

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, July 13, 2021, 1:00 P.M.

Meeting No. 1276

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

Board of Adjustment applicants and members of the public may attend and participate in the in the Board of Adjustment meeting via videoconferencing and teleconferencing by joining from a computer, tablet, or smartphone.

Attend in Person: 175 East 2nd Street, 2nd Level, One Technology Center

Attend Virtually: <https://us06web.zoom.us/j/88957334533>

Attend by Phone: 1-312-626-6799 Meeting ID: 889 5733 4533

If you wish to present or share any documents, written comments, or exhibits during the hearing, please **submit them by 9:00 AM the day of the hearing**. Remember to reference the case number and include your name and address.

Email: esubmit@incog.org

Mail or In Person: City of Tulsa BOA c/o INCOG, 2 W. 2nd St., Suite 800, Tulsa, OK 74103

INTRODUCTION AND NOTICE TO THE PUBLIC

At this Meeting the Board of Adjustment, in accord with and pursuant to applicable Board of Adjustment Policies and Procedures, will review, consider, discuss, and may take action on, approve, amend, modify, approve with amendment(s) or modification(s), deny, reject, or defer any action on any item listed on this Agenda.

Review and possible approval, approval with modifications, denial or deferral of the following:

1. Approval of **Minutes** of June 22, 2021 (Meeting No. 1275).

UNFINISHED BUSINESS

None.

NEW APPLICATIONS

Review and possible approval, approval with modifications, denial or deferral of the following:

2. **23147—Enrique Vega Baeza**
Special Exception to permit a carport in the street setback and street yard with modifications of the allowable setbacks in an RM-1 District (Section 90.090-C.1).
LOCATION: 1315 East King Place North **(CD 1)**
3. **23150—Donnie & Nelda Criswell**
Special Exception to permit a carport in the street yard in a RS-3 District (Section 90.090-C.1). **LOCATION:** 8254 East 32nd Place South **(CD 5)**
4. **23151—Tom Neal**
Special Exception to allow an accessory dwelling unit in an RS-3 District (Section 45.031-D); Variance to allow a detached accessory dwelling unit and garage to cover more than 30% of the rear setback in an RS-3 District (Section 90.090-C, Table 90-2). **LOCATION:** 1527 South Newport Avenue East **(CD 4)**
5. **23152-OSAGE—Dennis J. Foegen**
Special Exception to allow an accessory dwelling unit in an AG District (Section 45.031-D). **LOCATION:** 2124 North 33rd West Avenue **(CD 1)**
6. **23153—Aaron Wiltshire**
Special Exception to allow an accessory dwelling unit in an RS-3 District (Section 45.031-D). **LOCATION:** 3754 East 116th Street South **(CD 8)**
7. **23154—A-Max Sign Company**
Variance to permit a freestanding sign in an OL District to exceed the permitted 32 square feet of display surface area by 78.37 square feet (Section 60.060-C).
LOCATION: 4538 South Harvard Avenue East **(CD 9)**
8. **23155—A-Max Sign Company**
Variance to allow more than 48 square feet of dynamic display area for sign in a CS District (Section 60.080-E). **LOCATION:** 1541 West 71st Street South **(CD 2)**
9. **23156—Bell Labs, LLC – Julie Melia**
Special Exception to permit moderate impact medical marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 15.020, Table 15-2). **LOCATION:** 1526 North 75th East Avenue **(CD 3)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

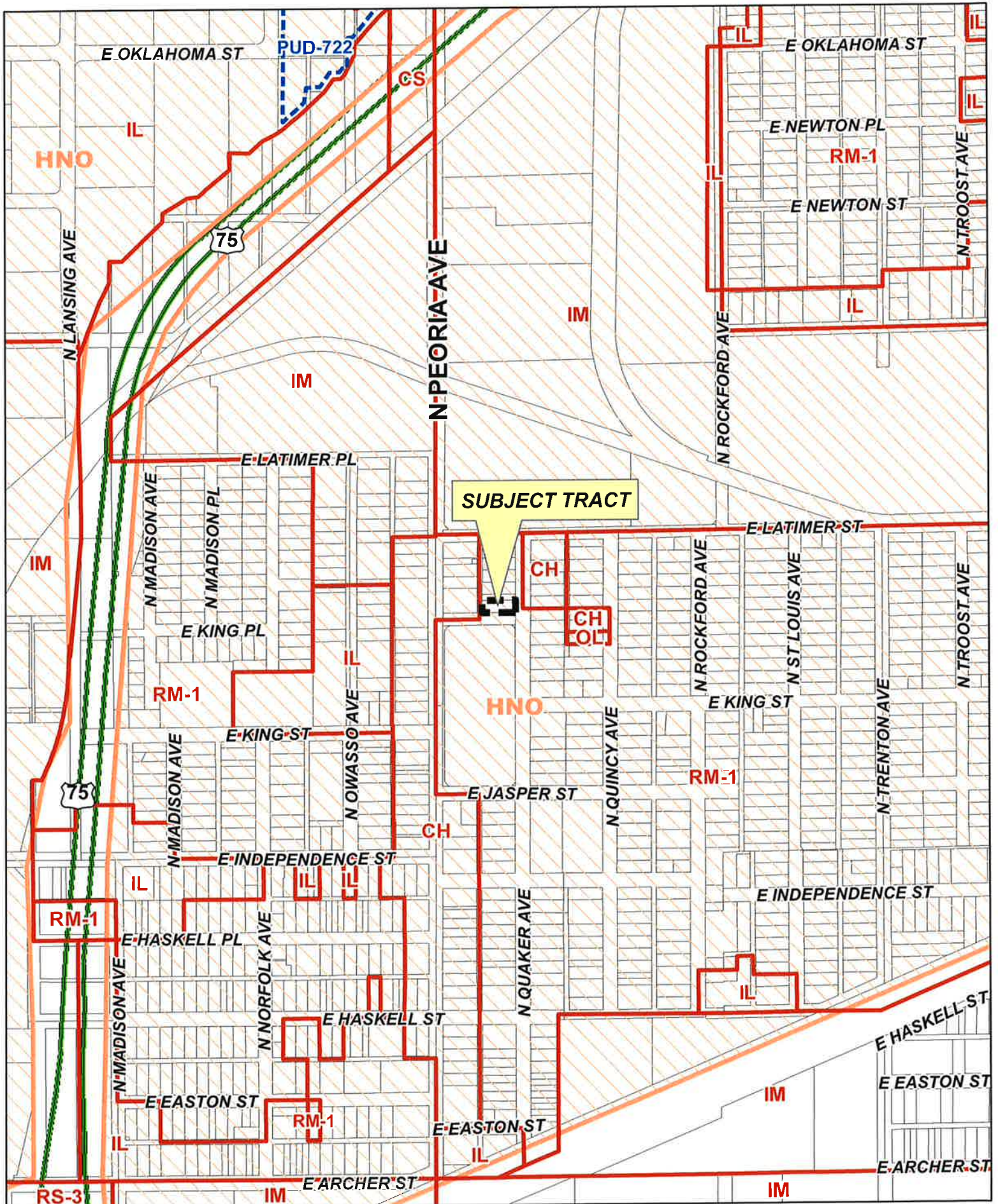
Website: tulsaplanning.org

E-mail: esubmit@incog.org

CD = Council District

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

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-23147

2.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 0331
CZM: 29
CD: 1

Case Number: **BOA-23147**

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Enrique Vega Baeza

ACTION REQUESTED: Special Exception to permit a carport in the street setback and street yard with modifications of the allowable setbacks in an RM-1 district (Sec. Section 90.090-C.1)

LOCATION: 1315 E KING PL N

ZONED: RM-1

PRESENT USE: Single Family Home

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LTS 10 & 11 BLK 5, CAPITOL HILL SECOND ADDN CORR

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding properties:

BOA-21658; On 12.10.13 the Board approved a Special Exception to permit a carport in the required front yard and variance of the allowable size of the carport. Property located 1023 N. Quaker Ave. E.

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. 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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. King Pl. and N. Quaker Ave. The property is immediately North Crutchfield Park.

2.2

STAFF COMMENTS: The applicant is requesting Special Exception to permit a carport in the street setback and street yard with modifications of the allowable setbacks (Sec. Section 90.090-C.1)

1. Carports

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

- a. A carport may be a detached accessory building or an integral part of the principal building.
- b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

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Section 90.090 | Setbacks

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

SAMPLE MOTION:

Move to _____ (approve/deny) a Special Exception to permit a carport in the street setback and street yard with modifications of the allowable setbacks in an RM-1 district (Sec. Section 90.090-C.1)

- 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

Presentation:

Lorinda Elizondo, Lamar Outdoor Advertising, 7777 East 38th Street, Tulsa, OK; stated she is submitting an application for a digital outdoor advertising sign, and she will gladly answer any questions.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **TIDWELL**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) based upon the facts in this matter as they presently exist, the Board **ACCEPTS** the applicant's verification of spacing between outdoor advertising signs, for a digital or conventional billboard, subject to the action of the Board being void should another outdoor advertising sign be constructed within the spacing requirements prior to this sign; for the following property:

BEG 1348.68 E SWC SW TH N1311.85 SE657.80 S1042.27 W600 POB LESS BEG 690.06W SECR SW TH W600 N24.75 E APR 501.80 N APR75 E98.29 S99.75 POB & LESS BEG 690.06 W & 1042.27N SECR SW TH S APR 37.78 CRV LF APR665.84 N APR 17.91 CRV RT657.80 POB FOR HWY SEC 29 19 14 (15.398 ACRES) IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO RECORDED PLAT THEREOF, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21658—Pedro Garcia

FILE COPY

Action Requested:

Special Exception to permit a carport in the required front yard (Section 210.B.10.g); Variance to allow the structure to cover an area of 18'-0" x 26'-0" (Section 210.B.10.a). LOCATION: 1023 North Quaker Avenue East (**CD 1**)

Presentation:

Pedro Garcia and Jessica Garcia, 1023 North Quaker Avenue, Tulsa, OK; Ms. Garcia stated she will be speaking on behalf of Pedro Garcia.

Mr. White asked Ms. Garcia who built the carport. Ms. Garcia stated it was her father.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

BDA--21658

FILE COPY

Board Action:

On **MOTION** of **SNYDER**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a **Special Exception** to permit a carport in the required front yard (Section 210.B.10.g); **Variance** to allow the structure to cover an area of 18'-0" x 26'-0" (Section 210.B.10.a) and is approved as built. 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. 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:

LT 11 BLK 4, CAPITOL HILL SECOND ADDN SUB L1-2 B4, CAPITOL HILL SECOND ADDN CORR, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21659—Terrill Jones

Action Requested:

Special Exception to permit a carport in the required front yard (Section 210.B.10.g); **Variance** to allow the structure to cover an area of 20'-0" x 22'-0" (Section 210.B.10.a). **LOCATION:** 2340 West 44th Street South (CD 2)

Presentation:

The applicant was not present.

The Board chose to hear the interested party in this case.

Interested Parties:

Claudine Bates, 2333 West 44th Street, Tulsa, OK; stated this carport is already up and it went up in one afternoon. The carport is not attached to the house, and is just sitting in the driveway. The carport does not fit into the neighborhood. The carport has painting on the front of it. The man that had it installed does not live in the house. He bought the house about two years ago and moved in, but he has not lived there for about a year. The owner's son lives in the house sometimes.

Mr. Van De Wiele asked Ms. Back if the carport located at 2224 West 43rd Street was permitted. Ms. Back stated that carport appears to be outside of the immediate area where the relevant case history was researched, so it is not mapped.

Comments and Questions:

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

Enrique Baeza
fativega87@gmail.com

10/22/2020

APPLICATION NO: ZN LOD- 69950-2020 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1315 E King PI North

Description: Accessory Building/Carport

INFORMATION ABOUT SUBMITTING REVISIONS

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

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 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.

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

(continued)

REVIEW COMMENTS

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

Application No. **ZN LOD- 69950-2020**

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.

2nd letter

Special exception approval required; see §90.090-C1.

1. **Sec.90.090-C.1 Carports:** Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:
 - a. A carport may be a detached accessory building or an integral part of the principal building.
 - b. The area of a carport may not exceed 20 feet in length by 20 feet in width.
 - c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.
 - d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.
 - e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.
 - f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

Review comment: The proposed carport is located in the street setback area and requires special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance. Please note: If the regulations above cannot be met, you will need to address these items as part of the special exception process as the proposed structure is not in compliance with said regulations as submitted. If approved, submit a copy of the approved special exception as a revision to your application.

2. Lot size is incorrect.

Review comment: Revise plans to reflect the correct lot size and resubmit.

3. Site plan needs to include distance from center of street to proposed structure.

Review comment: Revise site plan to include distance from center of street to proposed structure and resubmit.

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.

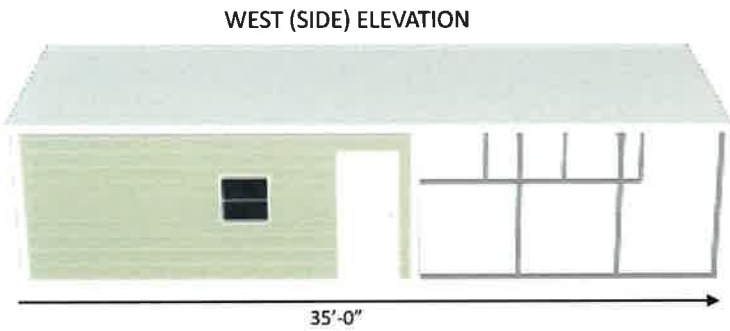
Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://www.tmapc.org/Documents/TulsaZoningCode.pdf>

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

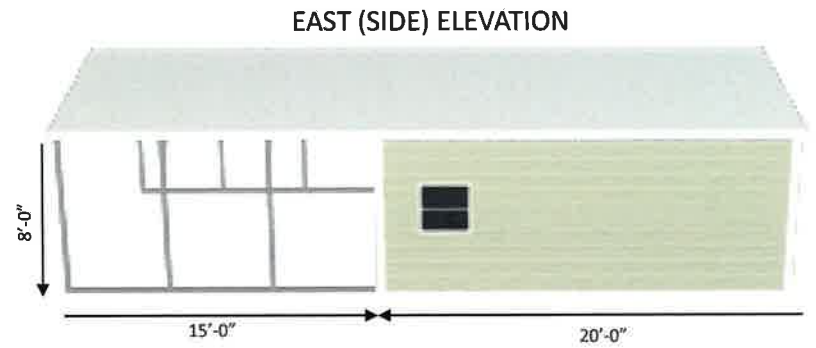
END –ZONING CODE REVIEW

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.

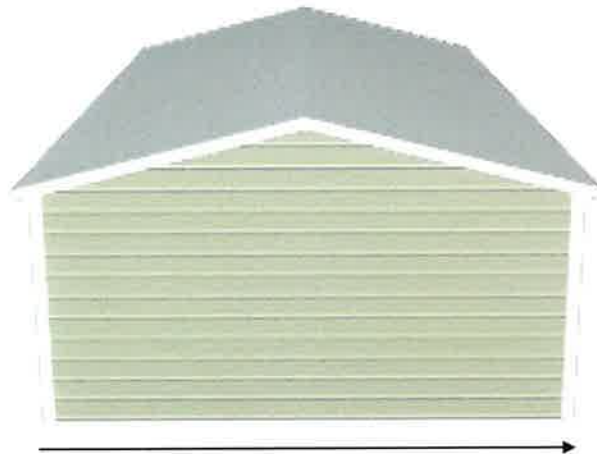


WEST (SIDE) ELEVATION

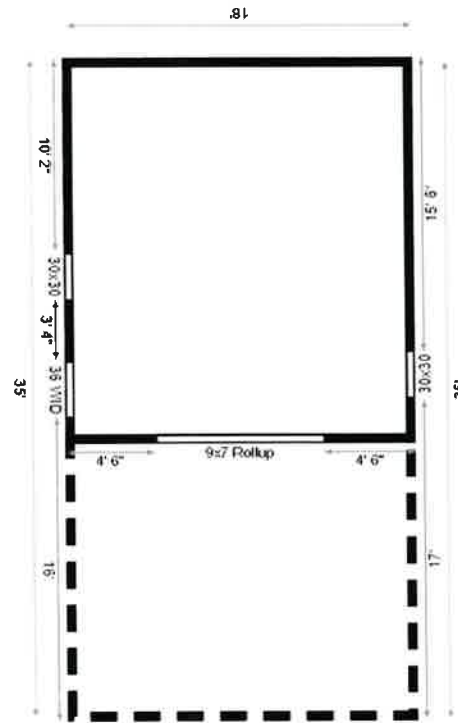


EAST (SIDE) ELEVATION

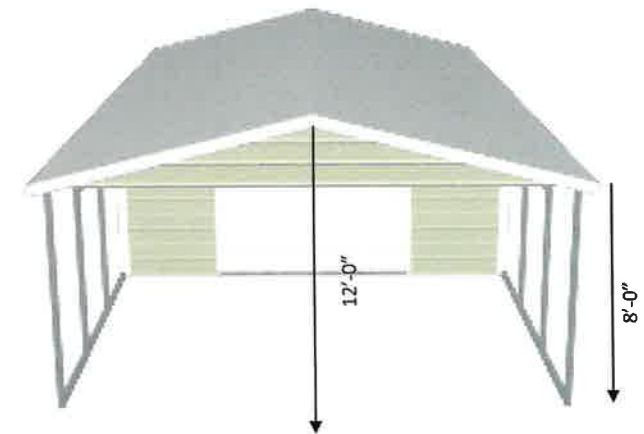
1315 E KING PL
TULSA, OK, 74106



18'-0"
NORTH (REAR) ELEVATION

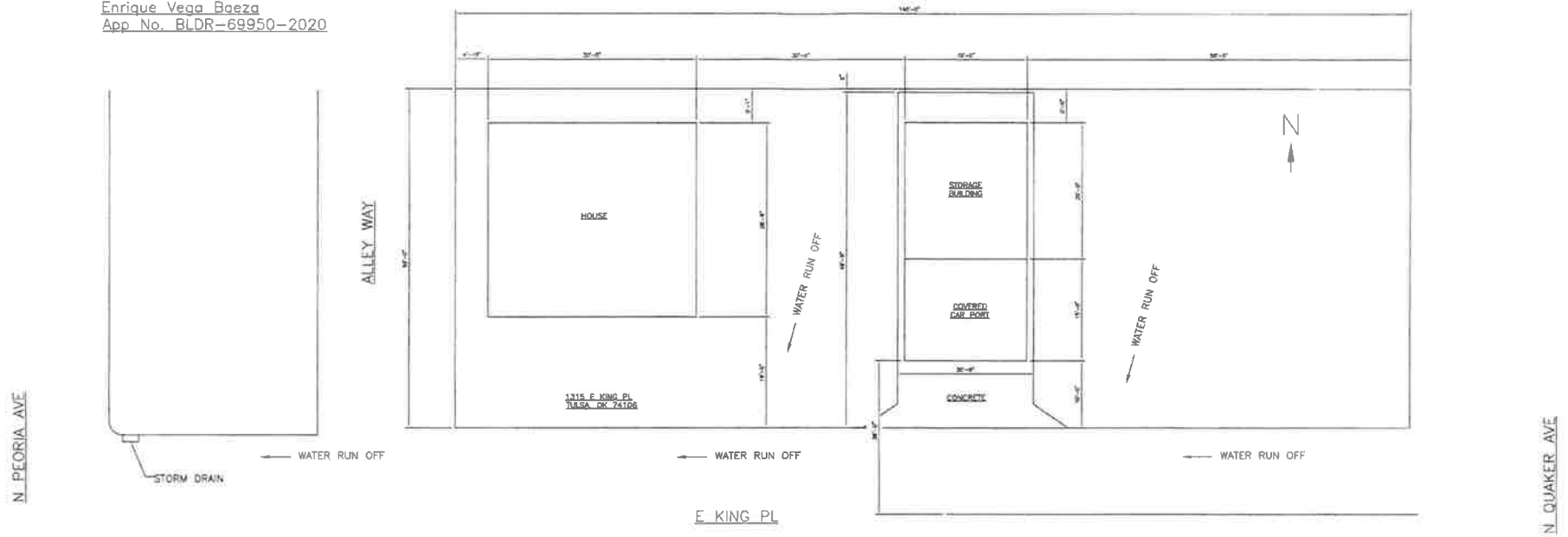


NOTE:
1/2" ANCHOR BOLTS EVERY 5'-0". TOTAL OF 18 ANCHOR BOLTS



SOUTH (FRONT) ELEVATION

Enrique Vega Baeza
App No. BLDR-69950-2020



REVIEW COMMENTS APPLICATION NO. BLDR-69950-2020

- 1.) PLEASE SEE ATTACHED DRAINAGE ARROWS PROVIDING ROUTE TO THE NEAREST STORM WATER. NO GUTTERING DOWNSPOUT WILL BE ATTACHED TO THE BUILDING.
- 2.) BUILDING (STORAGE) WILL BE PLACE ON TOP OF CONCRETE SLAB. NO DIGGING REQUIRED AND SURROUNDED GRASS WILL NOT BE DISTURB.
- 3.) ADDED DIMENSION FROM CENTER OF STREET TO FRONT OF CARPORT. REVISED DISTANCE FROM BACK OF PROPERTY LINE TO STORAGE BUILDING TO 5'-0". REVISED LOT SIZE TO 50'-0" X 140'-0" (EST. 7,000 SQ. FT)

