

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, March 10, 2020, 1:00 P.M.

Meeting No. 1246

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of January 14, 2020 (Meeting No. 1242).
2. Approval of **Minutes** of January 28, 2020 (Meeting No. 1243).

UNFINISHED BUSINESS

3. **22856—William Shirley**
Special Exception to permit low-impact manufacturing and industry use in a CG District (Section 15.020, Table 15-2). **LOCATION:** 1216 East Apache Street North (**CD 1**)

NEW APPLICATIONS

4. **22863—Zachary Perkins**
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 10121 South Sheridan Road East – ***Tenant Space: 6528 East 101st Street South, Suite G & H*** (**CD 8**)
5. **22864—Charles Okyere**
Special Exception to increase the maximum driveway width within the right-of-way and on the lot in an RS-2 District (Section 55.090-F.3). **LOCATION:** 2518 East 26th Street South (**CD 4**)
6. **22865—Sandra Mora**
Special Exception to allow a fence to exceed 4 feet in height in a front street setback (Section 45.080-A). **LOCATION:** 2630 & 2634 East Archer Street North (**CD 3**)

7. **22866—Bruce Denny**

Variance of the dustless, all-weather surface requirement for an off-street parking area to permit a gravel drive (Section 55.090-F). **LOCATION:** 905 South Lynn Lane Road East **(CD 6)**

8. **22867—Hall Estill – Amanda Lowe**

Special Exception to permit carports in the street setback and street yard with modifications to the allowable height, width and length for carports in an R District (Section 90.090-C.1). **LOCATION:** 2302 & 2303 South 137th East Avenue **(CD 6)**

Applicant requested a continuance to March 24, 2020.

9. **22868—Chase Healey**

Variance to allow a roof sign to be located on a building outside of the Downtown Entertainment District (Sections 60.020 & 60.080-B.5). **LOCATION:** 1702 East 6th Street South **(CD 4)**

10. **22869—Mark Capron**

Modification of the previously approved site plan for Union High School (BOA-22553); Special Exception to permit alternative compliance parking ratios in an AG/RM-1 District (Section 55.050-K) to reduce the required number of parking spaces for a high school use. **LOCATION:** 6636 South Mingo Road East **(CD 7)**

11. **22870—Kory Myers**

Special Exception to allow an addition to a structure with a non-conforming front street setback (Section 80.030-D & Section 5.030, Table 5-3); Special Exception to permit a carport to be located inside the street setback and the street yard (Section 90.090-C1). **LOCATION:** 3849 South Atlanta Place East **(CD 9)**

12. **22871—Alfred Cayasso**

Special Exception to allow Low-impact Manufacturing & Industry in the CBD District (Section 15.020, Table 15-2). **LOCATION:** 115 West 3rd Street South, Suite 390 **(CD 4)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

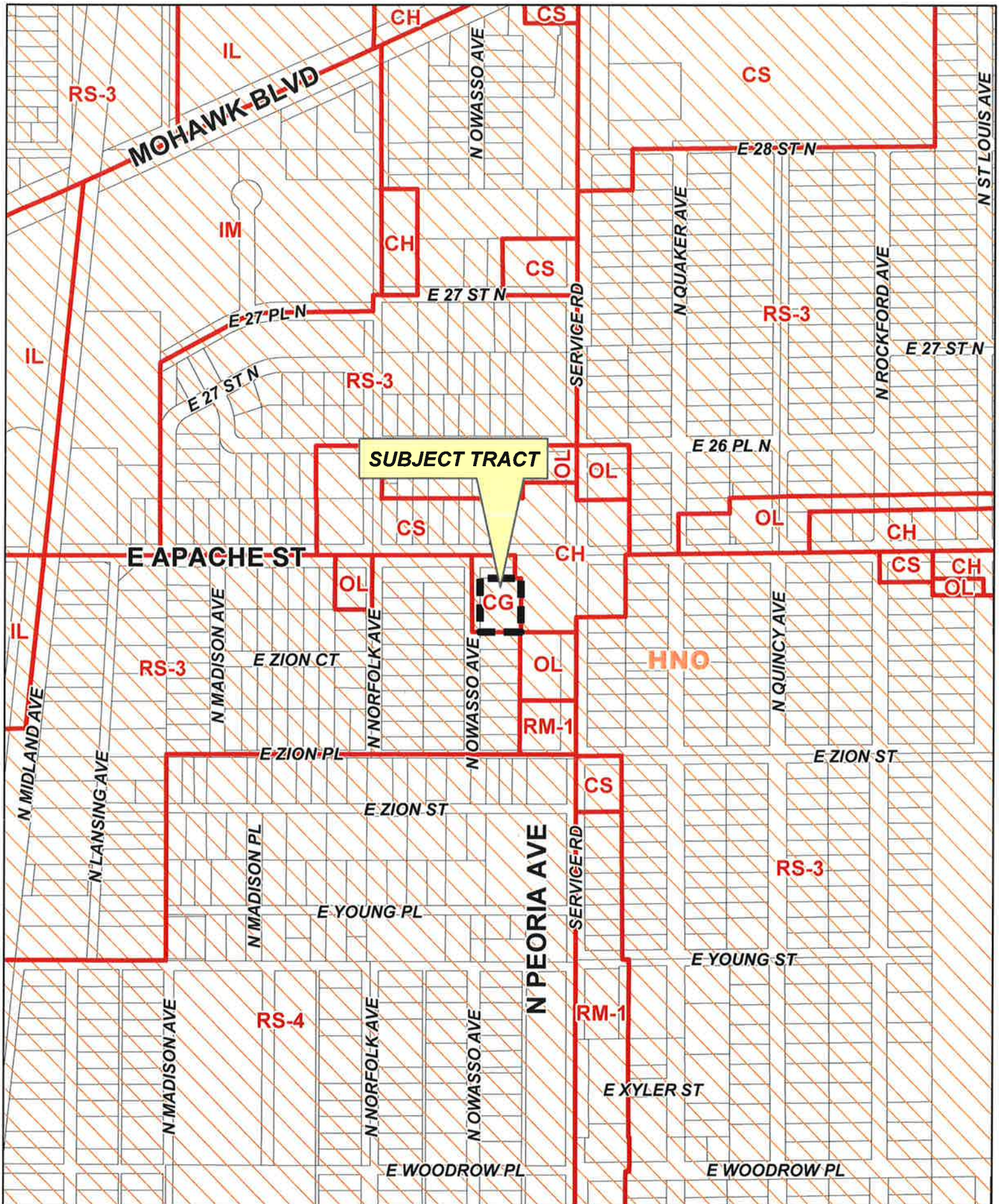
Website: tulsaplanning.org

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 at 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-22856

3.1



20-12 25



BOARD OF ADJUSTMENT CASE REPORT

STR: 149 Case Number: **BOA-22856**

CZM: 28

CD: 1

HEARING DATE: 3/10/2020 (Continued from 02/25/2020) 1:00 PM

APPLICANT: William Shirley

ACTION REQUESTED: Special Exception to permit a Low-impact Manufacturing and Industry Use in a CG district (Sec. 15.020, Table 15-2)

LOCATION: 1216 E APACHE ST N

ZONED: CG

PRESENT USE: Dispensary

TRACT SIZE: 22751.48 SQ FT

LEGAL DESCRIPTION: S175 LTS 15 & 16 BLK 2 & S175 W20 E200 N250 NE SEC 25 20 12 .08AC, EMERSON ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22692; On 07.23.2019 the Board **accepted** a verification of the 1,000 spacing requirements for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of N. Peoria Ave. and E. Apache Street.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to permit a Low-impact Manufacturing and Industry Use in a CG district (Sec. 15.020, Table 15-2)

USE CATEGORY		OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory	Specific use												
INDUSTRIAL													Section 40.180
Low-impact Manufacturing & Industry		-	-	-	-	-	S	S	S	P	P	P	
Moderate-impact Manufacturing & Industry		-	-	-	-	-	-	-	-	S	P	P	Section 40.225
High-impact Manufacturing & Industry		-	-	-	-	-	-	-	-	-	S	P	

The property is currently used as a Medical Marijuana Dispensary and are looking to add Low-impact Medical marijuana manufacturing to the existing use. Extraction would not be allowed as a part of this application.

35.070-A Low-impact Manufacturing and Industry

Manufacturing and industrial uses that do not, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of low-impact manufacturing and industrial uses include: commercial laundries and linen supply services, apparel manufacturing, bakery products manufacturing, **production of medical marijuana edibles using medical marijuana components processed elsewhere**, bottling plants, ice manufacturing, mattress manufacturing and assembly, microbreweries, micro distilleries, coffee roasting with a maximum roasting capacity of 45 kilograms per batch, musical instrument and parts manufacturing, newspaper printing and binderies.

Medical Marijuana Uses are subject to the Following supplemental regulations:

Section 40.225 Medical Marijuana Uses

The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.

40.225-B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.

40.225-C A medical marijuana dispensary must be located inside an enclosed building.

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, dispensaries and research facilities.

40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.

2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

40.225-H No medical marijuana grower operation, processing facility, dispensary or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma State Department of Health for the particular use at the particular location.

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

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit a Low-impact Manufacturing and Industry Use in a CG district (Sec. 15.020, Table 15-2)

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

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

Presentation:

Zach Downing, 2220 East 6th Street, Tulsa, OK; stated he owns the building that he would like to have a dispensary. Mr. Downing stated that he is not aware of any other dispensaries operating legally or illegally within the 1,000-foot radius.

Mr. Van De Wiele asked Mr. Downing if he knew where the nearest licensed holder and dispensary is located. Mr. Downing stated the nearest operating dispensary is located at 11th and Harvard, and the next nearest dispensary is located at 6th and Peoria.

Ms. Radney stated that she has personal knowledge of a business that is acting and looking like a dispensary located at 12th Place and Lewis Avenue, but it does not impact the applicant.

Mr. Van De Wiele asked Mr. Downing if he searched the OMMA list. Mr. Downing answered affirmatively. Mr. Downing stated there is one license outside of the 1,000-foot radius and the building is vacant.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) I move that based upon the facts in this matter as they exist presently, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

LOT 11 BLK 5, HILLCREST ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22692—Greenwood Wellness – Marvin Jones

FILE COPY

Action Requested:

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

LOCATION: 1216 East Apache Street North (CD 1)

Presentation:

Marvin Jones, 8616 East 98th Street, Tulsa, OK; stated this location is at Peoria and Apache, and there are no dispensaries within the 1,000-foot radius that he is aware of.

BOA-22692

FILE COPY

Mr. Van De Wiele asked Mr. Jones where the closest operating dispensary or the closest licensed holder. Mr. Jones stated that the closest one he is aware of is 5,280 feet away and it is the Greenwood Cure at 1046 East Pine Street.

Ms. Radney asked Mr. Jones if that was just a licensee at 1046 East Pine Street. Mr. Jones stated that is his understanding.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) I move that based upon the facts in this matter as they exist presently, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

S175 LTS 15 & 16 BLK 2 & S175 W20 E200 N250 NE SEC 25 20 12 .08AC, EMERSON ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22693—KKT Architects – Nicole Watts

Action Requested:

Modification of a site plan previously approved in BOA-20556 to permit the addition of classrooms at Redeemer Covenant Church (Table 25-1). **LOCATION:** 5415 East 101st Street South (CD 8)

Presentation:

Nicole Watts, KKT Architects, 2200 South Utica Place, Tulsa, OK; stated this is an amendment to a previously approved site plan for a small building addition on the east side of the existing facility.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BOND**, the Board voted 4-0-1 (Bond, Radney, Ross, Shelton "aye"; no "nays"; Van De Wiele "abstaining"; absent) to **APPROVE** the request for a Modification



Subject property, location is currently Greenwood Wellness Medical Marijuana Dispensary



Intersection of Apache and Peoria from subject property



Facing South on Peoria from subject property



0 Feet 200 400



Subject Tract

BOA-22856

20-12 25

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

Aerial Photo Date: February 2018



3.11



0 50 100
Feet



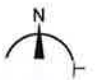
Subject
Tract

BOA-22856

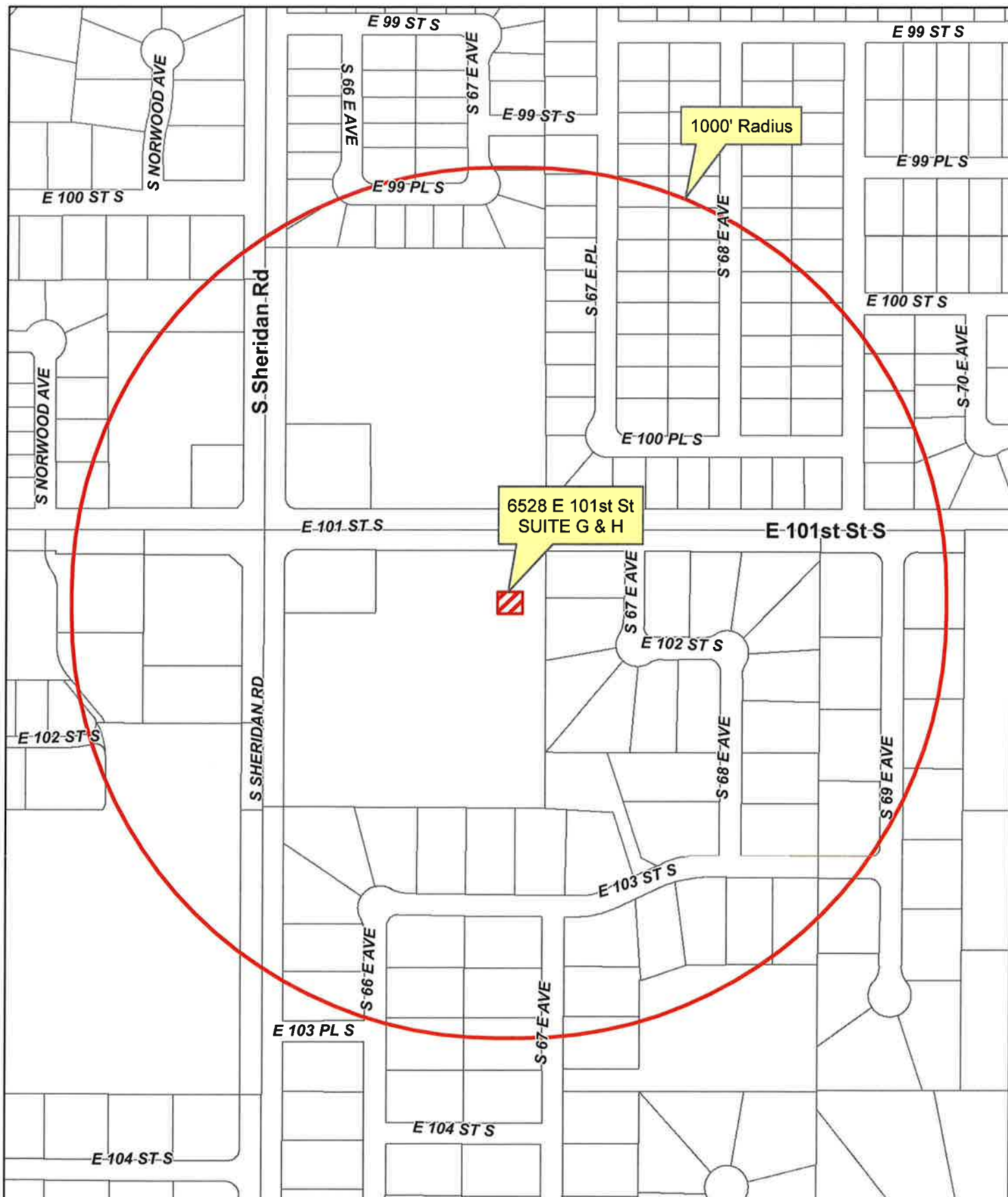
20-12 25

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

Aerial Photo Date: February 2018



3.12



BOA-22863

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

Aerial Photo Date: February 2018



4.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 8326 Case Number: **BOA-22863**

CZM: 57

CD: 8

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Zachary Perkins

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

LOCATION: 6528 East 101st Street S., Suite G and H

ZONED: CS,RM-1

PRESENT USE: Vacant

TRACT SIZE: 348442.22 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, VILLAGE SOUTH

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22731; On 09.10.2019 the Board accepted a spacing verification on the Subject lot for a different tenant space. The applicants in both this case and the subject case are in the process of moving tenant spaces in this shopping center for their proposed dispensary.

STAFF COMMENTS: The applicant is requesting a **Verification** of the 1,000 spacing requirements for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D)

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

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

The applicant provided the location of their dispensary and identified the location of the nearest dispensary as Lotus Gold Dispensary located 8010 E 106th Street, which approximately 5,012 feet away.

SAMPLE MOTION:

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



Subject Tenant Space



Facing North from parking lot



Facing South from parking lot

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: 2
Phillip Summers
Suite 305 NY
Valhalla, NY 10595

January 3, 2020

Phone: 914.747.2344

APPLICATION NO: BLDC-048846-2019

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 6528 E 101 ST

Description: Medical Marijuana Dispensary

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM
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. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. 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.
3. 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.
4. 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

BLDC-048846-2019

6528 E 101 ST

January 3, 2020

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning separation distance acceptance and all questions regarding BOA application forms and fees to the INCOG BOA Planner at 918-584-7526. It is your responsibility to submit to our office documentation of any decisions by the BOA affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. **Sec.40.225-D:** A medical marijuana dispensary may not be located within 1000 feet of another medical marijuana dispensary.
2. **Sec.40.225-H:** The separation distance required under *Sec.40.225-D* must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensary.

Review comment: Submit a copy of the BOA accepted separation distance of 1000' from other dispensaries. Please direct all questions concerning separation distance acceptance and all questions regarding BOA application forms and fees to the INCOG BOA Planner at 918-584-7526. The separation required under *Sec.40.225-D* shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma Department of Health prior to December 1, 2018 for the particular location.

- **ACTION REQUIRED:** *Submit a copy of the BOA accepted separation distance of 1000' from other dispensaries. Please contact Board of Adjustment staff for assistance with the spacing verification. The phone number is 918-584-7526.*

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:

<http://www.tmapc.org/Documents/TulsaZoningCode.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.



Feet
0 150 300

BOA-22863

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

Aerial Photo Date: February 2018

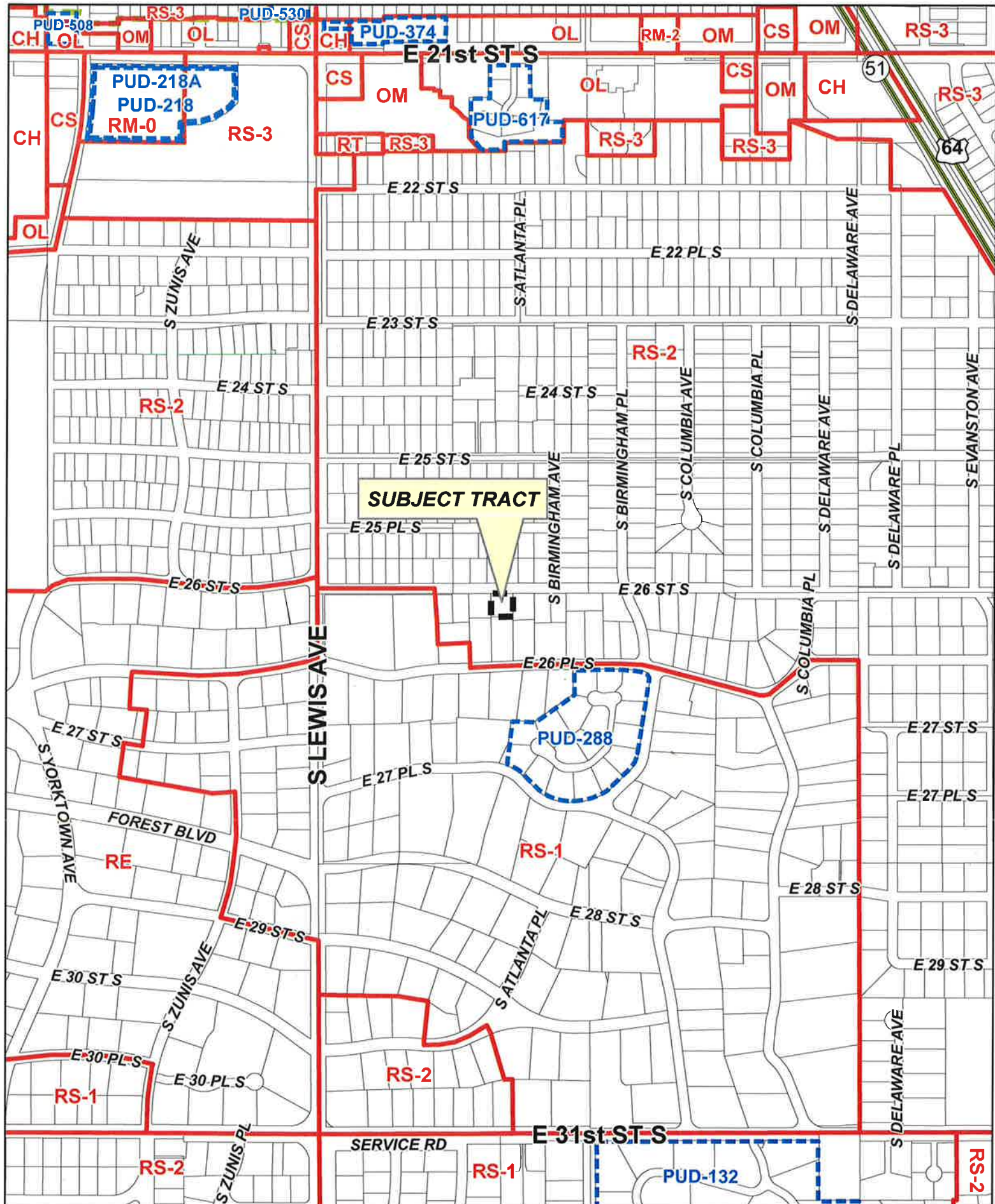


4.7

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.



**THIS PAGE
INTENTIONALLY
LEFT BLANK**



BOA-22864

5.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9317

Case Number: **BOA-22864**

CZM: 37

CD: 4

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Charles Okyere

ACTION REQUESTED: Special Exception to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.3)

LOCATION: 2518 E 26 ST S

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 12601.96 SQ FT

LEGAL DESCRIPTION: PRT LT 6 BEG 90.2E NWC TH SLY115.8 E105 NLY113.6 W105 POB BLK 1, WOODY-CREST SUB

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is Located East of the SE/c of E. 26th Street S. and South Lewis.

STAFF COMMENTS: The applicant is requesting ***Special Exception*** to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.3)

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

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

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

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

The driveway is limited to 27' within the right-of-way and 30' on the lot. The driveway has been installed without proper building permits or right-of-way permits.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.3)

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

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

Wertin, Jani

From: Charles <cokyere23@yahoo.com>
Sent: Tuesday, February 4, 2020 11:26 AM
To: Wertin, Jani
Subject: Fwd: driveway permit application at 2518 E. 26th St.

Sent from my iPhone

Begin forwarded message:

From: "Whiteman, Danny" <dwhiteman@cityoftulsa.org>
Date: January 30, 2020 at 2:19:04 PM CST
To: "charles@ceodezigns.com" <charles@ceodezigns.com>
Subject: driveway permit application at 2518 E. 26th St.

Charles, I received the revised driveway plan but unfortunately it still doesn't work. Here are the issues:

- The city zoning code says the total widths of all driveways inside the right of way cannot be more than 27'. The right of way (ROW) is measured 25' from the center of the street. Wherever that is in the yard, between that point and the street, the width of all driveways cannot be more than 27' total. Outside of the ROW, the total of all driveways cannot be wider than 30'. If the existing driveway is 26.7' at the curb, it can only be 0.3' (3 5/8") wider. You really don't have room for any more driveway inside the ROW. The only way to have a circle drive would be to reduce the existing driveway to 13.5' wide, have the other end of the driveway 13.5' wide, so your total width in the ROW would be 27'.
- If you want driveways that are more than 27' inside the ROW or 30' outside the ROW, you have to call INCOG at 584-7526 and get on their schedule to ask for the Board of Adjustment for a special exception to have wider driveways.
- Keep in mind you will still have to get a Right of Way permit to do any construction in the ROW. That is separate from this permit. If you get this zoning clearance permit resolved, you still have to get the other ROW permit.
- For any new plans you submit, show the ROW line on the property, which is 25' in from the center of the street.

