

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, August 10, 2021, 1:00 P.M.

Meeting No. 1278

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/84052072071>

Attend by Phone: 312-626-6799 Meeting ID: 840 5207 2071

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 July 13, 2021 (Meeting No. 1276).

UNFINISHED BUSINESS

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

2. 23160—Hall Estill – Stuart Van De Wiele

Special Exception to allow a Public, Civic & Institutional/Governmental Service or Similar Functions use for a family justice center in an RS-3/OL/IL/CH zoned district (Sec. 5.020, Table 5-2, Sec. 15.020, Table 15-2); Variance of the 75-foot setback from Office and Residentially zoned properties in the IL Zoning District (Sec. 15.030-A, Table 5-3) **LOCATION:** 2821 South Sheridan Road East **(CD 5)**

NEW APPLICATIONS

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

3. 23166—Crown Neon – Gary Haynes

Variance to permit a dynamic display sign within 200 feet of an R District (Section 60-100-F). **LOCATION:** 1635 East 11th Street South **(CD 4)**

4. 23167—Louis Fernandez, Jr.

Appeal of the Administrative Decision issued by a Neighbor Inspector that the subject property is in violation of Sections 45.100 (Home Occupations) and Section 45.130 (Parking and Storage of Commercial Vehicles) of the zoning codes (Section 70.140). **LOCATION:** 9239 South 86th East Avenue **(CD 7)**

5. 23168—Leonora Bustas

Special Exception to permit a Personal Vehicles Sales and Rental Use in a CS District (Section 15.020, Table 15-2); Variance to permit outdoor display of merchandise within 300 feet of an abutting Residential District (Section 15.040-A). **LOCATION:** 6339 East 7th Street South **(CD 5)**

6. 23169—Matthew Boyd

Special Exception to permit Low-Impact Medical Marijuana processing (Low-impact Manufacturing & Industry Use) in the CH District (Section 15.020, Table 15-2). **LOCATION:** 708 West 23rd Street South **(CD 2)**

7. 23170—Jim Beach

Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Section 5.030, Table 5-3). **LOCATION:** 7777 South Lewis Avenue East **(CD 2)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

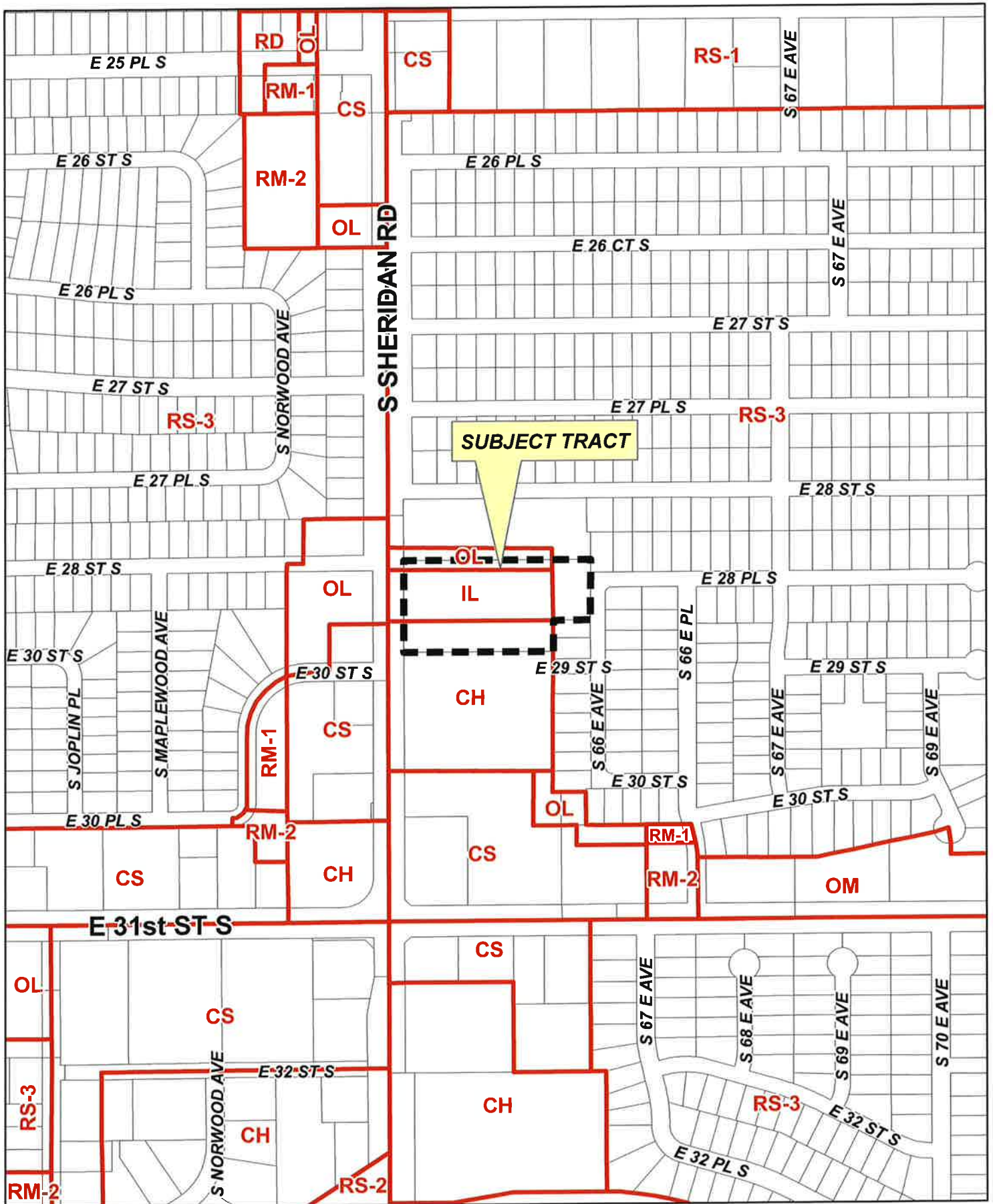
Website: tulsaplanning.org

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-23160

19-13 14

2.1

BOARD OF ADJUSTMENT CASE REPORT

STR: Case Number: **BOA-23160**

CZM: 38

CD: 5

HEARING DATE: 08/10/2021 (Continued from 07/27/2021) 1:00 PM

APPLICANT: Stuart VanDeWiele

ACTION REQUESTED: A Special Exception to allow a Public, Civic & Institutional/Governmental Service or Similar Functions use for a family justice center in an RS-3/OL/IL/CH zoned district (Sec. 5.020, Table 5-2, Sec. 15.020, Table 15-2). **Added Request: Variance of the 75-foot setback from Office and Residentially zoned properties in the IL Zoning District (Sec. 15.030-A, Table 5-3)**

LOCATION: 2821 S. Sheridan Rd. **ZONED:** RS-3,OL,IL,CH

PRESENT USE: Governmental Services

LEGAL DESCRIPTION: A tract of land in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Fourteen (14), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit: BEGINNING at the Northeast Corner of Lot One (1), Block Forty-five (45), South Sheridan Acres; THENCE, S88°43'53"W for a distance of 120.00 feet; THENCE, S01°18'42"E for a distance of 100.00 feet; THENCE, S88°43'53"W for a distance of 492.71 feet; THENCE, N01°15'07"W for a distance of 295.26 feet; THENCE, N88°41'18"E for a distance of 612.40 feet; THENCE, S01°18'42"E for a distance of 195.72 feet to the Point of Beginning; Said Tract containing 3.88 acres more or less.

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-15761; On 06.25.91 the Board **approved** a Special Exception and amendment to an approved Site Plan to permit the construction use and occupancy of the Justice Center (Use Unit 12) to specialize in the examination, evaluation and prescription for treatment of abused children. It is unclear why this use was classified as Use Unit 12 under this approval. At the time of this approval Use Unit 12 included Eating Establishments.

BOA-15440; On 05.17.90 the Board **approved** a Special Exception for Use Unit 12 and an amended site plan.

BOA-8370; On 10.03.74 the Board **approved** a Special Exception to permit parking in an RS-3 District and several variances relating to the parking lot configuration.

BOA-7675; On 10.19.72 the Board **approved** a Special Exception to permit a cafeteria, fieldhouse, FM radio broadcasting facility and public relations offices for a college use in an RS-3 District.

2.2

BOA-6987; On 02.03.72 the Board **approved** a Special Exception to permit a College use in a Residential district and office district and a Variance to permit a college in an Industrial District District.

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 South of the SE/c of E. 28th St. S. and S. Sheridan Rd.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to allow a Public, Civic & Institutional/Governmental Service or Similar Functions use for a family justice center in an RS-3/OL/IL/CH zoned district (Sec. 5.020, Table 5-2, Sec. 15.020, Table 15-2) ; Variance of the 75-foot setback from Office and Residentially zoned properties in the IL Zoning District (Sec. 15.030-A, Table 5-3). The code describes Govenrmental Service or Similar uses as folows:

35.040-G Governmental Service or Similar Functions

Local, state, or federal government services or similar functions, that are not otherwise classified. Typical uses include health departments, courthouses, soup/food kitchens, and food pantries.

Chapter 15 | Office, Commercial and Industrial Districts
Section 15.040 | Other Relevant Regulations

Regulations	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH
Maximum Floor Area Ratio (FAR)	0.40	0.50	2.00	8.00	0.50	0.75	-	-	-	-	-
Minimum Lot Area per Unit (sq. ft.)	[1]	[2]	[2]	[3]	[2]	[2]	-	-	[2]	[2]	[2]
Min. Open Space per Unit (sq. ft.)	[1]	[2]	[2]	[3]	[2]	[2]	-	-	[2]	[2]	[2]
Building Setbacks (feet)											
Street [4]	10	10	10	10	10	10	-	-	10	10	10
From AG, AG-R, or R district	10	10[5]	10[5]	10	10[5]	10[5]	-	-	75[6]	75[6]	75[6]
From O district	-	-	-	-	-	-	-	-	75[6]	75[6]	75[6]
Max. Building Coverage (% of lot)	-	-	-	-	-	-	-	-	-	-	-
Maximum Building Height (feet)	35	-	-	-	-	-	-	-	-	-	-

If approved this property would be subject to the Subdivision Conformance Review prescribed by section 70.080-B of the Zoning Code:

70.080-B Compliance with Development Regulations

1. Purpose

The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place and adequate to serve proposed developments in accordance with applicable regulations.

2. Rezoning, Special Exceptions and Residential Uses

Except as expressly stated in ~~Section 70.080-B3~~, no building permit or zoning clearance permit may be issued until the subject lot or parcel for which the permit is sought has been determined to be in compliance with all applicable design and improvement requirements of the Tulsa Metropolitan Area *Subdivision and Development Regulations*, as evidenced by submittal of a recorded subdivision plat or ALTA/ACSM survey and separately recorded legal instruments. This requirement applies to any property for which:

- a. A property owner-initiated zoning map amendment or development plan was approved after July 1, 1970;
- b. A special exception was approved for any of the following:
 - (1) Group living use;
 - (2) **Public, civic or institutional use;**
 - (3) Outdoor assembly and entertainment use;
 - (4) Household living involving 3 or more households on a single lot;
 - (5) Marina;
 - (6) Gun club;
 - (7) Crematory; or
 - (8) Mausoleum; or
- c. A building permit is requested for any of the following residential uses:
 - (1) Cottage house development;
 - (2) Patio house; or
 - (3) Townhouse

Please see the attached exhibits provide by the applicant describing the proposed use in detail.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a Special Exception to allow a Public, Civic & Institutional/Governmental Service or Similar Functions use for a family justice center in an RS-3/OL/IL/CH zoned district (Sec. 5.020, Table 5-2, 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.

Variance:

Move to _____ (approve/deny) a **Variance** of the 75-foot setback from Office and Residentially zoned properties in the IL Zoning District (Sec. 15.030-A, Table 5-3)

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

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

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

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

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

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

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

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

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



Subject property

2.6

REVISED 8/2/2021

FILE COPY

Case No. 15761

Action Requested:

Special Exception for approval of an amendment to the previously approved site plan to permit the construction, use and occupancy of the Justice Center, which will specialize in the examination, evaluation and prescription for treatment of abused children - Sections 401, 601, and 901. PRINCIPAL USES PERMITTED IN RESIDENTIAL, OFFICE AND INDUSTRIAL DISTRICTS - Use Unit 12, located SE/c East 28th Street and South Sheridan Road.

Presentation:

The applicant, Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma, submitted a site plan (Exhibit F-1), and explained that his client, Oklahoma College of Medicine, is requesting permission to amend the previously approved master plan to permit the construction of a Justice center. He stated that the Justice center will be a diagnostic facility for abused children, and will provide a team of individuals to evaluate the needed treatment for each child. Mr. Norman stated that the Justice center will not provide treatment or housing for these individuals. He informed that the proposal has been presented to the Whitney Homeowners Association, and the school maintains a good working relationship with the residents of the neighborhood. The applicant stated that the existing metal storage building located at the proposed site for the Justice center will be removed. Mr. Norman stated that a 100' by 150' storm water detention facility is proposed, with underground piping connecting to the storm sewer. He informed that the one story building will contain 8000 sq ft of floor space and will be constructed on the southeast corner of the campus. In regard to screening on the east and south, Mr. Norman stated that solid screening will be installed on portions of the east and south property lines abutting residential property (per landscape plan), and 19 holly trees (6' to 8') will be planted along the east boundary line.

Comments and Questions:

Ms. Bradley inquired as to access points for the facility, and the applicant replied that the Justice center will have access to Sheridan Road and 28th Street. He informed that 33 parking spaces will be added, and the 276 spaces provided for the entire campus complies with Code requirements.

Ms. Bradley asked if an access will be provided on 66th East Avenue, and Mr. Norman replied that there is an existing gate which is open in the morning, at noon and late afternoon to accommodate employees that live in the neighborhood. He stated that this gate is opened by security during these periods, and can be permanently closed at any time.

Protestants:

Barbara Cross, 6541 East 28th Street, Tulsa, Oklahoma, stated that she is representing a portion of the neighborhood that is not affiliated with the homeowners association. Ms. Cross stated that she objects to any increase in the use across the street from her residence, because it will add to the existing parking problem along the street.

06.25.91:589(7)

2.7

Case No. 15761 (continued)

Ms. White asked if parking is permitted on both sides of the residential street at this location, and Ms. Cross answered in the affirmative.

Mr. Norman pointed that the university is aware of the parking problem along the residential street, and the security patrol enforces the rule that employees park in the parking lot provided on the premises. He stated that they also encourage visitors to park on campus.

Ms. White asked if university employees are issued stickers for their cars, and Mr. Norman replied that they do have stickers, but the primary problem seems to be with visitors. He pointed out that the university has more than adequate parking.

Board Action:

On MOTION of FULLER, the Board voted 4-0-0 (Bradley, Bolzie, Fuller, White, "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to APPROVE a Special Exception for approval of an amendment to the previously approved site plan to permit the construction, use and occupancy of the Justice Center, which will specialize in the examination, evaluation and prescription for treatment of abused children - Sections 401, 601, and 901. PRINCIPAL USES PERMITTED IN RESIDENTIAL, OFFICE AND INDUSTRIAL DISTRICTS - Use Unit 12; per amended site plan; subject to the access gate on 66th East Avenue being open only from 7:00 a.m. to 8:30 a.m., 11:30 a.m. to 1:30 p.m. and 4:30 p.m. to 5:30 p.m.; finding that the proposed center is compatible with existing uses on the campus; and the granting of the request will not be detrimental to the neighborhood, or violate the spirit and intent of the Code; on the following described property:

Reserve "A" Boman Acres Third Addition to the City and County of Tulsa, Oklahoma, according to the recorded Plat thereof; and that part of the SW/4 SW/4, Section 14, T-19-N, R-13-E of the 18M, more particularly described as follows, to-wit: Beginning 648.30' east of the NW/4 of said SW/4 SW/4 of said Section 14; thence south 89°-57.4138' east and along the north line of the said SW/4 SW/4 a distance of 2.23'; thence south 0°-1.2757' east a distance of 58'; thence south 89°-4138' east a distance of 11.74'; thence south 235'; thence westerly and parallel to the north line of said SW/4 SW/4 a distance of 14.30'; thence northerly and parallel to the west line of said Section 14 a distance of 343' to the POB; AND the north 343' of the west 648.3' of the SW/4 SW/4 Section 14, T-19-N, R-13-E of the 18M, Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, City of Tulsa, Tulsa County, Oklahoma.

06.25.91:589(8)

Action Requested:

Special Exception and an amendment to the site plan to permit the construction, use and occupancy of two additional buildings -
Section 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS ;
Section 610. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS - Use
Unit 12, located SE/c East 28th Street and South Sheridan.

Presentation:

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma, represented the University of Oklahoma College of Medicine. He submitted a site plan (Exhibit F-1) and photographs (Exhibit F-2) and asked that the previously approved plan be amended to include two additional buildings (24' by 80' and 24' by 70') on the north portion of the property. Mr. Norman informed that the college has approximately 50 students and 100 residents at this location, and 100,000 patients per year visit the medical offices. It was noted that, due to a recent review for accreditation, surgical facilities were required to be added to the clinic. Mr. Norman stated that the two buildings to the north will be used for this purpose. It was noted by the applicant, that the University of Oklahoma has acquired numerous properties in the area for expansion, and long range plans call for the removal of the two buildings in question and the construction of a larger facility. A landscape plan (Exhibit F-4) was submitted.

Comments and Questions:

Mr. Bolzie asked why the north location on 28th Street was chosen for the location of the buildings, and Mr. Norman replied that they were placed as close to the clinic as possible.

Ms. Bradley informed that a letter (Exhibit F-3) from the Whitney Homeowners Association states a concern with the sanitary sewer line serving the neighborhood and the OU campus.

Mr. Norman advised that he has met with the association, and is in agreement with them concerning the need for sewer improvements and traffic signals in the area. He informed that the addition of the two units will not add to the existing load on the sanitary sewer.

Protestants:

Mrs. J. Cross, 6541 East 28th Street, Tulsa, Oklahoma, stated that she is pleased that the medical college is in the area, but is concerned with the appearance of the two mobile units that have been moved to the property. She further noted that the installation of the buildings have increased the amount of trash blowing into the residential area. Ms. Cross stated that she has contacted the college about the problem, but the trash continues to accumulate. She pointed out that 28th Street is not wide enough to accommodate the traffic generated by the medical facility, and street parking is a problem in the area.

Case No. 15440 (continued)

Interested Parties:

Ray McCollum, 3135 South 76th East Avenue, Tulsa, Oklahoma, stated that he is president of the Whitney Homeowners Association, and that the area residents have met with representatives of the college. He informed that concerns of the neighborhood have been discussed and are being worked out. Mr. McCollum stated that the association is supportive of the medical facility, but will continue to monitor the expansion.

Applicant's Rebuttal:

In reference to the trash problem, Mr. Norman stated that he does not believe the clinic is responsible for the trash in the neighborhood, as a maintenance man picks up trash daily.

Ms. Cross stated that the trash picked up in her yard has Johnson and Johnson labels.

Board Action:

On **MOTION** of FULLER, the Board voted 4-0-0 (Bolzie, Bradley, Chappelle, Fuller, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** and an amendment to the site plan to permit the construction, use and occupancy of two additional buildings - **Section 410. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS ; Section 610. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS** - Use Unit 12; per plot plan submitted; finding that the addition of the two units for medical use is compatible with the area, and will not violate the spirit and intent of the Code; on the following described property:

Reserve "A" Boman Acres Third Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, and that part of the SW/4, SW/4, Section 14, T-19-N, R-13-E of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the US Government Survey thereof, being more particularly described as follows, to-wit:

Beginning 648.30' east of the NW/c of the SW/4, SW/4, of said Section 14; thence S 89°-57.4138' E and along the north line of the said SW/4, SW/4 a distance of 2.23'; thence S 0°-1.2757' E a distance of 58'; thence S 89°-.4138' E a distance of 11.74'; thence south 235'; thence westerly and parallel to the north line of said SW/4, SW/4, a distance of 14.30'; thence northerly and parallel to the west line of said Section 14, a distance of 343' to the Point of Beginning; AND

The north 343' of the west 648.3' of the SW/4, SW/4, Section 14, T-19-N, R-13-E, of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the US Government Survey thereof, City of Tulsa, Tulsa County, Oklahoma.

05.17.90:563(12)

requested and should therefore not hear the application at this time.

Mr. Levy stated that the Assistant Attorney's counseling is in error as is pointed out by the reverse decision of the District Court in that the Board does have jurisdiction to hear the application at this time. He further pointed out that if the Board determines that they have no jurisdiction, he would again file appeal with the District Court. Upon questioning, Mr. Levy advised that the direction of the Board to hear the application on its own merit at the present time was in the comments of the judge and a Writ of Mandamus was not issued in order that the Board might first have a chance to hear the application on their own.

Upon questioning, Mr. Pauling advised that it would take approximately one year for the case to be brought to trial before the Supreme Court. He further advised that the Oklahoma Chapter of the American Institute of Planners and the Oklahoma Municipal League have entered into the lawsuit on behalf of the City. Upon questioning and in discussion regarding the Writ of Mandamus, Mr. Levy advised he would supply the Board with a transcript of the Court case in order that any questions regarding the Writ might be cleared up.

Protests:

None.

Board Action:

On MOTION of GUERRERO and on advice of Counsel, the Board (4-0) closed the hearing of application 8323 at this time and reserved its decision thereon for one year until such time as the legal status of Tulsa's ordinance has been clarified by the Oklahoma Supreme Court.

8370

Action Requested:

Exception (Section 1480 (g) - Special Exceptions) to permit parking in an RS-3 District per plot plan; a Variance (Section 1330 (b) - Setbacks - Under the Provisions of Section 1470) for a variance of the 50' setback requirement to permit parking per plan; and a Variance (Section 1140 (e) - Design Standards for Off-Street Parking - Under the Provisions of Section 1470) for a variance of the screening requirement on lot lines in common with an RS District, in an RS-3, OL and IL District located southeast of 28th Street and Sheridan Road.

Presentation:

Larry Leonard, representing the Church of the Christian Crusade, Inc., advised that the building of the library per plot plan was approved at the hearing of September 19, 1974 and the balance of the application continued to this date in order that the parking requirements and proposals might again be reviewed and in order that approval of the Traffic Engineer in regard to the existing curb cut to 66th East Avenue might be obtained.

Mr. Leonard submitted the modified plot plan (Exhibit "A-1") advising that a driveway permit (Exhibit "A-2") had been received approving the curb cut on 66th East Avenue at the southeast corner of the tract. Mr. Leonard requested that the existing parking lot at this location be approved per plot plan. He advised that a hedge is located to the south of the lot and that a chain link fence is located to the east and requested that the screening requirement to the north of the lot be waived as it abuts College property. Upon questioning, Mr. Leonard advised that this parking lot is used for the parking of buses and that the gate at the curb cut is used only as access for the buses, which creates little traffic, as the gate is locked the remainder of the time.

In regard to the parking lot on the northern portion of the tract, Mr. Leonard advised that the original parking plan submitted was modified to permit parking in a north-south direction, stating that the parking parallel to 28th Street has been eliminated from the plan. He requested a variance of the setback requirement to permit the lot to be located 50' from the centerline of 28th Street and requested that the screening requirement on the east be waived as it abuts College property.

In regard to the number of parking spaces that might be required by the students, Mr. Leonard advised that the campus is located across Sheridan to the west and that the students walk from the campus to the College rather than driving their vehicles.

Mr. Leonard pointed out that several of the properties surrounding the College are owned by the College and requested that the screening requirements be waived on these properties for economic reasons. He stated that the College would, however, be willing to provide the screening around the properties that are not owned by the College.

10.3.74:173(4)

In discussion of the screening requirements and the waiver requested, Mr. Leonard questioned whether or not hedge could be provided as the screening requirement in lieu of a solid wooden fence.

Protests:

Bruce Townsend, attorney representing Mr. and Mrs. James Wheeler of 652 East 28th Street, advised he had no objection to the screening being waived along Sheridan and that hedge be provided, but requested that his client's property be screened. In discussion, Mr. Townsend stated he would be willing to accept hedge in lieu of a solid wooden fence.

Board Action:

On MOTION of BLESSING, the Board (4-0) approved an Exception (Section 1480 (g) - Special Exceptions) to permit parking in an RS-3 District per amended plot plan; a Variance (Section 1330 (b) - Setbacks - Under the Provisions of Section 1470) for a variance of the 50' setback requirement to permit parking per amended plot plan; and a Variance (Section 1140 (e) - Design Standards for Off-Street Parking - Under the Provisions of Section 1470) for a variance of the screening requirements on lot lines in common with an RS District, waiving the screening requirements on the east side of the northern parking lot and the north side of the southern parking lot; requiring that a six foot hedge, in lieu of the six foot solid wooden fence, be provided on the north edge of the northern parking lot, on the south edge of the southern parking lot, and on the east edge of the College property abutting Lot 9, Block 15, Boman Acres 3rd Addition and Lot 9, Block 38, South Sheridan Acres; and instructing that the gate on 66th East Avenue be used for accessory access only and not made a principal access, in an RS-3, OL and IL District on the following described tract:

The North 343' of the West 648.3' of the SW/4, SW/4, of Section 14, Township 19 North, Range 13 East, Tulsa County, Oklahoma, containing 5.1 acres, more or less; AND Reserve "A" Boman Acres 3rd Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, and containing .6876 acres, more or less, AND, that part of the SW/4, of the SW/4 of Section 14, Township 19 North, Range 13 East of the Indian Base and Meridian in Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows:

Beginning 648.30' East of the Northwest corner of the SW/4 of the SW/4 of said Section 14; thence South 89°-57.4138' East and along the North line of the said SW/4 of the SW/4, a distance of 2.23' to a point; thence South 0°-1.2757' East a distance of 58' to a point; thence South 89°-57.4138' East a distance of 11.74' to a point; thence due South 285' to a point; thence Westerly and parallel to the North line of said SW/4 of the SW/4 a distance of 14.30' to a point; thence Northerly and parallel to the West line of said Section 14, a distance of 343' to the point of beginning, and containing .095 acres, more or less, containing a total of approximately 6 acres, more or less, and also known as 2819 South Sheridan, Tulsa, Oklahoma.

8371

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1470) for a variance of setback requirements from 55' to 43' from the centerline of 91st East Avenue to permit an addition to present church building; a Variance (Section 1120 (d) - General Requirements for Off-Street Parking - Under the Provisions of Section 1470) for a variance to remove parking requirements in Block 20 (Church has 35 spaces - Section requires 38 additional spaces for the proposed addition) and permission to use the West 74.8' of Lots 37 and 38, Block 32 for church parking; and an Exception (Section 830 - FD Floodway Supplemental District Regulations) to use Lot 36, Block 32 for church parking, in an RS-3 OL and CS District located northwest of 91st East Avenue and 11th Street.

Presentation:

Mr. Jones submitted a letter (Exhibit "B-1") to the Board from the applicant requesting a continuance of the subject application to November 7, 1974.

Protests:

None.

Board Action:

On MOTION of PURSER, the Board (4-0) continued application 8371 to November 7, 1974, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Presentation:

James Million, the applicant, was present and submitted his plot plan (Exhibit "L-1") to the Board explaining that he requested permission to add two bedrooms and a 3/4 bath to the present structure.

Remarks:

Mr. Edwards advised the Board that he took the application as an appeal because the two residences were in place when the applicant purchased the property.

Mr. Gardner stated that if the applicant were to file a lot-split he would not have a nonconforming use and no requirement of the Board other than a minor variance to waive the minimum frontage, subject to the Board of Adjustment approval. He stated that the fact that there are two structures on one lot creates the nonconforming use and the problem.

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-1, with Jolly voting "nay") approved a Variance (Section 208 - One Single-Family Dwelling per Lot of Record) to permit the expansion of a nonconforming residence per plot plan submitted in an RS-3 District on the following described tract:

That part of the SE/4 of the NE/4 of Section 33, Township 19 North, Range 12 East, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at a point 35' west and 449.2' south of the NE corner of the SE/4 of the NE/4 of Section 33, T-19-N, R-12-E; thence west 625.0' to an iron pipe; thence south 84.5' to an iron pipe; thence east 625.0' to an iron pipe; thence north 84.5' to the point of beginning, containing 1.212 acres, more or less, according to the U. S. Government Survey thereof, and known as 5338 South 33rd West Avenue.

7675

Action Requested:

Exception (Sections 410, 510, 710 - Principal Uses Permitted in Residential, Office and Industrial Districts) to erect a cafeteria, fieldhouse, FM radio broadcasting facility and public relations offices for college use in RS-3, OL and IL Districts located at 2800 South Sheridan Road.

