

**AGENDA**  
**CITY OF TULSA BOARD OF ADJUSTMENT**  
**Regularly Scheduled Meeting**  
**Tulsa City Council Chambers**  
**175 East 2nd Street, 2nd Level, One Technology Center**  
**Tuesday, April 28, 2020, 1:00 P.M. – 5:00 P.M.**

**Meeting No. 1249**

The City Board of Adjustment will be held in the Tulsa City Council Chambers and by videoconferencing and teleconferencing.

Board of Adjustment members and members of the public may attend the meeting in the Tulsa City Council Chamber but are encouraged to attend and participate in the Board of Adjustment meeting via videoconferencing and teleconferencing by joining from a computer, tablet or smartphone.

Join **Videoconference**: <https://www.gotomeet.me/COT5/board-of-adjustment-april-28th>

Join **Teleconference** by dialing: **1 (872) 240-3212**

Participants must then enter the following **Access Code**: **775-970-485**

The following City Board of Adjustment members plan to attend remotely via GoToMeeting, provided that they may still be permitted to appear and attend at the meeting site, Tulsa City Council Chambers, at One Technology Center, 175 East Second Street, Tulsa Oklahoma: Stuart Van De Wiele, Austin Bond, Briana Ross, Burlinda Radney and Jessica Shelton.

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**NOTE:** *In the event the audio or video feed becomes unavailable during this meeting, or if agenda items have not been heard by 5:00 pm, the agenda items not yet heard at that time shall be continued, and the meeting reconvened at 1:00 pm on Wednesday, April 29, 2020.*

*In the event the meeting is reconvened on Wednesday April 29, it will be held in the Tulsa City Council Chambers and by videoconferencing and teleconferencing. The links for a reconvened meeting on April 29 are:*

*Join **Videoconference**: <https://global.gotomeeting.com/join/394226389>*

*Join **Teleconference** by dialing: 1 (646) 749-3122*

***Access Code**: 394-226-389*

*In the event the meeting is reconvened on April 29, 2020, the following City Board of Adjustment members plan to attend remotely via GoToMeeting, provided that they may still be permitted to appear and attend at the meeting site, Tulsa City Council Chambers, at One Technology Center, 175 East Second Street, Tulsa Oklahoma: Stuart Van De Wiele, Austin Bond, Briana Ross, Burlinda Radney, and Jessica Shelton.*

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

1. Approval of **Minutes** of March 24, 2020 (Meeting No. 1247).

## **UNFINISHED BUSINESS**

2. **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)
3. **22873—Carina Garcia**  
Special Exception to allow a manufactured housing unit in an RS-3 District (Section 5.020, Table 5-2); Special Exception to extend the time limit permanently (Section 40.210).  
**LOCATION:** 3811 South 27th West Avenue (CD 2)  
**The applicant and staff request a continuance to June 9, 2020.**
4. **22877—Stephen Pedmia**  
Special Exception to allow a small (< 250-person capacity) Indoor Commercial Assembly & Entertainment use to serve or sell alcoholic beverages within 150 feet of a residential district (Section 15.020, Table 15-2 & Section 15.020-G, Table Note 2). **LOCATION:** 6622 South Lewis Avenue East (CD 2)  
**The applicant and staff request a continuance to June 9, 2020.**
5. **22879—J. R. Donelson**  
Variance of the parking area design standards to permit an existing gravel parking lot (Section 55.090). **LOCATION:** 5866 South 107th East Avenue (CD 7)  
**The applicant and staff request a continuance to June 9, 2020.**

## **NEW APPLICATIONS**

6. **22882—MD Hossain**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 4604 North Lewis Avenue East (CD 1)
7. **22887—Michelle Lam**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 8706 East 41st Street South (CD 7)
8. **22896—Jennifer McCorkle**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 6549 East 40th Street South – Tenant Space: 6565 East 40th Street South, Suite A (CD 5)
9. **22899—Matt King**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 7103 East Pine Street North (CD 3)
10. **22900—Alan Soleyman**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 8888 South Lewis Avenue East (CD 2)

11. **22901—W Design – Brian Letzig**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 6333 East 120th Court South – Tenant Space: 6305 East 120th Court South, Suite D **(CD 8)**
12. **22904—Sierra Russell**  
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 6373 East 31st Street South, Suite J **(CD 5)**
13. **22902—Lamar Outdoor Advertising**  
Verification of the spacing requirement for an outdoor advertising sign with a dynamic display (Section 60.100-K). **LOCATION:** 10025 East 44th Place South **(CD 7)**
14. **22910—Crystal Stark**  
Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other package stores (Section 40.300-A&B). **LOCATION:** 8016 South Memorial Drive South- Tenant Space: 8030 S. Memorial Drive Suite B **(CD 8)**
15. **22888—Peter Picorale**  
Variance to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (Section 90.090-C.2, Table 90-2). **LOCATION:** 2149 South Darlington Avenue East **(CD 5)**
16. **22891—Matt Jenkins**  
Variance to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Section 45.030-B); Variance to permit a detached accessory structure to be located in the street setback (Section 90.090-C); Variance to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Section 90.090.C). **LOCATION:** 2828 West 78th Street South **(CD 2)**
17. **22893—Cameron C. Wallace**  
Variance to reduce the required 35-foot setback from an arterial street to 10 feet; Variance to reduce the required 25-foot setback from a non-arterial street to 10 feet (Section 5.030, Table 5-3). **LOCATION:** South of the SW/c of East Archer Street and North Lewis Avenue East **(CD 3)**
18. **22894—Jorge Fernandez**  
Special Exception to increase the maximum driveway width, within the right-of-way and inside the street setback. (Section 55.090-F.3). **LOCATION:** 3747 South 152nd Avenue East **(CD 6)**
19. **22895—Israel Sanchez**  
Variance to reduce the required 25-foot street setback in an RM-1 District (Section 5.030, Table 5-3). **LOCATION:** 119 North Wheeling Avenue East **(CD 3)**
20. **22897—Dustin Alphin**  
Special Exception to allow a fence to exceed 4 feet in height in a front street setback (Section 45.080-A); Variance to permit a structure in the City of Tulsa right-of-way or

planned right-of-way along East Admiral Place North (Section 5.030-A, Table 5-3 & Section 90.090-A). **LOCATION:** 10623 East Admiral Place North **(CD 3)**

**21. 22903—Elder Juarez**

Special Exception to increase the maximum driveway width, within the right-of-way and inside the street setback. (Section 55.090-F.3). **LOCATION:** 10976 East 37th Street South **(CD 2)**

**22. 22905—Clint Jones**

Variance of the required parking spaces to permit a business office (Section 55.050-K); Variance of the Parking Area Design Standards to permit six non-conforming parking spaces (Section 55.090). **LOCATION:** 6287 East 38th Street South **(CD 5)**

**23. 22908—Jonathan Bradley**

Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2). **LOCATION:** 3329 West 5th Street South **(CD 1)**

**24. 22909—Eller & Detrich – Lou Reynolds**

Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2). **LOCATION:** 8708 East 43rd Street South **(CD 7)**

**25. 22912—Brian Johnson**

Special Exception to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM District (Section 15.020, Table 15-2). **LOCATION:** 3507 West 5th Street South **(CD 1)**

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**Website:** [tulsaplanning.org](http://tulsaplanning.org)

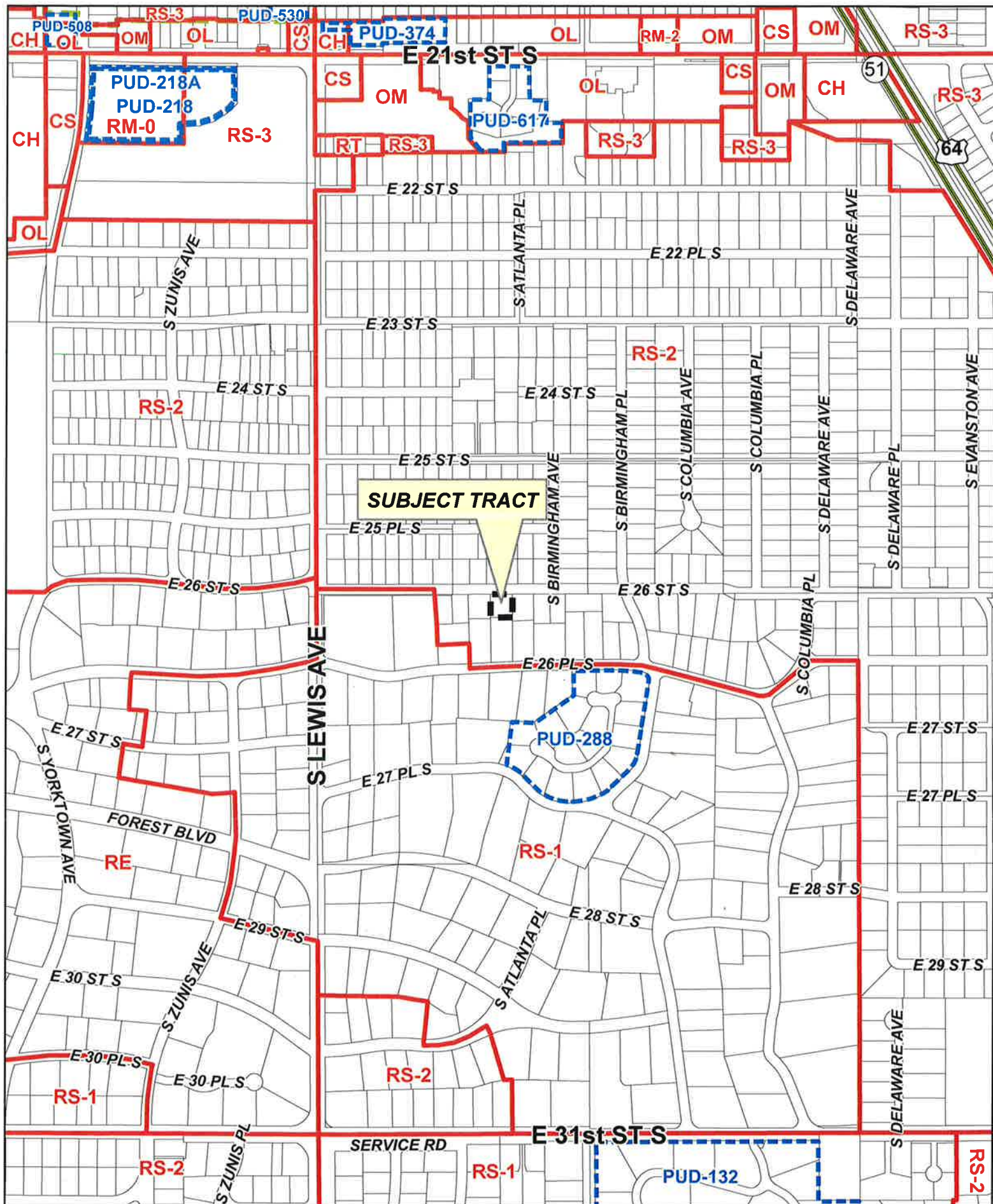
**E-mail:** [esubmit@incog.org](mailto:esubmit@incog.org)

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify 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.





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**BOA-22864**

**2.1**

19-13 17



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9317

Case Number: **BOA-22864**

**CZM:** 37

**CD:** 4

**HEARING DATE:** 04/28/2020 (Continued from 3/24/2020) 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. 26<sup>th</sup> 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.





*Facing West on 26<sup>th</sup> street*



Facing East on 26<sup>th</sup> Street



***Subject property, curb cut added without permits***



***Subject property driveway widened without permits***



**Wertin, Jani**

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**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:

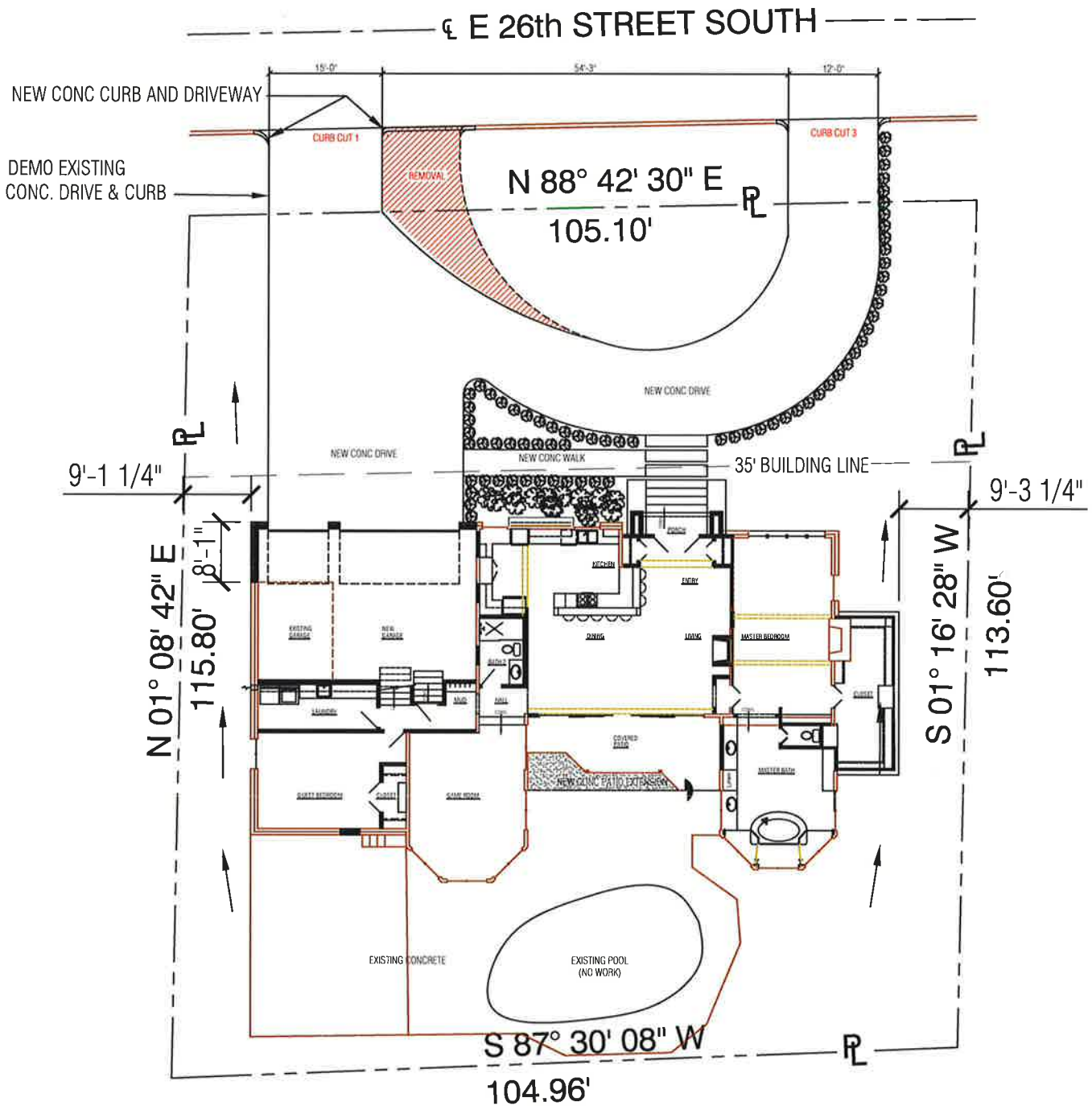
**From:** "Whiteman, Danny" <dwhiteman@cityoftulsa.org>  
**Date:** January 30, 2020 at 2:19:04 PM CST  
**To:** "charles@ceodezigns.com" <charles@ceodezigns.com>  
**Subject:** driveway permit application at 2518 E. 26th St.

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 2<sup>nd</sup> St, Suite 455. Tulsa, OK 74103  
T: 918-596-9664  
F: 918-699-3100  
E: [dwhiteman@cityoftulsa.org](mailto:dwhiteman@cityoftulsa.org)  
[www.cityoftulsa.org](http://www.cityoftulsa.org)

Revised 3/31/20



1

### Site Plan

1" = 20'-0"

2518 E. 26th Street  
Part of Lot 6 Block 1  
Woody -Crest Addition to:  
Tulsa, Oklahoma

### LEGEND



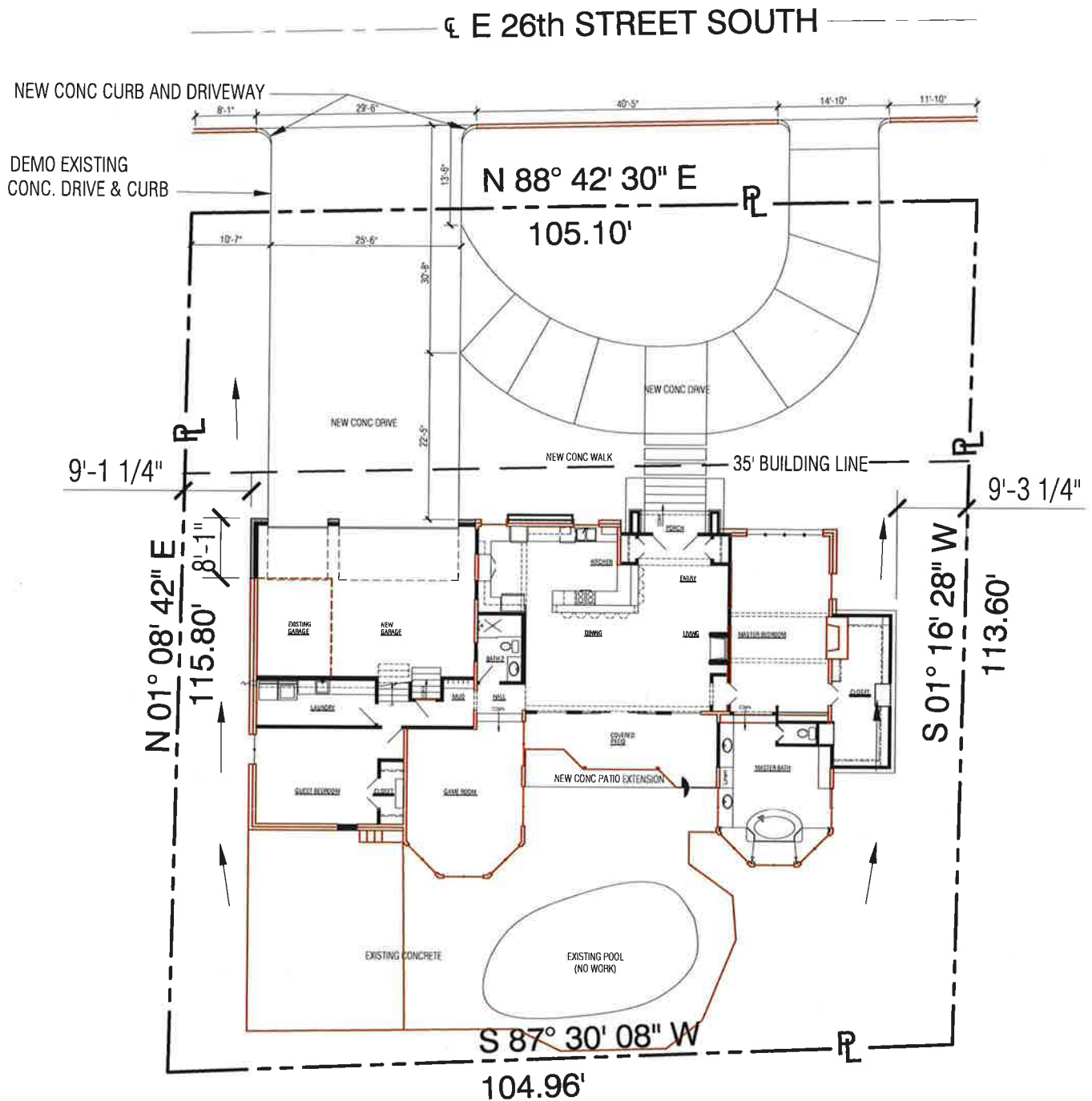
PROPERTY LINE



DRAINAGE ARROWS

2.7

# Original Site Plan



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





E 21st ST S

51

64

E 22 ST S

S ATLANTA PL

E 22 PL S

S DELAWARE AVE

S ZUNIS AVE

E 23 ST S

E 24 ST S

E 24 ST S

S BIRMINGHAM PL

S COLUMBIA AVE

S COLUMBIA PL

S DELAWARE AVE

S DELAWARE PL

S EVANSTON AVE

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S LEWIS AVE

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FOREST BLVD

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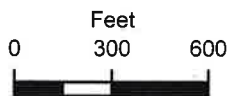
S ZUNIS AVE

S ZUNIS PL

SERVICE RD

E 31st ST S

S DELAWARE AVE



Subject  
Tract

**BOA-22864**

19-13 17

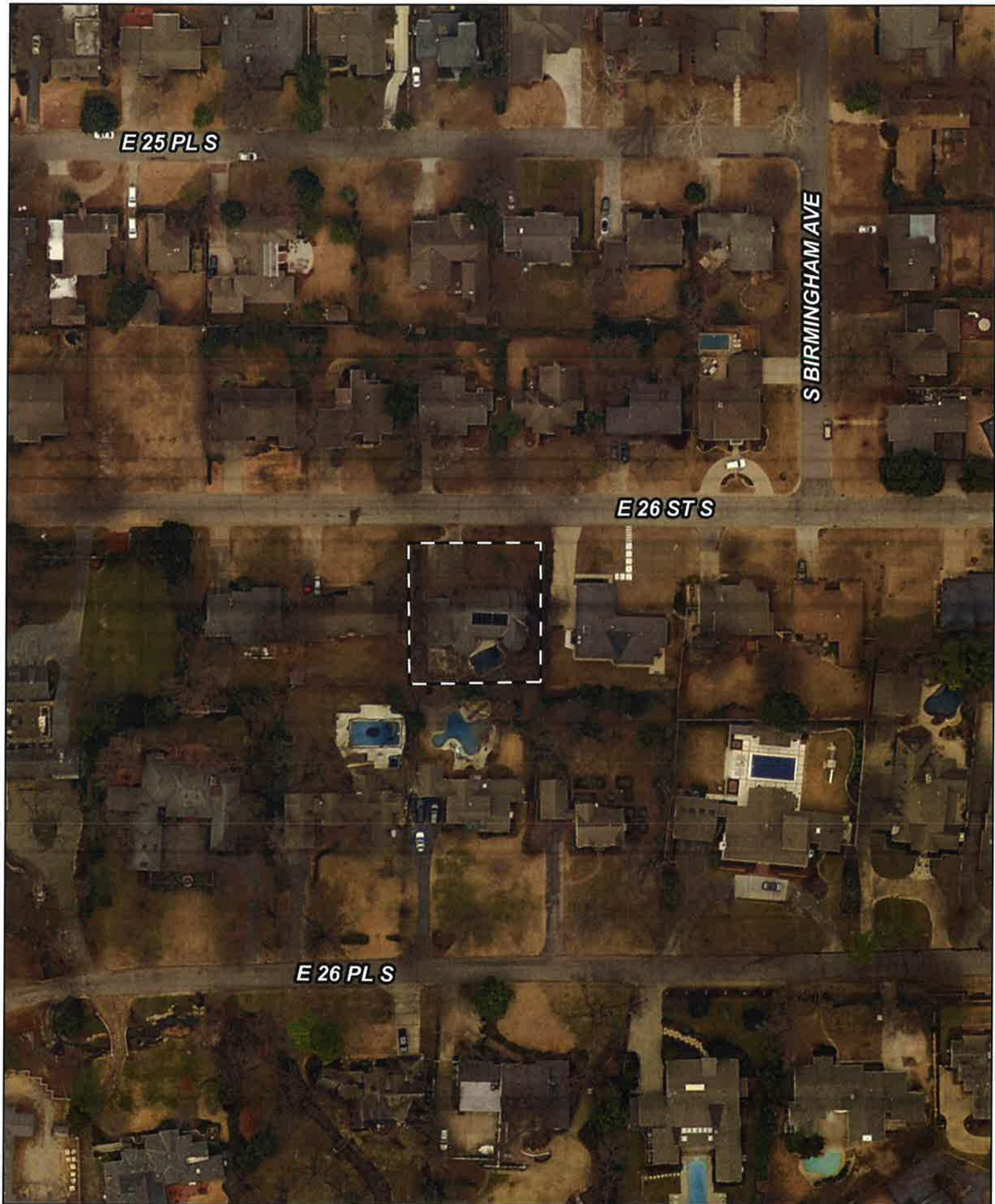
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018



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E 25 PLS

S BIRMINGHAM AVE

E 26 ST S

E 26 PL S

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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



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**BOA-22873 – CARINA GARCIA**

**THE APPLICANT AND STAFF REQUEST A CONTINUANCE  
TO JUNE 9, 2020**

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**BOA-22877– STEPHEN PEDMIA**

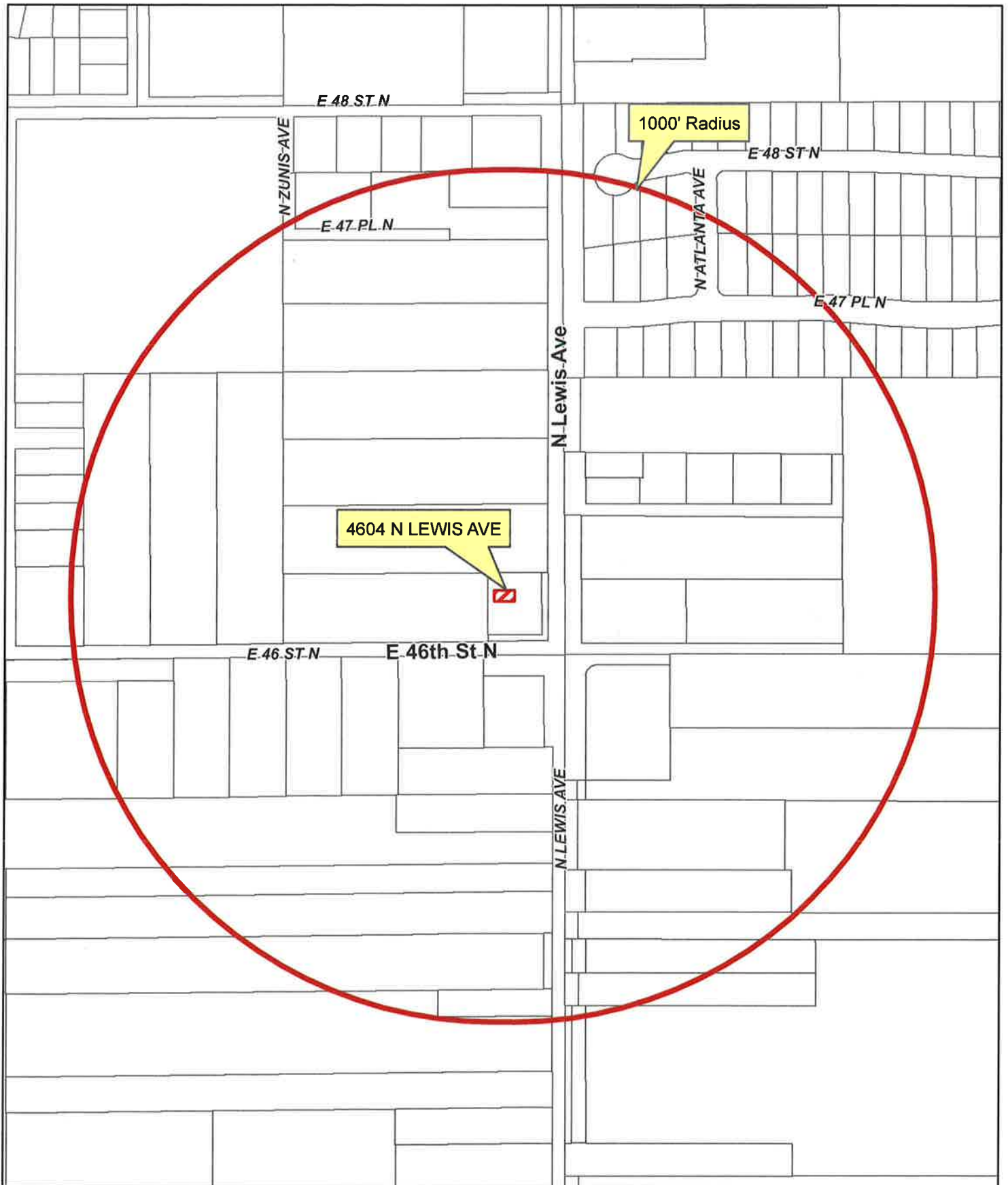
**THE APPLICANT AND STAFF REQUEST A CONTINUANCE  
TO JUNE 9, 2020**

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**BOA-22879– J. R. DONELSON**

**THE APPLICANT AND STAFF REQUEST A CONTINUANCE  
TO JUNE 9, 2020**





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**BOA-22882**

20-13 07



6.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 0307

Case Number: BOA-22882

CZM: 22

CD: 1

HEARING DATE: 04/14/2020 1:00 PM

APPLICANT: Muhammad Rashid

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

LOCATION: 4604 N LEWIS AV E

ZONED: CS

PRESENT USE: Vacant

TRACT SIZE: 18748.3 SQ FT

LEGAL DESCRIPTION: W.125' E.140' OF N.150 LOT8 BLK1, NORTH HIGHLAND ACRES ADDN

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.

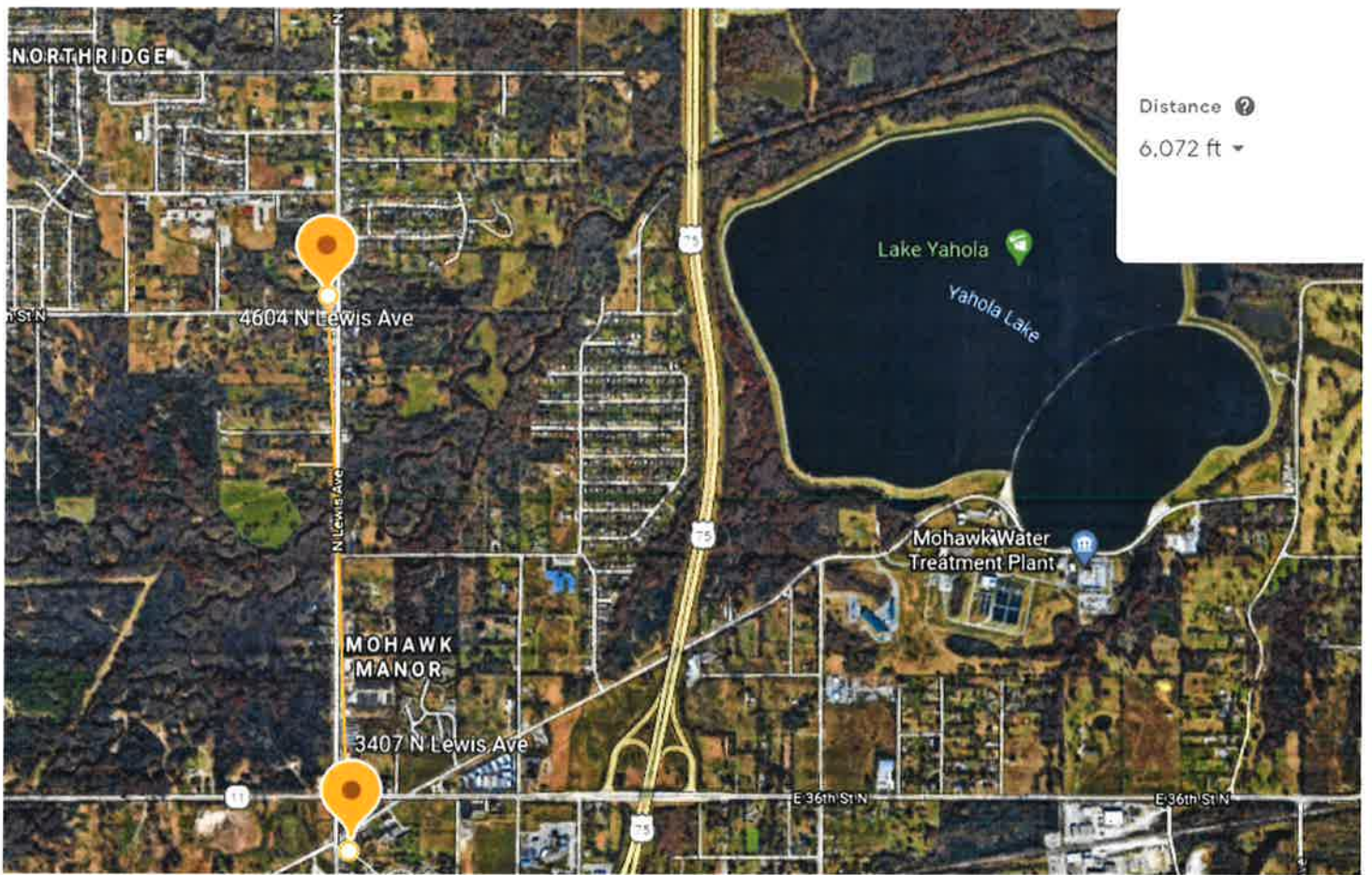
40.225-I The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D 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 the nearest dispensary as 3407 N. Lewis Ave, approximately 6,072 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.

