

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, October 13, 2020, 1:00 P.M.

Meeting No. 1260

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/CityOfTulsa3/boa-gotomeeting-in-council-chambers-october-13th>

Join **Teleconference** by dialing: +1 (312) 757-3121

Participants must then enter the following **Access Code**: 748-741-301

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/280911821>

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, Burlinda Radney, Jessica Shelton and Steve Brown (*pending City Council confirmation*).

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of August 11, 2020 (Meeting No. 1256).
2. Approval of **Minutes** of August 25, 2020 (Meeting No. 1257).

UNFINISHED BUSINESS

3. 22994—Raul Cisneros

Variance to reduce the 20-foot setback for a street facing garage (Section 5.030-A, Table Note 3); Variance to increase the maximum coverage area of the rear yard setback for a detached accessory building (Section 90.090-C.2, Table 90-2).

LOCATION: 1347 North Boston Place East **(CD 1)**

4. 22995—Raul Cisneros

Variance to allow the floor area of detached accessory buildings to exceed 40% of the floor area of the principal residential structure (Section 45.030-A). **LOCATION:** 3727 East Pine Place North **(CD 3)**

5. 22996—Nick Puma

Variance to allow a non-conforming lot to have less than 50% open space (Section 80.020-B). **LOCATION:** 1037 East 39th Street South **(CD 9)**

NEW APPLICATIONS

6. 23007—Tom Neal

Variance to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); Variance of the allowable height of a detached accessory building from one story or 18 feet in height to two stories and 26 feet in height and from 10 feet to 18 feet in height to the top of the top plate (Section 90.090.C); Variance of the minimum required open space in the RS-2 District (Section 5.030, Table 5-3). **LOCATION:** 210 East Hazel Boulevard South **(CD 4)**

7. 23008—Mike Wimberly

Special Exception to increase the permitted driveway width (Section 55.090-F). **LOCATION:** 6358 East Newton Street North **(CD 3)**

8. 23009—Shalisa McFalls

Special Exception to permit a medical marijuana grower operation, Agricultural/Horticulture Nursery Use, in the CH District (Section 15.020, Table 15-2). **LOCATION:** 5031 East Admiral Place North **(CD 3)**

9. 23011—Trails End Equipment, LLC

Special Exception to permit High-Impact Medical Marijuana processing (High-impact Manufacturing & Industry Use) in the IM District (Section 15.020, Table 15-2). **LOCATION:** 1614 East 6th Street South **(CD 4)**

10. 23012—Gregorio Torres

Special Exception to increase the permitted driveway width in the right-of-way (Section 55.090-F). **LOCATION:** 12158 East 35th Street South **(CD 3)**

11. 23013—Wallace Engineering – Mike Thedford

Special Exception to permit a Horticulture Nursery Use in the CG District (Section 15.020, Table 15-2). **LOCATION:** 14002 East 21st Street South **(CD 6)**

12. 23014—W Design

Variance to allow a drive through on the street facing (East 38th Street) side of the property (Section 55.100-C2). **LOCATION:** 3866 South Sheridan Road East **(CD 5)**

OTHER BUSINESS

13. Review and Approval of 2021 Meeting Schedule.

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

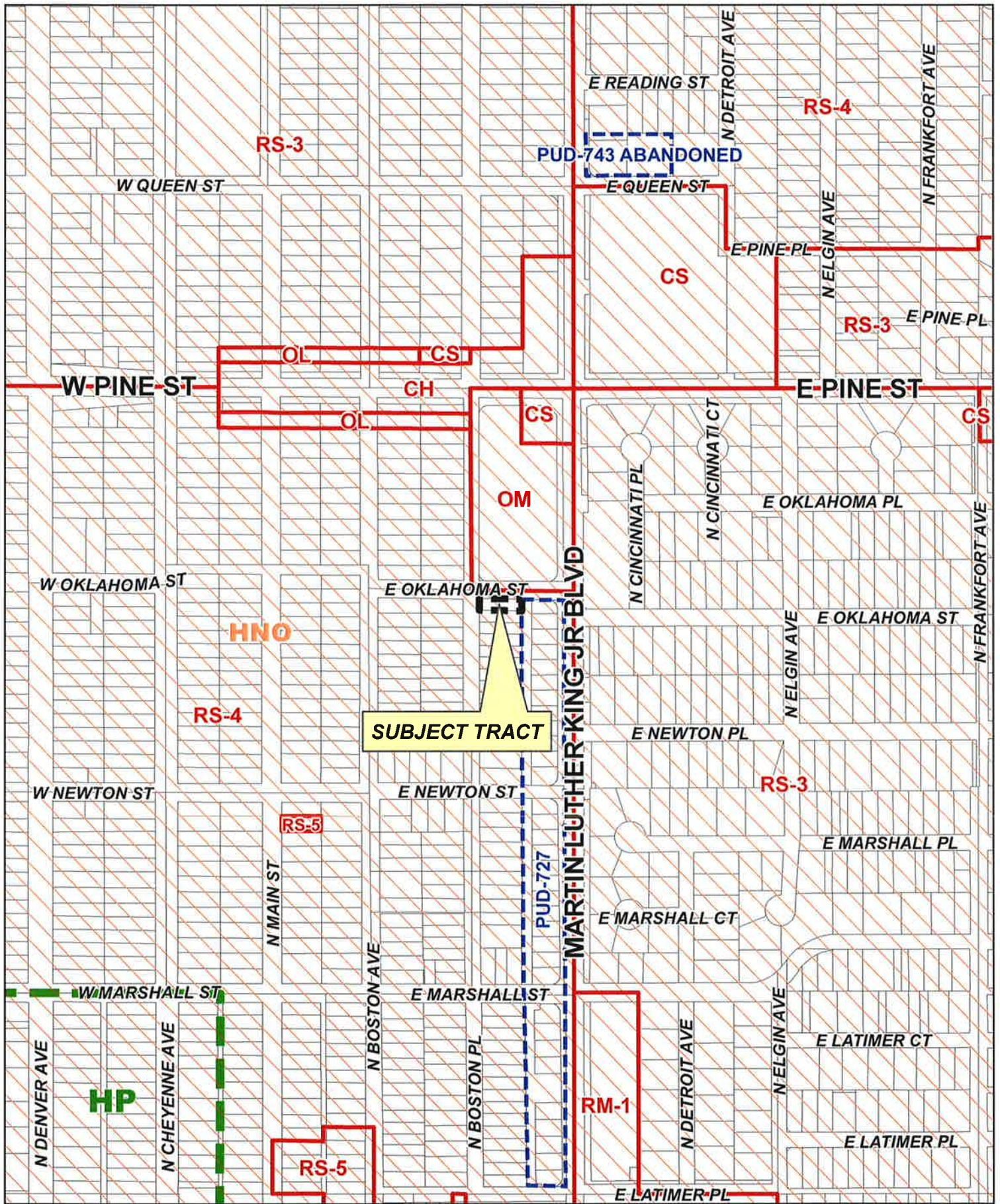
Website: tulsaplanning.org

E-mail: esubmit@incog.org

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Tulsa Planning Office, INCOG. All electronic devices must be silenced during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.



BOA-22994

20-12 35

3.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0235

Case Number: **BOA-22994**

CZM: 28

CD: 1

HEARING DATE: 10/13/2020 (continued from 09/22/2020) 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Variance to reduce the 20 ' setback for a street facing garage (Sec. 5.030-A, Table Note 3,80.020-B); Variance to increase the maximum coverage area of the rearyard setback for a detached accessory building (Sec. 90.090-C.2, Table 90-2)

LOCATION: 1347 N BOSTON PL E

ZONED: RS-4

PRESENT USE: Residential

TRACT SIZE: 5244.65 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 2, ADAMS RESUB L5-19 B1 & L1-17 B2 CLINESS CREST 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".

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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is Located at the SE/c of E. Oklahoma Street and N. Boston Pl.

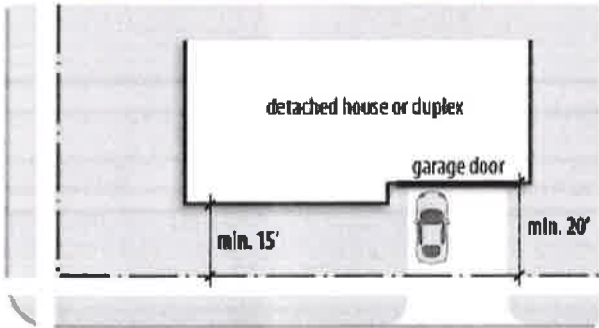
STAFF COMMENTS: The applicant is requesting Variance to reduce the 20 ' setback for a street facing garage (Sec. 5.030-A, Table Note 3; Sec.80.020-B); Variance to increase the maximum coverage area of the rearyard setback for a detached accessory building (Sec. 90.090-C.2, Table 90-2)

5.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 5-3:

- [1] See Section 40.240 for detailed regulations governing mobile home parks.
- [2] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 75 feet. Minimum street frontage requirements do not apply to nonresidential uses.
- [3] For detached houses and duplexes on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater. The street setback specified in Table 5-3 applies along the other street.

Figure 5-1: Street Side Setback on Corner Lots



5.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 5-3:

- [1] See Section 40.240 for detailed regulations governing mobile home parks.
- [2] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 75 feet. Minimum street frontage requirements do not apply to nonresidential uses.
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Figure 5-1: Street Side Setback on Corner Lots

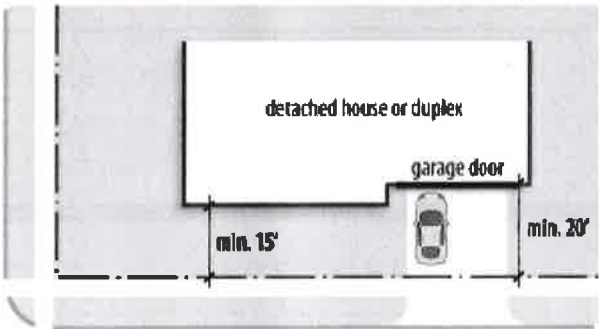


Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback

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 lot is a part of a platted subdivision, but the width of the lot is only 38' which is less than the current 50' minimum lot width required by the RS-4 Zoning District. The non-conforming lot width allows the applicant to reduce their side street setback to 5', but they are still required to maintain a 20' setback for a street facing garage door. They are allowed 228 sq. ft. of coverage in the rear setback but are proposing 382 sq. ft. which is the equivalent of 50.3 % coverage of the rear setback.

STATEMENT OF HARDSHIP: None provided by the applicant at the time of application.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to reduce the 20' setback for a street facing garage (Sec. 5.030-A, Table Note 3; Sec.80.020-B); **Variance** to increase the maximum coverage area of the rearyard setback for a detached accessory building (Sec. 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."*



Subject property



Facing East on Oklahoma



Rear yard of Subject Property



Side View of Existing Home

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Raul Cisneros
raul@rcjdesigns.com

3/31/2020

APPLICATION NO: ZN LOD 55696-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1347 N Boston PI E

Description: Detached Accessory Building

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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 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 OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" ☐ 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. **ZN LOD 55969-2020**

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. **5.030-A – Setback(s) footnote [3]:** In the RS-4 zoned district, the minimum side yard setback requirement for a garage facing a public street shall be 20' from the property line plus half the Right Of Way width which is 30'.

Review Comments: Revise plans to indicate a 50' street setback from center of Oklahoma street to the proposed accessory building. If you are unable to meet the street setback requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the required street setback.

2. **90.090-C.2 Detached Accessory Buildings.** Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that the building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

Review Comments: This lot is zoned RS-4. The rear setback is defined as the minimum distance set out by the zoning code of open unoccupied space between the rear lot line and the required rear setback (in your case, 20 feet from the rear property line). A maximum 30% area can be covered by the accessory building; (38' X 20' X 30%) allows 228 sq ft of coverage. You are proposing 382 sq ft of coverage in the rear setback. Revise your plans to show compliance or apply to BOA for a variance to allow more than 30% coverage in the rear setback.

3. **90.90.C: Detached Accessory Buildings.** Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that 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.

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.

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.

Boston Residence Detached Garage

1347 N Boston Pl Tulsa, OK. 74106

Job #20102.1



PROJECT TEAM

DESIGN:

RCJ DESIGNS, LLC
3902 EAST 51ST STREET
TULSA, OK. 74135

RAUL CIGENROS JR.
418 254 9349
WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:

NEW CONSTRUCTION OF A DETACHED GARAGE ON THE WEST SIDE OF THE PROPERTY.

SHEET INDEX

SP SITE PLAN
A1 FLOOR PLAN
A3 ELEVATIONS/ WALL SECTION
A5 ROOF PLAN

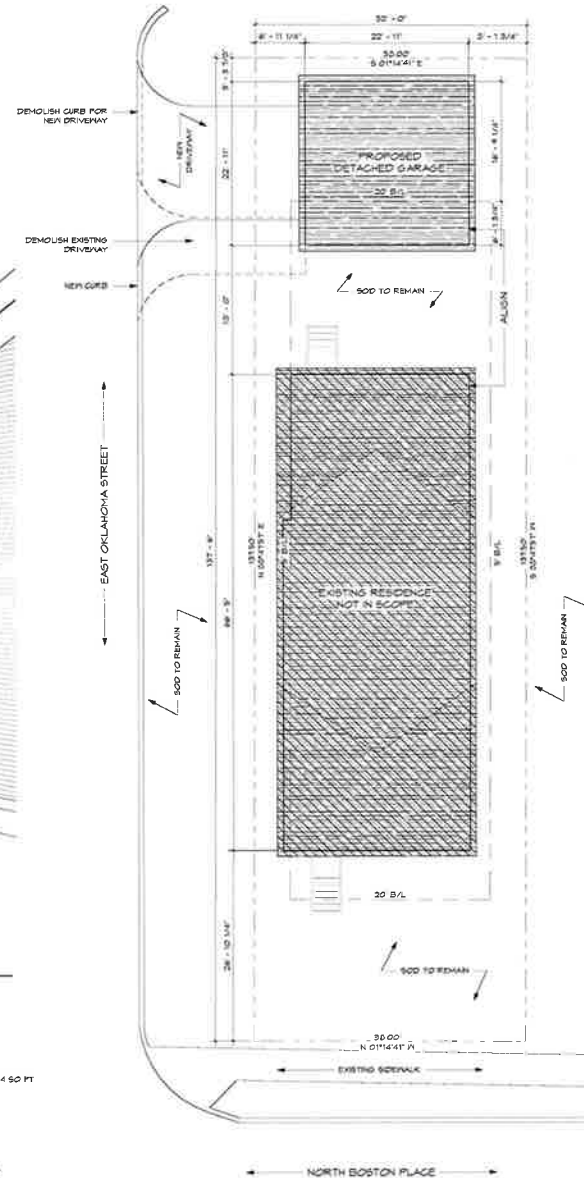
PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION ADAMS RESUB L5-N B1 & L1-T1 B2 CLEISS CREST ADDN
LEGAL: LT 1 BLK 2
SECTION: 39 TOWNSHIP: 20 RANGE: 12

LIVABILITY SPACE

ZONING	R5-B
LOT SIZE	0.12 ACRES/ 5,244 SQ FT
RESIDENCE	
MAX. BUILDING HEIGHT	35'-0"
EXISTING BUILDING HEIGHT	27'-0"
EXISTING - FIRST FLOOR	1,804 SQ FT
DETACHED GARAGE	
MAX. ADD. BLDG. HEIGHT IN REAR SETBACK	10'-0"
STRUCTURE HEIGHT	27'-0"
TOTAL AREA	3,100 SQ FT
AREA IN REAR SETBACK	160 SQ FT
MAX. AREA ALLOWED IN REAR SETBACK	20% / 320 SQ FT
AREA PROPOSED IN REAR SETBACK	244 SQ FT
DRIVEWAY	250 SQ FT
MIN. OPEN SPACE REQUIRED	2,500 SQ FT
OPEN SPACE PROVIDED	2,955 SQ FT



① SITE PLAN
1/8" = 1'-0"



TULSA, OK.
P: 518.855.9343
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

BOSTON RES.
DETACHED
GARAGE

PROJECT # 20102.1

1347 N Boston Pl
Tulsa, OK 74106
United States

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

SITE PLAN

SHEET NUMBER

SP

3.10

GENERAL NOTES

FLOOR PLAN

1. ALL EXTERIOR WALLS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE.
2. ALL INTERIOR WALLS TO BE 4" WOOD STUDS U.N.O.
3. ALL DIMENSIONS ARE TO FACE OF EXISTING WALLS OR CENTERLINE OF WALL/ROUGH OPENING U.N.O.
4. ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAQUATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER MANUF. SUGGESTIONS AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES.
5. GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS.
6. NOTIFY DESIGNER IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
7. ALLEN NEW WALLS FINISH FACE WITH THE EXISTING WALLS FINISH FACE AT AREAS WHERE THE TWO MEET.
8. ALL MECHANICAL, ELECTRICAL, AND PLUMBING ITEMS TO BE PROVIDED ON A DESIGN BUILD BASIS IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES. ASIDE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODE.
9. ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO EDGE OF SLAB. MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED, U.N.O.

REFERENCING

FLOOR PLAN

- A. RE: AS FOR BUILDING ELEVATIONS AND WALL SECTION
B. RE: AS FOR ROOF PLAN

WALL ASSEMBLIES

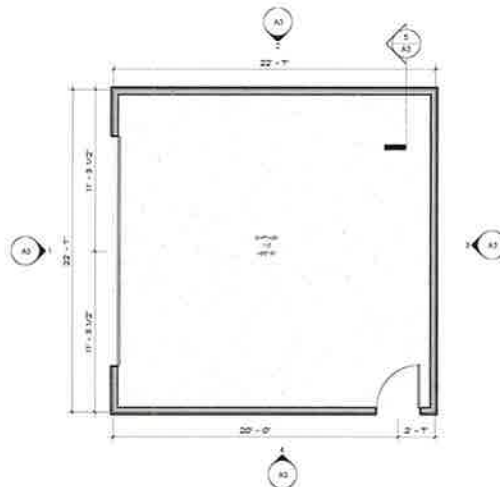
ITEM	DESCRIPTION
	EXISTING EXTERIOR WALL TO REMAIN
	EXISTING INTERIOR WALL TO REMAIN
	NEW EXTERIOR WALL 4" LAP SOING
	NEW INTERIOR WALL

	NOTE: INDICATES WALL TYPE
	NOTE: INDICATES WALL TYPE
	NOTE: INDICATES WALL TYPE
	NOTE: INDICATES WALL TYPE
	NOTE: INDICATES WALL TYPE

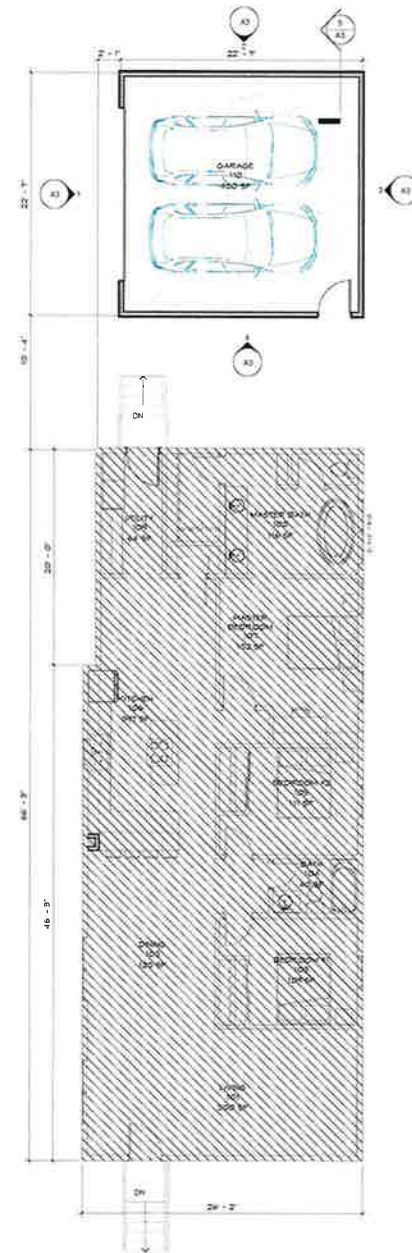
FLOOR PLAN LEGEND

ITEM	DESCRIPTION
	NEW FINISH
	NEW DOOR OPENING
	NEW DOOR
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR

LEGEND NOTES:
1. NOT ALL ITEMS MAY BE USED



2 DETACHED GARAGE FLOOR PLAN
1/4" = 1'-0"



1 FLOOR PLAN - OVERALL
3/16" = 1'-0"



CONSULTANT

PROJECT
**BOSTON RES.
DETACHED
GARAGE**

PROJECT # 201021

1347 N Boston Pl
Tulsa, OK 74106
United States

REVISIONS

No. Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

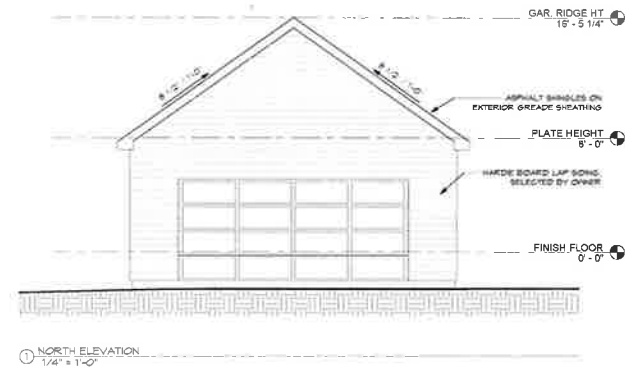
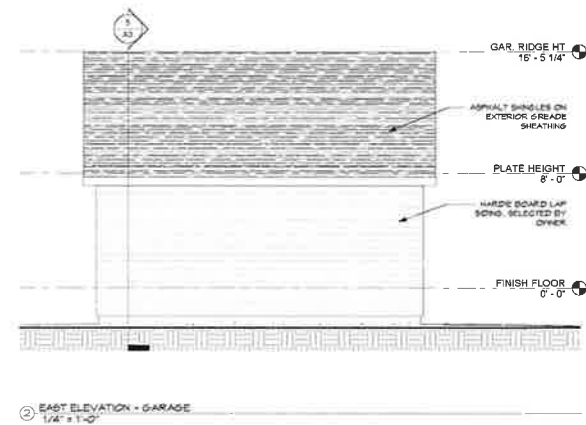
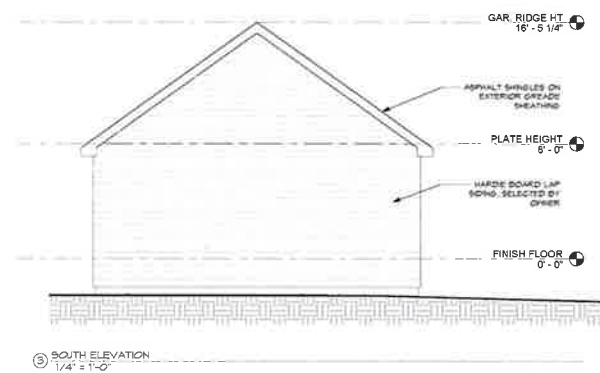
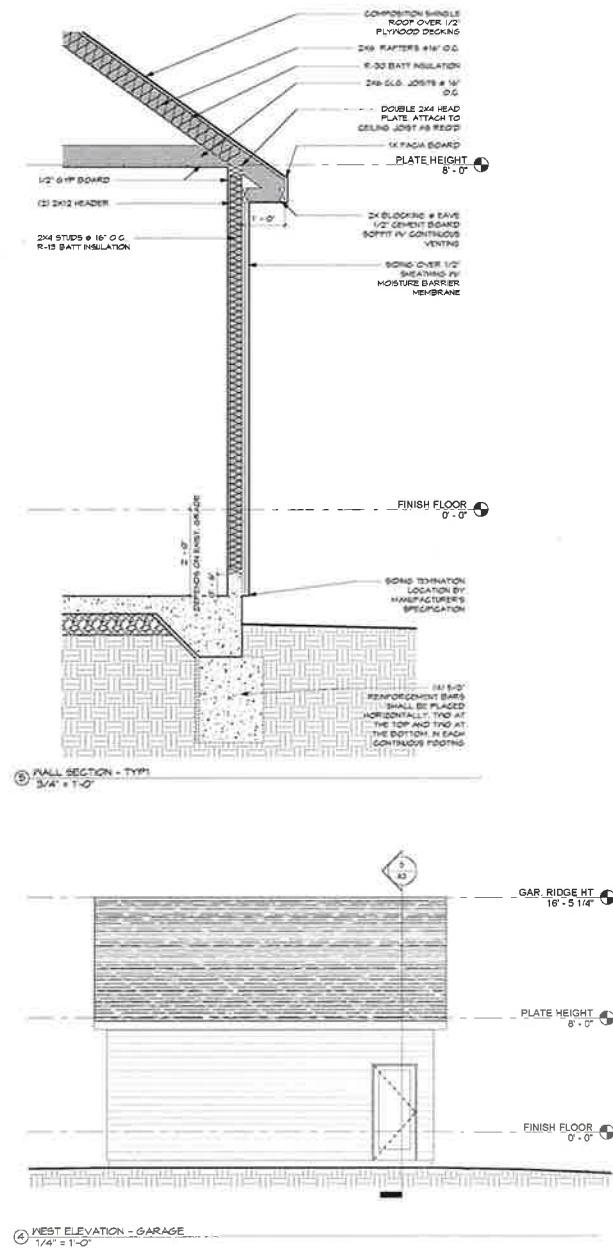
02.28.2020

SHEET NAME

FLOOR PLAN
FIRST FLOOR

SHEET NUMBER

A1



PROJECT
**BOSTON RES.
 DETACHED
 GARAGE**

PROJECT # 201021
 1347 N Boston Pl
 Tulsa, OK 74106
 United States

REVISIONS

No.	Description	Date

PROJECT STATUS
PERMIT SET

ISSUE DATE
02.28.2020

SHEET NAME

**ELEVATIONS /
 WALL SECTION**

SHEET NUMBER

A3

GENERAL NOTES

ROOF PLAN

- 1 CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER IRC 2015
- 2 VERIFY EXISTING ROOF PITCH. NEW ROOF PITCHES TO MATCH EXISTING ROOF PITCH

