312# 6x, 313# 6x, 314# 6x, 315# 6x, 316# 6x, 317# 6x, 318# 6x, 319# 6x, 320# 6x, 321# 6x, 322# 6x, 323# 6x, 324# 6x, 325# 6x, 326# 6x, 327# 6x, 328# 6x, 329# 6x, 330# 6x, 331# 6x, 332# 6x, 333# 6x, 334# 6x, 335# 6x, 336# 6x, 337# 6x, 338# 6x, 339# 6x, 340# 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1006# 6x, 1007# 6x, 1008# 6x, 1009# 6x, 1010# 6x, 1011# 6x, 1012# 6x, 1013# 6x, 1014# 6x, 1015# 6x, 1016# 6x, 1017# 6x, 1018# 6x, 1019# 6x, 1020# 6x, 1021# 6x, 1022# 6x, 1023# 6x, 1024# 6x, 1025# 6x, 1026# 6x, 1027# 6x, 1028# 6x, 1029# 6x, 1030# 6x, 1031# 6x, 1032# 6x, 1033# 6x, 1034# 6x, 1035# 6x, 1036# 6x, 1037# 6x, 1038# 6x, 1039# 6x, 1040# 6x, 1041# 6x, 1042# 6x, 1043# 6x, 1044# 6x, 1045# 6x, 1046# 6x, 1047# 6x, 1048# 6x, 1049# 6x, 1050# 6x, 1051# 6x, 1052# 6x, 1053# 6x, 1054# 6x, 1055# 6x, 1056# 6x, 1057# 6x, 1058# 6x, 1059# 6x, 1060# 6x, 1061# 6x, 1062# 6x, 1063# 6x, 1064# 6x, 1065# 6x, 1066# 6x, 1067# 6x, 1068# 6x, 1069# 6x, 1070# 6x, 1071# 6x, 1072# 6x, 1073# 6x, 1074# 6x, 1075# 6x, 1076# 6x, 1077# 6x, 1078# 6x, 1079# 6x, 1080# 6x, 1081# 6x, 1082# 6x, 1083# 6x, 1084# 6x, 1085# 6x, 1086# 6x, 1087# 6x, 1088# 6x, 1089# 6x, 1090# 6x, 1091# 6x, 1092# 6x, 1093# 6x, 1094# 6x, 1095# 6x, 1096# 6x, 1097# 6x, 1098# 6x, 1099# 6x, 1100# 6x, 1101# 6x, 1102# 6x, 1103# 6x, 1104# 6x, 1105# 6x, 1106# 6x, 1107# 6x, 1108# 6x, 1109# 6x, 1110# 6x, 1111# 6x, 1112# 6x, 1113# 6x, 1114# 6x, 1115# 6x, 1116# 6x, 1117# 6x, 1118# 6x, 1119# 6x, 1120# 6x, 1121# 6x, 1122# 6x, 1123# 6x, 1124# 6x, 1125# 6x, 1126# 6x, 1127# 6x, 1128# 6x, 1129# 6x, 1130# 6x, 1131# 6x, 1132# 6x, 1133# 6x, 1134# 6x, 1135# 6x, 1136# 6x, 1137# 6x, 1138# 6x, 1139# 6x, 1140# 6x, 1141# 6x, 1142# 6x, 1143# 6x, 1144# 6x, 1145# 6x, 1146# 6x, 1147# 6x, 1148# 6x, 1149# 6x, 1150# 6x, 1151# 6x, 1152# 6x, 1153# 6x, 1154# 6x, 1155# 6x, 1156# 6x, 1157# 6x, 1158# 6x, 1159# 6x, 1160# 6x, 1161# 6x, 1162# 6x, 1163# 6x, 1164# 6x, 1165# 6x, 1166# 6x, 1167# 6x, 1168# 6x, 1169# 6x, 1170# 6x, 1171# 6x, 1172# 6x, 1173# 6x, 1174# 6x, 1175# 6x, 1176# 6x, 1177# 6x, 1178# 6x, 1179# 6x, 1180# 6x, 1181# 6x, 1182# 6x, 1183# 6x, 1184# 6x, 1185# 6x, 1186# 6x, 1187# 6x, 1188# 6x, 1189# 6x, 1190# 6x, 1191# 6x, 1192# 6x, 1193# 6x, 1194# 6x, 1195# 6x, 1196# 6x, 1197# 6x, 1198# 6x, 1199# 6x, 1200# 6x, 1201# 6x, 1202# 6x, 1203# 6x, 1204# 6x, 1205# 6x, 1206# 6x, 1207# 6x, 1208# 6x, 1209# 6x, 1210# 6x, 1211# 6x, 1212# 6x, 1213# 6x, 1214# 6x, 1215# 6x, 1216# 6x, 1217# 6x, 1218# 6x, 1219# 6x, 1220# 6x, 1221# 6x, 1222# 6x, 1223# 6x, 1224# 6x, 1225# 6x, 1226# 6x, 1227# 6x, 1228# 6x, 1229# 6x, 1230# 6x, 1231# 6x, 1232# 6x, 1233# 6x, 1234# 6x, 1235# 6x, 1236# 6x, 1237# 6x, 1238# 6x, 1239# 6x, 1240# 6x, 1241# 6x, 1242# 6x, 1243# 6x, 1244# 6x, 1245# 6x, 1246# 6x, 1247# 6x, 1248# 6x, 1249# 6x, 1250# 6x, 1251# 6x, 1252# 6x, 1253# 6x, 1254# 6x, 1255# 6x, 1256# 6x, 1257# 6x, 1258# 6x, 1259# 6x, 1260# 6x, 1261# 6x, 1262# 6x, 1263# 6x, 1264# 6x, 1265# 6x, 1266# 6x, 1267# 6x, 1268# 6x, 1269# 6x, 1270# 6x, 1271# 6x, 1272# 6x, 1273# 6x, 1274# 6x, 1275# 6x, 1276# 6x, 1277# 6x, 1278# 6x, 1279# 6x, 1280# 6x, 1281# 6x, 1282# 6x, 1283# 6x, 1284# 6x, 1285# 6x, 1286# 6x, 1287# 6x, 1288# 6x, 1289# 6x, 1290# 6x, 1291# 6x, 1292# 6x, 1293# 6x, 1294# 6x, 1295# 6x, 1296# 6x, 1297# 6x, 1298# 6x, 1299# 6x, 1300# 6x, 1301# 6x, 1302# 6x, 1303# 6x, 1304# 6x, 1305# 6x, 1306# 6x, 1307# 6x, 1308# 6x, 1309# 6x, 1310# 6x, 1311# 6x, 1312# 6x, 1313# 6x, 1314# 6x, 1315# 6x, 1316# 6x, 1317# 6x, 1318# 6x, 1319# 6x, 1320# 6x, 1321# 6x, 1322# 6x, 1323# 6x, 1324# 6x, 1325# 6x, 1326# 6x, 1327# 6	

ALLEGEDLY AFFILIATED		BRANCH OF MATRONS	
EDUCATIONAL MATERIALS, INSTRUCTIONS (NOTES)	DESCRIPTION OF MATRONS AND DUTIES (NOTES)	EDGES (CONTINUED)	EDUCATIONAL MATERIALS (NOTES)
What important points are made, and are following for training and professional and leadership in training?			
η and η_0	Should be 1.5, 2.5, 3.5	2	4
	Should be 1.5, 2.5, 3.5	3	5
	Should be 1.5, 2.5, 3.5	4	6
	Should be 1.5, 2.5, 3.5	5	7
	Should be 1.5, 2.5, 3.5	6	8
	Should be 1.5, 2.5, 3.5	7	9
	Should be 1.5, 2.5, 3.5	8	10
	Should be 1.5, 2.5, 3.5	9	11
	Should be 1.5, 2.5, 3.5	10	12
	Should be 1.5, 2.5, 3.5	11	13
	Should be 1.5, 2.5, 3.5	12	14
	Should be 1.5, 2.5, 3.5	13	15
	Should be 1.5, 2.5, 3.5	14	16
	Should be 1.5, 2.5, 3.5	15	17
	Should be 1.5, 2.5, 3.5	16	18
	Should be 1.5, 2.5, 3.5	17	19
	Should be 1.5, 2.5, 3.5	18	20
	Should be 1.5, 2.5, 3.5	19	21
	Should be 1.5, 2.5, 3.5	20	22
	Should be 1.5, 2.5, 3.5	21	23
	Should be 1.5, 2.5, 3.5	22	24
	Should be 1.5, 2.5, 3.5	23	25
	Should be 1.5, 2.5, 3.5	24	26
	Should be 1.5, 2.5, 3.5	25	27
	Should be 1.5, 2.5, 3.5	26	28
	Should be 1.5, 2.5, 3.5	27	29
	Should be 1.5, 2.5, 3.5	28	30
	Should be 1.5, 2.5, 3.5	29	31
	Should be 1.5, 2.5, 3.5	30	32
	Should be 1.5, 2.5, 3.5	31	33
	Should be 1.5, 2.5, 3.5	32	34
	Should be 1.5, 2.5, 3.5	33	35
	Should be 1.5, 2.5, 3.5	34	36
	Should be 1.5, 2.5, 3.5	35	37
	Should be 1.5, 2.5, 3.5	36	38
	Should be 1.5, 2.5, 3.5	37	39
	Should be 1.5, 2.5, 3.5	38	40
	Should be 1.5, 2.5, 3.5	39	41
	Should be 1.5, 2.5, 3.5	40	42
	Should be 1.5, 2.5, 3.5	41	43
	Should be 1.5, 2.5, 3.5	42	44
	Should be 1.5, 2.5, 3.5	43	45
	Should be 1.5, 2.5, 3.5	44	46
	Should be 1.5, 2.5, 3.5	45	47
	Should be 1.5, 2.5, 3.5	46	48
	Should be 1.5, 2.5, 3.5	47	49
	Should be 1.5, 2.5, 3.5	48	50
	Should be 1.5, 2.5, 3.5	49	51
	Should be 1.5, 2.5, 3.5	50	52
	Should be 1.5, 2.5, 3.5	51	53
	Should be 1.5, 2.5, 3.5	52	54
	Should be 1.5, 2.5, 3.5	53	55
	Should be 1.5, 2.5, 3.5	54	56
	Should be 1.5, 2.5, 3.5	55	57
	Should be 1.5, 2.5, 3.5	56	58
	Should be 1.5, 2.5, 3.5	57	59
	Should be 1.5, 2.5, 3.5	58	60
	Should be 1.5, 2.5, 3.5	59	61
	Should be 1.5, 2.5, 3.5	60	62
	Should be 1.5, 2.5, 3.5	61	63
	Should be 1.5, 2.5, 3.5	62	64
	Should be 1.5, 2.5, 3.5	63	65
	Should be 1.5, 2.5, 3.5	64	66
	Should be 1.5, 2.5, 3.5	65	67
	Should be 1.5, 2.5, 3.5	66	68
	Should be 1.5, 2.5, 3.5	67	69
	Should be 1.5, 2.5, 3.5	68	70
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1 GARAGE DOOR DETAILS



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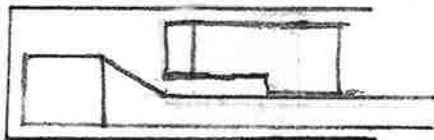
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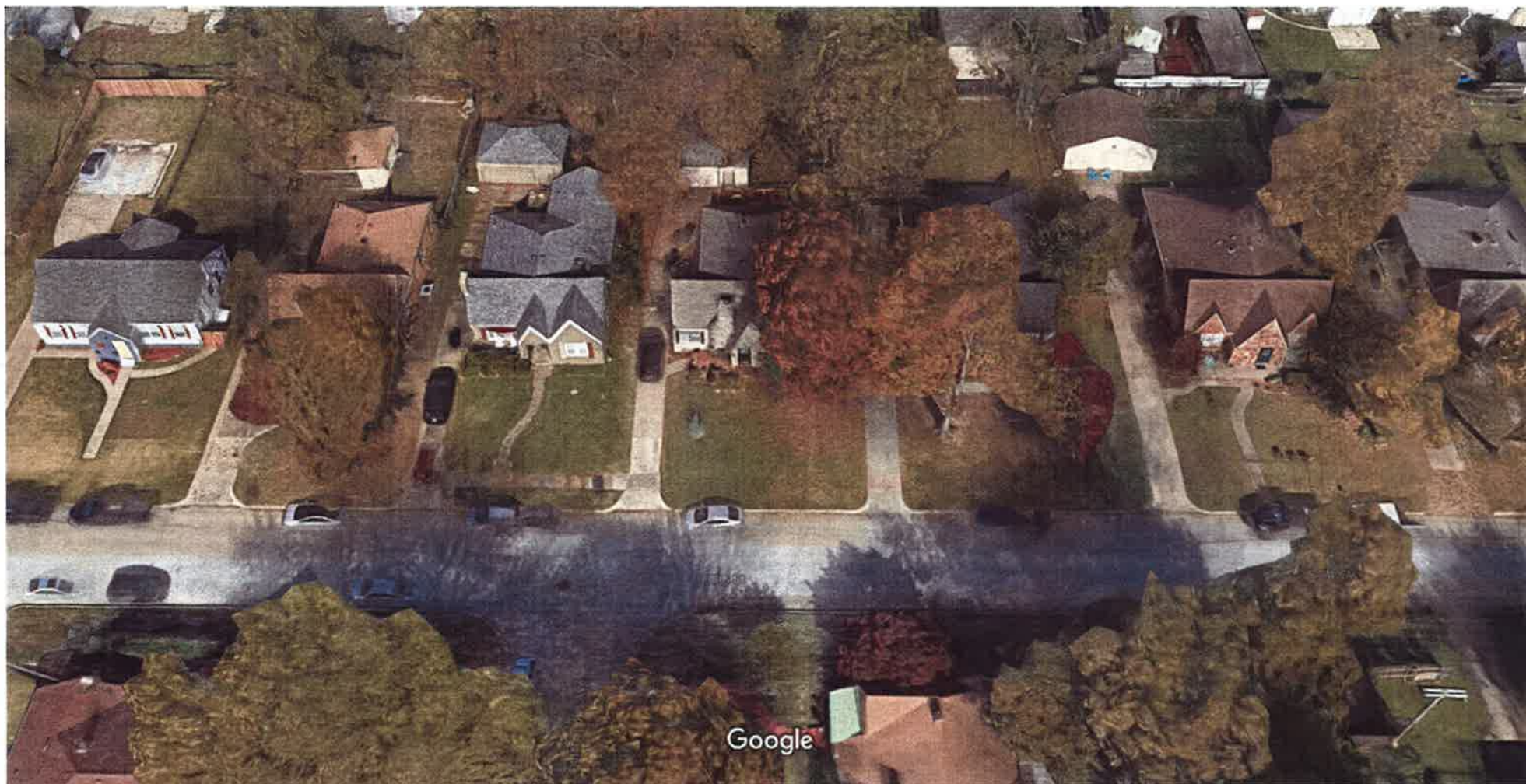


S Indianapolis Ave

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Google

Map data ©2018 Google 20 ft



Google

Imagery ©2018 Google, Map data ©2018 Google 20 ft

Jeff S. Taylor
Zoning Official
Plans Examiner

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Izrael Quezada

12/1/2018

APPLICATION NO: BLDR-0180140-2018 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 3403 E 8th St S

Description: Detached Garage

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT

175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

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

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

IMPORTANT INFORMATION

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

(continued)

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-018014-2018**

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

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

1. ~~35.010-A Detached House~~

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

Review Comments:

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

2. 45.030-B RS-2, RS-3, RS-4, RS-5 or RM Districts

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

Review comments: You are proposing 1152 sq ft of detached accessory structure floor area. The proposed detached accessory structure exceeds 500 sq ft. Reduce the size of your proposed detached accessory structure to be less than 500 sq ft or apply to BOA for a variance to allow a detached accessory structure to exceed 500 sq ft of floor area.

3. 90.090-C Permitted Setback Obstructions in R Zoning Districts

Setbacks in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 90-1.

Review Comments: The proposed stairs are located within the 5 foot side yard setback in an RS-3 zoning district. You may revise the plans to provide a 5 foot side setback or pursue a variance from the BOA to permit stairs to be located in the 5 foot side yard setback in an Rs-3 zoning district.

4. 90.90.C: Detached Accessory Buildings

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

(1) 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 top plate; and

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

Review Comments: Revise plans to indicate that the detached accessory building will not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate or apply to the BOA for a variance to allow an accessory structure to exceed 1 story & 18 feet in height.

5. 90.090-C.2 Detached Accessory Buildings

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

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

Review Comments: #2. This lot is zoned RS-3. The rear setback is defined as the minimum distance set out by the zoning code of open unoccupied space between the rear lot line and the required rear setback (in your case, 20 feet from the rear property line). A maximum 30% area can be covered by the accessory building; (50' X 20' X 30%) allows 300 sq ft of coverage. You are proposing 360 sq ft of coverage in the rear setback. Revise your plans to show compliance or apply to BOA for a variance to allow more than 30% coverage in the rear setback.

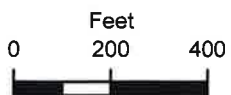
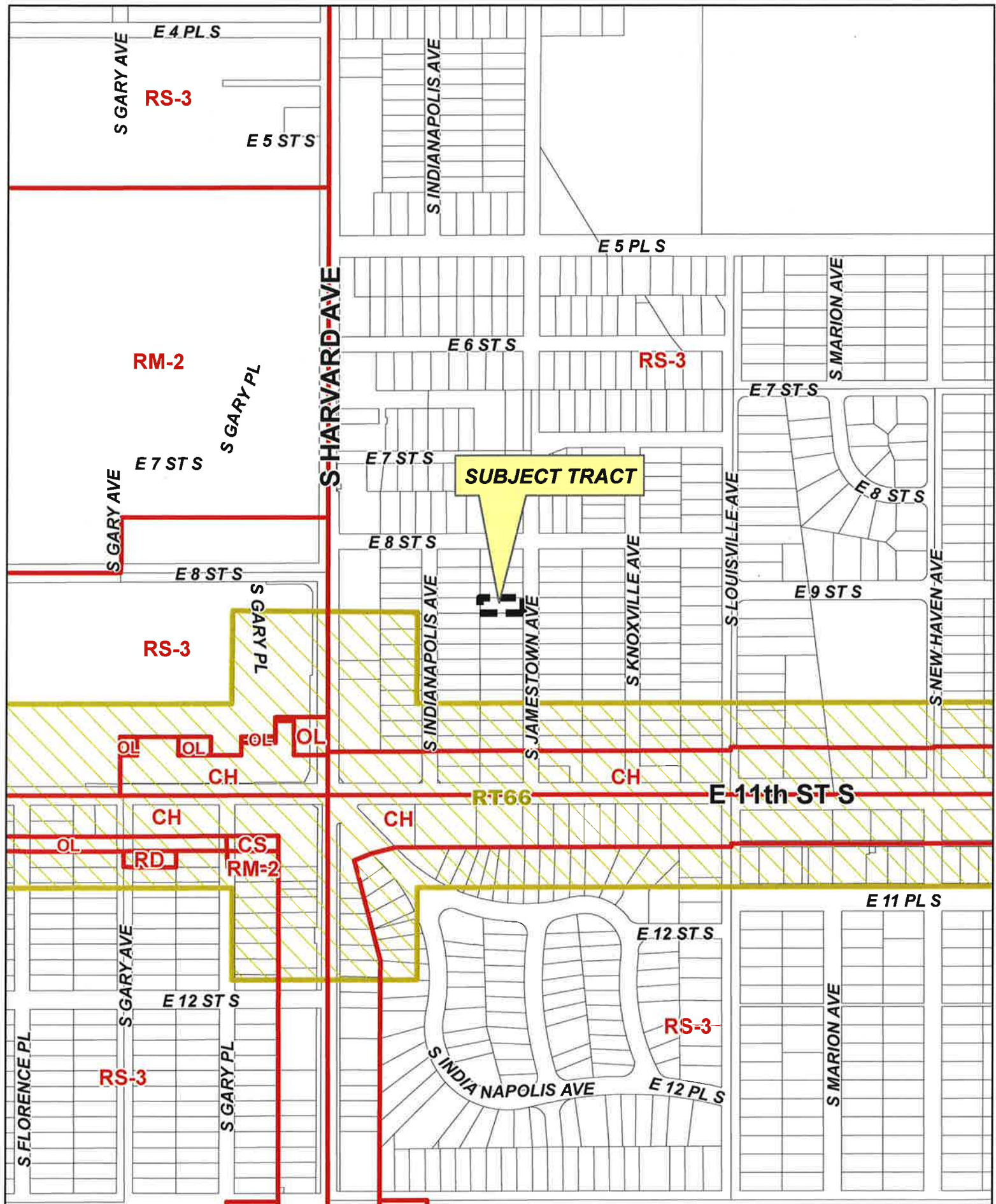
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

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-22563

19-13 04

6.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9304

Case Number: BOA-22563

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Shane and Frances Bevel

ACTION REQUESTED: Variance to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the floor area of the principal structure (Sec. 45.030-B); Variance to reduce the required side (interior) setback in an RS-3 district (Section 5.030-A).

LOCATION: 816 S JAMESTOWN AV E

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 27 BLK 7, BRADEN HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-15711; On 5.14.91, the Board **approved** a *Special Exception* to permit a home occupation.

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

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

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

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

6.2

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22563 with a 5-0-0 vote. The following conditions were applied to approval:

- Per the photo submitted at the 1/08/19 hearing; labeled Exhibit 9a.
- Per the conceptual site plan submitted by the applicant; labeled A100, A101, A102, A201, A401.
- The garage is for family use only in conjunction with the principal residence.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22563.

PREVIOUS STAFF COMMENTS:

The Code states that detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, **whichever is greater**. The applicant is proposing to construct a detached accessory garage that will be 898 sq. ft. The proposed structure exceeds the allowable floor area of 500 sq. ft. by 398 sq. ft.

The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 500 sq. ft. to 898 sq. ft (Sec. 45.030-B).

The applicant has also requested a **Variance** to reduce the required side yard setback from 5 ft. to \pm 4ft.-2in. in an RS-3 district (Section 5.030-A).

The applicant has stated that, *"We are requesting to build an 898 sq. ft. detached structure that exceeds the allowed 500 sq. ft. by 398 sq. ft. (45.030-B). The reason for building the structure is to add an additional living space to the property as well as the all-important second bathroom. The structure also replaces an existing structure with a side setback of 4'2" instead of the required 5' and we wish to retain the original setback (5.030-A)."*

Please see the attached hardship justification provided by the applicant.

Sample Motion

Move to _____ (approve/deny) a Variance to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the floor area of the principal structure to be increased from 500 sq. ft. to 898 sq. ft. (Sec. 45.030-B); Variance to reduce the required side (interior) setback from 5' to 4'2" in an RS-3 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."*

Action Requested:

Special Exception to permit a home occupation (messenger/courier service) in a residential district - **Section 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 6, located 816 South Jamestown.

Presentation:

The applicant, **Anne Chilcoat**, 816 South Jamestown, Tulsa, Oklahoma, stated that she and her husband own Tulsa Delivery, which receives phone calls from clients and dispatch drivers to the desired location. She informed that they handle small packages only.

Comments and Questions:

Ms. Bradley asked what portion of the business is in the home, and the applicant stated that only the radio dispatching is conducted from the home.

Mr. Jackere asked Ms. Chilcoat if the drivers pick up their pay checks at the residence, and she replied that her husband personally delivers the checks to the three drivers.

Ms. Jackere asked if radio dispatching is the only activity that takes place in the home, and the applicant replied that they have a computer for bookkeeping, but conduct no other activity there.

In response to Ms. Bradley, the applicant stated that the delivery drivers use their personal vehicles, which do not have signs.

Interested Parties:

Ms. White informed that Staff received one letter of support (Exhibit H-1) for the home occupation.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 3-0-0 (Bradley, Bolzle, White, "aye"; no "nays"; no "abstentions"; Chappelle, Fuller "absent") to **APPROVE** a Special Exception to permit a radio dispatch service only as a home occupation in a residential district - **Section 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS** - Use Unit 6; finding that a radio dispatching service will not be detrimental to the residential neighborhood, and will be in harmony with the spirit and intent of the Code; on the following described property:

Lot 27, Block 7, Braden Heights Addition, City of Tulsa, Tulsa County, Oklahoma.