6.2







***Facing South on Lewis***



***Facing North on Lewis***



***Proposed Dispensary***

**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**LOD Number: 1**

**February 22, 2020**

**Muhammad Rashid**  
**4948 N Peoria Ave**  
**Tulsa, OK 74126**

**Phone: 918.978.6194**

**APPLICATION NO: COO-054776-2020**

*(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)*

**Location: 4604 N Lewis Ave**  
**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 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

#### IMPORTANT INFORMATION

1. 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
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)

6.6

## REVIEW COMMENTS

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

COO-054776-2020

4604 N Lewis Ave

February 22, 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.

**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.

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.

6.7





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**BOA-22882**

20-13 07

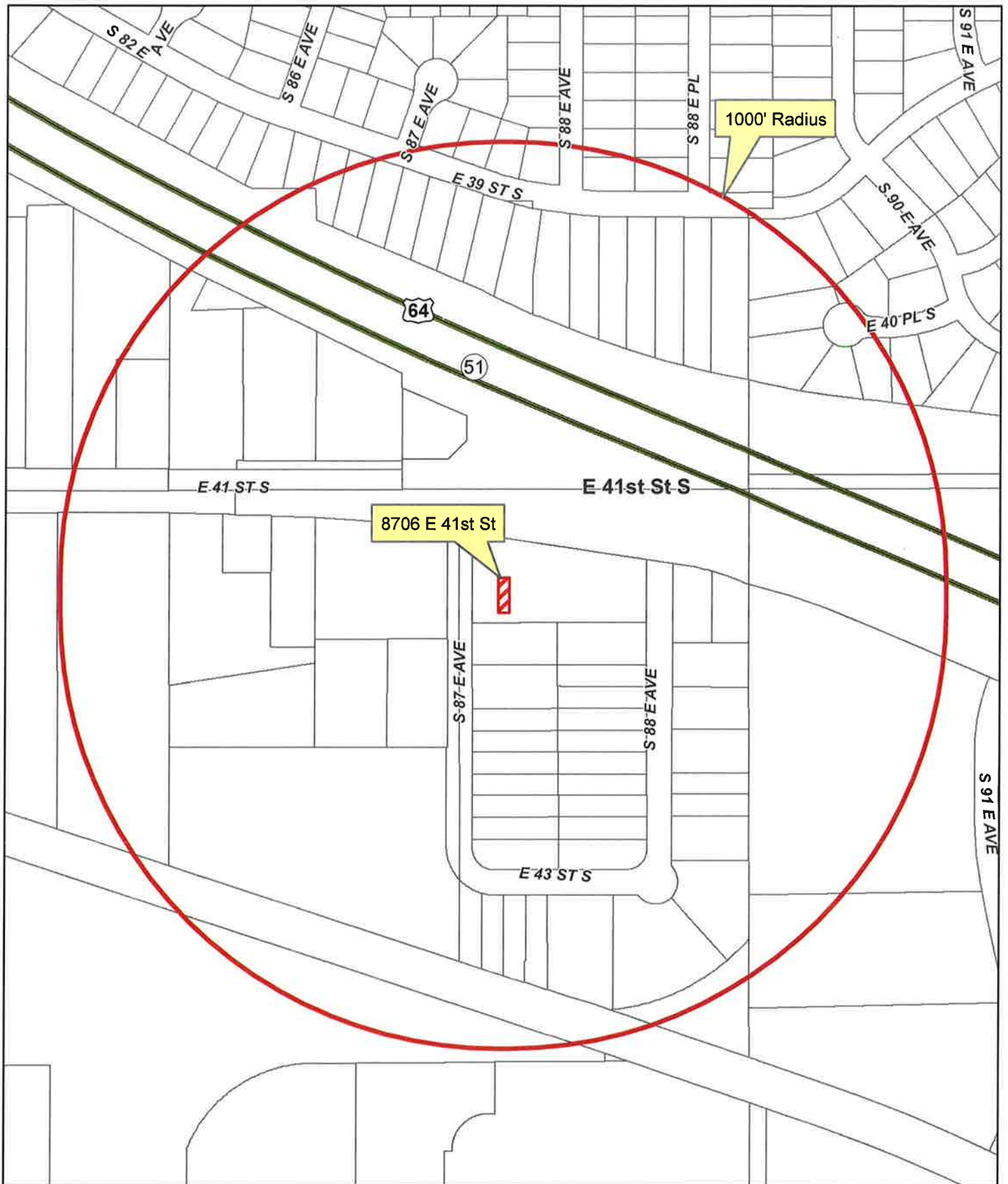
Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2018



6.8





0 150 300  
Feet

**BOA-22887**

19-13 25

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

Aerial Photo Date: February 2018



7.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 9325

Case Number: **BOA-22887**

CZM: 48

CD: 7

HEARING DATE: 04/28/2020 1:00 PM

APPLICANT: Michelle Lam

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

LOCATION: 8706 E. 41<sup>st</sup> Street

ZONED: IL

PRESENT USE: Dispensary.

TRACT SIZE: 70807.07 SQ FT

LEGAL DESCRIPTION: LTS 12 THRU 15 BLK 2, SOUTHPLACE INDUSTRIAL PARK

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 nearest dispensary as UK Hash 8153 E. 41<sup>st</sup> St. which is 1,506.86 ft 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 Dispensary***



***Facing East on 41<sup>st</sup> Street***





*Facing West on 41<sup>st</sup> Street*

**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**LOD Number: 1**

**February 28, 2020**

**Terry Lam**  
8706 E 41 St  
Tulsa, OK 74145

**Phone: 918-960-4575**

**APPLICATION NO: BLDC-052439-2020**

*(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)*

**Location: 8706 E 41 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 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

#### IMPORTANT INFORMATION

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(continued)

## REVIEW COMMENTS

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[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

BLDC-052439-2020

8706 E 41 ST

February 28, 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.

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

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

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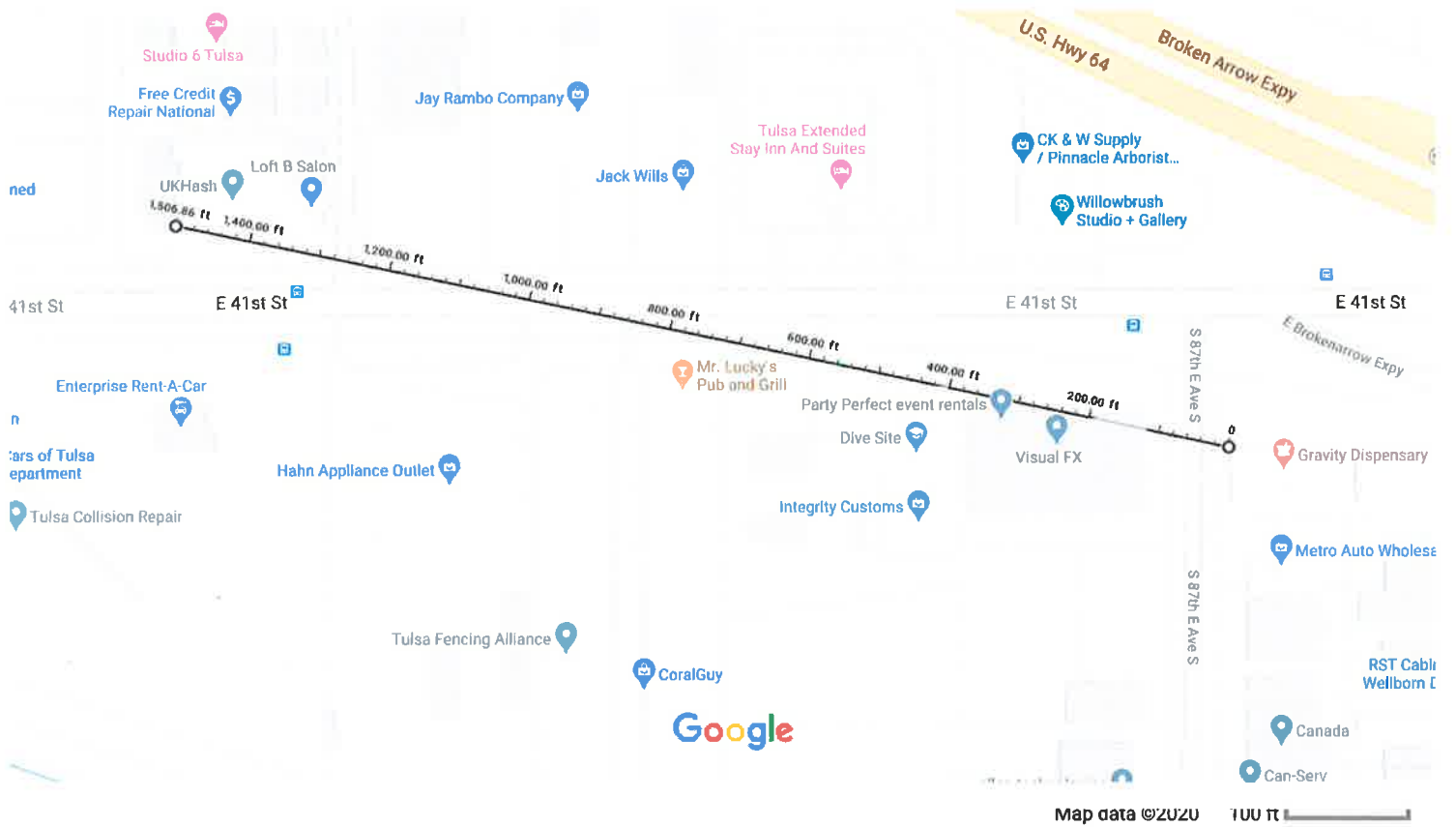
## END – ZONING CODE REVIEW

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



Gravity Dispensary is more than 1,000 feet from the nearest dispensary UK Hash. There are no other dispensaries within this range.

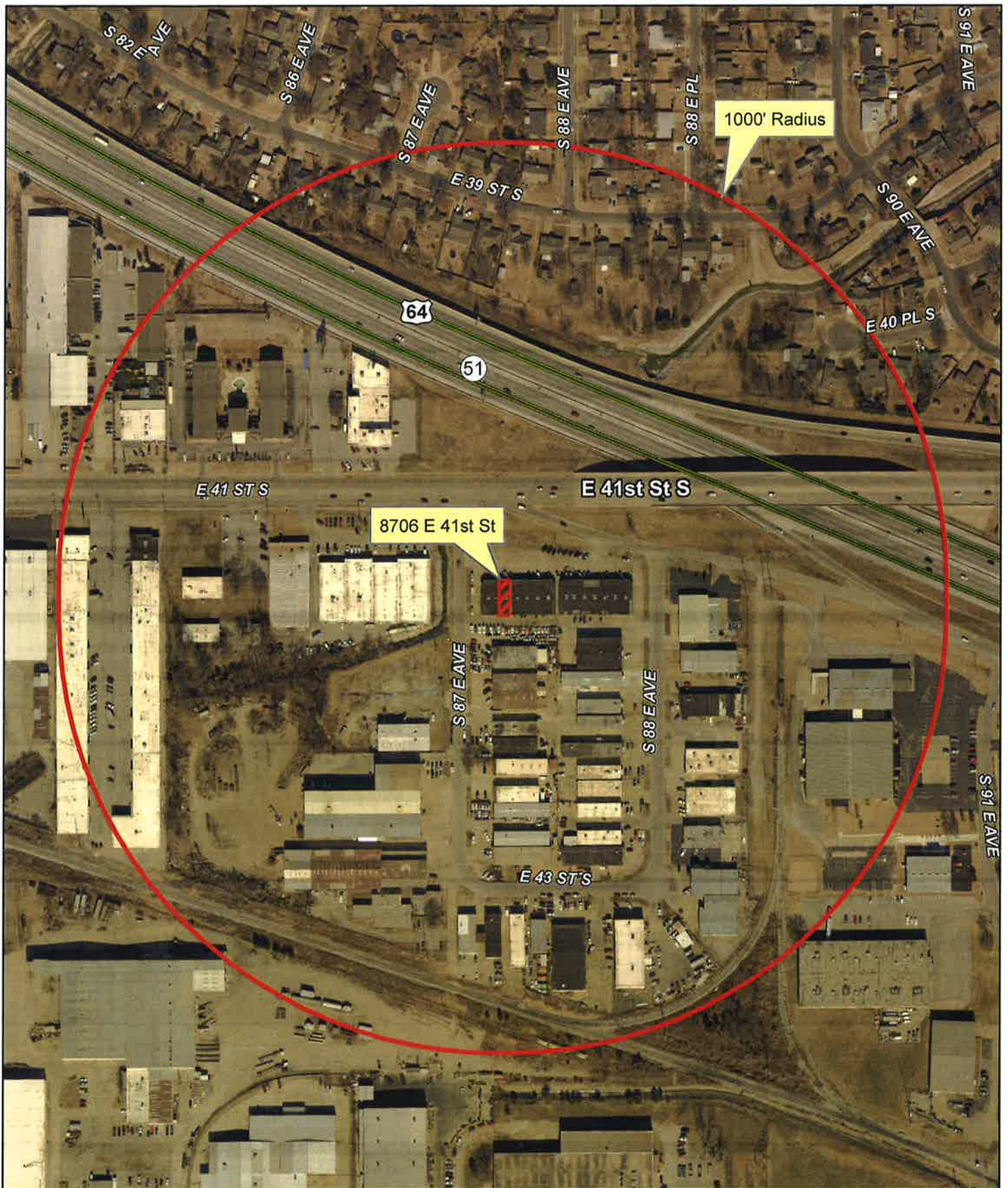


Measure distance

Total distance: 1,506.86 ft (459.29 m)

7.7





0 Feet 150 300

**BOA-22887**

19-13 25

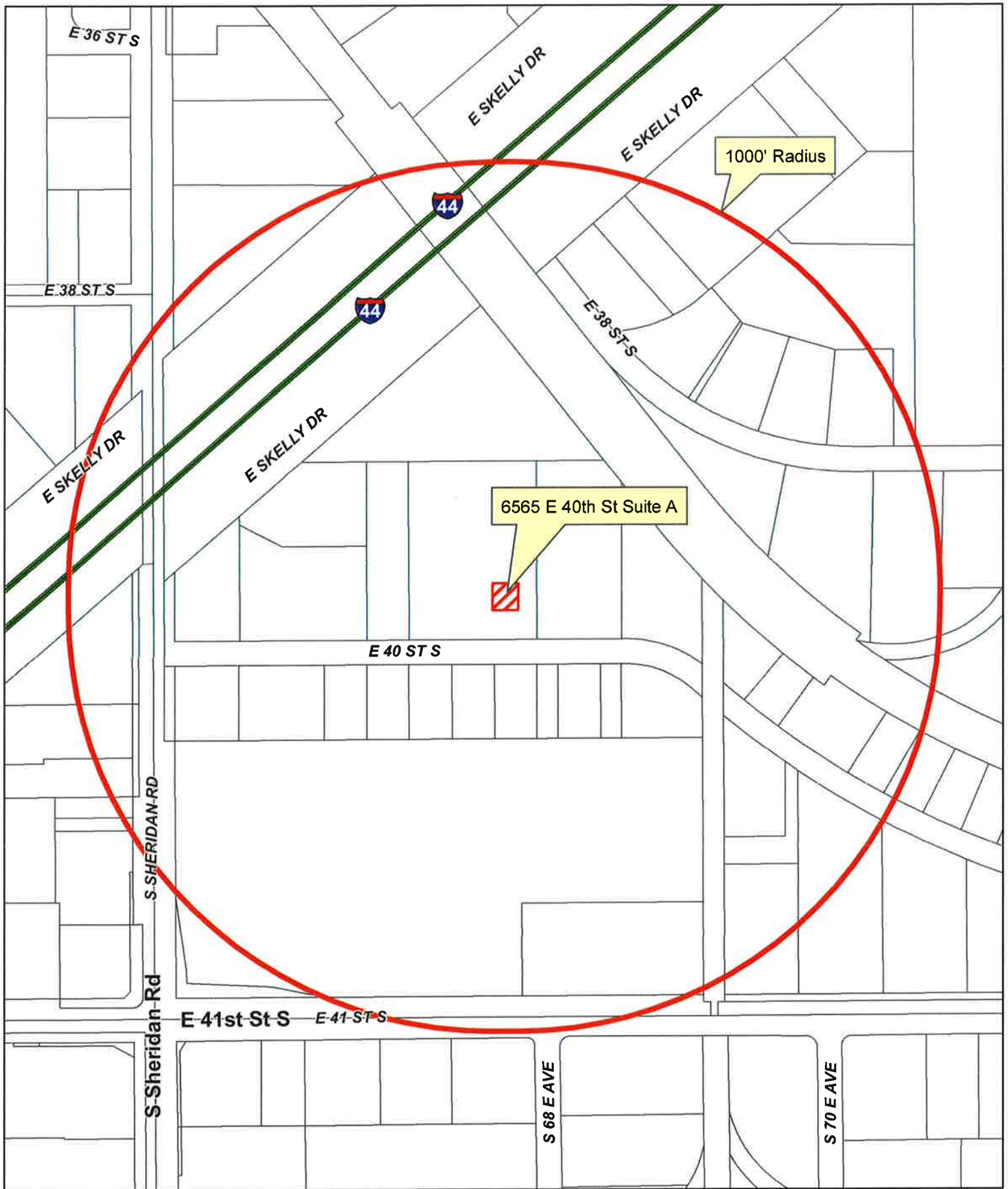
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Aerial Photo Date: February 2018



7.8





0 Feet 150 300

**BOA-22896**

19-13 23

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

*Aerial Photo Date: February 2018*



8.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 9323

Case Number: **BOA-22896**

CZM: 48

CD: 5

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Jennifer McCorkle

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

**LOCATION:** 6549 E 40 ST S, Tenant Space: 6565 E 40 ST S, Suite A      **ZONED:** IL

**PRESENT USE:** Commercial/Office

**TRACT SIZE:** 127805.56 SQ FT

**LEGAL DESCRIPTION:** LT 6 7 8 BLK 1, EXPRESSWAY INDUSTRIAL AND COMMERCIAL CENTER ADDN

**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 nearest dispensary as Verde located 3920 S. Sheridan, which is 1,006.1ft away. Below is a map created by INOCG staff finding the distance to be 1,005 ft which is still compliant with the Zoning Code. This map was prepared because the standard radius map prepared was not detailed enough for this determination to be made.



***Subject Property***



***Facing East on 40<sup>th</sup> Street***



***Facing West on 40<sup>th</sup> Street***





**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.

**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

February 28, 2020

**Jennifer McCorkle**  
5806 E 98 ST  
Tulsa, OK 74137

Phone: 918.408.5999

APPLICATION NO: **COO-055078-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **6565 E 40 ST**

Description: **Medical Marijuana Dispensary**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

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[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

COO-055078-2020

6565 E 40 ST

February 28, 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.

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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.

3. **Sec.70.080-C:** Zoning clearance permit applications must be accompanied by a legal description of the lot and plans in duplicate, drawn to scale, showing at least the following information:

1. The actual shape and dimension of the lot;
2. The location, size and height of any existing buildings;
3. The existing use of each building; and
4. Location of available parking spaces on your lot. Nine (9) spaces are required.

**Review Comment:** Submit a site plan providing the information listed above.

**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.

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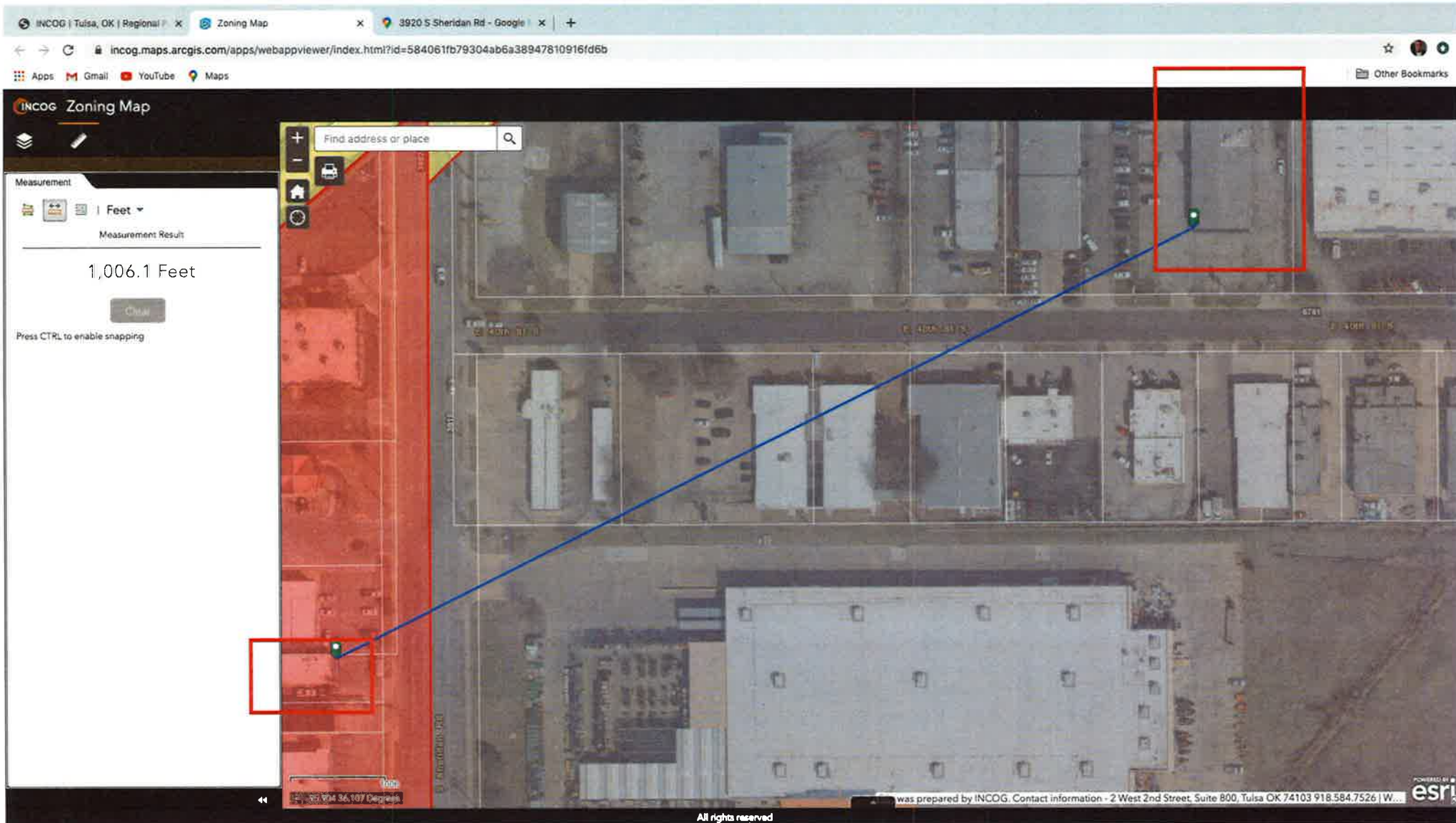


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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

8.9





Map Developers

[Home](#) [Maps](#) [Map Tools](#) [Examples](#) [Embed Maps](#) [Free Mapping Software](#) [Contact Us](#)

## Use the distance calculator map to find the distance between multiple points along a line

Address

3920 S. Sheridan Rd. Tulsa OK

Line Color

000000

[Zoom to Address](#)

[Draw New Line](#)

[Remove Last Point](#)

[Remove Active Line](#)

[Enlarge Map](#)

Section Distance 0.96 meters , 3.17 feet 0.001 miles 0.001 km

Whole line Distance 307 meters , 1008 feet 0.191 miles 0.307 km

[Map](#)

[Satellite](#)



Cabe and Cato Inc

Zips Car Wash

Verde Dispensary  
3920 S. Sheridan

Dove Nest Massage Spa

Google

S Sheridan Rd

E 40th St

E 40th St

E 40th St

VAP Auto Shop

Clear Water Car Wash

Orkin

Lucy Food &  
Tortilla Distribution

Total Auto Solutions

BROASTER  
FOOD SYSTEMS

Garden Center at

Storage  
Tool & Truck  
Rental Center at The...

Paint  
Mixing

Tools and  
Pro Desk at The  
Home Depot

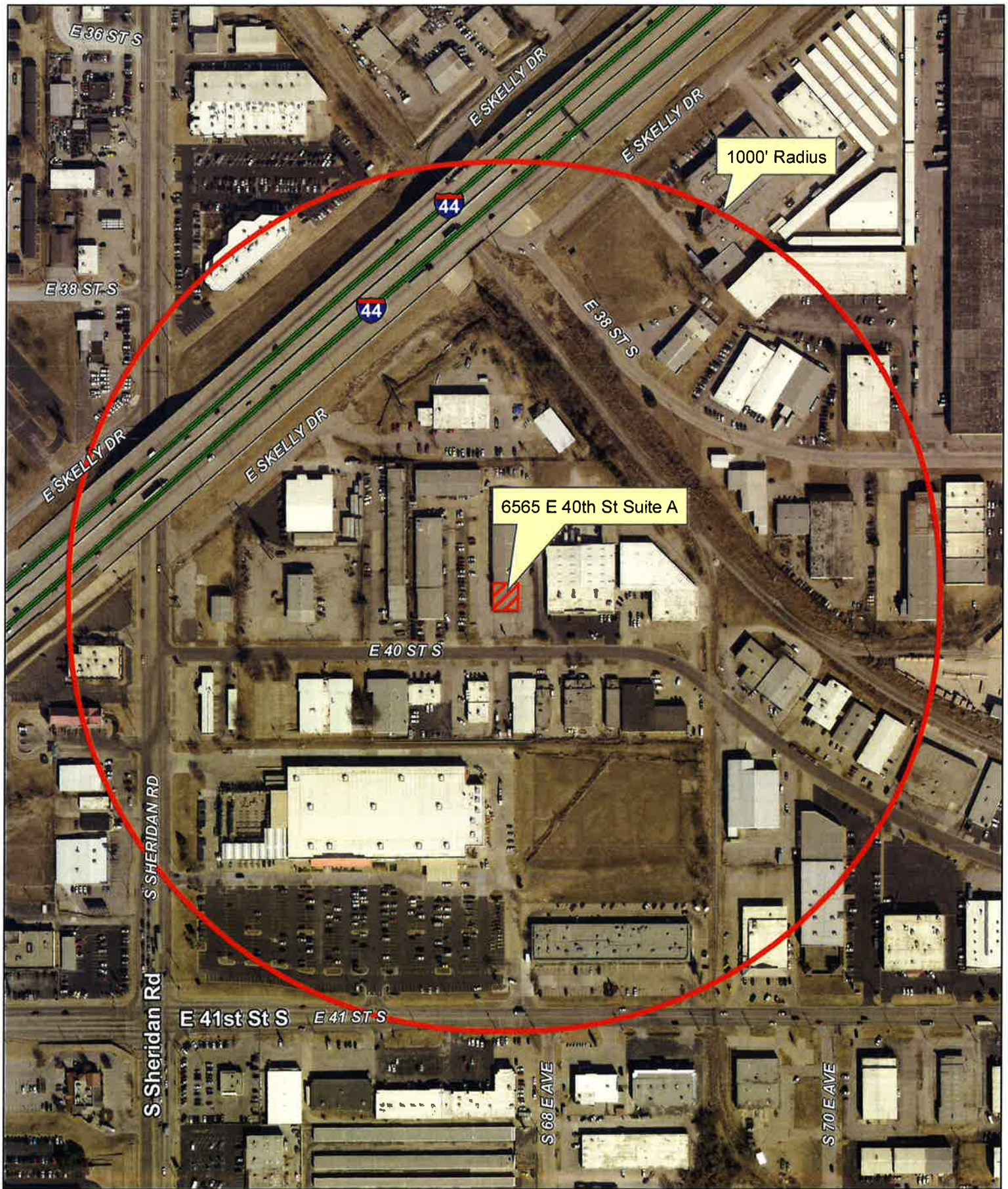
Map data ©2020 Google [Terms of Use](#) [Report a map error](#)

[Return to this radius map here, just save this link](#)

[https://www.mapdevelopers.com/distance\\_finder.php?](https://www.mapdevelopers.com/distance_finder.php?)

8.10





0 Feet 150 300

**BOA-22896**

19-13 23

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

Aerial Photo Date: February 2018



8.11



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0 Feet 150 300

BOA-22899

9.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 0326

Case Number: **BOA-22899**

CZM: 30

CD: 3

A-P#:

**HEARING DATE:** 04/14/2020 1:00 PM

**APPLICANT:** Matt King

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

**LOCATION:** 7103 E PINE ST N

**ZONED:** IL

**PRESENT USE:** Unoccupied

**TRACT SIZE:** 43560.18 SQ FT

**LEGAL DESCRIPTION:** S264 W165 SE SE SW SEC 26 20 13,

**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 nearest dispensary as Harvest Health Dispensary, located 432 South Sheridan, which is 8,036 ft 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.

9.2



***Proposed Dispensary***



***Facing West on Pine***



*Facing East on Pine*



# REIMER DISPENSARY WINFOX CONSTRUCTION

7103 EAST PINE STREET  
TULSA, OKLAHOMA 74115

PROJECT OVERVIEW

VERIFICATION OF SPACING REQUIREMENT FOR A PROPOSED DISPENSARY

- A NEW MEDICAL MARIJUANA DISPENSARY
- LOCATED ON EAST PINE ST BETWEEN SHERIDAN RD & MEMORIAL DR
- 1,000 FOOT PERIMETER FROM THE BUILDING SHOWN
- PROPERTY LINE OF SUBJECT PROPERTY SHOWN



A AREA PLAN  
SCALE: NTS



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

King Architectural Solutions, PLLC

REIMER DISPENSARY  
WINFOX CONSTRUCTION  
7103 EAST PINE STREET  
TULSA, OKLAHOMA 74115



DISPENSARY  
SPACING PLAN  
A0.1

9.5

DANA L. BOX  
ZONING  
PLANS EXAMINER II

TEL (918)596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1  
Matt King  
108 N. Greenwood  
Tulsa, OK 74120

March 3, 2020

Phone: 918-794-0758

APPLICATION NO: **BLDC-054147-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **7103 E. Pine Street**  
Description: **Medical Marijuana Dispensary**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

## REVIEW COMMENTS

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[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

BLDC-054147-2020

7103 E. Pine St.

March 3, 2020

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**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.

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

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

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

## END – ZONING CODE REVIEW

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

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





1000' Radius

7103 E PINE ST

0 150 300  
Feet

**BOA-22899**

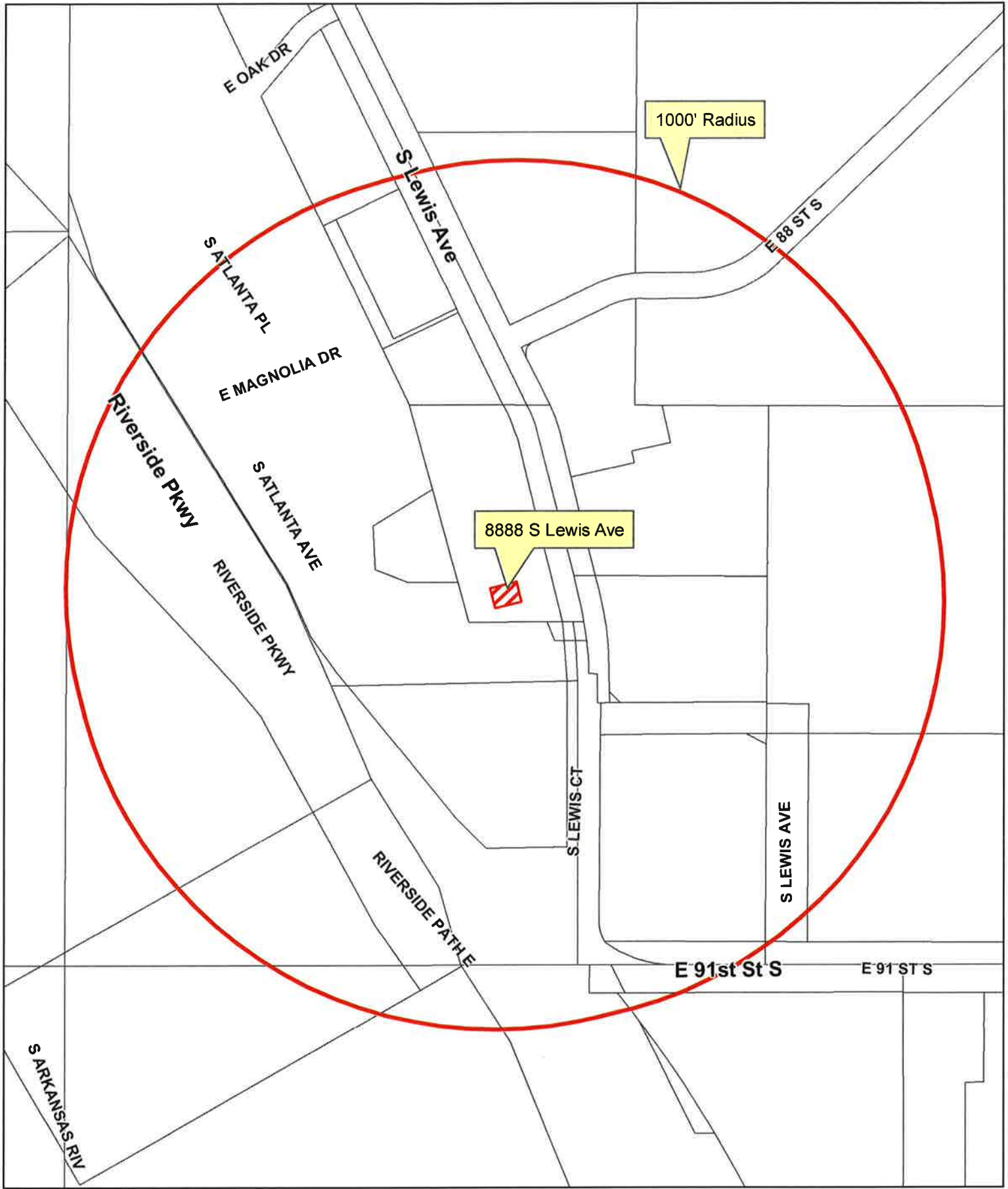
Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2018



9.8





0 Feet 150 300

**BOA-22900**

18-13 17



10.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 8317

Case Number: **BOA-22900**

CZM: 52

CD: 2

HEARING DATE: 04/14/2020 1:00 PM

APPLICANT: Alan Soleyman

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

LOCATION: 8888 S LEWIS AV

ZONED: CS

PRESENT USE: Vacant Tenant Space

TRACT SIZE: 120896.92 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, LEWIS CENTER WEST PRT RSB PRT L1B1 SO VILLA MOBILE PARK

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 nearest dispensary as 918 Elevate, located 2828 E 91st St Suite G, which is 1,711.45 ft 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.