LEGEND

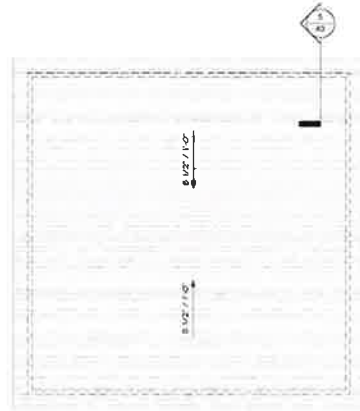
ROOF PLAN



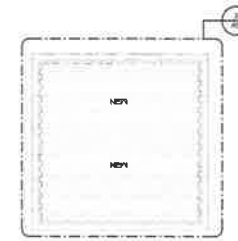
EXISTING ROOF TO REMAIN



EXTERIOR WALL STUD BELOW ROOF



2 ROOF PLAN - GARAGE
1/4" = 1'-0"



1 ROOF PLAN - OVERALL
1/8" = 1'-0"



TULSA, OK
P 918.855.9343
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

**BOSTON RES.
DETACHED
GARAGE**

PROJECT # 201021

1347 N Boston Pl
Tulsa, OK 74106
United States

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

ROOF PLAN

SHEET NUMBER

A5



0 Feet 200 400



Subject Tract

BOA-22994

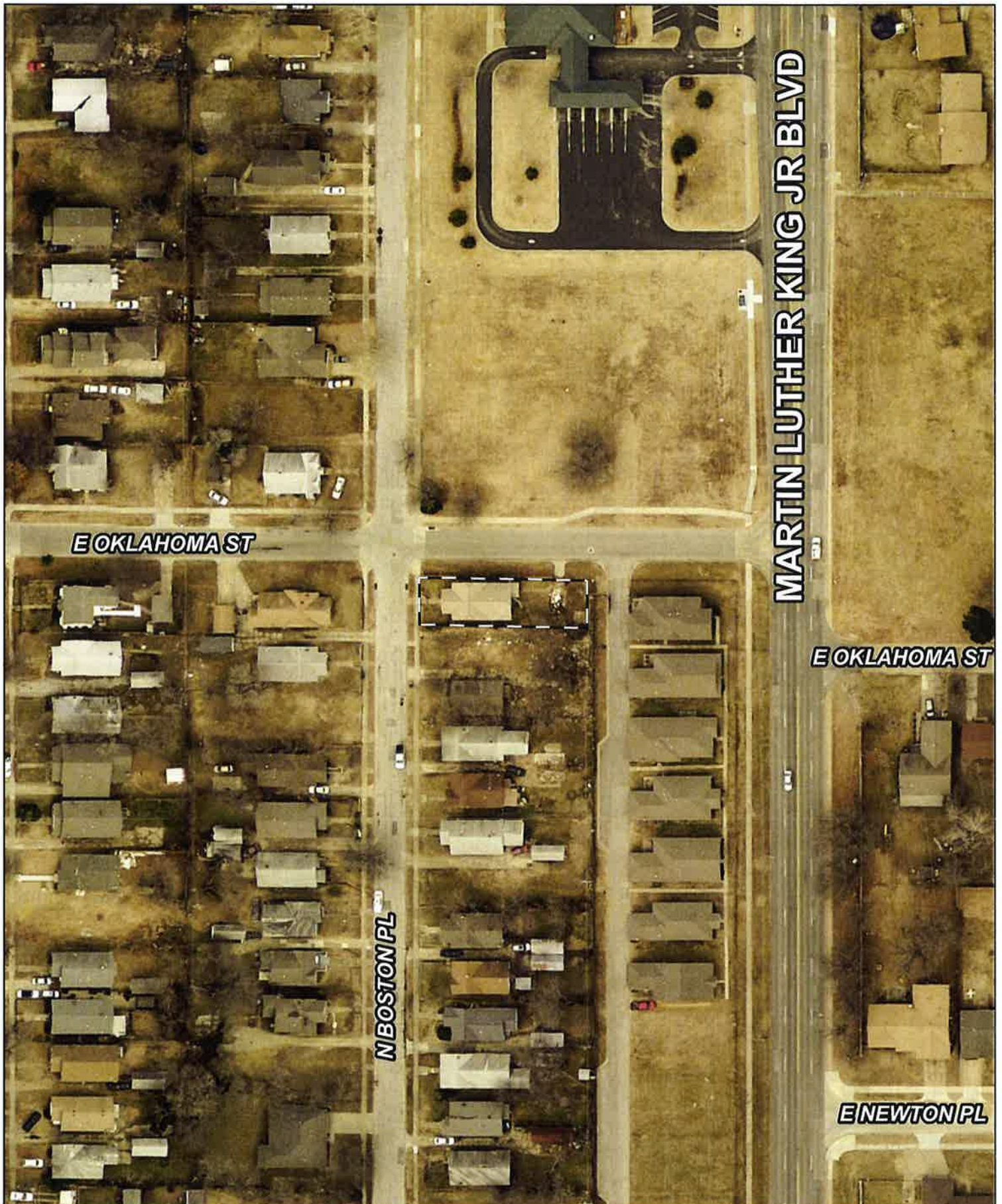
20-12 35

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

Aerial Photo Date: February 2018



3.14



0 50 100
Feet



Subject
Tract

BOA-22994

20-12 35

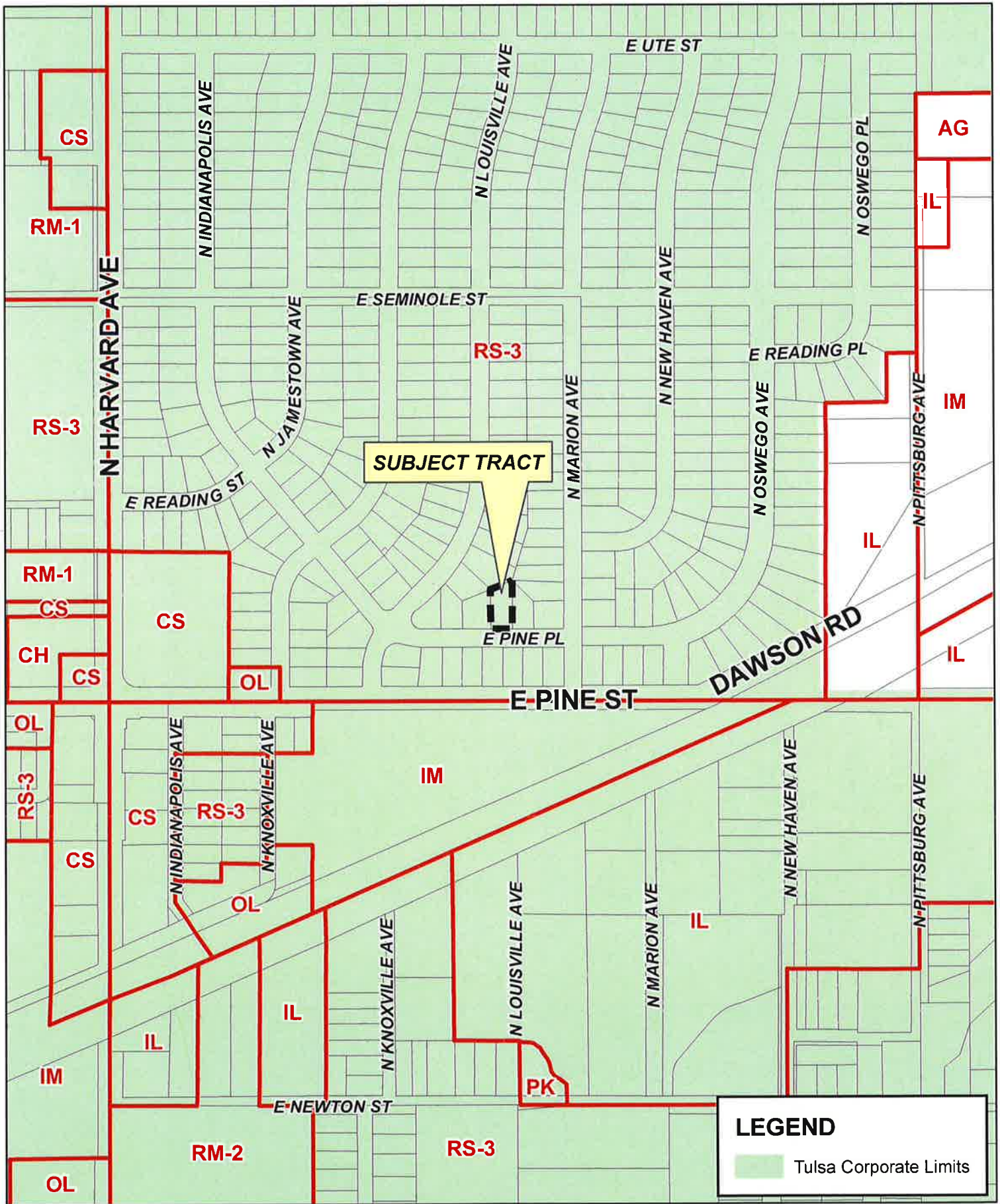
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2018



3.15

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LEGEND

Tulsa Corporate Limits



BOA-22995

20-13 28

4.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0328

Case Number: **BOA-22995**

CZM: 29

CD: 3

HEARING DATE: 10/13/2020 (Continued from 09/22/2020) 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Variance to allow the floor area of detached accessory buildings to exceed 500 sq. ft. or 40% of the floor area of the principal residential structure (Section 45.030-A)

LOCATION: 3727 E PINE PL N

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 10441.37 SQ FT

LEGAL DESCRIPTION: LOT-19-BLK-1, LOUISVILLE HGTS ADDN B1-8

RELEVANT PREVIOUS ACTIONS:

Subject property: None

BOA-21635: On 10.08.2013 the Board **approved** a variance of the front and side setbacks for a corner lot. Property located 3707 East Pine St.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of N. Louisville and E. Pine Pl.

STAFF COMMENTS: The applicant is requesting a **Variance** to allow the floor area of detached accessory buildings to exceed 500 sq. ft. or 40% of the floor area of the principal residential structure (Section 45.030-A)

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]

2. RS-2, RS-3, RS-4, RS-5 and RM Districts

In RS-2, RS-3, RS-4, RS-5 or RM, zoned lots used for detached houses or duplexes, 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 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see §90.090-C2.

The applicant is proposing a 728 sq. ft. structure, the current size do the principal residential structure would limit the aggregate square footage of accessory buildings at 500 sq. ft.

STATEMENT OF HARDSHIP: None provided by the applicant at the time of application.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to allow the floor area of detached accessory buildings to exceed 500 sq. ft. or 40% of the floor area of the principal residential structure (Section 45.030-A)

Finding the hardship(s) to be _____.

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

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

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*

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

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



Facing East on Pine Pl.



Subject Property



Facing West on Pine Pl.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit a residential treatment center/transitional living center (Use Unit 2) in an AG District (Section 301); with this Special Exception to reduce the spacing requirement of 1/2 mile (2,640 feet) from any other lot containing a detention/correctional, emergency and protective shelter, homeless center, residential treatment center and transitional living center use (Section 1202.C.7) withdrawn from the application at today's meeting by the applicant's representative. This approval is subject to testimony and certification received from the applicant regarding the spacing of the facility such as there is no other similar facility within the half mile radius. The Board has found that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

The East 660 feet of the West 1320 feet of the North 660 feet of the South 1320 feet of Section 33, Township 20 North, Range 12 East of the Indian Meridian, Osage County, Oklahoma, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

NEW BUSINESS

21635—Tulsa Habitat for Humanity, Inc.

FILE COPY

Action Requested:

Variance of the front yard setback for a corner lot from 25 feet to 10 feet (Section 403.A, Table 3); Variance of the side yard setback from 15 feet to 10 feet in an RS-3 District (Section 403.A.5). **LOCATION:** 3707 East Pine Place **(CD 3)**

Presentation:

Larry Vitt, 6235 East 13th, Tulsa, OK; stated he is representing Tulsa Habitat for Humanity. The Variance request is due to the peculiar shaped property and the right-of-way is quite large going around the property. Relief is not really needed on the side of the property but it was requested for the sake of consistency around the property. There has been some concern raised about the proposed house blocking the view of the property owner to the east but the house will actually be in line with the property on the east so there will not be any obstruction.

Mr. Henke asked Ms. Back if there had been a question about fencing. Ms. Back stated that one of the abutting neighbors had sent an e-mail concerning the neighbor's rear yard facing the applicant's front yard, and an eight foot rear yard fence up against their front yard with the possibilities of that causing sight issues since the subject property is triangular in shape.

Mr. Vitt stated that he did not think there would be any sight issues because the right-of-way is 18 feet from the edge of the street to the property line, and the property owner cannot build a fence across the right-of-way. Should the owner decide to install a privacy fence on the subject property, the owner to the east already has an existing privacy fence on the north-south property line.

Mr. Van De Wiele asked Ms. Back how far out the subject property could extend a fence. Ms. Back stated that is the question that is concerning the next door neighbor because it is not a front yard fence which would normally go down to four feet. So the neighbor's concern is if a fence is taken to the point of where the property line ends, where would that be. Ms. Back then displayed a site plan on the overhead projector to show where the property line ends. Ms. Back stated she had tried to speak with the City but everyone has been busy and has not been able to discuss the issue with the City.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance of the front yard setback for a corner lot from 25 feet to 10 feet (Section 403.A, Table 3); Variance of the side yard setback from 15 feet to 10 feet in an RS-3 District (Section 403.A.5), subject to the conceptual plan on page 5.7 with the understanding from the applicant that the home shown on the conceptual site plan will actually be constructed approximately two feet farther to the north. This approval is subject to the further condition that any fence in the rear, or east, of the home to be built will extend no farther south than the southern edge of the home as constructed. Finding that this unique triangular shaped lot represents a hardship. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

BOA-21635

LT 21 LESS E70 THEREOF BLK 1, LOUISVILLE HGTS ADDN B1-8, CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21637—Creative Stone Design

Action Requested:

Special Exception to allow for mining limestone by surface and stripping methods (Use Unit 24) in an AG district (Section 301). **LOCATION:** 15115 East 11th Street (CD 6)

Presentation:

Josh Roby, 2109 North Main Street, Tulsa, OK; stated he is representing First Star Bank which is the successor to First National Bank of Muskogee which is the owner of the property. They are the co-applicant with Creative Stone Design which they are leasing the property to Creative Stone.

Tom Morris, Office Manager for Creative Stone Design, 9719 North 101st East Avenue, Owasso, OK; stated the subject property is a 20 acre tract. There has been an application made with the DEQ and the Oklahoma Department of Mines. Permits from both offices have been received to remove limestone using the surface strip mining method. This means there will be light equipment on site and removing the rock without the use of explosives or large pieces of equipment for deeper digging. The stone will be utilized for residential decorative use for boulder walls, backyard grills, landscape beds, etc. Most of the work is performed in Owasso in Stone Canyon and in south Tulsa in Traditions, and in other additions along 111th Street South. The company only has a single dump truck and two tractors that will be utilized for removing the stone. There has been perimeter silt fencing installed at the site. There has been a storm water discharge permit received from DEQ. The site will be maintained and inspected by the Oklahoma Department of Mines. Creative Stone will reclaim the land as the stone is removed so that when the excavating is done the land will have more value than it does currently. The operations will be limited to daylight hours. Previously there had been a mine operation on the subject property that was shut down because they did not have the proper permits.

Mr. Henke stated that he should recuse himself from this hearing with Mr. Roby representing the bank. Mr. Henke left the meeting at 2:12 P.M.

Mr. Tidwell asked Mr. Morris how long the previous company, the one that had been shut down, had operated a mining operation on the subject property. Mr. Morris stated that it was approximately two years.

Mr. Van De Wiele asked Mr. Morris how deep the mining operation would go to extract the limestone. Mr. Morris stated that it is typically two feet. Mr. Van De Wiele asked if

DANA L. BOX
ZONING OFFICIAL
PLANS EXAMINER II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Paul Cisneros
3902 E. 51st St.
Tulsa, OK 74135

July 27, 2020

Phone: 918-859-9343

APPLICATION NO: **BLDR-065265-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 3127 E. Pine Pl.

Description: Accessory Structure

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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 ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFERVICE](https://tulsaok.tylertech.com/energov4934/selfservice). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO. ****
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. 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.).

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>

BLDR-065265-2020

3127 E. Pine Pl.

July 27, 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. 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. 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 728 square feet of detached accessory structure floor area. The proposed detached accessory structure exceeds 500 square feet. Reduce the size of your proposed detached accessory structure to be less than 500 square feet or apply to BOA for a variance to allow a detached accessory structure to exceed 500 square feet.

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.

FLOOR PLAN

- [illegible]

FLOOR PLAN

- A. RE: A3/A4 DRAWINGS FOR EXTERIOR ELEVATIONS
B. RE: A5 DRAWING FOR FLOOR PLAN






ITEM	DESCRIPTION
1	EXISTING EXTERIOR WALL TO REMAIN
2	EXISTING INTERIOR WALL TO REMAIN
3	NEW EXTERIOR WALL IV LAP SIDING
4	NEW INTERIOR WALL

LETTER INDICATES HALL TYPE

NUMBER INDICATES STUD SEAT AS FOLLOWS

4 1/2 = 4 ADD STUD
5 1/2 = 5 ADD STUD
6 1/2 = 6 ADD STUD
10 1/2 = 10 ADD STUD

② TYP. WALL SECTION
3'-6" x 1'-0"

ITEM	DESCRIPTION
	NEAR PERSON
	NEAR DOOR OPENING
	NEAR DOOR
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR

LEGEND NOTES:
1. NOT ALL ITEMS MAY BE USED

② TYP. WALL SECTION
3/4" x 1'-0"

COMPOSITE SHINGLE ROOF
OVER 1/2" PLYWOOD DECKING

2x5 RAFTERS @ 1/2" O.C.

4-50 BFT INSULATION

2x6 G.L.S. JOISTS @ 16" O.C.

1/2" O.P.F. BOARD

DOUBLE 2x4 HEAD PLATE
ATTACH TO CEILING JOIST AS
RSGD

2x4 STUDS @ 16" O.C. R-13
BATT INSULATION

2x4 STUDS @ 1/2" SHEATHING

IV MOISTURE BARRIER
MEMBRANE

2x4 STUDS @ 1/2" O.C.

2x4 SILL PLATE ATTACH
TO FLOOR AS RSGD

SLOPE GRADE AWAY
FROM STRUCTURE

2x6

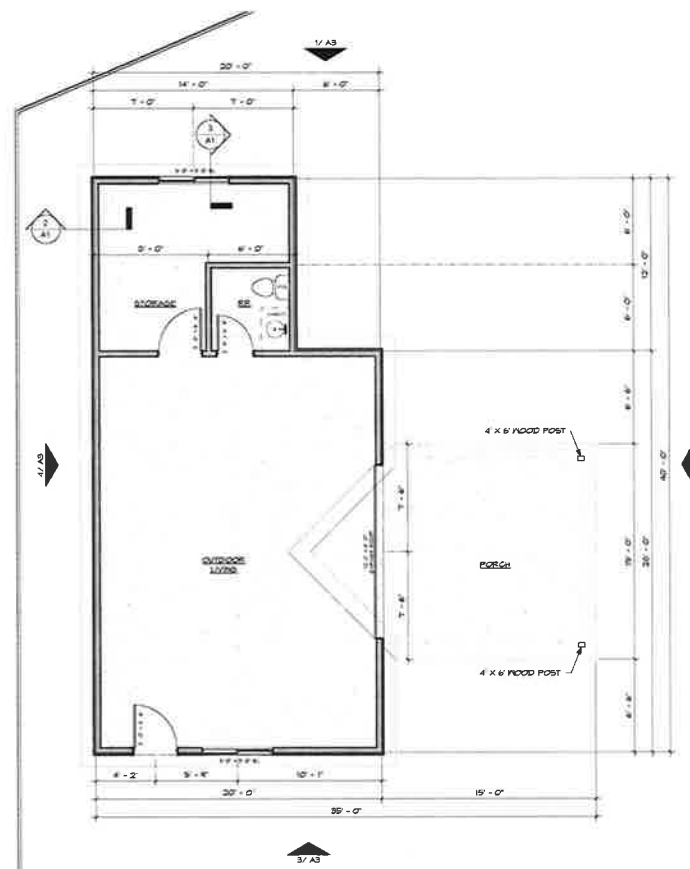
PLATE HT.
2'-0"

GARAGE FLOOR

② TYP. WALL SECTION
3/4" x 1'-0"

③ TYP. WINDOW SECTION
3/4" = 1'-0"

① FIRST FLOOR - FLOOR PLAN
1/4" = 1'-0"



T U L S A , O K
[P] 918.859.9343
WWW.RC3DESIGNS.COM

CONSULTANT

PROJECT

SERGIO'S
GARAGE

PROJECT # 20142

3727 E. Pine Pl. N.
Tulsa, OK 74115
United States

REVISIONS

No	Description	Date
----	-------------	------

PROJECT STATUS

PERMIT SET

WINE DATE _____

07.07.2020

SHEET NAME

FLOOR PLAN/
WALL SECTIONS

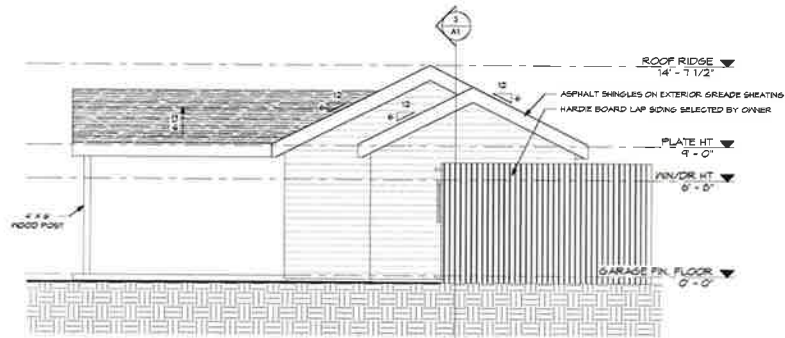
SHEET NUMBER

A1



TULSA, OK
 (918) 859-9343
 WWW.RCJDESIGNS.COM

CONSULTANT



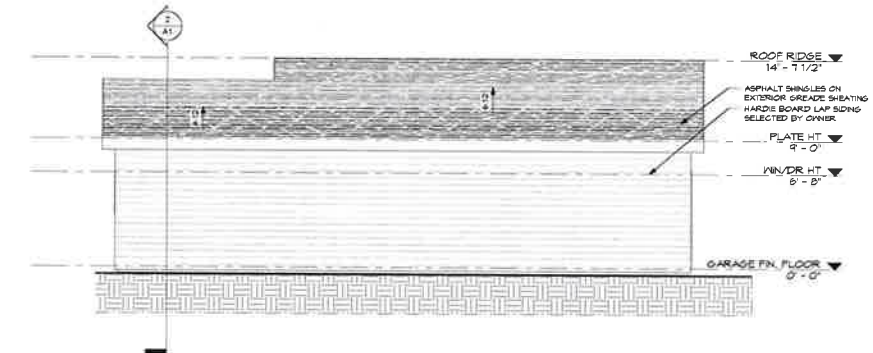
① NORTH ELEVATION
 1/4" = 1'-0"



② EAST ELEVATION
 1/4" = 1'-0"



③ SOUTH ELEVATION
 1/4" = 1'-0"



④ WEST ELEVATION
 1/4" = 1'-0"

PROJECT

**SERGIO'S
 GARAGE**

PROJECT # 20142

3127 E. Pine Pl. N.
 Tulsa, OK 74115
 United States

REVISIONS

No. Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

07.07.2020

SHEET NAME

**EXTERIOR
 ELEVATIONS**

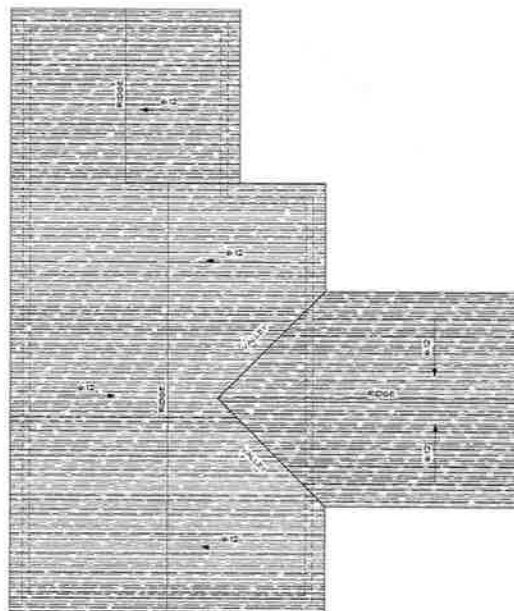
SHEET NUMBER

A3

ROOF PLAN

- 1 CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R606, IRC 2015
2 ROOF PITCH TO MATCH EXISTING ROOF PITCH. CONTRACTOR TO FIELD
VERIFY EXISTING ROOF PITCH.

ROOF PLAN



① ROOF PLAN
1/4" = 1'-0"



CONSULTANT

PROJECT

SERGIO'S
GARAGE

PROJECT # 20142

3727 E. Pine Pl. N.
Tulsa, OK 74115
United States

REVISIONS

No.	Description	Date
-----	-------------	------

PROJECT STATUS

PERMIT SET

DUE DATE

07.07.2020

SACRED NAME

ROOF PLAN

SHEET 14-008

A5

4.15

PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION: LOW-VILLE 1675 ADDN B1-B
LEGAL: LOT 14 - BLK 1
SECTION: 23 TOWNSHIP: 30 RANGE: 13

GENERAL INFORMATION

ZONING: RS-B
LOT SIZE: 0.34 ACRES / 10,440 SQ FT
RES. STRUCTURE HEIGHT: 17'-10"
FIRST FLOOR AREA: 418 SQ FT
DET. OUTDOOR GARAGE: 120 SQ FT
PORCH: 225 SQ FT
TOTAL: 463 SQ FT
DET. GARAGE STR. HEIGHT: 17'-14 1/2"

ADDITIONAL INFORMATION

REAR SETBACK AREA: 1525 SF
DETACHED OUTDOOR LIVING AREA IN REAR SETBACK: 130 SF
MAX COVERAGE OF REAR SETBACK REQD: 30%
DETACHED GARAGE COVERAGE OF REAR SETBACK: 11.2%

RESIDENCE FLOOR AREA: 1103 SQ FT
EXISTING DRIVEWAY: 348 SQ FT
OUTDOOR LIVING WITHIN LOT LINES: 576 SQ FT
COVERED PORCH: 225 SQ FT
TOTAL: 2819 SQ FT

REGULATIONS

MIN. OPEN SPACE REQD: 4,000 SQ FT
OPEN SPACE PROPOSED: 1,400 SQ FT









SURVEY DISCLAIMER


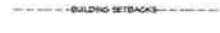



SITE PLAN

THIS SITE PLAN IS DRAWN WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. BOUNDARY AND EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE BASED ON FIELD INFORMATION AND FOR ILLUSTRATIVE PURPOSES ONLY.

LEGEND

SITE PLAN

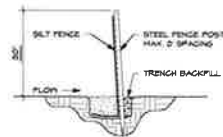
-  EXISTING BUILDING FOOTPRINT: AREA NOT IN SCOPE OF WORK
-  EXISTING ASPHALT PAVING
-  NEW ASPHALT PAVING/ TRACK
-  EXISTING GRAVEL DRIVE/PARKING
-  TULSA REGULATORY FLOOD PLAN
-  EXISTING SOG TO REMAIN
-  EXISTING CONCRETE DRIVEWAY/WALKWAY
-  NEW CONCRETE DRIVEWAY/WALKWAY

-  PROPERTY LINE
-  BUILDING SETBACKS
-  EXTERIOR BOUNDARY LINE
-  SILT FENCE
-  EXISTING DRAINAGE FLOW

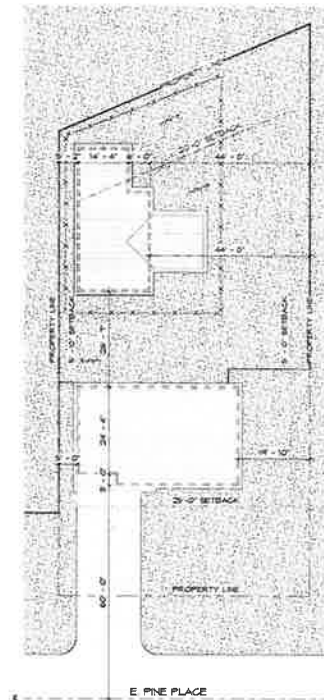
SILT FENCE DETAIL

SITE PLAN

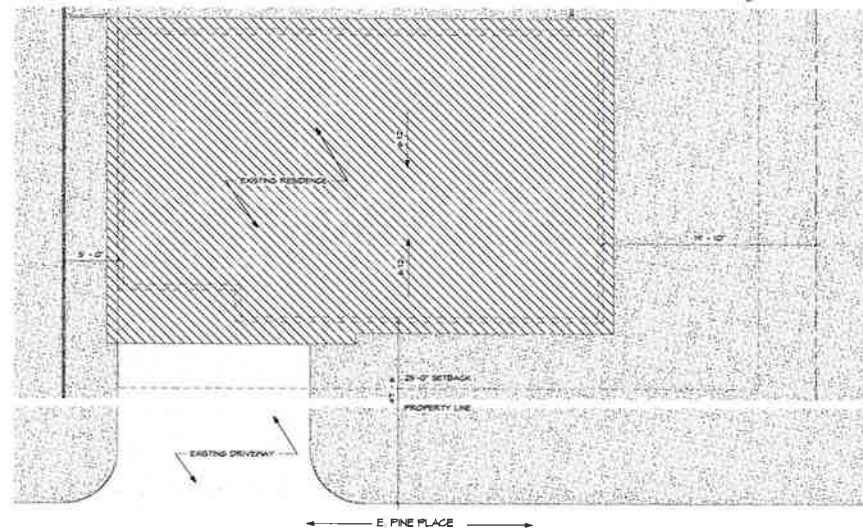
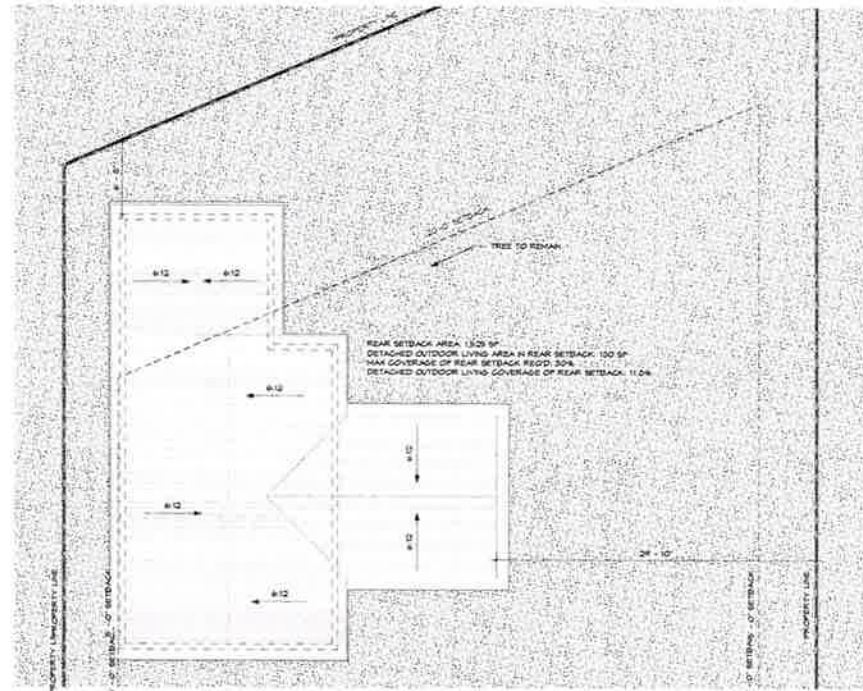
- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
- THE TOP OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
- THE TRENCH SHOULD BE A MINIMUM OF 8 INCHES DEEP AND 3 TO 4 INCHES WIDE TO ALLOW FOR THE SILT FENCE TO BE LAID IN THE TRENCH 4 INCHES AND BACKFILLED.
- SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO POWER FENCE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO AS NOT TO BLOCK OR IMPIDE STORY FLOW OR DRAINAGE.
- SEDIMENT TRAPPED BY THE FENCE SHALL BE DISPOSED OF IN AN APPROVED SITE, IN A MANNER THAT WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.



SCALE: NOT TO SCALE



② SITE PLAN
1/16" = 1'-0"



① ENLARGED SITE PLAN
3/16" = 1'-0"



TULSA, OK
[P] 918.859.9343
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

SERGIO'S GARAGE

PROJECT # 20142

3121 E. Pine Pl. N.
Tulsa, OK 74115
United States

REVISIONS

No. Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

01.01.2020

SHEET NAME

SITE PLAN

SHEET NUMBER

SP



0 200 400
Feet



Subject
Tract

BOA-22995

20-13 28

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

Aerial Photo Date: February 2018



4.17



N LOUISVILLE AVE

N MARION AVE

N NEW HAVEN AVE

E PINE PL

E PINE ST



Subject Tract

BOA-22995

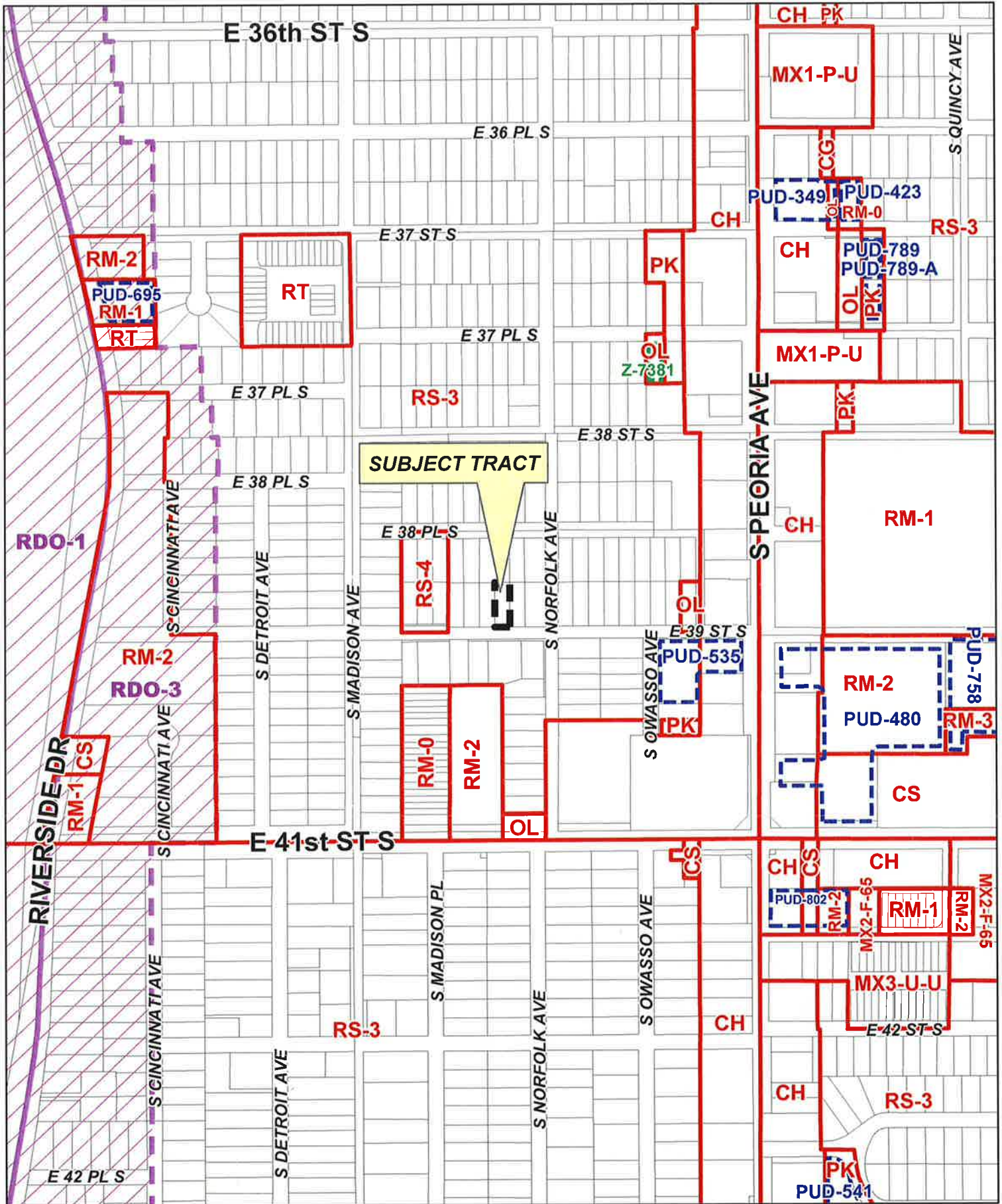
Note: Graphic overlays may not precisely align with physical features on the ground.