10.19.72:122(14)

Presentation:

Mr. Wayne Pollard, representing American Christian College, was present and stated that in February the subject property, which lies on the east side of Sheridan, was committed to college use subject to approval of the Board of Adjustment of eight uses and structures to be placed on the 6.2 acre tract. In approving the use of a college, the Board approved a special exception and variances. He stated that plans are now being made for the construction of two structures which have been submitted to the Building Inspector. He presented copies of the college Bulletin (Exhibit "M-1") to the Board which show the structures for the specific uses proposed. He also submitted plot plans (Exhibit "M-2") for each of the three proposed structures. He advised that the buildings, as located on the plot plans, are located in the IL portion of the tract. He said there had been some question in the past about the use of the property as a broadcasting station, but advised that this would be a use by right in an IL District. He requested that the balance of the property be approved for use of the fieldhouse.

Mr. Pollard advised that no open sports events are scheduled for the fieldhouse, that it would be used for intra-mural events only.

The Board was advised by a representative of the College that the College is to be used as a basic educational institution on a low-key level. He also explained that the College anticipates a maximum of 500 students enrolled at the college. He advised that the radio station licensed by the F.C.C. would be used for the training of the radio communications students. He further advised that the antenna for the station would be located on Lookout Mountain and that it would in no way interfere with radio and television reception in the residential areas. He advised that neither of the buildings would create a large amount of traffic and that parking facilities will be provided for 130 vehicles as shown on the plot plan.

Protests:

Raymond Estes, 2828 South 66th East Place, presented a statement (Exhibit "M-3") signed by 12 homeowners in the immediate area of the subject property, requesting that no access be permitted to the tract from East 28th Place or from South 66th East Avenue for traffic or pedestrians; that a visual screen be erected to screen the proposed facilities to protect the character of the residential neighborhood; that

10.19.72:122(15)

the FM radio broadcasting facility be licensed by FCC and on a frequency so as not to interfere with homeowners' television and radio; and that the fieldhouse, if for sports events, be so erected in a location so as not to permit undue noise or inconvenience to the homeowners.

Board Action:

On MOTION of COHEN, the Board (5-0) approved an Exception (Sections 410, 510, 710 - Principal Uses Permitted in Residential, Office and Industrial Districts) to erect a cafeteria, fieldhouse, FM radio broadcasting facility and public relations offices for college use in an RS-3 District, and that the access be determined by the Traffic Engineer, but that the desires of the neighbors concerning the closing of streets and screening be submitted to the Traffic Engineer, on the following described tract:

Parcel 2: The North 343'; of the West 648.3' of the SW/4, SW/4, of Section 14, Township 19 North, Range 13 East, Tulsa County, Oklahoma, containing 5.1 acres, more or less; AND Reserve "A" Bowman Acres 3rd Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, and containing .6876 acres, more or less, AND that part of the SW/4 of the SW/4 of Section 14, T-19-N, R-13-E of the Indian Base and Meridian in Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows:

Beginning 648.30' East of the NW corner of the SW/4 of the SW/4 of said Section 14; thence South $89^{\circ}-57.4138'$ East and along the North line of the said SW/4 of the SW/4, a distance of 2.23' to a point; thence South $0^{\circ}-1.2757'$ East a distance of 58' to a point; thence South $89^{\circ}-57.4138'$ East a distance of 11.74' to a point; thence due South 285' to a point; thence Westerly and parallel to the North line of said SW/4 of the SW/4 a distance of 14.30' to a point; thence Northerly and parallel to the West line of said Section 14, a distance of 343' to the point of beginning, and containing .095 acres, more or less, containing a total of approximately 6 acres, more or less, and also known as 2819 South Sheridan Road, Tulsa, Okla.

10.19.72:122(16)

7311

Action Requested: Variance (Section 1430 - Notice of Public Hearings - Minor Variances) to modify the front footage requirements in an RS-1 District to permit a lot-split (Lots will have 82.5' frontages) on a tract located at 5657 South 85th West Avenue.

Presentation: Joe Donelson, applicant, advised the Board that although the request has not received the approval of the Planning Commission, the Board could grant approval subject to their subsequent approval. He stated that his client's home was recently destroyed by a fire and he is anxious to commence building a new structure on this land which he has obtained from a relative. He stated that although the tract will have less than 100' of frontage, it is 1 1/4 acre in size.

Protests: None.

Board Action: On MOTION of COHEN, the Board (3-0) approved a Variance (Section 1430 - Notice of Public Hearings - Minor Variances) to modify the front footage requirements in an RS-1 District to permit a lot-split, subject to subsequent approval by the Planning Commission, on the following described tract:

The N/2, S/2, SW/4, NE/4, SE/4, of Section 36, Township 19 North, Range 11 East, Tulsa County, Oklahoma.

6987

Action Requested: Exception (Section 410 - Principal Uses Permitted in Residential Districts, and

Exception (Section 510 - Principal Uses Permitted in Office Districts, and

Variance (Section 710 - Principal Uses Permitted in Industrial Districts) to permit a college in Residential Districts and Office Districts, and a college in an Industrial District (as per specifications) on a tract located in the 2800 Block on South Sheridan Road.

Presentation: Allen Barrow, attorney representing the American Christian College of Christian Crusades, advised the Board that the College received approval from this Board in April 1971, to enlarge the existing cathedral building. Nine months later, in January 1972, the Board received two letters from property owners in the area stating that they had not received proper notice

2.3.72:101(24)

2.18

and the College therefore filed the subject application to effect new notice. The College in this application is merely requesting that the former approval by this Board be reinstated.

Remarks:

Mr. Jones advised the Board that of 65 affected property owners only four were not notified of the previous hearing.

Protests:

W. E. Murphy Address: 6209 E. 28th Street

Mr. Murphy objected to any expansion of the present facilities stating that the residential area would become overcrowded. He also stated that he objected to any use of the property which would include a radio station. He added that parking in the area is restricted to one side of the street and that it would be affected by any expansion.

Remarks:

The Chair advised Mr. Murphy that the Board is not considering a radio station on the subject tract at this time.

Board Action:

On MOTION of COHEN, the Board (3-0) reaffirmed the previous approval granted American Christian College of Christian Crusades (application no. 6987) which approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts), and Exception (Section 510 - Principal Uses Permitted in Office Districts), and Variance (Section 710 - Principal Uses Permitted in Industrial Districts) to permit a college in Residential, Office, and Industrial Districts, with the following conditions and stipulations on the following described property:

- 1) The Board of Adjustment recognizes the overall site as depicted on the plot plan as a college site (Special Exceptions - Use Unit 5).
- 2) That Building "F" to be constructed be approved as per plot plan and location.
- 3) That required off-street parking must be provided within the overall approved site, but not necessarily adjacent to a specific building complex.

- 4) That any subsequent additional buildings to be constructed other than Building "F" will require separate filing of notice and public hearing for consideration before this Board.

Parcel 1: Lots 1, 2, 3, 4, and 5, Block 1, Boman Acres 2nd Addition, a subdivision to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof.

Parcel 2: The North 343; of the West 648.3' of the SW/4, SW/4, of Section 14, Township 19 North, Range 13 East, Tulsa County, Oklahoma, containing 5.1 acres, more or less; AND Reserve "A" Boman Acres 3rd Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, and containing .6876 acres, more or less, AND, that part of the SW/4 of the SW/4 of Section 14, T-19-N, R-13-E. of the Indian Base and Meridian in Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows:

Beginning 648.30' East of the Northwest corner of the SW/4 of the SW/4 of Said Section 14; thence South 89° -57.4138'-East and along the North line of the said SW/4 of the SW/4, a distance of 2.23' to a point; thence South 0° -1.2757' East a distance of 58' to a point; thence South 89° -57.4138' East a distance of 11.74' to a point; thence due South 285' to a point; thence Westerly and parallel to the North line of said SW/4 of the SW/4 a distance of 14.30' to a point; thence Northerly and parallel to the West line of said Section 14, a distance of 343' to the point of beginning, and containing .095 acres, more or less, containing a total of approximately 6 acres, more or less, and also known as 2819 South Sheridan, Tulsa, Oklahoma.

Parcel 3: Lot 1, Block 4, Boman Acres 2nd Addition, a Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

The SE/4 of the SE/4 of Section 15, Township 19 North, Range 13 East of the Indian Base and Meridian in Tulsa County, Oklahoma, according to U. S. Government Survey thereof:

Beginning 170' South and 50' West of the Northeast corner of the SE/4 of the SE/4 of Section 15; thence South $0^{\circ}-12'-52''$ West a distance of 175' to a point; thence due West a distance of 140' to a point; thence South $0^{\circ}-12'-52''$ West a distance of 125' to a point; thence due West a distance of 71.67' to a point; thence Westerly along a curve to the left with a radius of 230' for a distance of 69.42' to a point; thence North $0^{\circ}-12'-52''$ East a distance of 310.17' to a point; thence North $89^{\circ}-57'-09''$ East a distance of 280' to the point of beginning.

Parcel 4: A tract of land situated in the SE/4, of the SE/4 of Section 15, Township 19 North, Range 13 East, Tulsa County, being more particularly described as follows, to-wit: Beginning at the intersection of the North right-of-way line of East 31st Street South and the West right-of-way line of South Sheridan Road; thence North 450'; thence West 150' to the point of beginning; thence West 130'; thence North 238.46'; thence Northeast along the South right-of-way line of East 30th Street East a distance of 70.61'; thence East 86.43'; thence South 150'; thence West 25'; thence South 102.96' to the point of beginning.

Parcel 5: Beginning at a point 362' North and 330' West of the Southeast corner of said Section 15; thence due West and parallel to the South line of said Section 15, a distance of 108.69'; thence North $26^{\circ}-33.3082'$ East, a distance of 0.00'; thence along a curve to the left with a radius of 85', a distance of 222.91'; thence along a curve to the right with a radius of 170' a distance of 196.43'; thence South $0^{\circ}-12'-52''$ East and parallel to the East line of said Section 15, a distance of 416.36' to the point of beginning and containing 0.8530 acres, more or less.

Parcel 6: A tract of land situated in the SE/4, SE/4, SE/4 of Section 15, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows, to-wit: Beginning at a point 197' North and 330' West of the Southeast corner of the SE/4 of the SE/4 of said Section 15; thence due West and parallel to the South line of said Section 15, a distance of 108'; thence Northerly and parallel to the East line of said Section 15, a distance of 118'; thence due West a distance

of 76.78'; thence due East a distance of 0.00'; thence along a curve to the left with a radius of 85' a distance of 94.06'; thence due East a distance of 108.69'; thence Southerly a distance of 165' to the point of beginning, and known as 3025-3029½ South Norwood Avenue.

7267

Action Requested: Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Home Occupations) to permit operating a home beauty shop in an RS-3 District on a tract located at 2756 South Memorial.

Presentation: Betty Lou Ramey, applicant, was present.

Remarks: Mr. Jones advised the Board that the subject application was approved by the Board on January 6, 1972. However, one of the adjacent property owners notified the Staff that he had not received notice of the hearing, and the application was therefore readvertised for this date in order that proper notice may be served.

Protests: Mr. Robert Pace Address: 7247 East 27th Court

Mr. Pace and other protestants stated that the subject tract is located on the service road fronting Memorial. Residents in the area must use this service road to reach the only north-south access to Memorial Boulevard. Since the service road is only one lane, the additional traffic which would be created by the use would be hazardous. It was pointed out that the applicant has made some exterior alterations to the house on the tract, and although there are no signs displayed it obviously appears to be a business operation. A protest petition was submitted (Exhibit "L-1") containing the signatures of all six of the residents on 27th Court and others in the area.

Board Action: On MOTION of HENDRICKS, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 - Home Occupations) to permit the operation of a one-chair, one-operator beauty shop, with the stipulation that no further structural changes be made to the property, on the following described tract:

Lot 3, Block 28, Boman Acres Fourth Addition
to the City of Tulsa, Oklahoma.

2.3.72:101(28)

Presentation:

Monte Coon, representative of Craig Neon, was present and advised the Board that he had a permit to erect the sign. He also advised that he has a contract from the owner of the shopping center stating that the removal of the sign will cost the City nothing.

Betty Overton, Building Inspector, advised the Board that the permit was for permission to erect a sign 50' from the centerline and the applicant has erected the sign 42' from the centerline. She stated that she is opposed to the sign companies of Tulsa erecting their signs before getting Board of Adjustment approval.

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-0) approved a Minor Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1430) for a modification of setback requirements to permit the erection of a sign 42' from the centerline of Peoria Avenue in a CS District on the following described tract:

Lots 5, 6, 7, 8, Block 1, Broadview Heights Addition to the City of Tulsa, Oklahoma.

SPECIAL ITEMS:

Communication:

6987

Remarks:

This was a request from MPH Investments, Inc., on behalf of American Christian College for a clarification of the minutes pertaining to Building "F" of the meeting of February 3, 1972. Mr. Edwards stated that the application had been approved in concept and approval of the outside boundaries was granted. He stated that the College had requested a blanket waiver of conditions, but were told that additional buildings other than Building "F" would require separate filing of notice and public hearing for consideration before the Board. Mr. Jones also advised the Board that the uses of each new building would have to have the Board's approval because the Board is representing the protestants who were interested in what construction and uses would be taking place.

6987 (continued)

Presentation:

R. G. Warriner, of MPH Investment, Inc., was present with representatives of American Christian College. He submitted to the Board a substitute plot plan (Exhibit "F-1") explaining the overhang of Building "F".

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-0) approved that Building "F" be constructed within the original limits (foundation and walls) and that the overhang be approved in its present form as per the substitute plot plan submitted.

Elections:

On NOMINATION of COHEN, the members appointed by acclamation Tom Jolly as Chairman of the Board of Adjustment for one year.

There being no further business, the Chairman declared the meeting adjourned at 3:32 p.m.

Date Approved 11-2-72

Tom W Jolly
Chairman

10.5.72:121(14)

2.24

Exhibit "A"
Legal Description

A tract of land in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) of Section Fourteen (14), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit:

BEGINNING at the Northeast Corner of Lot One (1), Block Forty-five (45), South Sheridan Acres;

THENCE, S88°43'53"W for a distance of 120.00 feet;

THENCE, S01°18'42"E for a distance of 100.00 feet;

THENCE, S88°43'53"W for a distance of 492.71 feet;

THENCE, N01°15'07"W for a distance of 295.26 feet;

THENCE, N88°41'18"E for a distance of 612.40 feet;

THENCE, S01°18'42"E for a distance of 195.72 feet to the Point of Beginning;

Said Tract containing 3.88 acres more or less.

Exhibit "B"
Project Summary / Action Requested

This application has been filed to address and resolve a discrepancy between (i) the existing underlying zoning and (ii) the use of the Subject Property that has been in existence for several years (since 2010).

The Subject Property is located at 2821 South Sheridan Road. The Subject Property has four (4) different zoning districts on-site, namely (i) Industrial-Light (IL), (ii) Office-Low Intensity (OL), (iii) Residential Single Family-3 (RS-3), and (iv) Commercial-High (CH).

The Subject Property has been owned and occupied by the Child Abuse Network for many years. The Family Safety has recently purchased a portion of the property for construction of a "family justice center" where many service providers, both from the state and local government as well as private service agencies, will be housed under one roof to provide services to individuals, families and children in need. This collective and cooperative Center has been in operation since 2006. The agencies that provide services at the Family Safety Center include:

- City of Tulsa
- Tulsa Police Department (Family Violence Unit and forensic/SANE nurses)
- Tulsa County Sheriff
- Tulsa County District Attorney
- Courtroom dedicated to the issuance of protective orders
- DVIS/Call Rape providing advocates
- civil legal services
- self sufficiency referrals
- childcare
- Tulsa Metropolitan Ministry for spiritual support
- RSVP for volunteer recruitment
- Legal Aid
- University of Tulsa Law School
- Parent Child Center of Tulsa
- YWCA for immigration and translation issues.

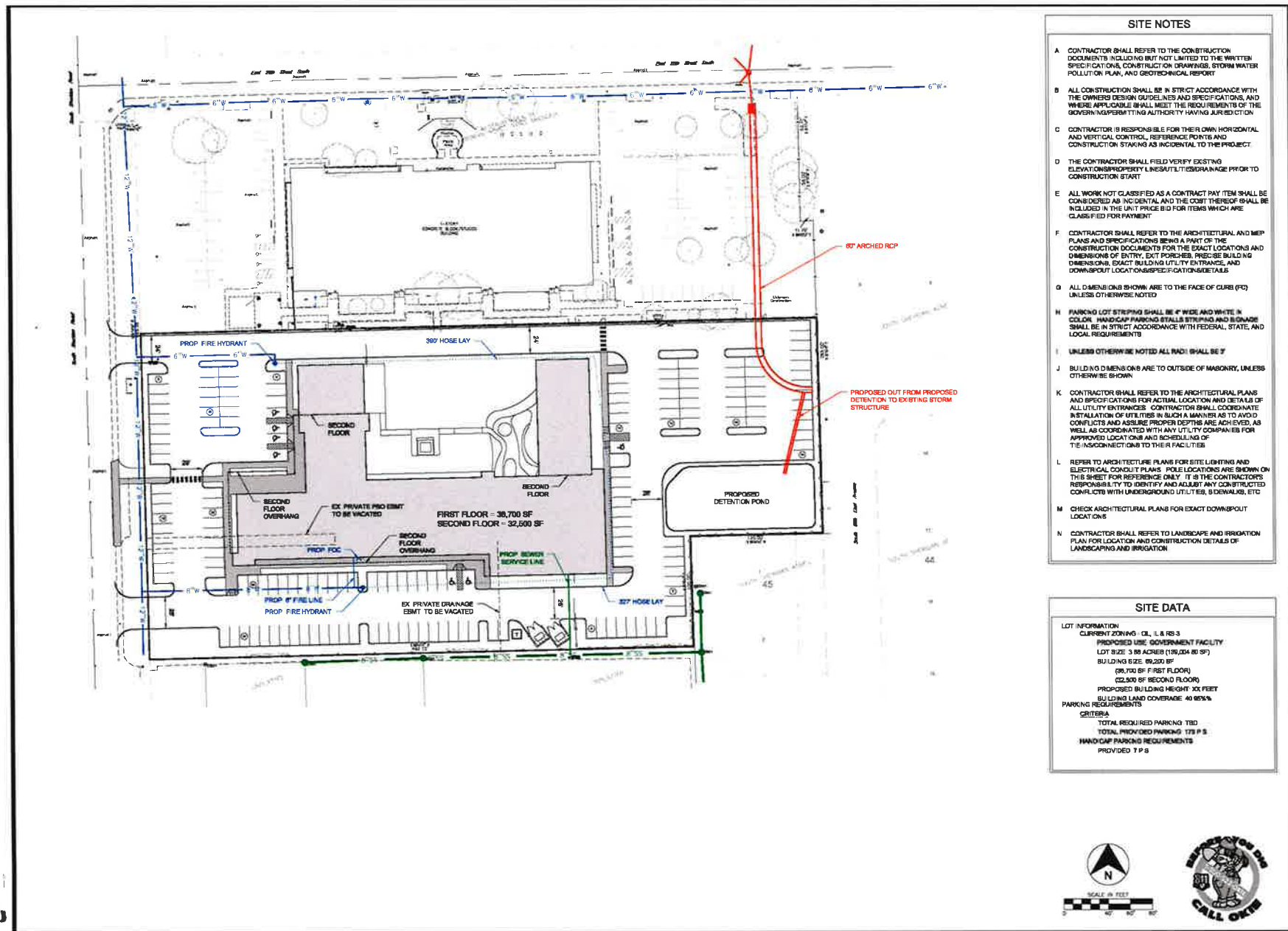
Today, the Family Safety Center staff numbers 15 persons, 8 of whom manage initial client intake and navigation, 3 special project coordinators and 4 staff members handle day to day activities of the staff and partners housed at the Family Safety Center. There are additionally 40 professional staff from the other agencies and 5 volunteers located within the current facility at the Family Safety Center.

The campus is being redeveloped to better serve the needs of Tulsa County and Northeast Oklahoma residents by more clearly coordinating the services provided by the Child Abuse Network (to be located in the property immediately to the north) and the Family Safety Center (on the Subject Property).

This application has been filed to clarify and formally approve the services that have been conducted on site for many years by the Child Abuse Network and that will also be performed by the Family Safety Center upon completion. Those services include Tulsa Police offices, District Attorney offices, Courtroom, and similar governmental uses – uses that are categorized as "***Governmental Services or Similar Functions***" under the zoning code. These uses require a special exception in order to allow them to be conducted in any zoning district (this is not a "use by right" anywhere in the City).

The requested special exception is in harmony with the spirit and intent of the zoning code in that the services and functions which are and have been offered on site for many years are critical to effective provision of critical services to the citizens where such services can be offered and provide with minimal (if any) intrusion into the residential or other adjoining zoning districts. Likewise, the requested special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare in that it is the exact opposite – it is critical to the public welfare and has existed harmoniously in the neighborhood for many years.

2.27

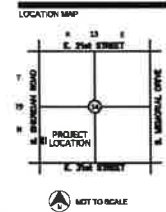


SITE NOTES

- A. CONTRACTOR SHALL REFER TO THE CONSTRUCTION DOCUMENTS INCLUDING BUT NOT LIMITED TO THE WRITTEN SPECIFICATIONS, CONSTRUCTION DRAWINGS, STORM WATER POLLUTION PLAN, AND GEOTECHNICAL REPORT
- B. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE OWNERS DESIGN GUIDELINES AND SPECIFICATIONS, AND WHERE APPLICABLE SHALL MEET THE REQUIREMENTS OF THE GOVERNMENT PERMITTING AUTHORITY HAVING JURISDICTION
- C. CONTRACTOR IS RESPONSIBLE FOR THEIR OWN HORIZONTAL AND VERTICAL CONTROL, REFERENCE POINTS AND CONSTRUCTION STAKING AS INCIDENTAL TO THE PROJECT
- D. THE CONTRACTOR SHALL FIELD VERIFY EXISTING ELEVATIONS, PROPERTY LINES, UTILITY, DRAINAGE PRIOR TO CONSTRUCTION START
- E. ALL WORK NOT CLASSIFIED AS A CONTRACT PAY ITEM SHALL BE CONSIDERED AS INCIDENTAL AND THE COST THEREOF SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ITEMS WHICH ARE CLASSIFIED FOR PAYMENT
- F. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL AND MEP PLANS AND SPECIFICATIONS BEING A PART OF THE CONSTRUCTION DOCUMENTS FOR THE EXACT LOCATIONS AND DIMENSIONS OF ENTRY, EXIT PORCHES, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY ENTRANCE, AND DOWNSPOUT LOCATIONS, SPECIFICATIONS, DETAILS
- G. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB (FC) UNLESS OTHERWISE NOTED
- H. PARKING LOT STREPPING SHALL BE 4" WIDE AND WHITE IN COLOR. HANDICAP PARKING STALLS STREPPING AND SIGNAGE SHALL BE IN STRICT ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS
- I. UNLESS OTHERWISE NOTED ALL RADI SHALL BE 5'
- J. BUILDING DIMENSIONS ARE TO BE OUTSIDE OF MASONRY, UNLESS OTHERWISE SHOWN
- K. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS AND SPECIFICATIONS FOR ACTUAL LOCATION AND DETAILS OF ALL UTILITY ENTRANCES. CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS AND ASSURE PROPER DEPTHS ARE ACHIEVED, AS WELL AS COORDINATED WITH ANY UTILITY COMPANIES FOR APPROVED LOCATIONS AND SCHEDULING OF THE DISCONNECT ONLY TO THEIR FACILITIES
- L. REFER TO ARCHITECTURE PLANS FOR SITE LIGHTING AND ELECTRICAL CONDUIT PLANS. POLE LOCATIONS ARE SHOWN ON THIS SHEET FOR REFERENCE ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO IDENTIFY AND ADJUST ANY CONSTRUCTED CONFLICTS WITH UNDERGROUND UTILITIES, SIGNALS, ETC
- M. CHECK ARCHITECTURAL PLANS FOR EXACT DOWNSPOUT LOCATIONS
- N. CONTRACTOR SHALL REFER TO LANDSCAPE AND IRRIGATION PLAN FOR LOCATION AND CONSTRUCTION DETAILS OF LANDSCAPING AND IRRIGATION

SITE DATA

LOT INFORMATION
 CURRENT ZONING: CL, L & RS 3
 PROPOSED USE: GOVERNMENT FACILITY
 LOT SIZE: 3.88 ACRES (168,004 SQ FT)
 BUILDING SIZE: 69,300 SF
 (34,750 SF FIRST FLOOR)
 (34,550 SF SECOND FLOOR)
 PROPOSED BUILDING HEIGHT: 30 FEET
 BUILDING LAND COVERAGE: 40.65%
 PARKING REQUIREMENTS
 CRITERIA
 TOTAL REQUIRED PARKING: 780
 TOTAL PROVIDED PARKING: 775 P.S.
 HANDICAP PARKING REQUIREMENTS
 PROVIDED: 1 P.S.



PROJECT
FAMILY SAFETY CENTER
 TULSA, OKLAHOMA

PROJECT NUMBER: 21041
 DRAWING DATE: 10/10/2021
 ISSUE DATE: 10/10/2021

SEAL

SUBMITTAL
 ISSUED FOR REVIEW

REVISIONS

DATE: 10/10/2021

THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF CEDAR CREEK ENGINEERING & PLANNING & CONSULTING. ANY REPRODUCTION OR COPIING OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF CEDAR CREEK ENGINEERING & PLANNING & CONSULTING IS A VIOLATION OF THE PROFESSIONAL ENGINEER'S ETHICS AND MAY BE SUBJECT TO LEGAL ACTION.