*Facing North on Lewis*



*Facing South on Lewis*



***Subject property***

8888 S Lewis Ave, Tulsa, OK 74137

918 Elevate, 2828 E 91st St suite g, Tulsa, OK 74137

Add destination

OPTIONS

Send directions to your phone

via S Lewis Ave and E 91st St 11 min  
0.5 mile

DETAILS

Mostly flat





DANA L. BOX  
ZONING  
PLANS EXAMINER II

TEL (918)596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1  
Alan Soleyman  
5533 Spitz Dr.  
Oklahoma City, OK 73135

March 6, 2020

Phone: 310-279-9521

APPLICATION NO: **ZCO-054184-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **8888S. Lewis Ave.**

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.

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2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
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4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

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

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

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

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

#### IMPORTANT INFORMATION

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(continued)

## REVIEW COMMENTS

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[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

ZCO-054184-2020

8888 S. Lewis Ave.

March 6, 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.

### Section 40.225 Medical Marijuana Uses

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-I:** 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 dispensaries.

**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.

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

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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.

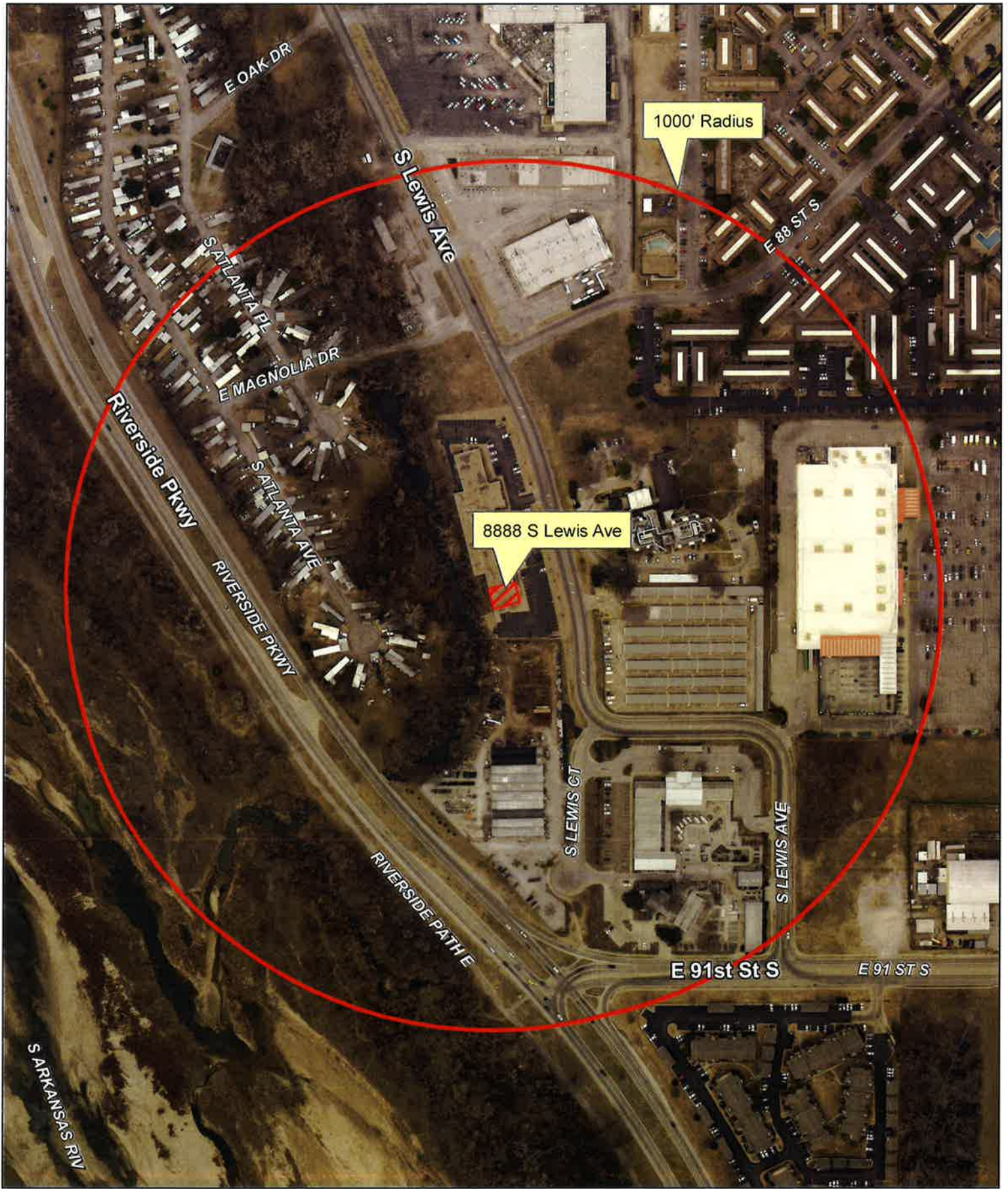
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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.





0 Feet 150 300

**BOA-22900**

18-13 17

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

Aerial Photo Date: February 2018



10.8





**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 8334

Case Number: **BOA-22901**

**CZM:** 57

**CD:** 8

**HEARING DATE:** 04/14/2020 1:00 PM

**APPLICANT:** Brian Letzig

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

**LOCATION:** 6333 E 120 CT Tenant Space: 6305 E 120<sup>th</sup> Ct., Suite D      **ZONED:** CS

**PRESENT USE:** Vacant

**TRACT SIZE:** 79967.78 SQ FT

**LEGAL DESCRIPTION:** PRT LT 1 BEG 201.08N & 196E SWC LT 1 TH E404.97 S40.99 SW143.75 SW17.37 W28.57 SW29.01 W322.52 N201.08 POB BLK 1, CRESTWOOD VILLAGE

**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 nearest dispensary as The Dankery, located 10846 S. Memorial, which is 7,929 ft 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.



***Facing West on 121<sup>st</sup> St.***



***Facing East on 121<sup>st</sup>***





*Subject property*

DANA L. BOX  
ZONING  
PLANS EXAMINER II

TEL (918)596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

March 9, 2020

Phone: 918-794-6616

LOD Number: 1  
Lydia Franklin  
815 E. 3<sup>rd</sup> Street  
Tulsa, OK 74120

APPLICATION NO: **BLDC-054128-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **6305 E. 120<sup>th</sup> Ct., Suite D**

Description: **Medical Marijuana Dispensary**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

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BLDC-054128-2020

6305 E. 120<sup>th</sup> Ct., Suite D

March 9, 2020

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

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## END – ZONING CODE REVIEW

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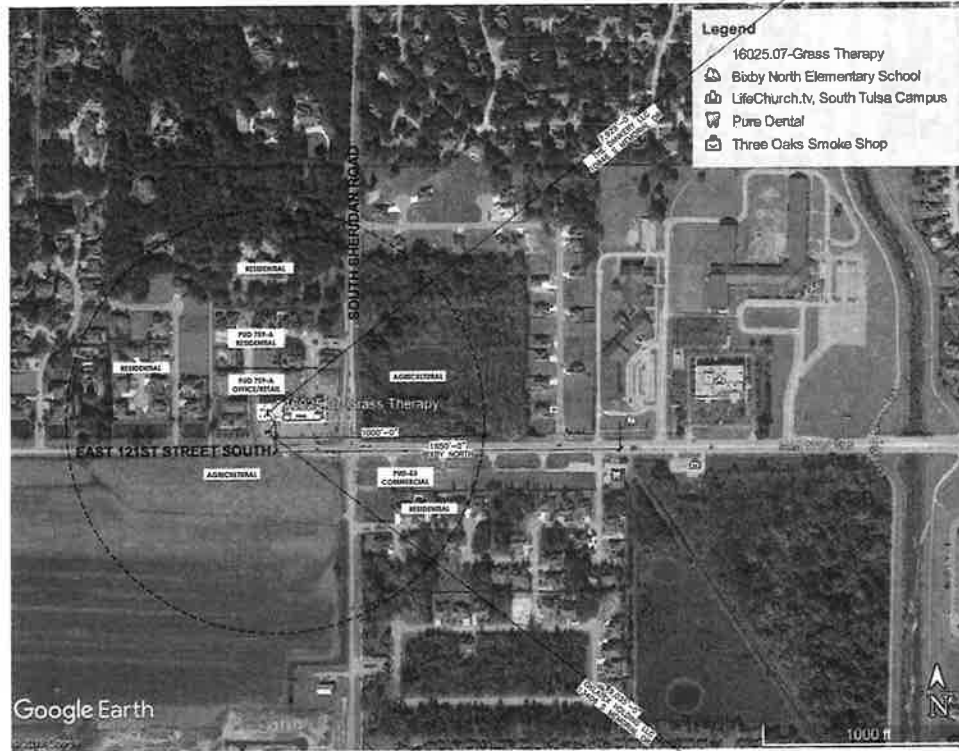
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



# Grass Therapy

6305 East 120th Court, Suite D, Tulsa, OK 74137

Job # 16025.07



1 SPACING VERIFICATION DIAGRAM  
SCALE: 1/8" = 1'-0"

## PROJECT TEAM

ARCHITECT  
W DESIGN, LLC  
815 E. 3RD STREET, STE. C  
TULSA, OK 74120  
918.794.6616  
ARCHITECT OF RECORD:  
WELDON J. BOWMAN, AIA, NCARB



wdesign  
ARCHITECTURE & INTERIORS  
815 E. 3rd Street, Suite C  
Tulsa, OK 74120  
Office: 918.794.6616  
Fax: 918.794.6602  
www.wdesignsfa.com



PROJECT:

**GRASS  
THERAPY**

**PROJECT #  
16025.07**

**6305 E 120TH CT,  
SUITE D  
TULSA, OK  
74137**

CONSULTANT:

REVISIONS:

ISSUE DATE:

02.11.2020

SHEET NAME:  
**COVER SHEET  
SPACING VERIFICATION  
DIAGRAM**

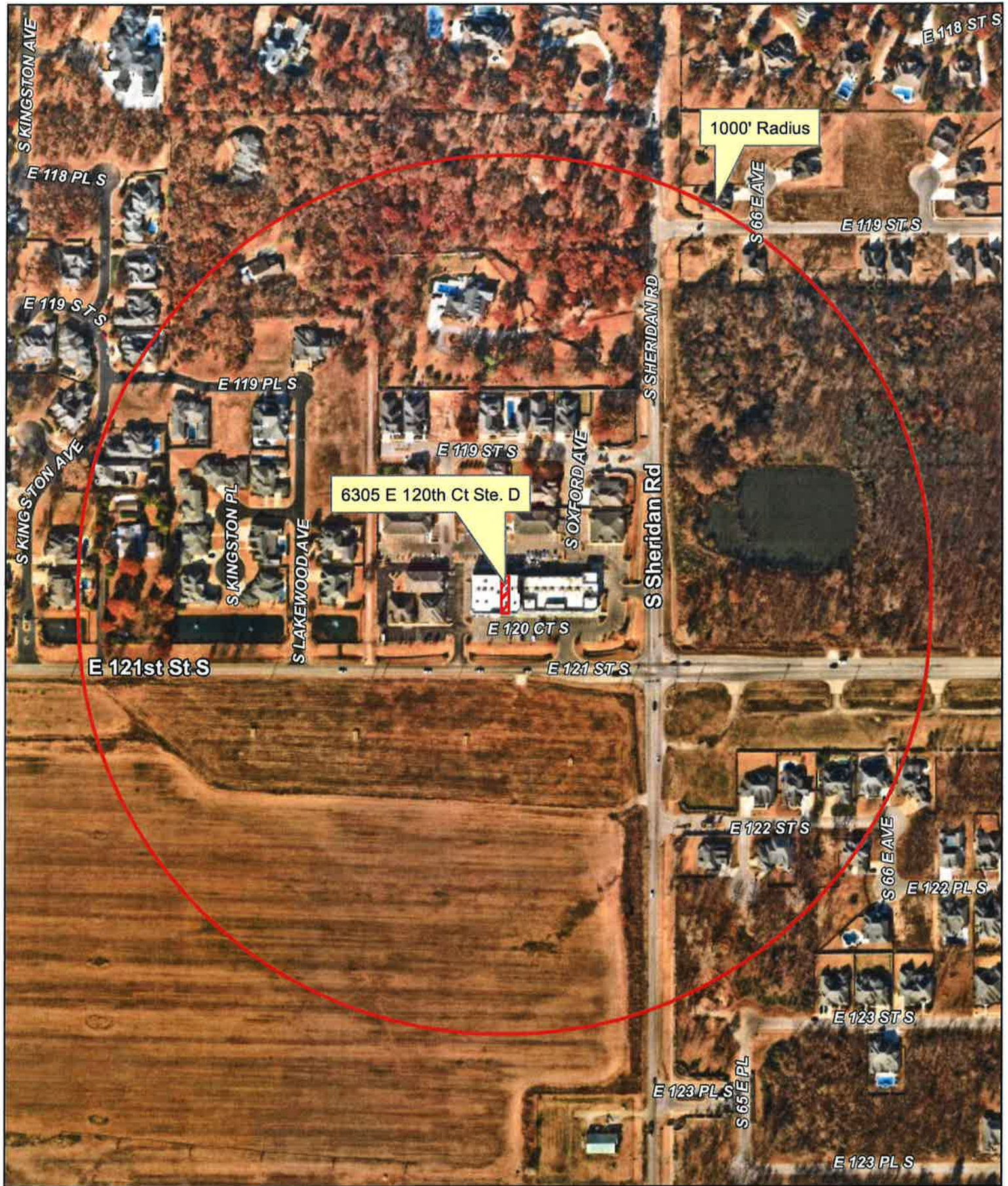
SHEET #:

**CS**



11.7





**BOA-22901**

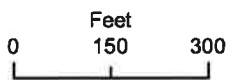
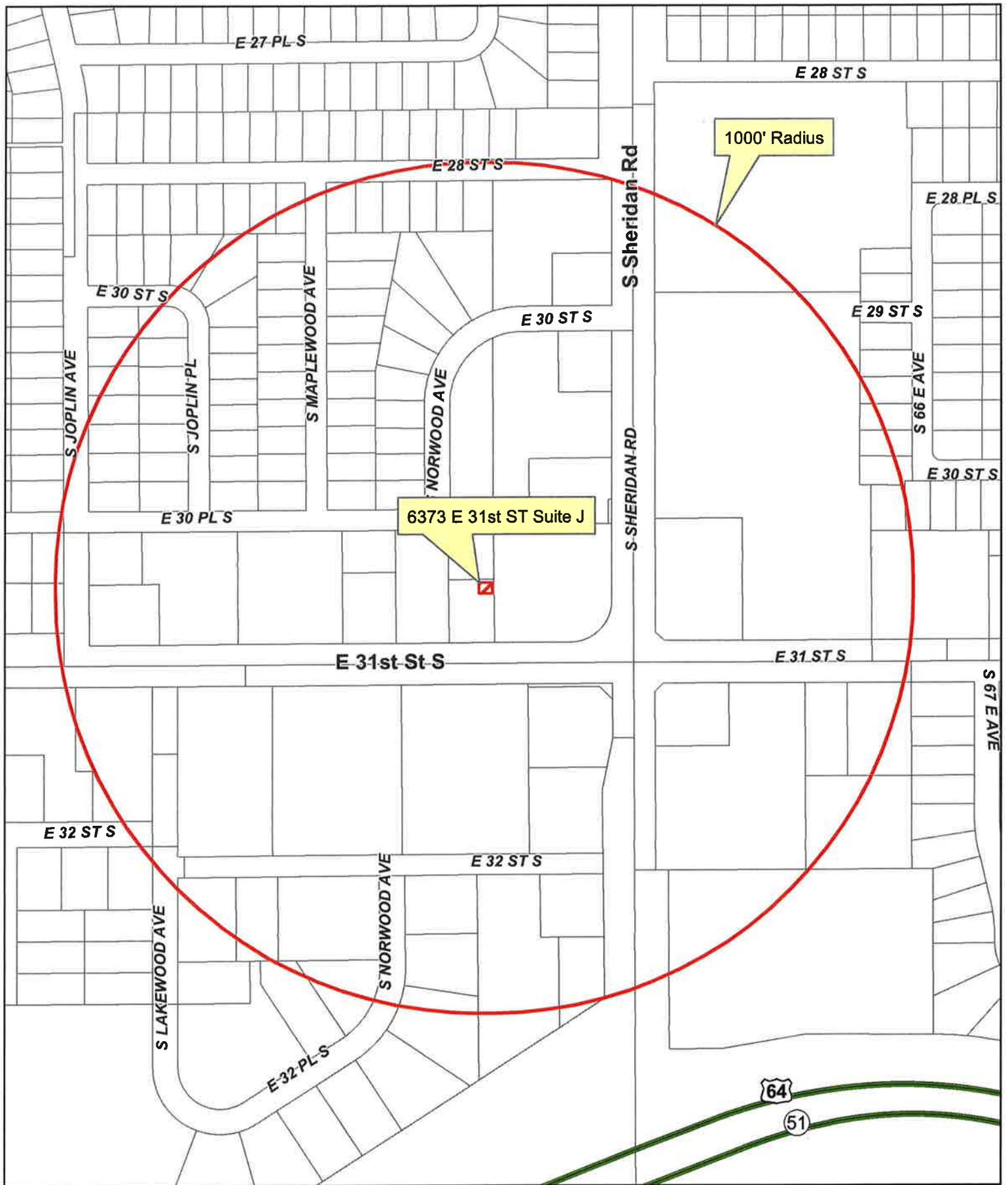
Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2018



11.8





**BOA-22904**

12.1





# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9315

**Case Number:** BOA-22904

**CZM:** 38

**CD:** 5

**HEARING DATE:** 04/14/2020 1:00 PM

**APPLICANT:** Sierra Russell

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

**LOCATION:** 6373 E 31 ST S, Suite J

**ZONED:** CS

**PRESENT USE:** Vacant

**TRACT SIZE:** 15877.69 SQ FT

**LEGAL DESCRIPTION:** BEG 330W & 50N SECR SE TH W108 N147 E108 S147 POB SEC 15 19 13,

## RELEVANT PREVIOUS ACTIONS:

### Surrounding Properties:

**BOA-22881;** On March 24<sup>th</sup> the Board accepted a verification of spacing for a medical marijuana dispensary located 6125 East 31<sup>st</sup>. The proposed dispensary received the Certificate of Occupancy on March 25<sup>th</sup>, 2020. A copy of this certificate is included in your packet. The subject location is within 1,000 feet of the dispensary located at 6125 East 31<sup>st</sup> as demonstrated on the exhibit below. The Applicant was made aware of this information and they chose to continue with their application.



12.2

**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.

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The applicant provided the nearest dispensary as T-Town Dispensary, located 3524 S. Sheridan.

**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.



***Facing West on 31<sup>st</sup> Street***



***Subject property***





*Dispensary at 6125 E. 31<sup>st</sup> that has received their Spacing Verification in BOA-22881 and Certificate of Occupancy which is included in your packet*



*Facing East on E. 31<sup>st</sup> Street.*

DANA L. BOX  
ZONING OFFICIAL  
PLANS EXAMINER II

TEL (918)596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1  
Pat White  
10722 Master's Circle  
Jenks, OK 74037

February 22, 2020

Phone: 918-406-7024

APPLICATION NO: **BLDC-053137-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 6373 E. 31<sup>st</sup> St.

Description: Medical Marijuana Dispensary

#### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)

## REVIEW COMMENTS

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BLDC-053137-2020

6373 E. 31<sup>st</sup> St.

February 22, 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.  
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**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.

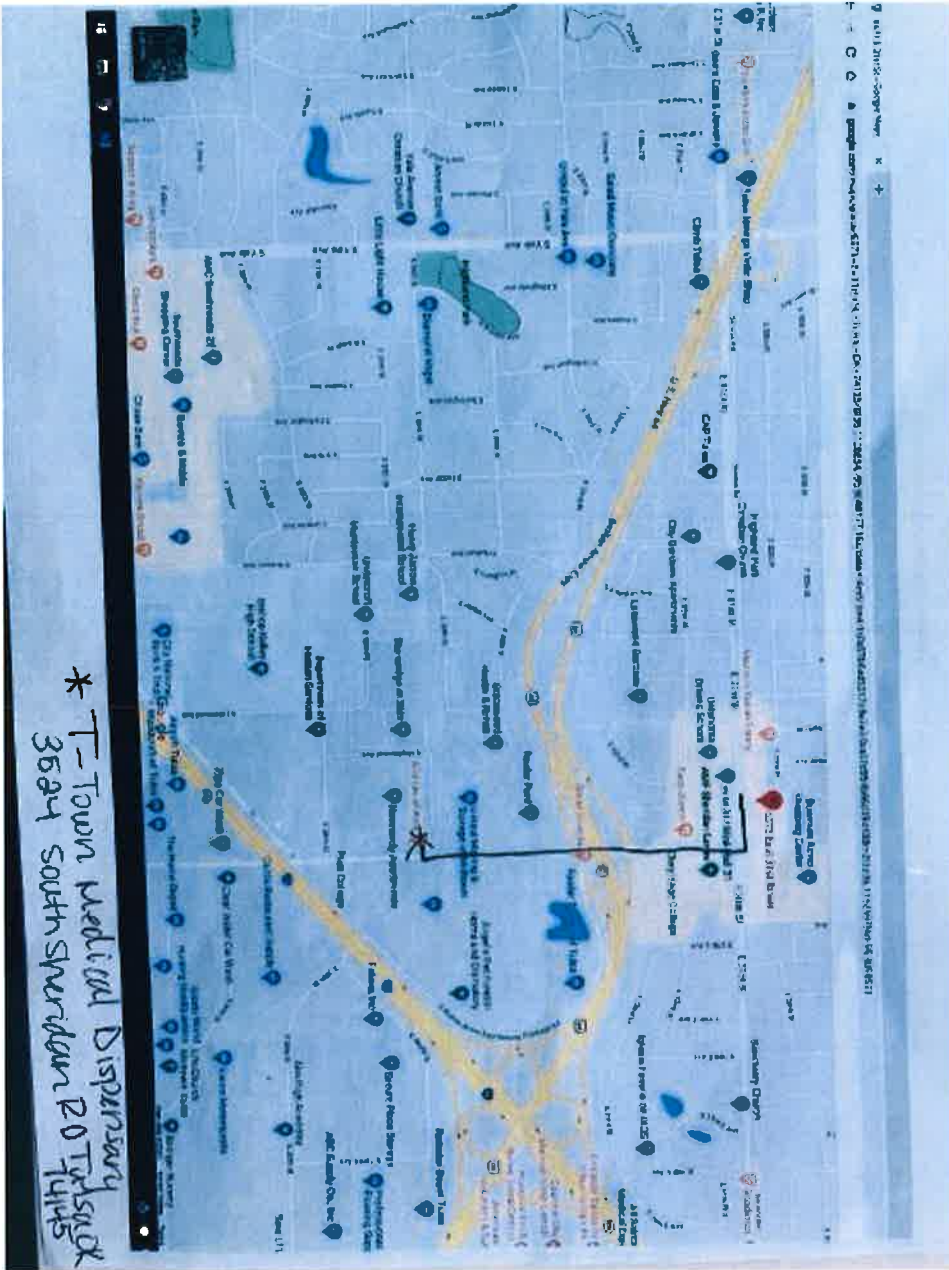
## END – ZONING CODE REVIEW

**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.

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.



12.8



# CERTIFICATE of OCCUPANCY      No: COO-054008-2020

## PROPERTY

Address: 6125 E 31ST ST S

BUILDING PERMIT:  
BLDC-056777-2020

## ZONING USE

Zoning District: CS  
Use: Commercial/Retail Sales/Medical Marijuana Dispensary  
Use Conditions:

## BUILDING OCCUPANCY

Building Code Edition: IBC 2015, IEBC 2015

Use Group	Const. Type	Floor Area	Occ. Load	Descriptive Area	Posted
M	VB	896	15	Entire Facility	

Floor area of Permit: 896

OCCUPANCY CONDITIONS:

The above described property has been found to comply with the appropriate provisions of the City of Tulsa Zoning Code and Building Code and is approved for use and occupancy as herein limited.

Any easement closed by City Ordinance is subject to the City re-opening the easement unless the developer has foreclosed the City's right to re-open. It is the developer's responsibility to file a lawsuit in the District Court to foreclose the City's right to re-open a closed easement. This Certificate of Occupancy (and prior permits) do not annul the City's rights to re-open a closed easement.



Approval Date: March 25, 2020

Code Official: Adam Murray





0 Feet 150 300

**BOA-22904**

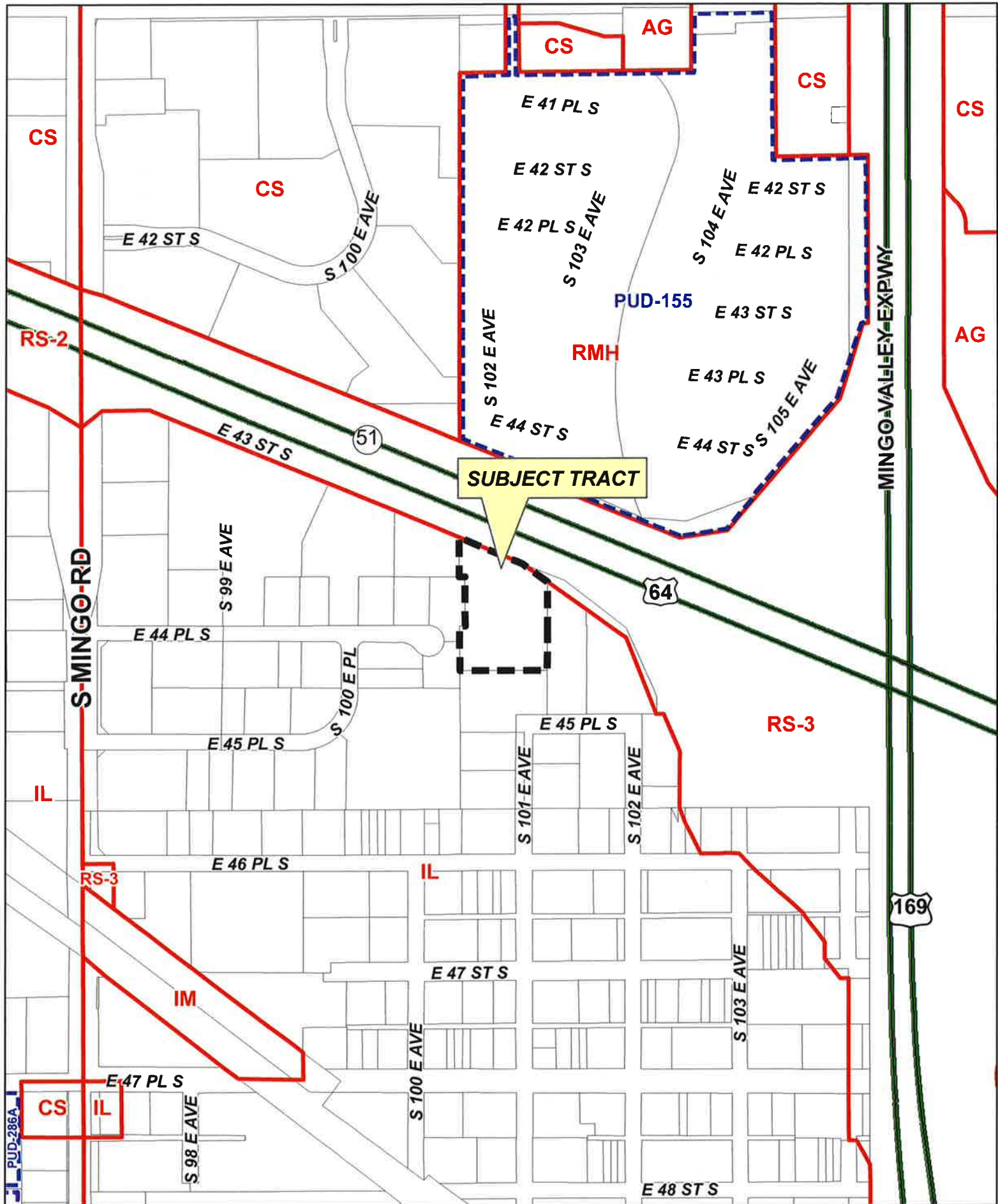
Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: November 2019



12.10





SUBJECT TRACT

BOA-22902

19-14 30

13.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9430

Case Number: **BOA-22902**

CZM: 49

CD: 7

HEARING DATE: 04/14/2020 1:00 PM

APPLICANT: Lamar Outdoor Advertising

ACTION REQUESTED: Verification of the spacing requirement for an outdoor advertising sign with a Dynamic Display (Sec 60.100-K)

LOCATION: 10025 E 44 PL S

ZONED: IL

PRESENT USE: IL

TRACT SIZE: 101016.05 SQ FT

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

## RELEVANT PREVIOUS ACTIONS:

### Surrounding Properties:

**BOA-22862;** On 02.25.20 the board accepted a verification of spacing for an Off-Premise Outdoor Advertising sign with Dynamic Display (sec. 60.100-J). The existing sign in BOA-22862 which is a tri-vision sign, which permitting has deemed to be a dynamic display sign, is within 1,200 feet of the subject sign. The subject sign in BOA-22862 has received their sign permit since the acceptance of their spacing. The signs are located 773 feet apart according to the survey provided by the applicant.