0 200 400
Feet



Subject
Tract

BOA-22563

19-13 04

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

Aerial Photo Date: February 2018



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Subject
Tract

BOA-22563

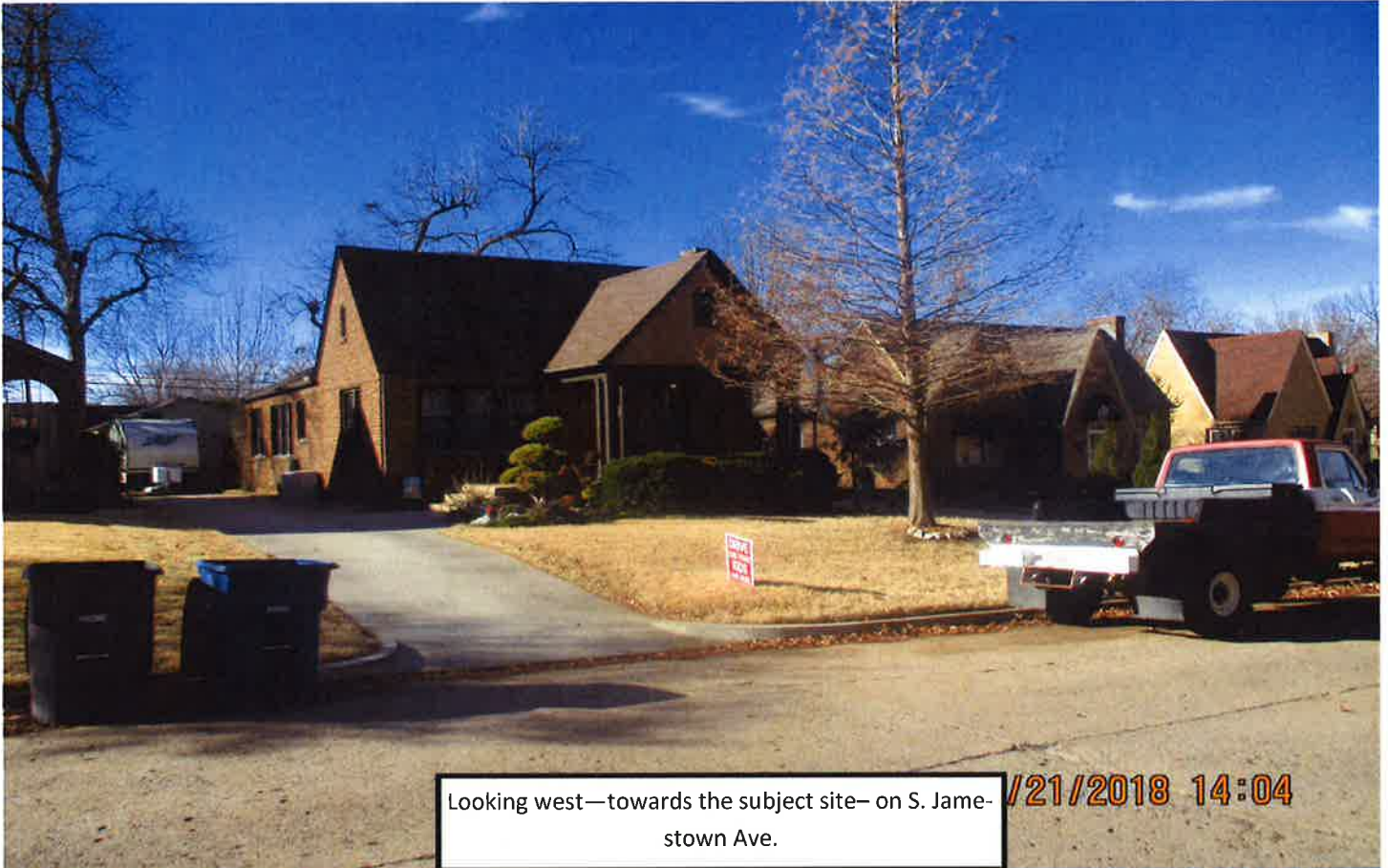
19-13 04

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

Aerial Photo Date: February 2018



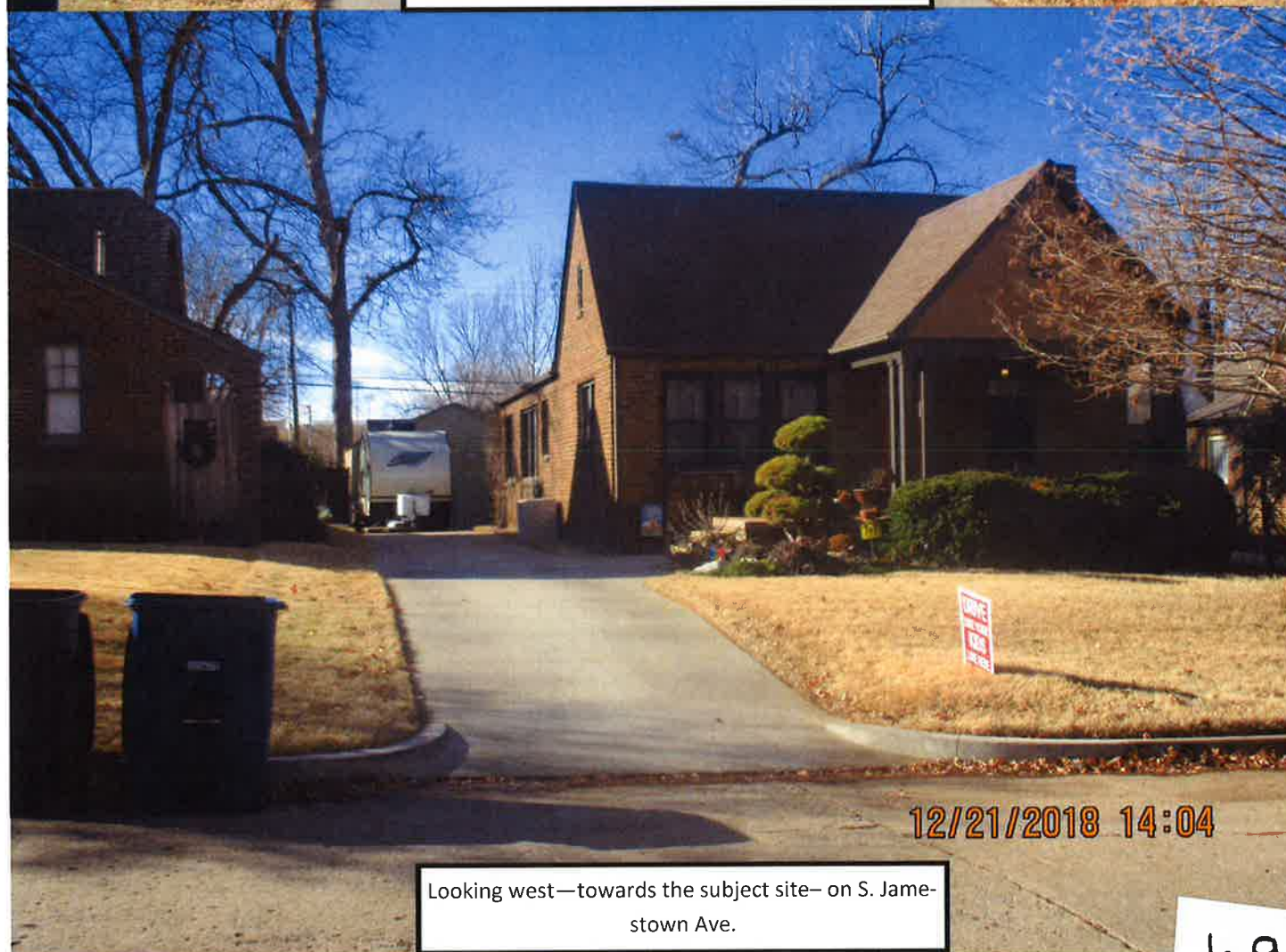
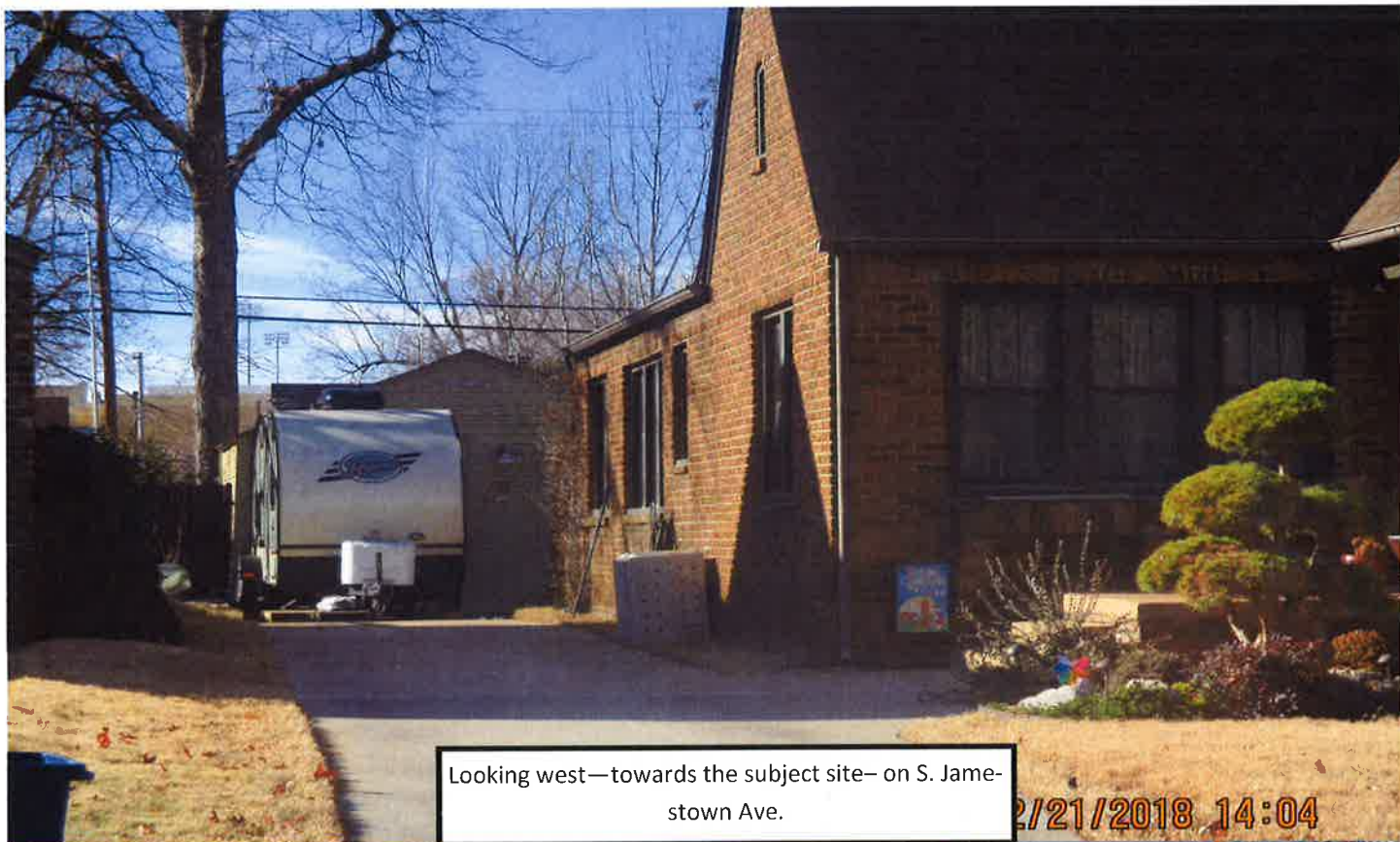
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Looking west—towards the subject site— on S. Jamestown Ave. 12/21/2018 14:04



Looking west—towards the subject site— on S. Jamestown Ave. 12/21/2018 14:04



Justification of Hardship at 816 S. Jamestown Ave

We are requesting to build a 898 sqft detached structure that exceeds the allowed 500 sqft by 398 sqft (45.030-B). The reason for building the structure is to add an additional living space to the property as well as the all-important second bathroom. The structure also replaces an existing structure with a side setback of 4'2" instead of the required 5' and we wish to retain the original setback. (5.030-A) This document lays out the hardships to justify the variance.

Justification of hardship for variance to 45.030-B

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

There is an existing structure (811 S Indianapolis) directly adjacent to the property that is similar in square footage, height and appearance to what we want to build. (see attached diagram) The homeowners were allowed to build the structure without a variance because they have added onto their home several times and therefore are allowed, by code, to build a larger detached building. The literal enforcement of the code would require us to nearly double the size of the main structure and change the original floor plan and appearance before we were allowed to build the same style detached garage as the neighbors. That would be unnecessary and, to some, a departure from the essential character of the neighborhood. Because of this oddity of relative sizes, we believe that the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose.

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

Although we have the ability to cover more of the existing lot and still comply with watershed requirements, we are requesting a reasonably-sized garage that we feel is needed to solve our problems and stay in a location that we love with neighbors who have become our friends. We believe that this project is the minimum variance that will afford relief.

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;

We do not want to add on to the main house because we wish to maintain the small, very livable original footprint of our Cape Cod style home. We do not want to alter the street side appearance of the house and in fact have worked hard to return it as much as possible to its original condition. We have removed aluminum siding to expose and restore the original wood trim of the building. We have constructed custom, period-correct gable vents from wood to replace the galvanized steel vents that were installed at some point. And we have swapped the steel replacement front door with a period-correct wooden door that matches the design installed when the house was constructed. We have removed cheap 1960s replacement windows and gone back with quality windows with a divided light pattern that matches other homes in the area by the same builder and era. In this way we have worked to move the house back to the essential character of the neighborhood and this project would be no different. We have elected (at additional cost) to build the detached building with a 12/12 pitch roof to match the steep gables of the original Cape Cod style homes, including ours, in the neighborhood and will side it with a product that closely resembles the lap siding used in the original garage. We wish to preserve the main house as much as possible and stay within the essential character of the neighborhood by preserving the narrow, but deep design of the home and the existence of detached buildings. We believe that this project 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.

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.

Because of the current existence of the aforementioned and other similar existing structures in the neighborhood, we believe that this project will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code.

Justification of hardship for variance to 5.030-A

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

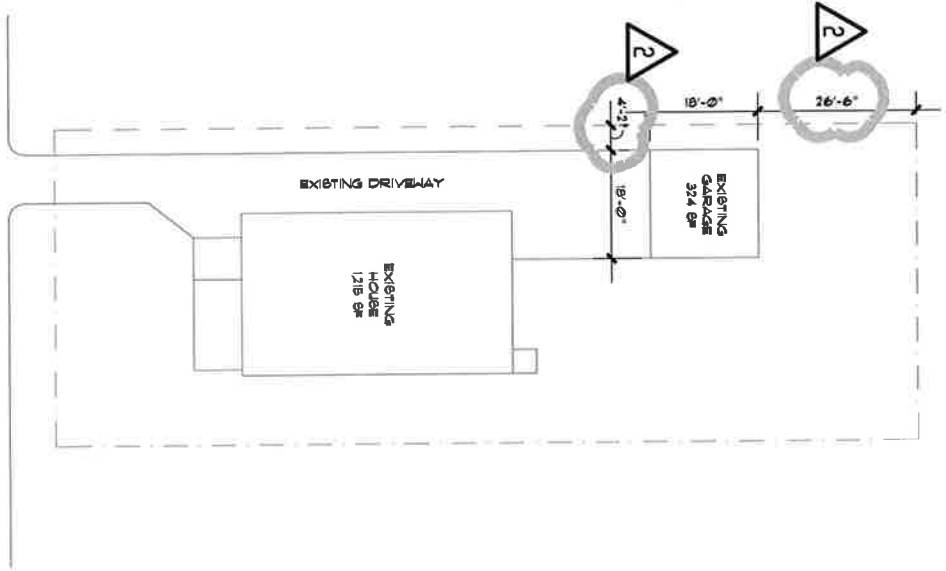
That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property;

And that the variance to be granted is the minimum variance that will afford relief;

On the second variance we are requesting, a variance to 5.030-A, we are replacing an existing structure with a current side setback of 4'2". It is standard in the neighborhood (originally developed in the 1920s-1930s) to have less than 5' of side setback on detached garages. It is accepted by neighbors and we do not wish to change the setback due to how it would affect the rest of the backyard space on the opposing side (established landscape, trees, flower beds etc. Also, the existing driveway would no longer matchup with the front of the building. Being that the structure was originally built with this setback, the hardship was not self-imposed, will not alter the essential character of the neighborhood and is the minimum variance that will afford relief.

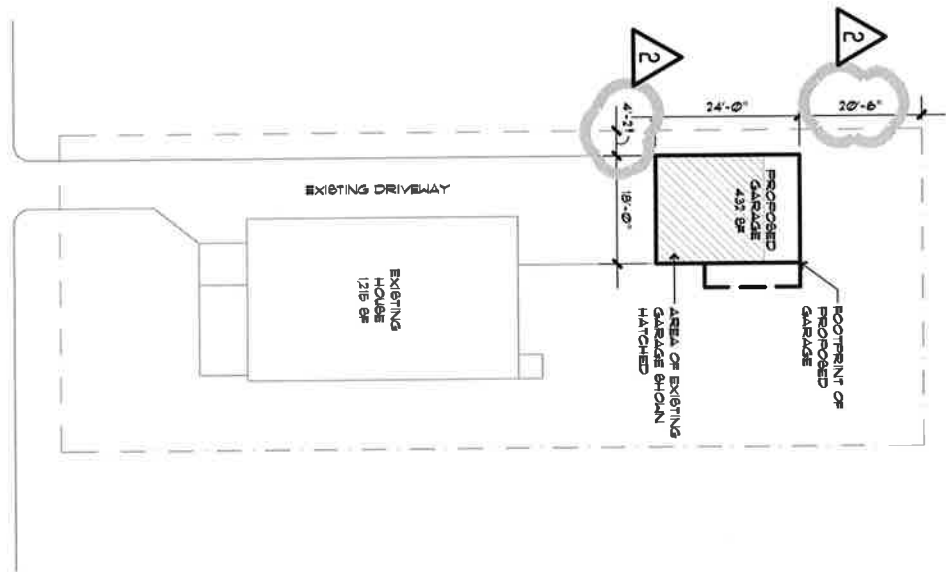
01 EXISTING SITE PLAN

1/32" = 1'-0"



02 PROPOSED SITE PLAN

1/32" = 1'-0"



PROPOSED GARAGE TO BE
CONSTRUCTED WITH 1/2"
CONCRETE SHEAR WALLS AND
HURRICANE ANCHORS AT
OPENINGS TYPING TO SLAB

BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

6.12

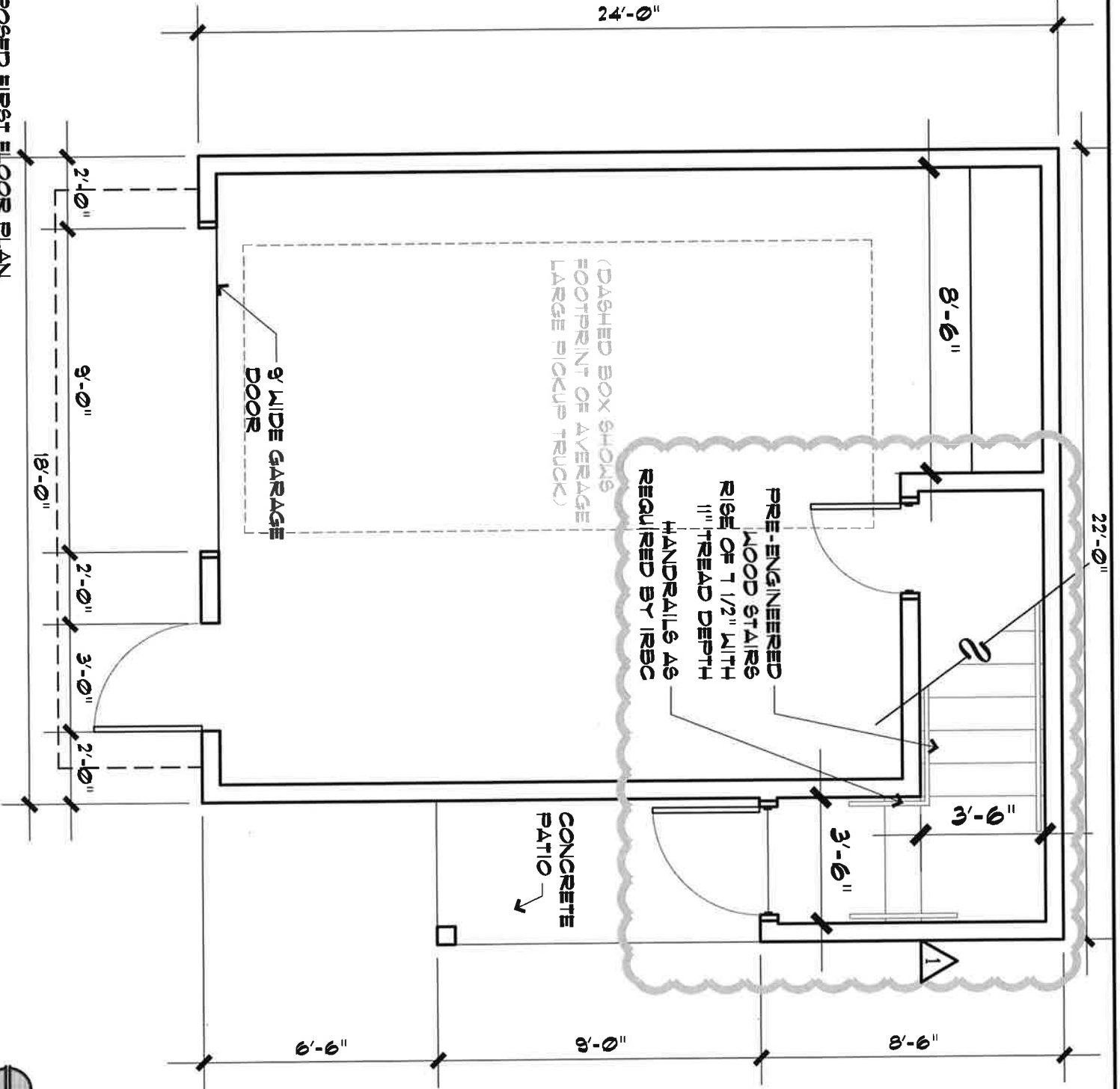
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SHEET NAME
SITE PLAN

SHEET NUMBER

A100

01 PROPOSED FIRST FLOOR PLAN



BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

6.13

A101

SHEET NAME
FIRST FLOOR PLAN

SHEET NUMBER

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SCALE DATE 10/17/18

PROJECT NUMBER

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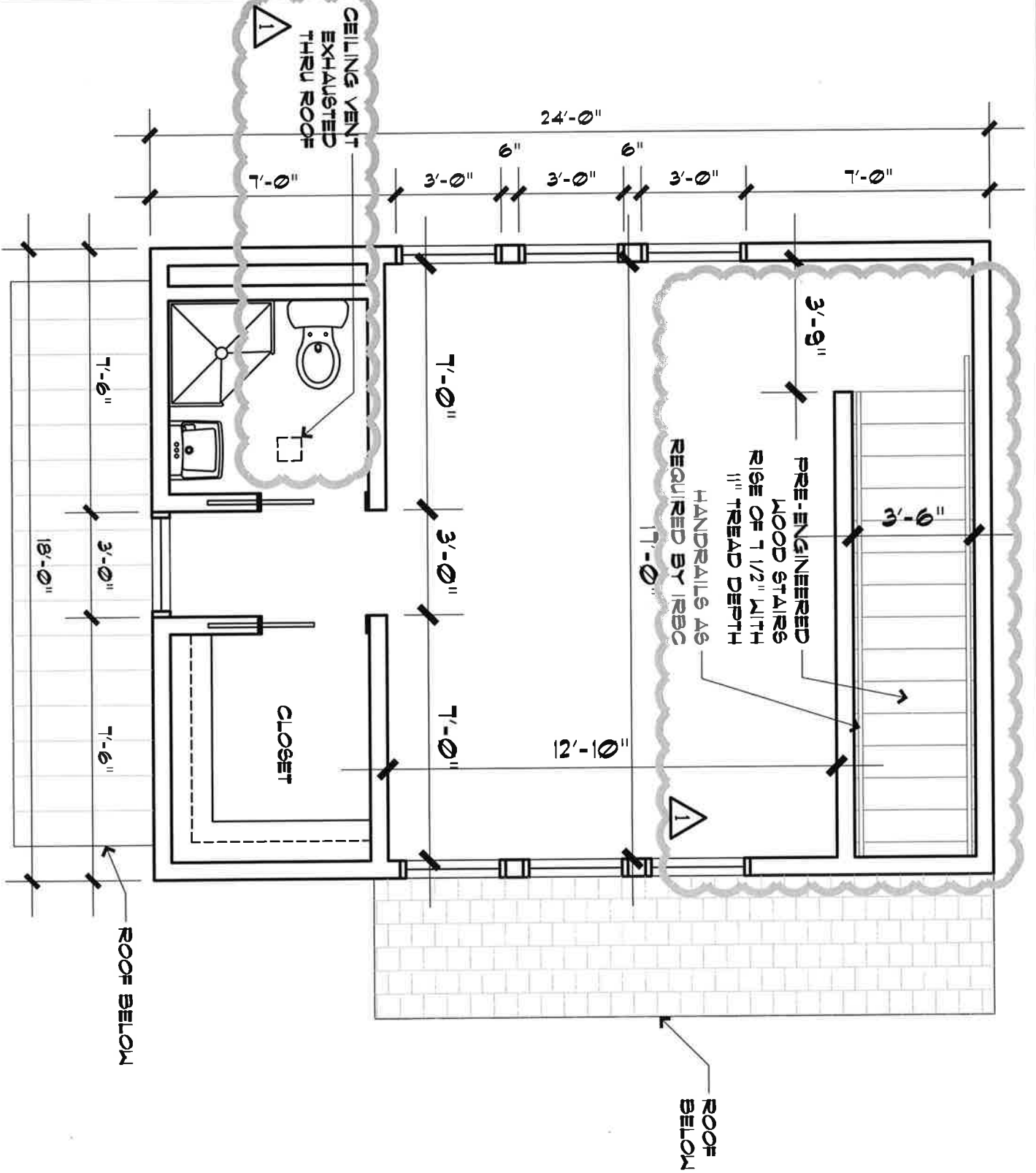
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A.P.