Danny Whiteman | Plans Examiner II
City of Tulsa Planning & Development Department
175 East 2nd St, Suite 455, Tulsa, OK 74103
T: 918-596-9664
F: 918-699-3100
E: dwhiteman@cityoftulsa.org
www.cityoftulsa.org



Facing West on 26th street



Facing East on 26th Street



Subject property, curb cut added without permits

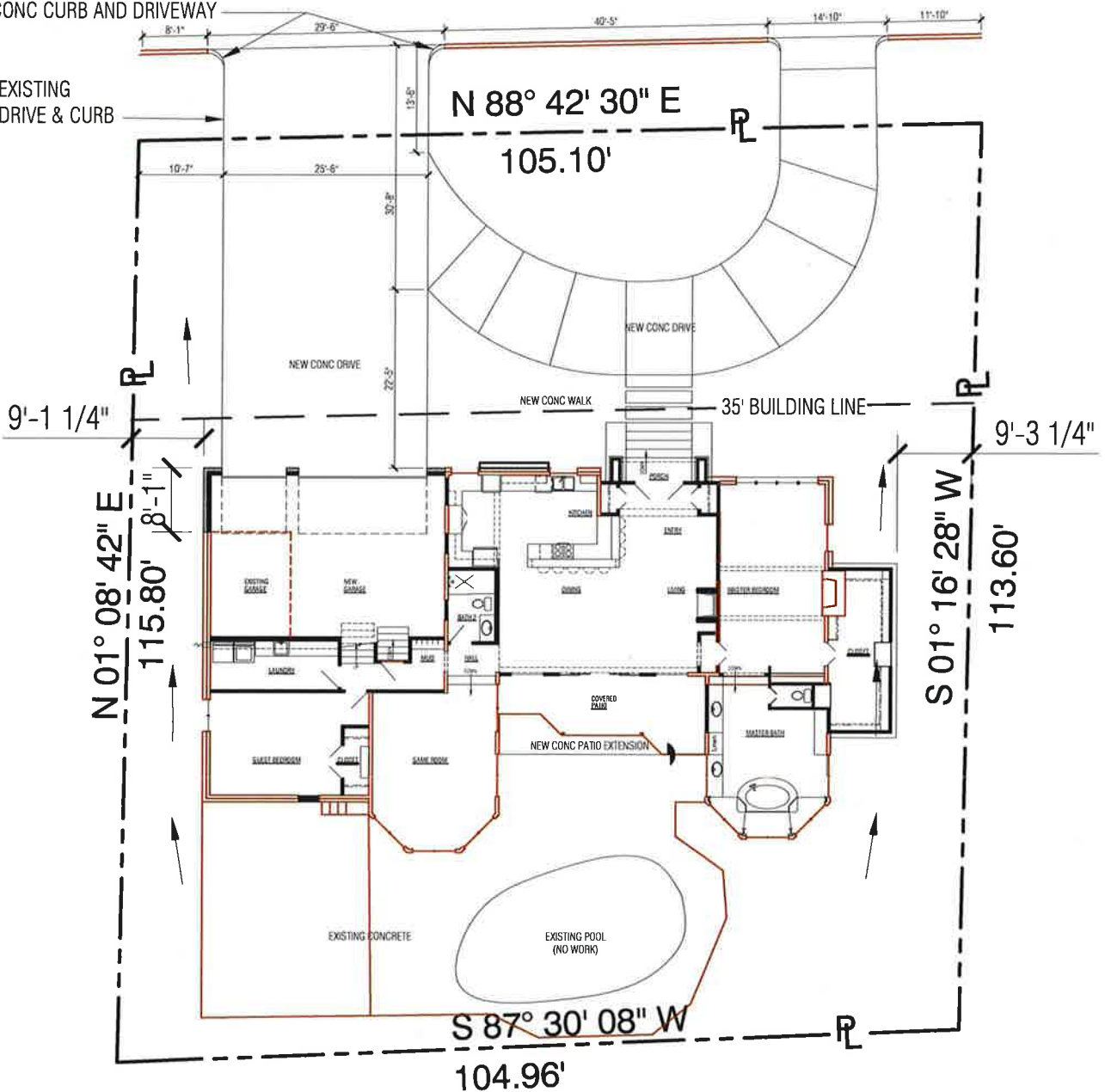


Subject property driveway widened without permits

CL E 26th STREET SOUTH

NEW CONC CURB AND DRIVEWAY

DEMO EXISTING
CONC. DRIVE & CURB



1

Site Plan

1" = 20'-0"

2518 E. 26th Street

Part of Lot 6 Block 1

Woody -Crest Addition to:

Tulsa, Oklahoma

LEGEND



PROPERTY LINE



DRAINAGE ARROWS

5.7



0 Feet
300 600



Subject
Tract

BOA-22864

19-13 17

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

Aerial Photo Date: February 2018

5.8





E 25 PLS

S BIRMINGHAM AVE

E 26 STS

E 26 PLS



0 Feet 50 100



Subject
Tract

BOA-22864

19-13 17

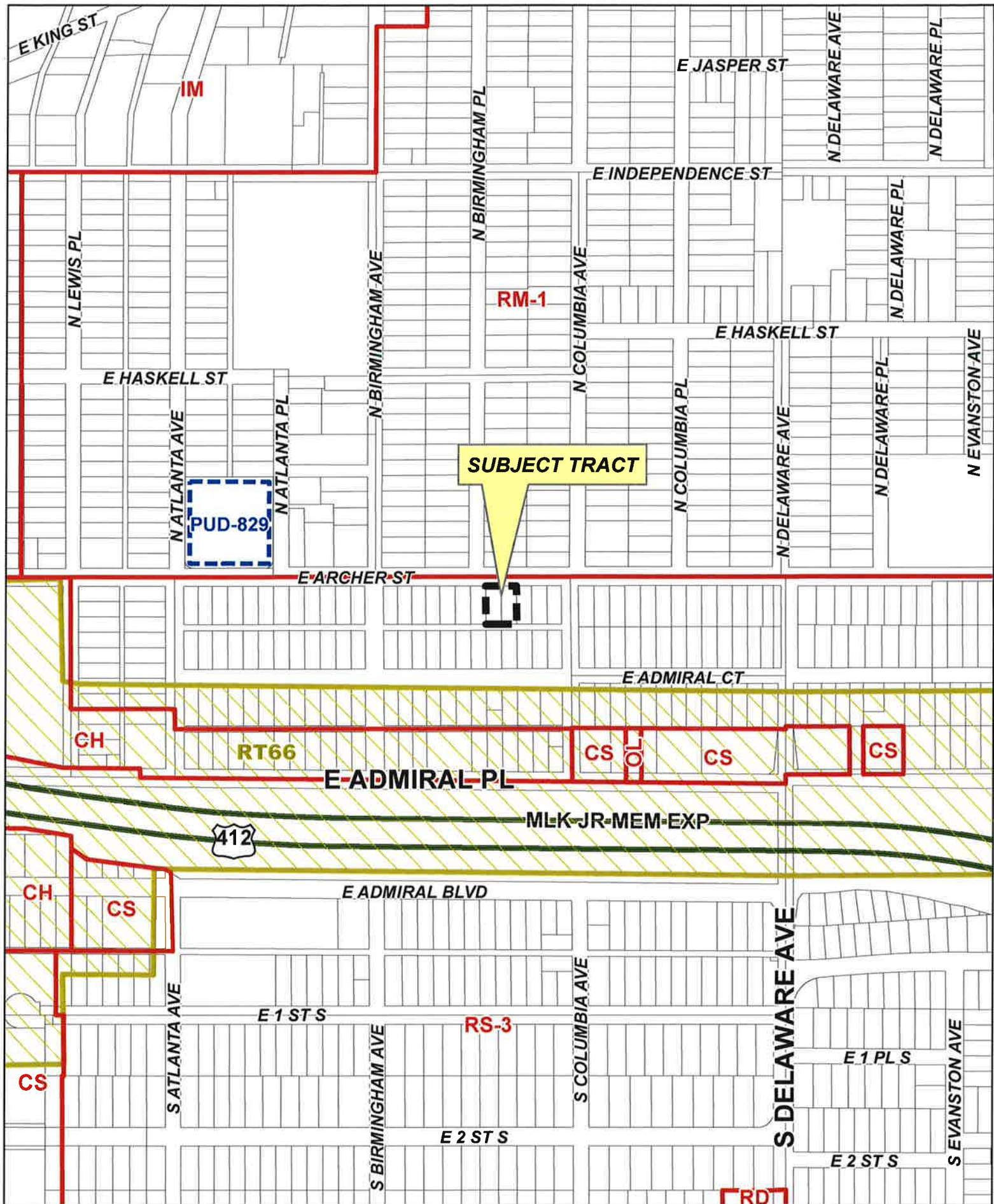
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2018



5.9

**THIS PAGE
INTENTIONALLY
LEFT BLANK**



BOA-22865

6.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9305

Case Number: BOA-22865

CZM: 37

CD: 3

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Sandra Mora

ACTION REQUESTED: A Special Exception to allow a fence to exceed 4' in height in a front street setback (Sec. 45.080-A).

LOCATION: 2634 E ARCHER ST N; 2630 E ARCHER ST N **ZONED:** RS-3

PRESENT USE: Residential

TRACT SIZE: 12501.77 SQ FT

LEGAL DESCRIPTION: LT 4 BLK 1; LT 5 BLK 1, FAIRMONT ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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 purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the SW/c of E. Archer and N. Columbia Ave.

STAFF COMMENTS: The applicant is requesting **Special Exception** to allow a fence to exceed 4' in height in a front street setback (Sec. 45.080-A).

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

The chain-link fence has been installed on the property at 5' in height including inside the street setback.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow a fence to exceed 4' in height in a front street setback (Sec. 45.080-A).

- 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.



Facing East on East Archer



2630 East Archer



2634 East Archer.



Facing West on East Archer

Jeff S. Taylor
Zoning Official
Plans Examiner III
TEL(918) 596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Sandra Mora
sandra.mora16@yahoo.com

2/1/2020

APPLICATION NO: ZCO-52453-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 2630 E Archer St

Description: Fence

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. **ZCO-52437-2020**

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 584-7626. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

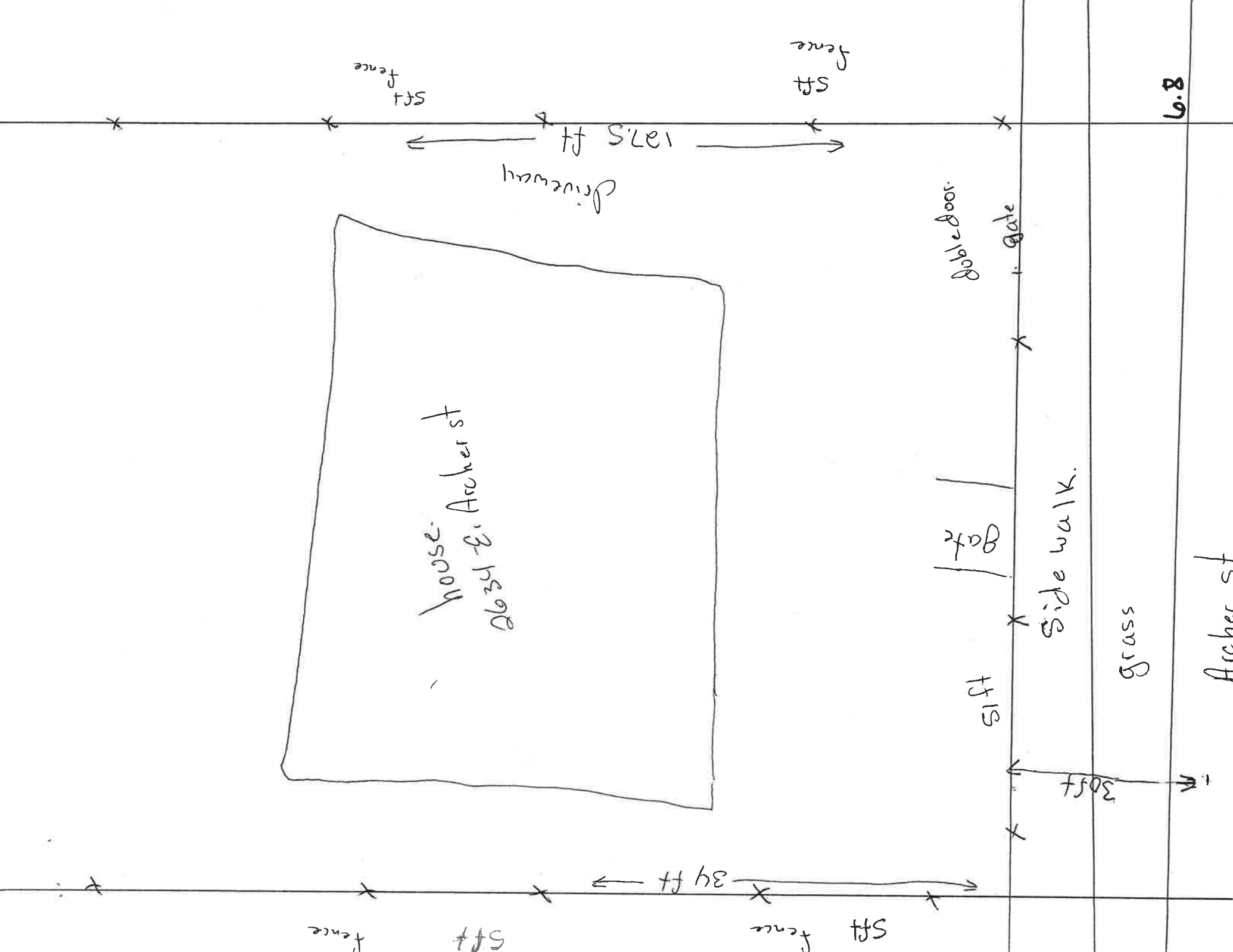
1. **Site plan:** Your application did not include a complete site plan. The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application. The site plan must show:

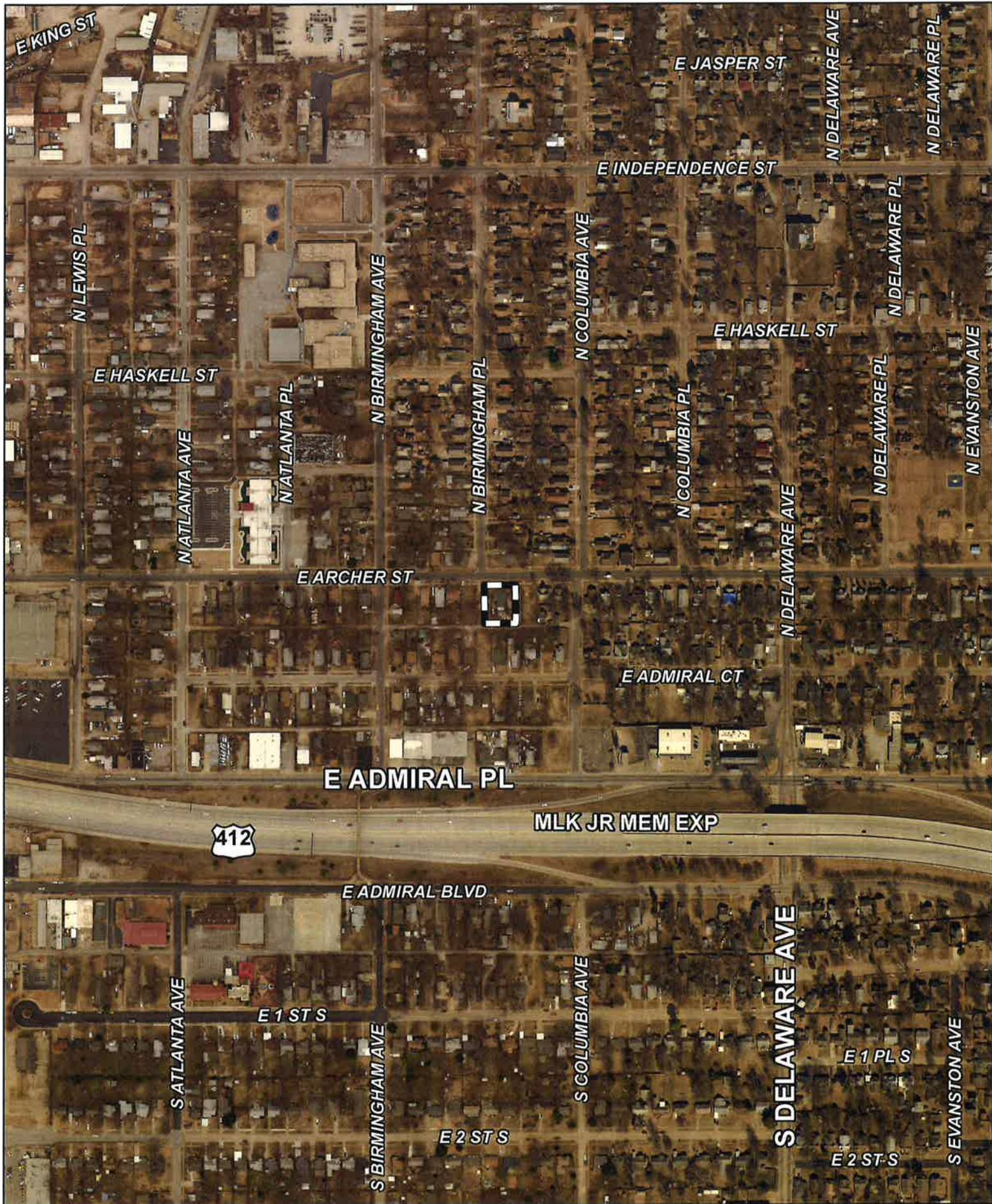
- **Revise site plan to indicate location of proposed fence by adding a symbol such as an x x x along the locations of the fence.**

Revise and resubmit your site plan containing the information listed and resubmit the changes as a revision.

2. **45.080-A** Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks (front setback) fences and walls may not exceed 4 feet in height. However, in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses and duplexes located on double frontage lots. The board of adjustment is authorized to modify these fence and wall regulations in accordance with the special exception procedures of Section 70.120.

Review Comments- Provide documentation indicating the proposed fence located in the front street setback will not exceed 4' in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 4' in height in a front street setback.





0 Feet
200
400



Subject
Tract

BOA-22865

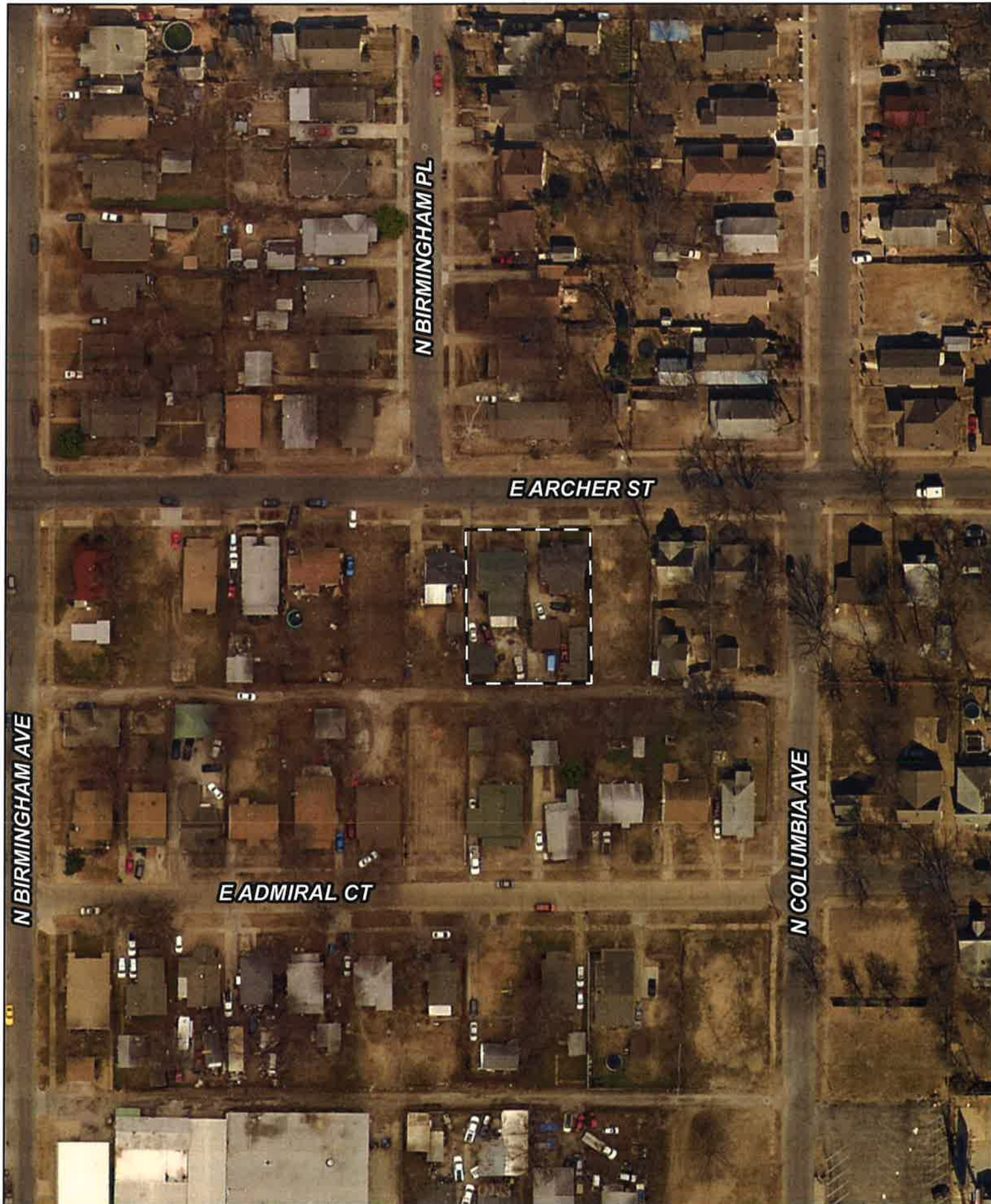
19-13 05

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

Aerial Photo Date: February 2018

6.9





0 50 100
Feet



Subject
Tract

BOA-22865

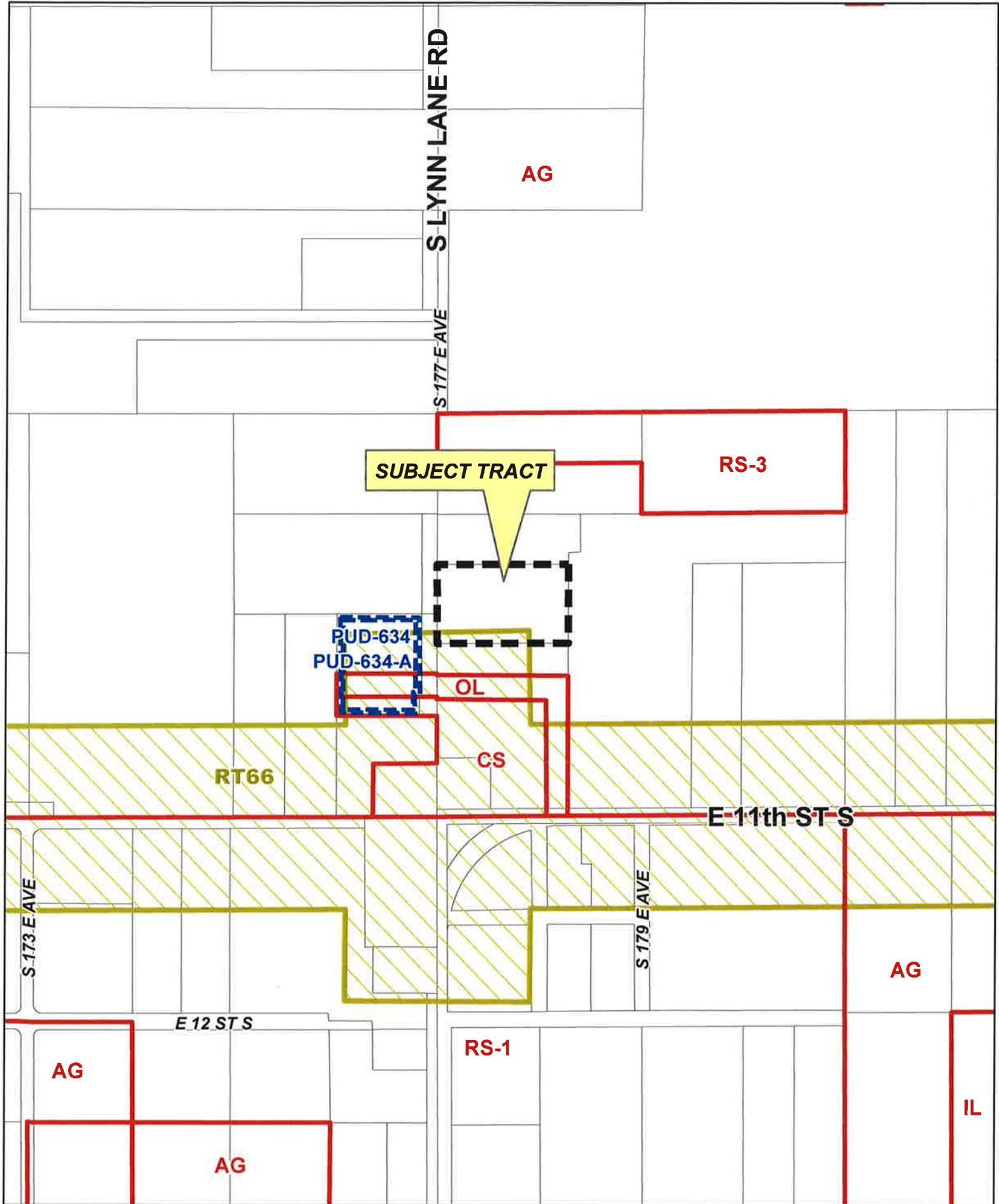
19-13 05

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

Aerial Photo Date: February 2018

6.10





SUBJECT TRACT

PUD-634
PUD-634-A

OL

CS

E 11th ST S

S 173 E AVE

S 179 E AVE

E 12 ST S

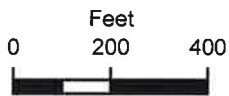
AG

AG

RS-1

AG

IL



BOA-22866

19-14 01



BOARD OF ADJUSTMENT CASE REPORT

STR: 9401

Case Number: **BOA-22866**

CZM: 40

CD: 6

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Bruce Denny

ACTION REQUESTED: Variance of the dustless, all-weather surfacing requirement for an off-street parking area to permit a gravel drive (Sec. 55.090-F)

LOCATION: 905 S LYNN LANE RD E

ZONED: AG

PRESENT USE: Residential

TRACT SIZE: 109584.34 SQ FT

LEGAL DESCRIPTION: W423.11 S/2 S/2 NW SW SW & W423.11 N94 SW SW SW SEC 1 19 14 2.515ACS

RELEVANT PREVIOUS ACTIONS:

Subject Property: None

Surrounding Properties:

BOA-16667; The Board **denied** an appeal of an administrative office that the use and parking areas are in violation of the Tulsa Zoning Code and **approved** a special Exception to permit an Automotive repair shop in a CS District and **approved** a variance of the all-weather surfacing to permit and existing gravel parking lot limited to three years.