13.2

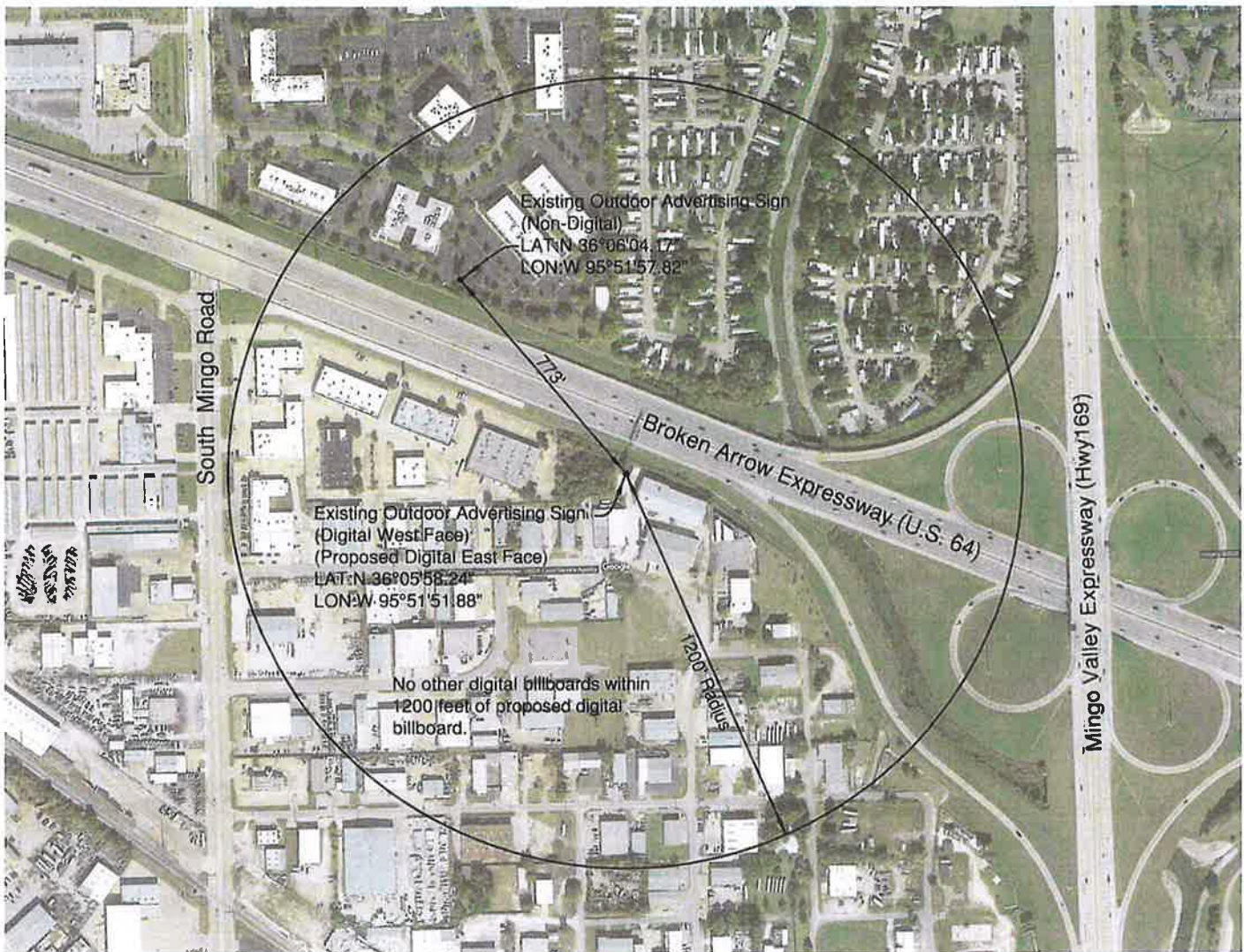
**STAFF COMMENTS:** The applicant is requesting Verification of the spacing requirement for an outdoor advertising sign with a Dynamic Display (Sec 60.100-K)

**60.100-K** Except as provided in ~~§60.100-J~~, any outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground

**SAMPLE MOTION:**

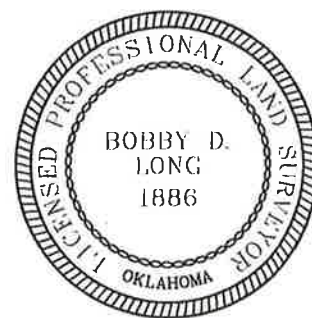
I move that based upon the facts in this matter as they presently exist, we approve the applicant's verification of spacing between dynamic display (digital) outdoor advertising signs subject to the action of the Board being void should another outdoor advertising sign or conflicting use be constructed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





I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that this exhibit accurately portrays the locations of and distances between proposed and existing outdoor advertising signs as determined by field survey data gathered on the 3rd of February, 2020.

*Bobby D. Long* 02/24/2020  
 Bobby D. Long Date



## OUTDOOR ADVERTISING SIGN SPACING EXHIBIT



Tulsa Engineering & Planning Associates, Inc.  
 9810 East 42nd Street Tulsa, Oklahoma 74146  
 Phone: 918-252-9621 Fax: 918-250-4566

Certificate of Authorization No. 531 Renewal Date June 30, 2021



Job No: 20-011  
 Scale: 1" = 500'  
 Date: 02/24/2020

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

### SIGN PLAN REVIEW

March 13, 2020

LOD Number: 1

Phone: 918-665-1755

**Lorinda Elizando**  
**Lamar Central Outdoor Inc.**  
**7777 E. 38<sup>th</sup> St.**  
**Tulsa, OK 74145**

**APPLICATION NO:** SIGN-055101-2020 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
**Location:** 10102 E. Broken Arrow Exp.  
**Description:** Outdoor Advertising 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 2<sup>nd</sup> 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

## REVIEW COMMENTS

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

Application No. SIGN-055101-2020

10102 E. Broken Arrow Exp.

March 13, 2020

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 60.100 K Dynamic Displays

Except as provided in §60.100-J, any outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground

**Review Comments:** Converting a conventional outdoor advertising sign to a dynamic display outdoor advertising sign requires a 1,200 foot spacing verification from the BOA per section 70.110 from any digital outdoor advertising sign facing the same traveled way. In addition, the proposed dynamic display outdoor advertising sign appears to be closer than 1,200 feet to a previously permitted outdoor advertising sign with a dynamic display facing the same traveled way. As an option, you may pursue a variance from the BOA to allow an outdoor advertising sign with a dynamic display to be closer than the 1,200 feet spacing requirement of 60.100 K.

**NOTE:** Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, spacing verifications, 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.





**City of Tulsa**  
175 E 2nd St., Suite #450  
Tulsa, OK 74103  
(918) 596-9456

<h1>Permit</h1>	Permit NO. <b>SIGN-053121-2020</b>
	Permit Type: <b>Sign</b>
	Work Classification: <b>Outdoor Advertising</b>
	Permit Status: <b>Issued</b>
Issue Date: <b>03/10/2020</b>	Expiration: <b>09/08/2020</b>

**Location Address****Parcel Number****9810 E 42ND ST S Tulsa, Tulsa, OK 74146****76150943013560****Contacts**

WHISTLER SIGN COMPANY LLC 6304 E 102ND ST S Tulsa, Tulsa, OK 74137 (918)491-7446	<b>Applicant</b> elaine@whistlerworks.com
--	--

**Description:** dynamic display outdoor advertising sign**Valuation:** \$0.00**Total Sq Feet:** 0.00**Inspection Requests:**

For Building/Trades: (918) 596-9656  
For Right Of Way: (918) 596-2519

Fees	Amount
Application Fee (Sign)	\$65.00
Outdoor Advertising Sign	\$335.00
Permit and Licensing System Maintenance Fee	\$4.00
Record Retention Fee	\$136.50
Resubmittal (Sign)	\$55.00
System Development Fee	\$36.85
<b>Total:</b>	<b>\$632.35</b>

Payments	Amt Paid
<b>Total Fees</b>	<b>\$632.35</b>
Credit Card	\$65.00
Check # 3092	\$567.35
<b>Amount Due:</b>	<b>\$0.00</b>

Available Inspections:	
Inspection Type	IVR
Sign Foundation	1905
Final Sign	1901

**Additional Information****New/Existing:** New**Electric amps of Sign:** 400**Sign Text:** changeable message technology**Location on Lot:** South on Broken Arrow Expressway frontage

**Sign Permit Notes:** Permit to convert the existing tri-fold Outdoor Advertising Sign (Original digital sign permit 190243 issued 4/7/2009) to a digital Outdoor Advertising Sign of the same size and location per 60.100-J, lawfully established digital sign prior to 1/1/2010. Spacing acceptance per BOA-22862 approved 2/25/2020. Digital sign shall comply with T42 chapter 60.100 for dynamic displays and with T42 chapter 60.100-I for illuminative brightness. This permit shall become null and void with the erection of a digital OAS prior to the OAS of this permit, by the preemptive effect of negating the 1200 ft. spacing verification of this permit. Contractor shall not place any sign or part of any sign structure in a manner that would interfere with, cause damage to or obstruct service to any public utility. Contractor shall call OKIE at 1-800-522-6543 prior to any excavation, to identify and locate existing utilities on the sign construction site. Electrical work shall be done by separate permit. No approval is granted for any construction or use violating any provision of The City of Tulsa Ordinances Title 42, 49, 51 & 52. No other signs are included in this permit.

March 10, 2020

Issued By: Brian Mathis

Date

Authorized Signature

Date

13.7





S MINGO RD

E 42 ST S

S 100 E AVE

E 41 PL S

E 42 ST S

E 42 PL S

S 103 E AVE

S 104 E AVE

E 42 ST S

E 42 PL S

E 43 ST S

E 43 PL S

E 44 ST S

S 105 E AVE

E 43 ST S

51

S 99 E AVE

E 44 PL S

E 45 PL S

S 100 E PL

E 45 PL S

S 101 E AVE

S 102 E AVE

E 46 PL S

E 47 ST S

S 100 E AVE

S 103 E AVE

E 47 PL S

S 98 E AVE

E 48 ST S

MINGO VALLEY EXPWY

64

169

0 200 400  
Feet



Subject  
Tract

**BOA-22902**

19-14 30

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

Aerial Photo Date: February 2018

13.8







0 50 100  
Feet



Subject  
Tract

**BOA-22902**

19-14 30

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

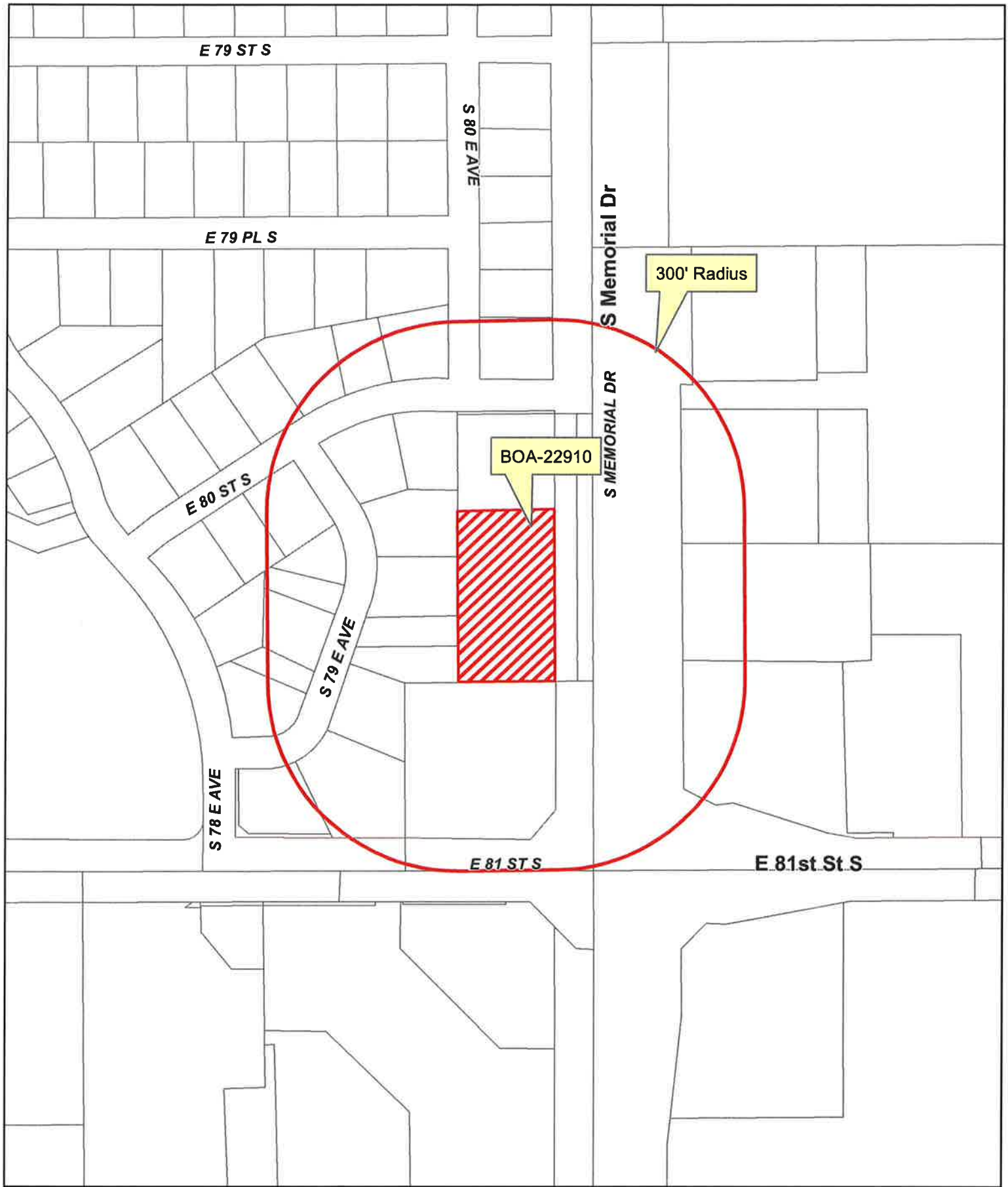
Aerial Photo Date: February 2018



13.9



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0 Feet 150 300

**BOA-22910**

14.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 8311

Case Number: BOA-22910

CZM: 53

CD: 8

HEARING DATE: 04/28/2020 1:00 PM

APPLICANT: Crystal Stark

ACTION REQUESTED: Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other package stores (Section 40.300-A&B)

LOCATION: 8016 S. MEMORIAL DR E, TENANT SPACE: 8030 S MEMORIAL DR E, SUITE B

ZONED: CS

PRESENT USE: Vacant

TRACT SIZE: 40502.25 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 1, SWEETBRIAR EAST, KENNEDY-WALKER CENTER

STAFF COMMENTS: The applicant is requesting Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other liquor stores (Section 40.300-A&B)

## Section 40.300

### Plasma Centers, Day Labor, Package Stores, Bail Bonds, Pawn Shops

The supplemental use regulations of this section apply to all plasma centers, day labor hiring centers, package stores, bail bond offices and pawn shops.

40.300-A Plasma centers, day labor hiring centers, package stores, bail bond offices and pawn shops must be separated by a minimum distance of 300 feet, provided that bail bond offices located within the CBD district are not subject to this separation requirement.

40.300-B For uses established after July 1, 2001, the separation distance requirement of ~~§40.300-A~~ must be measured in a straight line from the nearest perimeter wall of the portion of the building occupied by one of the subject uses to the nearest perimeter wall of the portion of the building of any other subject use.

Included in your packet is an inventory of the uses within 300' of the subject property. The proposed package store is moving to the subject site from an adjacent piece of property.

## SAMPLE MOTION:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing to permit the package store subject to the action of the Board being void should another package store or other conflicting use be established prior to the establishment of this package store.

Suggested condition: The Board should note that the existing package store within 300' of the proposed package store must be closed prior to the subject package store opening for business.

14.2





***Facing South on Memorial***



***Subject property***



*Facing North on Memorial*

**DANA L. BOX**  
ZONING  
PLANS EXAMINER II

TEL (918) 596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**LOD Number: 1**  
**Crystal Stark**  
**8030 S. Memorial Dr.**  
**Tulsa, OK 74133**

**March 16, 2020**

**Phone: 918-949-7979**

**APPLICATION NO: BLDC-054884-2020**

*(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)*

**Location: 8030 S. Memorial Dr.**

**Description: Interior remodel for retail package store**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

#### REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

#### IMPORTANT INFORMATION

1. 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
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)

14.5



## REVIEW COMMENTS

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

**BLDC-054884-2020**

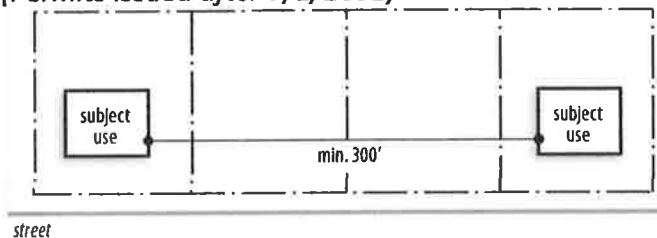
**8030 S. Memorial Dr.**

**March 16, 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 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.

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

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



**Review comment:** A package store is required to be separated from the nearest perimeter wall of the portion of a building occupied by plasma centers, day labor hiring centers, other package stores, bail bond offices and pawn shops. Submit a spacing verification reviewed and accepted by the BOA per Sec.70.110 that demonstrates compliance with Sec.40.300-A & B.

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

<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

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

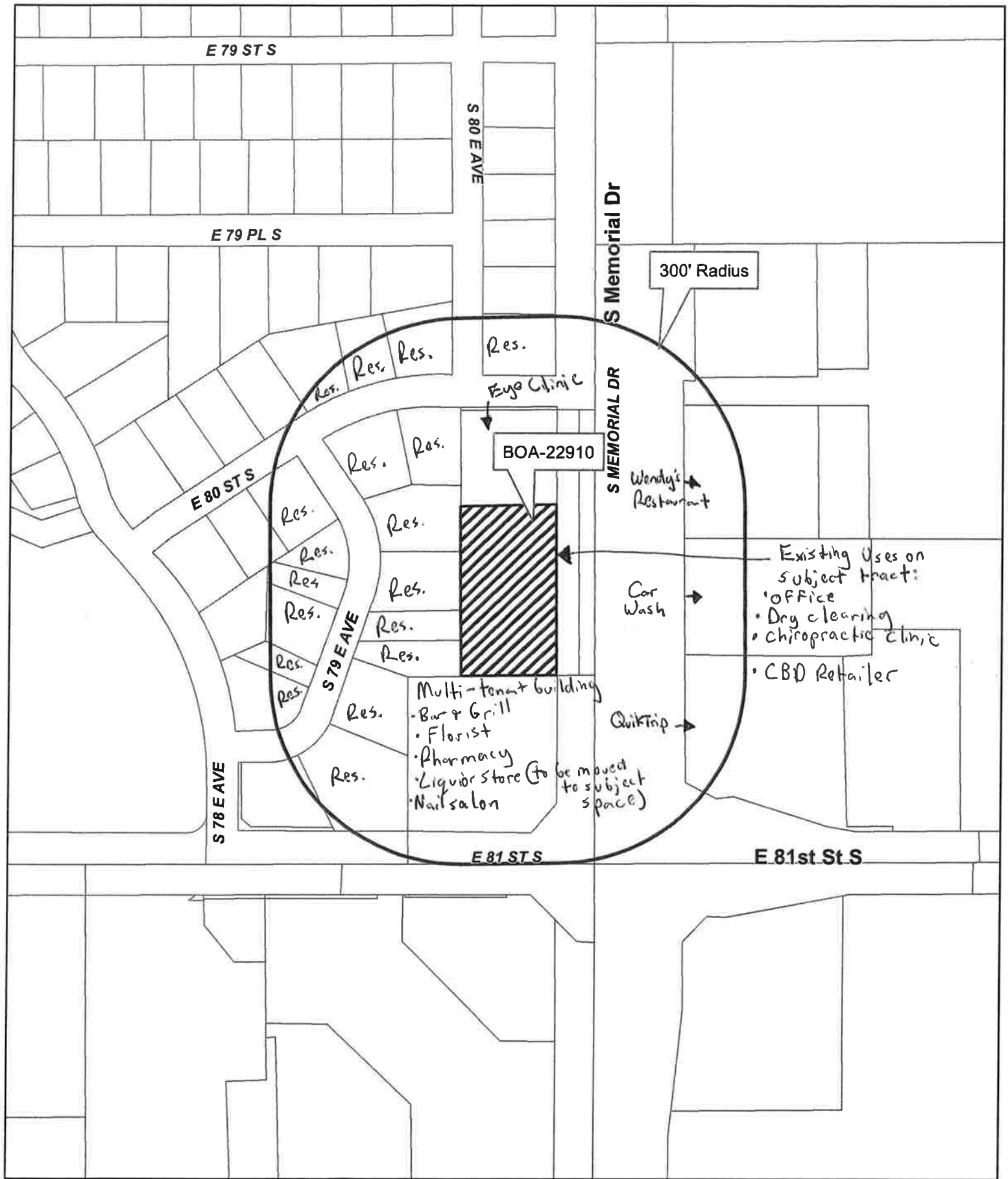
**This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.**

**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.

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.



0 Feet 150 300

**BOA-22910**



14.7





**BOA-22910**

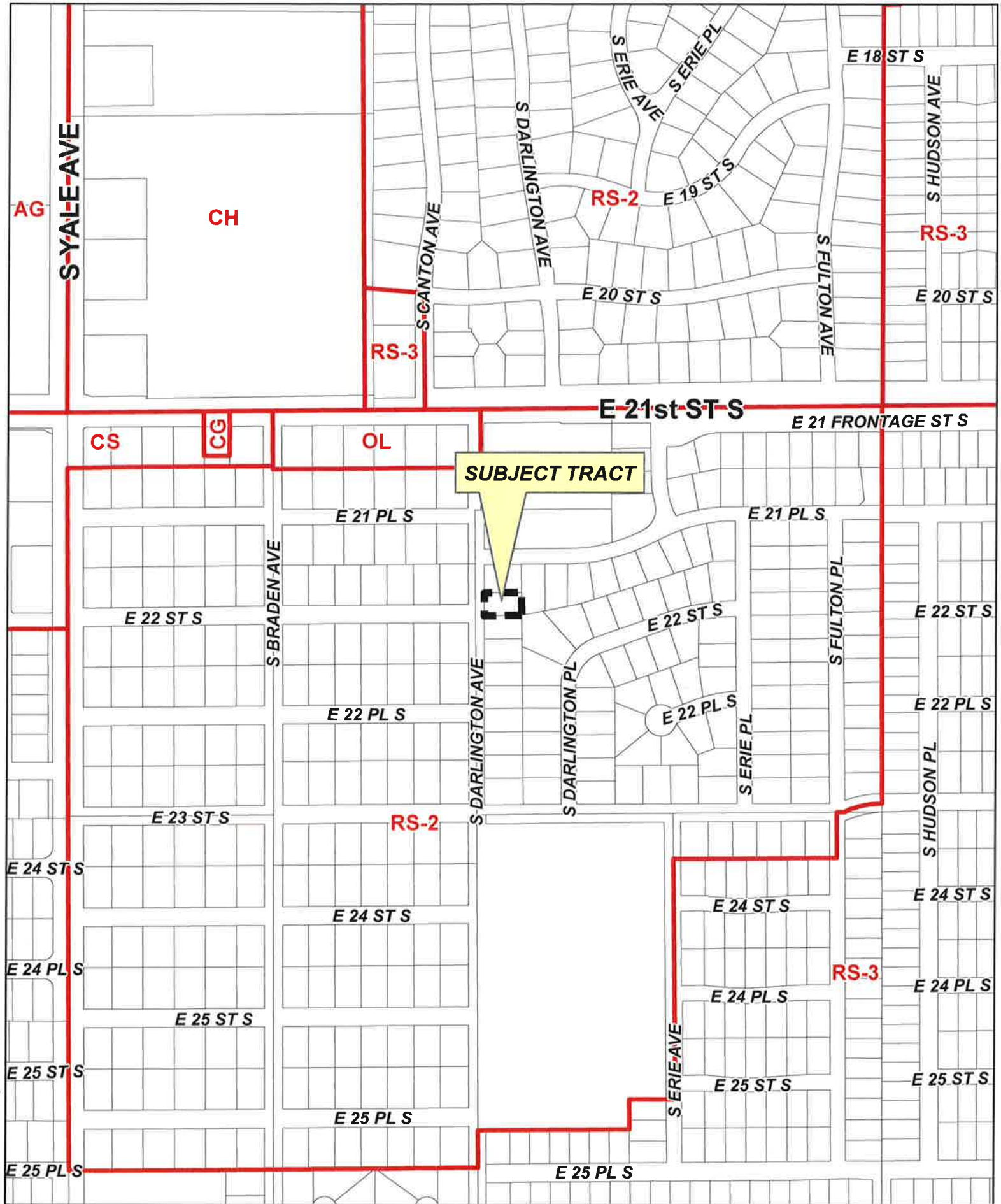
Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2018



14.8

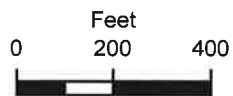




SUBJECT TRACT

BOA-22888

15.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9315

Case Number: **BOA-22888**

CZM: 38

CD: 5

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Peter Picorale

**ACTION REQUESTED:** A Variance to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (90.090-C.2, Table 90-2)

**LOCATION:** 2149 S DARLINGTON AV E

**ZONED:** RS-2

**PRESENT USE:** RS-2

**TRACT SIZE:** 9226.05 SQ FT

**LEGAL DESCRIPTION:** LT 2 BLK 3, DARLINGTON HILLS 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".

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 South of the SE/c of S. Darlington Ave. and E. 21<sup>st</sup> Pl.

**STAFF COMMENTS:** The applicant is requesting a **Variance** to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (90.090-C.2, Table 90-2)

**Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback**

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 District	25%
RS-3, RS-4, RS-5 and RD Districts	30%
RM zoned Lots Used for Detached Houses or Duplexes	30%

The applicant is proposing covering 700 sf in the rear setback and per the code they are limited to 469 sf.

**STATEMENT OF HARDSHIP:** Not provided on application has been requested by staff.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to allow more than 25% coverage in the rear setback for a detached accessory building in an RS-2 District (90.090-C.2, Table 90-2)

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

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 South on Darlington***



***Subject Property***



***Facing North on Darlington***

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**Peter Picorale**  
ppicorale@cox.net

2/28/2020

**APPLICATION NO: ZCO-53474-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 2149 S Darlington**

**Description:**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

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

#### IMPORTANT INFORMATION

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

Application No. **ZCO-53474-2020**

**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 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

### 90.090-C.2 Detached Accessory Buildings

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

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

#### Review Comments:

#2. This lot is zoned RS-2. The rear setback is defined as the minimum distance set out by the zoning code of open unoccupied space between the rear lot line and the required rear setback (in your case, 25 feet from the rear property line). A maximum 25% area can be covered by the accessory building; (75X 25' X 25%) allows 469 sq ft of coverage. You are proposing 700 sq ft of coverage in the rear setback. Revise your plans to show compliance or apply to BOA for a variance to allow more than 25% coverage in the rear setback.

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

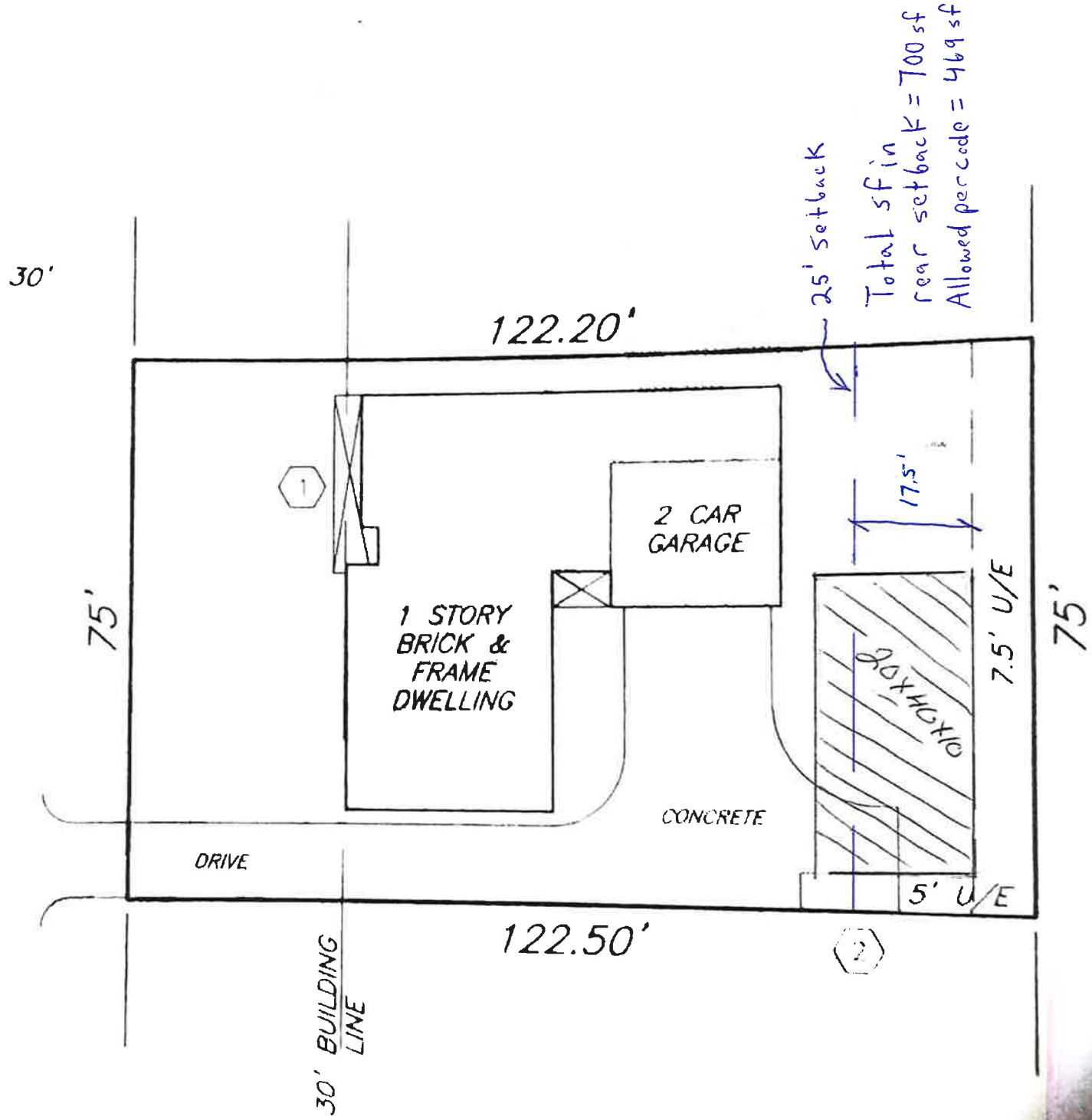
Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

## 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.

Q SOUTH DARLINGTON AVENUE







0 Feet 200 400



Subject Tract

**BOA-22888**

19-13 15

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

Aerial Photo Date: February 2018







0 50 100  
Feet



Subject  
Tract

**BOA-22888**

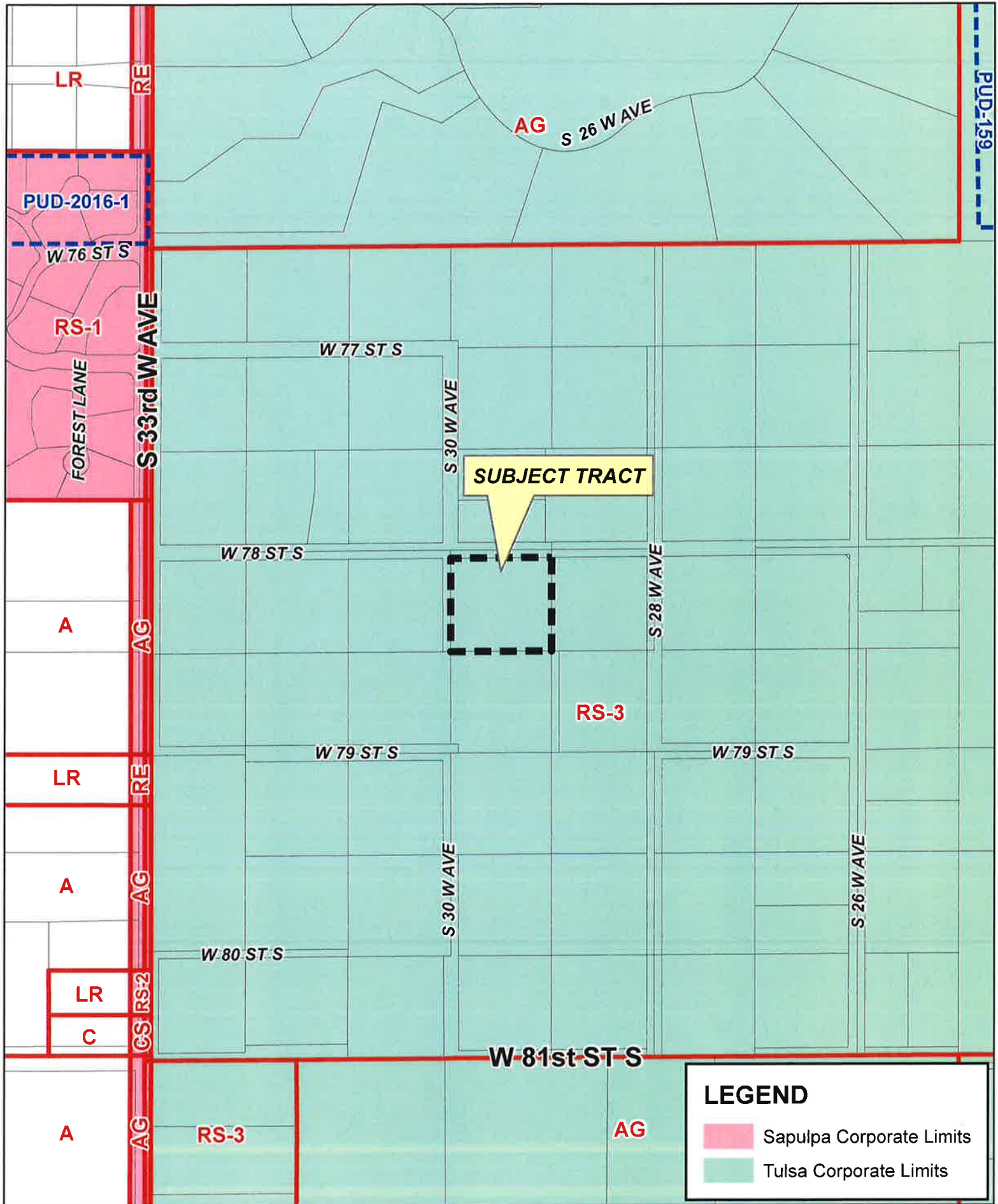
19-13 15

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

Aerial Photo Date: February 2018







**BOA-22891**

18-12 10

16.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 8210

Case Number: BOA-22891

CZM: 51

CD: 2

A-P#:

HEARING DATE: 04/14/2020 1:00 PM

APPLICANT: Matt Jenkins

ACTION REQUESTED: Variance to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Sec. 45.030-B) Variance to permit a detached accessory structure to be located in the street setback (Sec. 90.090-C) Variance to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Sec. 90.090.C)

LOCATION: 2828 W 78 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 100624.01 SQ FT

LEGAL DESCRIPTION: SE SE NW SW LESS N25 THEREOF FOR RD SEC 10 18 12 2.31ACS,

## RELEVANT PREVIOUS ACTIONS:

BOA-14688: On 12.17.87 the Board granted a variance to permit an accessory building in the side yard property located 7804 S. 74<sup>th</sup> W. Ave.