01 PROPOSED SECOND FLOOR PLAN

1/4" = 1'-0"



BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

6.14



A102

SECOND FLOOR PLAN

SHEET NUMBER

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ISSUE DATE 10/17/18

PROJECT NUMBER

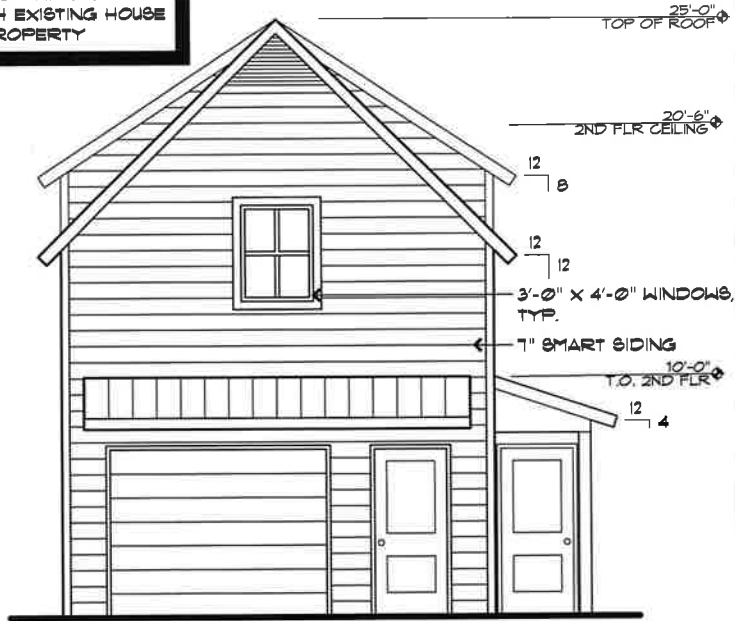
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CHECKED BY

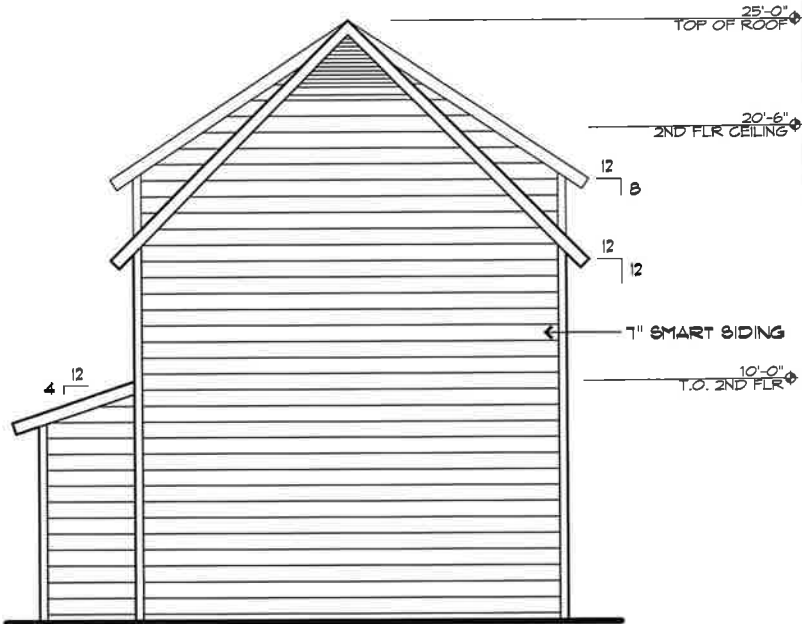
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10/17/2018, 3:30 PM, P:\01 EMPLOYEES\apagano\A - Fredarica Work\Shanes Garage\00000x BASE SHEET_8.5x11.dwg, APagano

PAINTS & FINISHES TO
MATCH EXISTING HOUSE
ON PROPERTY



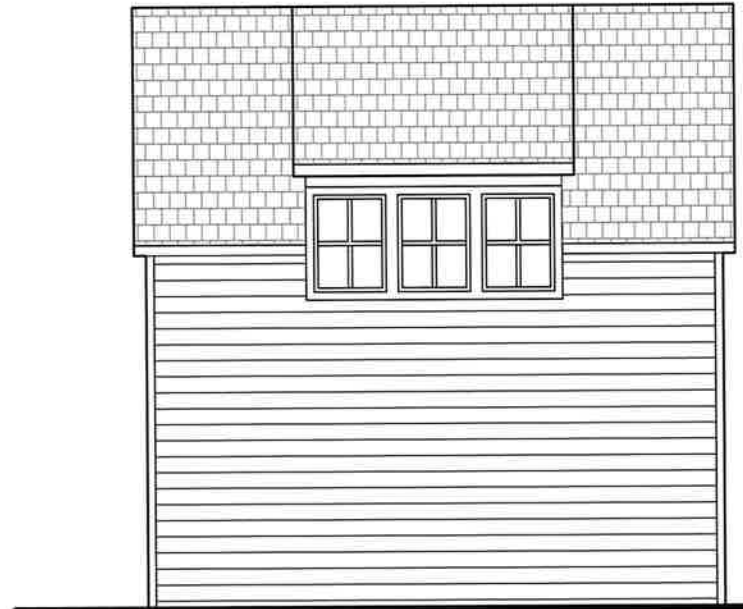
04 EAST ELEVATION
1/8" = 1'-0"



02 WEST ELEVATION
1/8" = 1'-0"



03 NORTH ELEVATION
1/8" = 1'-0"



01 SOUTH ELEVATION
1/8" = 1'-0"

BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

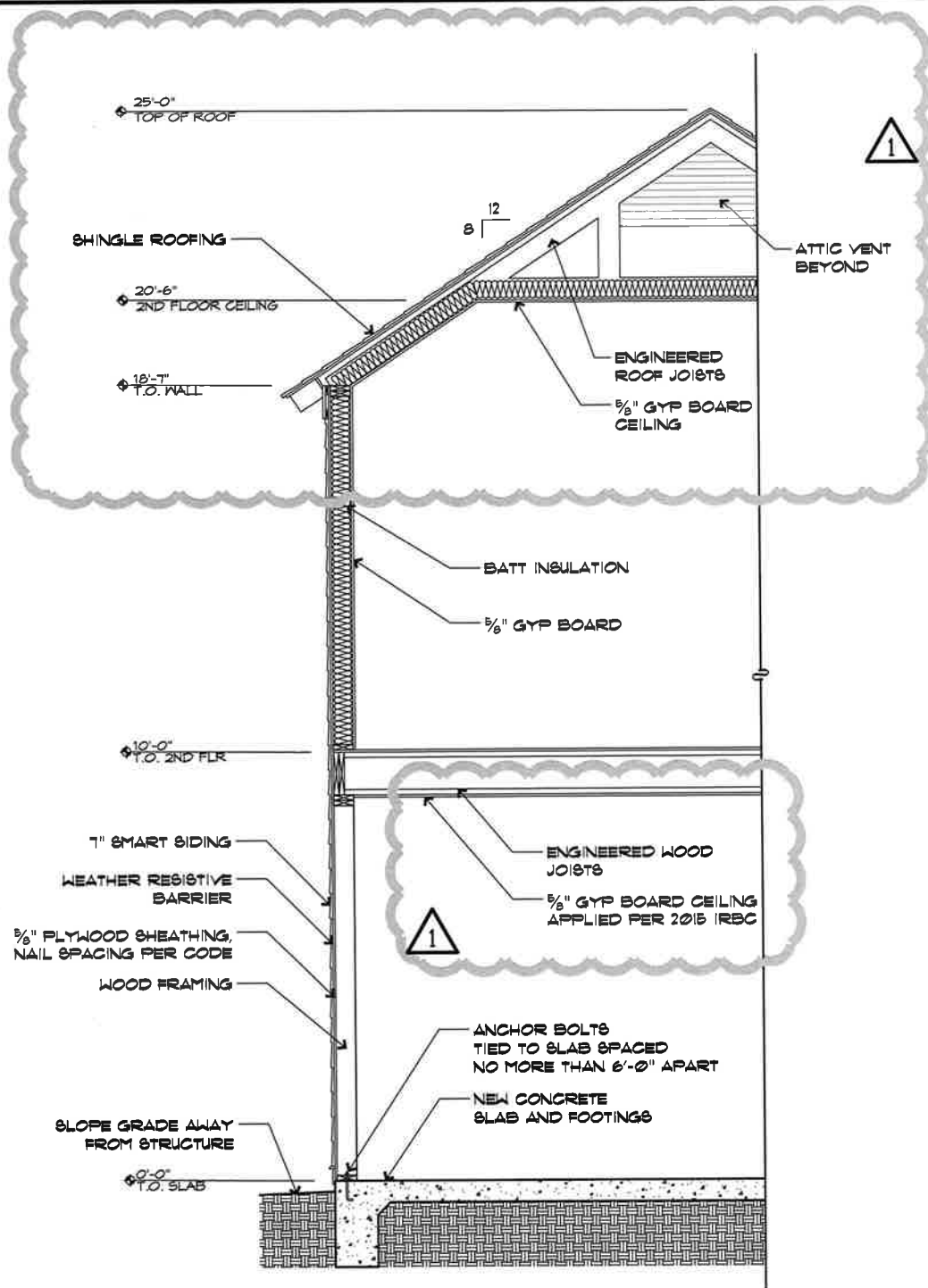
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PROJECT NUMBER		
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SHEET NAME
EXTERIOR ELEVATIONS

SHEET NUMBER
A201

1/14/2018, 3:38 PM, P:\01 EMPLOYEES\lapagano\A - Freelance Work\Shanes Garage\lapagano\A - Base SHEET_8.5x11.dwg, APagano



01 WALL SECTION

1/4" = 1'-0"

BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

6.16

REV.	DATE	DESCRIPTION
1	11/4/18	CITY COMMENTS
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ISSUE DATE		10/17/18
PROJECT NUMBER		
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SHEET NAME
WALL SECTION

SHEET NUMBER

A401

BEVEL GARAGE REMODEL

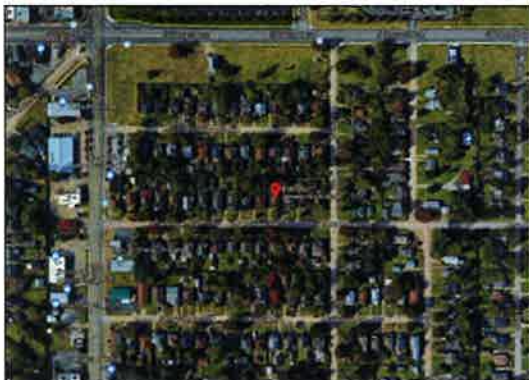
816 S. JAMESTOWN AVE.
TULSA, OK 74112



REV	SHEET INDEX
	C001 COVER SHEET
2	A100 SITE PLAN
1	A101 FIRST FLOOR PLAN
1	A102 SECOND FLOOR PLAN
	A201 EXTERIOR ELEVATIONS
1	A401 WALL SECTION

SCOPE OF WORK: NEW TWO-STORY GARAGE
WOOD CONSTRUCTION

VICINITY MAP



CONTACTS:

ARCHITECTURAL DRAFTSMAN
AL PAGANO
PHONE: 312-805-3464
EMAIL: ALFREDPAGANO@GMAIL.COM

CONTRACTOR
RAY ROBERTS CONSTRUCTION
21100 OK-125
FAIRLAND, OK 74343
PHONE: 918-676-3800

BEVEL GARAGE REMODEL

816 S. JAMESTOWN AVE.
TULSA, OK 74112

6.17

REV.	DATE	DESCRIPTION
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PROJECT NUMBER		
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SHEET NAME
COVER SHEET

SHEET NUMBER

C001

Front Elevation of 816 S. Jamestown Ave Showing Existing Garage



Before and after photos of 816 S. Jamestown Ave



Before and after photos of 816 S. Jamestown Ave



TULSA CITY BOARD OF ADJUSTMENT
CASE NO. 22363
OFFICIAL RECORD EXHIBIT 9a
ENTERED IN THE 1108119
MINUTES OF THE TULSA CITY BOARD
OF ADJUSTMENT



6.21

TULSA CITY BOARD OF ADJUSTMENT

Jeff S. Taylor
Zoning Official
Plans Examiner

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Shane Bevel

11/27/2018

APPLICATION NO: BLDR-14001-2018 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 816 S Jamestown Ave E

Description: Detached Garage

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT

175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

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

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

IMPORTANT INFORMATION

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

(continued)

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-14001-2018**

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

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

Review comments: You are proposing 898 sq ft of detached accessory structure floor area. The proposed detached accessory structure exceeds 500 sq ft. Reduce the size of your proposed detached accessory structure to be less than 500 sq ft or apply to BOA for a variance to allow a detached accessory structure to exceed 500 sq ft.

2. **5.030-A:** In the RS-3 zoned district the minimum side yard setback shall be 5 feet from the side property line.

Review Comments: Revise your plans to indicate a 5' side setback to the property line, or apply to INCOG for a variance to allow less than a 5' side setback.

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

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.

Ulmer, Amy

From: Sandy Dawson <sdawson@fluidspecialties.com>
Sent: Sunday, December 16, 2018 2:04 PM
To: Ulmer, Amy
Subject: BOA-22563 SUPPORT

As neighbors of Shane and Frances Bevel, 816 S Jamestown Ave, Tulsa, Ok we support their proposed project for garage construction and have no concerns with their requested variances. BOA-22563.

It is nice to see our neighbors staying and growing in our neighborhood vs moving to newer, larger homes and adding more rentals to an already rental heavy area of town.

If you need to contact us we can be reached at 918-836-9703.

Sincerely,

Joe and Sandy Dawson
811 S Indianapolis Ave
Tulsa, OK 74112

Ulmer, Amy

From: Karen Hamm <karen.hamm1955@att.net>
Sent: Tuesday, January 01, 2019 4:45 PM
To: Ulmer, Amy
Subject: Case Number: BOA-22563

In reference to case number BOA-22563, scheduled for hearing at 1:00 PM on Tuesday, 01/08/2019, I am writing in support of the two variances requested by Shane and Frances Bevel.

First, I am pleased that Mr. and Mrs. Bevel are exploring a way to make their home more suitable to their family's needs rather than considering a move out of our neighborhood. They are wonderful neighbors! They maintain their property beautifully!

In reviewing the aerial photo sent by you, I believe that a precedent has already been established in the neighborhood for construction of home extensions and enlarged separate structures. These appear to have occurred at 816 S. Knoxville, 811 S. Indianapolis and 3336 and 3338 E. 7 Street.

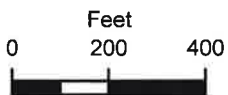
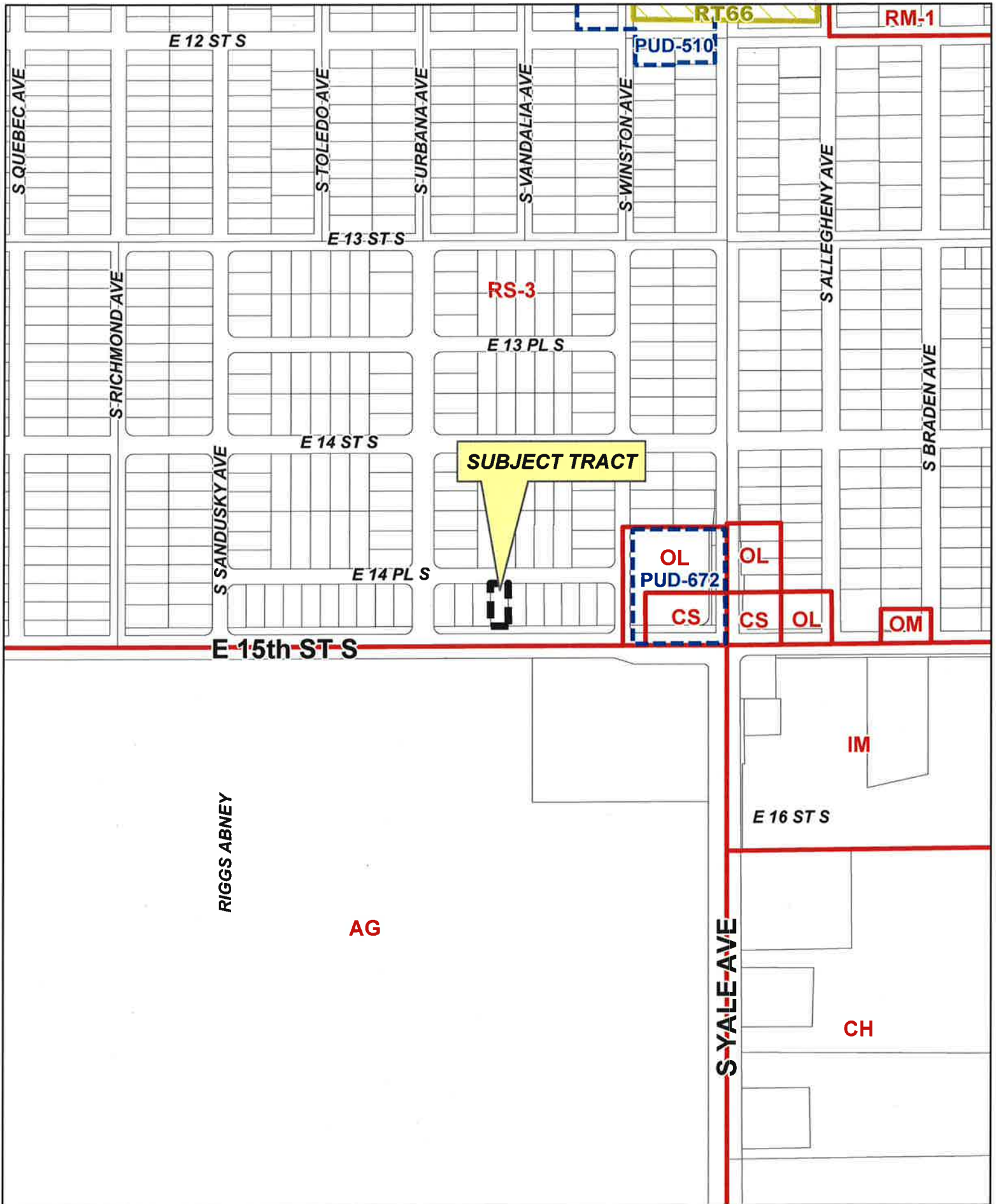
In the more than thirty years that I have owned my home in this area, I have found that these property changes have added interest and diversity to the neighborhood.

I have no objection to the changes requested by the Bevels. In fact, I look forward to what is sure to be an "upgrade" on our older block.

Thank you for your consideration of my comments.

Karen Hamm
811 S. Jamestown Ave.
Tulsa OK-74112
(Owned under name of Karen Good)
Phone: 918-261-9835

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BOA-22566

19-13 09

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9309

Case Number: BOA-22566

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Tom Neal

ACTION REQUESTED: Variance to reduce the required street (rear) setback in an RS-3 district (Sec. 5.030-A); Variance to allow an accessory structure to be located less than 3 feet from a side interior lot line (Sec. 90.090-C.2); 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)

LOCATION: 4618 E 14 PL S

ZONED: RS-3

PRESENT USE:

TRACT SIZE: 8080.41 SQ FT

LEGAL DESCRIPTION: LT 7 BLK 3, ADAMSON HGTS ADDN

RELEVANT PREVIOUS ACTIONS: No relevant history

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residences to the north, east, and west; E. 15th St. S. abuts the property to the south.

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22566 with a 5-0-0 vote. The following conditions were applied to approval:

- Per the conceptual site plan submitted by the applicant.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22566.

PREVIOUS STAFF COMMENTS:

The Code states that detached accessory buildings are limited to a floor area of 500 sq. ft. or 40% of the principal dwelling, **whichever is greater**. The applicant is proposing to construct a detached accessory garage that will be 624 sq. ft. Based on the size of the existing house (1340 sq. ft.) the applicant is allowed 536 sq. ft. of detached accessory floor area on the lot. The proposed structure exceeds the allowable floor area of 536 sq. ft. by 88 sq. ft.

The applicant has requested a **Variance** to increase the maximum permitted floor area of a detached accessory building on the lot from 536 sq. ft. to 624 sq. ft (Sec. 45.030-B).

The Code states that detached accessory building in the rear yard must be setback at least 3 feet from all interior lot line. For lot lines abutting street right-of-way, detached accessory buildings must comply with the same setback requirements that apply to principal buildings (Section 90.090-C.2).

The applicant has also requested a **Variance** to reduce the required side interior setback from 3ft. to 2ft. in an RS-3 district (Section 90.090-C.2).

As shown on the exhibit, the rear yard and proposed detached accessory structure abuts an arterial street along E. 15th St. S. Per the Code, in the RS-3 district the minimum rear street setback from an arterial street shall be 35 ft. from the rear property line. The applicant is requesting a **Variance** to reduce the required street (rear) setback in an RS-3 district from 35 ft. to 2 ft. (Sec. 5.030-A).

The applicant has stated that, *"Owner's property is between a residential street (non-arterial) and arterial street. The latter mandates a 35 ft. street yard rendering the rear yard unbuildable for an accessory building without a variance."*

Sample Motion

Move to _____ (approve/deny) a **Variance** to reduce the required street (rear) setback in an RS-3 district from 35 ft. to 2 ft. (Sec. 5.030-A); a **Variance** to allow an accessory structure to be located 2 ft. from a side interior lot line (Sec. 90.090-C.2). a **Variance** to allow a detached accessory structure to exceed 500 sq. ft. or 40% of the of the floor area of the principal structure to be increased from 536 sq. ft. to 624 sq. ft.(Sec. 45.030-B).

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

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

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

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

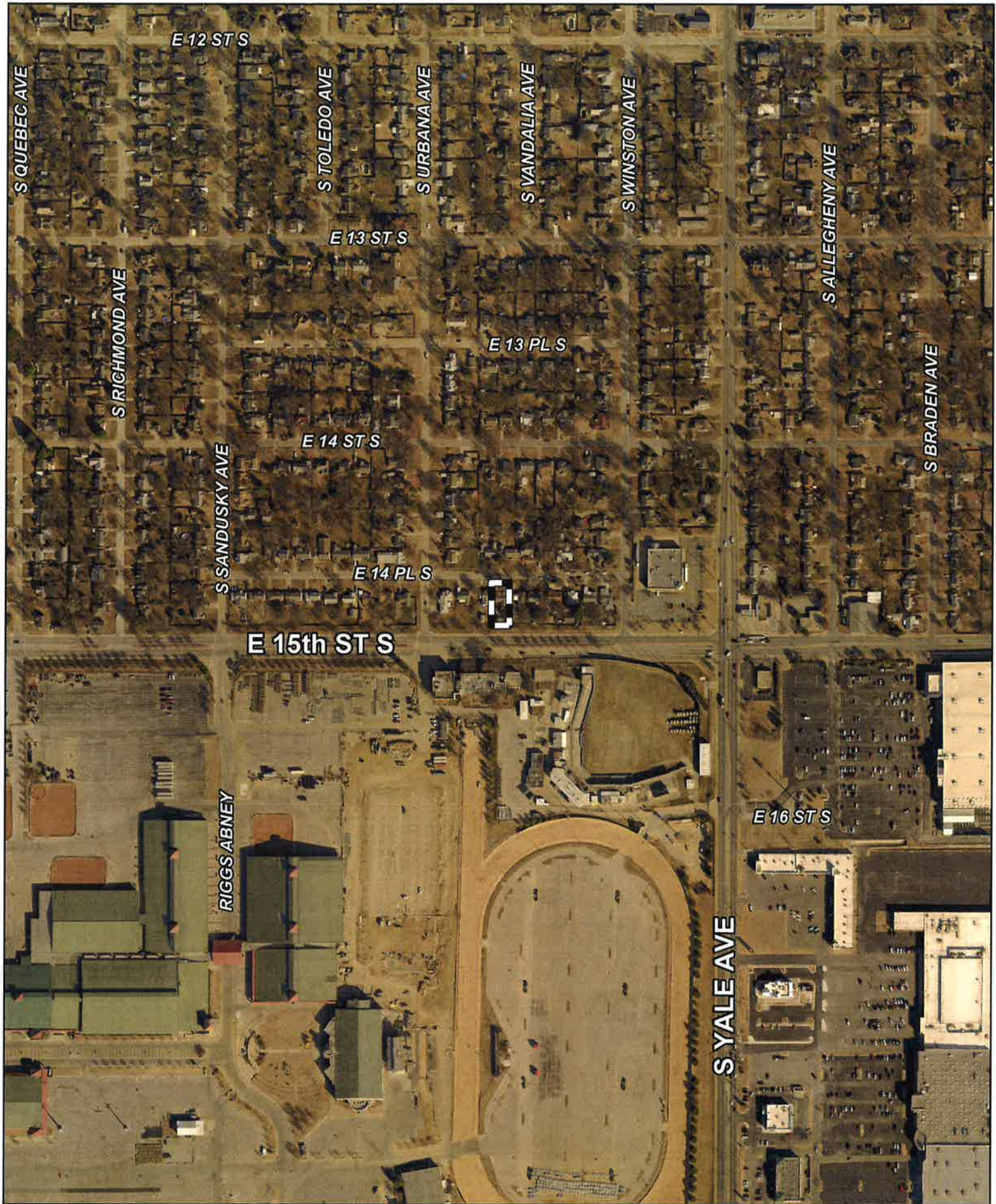
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

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

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

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

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



0 200 400
Feet



Subject
Tract

BOA-22566

19-13 09

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

Aerial Photo Date: February 2018



7.5

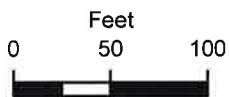


S URBANA AVE

E 14th ST

E 15th ST S

S WINSTON AVE



Subject
Tract

BOA-22566

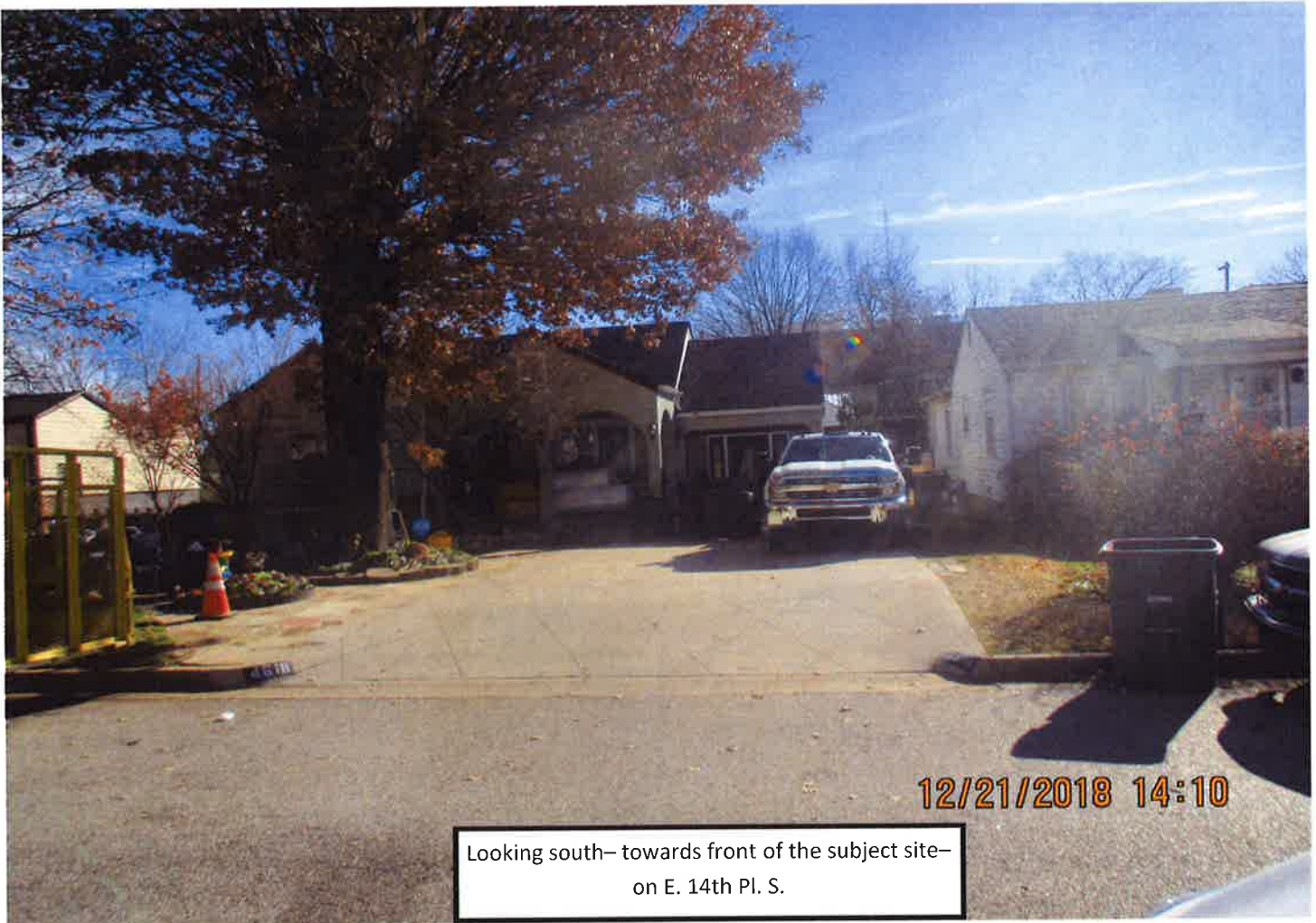
19-13 09

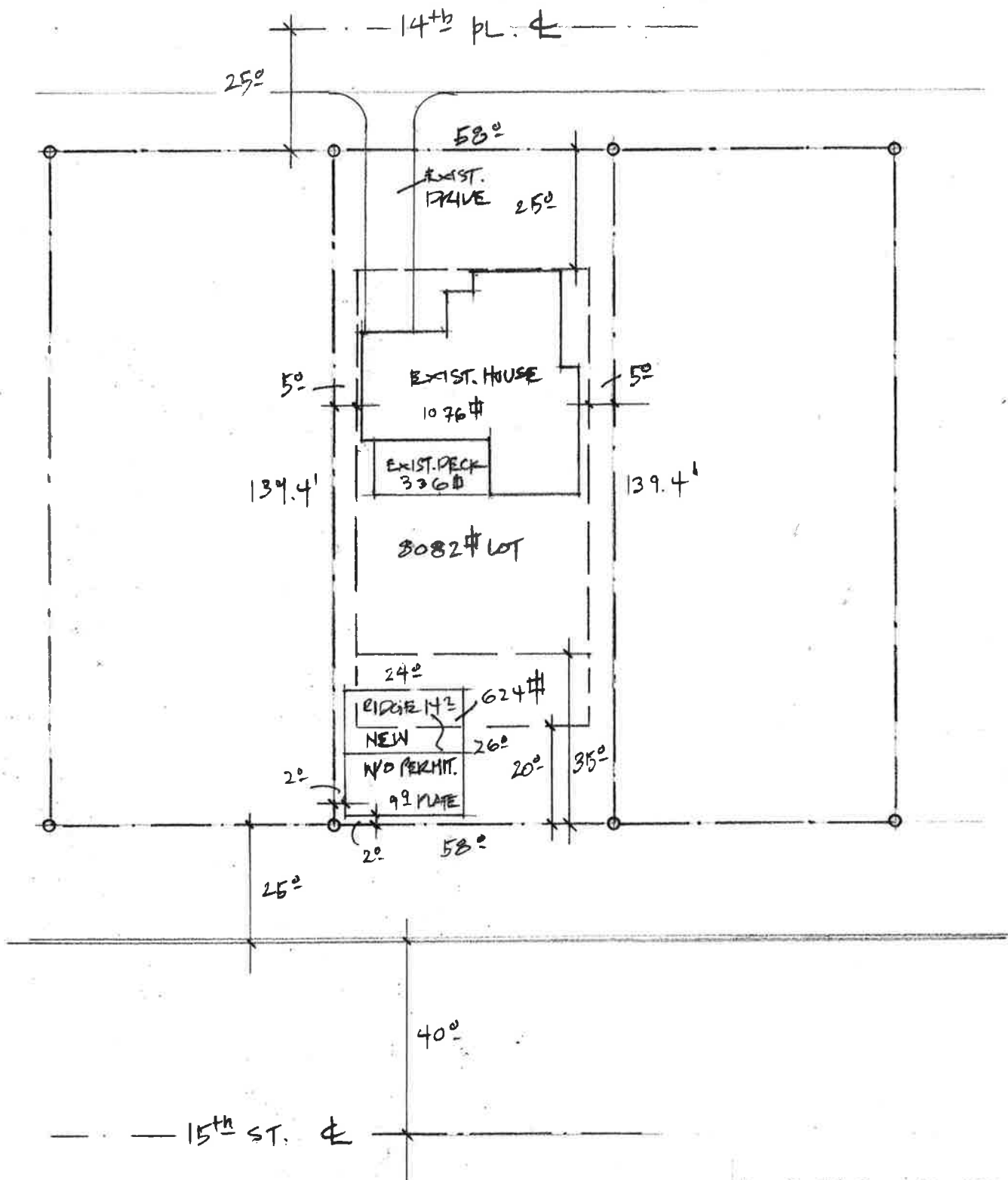
Note: Graphic overlays may not precisely align with physical features on the ground.