20-13 28

Aerial Photo Date: February 2018

4.18



BOA-22996

5.1

19-12 24

BOARD OF ADJUSTMENT CASE REPORT

STR: 9224

Case Number: **BOA-22996**

CZM: 46

CD: 9

HEARING DATE: 10/13/2020 1:00 PM (Continued from 09/22/2020)

APPLICANT: Nick Puma

ACTION REQUESTED: Variance to allow a nonconforming lot to have less than 50% open space (Section 80.020-B)

LOCATION: 1037 E 39 ST S

ZONED: RS-3

PRESENT USE: Vacant

TRACT SIZE: 7200.5 SQ FT

LEGAL DESCRIPTION: LT 10, NILES RESUB E/2 L7 BROCKMAN'S ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding Properties:

BOA-21515; On 01.08.2013 the Board **approved** a Special Exception to permit a carport in the required front yard in an RS-3 District. Property located 1030 East 38th Pl. South.

BOA-16607; On 05.10.94 the Board **denied** a Special exception to permit duplexes in the RS-3 District. Property located East of the SE/c of 38th Pl. and S. Madison.

BOA-12435; On 02.10.83 the Board **approved** a variance to expand a non-conforming structure and a variance to exceed the permitted 20% rear yard coverage and permitted 750 square foot size limitation for a detached accessory structure. Property located 1036 East 38th Pl.

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.

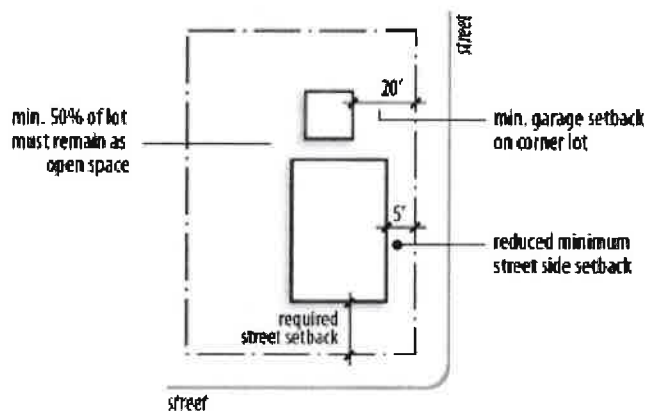
ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the NW/c of E. 39th St. S. and S. Norfolk Ave. Included in your packet are photos of the property immediately West of the subject property, 1033 E. 39th St. S. This property has a structure that looks to have been constructed within the past 3 years based on historical aerals. That property contains a two-story home that was built without the need for relief by the Board of Adjustment.

STAFF COMMENTS: The applicant is requesting **Variance** to allow a nonconforming lot to have less than 50% open space (Section 80.020-B)

80.020-B Nonconforming Lots in Residential Zoning Districts

In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, **provided that at least 50% of the lot area remains as open space.** All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

Figure 80-1: Detached House on Nonconforming Lot in R District



The existing lot is 7,219 square feet which would require the lot to maintain 3,609.5 square feet of open space, the applicant is seeking to reduce the required open to 3,283 square feet of open space and allow 3,936 square feet of lot coverage. This is a difference of 326.5 between what is allowed and what is requested. The lot is considered non-conforming because of its width, but the size of the lot (7,219 square feet) exceeds the required lot size of 6,900 square feet. Open space is measured as follows per Sec. 90.080 of the City of Tulsa Zoning Code:

90.080-A Open space per unit refers to the amount of outdoor open space required to be provided on a lot for each dwelling unit on the subject lot. Multiply the minimum open space-per-unit requirement by the number of dwelling units to determine the total amount of open space required on a lot. In applying minimum open space-per-unit requirements to fraternity, sorority and rooming/boarding house uses, each 600 square feet of floor area is counted as one dwelling unit.

90.080-B The following may be counted toward satisfying minimum open space-per unit requirements:

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

90.080-C Required open space within a townhouse development may be provided on each townhouse lot or may be provided in outdoor common areas within the townhouse development, as designated on the recorded subdivision plat or in a separately recorded legal instrument.

STATEMENT OF HARDSHIP:

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to allow a nonconforming lot to have less than 50% open space (Section 80.020-B)

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

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.”

Case No. 12434 (continued)

Protestants: A letter from W. E. McLean, General Manager of Kerr-McGee Corporation, was submitted in protest to the application (Exhibit "J-3").

Board Comments:

Mrs. Purser inquired as to the hardship involved in this case and Mr. Bryant advised that the hardship for this application centers around a financial hardship. The Board advised that a financial situation could not be considered as a hardship.

Discussion ensued concerning the variance of the setback from Peoria and Mr. Bryant advised that the plans include information concerning other buildings on Peoria including their setbacks.

Board Action:

On MOTION of VICTOR and SECOND by PURSER, the Board voted 4-1-0 (Chappelle, Purser, Smith, Victor, "aye"; Wait "nay"; no "abstentions"; none, "absent") to deny a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts) of the setback from the centerline of Peoria Avenue from 100' to 56.5'; and a Variance (Section 1450 (a) - Structural Nonconformities - to enlarge (or enclose) a nonconforming structure, on the following described property:

Lots 1, 2 and 3, Block 8, Broadview Heights Addition, Tulsa County, Oklahoma.

Case No. 12435

Action Requested:

Variance - Section 1450 (a) - Structural Nonconformities - Request for a variance to expand a nonconforming structure; and a Variance (Section 240.2 (e) - Permitted Yard Obstructions - Request for a variance to exceed 20% rear yard coverage and/or 750 square feet of detached accessory building located at 1036 East 38th Place.

Presentation:

Lloyd Larkin, 3948 South Hudson Avenue, attorney representing Maria Hollingsworth, the owner of the subject property, submitted a plot plan (Exhibit "K-1"). Ms. Hollingsworth is proposing to add 8' to the existing garage on the subject property. This property was taken in by the City in 1951 at which time there was a radio station and later the garage was constructed. The radio station was later converted into a residential structure. The subject property contains approximately 1/3 acre and the building coverage on the property is approximately 12% of the entire acreage. Ms. Hollingsworth intends to use the garage as a guest room and will use the space as a workroom, but there will be no business conducted at this location. The applicant also proposes to install plumbing in the garage structure.

Protestants:

Clarence Brown, 3819 South Madison Avenue, submitted a protest petition signed by approximately 14 property owners in the immediate area (Exhibit "K-2"). He stated that the protestants object to the limitations of this development not being adhered to. If the variance request is granted a precedent could be set. The protestants also feared that the garage structure could be used as a second residential

2.10.83:380(11)

Case No. 12435 (continued)

structure and are opposed to multifamily dwellings in this area.

J. T. Mitchell, 3822 South Madison Avenue, advised that the streets in the immediate area are very narrow. Mr. Mitchell felt if the application were approved that the applicant might use the structure as a business and since the streets in the immediate area are very narrow there would be no parking available.

Interested Party:

Bob Freeman, 1029 East 38th Place, was present and stated that he has lived in the subject area for a long time and felt that Ms. Hollingsworth has greatly improved the property since she has purchased the land. Mr. Freeman advised that the previous owner had approximately 6 storage buildings on the property which appeared junky.

Comments:

The Board questioned if the garage would be used as a business by the applicant and Mr. Larkin assured the Board that the structure would not be used as a business, but advised that the applicant would use a portion of the building as a workroom.

Discussion ensued concerning the structure being nonconforming. Mr. Gardner suggested that if the application is approved that the house and the garage structure be connected by a breezeway to be assured that the garage structure would not be used as a residence.

Board Action:

On MOTION of VICTOR and SECOND by WAIT, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 1450 (a) - Structural Nonconformities) to expand a nonconforming structure; and a Variance (Section 240.2 (e) - Permitted Yard Obstructions) to exceed 20% rear yard coverage and/or 750 square feet of detached accessory building, subject to there being no kitchen in the garage structure and subject to there being no business operated at that location, per plot plan submitted, on the following described property:

Lots 3 and 4, Niles Resubdivision to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Case No. 12436

Action Requested:

Variance - Section 430 - Bulk and Area Requirements in the Residential Districts - Request for a variance of the setback from 35' to 32 1/2' to allow a detached garage; and a Variance - Section 420.2 - Accessory Use Conditions - Request to locate a detached accessory building in the side yard; and a Variance - Section 240.2 - Permitted Yard Obstructions - Request to allow a 6' fence instead of the maximum allowed 4' fence in the front yard located at 3048 South Quaker Avenue.

Presentation:

A. F. Ringold, 3048 South Quaker Avenue, was present and submitted a plot plan (Exhibit "L-1"). The applicant advised that the 5' existing chain link fence will be removed and a 6' privacy cedar fence will be

2.10.83:380(12)

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Snyder absent) to **CONTINUE** the request for a **Variance** of the requirement that no merchandise may be displayed outside within 300 feet of an R district (Section 1217.C.2) to the Board of Adjustment meeting on February 12, 2013; for the following property:

E195 TR 31, GLENHAVEN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

FILE COPY

21515—Douglas E. Meyer

Action Requested:

Special Exception to permit a carport in the required front yard in an RS-3 district (Section 210.B.10.g). **LOCATION:** 1030 East 38th Place South **(CD 9)**

Presentation:

Doug Meyer, 7528 South 82nd East Avenue, Tulsa, OK; stated there are existing carports in the neighborhood that appear to be made from aluminum. The structure he is proposing will be a wooden structure and will complement the house.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Snyder absent) to **APPROVE** the request for a **Special Exception** to permit a carport in the required front yard in an RS-3 district (Section 210.B.10.g), subject to conceptual plans on pages 12.8, 12.9, 12.10 and 12.11. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 5, NILES RESUB E/2 L7 BROCKMAN'S ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Case No. 16679

Action Requested:

Variance of the required side yards - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1104 East 25th Street.

Presentation:

The applicant, **Jeffrey Levison**, 35 East 18th Street, was represented by **Dwight Smith**. He informed that the subject property is being sold, and it was discovered that the house encroaches into the required side yards. Mr. Smith noted that the house was constructed in 1927, and the abutting property to the east is unimproved. A plot plan (Exhibit HH-1) was submitted.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolze, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a Variance of the required side yards - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the house was constructed prior to current setback requirements; on the following described property:

Lot 9, Block 8, Sunset Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16607

Action Requested:

Special Exception to permit duplex dwellings in an RS-3 zoned district - **SECTION 401 PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 7, located east of the SE/c of East 38th Place and South Madison Avenue.

Presentation:

The applicant, **Ronald Spencer**, 5919 East 104th Street, informed that he is proposing to split a large lot and construct two duplexes on each lot (Exhibit JJ-2). He stated that the property extends from 38th Place to 39th Street and two buildings will front on each street. The applicant stated that there are numerous duplexes in the area.

Comments and Questions:

Mr. Doverspike asked if there is a dwelling on the property, and the applicant stated that a partially burned out house is located on the lot.

Protestants:

Letters of opposition (Exhibit JJ-3) were submitted.

Case No. 16607 (continued)

Pam Deatherage informed that Planning District 6 is opposed to the application. She noted that the surrounding properties are all single-family and there are no duplexes in the immediate area. Ms. Deatherage stated duplex use would double the amount of cars in the neighborhood, and would be detrimental to the area.

Duane Wilkerson, 3826 South Madison, stated that the development would divide up the neighborhood and asked the Board to deny the application.

Nancy Apgar, 3914 South Norfolk, stated that she lives within 300' of the proposed project, and is opposed to duplex use in the single-family residential neighborhood.

Wesley Nelson, 3903 South Madison, noted that the applicant is proposing to construct four buildings, or eight dwelling units, on a lot that previously had only one dwelling. He pointed out that duplexes usually fall into bad repair after a few years. Photographs (Exhibit JJ-2) were submitted.

Dorothy Watson stated that she is representing the president of the Brookside Neighborhood Association, and informed that the residents of the area are concerned that approval of duplex use in the neighborhood will decrease property values in the area.

Sally Gubser, 3844 South Madison, stated that she canvassed the neighborhood and found no support for this application.

Pam Summers, 3845 South Madison, stated that she lives adjacent to the property in question and noted that the lot is in the middle of a stable residential area. She asked the Board to deny the request and preserve the character of the neighborhood.

Carol Peters, 1017 East 38th Place, stated that she lives across from the property in question. She stated that the neighborhood is unique and asked the Board to deny the application.

Applicant's Rebuttal:

Mr. Spencer stated that there are two multifamily projects within two blocks of the subject property. He stated all of his properties are well maintained and plans to continue that practice with this project.

Board Action:

On **MOTION** of **S. WHITE**, the Board voted 4-0-0 (Bolzle, Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **DENY** a **Special Exception** to permit duplex dwellings in an RS-3 zoned district - **SECTION 401 PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS** - Use Unit 7; finding that duplex use is comparable to spot zoning in this instance, and is not compatible with the established residential neighborhood; on the following described property:

Lots 1 and 2, Block 2, Eden's Re-sub, City of Tulsa, Tulsa County, Oklahoma.



Facing West on 39th



Subject tract



Lot immediately West of the subject tract . Both lots are the same dimensions.



Facing East on 39th

DANA L. BOX
ZONING OFFICIAL
PLANS EXAMINER II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Nick Puma
40 E. 16th St.
Tulsa, OK 74119

July 27, 2020

Phone: 918-855-6433

APPLICATION NO: **BLDR-065267-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1037 E. 39th St.

Description: New Single Family Residential home

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO COTDEVSVCS@CITYOFTULSA.ORG OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFERVICE](https://tulsaok.tylertech.com/ENERGOV4934/SELFERVICE). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO. **
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
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.).

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>

BLDR-065267-2020

1037 E. 39th St.

July 27, 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. 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.

Section 80.020 Nonconforming Lots

80.020-A Description

A nonconforming lot is a lot that does not comply with the applicable minimum lot area, minimum lot width, minimum street frontage or minimum open space requirements of the subject zoning district and that meets at least one of the following criteria:

1. The lot was a lot of record on or before July 1, 1970;
2. The lot is located within a subdivision approved by the planning commission; or
3. The lot is a lot of record for which a recorded instrument of conveyance bears the endorsement of the planning commission.

80.020-B Nonconforming Lots in Residential Zoning Districts

In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, provided that at least 50% of the lot area remains as open space. All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

Review Comments: The proposed lot is considered an existing nonconforming lot. You are allowed to use 50% of the lot size as open space. You are proposing less than 50% of the lot size to be open space. Revise plans to indicate compliance or apply to INCOG for a variance to allow this lot to have less than 50% of the lot to be open space.

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.

Chapman, Austin

From: Nick Puma <n.puma@me.com>
Sent: Friday, August 21, 2020 11:49 AM
To: Chapman, Austin
Subject: BOA-22996

Austin,

Here are the calculations for open space you requested.

Thanks,

Nick Puma

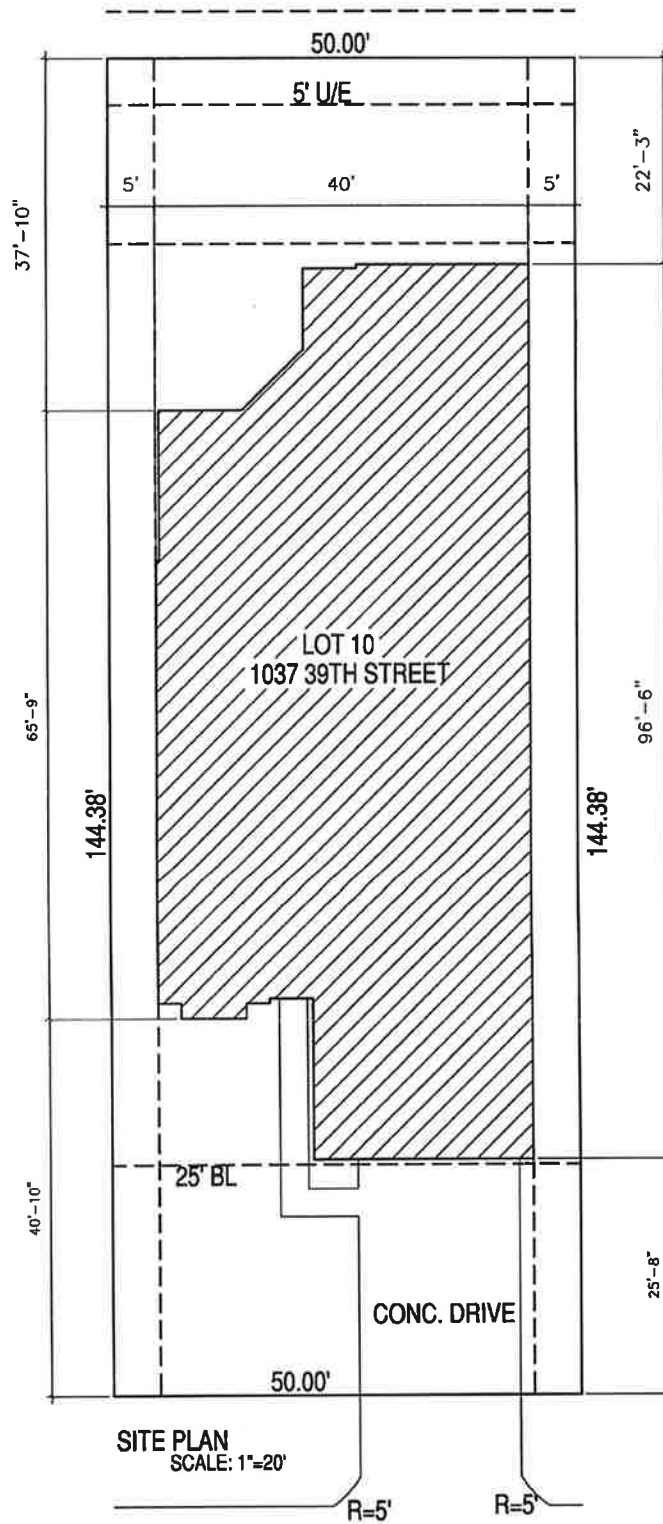
Sent from my iPhone

Begin forwarded message:

From: ryan scamehorn <creativehomedesigns216@msn.com>
Date: August 21, 2020 at 10:46:20 AM CDT
To: "n.puma@me.com" <n.puma@me.com>, Julius Puma <puma74011@yahoo.com>, Ben Welch <ideaschd1@gmail.com>
Subject: **COVERAGE AREA**

TOTAL SQFT. OF LAND/LOT =	7,219
TOTAL HOUSE/DRIVE/SIDEWALK COVERAGE SQFT=	3,936
TOTAL OPEN UNDISTURBED AREA=	3,283

Ryan Scamehorn
CEO, Creative Home Designs
(405)882-8392



MAIN FLOOR PLAN FLOOR PLAN

MIDTOWN INFILL 1

7/21/2020

LaBella Homes

RS/BP

SQUARE FOOTAGE

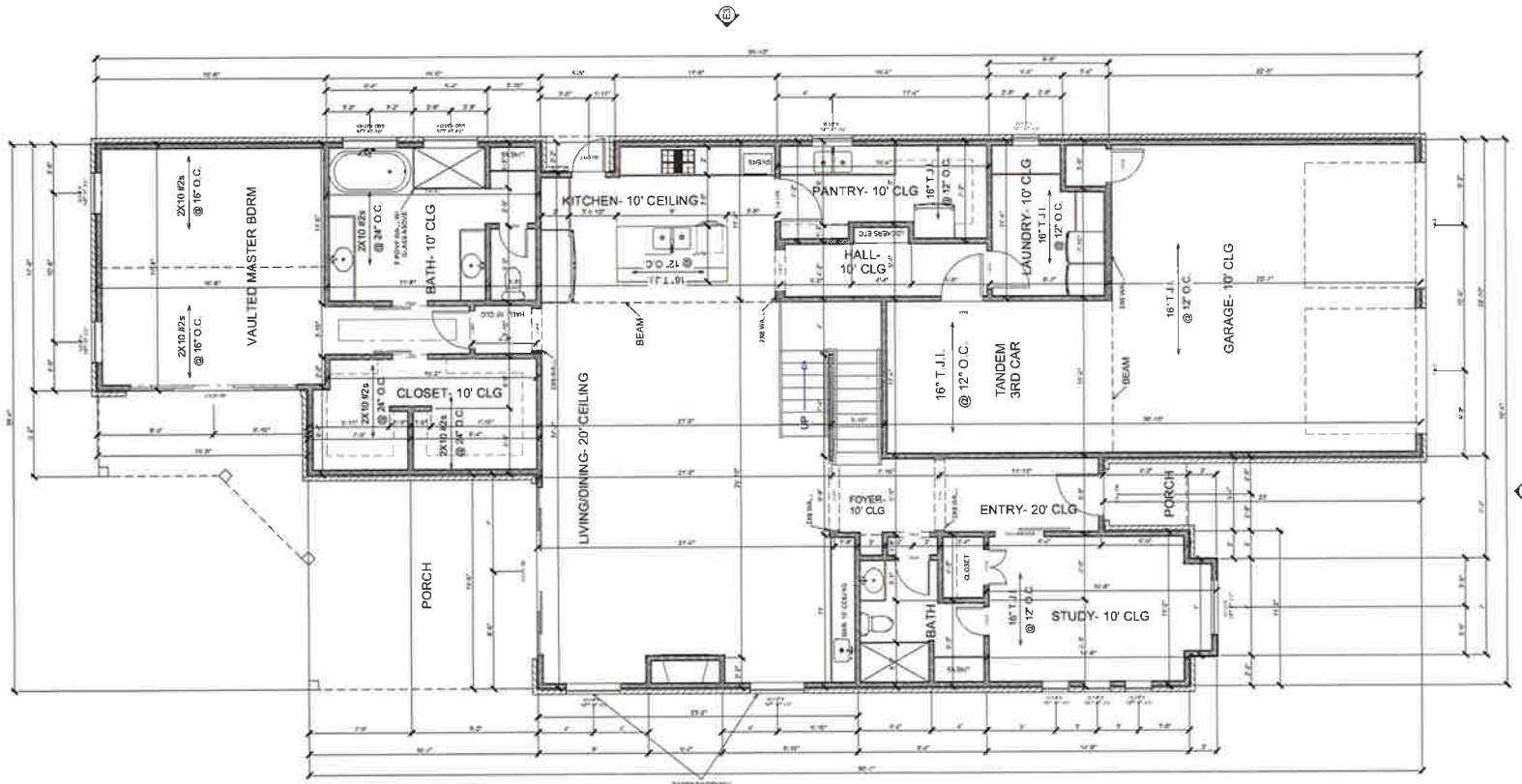
2184 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)7804 E 106TH ST,
TULSA
OK 74137815 N WALKER,
SUITE 110
OKLAHOMA CITY
OK 73102
405-270-6417www.creativehomedesigns1.com
plans © copyright designer

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home
designs



MAIN FLOOR PLAN

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



FLOOR PLAN NOTES

1. ALL STRUCTURAL INFORMATION SHOWN FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHALL HAVE LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS FRAMING WALLS, BEAMS, CONNECTIONS, HEADERS, JOISTS, AND RAFTERS.
2. ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD UNLESS NOTED OTHERWISE.
3. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY APPROXIMATE ROUGH OPENING SIZE. REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
4. COORDINATE LOCATION OF UTILITY METERS WITH VENDOR LOCATE AWAY FROM PUBLIC SIDE.

5. PREFABRICATED FIREPLACE CONSTRUCTION SHALL MEET OR EXCEED ALL APPLICABLE CODES REGARDING USE OF FIRE SEPARATIONS, CLEARANCES, ETC. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL ITEMS AND CONSTRUCTION MEET OR EXCEED CODE. OVERALL FLUE HEIGHT SHALL BE COORDINATED TO MATCH HEIGHT SHOWN ON PLANS AND SHALL NOT EXCEED THE TOP OF CHIMNEY CHASE AS CONSTRUCTED.
6. CONTRACTORS SHALL COORDINATE ALL CLOSET SHELVING REQUIREMENTS.
7. DO NOT SCALE DRAWINGS. FOLLOW DIMENSIONS ONLY.
8. CONTRACTORS SHALL FIELD VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.

9. BEDROOM WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 57 SQ. FT. A MINIMUM NET CLEAR OPENABLE WIDTH OF 20". A MINIMUM NET CLEAR OPENABLE HEIGHT OF 24" AND HAVE A MAXIMUM FINISH SILL HEIGHT OF 43" FROM FINISH FLOOR.

10. ALL GLASS LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 60" OF FLOOR AT BATHTUBS, WHIRLPOOLS, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.

11. ALL EXPOSED INSULATIONS SHALL HAVE A FLAME SPREAD RATING OF LESS THAN 25 AND A SMOKE DENSITY RATING OF LESS THAN 450.

12. PROVIDE COMBUSTION AIR VENTS, WITH SCREEN AND BACK DAMPER, FOR FIREPLACES, WOOD STOVES AND ANY APPLIANCE WITH AN OPEN FLAME.

13. BATHROOMS AND UTILITY ROOMS SHALL BE VENTED TO THE OUTSIDE WITH A MINIMUM OF A 50 CFM FAN. RANGE HOODS SHALL ALSO BE VENTED TO OUTSIDE.

14. ATTIC HVAC UNITS SHALL BE LOCATED WITHIN 20' OF ITS SERVICE OPENING. RETURN AIR GRILLES SHALL NOT BE LOCATED WITHIN 10 FEET OF A GAS FIRED APPLIANCE.

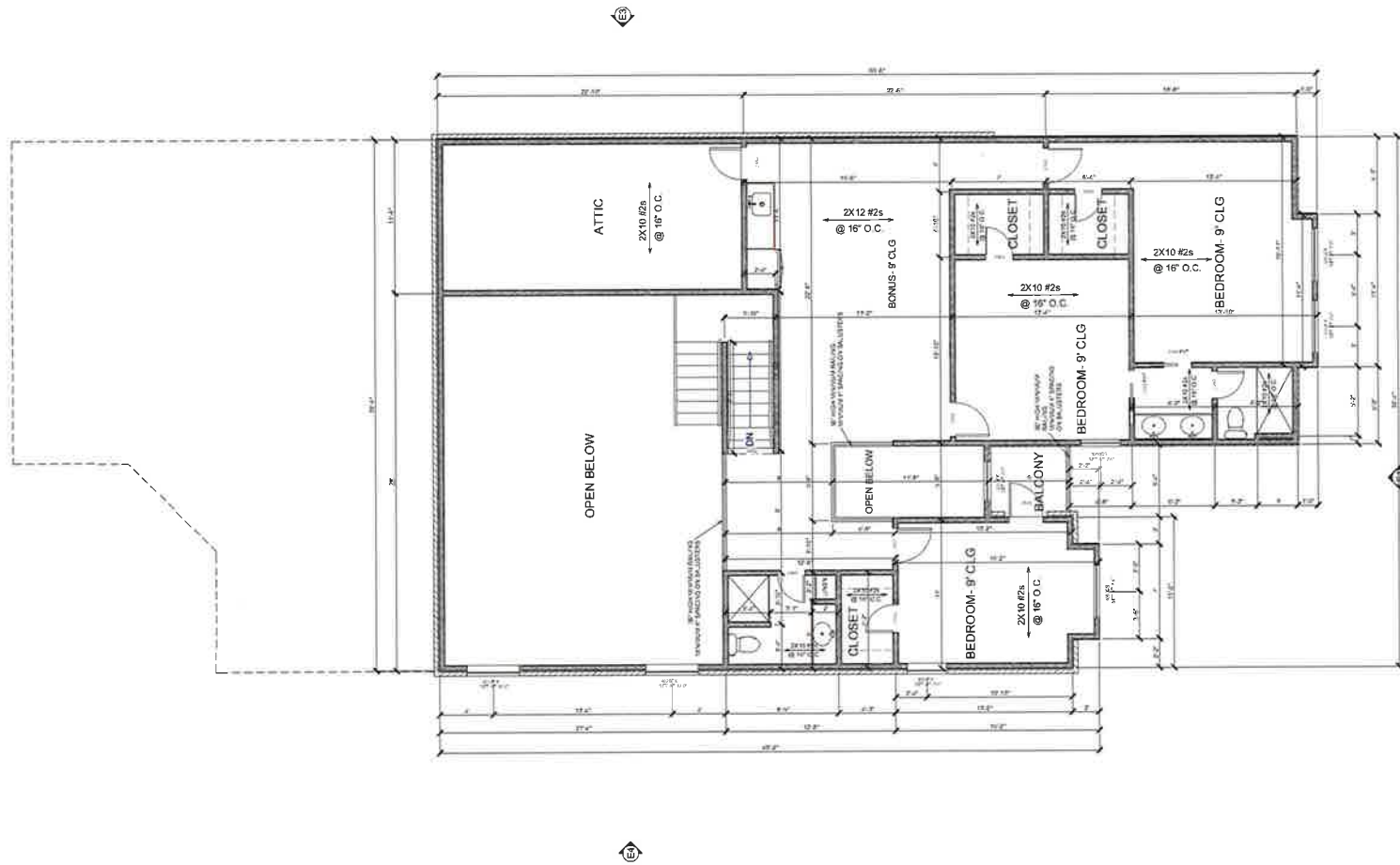
15. ALL WALLS AND CEILINGS IN GARAGE AND GARAGE STORAGE AREAS TO HAVE 5/8" TYPE-X GYP. BOARD W/ 1-HOUR FIRE RATING. ALL EXIT DOORS IN GARAGE TO BE METAL OR SOLID CORE DOORS INCLUDING DOORS ENTERING HEAT/COOLED PORTION OF RESIDENCE.