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located North of the NE/c of S. 177 E. Ave.

7.2

STAFF COMMENTS: The applicant is requesting Variance of the dustless, all-weather surfacing requirement for an off-street parking area to permit a gravel drive (Sec. 55.090-F)

55.090-F Surfacing

1. 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 Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

The gravel drive is an existing non-conformity. The requirement to install an all-weather surface is being triggered through the application for a new building permit on an accessory building.

STATEMENT OF HARDSHIP:

Gravel drive has been in use since 1940, and since 1991 for the current owner. Gravel absorbs storm water and better for tree roots.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** of the dustless, all-weather surfacing requirement for an off-street parking area to permit a gravel drive (Sec. 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 _____.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- e. That the variance to be granted is the minimum variance that will afford relief;
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."



Subject property



Facing North on 177th



Facing South on 177th.

FILE COPY

NEW APPLICATIONS

Case No. 16667

Action Requested:

Appeal the decision of the administrative official that the use and parking areas are in violation of the Tulsa Zoning Code or, in the alternative, a special exception and/or a variance to permit such use (business in an AG zoned district) - **SECTION 1608. APPEALS FROM THE ADMINISTRATIVE OFFICIAL**, located 17701 East 11th Street.

Presentation:

The application, **Roy Johnsen**, 201 West 5th Street, submitted a plot plan (Exhibit E-2) and stated that his client owns a 50' by 50' building, which has been at the present location for many years. The applicant informed that the property has been rezoned from AG to CS, which would permit vehicle repair with Board of Adjustment approval. Mr. Johnsen stated that his client's tenant has been operating an automobile repair business on the subject property for approximately six years. In regard to parking, the applicant stated that cars have occasionally been parked in the right-of-way and on nearby residentially zoned property. He informed that a complaint was filed concerning parking for the business, which resulted in this application. Mr. Johnsen stated that his client has requested that the property be clean up, and his tenant has complied with the request. The applicant stated that the property was initially used for an auto repair business in the 1940s and later a home electric contractor, which is classified in a different use unit, began operation at this location. Mr. Johnsen stated that the property was then used for an oil field supply business. A packet (Exhibit E-4) containing a petition and letter concerning the history of uses and an aerial photograph was submitted. He informed that the structure and parking are nonconforming and can remain without expansion; however, the change in use impacts the nonconforming use status. Mr. Johnsen advised that the property has been upgraded and there will be no parking in the right-of-way.

Comments and Questions:

In reply to Mr. Doverspike, the applicant requested that the Board find the parking to be nonconforming or, if not nonconforming, a variance of the all-weather surface requirement be granted.

Interested Parties:

A violation notice and photographs (Exhibit E-1) were submitted by **Candy Parnell**, Code Enforcement.

Mr. Doverspike informed that the Board has received a letter (Exhibit E-3) from **Buddy Smith**, Code Enforcement officer, stating that he lives in the area and the building was vacant from May 13, 1977 to August 1, 1984.

Case No. 16667 (continued)

Allen West informed that he does not live in the area, but drives by the property daily. He stated that there was no parking along 11th Street during the approximate 10-year period the electric company occupied the property. Mr. West stated that, after the electric company moved, cars were parked to the corner of the building and on property across the street. He noted that the cars parked on the right-of-way create a traffic hazard for motorists. He suggested that a parking area be provided on the east side of the property.

Applicant's Rebuttal:

Mr. Johnsen stated that the petition previously submitted gives a history of the commercial use of the property. He stated that parking has always been located in front of the building, and relocation of the parking to the east would interfere with lateral lines in that area. Mr. Johnsen stated that some parking is available on the east and north sides of the building.

Additional Comments:

Mr. Doverspike stated that he would be amenable to approving the request for a three-year period to prove continued compatibility with the neighborhood.

Ms. Parnell advised that the parking issue was the main reason for the complaint.

Mr. Jackere noted that the changes in use may have been unlawful, and the nonconforming status for the use, as well as the parking, may have been forfeited. He informed that the structure is nonconforming and can remain in its present condition, with no expansion.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Bolzle, Chappelle, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; none "absent") to **DENY** an **Appeal** and **UPHOLD** the **decision** of the administrative official that the use and parking areas are in violation of the Tulsa Zoning Code - **SECTION 1608. APPEALS FROM THE ADMINISTRATIVE OFFICIAL**; and to **APPROVE** a **Special Exception** to permit automobile repair in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17; and a **variance** of the all-weather parking requirement to permit existing gravel parking - **SECTION 1303.D. Design Standards for Off-Street Parking** - Use Unit 17; subject to a maximum of 3 years; subject to Traffic Engineering approval of corner visibility; subject to completion of CS zoning (publication of zoning ordinance); and subject to the property being restricted to the current use only (automobile repair); finding the use to be compatible with surrounding development; and finding that temporary gravel parking will not be detrimental to the neighborhood, or impair the spirit, purpose or intent of the Code; on the following described property:

Beginning SW/c, SW/4, thence east 177', north 190', west 177', south 190' to POB, less .19 acres for road, Section 1, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

Jeff S. Taylor
Zoning Official
Plans Examiner III
TEL(918) 596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Bruce Denny
bcdenny@cox.net

2/1/2020

APPLICATION NO: **BLDR-52443-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: **905 S Lynn Lane**

Description: **Detached Accessory Building**

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-00000-2019**

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

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

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.

Review Comments: Provide a dustless all-weather parking surface from the public street to the proposed 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.

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. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

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.

Site Plan



Legal Description

THE WEST 423.11 FEET OF THE SOUTH HALF (S/2) OF THE SOUTH HALF (S/2) OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHWEST QUARTER (SW/4) OF THE SOUTHWEST QUARTER (SW/4) AND THE NORTH 94 FEET OF THE WEST 423.11 FEET OF THE SOUTHWEST QUARTER (SW/4) OF THE SOUTHWEST QUARTER (SW/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION ONE (1), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. SAID TRACT CONTAINS 2.51 ACRES, MORE OR LESS.

Notes

THIS DRAWING IS FOR INFORMATIONAL USE ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. DIMENSIONS SHOWN HEREON ARE ROUGH DIMENSIONS AND ARE NOT SURVEY QUALITY AND SHOULD NOT BE USED FOR CONSTRUCTION OR SURVEY PURPOSES.

SITE ADDRESS: 905 SOUTH LYNN LANE ROAD, TULSA, OKLAHOMA 74107-5119

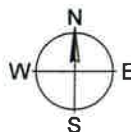
PATH: A:\19-14-01\191212-2 - Bruce Denny - Site Plan\191212-2 - Site Plan - B-Wing
FILE: 191212-2 - Site Plan - B-Wing
DATE: Dec 16, 2019 - 11:57AM



BEFORE YOU DIG
CONTACT OKLAHOMA
ONE-CALL:

1-800-522-6543

EXISTING UNDERGROUND LINES HAVE
BEEN SHOWN TO THE EXTENT KNOWN



PREPARED FOR: BRUCE DENNY

CHECKED BY:	ST	SCALE:	1"=50'
SURVEY BY:		DRAFTED BY:	JW
SURVEY DATE:		JOB NUMBER:	191212.42
BOOK / PAGE:		FILE NUMBER:	1914.01

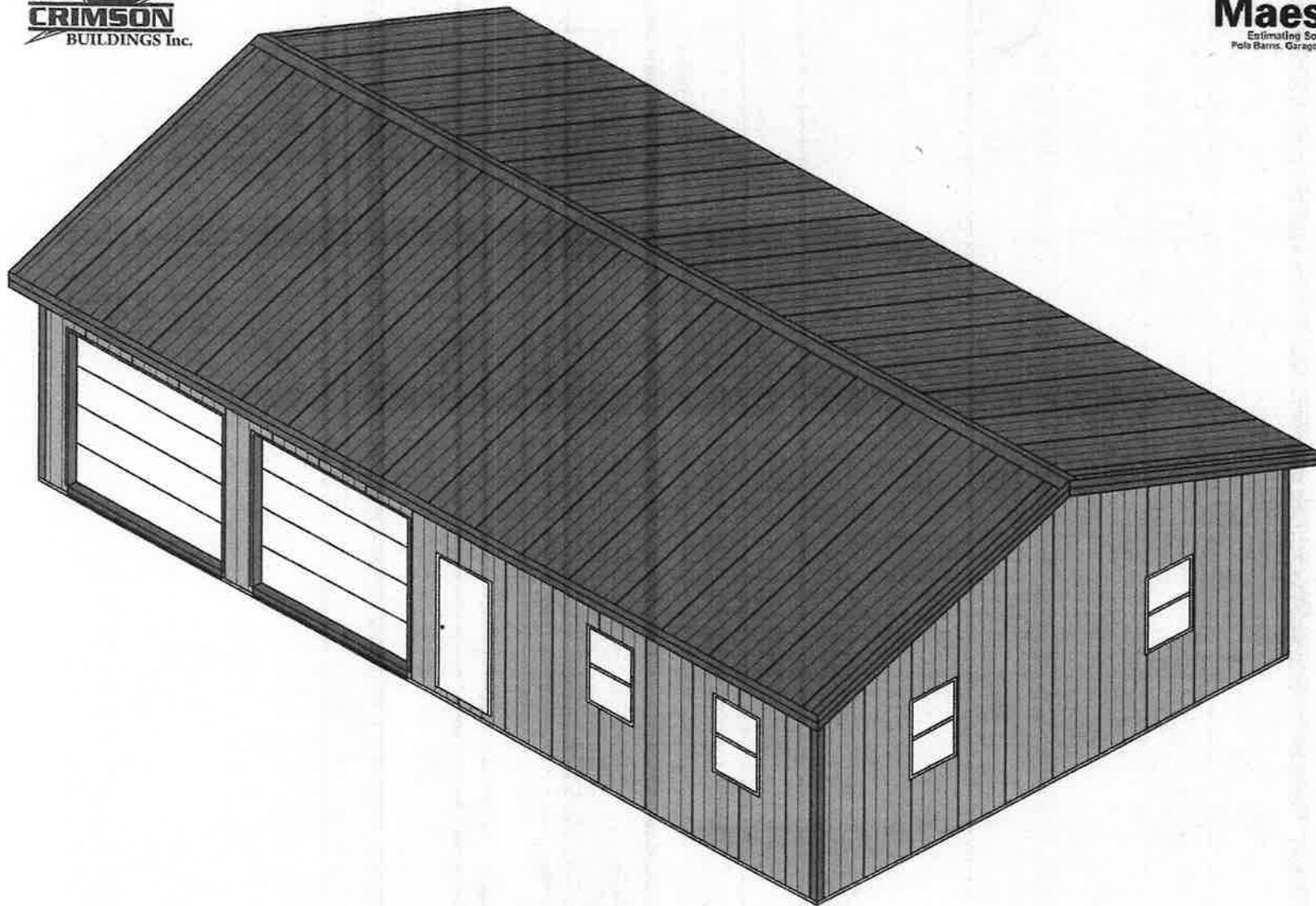


1913 WEST TACOMA - SUITE A
BROKEN ARROW, OKLAHOMA 74012
PHONE: (918) 258-3737
FAX: (918) 258-3754

012



Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks

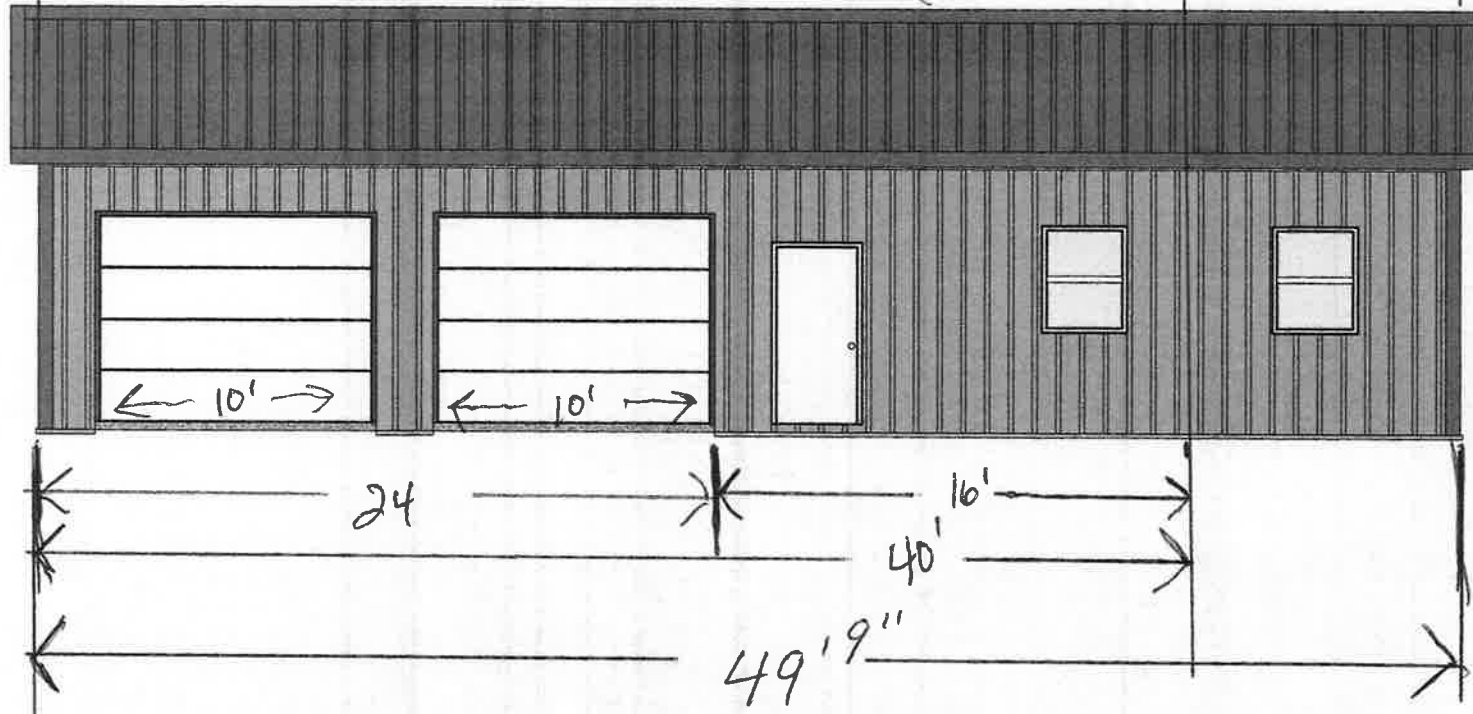


11.2

"Bruce Denny
Estimate Number: 207
12/26/2019"



NORTH SIDE-EAVE SIDE 2 ELEVATION

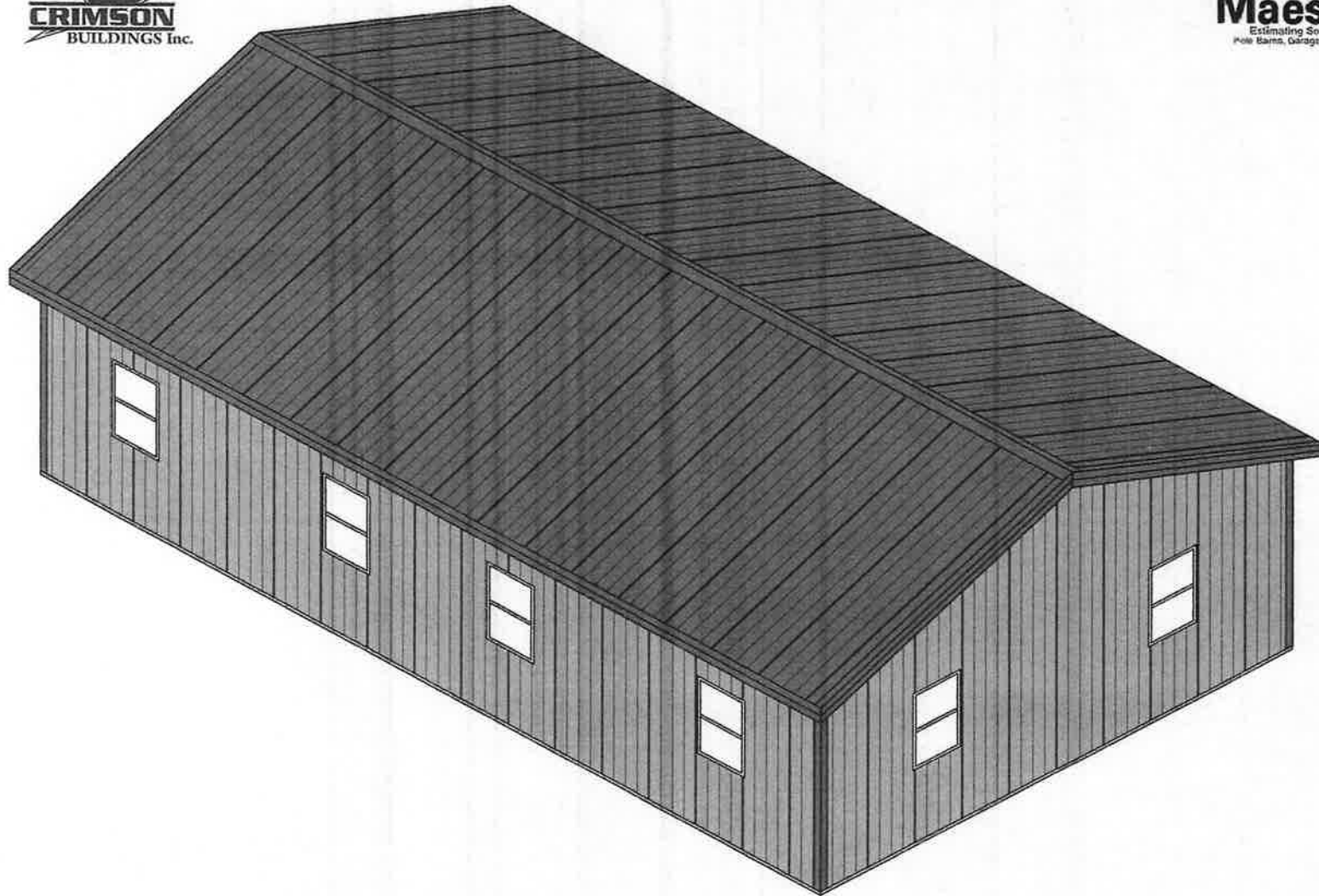


212

"Bruce Denny
Estimate Number: 207
12/26/2019"



Construction
Maestro®
Estimating Software
For Bams, Garages & Decks



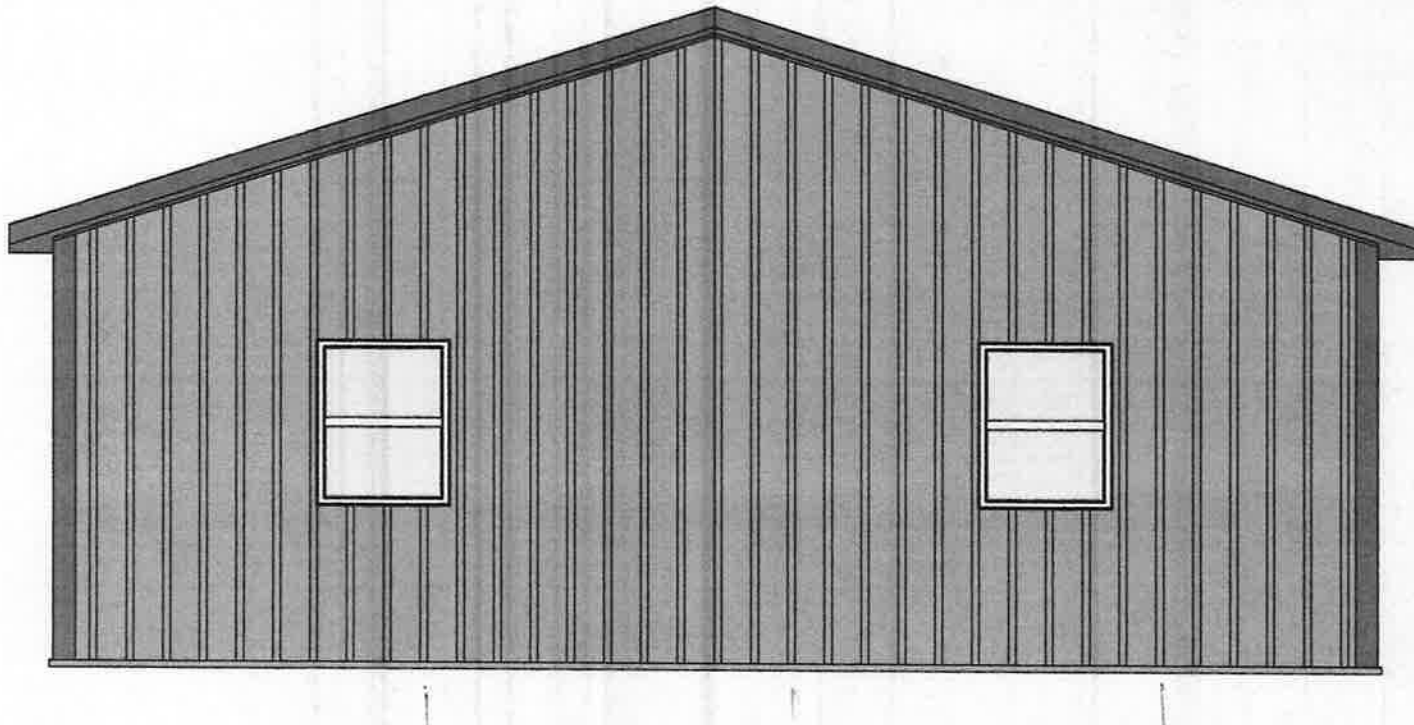
7.13

"Bruce Denny
Estimate Number: 207
12/26/2019"



EAST SIDE-GABLE SIDE 1 ELEVATION

Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks

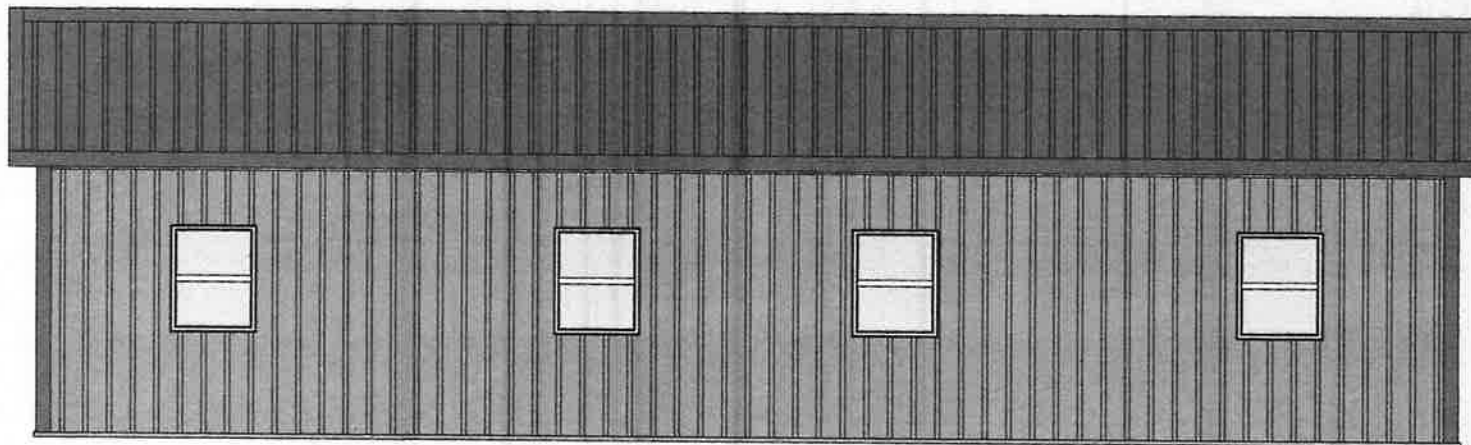


41.2

"Bruce Denny
Estimate Number: 207
12/26/2019"