Aerial Photo Date: February 2018



7.6





SITE PLAN 1" = 30' 

ALVARADO HOUSE
4618 E. 14th PLACE
TULSA, OKLA. 11.27.2018

TOM NEAL
DESIGN

Associate member, American Institute of Architects

918.231.7372

7.8

Jeff S. Taylor
Zoning Official
Plans Examiner

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Tom Neal

12/4/2018

APPLICATION NO: ZCO-18542-2018 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 4618 E 14th PI S

Description: Detached Garage

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 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-18542-2018**

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. **5.030-A:** In the RS-3 zoned district the minimum rear street setback from an arterial street shall be 35 feet from the rear property line which is 15th street.

Review Comments: Revise your plans to indicate a 35' rear setback to the property line, or apply to INCOG for a variance to allow less than a 35' rear setback along 15th street.

2. **90.90.C,2: Detached Accessory Buildings**

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

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

3. **45.030-B RS-2, RS-3, RS-4, RS-5 or RM Districts**

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

Review comments: You are proposing 624 sq ft of detached accessory structure floor area. The proposed detached structure exceeds 500 sq ft and 40% of the size of your house. Based on the size of your house (1340) you are allowed 536 sq ft of detached accessory structure floor area on your lot. Reduce the size of your proposed detached accessory structure to be less than 536 sq ft of total floor area or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

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.

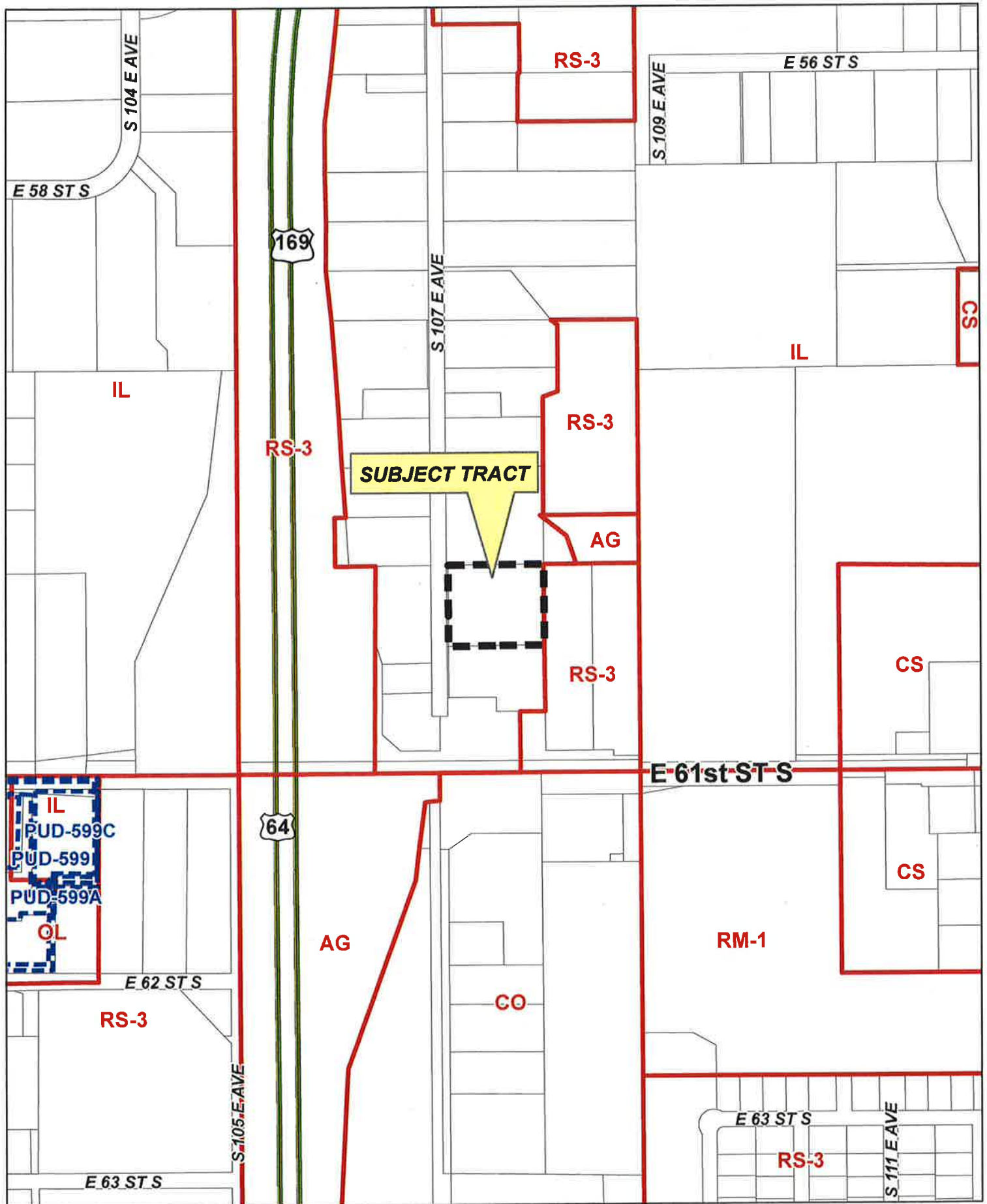
Please Notify Plans Examiner By Email When You Have Submitted A Revision.

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.

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BOA-22569

19-14 31

8.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9431

Case Number: BOA-22569

CZM: 49

CD: 7

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Virgil Richmond

ACTION REQUESTED: Special Exception to allow an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-Impact Medical Marijuana Processing Facility in the IL district (Section 15.020).

LOCATION: 5903 S 107 AV E (tenant space)

ZONED: IL

PRESENT USE: commercial

TRACT SIZE: ±1.892 acres

LEGAL DESCRIPTION: LTS 1 & 2 BLOCK 1, EWING IRRIGATION RSB PRT L 15 & 16 B1
GOLDEN VALLEY ADD

RELEVANT PREVIOUS ACTIONS:

Subject Site:

Z-6969; on 12.15.04, the Planning Commission **approved** a request to *rezone* the subject property from RS-3 to IL.

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

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.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by IL zoned commercial and industrial uses to the north, south, and west; the vacant RS-3 zoned lots to the east are identified as being within the 100-year FEMA floodplain and a floodway.

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22569 with a 5-0-0 vote. The following conditions were applied to approval:

- Per the conceptual site plans for the tenant units submitted by the applicant.

Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22569.

PREVIOUS 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 before the Board requesting a **Special Exception** to allow an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-Impact Medical Marijuana Processing Facility in two units of the overall existing building. The applicant has stated that *“processing refers to the extraction of cannabis oils containing the active cannabinoids and terpenes from the marijuana plant. Processors in the cannabis extraction markets use some of the same techniques used to extract essential oils from plants like citrus and lavender.”*

Per the newly adopted amendments, a Special Exception is required as the proposed Medical Marijuana Processing Facility is a use which is not permitted by right in the IL district because of potential adverse effects, but which if controlled as to its relationship to the surrounding neighborhood may be permitted. Moderate-impact manufacturing and industrial uses are uses that, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration.

In Section 35.070-B.2, a Moderate-Impact Medical Marijuana Processing Facility is defined as “an establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction”.

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

Sample Motion for a Special Exception

Move to _____ (approve/deny) a **Special Exception** to allow an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-Impact Medical Marijuana Processing Facility in the IL district (Section 15.020).

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

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

Z-6969

Comprehensive Plan, existing nearby uses and trends in the area, staff recommends **APPROVAL** of IL zoning for Z-6969.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **CARNES**, TMAPC voted 6-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Midget "aye"; no "nays"; none "abstaining"; Horner, Jackson, Ledford, Miller, Westervelt "absent") to recommend **APPROVAL** of IL zoning for Z-6969 per staff recommendation.

Legal Description for Z-6969:

The North 264' of Lot 15 and Lot 16, Block 1, Golden Valley Subdivision, Tulsa County, State of Oklahoma, and located north of the northeast corner of East 61st Street South and South 107th East Avenue (5903 South 107th East Avenue), Tulsa, Oklahoma, **From RS-3 (Residential Single-family High Density District) To IL (Industrial Light District).**

* * * * *

Application No.: PUD-166-11

MINOR AMENDMENT

Applicant: Jeffrey Levinson

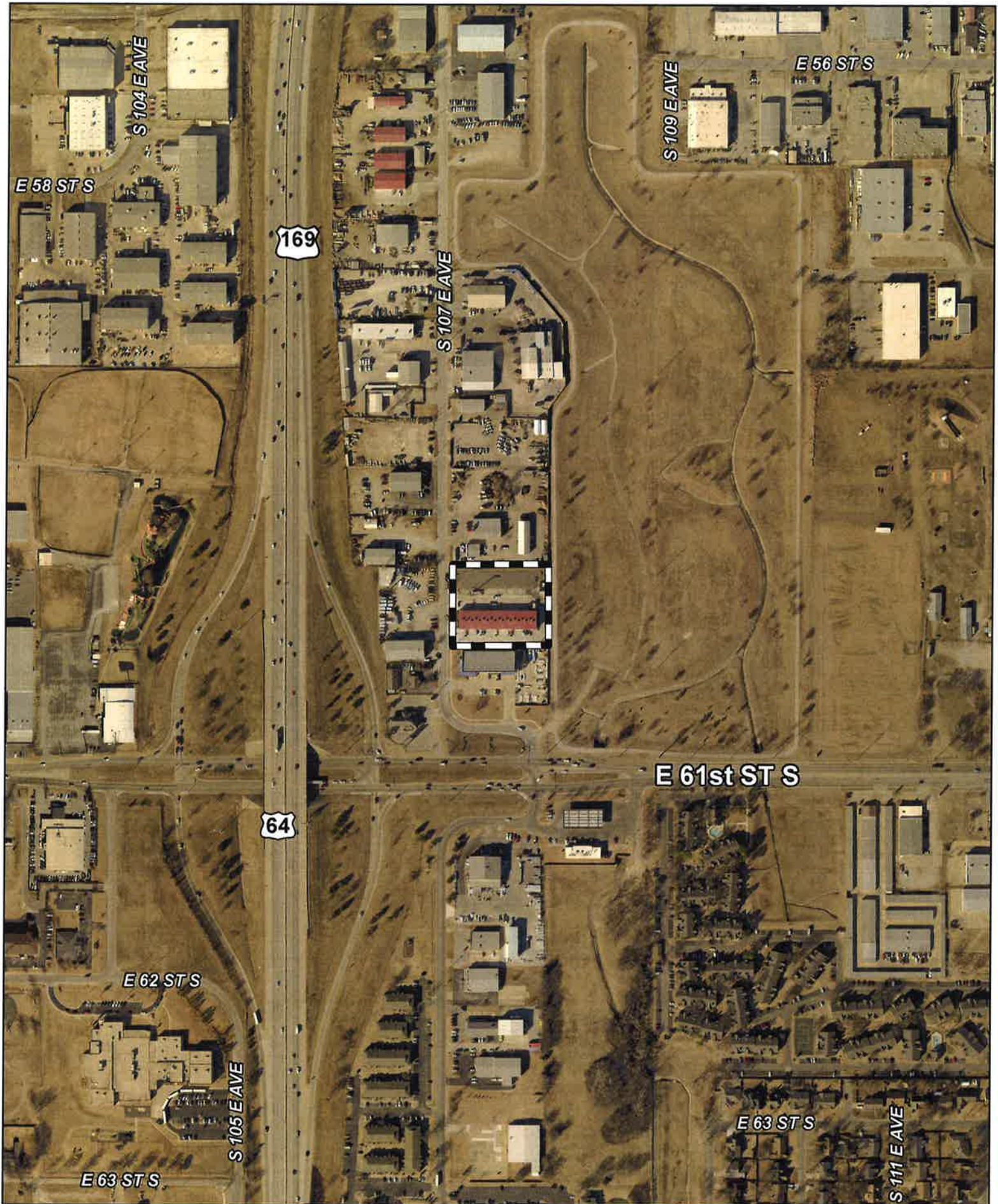
(PD-18) (CD-8)

Location: South of East 91st Street and East of South 71st East Avenue

STAFF RECOMMENDATION:

This application is linked with and dependent upon approval of PUD-405-K-4. It is a minor amendment to Kingsbury, PUD-166, to develop single-family residential uses at RS-3 density on 3.14 acres in Kingsbury III. This will yield seven lots and will be adjacent to Ashton Hollow, PUD-405. Currently vacant, the property was originally approved by the TMAPC in October 1975 to allow Use Unit 6 (single-family residential) uses, and all lots in the proposed minor amendment will be developed to RS-3 standards, except for a reduced building setback line in the front to 20'. These will be the same development standards as the nearby Kingsbury II development (note that PUD-166-10 in Kingsbury II was approved to allow a variance of the required front setback of 20' to 17.5' for one corner of an existing dwelling).

Access to the front of each lot is to be by a private road (East 93rd South), which will connect with a private portion (50') of South 73rd East Avenue, platted as part



0 Feet 200 400



Subject Tract

BOA-22569

19-14 31

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

Aerial Photo Date: February 2018



8.6



0 50 100
Feet



Subject
Tract

BOA-22569

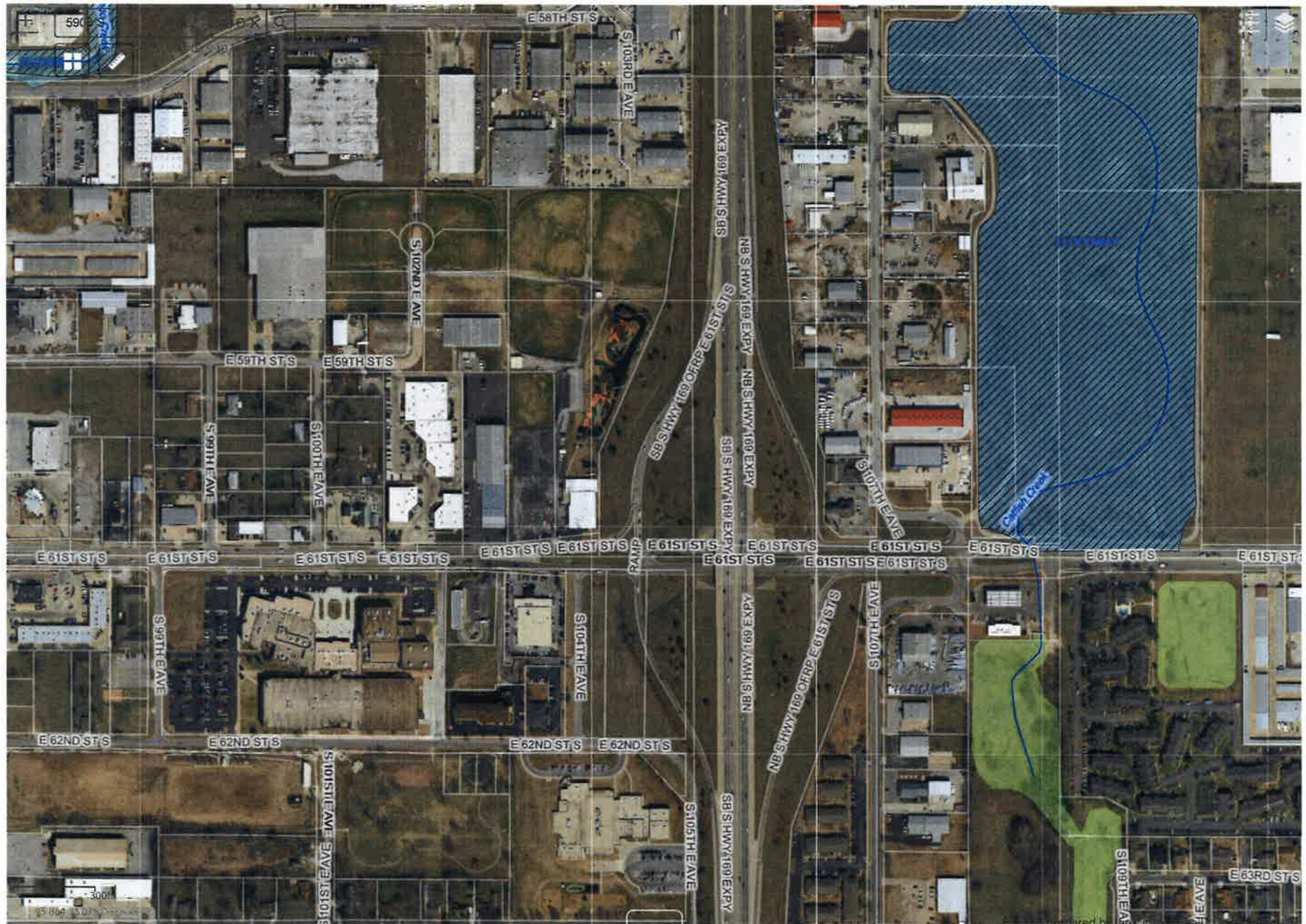
19-14 31

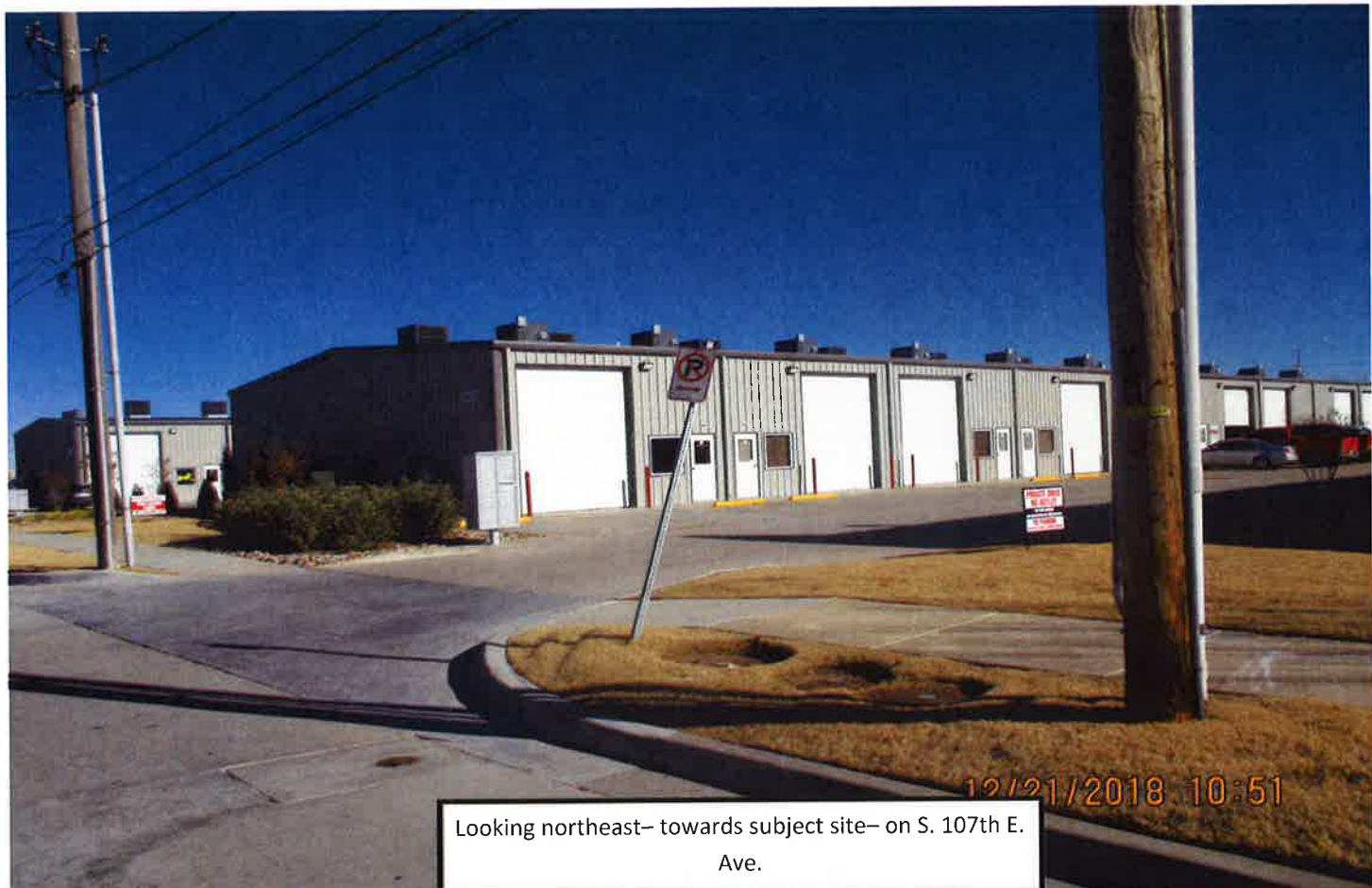
Note: Graphic overlays may not precisely
align with physical features on the ground

Aerial Photo Date: February 2018



8.7





Looking northeast- towards subject site- on S. 107th E.
Ave.



Looking northeast- towards subject site- on S. 107th E.
Ave.



Looking northeast— towards subject site— on S. 107th E.
Ave.

Considerations for Medical Marijuana Processing Zoning Requirements

Redbud Elixirs LLC

Founders - Virgil Richmond, retired chemical engineer with 40 years' experience in specialty chemical plants and refineries and son Virgil Richmond II have formed Redbud Elixirs LLC. Proposing to enter the Medical Marijuana market as a processor in Tulsa County if zoning allows.

Redbud Elixirs utilizes the industry standard for quality and safety, CO2 supercritical extraction.

Purpose

Requesting this commission consider the inclusion of *Low-Impact Industrial* (IL) as a zoning exception for certain processing operations. Low Impact Industrial or the equivalent is the standard zoning criteria for processing across the country. Counties in Oregon, Washington, Colorado, California, Arizona, and most every medical marijuana state views all cannabis extraction methods as having a low offsite impact and thus meeting the criteria for Low-Impact industrial zoning.

Processing Explanation

Processing refers to the extraction of cannabis oils containing the active cannabinoids and terpenes from the marijuana plant. Processors in the cannabis extraction markets use some of the same techniques used to extract essential oils from plants like citrus and lavender.

Extraction Techniques Comparison

<u>Extraction Type</u>	CO2 Supercritical	Butane / Propane	Ethanol / Alcohol	Solvent-less Extraction *
<u>Offsite Impact</u>	None	Extreme Flammability	Flammable, large stores of Ethanol / Alcohol	None
<u>% of processors (Nationally)</u>	37%	14%	26%	13%
<u>Potential Risk Level</u>	Low	Highest	Medium	Lowest

*Solvent-less: manual or water-based processing, not utilized by large scale concentrate manufacturers. Produces less yield and potency than other options

*10% other less-traditional methods are also used by small batch producers



Additional Extraction Considerations

Butane / Propane: Popular due to inexpensive equipment and large extraction yields. When mishandled has caused several high-profile explosions.

Ethanol / Alcohol: Lower yields than CO2 or Butane / Propane methods. Flammable, especially large stores of needed ethanol / alcohol for extraction. Safer than butane / propane methods.

CO2 Supercritical: **Non-flammable, CO2 is used in fire extinguishers to neutralize fires.** Small volume ASME certified pressure vessels. High potency, and cleanest finished product of all industry options. Same process used in recovery of essential oils such as lavender or citrus oils.

Solvent-less: Manual or water-based processing is inefficient and results in lower potency and yields. Considered the more natural form of extraction.