11.2



0 Feet 250 500



Subject Tract

BOA-23147

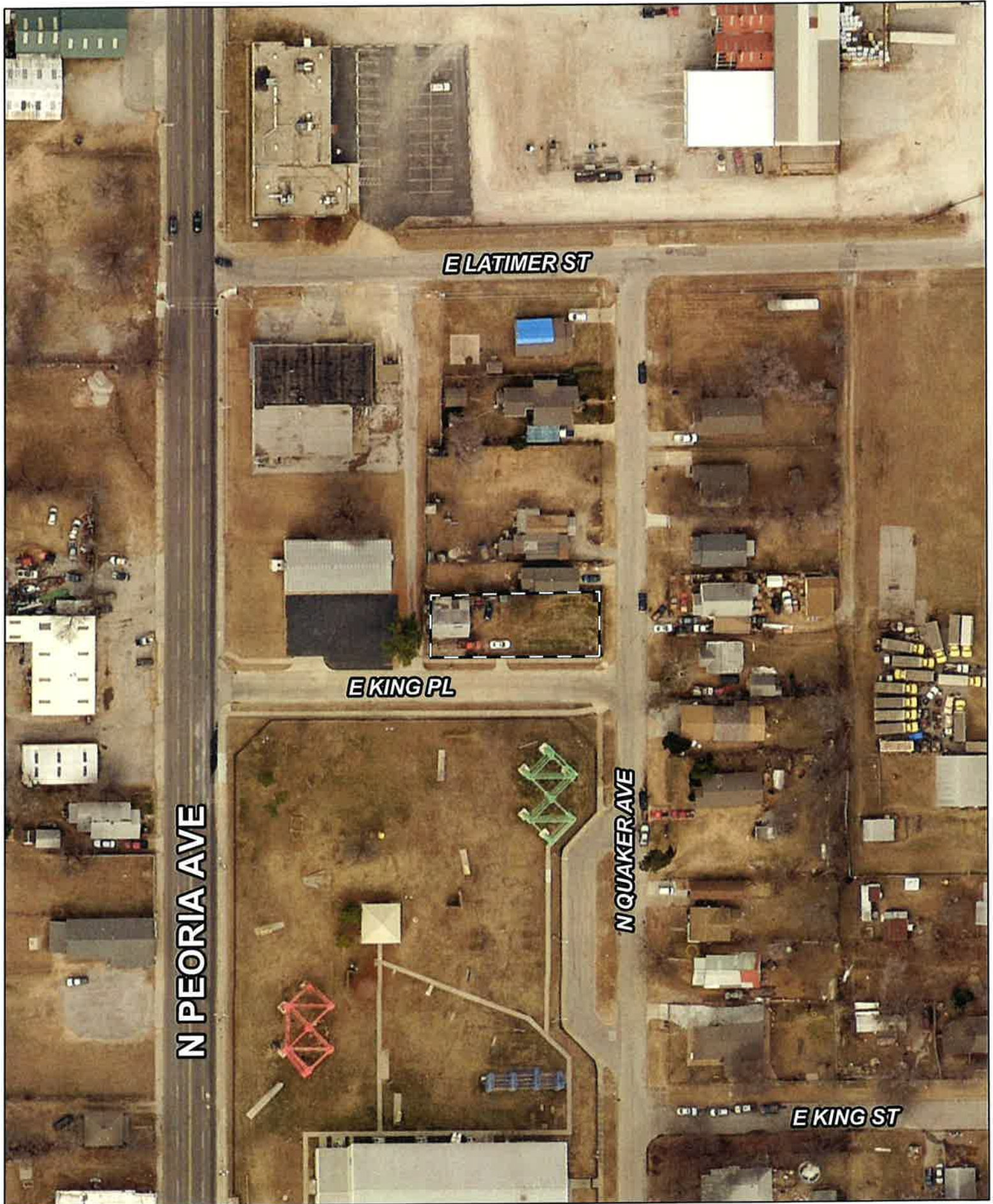
20-13 31

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

Aerial Photo Date: February 2018



2.12



0 50 100
Feet



Subject
Tract

BOA-23147

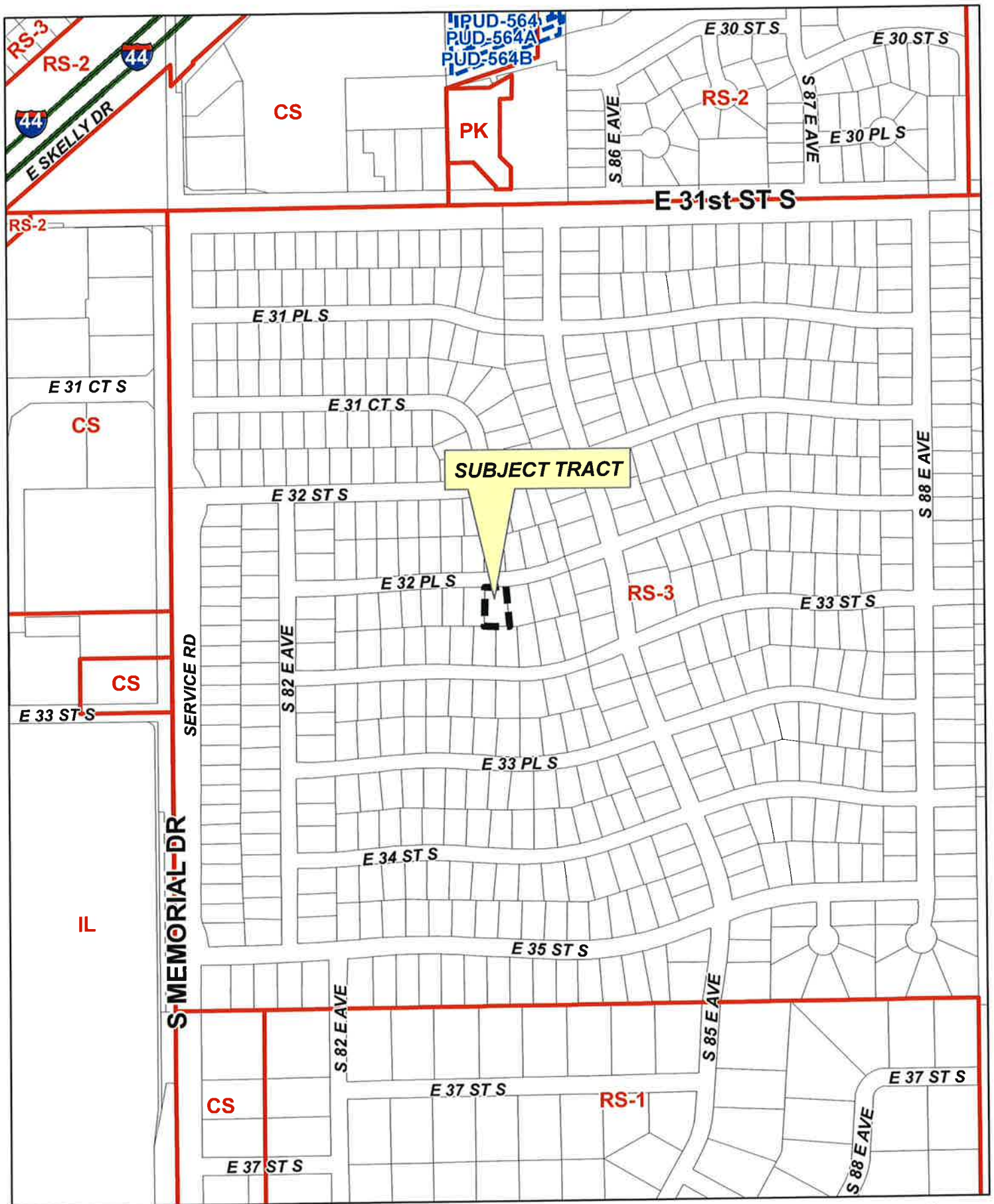
20-13 31

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

Aerial Photo Date: February 2018



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BOA-23150

19-13 24

3.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9324
CZM: 48
CD: 5

Case Number: **BOA-23150**

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Donnie & Nelda Criswell

ACTION REQUESTED: Special Exception to permit a carport in the street yard in a RS-3 District (Sec.90.090-C.1).

LOCATION: 8254 E 32 PL S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 9469.98 SQ FT

LEGAL DESCRIPTION: LT 25 BLK 8, LONGVIEW ACRES 2ND

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 SW/c of E. 32nd Pl. and S. 85th E. Ave.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a carport in the street yard in a RS-3 District (Sec.90.090-C.1).

3.2

1. **Carports**

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 90.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

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SAMPLE MOTION:

Move to _____ (approve/deny) a Special Exception to permit a carport in the street yard in a RS-3 District (Sec.90.090-C.1)

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

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



Facing West on 32nd



Facing East on 32nd



Subject property

EXHIBIT 'A'

PROPERTY ADDRESS: 8254 EAST 32ND PLACE, TULSA, OK 74145

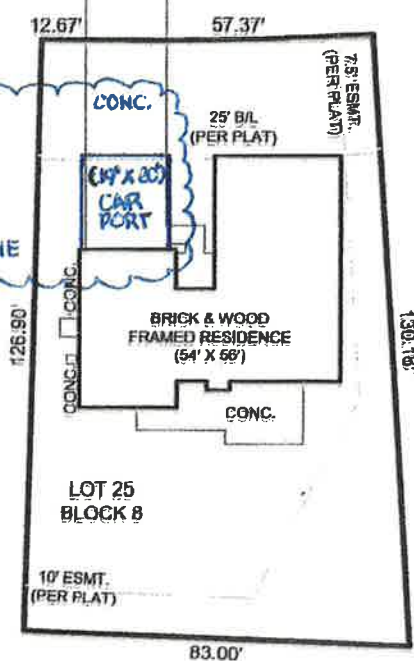
SCALE: 1" = 30'



EAST 32ND PLACE

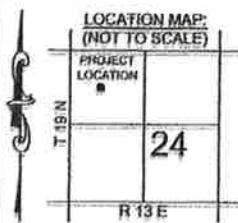
50' R.O.W. (PER PLAT)

ABOUT 11.33'
FROM CAR PORT
TO PROPERTY LINE



LEGAL DESCRIPTION:
LT. 25 BLK. 8
LONGVIEW ACRES 2ND

SITE PHOTO:



LEGEND

EASEMENT LINE ROAD CENTERLINE APPROXIMATE PARCEL LINE

P.O.B. - POINT OF BEGINNING; P.O.C. - POINT OF COMMENCEMENT
R.O.W. - RIGHT OF WAY; U/E - UTILITY EASEMENT; CONC. - CONCRETE;
B/L - BUILDING LIMIT LINE; D/E - DRAINAGE EASEMENT; WD. - WOOD;
FR. - FRAME; ESMT. - EASEMENT; ASPH - ASPHALT; GRVL - GRAVEL;

NOTES:
1) SEE ATTACHED MORTGAGE INSPECTION REPORT.



RPLS, LLC
714 Enterprise Drive, Edmond, OK 73015
Phone: 855-283-2333 / Fax: 405-947-8636
Email: info@lender-surveys.com
Oklahoma CoA No.: 7482, Expires 06/30/21
J.N. OKM200567 - DRAWN BY: JM

INSPECTION DATE: 8/7/2020
LAST REVISION:

BUYER: DONNIE RAY CRISWELL & NELDA JOY CRISWELL

JONES ALUMINUM CORPORATION

5819 EAST FIFTEENTH PHONE 838-9846
TULSA, OKLAHOMA 74112

Jeff Goodnight

918-838-9846

918-640-8305 cell

WE MANUFACTURE
ALUMINUM

- WINDOW SCREENS
- SCREEN DOORS
- AWNINGS
- STORM WINDOWS
- STORM DOORS
- CAR PORTS
- CABINS
- PATIOS

8' 6"

10' 1"

10' 1"
SO THIS WILL BE 9'

Garport @ 8254 E 32nd RD
Dining Car used
NEED TO SHORTEN FROM 22' TO 20'
TO BETTER LINE UP WITH THE EXISTING FASCIA ON HOUSE
BECAUSE OF BUILDING LINE.

Post in corner
18' x 18' x 18'

DRIVE WAY
SIDES DOWN ABOUT 6"
19' FROM THE HOUSE

Down
Spect

8' 1 1/2"

AND THIS
WILL BE 1'

Butter

3.7

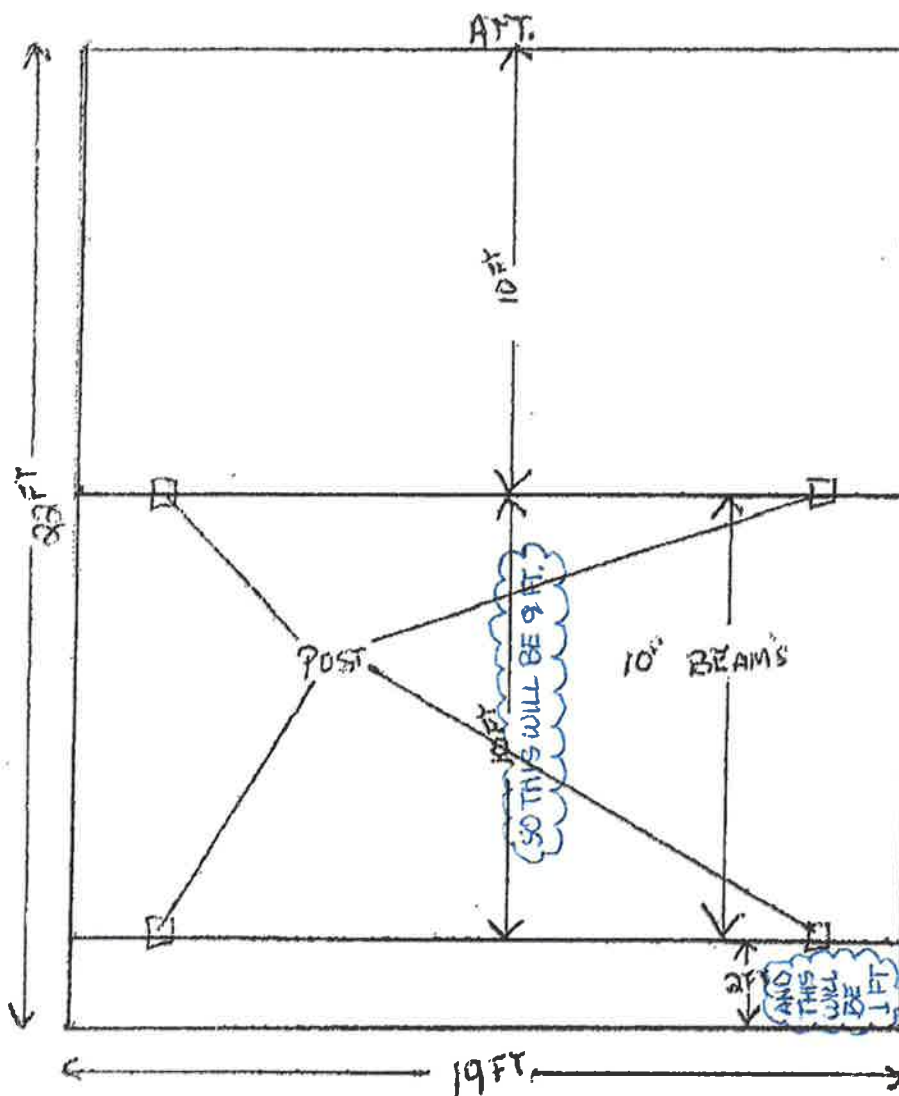


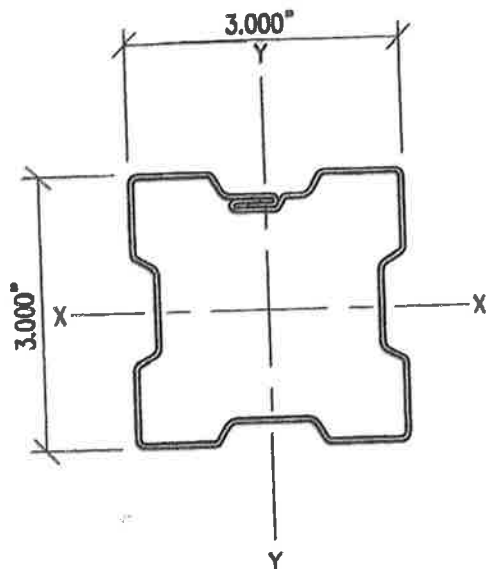
Ballew's

Aluminum Products Inc.

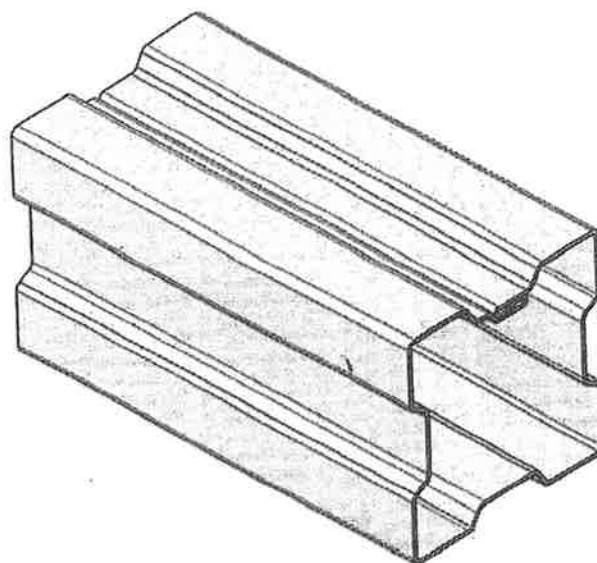
QUALITY PRODUCTS SINCE 1958

NEED TO SHORTEN FROM 22' TO 20'
TO BETTER LINE UP WITH THE EXISTING
FASCIA ON HOUSE BECAUSE OF BUILDING LINE.





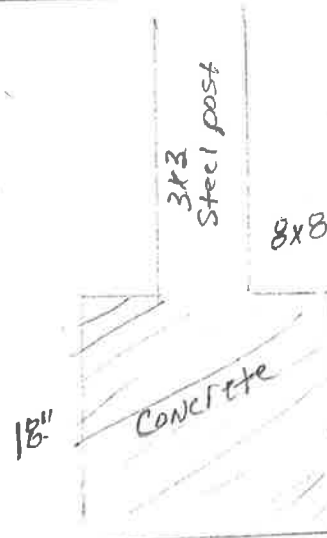
SECTION VIEW



ISOMETRIC VIEW

SECTION PROPERTIES:

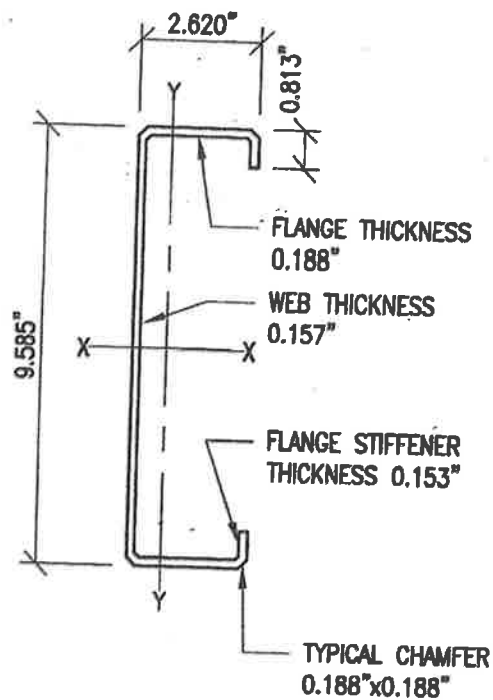
1. AREA	0.681 SQUARE INCHES
2. WEIGHT	2.316 POUNDS PER FOOT
3. MOMENT OF INERTIA (X-X)	0.809 IN ⁴
4. SECTION MODULUS (X-X)	0.540 IN ³
5. RADIUS OF GYRATION (X-X)	1.090 IN
6. MOMENT OF INERTIA (Y-Y)	0.809 IN ⁴
7. SECTION MODULUS (Y-Y)	0.540 IN ³
8. RADIUS OF GYRATION (Y-Y)	1.090 IN
9. TORSION CONSTANT	1.619 IN ⁴
10. POLAR RADIUS OF GYRATION	1.541 IN



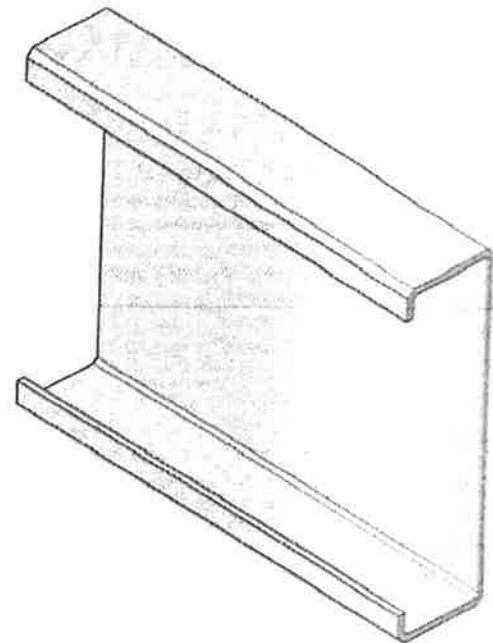
NOTES:

1. LOCKSEAM CLOVERLEAF COLUMN IS A ROLLED SHAPE FABRICATED FROM STEEL
2. MAXIMUM STOCK LENGTH IS 24'-0"
3. TYPICALLY USED AS A COLUMN.
4. SECTION PROPERTIES ARE FOR INFORMATION ONLY. MEMBER DESIGNS ARE OFTEN GOVERNED BY BUCKLING OR DEFLECTION AND THE FULL SECTION CAPACITY MAY NOT BE DEVELOPED.