DRAWING TITLE

SCHEMATIC SITE PLAN

11/21/21

C1.00

Family Safety Center



Preliminary Design Concept
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING

2.29



Overall View

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Client Parking Entry



FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



View from Sheridan

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING

2.32



View From Sheridan

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Court Parking Entry

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING

2.34

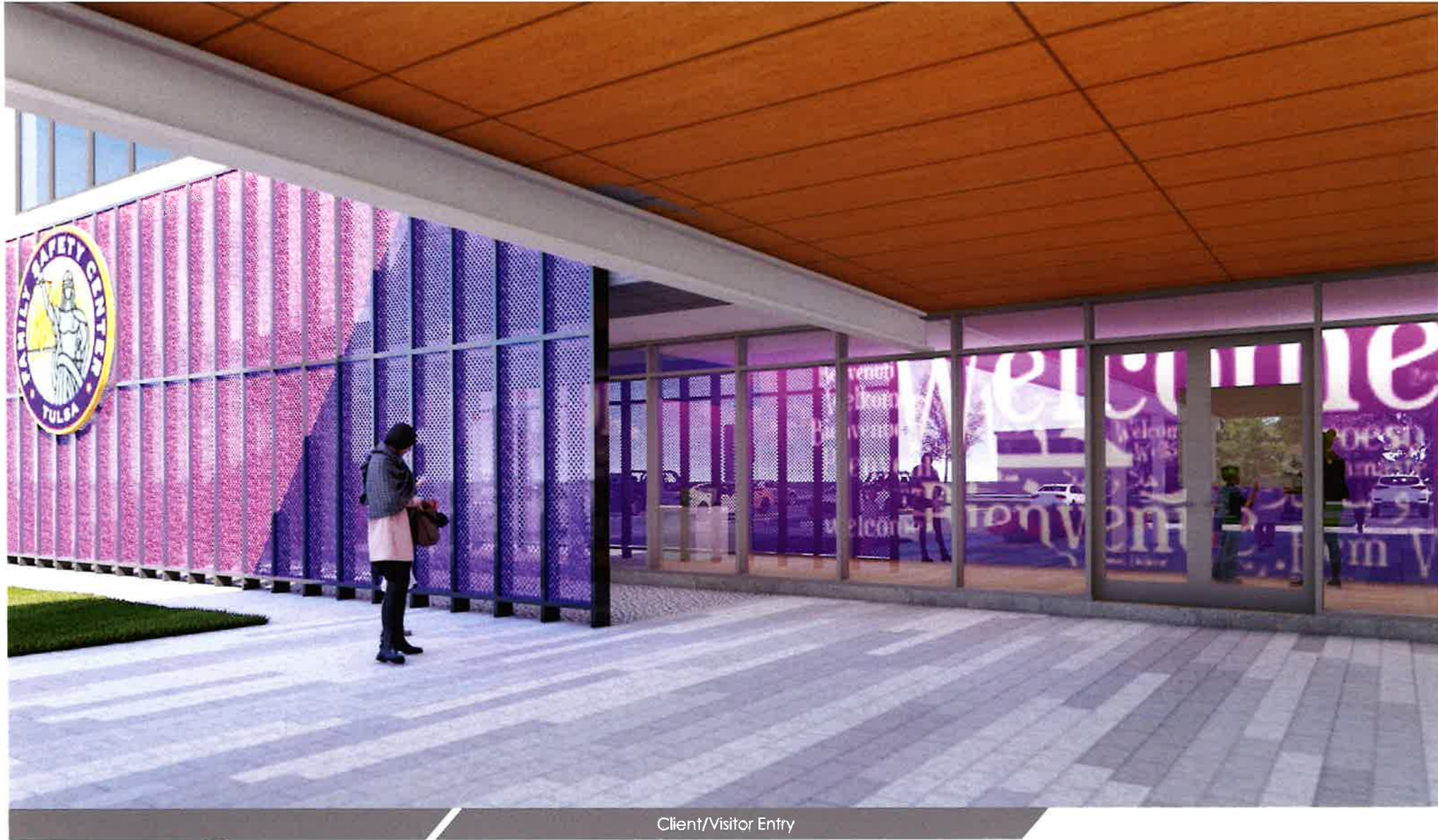


Client/Visitor Entry

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Client/Visitor Entry

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Courtyard

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Courtyard

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



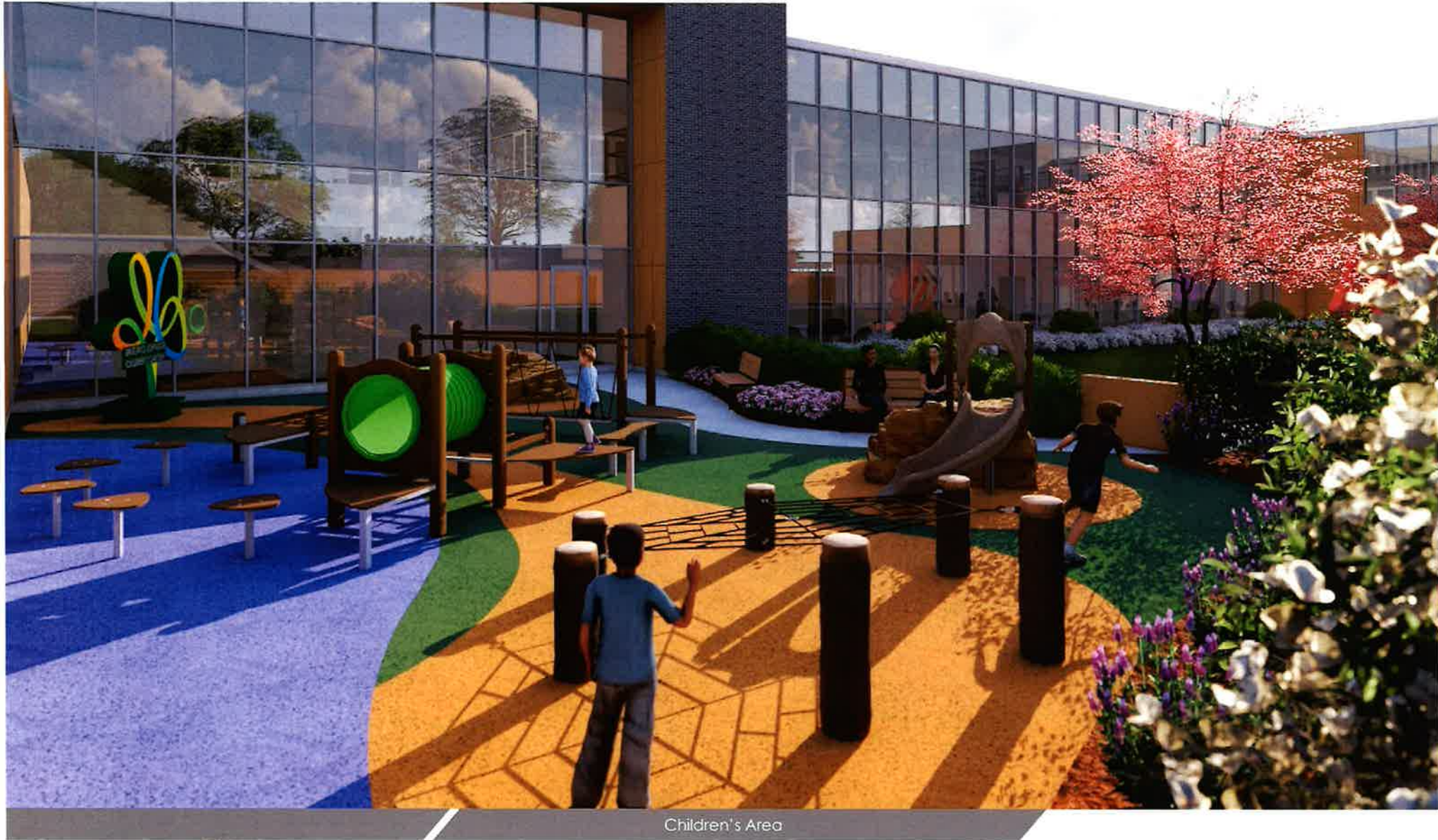
Children's Area



FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



Children's Area

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING



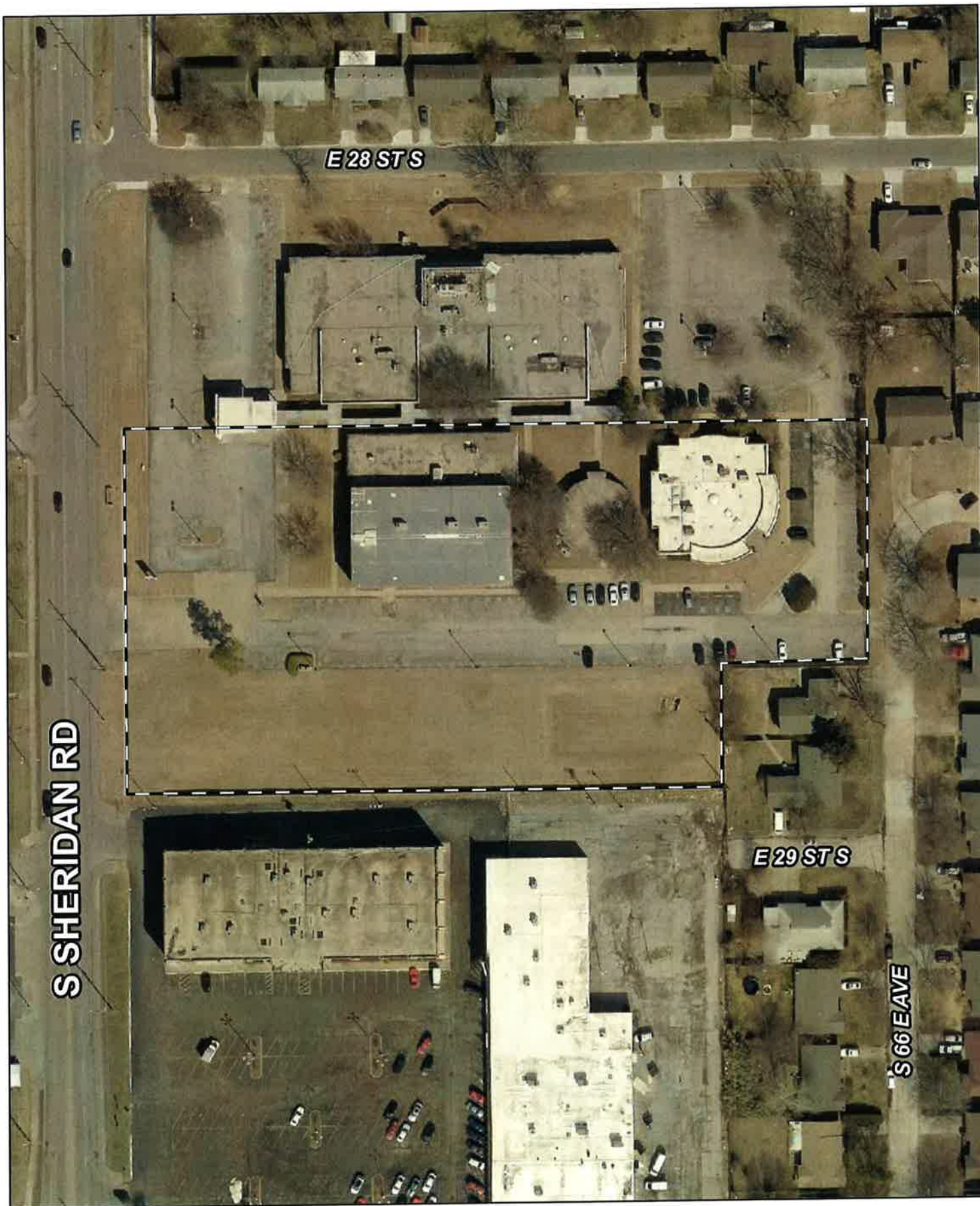
Evening View

FAMILY SAFETY CENTER
March 8, 2021



ARCHITECTURE
INTERIORS
ENGINEERING

2.41



E 28 ST S

S SHERIDAN RD

E 29 ST S

S 66 E AVE

0 50 100
Feet



Subject
Tract

BOA-23160

19-13 14

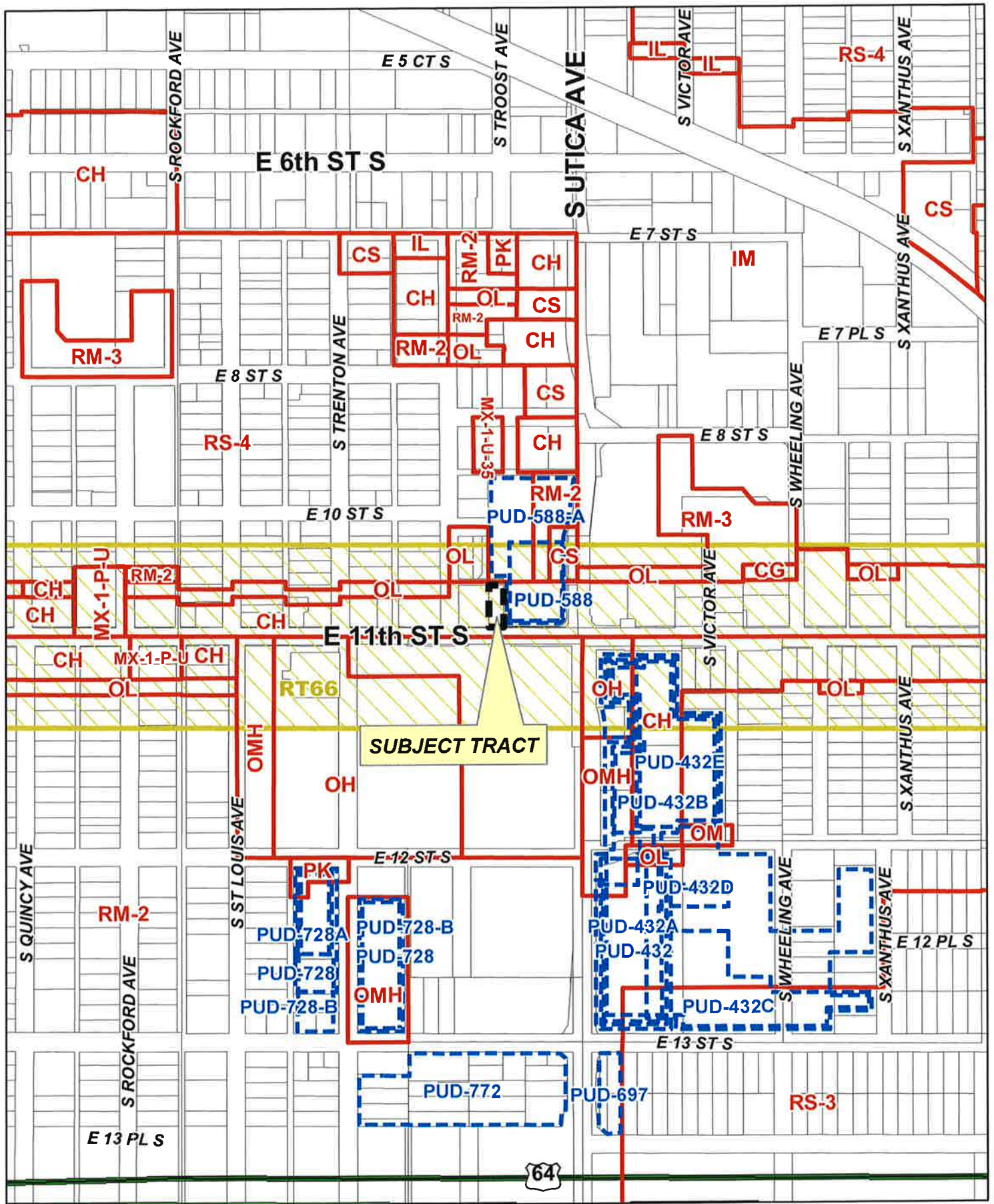
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: 2020/2021



2.43

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BOA-23166

3.1

19-13 06

BOARD OF ADJUSTMENT CASE REPORT

STR: 9306

Case Number: **BOA-23166**

CZM: 37

CD: 4

HEARING DATE: 08/10/2021 1:00 PM

APPLICANT: Gary Haynes

ACTION REQUESTED: Variance to permit a dynamic display sign within 200 feet of an R District (sec. 60-100-F)

LOCATION: 1635 E 11 ST S

ZONED: CH

PRESENT USE: Credit Union

TRACT SIZE: 6873.8 SQ FT

LEGAL DESCRIPTION: LTS 21 & 22 LESS S2.5 THEREOF BLK 9, PARK DALE AMD

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the NW/c of E. 11th St. S. and S. Utica Ave.

STAFF COMMENTS: The applicant is requesting Variance to permit a dynamic display sign within 200 feet of an R District (sec. 60-100-F)

60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

STATEMENT OF HARDSHIP: No street frontage any type of signage, only place is on East side of Wall.

SAMPLE MOTION: Move to _____ (approve/deny) a Variance to permit a dynamic display sign within 200 feet of an R District (sec. 60-100-F)

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

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

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

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

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

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

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

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

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



Subject Property



Facing West on 11th Street

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 21, 2021

LOD Number: 1

Phone: 918-872-8425

Gary Haynes
Crown Neon Signs
10101 E. 46th Pl.
Tulsa, OK 74146

APPLICATION NO: **S-1134** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1635 E. 11th St.
Description: Dynamic display wall 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-1134

1635 E. 11th St.

June 21, 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.

Section 60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Review Comments: The proposed dynamic display sign appears to be located within 200 feet of RS-4 and RM-2 Residential zoning districts to the north. You may pursue a variance from the BOA to permit a dynamic display sign to be located within 200 feet of an RS-4 and RM-2 zoning district.

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

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

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



45' To Center of 11th
 25' To Driving Surface
 85' ~~WALL~~ Wall Elevation
 55' ^{EAST} South Wall Elevation

A/ LED DISPLAY

SCALE 1" = 41"



SPECIFICATIONS

COLORS	
<input type="checkbox"/>	NONE
FONTS	
<input type="checkbox"/>	N/A

- Full color Daktronics LED display
- Installed on wall above window
- Overall size: 4'-8" x 9'-5"

A/ EXISTING CONDITIONS

SCALE NTS



3.8



CLIENT
Pearl District Credit
Union

DATE
04/19/2021

LOCATION
1635 E. 11th St.
Tulsa, Ok 74120

DESIGN NO.
041921-1

DESIGNER
Oleg Ov.

NOTES

APPROVAL

This is an original unpublished drawing created by Crown Neon. It is submitted for your own personal use in conjunction with the project being planned for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without the express written consent of Crown Neon.

APPROVED
ALL ELECTRICAL COMPONENTS



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



0 Feet 200 400



Subject Tract

BOA-23166

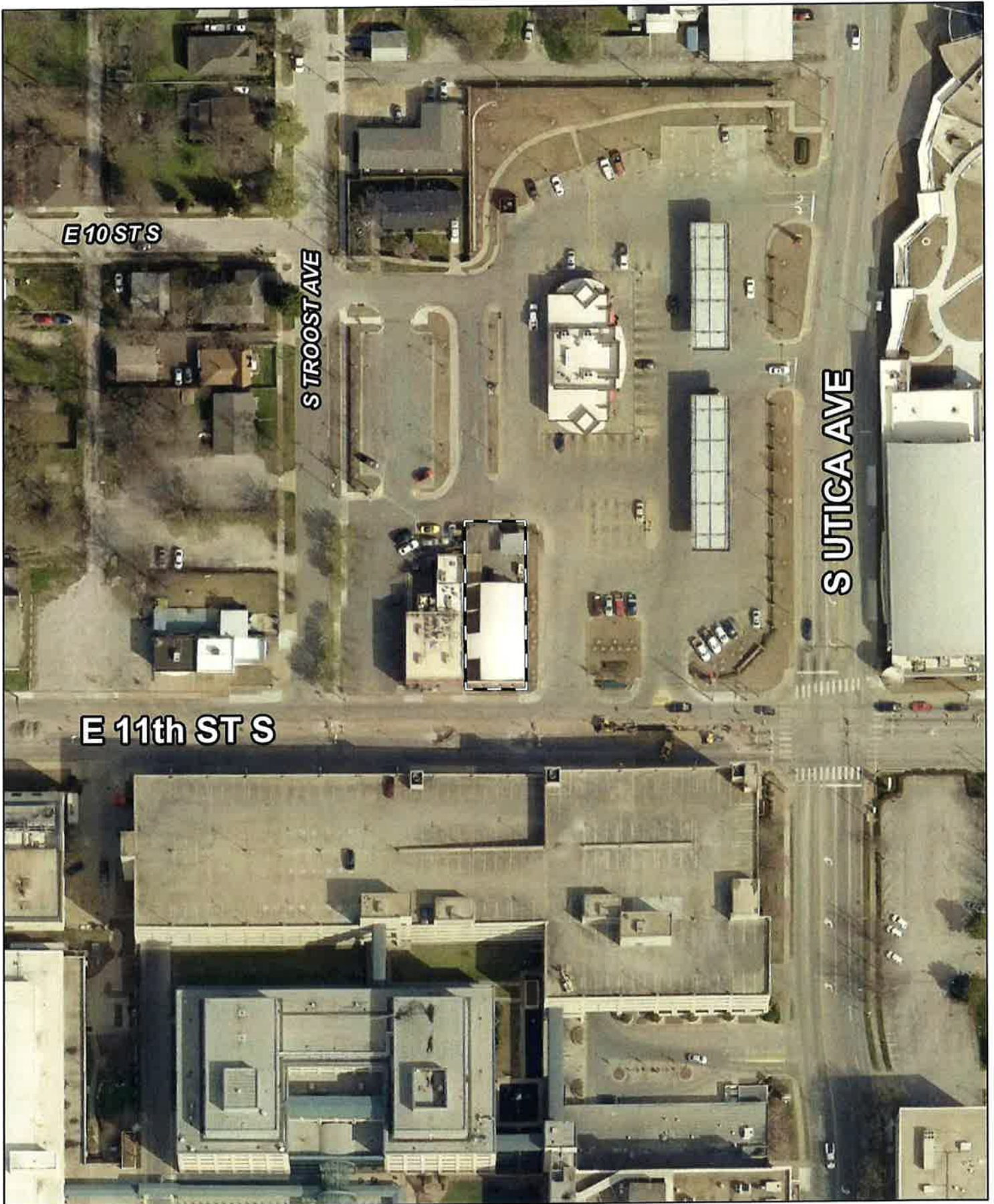
19-13 06

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

Aerial Photo Date: 2020/2021



3.9



0 Feet 50 100



Subject
Tract

BOA-23166

19-13 06

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

Aerial Photo Date: 2020/2021



3.10

BOARD OF ADJUSTMENT CASE REPORT

STR: 8324

Case Number: **BOA-23167**

CZM: 57

CD: 7

HEARING DATE: 08/10/2021 1:00 PM

APPLICANT: Louis Jr. Fernandez

ACTION REQUESTED: Appeal of the Administrative Decision issued by a Neighbor Inspector that the subject property is in violation of Sections 45.100 (Home Occupations) and 45.130 (Parking and Storage of Commercial Vehicles) of the zoning codes (Sec. 70.140).

LOCATION: 9239 S 86 AV E

ZONED: RS-3

PRESENT USE: Residential Single Family 3

TRACT SIZE: 10933.6 SQ FT

LEGAL DESCRIPTION: LT 9 BLK 5, OAK LEAF

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 on the East side of S. 86th E. Ave. between E. 92nd and E. 93rd Streets S.

STAFF COMMENTS: The appellant is requesting an **Appeal** of the Administrative Decision issued by a Neighbor Inspector that the subject property is in violation of Sections 45.100 (Home Occupations) and 45.130 (Parking and Storage of Commercial Vehicles) of the zoning codes (Sec. 70.140)

Included in your packet is a statement of the case provided by Michael Rider, Zoning and Sign Official with the Working In Neighborhood Department (WIN).

4.2

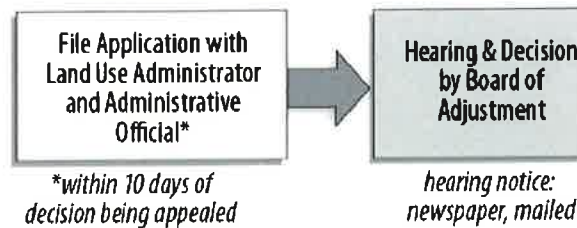
No exhibits have been provided by the appellant as of the writing of this case report.

Section 70.140 Appeals of Administrative Decisions

70.140-A Authority

Appeals of administrative (staff-level) decisions on site plans go to the planning commission (See §70.050-C). The board of adjustment is authorized to hear and decide all other appeals where it is alleged there has been an error in any order, requirement, decision or determination made by the land use administrator, the development administrator or any other administrative official in the administration, interpretation or enforcement of this zoning code.

Figure 70-7: Appeals of Administrative Decisions (Generally)



70.140-G Hearing and Final Decision

1. The board of adjustment must hold a public hearing on the appeal.
2. Following the close of the public hearing, the board of adjustment must make its findings and take action on the appeal.
3. In exercising the appeal power, the board of adjustment has all the powers of the administrative official from whom the appeal is taken. The board of adjustment may affirm or may, upon the concurring vote of at least 3 members, reverse, wholly or in part, or modify the decision being appealed.
4. In acting on the appeal, the board of adjustment must grant to the official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

70.140-H Review Criteria

The decision being appealed may be reversed or wholly or partly modified only if the board of adjustment finds that the land use administrator, the development administrator or other administrative official erred.

SAMPLE MOTION:

Move to _____ (**affirm/reverse**) the Administrative Decision issued in the Notice of Zoning Violation, Case Number WIN-20051-2021.

Finding that the Neighborhood Inspector (**acted appropriately/erred**) in the Administrative Decision issued in the Notice of Zoning Violation, Case Number WIN-20051-2021, and that the subject property (**is/ is not**) in violation of Sections 45.100 (Home Occupations) and 45.130 (Parking and Storage of Commercial Vehicles) of the zoning codes (Sec. 70.140)

BEFORE THE CITY OF TULSA BOARD OF ADJUSTMENT

Louis Fernandez, Jr.;)	
)	
Appellant,)	
)	
vs.)	Case No. BOA-23167
)	
The City of Tulsa Working in)	
Neighborhoods (WIN) Department)	
)	
Appellee.)	

Appellee's Statement of the Case

The owner of the property located at 9239 S 86th East Ave (Lt 9, Blk 5 Oak Leaf), Louis Fernandez, has appealed the Zoning Notice of Violation (City Exhibit 10) issued to him on June 24, 2021 after a Citizen complaint. The appeal, which does not contain any assertions of law or information about basis of the appeal, was timely filed with the Tulsa City Clerk and the Tulsa Planning Office on June 30, 2021. The facts of the case are outlined below.

In early April 2021, the Working in Neighborhoods (WIN) Department received a Citizen complaint (City Exhibit 1) following up on a previous complaint regarding the storage of a commercial truck at the residence located at 9239 S 86th East Ave. It was eventually determined that several inspections had been conducted, but the violation was not observed because the truck was only being stored at the residence in the evening hours and on weekends. Accordingly, the case was assigned to Zoning Official Michael Rider, who occasionally works evening hours.

Upon review of the photos submitted by the complainant, Inspector Rider noted that the name and phone number matching that of the property owner was painted on

the side of the Cornwell Quality Tools truck. Inspector Rider called the phone number on June 15, 2021, which was answered by the property owner and appellate, Louis Fernandez. After explaining the complaint and the violation of ordinance, Mr. Fernandez admitted that he brings the vehicle in question home regularly and stated that he intended to comply but wanted to read the ordinances. The Ordinances were emailed to Mr. Fernandez on the same date (City Exhibit 2) but Mr. Fernandez never replied. When Inspector Rider followed up with Mr. Fernandez via telephone a few days later, Mr. Fernandez seemed unwilling to voluntarily comply.

On June 23, 2021 internet research was conducted, revealing a Facebook post (City Exhibit 3) where a Dealer was soliciting a delivery driver to deliver the truck to Mr. Fernandez. In the post, the dealer identifies the truck as a "2017 20' M2". The post also contains photos that match those submitted in the email from the complainant. Further research of the Freightliner website (City Exhibit 4) revealed a base Gross Vehicle Weight Rating of 66,000 lbs. Additional research of the Oklahoma Secretary of State website found that Mr. Fernandez is the agent for "LX Tools LTD. Co." (City Exhibit 5).

The facts of the investigation revealed that the commercial "Cornwell Quality Tools" truck is prohibited by at least two sections of the City of Tulsa Zoning Code (Title 42), to wit:

- **Violation 1: Chapter 45, Section 45.100-F – Prohibited [Home Occupation] Uses (City Exhibit 6).**
During the telephone conversation on June 15, 2021 Mr. Fernandez indicated to Inspector Rider that he operates his tool sales business from his home, in whole or in part. Section 45.100-F prohibits the outside storage of items, including vehicles, associated with a home occupation. Since Mr. Fernandez's truck cannot fit within his garage, there is no lawful place upon the lot for it to be stored; and

- **Violation 2: Chapter 45, Section 45.130** – Parking and Storage of Commercial Trucks (City Exhibit 7).
Internet research conducted by Inspector Rider reveals an approximate base GVWR of 66,000lbs. The City of Tulsa Zoning Code prohibits any vehicle required by the State to be registered as commercial from being stored in a residential zone. The Zoning Code cites the governing State Code, 710:60-3-91 (City Exhibit 8), which details the weight threshold – 15,000lbs - that requires commercial registration. Since Mr. Fernandez's truck far exceeds this limitation and is in fact commercially registered pursuant to such regulation, the truck may not be parked or stored in a residential zone.

On June 23, 2021 the ownership information for the subject property was confirmed (City Exhibit 9) and a Notice of Zoning Violation (City Exhibit 10) was drafted. On June 24, 2021 the Notice was mailed to the property owner and posted on the front door of the property (City Exhibit 11).

Based on the information contained herein, the City of Tulsa Working in Neighborhoods Department respectfully requests that the Appeal be denied by the City of Tulsa Board of Adjustment and that the owner be ordered to comply with all provisions of the Notice.

Respectfully Submitted,



Michael Rider, Zoning & Sign Official
City of Tulsa - Working in Neighborhoods
175 E 2nd Street, Ste 480
Tulsa, OK 74103
mrider@cityoftulsa.org
918.596.9878

From: [Lori Dexter](#)
To: [Ken Hayes](#)
Subject: FW: Neighborhood Commercial Truck
Date: Monday, June 1, 2021 12:28 PM

Can you add this to your list?

(This is what I did if we had the witness statement form completed and the photo below we could issue a notice and then you can monitor afterwards - right?)

From: [Frank Perdomo](#) [Supervisor](#)
City of Tulsa Working in Neighborhoods Department
110 S. 2nd St., Suite 250 Tulsa, OK 74105
T: 918-575-5630
F: 918-495-3102
E: frank.perdomo@cityoftulsa.org
www.cityoftulsa.org
W: @TulsaOK

From: Ken Hayes <khayes09@gmail.com>
Sent: Monday, June 1, 2021 12:27 PM
To: Frank Perdomo, frank.perdomo@cityoftulsa.org
Subject: FW: Neighborhood Commercial Truck

Hi Frank: Ken Hayes here. The truck photos are on the email to Councilor Lori Dexter Wright. Thank you for your help.

Begin forwarded message:

From: Ken Hayes <khayes09@gmail.com>
Subject: FW: Neighborhood Commercial Truck
Date: May 6, 2021 at 10:18:20 AM CDT
To: Lori.Dexter@cityoftulsa.org

My City Councilor Lori Dexter Wright informed me that the Commercial Truck is illegal to be parked in the neighbor's driveway. I called it in several months ago but no action yet. Since the truck is out most days during business hours the neighborhood may not have seen it. It is there today weekends and evenings. As you can see in the photo it belongs to Louis Fernandez. We need a little help here. The neighborhood is getting old and it is hard to keep it up.

Thanks for your help.

Ken Hayes
(918) 668-7382

Begin forwarded message:

From: "Lori Dexter Wright, Lori Dexter" <ldexter@cityoftulsa.org>
Subject: Re: Neighborhood Commercial Truck
Date: May 3, 2021 at 12:03:21 PM CDT
To: Ken Hayes <khayes09@gmail.com>
Cc: "Worley, Brandon" <Brandon.Worley@tulsacounty.org>

Hi Ken,

You can definitely report it to 311. I have copied in my Council Aide, Brandon Worley, to give us a status update.