Post Extraction Processes

Hydrocarbon processes such as butane or alcohol have post extraction processes to remove the solvent residue and/or undesirable oils carried over in extraction. Similarly, supercritical CO2 extractions utilize a laboratory scale ethanol wash and closed-circuit evaporation recovery system called "winterization".

Summary

1. All extraction processes are not the same and have varying potential safety concerns for employees and off-site impact.
2. According to the 2018 Annual marijuana Business Factbook, half of processing operations utilize either CO2 or solvent-less extraction methods
3. CO2 supercritical processors offer a safe work environment and do not, as part of normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors or vibrations thus meeting the criteria of Low-Impact Industrial (IL) zoning requirements.

Thank you for your consideration of the inclusion of Low-Impact Industrial (IL) as an acceptable zoning exception. Please contact us with any further questions or concerns regarding cannabis extraction and the techniques involved at vrichmond@redbudelixirs.com.

Redbud Elixirs LLC looks forward to being a compliant, reputable and responsible member of our community.



REDBUD ELIXIRS: LOW-IMPACT MANUFACTURING COMPLIANCE PLAN

Redbud Elixirs is proud to call ourselves a responsible member of the Tulsa family of businesses. In an effort to be a valued partner we have diligently worked hand in hand with the good people at the Indian Nations Council of Government in the development of the zoning requirements and the inclusion of a Low-Impact Industrial exemption for those processors, like ourselves, with no off-sight impact.

This compliance plan will serve as our guideline for remaining a low-impact presence in our business community.

What we do at Redbud Elixirs, and how our process works:

Redbud Elixirs utilizes a safe, clean, closed loop CO2 extraction process.

Medical grade CO2, the same CO2 found in fire extinguishers, is used as a solvent to soak and remove all the materials from the plant matter. All of the essential oils and plant fats are taken from the plant material and the CO2 used is then recovered back into the cylinders from which it came (closed loop system).

This type of extraction is very common in the world of essential oils. For example, the lavender oils you may have used in your bath were probably extracted in the same fashion as our oils at Redbud Elixirs.

Our extraction equipment, and how it works:

Three pieces of equipment used; requires less than 400 sq ft of space

1. Diaphragm Compressor: The compressor circulates CO2 through the system and maintains pressure to perform the extraction and return the gas back into the cylinder at completion.
2. Extractor: The extractor is a series of small stainless-steel vessels where CO2 is passed through the raw plant material to absorb and capture the resulting oils.
3. Chiller: The chiller keeps the system cool to maintain a constant temperature.

What happens next:

Following extraction, the resulting oil undergoes a purification step to remove the plant fats from the oil. This is called "winterization", due the low temperatures used to separate the fats. In this step the oil is mixed with ethanol alcohol, submitted to freezing temperatures, filtered and processed through a closed loop evaporation to recover the alcohol which can be reused again and again.

LOW IMPACT MANUFACTURING COMPLIANCE PLAN – REDBUD ELIXIRS

Low-Impact Manufacturing Zoning Requirements:

Manufacturing uses that do not, as part of normal operations, generate noticeable off-site impacts in terms of NOISE, SMOKE, PARTICULATE MATTER, ODORS, or VIBRATIONS.

NOISE: Redbud Elixirs will have no noticeable off-site impact in terms of noise

- ❖ Our system is low noise producing. The diaphragm compressor is our “noisiest” piece of equipment and operates at noise levels around 80 decibels. For comparison, a standard hand-held hair dryer operates at the same 80 decibels.
- ❖ The extraction equipment is located in the southeast corner of the facility, furthest away from other tenants and does not share a wall other tenants as it is located at the end of the facility.
- ❖ The equipment will be housed in a room designated solely for this equipment. Walls around the extraction room will further absorb any noise generated.

SMOKE: Redbud Elixirs will have no noticeable off-site impact in terms of smoke

- ❖ No smoke is generated in any part of our normal operation. There are no open flames, and nothing in our process calls for highly elevated temperatures. No building design changes are planned for smoke.

PARTICULATE MATTER: Redbud Elixirs will have no noticeable off-site impact in terms of particulate matter

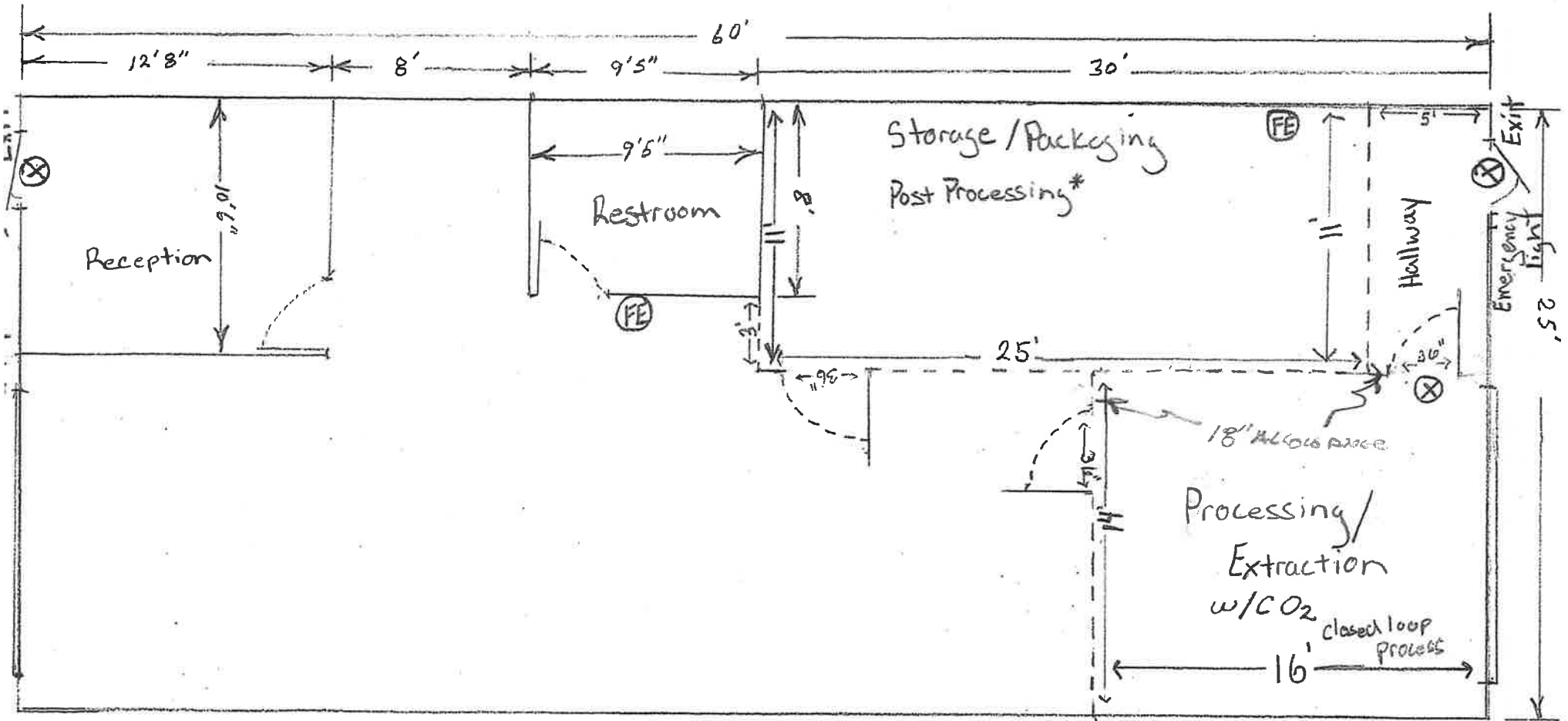
- ❖ Meticulous care will be taken in handling the cannabis materials. Materials are delivered in sealed containers and the vehicles used to deliver materials are driven into and subsequently locked into the facility before being unloaded or loaded.
- ❖ All materials will be securely located inside the facility and no materials containing THC will be allowed outside of the facility unless sealed and secured for transport.

ODORS: Redbud Elixirs will have no noticeable off-site impact in terms of odor

- ❖ Odors generated from the handling of cannabis material and the resulting oils will be captured inside the facility with no noticeable odor off-site. Redbud Elixirs will utilize activated carbon filters to further assure compliance.
- ❖ Our carbon filtration adds assurance against any off-site odors and is designed to filter the entirety of the air in the facility four times per hour to prevent any odors from leaving the site. Note that Redbud Elixirs will add additional carbon filter systems if needed, although the need is not anticipated.

VIBRATION: Redbud Elixirs will have no noticeable off-site impact in terms of vibration

- ❖ The equipment being utilized generates no vibration that could have off-site impact. No building design changes are planned for vibration.

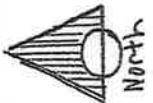


Scale: 1" = 6'

(FE) = Fire Extinguisher Bracket

(X) = Exit Sign w/ Emergency Light

8.15



----- = New Construction
2x4 metal studs
1/2 inch gyp

* Post Processing:

Process of removing the plant fats from the extracted product.

Includes: Addition of Alcohol to extracted product, Freezing Alcohol/Extraction mix, evaporation and collection of alcohol back from mix (closed loop process)

note: process takes less than 1/2 gallon of alcohol, and alcohol

ROOM NAME

DOOR NUMBER

WALL TYPE

FIRE EXTINGUISHER & BRACKET
BY OWNER

EXIT EMERGENCY LIGHT ON
EXIT SIGN

OPENINGS

- ① 12'x14' O.H. DOOR
- ② 3070 TEMP GL., EXIT DOOR W/ LEVER HARDWARE
- A 4'-0"x3'-6" WINDOW, FIXED TEMP GLASS
- B 4'-0" REDI DOOR W/ LEVER HARDWARE

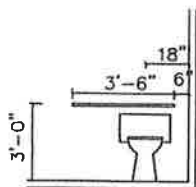
METAL BUILDING EXT. WALL
(1) LAYER 5/8" TYPE "X" GYP. BD., TO
3 5/8" MTL STUDS AT 24" O.C.
TO ROOF WITH 3 1/2" BATT, 4" FIBER
INSUL BEHIND EXT MTL. (1) HR FIRE RATING.

(3) LAYERS 5/8" TYPE "X" GYP. BD. TO EACH SIDE OF 3 5/8" MTL STUDS, 24" O.C. STAGGER JOINTS 24" O.C. EACH LAYER AND SIDE. EXTEND WALL TO METAL ROOF DECK. WITH 3 1/2" BATT INSUL.

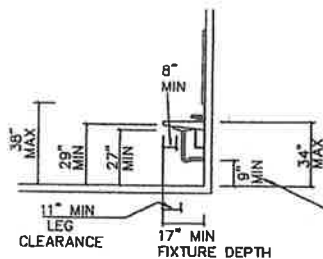
(3) HR FIRE RATING. UL A419 OR U455 TYPE "X" GYP. BOARD IS FIRE RESISTANT.

(1) LAYER OF 5/8" GYP. BD. TO EACH SIDE
OF 3 5/8" MTL. STUDS, 24" O.C. WITH
3 1/2" BATT INSUL.
(1) HR FIRE RATING.

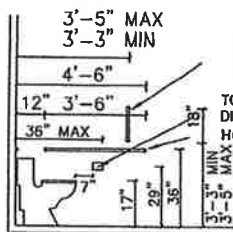
1. ALL HARDWARE IS TO BE ADA AND ANSI COMPLIANT. HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES ON ACCESSIBLE DOORS WILL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE. HARDWARE FOR ACCESSIBLE DOOR PASSAGES SHALL BE MOUNTED NO HIGHER THAN 48 INCHES ABOVE THE FINISH FLOOR



② WATER CLOSET
FRONT VIEW



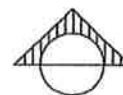
③ LEG CLEARANCES



VERTICAL GRAB BAR

TOILET PAPER
DISPENSER
HORIZONTAL GRAB BAR

④ WATER CLOSET
SIDE VIEW

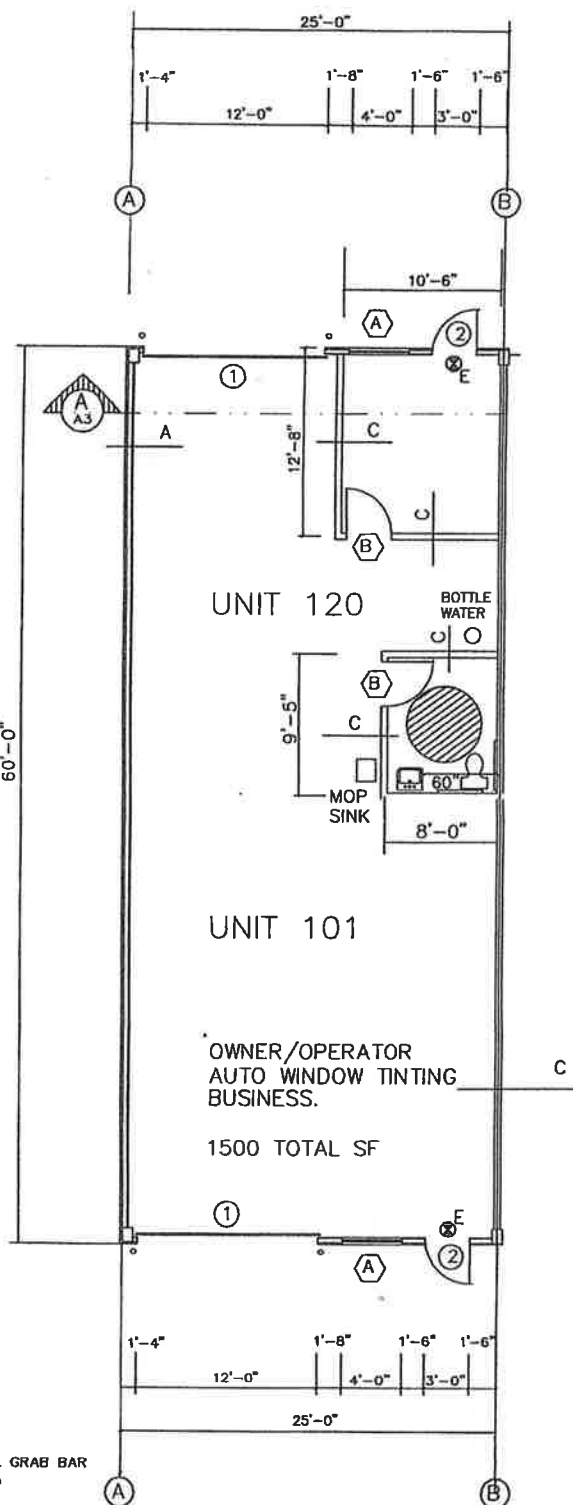


NORTH

JOB NO.
DATE 3/6/17
DRAWN BY
AJR
REVISIONS

TENANT ADDRESS 5903 S 107TH E AVE UNIT 120
Tulsa, OK 74146

SCALE: $1/8" = 1'-0"$



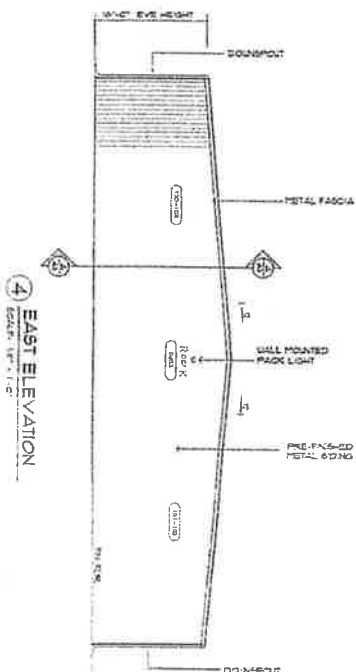
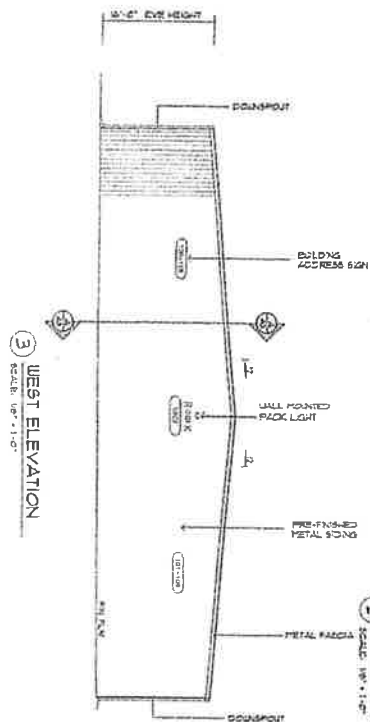
EWING IRRIGATION RESUB
GOLDEN VALLEY BUSINESS CENTER, LLC

5903 S. 107th E. Ave. Units 101-120
Tulsa, Oklahoma 74146

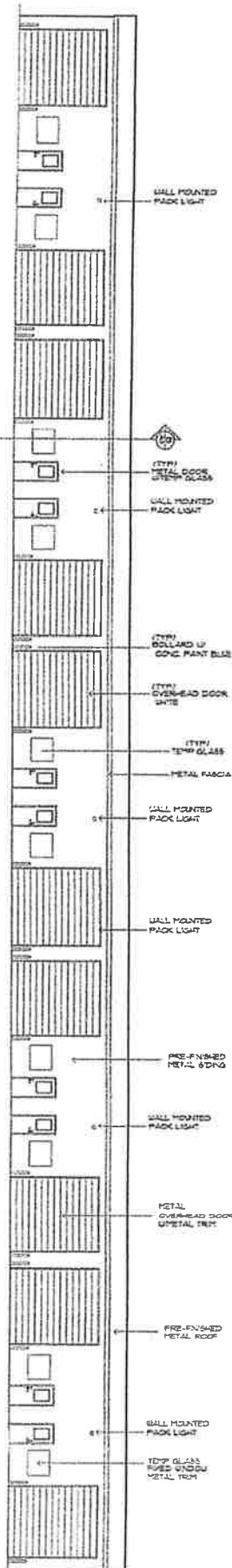
ALAN ROARK, OWNER

5809 S 107TH E Ave, Tulsa, OK 74146
918-549-1815 GVBCtulsa@gmail.com

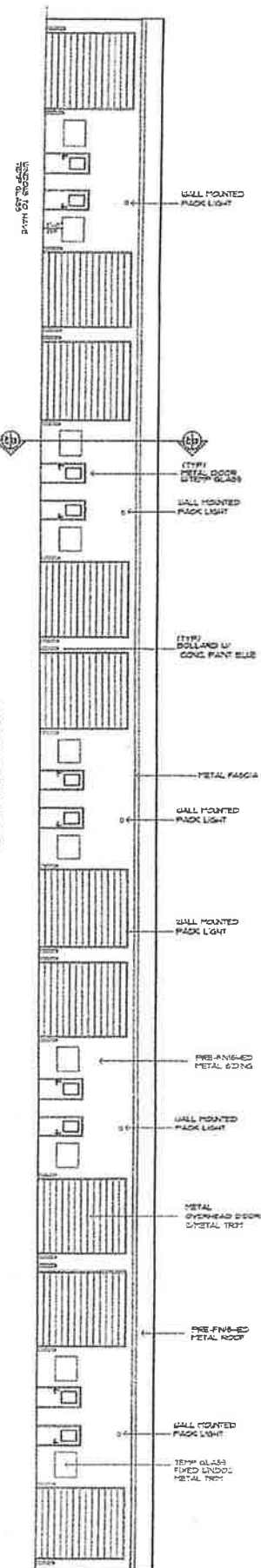
8.16



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



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



A2

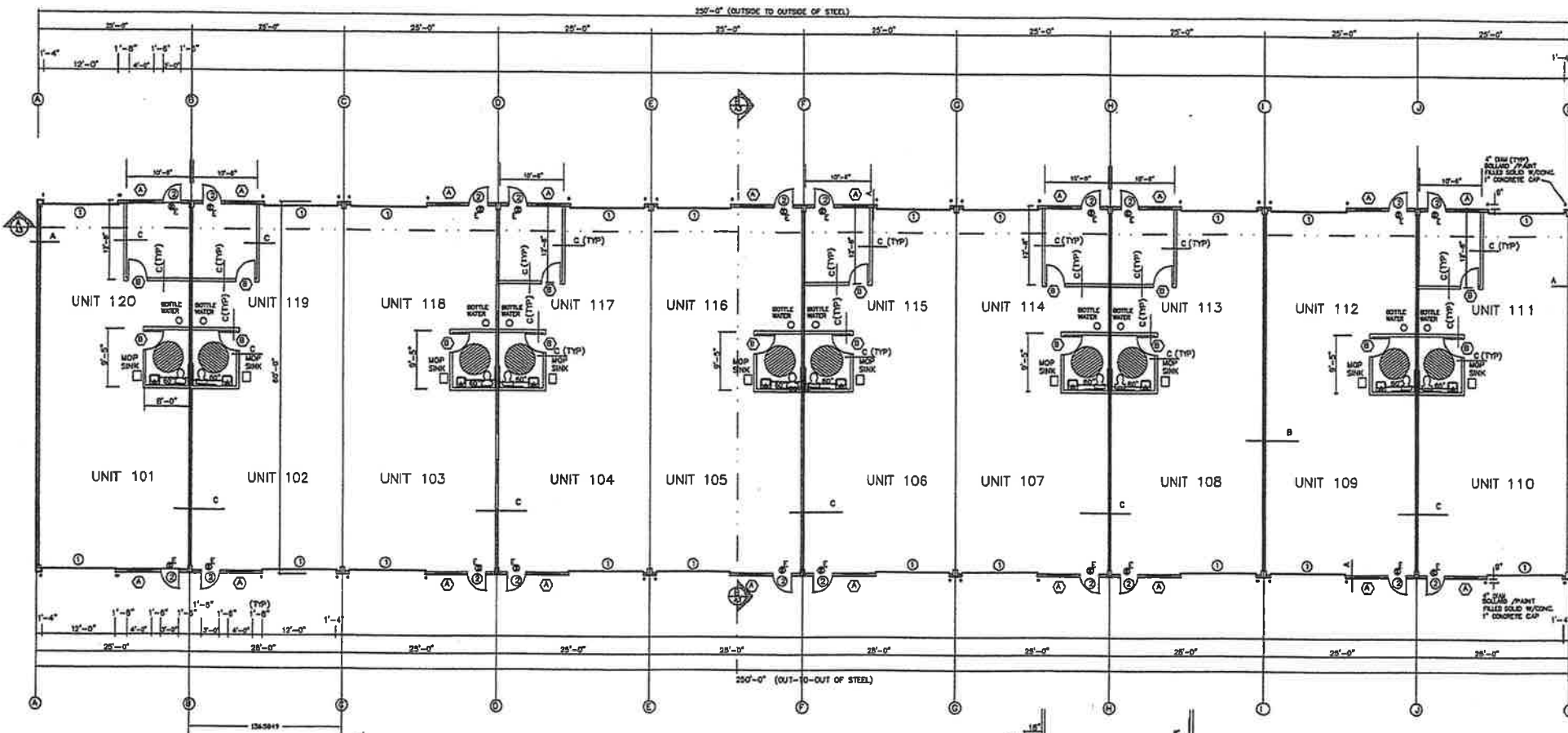
DAVID A. BUTLER SR.
Architect L.L.C.
17316 EAST 120TH ST. NO.
COLLINSVILLE, OKLAHOMA 74021
918-852-4770

EWING IRRIGATION RESUB
ROARK LANDSCAPING
5903 S. 107th E. Ave.
Tulsa, Oklahoma

ELEVATIONS
BUILDING NO. 1

JOB NO.
DATE SHOWN
DRAWN BY
AND
REVISIONS

8.17



JOB NO.
DATE 3/8/17
DRAWN BY A.R.
REVISIONS

FLOOR PLAN
BUILDING NO. 1

EWING IRRIGATION RESUB
GOLDEN VALLEY BUSINESS CENTER, LLC
5903 S. 107th E. Ave. Units 101-120
Tulsa, Oklahoma 74146

Also Known As
5903 S. 107th E. Ave
Tulsa, OK 74146
918-549-1815
GVR@tulsadigital.com

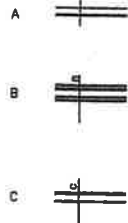
A1

LEGEND

- OFFICE
- ROOM NAME
- DOOR NUMBER
- WALL TYPE
- FIRE EXTINGUISHER & BRACKET BY OWNER
- EMERGENCY LIGHT ON EXIT SIGN

OPENINGS

- 1 12"x4" O.H. DOOR
- 2 3070 TEMP GL., EXIT DOOR W/ LEVER HARDWARE
- 3 4'-0"x3'-8" WINDOW, FIXED TEMP GLASS
- 4 4'-0" REIN. DOOR W/ HARDWARE



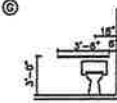
METAL BUILDING EXT. WALL
(1) LAYER 5/8" TYPE "X" GYP. BD., TO 3 5/8" MTL STUDS AT 24" O.C. TO ROOF WITH 3 1/2" BATT, 4" FIBER INSUL BEHIND EXT MTL. (1) HR FIRE RATING.

(3) LAYERS 5/8" TYPE "X" GYP. BD. TO EACH SIDE OF 3 5/8" MTL STUDS, 24" O.C. STAGGER JOINTS 24" O.C. EACH LAYER AND SIDE. EXTEND WALL TO METAL ROOF DECK. WITH 3 1/2" BATT INSUL.
(3) HR FIRE RATING. UL U419 OR U456 TYPE "X" GYP. BOARD IS FIRE RESISTANT.

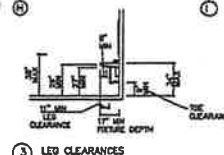
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(1) HR FIRE RATING.

NOTES

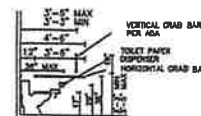
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2 WATER CLOSET FRONT VIEW



3 LED CLEARANCES



4 WATER CLOSET SIDE VIEW

1 TENANT FINISH UNIT
SCALE: 1/16" = 1'-0"



818

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 7, 2018

Virgil Richmond
Red Bud Elixirs LLC
610 S Fir
Broken Arrow, OK 74012

Phone:

APPLICATION NO: **BLDC-019193-2018**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **5903 S 107 EA**

Description: **Moderate-Impact Manufacturing/Medical Marijuana Processing Facility**

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. BLDC-019193-2018

5903 S 107 EA

December 7, 2018

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

1. **Sec.15.020 Table 15-2:** The proposed work is designated an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-impact Medical Marijuana Processing Facility. It is located in an IL zoned district. This will require a Special Exception approved by the BOA.

Review comment: Submit an approved BOA Special Exception to allow an Industrial/Moderate-Impact Manufacturing and Industry/Moderate-impact Medical Marijuana Processing Facility Use in an IL zoned district.

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.