ITEM NO.	DESCRIPTION
93-0000	Lockseam Cloverleaf Column



SECTION VIEW



ISOMETRIC VIEW

SECTION PROPERTIES:

- | | |
|-----------------------------|------------------------|
| 1. AREA | 2.613 SQUARE INCHES |
| 2. WEIGHT | 3.132 POUNDS PER FOOT |
| 3. MOMENT OF INERTIA (X-X) | 35.098 IN ⁴ |
| 4. SECTION MODULUS (X-X) | 7.324 IN ³ |
| 5. RADIUS OF GYRATION (X-X) | 3.665 IN |
| 6. MOMENT OF INERTIA (Y-Y) | 2.157 IN ⁴ |
| 7. RADIUS OF GYRATION (Y-Y) | 0.908 IN |
| 8. TORSION CONSTANT | 37.254 IN ⁴ |
| 9. POLAR RADIUS OF GYRATION | 3.776 IN |

NOTES:

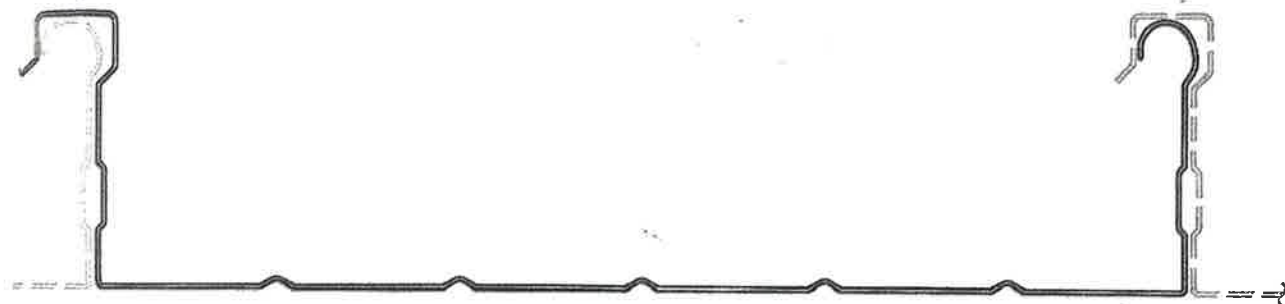
1. 10 INCH C BEAM IS AN EXTRUDED SHAPE FABRICATED FROM ALUMNIUM ALLOY 6005-T5.
2. MAXIMUM STOCK LENGTH IS 30'-0"
3. TYPICALLY USED TO SUPPORT DECK BETWEEN COLUMNS.
4. SECTION PROPERTIES ARE FOR INFORMATION ONLY. MEMBER DESIGNS ARE OFTEN GOVERNED BY BUCKLING OR DEFLECTION AND THE FULL SECTION CAPACITY MAY NOT BE DEVELOPED.

ITEM NO.

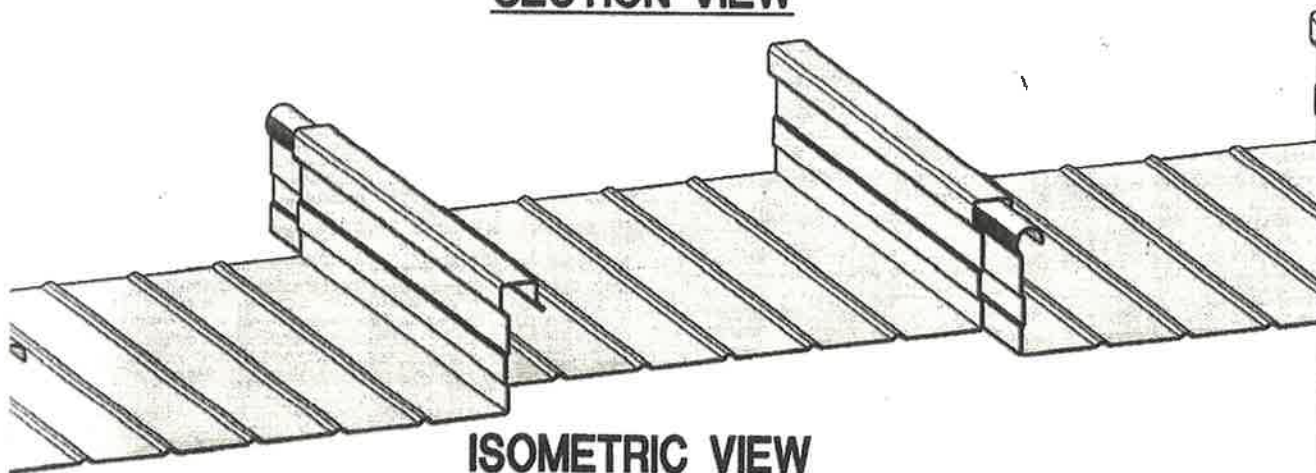
54-0000

DESCRIPTION

10 Inch C Beam



SECTION VIEW



ISOMETRIC VIEW

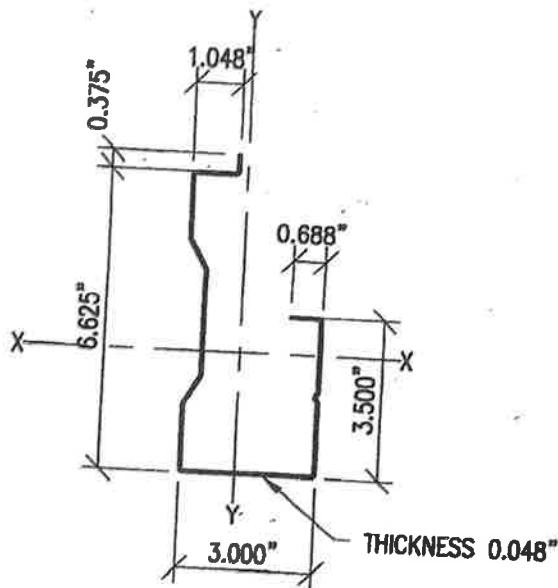
SECTION PROPERTIES:

MATERIAL	ALUMNIUM	ALUMNIUM	STEEL
THICKNESS	0.025"	0.032"	26 GAGE (0.0179")
1. AREA	0.493 IN ²	0.656 IN ²	0.366 IN ²
2. WEIGHT	0.578 PSF	0.770 PSF	1.245 PSF
3. MOMENT OF INERTIA	0.585 IN ⁴	0.777 IN ⁴	0.430 IN ⁴
4. SECTION MODULUS TOP	0.260 IN ³	0.345 IN ³	0.191 IN ³
5. SECTION MODULUS BOTTOM	0.754 IN ³	0.998 IN ³	0.560 IN ³

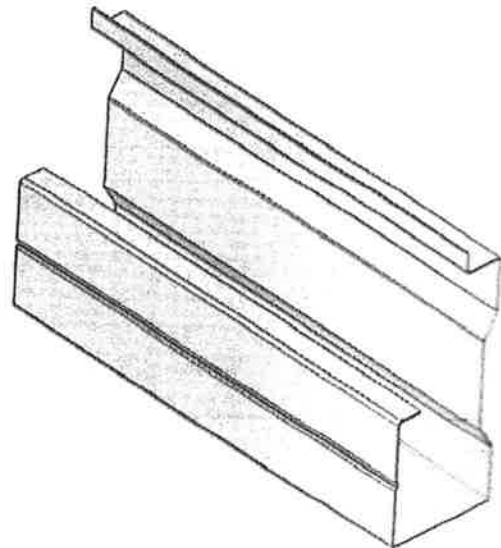
NOTES:

1. ALUMNIUM DECK IS FABRICATED FROM ALUMNIUM ALLOY 3004-H36.
2. STEEL DECK IS FABRICATED FROM ASTM A1008 STEEL.
3. DECK IS PROVIDED CUT TO LENGTH.
4. SECTION PROPERTIES ARE FOR INFORMATION ONLY. MEMBER DESIGNS ARE OFTEN GOVERNED BY BUCKLING OR DEFLECTION AND THE FULL SECTION CAPACITY MAY NOT BE DEVELOPED.

NO.	DESCRIPTION
0-0000	3.0'x12' FLAT Pan Deck



SECTION VIEW



ISOMETRIC VIEW

SECTION PROPERTIES (COMBINED SECTION):

1. AREA	0.732 SQUARE INCHES
2. WEIGHT	0.706 POUNDS PER FOOT
3. MOMENT OF INERTIA (X-X)	3.7277 IN ⁴
4. SECTION MODULUS TOP (X-X)	0.835 IN ³
5. SECTION MODULUS BOTTOM (X-X)	1.401 IN ³
6. RADIUS OF GYRATION (X-X)	2.257 IN
7. MOMENT OF INERTIA (Y-Y)	1.0597 IN ⁴
8. RADIUS OF GYRATION (Y-Y)	1.203 IN
9. TORSION CONSTANT	7.787 IN ⁴
10. POLAR RADIUS OF GYRATION	2.557 IN

NOTES:

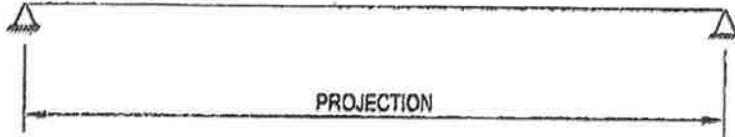
1. 7" ROLLED GUTTER IS FABRICATED FROM ALUMINIUM ALLOY 3004-H36.
2. ROLLED GUTTERS ARE PROVIDED CUT TO LENGTH.
3. TYPICALLY USED TO SUPPORT DECK BETWEEN COLUMNS.
4. SECTION PROPERTIES ARE FOR INFORMATION ONLY. MEMBER DESIGNS ARE OFTEN GOVERNED BY BUCKLING, DEFLECTION AND THE FULL SECTION CAPACITY MAY NOT BE DEVELOPED.

ITEM NO.

43-5000

DESCRIPTION

7" Rolled Gutter

DESCRIPTION			LOADING								TABLE	
ROOF DECK			GRAVITY								TABLE 1A	
SPAN TYPE												
												
Panel Type			2.5"x12" W Pan				3"x12" Flat Pan				3"x6" Deck and Cap Pan	
											Fasteners at 12" O.C. ¹	Fasteners at 6" O.C. ¹
Material			Aluminum			Steel	Aluminum			Steel	Aluminum	Aluminum
Projection	Span	Cantilever	0.024"	0.032"	0.040"	26 Gage	0.024"	0.032"	0.040"	26 Gage	0.060"	0.060"
4.00	4.00	0	100	100	100	100	100	100	100	100	93	100
5.00	5.00	0	100	100	100	100	100	100	100	73	74	100
6.00	6.00	0	79	100	100	99	69	100	100	51	61	100
7.00	7.00	0	58	87	100	72	51	77	100	37	52	100
8.00	8.00	0	44	66	84	55	39	58	77	28	46	93
9.00	9.00	0	35	52	66	43	30	46	61	22	40	79
10.00	10.00	0	28	42	53	35	25	37	49	-	36	64
11.00	11.00	0	21	29	37	29	20	31	40	-	33	52
12.00	12.00	0	-	20	26	24	-	23	29	-	30	44
13.00	13.00	0	-	-	-	20	-	-	21	-	27	37
14.00	14.00	0	-	-	-	-	-	-	-	-	25	32
15.00	15.00	0	-	-	-	-	-	-	-	-	23	27
16.00	16.00	0	-	-	-	-	-	-	-	-	21	21

596-7637
 # 700-800
 Jeff Taylor
 596-7637

DESCRIPTION
10 Inch C Beam

SPAN TYPE
Single

LOADING
Gravity



Number of Braces			Tributary Width(FT)										
	Span (FT)	w (PLF)	4	5	6	7	8	9	10	11	12	13	14
0	26	87	22	-	-	-	-	-	-	-	-	-	-
0	25	98	25	-	-	-	-	-	-	-	-	-	-
0	24	112	28	22	-	-	-	-	-	-	-	-	-
0	23	127	32	25	21	-	-	-	-	-	-	-	-
0	22	146	36	29	24	21	-	-	-	-	-	-	-
0	21	168	42	34	28	24	21	-	-	-	-	-	-
0	20	195	49	39	32	28	24	22	-	-	-	-	-
0	19	227	57	45	38	32	28	25	23	21	-	-	-
0	18	268	67	54	45	38	33	30	27	24	22	21	-
0	17	318	80	64	53	45	40	35	32	29	27	24	23
0	16	382	96	76	64	55	48	42	38	35	32	29	27
0	15	449	100	90	75	64	56	50	45	41	37	35	32
0	14	515	100	100	86	74	64	57	52	47	43	40	37
0	13	598	100	100	100	85	75	66	60	54	50	46	43
0	12	702	100	100	100	100	88	78	70	64	59	54	50
0	11	836	100	100	100	100	100	93	84	76	70	64	60
0	10	1012	100	100	100	100	100	100	100	92	84	78	72
0	9	1250	100	100	100	100	100	100	100	100	100	96	89
0	8	1583	100	100	100	100	100	100	100	100	100	100	100
0	7	2068	100	100	100	100	100	100	100	100	100	100	100
0	6	2816	100	100	100	100	100	100	100	100	100	100	100

TABLE 4C



0 200 400
Feet



Subject
Tract

BOA-23150

19-13 24

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

Aerial Photo Date: February 2018



3.15



0 50 100
Feet



Subject
Tract

BOA-23150

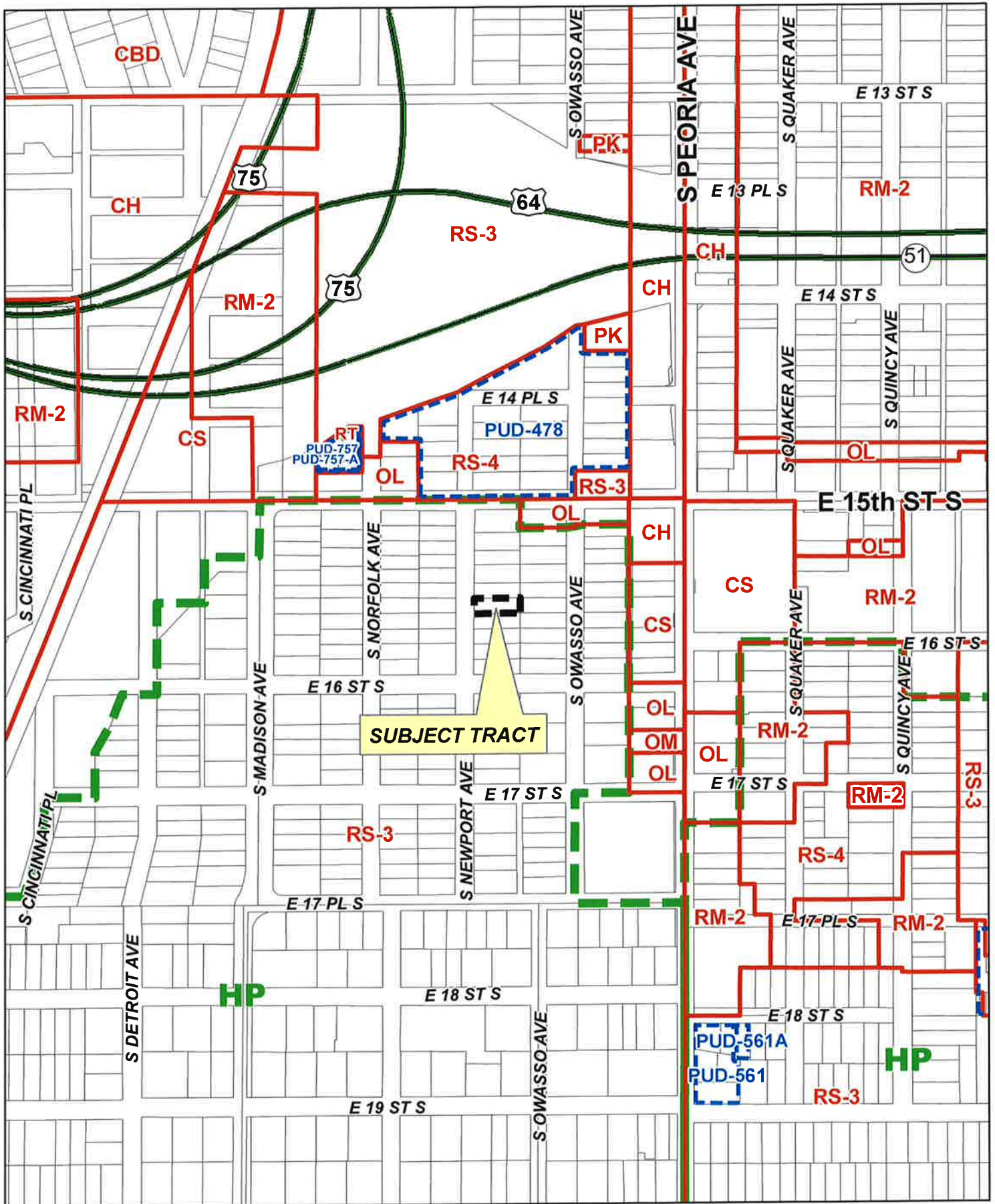
19-13 24

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

Aerial Photo Date: February 2018



3.16



BOA-23151

19-12 12

4.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-23151**

CZM: 36

CD: 4

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Tom Neal

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (Sec. 45.031-D) Variance to allow a Detached Accessory Dwelling Unit and Garage to cover more than 30% of the rear setback in an RS-3 District (Section 90.090-C, Table 90-2)

LOCATION: 1527 S NEWPORT AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LTS 21 & 22 & W10 VAC ALLEY ADJ ON E BLK 5, MORNINGSIDE ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-21651; On 11.12.13 the board **approved** a Variance to reduce the required rear yard for a detached accessory building from 3 feet to 1.5 feet. Property located 1524 S. Owasso Ave. East.

BOA-16844; On 11.08.94 the Board **approved** a variance to permit a two-story detached accessory building and variance of the maximum 750 square feet for a detached accessory building and a variance of the minimum livability space. Property located 1518 S. Owasso Ave. East.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SE/c of S. Newport Ave. and E. 15th St. S.

STAFF COMMENTS: The applicant is requesting Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (Sec. 45.031-D) Variance to allow a Detached Accessory Dwelling Unit and Garage to cover more than 30% of the rear setback in an RS-3 District (Section 90.090-C, Table 90-2)

Included in your packet is a copy of Sec. 45.031-D which contains the supplemental regulations for Accessory Dwelling Units.

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%

Applicant is proposing 660 square feet of rear of coverage, per code the property would be limited to 300 square feet.

STATEMENT OF HARDSHIP:

Existing garage and quarters are already over 300 square feet allowable rear yard coverage. Existing quarters are too small for use of mom suite (older parent), addition will allow for bedroom.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in an RS-3 District (Sec. 45.031-D)

- 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.

Variance:

Move to _____ (approve/deny) a **Variance** to allow a Detached Accessory Dwelling Unit and Garage to cover more than 30% of the rear setback in an RS-3 District (Section 90.090-C, Table 90-2)

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

- Subject to the following conditions _____.

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

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



Facing South on Newport



Facing North on Newport



Subject property

FILE COPY

Case No. 16843 (continued)

West 305' south 165.57' of Lot 3, Section 19, T-19-N, R-13-E, City of Tulsa,
Tulsa County, Oklahoma.

Case No. 16844

Action Requested:

Variance to permit a two-story detached accessory building, variance of the maximum 750 sq ft for a detached accessory building and a variance of the required livability space - **SECTION 210. YARDS, SECTION 402.B.1.d. Accessory Use Conditions and SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1518 South Owasso.

Presentation:

The applicant, **Diane Smith**, 1518 South Owasso Avenue, was represented by **Dean Smith** of the same address. Mr. Smith informed that he has removed a dilapidated two-story garage and requested permission to replace it with a similar structure (Exhibit H-1).

Comments and Questions:

Mr. Bolzle inquired as to the use of the upstairs portion of the garage, and Mr. Smith stated that it is used for storage.

Mr. Bolzle asked if kitchen or bathroom facilities will be installed, and Mr. Smith replied that there will be none.

Protestants: None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** to permit a two-story detached accessory building, **variance** of the maximum 750 sq ft for a detached accessory building and a **variance** of the required livability space - **SECTION 210. YARDS, SECTION 402.B.1.d. Accessory Use Conditions and SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; subject to no kitchen or bathroom facilities; finding that the structure will replace a dilapidated two-story garage that was demolished; finding that the area contains similar detached structures, and was developed prior to current Code requirements, and finding that approval of the request will not be detrimental to the neighborhood; on the following described property:

Lot 2, Block 23, Second Amended Plat of Morningside Addition, City of Tulsa,
Tulsa County, Oklahoma.