Thank you,
Lori

Councilor Lori Dexter Wright
City of Tulsa | District 7
Vice-Chair of the Tulsa City Council | 2021
Office: [918-575-1407](tel:918-575-1407)
Email: ldexter@cityoftulsa.org
www.loridexter.org
Pinterest: [she, her, hers](#)

From: Ken Hayes <khayes09@gmail.com>
Sent: Monday, May 3, 2021 11:51 AM
To: Lori Dexter Wright, Ken Hayes
Subject: re: Neighborhood Commercial Truck

Hi May 3 and the City has not acted on the Commercial truck at 9379 86th East Ave. in our neighborhood. The city may just be blowing the complaint off. If it was in Silverdale it would be gone quick. The truck is in his driveway every evening and other days also. Attached is a photo of the truck. Can I file a complaint at the Mayor's Office or with the police?

Thank you for your assistance in this matter.



On Apr 3, 2021, at 1:00 PM, "Lori Dexter Wright, Lori Dexter" <



lon.deter@cityofjackson.com • 901-955-3000

Hello Mr. Haynes,

Thank you for contacting my office with your neighborhood concern. By copy of this reply I am requested that my Council Aide Brandon Worley look into this further with Working in Neighborhoods Code Enforcement. You are correct that commercial vehicles cannot be parked on residential streets for extended periods of time.

Brandon, please contact VON Staff and follow up with Mr. Haynes with an update.

Sincerely,

Lon

Councilor Lon Deter Wright
City of Tulsa (District 7)
Vice Chair of the Tulsa City Council (2021)
Office: 918-596-3873
lon.deter@cityofjackson.com
www.tulsaonline.com
Residence: 918-596-3873

From: Ron Haynes <rhaynes@tulsanet.com>
Sent: Thursday, April 11, 2023 12:43:09 PM
To: (DST7) Wright, Lon Deter <lon.deter@cityofjackson.com>
Subject: Neighborhood Commercial Truck

Thank you for your statement to this problem. Several months ago I called the City about the truck parking problem out of town have for months the truck is on a ramp during the problem at your office.

My neighbor at 9029 S. Main East Ave. Tulsa Dr. 74125 moved here in the fall of 2022. He has a large Freightliner truck parked in his driveway. The truck is there every weekend and in the evenings. The truck is 32 feet long with a box end height extending above his garage door past the roof line, about 12 feet high. He needs to have a place to park it other than his driveway.

The City may have come out at the wrong time if they were to do what is going on during business hours.

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From: [Rider, Michael](#)
To: jxtoolco@gmail.com
Subject: Zoning Code
Date: Tuesday, June 15, 2021 8:31:00 AM

Good Morning Mr. Fernandez,

[Here is a link](#) to the Zoning Code, which I referenced on our call today. As discussed, we have received a complaint about the Freightliner truck that is regularly parked at 9239 S 86 E Ave in the evenings and on weekends. I have not done a full inspection, but based on the photos submitted in the complaints, it appears that any of the following sections may be relevant to the situation:

- Chapter 45 (Accessory Uses):
 - Section 45.010-B (General Provisions)
 - Section 45.100-F.10 (Home Occupations)
 - Section 45.130 (Parking and Storage of Commercial Trucks)
- Chapter 60 (Signs):
 - Section 60.020-A,D,E & O (Prohibited Characteristics)
 - Section 60.050-B (Signs Allowed in Residential Zoning Districts).

The recreational vehicle regulations you inquired about are found in Chapter 45, Section 45.150. If you find any that need to be reported, you can do so by calling 3-1-1 or online at cityoftulsa.org

Please take a look at these sections and let me know how long you need to relocate the commercial vehicle. If you believe the truck doesn't constitute a violation after reviewing the sections, please let me know right away so I can issue you an official Notice so that you can appeal.

All the best,

Michael Rider | Zoning and Sign Official

City of Tulsa Working in Neighborhoods Department
175 East 2nd Street, Suite 590, Tulsa, OK 74103

T: 918-596-9878

F: 918-576-5449







E: mrider@cityoftulsa.org


www.cityoftulsa.org


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20+






Herr Display Vans


Commercial Truck Dealership


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




Herr Display Vans



March 22



Customer Louis Fernandez needs to get his 2017 20' M2 moved so he can take delivery of his new truck. You may contact him at louisfernandez@cornwelldealer.com or 918-829-6609 for details.









20+






104 Comments

 Like  Comment  Share

Most Relevant ▾


 Write a comment...
Press Enter to post.

**Ross Dunagan**
Ted Basile convert it for Tim?
Like Reply 13w
↳ 1 Reply


**Louis Fernandez**
918-829-6609  1
Like Reply 13w


Most Relevant is selected, so some comments may have been filtered out.








OTHER POSTS


**Herr Display Vans**
June 18 at 9:01 PM · 🌐


Dondi Willams 20' M2 heading for Waxahatchie, Tx.








20+





45


1 Comment





Like

Comment


Share


Most Relevant

Write a comment...




Press Enter to post.



Top Fan


Charlotte Budimir Herr
Congratulations 🎉




Like · Reply · 4d




Herr Display Vans
June 18 at 3:58 PM · 🌐






29 footer for the Paul Megrath team out of Iowa.










+103





20+

 81


36 Comments 2 Shares

 Like


 Comment

 Share

Most Relevant ▾


 Write a comment...

Press Enter to post.



**Kinny Arthur**
Well excuse me where I go take a cold shower.... Seriously that's the dream ain't it!!

Like · Reply · 4d

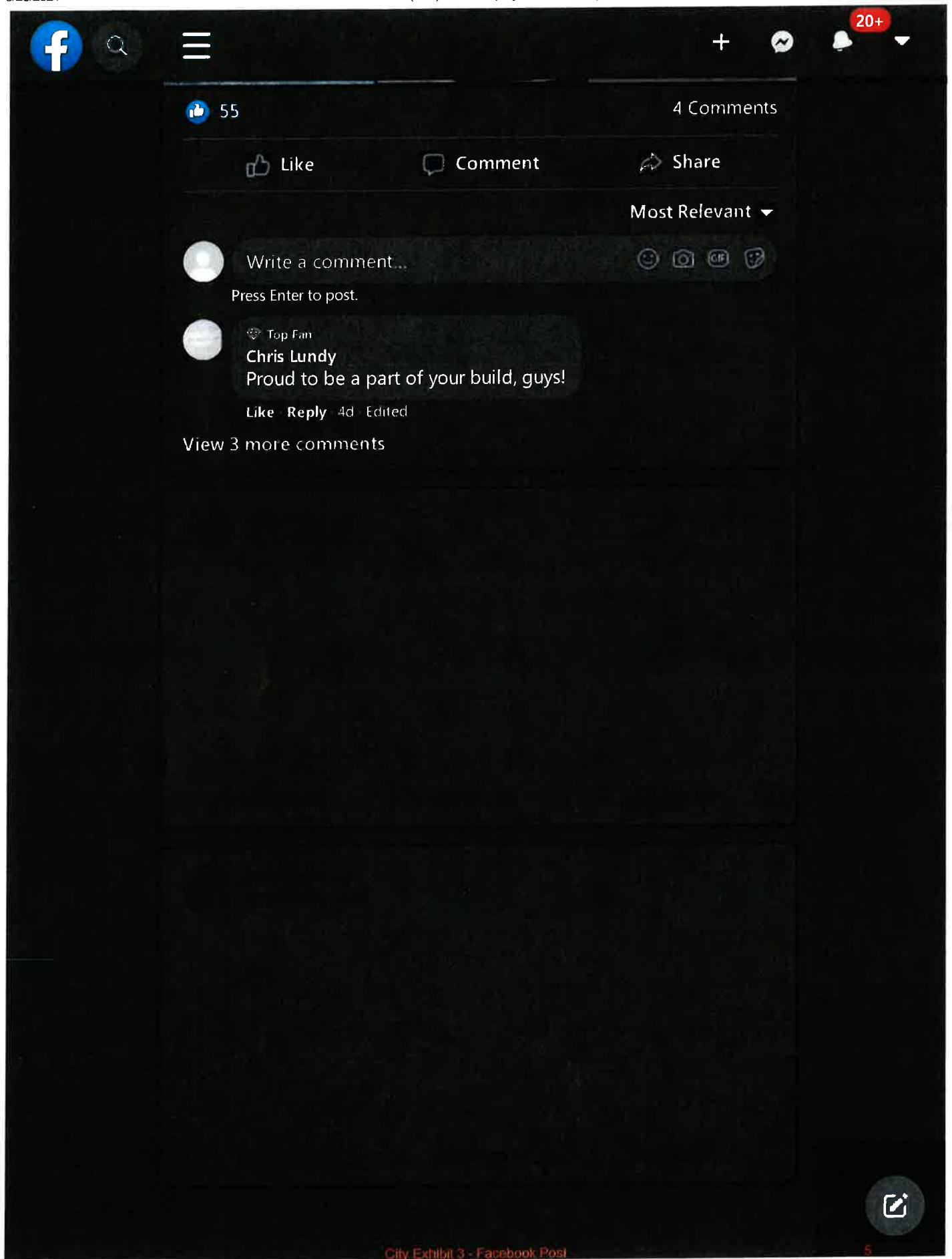
View 13 more comments

**Herr Display Vans**
June 18 at 6:44 AM · 🌐

I've been lacking with the updates. Here are some of deliveries from the past couple of weeks. Lucas Lincoln's MT45, Bill Childers and his M2, Ron Davitt's KW, Wayne Moore and his new Peterbilt and Francisco Diaz's MT45.



+2



City Exhibit 3 - Facebook Post

[TRUCKS](#)[MENU](#)[DEALERS \[/DEALER-SEARCH/\]](#)[Home](#) / [Trucks](#) / [M2 106](#)

SPECS & RESOURCES

Class	6-8
Horsepower	200-350 HP
Torque	560 to 1150 lb-ft
GVWR	66,000 lbs.

M2 106 Brochure

(https://freightlineradsAEM.azureedge.net/content/dam/enterprise/document/m2_106_brochure-2019-03-01-1.pdf)

[More Specs, Brochures and Videos \[/trucks/m2-106/specifications/\]](#)

Build Your Own M2 106

Vocational truck drivers demand more of their work
trucks. They want options. We deliver.



Build Your Own [/[trucks/m2-106/configurator](https://freightliner.com/trucks/m2-106/configurator)]



PRODUCTIVITY

The All-Around Performer

Available as a truck or tractor, the M2 106 supports a wide range of bodies and chassis-mounted equipment. Both stylish and practical, it has a GVWR of up to 66,000 pounds that produces results.





UPFIT

Built for Versatility

Versatility comes standard in the M2 106, making it the perfect platform and truck of choice for a variety of applications.





SAFETY

Safety First

A sloped hood, low profile dash and a 2,500 square-inch windshield provide drivers best in class visibility.





Toughness and Efficiency

Constructed from high quality and durable materials, the M2 106 cab is lightweight yet extremely tough, made from corrosion-resistant aluminum reinforced with with e-coated steel.



 UPTIME

Stay on the Road

M2 106 trucks are relied on every day as fire trucks, ambulances and other emergency vehicles, so Freightliner has designed its vocational trucks for maximized uptime and reliability.



SPECIAL OFFERS

The #1 Best-selling Medium-duty Truck* Just Got Even Better.

Accelerate your business with one of three offers on the M2 106, valued at \$2,500 USD / \$3,250 CAD.

*Based on Polk new truck registrations in the US and Canada for class 6-7 vehicles from 2012-2019.

See Limited Time Offers

Medium Duty Applications



Box Truck

(/trucks/vocational/box-truck/?truckId=1069)



Dump Truck

(/trucks/vocational/dump-truck/?truckId=1069)



Flatbed - Stake Body

(/trucks/vocational/flatbed-stake-body/?truckId=1069)



Food & Beverage

(/trucks/vocational/food-beverage/?truckId=1069)



Government & Municipality

(/trucks/vocational/government-municipality/?truckId=1069)



Moving

(/trucks/vocational/moving/?truckId=1069)



Refuse

(/trucks/vocational/refuse/?truckId=1069)



Service

(/trucks/vocational/service/?truckId=1069)



Sweeper

(/trucks/vocational/sweeper/?truckId=1069)



Tanker

(/trucks/vocational/tanker/?truckId=1069)



Towing & Recovery

(/trucks/vocational/towing-recovery/?truckId=1069)



Tree Trimmer

(/trucks/vocational/tree-trimmer/?truckId=1069)



Utility Truck

(/trucks/vocational/utility-truck/?truckId=1069)



Water Tanker

(/trucks/vocational/water-tanker/?truckId=1069)

Lower your Real Cost of Ownership

Recognizing the crucial factors that contribute to your RCO is essential to growing your bottom line. Download our quick-reference guide to RCO, and read all about how lowering it can benefit you.

**Download
Guide**

Financing Packages that Fit Your Budget

Daimler Truck Financial

(/financing/)

Whether you're looking for a truck lease or a loan, Daimler Truck Financial pairs the best vehicles with the best financing by offering heavy-duty and commercial truck financing packages to maximize your investment. DTF delivers flexible and customized financing solutions for owner-operators, as well as vocational and fleet customers.

Available
Financing
[/financing/]



(<https://www.freightlinertrucks.com/>)

All Trucks [/trucks/]

On-Highway Trucks (<https://freightliner.com/trucks/#category=On-Highway>)

Medium Duty Trucks (<https://freightliner.com/trucks/#category=Medium%20Duty>)

Severe Duty Trucks (<https://freightliner.com/trucks/#category=Severe%20Duty>)

Natural Gas Trucks (<https://freightliner.com/trucks/#category=Natural%20Gas>)

Cascadia [/trucks/cascadia/]

Electric Trucks [/electric-trucks/]

Cummins Vocational [/x12/]

Cummins On-Highway [/cummins-on-highway/]

Find A Dealer [/dealer-search/]

Promotions [/promotions/]

Parts [/parts/]

Service [/service/]

Brochures and Videos [/brochures-and-videos/]

Demand Detroit [/demand-detroit/]

Freightliner Vans [/freightliner-vans/]

Safety [/demand-detroit/detroit-assurance-suite-of-safety-systems/]

Manuals and Guides (<https://dtnacontent-dtna.prd.freightliner.com/content/public/dtna-serviceLit/TechLit-Homepage.html?make=freightliner>)

Vehicle Recall Lookup (<https://dtna-dlinfo.prd.freightliner.com:48518/VinLookup/vin-module/getVinLookupPage>)

Why Freightliner [/why-freightliner/]

Team Run Smart [/team-run-smart/]

Freightliner Racing [/freightliner-racing/]

Blog [/blog-and-newsletters/]

Driver Training Materials [/drivertraining/]

Merchandise (<https://www.shopfreightlinergear.com/>)

Careers (<https://dtna.jobs/>)

Press Releases [/press-releases/]

Sitemap [/site-map/]



Freightliner - A Daimler Group Brand

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[Home](#) : [Business Services](#) : [Corp Search](#) : [Corp Information](#)

Entity Summary Information

Select the buttons below to file or place an order.

To view Entity Details there will be a \$5.00 charge and you will need to click on **VIEW ENTITY DETAILS** button at the bottom of the page.

If you are ordering documents such as a "Certificate of Good Standing" or "copies" you will need to click on the **ORDER DOCUMENTS** button at the bottom of the page.

If you are filing a legal document such as a trade name, amendment, annual certificate, etc., you will need to click on **FILE A DOCUMENT** button at the bottom of the page.

LX TOOLS LTD. CO.

Details

Filing Number: 3512815068
Name Type: Legal Name
Status: In Existence ⓘ
Corp type: Domestic Limited Liability Company
Jurisdiction: Oklahoma
Formation Date: 6 Feb 2020

Registered Agent Information

Name: LOUIS XAVIER FERNANDEZ Jr
Effective: 6 Feb 2020
Address: 2926 EAST 93RD PLACE APT 2102
City, State , ZipCode: TULSA OK 74137

[View Entity Detail](#)[File a Document](#)[Order Documents](#)[New Search](#)

2. Type 2 Home Occupations

Type 2 home occupations are those in which household residents use their home as a place of work and either employees or customers come to the site. Typical examples include tutors, teachers, photographers, counselors, hair cutting/styling and real estate agents.

45.100-D Exemptions

Nonresidential uses that are expressly allowed in conjunction with residential uses (e.g., bed and breakfast uses and family child care homes) are not subject to home occupation regulations.

45.100-E Allowed Uses

The home occupation regulations of this section establish performance standards for all home occupations rather than listing specific home occupation uses that are allowed. Uses that comply with the standards of this section are allowed as of right unless otherwise expressly stated.

45.100-F Prohibited Uses

The following uses are expressly prohibited as home occupations:

1. Any type of assembly, cleaning, maintenance, painting or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators);
2. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
3. Equipment or supply rental businesses;
4. Taxi, limo, van or bus services;
5. Tow truck services;
6. Taxidermists;
7. Restaurants;
8. Funeral or interment services;
9. Animal care, grooming or boarding businesses; and
10. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building; and
11. Any use that does not comply with regulations of this section.

45.100-G Where Allowed

1. Type 1 Home Occupations

Type 1 home occupations are permitted as of right as an accessory use to a principal use in the household living use category. Type 1 home occupations are subject to the general regulations of [§45.100-H](#) and the supplemental regulations of [§45.100-I](#).

2. Type 2 Home Occupations

45.120-C Office support services must have internal access from the subject office building. External entrances are also allowed.

Section 45.130 Parking and Storage of Commercial Trucks

No vehicle required to be registered as a “commercial truck” pursuant to OAC 710:60-3-91 may be parked or stored on a lot within a residential zoning district. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., postal service, united parcel service, FedEx, et al.) of the type typically used in residential neighborhoods

Section 45.140 Parking and Storage of Inoperable or Unlicensed Motor Vehicles

In R or AG-R districts, parking or storage of inoperable or unlicensed motor vehicles is prohibited within street yards.

Section 45.150 Parking and Storage of Recreational Vehicles

45.150-A Other than for purposes of loading and unloading, which must take place within a 48-hour period, recreational vehicles located in an AG, AG-R, R or MX district may be parked or stored only in the following locations:

1. Within a garage;
2. Within a rear building setback, provided it is set back at least 3 feet from all lot lines;
3. Within a side yard but not within a required side building setback;
4. Within a side building setback if the recreational vehicle is no more than 6 feet in height, excluding the height of any outboard motor or windshield, and the recreational vehicle is screened along the lot line nearest to the vehicle and extending for the vehicle's full length by an F1 screening fence or wall in accordance with ~~§65.070-C~~ or
5. Within the street yard, provided that the development administrator determines that all of the following conditions exist:
 - a. Space is not available or there is no reasonable access to either the side yard or rear yard;
 - b. Parking inside the garage is not possible due to the height or width of the recreational vehicle;
 - c. The recreational vehicle is parked perpendicular to the street lot line;
 - d. The body of the recreational vehicle is at least 12 feet from the face of the curb or travel lanes of the street and does not extend over a sidewalk; and
 - e. No more than one recreational vehicle is parked or stored in the street yard.
6. For purposes of these provisions:
 - a. A corner lot is always deemed to have reasonable access to the rear yard;
 - b. A fence does not necessarily prevent reasonable access to a yard; and
 - c. A boat loaded on a boat trailer is considered one recreational vehicle.

[OAR Online](#)[View Code](#)**Permanent Rules
Executive Orders
4-15-2021**[View Register](#)[Search Code](#)[Search Register](#)[Disclaimer](#)**710:60-3-91. Commercial trucks and truck tractors**

(a) **Basis of registration.** Commercial Trucks and Truck Tractors are registered on the basis of combined laden weight. Commercial trucks registered for 15,000 lbs. or less are registered on a combination of age and combined laden weight of the vehicle. Combined laden weight is the combined weight of a vehicle when fully equipped for use and the cargo or payload transported thereon. The registered laden weight of a wrecker or tow vehicle is the gross weight of the wrecker or tow vehicle alone, without any inclusion of weight for a vehicle towed by the wrecker or tow vehicle. The combined laden weight declared for the purposes of registration is at the discretion of the registrant, provided that in no event may the figure be less than the unladen weight of the vehicle fully equipped for use.

(b) **Minimum weight for truck tractors; minimum fee.** The minimum weight allowed on a truck tractor is 15,000 lbs., with no reduction in the annual registration fee for number of years registered.

(c) **Display of commercial status; inspections.** All commercial trucks and truck tractors must have the name of the commercial establishment or the words "Commercial Vehicle" permanently and prominently displayed upon the outside of the vehicle in letters not less than 2" high. The letters must be in contrast to their background in order to be legible from a distance of 50 feet when the vehicle is not in motion. Vehicles registering at 15,000 lbs. or less must also meet



tulsacounty.org
Where History and Progress Meet

Assessor
JOHN A. WRIGHT

Property Search

Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Quick Facts

Account # R71450832416080
Parcel # 71450-83-24-16080
Situs address 9239 S 86 AV E TULSA 741335553
Owner name FERNANDEZ, LOUIS XAVIER JR & ASHLEY AMANDA HENDERSON
Fair cash (market) value \$196,500
Last year's taxes \$2,517
Subdivision: OAK LEAF
Legal description Legal: LT 9 BLK 5
Section: 24 **Township:** 18 **Range:** 13



General Information

Situs address 9239 S 86 AV E TULSA 741335553
Owner name FERNANDEZ, LOUIS XAVIER JR & ASHLEY AMANDA HENDERSON
Owner mailing address 9239 S 86TH EAST AVE
 TULSA, OK 741335553
Land area 0.25 acres / 10,932 sq ft
Tax rate T-5A [JENKS]
Subdivision: OAK LEAF
Legal description Legal: LT 9 BLK 5
Section: 24 **Township:** 18 **Range:** 13
Zoning RES SINGLE-FAMILY HIGH DENSITY DISTRICT [RS3]

Tax Information

	2019	2020	2021
Fair cash (market) value	\$177,000	\$177,000	\$196,500
Total taxable value	\$177,000	\$177,000	\$196,500
Assessment ratio	11%	11%	11%
Gross assessed value	\$19,470	\$19,470	\$21,615
Exemptions	\$-1,000	\$-1,000	\$0
Net assessed value	\$18,470	\$18,470	\$21,615
Tax rate	T-5A [JENKS]		
Tax rate mills	140.89	136.26	136.26*
Estimated taxes	\$2,602	\$2,517	\$2,945*
Most recent NOV	February 2, 2021		

* Estimated from 2020 millage rates

Values

	2019	2020	2021
Land value	\$29,754	\$29,754	\$29,754
Improvements value	\$147,246	\$147,246	\$166,746
Fair cash (market) value	\$177,000	\$177,000	\$196,500

Exemptions claimed

	2019	2020	2021
<u>Homestead</u>	✓	✓	—
<u>Additional homestead</u>	—	—	—
<u>Senior Valuation Limitation</u>	—	—	—
<u>Veteran</u>	—	—	—

Tax detail (2020 millages)

	%	Mills	Dollars
City-County Health	1.9	2.58	\$55.77
City-County Library	3.9	5.32	\$114.99
Tulsa Technology Center	9.8	13.33	\$288.13
Emergency Medical Service	0.0	0.00	\$0.00
Tulsa Community College	5.3	7.21	\$155.84
School Locally Voted	24.3	33.09	\$715.24
City Sinking	13.0	17.78	\$384.31
School County Wide Bldg	3.8	5.20	\$112.40
School County Wide ADA	2.9	4.00	\$86.46
School County Wide General	26.7	36.40	\$786.79
County Government	8.3	11.35	\$245.33

(Continued on next page)

Improvements

Bldg ID#	Property type	Condition	Quality	Year built	Livable†	Stories	Foundation	Exterior	Roof	Baths	HVAC
1	Residential	Avg +	Fair Plus	1985	2,152 SF	1.5	Slab	Frame Siding/ Brick/ Stone Veneer	Composition Shingle	2.0	Cool Air In Heat Ducts

Sales/Documents

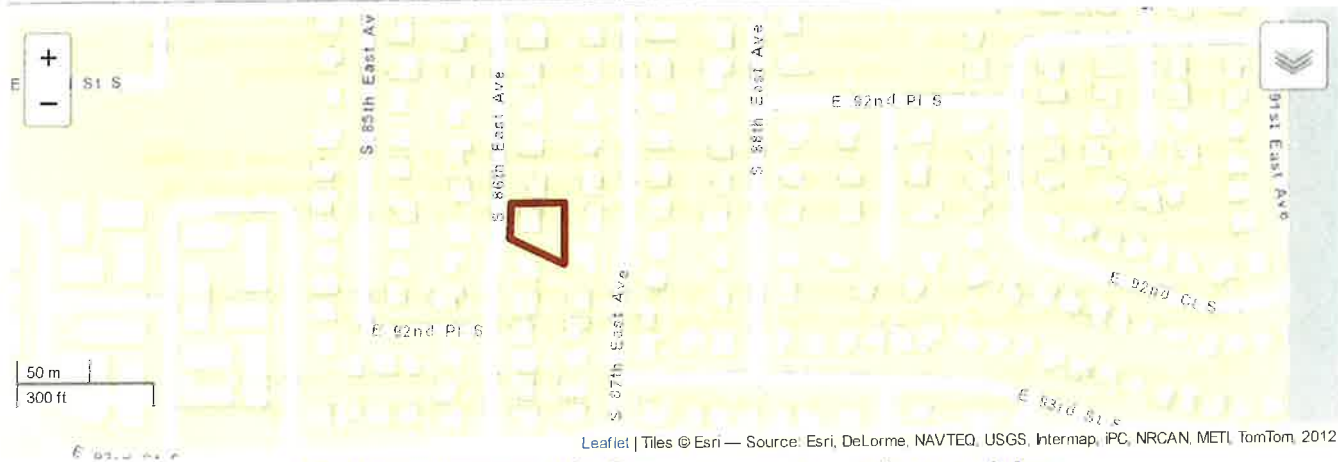
Date	Grantor	Grantee	Price	Doc type	Book-Page/Doc#
Oct 14, 2020	BARTULA, JAMES & TRACEY REV TRUSTS	FERNANDEZ, LOUIS XAVIER JR & ASHLEY, AMANDA HENDERSON	\$196,500	General Warranty Deed	2020103720
Oct 16, 2019	BARTULA, JAMES & TRACEY	BARTULA, JAMES & TRACEY REV TRUSTS	\$—	Warranty Deed	2019095254
Jun 21, 2017	JONES, MARK D AND, JENNIFER D	BARTULA, JAMES & TRACEY	\$177,000	Warranty Deed	2017059432
Oct 26, 2007	JONES, MARK D	JONES, MARK D	\$—	General Warranty Deed	2007120387
Mar 1, 2005	SALVATION ARMY	JONES, MARK D	\$125,000	History	2005023909
Oct 1, 1993			\$92,500	History	05549-00546
Aug 1, 1991			\$85,000	History	05343-01600

Images

Photo/sketch
(Click to enlarge)



† Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.



[Click to view this area on the Google Maps web page in a new window](#)

John A. Wright — Tulsa County Assessor

Tulsa County Headquarters, 5th floor | 218 W Sixth St | Tulsa, OK 74119

Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org

Office hours: 8:00–5:00 Monday–Friday (excluding holidays)



Neighborhood Investigations
WORKING IN NEIGHBORHOODS

NOTICE OF VIOLATION – ZONING

To: FERNANDEZ, LOUIS XAVIER JR & ASHLEY
AMANDA HENDERSON
9239 S 86TH EAST AVE
TULSA, OK 741335553

Date: 6/24/21
Case: WIN-20051-2021

Compliance Date: 7/4/21

Dear Property Owner and/or Occupant,

You are hereby notified of zoning (Title 42) violations at LT 9 BLK 5 OAK LEAF

City of Tulsa, Tulsa County State of Oklahoma; And located at the address of:
9239 S 86TH EAST AVE

Violations:

Code Section	Explanation of violation
45.100	The outdoor storage of items, vehicles, and equipment associated with home occupations is prohibited. Remove all items associated with Cornwell Quality Tools and/or LX Tools LTD. CO. or store them within a completely enclosed building.
45.130	Vehicles required to be registered as commercial trucks are prohibited in the Residential Zoning District. Remove the white and blue Freightliner M2 from the Residential District.

See back of page for ordinance language.

You still have time to correct the issue(s) at your property. To comply, you must correct all violations prior to the compliance deadline listed on this notice above. If you are unable to correct any or all the violation(s) listed above, contact the Code Official listed below to work out an acceptable plan to bring your property into compliance. Ensure that all family members, employees, and/or contractors, etc. are familiarized with and adhere to these regulations. Additional notices will not be sent if recurring violations are found in the future.

Failure to make the correction may result in the issuance of a criminal citation or civil remedial penalties not to exceed \$1,200.00 per day. Failure to comply may also result in revoking or withholding permits, certificates or other forms of authorization issued by the City of Tulsa; and/or any other remedies allowed by law.

Your property is an important investment for you and the community. I urge you to make the necessary corrections to eliminate all violations so that no further enforcement will be necessary.