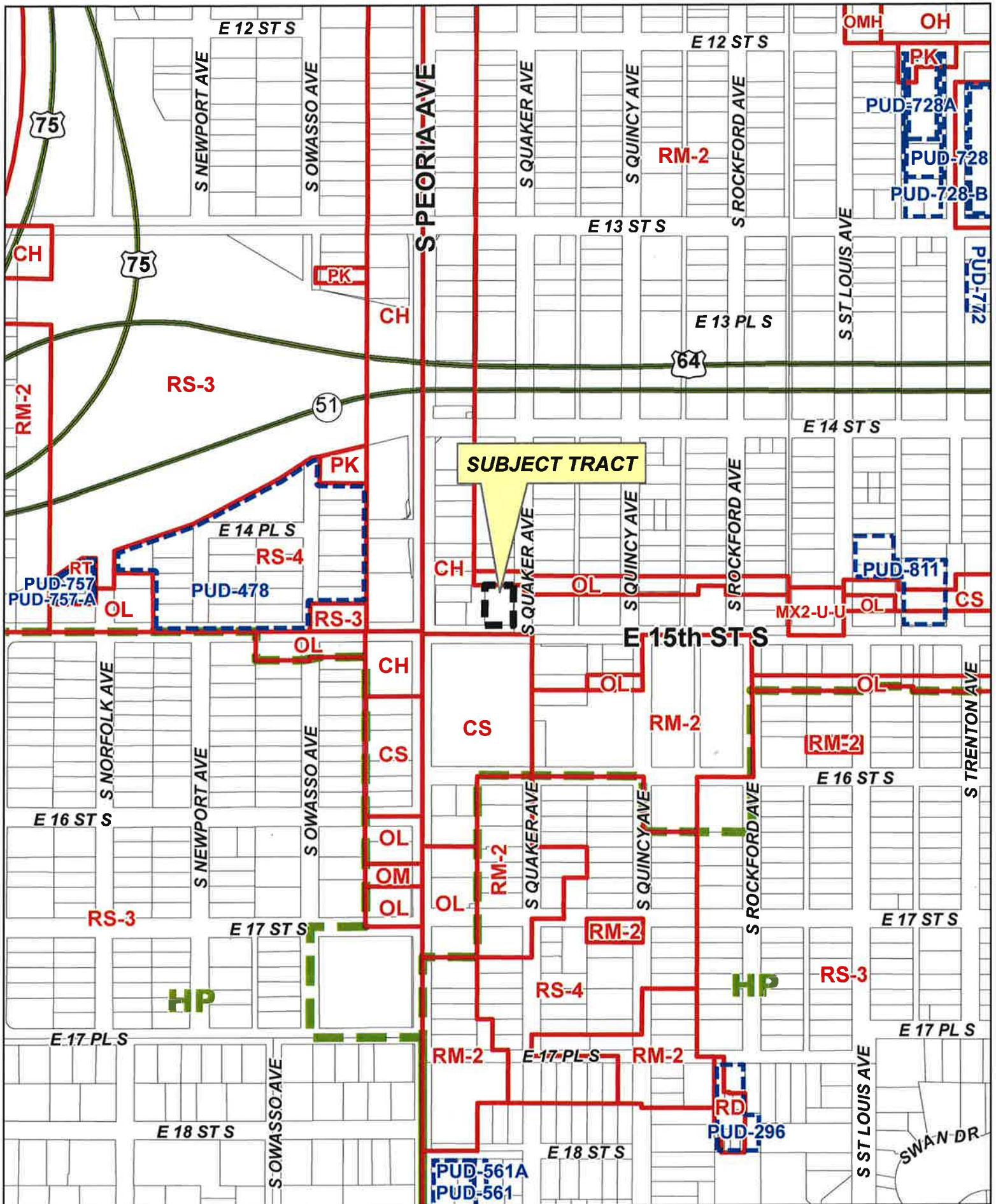
A hard copy of this letter is available upon request by the applicant.

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.

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BOA-22570

19-13 07

9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9307

Case Number: BOA-22570

CZM: 37

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Christin Ortiz

ACTION REQUESTED: Variance from requirement that dynamic displays not be located within 200 ft of an R district (Section 60.100-F). Variance from the requirement that dynamic displays not be located within 20 ft of the driving surface of a curb/roadway (Section 60.100-E).

LOCATION: 1442 S QUAKER AV E

ZONED: CH

PRESENT USE: church

TRACT SIZE: 12610.67 SQ FT

LEGAL DESCRIPTION: LT 4 LESS W3 & LT 5 BLK 1, BROADMOOR HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Site:

BOA-15875; on 11.12.91, the Board **approved** a *Variance* of the setback requirement to permit one pole sign.

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. 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.

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 and CS zoned commercial uses to the south, east, and west; the subject lot abut OL zoned parcels directly to the north.

CURRENT STAFF COMMENTS

On 1/08/19, the Board **denied** #BOA-22570 with a 4-1-0 vote. Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22570.

PREVIOUS STAFF COMMENTS:

The proposed dynamic display will be 48"x76" as shown on the submitted plan. It appears that the dynamic display sign is 198 ft. from the RM-2 district on the northeast. The Code requires that no dynamic display sign, if visible from an R district other than street, highway or freeway right-of-way, shall be located within 200 feet of the R district. The Code attempts to protect nearby and visible R districts from the impacts of digital signs. The applicant has requested a variance to allow a dynamic display sign within 200' of an R-zoned district.

Section 60.100-D of the Code requires that no dynamic display sign shall be located within 20 feet of the driving surface of a street, measured in a straight line from the nearest point on a sign structure to the nearest point of the street curb, or edge of the traveled roadway. The applicant has also requested a variance from the requirement that dynamic displays not be located within 20 ft of the driving surface of a street along E. 15th St. S.

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

Sample Motion for a Variance

Move to _____ (approve/deny) Variance from requirement that dynamic displays not be located within 200 ft of an R district (Section 60.100-F). Variance from the requirement that dynamic displays not be located within 20 ft of the driving surface of a curb/roadway (Section 60.100-E).

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

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

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

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

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

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

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

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

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

Case No. 15875 (continued)

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzie, Fuller, Doverspike, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a **Varlance** of the setback requirement from the center of 15th Street from 50' to 35' to permit one pole sign - **Section 1221.C.6. General Use Conditions for Business Signs** - Use Unit 5; per plan submitted; subject to the execution of a removal contract; and subject to all lighting being shielded from oncoming traffic on 15th Street; finding that the sign will not extend as close to the street as adjacent buildings on the east and west, and the installation of the sign, per conditions, will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lot 4, less the west 3', and Lot 5, Block 1, Broadmoor Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15976

Action Requested:

Minor Special Exception to permit residential accessory use and structure on an abutting residentially zoned lot under common ownership - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 6, located North 73rd East Avenue and Easton Street.

Presentation:

The applicant, **Bill Darling**, 7142 East Easton Place, Tulsa, Oklahoma, submitted a plot plan (Exhibit J-1), and stated that he has purchased vacant property behind his home and is proposing to construct a garage for his personal use.

Comments and Questions:

Mr. Gardner asked the applicant how the property will be accessed, and Mr. Darling stated that there is a curb access on 73rd East Avenue.

Protestants: None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bolzie, Fuller, Doverspike, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a **Minor Special Exception** to permit residential accessory use and structure on an abutting residentially zoned lot under common ownership - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 6; per plot plan; subject to the execution of a tie contract between the lots containing the garage and the existing dwelling; finding that the construction of an accessory building for personal use only, no business, will not be detrimental to the neighborhood; on the following described property:

Lot 19, Block 8, Maplewood 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15874 (continued)

Board Action:

On **MOTION** of **FULLER**, the Board voted 4-0-0 (Bolzie, Fuller, Doverspike, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a **Special Exception** to permit a Use Unit 5, emergency shelter for one homeless family, and to house a security guard in the church building - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 5; and to **APPROVE** a **Variance** of the residential facility requirement for an emergency and protective shelter to allow use in church building, and a variance of the thirty day time limitation for an emergency and protective shelter - **Section 1800. DEFINITIONS** - Use Unit 5; per plot plan submitted; subject to the maximum number of 6 individuals (per Code requirements) living in the structure at any given time; finding that the temporary use is compatible with the residential area; and the granting of the requests will not be injurious to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

Lots 1 - 7, Block 4, Yale Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15875

Action Requested:

Variance of the setback requirement from the center of 15th Street from 50' to 35' to permit one pole sign - **Section 1221.C.6. General Use Conditions for Business Signs** - Use Unit 5, located 1442 South Quaker.

Presentation:

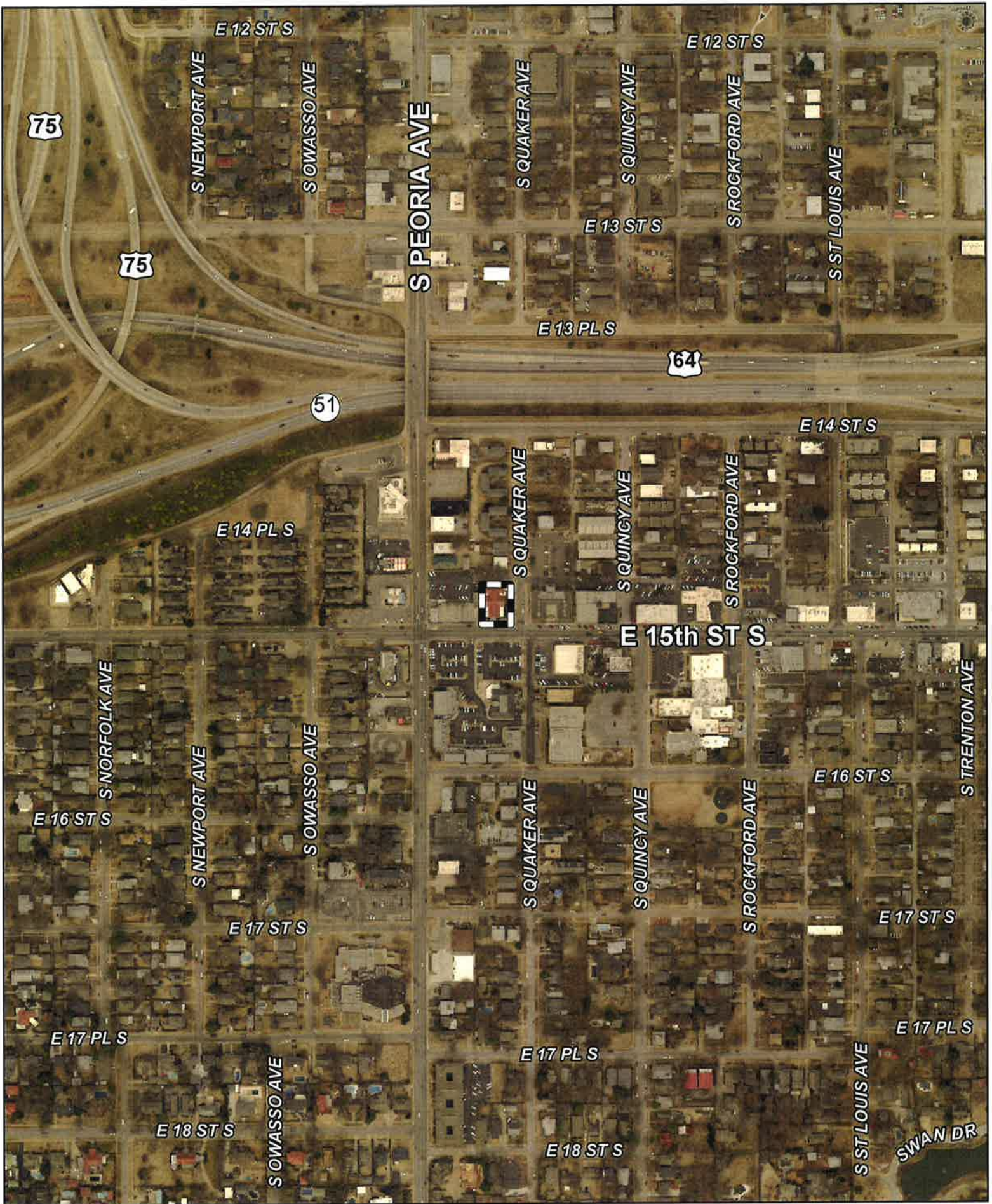
The applicant, **Larry Wald**, 533 South Rockford, Tulsa, Oklahoma, stated that St. Paul Methodist Church is proposing to replace an existing sign (Exhibit H-1) on the church property. He pointed out that commercial buildings to the east and west have been constructed up to the sidewalk. Photographs (Exhibit H-2) were submitted.

Comments and Questions:

Mr. Bolzie asked if the sign will be located as close to the street as the building to the west, and Mr. Wald replied that the new sign will not be as close to the street as buildings located to the east or west. He informed that the sign will be ground lighted.

In response to Mr. Bolzie's concern as to a potential traffic hazard from the ground lighting, the applicant stated that shrubbery will be installed to shield the lights, and they can be positioned to shine away from the street.

Protestants: None.



0 200 400
Feet



Subject
Tract

BOA-22570

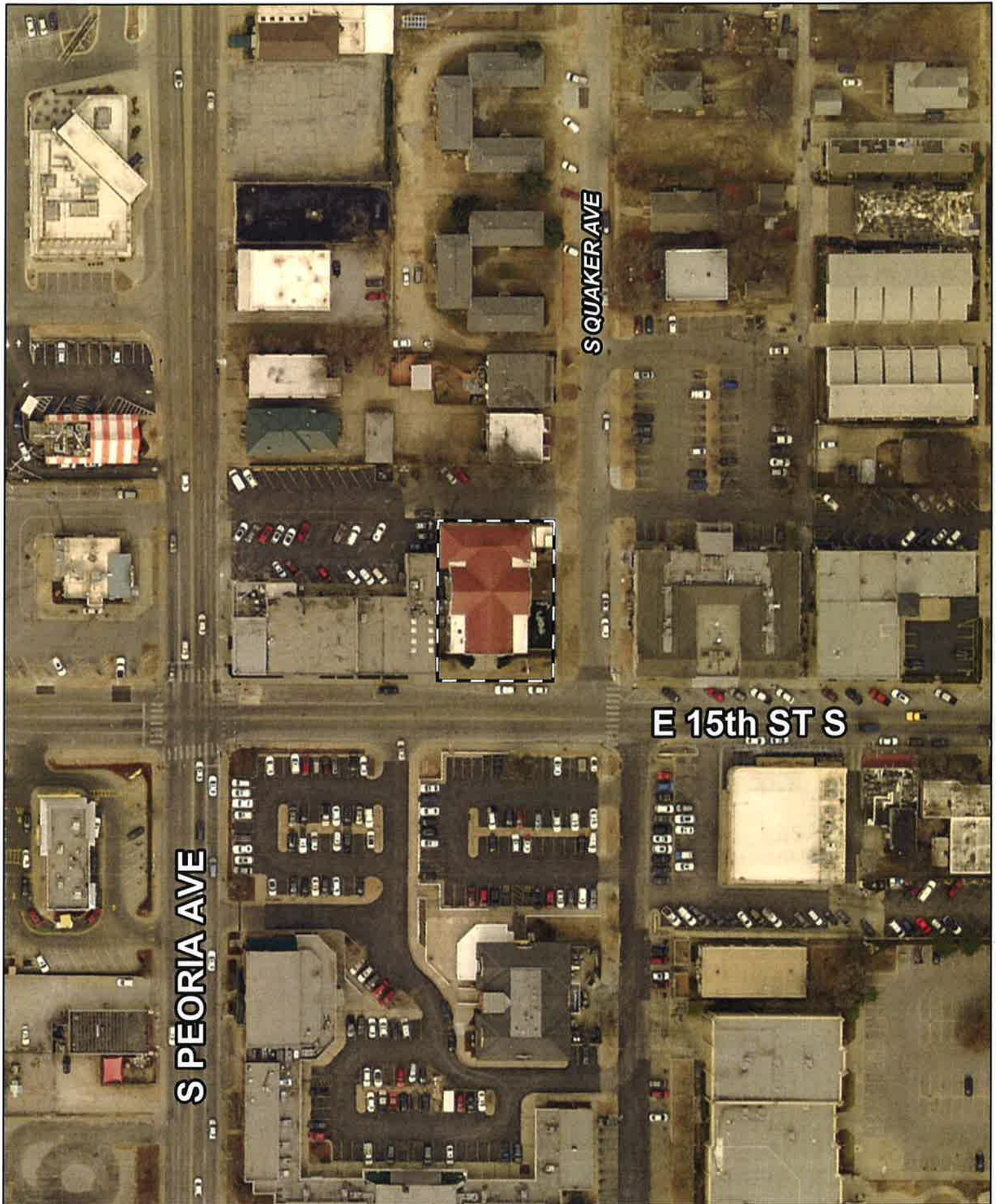
19-13 07

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

Aerial Photo Date: February 2018



9.7



0 50 100
Feet



Subject
Tract

BOA-22570

19-13 07

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

Aerial Photo Date: February 2018



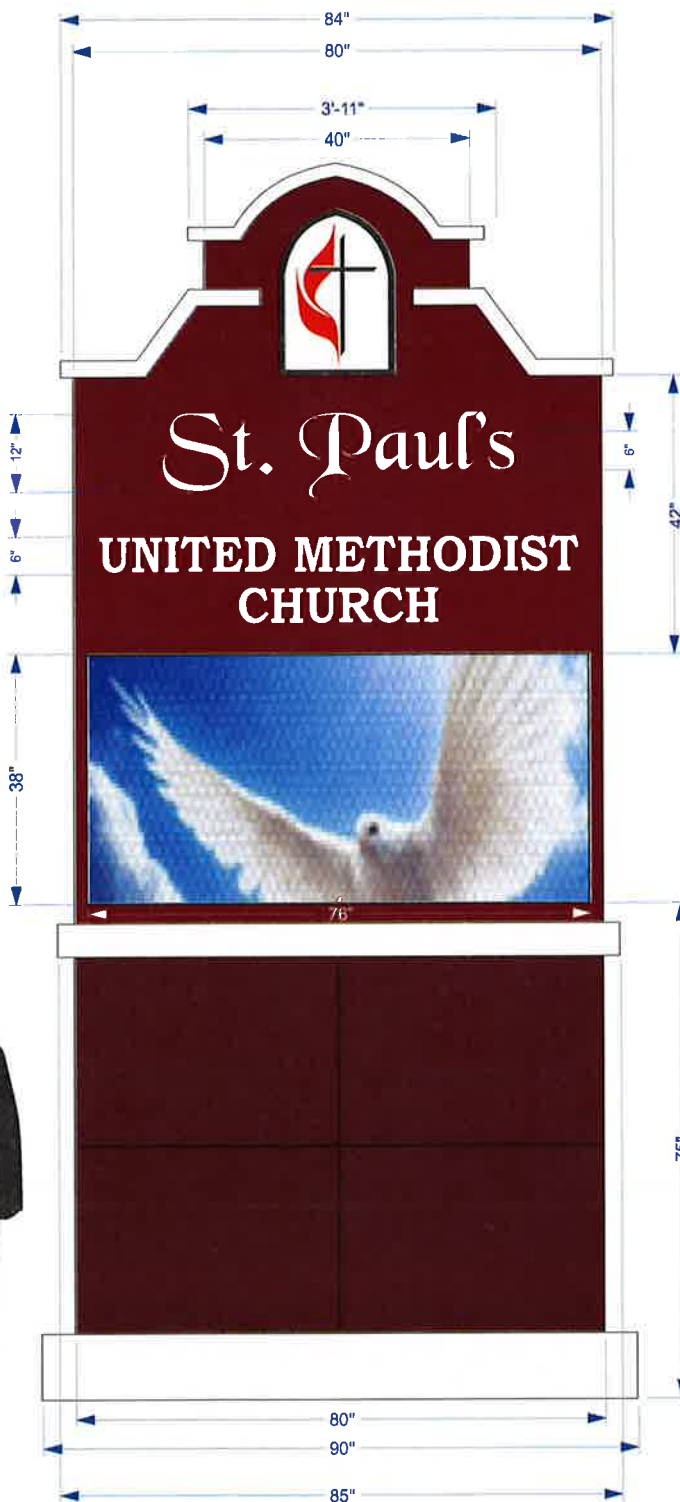
9.8



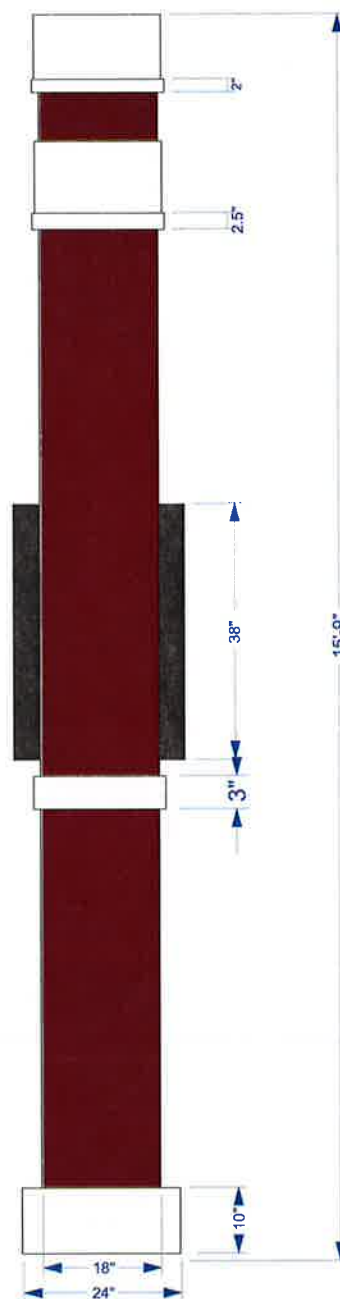
Looking west- towards subject site- on S. Quake Ave.



Looking west- towards subject site- on the corner of S. Quake Ave. % E. 15th St. S.



St. Paul's
Font **BLACKCHANCERY**
UNITED METHODIST CHURCH
Font **BOOKMAN OLD STYLE**



ENCINOS
SIGNAGE & LIGHTING

TULSA, OK
(918) 286-5535
9910 E 46th St, Tulsa, OK 74145
www.encinos3d.com

Pylon Signs - Casino Signs - Monument Signs - Neon Signs - Blade Signs - Wall Signs - Channel Letters
Interior Signs - Way finding Signs - Post & Panel - LED Display - Commercial & Architectural Signs

Customer:
Methodist Church
City and State:
Tulsa, Ok.

Job Location:
1442 S Quaker Ave
Tulsa, OK 74120

Drawn By:
Luis Fonseca
Sold By:
Jesus Ortiz

Drawing Number:
MC111718-001
Scale:

Approved By:
Date Approved:

Please proof read all information carefully for accuracy before signing. Check names, numbers, spelling, punctuation as well as the general layout. Revisions requested after second proof are not included in the original quoted price and will be charged accordingly. Any typographical and or layout errors not found now will be the customers responsibility.

9.10

SITE MAP



TULSA, OK
(918) 286-8535
9810 E 50th St, Tulsa, OK 74149
www.encinos3d.com

Pylon Signs - Casino Signs - Monument Signs - Neon Signs - Blade Signs - Wall Signs - Channel Letters
Interior Signs - Way finding Signs - Post & Panel - LED Display - Commercial & Architectural Signs

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Methodist Church
City and State:
Tulsa, Ok.

Job Location:
**1442 S Quaker Ave
Tulsa, OK 74120**

Drawn By:
Luis Fonseca
Sold By:
Jesus Ortiz

Drawing Number:
MC120718-002
Scale:

Approved By:
Date Approved:

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9.11

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



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

SIGN PLAN REVIEW

October 8, 2018

LOD Number: 1

Christian Ortiz
9810 E. 58th Street
Tulsa OK 74146

Phone: (918)286-8535

APPLICATION NO: **SIGN-012807** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1442 S. Quaker Avenue
Description: St Paul's United Methodist Church/Dynamic Display

INFORMATION ABOUT SUBMITTING REVISIONS

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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-012807

1442 S. Quaker Avenue

October 8, 2018

This letter of deficiencies covers Sign Plan Review items only.

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

1.) 60.100-E: Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled road-way marked or understood as such.

Review Comments: The proposed dynamic display appears to be within 20 feet of the driving surface of the road along E. 15th Street. You may relocate the dynamic display sign 20 feet from the edge of the curb/roadway or you may pursue a variance from the BOA to permit a dynamic display sign to be located closer than 20 feet to the edge of the curb/roadway along E. 15th Street.

2.) 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 RM-2 Residential zoning district to the North and South. You may pursue a special exception from the BOA to permit a digital sign (dynamic display) to be located within 200 feet of an RM-2 zoning district.

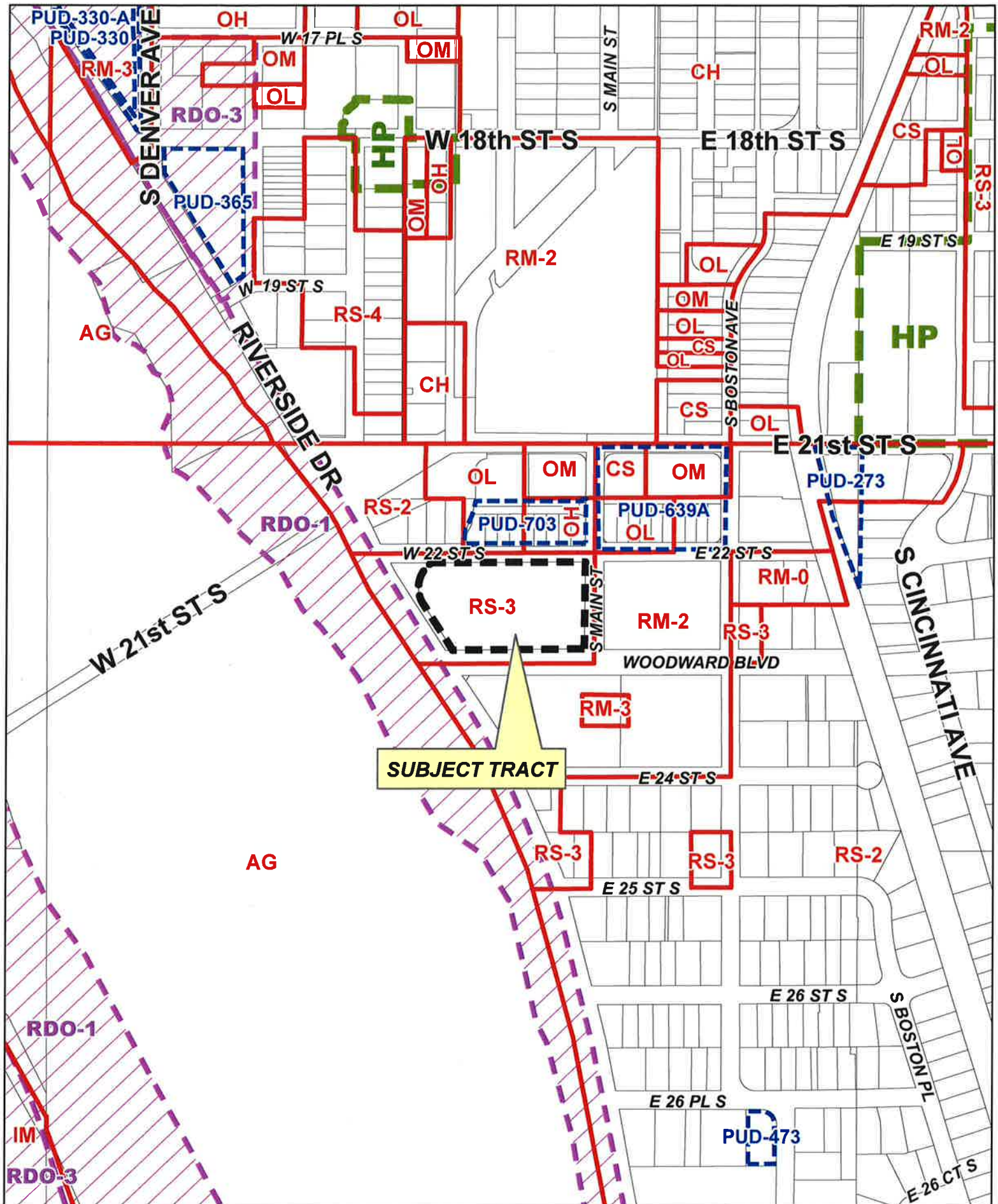
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (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.