16. ALL FIREPLACE CHASE WALLS SHALL BE INSULATED INSIDE AND OUTSIDE. PROVIDE HORIZONTAL "DRAFT STOPS" AT EACH FLOOR LEVEL BY PACKING 6" (R-19) INSULATION BETWEEN 2X4 JOISTS.

17. ALL INTERIOR WALLS SHALL BE COVERED WITH 1/2" GYPSUM BOARD, WITH METAL CORNER REINFORCING, TAPE FLOAT AND SAND (3 COATS) USE 5/8" GYPSUM BOARD ON CEILINGS WHEN SUPPORTING MEMBERS ARE 24" O.C. OR GREATER. USE 1/2" GYPSUM BOARD ON CEILING MEMBERS LESS THAN 24" O.C.

18. ALL BATH AND TOILET AREA WALLS AND CEILINGS SHALL HAVE WATER RESISTANT GYPSUM BOARD.

21.5



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

2

UPPER FLOOR FLOOR PLAN

MIDTOWN INFILL 1

7/21/2020

LaBELLA HOMES

RS/BP

SQUARE FOOTAGE

2184 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)
2276 SQ FOOT VENER (MAIN FLOOR)
1318 SQ FOOT VENER (UPPER FLOOR)
3594 SQ FOOT VENER (TOTAL)

7804 E. 108TH ST.
TULSA
OK 74137

816 N. WALKER
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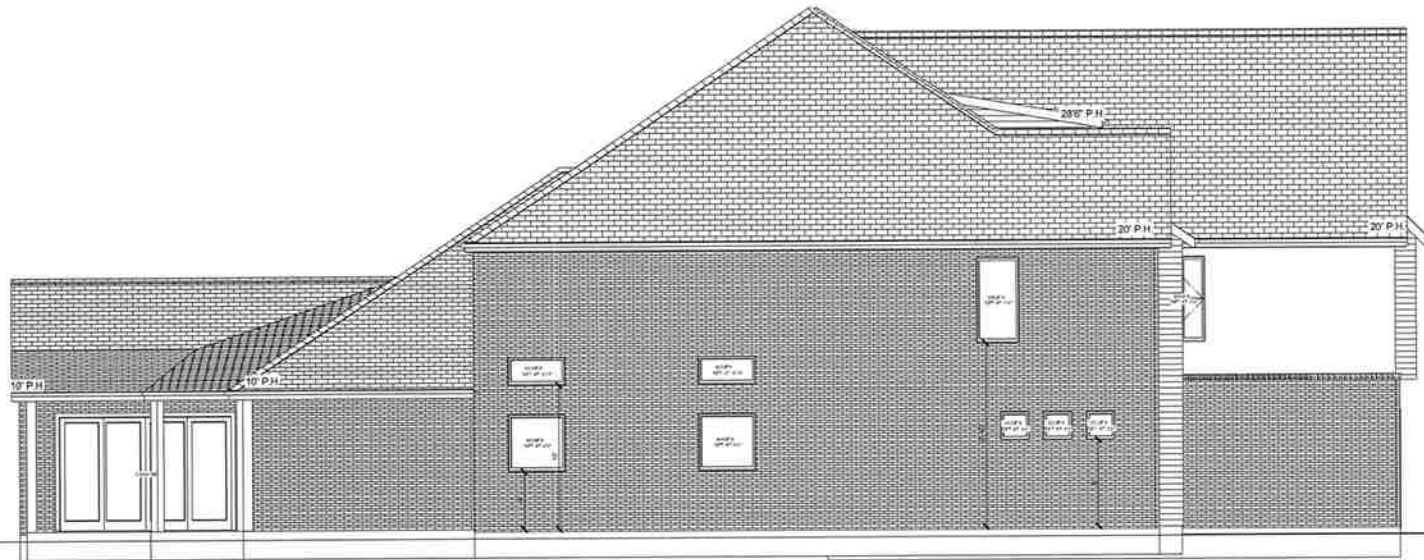
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5.19



Elevation 3



Elevation 4

4

ELEVATIONS
Scale: 1/4" = 1'-0"

4

ELEVATIONS

MIDTOWN INFILL 1

7/21/2020

LaBELLA HOMES

RS/BP

SQUARE FOOTAGE

2184 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)
2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)

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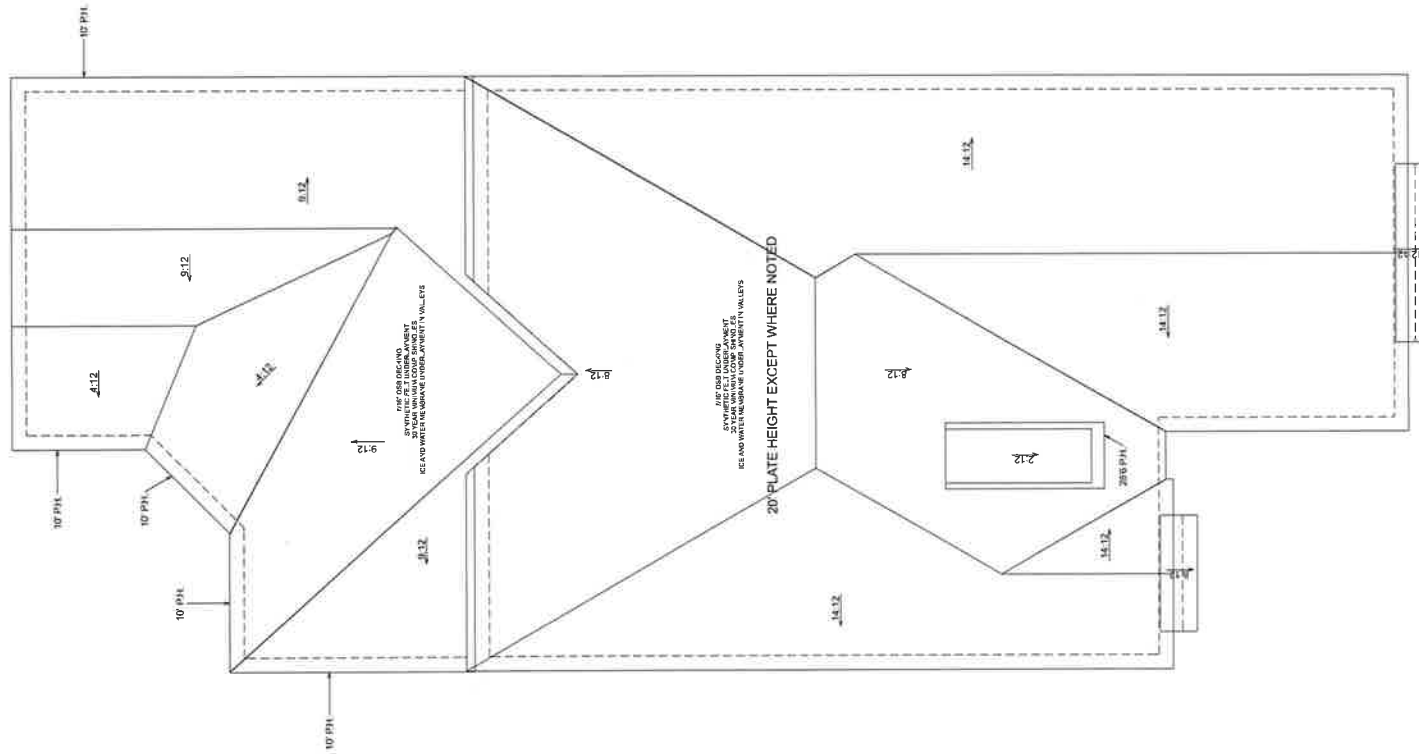
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ELEVATION NOTES

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS, FOR EXAMPLE, FRONT WALL OF HOUSE, BESIDE PORCH COLUMNS, ETC. GENERAL CONTRACTORS SHALL VERIFY EXISTING GRADES AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
2. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE AND SHALL BE PRIMED AND PAINTED TO MATCH ROOF COLOR.
3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.
4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATION / ROOF VENTS PER LOCAL GOVERNING CONTINUOUS RIDGE VENTILATION AND H ROOF. PROVIDE APPROPRIATE SOFFIT T OVERHANGS.



SQUARE FOOTAGE

2164 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)
2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)

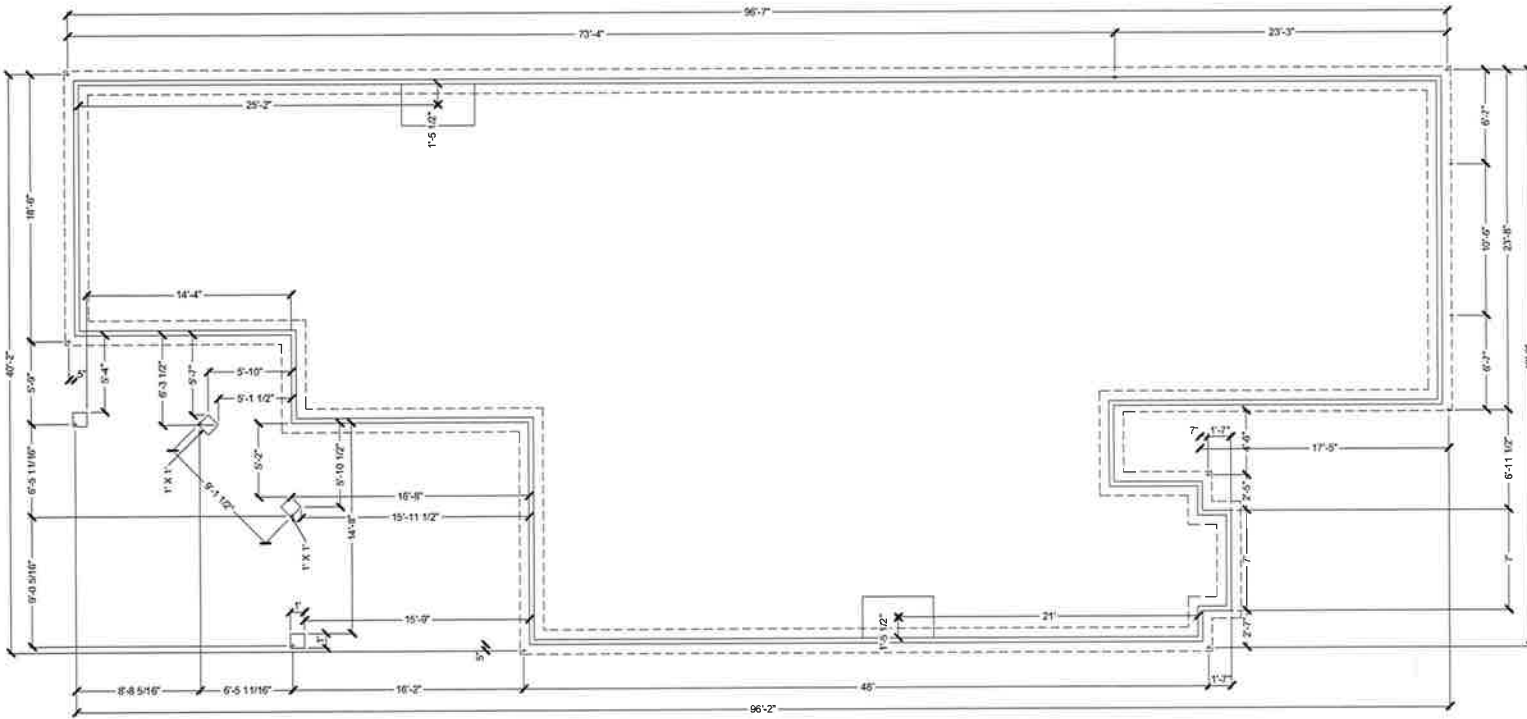
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3467 SQ FOOT FRAME (TOTAL)
2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)

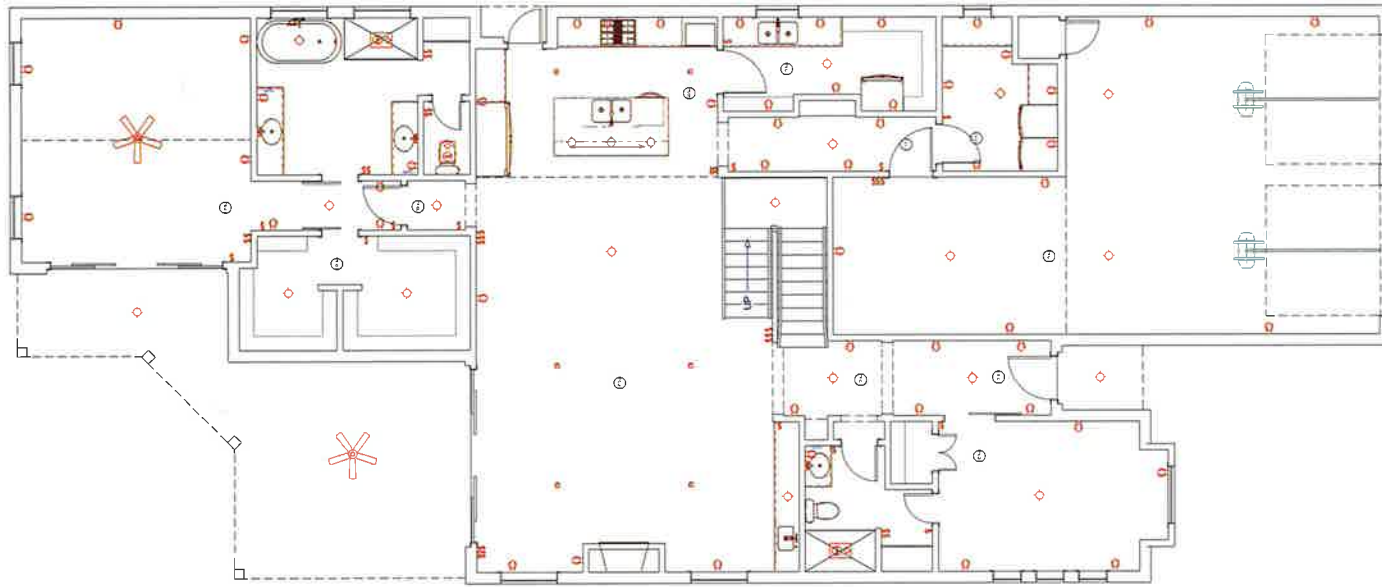
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7

ELECTRICAL
Scale: 1/4" = 1'-0"

7

ELECTRICAL

MIDTOWN INFILL 1

7/21/2020

LaBella Homes

RS/BP

SQUARE FOOTAGE

2184 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)
2315 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3633 SQ FOOT VENEER (TOTAL)

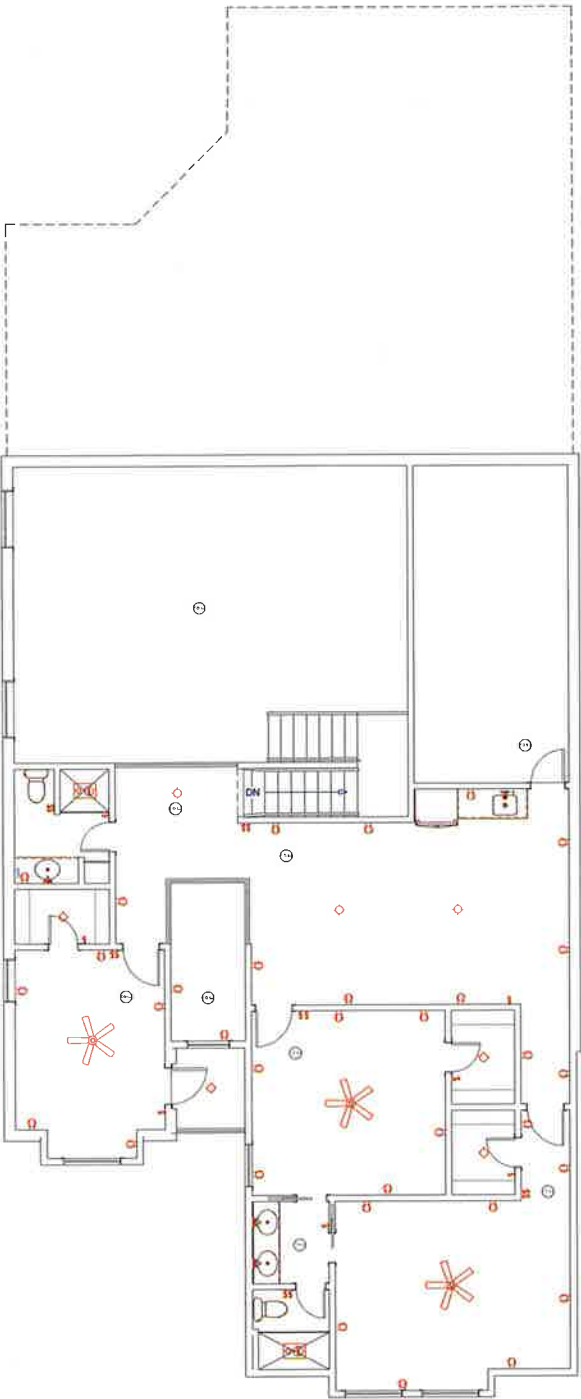
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8

ELECTRICAL

MIDTOWN INFILL 1

7/21/2020

LABELLA HOMES

RS/BP

SQUARE FOOTAGE

2184 SQ FOOT FRAME (MAIN FLOOR)
1283 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)

2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)

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9

3D VIEWS

MIDTOWN INFILL 1

7/21/2020

LaBELLA HOMES

RS/BP

SQUARE FOOTAGE

2184 SQ FOOT FRAME (MAIN FLOOR)
1182 SQ FOOT FRAME (UPPER FLOOR)
3467 SQ FOOT FRAME (TOTAL)
2276 SQ FOOT VENEER (MAIN FLOOR)
1318 SQ FOOT VENEER (UPPER FLOOR)
3594 SQ FOOT VENEER (TOTAL)

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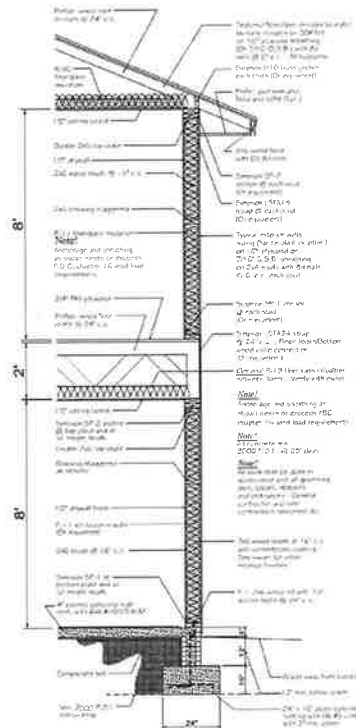
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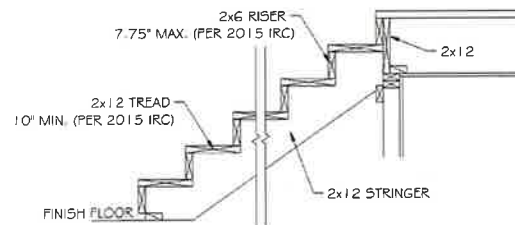
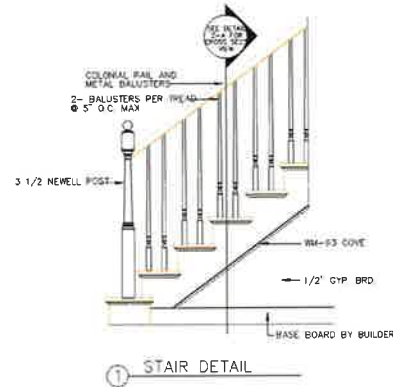
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3D VIEWS

5.24



Typical Wood Framed Two-Story Wall Section



CLOSED RISER STAIR DETAIL

MIDTOWN INFILL 1
7/21/2020
LaBella Homes
RS/BP

SQUARE FOOTAGE	
2184 SQ FOOT FRAME (MAIN FLOOR)	7804 E. 108TH ST.
1283 SQ FOOT FRAME (UPPER FLOOR)	TULSA
3467 SQ FOOT FRAME (TOTAL)	OK 74137
2276 SQ FOOT VENEER (MAIN FLOOR)	516 N. WALKER
1318 SQ FOOT VENEER (UPPER FLOOR)	SUITE 110
3594 SQ FOOT VENEER (TOTAL)	OKLAHOMA CITY
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5.26



Elevation 6



Elevation 7

3

ELEVATIONS

MIDTOWN INFILL 12 pitch

8/21/2020

LaBella Homes

RS/BP

SQUARE FOOTAGE

2154 SQ FOOT FRAME (MAIN FLOOR)

1283 SQ FOOT FRAME (UPPER FLOOR)

3437 SQ FOOT FRAME (TOTAL)

2276 SQ FOOT VENEER (MAIN FLOOR)

1318 SQ FOOT VENEER (UPPER FLOOR)

3594 SQ FOOT VENEER (TOTAL)

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3

ELEVATIONS

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



Subject
Tract

BOA-22996

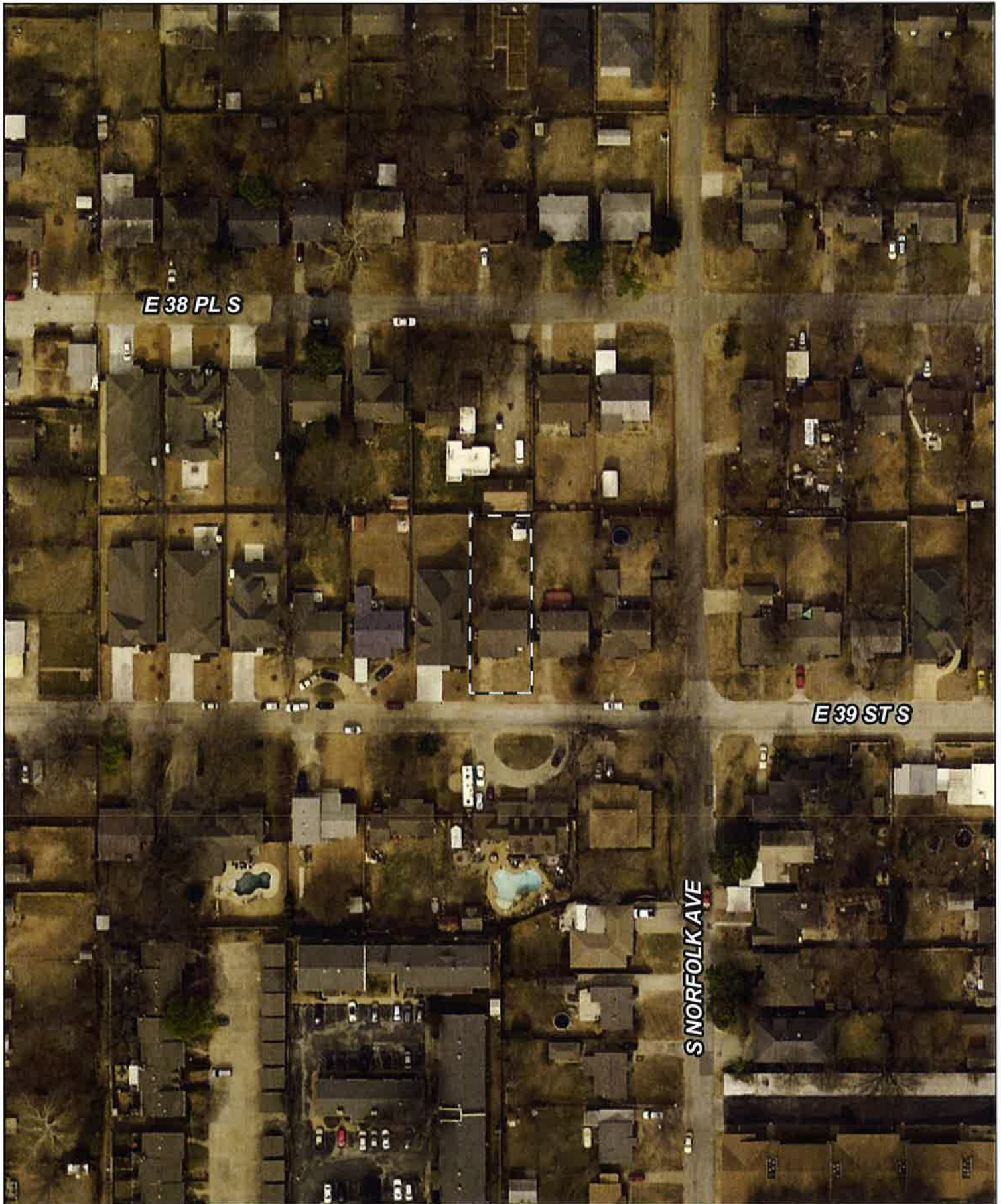
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



5.27



E 38 PL S

E 39 ST S

S NORFOLK AVE



Subject
Tract

BOA-22996

19-12 24

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

Aerial Photo Date: February 2018



5.28

BOARD OF ADJUSTMENT CASE REPORT

STR: 9213

Case Number: BOA-23007

CZM: 36

CD: 4

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Tom Neal

ACTION REQUESTED: Variance to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); Variance of the allowable height of a detached accessory building from one story or 18 feet in height to two stories and 26 feet in height and from 10 feet to 18 feet in height to the top of the top plate. (Section 90.090.C); Variance of the minimum required open space in the RS-2 District (Sec. 5.030, Table 5-3)

LOCATION: 210 E HAZEL BV S

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 8511.66 SQ FT

LEGAL DESCRIPTION: LT 9 BLK 14, SUNSET TERRACE

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-4392; On 06.08.64 the Board ***approved*** an extension of a canopy over the driveway.

Surrounding Properties:

BOA-21208; On 02.08.2011 the Board ***denied*** a minor Special Exception to reduce the required front yard in RS-1 district.

BOA-15763; On 06.25.91 the Board ***approved*** a variance of the required livability space per dwelling unit from 4000 sq ft to 3400 sq ft.

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

6.2

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 S. Cincinnati Ave. and Hazel Boulevard.

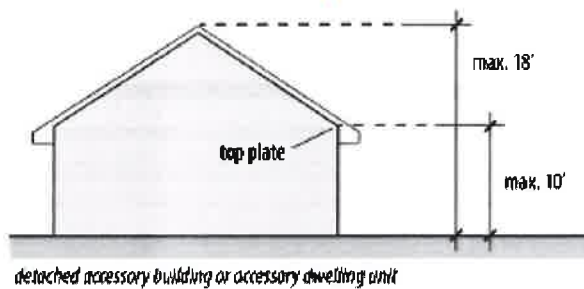
STAFF COMMENTS: The applicant is requesting **Variance** to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); **Variance** of the allowable height of a detached accessory building from one story or 18 feet in height to two stories and 26 feet in height and from 10 feet to 18 feet in height to the top of the top plate. (Section 90.090.C); **Variance** of the minimum required open space in the RS-2 District (Sec. 5.030, Table 5-3)

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:

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%

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	-	2,500

The relief from the open space requirement was requested by the applicant, but staff believes this lot is non-conforming lot and that relief is not needed. Per Sec. 80.020, non-conforming lots are only required to provide 50% of the lot as open space. The lot is 8,540.25 square feet (minimum required lot size in RS-2 is 9,000 square feet) which would require it to maintain 4,270.13 square feet of open space. Per the site plan provided by the applicant the open space provided would be 4,768 square feet.

80.020-B Nonconforming Lots in Residential Zoning Districts

In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, **provided that at least 50% of the lot area remains as open space.** All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

STATEMENT OF HARDSHIP: Original garage from 1929 will not accommodate modern vehicles, both in size and height. New garage is being constructed to replace original garage.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); **Variance** of the allowable height of a detached accessory building from one story or 18 feet in height to two stories and 26 feet in height and from 10 feet to 18 feet in height to the top of the top plate. (Section 90.090.C); **Variance** of the minimum required open space in the RS-2 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:

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



Facing East on Hazel



Facing West on Hazel



Subject Property

Case No. 4390-
H. L. Dickson, Jr.
Lots 7, 8, Block 4,
Collidge Addition

H. L. Dickson, Jr. request for permission to tear down existing sub-standard drive-in and rebuild a new drive-in and maintain the established non-conforming use in a U-3-D District on Lots 7 & 8, Block 4, Collidge Addition.

MOVED by Sublett (Avery) that this application be set down for a public hearing.

All members voting yea.

Carried.

Case No. 4391 ✓
Calvary Baptist Church
Lot 5, Block 4,
Crestview Estates
Third Addition

Calvary Baptist Church request for a waiver of front yard requirements in a U-1-C District on Lot 5, Block 4, Crestview Estates Third Addition.

MOVED by Shaul (Sublett) that this application be apassed until the next regular meeting.

All members voting yea.

Carried.

Case No. 4392 ✓
Herbert Forest
Lot 9, Block 14,
Sunset Terrace

Herbert Forest request for permission to extend canopy over drive way to property line on west side on Lot 9, Block 14, Sunset Terrace Addition. There appeared Mr. George B. Schwabe, Jr. Attorney for the applicant. Mr. Schwabe, filed the following letter:

June 8, 1964

Board of Adjustment
City of Tulsa
Tulsa, Oklahoma

Gentlemen:

We understand Mr. Herbert Forrest is making application with this Board for permission to extend canopy over his driveway to the west line.

This is to advise you that we are agreeable and do not object to Mr. Forrest extending his canopy over the drive-way to the property line on west side of his house, known as Lot 9, Block 14, Sunset Terrace Addition to the City of Tulsa, also known as 210 Hazel Boulevard. Our property joins Mr. Forrest's property on the west, address, 202 Hazel Boulevard.