Please understand that it is ultimately the responsibility of the owner to ensure these violations are corrected. Any civil agreements or rental agreements do not alleviate the owner of this responsibility.

Thank you,

Michael Rider
City of Tulsa – Working in Neighborhoods
mrider@cityoftulsa.org
918-596-9878

Appeals: You may appeal the administrative official's decision by filing a complete appeal application (1) with the official listed above c/o the Tulsa City Clerk AND (2) with the Director of the Tulsa Planning Office at INCOG, at the addresses shown below. Appeals must be filed within **10 DAYS** of the date of this Notice, and applicable fees must accompany the appeal application filed with INCOG. Appeals are heard by the City of Tulsa Board of Adjustment. For more information related to appeals, see Chapter 70, Section 70.140 of the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, Appeals of Administrative Decisions.

INCOG – Indian Nations Council of Governments		City of Tulsa – City Clerk	
2 West Second Street		175 East Second Street	
Suite 800	Monday-Friday	Suite 260	Monday-Friday
Tulsa, OK 74103	8 a.m. – 5 p.m.	Tulsa, OK 74103	8 a.m. – 5 p.m.
918.584.7526		918.596.7513	

To view the full Zoning Code please visit www.tulsaplanning.org/resources/plans

A COPY OF THIS NOTICE HAS BEEN SENT TO:

ORDINANCES CITED:

45.100-F Prohibited Uses The following uses are expressly prohibited as home occupations: 1. Any type of assembly, cleaning, maintenance, painting or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators); 2. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations; 3. Equipment or supply rental businesses; 4. Taxi, limo, van or bus services; 5. Tow truck services; 6. Taxidermists; 7. Restaurants; 8. Funeral or interment services; 9. Animal care, grooming or boarding businesses; and 10. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building; and 11. Any use that does not comply with regulations of this section.

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WORKING IN NEIGHBORHOODS

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Thank you.

Michael R. Rife
Michael Rife
City of Tulsa - Working in Neighborhoods
mike@cityoftulsa.org
918-581-3475

Appeals: You may appeal the administrative official's decision by filing a complete appeal application (1) with the official listed below on the Tulsa City Clerk AND (2) with the Director of the Tulsa Planning Office at INCCOG, at the address listed below. Appeals must be filed within **10 DAYS** of the date of this notice, and applicable fees must accompany the appeal application filed with INCCOG. Appeals are heard by the City of Tulsa Board of Adjustment. For more information related to appeals, see Chapter 70, Section 70.140 of the Tulsa Zoning Code.

Title 42 - Tulsa Planning Office, Appeals of Administrative Decisions		City of Tulsa - City Clerk
INCCOG - Tulsa Planning Council of Governments	Monday-Friday 8:00 AM - 5:00 PM	75 East Second Street Suite 200 Tulsa, OK 74103 415-308-1111
2100 East Second Street Tulsa, OK 74103 and 252-7521		Monday-Friday 8:00 AM - 5:00 PM

To view the full Zoning Code please visit www.cityoftulsa.org/ordinances/ordinances

06/24/2021 13:12



0 Feet 50 100



Subject
Tract

BOA-23167

18-13 24

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

Aerial Photo Date: 2020/2021



4.51



0 Feet
250 500



Subject
Tract

BOA-23167

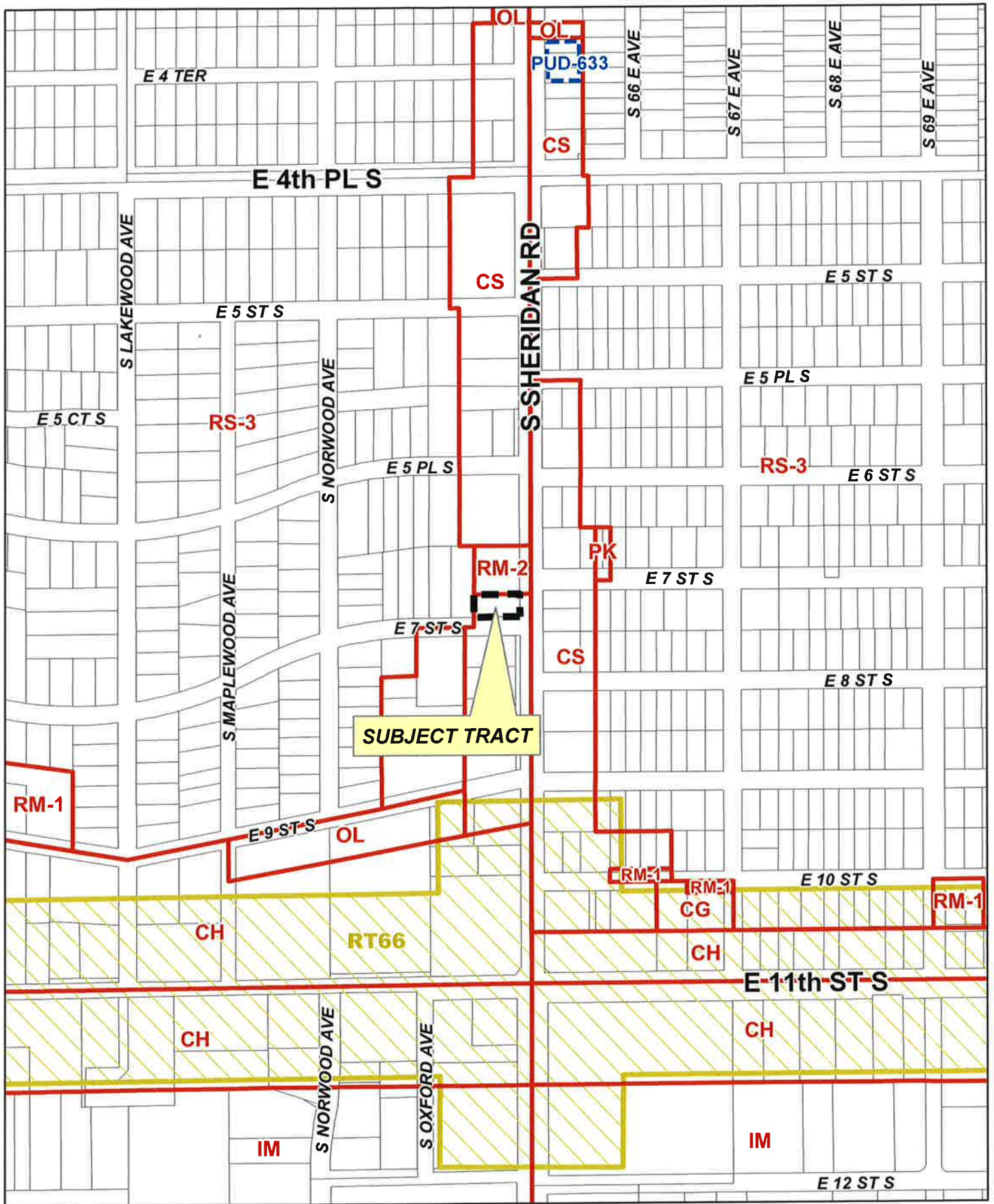
18-13 24

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

Aerial Photo Date: 2020/2021



4.52



BOA-23168

19-13 03

5.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9303

Case Number: **BOA-23168**

CZM: 38

CD: 5

HEARING DATE: 08/10/2021 1:00 PM

APPLICANT: Leonora Bustos

ACTION REQUESTED: Special Exception to permit a Personal Vehicles Sales and Rental Use in a CS District (Sec. 15.020, Table 15-2) Variance to permit outdoor display of merchandise within 300 feet of an abutting Residential District (Sec. 15.040-A)

LOCATION: 6339 E 7 ST S

ZONED: CS

PRESENT USE: Vacant

TRACT SIZE: 11552.16 SQ FT

LEGAL DESCRIPTION: S77.5 OF E150 BLK 32, GLENHAVEN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-12907; on 12.01.83 the Board **approved** a Variance of the lot frontage requirement in a CS district and a Special Exception to permit a trade school in a CS District.

Surrounding Properties:

BOA-22249; On 07.11.17 the board **approved** a variance to allow outdoor storage and display of merchandise within 300' of an abutting R district for a car lot. property located 708 S. Sheridan Road.

BOA-22174; On 12.13.16 the Board **approved** a Special Exception to permit auto sales in the CS District. property located 715 S. Sheridan Rd.

BOA-20318; On 08.08.06 the Board **approved** a Special Exception to permit auto sales and a variance to allow outdoor storage and display of merchandise within 300' of an abutting R district for a car lot. Property located 602 S. Sheridan Rd.

BOA-12101; On 08.05.82 the board **approved** Special Exception to allow an auto detailing shop in a CS District. Property located 715 S. Sheridan Rd.

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.

5.2

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 at the NW/c of E. 7th St. S. and S. Sheridan Rd.

STAFF COMMENTS: The applicant is requesting **Special Exception** to permit a Personal Vehicles Sales and Rental Use in a CS District (Sec. 15.020, Table 15-2) **Variance** to permit outdoor display of merchandise within 300 feet of an abutting Residential District (Sec. 15.040-A)

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

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Vehicle Sales and Service												Section 40.400
Commercial vehicle repair/maintenance	-	-	-	-	S	P	P	P	P	P	P	
Truck stop	-	-	-	-	-	S	S	-	P	P	P	
Commercial vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Fueling station	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle repair and maintenance	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Vehicle part and supply sales	-	-	-	-	P	P	P	P	P	P	P	
Vehicle body and paint finishing shop	-	-	-	-	S	P	P	P	P	P	P	

15.040-A Outdoor Storage and Display
 In the CS district, outdoor storage, including storage of recyclable materials, and outdoor merchandise display is prohibited within 300 feet of an abutting R or AG-R district.

Vehicle Sales and Service Uses are subject to the supplemental regulations of Sec. 40.400:

Section 40.400 **Vehicle Sales and Service**

40.400-A Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.070-C.

40.400-B Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R- or AG-R- zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

During site visit staff noted the barbed-wire/razor-wire fencing around the property which is in violation of Sec. 45.080-C of the zoning and Title 24, Section 103 of the City of Tulsa Revised Ordinances declares "All barbed wire fences which are located within three (3) feet of any public sidewalk" to be declared a public nuisance.

45.080-C Barbed-wire and razor-wire fencing is permitted as of right in AG, IL, IM, and IH districts, except as limited by Title 24, Section 103 of the Tulsa Revised Ordinances. Barbed-wire and razor-wire fencing is prohibited in all other districts unless approved in accordance with the special exception procedures of Section 70.120, subject to the limitations of Title 24, Section 103 of the Tulsa Revised Ordinances.



Staff recommends a condition of approval that the property owner bring the fencing into conformance with the code and a condition that the applicant stripes the parking lot and makes it compliant with the parking and design standards of the zoning code.

STATEMENT OF HARDSHIP: We are on the corner of 7th and Sheridan, the physical surrounding of our location with R districts it is impossible to be 300' away, it would cost me my business and livelihood to not be able to operate. our business would not alter the essential character of the neighborhood or cause detriment to the public good. We will operate a family friendly atmosphere and other auto dealers are located within the area as well.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to permit a Personal Vehicles Sales and Rental Use in a CS 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.

Variance:

Move to _____ (approve/deny) a **Variance** to permit outdoor display of merchandise within 300 feet of an abutting Residential District (Sec. 15.040-A)

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

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

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



Facing South on Sheridan



Subject property



Facing North on Sheridan

Case No. 12904 (continued)

POINT OF BEGINNING, and containing 30,312.495 square feet or 0.6959 acres.

Case No. 12905

Action Requested:

Special Exception - Section 910 - Principal Uses Permitted in Industrial Districts - Use Unit 1213 - Request for an exception to permit Convenience Goods and Services in an IL zoned district under the provisions of Section 1680, located at the NE corner of East 61st Street South and Garnett Road.

Presentation:

J. Brunoldi, P. O. Box 2420, was represented by Casper Jones, 1302 South Fulton Avenue. Mr. Jones informed this application is for Texaco. He informed that a car wash is permitted on the subject property, but retail sales are not. He submitted a plot plan showing where the buildings will be placed (Exhibit "I-1").

Protestants: None.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-1 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; Smith, "abstaining"; none, "absent") to approve a Special Exception (Section 910 - Principal Uses Permitted in Industrial Districts - under the provisions of Use Unit 1213) to permit Convenience Goods and Services in an IL zoned district under the provisions of Section 1680, per plot plan, on the following described property:

A tract of land in the SW/4, SW/4, SW/4, of Section 32, Township 19 North, Range 14 East, Tulsa County, Oklahoma; more particularly described as follows: Beginning at the SE corner of Section 32; thence North 250'; thence East 250'; thence South 250'; thence West 250'; to the point of beginning; LESS and EXCEPT the West 50' and the South 50' thereof.

Case No. 12907

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1217 - Request for a variance of lot frontage on Sheridan Road from 150 to 77.5 feet in a CS zoned district under the provisions of Section 1670.

Special Exception - Section 710 - Principal Uses Permitted in the Commercial Districts - Request for an exception to permit a trade school in a CS zoned district under the provisions of Section 1680, located at the NW corner of 7th Street and Sheridan Road.

Presentation:

Lawrence Gregory, 708 South Sheridan Road, was present representing Climate Control Institute which is an electrical and air conditioning trade school and has been at the 708 South Sheridan address since 1977. They would like to purchase the subject property to use as parking and classroom training facilities for their school. The property has an existing parking lot and a two-bedroom residence on it. He informed they will remodel the residence which will improve the property. These

12.1.83:401(11)

improvements will make the property more attractive than it is now. The building has about 1,000 sq. ft. He presented a picture of the residence. The school is in operation Monday through Friday with day classes from 7:30 a.m., until 2:00 p.m., and with Monday through Thursday evening classes from 6:00 p.m. until 10:00 p.m. They are open all year except for holidays. There is no noise generating equipment except for an occasional hammer or wrench noise. He informed that they would have to do some remodeling on the building, but this work will not increase the area of the building. They would make the changes that would need to be made in order for the school to meet the Building Code.

Protestants:

Jean Davis, 6331 East 7th Street, informed she lives next door to the subject property. She submitted 3 pictures of the parking situation that exists in the area (Exhibit "J-1"). She informed that the parking situation in the area is terrible and the subject property is already being used as a parking lot. There is not enough room for parking for new students. She does not see how more cars can be accommodated in the area.

Evelyn Zinkle, 4510 East 49th Street, was concerned with the parking in the area. Most of the parking problems are caused by the students at the school. She would like to have the assurance of the applicant that the other residents in the area will not be encroached upon as far as parking.

Doyle Turnbull, 6331 East 7th Street, informed that there is just a narrow driveway between the house on the subject property and his house. He is concerned that the noise from the classrooms will bother his family. There will be about 35 feet between the house on the subject property and the bedrooms in his house. He is also concerned with the traffic/parking problems and the litter problems in the area. He informed when the school was put in, the residents were assured that there would be ample parking for the students. There is a little picket fence between his property and the subject property.

Applicant's Rebuttal:

Mr. Gregory informed that they started using Ms. Zinkle's parking about 2 months ago with the permission of one of her tenants. He informed that some of the cars which are causing parking problems could belong to people other than the students. After Ms. Zinkle complained to him today, he gave the students directions not to park on her property at all. As far as the litter problems go, they have a full-time maintenance man and custodian that polices their area every day. They take care of the property to the best of their ability. He informed that the property is split. He feels that their proposal for the use of the property will help the parking and improve the area. There should not be any noise involved. He is not sure that they will use the residence at night for classes, but if they do, the classes will be over by 10:00 p.m. He would like to have the option of having classes in the house. He does not think the school would generate any more noise than is currently in the structure which is occupied by a family. He informed that the corner is a vacant lot that has been used as a car lot--they have been parking on that lot. This lot will hold approximately 12 to 15 cars. He presented a picture of the lot. He informed that their enrollment is about 120 with 80 of these being day students and 40 being night students. Even without the additional property, they are permitted by state accrediting,

Case No. 12907 (continued)

the Oklahoma Board of Private Schools, and the Veterans Administration to have 125 day students and 125 night students--they can accommodate 250 students. They want to use the subject property for their present enrollment. They presently have 6,600 square feet. He informed they want to move the electrical equipment to the subject property.

Comments:

Mr. Gardner informed that the Staff would think that the Board would want to limit the proposed school to what the applicant states that he is going to do. He does not think that the concern for parking needs to be raised because there would be adequate room for several cars to not only accommodate the additional square feet, but probably would help in the parking for the existing school. The applicant has the potential of .5 and could build a building on half of the lot which would reduce the number of parking spaces, and then the Board would get into the question of parking. If the applicant is willing to live with no more than 1,100 square feet and would use the rest of the land for parking, then the Board does not need to talk about parking. Using just 1,100 square feet would leave probably 20 or 30 parking spaces which is 20 or 30 more than he has right now. For a 1,100 square-foot building, he would only need about 4 parking spaces.

Ms. Purser informed this could be limited to this structure so that the applicant would have to come back if they wanted to build a new building on the lot. The variance needs to be tied to the existing structure. She was concerned about how the motion should be worded. Ms. Purser informed that many uses could go in on the corner without the people even coming to this Board because the property is zoned commercial. One use that would be permitted by right is a bar. She feels that the students would cause much less noise than a bar would generate.

Ms. Purser informed the applicant would be required to have a hard surface parking lot. They will only have about 12 or 15 more parking spaces than they have at the present time. She informed that the school could probably have about 300 students with the additional space. She urged the Staff to take a look at the parking requirements because she feels that they are very much in error, especially for schools--there are a lot of cars associated with a school.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 5-0-0 (Chappelle, Purser, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; none, "absent") to approve a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - under the provisions of Use Unit 1217) of lot frontage on Sheridan Road from 150 to 77.5 feet in a CS zoned district under the provisions of Section 1670, and a Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to permit a trade school in a CS zoned district under the provisions of Section 1680, subject to the applicant erecting a 7-foot wooden screening fence on the part of the property that abuts residential property to the west with the finished side toward the house, and subject to the variance being used within the existing structure only, no new buildings, on the following described property:

The South 77.5 feet of the East 150 feet of tract 32 of Glenhaven Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

12.1.83:401(13)

LTS 1 & 2 LESS E162 LT 1 & LESS E15 LT 2 BLK 2, EAST ELEVENTH PARK SUB,
City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

FILE COPY

22249—Josh Hamilton

Action Requested:

Variance to allow outdoor storage and outside display of merchandise within 300 feet of the abutting R District (Section 15.040-A). LOCATION: 708 South Sheridan Road East (CD 5)

Presentation:

Josh Hamilton, 4105 South Redwood Avenue, Broken Arrow, OK; stated he was before the Board about three years ago and received approval to be a car lot with inside storage. He did that until February of this year when he was broke into and has been broke into seven times. He actually caught one of the assailants because he was on the roof the building camping and had pulled the copper from the air conditioning. A week later another offender broke through the roof and did about \$16,000 damage to the concrete roof. He had to pull all the cars from the interior of the building and placed them on the lot so he had a fence erected but it was two feet within the right-of-way. When the City Inspector came out about the fence he mentioned the fact that he could not store cars outside. He discovered that by having the cars outside was good for business so now he would like to continue having the cars outside. The roof repairs were just finished so he can move the old cars that are in front of the building out in the next 60 days. He will place them either in the back of the building where they cannot be seen or placed inside the building.

Mr. White asked Mr. Hamilton about the security of his vehicles that are on the lot. Mr. Hamilton stated that since he has erected the fence he has not had any problems.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BOND**, the Board voted 4-0-0 (Back, Bond, Flanagan, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Variance to allow outdoor storage and outside display of merchandise within 300 feet of the abutting R District (Section 15.040-A), subject to conceptual plan 3.26 in the agenda packet. The Board finds the hardship to be the current layout and security fence on the

07/11/2017-1187 (9)

5.11

BOA - 22249

FILE COPY

applicant's property. 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; for the following property:

N 100 OF W 165 OF E 180 BLK 59, GLENHAVEN, City of Tulsa, Tulsa County, State of Oklahoma

22276—Fred Frampton

Action Requested:

Variance to allow an accessory structure to exceed 18 feet in height, exceed one-story, and exceed 10 feet at the top of the top plate (Section 90.090-C); Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure (Section 45.030-B). LOCATION: NW/c of East 16th Street South and South College Avenue East (CD 4)

Presentation:

The applicant was not present. The Board chose to move this case to the end of the agenda.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required at this time.

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

LT 3 BLK 1, MANOR VIEW ESTATES ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22173—Angela Cherry

Action Requested:

Verification of the spacing requirement for liquor stores of 300 feet from plasma centers, day labor hiring centers, bail bonds offices, pawn shops, and other liquor stores (Section 40.300-A). **LOCATION:** 4612 East 31st Street South – **Tenant Space:** 4628 East 31st Street South (CD 9)

Presentation:

Angela Cherry, 4628 East 31st Street, Tulsa, OK; no formal presentation was made but the applicant was available for any questions.

Mr. Van De Wiele stated that Board is in receipt of the applicant's spacing verification.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Bond, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Flanagan absent) I move that based upon the facts in this matter as they presently exist, we **ACCEPT** the applicant's verification of spacing for the proposed liquor store subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store; for the following property:

LTS 11 & 12 BLK 2, CONWAY PARK, City of Tulsa, Tulsa County, State of Oklahoma

22174—Edward Jones

FILE COPY

Action Requested:

Special Exception to permit vehicle sales in the CS District (Section 15.020-C).
LOCATION: 715 South Sheridan Road East (CD 3)

BOA - 22174

FILE COPY

Presentation:

Edward Jones, 3437 East 84th Street, Tulsa, OK; stated he represents Domingo Muldanado. Mr. Muldanado purchased the subject property for a car lot. Mr. Muldanado has another car lot located on Admiral Boulevard. When Mr. Muldanado purchased the subject lot there was an existing car lot but he discovered that it had been operating illegally. Mr. Muldanado wants to operate his car lot legally and maintain his good reputation. Mr. Jones stated that a parking layout has been submitted to INCOG so that the lot will comply with the City Zoning Code.

Mr. White asked Mr. Jones if there would be any storing of tires or anything like that. Mr. Jones stated there would be no storing of tires and there would be no storage at all.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BOND**, the Board voted 4-0-0 (Back, Bond, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Flanagan absent) to **APPROVE** the request for a Special Exception to permit vehicle sales in the CS District (Section 15.020-C). 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; for the following property:

LTS 12 & 13 BLK 20, SHERIDAN HILLS, City of Tulsa, Tulsa County, State of Oklahoma

Theresa Landers, 6930 East 7th Street, Tulsa, OK; stood up and stated that she has an interest in the case that was just heard.

Mr. Van De Wiele stated that he asked if there were any interested parties and no one raised their hand or stood up.

Ms. Landers stated that she signed in with the case number and wanted to give her opinion on this case. Ms. Landers asked the Board to deny this case. She is before the Board on behalf of herself and the neighborhood association of 1,500 houses. The streets that surround the neighborhood are already lined with used junker shops and have more junker shops than used car lots. Ms. Landers stated there is a used car lot at the corner of 11th and Sheridan. There is another shop, Frank's Tires, that has only five cars and the lot is well maintained.

than to build a tower and it is their first choice. He stated that he would provide a letter for the case file that shows they comply with the FCC regulations for RF emissions.

Board Action:

On Motion of **Stead**, the Board voted 4-0-0 (Dunham, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Special Exception to allow a 120 ft. communications tower (Use Unit 4) in an AG district (Section 301); Special Exception to reduce the required setback from adjoining AG zoned districts (Section 1204.C.3.g.1), finding it meets all of the requirements listed in Section 1204. A, B, C and D; subject to the letter of June 24, 2006 from Ferris Consulting and the three site plans on pages 2.10, 2.11 and 2.12 of the agenda packet; the applicant to provide a letter to INCOG staff showing RF emissions are within the federal guidelines; a light pole design; site to be screened by an 8 ft. wood fence with two security wires, and wood gate with lock; no landscaping necessary, finding it will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

In the City of Tulsa, Tulsa County, the State of Oklahoma: A parcel of land in the Northwest Quarter of the Northeast Quarter of Section 21, Township 18 North, Range 13 East: Beginning at the Northwest Corner of the aforesaid Quarter; Thence East 814' and South 827.15' to the Point of Beginning; Thence West 790'; Thence South 429.9'; Thence East 790'; Thence North 429.9' to the Point of Beginning, the same as the Southeast Corner of the Vacated Booker T. Washington Memorial Park, Tulsa County, State of Oklahoma

Case No. 20318

Action Requested:

Special Exception to permit auto sales in a CS district (Section 701); a Variance of the requirement that no merchandise may be displayed outside within 300 ft. of an R district (Section 1217.C.2); and a Variance of the minimum street frontage required in a CS district from 150 ft. to 116 ft. (Section 703), located: 602 South Sheridan Road.

Presentation:

David Ellis, 6901 South Redbud Avenue, Broken Arrow, Oklahoma, with Modern Star Builders, represented the applicant, **Sam Mouchantaf**. They proposed to use both lots as a car lot. There is an old service station on the subject property. They would like to split the lot in the middle with 116 ft. on each side. They would use the garage to wash the cars on the lot.

Comments and Questions:

Ms. Stead reviewed the requirements Mr. Ellis had not covered in the presentation such as, paving or asphalt on the south lot. She asked if they plan to park cars on the west portion, to which Mr. Ellis replied they do not. She informed him the fence along Sheridan would be limited in height. There was discussion among the Board regarding a hardship.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 4-0-0 (Dunham, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Special Exception to permit auto sales in a CS district (Section 701); a Variance of the requirement that no merchandise may be displayed outside within 300 ft. of an R district (Section 1217.C.2); with approval limited to a maximum of five years from August 8, 2006; all parking surfaces to be concrete or asphalt; maintain sidewalks on 5th Place and Sheridan; screening on south and west of the entire property; no outside repair of vehicles, storage of parts, batteries, et cetera; any fence along Sheridan limited to 3 ft. in height; having read the criteria for the special exception and variance and finding those requirements are met; and to **DENY** a Variance of the minimum street frontage required in a CS district from 150 ft. to 116 ft. (Section 703), on the following described property:

E195 TR 31, GLENHAVEN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20319

Action Requested:

Verification of the spacing requirement for an Outdoor Advertising Sign from another outdoor advertising sign along the same side of the expressway (Section 1221.F.2), located: 9510 East Broken Arrow Expressway.

Presentation:

John Moody, represented Lamar Central Outdoor, LLC. He submitted a survey for spacing verification (Exhibit B-1). He stated the nearest outdoor advertising sign is 1,670 ft. away.

Interested Parties:

Jonathon Sutton, 4401 South Harvard, represented Guts Church. He indicated that the proposed sign would be in violation of Section 1221.C.8.a and Section 1221.C.2.b of the zoning code relative to the existing sign on the church property.

Case No. 12101

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in the Commercial District - Request to allow an auto detail shop in a CS District. This property is located at 715 South Sheridan Road.

Presentation:

Richard Preston, 715 South Sheridan Road, was present and submitted a plot plan (Exhibit "G-1") and a picture of the proposed construction (Exhibit "G-2"). The applicant is proposing to construct a two-car garage for an auto detailing shop which will be 26' x 30'. The proposed construction will be located behind the existing building.

Protestants: None.

Board Comments:

Mr. Smith asked if all of the work would be done inside the building and Mr. Preston answered in the affirmative.

Mr. Victor asked what the building would be constructed of and Mr. Preston stated that it would be wood frame with asphalt shingles and would be very similar to the picture which he submitted earlier.

Board Action:

On MOTION of CHAPPELLE and SECOND by VICTOR, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in the Commercial District) to allow an auto detail shop in a CS District, per plot plan on the following described property:

Lots 12 and 13, Block 20, Sheridan Hills Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 12102

Action Requested:

Variance - Section 1215.3 - Use Conditions - Request for a variance of the required screening to an abutting R District to the east. This property is located at 5555 South 104th East Avenue.

Presentation:

Kenneth Stephenson, 5555 South 104th East Avenue, was present requesting permission to waive the screening requirement on the far east side of the property as the City has requested the applicant. Mr. Stephenson advised that in the future it will be the adjacent property line to Highway #169. He also advised that there are no other screening fences enclosing other warehousing facilities in the surrounding area.

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Smith, Victor, Wait, "aye"; no "nays"; no "abstentions"; Purser, "absent") to approve a Variance (Section 1215.3 - Use Conditions) of the required screening to an abutting R District to the east on the following described property:

Lot 2, Block 18, Tulsa Southeast Industrial Addition to the City of Tulsa, Tulsa County, Oklahoma.

8.5.82:368(10)

5.17

DANA L. BOX
ZONING
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 2

April 19, 2021

Phone: 918-632-0909

Leonora Bustos
804 N. Sheridan Rd.
Tulsa, OK 74115

APPLICATION NO: **ZCO-060910-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 6339 E. 7th St.