Action Requested:

Variance of the minimum setback requirement for a detached accessory building located in the required rear yard from 3 feet to 1.5 feet (Section 210.B.5.b).

LOCATION: 1524 South Owasso Avenue East (CD 4)

Presentation:

Dr. Brian Hall, 1524 South Owasso Avenue, Tulsa, OK; stated on the prepurchase inspection he was informed that the foundation of the detached garage was unsafe for long term use. A plumbing inspection revealed breaks in the original clay pipe. The house and garage was built in 1918, thus the decision was made to demolish the existing garage and rebuild the detached garage keeping it in the look of the period home.

Mr. Henke stated the Board is in receipt of a letter from the Historic Preservation Commission.

Interested Parties:

Carolyn Lee, 1520 South Owasso, Tulsa, OK; stated she is Dr. Hall's neighbor to the north. She is in support of Dr. Hall's request. She too owns an older home and would encourage an expedient variance that would be effective for people that own older homes.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Snyder, Tidwell, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Variance of the minimum setback requirement for a detached accessory building located in the required rear yard from 3 feet to 1.5 feet (Section 210.B.5.b), subject to the conceptual plan on page 8.13. The Board finds that the structure to be demolished is to be replaced with a structure having the same side yard setback and rear yard setback as the existing building, except to the new structure will be extending further to the north. The existing structure was built well before the Zoning Code so it is non-conforming. The property in a HP overlay area and the Historic Preservation Commission have given their blessings to the Variance request. 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-21651

FILE COPY

LTS 3 & 4 & E10 VAC ALLEY ADJ ON W BLK 5, MORNINGSIDE ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. Henke left the meeting at 2:19 p.m.

21652—Sanders Engineering

Action Requested:

Variance of the frontage requirement in a CS District from 150 feet to 61.76 feet to permit a Lot-Split (Section 703, Table 2). **LOCATION:** North of the NW/c of East 31st Street on the West side of South 129th East Avenue (CD 6)

Presentation:

Dave Sanders, Sanders Engineering, 11502 South 66th East Avenue, Bixby, OK; stated the property was purchased in two pieces. The south parcel was part of an existing plat, the Blue Rob Addition. The north parcel was unplatted. Both parcels are in the CS zoning district. The purchaser would like to build an age restricted, 62 years and older, apartment complex. The plans are for a two-story 40 unit building, and will require approximately 220 feet of width. The sight needs to be combined into one parcel. The property has undergone a lot combination to combine the two parcels into one parcel. The east side of the property is 129th East Avenue, the south portion of the property will have the apartment building and the parking lot, and the north portion is the portion the owner would like to plat as Lot Two. Subsequently, the purchaser would like to sell or deed that to an entity that will maintain that piece of property in an undeveloped condition for conservation purposes. When the lot was purchased it was 110 feet wide making it a non-conforming lot, and would have come before the Board of Adjustment if there had been a desire to develop the lot. Approximately 50% of the north lot is flood plain.

Mr. Henke re-entered the meeting at 2:22 p.m.

Interested Parties:

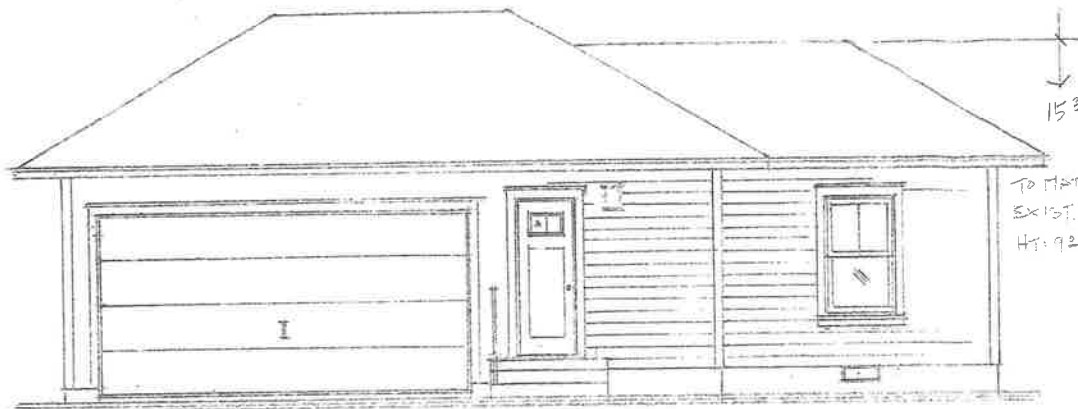
There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Snyder, Tidwell, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Variance of the frontage requirement in a CS District from 150 feet to 61.76 feet to permit a Lot-



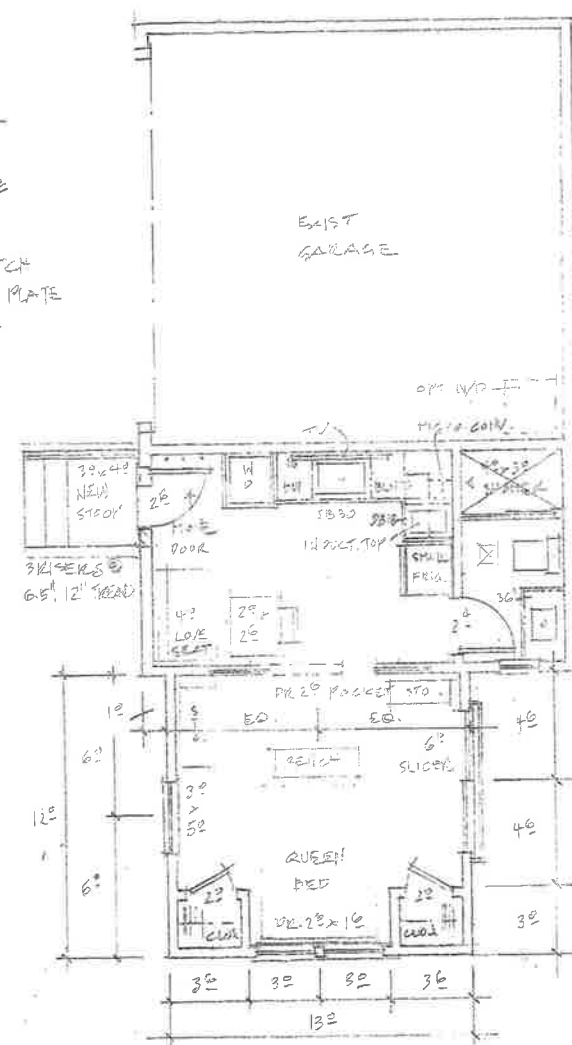
WEST

EXIST NEW

TO MATCH
EXIST. PLATE
HT: 7'2"



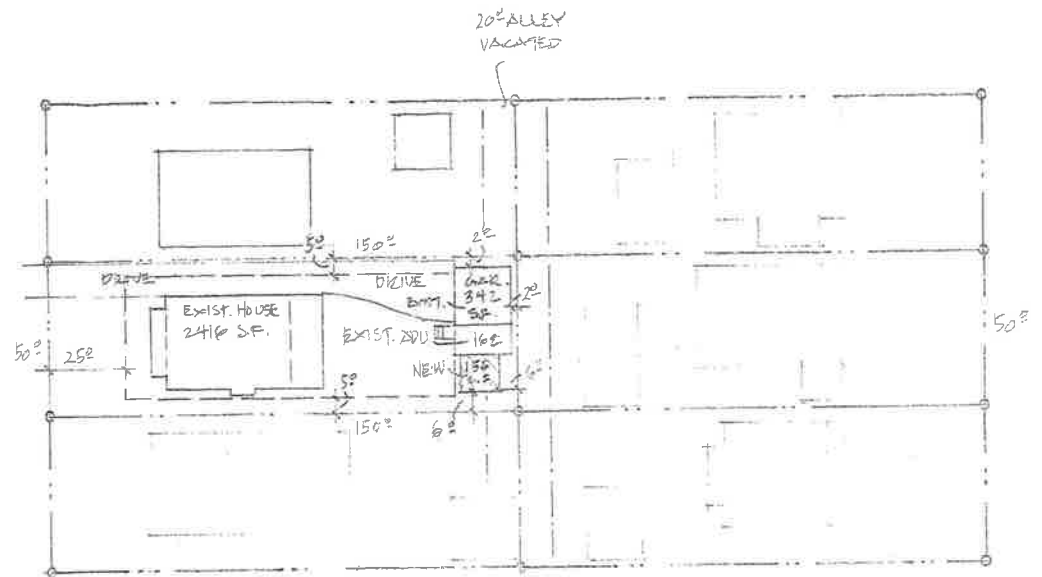
SOUTH



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

PALACIOS
1527 SW. NEWPORT
TULSA - OKLA 5.2021

TOM NEAL
DESIGN
Associate member, American Institute of Architects
918.231.7372



SITE DRAINAGE 1" = 40' NORTH

HOUSE: 2416 S.F. EXIST. GARAGE: 504 S.F.

PROPOSED ADD: 1156 S.F. 40% ALLOWABLE: 4966 S.F.

30% REAR YARD: 300 S.F. EXIST: 504 S.F.

PROPOSED: 660 SF.

PALACIOS

1527 SO. NEWPORT

TULSA - OKLA 5.2021

TOM NEAL
DESIGN

Associate member, American Institute of Architects

918.231.7372



0 Feet 400
200



Subject
Tract

BOA-23151

19-12 12

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

Aerial Photo Date: February 2018



4.12



0 50 100
Feet



Subject
Tract

BOA-23151

19-12 12

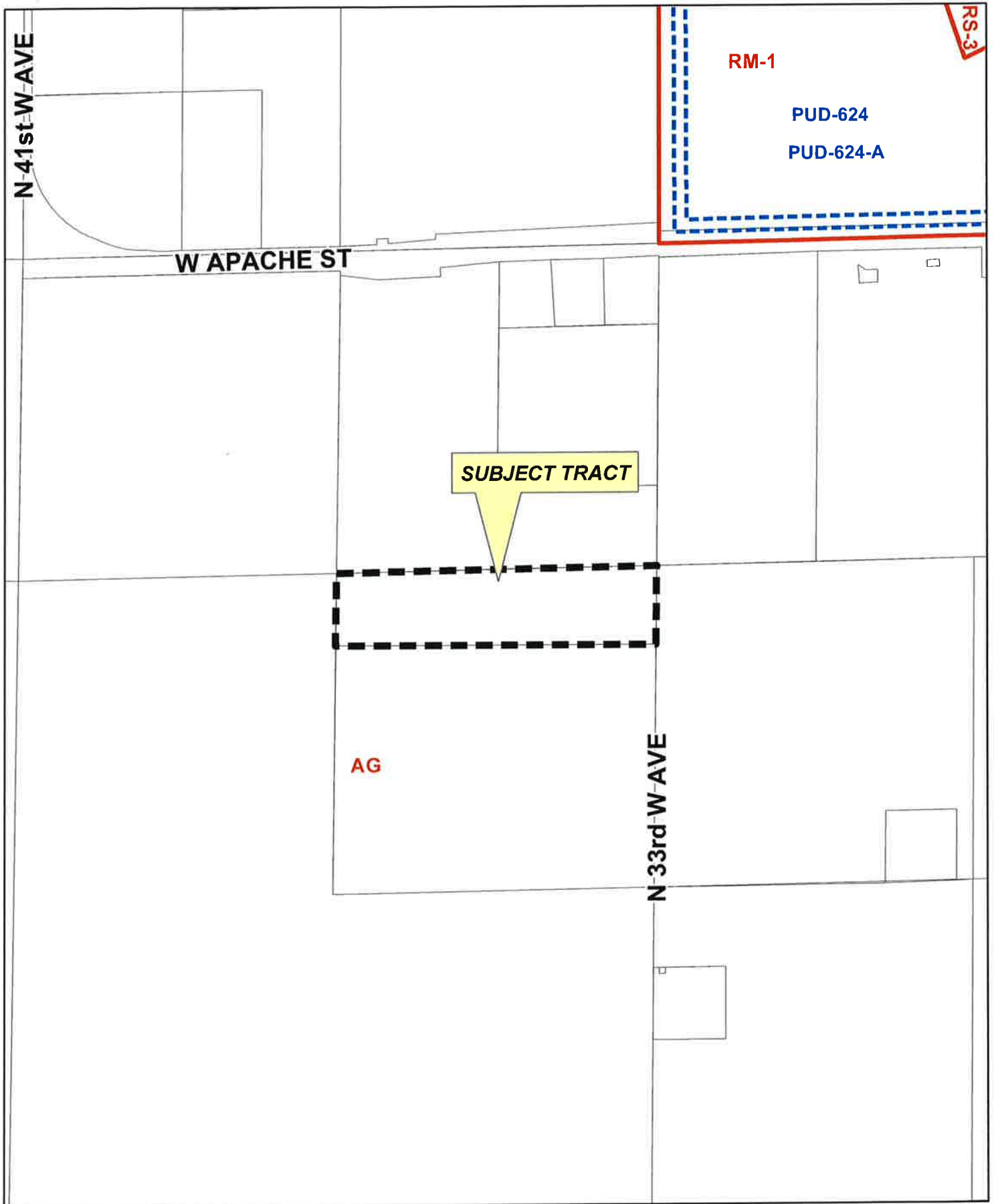
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2018



4.13

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BOA-23152

20-12 28

S. I



BOARD OF ADJUSTMENT CASE REPORT

STR: 0812
CD: 1

Case Number: **BOA-23152 OSAGE**

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Dennis Foegen

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an AG district (Sec.45.031-D)

LOCATION: 2124 N. 33rd W. Ave.

ZONED: AG

PRESENT USE: AG

TRACT SIZE: 9.130 Acrea

LEGAL DESCRIPTION: 28-20-12 COMM AT NE/C NW-S 1315.32' TO NE/C SE NW &; POB-S 321.41'- S 88 50 08 W 1309.66' TO W LN SE NW-N 286.76' TO NW/C SE NW-E 1307.8' TO POB

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SW/c of W. Apache St. and N. 33rd W. Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in an AG district (Sec.45.031-D)

Included in your packet is a copy of Sec. 45.031-D which contains the supplemental regulations for Accessory Dwelling Units.

5.2

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in an AG district (Sec.45.031-D)

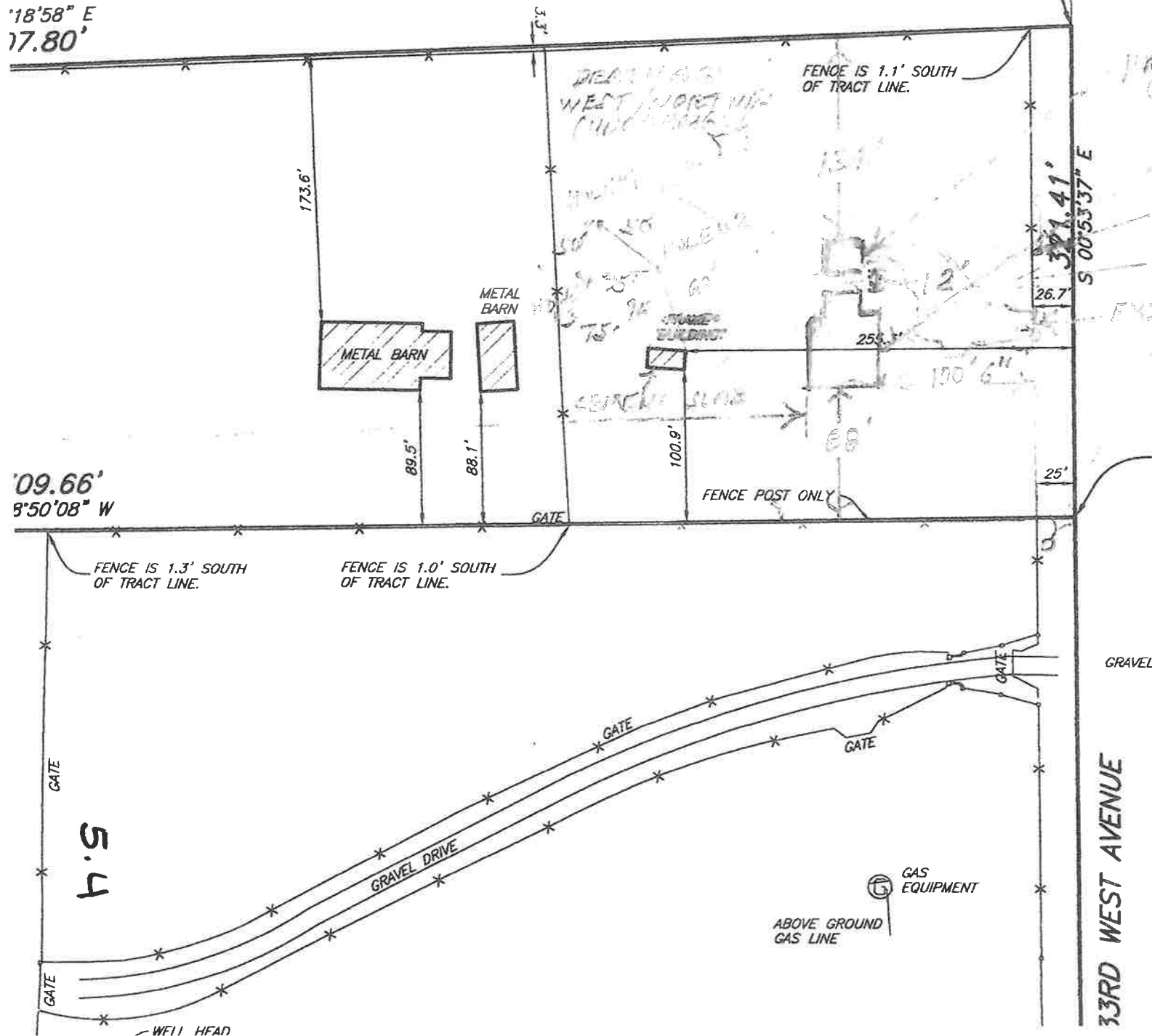
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
_____.

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.

POINT OF BEGINNING TRACT 1.
FOUND 3/8" IRON PIN WITH
CAP STAMPED "SACK".

18°58' E
17.80'

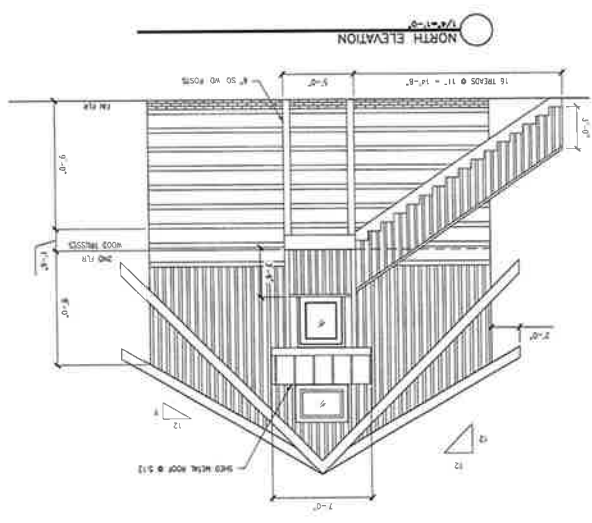
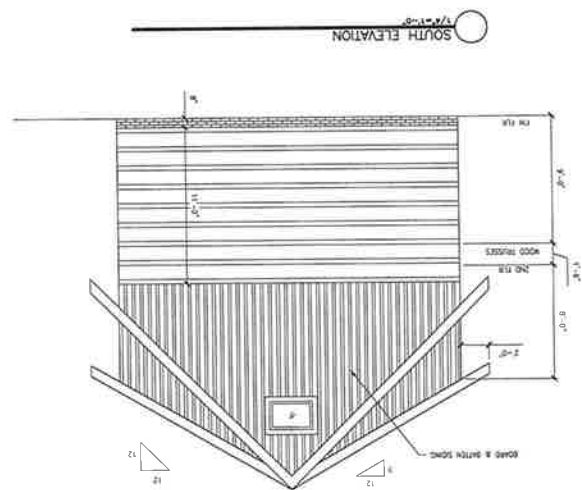
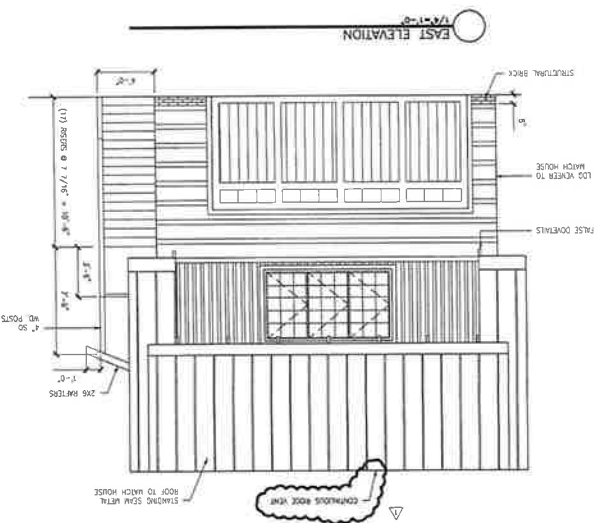
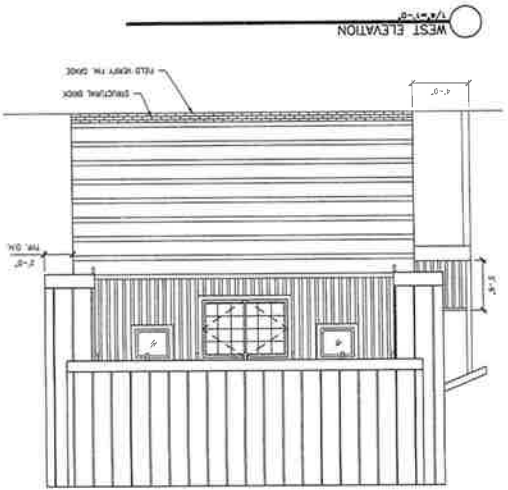
09.66'
8°50'08" W



POINT OF BEGINNING TRACT 2.
SET 3/8" IRON PIN WITH CAP
STAMPED "1098".