SOUTH SIDE-EAVE SIDE 1 ELEVATION



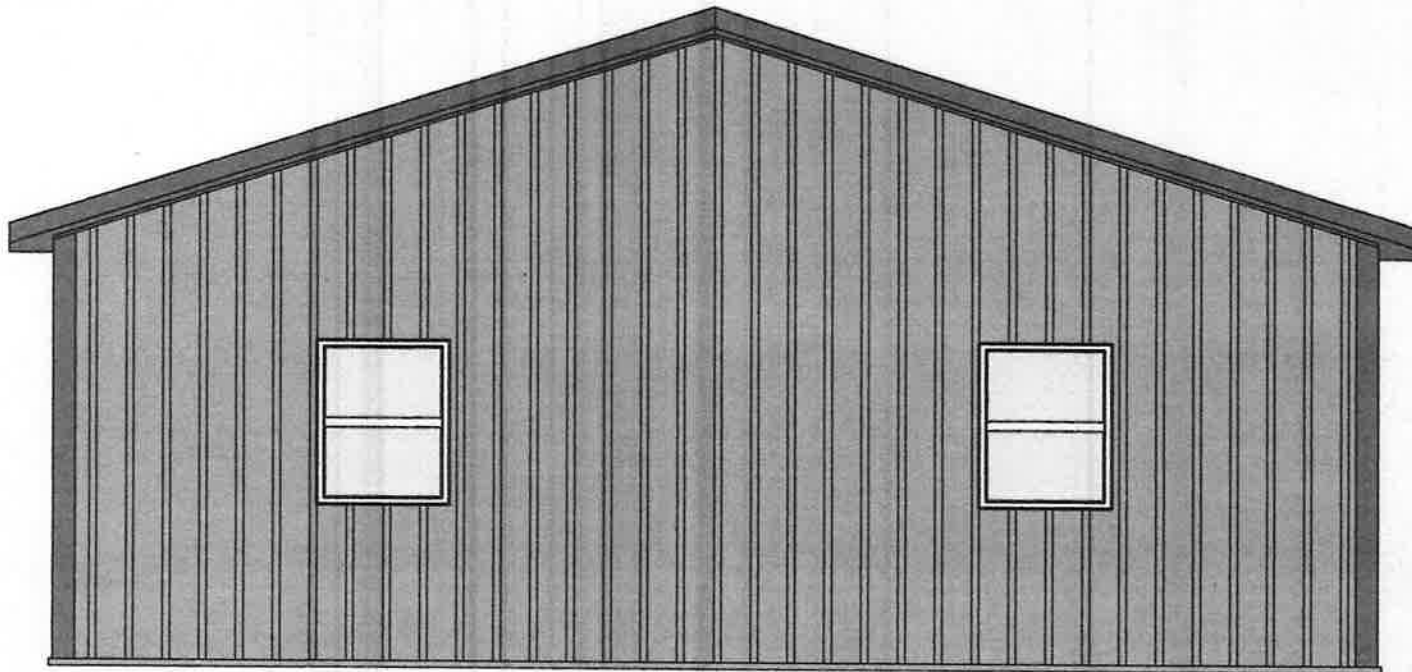
7.15

"Bruce Denny
Estimate Number: 207
12/26/2019"



WEST SIDE-GABLE SIDE 2 ELEVATION

Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks



7.16

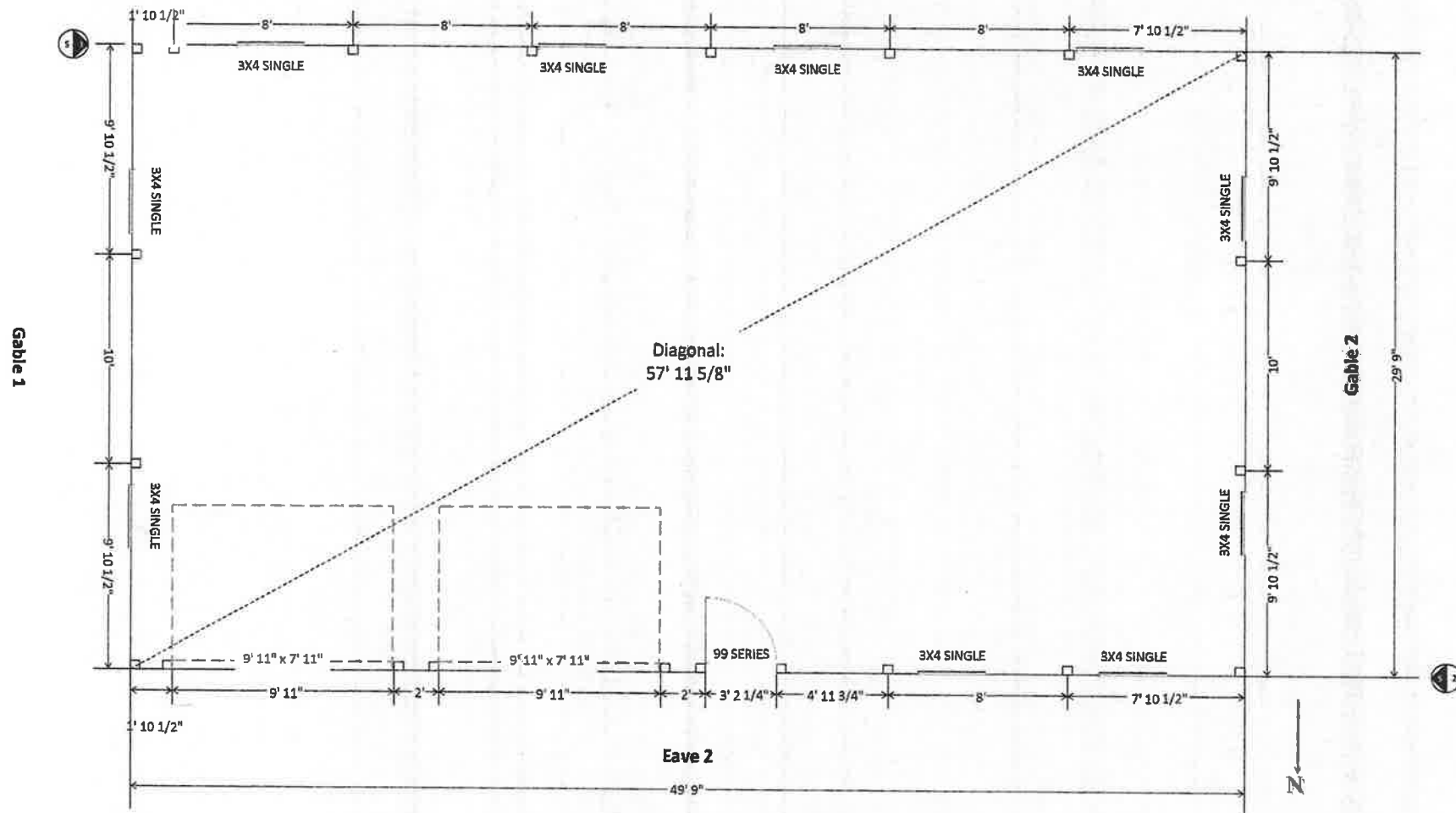
"Bruce Denny
Estimate Number: 207
12/26/2019"



POLE LAYOUT
Personal Use, 1600 sq. ft.



Eave 1



2.17

"Bruce Denny
Estimate Number: 207
12/26/2019"



0 Feet
200 400



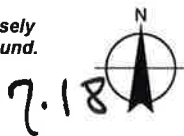
Subject
Tract

BOA-22866

19-14 01

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

Aerial Photo Date: February 2018





S LYNN LANE RD

S 177 E AVE



Subject
Tract

BOA-22866

19-14 01

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

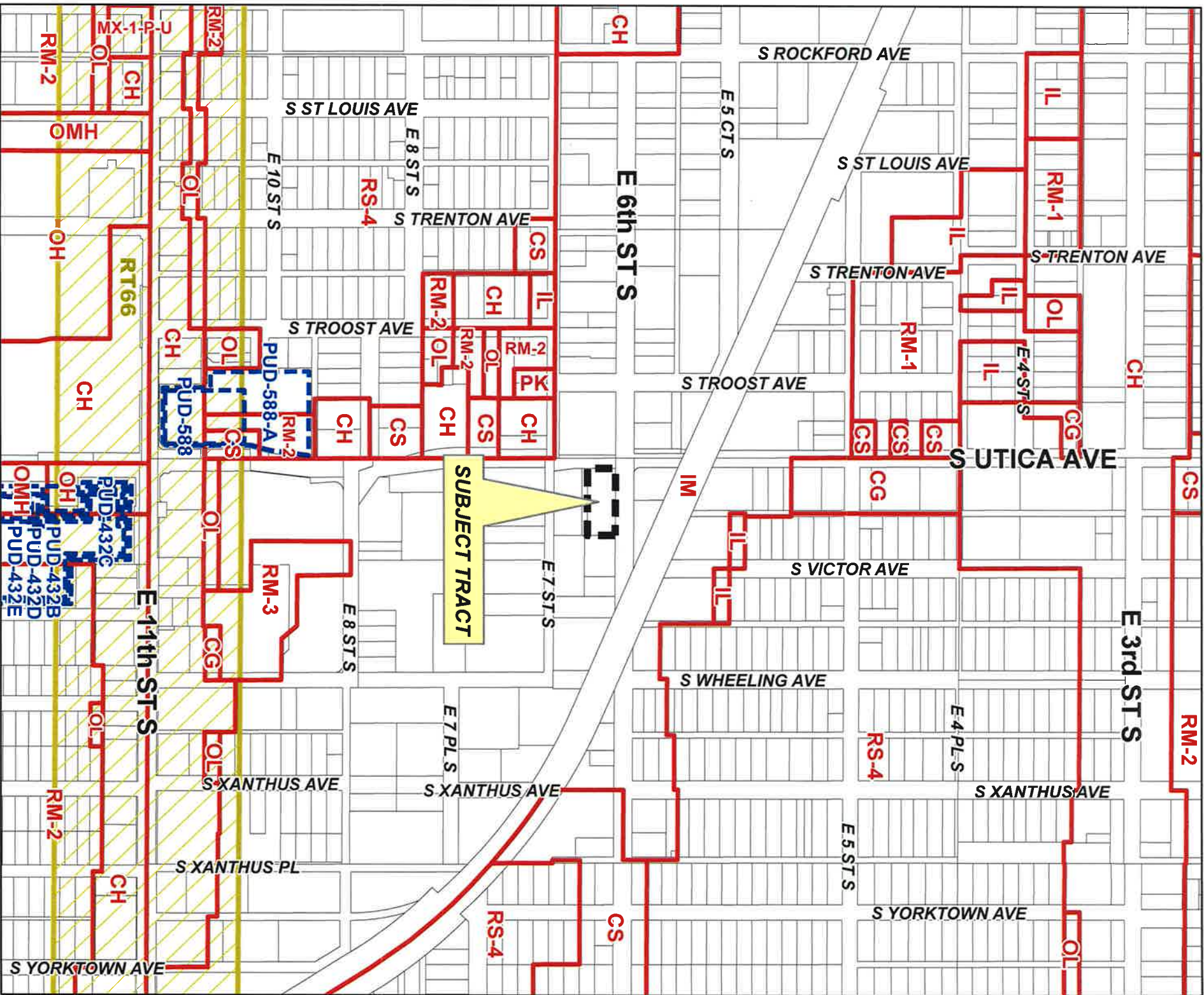
Aerial Photo Date: February 2018

7.19



BOA-22867 – HALL ESTILL

**THE APPLICANT HAS REQUESTED A
CONTINUANCE TO MARCH 24, 2020**



BOA-22868

9.1

19-13 06

BOARD OF ADJUSTMENT CASE REPORT

STR: 9306

Case Number: BOA-22868

CZM: 37

CD: 4

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Chase Healey

ACTION REQUESTED: Variance to allow a roof sign to be located on a building outside of the Downtown Entertainment District (Section 60.020, 60.080-B.5)

LOCATION: 1702 E 6 ST S

ZONED: IM

PRESENT USE: Commercial

TRACT SIZE: 19205.68 SQ FT

LEGAL DESCRIPTION: N90.5 W250 LYING N RR R/W LESS W33 FOR ST BLK 9, ABDO'S ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is Located at the SE/c of E. 6th Street and S. Utica Ave.

STAFF COMMENTS: The Applicant is requesting Variance to allow a roof sign to be located on a building outside of the Downtown Entertainment District (Section 60.020, 60.080-B.5)

5. Roof Signs

- a. Roof signs are prohibited in all mixed-use, commercial and industrial zoning districts, except that one roof sign is allowed per business address within the Downtown Entertainment District and the Route 66 Overlay, provided that:
 - (1) The sign does not include any dynamic display; and
 - (2) They do not extend more than 25 feet above the point where the sign is attached to the roof, measured in a vertical line from the horizontal plane of the lowest point where the sign is attached to the roof to the horizontal plane of the highest location on the sign's structure.
- b. Roof signs are counted against a lot's allowed sign budget, pursuant to §60.080-C, and no individual roof sign may exceed 500 square feet in area.
- c. Only major street frontage along that portion of the subject lot that is occupied by the business displaying the sign may be counted in determining the maximum sign area of a roof sign allowed under this section.



The map above describes the Downtown Entertainment District where this sign would be allowed per the Zoning Code. Subject property is not visible on this map.

STATEMENT OF HARDSHIP:

The slope of the roofline and the geographical orientation of the building make a traditional sign not possible.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to allow a roof sign to be located on a building outside of the Downtown Entertainment District (Section 60.020, 60.080-B.5)

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

In granting the **Variance** 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."



Facing East on 6th Street



Northern Face of Subject Building



Intersection of 6th and Utica



Northern face of building nearer the intersection of 6th and Utica

DANNY WHITEMAN
SIGN PLANS EXAMINER
TEL (918)596-9664
EMAIL dwhiteman@cityoftulsa.org



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

SIGN PLAN REVIEW

November 25, 2019

LOD Number: 1

Phone: 918-607-1445

Clint Engles
10313 S. 66th Ave. E.
Tulsa OK 74133

APPLICATION NO: **SIGN-048400-2019** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1702 E. 6th St.
Description: Roof Sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

REVIEW COMMENTS

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

Application No. SIGN-048400-2019

1702 E. 6th St.

November 25, 2019

This letter of deficiencies covers Sign Plan Review items only.

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

Section 60.020 Prohibited Signs and Sign Characteristics

The following signs and sign characteristics are prohibited except as otherwise expressly stated:
60.020-L Roof signs, except as expressly allowed by §60.080-B5.

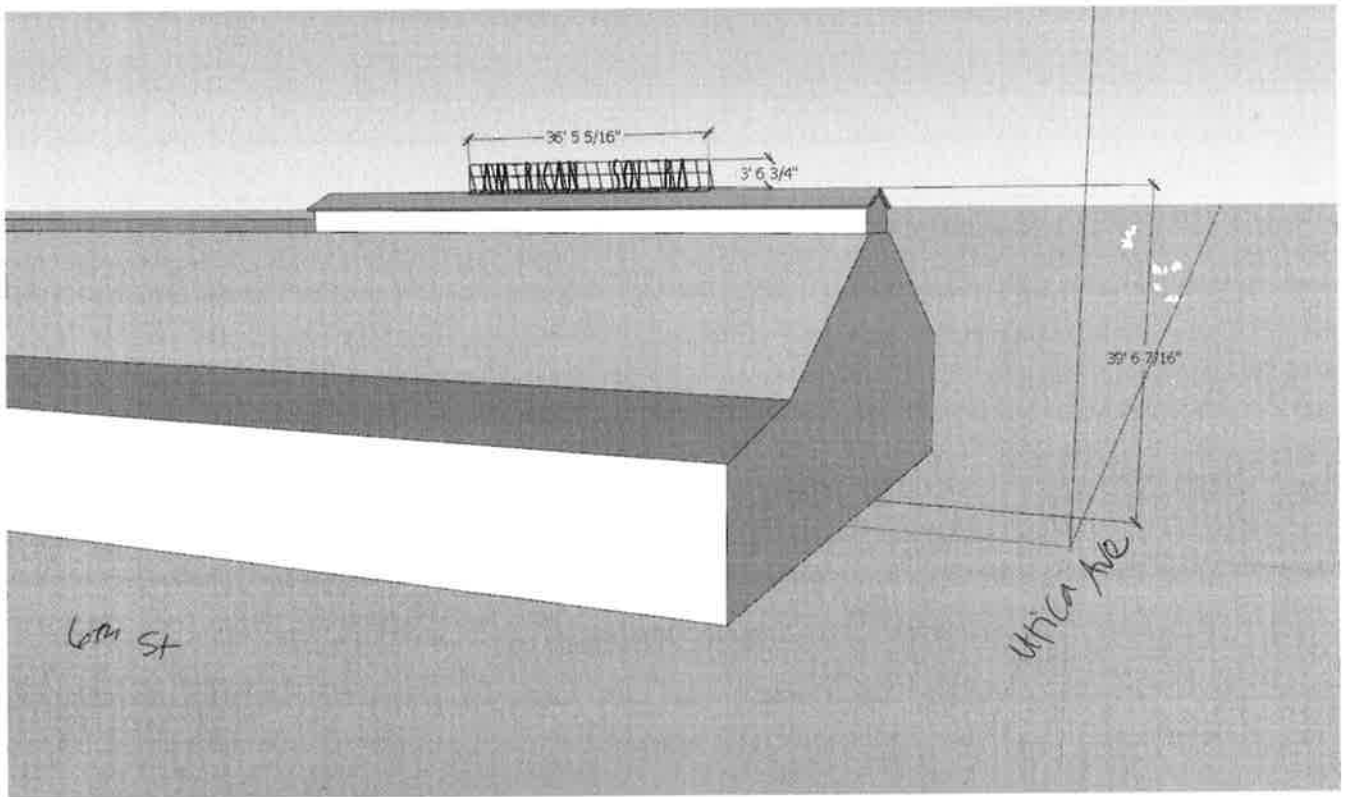
Review Comments: Review Comments: Roof signs are prohibited in the City of Tulsa except in the Downtown Entertainment District and in the Route 66 Overlay.

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.





0 Feet 200 400



Subject Tract

BOA-22868

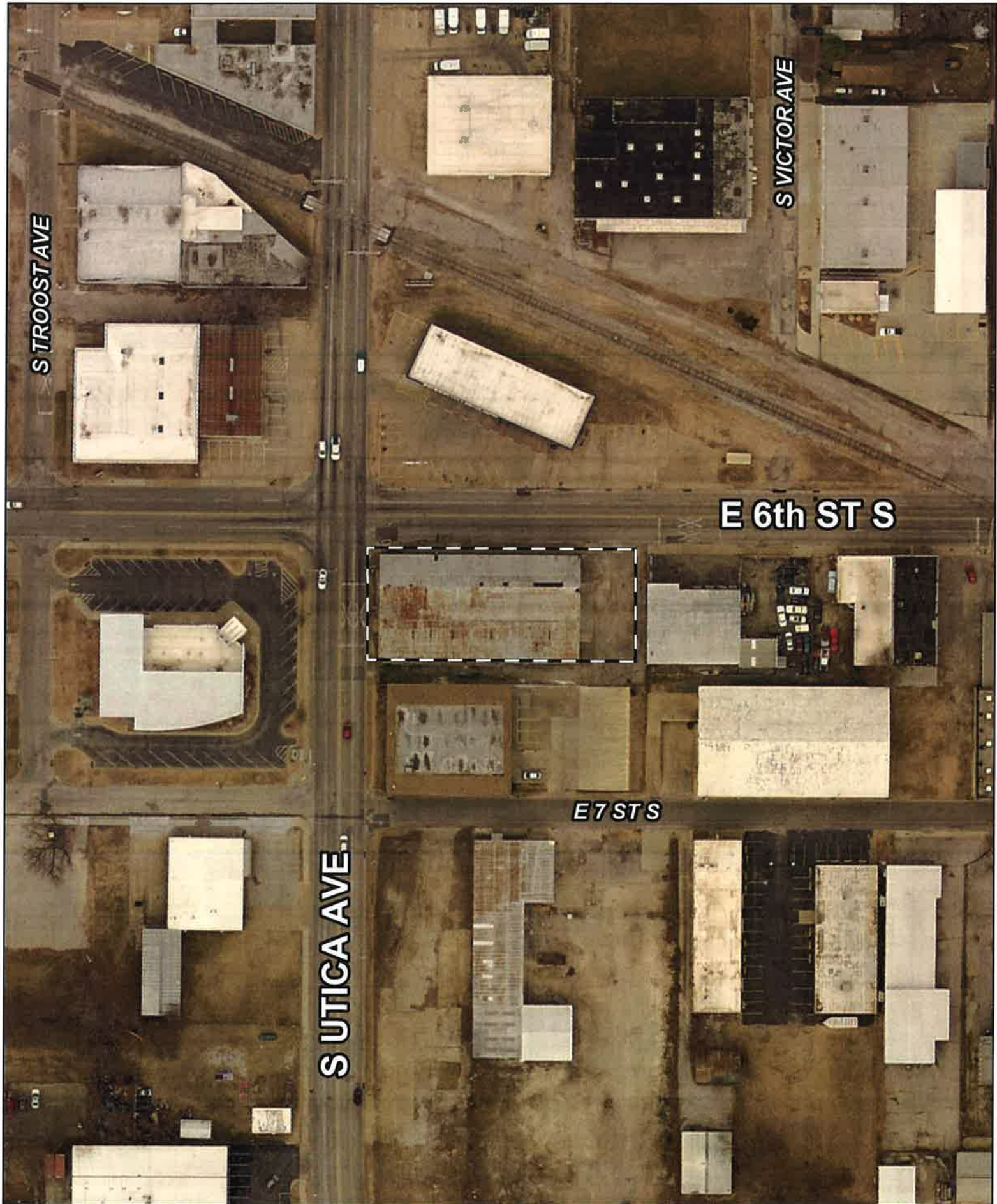
19-13 06

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

Aerial Photo Date: February 2018

9.11





0 Feet 50 100



Subject
Tract

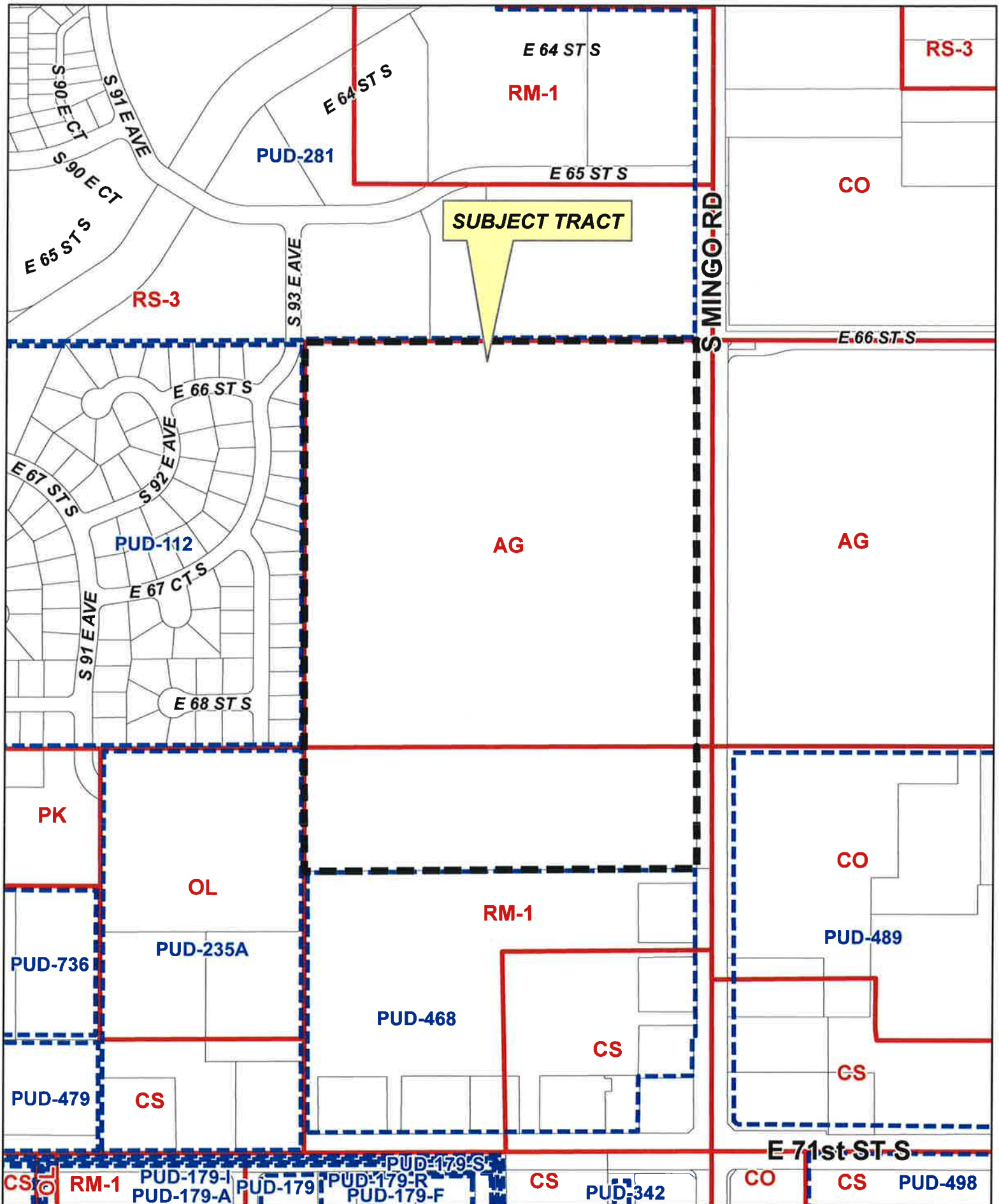
BOA-22868

19-13 06

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

Aerial Photo Date: February 2018





BOA-22869

18-13 01

10.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 8301

Case Number: **BOA-22869**

CZM: 53

CD: 7

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Mark Capron

ACTION REQUESTED: Modification of the previously approved site plan for Union High School (BOA-22553) Special Exception to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use

LOCATION: 6636 S MINGO RD E

ZONED: AG,RM-1

PRESENT USE: High School.