Yours very truly,

/x/ N. A. Newton

Case No. 15763

Action Requested:

Variance of the required livability space per dwelling unit from 4000 sq ft to 2706 sq ft, per site plan submitted - **Section 403. BULK AND ARE REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 219 East 27th Street.

Presentation:

The applicant, **John MacDonald**, 114 East 35th Place, Tulsa, Oklahoma, stated that his client is proposing to construct a garage on the subject property. He informed that the new structure will replace a two car garage, with living quarters, which was removed by the previous owner. Mr. MacDonald stated that the garage will be placed on the existing 18' by 17' concrete slab. A plot plan (Exhibit H-1) was submitted.

Comments and Questions:

Following a discussion concerning livability space, it was determined that the variance of required livability will be from 4000 sq ft to 3400 sq ft. Mr. Gardner pointed out that the lot is nonconforming as to lot size (under 6900 sq ft) and, therefore, the ratio is approximately the same as for 4000 sq ft of livability for a 6900 sq ft lot.

Mr. Bolzie asked if the new garage will be a one-story structure on the existing slab, and the applicant answered in the affirmative.

Protestants: None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Bradley, Bolzie, Fuller, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a Variance of the required livability space per dwelling unit from 4000 sq ft to 3400 sq ft, per site plan submitted - **Section 403. BULK AND ARE REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6; finding that the new one-story garage will be constructed on the existing slab of an old two-story garage that has been removed; finding that the 3400 sq ft of livability space will not be disproportionate, and that the granting of the variance request will not violate the spirit, purposes and intent of the Code, or be injurious to the neighborhood; on the following described property:

Lot 15, Block 14, Sunset Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15764

Action Requested:

Variance of the number of signs permitted per lot frontage from 1 to 3, and a variance of the total allowable display surface area from 32 sq ft to 266.3 sq ft in order to permit replacement signs - **Section 1221. BUSINESS SIGNS AND OUTDOOR ADVERTISING** - Use Unit 21, located 3209 South 79th East Avenue.

impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**LTS 1 THRU 5 LESS E10 THEREOF BLK 3, THE FULLER WALTER ADDN, and
BEG 662.16E & 797.41S NWC NW TH S524.81 TO SL NW NW TH E185.14 TH NE
ALG WLY R/W SAPULPA RD 575 TH W421.52 POB SEC 23 19 12, CITY OF TULSA,
TULSA COUNTY, STATE OF OKLAHOMA**

Case No. 21218-Ironwood Custom Homes

Action Requested:

Minor Special Exception to reduce the required front yard in the RS-1 district (Section 403) from 35 ft. to 30 ft. to permit an addition to an existing dwelling.

Location: 2913 South Quaker Avenue East

Mr. Henke recused himself at 1:45 P.M.

Presentation:

Michelle Owens, 2657 East 177th Street, Mounds, OK; stated she is adding another garage on to the side of home and is requesting a Minor Special Exception for an additional five feet to provide an adequate turning radius in the driveway to be able to enter the proposed garage.

Interested Parties:

Robert Brejcha, 2909 South Quaker Avenue, Tulsa, OK; stated he owns the north adjoining property and is concerned about the requested change to the neighborhood. Every property on the subject street is built 50 feet off the front of the street. In the case report comments the staff stated the code requires a 35 feet front yard, and yet every property in the area is 50 feet off the street. Mr. Brejcha asked for clarification of the 35 feet versus the existing 50 feet frontage.

Mr. Cuthbertson stated the neighborhood was platted and developed in 1930. The neighborhood was platted with a 50-foot front building line. That building line has since expired so the neighborhood 50-foot front building line is not enforceable by the City, and what prevails today is the zoning requirement. This neighborhood is zoned RS-1 and requires a 35-foot front yard requirement. The pattern was established initially by the platted building line but the City must deal with what is currently on the books which is the 35 feet.

BOA-21218

Mr. Brejcha asked staff how a building line expires. Mr. Cuthbertson stated essentially it came to a private covenant.

Robert Sartin, Attorney, 110 West 7th Street, Suite 900, Tulsa, OK; asked to address the subject of the private covenant. Mr. Sartin stated that in 1930 the homeowners of the Lorraine Terrace Subdivision formed a restrictive covenant that stated "all development within the subdivision had to be set back 50 feet from the property line". That was a covenant that was to continue a period of 25 years. In 1945, the homeowners of the subdivision met and extended that restricted covenant an additional 35 years. The reason the restrictive covenant was in place is because the homeowners wanted the lots to be developed as estates; they wanted to ensure the development of the homes was in conformity, they created a look and feel of the neighborhood that would not be violated. The covenant was established for a term and extended for an additional term to give the subdivision time to fully develop. Every property was developed and established in the 45-year time span, and every house is set back 50 feet. Even though the covenant has expired, every home complies with the 50-foot setback. In fact, if this Minor Special Exception is granted, this will be the first property that is allowed to encroach outside of the 50 feet.

Judy Emmert, Ironwood Custom Homes, 208 East 5th Avenue, Owasso, OK; stated she is the builder of the new construction of the subject property. Her company's goal is to never hurt the neighborhood; they want to make the home more beautiful. The property line is approximately 18 feet from the curb so the proposed addition will still be back approximately 48 feet from the curb line or about 30 feet from the property line. The proposed addition is approximately 18 feet past the existing garage. The garage is proposed to be a one-story structure; the only two-story structure addition will be on the back of the home.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 3-0-0 (Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **DENY** the Minor Special Exception to reduce the required front yard in the RS-1 district (Section 403) from 35 ft. to 30 ft. to permit an addition to an existing dwelling. The Board finds that the Minor Special Exception will not be in harmony with the spirit and intent of the Code, and will be injurious to the neighborhood or otherwise detrimental to the public welfare because it exceeds the previous 50 feet original covenant down to the 35 feet; for the following property:

S 60 LT 3 BLK 1, N 26 LT 4 BLK 1, LORRAINE TERRACE AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BoA-21218

Mr. Henke reentered the meeting at 2:05 P.M.

Case No. 20079-A-D-Bat of Tulsa

Action Requested:

Modification of a condition of a previous approval to permit an indoor recreational use in a different tenant space on the subject property. **Location:** 13679 East 61st Street

Presentation:

Mel Bean, 6904 Silver Oak Drive, Tulsa, OK; stated her space is the second tenant space and is 15,000 square feet which is equal to the front space formerly occupied by Pump It Up, which was the subject of the original Variance or Special Exception.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Modification of a condition of a previous approval to permit an indoor recreational use in a different tenant space on the subject property; for the following property:

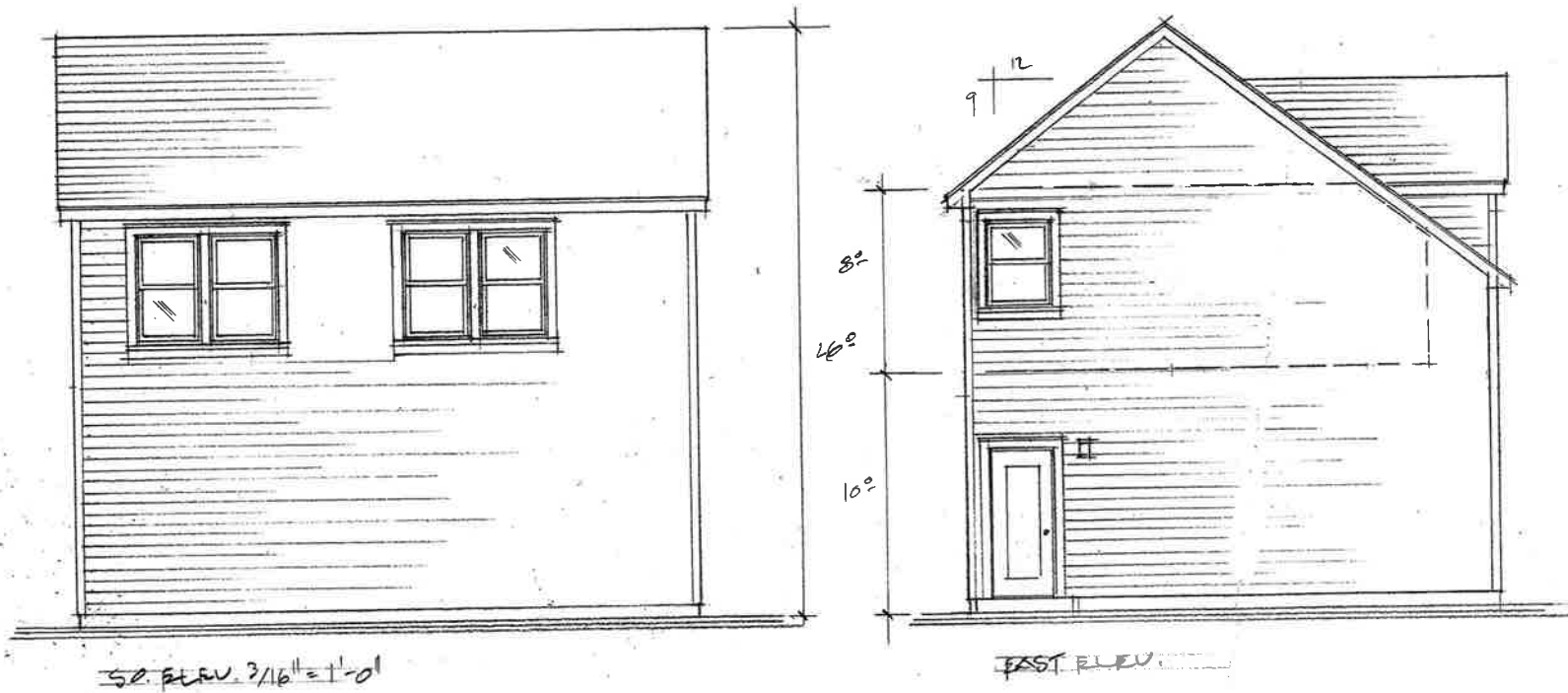
LT 4 BLK 1, METRO PARK EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OTHER BUSINESS

NEW BUSINESS:

None.

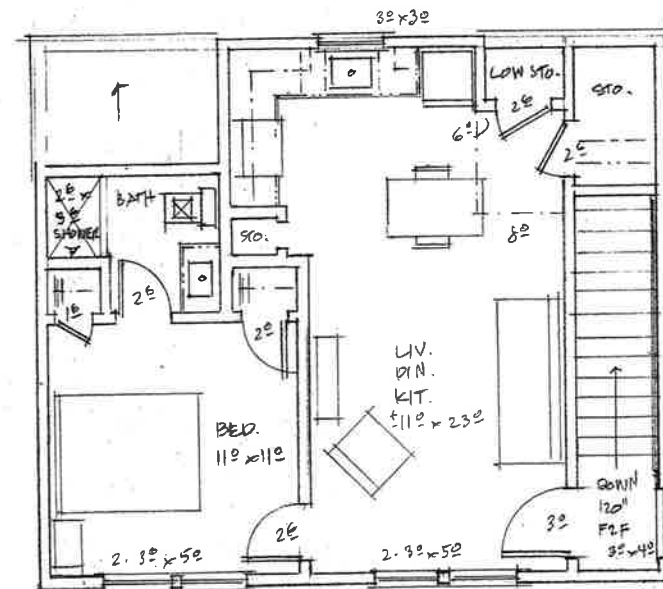
6.12



HAGNER NEW GARAGE
210 HAZEL BLVD.
TULSA, OKLA 74202

TOM NEAL
DESIGN
Associate member, American Institute of Architects
918.231.7372

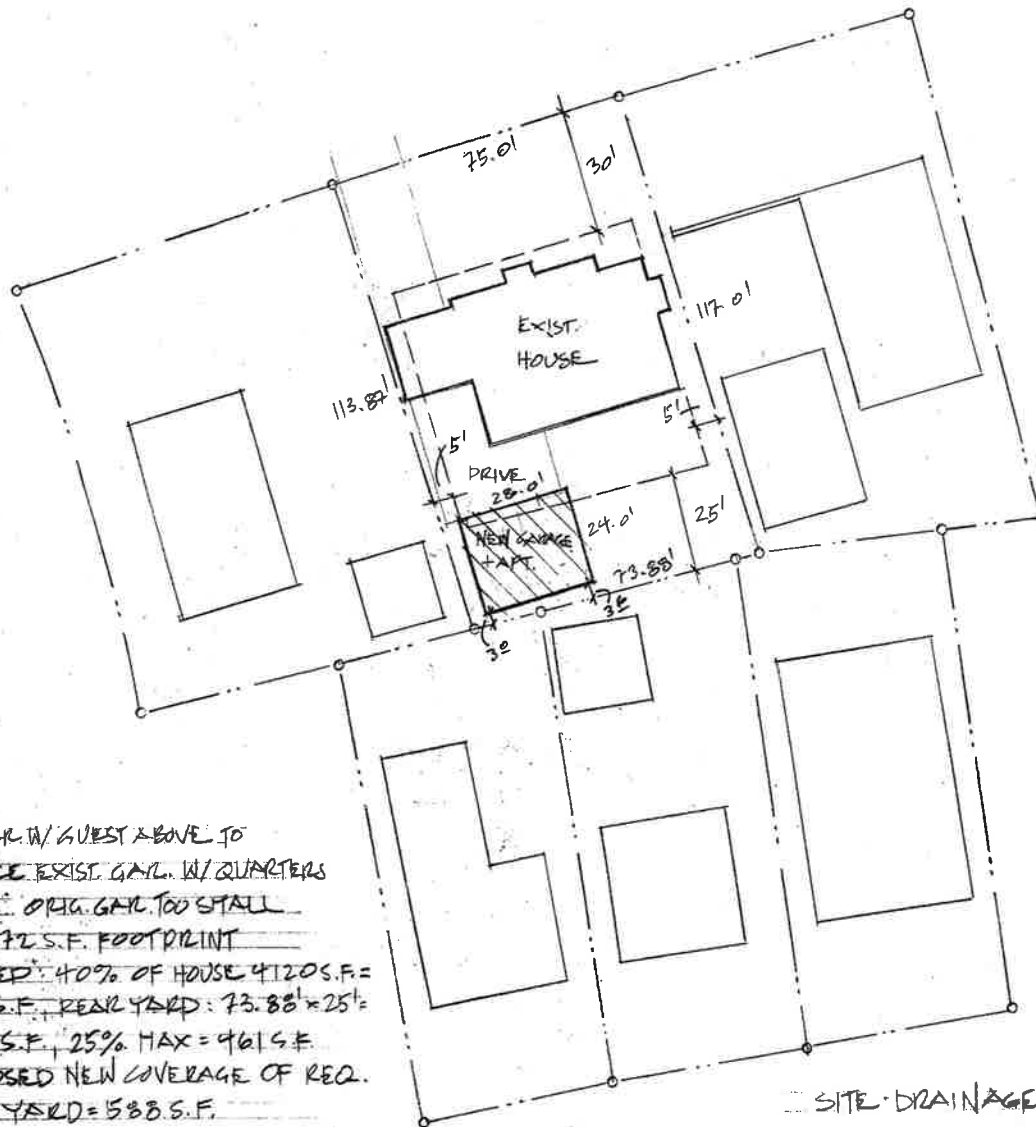
Hand-drawn floor plan of a room. The overall dimensions are 24'-0" on the left and 28'-0" on the bottom. The top wall is labeled "18' x 8' OH DOOR". On the right side, there is a staircase labeled "STO. BELOW STAIRS" with a 3'-0" width. A small stoop is labeled "STOOP" with a 3'-0" width. The bottom wall has a note: "SI FLOOR 3/16" = 1'-0"



2ND FLOOR

WAGNER NEW GARAGE
2102 HAZEL BLVD.
TULSA-OKLA 7-2020

**TOM NEAL
DESIGN**
Associate member, American Institute of Architects
918.231.7372



NEW GAR. W/ GUEST ABOVE TO
 REPLACE EXIST. GAR. W/ QUARTERS
 ABOVE. ORIG. GAR. TOO SMALL
 NEW 672 S.F. FOOTPRINT
 ALLOWED: 40% OF HOUSE 4120 S.F. =
 1649 S.F. REAR YARD: 73.88' x 25' =
 1847 S.F. 25% MAX = 461 S.F.
 PROPOSED NEW COVERAGE OF REQ.
 REAR YARD = 588 S.F.
 REQ. OPEN SPACE REQ'D: 5000 #
 ACTU. PROPOSED: 4,768 #

SITE DRAINAGE PLAN 1" = 30'

WAGNER NEW GARAGE
 210 HAZEL BLVD
 TULSA, OKLA 7-20-20

TOM NEAL
 DESIGN

LICENSED MEMBER, American Institute of Architects
 918.231.7372

6.14



Feet
0 250 500



Subject
Tract

BOA-23007

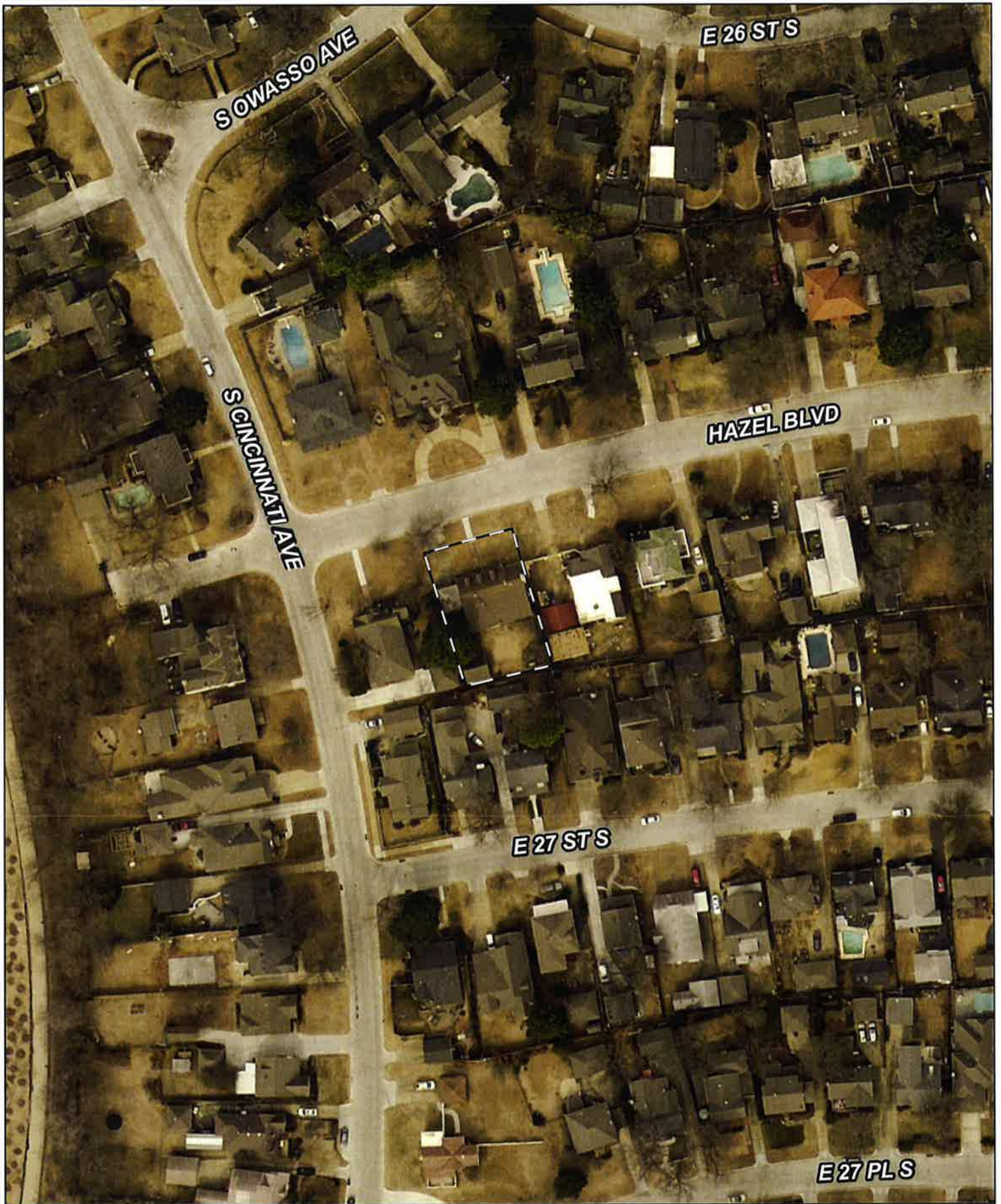
19-12 13

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

Aerial Photo Date: February 2018



6.15



Subject
Tract

BOA-23007

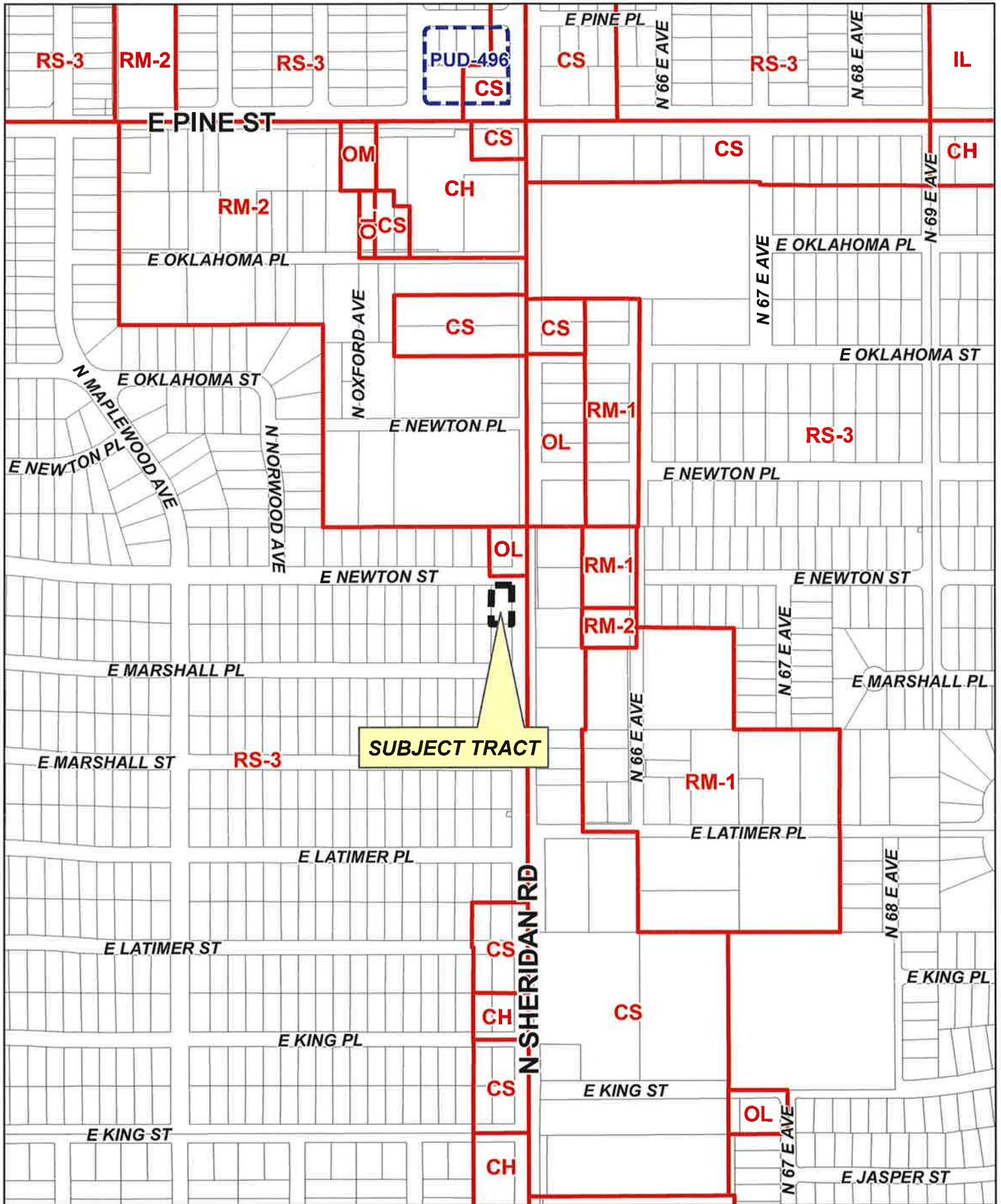
19-12 13

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

Aerial Photo Date: February 2018

6.16





BOA-23008

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 220 Case Number: **BOA-23008**

CZM: 30

CD: 3

A-P#:

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Mike Wimberly

ACTION REQUESTED: Special Exception to increase the permitted driveway width (Sec. 55.090-F.3)

LOCATION: 6358 E NEWTON ST N

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 8385.33 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 11, MAPLEWOOD ADDN

RELEVANT PREVIOUS ACTIONS:

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

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 at the SW/c of E. Newton Ave. and S. Sheridan Road.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to increase the permitted driveway width (Sec. 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).

Lot Frontage	Maximum Driveway Width				
	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30' [2]
Driveway Within Right of Way (feet) [1]	27'	25'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	---	---	---

TULSA ZONING CODE | July 1, 2020
page 55-20

Chapter 55 | Parking
Section 55.090 | Parking Area Design

- [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 applicant is requesting a driveway that is 30 feet in the Right-of-Way and 34 feet on the lot within the street setback.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to increase the permitted driveway width (Sec. 55.090-F.3)

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

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



Subject property



Facing South on Sheridan



Facing West on Newton



Subject property



Subject Property

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Michael Wimberly
wimzsalsa6@gmail.com

8/24/2020

APPLICATION NO: ZCO-57812_2-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 6358 E Newton St N

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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 COTDESVCS@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 OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" [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-57812_2-2020**

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.

3rd LOD Letter

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

Review Comments: The submitted site plan proposes a combined 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 combined driveway widths shall not exceed the maximum allowable widths in the table or apply to the BOA for a special exception, one for the proposed combined driveway widths within the ROW and also for the proposed combined driveway widths outside of the ROW.

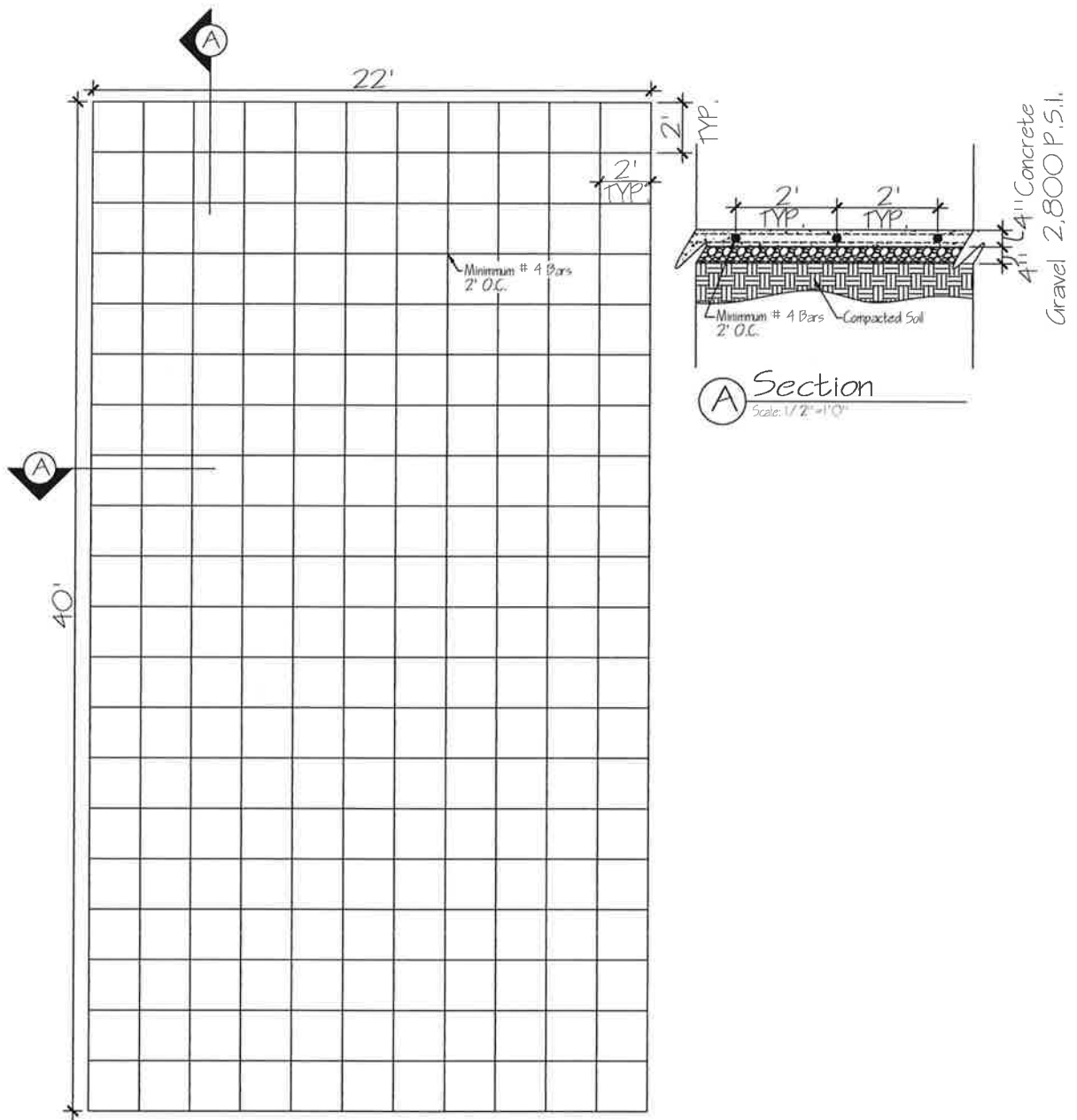
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

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.