GRAVEL

33RD WEST AVENUE



A GARAGE FOR DENNIS AND SUSAN FOEGEN
(918) 551-6100

Project	FOEGEN
Date	12/11/20
Scale	1/4" = 1'-0"

Client	CELESTE HUBBARD
Designer	DESIGNER
Phone	(918) 551-1087

Reviewer/Title	Date

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 No. 1

5/28/2021

Dennis Fogen
Susan.foegen@prosperafinancial.com

APPLICATION NO: BLDR-089827-2021
Project Location: 2124 N. 33rd Ave. W.
Description: ADU

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

R-1029

2161 E. 27th St.

May 28, 2021

1. **Sec. 45-031-D 1.** Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

REVIEW COMMENT: Obtain a special exception from the Board of Adjustment. Contact the Tulsa Planning Office at 918-584-7526 for further instruction.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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.

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.



N 41st W AVE

W APACHE ST

N 33rd W AVE

0 Feet 250 500



Subject Tract

BOA-23152

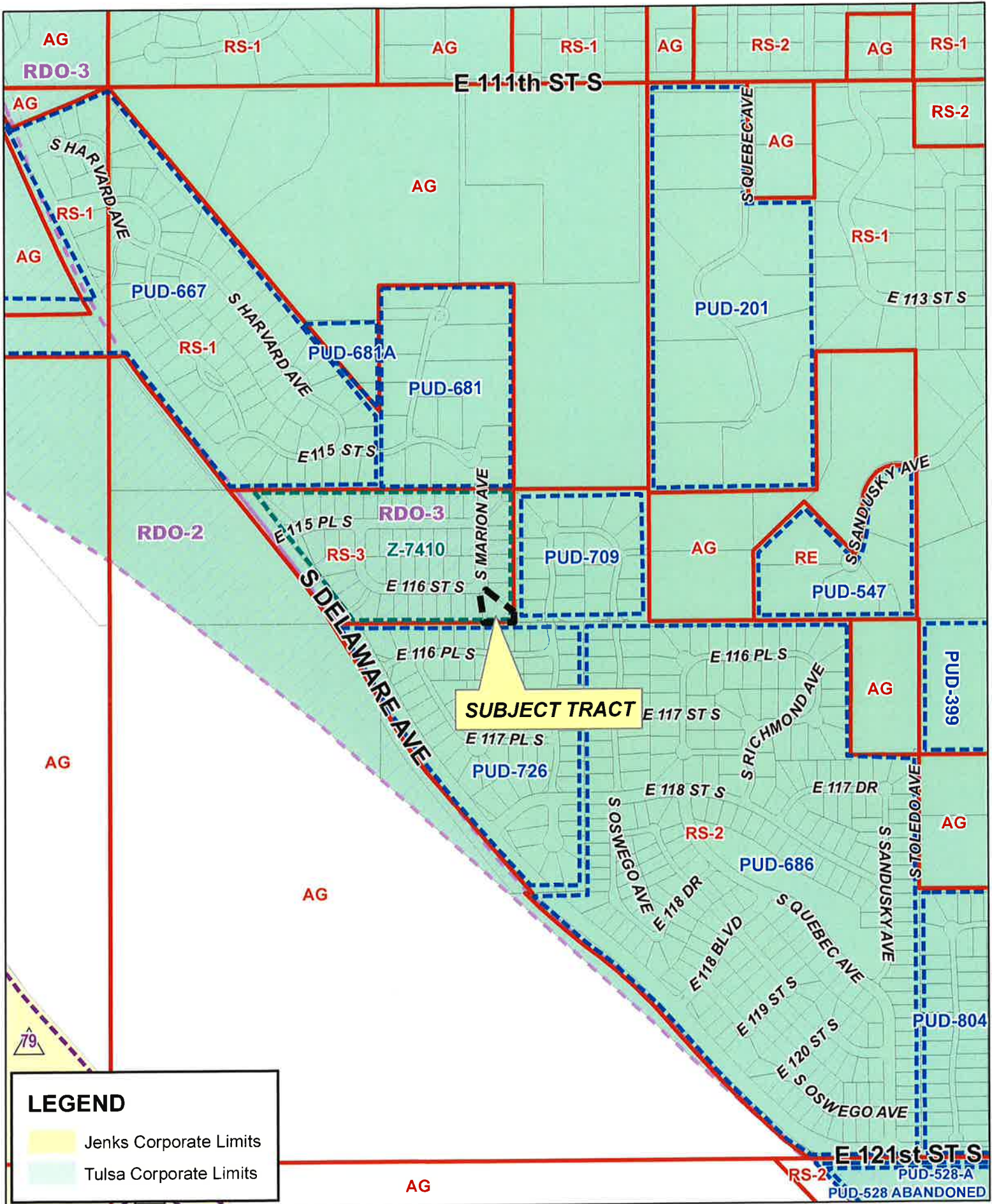
20-12 28

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

Aerial Photo Date: February 2018



5.8



BOARD OF ADJUSTMENT CASE REPORT

STR: 8333

Case Number: **BOA-23153**

CZM: 56

CD: 8

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Aaron Wiltshire

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (Sec. 45.031-D)

LOCATION: 3754 E 116 ST S

ZONED: RS-3

PRESENT USE: Single Family Residence

TRACT SIZE: 17968.09 SQ FT

LEGAL DESCRIPTION: LOT 7 BLOCK 2, DELAWARE PARK

RELEVANT PREVIOUS ACTIONS: None.

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

The **Arkansas River Corridor** is located along the Arkansas River and scenic roadways running parallel and adjacent to the river. The Arkansas River Corridor is comprised of a mix of uses - residential, commercial, recreation, and entertainment - that are well connected and primarily designed for the pedestrian. Visitors from outside the surrounding neighborhoods can access the corridor by all modes of transportation.

This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively, people-oriented destination. The Corridor connects nodes of high-quality development with parks and open space. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the residential character of adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the intersection South Marion and E. 116th St. S. inside the Delaware Park Subdivision.

6.2

STAFF COMMENTS: The applicant is requesting **Special Exception** to allow an Accessory Dwelling Unit in an RS-3 District (Sec. 45.031-D)

Included in your packet is a copy of Sec. 45.031-D which contains the supplemental regulations for Accessory Dwelling Units.

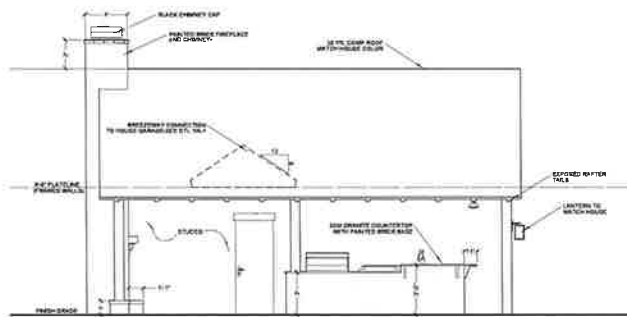
SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in an RS-3 District (Sec.45.031-D)

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

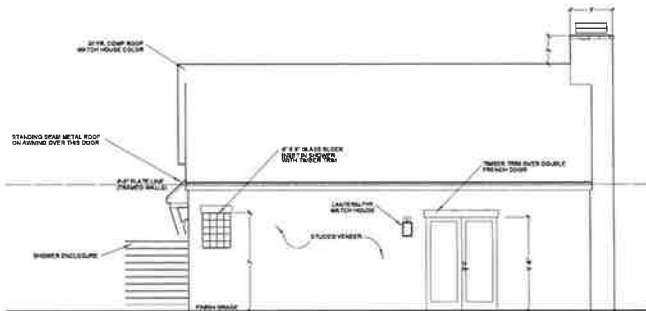
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



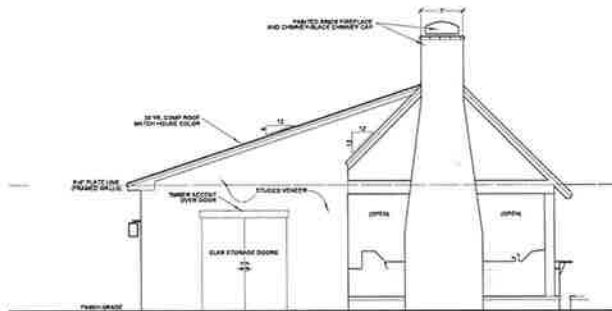
Subject property



1 ELEVATION-NORTH FACING
REFER TO SCALE

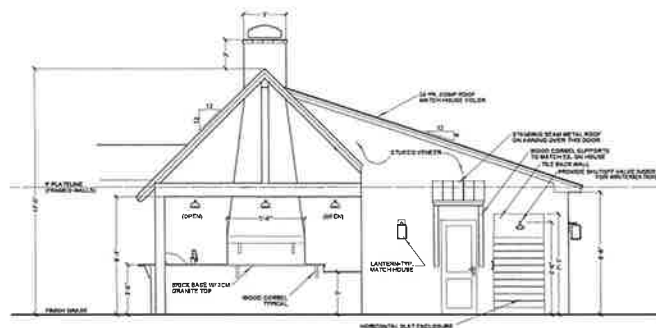


3 ELEVATION-SOUTH FACING
REFER TO SCALE

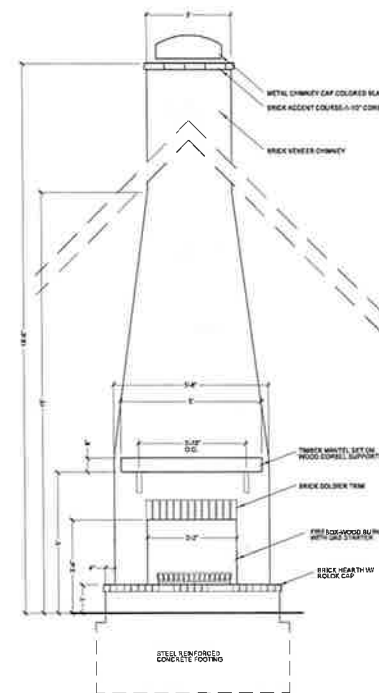


4 ELEVATION-EAST FACING
REFER TO SCALE

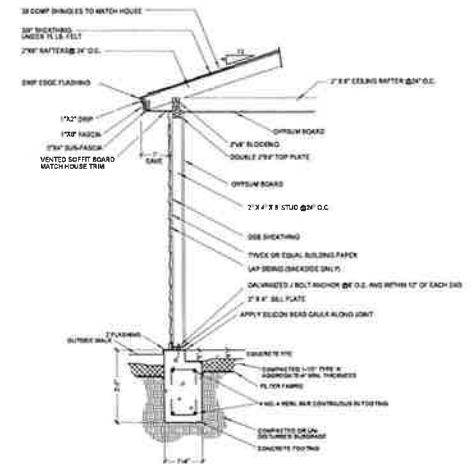
NOTE: CABANA POSTS, BEAMS AND GABLE END
PIECES TO BE PAINTED HOUSE TRIM COLOR.
RAFTERS, AND TONGUE AND GROOVE UNDER ROOF
AREAS TO BE NATURAL COLOR (CLEAR SEALED).



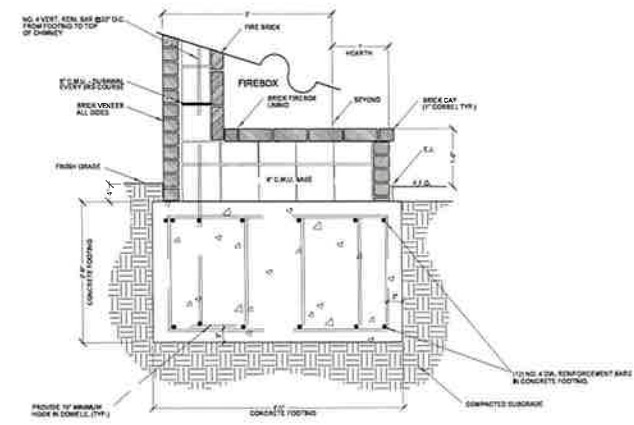
2 ELEVATION-WEST FACING
REFER TO SCALE



6 FIREPLACE ELEVATION
SCALE: 1/2" = 1'-0"



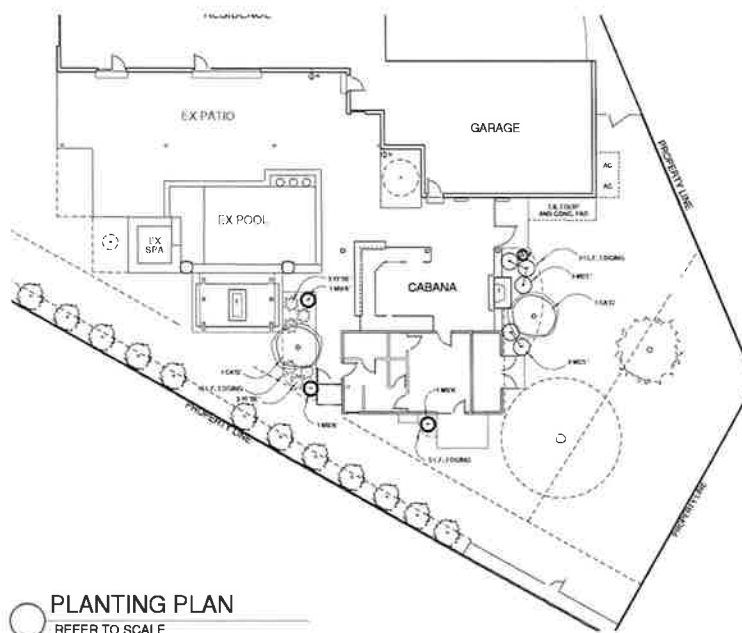
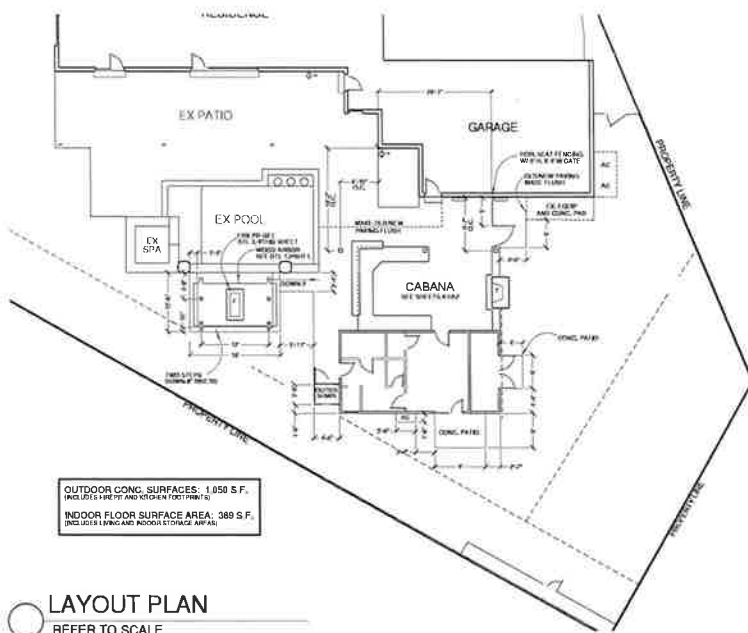
5 WALL SECTION AND EAVE DETAIL
SCALE: 1/2" = 1'-0"



7 FIREPLACE FOOTING-SECTION
SCALE: 1" = 1'-0"



OWNER: Dickman Residence 3744 E. 116th St. South, Tulsa, OK	
GENERAL CONTRACTOR: Ciklhoska Landscape and Irrigation 2640 North Florence Ave., Tulsa, OK Phone number: 206-0879	
DATE: 4.12.21	SHEET TITLE: GUESTHOUSE ELEVATIONS FIREPLACE ELEV/DETAIL
REV:	SHEET NO: A2



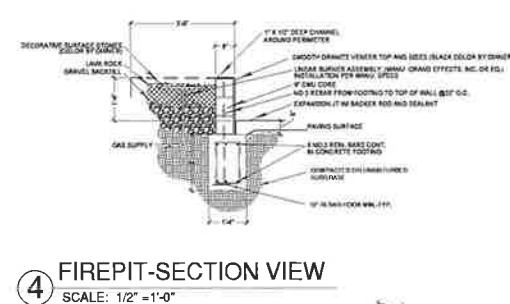
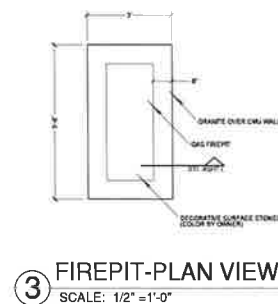
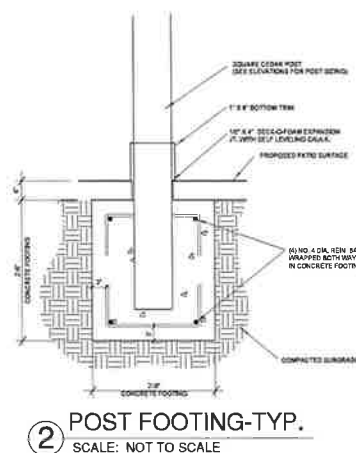
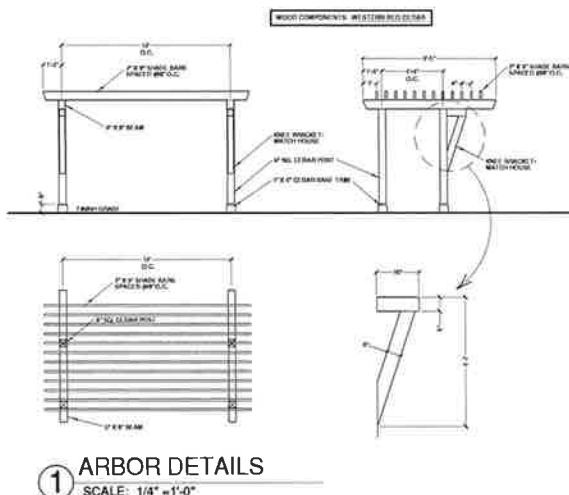
LANDSCAPE MATERIAL LIST

QTY	UNIT	ITEM NAME	SIZE	TYPE
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL
1	EA	Black Granite Slab	4" x 12"	7 GAL

1. MATERIALS LISTED ARE FOR THE LANDSCAPE DESIGN. THE LANDSCAPE DESIGNER IS NOT RESPONSIBLE FOR THE LANDSCAPE DESIGN. THE LANDSCAPE DESIGNER IS NOT RESPONSIBLE FOR THE LANDSCAPE DESIGN. THE LANDSCAPE DESIGNER IS NOT RESPONSIBLE FOR THE LANDSCAPE DESIGN.

PLANTING NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE DESIGN.