TRACT SIZE: 2184691.05 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, UNION HIGH SCHOOL ADDN

RELEVANT PREVIOUS ACTIONS:

BOA-22553; on 12.11.2018 the Board **APPROVED** a Special Exception to permit a school use to allow for a outdoor lighted stadium/locker room/ pressbox (Sec. 40.350-A); a Modification of a previously approved site plan (BOA-21111-A) to permit the addition of the Fine Arts Center to an existing school; a Variance of the required number of parking spaces (Table 55-1).

BOA-21111-A; on 8.27.2013 the Board **APPROVED** Minor Special Exception to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 sq. ft.).

BOA-21431; on 6.12.2012, the Board **APPROVED** a Variance to allow more than 1 identification sign in an AG district; Variance of the maximum display surface area from 150 sq. ft. to permit additional signs; and a Variance to allow for wall signs in an AG district.

BOA-21111; on 7.13.2010, the Board **APPROVED** a Variance of the required parking spaces for a public school to 1712 spaces; and to Amend the previously approved site plan, both to permit an addition to an existing school.

BOA-19186; on 8.28.2001, the Board **APPROVED** a Minor Special Exception to approve a modified site plan, subject to all of the street frontage, parking area landscaping in accord with the landscape chapter of the zoning code.

BOA-18817; on 7.25.2000, the Board **APPROVED** a Special Exception to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to site plan and street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code; and a Variance of the off-street parking spaces required in use Unit 5 to permit a minimum of 1800 spaces.

BOA-18786; on 7.11.2000, the Board **APPROVED** a Variance of the off-street parking spaces required for Union High school campus to allow installation of bleachers with seating capacity of 500 without providing the additional off-street parking required for a high school stadium. LOCATED: 6636 S Mingo Rd

BOA-17737; on 6.10.1997, the Board **APPROVED** a Special Exception to permit school use (accessory Parking) on subject tract per plan submitted. LOCATED: 6636 S Mingo Rd

BOA-17137; on 8.08.1995, the Board **APPROVED** a Variance to permit an accessory identification sign for the stadium.

BOA-16981; on 03.28.1195, the Board **APPROVED** a Variance to permit an existing electronic message center located on a football scoreboard.

BOA-13546; on 05.02.1985, the Board **APPROVED** a Variance to permit a 97 sq. ft. accessory sign in the Ag district.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is Union High School located North of the NW/c of E. 71st St. S. and S. Mingo Road.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use

55.040-H Establishment of Other Parking Ratios

The development administrator is authorized to establish required minimum parking ratios for unlisted uses and in those instances where authority to establish a requirement is expressly granted. Such ratios must be established on the basis of (1) a similar use/parking determination (as described in §55.040-G), (2) on parking data provided by the applicant or (3) other information available to the development administrator. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable local uses or on external data from credible research organizations, such as the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE). Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

In the previous case BOA-22553 the Board reduced the required parking spaces by variance from 1,712 spaces to 1,527 spaces. This request would modify the site plan approved in that case and further reduce the parking requirements to 1,369 spaces.

SAMPLE MOTION: Move to _____ (approve/deny) a **Modification** of the previously approved site plan in BOA-22553 and a Special Exception to permit alternative compliance parking ratios in an AG/RM-1 Zoning District (Section 55.050-K) to reduce the required number of parking spaces for a High School Use

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

- ***If the Board is inclined they may include this language:*** And to include future modifications and improvements commensurate with school amenities, with no further Board of Adjustment approval required.

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.



Facing North on Mingo



Subject Property



Football Stadium currently under construction



Facing South on Mingo

BOB KOLIBAS
ZONING PLANS REVIEWER
TEL (918)596-9664



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

ZONING REVIEW

January 31, 2020

LOD Number: 1

Wallace Engineering
10201 E 51st Street
Tulsa OK 74063

Phone: (918)584-5858

APPLICATION NO: BLDC-050791-2019 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 6636 S Mingo Rd

Description: Parking Facility Reconstruction at Union High School

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

REVIEW COMMENTS

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

Application No. BLDC- 50791-2019

6636 S. Mingo Rd

January 31, 2020

This letter of deficiencies covers zoning Review items only.

You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

70.120-J Amendments

1. Amendments to approved special exceptions must be processed as new special exception applications, including all requirements for fees, notices and public hearings, provided that the development administrator is authorized to approve the following:

- a. Any structures or uses authorized to be approved by the development administrator at the time of special exception approval; and
- b. The addition or relocation of customary accessory uses and structures.

Review Comment: Provide a modification of a previously approved site plan from the City of Tulsa BOA case 22553 approved 12/11/2018 to permit the proposed parking area reconfiguration.

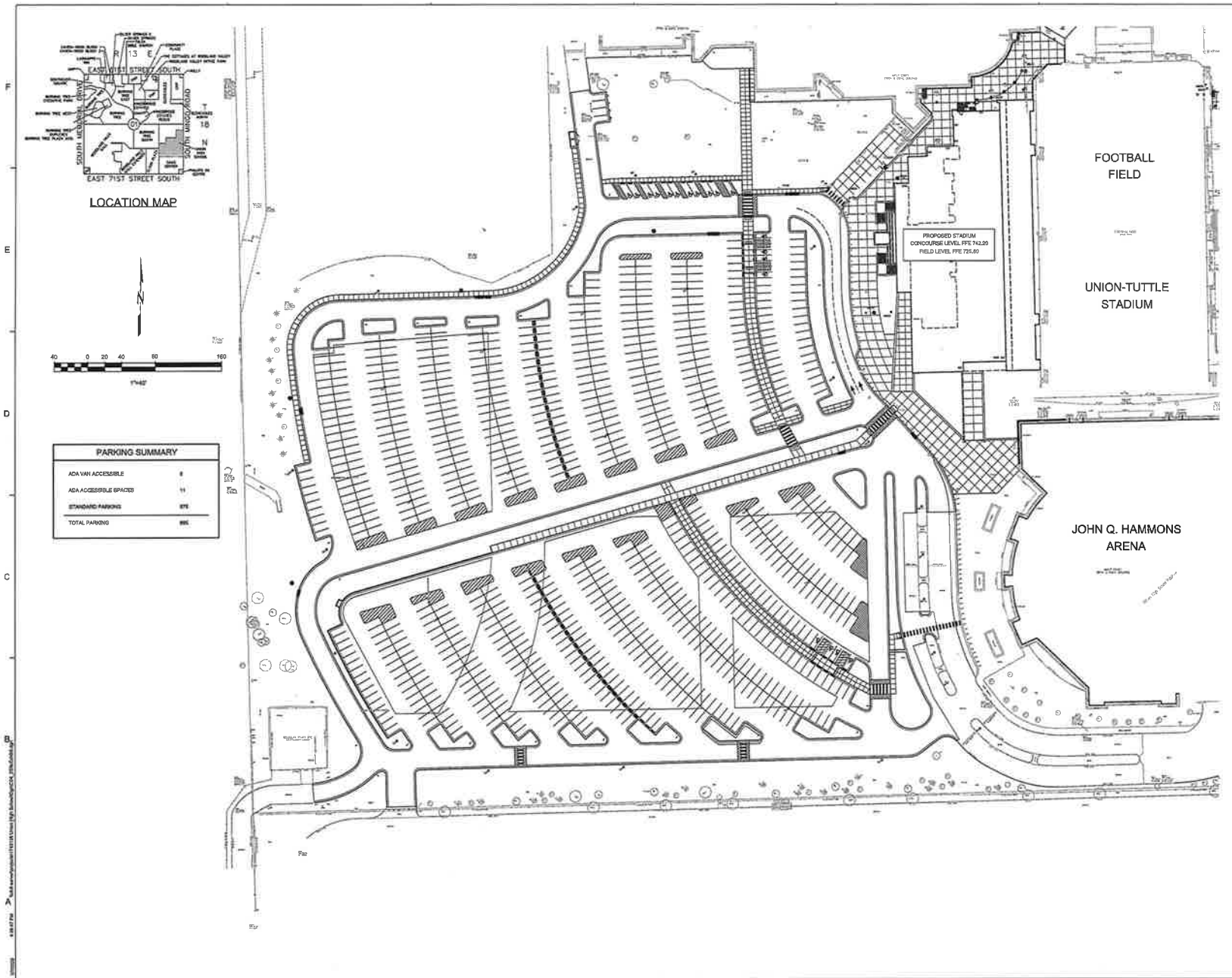
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding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

10.10



Dewberry

Dewberry Architects Inc.
ARCHITECT
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

Henderson Engineering
ENGINEER
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

W.A.H.W. Inc.
ARCHITECTURAL
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

JQ Engineering
ENGINEERING
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

Dewberry Engineers Inc.
ENGINEER
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

Wallace Engineering
ENGINEER
1001 N. GULF DR., SUITE 200
TULSA, OK 74116-3519
PHONE: 918.587.2200

Union Public Schools
West Stadium Renovation
6636 S Mingo Rd., Tulsa, OK 74133
BOARD OF ADJUSTMENT

SEA

KEY PLAN

SCALE

NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY: GSP
APPROVED BY: ATT
CHECKED BY: ATT
DATE: 11/18/2019

TITLE

**BOA
SITE PLAN**

WALLACE PROJECT NO. 1948125

BOA

SHEET NO.

FILE COPY

22553—Wallace Engineering – Mike Thedford

Action Requested:

Special Exception to permit a school use to allow for an outdoor lighted stadium/locker room/ pressbox (Section 40.350-A); Modification of a previously approved site plan (BOA-21111-A) to permit the addition of the Fine Arts Center; Variance of the required number of parking spaces (Table 55-1). **LOCATION:** 6636 South Mingo Road East (CD 7)

Presentation:

Mike Thedford, Wallace Engineering, 200 East Mathew Brady Street, Tulsa, OK; stated this is a continued use but a modification of the site plan with substantial improvements to the stadium structure as well as modifications to the locker room. On the north end there is a 20,000 square foot fine arts building that will be adjacent to the stadium. There will actually be more green space to work with in this modification, but there will be some parking spaces taken away and reconfiguration of some drives.

Mr. Van De Wiele asked Mr. Thedford what the current parking count is and what will the parking count go down to. Mr. Thedford stated that at the time of the application there are 1,712 parking spaces and the count will go down to 1,527 parking spaces. The list of uses that will be on site are all non-simultaneous uses.

Mr. Van De Wiele asked Mr. Thedford if he knew the current student count. Mr. Thedford deferred to Mr. Bushyhead.

Interested Parties:

Charlie Bushyhead, 11203 South Florence, Jenks, OK; stated that currently there is approximately 3,400 students at the high school which is a 10th through 12th grade school. When the stadium is in use there are no large events occurring on the campus. There is also a great relationship with Asbury Church and there is a protected walk provided from there when there are large events. The parking count is actually going down even though the population is going up due to changes in the socio-economics; there are fewer students driving.

Mr. Van De Wiele asked Mr. Bushyhead if the 1,527 parking spaces provide sufficient parking for Monday through Friday. Mr. Bushyhead answered affirmatively.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BOND**, the Board voted 5-0-0 (Back, Bond, Radney, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit a school use to allow for an outdoor lighted stadium/locker room/pressbox (Section 40.350-A); Modification of a previously approved site plan

(BOA-21111-A) to permit the addition of the Fine Arts Center to the existing school; Variance of the required number of parking spaces (Table 55-1), subject to conceptual plans 17.27, 17.28 and 17.29 of the agenda packet. The Board has found the hardship to be the parking spaces are not used at the same time for events and school attendance. 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. The Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- e. That the variance to be granted is the minimum variance that will afford relief;
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

LT 1 BLK 1, UNION HIGH SCHOOL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

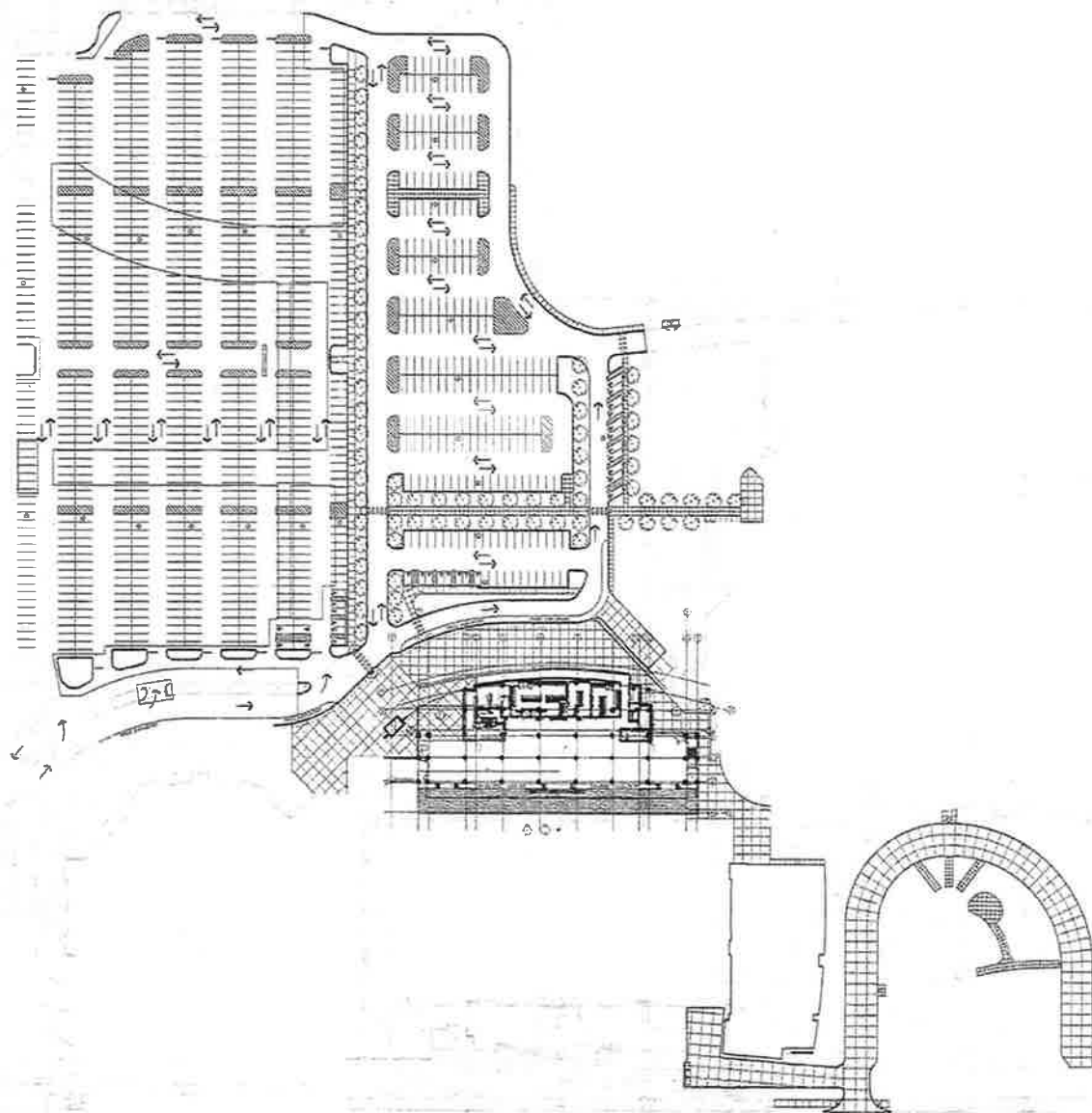
22554—Tom Neal

Action Requested:

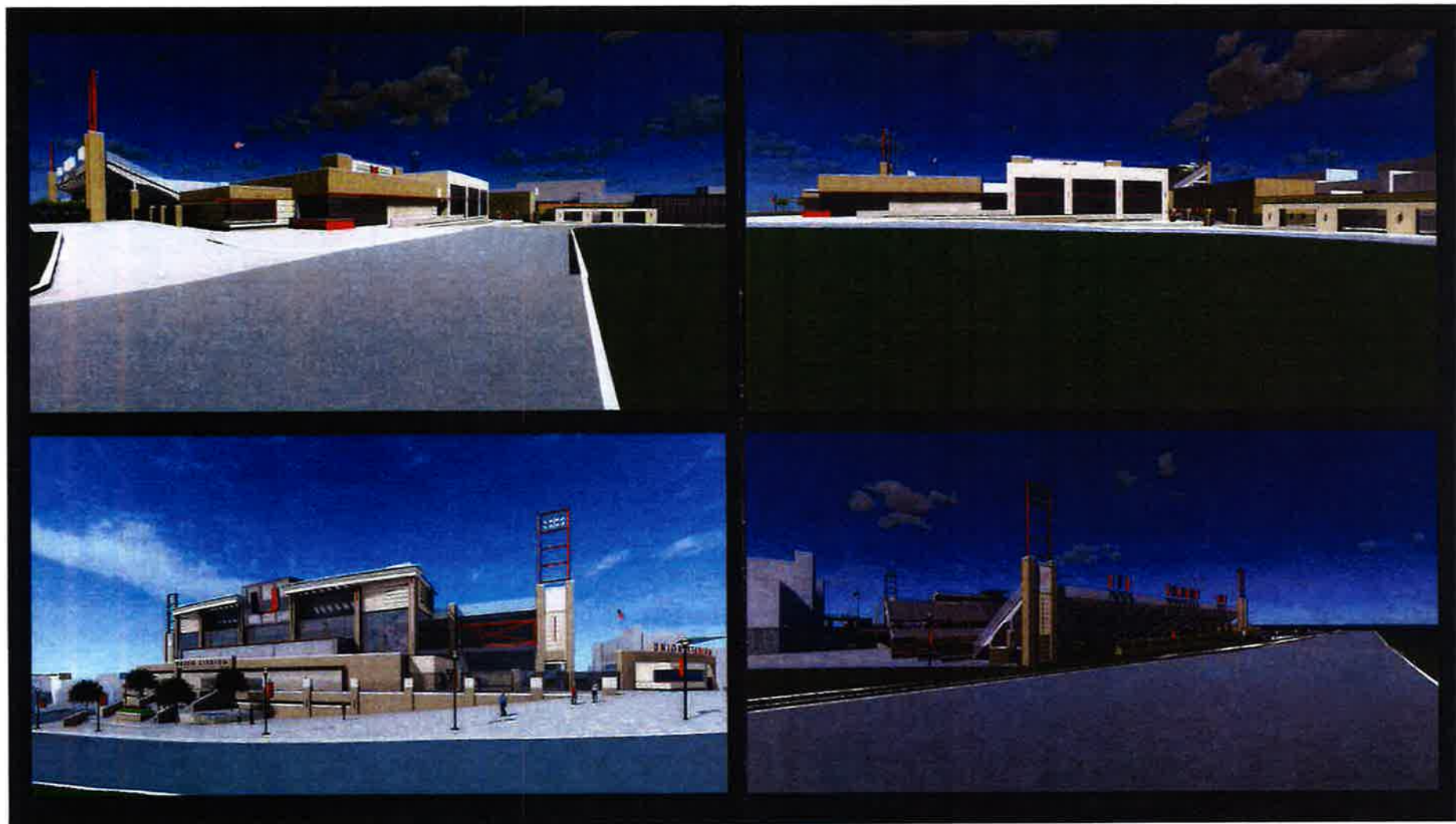
Special Exception to allow a manufactured housing unit on an RS-3 zoned lot; Special Exception to extend the time limit to allow a manufactured home on the site for more than 1 year (Sections 5.020 & 40.210-A); Variance to reduce the lot width requirement for a manufactured housing unit use in the RM-1 District (Table 5-3); Special Exception to permit a carport in the street setback and street yard (Section 90.090-C.1). **LOCATION:** 406 South 55th Avenue West (CD 1)

Presentation:

Tom Neal, 2507 East 11th Place, Tulsa, OK; stated his client is Ms. Stephenson and she currently owns a mobile home which is located on a rental lot. Ms. Stephenson has purchased the subject property which is near family members and hopes to move her mobile home to that property. Mr. Neal stated that the site plan has been revised since



BOA-22553



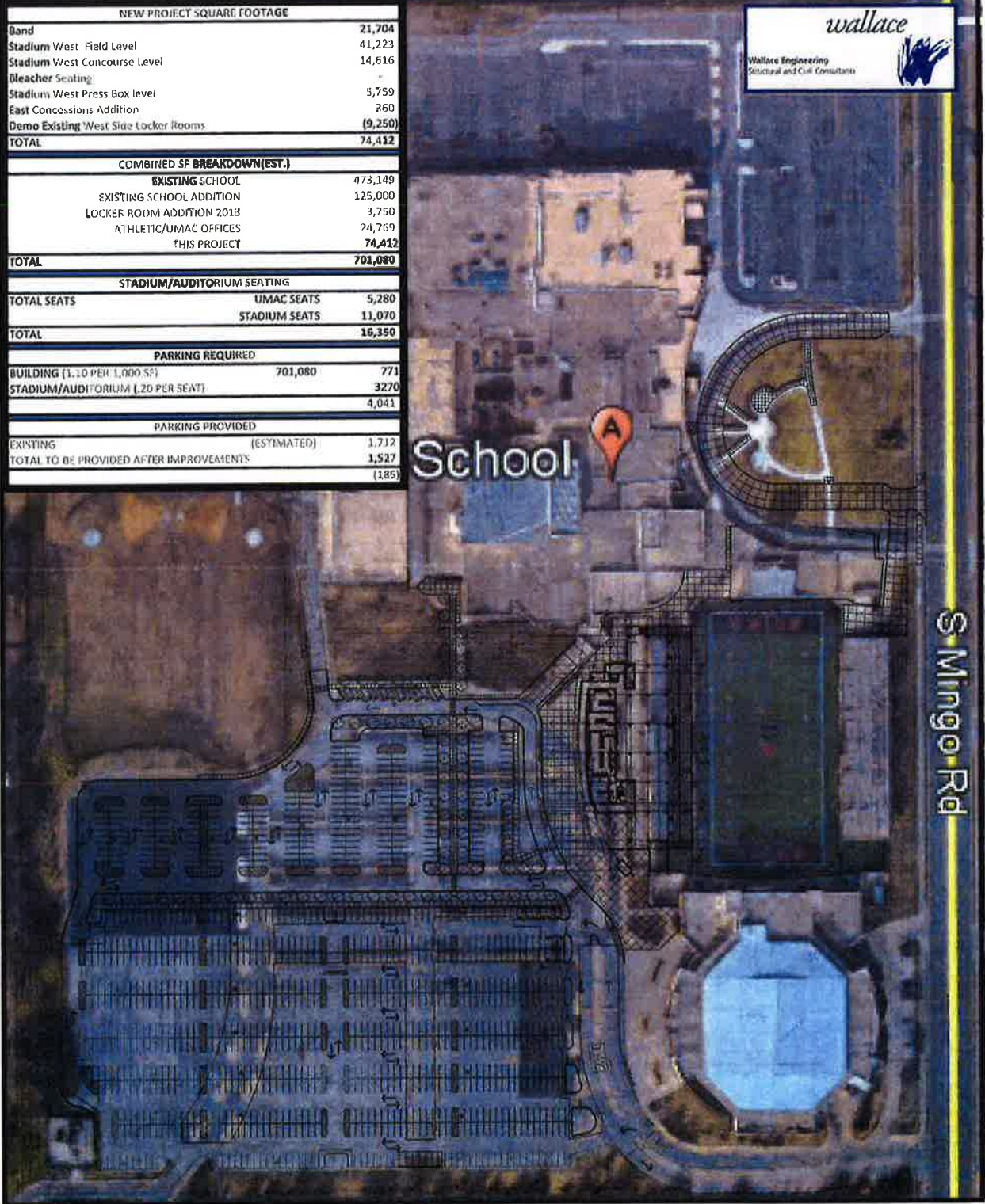
**UNION HIGH SCHOOL
FINE ARTS/STADIUM IMPROVEMENTS**

BOA - 22553

10.14

UNION HIGH SCHOOL FINE ARTS/STADIUM IMPROVEMENTS

NEW PROJECT SQUARE FOOTAGE	
Band	21,704
Stadium West Field Level	41,223
Stadium West Concourse Level	14,616
Bleacher Seating	-
Stadium West Press Box level	5,759
East Concessions Addition	260
Demo Existing West Side Locker Rooms	(9,250)
TOTAL	74,412
COMBINED SF BREAKDOWN (EST.)	
EXISTING SCHOOL	473,149
EXISTING SCHOOL ADDITION	125,000
LOCKER ROOM ADDITION 2013	3,750
ATHLETIC/UMAC OFFICES	24,769
THIS PROJECT	74,412
TOTAL	701,080
STADIUM/AUDITORIUM SEATING	
TOTAL SEATS	UMAC SEATS 5,280
	STADIUM SEATS 11,070
TOTAL	16,350
PARKING REQUIRED	
BUILDING (1.10 PER 1,000 SF)	701,080 771
STADIUM/AUDITORIUM (.20 PER SEAT)	3270
	4,041
PARKING PROVIDED	
EXISTING (ESTIMATED)	1,712
TOTAL TO BE PROVIDED AFTER IMPROVEMENTS	1,527
	(185)



BOA-22553

10.15

six inch concrete ceilings, four inch concrete floor and it is sound proof. The lighting is shielded and protected. The noise outside the building will be much less than the background noise outside.