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BOA-22567

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9213

Case Number: **BOA-22567**

CZM: 36

CD: 4

A-P#:

HEARING DATE: 02/05/2019 2:00 PM

APPLICANT: Nicole Watts

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: 2210 S MAIN ST W

ZONED: RS-3

PRESENT USE: Commercial/office

TRACT SIZE: 142785.91 SQ FT

LEGAL DESCRIPTION: LT 1 LESS BEG NWC TH E129.30 TH ON CRV LF 135.39 SE178.88 W20.80 NW298.88 NWLY39.44 POB BLK 1, HARWELDEN RESUB B4 RIVERSIDE DRIVE ADDN,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-18689 March 28, 2000: The Board of Adjustment **approved** a special exception to allow a tent and outdoor special events in an RS-3 zoned district for periods in 2000 and to allow this use for five years 2000-2004 with conditions.

BOA-18370 April 13, 1990: The Board of Adjustment **approved** a special exception to allow a tent and outdoor special events in an RS-3 zoned district for four periods in 1999.

BOA-18074 June 9, 1998: The Board of Adjustment **approved** a special exception to permit open-air special events during specific time periods in August and September of 1998.

BOA-11011 May 15, 1980: The Board of Adjustment **approved** a special exception to permit converting a carriage house into an office for the Tulsa Arts Council to run in behalf of the Arts and Humanities Council.

BOA-5674 December 5, 1967: The Board of Adjustment **approved** a special exception to permit converting an existing residence into an art center.

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

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

zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by multi-family residential uses to the north, south, and west; Riverside Drive abuts the property to the west.

CURRENT STAFF COMMENTS

On 1/08/19, the Board **approved** #BOA-22567 with a 5-0-0 vote. Re-hearing is required because publication notice was not given of the January 8, 2019 hearing on BOA-22567.

PREVIOUS STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit a Bed & Breakfast with on-site events on the subject site. Per the attached statement, the proposal is to convert the mansion and carriage house to an upscale Bed and Breakfast while still providing the mansion and grounds for events.

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-3 District (Section 5.020; Section 40.060).

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

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

Case No. 18687 (continued)

Presentation:

The applicant, **Mike Lester**, 2000 W. Detroit, # G, Broken Arrow, stated he is the contractor for the homeowners at this subject property address. This home is located in the historical preservation district of the City of Tulsa. He stated that they are doing some exterior repairs to their residence and they desire to remove the existing garage/ living quarters located at the rear of their property, and to construct a new garage only along the back property line. Mr. Lester stated that the zoning requirement for the south property line would call for a three-foot setback from the property line, and the plan is to build it 4½ feet from the south property line and the proposed structure would be smaller than the existing. The applicant submitted photographs and a letter to the Board.

Comments and Questions:

Mr. Dunham asked if the historical preservation society is in support of this application. Mr. Stump stated that they have concerns that the new garage will be built very close to the existing house, and not set back as they have traditionally been. Mr. Dunham stated it is basically the same location with a little different configuration.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Variance** of Section 210.B.5 to construct an accessory building in rear yard which exceeds the allowable coverage of 20%, per plan submitted, finding that the new structure would be located where the existing structure is, and would be smaller in size, on the following described property:

Lot 9, Block 6, Maple Park Addition, City of Tulsa, Tulsa County, State of Oklahoma

*****.

Case No. 18689

Action Requested:

Special Exception to allow a tent and outdoor special events in an RS-3 zoned district for periods in 2000, as follows: April 14, May 7, July 4, August 18-19, September 23, and to allow this use for five years 2000 – 2004 for unspecified dates but limited to the maximum allowed of 179 days. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2, located at 2210 S. Main.

03:28:00:792(12)

Case No. 18689 (continued)

Presentation:

The applicant, **Lyn Kelly**, 2101 S. Boston, stated she is the Development and Public Relations Director for the Arts and Humanities Council. She stated that they provide arts education at little or no cost especially to children and youth. She stated that they use the tent and outdoor events to raise funds for these educational programs.

Comments and Questions:

Mr. White stated he has the letters of support from the neighborhood. Mr. Dunham stated that they have been doing this for years and there are no protests. Ms. Kelly added that they would continue to have paid security at the events.

Protestants:

None.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Special Exception** to allow a tent and outdoor special events in an RS-3 zoned district for periods in 2000, as follows: April 14, May 7, July 4, August 18-19, September 23, and to allow this use for five years 2000 – 2004 for unspecified dates but limited to the maximum allowed of 179 days, with the condition that there would not be a tent put up for 179 consecutive days, on the following described property:

Block 1, Harwelden, a resub of Block 4, Riverside Addition, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 18690

Action Requested:

Variance of Section 206, which requires a minimum of 30' frontage on a public, street or dedicated R-O-W to allow a lot split. SECTION 206. STREET FRONTAGE REQUIRED – Use Unit 6; Variance of average lot width for Tract B from 200' to 46'. SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT; Variance of minimum lot area for Tract B from 2 acres to 1 acre. SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT; Variance of minimum land area per dwelling unit for Tract B from 2.2 acres to 1 acre. SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT; and a Variance of average lot width for Tract C from 200' to 131'. SECTION 303. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICT, located at 6020 E. 116th St.

03:28:00:792(13)

Case No. 18369 (Continued)

A tract of land that is part of the SW/4 of the S 1/4 of Section 30, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, Oklahoma and also part of Lots 1 through 14, Block 51, Town of Alsuma, and the vacated alley way in Block 51, Town of Alsuma, Tulsa County, Oklahoma, said tract of land being described as follows: Commencing at the SW/4 of said Section 30; thence due E along the Sly line of Section 30 for 990.00'; thence N 00°09'05" W for 50.00' to the point of beginning of said tract of land; thence continuing N 00°08'05" W for 350.00'; thence due E and parallel with the Sly line of Section 30 for 237.50' to a point on the Wly line of said Block 51 thence S 00°08'05" E along said Wly line for 175.00'; thence due E and parallel with the Sly line of Section 30 for 177.50' to a point on the Ely line of said Block 51, thence S 00°08'05" E along said Ely line for 150.00' to a point that is 50.00' Nly the SE/c of Block 51; thence S 44°55'57" W for 35.31' to a point that is 25.00' Nly of the Sly line of Block 51; thence due W and parallel with the Sly line of Section 30 for 390.00' to the point of beginning of said tract of land.

*****.

Case No. 18370**Action Requested:**

Special Exception to allow a tent and outdoor special events in an RS-3 zoned district for four periods in 1999 as follows: April 30 – May 1; June 26 – 27; August 20-August 21; September 24 – September 25. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2, located 2210 S. Main.**

Presentation:

The applicant, **Carol Swarthout**, was represented by Wendy Thomas, 2016 E. 17th Place, who submitted a site plan (Exhibit H-1). Ms. Thomas stated that she is appearing on behalf of the Tulsa Arts and Humanities Council. Ms. Thomas mentioned that she was before the Board last year and was approved for two events and they are asking to be approved for four events this year. They have arranged for parking in the Adkar Shrine Temple and the Junior Chamber of Commerce. Ms. Thomas spent a lot of time with the neighbors last year and their main concern was parking problems. The Arts and Humanities Council provided them with private parking signs and they were successful. After the events last year, they received no complaints.

Interested Parties:

None.

Case No. 18370 (continued)

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** a **Special Exception** to allow a tent and outdoor special events in an RS-3 zoned district for four periods in 1999 as follows: April 30 – May 1; June 26 – 27; August 20-August 21; September 24 – September 25, finding that the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2** on the following described property:

Harwelden, Block 1, a resubdivision of Block 4, Riverside Addition, City of Tulsa, Tulsa County, State of Oklahoma.

*****.

Case No. 18371

Action Requested:

Minor Special Exception of front yard requirement of 25' to 21' for the construction of a new house. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS – Use Unit 6**, located E of the SE 1/4 E. 83rd St. & S. 65th E. Ave.

Presentation:

The applicant, **Bruce Berman**, 9619 S. 68th E. Ave., submitted a site plan (Exhibit I-1) and stated that he and his wife have developed a plan for a house which is a one story plan. They discovered that instead of the 11' easement shown on the plat there is a 21' easement. Mr. Berman stated that they had an architect lay out a plan for them that was 3,200 SF, one story plan with glass across the back with a view of the pool. The pool was going to be 18' x 36'. With the 21' easement instead of the 11' easement they would not be able to put the pool in. The entire house was designed to showcase the pool. Mr. Berman asked the Board to approve the request and allow him to have a 21' setback so he can build a 13' pool width.

Lindsay Perkins, 4735 S. Atlanta Place, stated that he is the developer of Crescent subdivision at 81st and Sheridan. Lindsay Perkins mentioned to the Board that there was a Scrivener's error on the plat. The easement should be 21' and not 11'. Lindsay Perkins has spoken with the owners of Lots 1, 2 and 4 and none of them have a problem with the variance. There will not be any impact on any of the other surrounding properties.

Case No. 18073 (continued)

S 45' of the N 95' of the E 125' of Lot 11, Block 19, Bellaire Acres Second Extension, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18074

Action Requested:

Special Exception to permit an open-air special event August 21, 1998, 11 a.m. through August 22, 1998, 5 p.m. and September 18, 1998, 12 noon through September 19, 1998 7 p.m. in an RS-3 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2**, located 2210 S. Main St.

Presentation:

The applicant, **Diane T. Boss**, was represented by **Wendy Thomas**, who is the Executive Director of the Arts and Humanities Council of Tulsa. Ms. Thomas stated that Harwelden mansion is their headquarters. The Council has relied on income generated by the Kanchi auction for more than 30 years. This is a fundraising project for nonprofit but in recent years, increase competition and decreasing revenues of this event have indicated that it is time for them to have a new event. Ms. Thomas mentioned that during 1998 they are having a test year for as many as eight new events. They hope to have two of the events on the grounds of Harwelden, which has necessitated them coming before the Board for a Special Exception. Prior to finalizing any details brought before the Board today, they sent a letter to the Presidents of the Residence Associations in the 2300 Building, the Woodward Terrace Apartments. They had two people come and discuss the concerns the neighborhoods might have. Harwelden has prepared an event information sheet (Exhibit K-1), which was delivered to the residents of both complexes. Ms. Thomas received about a dozen phone calls most of which were encouraging and the primary concerns regarded parking in the private residential areas. One event will be held on August 21, 22, which will be a Barbecue cook-off. They are asking for the Special Exception for the two days of the event, however, they only expect public guests from noon to 8:30 p.m. on Friday and from 10:00 a.m. to 4:00 p.m. on Saturday. Ms. Thomas stated that they are not sure how many people will attend but they have contacted the Jaycees's, the Shriners and MAPCO in an effort to obtain their parking to help accommodate the guests. They will also provide parking passes to the residents of the two neighborhood complexes. This is not an effort to monitor their parking but to simply give Harwelden a way to regulate non tenant parking during the event weekend. In addition, there will be three security guards for the August 21, 22 event that will be stationed along Woodward Blvd. and Main St. Their specific duty will be to monitor parking and traffic. The second event will be held September 18, 19. They will only be holding the event on the 19th from 9:00 a.m. to 5:00 p.m. They do not expect this event to be as large or as much of a nuisance to the neighborhood. However, they will be providing the same parking passes to the neighbors.

Comments and Questions:

Mr. White stated that he imagines that the biggest concern would be the parking. Mr. White asked the applicant if Harwelden will be providing any shuttle service. Ms. Thomas replied that they have talked about it, and if it was made a condition they would do it. Ms. Thomas said that they would provide signage for the two complexes stating that it is private parking.

Mr. Dunham stated that the tents must meet the setback requirements. Ms. Thomas stated that the tent is going to be at the bottom of the hill on the property and will be facing away from the neighbors.

Interested Parties:

Ruby Collins, 2202 S. Boston, #132, Woodward Terrace, stated that she has an objection to the two day event because of the traffic and parking. Ms. Collins stated that they have experienced it every year during the Fourth of July celebration and it is not good. Ms. Collins stated that in her complex there is covered parking for all units but there is parking next to the building (on the side) for visitors and it does not matter how much protection is given from security, they still have people parking in their lot.

Ms. Turnbo asked if the parking on the side of the building is on the property. Ms. Collins answered yes. Ms. Turnbo asked Ms. Collins if they have ever gone into the other parking places. Ms. Collins answered yes. Ms. Turnbo asked Ms. Collins if the signage provided would help. Ms. Collins replied that she didn't think anyone would pay any attention to the signs. Ms. Turnbo asked if parking passes were given to all the residents and the security persons would only allow in the people with the parking passes, would that help the situation? Ms. Collins answered that would be good. She stated that the complex has six entrances and you can't have an officer at each one.

Ms. Perkins asked if the only time the residents have had a problem is on the Fourth of July. Ms. Collins answered yes. Ms. Perkins mentioned that she does not believe that there will be near as many people at Harwelden for a fund raiser as there would be for a free Fourth of July celebration.

Applicant's Rebuttal:

Ms. Thomas stated they are not the sponsor of the Fourth of July event. Ms. Thomas stated that Harwelden is trying to be a good neighbor and they do not expect the tens of thousands of people who do come to the river for the Fourth of July event. They would be happy to work with the City and residents of the complexes on whatever street closings or signage that needs to be dealt with. Right now, they are talking about closing Woodward at Riverside, they have not talked about closing other streets but they are willing to consider any other streets as recommended.

Case No. 18074 (continued)

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White, "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Special Exception to permit an open-air special event August 21, 1998, 11 a.m. through August 22, 1998, 5 p.m. and September 18, 1998, 12 noon through September 19, 1998 7 p.m. in an RS-3 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2**, subject to the applicant addressing the parking problems and meeting the setback requirement, per plan submitted on the following described property:

Harwelden, Block 1, a resubdivision of Block 4, Riverside Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 18076

Action Requested:

Variance of 150' of frontage in a CS district to 100' to allow a lot split. **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS - Use Unit 14**, located 9202 E. 41st St.

Presentation:

The applicant, **Ronald G. Tracy**, 1301 S. Quaker, stated that he is representing the architect of record whose offices are in Oklahoma City. Mr. Tracy stated that he is the engineer on the property. This project is for an Econo Lube and Tune. There is not a lot of square footage for the building and has a drive-thru type service. The client has been trying to get some locations in Tulsa for the past 18 months. The owner of the property only wanted to sell Econo Lube 100' of frontage instead of the 150' required.

Comments and Questions:

Mr. White asked about Staff comments regarding a plan for the development of the remainder of the property. Mr. Beach stated that this is similar to another recent case, except the other one was a PUD. Mr. Beach mentioned that it appears that there is quite a bit of property and the lot width requirement could be met. By putting the property line less than what the Code requires, they are creating their own hardship.

Mr. Stump stated that you have many more lots and many more curb cuts onto an arterial street and those are some of the reasons for the minimum lot width. Mr. Stump stated that Staff does not see anything unusual about this site that would prevent them from creating a 150' lot.

Mr. Dunham asked the applicant if the owner of the property could come back with a plan showing how the rest of the property is going to be developed. Mr. Tracey stated that he understands the Board's concern, however, the property further to the east is

06:09:98:751(45)

11009 (continued)

Upon questioning, Mr. Hardy advised that they asked the engineering company contracted to make the tower a 50 pound wind load tower. The 50 pound wind load specification is one that is set by the government and the company that builds the tower follows their regulations. Mr. Hardy stated that 120-mile an hour winds would wipe out the entire district before toppling the tower.

Discussion followed concerning the setback of the tower from the property line, and the insurance coverage protecting the neighboring residential areas. Mr. Moody advised that insurance coverage was somewhere between \$500,000.00 and 1 million.

Mr. Gardner advised that the Ordinance was written to restrict ham radio operators and C.B.'ers., to 60-foot maximum height towers in residential areas. Mr. Gardner then explained that according to the Zoning Ordinance, there are no height restrictions in industrial areas.

Protests: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-2 (Lewis, Purser, Victor "aye"; no "nays"; Smith, Wait "abstaining") to grant an Exception (Section 220 Height Exceptions) to erect a 200' height tower for a television transmitter in an IL District; and of the setback requirements to permit the tower 33' from an R District, per plot plan submitted, on the following described tract:

Lot 3, Block 2, Industrial Equipment Center Third Addition to the City of Tulsa, Oklahoma; less the East 86' thereof.

11011

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) request for an exception to permit converting a carriage house into an office for the Tulsa Arts Council, and in the alternative; a Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities - Under the Provisions of Section 1670 - Variances) request for a variance for same at 2210 South Main Street.

Presentation:

Jim Graver, representing Stephen Olsen, advised that the request is from the Tulsa Chapter of American Institute of Architects, which is a member of the Arts and Humanities Council, who have for some time negotiated with the Arts and Humanities Council and Harweldon to relocate their offices in Tulsa within Harweldon, since they make use of the structure for meetings and programs. Mr. Graver explained that a plot plan has been drawn to renovate the rear of Harweldon building into AIA offices (Exhibit "K-1"). Upon questioning, Mr. Graver advised that the maximum number of people expected per day would be 2 and that 1 secretary and one part-time employee would be occupying the office on a daily basis. Mr. Graves stated that the only time a number of people would be present is in the evenings and at night.

5.15.80:310(11)

10.12

11011 (continued)

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Lewis, Purser, Smith, Victor, Wait "aye"; no "nays"; no "abstentions") to grant an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205-Community Services, Cultural and Recreational Facilities) to permit converting a carriage house into an office for the Tulsa Arts Council, to run in behalf of the Arts and Humanities Council only, (not the land) on the following described property:

Harwelden Addition to the City of Tulsa, Oklahoma.

11012

Action Requested:

Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440.2 - Home Occupations) request for permission to operate a party specialty consisting of permitting flowers, and designs for weddings in an RS-3 District (in a detached garage) at 1510 East 19th Street.

Presentation:

David Thornton, representing Alyce Heinrich, read a letter (Exhibit "L-1") was written to the neighbors, particularly those who received notices of the subject application. She stated in the letter that she would be rendering consultation services at her home, not entering into a full fledged business operation in her home. Mr. Thornton stated that most of Ms. Heinrich's work will be taken care of over the phone. Upon questioning, Mr. Thornton advised that Ms. Heinrich has operated the business from her home for 6 years.

Protestants:

Lee Selby, 1352 East 18th Street, President of the Swan Lake Homeowners Association, advised that they are opposing the subject application for a number of reasons. In addressing Ms. Heinrich's letter, Mr. Selby stated that the letter itself points out why they don't care to have the business in their neighborhood being that the applicant has conducted her business illegally for 6 years from her place of residence. The fact that Ms. Heinrich admits as to what is going on is why the residents of the neighborhood would like to see the application denied, stated Mr. Selby. Mr. Selby advised that doing something illegally for 6 years does not justify continuation of the business. Five years ago the applicant put a sign in her front yard and widely advertised her business operation. A complaint was made then which cut down on the advertising and the applicant pulled up her sign. Mr. Selby advised that they wanted the business closed down, but the cost involved in retaining an attorney was too high, therefore they did not pursue the matter. Mr. Selby said that the request also would set a precedent for their neighborhood if the subject application is approved. Mr. Selby presented a petition (Exhibit "L-2") signed by 34 residents of the immediate neighborhood.

Ed Lotus, homeowner 3 doors to the east of the subject application, advised that he opposes the application for attempting to make exceptions in a quality neighborhood that is 50 years old.

5.15.80:310(12)

10.13

PUBLIC HEARINGS:

✓ 3674

Action Requested:

Exception (Section 5 (d) (2)) to permit converting an existing residence into an art center in a U-1B district, on a tract located at 2210 South Main.

Presentation:

James Sneed, representing the Arts Council of Tulsa, Oklahoma, Inc., stated that a letter had been submitted to the Board setting forth the Council's intentions (Exhibit "A-1"), and added that an application was pending to change the zoning classification to U-1C.

Protests:

None.

Board Action:

On MOTION of AVERY, the Board of Adjustment (4-0) granted an exception under Section 5 (d) (2) to permit converting an existing residence into an art center, subject to U-1C zoning and subject to a drawing of their sign being submitted to the Board for approval before installation, on the following described tract:

Block 4, Riverside Drive Addition to the City of Tulsa, Tulsa County, Oklahoma.

3576

Action Requested:

Exception (Section 8 (d)), after having filed an 80% petition of an affected area created by the Board (Exhibit "B-1"), to permit a home beauty shop in a U-1C district, on a tract located at 211 East Woodrow Place.

Presentation:

Mrs. Ella Barnett, applicant, was present.

Protests:

None.

Board Action:

On MOTION of PRATHER, the Board of Adjustment (4-0) granted an exception under Section 8 (d) to permit a home beauty shop in a U-1C district, on the following described tract:

Lot 22, Block 4, Lakeview Addition, to the City of Tulsa, Tulsa County, Oklahoma.

12.5.67:9(2)



TULSA

News Department—Tel. LUther 3-2161

TULSA, OKLAHOMA

Harwell Home Zoning Permits Arts Offices

CURBS IN NEW FUNDS

The Tulsa Metropolitan Area Planning Commission Wednesday approved rezoning of the home of the late Tulsa philanthropist Mrs. Mary W. Harwell to accommodate offices for the Arts Council of Tulsa.

The home, at 2119 S. Main St., was donated to the council by Mrs. Harwell's will. The council will accept title to the property Friday.

Mrs. Harwell was the widow of oilman Earl P. Harwell. She died Jan. 17.

The property also included Harwell Gymnasium at the University of Tulsa. The gym recently was converted into an auditorium.

The home will be used to house several offices, including the Tulsa Arts Council and the Tulsa Symphony Orchestra.

The council also approved rezoning of the home of the late Mrs. Harwell to accommodate offices for the Tulsa Symphony Orchestra.

The council also approved rezoning of the home of the late Mrs. Harwell to accommodate offices for the Tulsa Symphony Orchestra.

In other action, the TMAPC rejected zoning for a professional office building at the northeast corner of 15th Place and Sheridan Road; denied zoning for a professional office building and apartments at 51st Street and Edison Avenue; just north of the County Farm; approved apartment zoning for a tract south of the southeast corner of 51st Street and Wheeling Avenue; and approved commercial zoning for a tract at the northeast corner of 41st Street and Peoria Avenue.

The TMAPC also approved commercial zoning for the northeast corner of Cincinnati Avenue and Main St.; granted commercial

zoning at the southeast corner of 21st Street and 15th East Avenue; and granted commercial zoning at the southeast corner of 54th Street and Harvard Avenue.

A request for zoning to construct a service station at the northeast corner of Union Avenue and Edison Street on property owned by the Tulsa Country Club was continued to Jan. 1. The proposed station would be just south of the country club's new \$1.2 million clubhouse.

WATCH NIGHT SPEAKER SET

North Dakotan To Visit Temple

The Rev. Gordon Sisco, Great Neck, N.D., will speak at the New Year's Eve Watch Night service at 7:30 p.m. Sunday at the Bible Baptist Temple, 603 E. Apache St.

Formerly pastor of the Collinsville Baptist Tabernacle, Sisco also is minister of a Bible College in Great Neck.

Services will continue through midnight, when a prayer session

Unclaimed Revenue 2 Major

By MIKE F. World Camp OKLAHOMA C... hies will prevent ever collecting one under the property act, a official said Wed... "Two points ac... all as far as big... normal-size state... and the \$25 acc... have to be report... they, director of... gill-estate and... erty division.

The \$25 min... empas utility li... ing under the m... tain of Statute... without counte... considering the... ad examples. "A... unassuming," he

Unclaimed p... by utility firm... form of separ... \$10.

Changes I... The bulk of

Reyning Our Times

Progress, you say,
begins with you?
Young man, how can
that be,
When I said sixty
years ago
That it began—
with me?

—CAL BARD

ROUND THE CLOCK

TULSA METROPOLITAN AREA
PLANNING COMMISSION

ZONING DESIGNATIONS

CURRENT CODE	CURRENT DEFINITION	CORRESPONDING PREVIOUS CODE
AG	Agriculture	U-RE
RS-1	Single-family 2.7 D.U's. per acre - 100' frontage	U-1A
RS-2	Single-family 4.0 D.U's. per acre - 75' frontage	U-1B
RS-3	Single-family 5.1 D.U's. per acre - 60' frontage	U-1C
RD	Duplex 10.3 D.U's. per acre	
RM-T	Townhouse 12.1 D.U's. per acre	
RM-0	Multifamily 12.1 - 15.5 D.U's. per acre	
RM-1	Multifamily 19.8 - 25.6 D.U's. per acre - Max. Hgt. 26'	U-2A
RM-2	Multifamily 31.0 - 36.0 D.U's. per acre - Max. Hgt. 26'	U-2B
RM-3	Multifamily 87.0 D.U's. per acre High Rise	U-2C
RMH	Mobile Home 7.2 - 8.0 per acre	
P	Off-Street Parking 90% max. lot coverage	U-3A
OL	Office, low 25% floor area ratio	U-3B
OM	Office, medium 50% floor area ratio	U-3BH
OMH	Office, medium-high 200% floor area ratio	
OH	Office, high 800% floor area ratio	U-3E
CS	Commercial, Shopping Center 50% floor area ratio	U-3C, U-3D, U-3DH
CG	Commercial, General 75% floor area ratio	U-3E, U-3F
CH	Commercial, High Intensity no maximum floor area	U-3E, U-3F
IR	Industrial, Research 50% floor area ratio	U-3F
IL	Industrial, Light no maximum floor area	U-4A
IM	Industrial, Moderate no maximum floor area	U-4B
IH	Industrial, High no maximum floor area	U-5
CO	Corridor Site Plan Review determines usage 125% floor area ratio	
FD	Floodway District no buildings permitted	
PUD	Planned Unit Development	Supplemental Zoning District Supplements existing zoning controls

**TULSA METROPOLITAN AREA PLANNING COMMISSION
APPLICATION FOR REZONING**

General Location: 2210 S Main Sec 1, 22nd & Main
 Requested Zoning: UIC Proposed Use: Art Center
 Record Owner: Arts Council of Tulsa Present Use: Residence
 Legal Description of Tract under Application: (If by metes and bounds, attach plat of survey.)