Description: Auto Sales

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. ****SEE #2 BELOW****

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

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. ****PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO COTDEVSVCS@CITYOFTULSA.ORG OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELF-SERVICE](https://tulsaok.tylertech.com/ENERGOV4934/SELF-SERVICE). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO.****
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. A COPY OF A "RECORD SEARCH" ☒ **X** ☐ **IS** ☐ **IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

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

ZCO-060910-2020

6339 E. 7th Street

April 19, 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. RESOLVED

2. RESOLVED

3. **UNRESOLVED** Sec.15.040-A: In the CS district, outdoor storage or display of merchandise is prohibited within 300 feet of an abutting R district.

Review comment: Your outdoor storage and display of vehicles is within 300 feet of abutting R zoned districts that are located to the north and west of your lot. You must submit a Variance reviewed and approved in accordance with the procedures of Sec.70.130, to permit outdoor storage and display of merchandise (vehicles) within 300 feet of the abutting R zoned districts.

4. **UNRESOLVED** Sec.35.050-Q5: Auto Sales are designated: Commercial / Vehicle Sales and Service/ Personal Vehicle Sales and Rentals.

Review comment: This proposed use is located in a CS district, which is only allowed by Special Exception, reviewed and approved in accordance with the Special Exception procedures of Section 70.120.

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

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

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

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

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

END – ZONING CODE REVIEW

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

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

6/30/2021

6339 E 7th St - Google Maps

Google Maps 6339 E 7th St



Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 50 ft



6339 E 7th St

Building



Directions



Save



Nearby



Send to your
phone



Share



6339 E 7th St, Tulsa, OK 74112

Photos

The Red Circle indicates approximate circumference of 300 ft of no display of merchandise. (Sec.15.040-A)

In this image it is also visible that there are other Auto dealerships with in this area.

*** I have built a chain link fence around my property and installed safety/security lights.

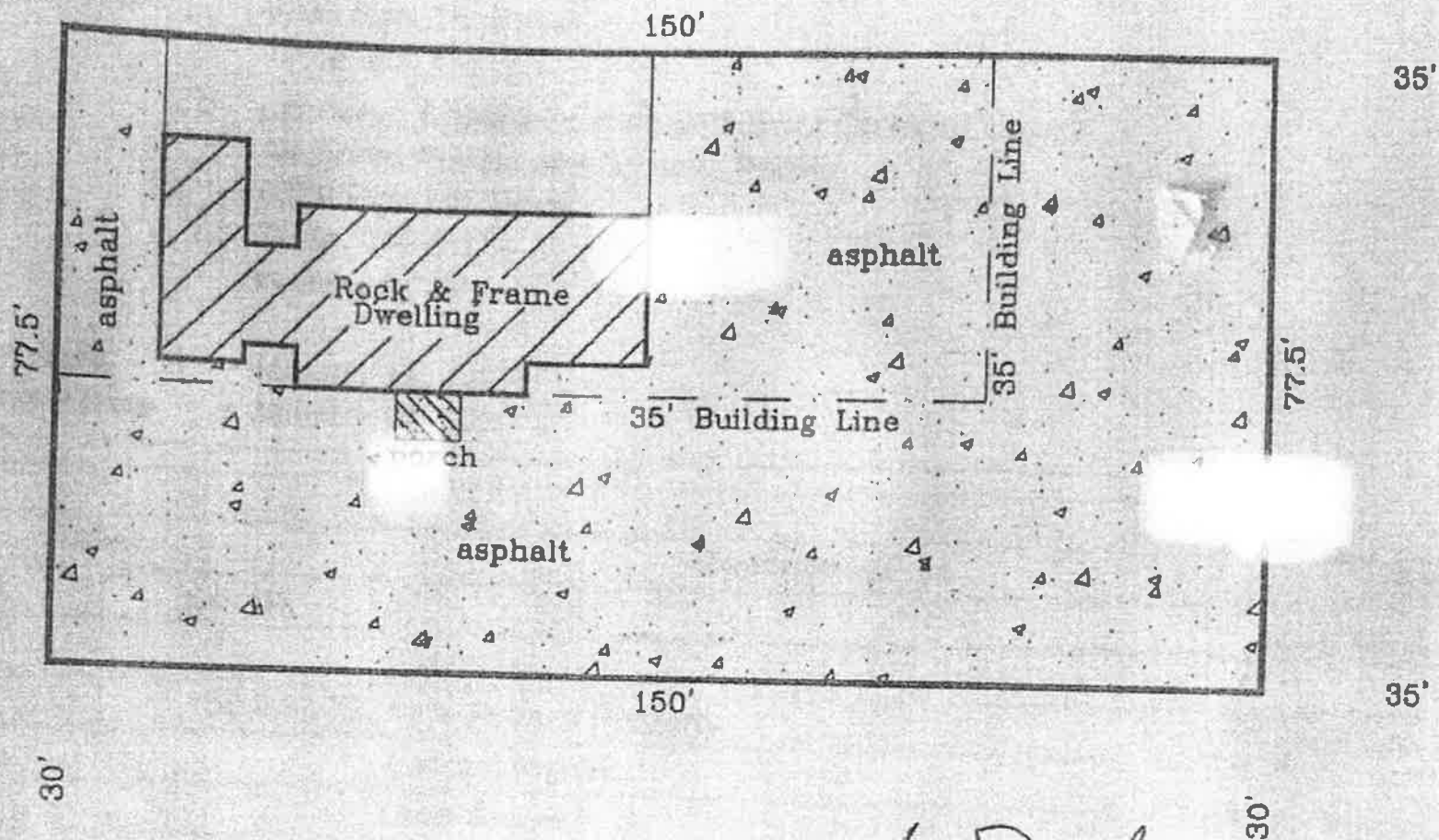
*** Purple shows residential area

The storage container outside currently is only temporary and will be removed prior to starting out operations. Pending we are approved for an exception and Variance Review. (Sec.35.050-Q5)

<https://www.google.com/maps/place/6339+E+7th+St,+Tulsa,+OK+74112/@36.1515723,-65.9055634,202m/data=!3m1!1e3!4m5!3m4!1s0x87b6ed7b4> 1/2

Leonardo Gutierrez
RED BY:
Colonial Title, Inc.

5.21



Leonardo Gutierrez C East 7th Street

Leonardo Gutierrez

RATE MAP # 405381 0244 L, EFFECTIVE OCTOBER 16, 2013.

ZONE AE: SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY

THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED.

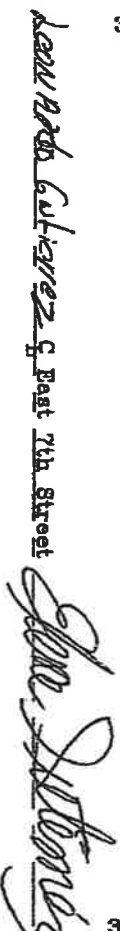
SCALE
1"=30'

BROWER:

Leonardo Gutierrez

WRITTEN BY:

Colondai Title, Inc.



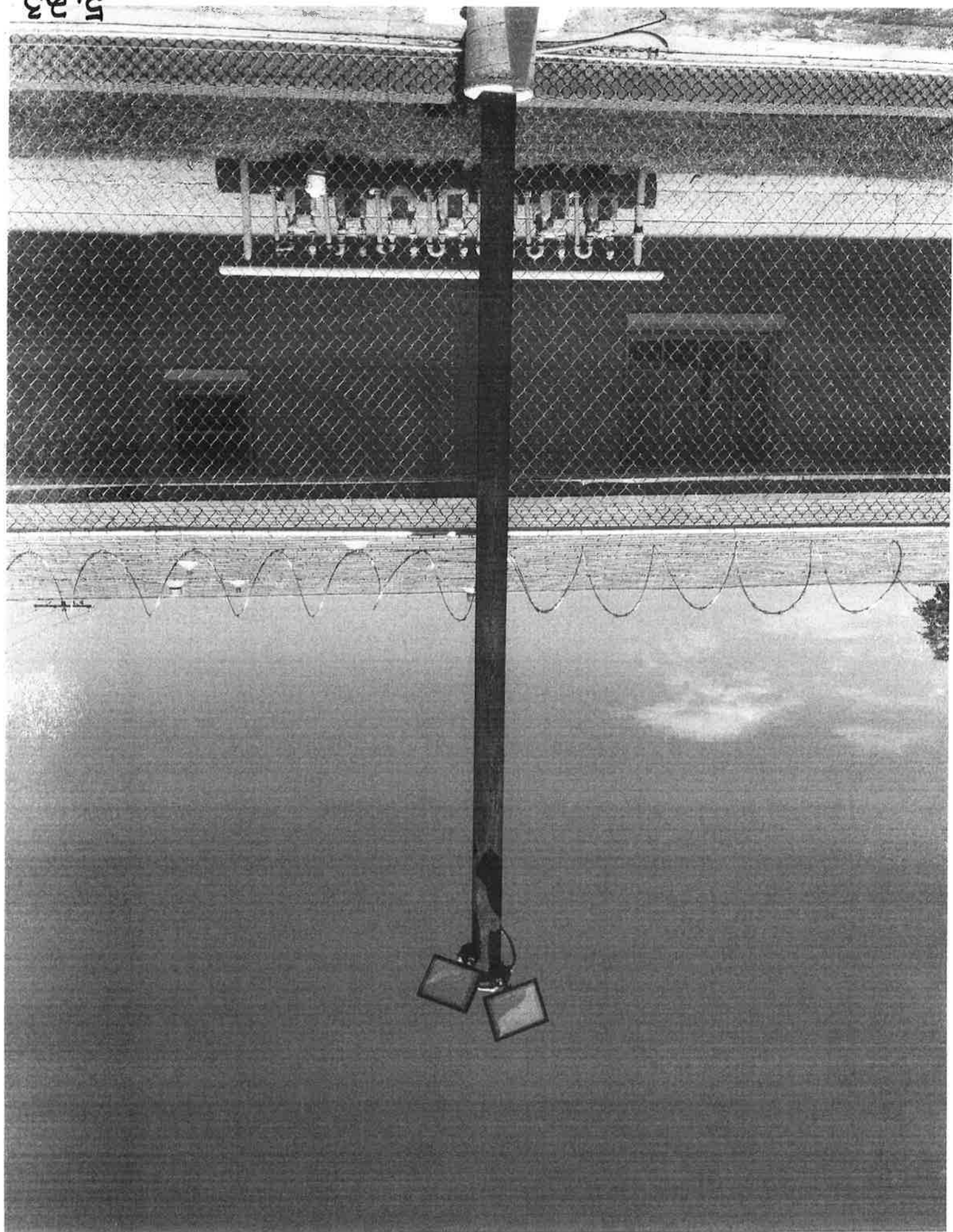
A part of Lot Thirty-Two (32), GLENHAVEN ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, described as follows:

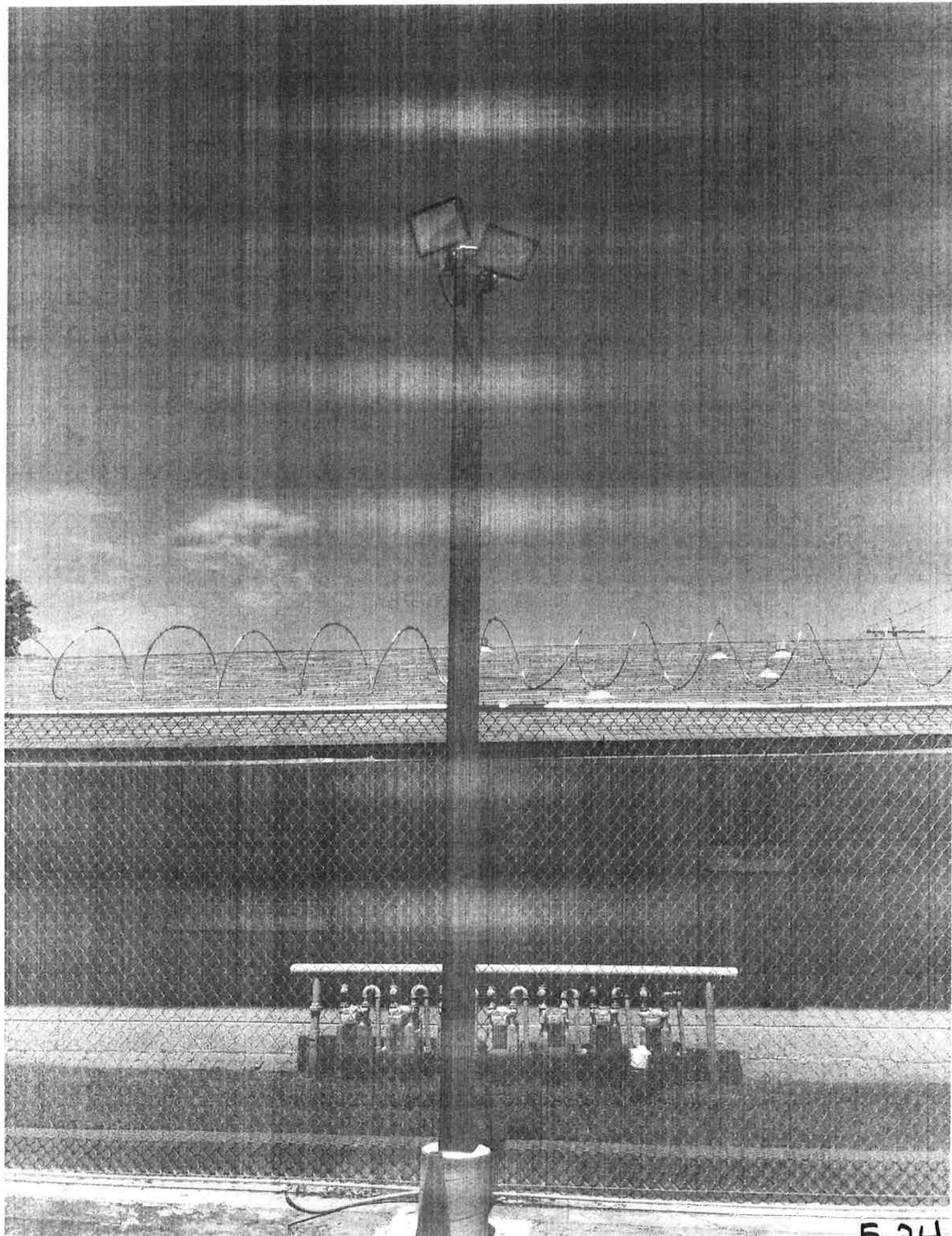
6339 East 7th Street, Tulsa, OK 74112

Easements shown per recorded Plat.

provided to surveyor.

This Mortgage Inspection Report was prepared for Colonial Title, Inc., and Mabrey Bank, ISA04 ATTRIMA. It is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, December 31, 2019, and the linear and angular values shown on the sketch, if any, are based on record or deed information and have not been verified unless noted.





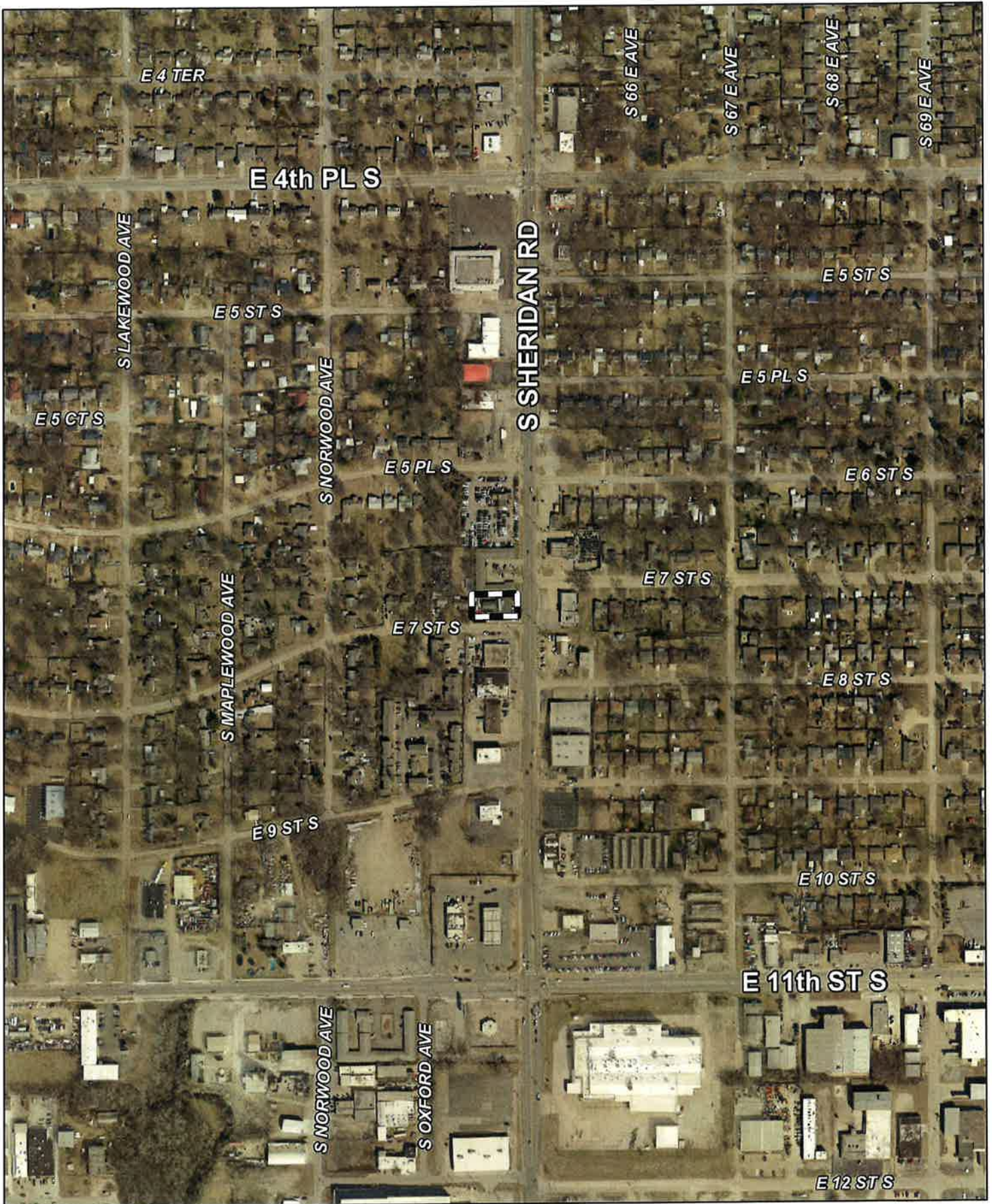
5.24

THURFED
855-861-2372
TOP SECRET USA INC.

5.25



5.26



0 200 400
Feet



Subject
Tract

BOA-23168

19-13 03

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

Aerial Photo Date: 2020/2021



5.27



0 Feet 50 100



Subject
Tract

BOA-23168

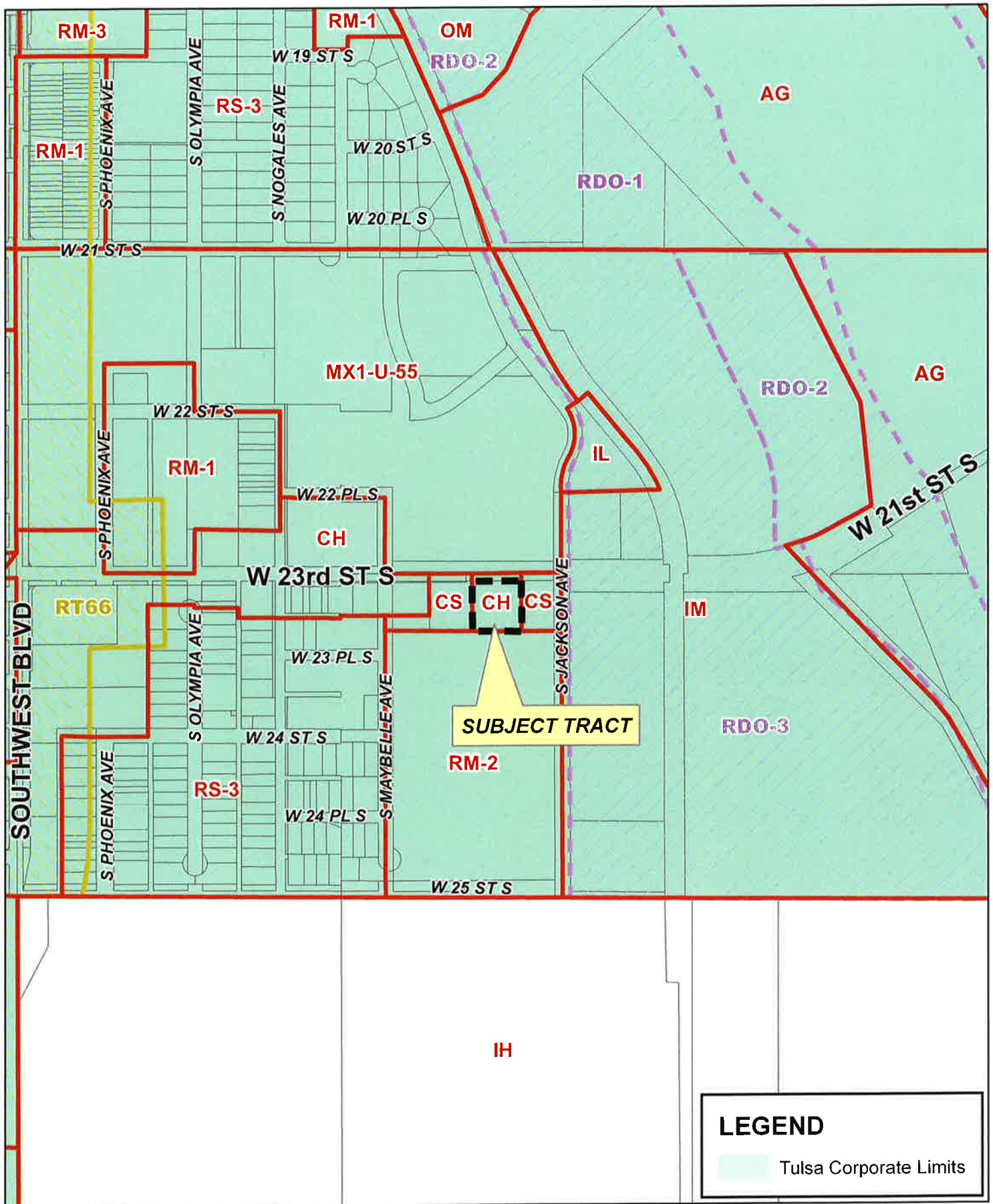
19-13 03

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

Aerial Photo Date: 2020/2021



5.28



BOA-23169

19-12 14

LEGEND

Tulsa Corporate Limits



6.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9214

Case Number: **BOA-23169**

CZM: 36

CD: 2

HEARING DATE: 08/10/2021 1:00 PM

APPLICANT: Matthew Boyd

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

LOCATION: 708 W 23 ST S

ZONED: CS

PRESENT USE: Medical Marijuana Dispensary

TRACT SIZE: 40066.65 SQ FT

LEGAL DESCRIPTION: The East 330 feet of Block X Less Beginning Northeast Corner; Thence South 200 feet; Thence West 129.47 feet; Thence North 200.06 feet; Thence East 129.71 feet to the Point of Beginning, Riverview Park Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject property:

Z-7601; On 04.21.21 the TMAPC recommended approval of a re-zoning from CS to CH. City Council approved the re-zoning and the CH zoning became effective 7/20/21.

Surrounding properties:

BOA-22715; On 08.27.19 the Board approved a Special Exception to permit a Low-impact Medical Marijuana Processing Facility in the CH district. property located 916 W. 23rd St. S.

BOA-19632; On 07.22.03 the Board approved a Special Exception to allow a car wash in a CS district. Property located immediately East of the subject tract.

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".

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.

6.2

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the South side of West 23rd St. S. between Jackson and Maybelle Avenues.

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

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, and research facilities.

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

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

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

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

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

SAMPLE MOTION:

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

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

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



Subject property



Facing West on 23rd



Property immediately North of the Subject Property is the River West Development project



Facing East on 23rd St.

7. **Z-7601 Matthew Boyd** (CD 2) Location: West of the southwest corner of West 23rd Street South and South Jackson Avenue requesting rezoning from CS to CH

STAFF RECOMMENDATION:
SECTION I: Z-7601

DEVELOPMENT CONCEPT: Rezone from CS to CH to expand allowable uses and expand maximum floor area opportunities.

DETAILED STAFF RECOMMENDATION:

Z-7601 requesting CH zoning allows uses and building types that are consistent with the Mixed-Use land use designation.

The Eugene Fields small area plan was adopted in 2013 and recognized that this site is part of a Mixed-Use Corridor. Uses allowed in a CH district are consistent with that vision.

Uses allowed in an CH district are consistent with the expected development pattern of the surrounding properties.

The Area of Growth anticipates redevelopment opportunities and CH zoning supports uses that are included in that concept therefore,

Staff recommends Approval of Z-7601 to rezone property from CS to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Uses and building placement supported in a CH district are consistent with the expected development pattern in the area and consistent with the development.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. The streets 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. 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.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

The Major Street and Highway Plan illustrates this site as an urban arterial street with a multi modal corridor designation. The cross section for an urban arterial / multi-modal street cross includes two lanes with no center turn lane, bike lanes and 11-foot-wide sidewalks and street trees on one side.

The small area plan recommendation for W. 23rd is not consistent and includes 4 lanes with no bike lane and no center turn lane.

Trail System Master Plan Considerations: None

Small Area Plan: Eugene Field Small Area Plan

This site is near the center of the Eugene Field Small Area plan and is one of the few commercial development opportunities in the area and is illustrated in the plan between two Urban Renewal Housing properties. The plan was effective May 2013. Significant redevelopment has started

on the north side of E. 23rd Street directly across the street from the subject property.

The plan has specific recommendations for increasing the commercial development opportunities, encouraging building placement closer to the street, installing trees along the street and generally improving the pedestrian experience along West 23rd Street South.

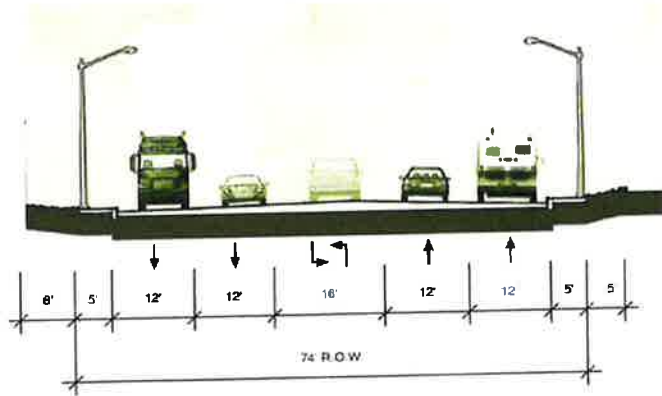
The small area plan recommends removing the center turn lane on West 23rd Street South widening sidewalks and installing street trees.

Several recommendations were provided in the plan. One of the recommendations specific to this site is to "clearly define the character of West 23rd Street as the neighborhood commercial center, encouraging retail and neighborhood services to locate along this corridor."

Street Cross Sections shown on the following page are part of the Eugene Fields Small Area Plan:

West 23rd Street

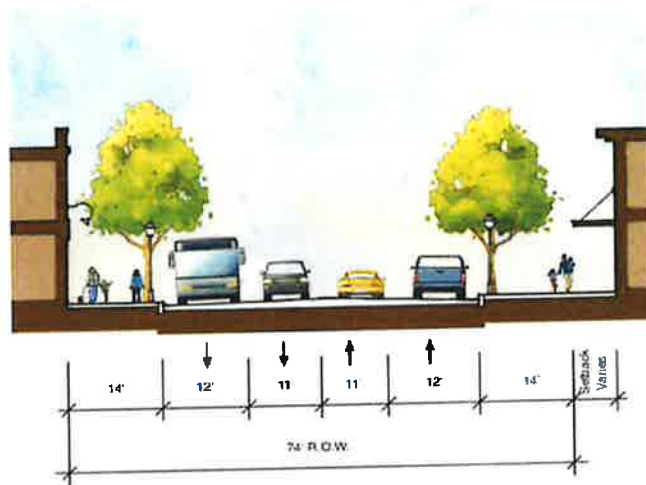
EXISTING CONDITIONS



PROPOSED IMPROVEMENTS

- » Eliminate central turn lane
- » Narrow lanes to improve pedestrian crossings
- » Provide a 14-foot sidewalk on both sides to facilitate commercial activity
- » Traffic light at South Nogales Avenue

PROPOSED CONDITIONS



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: This rezoning request is part of the existing shopping center. The street view is from the north boundary looking south.



Environmental Considerations: None that would affect CH zoning decisions.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 23 rd Street South	Urban Arterial	70 feet	5 Two lanes each direction with median and left turn lanes.