Mr. Van De Wiele asked if there was going to be anything outside to let the public know there is a gun range in the building. Mr. Reynolds stated no. The applicant does not want advertising.

Mr. Van De Wiele asked if there would be any weapons or ammunition stored on site. Mr. Reynolds stated that what will be stored there will be personal guns and ammunition.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **DENY** the **Appeal** of the Determination of an Administrative Official that a private pistol firing range is not an accessory use (Section 1605/1606) and to **APPROVE** the request for a **Special Exemption** to permit a private (completely enclosed) pistol firing range (Use Unit 19) in an IL District (Section 901, Table 1), subject to conceptual plan 6.24. This approval of the special exception is limited to the actual firing range structure that is depicted on 6.24. There is to be no outdoor signage advertising the existence of the firing range itself. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 5 BLK 1, DIVERSIFIED INDUSTRIAL PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21111-A—Wallace Engineering

FILE COPY

Action Requested:

Minor Special Exception to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 square feet). **LOCATION:** 6636 South Mingo Road East (**CD 7**)

Presentation:

Jim Beach, Wallace Engineering, 200 East Brady, Tulsa, OK; stated the action requested is to improve a previously approved site plan for Union High School. In the western portion of the property there is an existing practice football field and track which

BOA-21111-A

FILE COPY

is to be renovated. With that there will be a new track building that will contain locker rooms. The addition to the south end of the practice field will be discus and shot put facilities that will go in conjunction with the track. The nature of the additions is such that it qualifies under the Zoning Code as a minor special exception because the floor area that is to be added is considerably less than threshold that is set out for approval of a regular special exception.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a **Minor Special Exception** to modify a previously approved site plan (BOA-21111) to renovate track, playing field and to add discus & shot put areas, and add new track locker room (3,750 square feet), subject to conceptual plan 7.20. Finding the Minor Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

**LT 1 BLK 1, UNION HIGH SCHOOL ADDN, CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA**

OTHER BUSINESS

Review and Discussion

Building Demolition and Surface Parking Lots within the IDL Draft Ordinance.

Background:

In early 2012, the Tulsa City Council voiced concern over the loss of building stock downtown and the increased number of surface parking lots which do not contribute to the desired character of our downtown. As a result, the Council instituted a moratorium (on July 18, 2012) which currently affects development within the IDL.

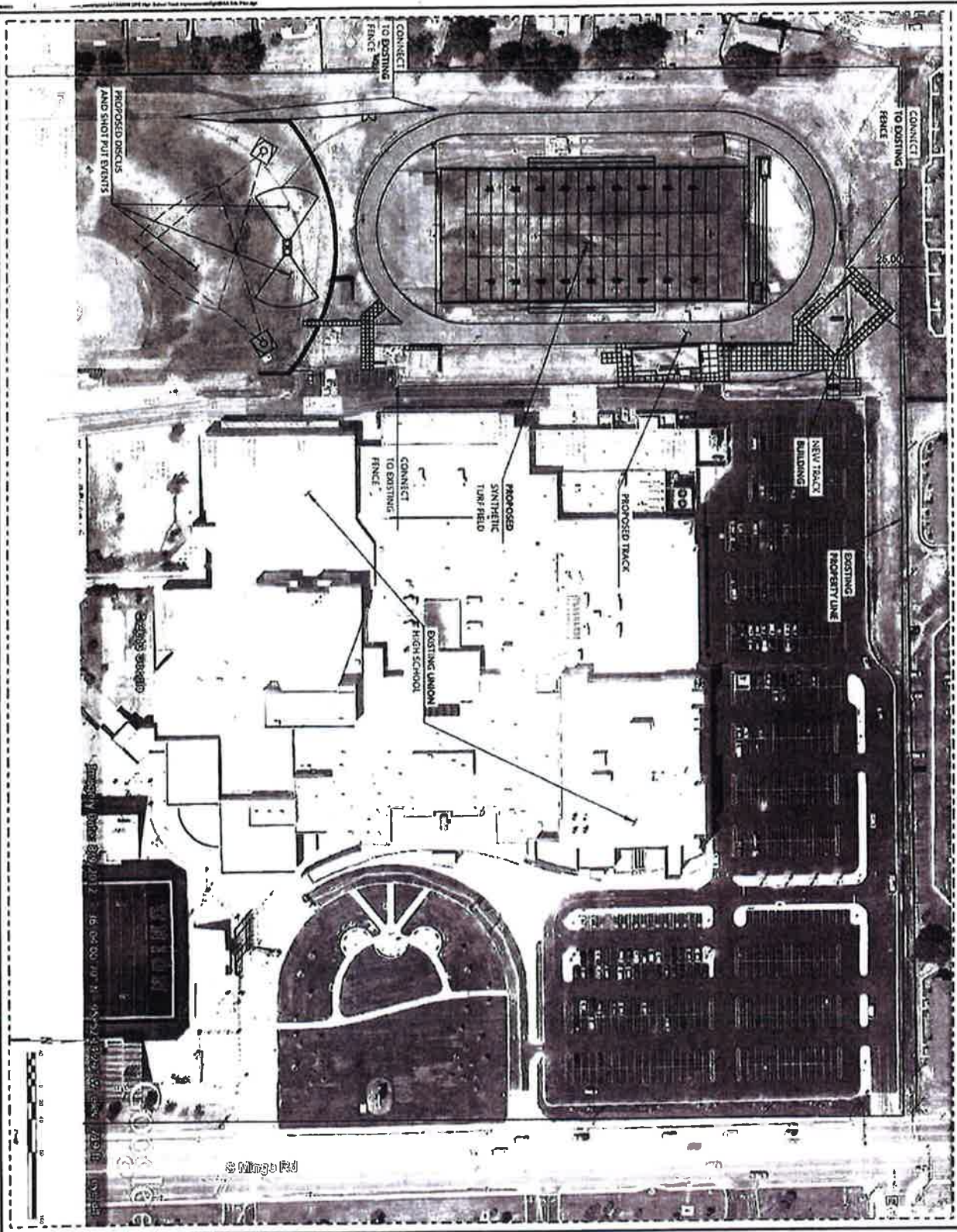
Discussion:

Susan Miller, INCOG, 2 West 2nd Street, Tulsa, OK; stated this is to present and discuss with the Board the ordinance that has been drafted regarding building demolition and surface parking lots in the IDL. There is a length ordinance that was presented to the

08/27/2013-1100 (10)

10.17

10.18



BA-2111-A

<p>© 2010 BOA</p>	<p>UNION PUBLIC SCHOOLS TRACK RENOVATIONS 4000 WEST 10TH STREET TULSA, OKLAHOMA 74104</p>	<p>BOA SITE PLAN</p>
-------------------	---	----------------------

Comments and Questions:

None.

Board Action:

On **MOTION of STEAD**, the Board voted 4-0-0 (Henke, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; White absent) to **APPROVE** the request for a **Variance** of the maximum allowed square footage for a detached accessory building in the RS-3 zone from 598 square feet to 1,590 square feet to construct a new detached garage with storage (Section 402.B.1.d). The Board makes the requirement that nothing furnishing the new space will constitute living quarters. The building shall be used for storage only, never for rental or commercial use. This is subject to conceptual plan on page 3.7, knowing that the silt fence is a construction fence and will be removed. The metal carport wrapped in a polyurethane covering is to be removed after completion of the new detached accessory building. This property which contains over 20,000 square feet will, even with the improved building, contain adequate green space. In granting this variance there are extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**LT 26 BLK 2, CONSERVATION ACRES SUB, KINLOCH PARK, CITY OF TULSA,
TULSA COUNTY, STATE OF OKLAHOMA**

21431—Sign Productions/Stacey Meyer

FILE COPY

Action Requested:

Variance to allow more than one identification sign in an AG district (Section 302.B.2.b); **Variance** of the maximum display surface area from 150 square feet to permit additional signs (Section 302.B.2.b); **Variance** to allow for wall signs in an AG district (Section 302.B.2.b). **LOCATION:** 6636 South Mingo Road (CD 7)

Presentation:

Wally Ruden, Sign Productions, 500 Wofford Road Southwest, Cedar Rapids, Iowa; stated that Union Public Schools will be expanding by 50%; from 2,000 to 3,000 students with an increase for teaching of 30%. There will be an increase in traffic with the expansion so these signs will be very helpful directional device. There are several signs on the property and he has broken them down into three types of situations. One is the signage along South Mingo Road, which are largely entrance signs designating entrances and exits. There are signs on the building that identify the property as Union Public School, Collegiate Academy main entrance, and Union Public School logo. Thirdly, there are some branding signs that will go on light poles, which are small

06/12/2012-1072 (4)

10.19

aluminum panels that show the Union logo as well. All the signs are non-illuminated, even the one on the building.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 4-0-0 (Henke, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; White absent) to **APPROVE** the request for a **Variance** to allow more than one identification sign in an AG district (Section 302.B.2.b); **Variance** of the maximum display surface area from 150 square feet to permit additional signs (Section 302.B.2.b); **Variance** to allow for wall signs in an AG district (Section 302.B.2.b). The Board makes these motions to include 15 non-illuminated signs as listed in the Development Services letter of March 26, 2012, which is page 4.11 in the agenda packet. The placement of the signs shall be as shown on page 4.9. The sign designs are to be as per plan as shown on pages 4.14, 4.15, 4.16, and 4.17. The Board has found that this school property containing more than 2 million square feet is a huge campus and that the school population is increasing approximately 50%. The many and varied entrances and exits need directional signage, which this approval should take care of. In granting this variances the Board has found that the size and location of the structured buildings 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 1 BLK 1, UNION HIGH SCHOOL ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21432—Shew's Top Quality Roofing

Action Requested:

Special Exception to permit carport in the required front yard in an RS-3 district (Section 210.B.10.g); **Variance** of required side yard setback from 5 feet to 4 feet (Section 210.B.10.b); **Variance** of the maximum permitted dimension of a carport located in the required front yard from (20' X 20') to (21' X 28')(Section 210.B.10.a).

LOCATION: 12516 East 38th Street (CD 6)

Presentation:

Brian Shew, Shew's Top Quality Roofing and Guttering, 1244 North Darlington Avenue, Tulsa, OK.

06/12/2012-1072 (5)

10.20

Case 21111-Roy D. Johnsen

Action Requested:

Variance of the required parking spaces for a public school (Section 1205) to 1712 spaces; and an Amendment to a previously approved site plan, both to permit an addition to an existing school. **Location:** 6636 South Mingo Road

Presentation:

Roy Johnsen, Williams Tower One, One West 3rd Street, Suite 1010, Tulsa, OK; Mr. Johnsen represents the applicant requesting the variance. The Union School District desires to move the sophomore students from the intermediate high school to this site to provide a better learning environment. This move would be approximately 1,000 students, thus requiring a new facility to be built which would eliminate existing parking on the northeast corner of the property. The southwest corner is proposed to be new parking to replace the eliminated parking.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board asked about overflow parking during school days, and Mr. Johnsen stated the overflow parking was not utilized by students during the school day. The overflow happens only during rare peak athletic events. Mr. Johnsen also stated that Asbury Methodist Church, located across S. Mingo Rd. would be notified by the school of any activities to take place.

Mr. Boulden questioned if there was going to be lighting installed for the new parking lot. Mr. Johnsen stated that there would be shielded lighting, or lighting that would be directed back into the parking lot so it would not interfere with the neighborhood.

The Board asked about the screening or landscaping for the area. Mr. Johnsen stated screening is not required by code as the parking lot is set back more than 50 ft. from the abutting R districts but there will be alternative landscaping in place when the project is complete.

Board Action:

On **MOTION of Van De Wiele**, the Board voted 4-0-0 (Henke, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the required parking spaces for a public school (Section 1205) to 1712 spaces; and an Amendment to a previously approved site plan, both to permit an addition to an existing school, per conceptual plan 10.10; finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the

07/13/2010-1027 (9)

Code, or the Comprehensive Plan. As to the Amendment the Board finds it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Also, note that an alternative compliance may be sought for the landscaping; on the following described property:

LT 1 BLK 1, UNION HIGH SCHOOL ADDN

Case No. 21112-Robert Shears

Action Requested:

Special Exception to permit an office use (Use Unit 11) in an RM-2 district (section 401); a Variance of the parking requirement from 7 to 2 (1211.D); and a Special Exception to modify the screening requirement for an office use from an abutting R district (Section 212.C); all to permit an office use in the existing home. **Location:** 1522 South Carson Avenue W.

Presentation:

Jim Beach, Wallace Engineering, 200 East Brady, Tulsa, OK; Mr. Beach represents the applicant who purchased the property in 1998 as his residence and started his landscaping consulting firm business in the home in 2004. In 2009 the applicant purchased a new residence and now would like to maintain his business at this property. The business would be very quiet because clients rarely visit the office because the business is conducted outside at his clients properties. There are several other properties located near the applicant that have prior approval for office space; therefore, it is a mixed use neighborhood. The request for modification of the screening requirement would apply along the north and west property lines; the west is screened by the garage structure and the north is screened with existing landscaping. The applicant feels the addition of screening would be a deterrent to a relationship between the properties and the neighbors have requested not to have a screening fence.

Interested Parties:

No interested parties were present.

Comments and Questions:

The board asked what the garage was used for and Mr. Beach stated half of the garage was used for storage.

The board asked about the existing fence. Mr. Beach stated the existing fence would be maintained but the neighbors have requested not to have it extended outward toward Carson Avenue, which is why the application request for screening modification has been submitted.

07/13/2010-1027 (10)

10.22

Board Action:

On MOTION of Cooper, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of required setback from West Latimer Street (closed) to 0' for expansion of existing building over closed right-of-way for use as a community center, finding that the streets are already closed and that the setback would not be material to any utilized roadways, on the following described property:

Lot 1, Block 8, Osage Hills Addition; Lot 3 & 4, Block 4, Osage Hills Apartments, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19186

Action Requested:

Minor Special Exception to approve a modified site plan, located N of NW/c of E. 71st St. & Mingo.

Presentation:

Daren Akerman, 6111 E. 32nd Pl., stated this item is before the Board as a reconfiguration of the site plan that was approved approximately one year ago. This is a multipurpose center that includes more parking, which incorporates the separate buildings that were approved for the previous site plan.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Minor Special Exception** to approve a modified site plan, located N of NW/c of E. 71st St. & Mingo, subject to all of the street frontage, parking area landscaping in accord with the landscape chapter of the zoning code, on the following described property:

NE/4 SE/4 and N 400' of SE/4 SE/4, Section 1, T-18-N, R-13 -E, City of Tulsa, Tulsa County, State of Oklahoma.

MINUTES:

On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** the amended Minutes of June 26, 2001 (No. 821).

08:28:01:825(17)

Case No. 18816 (continued)

Board Action:

On **MOTION** of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to permit Use Unit 5 church and accessory uses in an RS-3 district, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; a **Variance** of the all weather surface requirement for the church parking lot; and a **Variance** of required setback from abutting R district from 25' to 5', subject to meeting all of the landscaping and parking requirements, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; and a **Variance** of required setback from centerline of East 11th Street from 85' to 57' was withdrawn by the applicant, on the following described property:

Lot 5, Block 3, Eleventh Street Acres, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 18817

Action Requested:

Special Exception under Section 301, Table 1, and Section 401, Table 1 to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to approval by the Board of the site plans as shown on Exhibit B and Exhibit C hereto, and subject to street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code. SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICT and SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; and a Variance of the off-street parking spaces required in Use Unit 5, Section 1205.C of the Zoning Code to permit a minimum of 1800 spaces to satisfy the combined off-street parking requirements for the existing and proposed academic and athletic facilities as shown on Exhibits B and C. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Off-Street Parking and Loading Requirements, located W side of S. Mingo Rd. at E. 66th St.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, stated he represented the Union School District. He added that Cathy Burton, Superintendent of Schools, members of her staff, and members of the design team that are working on this project were present with him. The application is for two purposes: to permit the additional facilities in two phases, and to increase the number of parking spaces needed in connection with the addition of bleachers in the football stadium.

07:25:00:800(17)

Case No. 18817 (continued)

Comments and Questions:

The Board was familiar with this request in connection with the action taken at the previous hearing. Neither the Board nor staff had any questions.

Protestants:

None.

Board Action:

On **MOTION** of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE a Special Exception** under Section 301, Table 1, and Section 401, Table 1 to permit the use of property within the AG and RM-1 zoning districts for a public high school multipurpose student activities center, a wellness center, offices, locker rooms and training facilities, a fine arts center and additional parking subject to approval by the Board of the site plans as shown on Exhibit B and Exhibit C hereto, and subject to street frontage and parking area landscaping in accord with the Landscape Chapter of the Zoning Code, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and a **Variance** of the off-street parking spaces required in Use Unit 5, Section 1205.C of the Zoning Code to permit a minimum of 1800 spaces to satisfy the combined off-street parking requirements for the existing and proposed academic and athletic facilities as shown on Exhibits B and C, per plan, on the following described property:

NE/4 SE/4 and the N 400' of the SE/4 SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma

*****.

Case No. 18818

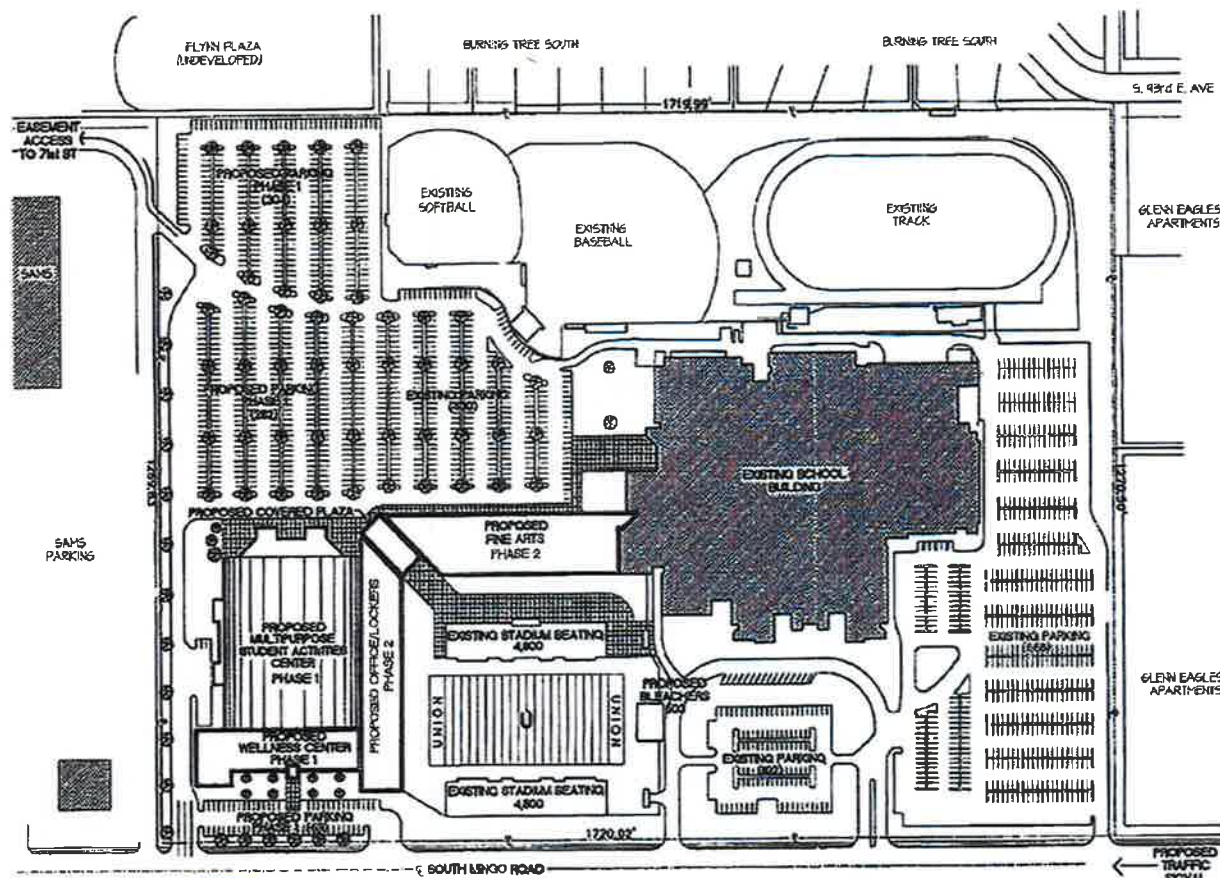
Action Requested:

Variance from the 50' setback from the centerline of an abutting street to 2' from an abutting street right-of-way line. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 1; a Variance from the 25' setback requirement for a building abutting a non-arterial street to 9'. SECTION 1302. SETBACKS; a Variance from 25' + 1' of setback for each 1' of building height exceeding 15' from abutting properties in an R district, to a setback of 30'. SECTION 1201.C.2.c. USE UNIT 1. AREA-WIDE USES BY RIGHT, Use Conditions; a Variance in the minimum setback for parking lots from an RS district from 25' to 5'. SECTION 1201.D. USE UNIT 1. AREA-WIDE USES BY RIGHT, Off-Street Parking and Loading Requirements; a Variance from the parking spaces requirement of 1 per 800 square feet plus 1 per 4 stadium seats, reducing the requirement from 1,553 spaces to 995 space. SECTION 1201.D. USE UNIT 1. AREA-WIDE USES BY RIGHT, Off-Street Parking and Loading Requirements; and

07:25:00:800(18)

18817 I-1

gary sparks companies
LAND DEVELOPMENT
 • 1335 east 15th street • Tulsa, Oklahoma 74103
 • phone (918) 582-0200 • fax (918) 588-6465
 • email gsc@sparksco.com



CASE NO. 18817
 OFFICIAL RECORDS EXHIBIT I-1
 ENTERED IN THE 7/25/2000
 MINUTES OF THE TULSA BOARD OF
 ADJUSTMENT.



EXHIBIT 'B'
UNION HIGH SCHOOL CAMPUS
EXISTING AND PROPOSED FACILITIES

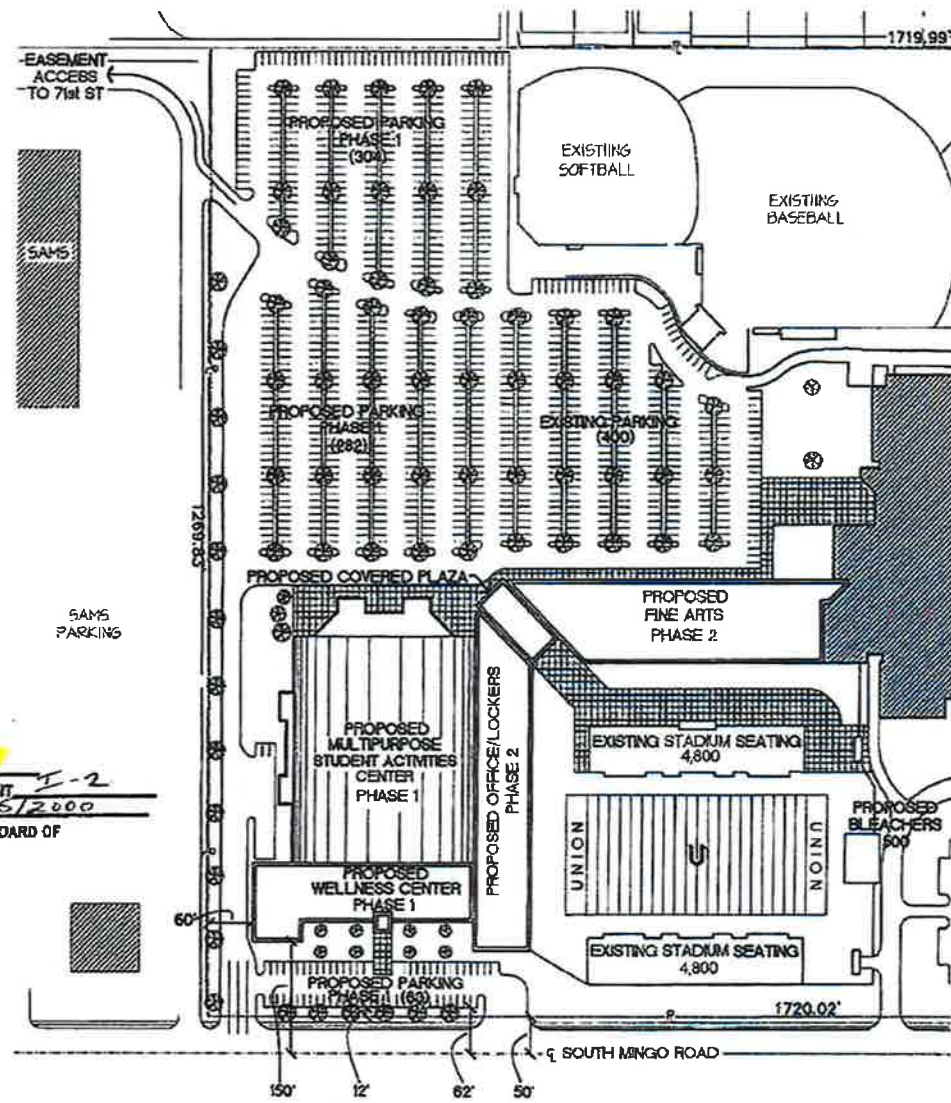
0 100 200
 SCALE: 1" = 200'
 NORTH

10.26

I-2

gary sparks companies

1336 east 15th street • Tulsa, Oklahoma 74120
 phone (918) 582-6229 • fax (918) 582-0555
 email gsparks@tulsanet.net



CASE NO. 18817
 OFFICIAL RECORDS EXHIBIT I-2
 ENTERED IN THE 7/25/2000
 MINUTES OF THE TULSA BOARD OF
 ADJUSTMENT.