*Block 4
Riverside Drive Addition*

(See Bl of ady. C-5674)

If Applicant is other than owner, please indicate interest:
 (purchaser, lessee, agent for, other)

Are there any private or deed restrictions controlling use of tract? No

Bill advertising and sign charges to: James L. Smith Arts Council of Tulsa
 (name) 211 1/2 Natl. Bldg, Tulsa 5-5711
 (address) (phone)

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed: James L. Smith Address _____
 Phone: _____

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application received by: Carol White Date: December 28, 1967
 Tract Acreage: _____ P. H. Date: December 28, 1967

Application No. 2- <u>3101</u>	Atlas Page No. _____
Present Zoning <u>U-1B</u> ✓	Location Code <u>1320</u>
Proposed Zoning <u>UIC</u>	\$10 Receipt <u>Arts Council of Tulsa</u>
A. Number _____	\$25 Receipt <u>Arts Council of Tulsa</u>

TMAFC Action:	CITY Action:
action <u>approved</u>	action <u>approved</u>
provisions <u>subject to a plan</u>	provisions <u>subject to a plan</u>
date <u>12/28/67</u>	date <u>12/28/67</u>
vote <u>2-0</u>	vote <u>2-0</u>
Next Recom. <u>approved</u>	Ord. no. <u>116-21</u>
AL Recom. <u>approved</u>	

July 2, 1988

Metsch Engineering Company
424 South Gaylord Avenue
Tulsa, Oklahoma 74103

Gentlemen:

On March 8, 1988 the TMAPC approved the subdivision plat of Harwelden Addition for the Arts Council of Tulsa, Inc. The final plat was received by the TMAPC Staff and the TMAPC and City Engineer's approvals indicated on the face of the plat.

All conditions for approval have been met but one, pertaining to a sanitary sewer easement across the property. Since the plat contained no written deed of dedication for easements, the Water Department indicated a separate easement filed of record with the plat would be sufficient to cover the existing sewer on the property.

Would you please have the proper persons sign the easement and return the original to us as soon as possible, so we may release the plat. May we also remind you, and the Arts Council by copy of this letter, that until the plat is released, filed of record, and the zoning ordinance fee paid to the City of Tulsa, the property is not zoned U-1C under the conditions of zoning application E-3101.

If you have any questions, please feel free to call us at 587-1537.

Sincerely,

Murrell K. Hemoth
Planning Analyst II

Encl: (Easement Forms)

cc: Arts Council
Water Dept. (Joe DeVasher)
copy to Bldg Insp

MV:jam

BA File
#5674

PROOF OF PUBLICATION

STATE OF OKLAHOMA, TULSA COUNTY, ss:

Dexter Moss, Jr., of lawful age, being duly sworn, upon oath deposes and says that he is the publisher and editor of the TULSA DAILY LEGAL NEWS, a daily newspaper printed in the English language, in the City of Tulsa, Tulsa County, Oklahoma, having a bona fide paid general circulation therein, and with entrance into the United States mail as second class mail matter in Tulsa County, and published in said county where delivered to the United States mail, and that the notice by publication, a copy of which is hereto attached,

was published in said newspaper for _____ consecutive days-weeks, the first publication being on the _____ 19th day of _____ September, 1968 and the last day of publication being on the _____ day of _____

19 _____, and that said newspaper has been continuously and uninterruptedly published in said county during the period of more than One Hundred and Four (104) weeks consecutively, prior to the first publication of said notice, or advertisement, as required by Section one, Chapter four, Title 23 Oklahoma Session Laws, 1943, as amended by House Bill No. 405, 22nd Legislature, and thereafter, and complies with all of the prescriptions and requirements of the laws of Oklahoma. (The advertisement above referred to is a true and printed copy. Such notice was published in all editions of said newspaper and not in a supplement thereof.)

Dexter Moss, Jr.

Subscribed and sworn to before me by Dexter Moss, Jr., publisher and editor of the TULSA DAILY LEGAL NEWS, this 20th day of September, 1968.

Notary Public

Notary Public.

My commission expires NOV 28 1971

PUBLISHER'S FEE \$ _____

CITY LEGAL

(C-1188)
Published in the Tulsa Daily Legal News, Sept. 19, 1968, Dexter Publishing Co., Publisher.

ORDINANCE NO. 11247

AN ORDINANCE AMENDING ORDINANCE NO. 10371 AS EXTENDED BY ORDINANCE NOS. 10703 AND 11038, AND REZONING ALL OF HARWELDEN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE DULY RECORDED PLAT THEREOF, FROM A U-1B CLASSIFICATION TO A U-1C CLASSIFICATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TULSA, OKLAHOMA TO-WIT:

Section 1. That Ordinance No. 10371 as extended by Ordinance Nos. 10703 and 11038, be and the same is hereby amended, and the following specified property, to-wit:

All of Harwelden Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the duly recorded plat thereof, (2-1103)

be and the same is hereby rezoned from a U-1B Classification to a U-1C Classification.

Section 2. That all Ordinances of parts of Ordinances in conflict herewith be, and the same are hereby repealed.

Section 3. That because the rezoning hereby enacted is essential to the proper and orderly growth and development of the City of Tulsa, and the same constitutes a public use, the Board of Commissioners hereby declares its intent to exercise its police power to protect the health, safety and general welfare of the City of Tulsa, and the same is hereby enacted as an Ordinance of the City of Tulsa, Oklahoma, and shall take effect immediately upon its passage, approval and publication.

PASSED with the approval of the Board of Commissioners, this 18th day of September, 1968.

APPROVED AND FORWARDED:

CITY CLERK

CITY MANAGER

CITY ATTORNEY

CITY COMMISSIONER

CITY COMMISSIONER

CITY COMMISSIONER

CITY COMMISSIONER

CITY COMMISSIONER

CITY COMMISSIONER

CITY COMMISSIONER

Application No. 2-3101
Applicant: James Sneed (Arts Council
of Tulsa)

Present Zoning: B-1B
Proposed Zoning: U-1C

Location: SW corner 22nd & Main

Date of Application: November 28, 1967
Date of Hearing: December 27, 1967
Size of Tract: 3.59 acres

Presented to TMPC By: James Sneed
Address: 711 First National Bank Bldg.

Phone: LU 5-5211

Staff Recommendation:

The Staff recommends APPROVAL of U-1C.

The permitted uses of U-1C and particularly the contemplated community facility would be compatible with the existing and anticipated multifamily residential use of the area.

Zoning Committee Recommendation:

Concurred.

TMPC Action: 6 members present.

On MOTION of LEAVITT, the Planning Commission voted unanimously to recommend to the Board of City Commissioners that the following property be rezoned to a U-1C district, subject to a plat.

Block 4, Riverside Drive Addition to the City of Tulsa,
Tulsa County, Oklahoma.

TMPC Members Present

Caughey
Duble
Forrester
Kornegay
Leavitt
Martin

Staff Present

Johnson
Gardner
Lasker
Martin

There being no further business, the Chair declared the meeting adjourned at 4:20 p.m.

Date Approved _____

Attest:

Secretary

Chairman

12.27.67:687(19)



THE ARTS COUNCIL OF TULSA, OKLAHOMA, INCORPORATED
POST OFFICE BOX 3805
TULSA, OKLAHOMA 74102

16 November 1967

Mr. Casper Jones
Tulsa Board of Adjustment
9 East Fourth Building
Tulsa, Oklahoma

EXHIBIT "A-1"
Dec 5, 1967
Board of Adjustment

Dear Mr. Jones:

Please accept this letter as a supplement to the Arts Council of Tulsa's previously submitted application for permission relating to its proposed headquarters in a structure located at 2210 South Main Street, Tulsa, Oklahoma.

The building, formerly the private home of the late Mr. and Mrs. E. P. Harwell, was a testamentary gift to the Council in January of this year. It is the wish of the governing body of this organization that it serve as the operational headquarters for the Arts Council, a non-profit educational constituency of 52 member organizations whose purpose is the development and promotion of cultural affairs in the City of Tulsa.

The headquarters building's proposed uses may include any or all of the following:

1. General Offices: To house the administrative activities of the Council and such other member organizations as shall be permanent residents.
2. Performing Arts Presentations: The presentation of cultural events such as recitals, concerts, film presentations, etc. inside the building and, possibly, on the surrounding grounds.
3. Exhibitions: The showing of paintings, graphics and sculpture in the public use areas of the building from time to time.
4. Studios: Workshop space and classrooms for artists and students.
5. Book and Gift Counter: An area for the non-profit sale of art books and gift artifacts by the Women's Alliance of the Council.

6. Meeting Areas: Rooms and other public areas to be used for committee meetings, board meetings, and other appropriate business and activities to be conducted by Council's member groups.
7. Food Service: The building is equipped with adequate kitchen facilities that will permit the occasional service of refreshments.
8. Parking: Adequate on-site parking will be established at Harvelden to accomodate those using the facility.
9. Exterior Signing: A non-lighted sign whose size and character shall be in tasteful harmony with its surroundings, may be erected on the premises to identify the Arts Council headquarters.

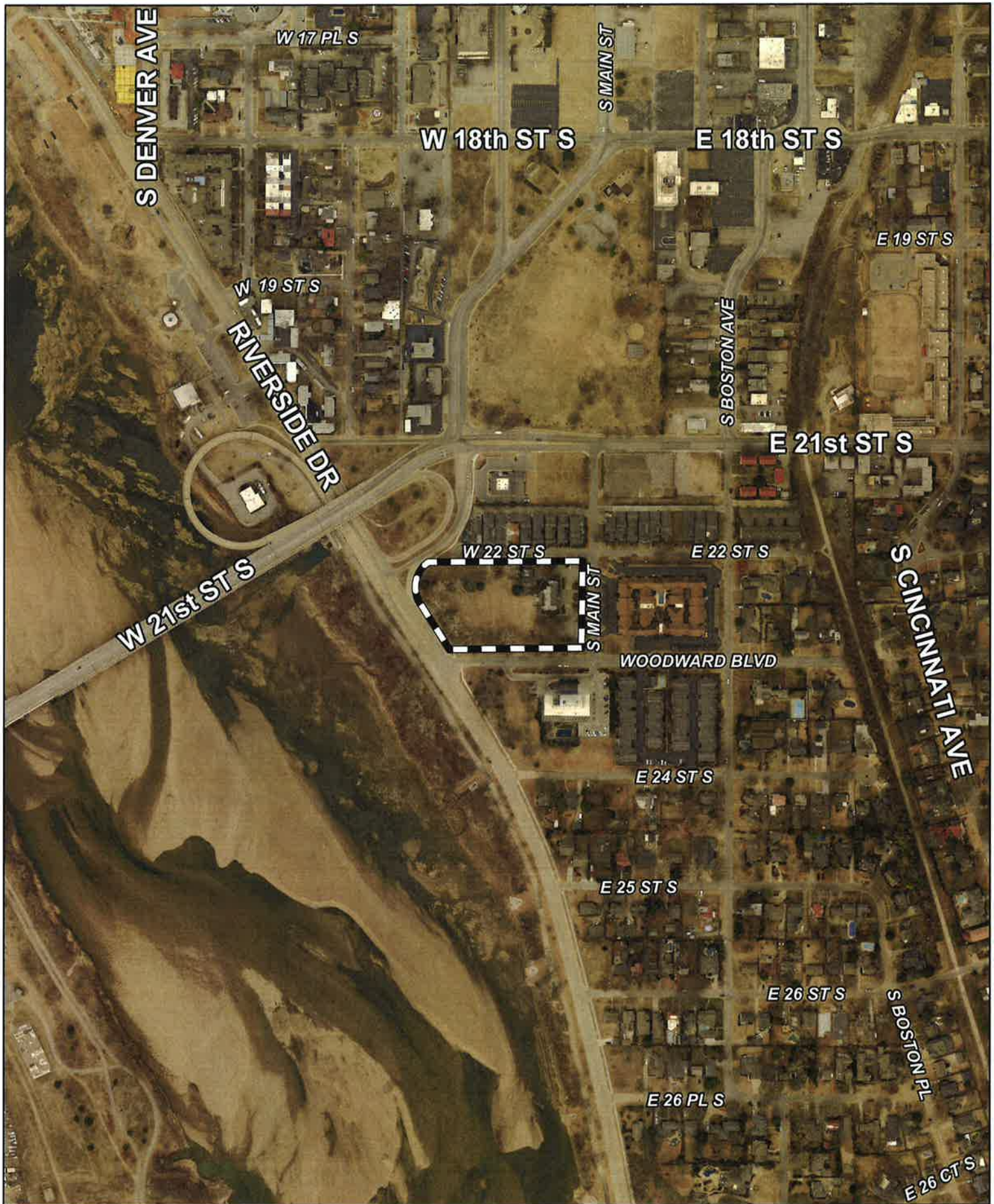
It is anticipated that certain non-profit charges and levies will be made by the Council for specific uses of Harvelden facilities, funds from which will be used for the maintenance of the building. The Council expects also to provide full-time personnel for the proper physical maintenance of the building and surrounding grounds.

Respectfully submitted,

Katie Westby

Mrs. Gerald H. Westby
President

cc: Mr. James Sneed
Conner, Winters, Randolph and Ballaine



0 200 400
Feet



Subject
Tract

BOA-22567

19-12 13

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

Aerial Photo Date: February 2018



10.23



0 50 100
Feet



Subject
Tract

BOA-22567

19-12 13

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

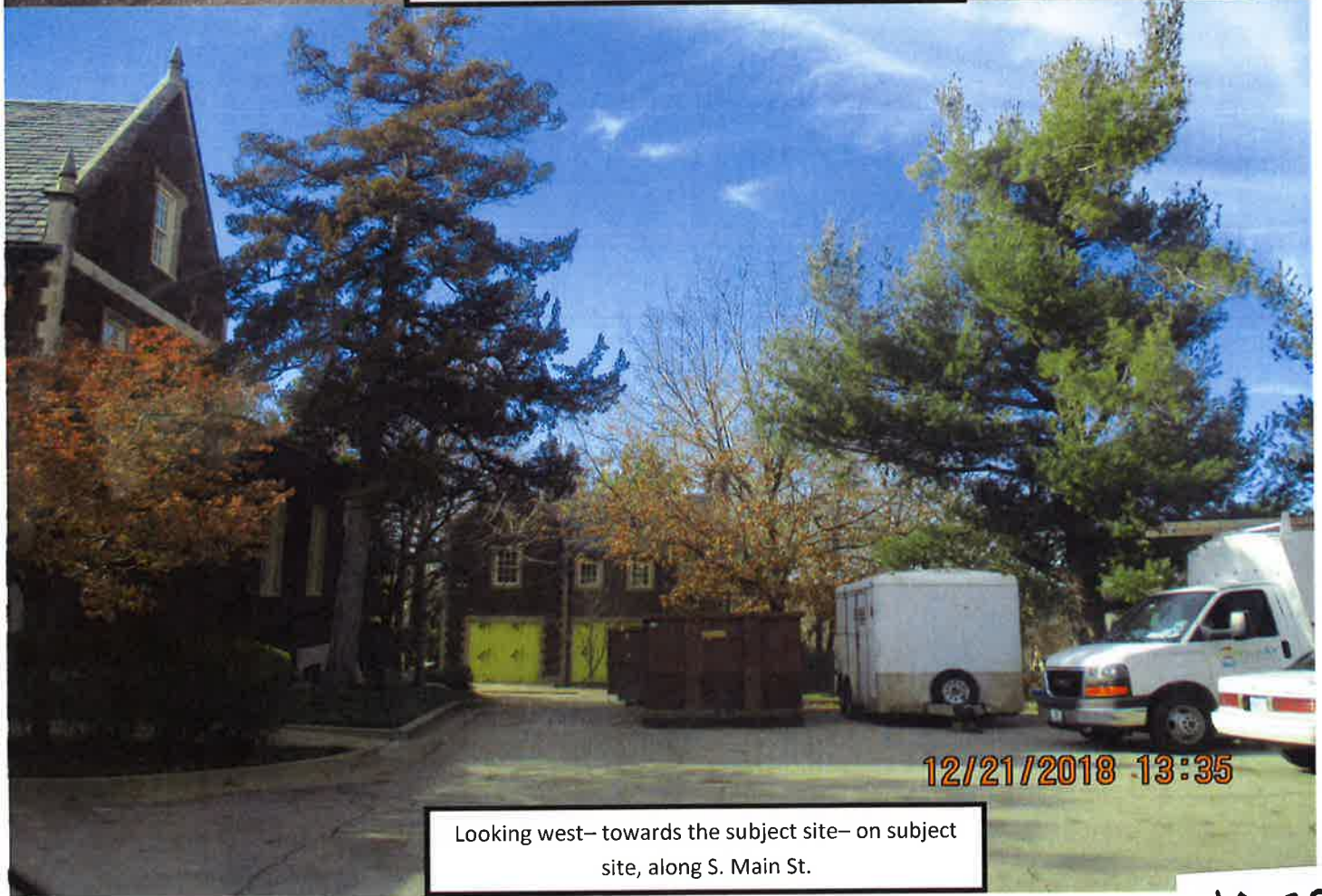
Aerial Photo Date: February 2018



10.24



Looking west- towards the subject site- on subject site, along S. Main St.



Looking west- towards the subject site- on subject site, along S. Main St.

December 6, 2018

City of Tulsa Board of Adjustment
2 West Second Street
Suite 800
Tulsa, Ok 74103

Re: Harwelden Mansion – 2210 S. Main Street

Chairman of the Board and Board Members-

The Harwelden Mansion was constructed in 1923 at 2210 S. Main Street in Tulsa. Originally the house was the private home of Mr. and Mrs. E.P. Harwell until 1967 when it was donated to The Arts Council. In that same year, the City of Tulsa's Board of Adjustment approved a Special Exception to allow the property to be used as offices for the Arts Council of Tulsa (12/27/67). In 1968 the property was rezoned to U-1C (Case # E-3101 on 2/2/68) and platted (Harwelden Addition approved 3/6/68) to accommodate this use.

On March 15, 1980, the City of Tulsa Board of Adjustment approved a Special Exception (Case #11011) to convert the existing carriage house into an office for the Tulsa Arts Council, to run in behalf of the Arts and Humanities Council (specifically the Tulsa Chapter of American Institute of Architects) only.

In 1998 (Case #18074), 1999 (Case #18370) and 2000 (Case #18689) the Board of Adjustment approved special outdoor events and the use of outdoor tents.

Through 2017, there have been numerous small non-profit offices located in the Mansion. There have been a total of 70 organizations who have officed in the Mansion during the 50-year history including Tulsa Performing Arts Center, Chamber Music of Tulsa, Tulsa Opera, Tulsa Ballet, Circle Cinema, May Fest, Hispanic American Foundation, Tulsa Philharmonic, American Institute of Architects, Kanchi Television Auction and Nimrod Literary Magazine, to list a few. The Mansion has also been used consistently for small and large events including weddings, parties and non-profit fundraisers.

In 2018, Hickory House Properties, LLC (Teresa Knox and Ivan Acosta) purchased the Harwelden Mansion from the Arts and Humanities Council of Tulsa, now called ahha. At the time of the purchase, Teresa Knox planned to continue the use of property while maintaining the historical nature of the home. During meetings with the City it has been determined that the property has been operating in non-conformance for many years, thus Knox has agreed to bring it into conformance while moving forward. The property is currently zoned RS-3.

The proposal is to convert the mansion and carriage house to an upscale Bed and Breakfast while still providing the mansion and grounds for events. Building permit plans have been submitted to the City and are currently being reviewed. Part of the plans include bringing the buildings into conformance with the commercial building code including adding a fire suppression system and replacing doors as needed to be fire rated. Part of this review includes an LOD from the City of Tulsa's Zoning Official concerning the use (see attached). Knox is also in the process of submitting an application for historical preservation that is required for historical tax credits. The Harwelden Mansion is the 5th Tulsa landmark to be placed on the Nation Register of Historic Places.

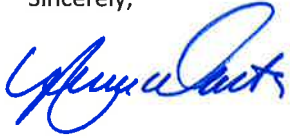
Analyzing parking, the Bed & Breakfast use requires 0.85 spaces / guest room plus assembly. There will be six (6) guest rooms requiring 5.1 or 6 spaces. The indoor assembly use requires 3.75 spaces / 1,000 sf and the outdoor assembly use requires 1.10 spaces / 1,000 sf. The mansion contains 2,618.20 sf indoor assembly space requiring 10 spaces. There are currently 22 parking spaces on site. High attended events will provide valet parking and park overflow cars along the public streets as historically been done for the past few decades.

10.26

Therefore, we request a **Special Exception to Section 5.020 Table 5-2** for a Bed & Breakfast, designated as a Commercial/Lodging/Bed & Breakfast with unlimited events, use in a RS-3 zoned district.

I appreciate your time on this matter, thank you.

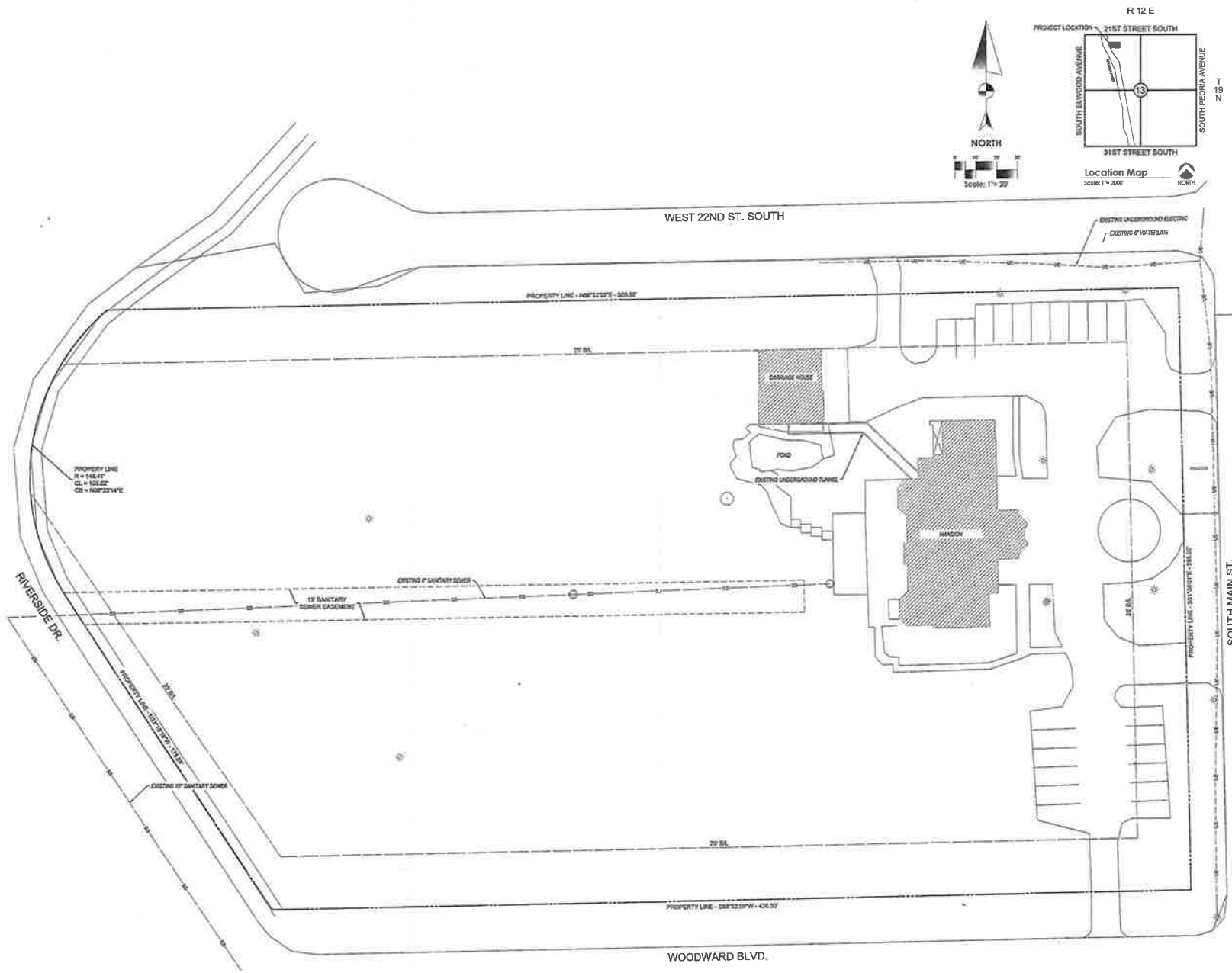
Sincerely,



A. Nicole Watts, P.E., CFM
Principal / Director of Civil Engineering

10.28

As shown, this plan was prepared by the Tulsa, Oklahoma, Office of KKT Architects, Inc. and is not to be used for any other project without the written consent of KKT Architects, Inc.



KKT ARCHITECTS, INC.
2200 SOUTH UTICA PLACE, SUITE 200
TULSA, OKLAHOMA 74114
(918) 744-4270 • (918) 744-7849
WWW.KKTARCHITECTS.COM

CERTIFICATE OF AUTHORIZATION
NO. CA 5305 EXP. 06/30/2019



ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA STANDARDS AND SPECIFICATIONS INCLUDING D.C.E.T. 2017 EDITION

HARWELDEN

2210 S. Main
Tulsa, OK



HORIZ. SCALE	1"=20'
VERT. SCALE	"=20'
ATLAS PAGE NO.	34
REVISIONS	AKW
DRAWN BY	AKW
DATE	12/05/2018

BOARD OF ADJUSTMENT
CONCEPTUAL SITE PLAN

C01

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 8, 2018

Caitlan Smith
2200 S Utica PL
Tulsa, OK 74104

Phone: 918.744.4270

APPLICATION NO: BLDC-011742-2018

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 2210 S Main ST
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 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)

10.29

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. BLDC-011742-2018

2210 S Main ST

November 8, 2018

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

1. **Sec.5.020 Table 5-2:** Your proposed Bed & Breakfast is designated a Commercial/Lodging/Bed & Breakfast use and is located in an RS-3 zoning district.

Review Comments: This use only allowed in an RS-3 zoned lot by Special Exception. Submit a Special Exception, reviewed and approved per *Sec.70.120*, to allow a Commercial/Lodging/Bed & Breakfast use in an RS-3 zoning district.

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.