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 West of the SW/c of S. 28 W. Ave. and W. 78<sup>th</sup> St. S.



**STAFF COMMENTS:** The applicant is requesting a **Variance** to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Sec. 45.030-B) **Variance** to permit a detached accessory structure to be located in the street setback (Sec. 90.090-C) **Variance** to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Sec. 90.090.C)

**Section 45.030      Accessory Buildings and Carports in R Districts**

**45.030-A Accessory Building Size**

**1. RE and RS-1 Districts**

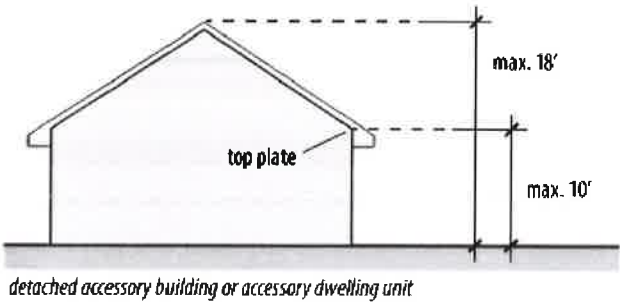
In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

*Table 90-1: Permitted Setback Obstructions in R Zoning Districts*

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also <u>90.090.C2</u> )	No	No	Yes

2. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.
- a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that:
- (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

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



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

This property is eligible for the AG-R re-zoning program.

**STATEMENT OF HARDSHIP:** The area is agricultural in nature and was developed prior to the City's Comprehensive Plan.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit an accessory building in an RS-3 District to exceed 40% the floor area of the primary residential structure (Sec. 45.030-B) **Variance** to permit a detached accessory structure to be located in the street setback (Sec. 90.090-C) **Variance** to permit a detached accessory building to exceed 18 feet in height and 10 feet in height to the top of the top plate (Sec. 90.090.C)

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

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 East 78<sup>th</sup> W Ave.***



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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**Matt Jenkins**  
jenkinsmwj@gmail.com

2/29/2020

**APPLICATION NO: BLDR-53810-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 2828 W 78 st S**

**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.

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2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
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REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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(continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Application No. **BLDR-53810-2020**

**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 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

### 1. 45.030-B RS-2, RS-3, RS-4, RS-5 or RM Districts

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

**Review comments:** You are proposing 2000 sq ft of detached accessory structure floor area. The proposed detached structure exceeds 500 sq ft and 40% of the size of your house. Based on the size of your house (3889) you are allowed 1555 sq ft of detached accessory structures floor area on your lot. Reduce the size of your proposed detached accessory structure to be less than 1555 sq ft of total floor area or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

### 2. 90.90.C: Detached Accessory Buildings

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

(1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

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

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

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

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

**Review Comments:** Detached accessory buildings in an RS-3 zoned lot are not allowed in the street setback which is the first 25' feet of your lot. Revise your site plan to indicate compliance with the 25' front setback or apply to INCOG for a variance to allow a detached accessory building in the street setback.

4. **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.

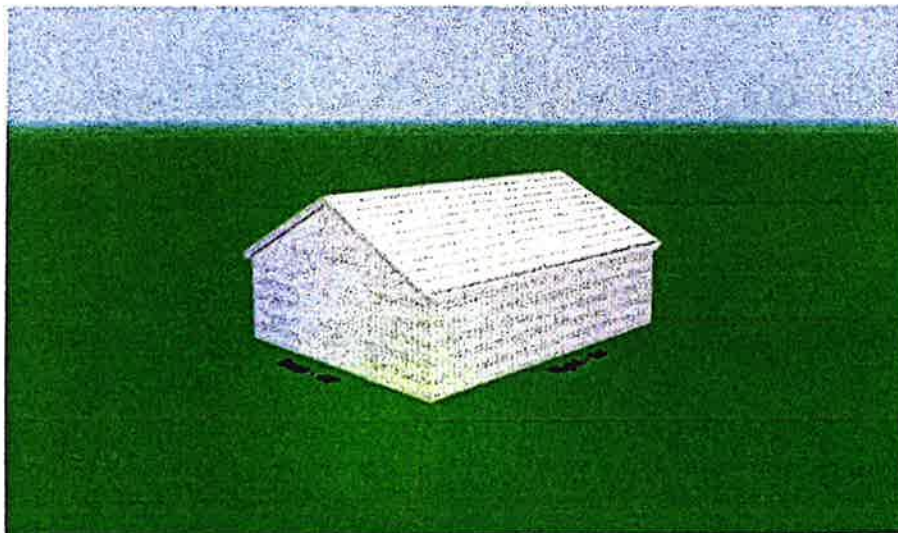
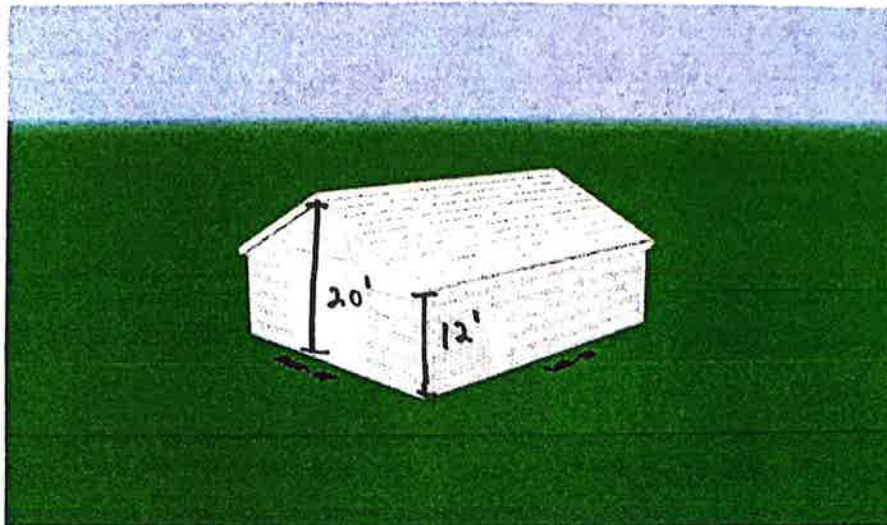




101 Leaning Tree Rd  
Ft Gibson, OK 74434  
918-478-2695

## QUOTATION

Quote Date {QuoteDate}  
Quote Num  
Cust ID  
Job Num D Cross Jenkins

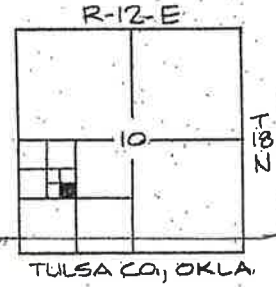


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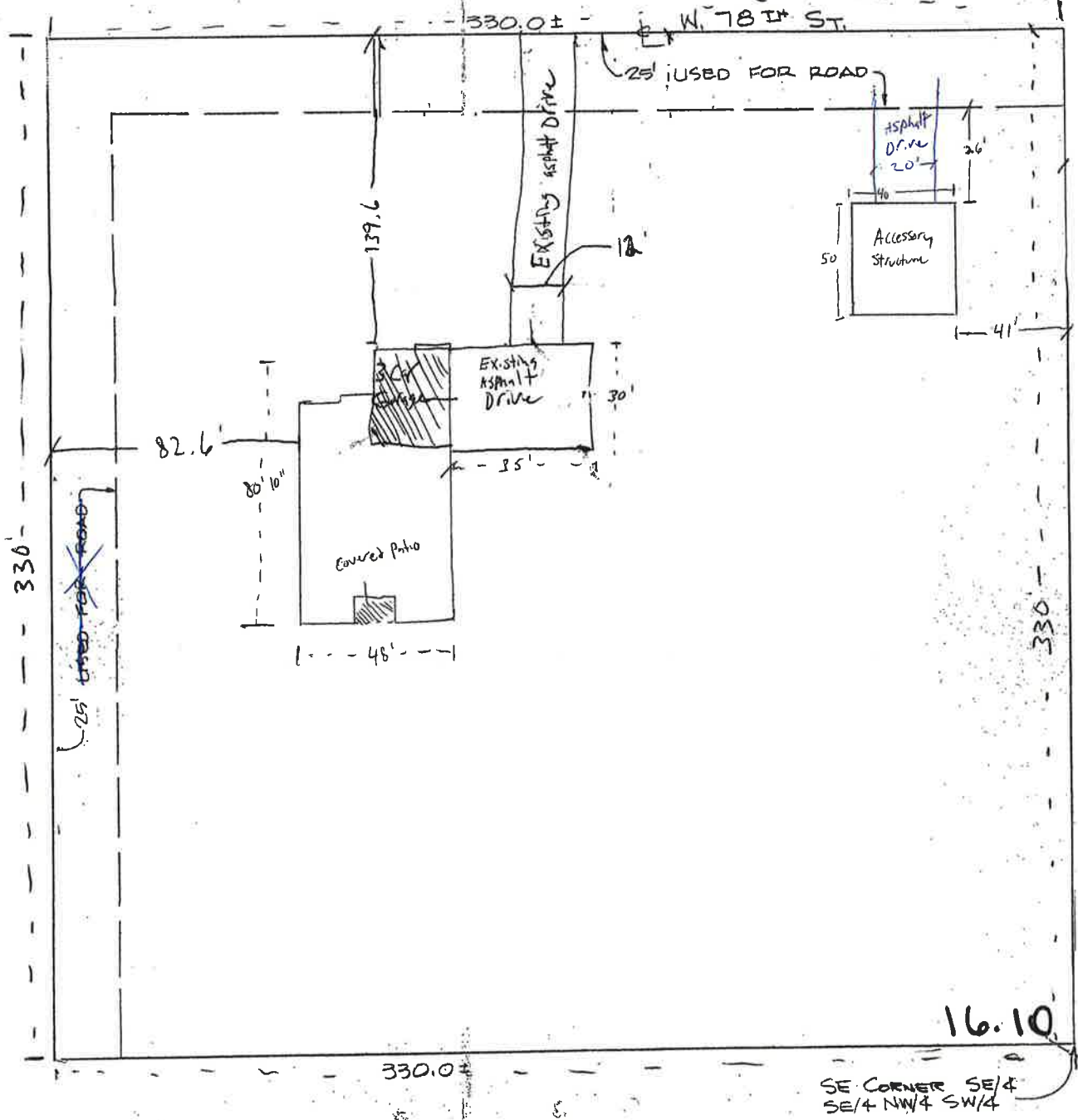
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2828 W 78<sup>th</sup> St

VSL 8



W 78<sup>th</sup> St







0 Feet 200 400



Subject  
Tract

**BOA-22891**

18-12 10

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

Aerial Photo Date: February 2018



16.11





S30 WAVE

W78 STS

0 Feet 50 100



Subject  
Tract

**BOA-22891**

18-12 10

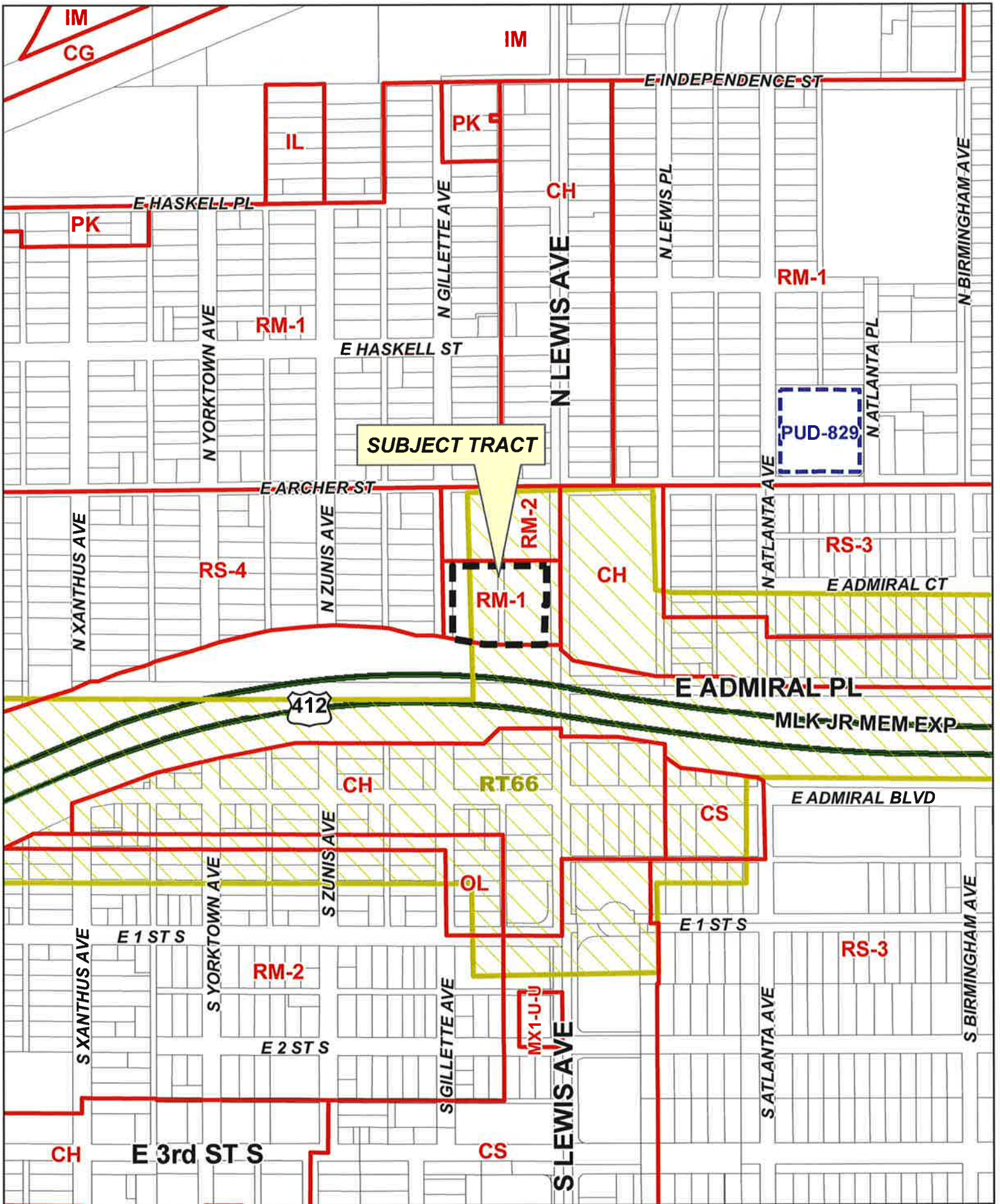
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018



16.12





BOA-22893

19-13 06

17.1



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9306

**Case Number:** BOA-22893

**CZM:** 37

**CD:** 3

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Cameron C. Wallace

**ACTION REQUESTED:** Variance to have the required 35' building setback along N. Lewis Ave and E. Admiral Place reduced to 10' (Sec. 5.030, Table 5-3). Variance to reduce the required 25' building setback on N. Gillette Ave to 10' (Sec. 5.030, Table 5-3)

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

**PRESENT USE:** Neighborhood Center

**TRACT SIZE:** 148004.42 SQ FT

**LEGAL DESCRIPTION:** A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01° 06' 54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR 242.74 FEET; THENCE SOUTH 88° 53' 06" WEST FOR 117.24 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 01° 06' 54" EAST FOR 108.03 FEET; THENCE SOUTH 88° 53' 06" WEST FOR 95.00 FEET; THENCE NORTH 01° 06' 54" WEST FOR 58.03 FEET; THENCE SOUTH 88° 53' 06" WEST FOR 107.06 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01° 06' 54" WEST ALONG SAID WESTERLY LINE FOR 50.00 FEET; THENCE NORTH 88° 53' 06" EAST FOR 202.06 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. SAID TRACT OF LAND CONTAINING 0.358 ACRES, OR 15,617 SQUARE FEET, MORE OR LESS. AND A TRACT OF LAND THAT IS PART OF BLOCK FOUR (4), EASTLAND ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4; THENCE SOUTH 01° 06' 54" EAST ALONG THE EASTERLY LINE OF SAID BLOCK 4 FOR 242.74 FEET; THENCE SOUTH 88° 53' 06" WEST FOR 10.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 01° 06' 54" EAST PARALLEL WITH AND 10.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 127.84 FEET; THENCE NORTH 88° 53' 06" EAST FOR 5.00 FEET; THENCE SOUTH 01° 06' 54" EAST PARALLEL WITH AND 5.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID BLOCK 4 FOR 133.93 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 20 OF SAID BLOCK 4; THENCE SOUTH 89° 39' 49" WEST ALONG THE SOUTHERLY LINE OF LOTS 20 AND 31 OF SAID BLOCK 4 FOR 207.12 FEET; THENCE NORTH 80° 49' 36" WEST FOR 108.94 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 4; THENCE NORTH 01° 06' 54" WEST ALONG SAID WESTERLY LINE FOR 189.50 FEET; THENCE NORTH 88° 53' 06" EAST FOR 107.06 FEET; THENCE SOUTH 01° 06' 54" EAST FOR 58.03 FEET; THENCE NORTH 88° 53' 06" EAST FOR 95.00 FEET; THENCE NORTH 01° 06' 54" WEST FOR 108.03 FEET; THENCE NORTH 88° 53' 06" EAST FOR 107.24 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. SAID TRACT OF LAND CONTAINING 1.478 ACRES, OR 64,382 SQUARE FEET, MORE OR LESS.

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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.

17.2



**ANALYSIS OF SURROUNDING AREA:** The subject tract is located South of the SW/c of E. Archer and S. Lewis Ave.

**STAFF COMMENTS:** The applicant is requesting **Variance** to have the required 35' building setback along N. Lewis Ave and E. Admiral Place reduced to 10' (Sec. 5.030, Table 5-3) and a **Variance** to reduce the required 25' building setback on N. Gillette Ave to 10' (Sec. 5.030, Table 15-3)

Chapter 5 | Residential Districts  
Section 5.030 | 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
<b>Min. Building Setbacks (ft.)</b>													
<b>Street [3]</b>													
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

**STATEMENT OF HARDSHIP:** Use category RM-1 requires a 35-foot setback at arterial streets and a 25-foot setback at other streets. This would create a disconnected feel in Kendal Whittier neighborhood. A 10-foot setback would be more consistent with the walkable feel of the Kendal Whittier neighborhood.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to have the required 35' building setback along N. Lewis Ave and E. Admiral Place reduced to 10' (Sec. 5.030, Table 5-3). **Variance** to reduce the required 25' building setback on N. Gillette Ave to 10' (Sec. 5.030, Table 5-3)

- 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;*

17.3

*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 South on Lewis***





***Subject Property from Gillette***

[illegible]

N=20.00°  
L=88°11'59"  
CO=42.15°  
CH=54.5° 29° 05'W  
L=48.705

BENCHMARK  
CHISELED BOX ON  
CONCRETE CURB  
N 429556 302  
E 2510709 007  
ELEV 761.59

APPROVED  
FOR IDP PERMIT ONLY

**GE02**

ISSUE DATE: P05003 0100  
PROJECT NO:  
CHECKED BY: JQ  
DRAWN BY: CDC  
ATLAS PAGE NO. 9  
JDP NO. JDP 44145-2018

1	02/18/2000	100 1st 0.5MATH

**THE WHITTIER  
BOOMTOWN DEVELOPMENT COMPANY**  
60 N. LEWIS  
TULSA, OKLAHOMA 74110



CANTERBURY ENGINEERING, PLLC  
 CA # 2037  
 EXPIRES 6/30/2009  
 MODERT L. DAY, P.E.

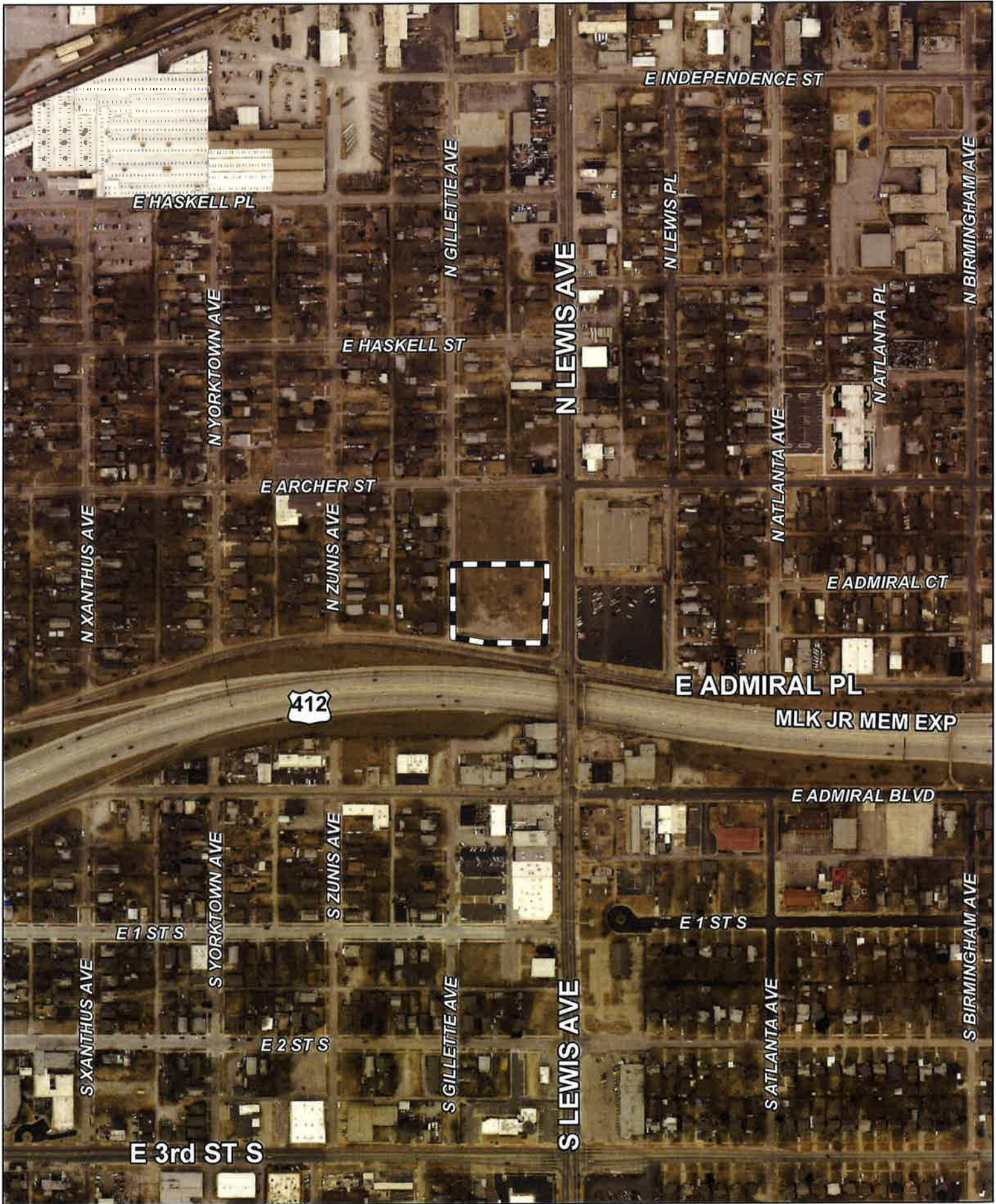


810 SOUTH CINCINNATI  
SECOND FLOOR  
TULSA, OK 74119  
510.577.0000  
www.epiortho.com









Subject  
Tract

**BOA-22893**

19-13 06

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

Aerial Photo Date: February 2018







E ARCHER ST

N GILLETTE AVE

N LEWIS AVE

E ADMIRAL PL

MLK JR MEM EXP

412

0 Feet 50 100



Subject Tract

BOA-22893

19-13 06

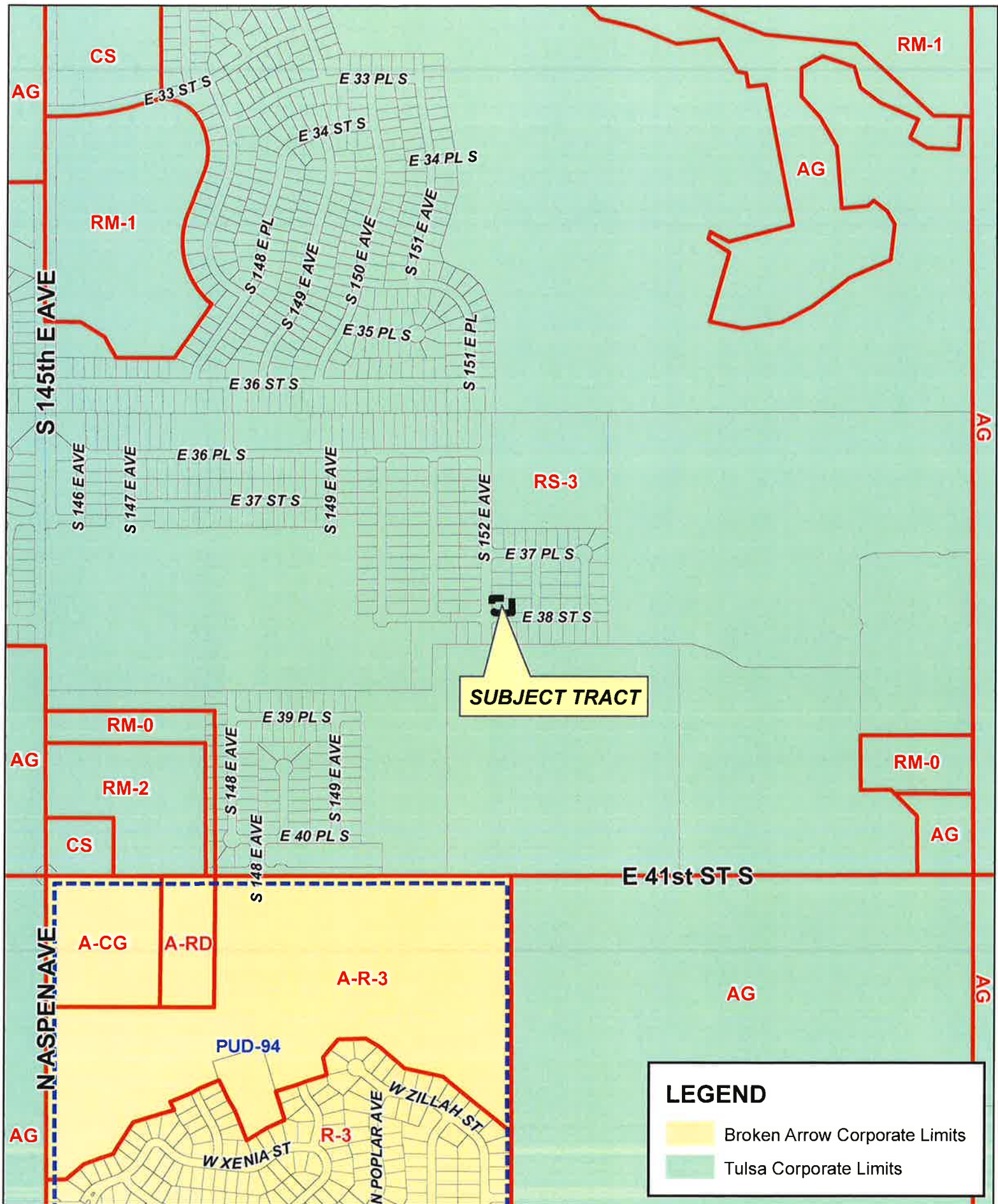
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

17.10







**BOA-22894**

19-14 22

18.1



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9422

Case Number: **BOA-22894**

**CZM:** 50

**CD:** 6

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Jorge Fernandez

**ACTION REQUESTED:** **Special Exception** to increase the maximum driveway width, ~~within the right of way and~~ inside the street setback. (Section 55.090-F.3)

**LOCATION:** 3747 S 152 AV E

**ZONED:** RS-3

**PRESENT USE:** Residential

**TRACT SIZE:** 9286.03 SQ FT

**LEGAL DESCRIPTION:** LOT 1 BLOCK 10, CROSSING AT BATTLE CREEK PHASE II BLOCKS 7-13

**RELEVANT PREVIOUS ACTIONS:** None.

**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 at the NE/c of E 38<sup>th</sup> St. S. and S. 152<sup>nd</sup> E. Ave.

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to increase the maximum driveway width, ~~within the right of way and~~ inside the street setback. (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 aggregate width including the expansion appears to bring the total width of the driveway on the lot to 36'. Originally the application was noticed to include the width of the driveway inside the right-of-way, but the applicant confirmed they are not planning on increasing the size of the curb-cut.

### **SAMPLE MOTION :**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to increase the maximum driveway width, ~~within the right-of-way and inside the street setback.~~ (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.



***Facing North on 152<sup>nd</sup> E. Ave. (subject property has the dark pick-up in driveway)***



***Southern dead end of 152<sup>nd</sup> E. Ave.***





***Subject property***

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**Jorge Fernandez**  
jorgepina1986@gmail.com

2/1/2020

**APPLICATION NO: ZCO-52437-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 3747 S 152<sup>nd</sup> Ave E**

**Description: Driveway Expansion**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

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

#### IMPORTANT INFORMATION

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

(continued)

## REVIEW COMMENTS

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

Application No. **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 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

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

**Review Comments:** The submitted site plan proposes a driveway width of more than 30' in width on the lot in the street setback which exceeds the maximum allowable driveway width on this lot. Revise plans to indicate the driveway shall not exceed the maximum allowable width or apply to the BOA for a special exception for the proposed driveway width on this lot.

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

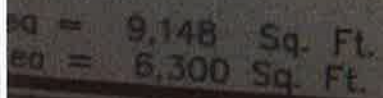
**Please Notify Plans Examiner By Email When You Have Submitted A Revision.** If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

## 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.









19-14 22

**Aerial Photo Date: February 2018**







0 Feet 50 100



Subject  
Tract

**BOA-22894**

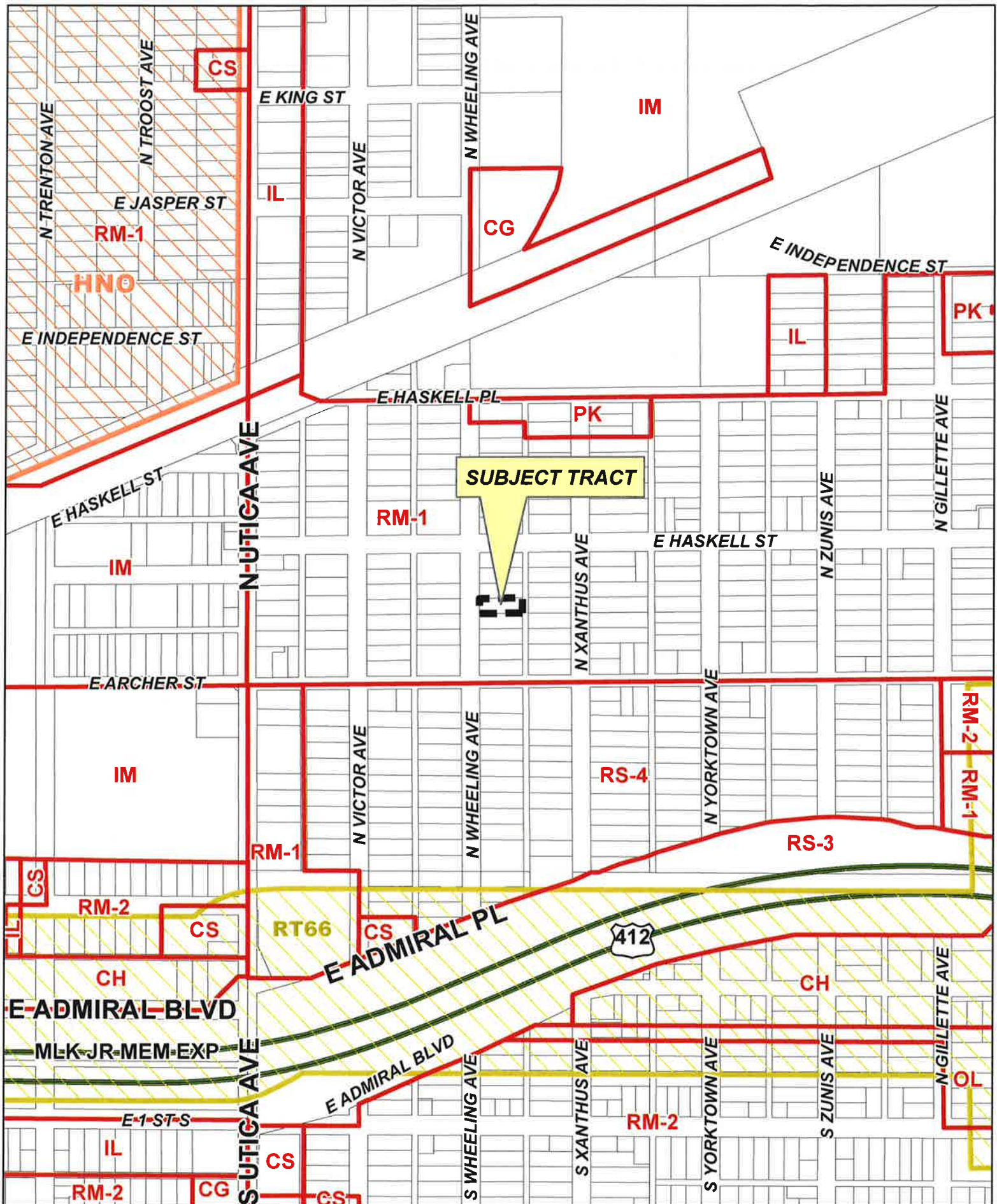
19-14 22

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

Aerial Photo Date: February 2018







BOA-22895

19.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 0331

Case Number: **BOA-22895**

CZM: 29

CD: 3

HEARING DATE: 04/28/2020 1:00 PM

APPLICANT: Israel Sanchez

ACTION REQUESTED: Variance to reduce the required 25 foot street setback in an RM-1 District (Sec. 5.030, Table 5-3)

LOCATION: 119 N WHEELING AV E

ZONED: RM-1

PRESENT USE: Residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 13 BLK 19, CHEROKEE HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-22840; On 4/15/20 the Land Use Administrator approved an Administrative Adjustment to reduce the required 5' side yard setback to 4'.