EXHIBIT 'C'
UNION HIGH SCHOOL CAMPUS
PROPOSED FACILITIES



10.27

Case No. 18780 (continued)

as a university use under Use Unit 5 in an RS-3 zoning district pursuant to Site and Landscape plans approved by the Board; a **Variance** of the requirement of Section 1002.A, Subsection 2 to permit three existing off-street parking spaces and driveways along the South Florence frontage to be 0' from the abutting street right-of-way rather than 5' as required; a **Variance** of the requirement of Section 1002.A, Subsection 3 to permit the three existing parking spaces at the northwest corner of the Phase 1 site to remain at 2'9" from the abutting residential district on the north, rather than 5' as required; a **Variance** of the requirements of Section 1302.B to permit unenclosed parking spaces within 28' of the centerline of South Florence and within 34' of the centerline of East 4th Place rather than 40' as required; a **Variance** of the requirements of Section 403.A to permit the Law Clinic building setback to be 39' from the centerline of East 4th Place rather than 50' as required; a **Special Exception** under Section 401 to permit the new parking facility within the to be vacated right-of-way of South Gary north of East 4th Place and the two lots at the northeast corner of South Gary and East 4th Place as a university use under Use Unit 5 pursuant to Site and Landscape plans approved by the Board; a **Variance** of the requirements of Section 1002.A, Subsections 1, 2 and 3, to permit the upgrade of the existing College of Law parking on the north side of East 4th Place in accord with Site and Landscape plans approved by the Board; and a **Variance**, if required, to reduce by 20 spaces the number of off-street parking spaces within the campus as previously approved by the Board of Adjustment for other University buildings and uses, per plan, finding that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, including the preservation of the trees and provision for additional right-of-way along South Florence Avenue, and this area is within the area already approved by the TMAPC for this use, on the following described property:

All of Lots 9 – 21, Block 1, College Addition, City of Tulsa, Tulsa County, State of Oklahoma, which includes adjacent right-of-way of South Gary to be vacated.

*****.

Case No. 18786

Action Requested:

Variance of the off-street parking spaces required under Section 1205.C of the Zoning Code for the high school campus to permit the installation of the bleachers with a seating capacity of 500 without providing the additional off-street parking spaces required for the high school stadium. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Off-Street Parking and Loading Requirements – Use Unit 5, located W side of S. Mingo Rd. & E. 66th St.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, stated his request. He pointed out that the new section of bleachers is not intended to increase

07:11:00:799(9)

Case No. 18786 (continued)

attendance but to relocate the band, pep squads, and drill team away from the other spectators to allow all to hear the band performance.

Comments and Questions:

Mr. Cooper asked how attendance would not be increased. Mr. Norman responded that the new north end zone would only be used for students. Mr. Norman explained that the old seats would be available but typically last year the attendance was very good, but only averaged 6,280 other than the Jenks game, which will not be held there this year. Mr. Cooper inquired if only Union School games would be held there. Mr. Dunham commented that they have not been selling out at the games up to now.

Interested Parties:

Rex Woods, 9314 S. Darlington Ave., stated that the stadium is offered to 3-A and lower class play-offs. He indicated that attendance was as high as 2,000 to 3,000. Mr. Norman stated that Mr. Woods is the Manager and Director of Real Estate Administrative functions for the Union School District campus property.

Protestants:

None.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Tumbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of the off-street parking spaces required under Section 1205.C of the Zoning Code for the high school campus to permit the installation of the bleachers with a seating capacity of 500 without providing the additional off-street parking spaces required for the high school stadium, which applies only to the parking spaces required for these 500 seats, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

NE/4 SE/4 and the N 400' of the SE/4 SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

*****.

Case No. 18797

Action Requested:

Variance of required setback from centerline of North Lewis to 25' to permit a sign SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, General Use Conditions for Business Signs – Use Unit 21, located 1550 N. Lewis Ave.

07:11:00:799(10)

FILE COPY

Case No. 17736

Action Requested:

Variance required setback from an abutting RS-3 district from 56' to 21' to permit a 38' 3-story hotel. **SECTION 03. BULK AND AREA REQUIREMENTS IN COMMERCIAL DISTRICTS** - Use Unit 19, and a Variance of maximum permitted height for a ground sign from 40' to 60'. **SECTION 1221.D.1 USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING**, located East of 165th East Avenue & Admiral Place.

Presentation:

The applicant, **Paul W. McKnight**, requested that Case No. 17736 be continued to July 8, 1997, and to withdraw the request for a Variance from the required setback from an abutting RS-3 district from 56' to 21' to permit a 38' 3-story hotel.

Board Action:

On **MOTION of TURNBO**, the Board voted 5-0-0 (Bolze, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **CONTINUE** the sign height variance part of Case No. 17736 to July 8, 1997, at 1:00 p.m.

Case No. 17737

Action Requested:

Special Exception to permit school use (accessory parking) on subject tract. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located North of NW/c 71st & Mingo.

Presentation:

The applicant, **David L. Huey**, 717 South Houston, representing Union Public Schools, submitted a site plan (Exhibit K-1) and stated that a previous special exception was granted for school use on the original High School site. He explained that approximately 10 years ago the district purchased an additional 12 acres adjacent to the property on the southside. The property has never been developed nor platted and has never been approved for school use. He stated the purpose of the application is to request a waiver of platting requirement and request accessory parking use. The school is anticipating constructing a classroom expansion as part of the school building, however there is parking spaces taken up by the proposed construction, as well as the additional parking spaces needed by the increased square footage of the building. He explained that the above reasons is why the school is proposing the subject site for accessory parking.

Comments and Questions:

Mr. Bolze asked the staff if the applicant needed to request a plat waiver from TMAPC? Mr. Gardner answered affirmatively.

06:10:97:728(25)

Case No. 17737 (continued)

In response to Mr. Bolzle, Mr. Huey stated that the TAC has already recommended approval for the plat waiver. He commented that the request will go before TMAPC on July 18, 1997.

Protestants: None.

Board Action:

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

NE/4, SE/4, AND N 400', SE/4, SE/4, Sec. 1, T-18-N, R-13-E, N, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17738

Action Requested:

Special Exception to permit a parochial school and accessory chapel in an RS-2 district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located 4620 South Irvington Avenue.

Presentation:

The applicant, **Stephen A. Schuller**, 320 South Boston, submitted a site plan (Exhibit L-1) and a south elevation (Exhibit L-2). Mr. Schuller stated that the property is the former site of the Robert Lewis Stevenson Elementary School at 46th and Irvington. He explained that the Board granted permission for the use of the property as a school in 1959. The applicant leased the property from the TPS and has operated a parochial school on the subject property. The Islamic Society of Tulsa proposes to construct a chapel or prayer hall on the subject site as an accessory to the applicant's religious and educational programs serving the community. The applicant proposes to erect the prayer hall immediately south of the existing school and add parking to serve the prayer hall and the school building. The prayer hall is proposed to be two (2) stories in height, however it would not exceed the 35' height limit. All of the existing buildings or the proposed buildings are substantially less in the aggregate than the maximum floor area prescribed by the Zoning Code. The buildings are also setback from abutting streets and residential properties more than the minimum building setbacks require. The existing parking lot will be relocated to the east boundary of the

06:10:97:728(26)

Protestants:

None.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bolzle, Turnbo, "absent") to **APPROVE** a **Special Exception** to permit a car wash as an accessory use to a convenience grocery in an IL zoned district - **SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 13; per plan submitted; subject to the car wash being limited to one bay only; finding the use to be compatible with the area and in harmony with the spirit and intent of the Code; on the following described property:

Starting at the NW/c Section 31, T-19-N, R-14-E, thence S0°08'45"E for 366.90'; thence N89°51'75"E for 60' to POB; thence N0°08'45"W for 286.78'; thence N44°54'36"E for 42.39'; thence N89°57'57"E for 202.06'; thence S0°08'45"E for 101.45'; thence southerly and southwesterly along a curve to the right with a central angle of 55°28'04" and a radius of 105' for 101.65'; thence S55°19'30"W for 226.48' to the POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17137

Action Requested:

Variance to permit the approved accessory sign to be used for identification of the stadium and a corporate sponsorship with the acknowledgment of the corporate sponsorship occupying no more than 20% of the display surface area - **SECTION 302.B.2. ACCESSORY USES PERMITTED IN THE AGRICULTURAL DISTRICT** - Use Unit 2, located South Mingo and East 66th Street.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, submitted a sign plan (Exhibit N-1) and noted that a scoreboard and electronic message center for the stadium were previously approved by the Board. He stated that the south face of the scoreboard only contained the words "Boatmen's Bank", as sponsorship recognition; however, this has since been interpreted as a commercial message. He requested that the name of the stadium and the sponsor, Boatmen's Bank (60 sq ft of signage), be permitted on the south face of the scoreboard. Letters of support (Exhibit N-2) were submitted.

Comments and Questions:

Mr. Doverspike asked the applicant if his client would be amenable to restricting the 20% usage to reflect only the corporate sponsor to eliminate the possibility of its use for advertising purposes, and Mr. Norman answered in the affirmative.

Case No. 17137 (continued)

Protestants:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bolzle, Turnbo, "absent") to **APPROVE** a **Variance** to permit the approved accessory sign to be used for identification of the stadium and a corporate sponsorship with the acknowledgment of the corporate sponsorship occupying no more than 20% of the display surface area - **SECTION 302.B.2. ACCESSORY USES PERMITTED IN THE AGRICULTURAL DISTRICT** - Use Unit 2; per plan submitted; subject to the 20% portion of the sign designated for the corporate sponsor be restricted to that use only, with no use for advertising purposes; finding that approval of the request, per conditions, will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

NE/4, SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

ADDENDUM

OTHER BUSINESS

Interpretation regarding children's nursery/pre-schools.

Mr. Gardner advised that the Department of Human Services will not permit pre-school classes that exceed 15 hours per week to be held in park community centers without zoning approval. He informed that the Board could make a finding that pre-schools are permitted as an accessory use to an approved park community center and not a Use Unit 11.

Mr. Beach noted that there are numerous community centers in the City of Tulsa providing the pre-school usage as part of their total program.

08:08:95:686(16)

10.33

FILE COPY

Case No. 16980 (continued)

was constructed over the platted setback line approximately 20 years ago; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

A part of Lot 1, Block 1, Dotson Center, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; being more particularly described as follows to wit: Beginning at the SE/c of said Lot 1, Block 1, Dotson Center said point also being the NE/c of said Lot 2, Block 1, Dotson Center; thence N0 03'00"E and along the east line of said Lot 1, Block 1, for 154.67'; thence due west for 240.00'; thence S0 03'00"W and parallel to the east line of said Lot 1, Block 1, for 261.11' to a point on the south line of said Lot 1, Block 1, thence S64 40'07"E and along the south line of said Lot 1, Block 1, for 45.52'; thence N57 41'29"E and continuing along the south line of Lot 1, Block 1 for 235.50' to the POB and containing 54,411 sq ft more or less, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16981

Action Requested:

Variance to permit an existing electronic message center located on a football scoreboard to remain in its present location and configuration - **SECTION 302.B.2. - Accessory Signs in the AG District** - Use Unit 2, located north of the northwest corner of East 71st Street and South Mingo Road.

Presentation:

The applicant, **Eric Nelson**, 525 South Main, stated that he is counsel for Union Public Schools, and requested that the existing electronic message center be permitted to remain at its current location. He submitted a plot plan (Exhibit B-1) and noted that the message center (2½' by 24') has been installed on top of the score board. Mr. Nelson pointed out that a hardship is demonstrated by the large size of the tract (50 acres) and the amount of street frontage (1720' on Mingo Road), which would permit several signs by right if divided into individual lots. The applicant stated that the message center is located more than 1000' from residential developments and is setback 200' from the centerline of Mingo Road. Photographs (Exhibit B-2) were submitted.

Comments and Questions:

In reply to Mr. Doverspike, the applicant stated that the scoreboard faces to the north and the message center faces both north and south.

Case No. 16981 (continued)

Mr. Gardner advised that the message sign in question faces the south and can be viewed by the public from both 71st Street and Mingo Road. He informed that the Code requires constant lighting, if lights are installed on the sign (no flashing of messages permitted).

In reply to Mr. Doverspike, Mr. Nelson stated that the message center will not be used for commercial purposes and will not be flashing.

Mr. Gardner noted that constant lighting was required to protect residential neighborhoods.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE** a **Variance** to permit an existing electronic message center located on top of a football scoreboard to remain in its present location and configuration - **SECTION 302.B.2. - Accessory Signs in the AG District** - Use Unit 2; per plan submitted; finding a hardship demonstrated by the size of the tract and the large amount of street frontage; finding that the electronic message board will be used for school use only, with no commercial advertising; finding that the sign is removed from the residential area and will not have an adverse impact on the neighborhood, or violate the spirit and intent of the Code; on the following described property:

NE/4, SE/4, Section 1, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16982

Action Requested:

Special Exception to permit a public park in an RS-3 zoned district - **SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICT** - Use Unit 2, located 2802 West 48th Street South.

Presentation:

The applicant, **City of Tulsa**, was represented by **Ross Weller**, 707 South Houston, who submitted a plot plan (Exhibit C-1) and advised that numerous park improvements are proposed throughout the City. He informed that proposed construction at this location consists of adding outdoor gym equipment and paving a gravel parking lot.

Case No. 13545 (cont'd)

North 100' of Lot 1, Block 2, Villa Grove Park, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 13546

Action Requested:

Variance - Section 320 - Accessory Uses in the Agriculture District.
Use Unit 1205 - Request a variance to permit a 97 sq. ft. accessory sign in an AG zoned district, located at 6636 South Mingo.

Presentation:

The applicant, Union School District, was represented by Douglas Mann, 525 South Main, Tulsa, Oklahoma. He explained that the Union School District has been given a 97 sq. ft. sign by the Coca Cola Company to be used for advertising school activities and other events of a community nature. Mr. Mann submitted a plot plan (Exhibit E-1) and photographs (Exhibit E-2) to the Board. The lighted sign has a value of \$45,000 and is 15' high and 19' long, with a small Coke advertisement in the corner.

Board Action:

On MOTION of VICTOR and SECOND by CLUGSTON, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to APPROVE a Variance - Section 320 - Accessory Uses in the Agriculture District - Use Unit 1205 - Request a variance to permit a 97 sq. ft. accessory sign in an AG zoned district; finding that the size of the lot is the hardship for granting a variance; per plans submitted; on the following described property:

NE/4 SE/4 of Section 1, T-18-N, R-13-E, N, City of Tulsa, Tulsa County, Oklahoma.

Case No. 13547

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request an exception to permit a church and related activities in a RS-2 zoned district, located on the SE/c of 135th East Avenue and 12th Street.

Presentation:

The applicant, Tulsa Gospel Chapel, was represented by Phil Moffett, 3531 South Richmond, who presented the Board with a map of the area (Exhibit F-1). Mr. Moffett submitted a site plan (Exhibit F-2) for the proposed building and explained that the five acre tract bounds 135th East Avenue and is approximately one block away from 11th Street which is a major arterial. He explained that the land has all utilities except for a sewer. Mr. Moffett pointed out that he had met with the Hydrology Department and they had indicated that a detention pond may be required. A petition (Exhibit F-3) in favor of the church was presented by Mr. Moffett. The proposed facility is to

05.02.85:438(7)

Chapman, Austin

From: tim@csiofok.com
Sent: Monday, March 2, 2020 10:08 AM
To: esubmit
Cc: Chapman, Austin
Subject: Parking space at Union High School

My Name is Tim Kelly and I live on E 67th CT just a 100 yards from the Highschool parking lot. Several of my neighbors along S 93rd E AVE and I are having issues with the kids Drag racing and Drifting, tires squeeling, engines racing and revving, running the obstacle courses and Drifting cars pretty much Friday and Saturday evenings during the school year from 10 to Midnight. More often in the summer months. You can look at the parking lot and clearly see the Cookie swirls in black rubber. I know the school is aware of this as well. Will you be adding spaces needing additional parking space. How about putting up some barriers to stop the racing ? The race course is big enough!!

Tim Kelly
Vice President
CSI Group
918-266-1785
tim@csiofok.com



Virus-free. www.avast.com



0 Feet
200
400



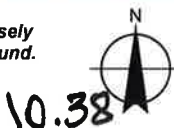
Subject
Tract

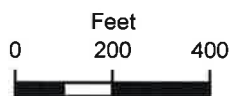
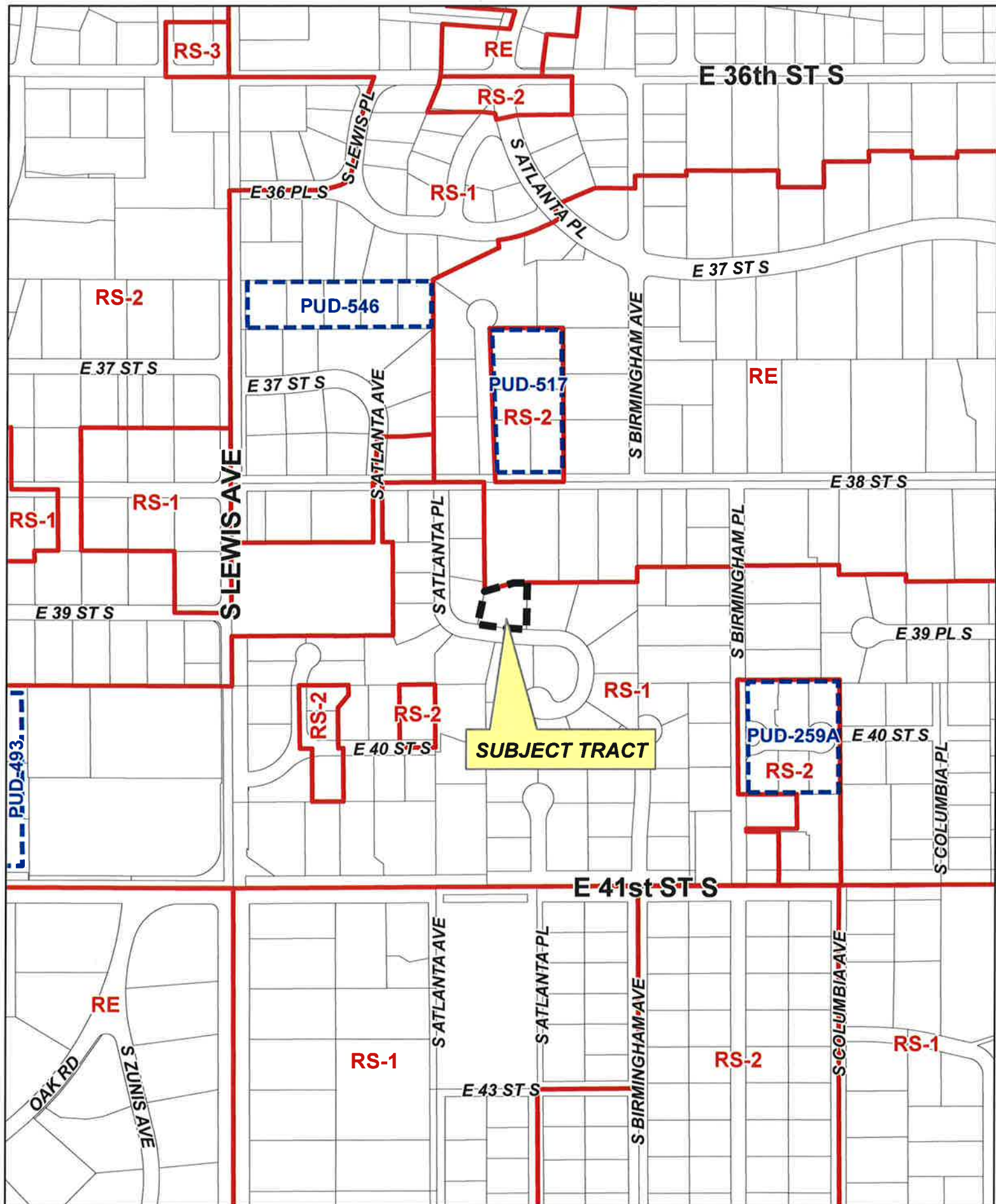
BOA-22869

18-13 01

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

Aerial Photo Date: February 2018





BOA-22870

19-13 20

11.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9320

Case Number: BOA-22870

CZM: 47

CD: 9

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Kory Myers

ACTION REQUESTED: Special Exception to allow an addition to a structure with a non-conforming front street setback (Sec. 80.030-D, Sec. 5.030: Table 5-3) and Special Exception to permit a carport to be located inside the street setback and the streetyard with a modification to allow the carport to project further than 20 feet into the setback (Sec. 90.090-C1)

LOCATION: 3849 S ATLANTA PL E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 20042.04 SQ FT

LEGAL DESCRIPTION: LT 4, BROADMOAR ADDN

RELEVANT PREVIOUS ACTIONS: None

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SE/c of E. 38th St. S. and S. Atlanta Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to allow an addition to a structure with a non-conforming front street setback (Sec. 80.030-D, Sec. 5.030: Table 5-3) to add a second story and a Special Exception to permit a carport to be located inside the street setback and the streetyard (Sec. 90.090-C1)

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120, provided the extensions are not located closer to the lot line than the existing structure.

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
Other streets	35	35	30	25	20	20	25	10	25	25	10	25	25
Side (interior) [4]	15	5	5	5	5	5	5	5(5)	5(6)	5(6)	5(6)	5(7)	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15

1. Carports

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 79.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

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

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow an addition to a structure with a non-conforming front street setback (Sec. 80.030-D, Sec. 5.030: Table 5-3) and **Special Exception** to permit a carport to be located inside the street setback and the streetyard (Sec. 90.090-C1)

- 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.

Permit Number: BLDR-053509-2020



[Review Detail](#) | [Review Items](#) | [Main Menu](#)

Review Type: Building Review (Residential)

Status: Requires Re-submit

Version: 1

Received Date: 02/04/2020

Due Date: 02/25/2020

Completed Date: 02/24/2020

Review Items

Sort Review Type [Export](#)

Review Type	Status	Due Date	Completed Date	Assigned To	Review Item
Building	Approved	02/25/2020	02/18/2020	Whiteman Danny	Details
Planning/Zoning	Requires Re-submit	02/25/2020	02/24/2020	Taylor Jeff	Details
Water/Sewer/Drainage	Approved	02/25/2020	02/07/2020	Westbrook Randy	Details

Results per page 10 1 - 3 of 3

Review Items

Sort Review Type [Export](#)

Review Type	Status	Due Date	Completed Date	Assigned To	Review Item
Building	Approved	02/25/2020	02/18/2020	Whiteman Danny	Details
Planning/Zoning	Requires Re-submit	02/25/2020	02/24/2020	Taylor Jeff	Details
Water/Sewer/Drainage	Approved	02/25/2020	02/07/2020	Westbrook Randy	Details

Results per page 10 1 - 3 of 3

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

Comments

No comments to display.

Recommendations

Sort Number [Export](#)

Number	Recommendation	Created On
--------	----------------	------------

No records to display.

Corrections

Sort Correction Order [Export](#)

Correction Order: 1

Type: General

Resolved: No

Resolved On:

Comments

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

Corrective Action

Review Comments: This lot is zoned R5-1 and requires a 35' front setback to the property line. You are proposing to add a second story addition on the front of a structure that has an existing non-conforming front setback. Apply to BOA for a special exception to allow an addition to an existing structure with a non-conforming front setback.



Facing East on S. Atlanta Pl.



Facing West on S. Atlanta Pl.