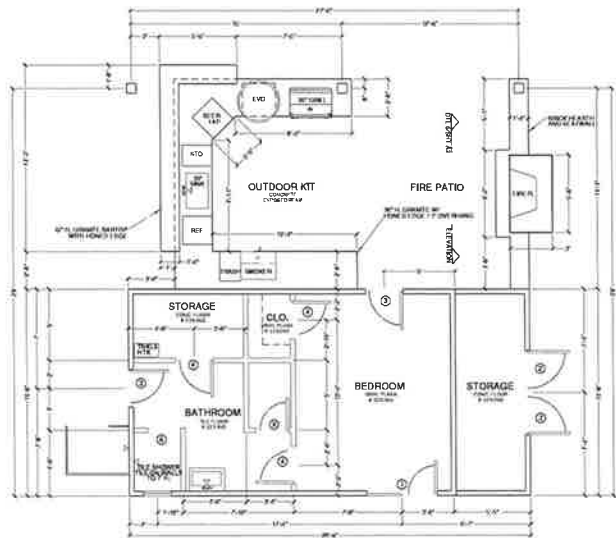
OWNER:
Dickman Residence
3754 E. 16th St. South, Tulsa, OK

DATE: 4.12.21

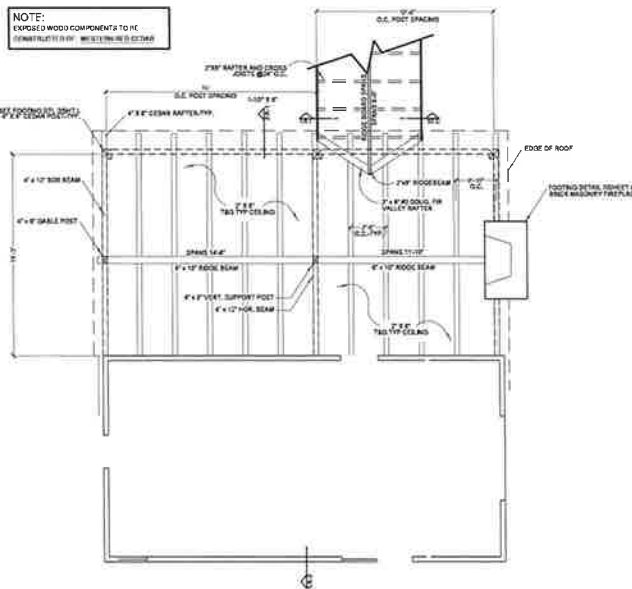
GENERAL CONTRACTOR:
Caldwell Landscape and Irrigation
2640 North Florence Ave., Tulsa, OK
Phone number: 256-6679

SHEET TITLE:
LAYOUT, PLANTING PLANS
ARBOR, FIREPIT DETAILS

SHEET NO.
L

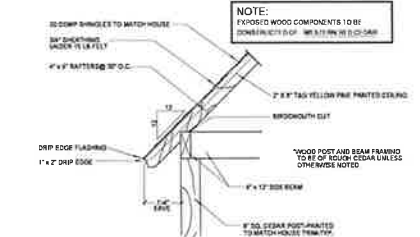
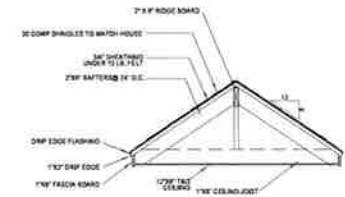


FLOORPLAN
REFER TO SCALE

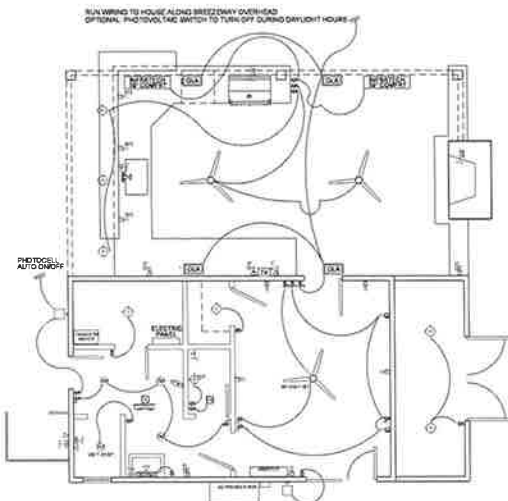


OPEN AIR CABANA FRAMING
REFER TO SCALE

BREEZEWAY ROOF SECTION
SCALE: 1/2" = 1'-0"



OPEN BEAM SECTION AND EAVE DETAIL
SCALE: 1/2" = 1'-0"



ELECTRICAL SCHEMATIC
REFER TO SCALE

ELECTRICAL LEGEND	
SWITCH	RECESSED CAN
3-WAY SWITCH	CEILING FAN
DUPLEX OUTLET	WALL SCONCE
QUADRUPLUX OUTLET	LIGHT BAR
DUPLEX SWITCHED	CEILING FIXTURE
FLOOR OUTLET	OUTSIDE LANTERN
GROUND FAULT INT.	THERMOSTAT
TV SIGNAL OUTLET	VENT
GAS OR WATER	HDMI CONNECTION
DIRECTED ACCENT	JUNCTION BOX

ELECTRICAL NOTES

- ELECTRICIAN RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND CONFORMING TO APPLICABLE CODES
- LIGHTING TO BE USED UNLESS OTHERWISE NOTED
- ACCENT AND PENDANT LIGHTING TO BE INSTALLED WITH DIMMER SWITCH
- REFER TO APPLIANCE SPECS SHEET TO INSURE ALL NECESSARY UTILITIES PROVIDED AT INSTALLATION LOCATIONS
- ALL FIXTURES AND APPRANCES TO BE CHOSEN BY OWNER OR OWNER'S REPRESENTATIVE

WINDPLUT (WALL MOUNTED) SINGLE ZONE HEAT PUMP, MOL # MSZ-FH09NA
INSTALL PER MANU. SPECS

DOOR SCHEDULE			
KEY	QUAN.	SIZE	TYPE
1	1	5'-0"X8'-0"	EXTERIOR DOUBLE FRENCH DOOR NO MULLIONS, WITH BLINDS
2	2	3'-0"X6'-0"	EXTERIOR SLAB DOOR
3	2	2'-0"X6'-0"	EXTERIOR-TRADITIONAL 2 PANEL
4	3	2'-0"X5'-0"	INTERIOR-TRADITIONAL 2 PANEL
5	1	2'-0"X6'-0"	INTERIOR-TRADITIONAL 2 PANEL
6	1	2'-0"X5'-0"	FRAMELESS SHOWER DOOR (MEASURE OPENING TO VERIFY SIZE)



OWNER:
Dickman Residence
3754 E. 116th St. South, Tulsa, OK

GENERAL CONTRACTOR:
Oklahoma Landscape and Irrigation
2660 North Florence Ave., Tulsa, OK
Phone number 336-6679

SHEET TITLE:
GUESTHOUSE LAYOUT,
ELEC, FRAMING PLANS

SHEET NO.
A1



Feet
0 300 600



Subject
Tract

BOA-23153

18-13 33

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

Aerial Photo Date: 2021

6.9





0 Feet 50 100



Subject
Tract

BOA-23153

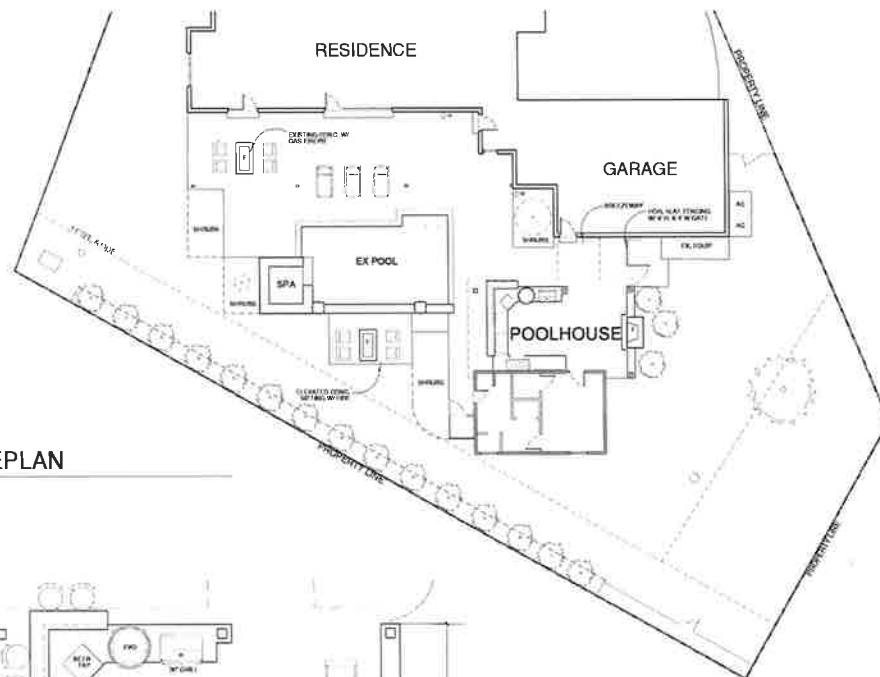
18-13 33

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

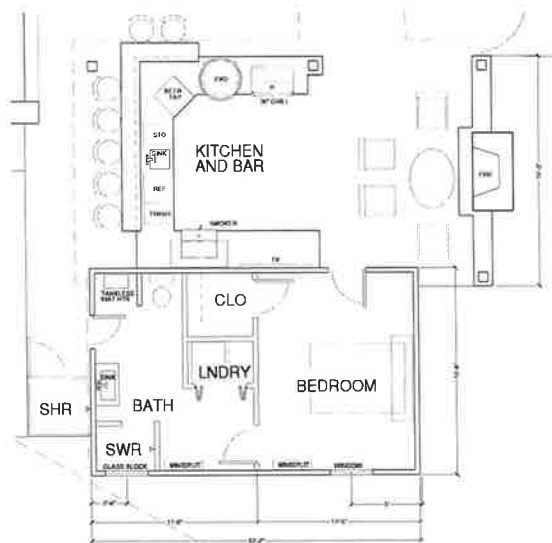
Aerial Photo Date: 2021

6.10





○ **CONCEPT 1 SITEPLAN**
REFER TO SCALE



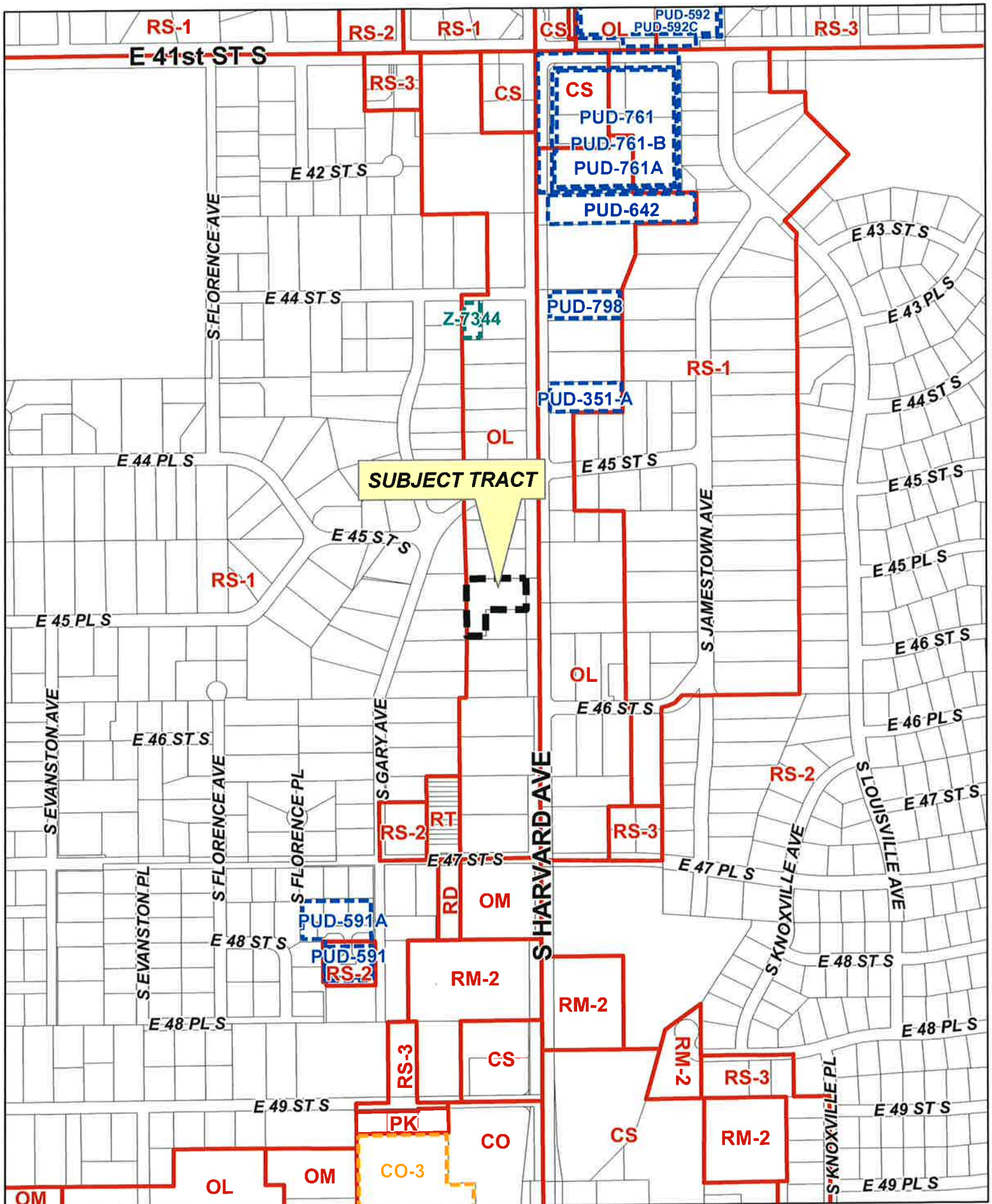
○ **CONCEPT 1 FLOORPLAN**
SCALE: 1/4" = 1'-0"



○ **PERSPECTIVE VIEWS**
NOT TO SCALE

<p>PRELIMINARY</p>	<p>NORTH</p>
	<p>OWNER: Dickman Residence 3754 E. 116th St. South, Tulsa, OK</p>
	<p>GENERAL CONTRACTOR: Oklahoma Landscape and Irrigation 2660 North Florence Ave. - Tulsa, OK Phone number: 246-9079</p>
	<p>SHEET TITLE: Conceptual Cabana Floorplan Conceptual Site Plan</p>
<p>DATE: 3.1.21</p>	<p>SHEET NO. C1</p>
<p>REV:</p>	

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SUBJECT TRACT

BOA-23154

7.1



19-13 29



BOARD OF ADJUSTMENT CASE REPORT

STR: 9329

Case Number: **BOA-23154**

CZM: 47

CD: 9

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: A-max Sign Company, Inc.

ACTION REQUESTED: Variance to permit a freestanding sign in an OL district to exceed the permitted 32 square feet of display surface area by 78.37 square feet (Sec.60.060-C).

LOCATION: 4538 S HARVARD AV E

ZONED: OL

PRESENT USE: Medical

TRACT SIZE: 40049.23 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, PROFESSIONAL PARK RESUB S/2 L2 & N/2 L3 B3 VILLA GROVE PARK,

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-11082; On 08.04.80 the **approved** an Exception to allow a .40 floor area ration and a building height of two stories in an OL District.

Surrounding properties:

BOA-21813; On 01.13.2015 the Board **approved** a variance to increase the display area from 47 square feet to 66.9 square feet of a ground sign/ Property located 4520 S. Harvard.

BOA-17398; On 06.11.96 the Board **approved** a variance of the of the required setback from Harvard and the to increase the allowable display are from 36 square feet to 68 square feet for a sign in the OL district.

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

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

7.2

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SW/c of E. 45th St. S. and S. Harvard Ave.

STAFF COMMENTS: The applicant is requesting **Variance** to permit a freestanding sign in an OL district to exceed the permitted 32 square feet of display surface area by 78.37 square feet (Sec.60.060-C)

60.060-C Maximum Area

Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

The applicant is requesting 110.37 square feet of display area.

STATEMENT OF HARDSHIP: This location will be a mixed-use building with 5 tenants. The current code restricts us to 32 square feet which doesn't allow us to have enough space to display 5 tenants that would be visible from Harvard. Also we are simply wanting to replace the old sign that was at this location, when it was St. John's with the same size sign and install it on the existign sign base. See exhibit A, B and C.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to reduce the required 25 ft. rear setback in an RS-1/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;

7.3

- 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."*



Existing Sign base



Facing South on Harvard



Subject property

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



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

SIGN PLAN REVIEW

June 1, 2021

LOD Number: 1

Phone: 918-622-0651

Lori Worthington
9520 E. 55th Pl.
Tulsa, OK 74145

APPLICATION NO: **S-3011** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 4538 S. Harvard Ave.
Description: Freestanding Sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(Continued)

REVIEW COMMENTS

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

Application No. S-3011

4538 S. Harvard Ave.

June 1, 2021

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.060-C Maximum Area

Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Review Comments: The proposed freestanding tenant panel sign location appears to have 100 feet of street frontage along S. Harvard Ave. Based on the street frontage of 100 feet, the maximum sign display area allowed is 32 square feet. The proposed 110.37 square foot sign exceeds the permitted display surface area by 78.37 square feet. As an option you may reduce the display surface area of the freestanding sign to 32 square feet, or you may pursue a variance from the Board of Adjustment to permit a freestanding sign in an OL zoned district to exceed the permitted 32 square feet of display surface area by 78.37 square feet.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

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

AS MEDICAL PLAZA
4538 S HARVARD

EXHIBIT B



6.9

Case No. 17398

Action Requested:

Variance of the required setback from Harvard from 50' to 47'. **SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING SIGNS;** General Use Conditions for Business Signs, and a Variance of the allowable signage in an OL district to allow an additional 36 SF for a total of 68 SF. **SECTION 602.B.4 ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21, located 4564 South Harvard Avenue.

Presentation:

The applicant, **Hightech Signs/Mary Lynn Huskey**, 9902 East 43rd Street South, representing Dr. Dobson, submitted a site plan (Exhibit H-1) and architectural drawing (Exhibit H-2). Ms. Huskey stated Dr. Dobson has an existing sign that is a 4' x 8' that list his name and his associate Dr. Lang. She stated the doctors have a laser surgery center that is not advertised on the sign and would like to add it to the existing sign for advertising the new center. She stated to add the sign it would go over the required amount of signage and it would encroach 2' on the required setback from Harvard.

Comments and Questions:

Ms. Turnbo asked the applicant if the variance was granted on the setback would the owner mind having a removal contract with the City of Tulsa? The applicant stated it would not be a problem.

In response to Mr. White, the applicant stated the new proposed sign will be set on top of the existing sign and the existing sign will remain unchanged.

In response to Mr. White, the applicant explained the sign is in a median and if the sign was moved to the required setback it would be in the driveway.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Abbott, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, Box "absent") to **APPROVE** a **Variance** of the required setback from Harvard from 50' to 47'. **SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING SIGNS;** General Use Conditions for Business Signs, and a **Variance** of the allowable signage in an OL district to allow an additional 36 SF for a total of 68 SF. **SECTION 602.B.4 ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 21; per plan submitted; subject to a removal contract with the City of Tulsa; finding that if the sign were moved to the required setback it would be in the driveway; finding that the approval of this application will not be injurious to the area nor harmful to the spirit and intent of the Code; on the following described property:

Lot 4, Block 3, Villa Grove Park, City of Tulsa, Tulsa County, Oklahoma

1st Tract: The E/2 of the N/2 of the N/2 of the E/2 of the N/2 of the NE/4 of the NW/4 of Section 21, Township 19 North, Range 11 East; and

2nd Tract: The W/2 of the N/2 of the N/2 of the E/2 of the N/2 of the NE/4 of the NW/4 of Section 21, Township 19 North, Range 11 East; in Sand Springs, Oklahoma.

UNFINISHED BUSINESS:

11082

Action Requested:

Exception (Section 630 - Bulk and Area Requirements in the Office District- Under the Provisions of Section 1680 - Exceptions) request for an exception to allow .40 floor area ratio, and a building height of two stories in an OL District.

Comment: Mr. Jones stated that this matter was approved on July 10, 1980, subject to the applicant bringing in his final plans.

Board Comment:

Mr. Lewis stated that he had reread the minutes of the earlier meeting and wished to advise the Board members that at the very end of the Motion it said that subject to a design change to the rear visage to be approved by the Board that would eliminate any problem of being able to look out of the second-story window into the back yards of the residents.

Presentation:

Gary VanFossen, VanFossen and Brase Architects, stated that there will be no visibility of the abutting rear yards from the rear windows of the building. We will restrict the view by either omitting windows, providing screening walls outside the windows, or using translucence glass permitting light, but no vision. Mr. VanFossen submitted diagrams showing the possible solutions (Exhibit "A-1").

Board Comments:

Mr. Lewis asked the reason for coming with this at this time instead coming in at the time you finally decided whether to remove the windows or whatever.

Applicant's Comments:

The only reason is because of a potential lease as to whether we have a window along there. We can submit exact details as needed, but we would assume that if we gave you assurance it would not have any vision there, then we could use whatever alternate methods needed. The screen wall would be a permanent wall and the only question is the exact figure that is appropriate to make it high enough to block all vision of the neighboring yards.

Board Action:

On MOTION of SMITH, the Board voted 3-0-0 (Lewis, Smith, Wait, "aye"; no "nays"; no "abstentions"; Purser, Victor "absent") to approve an Exception (Section 630 - Bulk and Area Requirements in Office Districts- Under the Provisions of Section 1680 - Exceptions) for the site plan presented today provided that there be no visibility by persons located at the rear windows of the building onto the abutting residences to the west and that vision be restricted by omitting the windows, use translucent glass or by the erection of the structural wall on the roof of the first floor. Subject also to the receipt of the plot plans for the file, on the following described property:

11082 (continued)

The N/2 of Lot 2, Block 3, and the South 117.6' of Lot 1, Block 3, Villa Grove Park Addition to the City of Tulsa, Tulsa County, Okla.

11136

Action Requested:

Special Exception (Section 310 - Principal Uses Permitted in the Agricultural Districts - Under the Provisions of Section 1680 - Special Exceptions) request for a special exception to allow oil and gas drilling in an AG District.

Mr. Jones stated that this matter was continued from last meeting because the question of a fire hazard came up and it was requested that the Fire Marshal be present at this meeting to discuss this matter.

Presentation:

D. Kenyon Williams, Jr., the applicant, requested that Roy Gann, Fire Marshal for the City of Tulsa, present his findings first. Mr. Gann stated he saw no real fire hazard. Research shows that the crude oil has a flash point of 20-90°; which is very low, however, the ignition point is very high which eliminates the problem of having a fire hazard. I have visited the site of the oil well and an estimated distance from the oil well to the school building is approximately 500-600 feet, which in my opinion is a safe distance. The state regulations require that oil wells be not closer than 165 feet to a structure. The tank batteries are within 15-20 feet of the well. The tank batteries are west of the well itself.