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 South of the SE/c of N. Wheeling Ave. and East Haskell Street.

STAFF COMMENTS: The applicant is requesting **Variance** to reduce the required 25 foot Street setback in an RM-1 District (Sec. 5.030, Table 5-3)

19.2

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
<b>Min. Building Setbacks (ft.)</b>													
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

**STATEMENT OF HARDSHIP:** Building out further to cover foundation.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required 25 foot street setback in an RM-1 District (Sec. 5.030, Table 5-3)

- 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:

- 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;*
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- 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;*
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- That the variance to be granted is the minimum variance that will afford relief;*
- That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*
- 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***



***Subject property facing North***



***Framing of New Carport***



***New Porch taken from side profile facing South***

**Jeff S. Taylor**  
Zoning Official  
Plans Examiner II

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**Israel Sanchez**

**8/26/2019**

**APPLICATION NO: BLDR-035699-2019** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 119 N Wheeling Ave E**

**Description: Porch Addition & Carport**

#### 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.

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

#### IMPORTANT INFORMATION

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(continued)



## REVIEW COMMENTS

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[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

Application No. **BLDR-035699-2019**

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

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

1. **5.030-A :Setback(s) (Residential):** In the RM-1 zoned district the minimum street setback shall be 25 feet from the front property line, or measured from the centerline of the abutting street add to the setback distance  $\frac{1}{2}$  the right-of-way (ROW) designated on the major street plan.

**Review Comments:** Revise your plans to indicate a 25' front setback to the property line and a 55' setback from the center of Wheeling street to the proposed covered porch, or apply to INCOG for a variance to allow less than a 25' front setback or 55' from center of street.

## 2. 70.100-B Authorized Administrative Adjustments

1. Administrative adjustments may be granted only as expressly identified in this section.

**b.** The land use administrator is authorized to grant an administrative adjustment reducing minimum required side and rear setbacks in any R district by up to 20%.

**5.030-A:** In the RM-1 zoned district the minimum side yard setback shall be 5 feet from the property line.

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

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

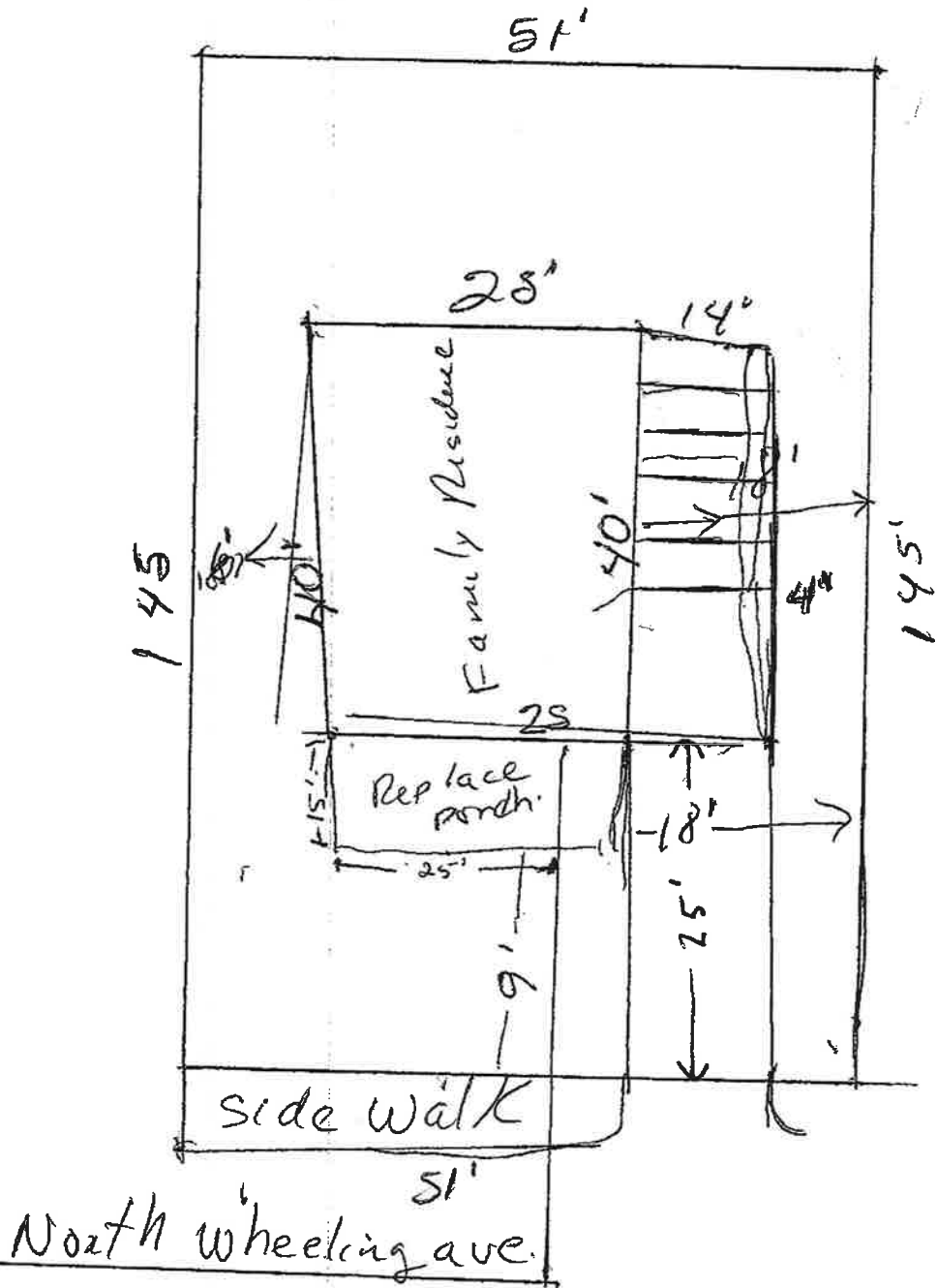
**Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.**

## **END -ZONING CODE REVIEW**

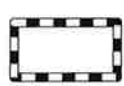
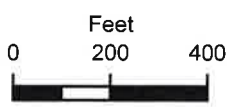
**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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.

19.9  
b.61







Subject  
Tract

**BOA-22895**

20-13 31

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

Aerial Photo Date: February 2018

19.10







**E HASKELL ST**

**N XANTHUS AVE**

**N WHEELING AVE**

**E ARCHER ST**



0 50 100  
Feet



Subject  
Tract

**BOA-22895**

20-13 31

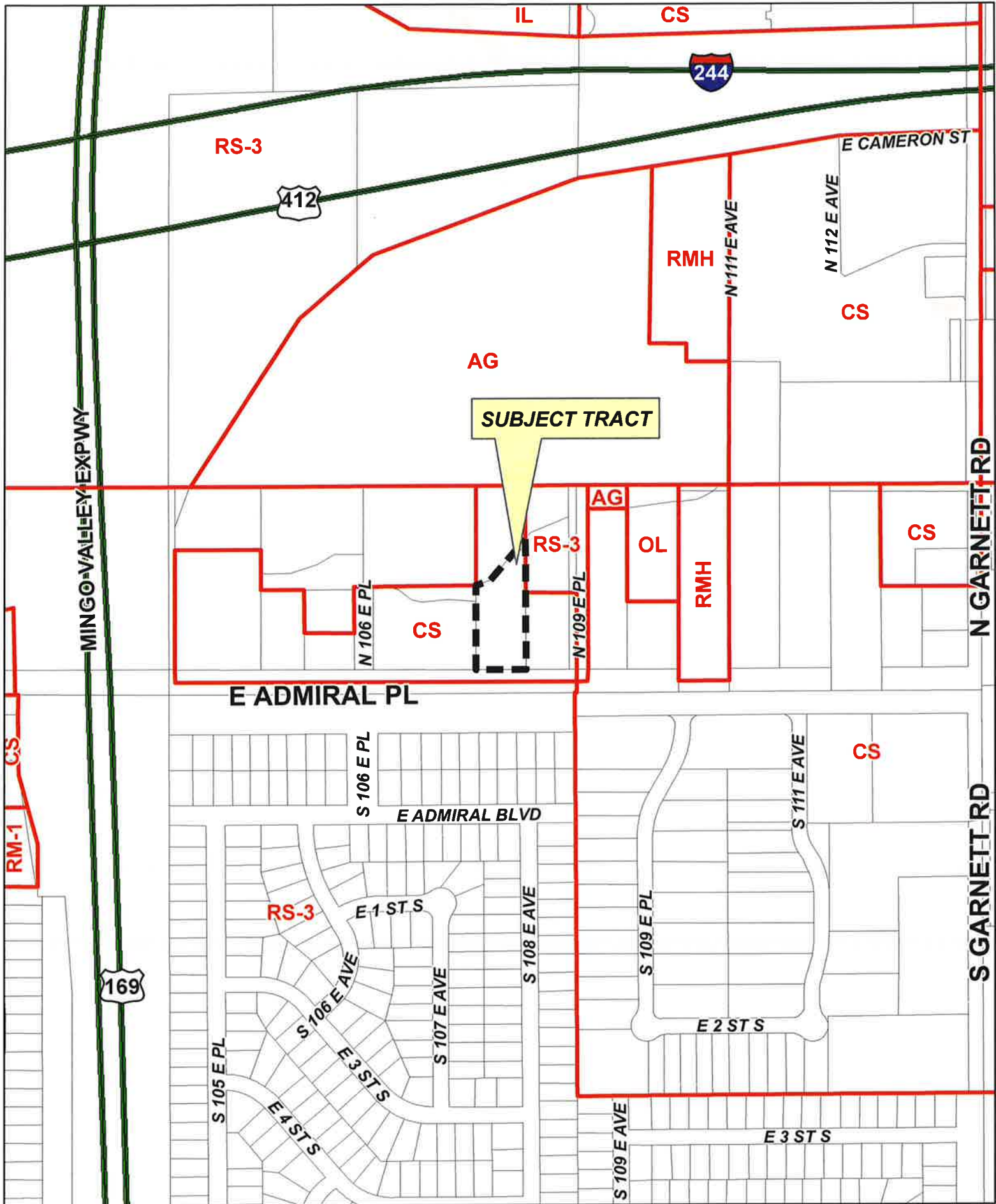
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018



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**BOA-22897**

**20.1**

19-14 06



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9406

Case Number: **BOA-22897**

CZM: 39

CD: 3

HEARING DATE: 04/28/2020 1:00 PM

APPLICANT: Dustin Alphin

ACTION REQUESTED: Special Exception to allow a fence to exceed 4' in height in a front street setback (45.080-A) and a Variance to permit a structure in the City of Tulsa right-of-way or planned right-of-way along E. Admiral Pl. (5.030-A, Table 5-3, Sec. 90.090-A).

LOCATION: 10623 E ADMIRAL PL N

ZONED: CS

PRESENT USE: Residential

TRACT SIZE: 56170.85 SQ FT

LEGAL DESCRIPTION: W165 TR 1 LESS S50 FOR HWY & LESS BEG NWC TH E165 S174.04 SW175.08 SW51.05 WL N324.60 POB, SPRING GROVE SUB

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of Highway-169 along East Admiral Place.

STAFF COMMENTS: The applicant is requesting **Special Exception** to allow a fence to exceed 4' in height in a front street setback (45.080-A) and a **Variance** to permit a structure in the City of Tulsa right-of-way or planned right-of-way along E. Admiral Pl. (5.030-A, Table 5-3, Sec. 90.090-A).

20.2

## Section 45.080

## Fences and Walls

**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.

## Section 90.090

## Setbacks

### **90.090-A Measurement**

Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. See §90.090-C for information on structures and building features that are allowed to occupy setback and yard areas in R zoning districts. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan. If a variance of the prohibition against location of a structure within the right of way or planned right of way is granted by the Board of Adjustment, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan, unless a license has been granted by the city, in the case of the right-of-way, or a removal agreement has been entered into, in the case of the planned right-of-way.

**STATEMENT OF HARDSHIP:** Please see attached letter provided by applicant.

### **SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow a fence to exceed 4' in height in a front street setback (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.



Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit a structure in the City of Tulsa right-of-way or planned right-of-way along E. Admiral Pl. (5.030-A, Table 5-3, Sec. 90.090-A)

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

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 West on Admiral*



*Facing East on Admiral*



***Subject Property***



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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

**Sabino Solis**  
Portilloj722@gmail.com

3/3/2020

**APPLICATION NO: ZCO-54160-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 10623 E Admiral PI**

**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 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

#### IMPORTANT INFORMATION

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

(continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Application No. ZCO-54160-2020

**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 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

1. **45.080-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.

2. **5.030-A :Setback(s) (Residential):** You are proposing to construct in a Right-of-Way (ROW). Required setback from the center of Admiral place is 75'. Fence structures are required to be located on your lot outside the ROW.

### Step # 1

**Review Comments:** This structure is completely in the (R-O-W) and therefore requires a City of Tulsa R-O-W license and removal agreement. Relocate the structure to comply with the minimum setback requirements or contact Chris Kovac @ 918-596-9649 for information on acquiring a R-O-W license and removal agreement.

### Step # 2

**Review comment:** Revise your site plan showing the structure to be located out of the right of way or you may pursue a variance from INCOG (Indian Nation Council of Government) BOA to permit a structure in the City of Tulsa right of way.

### Step# 3

Submit the approved R-O-W license removal agreement and the BOA variance approval documents to the City Of Tulsa permit center as a revision to your application.

**Note: A Right Of Way (ROW) construction permit will be required after your applications for the ROW license and removal agreement and the BOA variance are approved.**  
**Right Of Way (ROW) construction permits contact: Jerry Daily at 918-596-963**

**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**

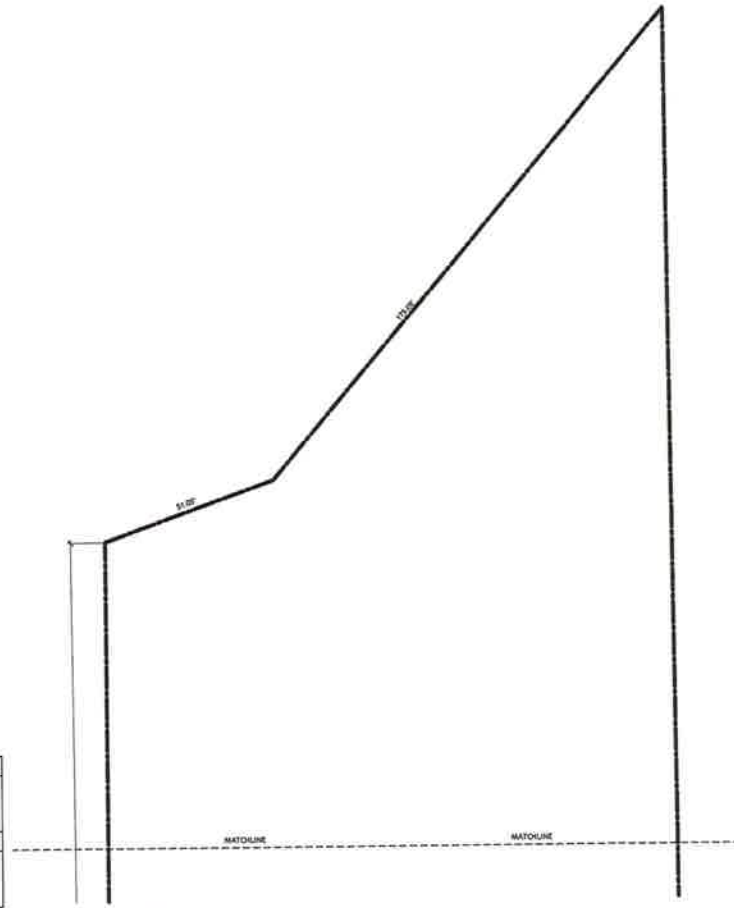
### **END –ZONING CODE REVIEW**

**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.

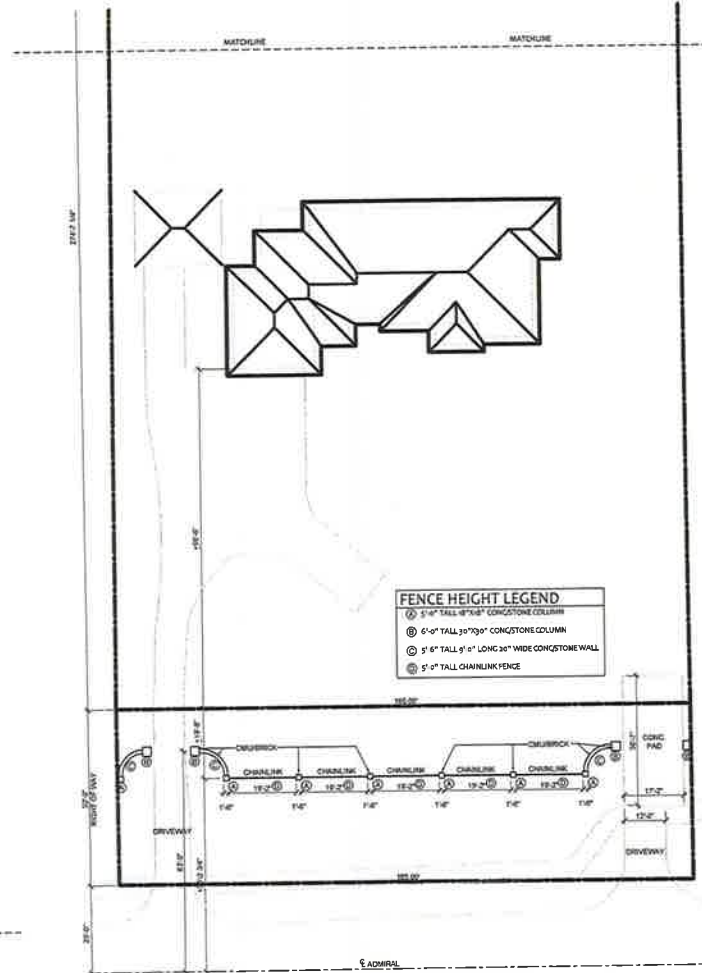
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



NOTE	
FENCE AT RIGHT OF WAY IS TO BE 4'-0" CHAIN LINK, POST SUPPORTING CHAIN LINK. FENCE IS 5'-0" TALL. POST ADJACENT TO DRIVEWAY IS 6'-0" TALL WITH 5'-0" TALL CURVED MASONRY WALL.	
PROPERTY DESCRIPTION	
PARKING	40320-04-00-0040
LEGAL DESCRIPTION	SHOPPING CENTER (C3) W/AS 71' LESS 50' FOR HWY & LESS BEG NW/4 TH E/4 S/4 NW/4 SW/2, 48 SW/4, 15 W/2, 40 FOR SECTION 04, TOWNSHIP 19, RANGE 14



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



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



NativeFusion  
17697 S 49th West Ave  
Mounds, Oklahoma 74047  
Phone: 918.878.9293

SEAL:

PROJECT:

SOLIS, SABINO  
10623 E ADMIRAL PL N  
TULSA, OKLAHOMA 74116

REVISIONS:

ISSUE DATE:  
03.04.2020

SHEET NUMBER:

**A101**

SITE PLAN

20.10



March 11, 2020

INCOG

Board of Adjustment

2 W 2<sup>nd</sup> St #800

Tulsa, OK 74103

Reference: Application # ZCO-54160-2020

Subject: Property Address: 10623 East Admiral PI Tulsa, OK 74116

To whom it may concern,

I am writing this letter on behalf of my client who currently resides at 10623 East Admiral Place in Tulsa, OK. He lives there with his wife and three (3) month old child. The property is zoned as a Shopping Center District (CS) which has regulations that differ from that of Residential.

My client began building a fence at the front of his property in line with his West neighbor's fence which also runs just South of the existing signage that was mounted in his front yard. My client has daily and evening trespassers on his property who travel by foot across his property and he is concerned for his family's safety, therefore he decided to build the fence. He was stopped by a City Inspector and informed that the fence was in the right of way and would need to obtain a permit. My client has halted all work while resolving the issue. The fence is constructed with stone/concrete columns at five (5) feet in height with aluminum chain link spanning between. Two columns setback closer to the residence on either side of the driveway and are connected to the fence line with a curved concrete/stone wall. We understand that the referenced property shall not have the fence height measured from grade exceeding four (4) feet per the LOD. We also understand per section of 90.170-A of the Tulsa Zoning Code that the fence post may exceed the height of the highest connection portion of the fence by up to twelve (12) inches.

My client submitted an application to the City and received a LOD for application number ZCO-54160-2020 which identifies the areas of deficiency. We have submitted the License Agreement Application to Mr. Kovac as recommended. The intent of this application is to ask that my client be allowed to keep the fence in its current location. In addition, my client ask that the fence be allowed to have the height be five (5) feet as he is concerned that four (4) feet is inadequate to keep trespassers out. My client asks if you will take into consideration that his West neighbor's fence is 6ft high and resides in the similar placement along the right of way. We have provided pictures for your use. Finally, my client apologizes for not following proper procedure from the beginning. He was unaware of the process and promptly contacted me to

20.11



assist in rectifying the error. If you have any questions or would like to discuss this request in person, please feel free to call me 918.378.9293.



West neighbors Fence Line along the ROW





West neighbor's corner of fence adjacent to client's property



Existing signage post at front of my client's property



Two columns set back closer to residence adjacent to driveway with 5'-6" conc/stone wall.



New fence construction in line with West neighbor's fence line





West neighbor's fence over six (6) feet tall.

Sincerely,



Dustin Alphin  
NativeFusion





0 Feet 200 400



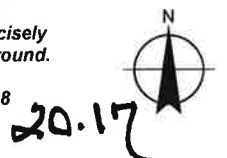
Subject Tract

**BOA-22897**

19-14 06

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

Aerial Photo Date: February 2018







**E ADMIRAL PL**

**N 109 E PL**

0 Feet 50 100



Subject  
Tract

**BOA-22897**

19-14 06

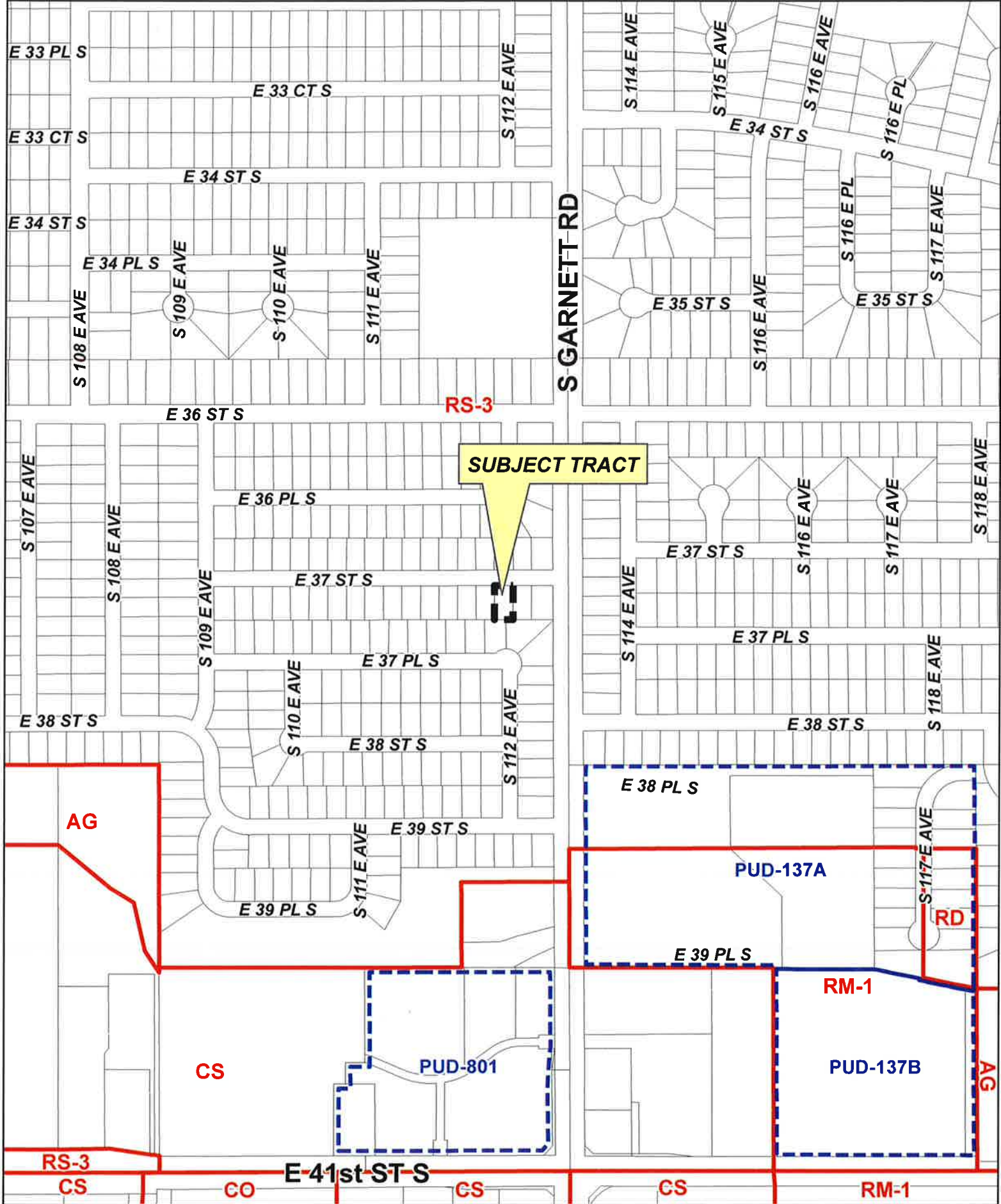
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

20.18







BOA-22903

21.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9419

Case Number: BOA-22903

CZM: 49

CD: 6

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Elder Juarez

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

**LOCATION:** 10976 E 37 ST S

**ZONED:** RS-3

**PRESENT USE:** Residential

**TRACT SIZE:** 6599.37 SQ FT

**LEGAL DESCRIPTION:** LT 3 BLK 12, SHANNON PARK SIXTH

**RELEVANT PREVIOUS ACTIONS:** None

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of a "New 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 **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 West of the SW/c of E 37<sup>th</sup> St. S. and S. Garnett Road.

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

21.2

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.

### SAMPLE MOTION :

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to increase the maximum driveway width, within the right-of-way and inside the street setback. (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.





***Facing West on 37<sup>th</sup> street***



***Subject property***



***Facing East on 37<sup>th</sup> Street***

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

Elder Juarez  
yesrc5890@gmail.com

3/10/2020

APPLICATION NO: ZCO- 54702-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 10976 E 37<sup>th</sup> Street

Description: Driveway Expansion

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

##### REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

#### IMPORTANT INFORMATION

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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  
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Application No. **ZCO- 54702-2020**

**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 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

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

**55.090-F3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width is 26' within ROW and 30' outside of ROW on your lot.

**Review Comments:** The submitted site plan proposes a driveway width of more than 30' in width on the lot in the street setback and more than 26' wide in ROW which exceeds the maximum allowable driveway widths both within and outside of the ROW. Revise plans to indicate the driveway shall not exceed the maximum allowable widths in the table or apply to the BOA for a special exception, one for the proposed driveway width within the ROW and also for the proposed driveway width outside of the ROW.

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

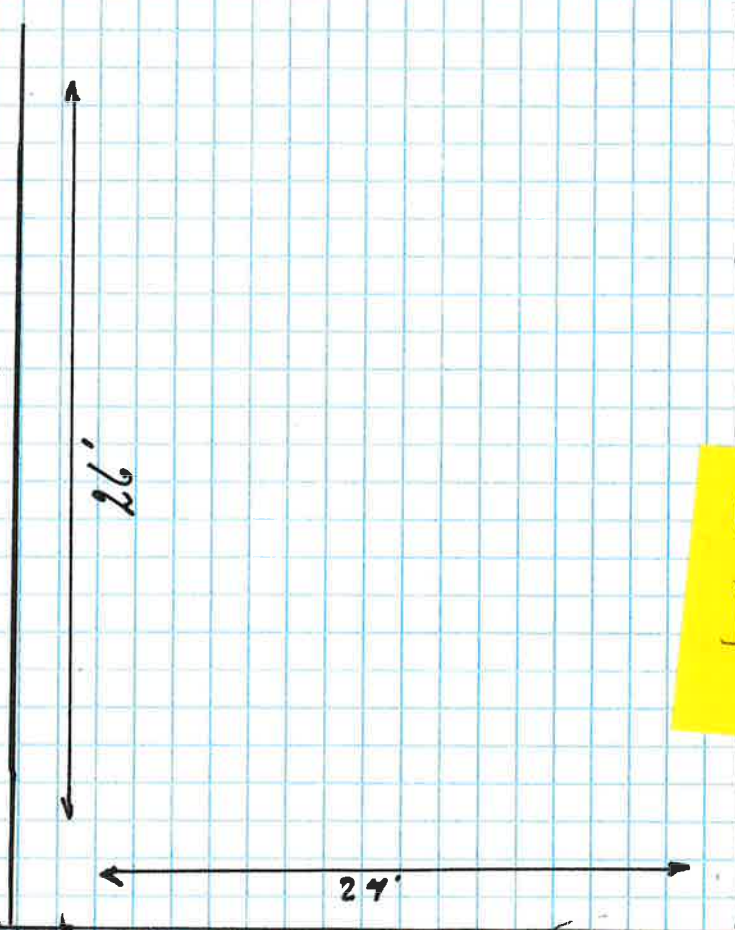
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## END -ZONING CODE REVIEW

**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.

10976 E 37th St



Current  
Driveway

Concrete

concrete

Concrete

37th St

21.8



10976 E 37th St

Proposed  
Driveway

35'

37<sup>th</sup> St

21.9



58'

122'

10976 E 37TH ST  
TULSA OK 74146.

112'

33'

9'

24'

26'

35'

21.10

Concrete

Pavement

Pavement

22th St.