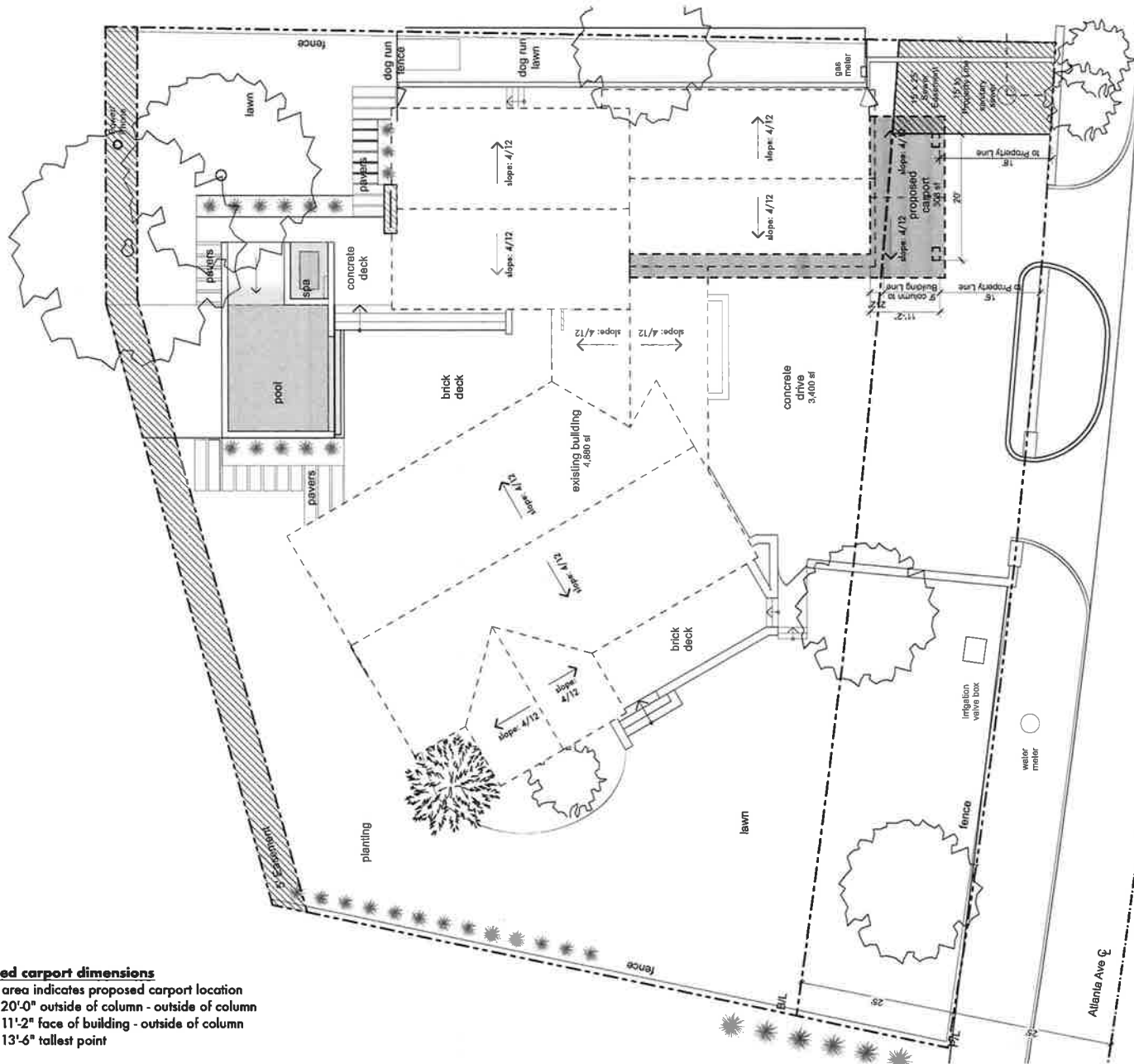


Subject Property

11.7

proposed carport dimensions

hatched area indicates proposed carport location
length: 20'-0" outside of column - outside of column
width: 11'-2" face of building - outside of column
height: 13'-6" tallest point

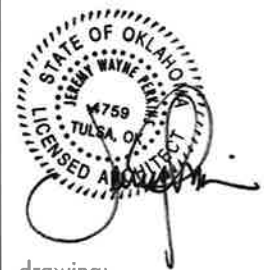


perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

SITE PLAN

scale: 1/16" = 1'-0"



date: 2/6/20

11.8



proposed carport dimensions

length: 20'-0" outside of column - outside of column

width: 11'-2" face of building - outside of column

height: 13'-6" tallest point

perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

RENDERING

date: 2/6/20

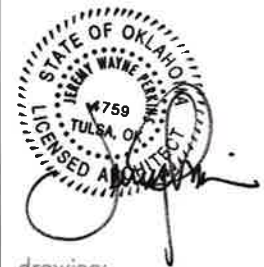


perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

RENDERING

date: 2/6/20

proposed carport dimensions

length: 20'-0" outside of column - outside of column

width: 11'-2" face of building - outside of column

height: 13'-6" tallest point

11.9

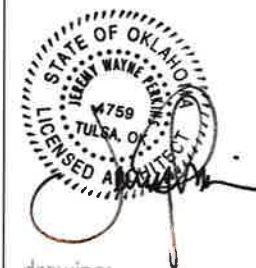


perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:
RENDERING

date: 2/6/20

11.10

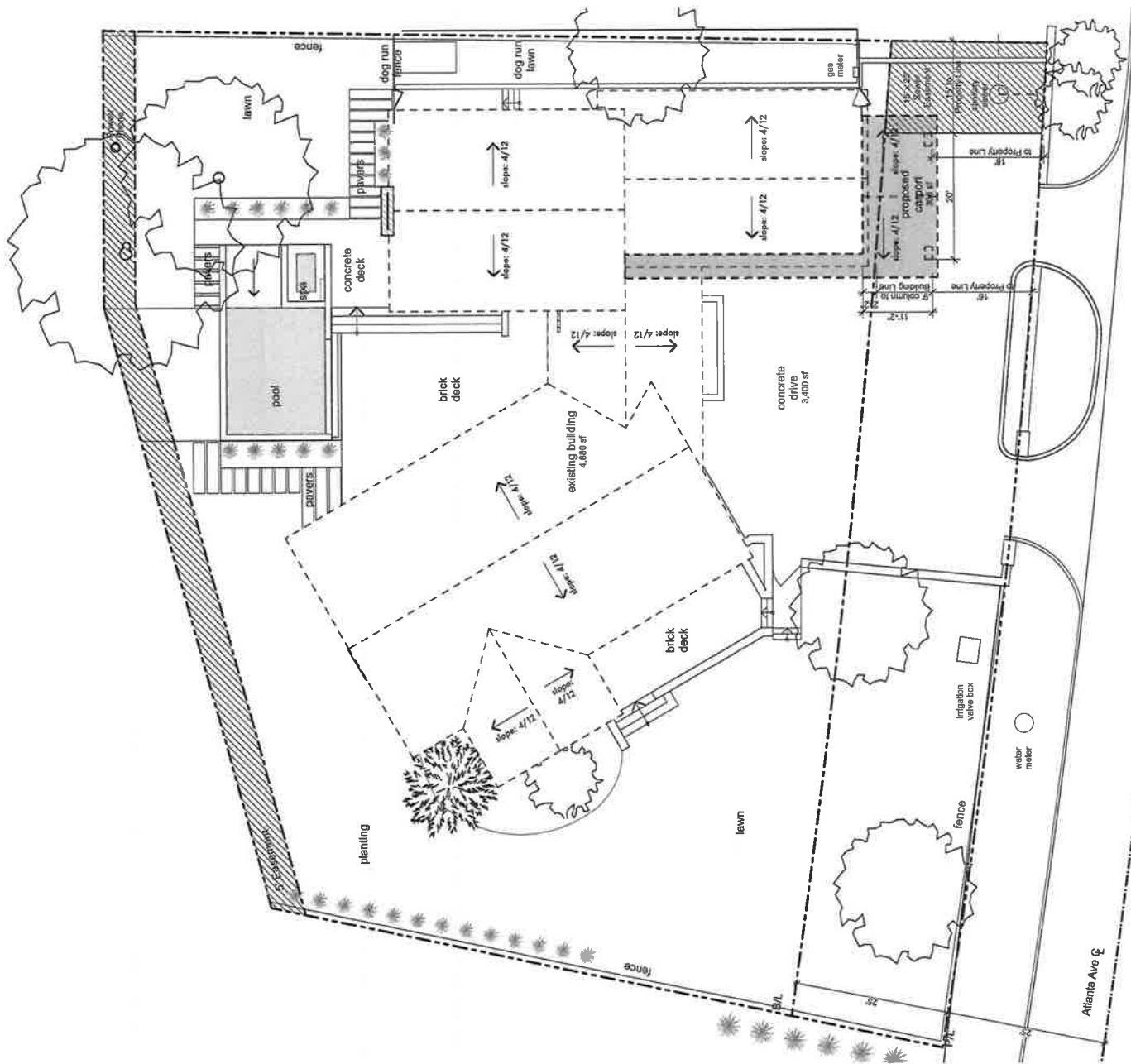
proposed carport dimensions

length: 20'-0" outside of column - outside of column

width: 11'-2" face of building - outside of column

height: 13'-6" tallest point

11.11



perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

SITE PLAN

scale: 1/16" = 1'-0"



date: 2/6/20

11.12



perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:
RENDERING

date: 2/6/20



perkins
architecture

perkinsarchitecture.com
918.743.2444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

RENDERING

date: 2/6/20

11.13

11.14

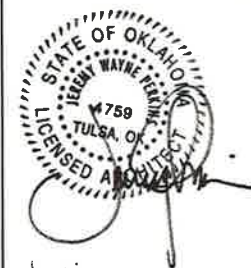


perkins
architecture

perkinsarchitecture.com
918.743.9444

PYLE RESIDENCE

3849 S Atlanta Place
Tulsa, Oklahoma 74105



drawing:

RENDERING

date: 2/6/20



0 Feet
200
400



Subject
Tract

BOA-22870

19-13 20

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

Aerial Photo Date: February 2018





E 38th St

S Atlanta Pl

0 50 100
Feet



Subject
Tract

BOA-22870

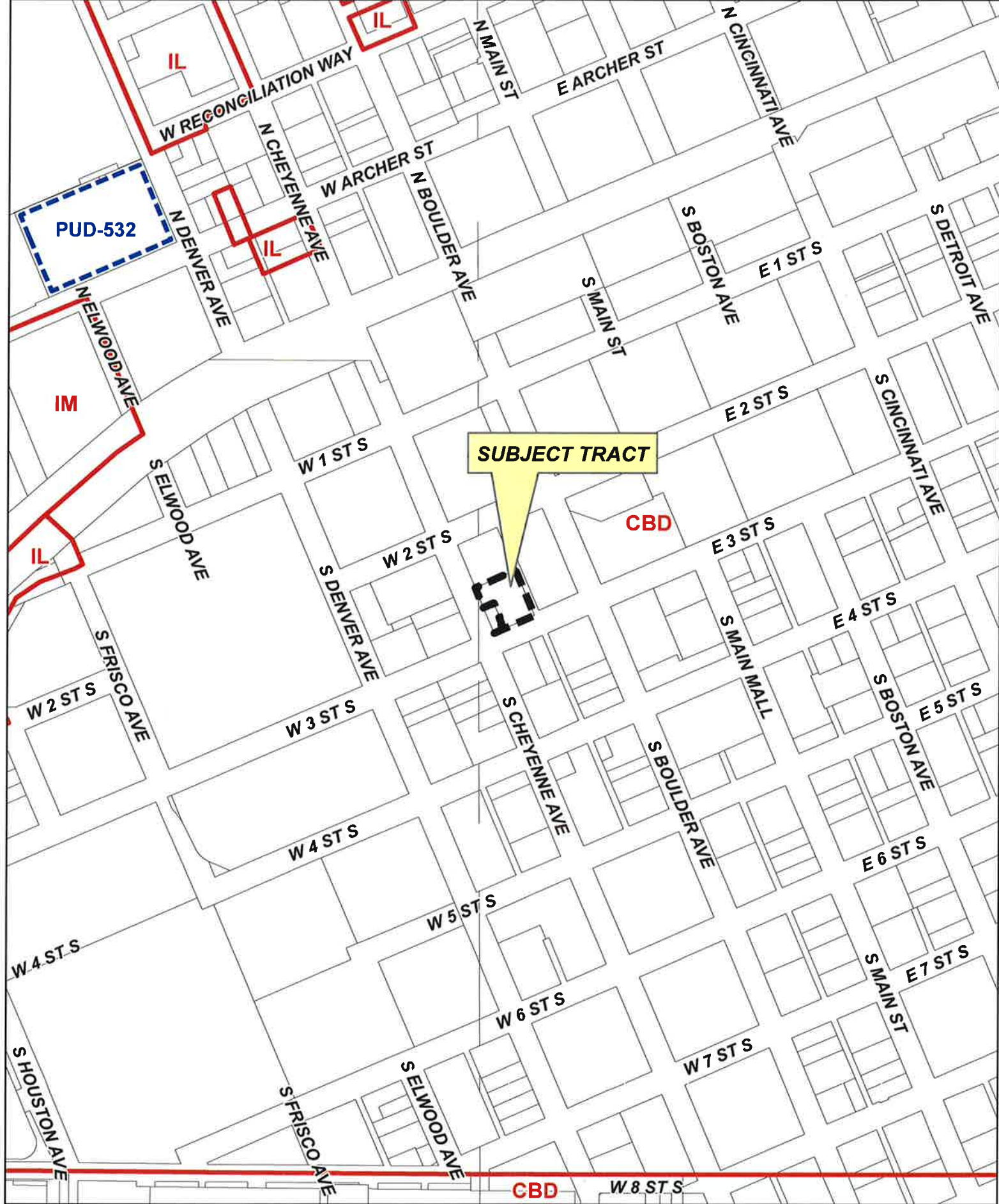
19-13 20

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

Aerial Photo Date: February 2018



11.16



BOA-22871

12.1

19-12 01



BOARD OF ADJUSTMENT CASE REPORT

STR: 9201

Case Number: **BOA-22871**

CZM: 36

CD: 4

HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Alfred Cayasso

ACTION REQUESTED: Special Exception to allow Low-impact Manufacturing & Industry in the CBD District (Section 15.020 Table 15-2).

LOCATION: 115 W 3 ST S

ZONED: CBD

PRESENT USE: Vacant

TRACT SIZE: 17986 SQ FT

LEGAL DESCRIPTION: LTS 5 & 6 & W.3 VAC ALLEY ADJ ON E & N.10 VAC ST ADJ ON S LT 5 LESS BEG 19.9S NWC LT 5 TH NE37.4 SE50 NE2.40 SE30.2 TO PT .10SLY SL SW39.80 NW80.20 POB BLK 103, TULSA-ORIGINAL TOWN

RELEVANT PREVIOUS ACTIONS:

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of E. 3rd Street South and S. Cheyenne Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow Low-impact Manufacturing & Industry in the CBD District (Section 15.020 Table 15-2)

12.2

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
INDUSTRIAL												Section 40.180
Low-impact Manufacturing & Industry	-	-	-	-	-	S	S	S	P	P	P	
Moderate-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	S	P	P	Section 40.225
High-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	-	S	P	

Per conversations with the applicant they are seeking to use the space for the production of medical marijuana products using low impact manufacturing methods. Medical marijuana products are subject to the supplemental regulations of Sec. 40.225.

Section 40.225 Medical Marijuana Uses

The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.

40.225-B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.

40.225-C A medical marijuana dispensary must be located inside an enclosed building.

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, dispensaries and research facilities.

40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.

2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

40.225-H No medical marijuana grower operation, processing facility, dispensary or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma State Department of Health for the particular use at the particular location.

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

SAMPLE MOTION:

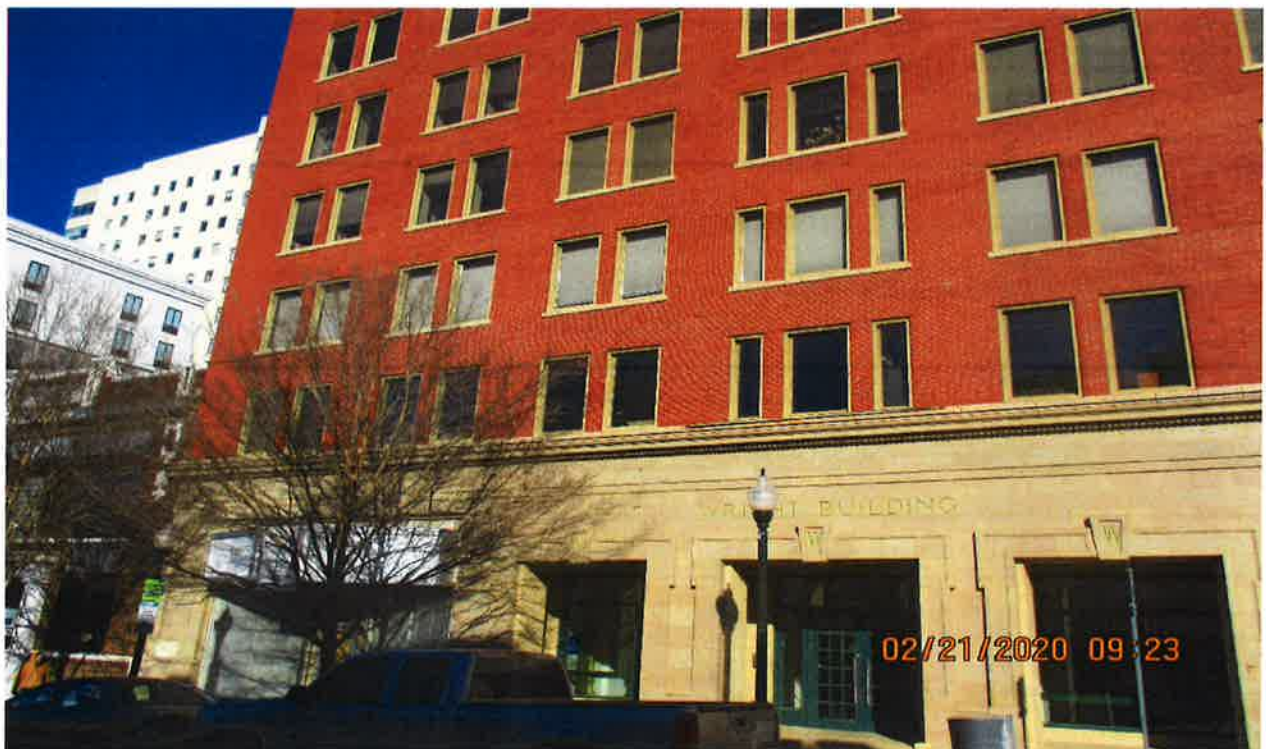
Move to _____ (approve/deny) a **Special Exception** to allow Low-impact Manufacturing & Industry in the CBD District (Section 15.020 Table 15-2)

- 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.



Facing East on 3rd Street

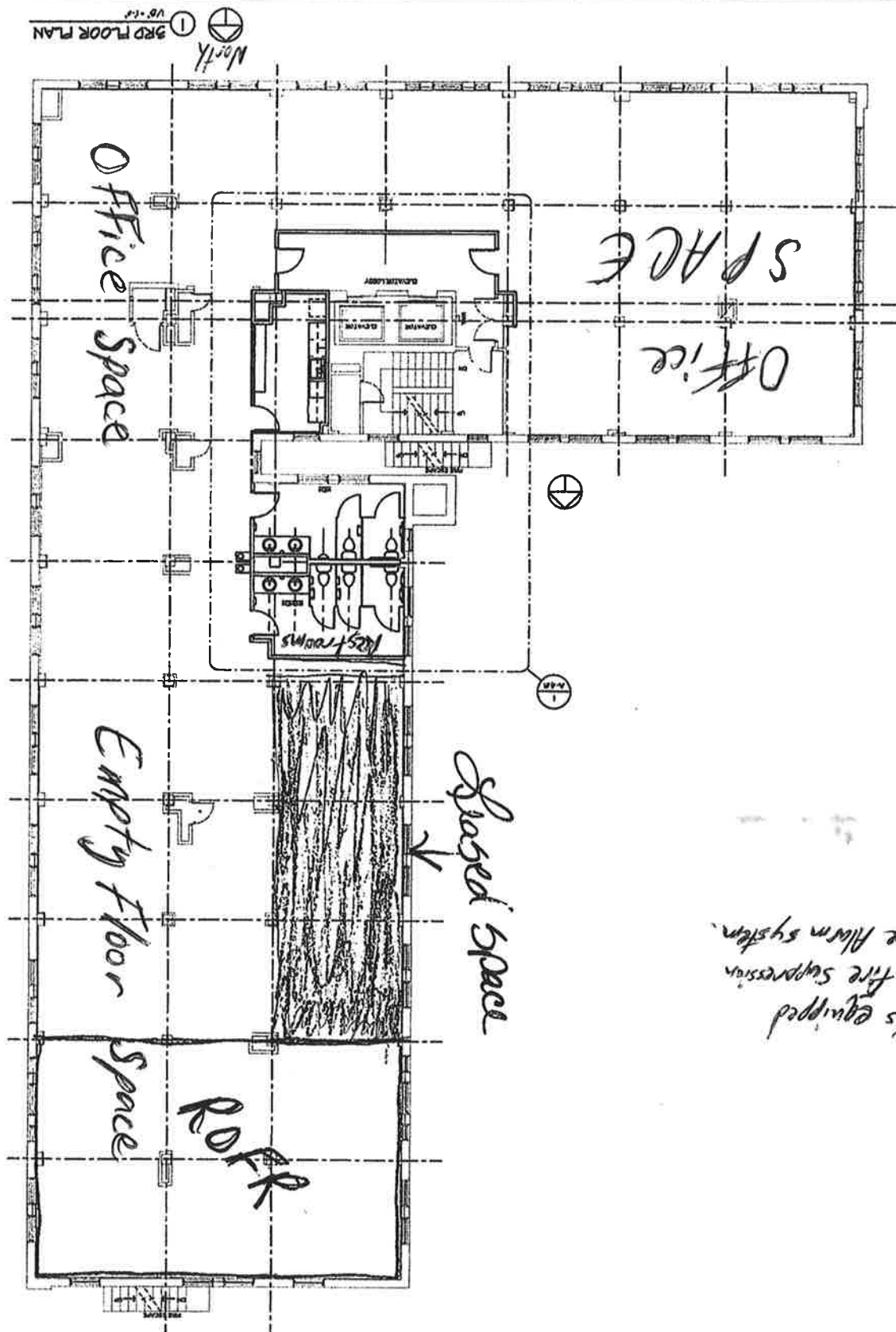


Subject property



Facing West on 3rd Street

12.7





0 Feet
200
400



Subject
Tract

BOA-22871

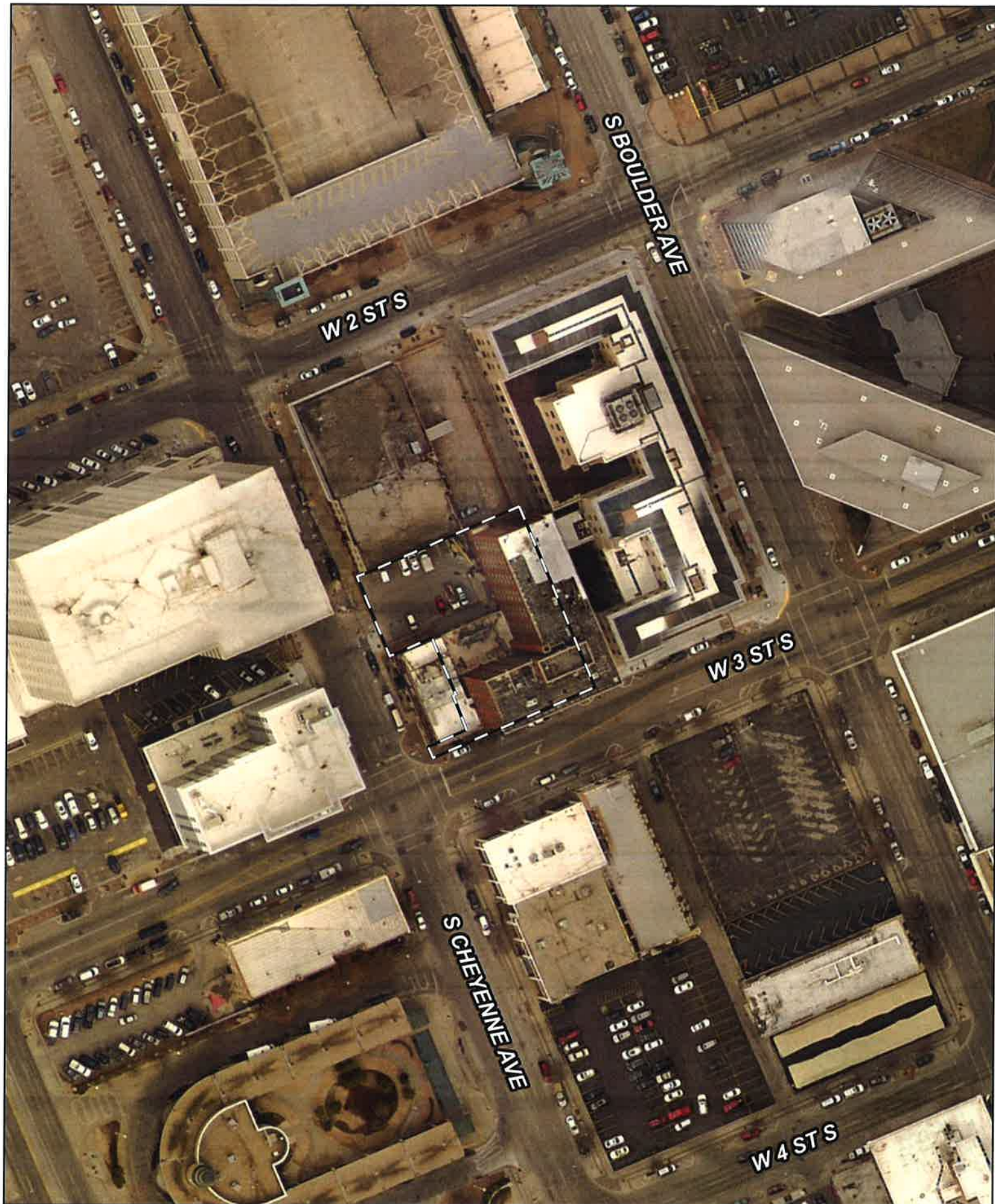
19-12 01

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

Aerial Photo Date: February 2018

12.8





0 Feet 50 100



Subject
Tract

BOA-22871

19-12 01

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

Aerial Photo Date: February 2018

12.9