Wimberly Residence Driveway
 6358 E. Newton St. N.
 Tulsa, OK 74115 TULSA COUNTY

DATE: 08-15-20

SHEET:

A-1

MIKE WIMBERLY
CASE # BOA-23008

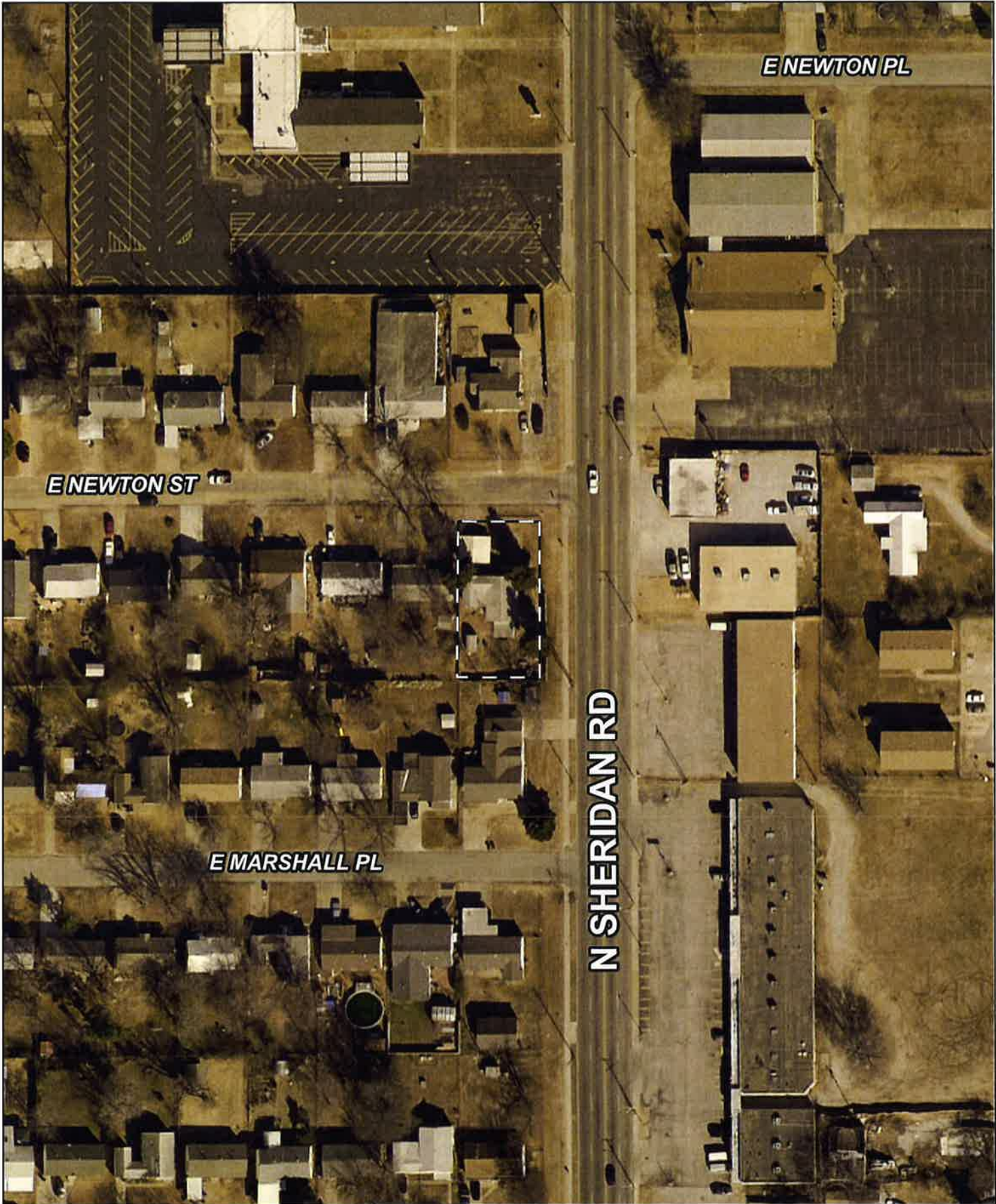
E. Newton St.

PLOT PLAN

Scale: 1" = 10' - 0"

6358 E. NEWTON
Tulsa, OK 74115





0 50 100
Feet



Subject
Tract

BOA-23008

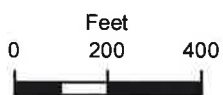
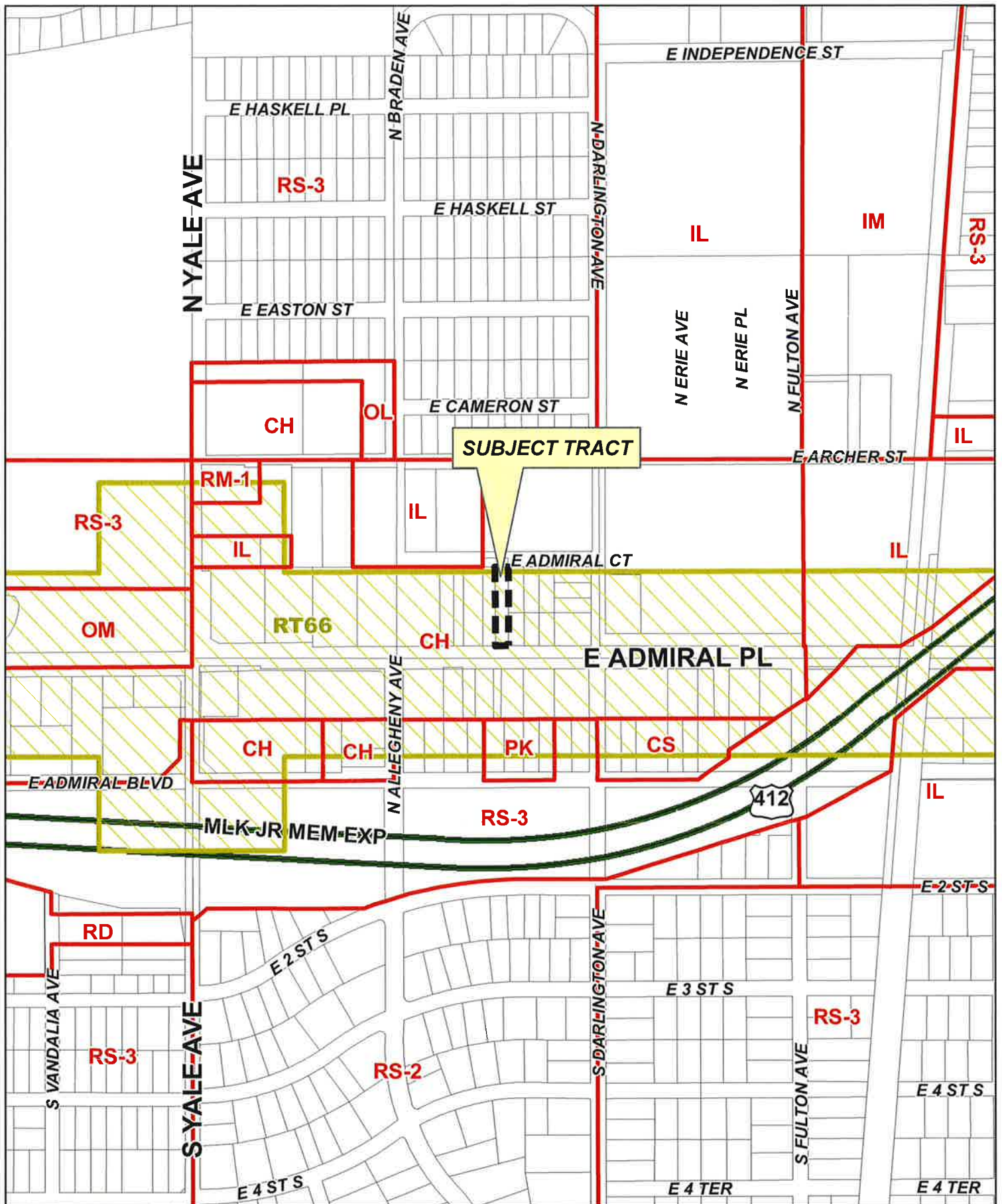
20-13 34

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

Aerial Photo Date: February 2018



7.12



BOA-23009

19-13 03

8.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9303

Case Number: **BOA-23009**

CZM: 38

CD: 3

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Shalisa McFalls

ACTION REQUESTED: Special Exception to permit a medical marijuana grower operation (Agricultural/Horticulture Nursery Use) in the CH district (Sec. 15.020, Table 15-2)

LOCATION: 5031 E ADMIRAL PL N

ZONED: CH

PRESENT USE: Commercial

TRACT SIZE: 10781.14 SQ FT

LEGAL DESCRIPTION: E9.28 E50.78 SW 2.5ACS E9.73ACS LT 4 & TR BEG SWC SE2.5ACS TH N330 E32.22 S330 W32.22 POB LESS S40 & N30.19 FOR STS SEC 3 19 13 .248AC,

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-22970; On 07.28.2020 the Board approved a Special Exception to permit a medical marijuana grower operation (Horticulture Nursery Use) in the CH district (Sec. 15.020, Table 15-2). Property located 4172 E. Admiral Pl.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the NW/c of N. Darlington and E. Admiral Pl.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to permit a medical marijuana grower operation (Horticulture Nursery Use) in the CH district (Sec. 15.020, Table 15-2)

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
High-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	-	S	P	
Mining or Mineral Processing	-	-	-	-	-	-	-	-	-	S	S	Section 40.230
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	S	P	Section 40.190
RECYCLING												Section 40.310
Construction or Demolition Debris	-	-	-	-	-	-	-	-	S	S	P	
Consumer Material Drop-off Station	-	-	-	-	P/S/S	P	P	P	P	P	P	
Consumer Material Processing	-	-	-	-	-	-	-	-	P	P	P	
AGRICULTURAL												
Animal Husbandry	-	-	-	-	-	-	-	-	-	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	Section 40.030
Farm, Market- or Community-supported	P	P	P	P	P	P	P	P	P	P	P	Section 40.030
Horticulture Nursery	-	-	-	-	-	S			P	P	P	Section 40.225

Medical marijuana uses are subject to the supplemental regulations of Sec. 40.225:

Section 40.225 Medical Marijuana Uses
The supplemental use regulation of this section apply to medical marijuana uses.

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

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

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

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

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

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

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

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

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

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

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit a medical marijuana grower operation (Horticulture Nursery Use) in the CH 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.



Subject property



Facing East on Admiral



Facing West on Admiral

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

August 6, 2020

Phone: 918.853.8164

LOD Number: 1
Shalisa McFalls
5031 E Admiral PL
Tulsa, OK 74115

APPLICATION NO: **ZCO-065809-2020**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 5031 E Admiral PL
Description: Medical Marijuana Grower Operation

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. 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 THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. 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

ZCO-065809-2020

5031 E Admiral PL

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

1. **Sec.15.020 Table 2:** You are proposing an Agricultural/Horticulture Nursey/Medical Marijuana Grower Operation use that is in a CH zoning district. This use is permitted in a CH zoning district by Special Exception approved by the BOA. It is permitted in agricultural (AG) and industrial (IL, IM, IH) districts as a use by right.

Review comment: Please contact Austin Chapman at achapman@incog.org for assistance with the application for a Special Exception. If you choose to rezone your property to industrial or agricultural, you will need to contact Nathan Foster at nfoster@incog.org. Submit documentation of the approved Special exception or rezoning as a revision to this application.

2. **Sec.70.080-B2a:** No building permit or zoning clearance permit may be issued until the subject lot or parcel for which the permit is sought has been determined to be in compliance with all applicable design and improvement requirements of the Tulsa Metropolitan Area *Subdivision and Development Regulations*, as evidenced by submittal of a recorded subdivision plat or ALTA/ACSM survey and separately recorded legal instruments. This requirement applies to any property for which a property owner-initiated zoning map amendment (rezone) or development plan was approved after July 1, 1970.

Review comment: You are proposing an Agricultural/Horticulture Nursery/Medical Marijuana Grower Operation at this location. This property is in a CH zoned district. Rezoning this property to Agricultural or Industrial will require a replat or subdivision conformance review before this application can be approved. Please contact Nathan Foster for assistance with the replat or subdivision conformance review. He can be contacted via email at nfoster@incog.org. Once you have obtained approval for the replat or subdivision conformance review you will need to submit documentation of the approval as a revision to this application.

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.

SITE PLAN

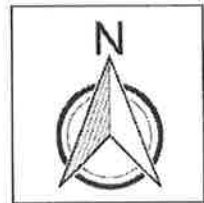
5031 E Admiral Pl

Tulsa, OK 74115

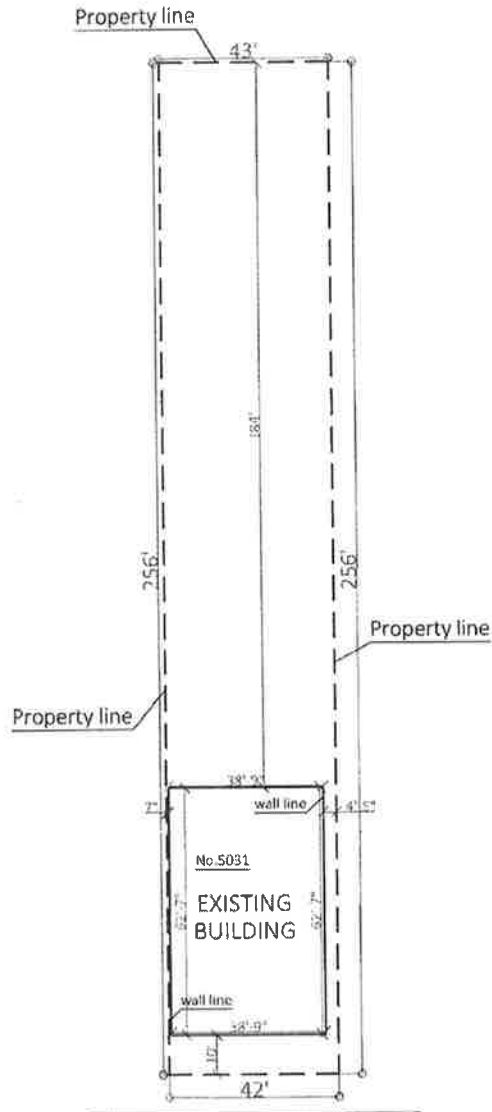
Parcel ID: 99303-93-03-21260

Lot area: 0.25 Acres

Plot Size: 11"x17"



scale 1"=30'



E Admiral Pl

Created by:





0 Feet 200 400



Subject Tract

BOA-23009

19-13 03

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

Aerial Photo Date: February 2018

8.11





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Feet



Subject
Tract

BOA-23009

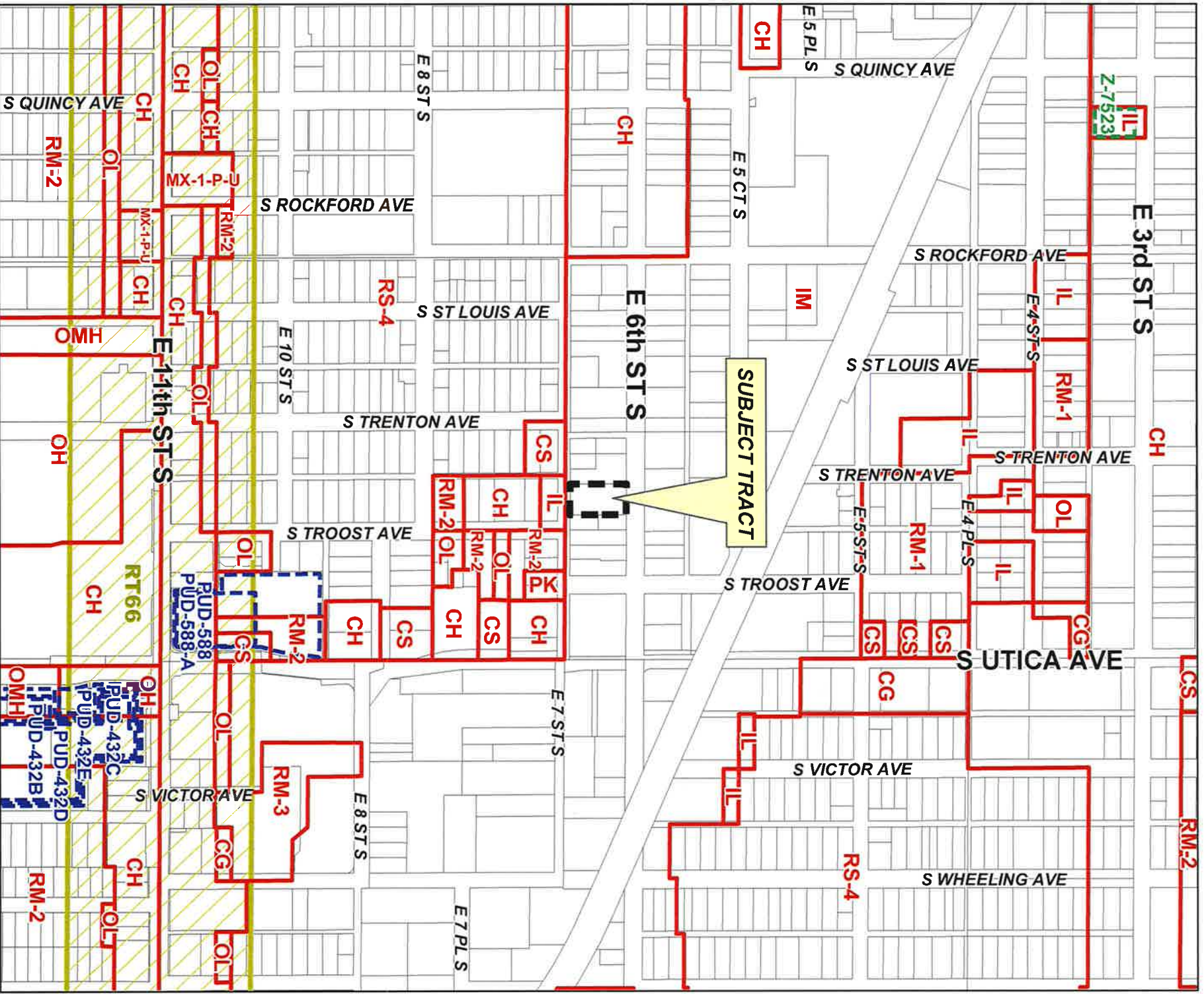
19-13 03

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

Aerial Photo Date: February 2018

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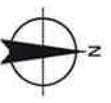




BOA-23011

19-13 06

Q.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9306

Case Number: **BOA-23011**

CZM: 37

CD: 4

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Trails End Equipment ,LLC

ACTION REQUESTED: Special Exception to permit High-Impact Medical Marijuana processing (High-impact Manufacturing & Industry Use) in the IM district. (Sec. 15.020, Table 15-2)

LOCATION: 1614 E 6 ST S

ZONED: IM

PRESENT USE: Industrial/Manufacturing

TRACT SIZE: 18399.82 SQ FT

LEGAL DESCRIPTION: LTS 5 & 6 BLK 5, GLASS FACTORY ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

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 on the South side of 6th street between Trenton and Troost Avenues.

STAFF COMMENTS: Special Exception to permit High-Impact Medical Marijuana processing (High-impact Manufacturing & Industry Use) in the IM district. (Sec. 15.020, Table 15-2)

Chapter 15 | Office, Commercial and Industrial Districts
Section 15.020 | Use Regulations

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
High-impact Manufacturing & Industry	-	-	-	-	-	-	-	-	-	g	p	

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 of Sec. 40.225:

Section 40.225 Medical Marijuana Uses

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

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

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

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

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

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

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

1. A ventilation/air filtration system that prevents odor from being detectable 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 detectable 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.

TULSA ZONING CODE | July 1, 2020
page 40-12

Chapter 40 | Supplemental Use and Building Regulations
Section 40.230 | Mining or Mineral Processing

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

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

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit High-Impact Medical Marijuana processing (High-impact Manufacturing & Industry Use) in the 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.



Subject property



Facing West on 6th St.



Facing East on 6th St.

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Donley Talbot
1616 E 6 ST
Tulsa, OK 74100

August 28, 2020

Phone: 918.691.4000

APPLICATION NO: COO-063573-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1616 E 6 ST

Description: Interior Alteration

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. 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 THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. 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)

9.7

REVIEW COMMENTS

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

COO-063573-2020

1616 E 6 ST

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

1. **Sec.15.020 Table 15-2:** The architectural revision indicates you are proposing processing in your lab area and that ethanol will be used in the processing. Medical marijuana processing involving the use of a flammable substance (ethanol) is designated a High-impact Medical Marijuana Processing Facility (*Sec.35-070-C1*). You are in an IM (industrial-moderate) zoning district. This use is allowed in this zoning district by Special Exception approved by the City of Tulsa Board of Adjustment (BOA).
Review comment: Submit a copy of the BOA Special Exception as a revision to this application. The contact person for the BOA is Austin Chapman. He may be reached at 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.



TREATMENT/INSPECTION REPORT

Graph Description: Main

Name Tal Email _____

Treating Address _____ City/State OK Zip _____

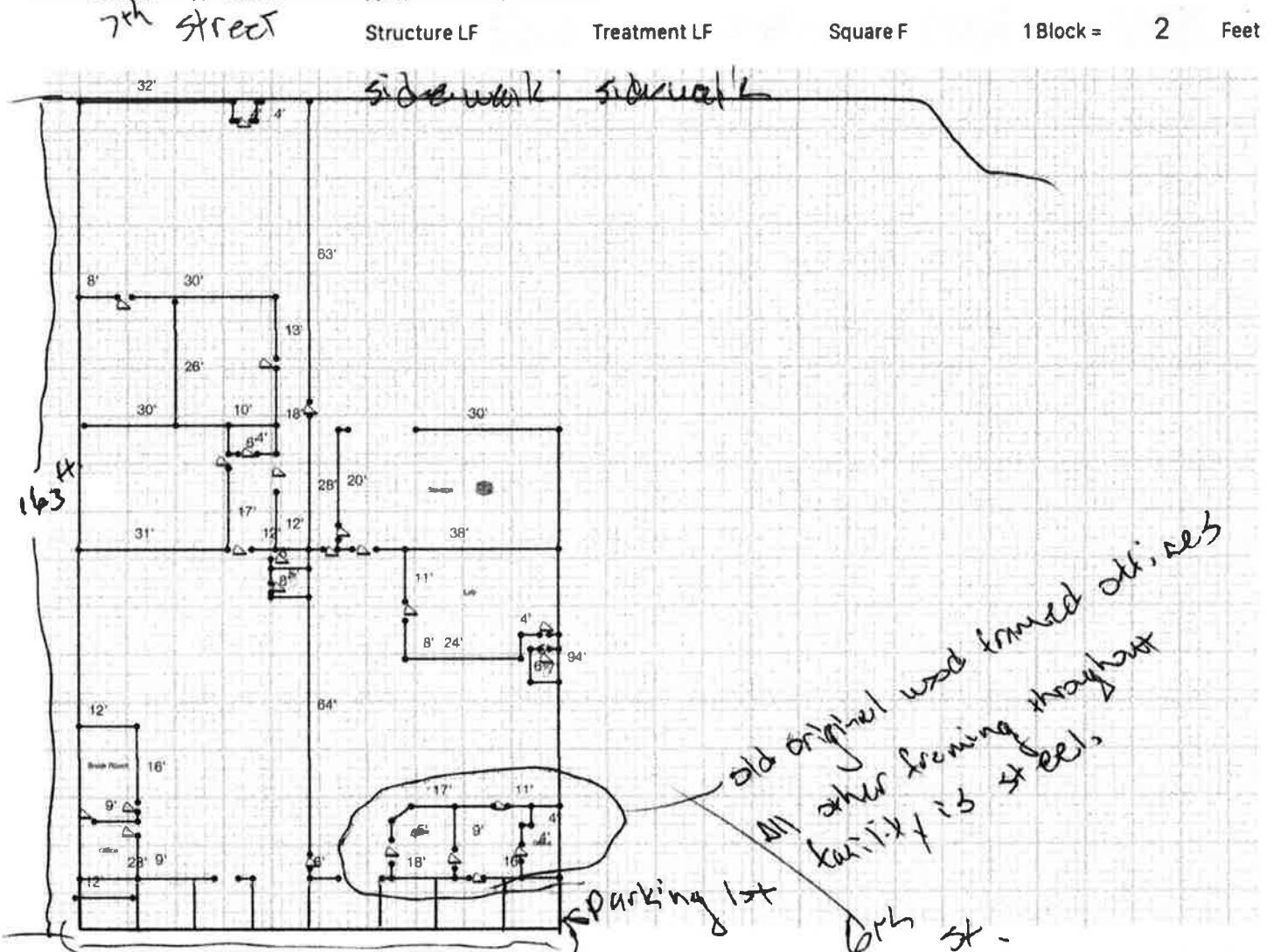
Home Phone _____ Business Phone _____

Inspected By Doug Morgan

Pest Control ☐ Yes ☒ No Treatment Scheduled Date _____ Date Inspected Jul 31, 2020

This report is limited to a visual inspection of the exposed structure. There may be hidden infestations and/or damage that are not evident from a visual inspection. The purpose of this treatment/inspection report is to document areas of concern from the interior and exterior inspection. Specifically: (1) Visible conditions conducive to infestation; (2) Visible evidence of infestation, damage, or past infestations. This report is not valid for real estate transactions. This report DOES NOT INCLUDE MOLD or any mold-like conditions. Mold is generally not a wood destroying organism and is outside the scope of this report. If you wish your property to be inspected for mold or mold-like conditions, please contact the appropriate mold professional.

GRAPH KEY
Key indicated general area and is not precise. Insect evidence and conditions may be widespread.



IMPORTANT: If visible evidence of active or previous infestation or damage is noted by the inspector during the inspection of your property, it should be evaluated by a licensed building contractor of customer's choice for damage. BECAUSE IT IS HIGHLY PROBABLE CUSTOMER COULD HAVE HIDDEN DAMAGE IN THE STRUCTURE. ORKIN IS NOT RESPONSIBLE FOR PRE-EXISTING DAMAGE. This Treatment/Inspection Report is based on visible evidence of readily accessible areas and does not make any attempt to reveal damage which may be present. No attempt to remove insulation, carpeting, paneling, etc. to search for hidden damage was made. IF VISIBLE EVIDENCE OF ACTIVE OR PREVIOUS INFESTATION IS REPORTED, IT SHOULD BE ASSUMED THAT SOME DEGREE OF DAMAGE IS PRESENT. Placement of the Bait Stations is for the Initial Service and may change during future monitoring service (if applicable). This Treatment/Inspection Report may be updated at the time of treatment reinspection.

Graph Description: Main

Name _____ Email _____

Treating Address _____ City/State _____ Zip _____

Home Phone _____ Business Phone _____

Inspected E, _____

☐ Ye

T

Jul 31, 2020

GRAPH KEY

Key indicated general area and is not precise. Insect evidence and conditions may be widespread.