**Subject  
Tract**

**BOA-22903**

19-14 19

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

**Aerial Photo Date: February 2018**



21.11





0 50 100  
Feet



Subject  
Tract

**BOA-22903**

19-14 19

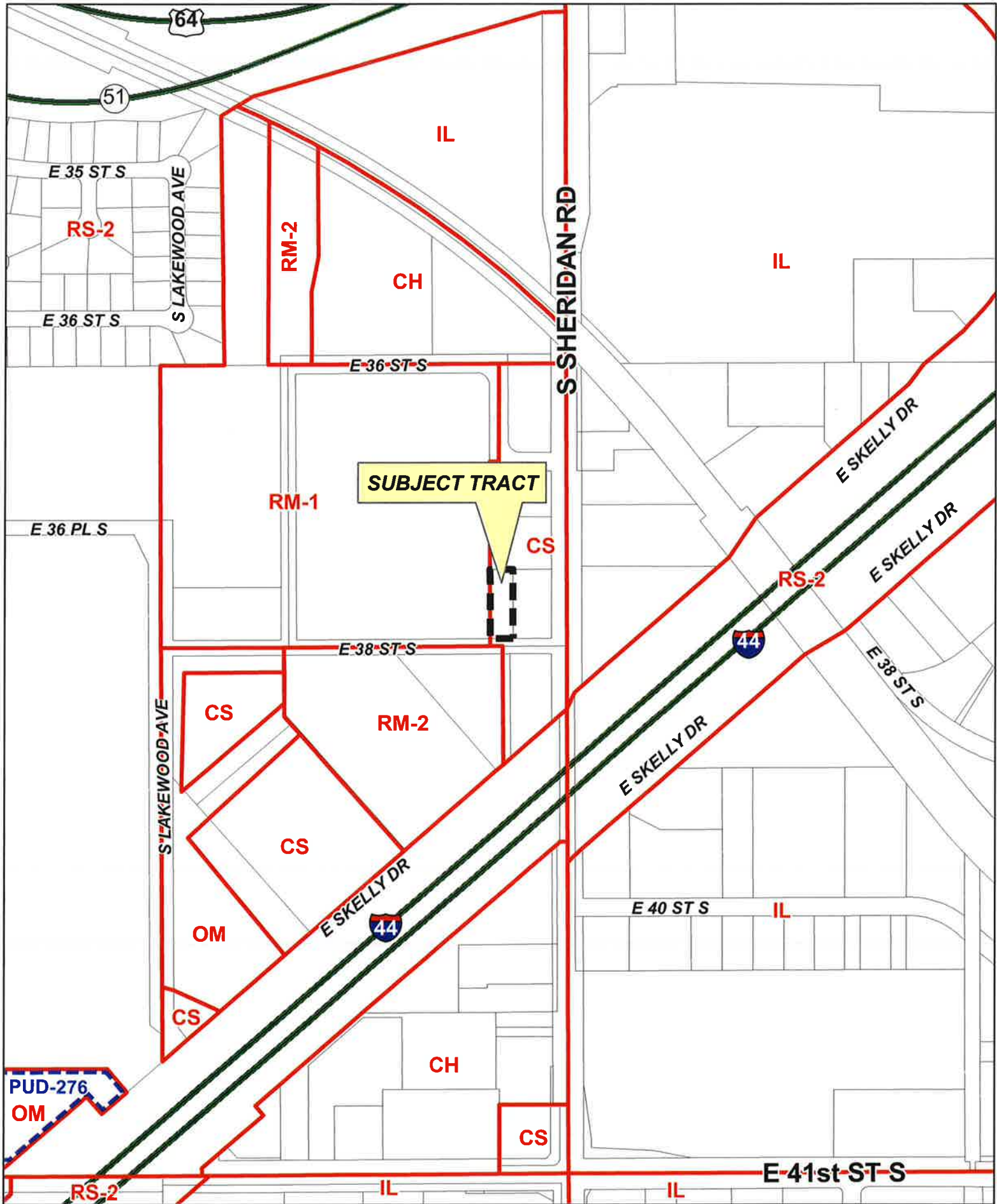
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



21.12



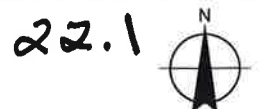


PUD-276  
OM



BOA-22905

19-13 22



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9322

Case Number: **BOA-22905**

CZM: 48

CD: 5

**HEARING DATE:** 04/14/2020 1:00 PM

**APPLICANT:** Clint Jones

**ACTION REQUESTED:** Variance of the required parking spaces to permit a business office (Section 55.050-K) Variance of the Parking Area Design Standards to permit to permit 6 non-conforming parking spaces (Sec. 55.090)

**LOCATION:** 6287 E 38 ST S

**ZONED:** CS

**PRESENT USE:** Vacant

**TRACT SIZE:** 16875.21 SQ FT

**LEGAL DESCRIPTION:** W75 OF S225 LT 1 BLK 1, WILMOT ADDN

## **RELEVANT PREVIOUS ACTIONS:**

### ***Subject Property:***

**BOA-18932;** On 01.09.01 the Board approved a variance of the required parking spaces from 9 spaces to 8 spaces for a Children's Nursery, Use Unit 5.

***Surrounding properties:*** None

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

**Regional Centers** are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located West of the NW/c of E 38<sup>th</sup> Street and S. Sheridan Road

**STAFF COMMENTS:** The applicant is requesting Variance of the required parking spaces to permit a business office (Section 55.050-K) Variance of the Parking Area Design Standards to permit to

22.2

REVISED 4/16/2020

permit 6 non-conforming parking spaces (Sec. 55.090) A copy of Sec. 55.090 is included in your packets.

Chapter 55 | Parking  
Section 55.020 | Minimum Parking Ratios

USE CATEGORY	Measurement (spaces per)	CBD District	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/notes
Subcategory					
Specific use					
(1) See Section 20.040 for information on PI Overlay					
Research service	1,000 sq. ft.	0.00	0.80	1.00	
Financial Services (except as below)	1,000 sq. ft.	0.00	2.50	3.00*	*2.50 per 1,000 sq. ft. above 30,000 sq. ft.
Personal credit establishment	1,000 sq. ft.	0.00	2.80	3.75	
Funeral or Mortuary Service	1,000 sq. ft. (assembly room)	0.00	16.25*	21.25*	*plus 3.30 spaces per 1,000 sq. ft. in non-assembly area
Lodging					
Bed & breakfast	guest room	0.00	0.65*	0.85*	*plus spaces required for assembly space
Campgrounds and RV parks	camping space	0.00	0.65	0.85*	
Hotel/motel	guest room	0.00	0.65*	0.85*	*plus spaces required for restaurants/bars and assembly/meeting space
Rural retreat	guest room	0.00	0.65*	0.85*	*plus spaces required for restaurants/bars and assembly/meeting space
Marina		0.00	established as part of special exception		
Office					
Business or professional office	1,000 sq. ft.	0.00	2.20*	2.80**	*None for first 5,000 sq. ft. **2.50 per 1,000 sq. ft. above 30,000 sq. ft.

**STATEMENT OF HARDSHIP:** The property is landlocked, no room for additional spaces.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** of the required parking spaces to permit a business office (Section 55.050-K) **Variance** of the Parking Area Design Standards to permit to permit 6 non-conforming parking spaces (Sec. 55.090)

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

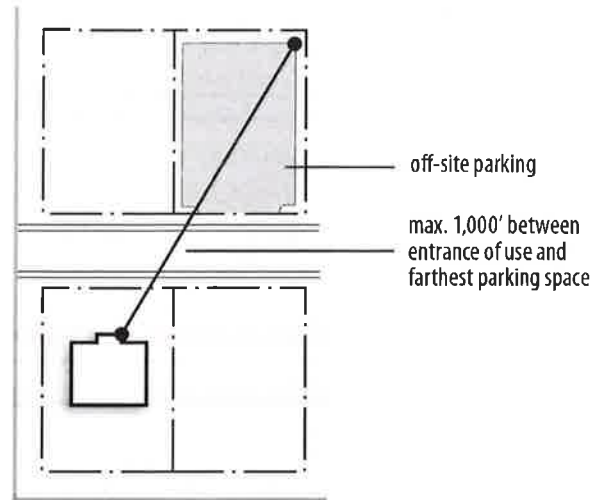
In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- 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;
- 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."*

Figure 55-4: Off-Site Parking Location



### 3. Design

Off-site parking areas must comply with all applicable parking area design regulations of [Section 55.090](#). Off-site parking proposed to take place on a newly constructed parking area must comply with the PK district lot and building regulations of [§25.030-C](#).

### 4. Control of Off-Site Parking Area

The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. The agreement must be filed of record in the county clerk's office of the county in which the property is located. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this chapter.

## Section 55.090 Parking Area Design

### 55.090-A Applicability

The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.

### 55.090-B Ingress and Egress

All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.

### 55.090-C Stall Size

Parking spaces must be at least 8.5 feet in width and 18 feet in length, exclusive of access drives and aisles. In parking areas where permanent wheel stops have been

installed, 2.5 feet of the parking space length (depth) beyond the wheel stop may be counted as part of the required stall length if that area is unobstructed and not part of another parking stall, drive aisle or sidewalk.

#### 55.090-D Parking Area Layout (Geometrics)

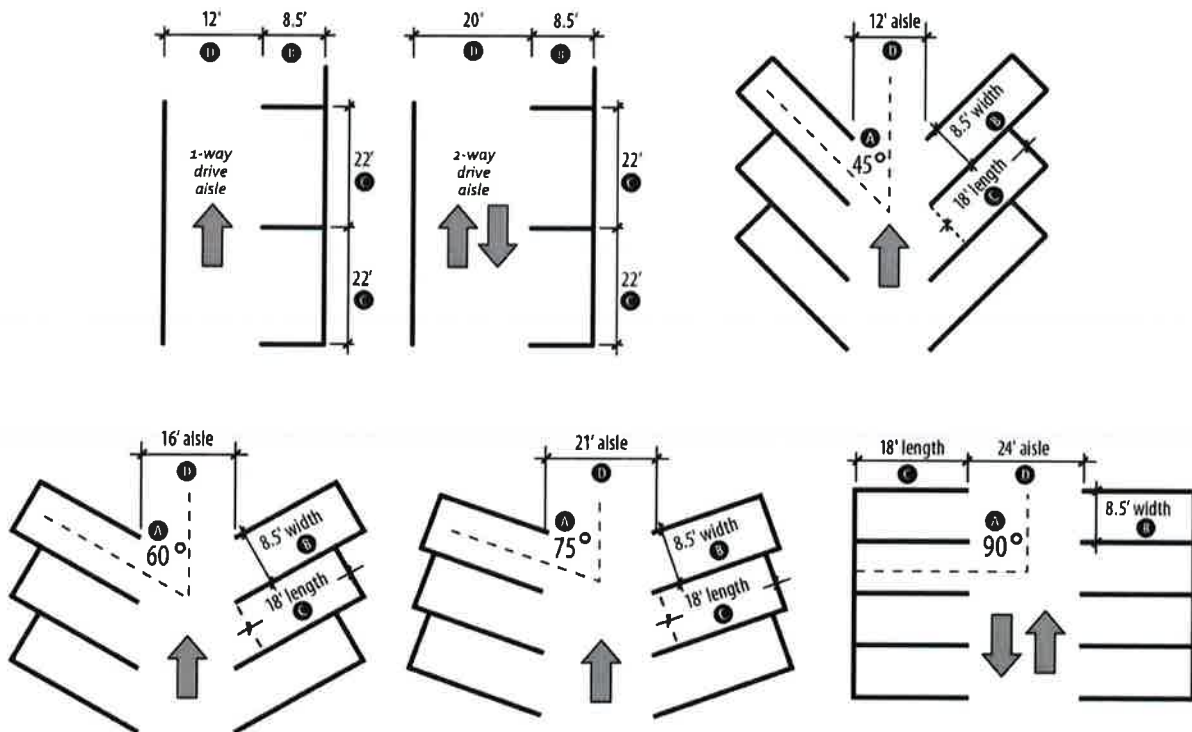
Parking areas must be designed and marked in accordance with the dimensional standards of [Table 55-5](#), which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in [Table 55-5](#) may be interpolated from the layouts shown, as approved by the development administrator.

*Table 55-5: Parking Area Geometrics*

0°	8.5	22.0	12.0/20.0
	9.0	22.0	12.0/20.0
45°	8.5	18.0	12.0/20.0
	9.0	18.0	11.0/19.0
60°	8.5	18.0	16.0/21.0
	9.0	18.0	15.0/20.0
75°	8.5	18.0	21.0/22.0
	9.0	18.0	20.0/21.0
90°	8.5	18.0	-/24.0
	9.0	18.0	-/22.0
	10.0	18.0	-/20.0

= Stall Angle, = Stall Width, = Stall Length, = Aisle Width (1-way/2-way)

*Figure 55-5: Parking Area Geometrics*

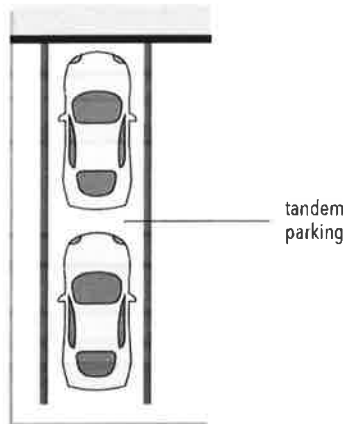




#### 55.090-E Tandem Parking

Tandem parking spaces may be used to satisfy parking requirements for household living uses when the spaces are assigned to the same dwelling unit. In all other cases parking spaces must be designed to allow each parking space to be accessed without passing through another parking space. Tandem parking arrangements must have a minimum stall of 8.5 feet and a minimum length of 36 feet.

Figure 55-6: Tandem Parking



#### 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.
2. All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.
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.

For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.

4. Pervious pavement or pervious pavement systems, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, resin-bound pervious pavement systems, or similar structured and durable systems are allowed as parking lot surfacing materials. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater are not considered pervious pavement or a pervious pavement system. Pervious pavement and pervious pavement systems must comply with the following:

- a. Materials must be installed and maintained in accordance with all applicable city standards. Damaged areas must be promptly repaired. Gravel that has migrated from a pervious pavement system onto adjacent areas must be regularly swept and removed.
- b. Accessible parking spaces and accessible routes from the accessible space to the principal structure or use served must comply with the building code.
- c. Pervious pavement or pervious pavement systems are prohibited in areas used for the dispensing of gasoline or other liquid engine fuels or where other hazardous materials are used or stored.
- d. Pervious asphalt, pervious concrete, or modular pavers may be used for drive aisles and driveways, but no other pervious pavement systems may be used in such areas unless expressly approved by the development administrator.
- e. Pervious pavement or pervious pavement systems that utilize turf grass may not be used to meet minimum off-street parking requirements, but may be used for overflow parking spaces that are not used for required parking and that are not occupied on a daily or regular basis.
- f. Pervious pavement or pervious pavement systems that utilize gravel with overlaid or embedded mesh or geocells may be used only in industrial zoning districts.
- g. Parking areas with pervious pavement or pervious pavement systems must have the parking spaces marked as required by this chapter, except that pervious pavement systems that utilize gravel or turf may use alternative marking to indicate the location of the parking space, including markings at the end of spaces on the drive aisle or curbing, wheel stops, or concrete or paver strips in lieu of painted lines.

#### **55.090-G Vertical Clearance**

All parking spaces must have overhead vertical clearance of at least 7 feet.

#### 55.090-H Landscaping and Screening

See [Chapter 65](#).

#### 55.090-I Lighting

See [Chapter 67](#).

### Section 55.100 Stacking Spaces for Drive-through Facilities

#### 55.100-A Spaces Required

In addition to the parking required for each use, establishments with drive-through facilities must provide stacking spaces for each drive-through station as indicated in [Table 55-6](#):

*Table 55-6: Drive-through Stacking Space Requirements*

Use	Minimum Spaces (per lane)
Automated teller machine	2 (measured from ATM)
Bank	3 (measured from teller or service area)
Car wash, automated or customer-operated	2 (measured from vehicle entrance)
Car wash, attendant hand wash	3 (measured from vehicle entrance)
Drug store	2 (measured from pick-up window)
Restaurant drive-through	3 (measured from order board)
Kiosks	2 (measured from service window)
Other	As determined by the development administrator

#### 55.100-B Dimensions

Each lane of stacking spaces must be at least 8 feet in width and at least 18 feet in length. Stacking lanes must be delineated with pavement markings.

#### 55.100-C Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.
2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R- zoned lots, and a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#).

#### 55.100-D Pedestrian Access

The principal pedestrian access to the entrance of the use from a public sidewalk may not cross the drive-through facility stacking lane.

### Section 55.110 Accessible Parking for People with Disabilities

Accessible parking facilities must be provided in accordance with the building code.

### Section 55.120 Loading

Unenclosed off-street loading areas may not be located within 50 feet of any abutting R- or AG-R- zoned properties unless the loading areas is screened on all sides abutting the R- or AG-R- zoned property in accordance with the F1 screening fence or wall standards of [§65.070-C](#).



**Interested Parties:**

No interested parties wished to speak.

**Board Action:**

On **MOTION** of **Dunham**, the Board voted 4-0-1 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; Cooper "abstained"; no "absences") to **APPROVE** a **Special Exception** to permit a Bed and Breakfast Inn in an OL zoned district, per plan presented, and a sign be permitted no larger than 5' x 5', illuminated by constant light, no taller than 6', no closer to the front or south property line than 5', to be located within 20' of the centerline of the property, on the following described property:

Lot 17, Block 3, Terrace Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*.

**Case No. 18923**

**Action Requested:**

Variance of setback requirements for parking and structure parking. SECTION 1302.B. SETBACKS; a Special Exception for church use. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; and a Variance of height limitation from 35' to 51'. SECTION 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS, located 4102 East 61<sup>st</sup> Street.

**Presentation:**

Before presentation, **Jim Goodwin**, 624 E. Archer, asked a few questions regarding concerns of an interested party that Mr. White would need to abstain. He submitted a letter (Exhibit B-2) from 1994 regarding the White Surveying Company doing work on a project on this property. Discussion ensued and **Chair White abstained on this case**. Mr. Goodwin also informed the Board that the sign of notice was not placed on the subject property. Mr. Prather stated that this matter could be heard at this time or at the time for Interested Parties. Mr. Dunham stated that the applicant could present while legal researched the issue of the sign placement.

**Kevin C. Coutant**, 320 S. Boston, asked for the case to be tabled until this issue was decided. He had submitted a packet to the Board, including the site plan and photographs (Exhibit B-1).

Mr. Dunham stated the Board would hear the next case.

\*\*\*\*\*.

**Case No. 18932**

**Action Requested:**





***Facing West on 38<sup>th</sup> Street***



***Facing East on 38<sup>th</sup> Street***





***Subject Property***

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

### ZONING REVIEW

March 3, 2020

LOD Number: 2R

Clint Jones  
6572 E. 38<sup>th</sup> Street  
Tulsa OK 74145

Phone: (918)809-9797

**APPLICATION NO: BLDC-30571-2019** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

**Location: 6287 E 38<sup>th</sup> Street**

**Description: Int/Ext Remodel**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

22.14

## REVIEW COMMENTS

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

Application No. BLDC-30571-2019

6287 E 38<sup>th</sup> Street

March 3, 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.

**1.) Section 55.020 Minimum Parking Ratios:** Off-street motor vehicle parking spaces must be provided in accordance with the minimum ratios established in Table 55-1. See Section 55.050 for an explanation of exemptions and allowed reductions of minimum motor vehicle parking requirements. See Section 55.060 for additional information about bicycle parking requirements.

**2.) Parking Area Layout (Geometrics)** Parking areas must be designed and marked in accordance with the dimensional standards of Table 55-5, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 55-5 may be interpolated from the layouts shown, as approved by the development administrator.

**Review Comments:** The proposed Business Office (4224 sq. ft.) requires 12 parking spaces in compliance with section 55.020. Provide 12 parking spaces and maneuvering on the lot in compliance with the 55.090. If you cannot provide the adequate number of parking spaces and maneuvering on the lot, you may pursue a variance of the number of required parking spaces or an alternative compliance parking plan per 55.050-K. Please contact the Tulsa Planning Office at 918-584-7526 for information on pursuing an alternative compliance.

**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.



PRELIMINARY  
REGISTERED LAND SURVEYOR'S  
MORTGAGE INSPECTION REPORT

THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED) PER FLOOD INSURANCE  
RATE MAP # 405381 0357 L, EFFECTIVE OCTOBER 10, 2012.  
ZONE X (UNSHADED): AREA OF MINIMAL FLOOD HAZARD.

LENDER:

to be determined

BORROWER:

Epic Flips, LLC

ORDERED BY:

Main Street Title Company, LLC

SCALE  
1"=30'

9'x20' - 1,2  
10'x20' - 3,4,5,6

LEGAL DESCRIPTION

The West Seventy-five (75) feet of the South Two Hundred Twenty-five (225) feet of Lot One (1), Block One (1), WILMOT ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

6287 East 38th Street, Tulsa, OK 74135

EASEMENTS

Easements shown per recorded plat.  
No additional easements provided to surveyor.

CERTIFICATION

This Mortgage Inspection Report was prepared for Main Street Title Company, LLC. It is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, April 2, 2018, and the linear and angular values shown on the sketch, if any, are based on record or deed information and have not been verified unless noted.

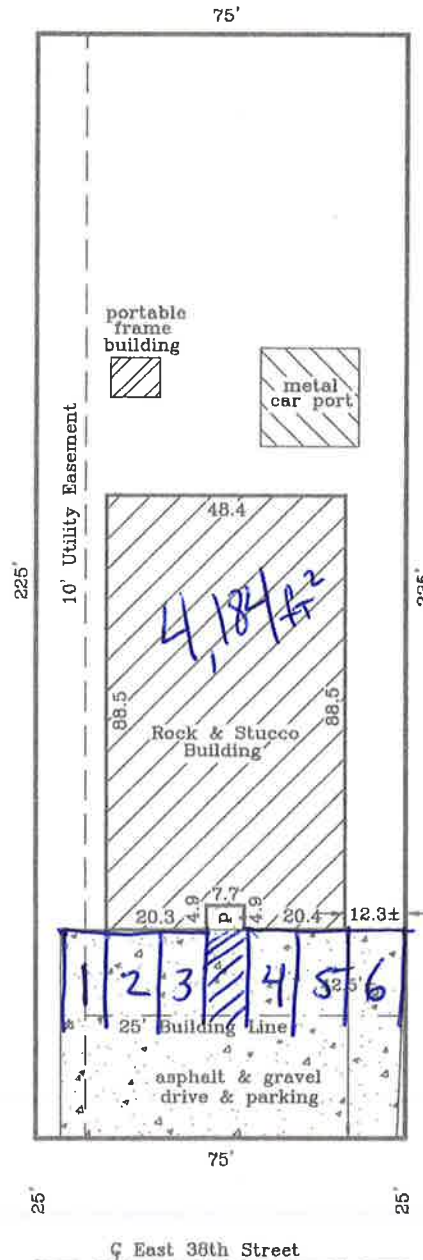
Signed this 3rd day of April, 2018.

TIMOTHY L. KING, RPLS  
35925 S. CASE ROAD  
INOLA, OKLAHOMA 74036  
TEL: 918-643-1699

TIMOTHY L. KING RPLS# 1534



2018-0312



22.16





0 200 400  
Feet



Subject  
Tract

**BOA-22905**

19-13 22

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

Aerial Photo Date: February 2018







E36 ST S

S SHERIDAN RD

E38 ST S



0 Feet 50 100



Subject Tract

**BOA-22905**

19-13 22

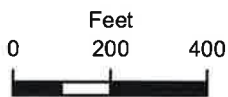
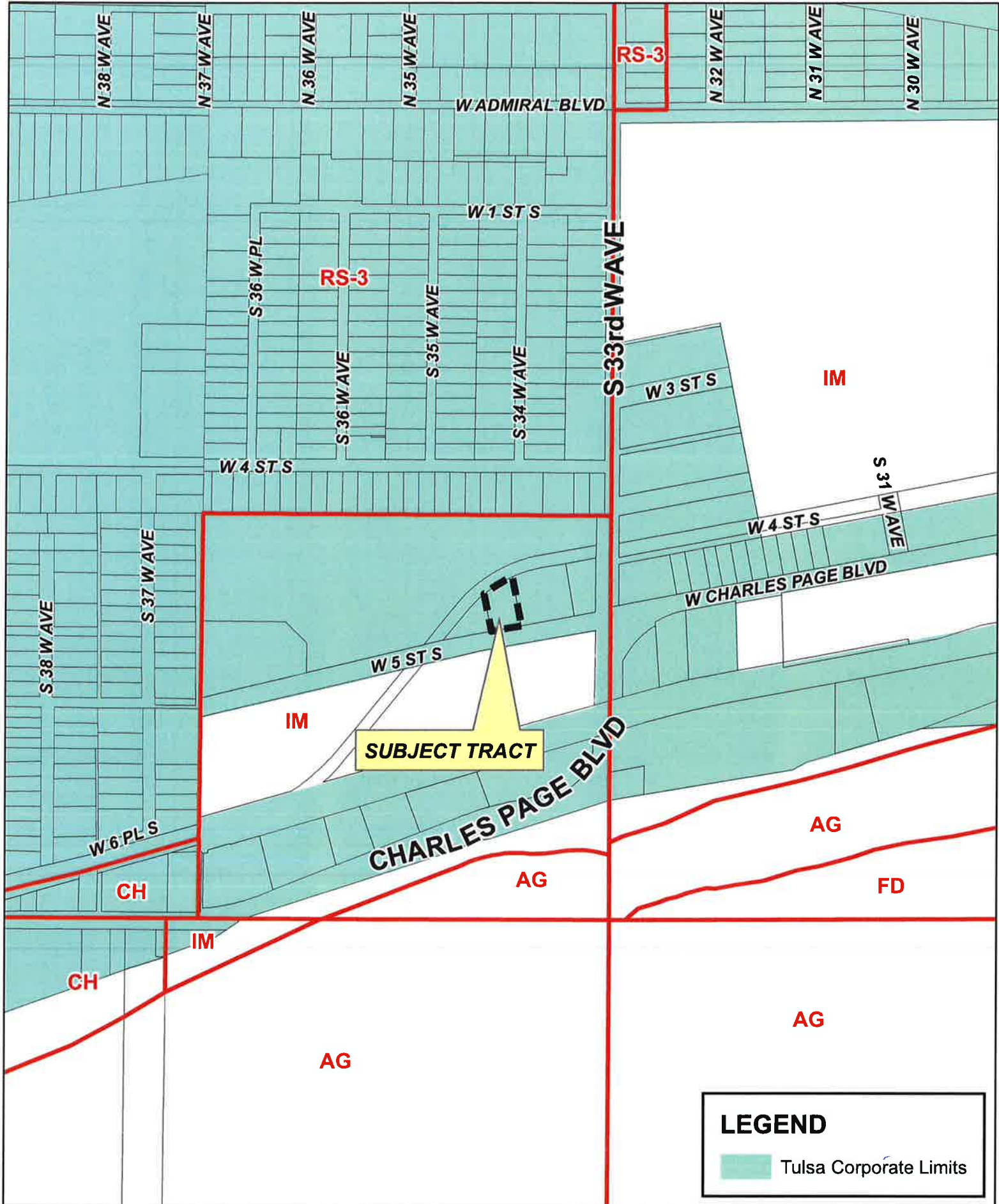
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

22.18







**BOA-22908**

19-12 04

23.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9204

Case Number: **BOA-22908**

CZM: 35

CD: 1

A-P#:

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Jonathan Bradley

**ACTION REQUESTED:** Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2).

**LOCATION:** 3329 W 5 ST S

**ZONED:** IM

**PRESENT USE:** Medical Marijuanan Cultivation and Processing

**TRACT SIZE:** 14374.86 SQ FT

**LEGAL DESCRIPTION:** PRT GOV LT 5 BEG 313.38S & 50W & 247.7SW NEC GOV LT 5 TH N163.5 SWLY107.2 S124.1 NE100 POB SEC 4 19 12 0.33ACS,

**RELEVANT PREVIOUS ACTIONS:** None.

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

**Employment** areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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 NW/c of S. 33<sup>rd</sup> W. Ave/ Charles Page Boulevard and West 5<sup>th</sup> Street.

23.2

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2)

**35.070-C High-impact Manufacturing and Industry]**

Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or that produce hazardous byproducts or explosive hazards. Typical examples of high-impact manufacturing and industrial uses include: the manufacture of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete (batch) plants and tanneries.

**1. High-impact Medical Marijuana Processing Facility**

An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes include the use of flammable substances such as butane, propane, ethanol and alcohol.



Medical Marijuana Uses are subject to the supplemental regulations found in 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.

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM 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 West on W. 5<sup>th</sup>***



***Facing East on E. 5<sup>th</sup>***



***Subject Property***



Lauren Parker  
ZONING OFFICIAL  
PLANS EXAMINER

TEL (918) 596-9499  
lauren.parker@cityoftulsa.org



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

## ZONING CLEARANCE PLAN REVIEW

LOD Number: 02

March 4, 2020

Jonathan Bradley  
Rick Stuber Architecture, Inc.  
2642 E. 21<sup>st</sup> St. S.  
Tulsa, OK 74114

Phone: (918) 993-4324

APPLICATION NO: **BLDC-50619-2019** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
Location: 3329 W. 5<sup>th</sup> St. S.  
Description: Green Lion Growing and Processing Facility

### INFORMATION ABOUT SUBMITTING REVISIONS

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

#### REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

### IMPORTANT INFORMATION

1. 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
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)

23.7

## REVIEW COMMENTS

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

Application No. BLDC-50619-2019

3329 W. 5<sup>th</sup> St. S.

March 4, 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.

### 1. Section 35.070 – Industrial Use Category:

- a. **35.070-B Item 2 – Moderate-Impact Medical Marijuana Processing Facility:** An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction.
  - b. **35.070-C Item 1 – High-Impact Medical Marijuana Processing Facility:** An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes include the use of flammable substances such as butane, propane, ethanol and alcohol.
- **Review Comment:** Provide information on the extraction process and if it is limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction *or* includes the use of flammable substances such as butane, propane, ethanol and alcohol.
  - **LOD 02 Review Comment:** The project location is located in an IM district. A special exception by the Board of Adjustments is required in order to have a High-Impact Medical Marijuana Processing Facility in an IM district. Please see number 3 of important information above for information on how to contact the BOA.

### 2. RESOLVED

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

<http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf>

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

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

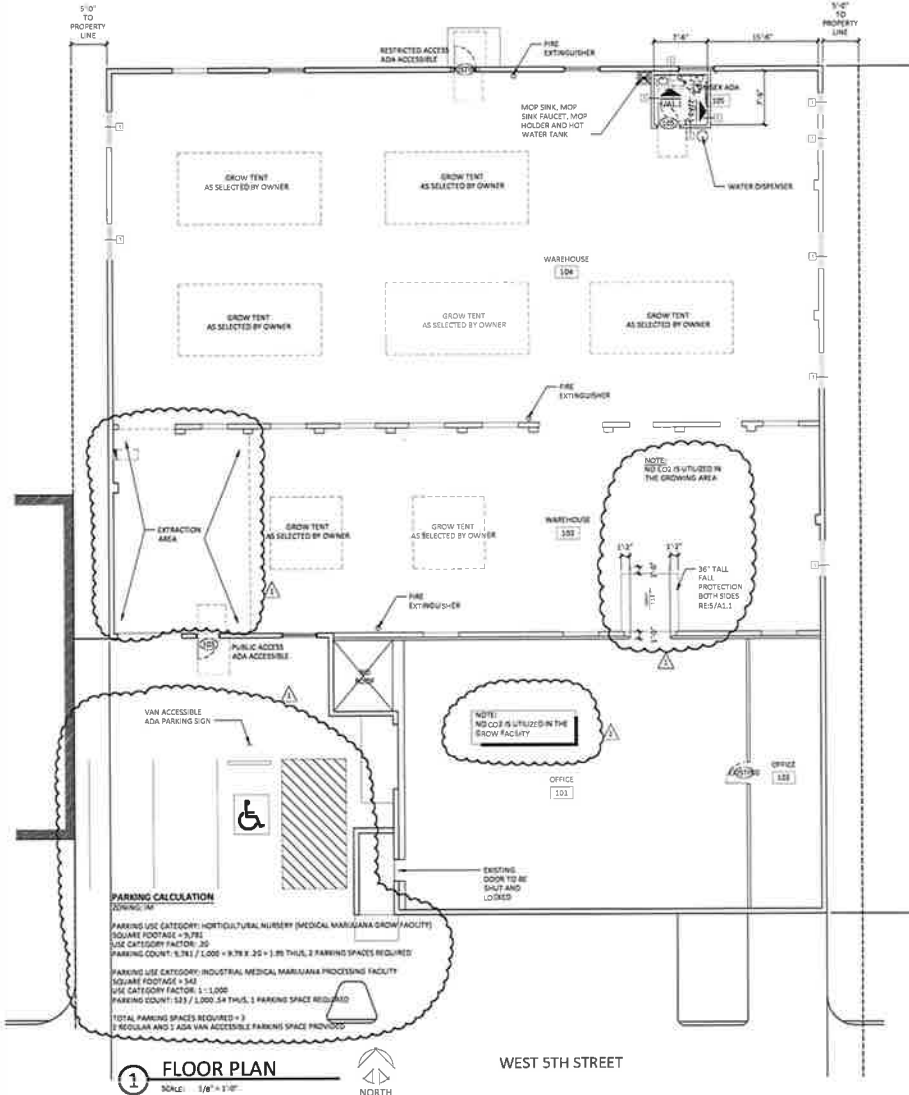
A hard copy of this letter is available upon request by the applicant.

## END – ZONING CODE REVIEW

**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT. KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

## PARTITION SCHEDULE

GRAPHIC	SYMBOL	DESCRIPTION
	1	NON-RATED PARTITION: 3/4" x 30 GA. METAL STUDS AT 16" O.C. TO 10'0" AFF. WITH ONE LAYER OF 5/8" GYP BD EACH SIDE. PROVIDE STEEL STUD FRAMING AND 2" GYP BD UD/Ceiling FOR RESTROOM.
	2	NON-RATED PARTITION: 3/4" x 30 GA. METAL STUDS AT 16" O.C. TO 10'0" AFF. WITH ONE LAYER OF 5/8" WATER RESISTANT GYP BD ON RESTROOM SIDE. PROVIDE STEEL STUD FRAMING AND 2" GYP BD UD/Ceiling FOR RESTROOM.
	3	8" CMU INFILL: REMOVE EXISTING WINDOW AND INFILL OPENING WITH 8" CMU.