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	MX1-U-55	Mixed-Use Corridor	Growth	Multifamily re-development (Aerial photos illustrate buildings that have been removed. New construction is in process)
East	CS	Mixed-Use Corridor	Growth	Shopping center
South	RM-2	New Neighborhood	Growth	Multifamily
West	CS	Mixed-Use Corridor	Growth	Shopping Center

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-19950 January 2005: The Board of Adjustment **approved** a *Variance* of required parking for a church located in a shopping center in a CS district from 185 spaces to 84 spaces, finding the times the church would need parking spaces, Sundays and Wednesdays would be when most of the tenants would be closed and to tie the approval to the space known as 734 West 23rd Street, containing approximately 4,087 sq. ft., on property located at 734 West 23rd Street South.

BOA-08361 September 1974: The Board of Adjustment **approved** an *Exception* to construct, maintain, and permit use of an auto wash facility, subject to the submission of building plans to the TURA board for its approval, reaffirming the minutes of April 6, 1972 in regard to the landscape being provided in lieu of the screening fence between the CS and the RM-2 to the south, in a CS District, on property located at 726 West 23rd Street.

BOA-08054 September 1973: The Board of Adjustment **approved** a *Minor Variance* for a waiver of major street setback requirements from 60' to 40' from the centerline of 23rd Street to permit the erection of a pole sign, subject to the customary removal contract, and that the sign not hang over the right of way in a CS District on property located at 724 West 23rd Street.

BOA-07399 April 1972: The Board of Adjustment **approved** an *Exception* to modify the screening wall requirements on the south side between apartments and shopping center in a CS District, subject to approval of the landscaping plan by the Tulsa Urban Renewal Authority and the housing project (Riverview Village, Inc.), on property located at 704 West 23rd Street.

Surrounding Property:

BOA-22788 November 2019: The Board of Adjustment **approved** the request for a *Variance* to reduce the required Transparency Percentages for a building façade in a MX-1-U District; *Variance* of the required minimum parking ratios for an Apartment/Condo in an MX-1-U District, subject to conceptual plans 21.8-21.14 of the agenda packet, finding the hardship to be the uniqueness of the property as well as the intended for residential use, subject to the reduction in transparency from 20% to 10% be only applicable to residential buildings and the parking be based on one off street parking space per unit, on property located north of West

23rd Street South and South of West 21st Street South between Southwest Boulevard and South Jackson Avenue.

Z-7494/PUD-796-A Abandonment September 2019: All concurred in **approval** of a request for *rezoning* a 41.1+ acre tract of land from RM-1/RM-2/CS/CH to MX1-U-55 and *Major Amendment* to Abandon PUD-796 for a mixed-use development, on property located southeast corner of Southwest Boulevard and West 21st Street South.

SA-1 September 2016: All concurred in **approval** of a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11th St. S. to E. 121st St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3 and regulations to govern the form, function, design and use of the properties located within the boundaries of the River Design Overlay District. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

BOA-19632 August 2003: The Board of Adjustment **approved** a *Special Exception* to allow the screening fence to be moved, per plan, on property located at south of the southeast corner of West 23rd Street and South Maybelle.

BOA-09047 June 1976: The Board of Adjustment **approved** an *Exception* to modify the screening requirements where an alternative screening will provide visual separation of uses, subject to an agreement between the property owners being made a part of the record, in a CS District, on property located at 704-818, inclusive, West 23rd Street.

BOA-07055 June 1971: The Board of Adjustment **approved** a *Variance* to modify the parking requirements in an RM-2 District from 388 spaces to 345 spaces, on property located at 2316 South Jackson Avenue.

BOA-06807 November 1970: The Board of Adjustment **approved** a *Variance* under the provision of Section 1470.1, to permit more than 40 units on 1 lot (as evidenced by plans previously approved by the Planning Commission and City Commission), on property located between 22nd Street and 26th Street, between Southwest boulevard and Jackson Avenue.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Blair asked if the detached structures on both the East and the West would remain zoned CS while the subject property if approved, would be zoned CH. He stated there is not a lot of differences between CH and CS but there are some uses allowed by right or by exception. He asked if there was a concern about pulling this one piece of the shopping center out as its own distinct zoning category.

Staff stated along this mixed use corridor there are already industrial uses in the area. He stated it is in the middle of a shopping center but it is such a small site that staff felt like the potential concerns would be on such a small scale that it would be unlikely to have a negative impact on the surrounding area.

Mr. Craddock asked if the properties in the strip center all had the same ownership.

Staff stated it was his understanding that each parcel had separate ownerships and there was no consensus with the other two property owners with rezoning right now.

Mr. Craddock asked if the current use was a dispensary and the applicant wants to add processing.

Staff stated that was an applicant question, but as far as the zoning there will be limitations on what kind of processing could happen at that location.

Applicant Comments:

Matthew Boyd 708 W 23rd Street, Tulsa Oklahoma 74107

Mr. Craddock asked if the strip center is owned by one party or are there multiple owners.

The Applicant stated there is one owner Mr. Tom Culver who is a well-known businessman.

Mr. Craddock stated the request is to rezone one specific portion of the single ownership asset.

The applicant stated, "Yes sir".

Mr. Craddock asked if he could have more information on the difference between a dispensary and the low impact medical marijuana processing and what that entailed.

The applicant stated he has been in this location for over two years and some of the rules have changed in the cannabis industry. He stated he reapplied for permit last year after having been a processor for a year. The applicant stated there were several new rules such as ADA bathrooms but the permit was still pending. He stated after reaching OMMA they informed the applicant that the correct zoning was not in place for processing. He stated those policies were not in place when he signed the lease and opened the business a couple years ago.

Mr. Craddock asked if the property owner agreed as far as splitting up the zoning, of his property.

The applicant stated, "Yes sir", he is in full agreement.

Mr. Craddock asked staff if it was common to rezone a portion of a property like this one that has the same owner.

Staff stated it would be odd if there were not already separate parcels identified. The strip center has three separate parcels, it is something that we see occasionally.

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to recommend **APPROVAL** of the CH zoning for Z-7601 per staff recommendation.

Legal Description Z-7601:

The East 330 feet of Block X Less and Except Beginning Northeast Corner; Thence South 200 feet; Thence West 129.47 feet; Thence North 200.06 feet; Thence East 129.71 feet to the Point of Beginning, Riverview Park Addition

8. **Z-7603 Tanner Consulting, LLC** (CD 8) Location: South of the southeast corner of East 121st Street South and South Hudson Avenue requesting rezoning from **AG to RS-3**

STAFF RECOMMENDATION:

SECTION I: Z-7603

DEVELOPMENT CONCEPT:

The applicant has submitted a request to rezone the property from AG to RS-3 for single family residential subdivision construction.

DETAILED STAFF RECOMMENDATION:

Z-7603 requesting RS-3 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-3 district are consistent with the surrounding properties and consistent with the anticipated future development pattern of the surrounding property that has not been developed and,

RS-3 zoning is consistent with the New Neighborhood land use designation of the Comprehensive Plan therefore,

04:21:21:2840(15)

N173.70 S327.70 LT 2 BLK 1, HUNTERS GLEN, City of Tulsa, Tulsa County, State of Oklahoma

22715—Cheryl Cohenour

FILE COPY

Action Requested:

Special Exception to permit a low-impact medical marijuana processing facility in a CH District (Section 15.020, Table 15-2). **LOCATION:** 916 West 23rd Street South (CD 2)

Presentation:

Cheryl Cohenour, 2809 East 28th Street, Tulsa, OK; stated she owns the building on the subject property, and she has owned it since 1997. Previously she had a consulting, engineering and environmental laboratory in the building. She likes the area and is involved in the community, and she would like to have a low impact medical marijuana processing facility in the building; this is basically an industrial kitchen. There will be no combustible processing equipment. There should be no odor. There will be no signage, but the neighborhood has approached her about having painted murals on her building to enhance the neighborhood plan, so she would not want to exclude murals. It will be an industrial kitchen where edibles are made, and the product will not be sold to the public. There will be no public access.

Mr. Van De Wiele asked Mr. Chapman to display page 2.10 on the overhead projector and he asked Ms. Cohenour if the building lays on top of the building line as shown. Ms. Cohenour stated she does not know what that is about, she would need to go back to look at her old survey.

Mr. Van De Wiele asked Ms. Cohenour if she would be using all or some of the darker tan roofed building and the lighter tan roofed building. Ms. Cohenour stated that it is a two-story building. When she purchased the building, it had just been remodeled so it has really thick concrete block structure on the lower floors. She will be using two or three of the lower floor offices as the industrial kitchen and packaging. There are offices above and there is a warehouse.

Mr. Van De Wiele asked Ms. Cohenour if she had seen the letter that was received from the Tulsa Housing Authority. Ms. Cohenour answered affirmatively.

Mr. Van De Wiele asked Ms. Cohenour to address the concerns stated in the letter. Ms. Cohenour stated that she understands the concerns, but she is not going to display a marijuana leaf on the building or anything like that. There will be no signage to indicate what is going on inside the building. The impact to the neighborhood will be low. There will be no sales to the public so no one will know what is going on inside the building. There will be no heavy foot traffic and no public access with people coming and going.

08/27/2019-1235 (3)

6.16

BOA-22715

FILE COPY

Mr. Van De Wiele asked Ms. Cohenour if the building is intended to be used like a bakery where there will be distillate or oils used that are processed elsewhere. Ms. Cohenour answered affirmatively. Mr. Van De Wiele asked Ms. Cohenour if there would be no processing on site. Ms. Cohenour stated that she will be doing some processing, but it is usually done in crockpots with olive oil and coconut oil. There is not an odor that protrudes from the building, so someone walking by will not smell anything.

Ms. Cohenour stated that she is active in the neighborhood and in the Route 66 Village so it is important to her that all the development or the redevelopment that is going on the area is a good thing, so she will not doing anything that will compromise the integrity of the neighborhood.

Interested Parties:

Jeff Hall, Tulsa Housing Authority, 415 East Independence Avenue, Tulsa, OK; stated the Authority's concerns are primarily with the proximity to the elementary school as well as the development plan for Eugene Field. Many of the concerns at the time of the notice was the perceived use of the building, and he thinks some of the concerns remain even after hearing the intent of the processing. The fact that it will still be medical marijuana processing near kids that live in the neighborhood, and the kids walking past to go to the school. Even though there is no direct selling to the public the concerns remain about any waste products, or anyone that could enter the building or that people will understand what is happening in the building. Could crime be increased in the area knowing that medical marijuana is being produced through edibles in the building in an area that is really trying to combat crime.

Rebuttal:

Cheryl Cohenour came forward and stated that since she has owned the building starting in 1997 there has virtually been very little crime in the neighborhood. This is a very stable neighborhood and she is not concerned about crime. Also, there is not going to be waste products that anybody can get into. Ms. Cohenour stated that her building is fenced all the way around and gated; those gates will not be open during the day. There is also a camera security system for the building making it relatively secure. Ms. Cohenour stated she has a letter of support from her next-door neighbor to the east, Construction Enterprises, Inc. Ms. Cohenour stated that she thinks she meets all the requirements of the City Code.

Comments and Questions:

Ms. Ross stated that she has no issues with this request.

Ms. Shelton stated she is a little torn by this request. She knows the Board has approved similar cases in other parts of the City, but she is squimish about this being in Eugene Field. The City is investing so much in this area and THA has come out to speak against this request. She is not sure this should be in this neighborhood, because the Board does not know the affects these facilities have on neighborhoods yet.

Mr. Bond wonders what the discussion would be like if this were a pharmaceutical manufacturing facility that made pain pills. He thinks the City should be proud with what they are doing with Eugene Field. This is a case of first impression, and he does not take it lightly where it is situated. He thinks a restriction on the type of advertising outside would be appropriate.

Ms. Radney stated that she is sensitive to what Ms. Shelton is saying. For instance, if this were located on 15th Street between Utica and Lewis the Board would probably be having a different conversation. She acknowledges that this will probably have a low impact on the area, but she is a little more sensitive about the filtration system and other environmental issues. She would be more persuaded if she knew that everything would be environmentally contained.

Mr. Van De Wiele asked staff if there were requirements in the Code or the Building Code that would address those issues. Ms. Blank stated that on page 2.4 of the agenda packet there is a list of requirements that does apply to processing. Mr. Chapman stated that the waste materials are probably regulated by OMMA.

Mr. Van De Wiele stated that there has been the discussion about this being medicine; that certainly is how it was approved by the voters of the State. If this were an aspirin factory, he thinks people would be before the Board touting job creation, tax revenue, etc. This is unique and it is different. If there were truly no external indication of what is going on inside the building, whether that be signage, sight, sound, smell or that sort of thing he thinks it gets close. Injurious to the neighborhood is the one that he is having some issue with. Mr. Van De Wiele stated that maybe the Board could consider a time limit on this request.

Ms. Cohenour stated that she has made a significant investment in the building over the years, and it does not require a lot of renovation for conversion from an environmental testing laboratory to an industrial kitchen. Ms. Cohenour stated that she is not sure what the Board means by time limit.

Mr. Van De Wiele stated that term "time limit" meaning the Special Exception is only good for a particular period of time.

Ms. Cohenour stated that her commitment to this neighborhood has been with the rest of the City, to see this neighborhood to come up and grow. According to the newspaper it looks like what will be directly across the street from her building will be a grocery store which is a wonderful addition to the neighborhood. Also, this building does not lend itself to retail on the bottom and housing on the top. This is an industrial piece and that is why she bought it in 1997, because it fit her business at the time. It is an unusual property that is probably is not going to have other types of uses other than an industrial type.

BOA-22715

FILE COPY

Board Action:

On **MOTION** of **BOND**, the Board voted 4-1-0 (Bond, Radney, Ross, Van De Wiele "aye"; Shelton "nay"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to permit a low-impact medical marijuana processing facility in a CH District (Section 15.020, Table 15-2), subject to the actual plan on 2.11 of the agenda packet. There is a three-year time limit on the Special Exception, August 2022. There is to be no signage for a marijuana or medical marijuana products facility but there can be a neighborhood mural; this is limited to the existing building as shown on page 2.11 of the agenda packet. 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; for the following property:

S137.75 LT 1 WESTDALE ADD & S110 LTS 1 & 2 BLK 41, WEST DALE ADDN, WEST TULSA ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22717—Jim Butler

Action Requested:

Variance to increase the maximum building height from 35 feet in an RS-1 District (Section 5.030, Table 5-3). **LOCATION:** 2723 South Zunis Avenue East (CD 9)

Presentation:

Jim Butler, 11327 East 60th Place, Tulsa, OK; stated he is building a house on the subject property; he razed an existing older house. There was a basement under the older house, and he would like to rehab that basement into a tornado shelter. By doing so the elevation of the top of the basement pushed the roof above the 35-foot height restriction; the area that did that is only 2% of the total roof. Mr. Butler stated that he has made it through permitting and nothing was said about the height, but when started construction he realized the height exceeded 35 feet. Mr. Butler stated that he has signatures of all the neighbors in the entire area showing support of his project. He also had the President of the Homeowner's Association sign a letter showing support of the project.

Ms. Shelton asked Mr. Butler if there was something structurally or architecturally that requires that steep of a pitch on the roof? Mr. Butler stated that it is a design that the Architect put together and with that style of house that style of roof goes with it. Both the houses on either side of his property have roofs that are higher than his proposed roof.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

S/2 of Lots 16, 17 and 18, Block 4, Dickason Goodman Addition, City of Tulsa,
Tulsa County, State of Oklahoma.

*.*****.

Case No. 19630

Action Requested:

Variance to allow a two-story accessory building 30'6" high in required rear yard.
SECTION 210.B.5.a. PERMITTED OBSTRUCTIONS IN REQUIRED YARDS, and
a Variance of the 20% required rear yard coverage to 26.6%. SECTION 210.B.5.a.
PERMITTED OBSTRUCTIONS IN REQUIRED YARDS, located 2138 E. 30th Pl. S.

Presentation:

Chris King, 2138 E. 30th Pl., stated they propose to make some architectural
changes to the plans to appease some of the neighborhood. They request a
continuation to August 26, 2003. Mr. Dunham asked if they read the staff
comments regarding the variance for relief from the rear yard coverage. Mr. King
replied they would consider the staff comments.

Comments and Questions:

Mr. Beach let the applicant know if they were going to ask for more relief they
would need to let him know right a way to give public notice.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Cooper
"aye"; no "nays"; no "abstentions"; Turnbo "absent") to **CONTINUE** Case No.
19360 to the meeting on August 26, 2003, regarding the following described
property:

All of Lot 3 and part of Lot 4, Beg. NE/c; thence W 20.00' Sly to SL E 15.00' Nly
165.81', Block 19, Forest Hills Addition, City of Tulsa, Tulsa County, State of
Oklahoma.

*.*****.

Case No. 19632

Action Requested:

Special Exception to allow Use Unit 17 (car wash) in a CS zoned district.
SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS –
Use Unit 17, located S of SE/c W. 23rd St. & S. Maybelle.

Presentation:

Pat Garner, 111 N. Main, Sand Springs, stated he represented Riverview
Properties, as a Consulting Engineer. They have a lot split application pending, for

a tract 62.5' x 149'. The car wash would be on the lot to the north. They need the special exception for any ancillary use on the small tract.

Comments and Questions:

Mr. Dunham asked for clarification of the need for a lot split. Mr. White explained they came to the Board because of the difference in CH and CS zoning on the two lots.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Special Exception** to allow Use Unit 17 (car wash) in a CS zoned district, on condition of a tie agreement to the CH lot to the north; and to **CONTINUE** for relief of the screening requirement to the meeting on August 26, 2003, on the following described property:

The W 149.50' of Block X, Riverview Park Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19633

Action Requested:

Special Exception to allow church and accessory uses (Use Unit 5). SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5; and a Variance of the required 1 acre for church to 0.6± acre. SECTION 1205.B. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Included Uses, located 2037 N. Utica.

Presentation:

Rev. James. L. Brewer, Sr., 2101 E. 32nd St. N., stated he is the pastor of Greater Mount Carmel Baptist Church. They propose to add on to the existing structure to keep up with the growth of the church. There is an elementary school, recreational center, and an apartment complex on the surrounding properties.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Perkins, Cooper "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a **Special Exception** to allow church and accessory uses (Use Unit 5); and a **Variance** of the required 1 acre for church to 0.6± acre, per plan, finding it will not cause

Green Cross

Address: 708 West 23th Street
Tulsa OK 74107

Area— 1,415 Square Feet

Plan Requirements

1. Site plan of property containing the following:
 - a. Draw site plan to scale; dimension critical
 - b. North arrow to indicate orientation on site
 - c. Location of all buildings and paving on the site
 - d. Street locations (cross streets)
 - e. Dimensionally locate the facility
 - f. Distances from the facility's building to property lines or other building(s) on site
 - g. Fire separations from other tenants if in a multi-tenant building and identify tenants by name and use, and give square footage area of spaces
 - h. Identify parking lot striping and handicapped parking spaces, along with ramp locations
 2. Floor plan of facility for COO containing the following:
 - a. Draw site plan to scale; dimension critical
 - b. North arrow to indicate orientation on site
 - c. Show all plumbing fixtures and their existing locations (toilet, sink, hot water tank, etc.)
 - d. Indicate exhaust fans in the restrooms
 - e. Indicate how each room or space is occupied (office, dining, storage, dance floor, etc.)
 - f. Indicate location of drinking fountains
 - g. Indicate location of service sink/mop sink
 - h. Indicate door widths and direction of swings; show panic hardware locations
 - i. Indicate all areas equipped with automatic fire suppression systems and/or fire extinguishers
 - j. Indicate all areas equipped with fire alarm systems
 - k. Indicate exit lights and emergency lighting
 - l. Provide for handicapped accessibility – plumbing fixtures and grab bars in restrooms; accessible building entrance
-

Site Plan 1.a, b, c, d, e, f, g, h

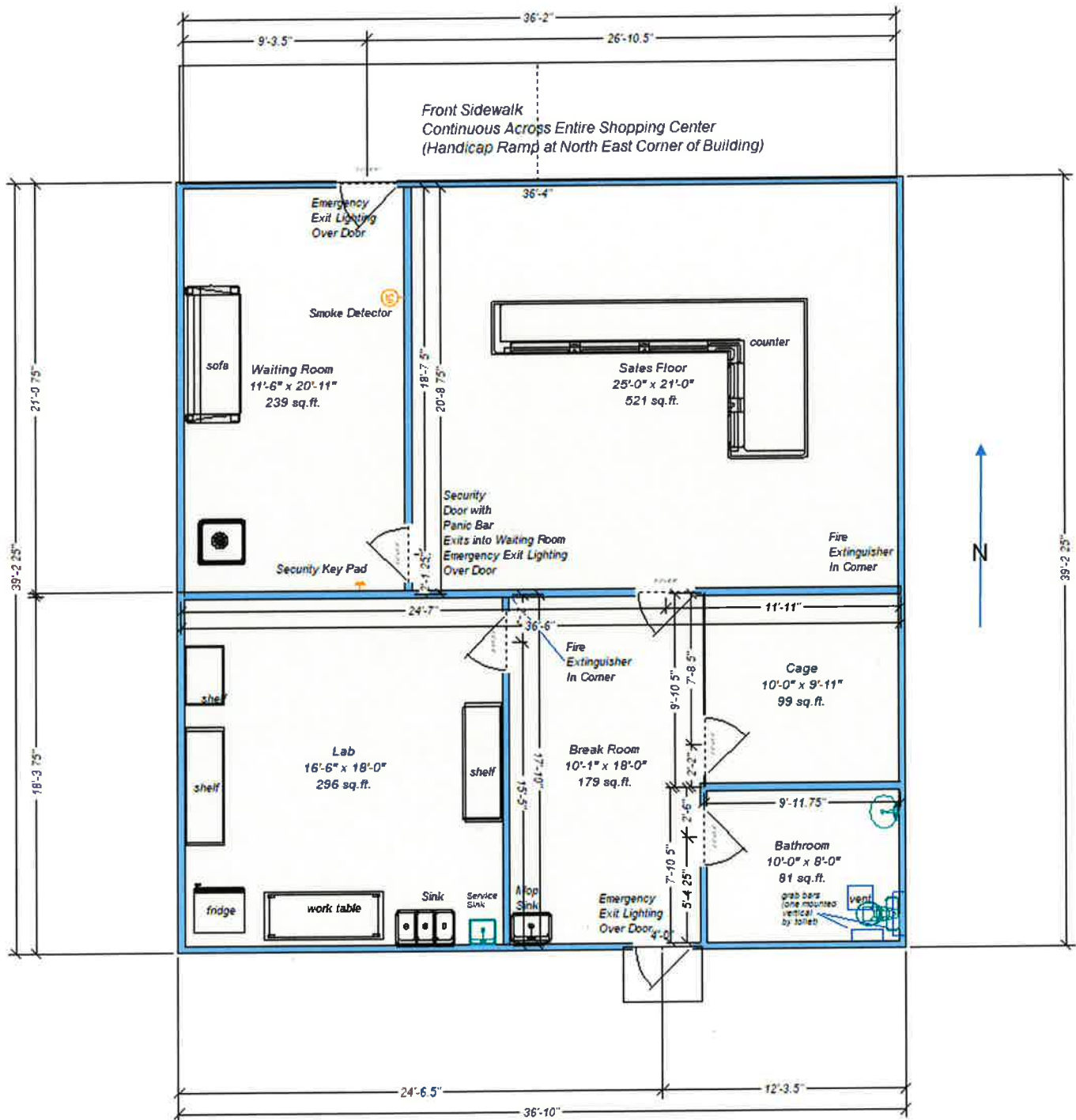
Site Plan



Exhibit A:

The East 330 feet of Block X Less Beginning Northeast Corner; Thence South 200 feet; Thence West 129.47 feet; Thence North 200.06 feet; Thence East 129.71 feet to the Point of Beginning, Riverview Park Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Floor Plan – 2a, b, c, d, e, f, g, h, i, j, k, l





0 Feet 250 500



Subject
Tract

BOA-23169

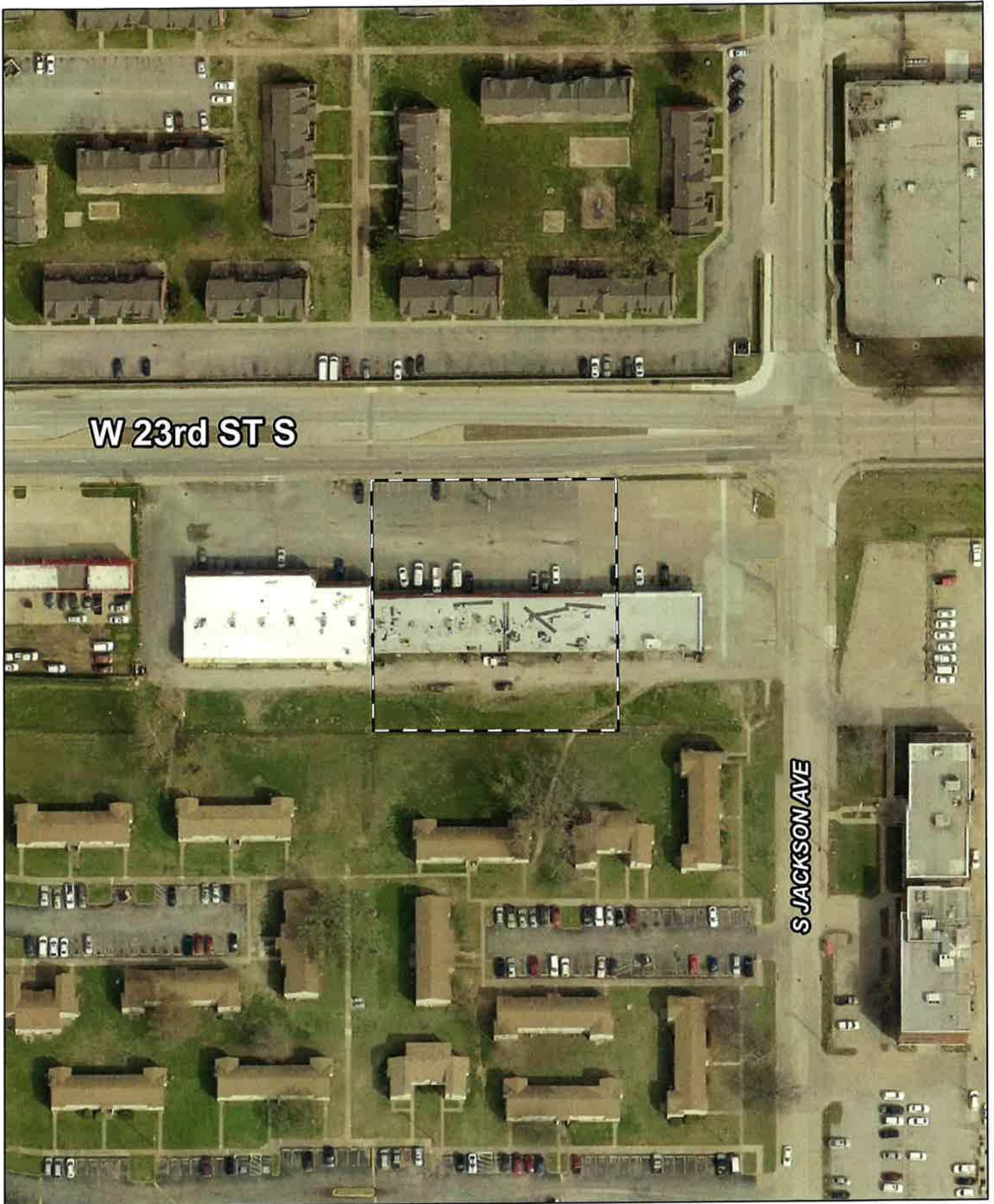
19-12 14

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

Aerial Photo Date: 2020/2021



6.26



W 23rd ST S

S JACKSON AVE

0 Feet 50 100



Subject Tract

BOA-23169

19-12 14

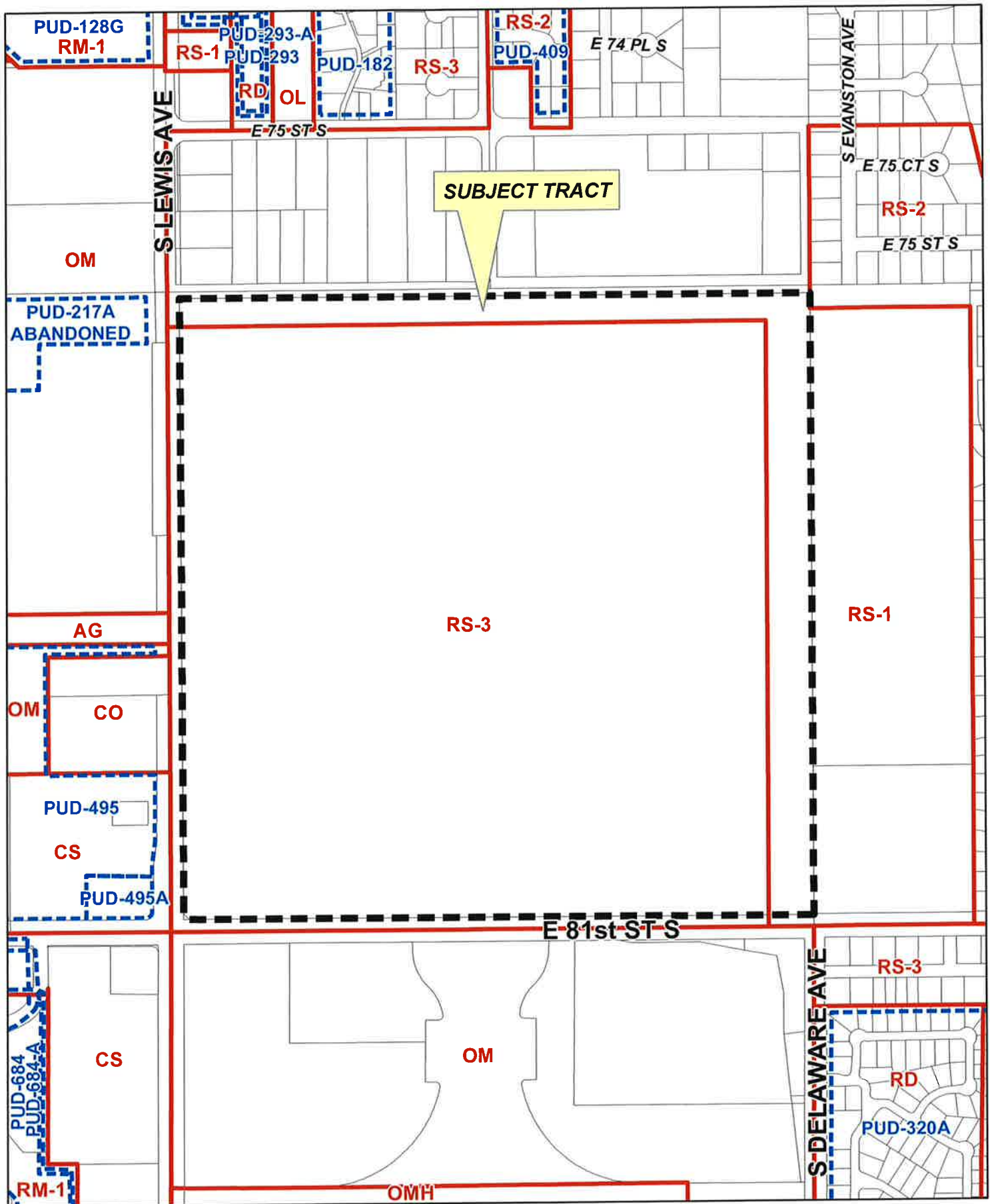
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Aerial Photo Date: 2020/2021



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BOA-23170

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7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 8308

Case Number: **BOA-23170**

CZM: 52

CD: 2

HEARING DATE: 08/10/2021 1:00 PM

APPLICANT: Jim Beach

ACTION REQUESTED: Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

LOCATION: 7777 S LEWIS AV E

ZONED: RS-3

PRESENT USE: Oral Roberts University

TRACT SIZE: 6527954.47 SQ FT

LEGAL DESCRIPTION: BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-17831-A; On 12.08.2015 the board **approved** a modification to a previously approved plan for a digital sign.