Structure LF

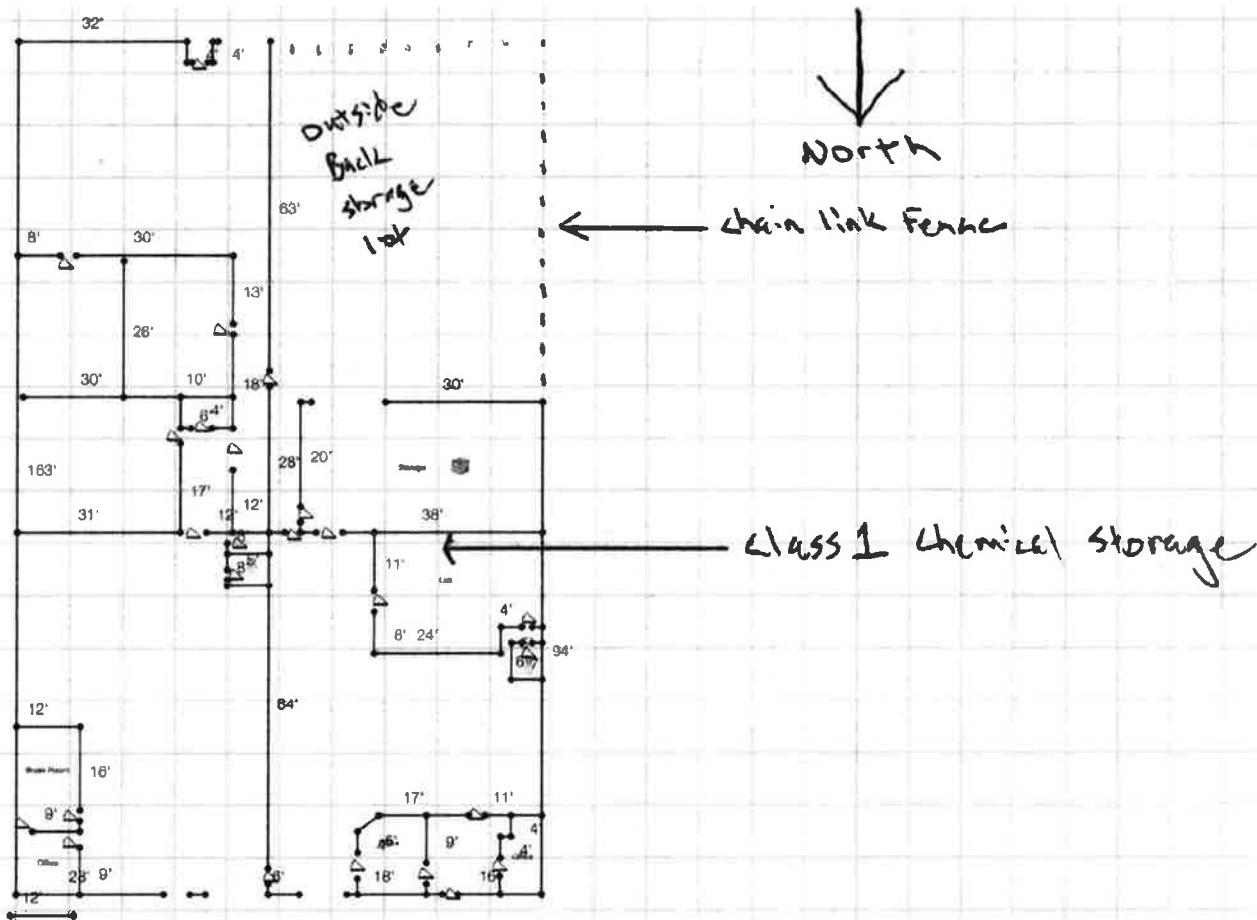
Treatment LF

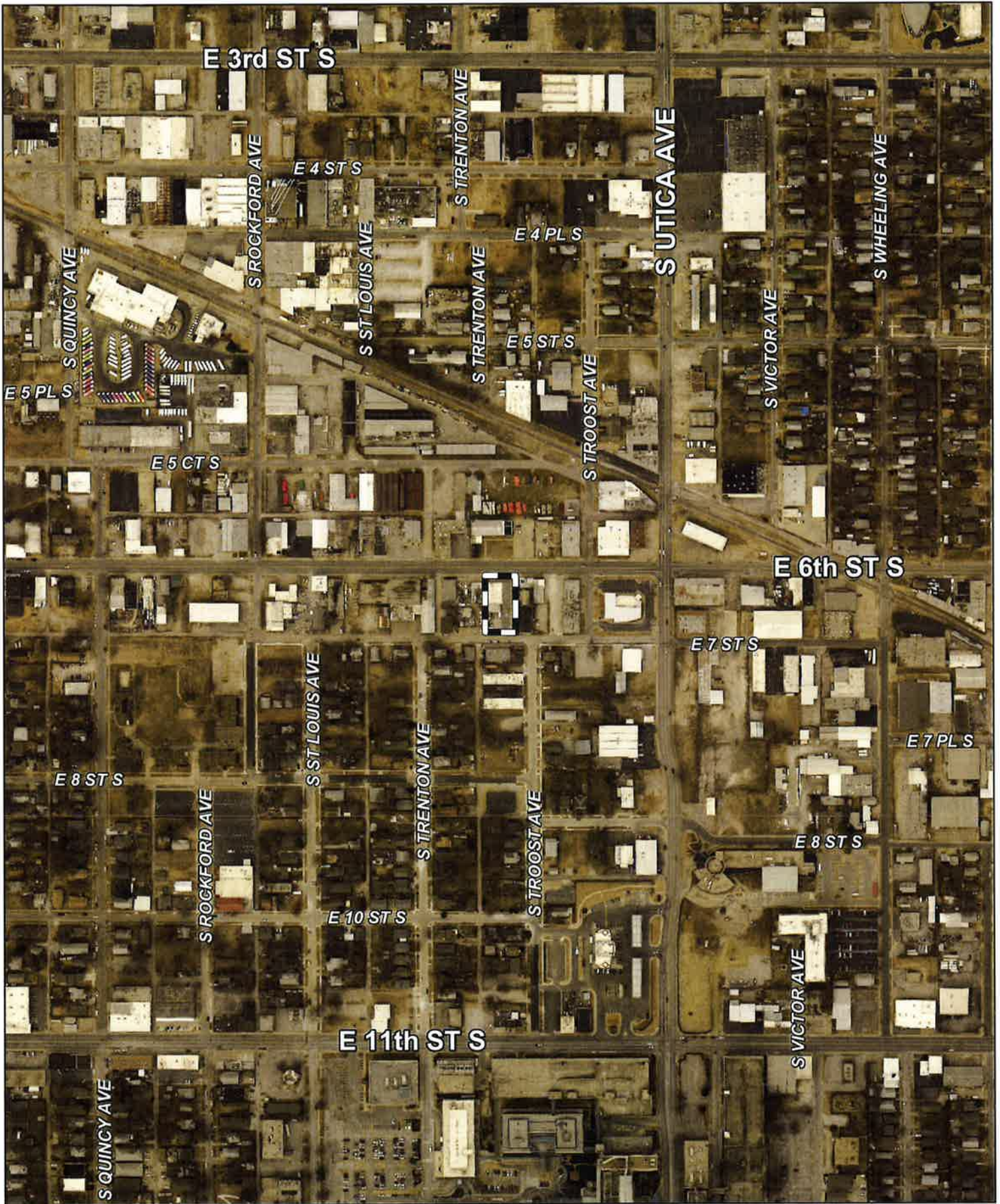
Square F

1 Block =

2

Feet





Subject
Tract

BOA-23011

19-13 06

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

Aerial Photo Date: February 2018



9.12



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Feet



Subject
Tract

BOA-23011

19-13 06

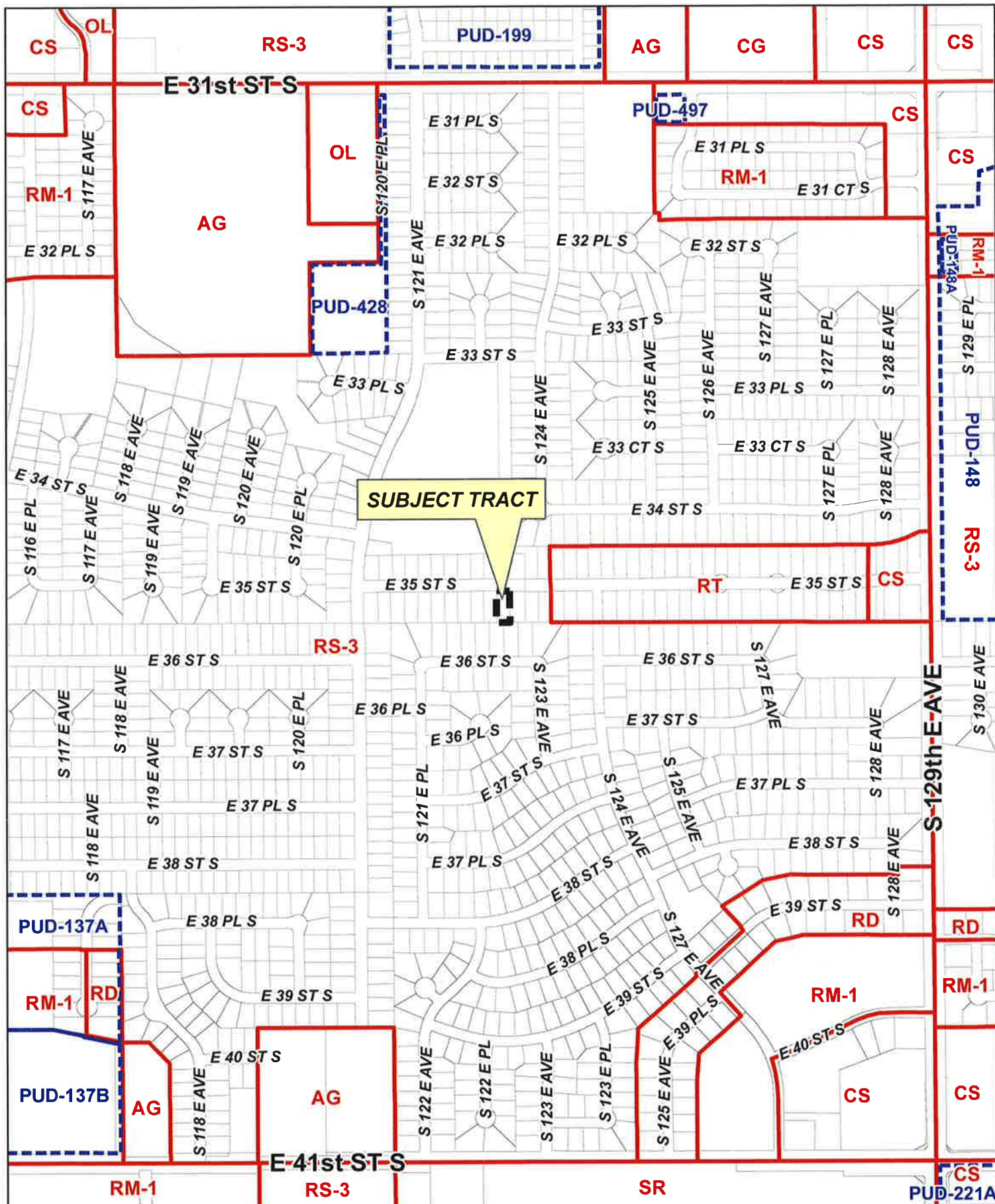
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



9.13

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BOA-23012

19-14 20

10.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9420

Case Number: **BOA-23012**

CZM: 49

CD: 6

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Gregorio Torres

ACTION REQUESTED: Special Exception to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

LOCATION: 12158 E 35 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 9966.57 SQ FT

LEGAL DESCRIPTION: LT 11 BLK 5, BRIARGLEN EXT PRT RES A BRIARGLEN

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 West of the SE/c of S. 124th E. Ave. and E. 35th Pl.

STAFF COMMENTS: The applicant is requesting a Special Exception to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

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'	-	-	-

TULSA ZONING CODE | July 1, 2020
page 55-20

Chapter 55 | Parking
Section 55.090 | Parking Area Design

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

The applicant has installed a driveway that is 27'7", per the zoning code they are limited to 26' of driveway width inside the driveway.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

- 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.



Subject property



Facing West on 35th



Facing East on 35th

DANA L. BOX
ZONING OFFICIAL
PLANS EXAMINER II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Gregorio Torres
12158 E. 35th St.
Tulsa, OK 74146

August 26, 2020

Phone: 918-644-2657

APPLICATION NO: **ZCO-067359-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 12158 E. 35th St.

Description: Driveway widening

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO 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 THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.

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>

ZCO-067359-2020

12158 E. 35th St.

August 26, 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. 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. 55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in the Right-of-Way (ROW) is 26' and 30' outside of ROW.

Review Comments: This lot has a width of 65'. The submitted site plan proposes a driveway width that exceeds the maximum allowable driveway width within the ROW. Revise plans to indicate the driveway shall not exceed 26' width in the ROW or apply to the BOA for a special exception to allow a driveway within the ROW to exceed 26' in width.

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

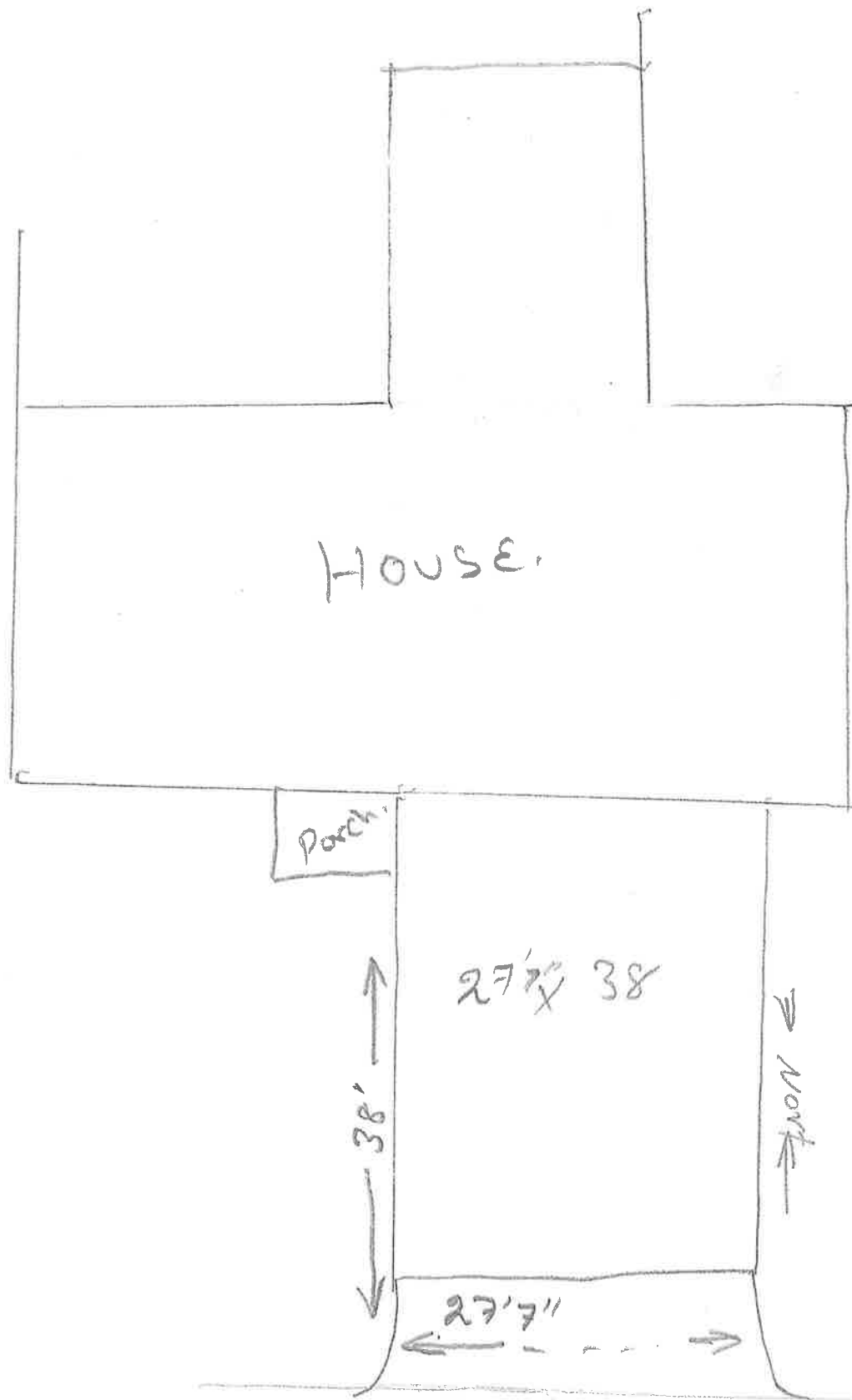
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.

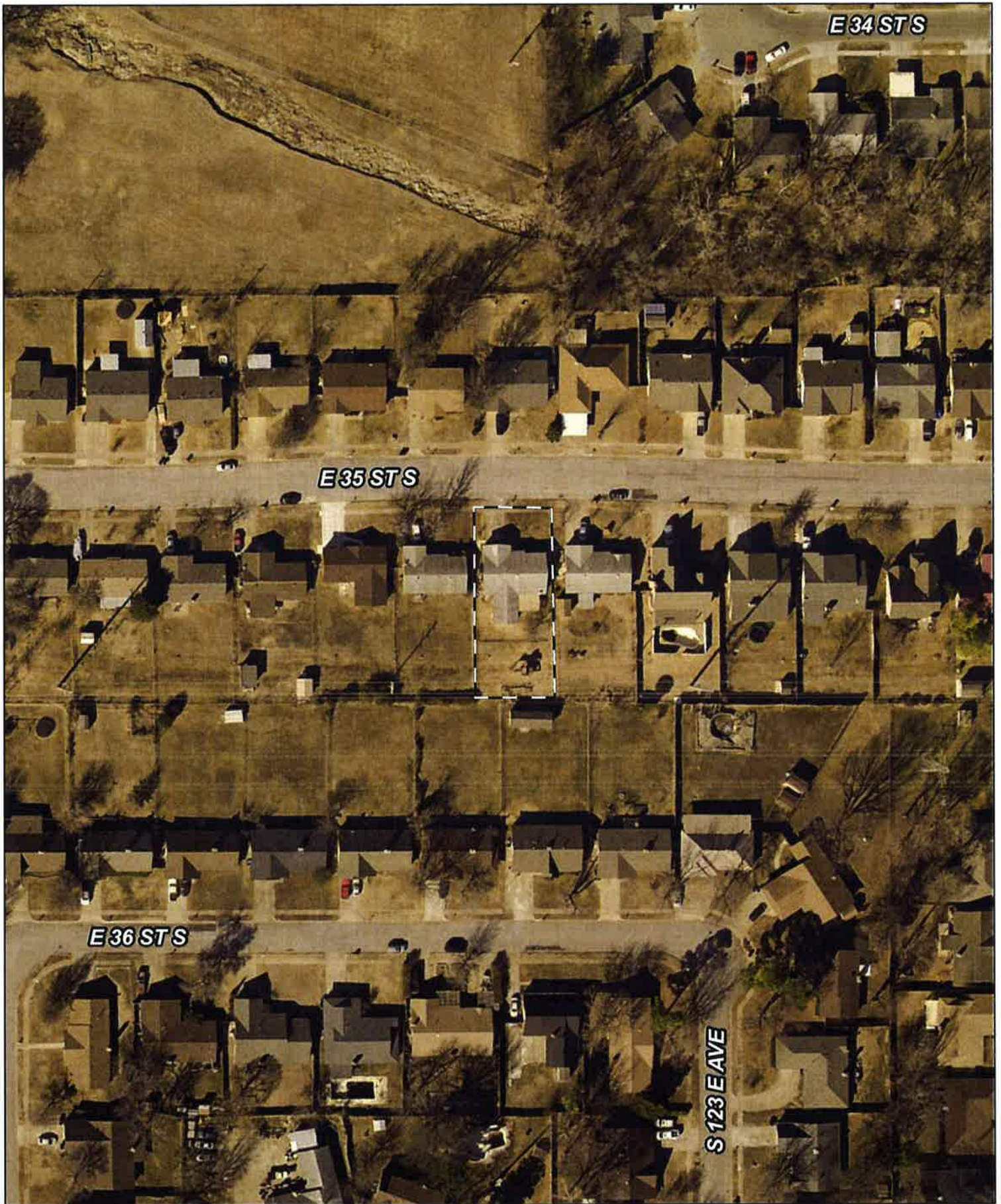


12158-3 35th ST

35 ST EAST



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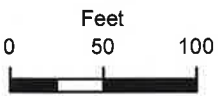


E34 STS

E35 STS

E36 STS

S123 EAVE



Subject
Tract

BOA-23012

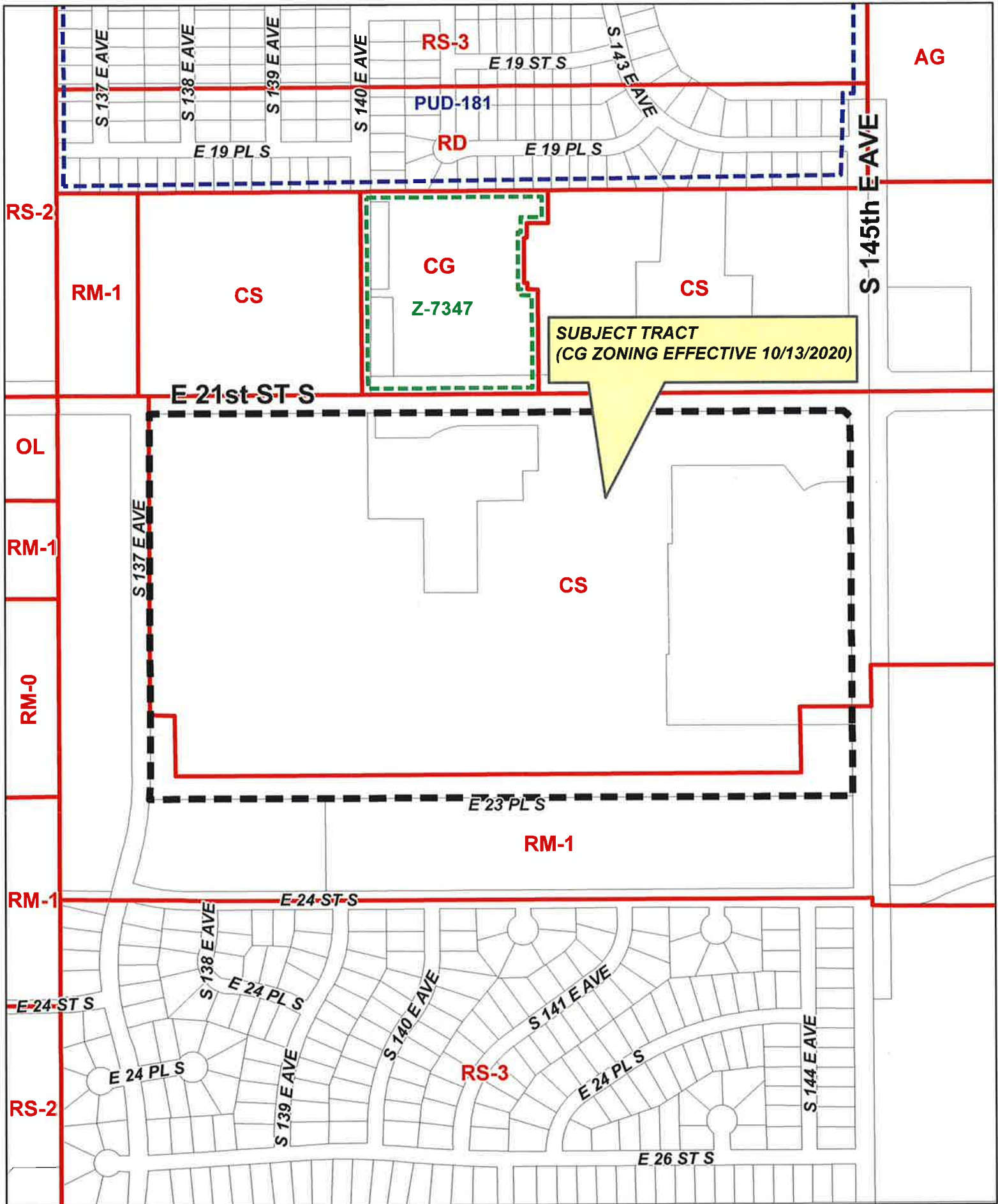
19-14 20

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Aerial Photo Date: February 2018



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BOA-23013

19-14 16

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9416

Case Number: BOA-23013

CZM: 39

CD: 6

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Mike Thedford

ACTION REQUESTED: Special Exception to permit a Horticulture Nursery Use in the CG district (Sec. 15.020, Table 15-2)

LOCATION: 14002 E 21 ST S;

ZONED: CG

PRESENT USE: Commercial Multiple Existing uses on different levels. TRACT SIZE:
2872758.92 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, EASTLAND ACRES

RELEVANT PREVIOUS ACTIONS:

Subject property:

Z-7564; On the TMAPC recommended *approval* and on 09.02.20 the City Council subsequently approved a Rezoning from CS/ RM-1 to CG with an Optional Development Plan. CG zoning is effective 10/13/2020.

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 on the South side of 21st Street between 137th E. Ave and 145th E. Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Horticulture Nursery Use in the CG district (Sec. 15.020, Table 15-2). Horticulture Nursery uses are subject to the supplemental regulations of Sec. 40.225 if the use involves the cultivation of medical marijuana:

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: <ol style="list-style-type: none">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.
<hr/>	
TULSA ZONING CODE July 1, 2020	
page 40-12	
<hr/>	
Chapter 40 Supplemental Use and Building Regulations	
Section 40.230 Mining or Mineral Processing	
<hr/>	
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.

Per the applicant the use would be limited to the lower level of the complex as identified in the attached exhibit.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit a Horticulture Nursery Use in the CG district (Sec. 15.020, Table 15-2)

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

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



West face of subject property including underground loading area



Facing South on 137th E. Ave.



Facing West on 21st St. S.



North face of subject property



Facing East on 21st St.

TMAPC Comments:

Mr. Reeds asked how this application affected highway signs.

Staff stated in the Zoning Code it states a tall outdoor advertising sign can be placed within 400 feet of the Gilcrease Expressway on both sides but there are other supplemental regulations such as they are not permitted within 300 feet of a residential zoned district that would not allow it.

Ms. Kimbrel stated the Unity Heritage Sector Plan and the Healthy Neighborhood Overlay is mentioned in the staff report and asked staff to comment on the considerations for those plans.

Staff stated both of those plans are across the street from the subject property and staff would always want to look at those plans and be respectful of their concepts and goals but this application is part of the highway right of way and there are no land use designations.

Mr. Craddock asked staff if there was a site plan for this development.

Staff stated "no".

Mr. Craddock asked the applicant if he was working on a site plan.

The applicant stated his blueprints and applications were revised and would be turned in to Development Services this week.

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 **REEDS**, TMAPC voted **6-1-0**(Kimbrel, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; Craddock, "nays"; none "abstaining"; Covey, Doctor, McArtor, Ray, "absent") to recommend **APPROVAL** of CS zoning for Z-7561 per staff recommendation.

Legal for Z-7561:

LT 13 BLK 2, AMOS T HALL ADDN

13. Z-7564 Wallace Engineering, Mike Thedford (CD 6) Location: Southwest corner of East 21th Street South and South 145th East Avenue requesting rezoning from **CS to CG with an optional development plan**

STAFF RECOMMENDATION:
SECTION I: Z-7564

DEVELOPMENT CONCEPT: The continued evolution of this site as an employment center along with zoning code modifications over the last 4 years have opened opportunities for expanded uses for this site. The applicant believes the CG zoning with the development plan defined in section II below will support the continued growth of this facility. The small area plan for this area in 2005 recommended opportunities that can be realized with this rezoning request.

DETAILED STAFF RECOMMENDATION:

Z-7564 is requesting rezoning with an optional development plan to allow certain uses in a CG district is consistent with a Regional Center Land Use designation in the Tulsa Comprehensive Plan and,

The Tulsa Comprehensive plan recognizes this area as an area of growth and the normal uses that are allowed in a CG district may not be consistent with the expected future development of the surrounding area however CG zoning with use limitations and supplemental regulations in the current zoning code are consistent with expected future development patterns in the area and,

The development plan outlined in Section II below is consistent with the provisions of the Tulsa Zoning code and,

The development plan and CG zoning is consistent with the goals identified in the 2005 East Tulsa Implementation Plan therefore,

Staff recommends Approval of Z-7564 to rezone property from CS to CG with the optional development plan standards outlined in Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG 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 CATEGORIES

Residential Use Category

- Single households (townhome development only)
- Three or more households on a single lot

Group Living

(only if allowed through the special exception process)

* Homeless center only	Special exception
* Re-entry facility only	Special exception
* Residential treatment center only	Special exception
* Shelter, emergency and protective only	Special exception
* Transitional living center only	Special exception

PUBLIC, CIVIC AND INSTITUTIONAL

College or University	
Day Care	
*Governmental Service or Similar Functions only	Special exception
Hospital	
Library or Cultural Exhibit	
*Postal Services only	Special exception
Religious Assembly	
Safety Service	
School	
Established on or before Jan. 1, 1998	
Others	
Utilities and Public Service Facility	
Minor	

Wireless Communication Facility

Freestanding tower
Building or tower-mounted antenna

COMMERCIAL

Animal service

Boarding or shelter
Grooming
Veterinary

Assembly and Entertainment

*Indoor gun club only	Special exception
Other indoor	
*Small (up to 250-person capacity) only	Special exception
*Large (>250-person capacity) only	Special exception

Other outdoor only	Special exception
Broadcast or Recording Studio	
Commercial Service	
Building service	
Business support service	
Consumer maintenance/repair service	
Personal improvement service	
Research service	
Financial Services (except as below)	
Personal credit establishment	
Funeral or Mortuary Service	
Lodging	
Campgrounds and RV parks	
Hotel/motel	
Office	
Business or professional office	
Medical, dental or health practitioner office	
Plasma center	
Parking, Non-accessory	
Restaurants and Bars	
Restaurant	
Bar	
*Brewpub only	Special exception
Retail Sales	
Building supplies and equipment	
Consumer shopping goods	
Convenience goods	
Grocery Store	
Small Box Discount Store	
Medical Marijuana Dispensary	
Self-service Storage Facility	
Studio, Artist or Instructional Service	
Trade School	
Vehicle Service (sales not allowed)	
Commercial vehicle repair / maintenance	
Fueling station	
Personal vehicle repair / maintenance	
Vehicle part and supply sales	
Vehicle body and paint finishing shop	
WHOLESALE, DISTRIBUTION. & STORAGE	
Wholesale Sales and Distribution	
INDUSTRIAL	
*Low-impact Manufacturing & Industry only	Special exception

AGRICULTURAL

Community Garden

Farm, Market- or Community-supported

*Horticulture Nursery
only

Special exception

OTHER

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

RESIDENTIAL BUILDING TYPES

Household living

Single household

Townhouse

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: Uses and supplemental regulations defined in the optional development plan associated with the CG zoning request are consistent with the small area plan and the land use designation in the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Regional Center

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.

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:

East 21st and South 145th East Avenue are both designated as Primary Arterial streets. East 21st is also classified as a Multi Modal Corridor.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: Z-7564 is in the East Tulsa Neighborhood Detailed Implementation Plan that was adopted in November 2005. The plan has not been updated but is being reviewed as part of new zoning application research.

The small area plan recognizes this site as a major activity center and encourages gateways that help identify the character for the neighborhood. Activity centers can be developed by clustering uses and ultimately taking on the characteristics of the historic town center. Concentration of civic institutional and commercial activity in these centers is encouraged and should be well designed.

The plan consists of 30 goals that all generally support major activity centers that are properly designed and may develop with mixed and multiple uses exhibiting an urban character, pedestrian friendly, walkable environments and appropriate transition areas.

East 21st and South 145th East Avenue are both considered Special Treatment Corridors that should optimize the use of existing street infrastructure and add the elements of the Special Treatment Corridor during redevelopment. This would include extensive landscape, street trees, boulevard treatments, streetscape, pedestrian scale lighting textured crosswalk at street intersections, appropriate traffic calming techniques and other appropriate roadway solutions.

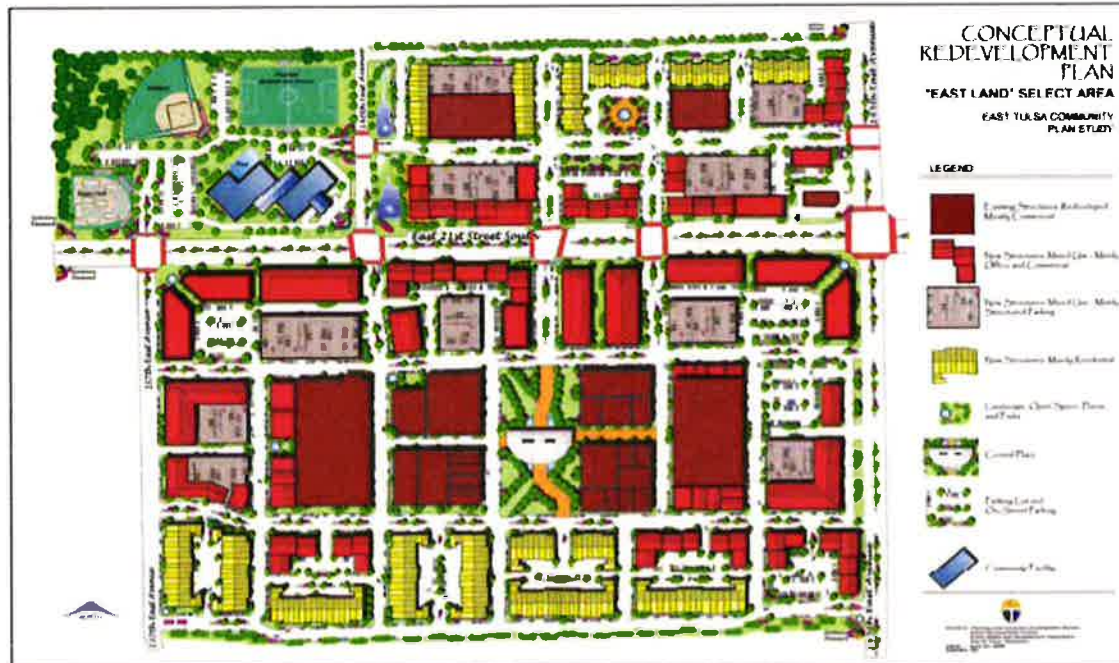
Special District Considerations:

Future redevelopment considerations have been identified in the East Tulsa Neighborhood Detailed Implementation Plan.: During the 2016 zoning code update building setbacks have been reduced and parking ratios have been relaxed in a way that supports the type of development illustrated below.