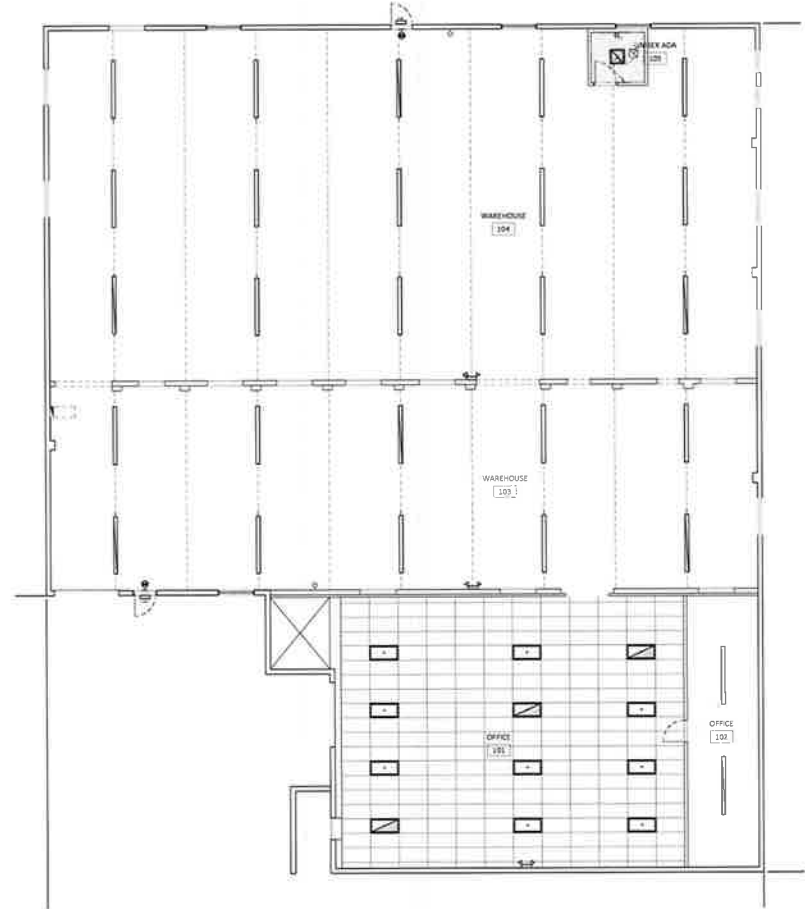
1 FLOOR PLAN  
SCALE: 1/8" = 1'-0"



WEST 5TH STREET

## LIGHTING AND POWER LEGEND

	EXPOSED STEEL TRUSS:
	EXISTING 2' x 4' SUSPENDED ACOUSTICAL CEILING & GRID
	NEW GAP BD
	EXISTING FLUORESCENT FIXTURE TO BE RELAMPED FOR NIGHT LIGHT
	EXISTING FLUORESCENT FIXTURE
	EXISTING 2x4 LAY IN FIXTURE
	EXISTING 2x4 LAY IN FIXTURE TO BE RELAMPED FOR NIGHT LIGHT
	NEW SURFACE MOUNTED NIGHT LIGHT
	NEW WATERPROOF, EMERGENCY EGRESS LED LIGHT
	WALL MOUNTED LED EXIT LIGHT WITH BATTERY-POWERED, EMERGENCY LIGHT
	NEW LED WALL MOUNTED, BATTERY-POWERED, EMERGENCY LIGHT WITH NO LESS THAN 90 MINUTE DURATION
	NEW EXHAUST FAN 75 CFM MINIMUM
	NEW SWITCH
	NEW CIRCUIT
	NEW 20AMP GFI DUPLEX OUTLET



2 REFLECTED CEILING PLAN  
SCALE: 1/8" = 1'-0"



GREEN LION  
GROWING AND PROCESSING FACILITY  
3329 WEST 5TH STREET B 1709  
TULSA, OKLAHOMA 74127

DATE	DESCRIPTION	BY	CHKD
10/08/2021	100% COMPLETE	SHJ	SHJ
10/08/2021	90% COMPLETE	SHJ	SHJ
10/08/2021	80% COMPLETE	SHJ	SHJ
10/08/2021	70% COMPLETE	SHJ	SHJ
10/08/2021	60% COMPLETE	SHJ	SHJ
10/08/2021	50% COMPLETE	SHJ	SHJ
10/08/2021	40% COMPLETE	SHJ	SHJ
10/08/2021	30% COMPLETE	SHJ	SHJ
10/08/2021	20% COMPLETE	SHJ	SHJ
10/08/2021	10% COMPLETE	SHJ	SHJ
10/08/2021	0% COMPLETE	SHJ	SHJ

Sheet Number  
A1.0

23.9







0 200 400  
Feet



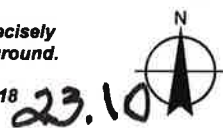
Subject  
Tract

**BOA-22908**

19-12 04

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

Aerial Photo Date: February 2018







0 Feet 50 100



Subject Tract

**BOA-22908**

19-12 04

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

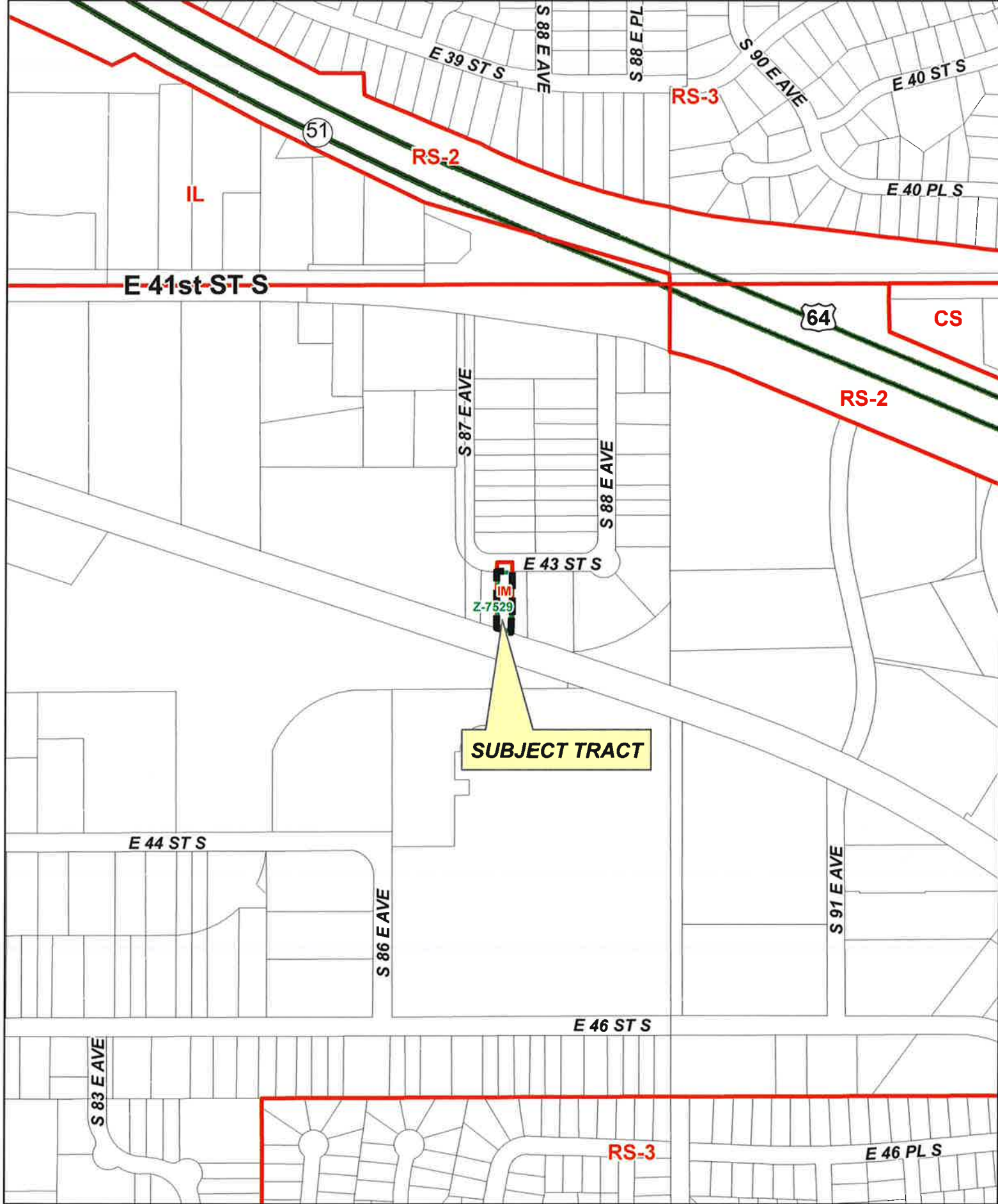
Aerial Photo Date: February 2018

23.11



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**BOA-22909**

24.1

# BOARD OF ADJUSTMENT CASE REPORT

STR: 9325  
CZM: 48  
CD: 7

Case Number: **BOA-22909**

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Lou Reynolds

**ACTION REQUESTED:** Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2).

**LOCATION:** 8708 E 43 ST S

**ZONED:** IM w ODP

**PRESENT USE:** Industrial

**TRACT SIZE:** 9313.17 SQ FT

**LEGAL DESCRIPTION:** LT 20 LESS E0.5 S50.04 THEREOF BLK 1, SOUTHPLACE INDUSTRIAL PARK

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject Property:**

**Z-7529:** On 01.22.20 the TMAPOC recommended re-zoning on the property from IL to IM with an Optional Development.

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

**Employment** areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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.

24.2

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located East the of 87<sup>th</sup> E. Ave along E 43<sup>rd</sup> Street.

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020, Table 15-2)

**35.070-C High-impact Manufacturing and Industry**

Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or that produce hazardous byproducts or explosive hazards. Typical examples of high-impact manufacturing and industrial uses include: the manufacture of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete (batch) plants and tanneries.

**1. High-impact Medical Marijuana Processing Facility**

An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes include the use of flammable substances such as butane, propane, ethanol and alcohol.



Medical Marijuana Uses are subject to the supplemental regulations found in 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.

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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.

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM 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 West on 43<sup>rd</sup> Street*



*Subject property*



***Facing East on 43<sup>rd</sup> Street***



10. **Z-7529 Lou Reynolds** (CD 7) Location: South of the southeast corner of East 41<sup>st</sup> Street South and South 87<sup>th</sup> East Avenue requesting rezoning from **IL to IM with an optional development plan**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7529**

**DEVELOPMENT CONCEPT:**

The applicant respectfully requests that, pursuant to Section 70.040-B.2 of the Tulsa Zoning Code, the development of the Property be approved with the additional development limitations as follows:

Use. The use of the Property will be limited to those uses permitted as a matter of right and special exception (with the approval of the City of Tulsa Board of Adjustment) in the Industrial Light District and the following uses allowed in the IM District:

Moderate-impact Medical Marijuana Processing and High-impact Medical Marijuana Processing (limited to butane and propane based extraction) (with the approval of the City of Tulsa Board of Adjustment),

**DETAILED STAFF RECOMMENDATION:**

The subject lot is located within an Employment land use designation of the City of Tulsa Comprehensive plan. The site is not part of a small area plan that might provide additional guidance however this request is consistent with the anticipated land use designation and;

The proposed allowable uses identified in Section II are compatible with the surrounding proximate properties and;

The proposal is consistent with the anticipated future development patterns of the surrounding area, therefore;

Staff recommends approval of Z-7529 to rezone property from IL to IM with the optional development plan standards outlined in Section II below.

**SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS**

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IM district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

## PERMITTED USE CATEGORY

### A) RESIDENTIAL (see allowed residential building types below)

\* indicates specific uses that are only allowed through the special exception process

#### Household Living

Single household

Two households on a single lot

Three or more households on single lot

#### Group Living (only if allowed through the special exception process)

\* Homeless center

\* Re-entry facility

\* Residential treatment center

\* Shelter, emergency and protective

\* Transitional living center

### B) PUBLIC, CIVIC, AND INSTITUTIONAL

\* indicates specific uses that are only allowed through the special exception process

\*College or University

\*Day Care

\*Detention and Correctional Facility

\*Fraternal Organization

\*Governmental Service

\*Hospital

\*Library or Cultural Exhibit

Natural Resource Preservation

\*Parks and Recreation

\*Postal Services

\*Religious Assembly

Safety Service

\*School

Utilities and Public Service Facility (minor)

\*Utilities and Public Service Facility (major)

Wireless Communication Facility (includes all specific uses)

### C) COMMERCIAL

\* indicates specific uses that are only allowed through the special exception process

#### Animal Service

Boarding or shelter

Grooming

Veterinary

Assembly and entertainment

\*Indoor gun club

\*Other indoor

\*(small; up to 250-person capacity)

Broadcast or Recording Studio

Commercial Service (includes all permitted specific uses)

Financial Services (includes all permitted specific uses)

Funeral or Mortuary Service

Lodging (includes all permitted specific uses)

Office (includes all permitted specific uses)

Parking, Non-accessory

Restaurants and Bars

Restaurant

\*Bar

\*Brewpub

Retail Sales (includes all permitted specific uses)

**Self-service Storage Facility**

Studio, Artist, or Instructional Service

Trade School

Vehicle Sales and Service (includes all permitted specific uses)

E) WHOLESALE, DISTRIBUTION AND STORAGE

Equipment and Material Storage, Outdoor

Trucking and Transportation Terminal

Warehouse

Wholesale Sales and Distribution

F) INDUSTRIAL

\*indicates specific uses that are only allowed through the special exception process

Low-impact Manufacturing and Industry

~~\*All moderate impact manufacturing and industry require a special exception approval at the board of adjustment except that a Moderate Impact Medical Marijuana Processing is a permitted use.~~

**Moderate Impact Manufacturing and Industry but only for the Moderate-Impact medical Marijuana Processing Facility use**

**\*High-impact manufacturing and industry but only for the High-Impact Medical Marijuana Processing Facility**

G) Recycling

\* indicates specific uses that are only allowed through the special exception process

\*Construction or Demolition Debris



Consumer Material Drop-off Station  
Consumer Material Processing

H) AGRICULTURAL

Community Garden  
Farm, Market or Community-supported  
Horticulture Nursery

I) OTHER

Drive-in or Drive-through Facility (as a component of an allowed principal use)

PERMITTED RESIDENTIAL BUILDING TYPES

Household Living

Single household

\* indicates building types that are only allowed through the special exception process

\*Manufactured housing unit

\*Mixed-use building

\*Vertical mixed-use building

Two households on a single lot

\*Mixed-use building

\*Vertical mixed-use building

Three or more households on a single lot

\*Mixed-use building

\*Vertical mixed-use building

**SECTION III: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The employment land use designation anticipated light industrial uses. The anticipated redevelopment is consistent with the general concept of employment land use vision. The zoning and its optional development plan provided are consistent with the expected land use designation. In this instance the applicant did not provide any additional standards for current supplemental regulations therefore all current zoning code requirements will be used during site redevelopment.*

Land Use Vision:

*Land Use Plan map designation:* Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes

big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

*Areas of Stability and Growth designation: Area of Growth*

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

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

Transportation Vision:

*Major Street and Highway Plan:* None

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an existing single story building and is surrounded by single story buildings that are a mix of uses that all seem to be consistent with uses allowed in a light industrial zoning district. The south side of the site is adjacent to a rail line. This site does not have spur access.

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 43 <sup>rd</sup> street south	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	IL	Employment	Growth	Mixed light industrial and auto repair
East	IL	Employment	Growth	Auto repair and light industrial uses
South across railroad	IL	Employment	Growth	Mixed light industrial
West	IL	Employment	Growth	Automotive repair and bridal shop

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11824 dated June 26, 1970 established zoning for the subject property.



***Subject Property:***

No Relevant History.

***Surrounding Property:***

**BOA-17567 November 1996:** The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 2 (crematory) in an IL zoned district subject to unloading of carcasses inside the building, carcasses being frozen when they arrive, and carcasses being delivered in a covered truck, on property located at 8714 East 43<sup>rd</sup> Street.

**BOA-16652 May 1994:** The Board of Adjustment **approved** a *Special Exception* to permit a bridal shop in an IL zoned district per plot plan submitted, subject to the use being limited to a 1500 sq ft bridal shop and accessory office only, on property located at 8702 East 43<sup>rd</sup> Street.

**BOA-07999 August 1973:** The Board of Adjustment **approved** an *Exception* to permit the manufacturing of process heaters in an IL district, thereby upholding the decision of the building inspector for refusing to permit the extension of a building used for the manufacturing of process heaters in an IL district due to the operation being a heavier use than a light manufacturing plant, requiring an exception via the Board, on property located at 8199 East 44<sup>th</sup> Street.

**TMAPC Comments:**

Mr. Walker asked staff how they defined high impact?

Staff stated they would let the applicant talk about that.

**Applicant Comments:**

Lou Reynolds 2727 East 21st Street Tulsa, OK

Mr. Reynolds stated in this particular case what makes something high impact is the method in which they process the marijuana. He stated in this case they are using butane and propane. Mr. Reynolds stated the subject lot is located next to auto repair shops where paint is being sprayed. Mr. Reynolds stated this is basically a paint booth inside. He stated there's nothing unusual about this process, it's how they extract perfumes and how they manufacture medication. Mr. Reynolds stated the process has been around forever and a lot of different industries use this process.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 5-2-0 (McArtor, Ray, Ritchey, Van Cleave, Walker, "aye"; Covey, Shivel, "nays"; none "abstaining"; Craddock, Doctor, Kimbrel, Reeds "absent") to recommend **APPROVAL** of the IM zoning with an optional development plan for Z-7529 per staff recommendation.

**Legal Description for Z-7529:**

Lot Twenty (20), LESS the East 0.5 feet of the South 50.04 feet thereof, Block One (1), SOUTHPLACE INDUSTRIAL PARK, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 3371.

**OTHER BUSINESS**

**11. Commissioners' Comments**

\*\*\*\*\*

**ADJOURN**

**TMAPC Action; 7 members present:**

On **MOTION** of **McARTOR**, TMAPC voted **7-0-0** (Covey, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Craddock, Doctor, Kimbrel, Reeds "absent") to **ADJOURN** TMAPC meeting of January 22, 2020, Meeting No. 2810.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:04 p.m.

**Exhibit "A"**

Lot Twenty (20), LESS the East 0.5 Feet of the South 50.04 feet thereof, Block One (1), SOUTHPLACE INDUSTRIAL PARK, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 3371.



### **Exhibit "B"**

Applicant requests a Special Exception to permit High-Impact Medical Marijuana Processing in an IM – Industrial Moderate District, pursuant to Table 15-2 and Section 70.120 of the Tulsa Zoning Code (the "Code") at property located at 8708 East 43<sup>rd</sup> Street (the "Property").

The Property is located in an industrial complex east of Memorial Drive and south of East 41<sup>st</sup> Street and the Broken Arrow Expressway. The 3,840 SF building on the Property is accessed from the north by East 43<sup>rd</sup> Street and abuts a railroad to the south. The complex includes a variety of industrial uses including Midwest Drywall Co., Can-Serv and Canada Co. (industrial equipment and gas suppliers), and automotive repair and service shops. Just south of the Property across the railroad tracks is the Ruhrpumpen plant which manufactures industrial fire protection pump systems.

The Property was recently been rezoned from IL to IM with an Optional Development Plan in place. On January 22, 2020, TMAPC recommended approval of the rezoning in Case Z-7594 and on March 4, 2020, the Tulsa City Council unanimously approved the same, said rezoning adopted by Ordinance No. 11824. As part of the Optional Development Plan, high-impact medical marijuana processing is a permitted use with approval of a special exception by the Board of Adjustment.

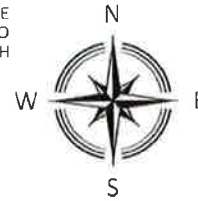
The proposed use is a high-impact medical marijuana processing facility that will use butane and propane extraction methods. The processing will be equally or less intense than the uses currently ongoing in the area and thus will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Further, as a permitted use by special exception in the IM District, and as permitted in the Optional Development Plan approved by the Tulsa City Council, the processing facility is in harmony with the spirit and intent of the Code.

# EXHIBIT "A"

## PLAT OF BOUNDARY SURVEY

8708 EAST 43rd STREET SOUTH, TULSA, OK 74145

LOT 20, BLOCK 1, SOUTHPLACE INDUSTRIAL PARK, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS THE EAST 0.5 FEET OF THE SOUTH 50.04 FEET THEREOF.



EAST 43rd STREET SOUTH  
(60' Total Right of Way Per Plat)  
ASPHALT

### SYMBOL LEGEND

- OH Overhead Utility (All Types)
- Fence Line (All Types)
- Found Monument (All Types)
- 3/8" Iron Pin set w/cap
- GP Guard Post
- WM Water Meter
- MB Mailbox
- Telephone Pedestal
- Power Pole

### NOTES

This Plat of Survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Bearings shown hereon are based upon the Oklahoma State Plane Coordinate System, North Zone (3501), NAD 83 (1993).

Fieldwork was completed on February 11, 2019.

### SURVEYORS CERTIFICATE

I, Nathaniel J. Reed, a Licensed Professional Land Surveyor in the State of Oklahoma, do hereby certify that the above shown survey is true and correct to the best of my knowledge.

WITNESS my hand and seal this 18th day of FEBRUARY 2019.



REVISIONS	BY	DATE	OK Professional Land Surveyor E. 1741	Revised From 90 3892

### PLAT OF SURVEY

Drawn By: NJR Checked By: NJR Prep For: 10:00  
Date: 02/22/2019 Scale: 1"=20' Sheet: 1 of 1

24.17





0 200 400  
Feet



Subject  
Tract

**BOA-22909**

19-13 25

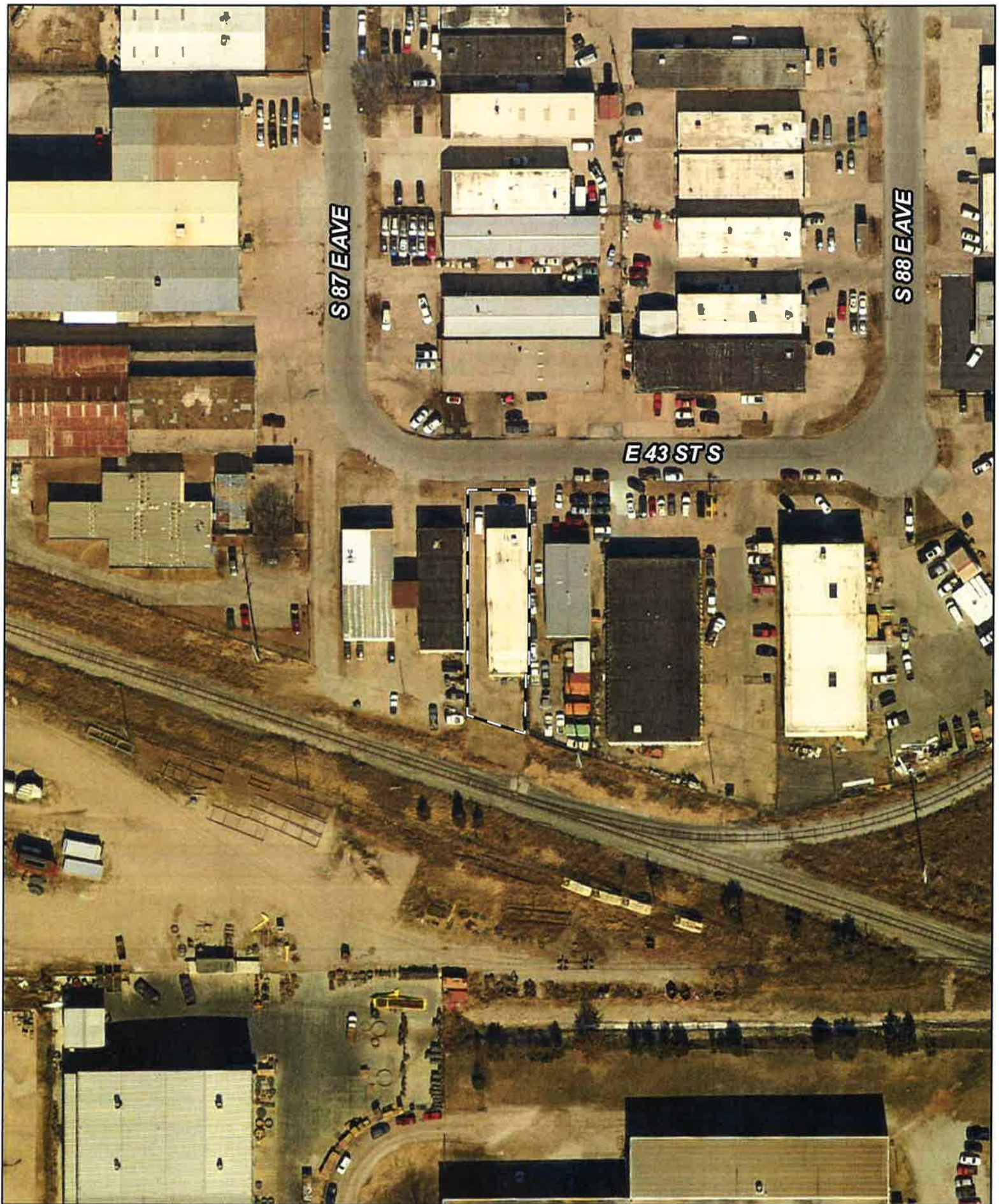
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

24.18







0 Feet 50 100



Subject  
Tract

**BOA-22909**

19-13 25

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

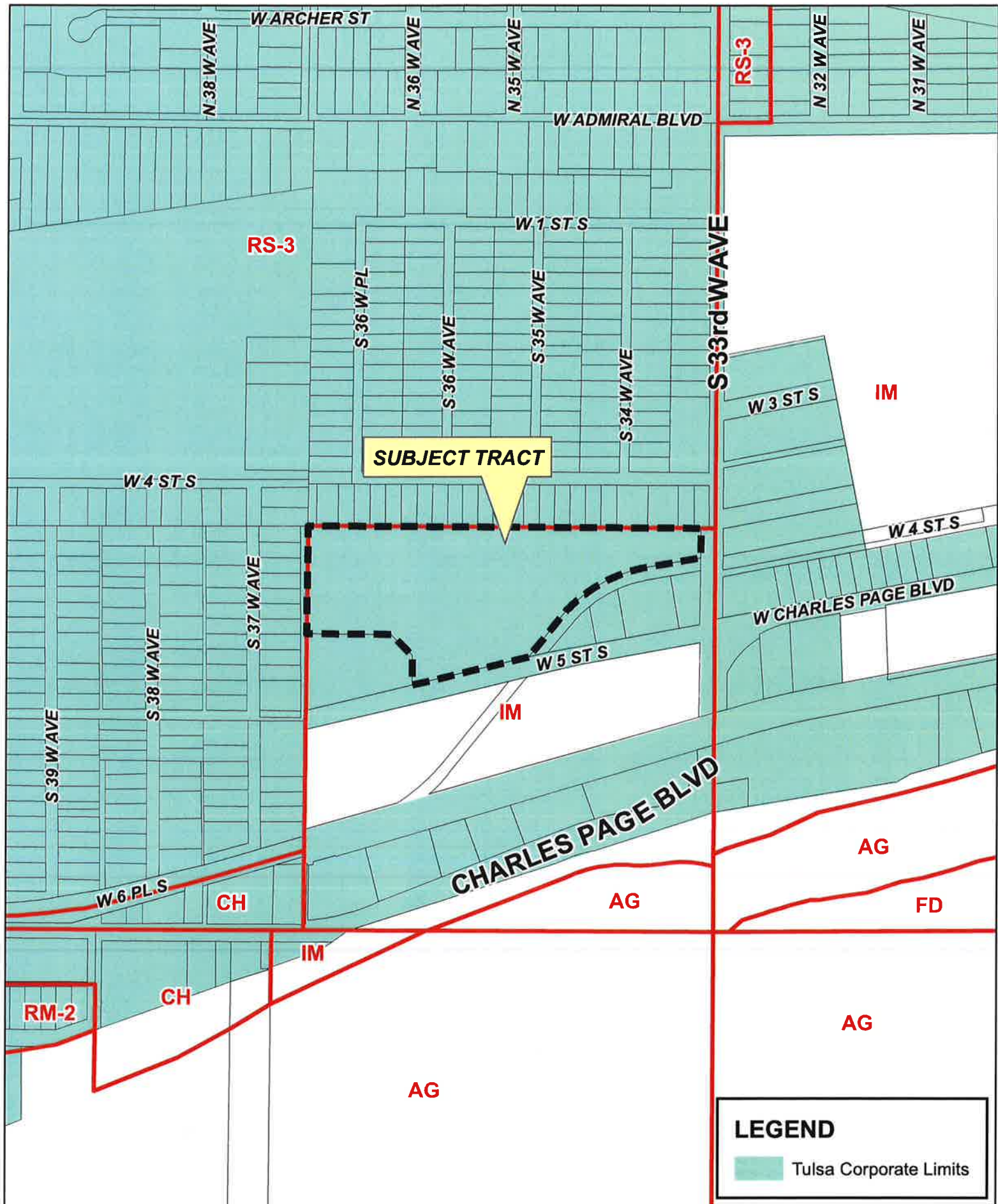
Aerial Photo Date: February 2018

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**BOA-22912**

19-12 04

25.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9204  
CZM: 36, 35  
CD: 1

Case Number: **BOA-22912**

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Brian Johnson

**ACTION REQUESTED:** Special Exception to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM District (Sec.15.020 Table 15-2).

**LOCATION:** 3507 W 5 ST S

**ZONED:** IM

**PRESENT USE:** Manufacturing

**TRACT SIZE:** 411256 SQ FT

**LEGAL DESCRIPTION:** BEG NWC LT 5 TH S349.86 E270 SE103 S96.17 NE385.26 NE179.04 NELY CRV RT 314.34 NE184.32 N95.96 W1274.93 POB SEC 4 19 12 9.441ACS, JOE SUB, PARK VIEW PLACE, SANTA CRUZ ADDN RESURVEY B4

**RELEVANT PREVIOUS ACTIONS:** None.

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

**Employment** areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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 NW/c of S. 33<sup>rd</sup> W. Ave/ Charles Page Boulevard and West 5<sup>th</sup> Street.

25.2

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM District (Sec.15.020 Table 15-2).

### 35.070-C High-impact Manufacturing and Industry

Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or that produce hazardous byproducts or explosive hazards. Typical examples of high-impact manufacturing and industrial uses include: the manufacture of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete (batch) plants and tanneries.

#### **SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit the addition of a H-3/H-4 liquid storage warehouse (Industrial/High-impact Manufacturing & Industry Use) in an IM 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.



*Facing West on W. 5<sup>th</sup>*



*Facing East on E. 5<sup>th</sup>*





***Subject Property***

**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

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



## DEVELOPMENT SERVICES

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

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1  
Brian Johnson  
808 Russell RD  
Sidney, OH 45365

April 1, 2020

Phone: 937.492.9949

APPLICATION NO:

**BLDC-057351-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location:

**3507 W 5 ST**

Description:

**Foundation/High-impact Manufacturing & Industry**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

#### REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

#### IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO [COTDEVSVCS@CITYOFTULSA.ORG](mailto:COTDEVSVCS@CITYOFTULSA.ORG) OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFSERVICE](https://tulsaok.tylertech.com/energov4934/selfservice). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO.
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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
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](http://WWW.CITYOFTULSA-BOA.ORG)

BLDC-057351-2020

3507 W 5 ST

April 1, 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 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 918-584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

**Sec.15.020 Table 15-2:** The proposed addition of an H-3/H-4 liquid storage warehouse is designated an Industrial/High-impact Manufacturing & Industry Use. It is in an IM zoned district.

**Review comment:** An Industrial/High-impact Manufacturing & Industry Use is permitted in an IM district by Special Exception approved by the City of Tulsa Board of Adjustment (BOA). Submit a copy of the approved Special Exception permitting an Industrial/High-impact Manufacturing & Industry Use in an IM zoning district. Please contact Austin Chapman for assistance with scheduling a BOA hearing date for the Special Exception. He can currently be reached at [achapman@incog.org](mailto:achapman@incog.org).

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

<http://tulsaplanning.org/plans/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.

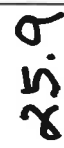
## END – ZONING CODE REVIEW

**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.

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.







ANY READING, BROADCAST, SPEECH OR LITERARY SOURCE, IN VOLUME AND COMPLEY CHANGES, OF RELIGIOUS QUOTATIONS OF JEWISH THAT CREATES BELIEF IN A FIRE CANNON OF CHARGE STATEMENTS, SPEECHES AND LITERARY SOURCES, IS PROHIBITED BY THE ACT OF THE FOLLOWING: (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (101) (102) (103) (104) (105) (106) (107) (108) (109) (110) (111) (112) (113) (114) (115) (116) (117) (118) (119) (120) (121) (122) (123) (124) (125) (126) (127) (128) (129) (130) (131) (132) (133) (134) (135) (136) (137) (138) (139) (140) (141) (142) (143) 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Subject Tract

**BOA-22912**

19-12 04

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

Aerial Photo Date: February 2018

25.10