Mr. Lewis asked what is the difference between a flash point and an ignition point?

Mr. Gann explained that the flash point is the point where a fire will flash over a material but discontinue to burn. The ignition point is where it will continue to burn. The Board asked Mr. Gann if he knew of any oil well fires around Tulsa in recent years. Mr. Gann stated that there was no record of any and he could not remember having any. Mr. Smith stated that he noticed quite a number of wells along Cincinnati Avenue and asked Mr. Gann if there had ever been any fires there. Mr. Gann stated that he could not recall any and there was no records of any problems or fires that they have responded to. Mr. Smith stated that there was a concern as to whose responsibility it was to respond to fires. Mr. Gann said that it was outside the City limits and that it is in a zone where either Tulsa or Turley Fire Departments might be called. Probably both Departments would respond. He stated the Tulsa Fire Department would respond if they were called. The Board asked if Gilcrease School was in the Tulsa area and if there are hydrants and water lines there. Mr. Gann said he wasn't sure. Mr. Lewis asked if the field were to catch fire would the grass fire ignite the well? Mr. Gann stated that it would be doubtful, but that would depend on how high the grass was allowed to grow. We might be able to control that problem with gravel or something around the holding tanks to prevent the fire from reaching there. Mr. Lewis asked if he considered grass fires around oil wells to be a problem. Mr. Gann stated that there had been grass fires both north and south where many of the oil wells are in existence and we have never had an oil well fire as a result of them. The Board thanked Mr. Gann for his time.

Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1). **LOCATION:** 1445 South Carson Avenue (CD 4)

Presentation:

Matt King, King Architectural Solutions, 1513 East 15th Street, Tulsa, OK; stated that in light of several recent conversations with members of the neighborhood association he would ask for a continuance to allow him time to make a presentation to the neighborhood association.

Interested Parties:

There were several interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **CONTINUE** the request for a Variance to reduce the required side yard setback from 10 feet to 0 feet; Variance to reduce the setback from the centerline of 15th Street from 70 feet to 40 feet; Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1) to the Board of Adjustment meeting on February 24, 2015; for the following property:

LT 36 BLK 2, CARLTON PLACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. Henke left the meeting at 1:25 P.M.

21813—A-MAX Sign Company – Lori Worthington

FILE COPY

Action Requested:

Variance to increase the square footage from 47 square feet to 66.9 square feet to allow for a ground sign (Section 602.B.4). **LOCATION:** 4520 South Harvard Avenue (CD 9)

Mr. Henke re-entered the meeting at 1:28 P.M.

Presentation:

Brian Ward, 9520 East 55th Place, Tulsa, OK; stated there is an existing 47 square foot monument sign on the subject site, and since his initial site visit there has been an arched addition to the top increasing the sign to approximately 67 square feet. The

BOA-21813

FILE COPY

client now wants to revamp the entire structure and place their ad on the top. The client wants to bring the sign into compliance, and to do that a Variance is needed.

Mr. Van De Wiele asked Mr. Ward how long he thought the arched top had been on the existing monument sign. Mr. Ward he would guess that it is less than five years.

Mr. White asked Mr. Ward if the sign would remain in the same location. Mr. Ward stated that actually the sign will be moved farther south approximately 75 feet on the property for better visibility. The sign will not be moved any farther east or no closer to Harvard.

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, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a **Variance** to increase the square footage from 47 square feet to 66.9 square feet to allow for a ground sign (Section 602.B.4). The Board has found that the sign to be constructed is basically a reconstruction and replacement of an existing non-conforming sign. The new sign will be the same size and dimension of the existing sign. The sign to be constructed will be placed no closer to Harvard than the current existing signage. This approval is subject to conceptual plan 5.15 for the location and 5.16 for the style and size. 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:

N. 1/2 OF LT 2 BLK 3, VILLA GROVE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

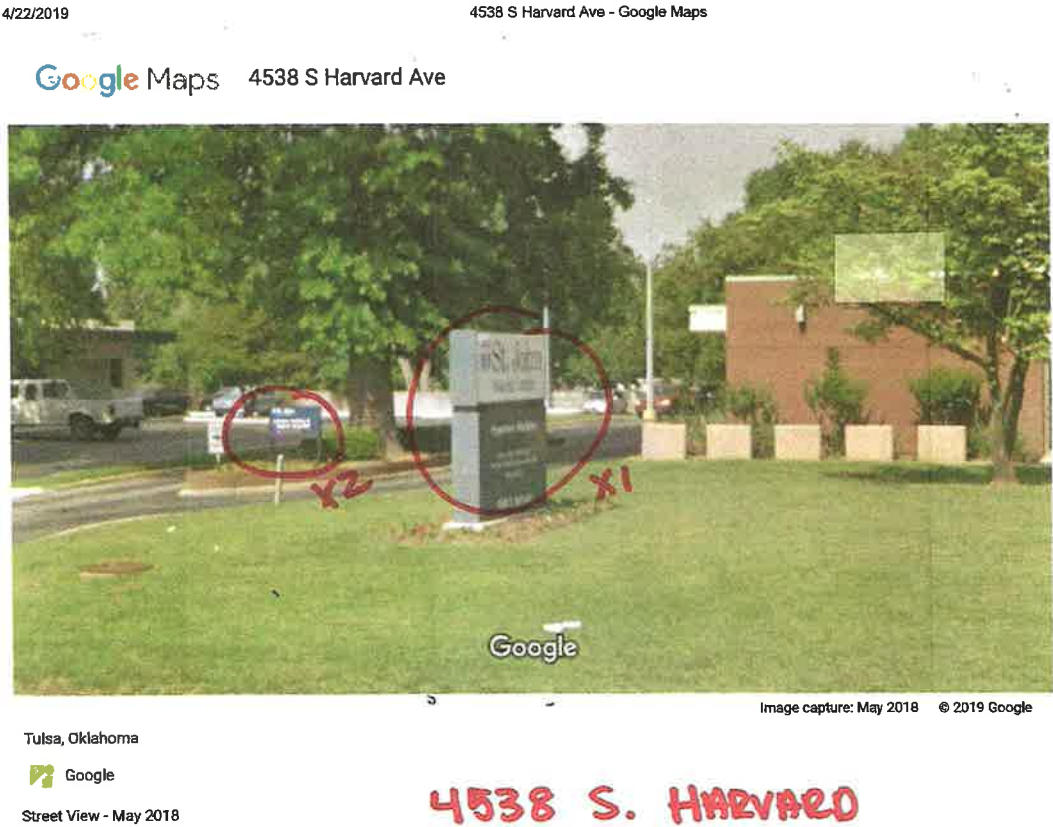
21814—A-MAX Sign Company – Lori Worthington

Action Requested:

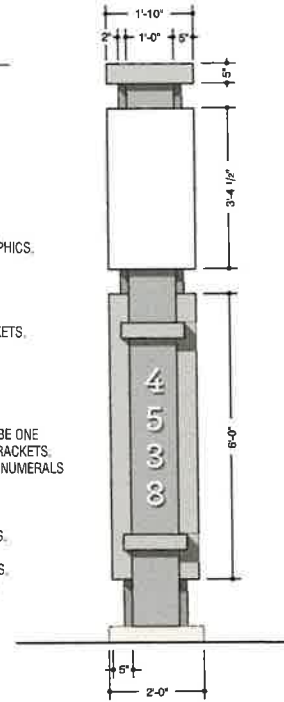
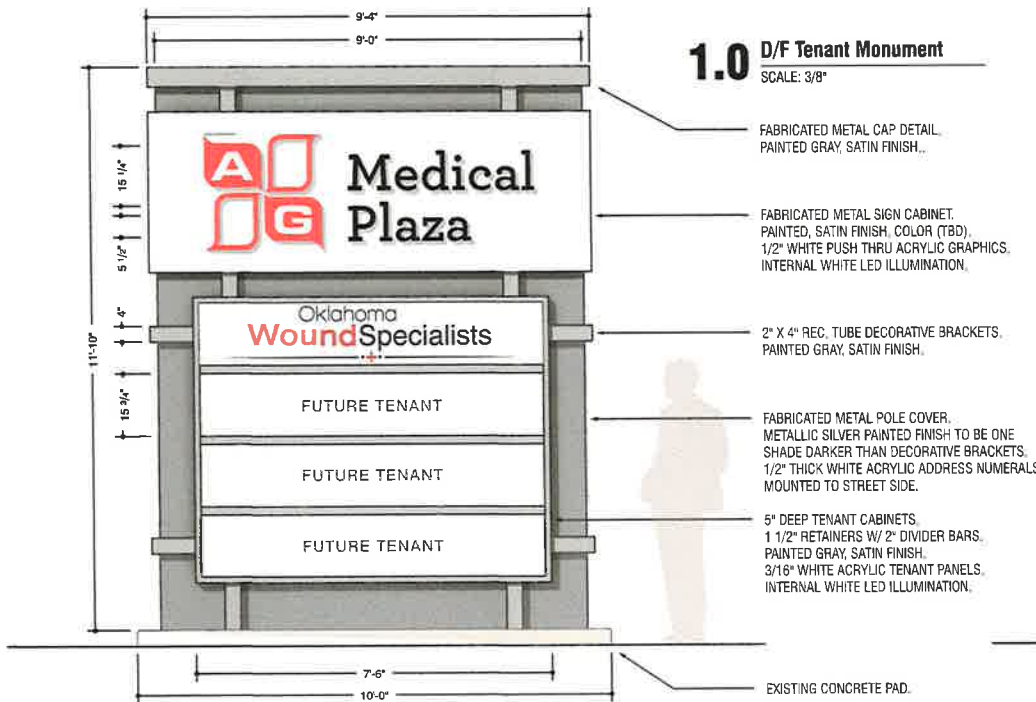
Variance of the square footage of display surface area per lineal foot of street frontage from 32 square feet to 124.6 square feet to permit a ground sign (Section 602.B.4). **LOCATION:** 2121 South Columbia Avenue **(CD 4)**

AS MEDICAL PLAZA
4538 S HARVARD

EXHIBIT C



11.83' X 9.33'=110.37SQFT



REFERENCE MODEL



Proposed

SCALE: 1:80

a
a·max
SIGN COMPANY, INC.
www.amaxsign.com

9520 E. 55th Place
Tulsa, Oklahoma 74145
ph. (918)622-0651 ... fax. (918)622-0659

QUALITY | VALUE | ASSURANCE

SCALE: As Shown

DATE: 05-06-21

FILE: Tenant Monument

SALES REP: Chris Krohn

DRAWN BY: Jonathan Buck

PROJECT: Bellissima MedSpa & Salon

LOCATION: Tulsa, OK

ADDRESS: 4538 S Harvard Ave

CLIENT APPROVAL SIGNATURE & DATE:

UL LISTED Signs will be built to meet UL specifications as required.

nec All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.

REVISIONS:

1.	1
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3.	3
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FINAL APPROVAL FOR PRODUCTION

Project Manager

SHEET NUMBER
1

DWG
050621-04

91.2

AS MEDICAL PLAZA
4538 S HARVARD

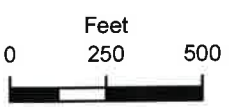
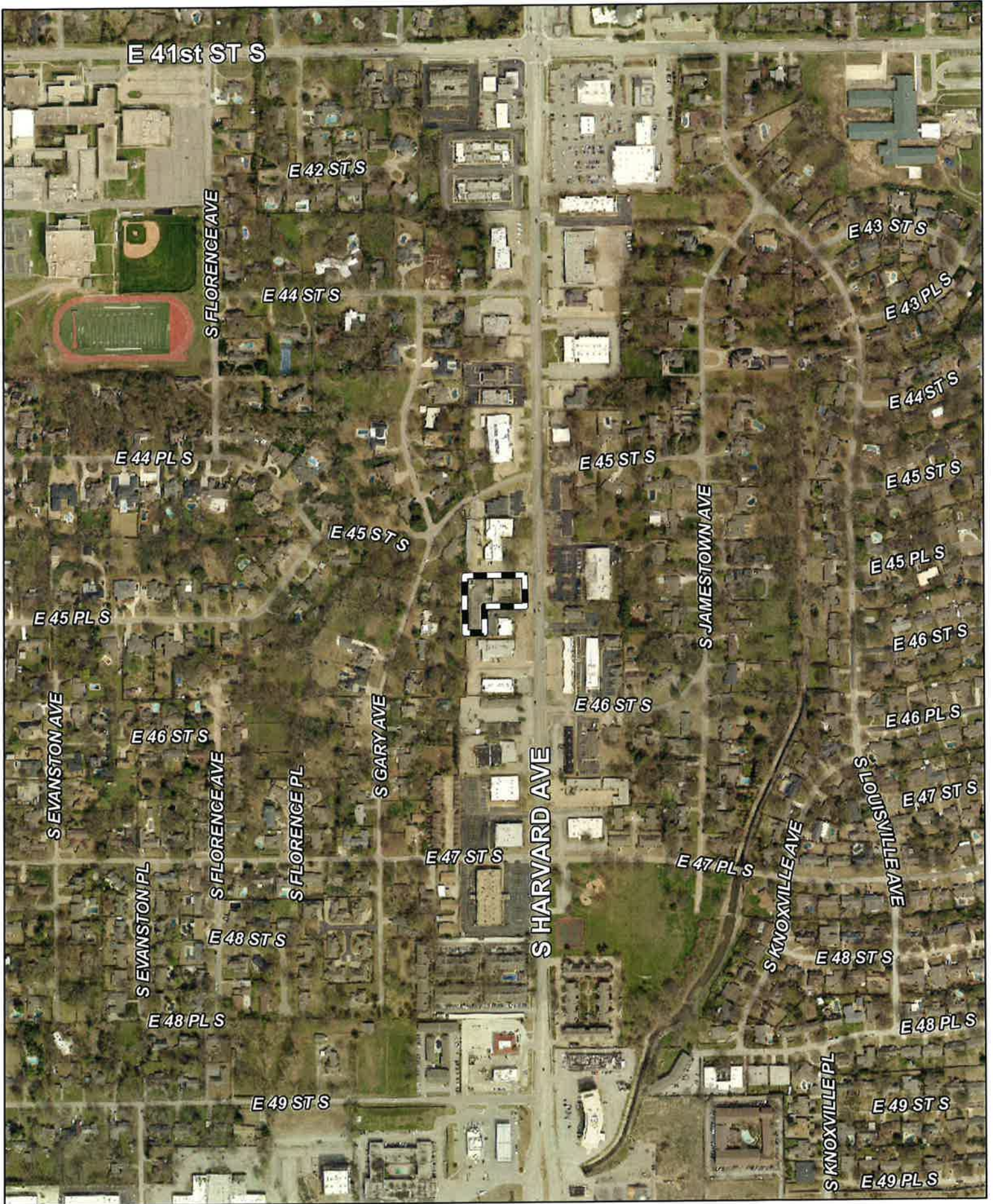


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4538 S HARVARD

EXHIBIT A



81.2



BOA-23154

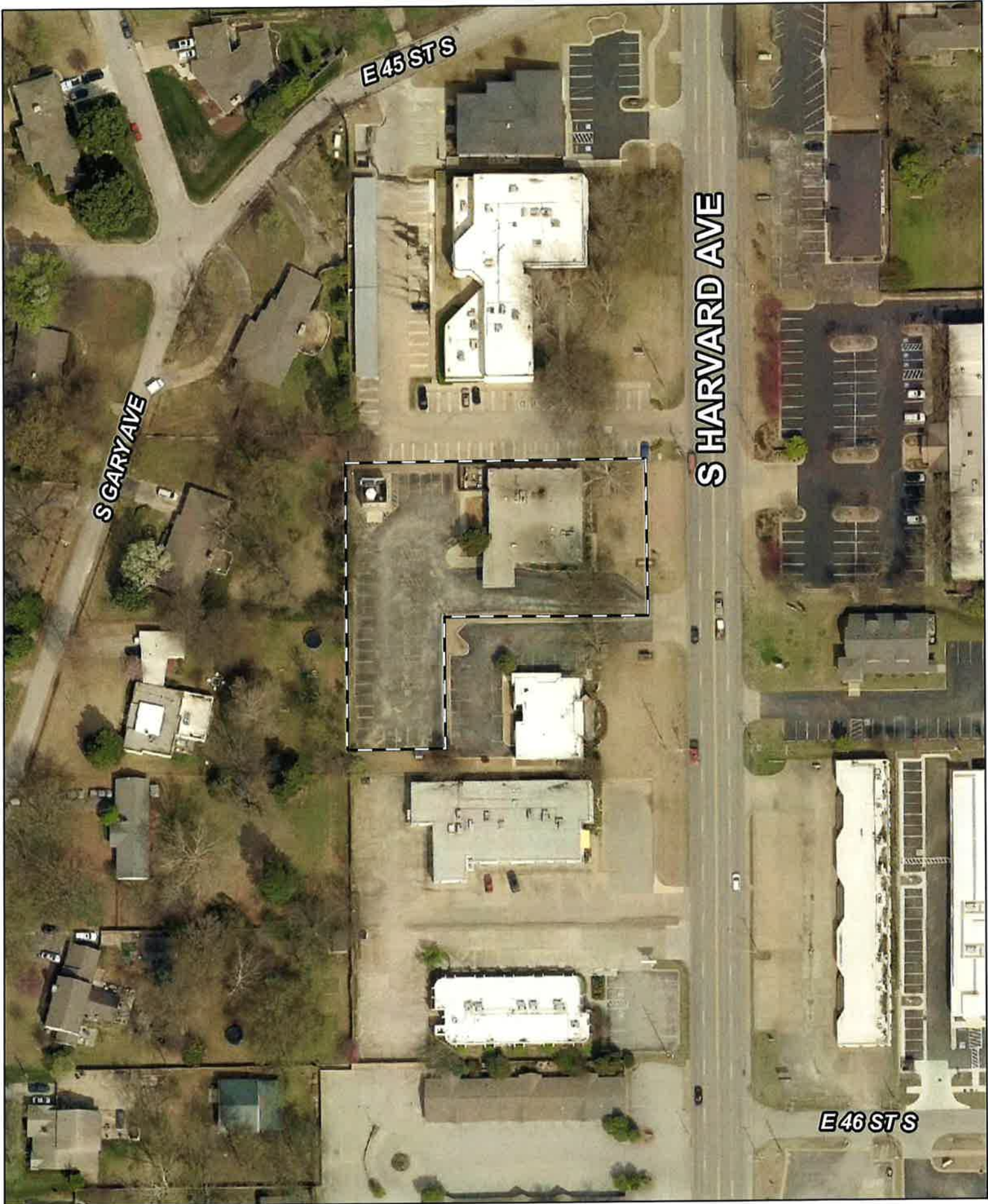
19-13 29

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

Aerial Photo Date: 2021

7.19



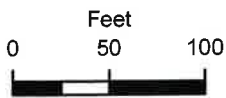


S GARY AVE

E 45th St S

S HARVARD AVE

E 46th St S



Subject
Tract

BOA-23154

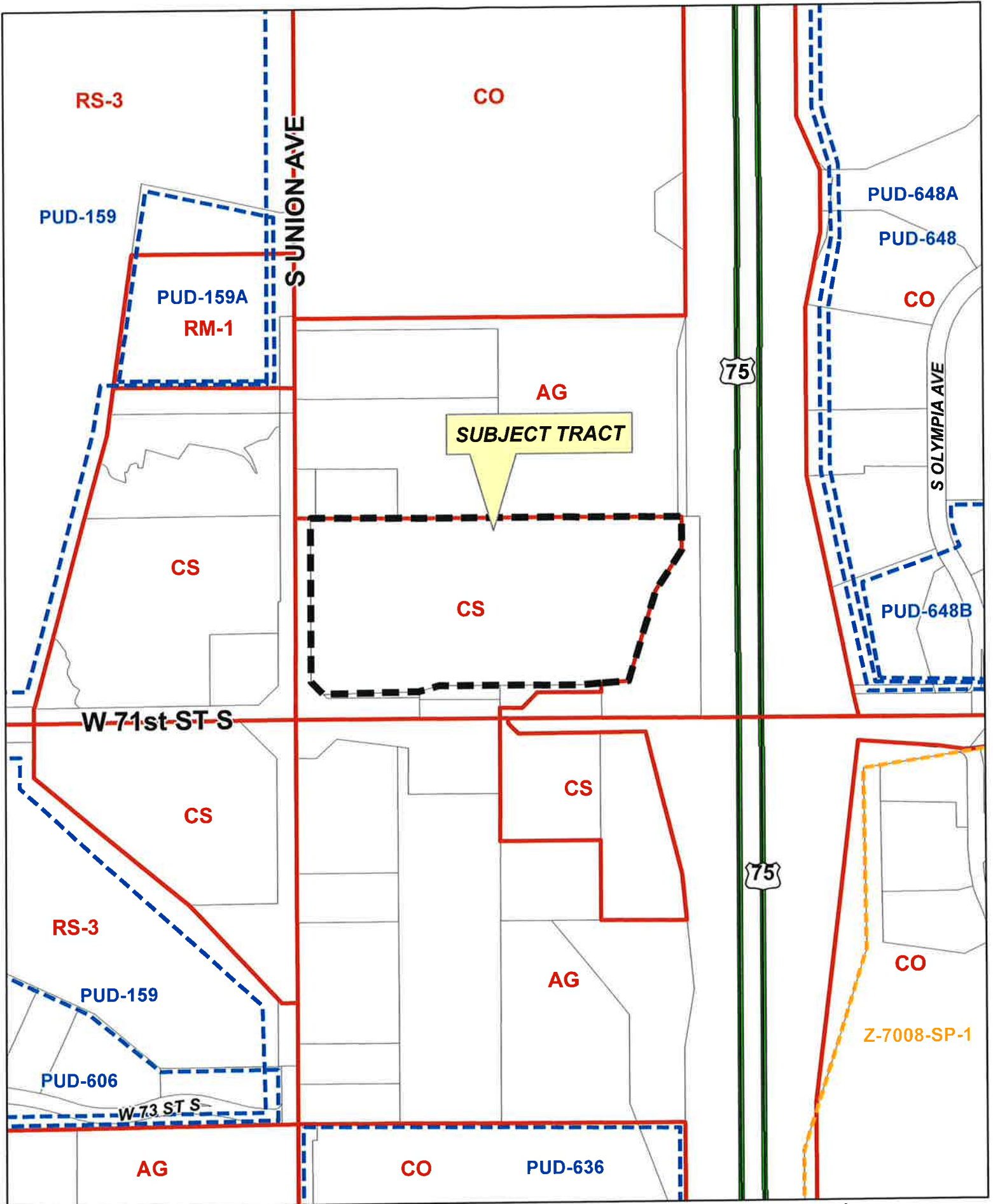
19-13 29

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

Aerial Photo Date: 2021

7.20





BOA-23155

8.1



18-12 02



BOARD OF ADJUSTMENT CASE REPORT

STR: 8202
CZM: 51
CD: 2

Case Number: **BOA-23155**

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: A-max Sign Company, Inc.