THE PLAN

East Tulsa Neighborhood Detailed Implementation Plan – Phase 1

Exhibit 6



Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site was developed as a regional retail mall prior to implementation of any zoning code requirements for landscaping and when buildings were required to be set back from the street. The facility is now repurposed as a major employment center and includes multi story office structures. The building includes an underground vehicular access area for that was originally provided for retail loading, service and deliveries.



Environmental Considerations: None that affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 21 st Street South	Primary Arterial with Multi Modal Corridor designation	120 feet	7 including various turn lanes
South 145 th East Avenue	Primary Arterial	120 feet	6 including various turn lanes and grass medians.
South 137 th East Avenue	Residential Collector	60 feet	2 with on street parking

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use

North	CS and CG with development plan Z-7347	Regional Center	Growth	Commercial uses
East	CS and RM-1	Regional Center	Growth	Undeveloped
South	RM-1	Regional Center	Growth	Multi family
West	RM-1	Regional Center	Growth	multifamily

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 13178 dated May 15, 1974 established the current zoning for the subject property.

Subject Property:

BOA-20999 November 2009: The Board of Adjustment **approved** a *Special Exception* to permit a trade school use (Use Unit 15) in the CS District, with conditions for no outside storage or activity around the building and that they conform to the City of Tulsa building and fire codes, on property located at the southwest corner of East 21st Street and South 145th East Avenue.

BOA-17827 September 1997: The Board of Adjustment **approved** a *Special Exception* to permit a trade-vocational school in a CS District, on property located at 14002 East 21st Street.

BOA-16142 September 1992: The Board of Adjustment **approved** a *Special Exception* to permit an RV show and sale as a temporary open air activity from 9:00am to 9:00pm, October 23, 1992 through October 25th, 1992, finding that the code does not specifically address the temporary sale of recreational vehicles as an open air activity, on property located at the southwest corner of East 21st Street and South 145th East Avenue.

BOA-13232 July 1984: The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 district under the provisions of Section 1680, subject to the Health Department approval with a one-year removal bond required, on property located north of the northwest corner of 25th West Avenue and Young Street.

BOA-08161 December 1973: The Board of Adjustment **denied** a *Variance* of the setback requirements from the centerline of 21st Street from 110' to 75' and 110' to 85' from the centerline of 145th East Avenue in

a CS district as no hardship was proven, on property located southwest of 21st Street and 145th East Avenue.

BOA-08139 December 1973: The Board of Adjustment **approved** an *Exception* to use property for automotive and allied activities in a CS District, on property located southeast corner of 21st Street and 137th East Avenue.

BOA-06971 April 1971: The Board of Adjustment **approved** an *Exception* to permit established off-street parking to be used in conjunction with a shopping center in an RM-1 district, on property located south and west of 145th East Avenue and 21st Street.

Z-4640 May 1974: All concurred in **approval** of a request for *rezoning* a 10.49+ acre tract of land from RM-1 to CS for a commercial shopping center, on property located south of the southwest corner of 21st Street and 145th East Avenue. (Ordinance No. 13178)

Ordinance number 11817 dated June 26, 1970 established zoning for the subject property.

Surrounding Property:

Z-7390 July 2017: All concurred in **approval** of a request for *rezoning* a 9.81+ acre tract of land from RD to RM-1 for Residential multi-family, on property located west of the northwest corner of East 24th Street and South 137th East Avenue.

Z-7347 July 2016: All concurred in **approval** of a request for *rezoning* a 7.44+ acre tract of land from CS to CG for commercial/retail, on property located west of the northwest corner of East 21st Street South and South 145th East Avenue.

Z-7326/PUD-844 (Withdrawn April 2016): Request to rezone a 20.75+ acre tract of land from CS to CG and establish a proposed *Planned Unit Development* for mixed-use on property located north and west of the northwest corner of East 21st Street and South 145th East Avenue, was withdrawn April 11th, 2016.

Z-7308/PUD-835 (Withdrawn September 2015): Request to rezone a 20.75+ acre tract of land from CS to CG and establish a proposed *Planned Unit Development* for mixed-use on property located northwest corner of East 21st Street and South 145th East Avenue, was withdrawn September 2nd, 2015.

BOA-15818 September 1991: The Board of Adjustment **approved** a *Special Exception* to permit church use in an OL, RM-1, RM-0 zoned district and a *Variance* of the required all-weather material for off-street

parking to permit gravel parking for one year only, per plot plan submitted, on property located at 13650 East 21st Street.

BOA-14384 May 1988: The Board of Adjustment **approved** a *Special Exception* to allow for automotive and allied activities (tire store) in a CS zoned district, subject to no outside storage, and subject to all activities being conducted inside the building, on property located northwest corner 21st Street and South 145th East Avenue.

Z-5591 September 1981: All concurred in **approval** of a request for *rezoning* a 2.12± acre tract of land from RM-1 to OL an office, on property located west of the southwest corner of 137th East Avenue and 21st Street.

BOA-08866 December 1975: The Board of Adjustment **approved** a *Exception* to operate a children's nursery, per plot plan, and subject to no sign being permitted in an RM-2 district, on property located at 2218 South 137th East Avenue.

Z-4541 October 1973: All concurred in **approval** of a request for *rezoning* a 54.46± acre tract of land from AG & RM-1 to RM-1 for multi-family housing, on property located east of the southeast corner of 21st Street and 145th East Avenue.

Z-4375 May 1973: All concurred in **approval** of a request for *rezoning* a 5± acre tract of land from AG to CS for commercial, on property located west of the northwest corner of 21st Street and 145th East Avenue.

Z-4338 March 1973: All concurred in **approval** of a request for *rezoning* a 10± acre tract of land from RS-3 to CS for commercial shopping and retail, on property located on the northeast corner of 21st Street and 145th East Avenue.

Z-3821 December 1971: All concurred in **approval** of a request for *rezoning* a 14.5± acre tract of land from AG to CS/RM-2 for a furniture store, on property located north side of 21st Street, west of 145th East Avenue.

BOA-06051 November 1968: The Board of Adjustment **approved** an *Exception* to permit erecting a church in a U-1C district, on property located at north side of 21st Street, ¼ mile west of 145th East Avenue.

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 **CRADDOCK**, TMAPC voted **7-0-0**(Craddock, Kimbrel, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, McArtor, Ray, "absent") to recommend **APPROVAL** of CG zoning with an optional development plan for Z-7564 per staff recommendation.

Legal for Z-7564:

LOT 1 BLOCK 1, EASTLAND ACRES, City of Tulsa, Tulsa County, State of Oklahoma

Item 3 was moved from the Consent Agenda to the Public Hearing.

3. **Clark Plaza Third** (CD 7) Change of Access, Location: West of the northwest corner of East 71st Street South and South Memorial Avenue

TMAPC Action; 7 members present:

On **MOTION** of **REEDS**, TMAPC voted **7-0-0**(Craddock, Kimbrel, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, McArtor, Ray, "absent") to **APPROVE** item 3 per staff recommendation.

OTHER BUSINESS

14. Commissioners' Comments

Mr. Reeds stated he is honored to be working with the now famous Commissioner Kimbrel. He stated there was an article about Ms. Kimbrel in the Tulsa People magazine.

ADJOURN

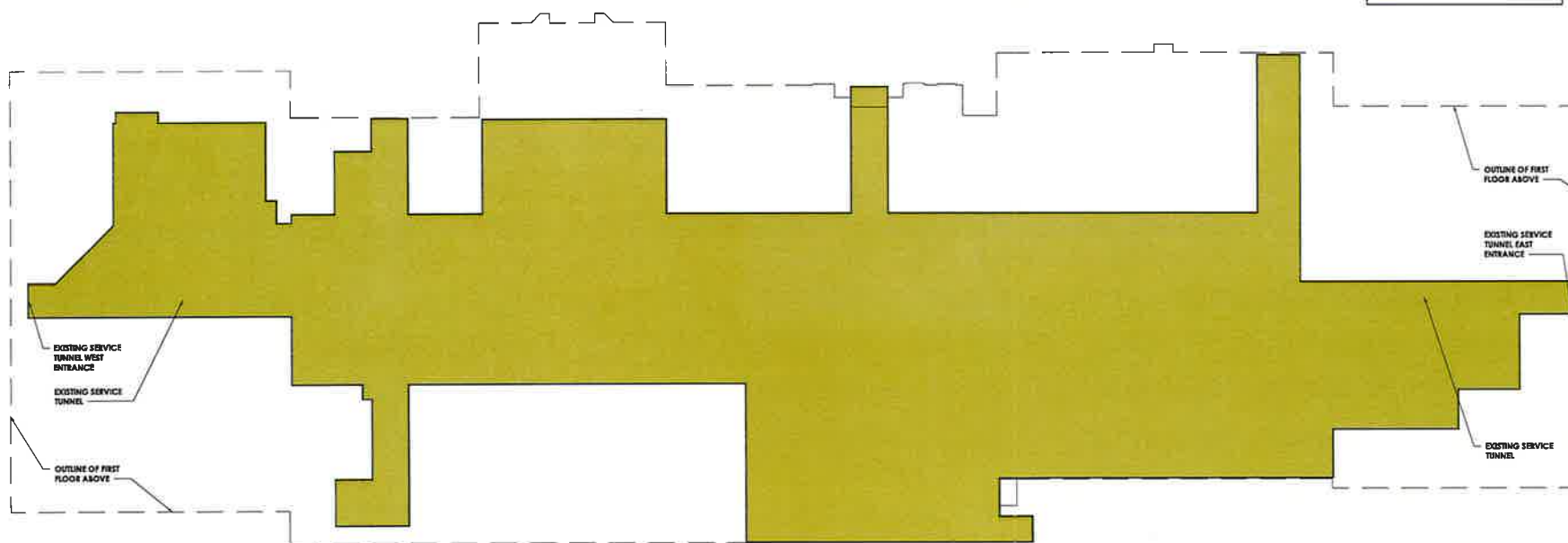
TMAPC Action; 7 members present:

On **MOTION** of **CRADDOCK**, TMAPC voted **7-0-0** (Craddock, Kimbrel, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, McArtor, Ray, "absent") to **ADJOURN** TMAPC meeting of July 15, 2020, Meeting No. 2822.

ADJOURN

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AREA KEY	
	PROPOSED HORTICULTURAL USE

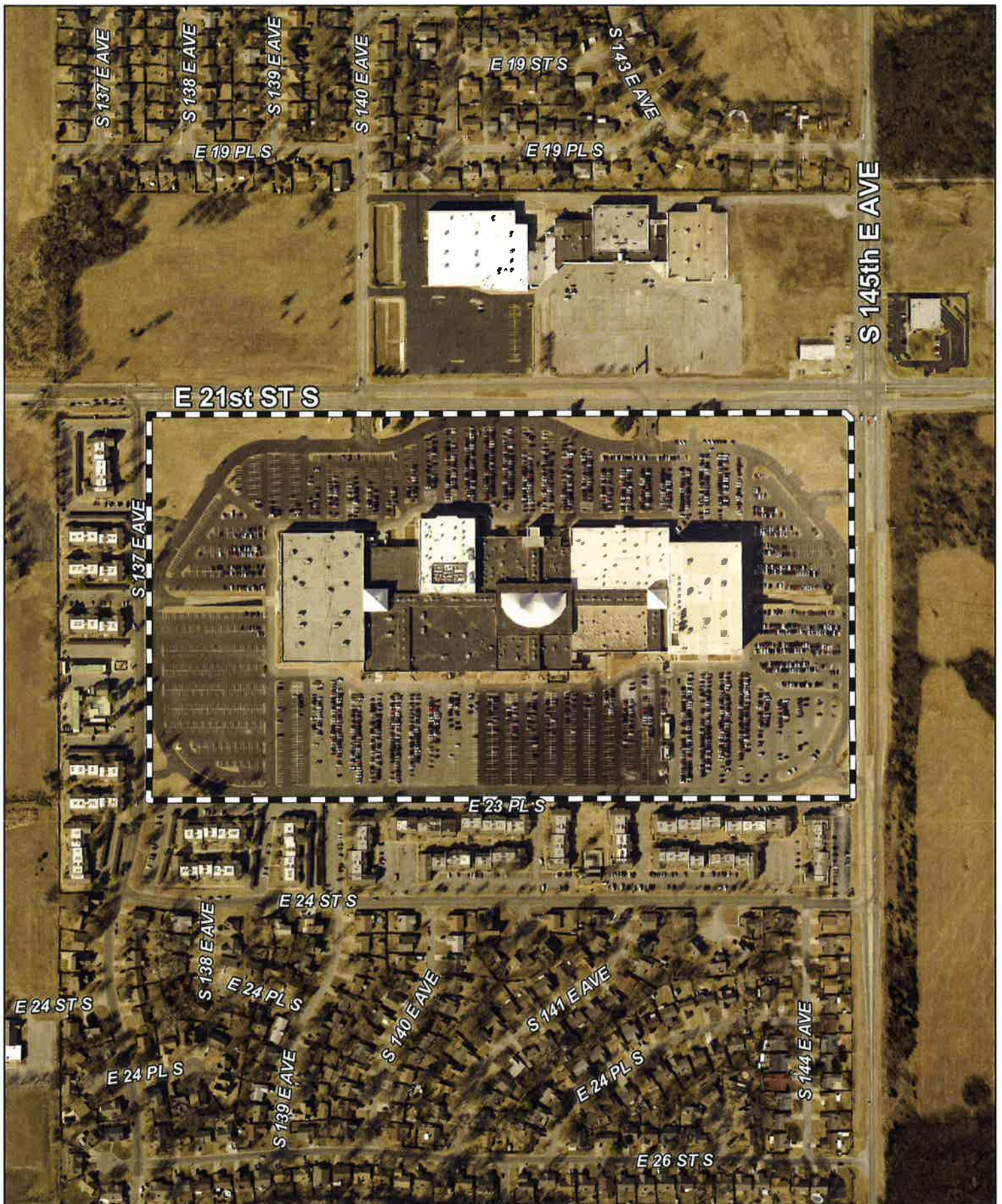


A LOWER LEVEL PLAN
Scale: 1/4"=1'-0"
NORTH

LOWER LEVEL LOCATION PLAN

EASTGATE REZONING EXHIBIT
JUNE 4, 2020

EASTGATE METROPLEX



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200
400



Subject
Tract

BOA-23013

19-14 16

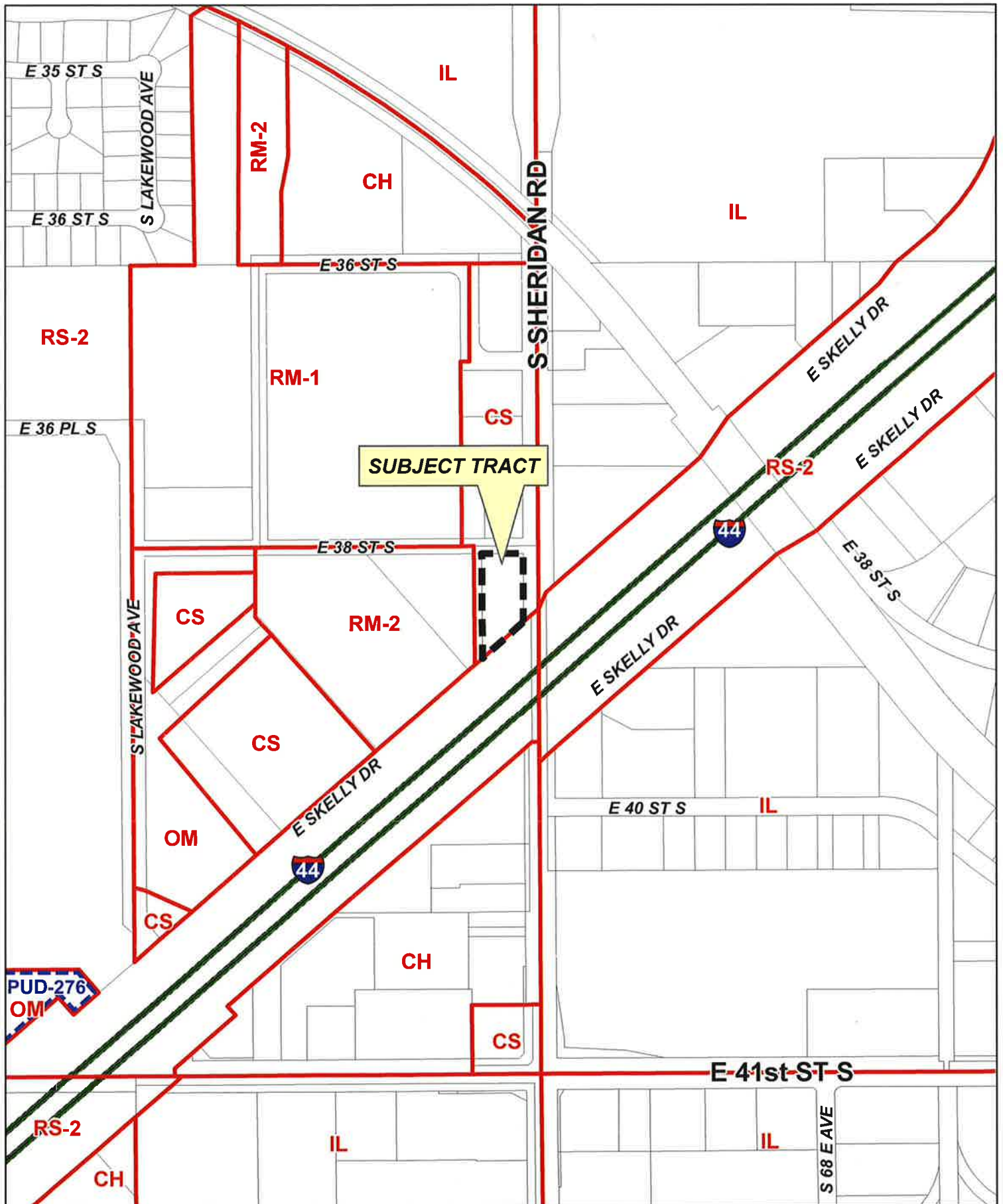
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align with physical features on the ground.

Aerial Photo Date: February 2018



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BOA-23014

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9322
CZM: 48
CD: 5

Case Number: **BOA-23014**

HEARING DATE: 10/13/2020 1:00 PM

APPLICANT: Meenakshi Krishnasamy

ACTION REQUESTED: Variance to allow a drive through on the street facing (E. 38th St.) side of the property (Sec. 55.100-C2)

LOCATION: 3866 S SHERIDAN RD E

ZONED: CS

PRESENT USE: Commercial

TRACT SIZE: 38245.84 SQ FT

LEGAL DESCRIPTION: BEG 150.74N & 50W SECR NE SE TH N250 W135 S363.23 TO N R/W SKELLY DR TH NE ALG R/W POB LESS N25 FOR ST SEC 22 19 13 .878AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-22991; On 09.08.2020 The Board **approved** Variance to allow a drive through on the steet facing (Skelly Drive) side of the property (Sec. 55.100-C2)

BOA-12118; On 09.16.82 the Board **approved** a Special Exception to permit a retail tire store.

BOA-12000; On 11.02.78 the Board **approved** a Special Exception to permit Auto sales in a CS District.

BOA-10011; On 06.15.78 the Board **approved** a variance to permit an outdoor advertising sign closer than 40' from an R District.

Surrounding Property: None.

The Tulsa Comprehensive Plan identifies the subject property as part of an "Employment" Land Use Designation 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.

Employment areas contain office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. Skelly Drive and S. Sheridan Road. The property to the West of the subject property is zoned RM-2 but is used as an office building.

STAFF COMMENTS: The applicant is requesting **Variance** to allow a drive through on the street facing (E. 38th St.) side of the property (Sec. 55.100-C2)

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 ~~565.070-C~~.

Currently the existing drive-through is limited to a pickup window and no menu board or speaker system. The Board may consider limiting those features as a condition in their approval.

STATEMENT OF HARDSHIP:

The property in question has 3 street facing sides and the non-street facing side abuts a residentially zoned property. Per section 55.100-C2 the drive-thru and associated components are not allowed to be located on the street facing side of the property, which would limit the drive-thru to the West side of the property. By placing the drive-thru lane and pick-up window on the North side we are limiting the exposure of the drive-thru elements from Sheridan Road. The North street "East 38th Street" is not an arterial street. We believe that if this variance is granted it will not cause substantial detriment to the public good, or impair the purpose and intent of the zoning ordinance

SAMPLE MOTION: Move to _____ (approve/deny) a Variance to allow a drive through on the street facing (E. 38th St.) side of the property (Sec. 55.100-C2)

- 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 38th St.



Facing South on Sheridan



Subject property

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Camille Sanders
815 E 3 ST
Tulsa, OK 74110

September 9, 2020

Phone: 539.430.0874

APPLICATION NO: ZCO-070415-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 3866 S Sheridan Rd
Description: Drive through

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. 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 THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. A COPY OF A "RECORD SEARCH" ☒ IS ☐ IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

12.7

REVIEW COMMENTS

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

ZCO-070415-2020

3866 S Sheridan Rd

September 9, 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 a representative at the Tulsa Planning Office at **918-584-7526** or esubmit@incog.org. It is your responsibility to submit to our office 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.55.100-C2: 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.

Review comment: Submit a site plan providing the drive through lane and service window on the non-street facing side of the building. You may wish to consider a variance to allow the drive-through lane and service window on the street facing side of the building.

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.

GENERAL NOTES

1. EXISTING BUILDING FOOTPRINT TO REMAIN.
2. ALL EXISTING PARKING, SIDEWALKS, CURB, DUMPS, AND ASPHALT TO REMAIN.
3. EXISTING LANDSCAPING, PARKING STALLS AND STRIPING TO REMAIN.
4. ALL EXISTING TREES TO REMAIN, COORDINATE ANY NEW LANDSCAPING WITH OWNERS/DESIGNER.
5. EXISTING DRIVEWAYS TO REMAIN.
6. EXISTING CITY SIDEWALKS TO REMAIN.
7. EXISTING SCREENING FENCE TO REMAIN.
8. EXISTING PAVEMENT TO REMAIN, COORDINATE ANY WORK TO BE DONE WITH OWNER.

PARKING REQUIREMENT

TOTAL AREA: 4,870 SF

DOMINO'S
2,424 SF/1,000 ± 8.0 ± 21 SPACES

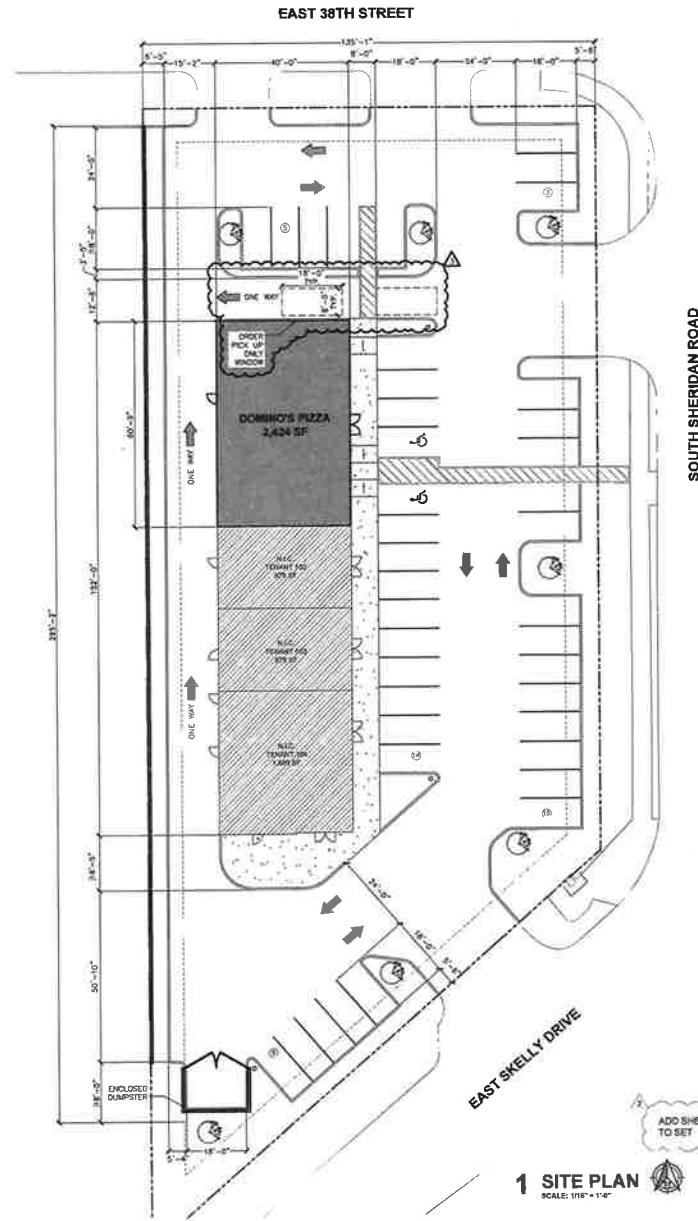
TENANTS, R.L.C.
2,446 SF/1,000 ± 3.33 ± 13 SPACES

PARKING REQUIRED: 34 SPACES

PARKING PROVIDED: 40 SPACES

ACCESSIBLE PARKING REQUIRED: 2 SPACES

ACCESSIBLE PARKING PROVIDED: 2 SPACES



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



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

SEAL:



09/07/2020
WELDON SOFMAN, AIA
OK LICENSE NO. 6547
S&B SEAL EXPIRES 04/28/2028

PROJECT:

**DOMINO'S
PIZZA**

**PROJECT #
18201.01**

**3864 S. SHERIDAN
ROAD, SUITE 101
TULSA, OK
74145**

CONSULTANT:

REVISIONS:

1	REV 1	06.21.19
2	REV 2	07.01.19
3	REV 3	09.09.20

ISSUE DATE:

05.29.2019

SHEET NAME:

SITE PLAN

SHEET #:

A101

12.9



0 Feet
200 400



Subject
Tract

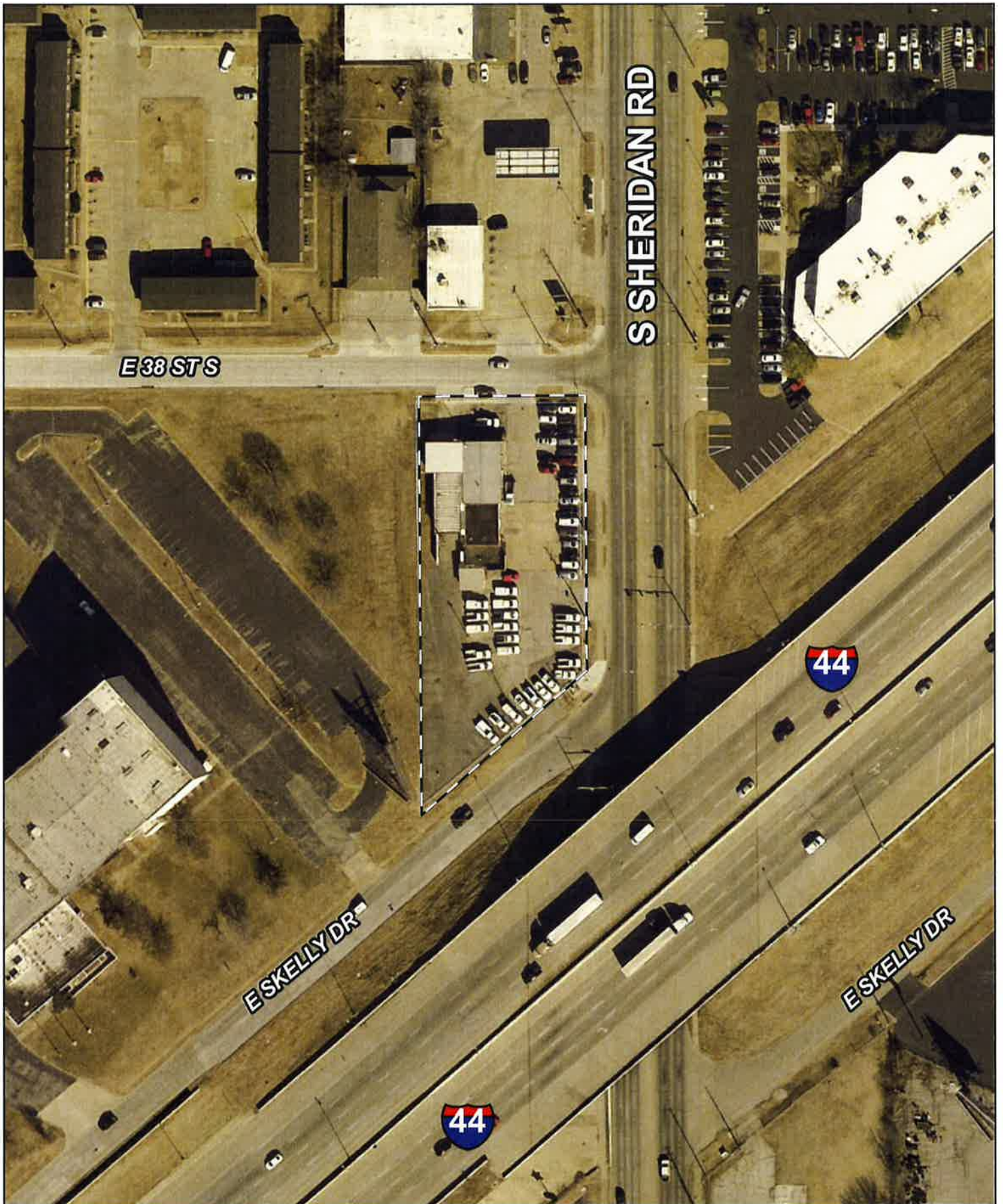
BOA-23014

19-13 22

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

Aerial Photo Date: February 2018





E 38th St

S SHERIDAN RD

ESKELLY DR

ESKELLY DR

44

44



Subject
Tract

BOA-23014

19-13 22

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

Aerial Photo Date: February 2018



12.11

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OTHER BUSINESS

ITEM #13 – REVIEW OF 2021 MEETING SCHEDULE

PROPOSED MEETING DATES FOR 2021
CITY BOARD OF ADJUSTMENT

JANUARY

12
26

JULY

13
27

FEBRUARY

09
23

AUGUST

10
24

MARCH

09
23

SEPTEMBER

14
28

APRIL

13
27

OCTOBER

12
26

MAY

11
25

NOVEMBER

09
23 (Thanksgiving week)

JUNE

08
22

DECEMBER

14
28 (New Year's week)