ACTION REQUESTED: Variance to allow more than 48 square feet of dynamic display area for sign in a CS zoning district (Section 60.080-E).

LOCATION: 1541 W 71 ST S

ZONED: CS

PRESENT USE: Church

TRACT SIZE: 626412.79 SQ FT

LEGAL DESCRIPTION: LOT 1 BLOCK 1, THE LIGHTHOUSE CHURCH

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c of w. 71st St and S. Union Avenue Immediately West of Highway 75.

STAFF COMMENTS: The applicant is requesting Variance to allow more than 48 square feet of dynamic display area for sign in a CS zoning district (Section 60.080-E).

60.080-E Dynamic Displays on On-premise Wall, Projecting and Freestanding Signs

A maximum of one of the on-premise wall signs, projecting signs or freestanding signs allowed on a lot in a mixed-use, commercial or industrial zoning district may include a dynamic display. The dynamic display may not exceed the maximum sign area allowed for the respective sign type or 48 square feet, whichever is less. The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall, projecting or freestanding sign, but rather is counted as part of the maximum area of the wall, projecting or freestanding sign. Only one, contiguous dynamic display is allowed on a wall, projecting or freestanding sign face. Off-premise outdoor advertising signs that incorporate a dynamic display are subject to the dynamic display regulations of [Section 60.100](#).

The applicant is seeking to have 69 square feet of dynamic display area.

STATEMENT OF HARDSHIP: The church sets back from the road and with the utilities that cross the front of the property, it requires it to be setback 130' from the centerline of the road which is twice the distance of regular sign setbacks. The additional size of the dynamic display is needed for visibility for their guests.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to allow more than 48 square feet of dynamic display area for sign in a CS zoning district (Section 60.080-E).

Finding the hardship(s) to be _____.

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

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 71st



Facing West on 71st

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



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

SIGN PLAN REVIEW

June 1, 2021

LOD Number: 1

Phone: 918-622-0651

Lori Worthington
9520 E. 55th Pl.
Tulsa, OK 74145

APPLICATION NO: **S-3008** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1541 W. 71st St.
Description: Freestanding Sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(Continued)

REVIEW COMMENTS

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

Application No. S-3008

1541 W. 71st St.

June 1, 2021

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.080-E Dynamic Displays on On-premise Wall, Projecting and Freestanding Signs

A maximum of one of the on-premise wall signs, projecting signs or freestanding signs allowed on a lot in a mixed-use, commercial or industrial zoning district may include a dynamic display. The dynamic display may not exceed the maximum sign area allowed for the respective sign type or 48 square feet, whichever is less. The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall, projecting or freestanding sign, but rather is counted as part of the maximum area of the wall, projecting or freestanding sign. Only one, contiguous dynamic display is allowed on a wall, projecting or freestanding sign face.

Review Comments: The proposed sign shows a dynamic display area of 69 square feet; the maximum allowed dynamic display area for this location is 48 square feet. Please revise the sign plan to show that the area of the dynamic display will not exceed 48 square feet; or you may seek a variance from the Board of Adjustment for the dynamic display area of a sign to exceed 48 square feet in a CS zoning district.

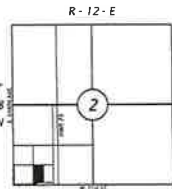
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

END – ZONING CLEARANCE AND SIGN CODE REVIEW

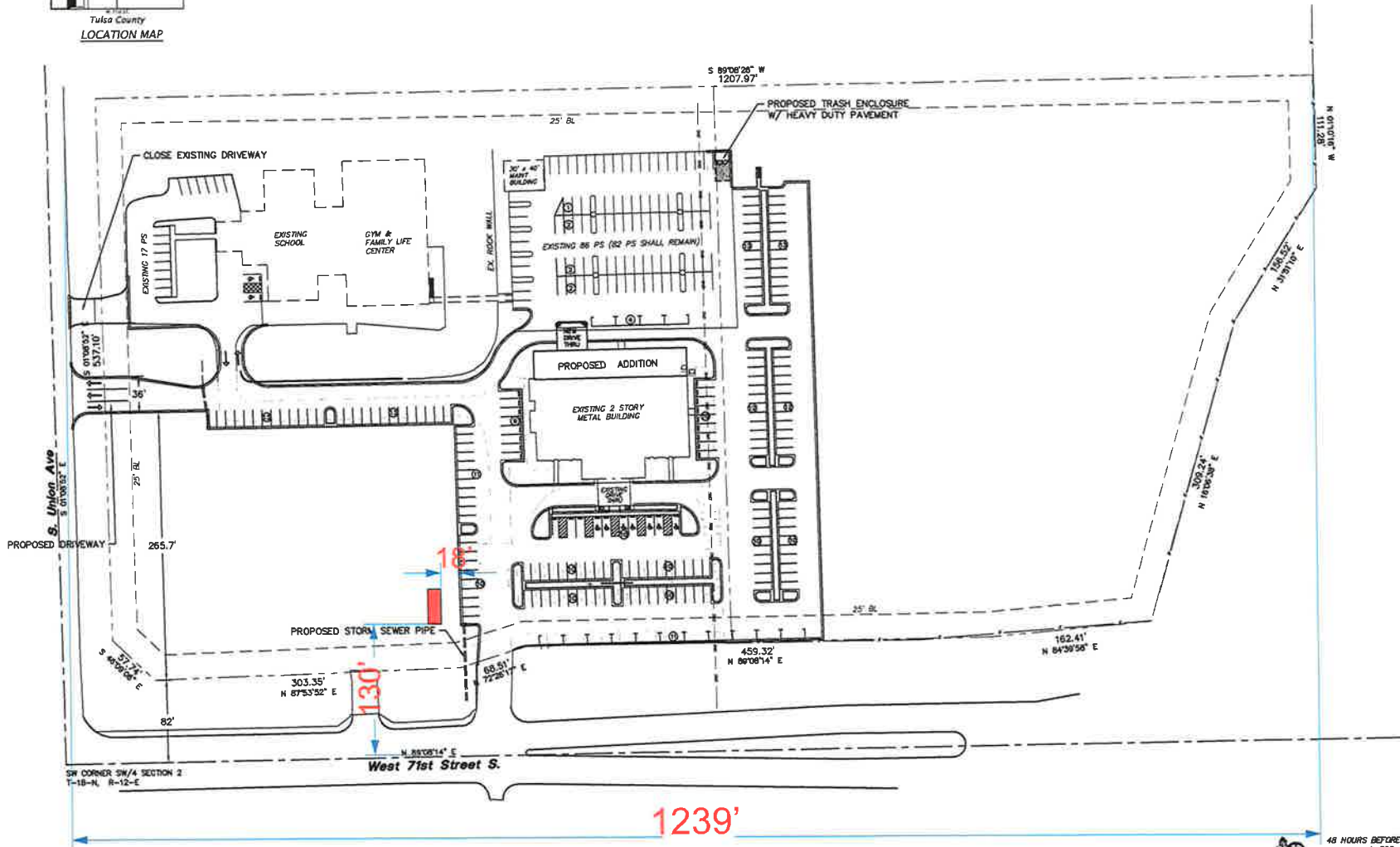
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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

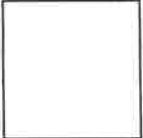
6.8
6.9



Tulsa County
LOCATION MAP



DeShazo, Tang & Associates, Inc.
Engineers - Planners
Tulsa County Office
10101 E 43rd Ave, Suite 202
Tulsa, Oklahoma 74146
Phone: (918) 433-4040
Fax: (918) 433-4001
email: info@deshtang.com



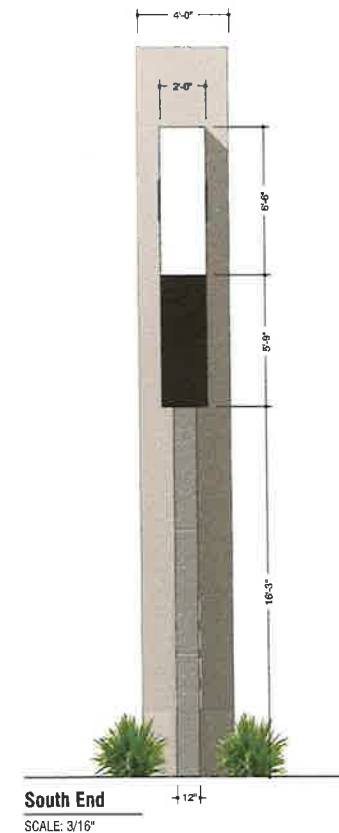
REVISIONS	
DATE	DESCRIPTION

TULSA LIGHTHOUSE CHURCH

Location:	W. 71st S. S. & S. Union Ave
Date:	January 28, 2009
Drawn By:	J. Crisp
Drawing Title:	OVERALL SITE PLAN
Drawing Number:	C1

48 HOURS BEFORE YOU DIG... CALL OKI
1-800-522-6543
Outstanding Drain-Cell Systems, Inc.

6.5' X 12'=78SQFT
 5.75' X 12'=69SQFT
 TOTAL=147SQFT



a·max
 SIGN COMPANY, INC.
 www.amaxsign.com
 9520 E. 55th Place
 Tulsa, Oklahoma 74145
 ph. (918)622-0651, fax. (918)622-0659

QUALITY | VALUE | ASSURANCE

SCALE: As Shown (INCH PRINTED 1/4" x 1/4")

DATE: 11-10-2020

FILE: Pylon

SALES REP: Chris Krohn

DRAWN BY: Jonathan Buck

PROJECT: Tulsa Lighthouse Church

LOCATION: Tulsa, OK

ADDRESS: 1541 W 71st St

CLIENT APPROVAL SIGNATURE & DATE:

UL LISTED Signs will be built to meet UL specifications as required.

nec All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.

REVISIONS:

1.	1
2.	2
3.	3
4.	4
5.	5

These drawings are the property of A-Max Sign Company, and should not be copied, reproduced, or displayed in any fashion other than for the purchase of the product illustrated.
 Distribution or exhibition of these drawings is strictly prohibited.
 © A-Max Sign Company, 2020

Final Approval, HR PRODUCTION

Project Manager

SHEET NUMBER
1
 Page 1 of 2

DWG
 111020-01

01.8



S UNION AVE

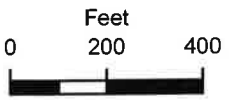
75

S OLYMPIA AVE

W 71st ST S

75

W 73 ST S



Subject
Tract

BOA-23155

18-12 02

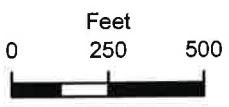
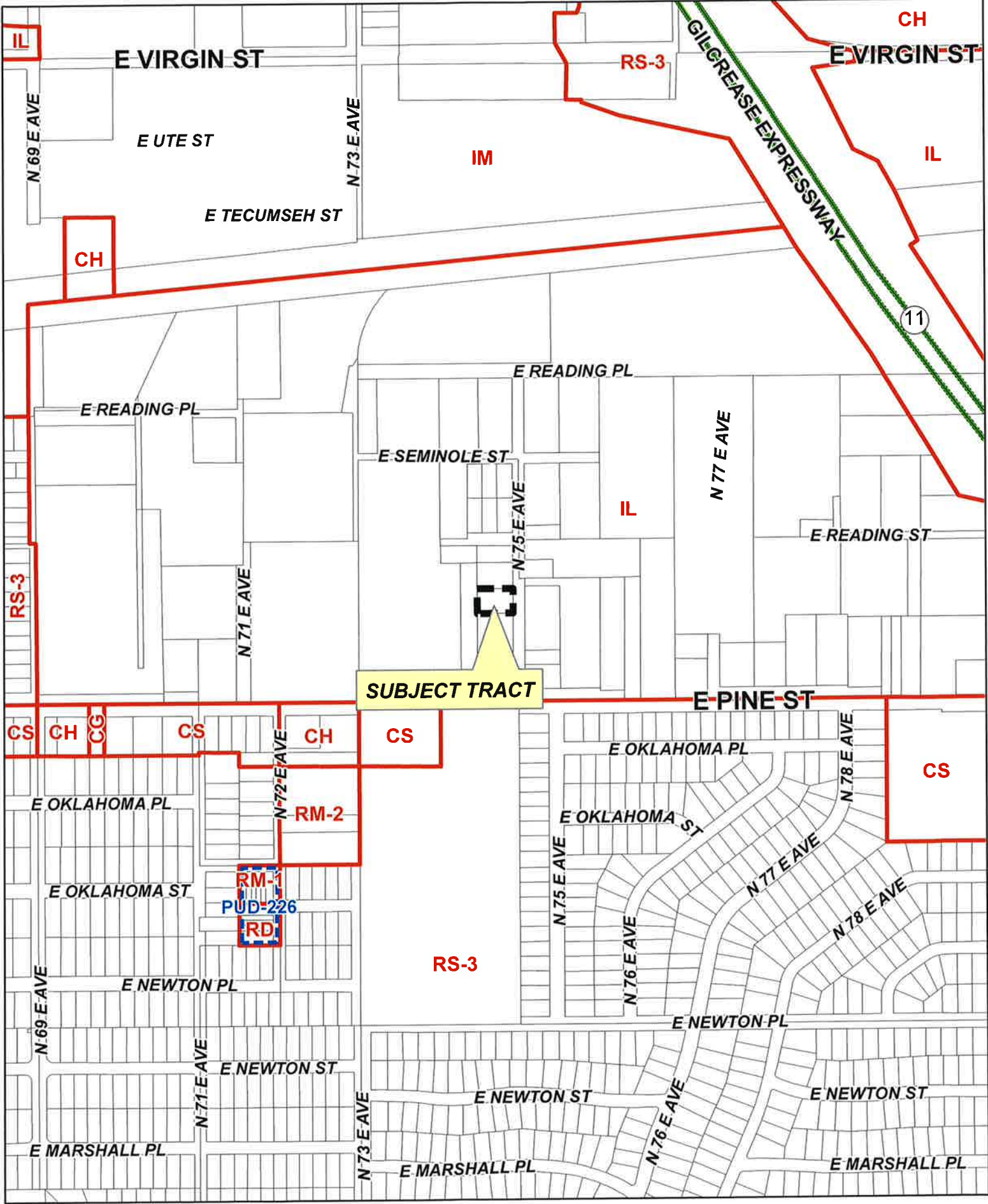
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

8.11



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BOA-23156

20-13 26

9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 0326
CZM: 30
CD: 3

Case Number: **BOA-23156**

HEARING DATE: 07/13/2021 1:00 PM

APPLICANT: Julie Melia

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

LOCATION: 1526 N 75 AV E

ZONED: IL

PRESENT USE: Medical Marijuana Grow

TRACT SIZE: 14157.06 SQ FT

LEGAL DESCRIPTION: S100 OF N299 OF W141.57 OF E166.57 OF SW SW SE SEC 26 20 13,

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: 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 North of the NE/c of N. 75th E. Ave. and E. Pine Street.

STAFF COMMENTS: The applicant is requesting **Special Exception** to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district. (Sec. 15.020, Table 15-2)

9.2

The zoning code describes Moderate-impact Marijuana Processing (Sec. 35.070-B.2) as the following:

2. **Moderate-impact Medical Marijuana Processing Facility**

An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction.

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.

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:

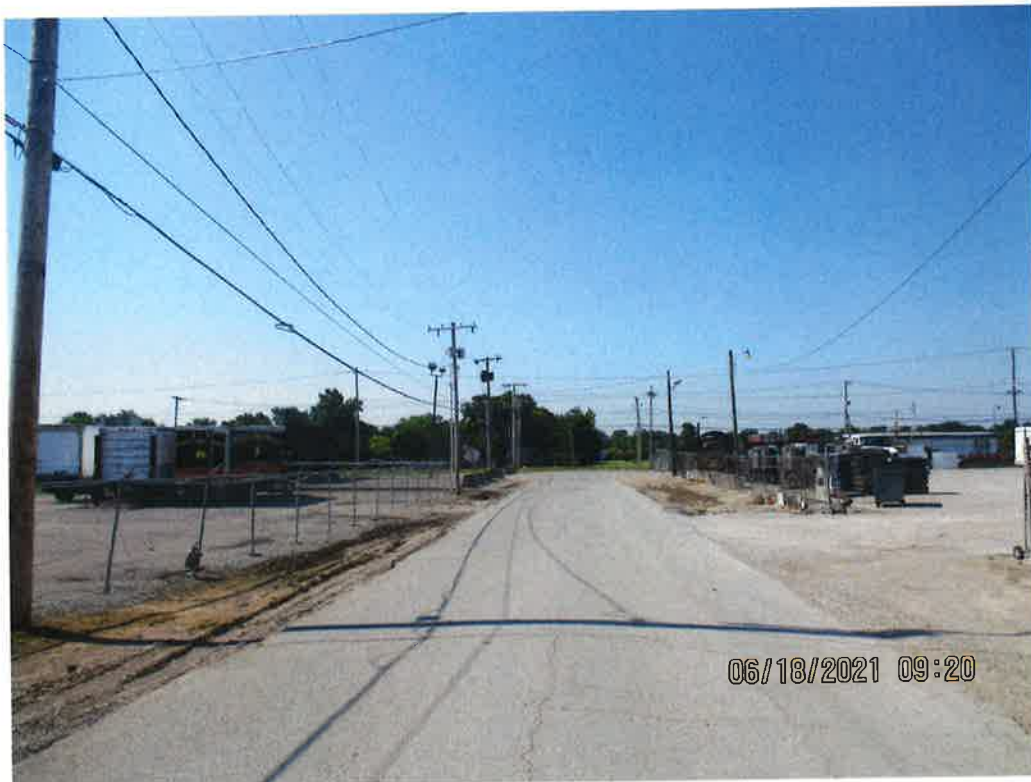
Move to _____ (approve/deny) a **Special Exception** to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district. (Sec. 15.020, Table 15-2)

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

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



Facing North on 75th E. Ave.



Facing South on 75th E. Ave.



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

Carl Sullivan - Bell Labs
1526 N. 75th E. Ave.
Tulsa, OK 74115

Phone: 918-770-6148

APPLICATION NO:

C-1054

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location:

1526 N 75th E Ave.

Description:

mm Cultivating and Processing

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 ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" ☒ **X** ☐ **IS** ☐ **IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.)

(continued)

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

C-1054

1526 N. 75th E. Ave

May 25, 2021

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

Sec. 15, Table 15-2 You are proposing an Industrial/Moderate-Impact Medical Marijuana Processing Facility, which requires a Special Exception from the Board of Adjustment. Contact Austin Chapman at (918) 579 9471 or 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.

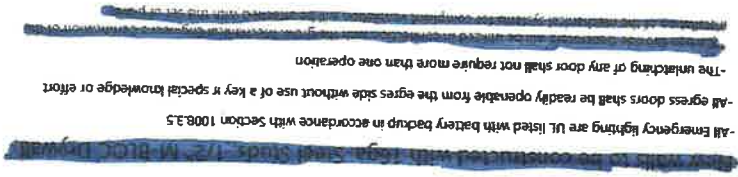
A hard copy of this letter is available upon request by the applicant.

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

Project Name: BEL LABS
Upgrade to get Live 3D, Replace Materials and 2D Floor Plans





0 Feet 250 500



Subject Tract

BOA-23156

20-13 26

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

Aerial Photo Date: 2021

9.10



E PINE ST

N75E AVE

0 Feet 50 100



Subject
Tract

BOA-23156

20-13 26

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

Aerial Photo Date: 2021

9.11