BOA-21495; On 11.13.12 the Board **approved** a variance to allow 2 wall signs in an R district.

BOA-21488; On 10.23.2012 the Board **approved** a variance to allow a wall sign in an R district.

BOA-17831; On 09.23.97 the Board **approved** an amendment to a previously approved exception for a sponsor sign and a variance of the maximum square feet for a sponsor sign.

BOA-9273; On 11.04.76 the Board voted to **uphold the appeal** to the building inspector from decision of the building inspector for refusing to issue a zoning clearance permit to construct quarters on the University Campus to be operated in conjunction with the University Medical Campus.

BOA-9197; On 11.04.76 the Board **approved** an exception to permit the use of the property for university uses per the development standards submitted and the plot plan "F-2".

BOA-7769; On 02.01.73 the Board **approved** an exception to operate a community service, cultural and recreation facility (Mabee Center) in an R district.

BOA-7721; On 11.30.72 the Board **approved** a Minor variance to modify the allowed height and size of a sign in an RS-3 District.

BOA-3760; On 02.14.192 the Board **approved** the subject property for school purposes.

7.2

Surrounding properties:

BOA-7964; on 07.050.73 the Board **approved** an Exception for Athletic facilities for Oral Roberts University. property Located Immediately East of the subject Tract.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c or E. 81st Street South and S. Lewis Ave.

STAFF COMMENTS:

The applicant is requesting a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

Staff was unable to find a copy of the approved site plan from BOA-9197. Included in your packet is an aerial photograph from the BOA-17831-A which is the most recent Board case on that property. Staff believes that should serve as an approximation of what was originally approved for the School site.

The Board may also wish to refer the applicant to re-zone the property to a zoning classification that would allow the Use by right. Currently the Land Use Designation as Regional Center would support a higher intensity zoning district. The lowest intensity Zoning Category that would allow this use by right would be OM (Office-Medium)

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120)

- 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 increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

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

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

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

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

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

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

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

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

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



Subject Property facing toward the new Library location



Subject Property facing toward the new Welcome Center

Ms. Rodriguez asked what she is to do after this, will she receive a letter? Mr. Henke stated that if the Board denies the Special Exception requests the manufactured home will have to be removed. Ms. Rodriguez stated that she has lived in Tulsa all her life and could not find a house in her neighborhood, and she is a single parent with two children and she has done everything that the permit center has told her. This is not the first time a mobile home is going to be on a lot in the State of Oklahoma. Mr. Henke said he was sorry that the Board could not be more helpful but Ms. Rodriguez needs to find another location. Ms. Rodriguez stated that is her lot and it is her home. Ms. Rodriguez informed Ms. Rodriguez that she could build a house on the lot but in terms of having permission to have a manufactured home on the lot he does not think the permission will be given by the City of Tulsa. Ms. Rodriguez stated that this is outrageous and she is confused.

Comments and Questions:

None.

Board Action:

On **MOTION** of **FLANAGAN**, the Board voted 3-0-1 (Henke, Flanagan, Snyder "aye"; no "nays"; White "abstaining"; Van De Wiele absent) to **DENY** the request for a Special Exception to permit a mobile home in the RS-3 District (Section 401, Table 1); Special Exception to extend the one-year time limit on a mobile home (Section 404.E.1) based on this out of character with the neighborhood and it would be injurious and detrimental to the public welfare and the existing homes in the neighborhood; for the following property:

LT 1 BLK 4, OAK RIDGE ADDN - TULSA, NEW HAVEN ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. White re-entered the meeting at 3:49 P.M.

FILE COPY

17831-A—A-MAX Sign Company

Action Requested:

Modification of a previously approved plan (BOA-17831). **LOCATION:** 7777 South Lewis Avenue (CD 2)

Presentation:

Brian Ward, 9520 East 55th Place, Tulsa, OK; stated that in the early 1970s when ORU Mabee Center was built there was an accompanying sign structure. When it was built it had light bulb technology. As technology progresses there is a need to replace the boards every 10 to 12 years. The first sign lasted until approximately 1980 and it was replaced, and about every ten years the sign is being replaced. In 1997 the sign came before the Board and that was the last case on this particular sign, and what was approved was a 317 square foot message board and that is basically what is there now.

BOA-17831-A

FILE COPY

Mr. Ward stated sometime, and he is not sure when, the configuration of the sign is different in physical shape although it is about the same square footage. When he applied for a permit application it was denied based on the physical size being different from what was approved in 1997. Although the sign is five square feet less in the application than what was approved in 1997 the permit center denied the application based on the Board's approval of the plans submitted. What he is asking for is approval of a new message board to be installed and for the Board to approve 317 square feet of message board so when this technology become obsolete the sign can be replaced without needing to come back before the Board.

Mr. Henke left the meeting at 3:50 P.M.

Mr. Flanagan asked Mr. Ward to confirm that he wants approval for the square footage that exists but was not corrected from the 1997 plan. Mr. Ward stated the plan was approved in 1997 for 317 square feet and the sign is now approximately 315 square feet. So he is asking for approval for the square footage rather than approval per plan so in ten years when the equipment becomes obsolete it is not necessary to appear before the Board.

Mr. Henke re-entered the meeting at 3:53 P.M.

Mr. Ward stated that if the Board is to approve this request he would like to motion to stipulate that the digital portion of the sign is not exceed 317 square feet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **SNYDER**, the Board voted 4-0-0 (Henke, Flanagan, Snyder, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a **Modification** of a previously approved plan (BOA-17831) to approve the sign that says Mabee Center on Exhibit 8.14, that would be a 12 x 26 foot digital sign. The digital part of the sign will never exceed 317 square feet. This insures that the modification is compatible with and not injurious to the surrounding area and meets the previously granted Board relief other than what was just stipulated and it meets the zoning requirements per Code; for the following property:

**BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

LT 1 BLK 13, SUNSET TERRACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

FILE COPY

21495—Mark Bragg

Action Requested:

Variance to allow two (2) wall signs in an RS District (Section 402.B.4). **LOCATION:**
7777 South Lewis Avenue (CD 2)

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to allow two (2) wall signs in an RS District (Section 402.B.4), subject to conceptual site plan on page 9.13, page 9.14, and page 9.15. Finding that the signage in question is necessary to guide student and visitor traffic on the campus. 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:

**BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

OTHER BUSINESS

Request for Tulsa Zoning Code Interpretation:

- A. Where, and when, is serving and sale of intoxicating beverages and/or low point beer allowed as accessory or customary to an identified use?

1940s era home was built before the code went into effect, and the unique orientation of the home on the corner lot poses a hardship justifying the approval of the variance. 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-1-BL2, LOUISE ADDN OF L1 J P HARTERS SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21488—Mark Bragg

Action Requested:

Variance to allow a wall sign in a Residential District (Section 402.B.4). **LOCATION:**
2601 East 81st Street (CD 2)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated Oral Roberts University had remodeled the subject building and would like to have a building sign honoring the donor. The sign will be on the southwest face of the subject building and will not be illuminated.

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 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to allow a wall sign in a Residential District (Section 402.B.4), subject to site plan on pages 12.10, 12.11 and 12.12. Finding that for identification and location purposes the university sign is necessary. 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:

**BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

21489—Mark Bragg

Action Requested:

Variance to increase the permitted floor area from 1,006 square feet (40%) to 1,188 square feet (47%) (Section 402.B.1.d); Variance of the accessory building height and coverage area in required rear yard from 1 story to 2 story and increase maximum covered area in the rear yard from 300 square feet (30%) to 540 square feet (54%) (Section 210.B.5.a) in the RS-3 District. **LOCATION:** 1621 South Detroit Avenue East (CD 4)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated he lives across the street from the subject property and has lived there for four years. When he first moved into the neighborhood it was entirely rental property and over the years the neighborhood has vastly improved. In the interim the neighborhood has achieved historic zoning. He purchased the subject property across the street because he wanted to downsize without moving out of the neighborhood. Currently the house does not have a garage, but it did have at one time. Mr. Bragg would like to replace the previous garage with another larger garage, larger than what the zoning code allows. The foundation of the previous garage still exists. Mr. Bragg has a letter from the previous owner stating that when she moved into the house the garage had burned down, and that the previous garage had been a two-story garage. Mr. Bragg has support of his application from 17 of his neighbors.

Mr. Van De Wiele asked Mr. Bragg if the footprint of what he was proposing to build is the same as the previous garage. Mr. Bragg stated it is basically the same but not exactly. The new garage will be a little wider to accommodate today's cars.

Mr. White asked Mr. Bragg if he had received his Certificate of Appropriateness. Mr. Bragg stated that he had been approved and does have a Certificate of Appropriateness. Mr. Bragg stated that he also has a Certificate of Appropriateness for the house.

Mr. Van De Wiele asked Mr. Bragg if he intended for the second story of the garage to be a future garage apartment. Mr. Bragg stated that he had no intentions of using the second story as a garage apartment at this time, but he will file an application and come back before the Board to ask permission if he wants to have a rental unit.

Interested Parties:

There were no interested parties present.

1940s era home was built before the code went into effect, and the unique orientation of the home on the corner lot poses a hardship justifying the approval of the variance. 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-1-BL2, LOUISE ADDN OF L1 J P HARTERS SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

FILE COPY

21488—Mark Bragg

Action Requested:

Variance to allow a wall sign in a Residential District (Section 402.B.4). **LOCATION:**
2601 East 81st Street (CD 2)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated Oral Roberts University had remodeled the subject building and would like to have a building sign honoring the donor. The sign will be on the southwest face of the subject building and will not be illuminated.

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 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to allow a wall sign in a Residential District (Section 402.B.4), subject to site plan on pages 12.10, 12.11 and 12.12. Finding that for identification and location purposes the university sign is necessary. 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-21488

FILE COPY

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21489—Mark Bragg

Action Requested:

Variance to increase the permitted floor area from 1,006 square feet (40%) to 1,188 square feet (47%) (Section 402.B.1.d); Variance of the accessory building height and coverage area in required rear yard from 1 story to 2 story and increase maximum covered area in the rear yard from 300 square feet (30%) to 540 square feet (54%) (Section 210.B.5.a) in the RS-3 District. **LOCATION:** 1621 South Detroit Avenue East (CD 4)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated he lives across the street from the subject property and has lived there for four years. When he first moved into the neighborhood it was entirely rental property and over the years the neighborhood has vastly improved. In the interim the neighborhood has achieved historic zoning. He purchased the subject property across the street because he wanted to downsize without moving out of the neighborhood. Currently the house does not have a garage, but it did have at one time. Mr. Bragg would like to replace the previous garage with another larger garage, larger than what the zoning code allows. The foundation of the previous garage still exists. Mr. Bragg has a letter from the previous owner stating that when she moved into the house the garage had burned down, and that the previous garage had been a two-story garage. Mr. Bragg has support of his application from 17 of his neighbors.

Mr. Van De Wiele asked Mr. Bragg if the footprint of what he was proposing to build is the same as the previous garage. Mr. Bragg stated it is basically the same but not exactly. The new garage will be a little wider to accommodate today's cars.

Mr. White asked Mr. Bragg if he had received his Certificate of Appropriateness. Mr. Bragg stated that he had been approved and does have a Certificate of Appropriateness. Mr. Bragg stated that he also has a Certificate of Appropriateness for the house.

Mr. Van De Wiele asked Mr. Bragg if he intended for the second story of the garage to be a future garage apartment. Mr. Bragg stated that he had no intentions of using the second story as a garage apartment at this time, but he will file an application and come back before the Board to ask permission if he wants to have a rental unit.

Interested Parties:

There were no interested parties present.

FILE COPY

Case No. 17830

Action Requested:

Special Exception to permit church use on property zoned RS-3. **SECTION 1217.C.1. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES;** Use Conditions, located 10023 East 39th Place South.

Presentation:

The applicant, **Rick L. Frie**, withdrew his case prior to the hearing.

Case No. 17831

Action Requested:

Approval of an amendment to a previously approved special exception. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** – Use Unit 2 and a Variance of the maximum 15 SF of sponsor sign. **SECTION 1202.c.12 USE UNIT 2 AREA-WIDE SPECIAL EXCEPTION USES;** Use Conditions, located East side of South Lewis Avenue, North of East 81st Street.

Presentation:

The applicant, **Charles E. Norman**, 2900 Mid-Continent Tower, representing Oral Roberts University ("ORU"), submitted a site plan (Exhibit L-1), a computer generated photograph (Exhibit L-2) and photographs (Exhibit L-3). Mr. Norman stated the existing message sign was approved as an accessory use to the University 25 years ago. He indicated that the message sign has become obsolete and worn out. He proposes to replace the electronic component center and leaving the stone columns in place. Mr. Norman requested the Board's approval of the new electronic component as an amendment to the previously approved special exception. The message sign is adjacent to the Mabee Center, which is located on 40 acres of the 200 acres of ORU campus. Mr. Norman described the local businesses located across the street from the ORU campus, which had been constructed since the Mabee Center was constructed. He commented that when the ordinance was written dealing with signs associated with educational institutions, which limit the sign of the sponsor name and logo to only 15 SF, was actually suppose to be 15% of the size of the sign. He stated that he suspects that every stadium scoreboard and sponsor logo in the City are considerably larger than the 15 SF. Mr. Norman indicated that the proposal replacement will have four (4) sponsor locations. He explained that the replacement cost of the message board is in excess \$400,000 and obviously it is necessary for ORU to secure more than one (1) sponsor to obtain the contribution for the facility. The sponsor logos are 5' x 9' or 45 SF for the total of 180 SF, which when compared to the size of the sign (approximately 1150 SF) is 15% of the face of the sign. Mr. Norman indicated that the height of the sign will be reduced approximately 2' and the total size of the sign is approximately 50' less than its present configuration.

Comments and Questions:

Mr. White asked the applicant to address the concerns of the staff that the video display might be a distraction to the traffic? Mr. Norman stated that experience has proven that the changeable signs are not distracting in a dangerous way. The Board recently approved a similar sign for the Performing Arts Center, much smaller in size, but has rapidly changing messages and has potential for displays to reflect the event that is going on. This proposed sign will be operated in accordance with considerations of liability, which has been discussed by ORU. The sign will not be operated in a way that will be distractive to drivers along south Lewis. There will not be any live videos of the activities going on, except maybe a one (1) or two (2) second replay of a basketball going into a hoop. He assured the Board that there will not be a message component that will have a continual message, which would attract driver's attention as they drive by the sign.

In response to the Board's concerns with the video image components creating a traffic problem or distraction, Mr. Norman stated that the typical driving speed is approximately 30 mph and the message board will not be visible for more than two (2) or three (3) seconds by any particular vehicle driving by. He commented that you rarely see the end of the message from the typical traffic speed. He concluded that the message board will be primarily used to advertise the next event taking place at the Mabee Center. If there are any problems with the operation, he is sure that there will be discussion with the traffic engineer and ORU's insurance underwriters about the operation of the sign.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Bolzle, Cooper, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **APPROVE** an amendment to a previously approved special exception. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** – Use Unit 2 and a **Variance** of the maximum 15 SF of sponsor sign. **SECTION 1202.c.12 USE UNIT 2 AREA-WIDE SPECIAL EXCEPTION USES**; Use Conditions; per plan submitted; finding that the requirements for a variance in Sec. 1607.C. have been met, on the following described property:

N 200', S 1000', Block 1, Oral Roberts University Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

9269 (continued)

Beginning at a point in the South line of said Section 36, said point being 2,820.00' West of the Southeast corner of said Section 36; thence South $89^{\circ}-59'-40''$ West along the South line of said Section 36, a distance of 483.00' to a point thence North $00^{\circ}-06'-40''$ West a distance of 1,071.42' to a point; thence due East a distance of 135.00' to a point; thence due South a distance of 15.88' to a point; thence due East a distance of 400.98' to a point; thence due South a distance of 475.00' to a point; thence due West a distance of 39.18' to a point; thence due South a distance of 90.00' to a point; thence South $03^{\circ}-24'-43''$ West a distance of 254.02' to a point; thence South $11^{\circ}-18'-53''$ West a distance of 50.00' to a point; thence Easterly along a curve to the right having a radius of 405.00' a distance of 30.02' to a point; thence South $07^{\circ}-04'-03''$ West a distance of 134.11' to a point; thence South $00^{\circ}-05'-54''$ East a distance of 50.00' to the point of beginning, said described tract containing 12.39 acres, more or less.

9272

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) for permission to operate a home beauty shop in an RS-2 District located at 5510 South Sheridan Road.

Presentation:

Upon request by the protestant's attorney who could not attend this meeting, a delay of two weeks to November 18, 1976, was requested.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board of Adjustment voted unanimously (4-0) to continue application 9272 until November 18, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9273

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) from a decision of the Building Inspector for refusing to issue a zoning clearance permit to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School. The location of the animal quarters is within the campus of the University, previously approved by the Board and the facility is a customary facility in connection with the scientific and educational purposes of the University; and an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School located NW of 81st Street and Delaware Avenue.

11.4.76:223(15)

7.16

Presentation:

Charles Norman, attorney, presented the detailed floor plans (Exhibit "I-1") and described the proposed use. He noted this land was within the City's floodplain moratorium area, but they had sought and received an exception by the City Commission.

Mr. Gardner stated that the Board was made aware by the Staff that portions of Oral Roberts University were in the flood area and have been furnished a map of the flood boundaries.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted unanimously (4-0) to uphold the Appeal to the Building Inspector (Section 1650 - Appeals from the Building Inspector) from a decision of the Building Inspector for refusing to issue a zoning clearance permit to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School. The location of the animal quarters is within the campus of the University, previously approved by the Board and the facility is a customary facility in connection with the scientific and educational purposes of the University; and to grant an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School on the following described tract:

The SE/4, SW/4 of Section 8, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District; and a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1670 - Variances) for a variance of the frontage requirements in an AG District from 300' to 199'; and Variance (Section 340 - Special Exception Requirements in the Agriculture Districts - Under the Provisions of Section 1670 - Variances) for a variance of the five-acre minimum for a mobile home in an AG District located at 13326 North 85th East Avenue.

Presentation:

Neil York, the applicant, stated there were approximately 30 mobile homes in the area and the area was a "wildcat" subdivision.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted unanimously (4-0) to approve an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a

Presentation:

The applicant, Earl Reynolds, was not present. Following questioning by the Chair, the Staff stated the applicant and protestant, George Owens, both were notified of this meeting.

Protests:

George Owens' representative stated it was the understanding of the protestant that this case was to be continued.

Board Action:

On MOTION of JOLLY, the Board (3-0) continued application 9120 to January 6, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center. The Staff was requested by the Board to write the applicant notifying him of the continuance date; and to also notify in writing the protestants and applicants of the following case numbers that their applications will be continued from November 18, 1976 to January 6, 1977, to allow the Supreme Court to make a decision involving them: 8461, 8770, 8799, 9068, 9120, and 9142.

9197

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts; Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use property for university purposes, located south and east of 75th Street and Lewis Avenue.

Presentation:

Attorney Charles Norman represented the applicant, Oral Roberts University. He stated this application was continued from a previous meeting to permit readvertising to include additional property and for further consideration of proposed perimeter development standards that were submitted at the earlier meeting. An additional copy of the proposed perimeter development standards which was presented (Exhibit "A-1") and was given to the Board by Mr. Norman, followed by his review of the application which was presented at the last Board meeting. He noted the applicant is asking for approval of the north 165' as well as the right-of-way of two streets being closed by the City Commission which includes property south of 75th Street on Birmingham Avenue and along 76th Street be approved for university purposes. The applicant also requests the east 165' of the 40 acres which has been previously approved for athletic purposes also be approved for general university use. It was noted by Mr. Norman that since 1962, all the buildings constructed under the original approval of the Board were submitted to the Building Inspector without being submitted to the Board on an individual basis. The applicant is requesting the same procedure be applied to the remainder of the campus which is being brought before the Board this date for approval, subject to the proposed perimeter development standards (Exhibit "A-1").

Board Member Tom Jolly pointed out Mr. Norman met with him since the last Board meeting, complying with his request, and resolved his questions regarding the development standards.

11.4.76:223(3)

7.18

David Pauling of the Legal Department felt the addition of "above the top plate" following "exceeding 15 feet" at the end of the first sentence of the proposed perimeter development standards was needed for clarity.

Protests: None.

Board Action:

On MOTION of JOLLY the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use the property for university purposes, per plot plan (Exhibit "F-2"), submitted at meeting #220, September 16, 1976 and subject to the Perimeter Development Standards submitted, in RS-1 and RS-3 Districts on the following described tract:

The North 165' and the East 165' of the SW/4 of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma; and the W/2 of the W/2 of the SE/4 of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma; and the vacated right-of-way of South Birmingham Avenue from the South Boundary of East 75th Street South to the North Boundary of 76th Street South, created in part, by dedication in Plat of Southern Hills Estates, a subdivision of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, filed on August 3, 1950 and being numbered 1626. Also created, in part, by dedication in Plat of LaVelle Heights, a subdivision of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, filed on April 28, 1924 (subject to closing by the Board of Commissioners of the City of Tulsa and vacation by the District Court of Tulsa County, Oklahoma); and the vacated right-of-way of East 76th Street South from the Eastern Boundary of South Lewis Avenue, created by dedication on Plat of LaFelle Heights, a subdivision of the S/2 of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, filed on April 28, 1924. Enlarged by dedication on Plat No. 1626, Southern Hills Estates, filed on August 3, 1950, and Plat No. 2390 Oral Roberts University Heights, filed February 9, 1962 (subject to closing by the Board of Commissioners of the City of Tulsa and vacation by the District Court of Tulsa County, Oklahoma); and the South 430' of Lots 1, 2, 3, and 4 and the South 379' of Lots 5, 6, 7, and 8 in Block 3 of Southern Hills Estates Addition to the City of Tulsa, Tulsa County, Okla.; and Lots 3, 4, 5, 6, 7, and 8, Block 4, LaVelle Heights, a subdivision of a part of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma; and the South 379' of the vacated right-of-way of South Delaware Avenue from the South Boundary of East 75th Street South to the North Line of the S/2 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, according to the recorded Plat thereof (subject to closing by the Board of Commissioners of the City of Tulsa; and Lots 13, 14, 15 and 16, Block 4, LaVelle Heights, a subdivision of a part of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma.

7760 (continued)

Interested Party:

Robert Scott, 2930 West 51st Street, advised the Board that there is a hill one lot from the proposed location of the clinic, which will create a traffic hazard when the clinic is constructed. He suggested that the Traffic Engineer check the traffic situation again before the application is approved.

Mrs. Owen Halford, 2823 West 51st Street, advised that the traffic situation in this area is bad and that the hill causes a sight problem when driving. She stated that the clinic will generate more traffic in the area and add to the safety hazard that now exists.

Mr. Reece advised the interested parties and the Board that the Traffic Engineer has checked the traffic situation and approved the location of the clinic, stating that if a driveway is established at the west end of the property, there would be no sight problem.

Board Action:

On MOTION of REEDS, the Board (4-0) determined that the City-County Health Clinic, a community facility, is included in Use Unit 5 and approved an Exception - (410 - Principal Uses Permitted in Residential Districts) to permit a City-County Health Clinic as a Community Service, Use Unit 5, on the following described tract:

Beginning at a point 35 feet South of the Northwest corner of the NE/4, NW/4, of Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma; thence East 100 feet; South 230 feet; West 100 feet; North 230 feet to the point of beginning.

7721 Communication:

This communication for interpretation of the Ordinance was continued from the January 18, 1973 meeting.

7769

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts) for permission to operate a community service, cultural and recreation facility in a residential district, and

Variance (Section 420.2 (d) (1) - Accessory Uses in Residential Districts - Accessory Use Conditions - Signs) to vary the requirements of the constant light requirements to permit a sign for the John Mabee Center in accord with plans and specifications submitted, in an RS-3 District located at 81st St., and Lewis Avenue.

2.1.73:130(3)

Presentation:

Clarke Ford, representing Oral Roberts University, advised that the subject application is an attempt to resolve all problems involving the Mabee Center and particularly the constant light sign. Rather than leaving the 40 acre tract of the Mabee Center under the pre-existing approval of the 160 acre tract for educational and university purposes, it is hoped that this application would be approved and allow the 40 acre Mabee Center tract to be included in Use Unit 5, Community Services, Cultural and Recreational Facilities. A variance of the requirements of access uses is also requested, since the facility is rather unique and seats 12,000. Mr. Ford felt that both the request for variance of the height and size of the sign and the request for variance of the requirement of constant light were in order. He advised that the Traffic Engineering Department recommends that the capability of the sign be restricted so as not to allow a message change in less than 10 seconds, which the University will agree upon. In handling the exception and variance in this manner, an additional interpretation of the meaning of constant light will be unnecessary, unless the Protective Inspections Office feels it is important to them for other applications.

Mr. Ford presented the plot plan (Exhibit "A-1") to the Board explaining that when basketball scores are changed, in not less than 10 seconds, the scores would cover approximately 10% of the sign. The remainder of the sign would not change more than once in every 24 hours. Mr. Ford advised that the University does not feel the sign has the capability of being a travelling sign, and they do not intend to use the sign as such. The usage of the sign would be a change of message and not a continuous moving sign.

Remarks:

Charles Banks, Protective Inspections Office, advised the Board that the Building Inspector's Office has withdrawn its previous request for interpretation, stating that even though the sign may have the capability of a travelling sign, it will not be used as such.

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts) for permission to operate the 40 acre tract of Mabee Center as a community service, cultural and recreation facility under Use Unit 5 in an RS-3 District, and

Minor Variances: (continued)

7721

Action Requested: Minor Variance (Section 420.2 (d) (1.) - Accessory Use Conditions - Signs - Under the Provisions of Section 1470) for a modification of heighth and size of a sign (48' high and size 28' 6" x 48') in an RS-3 District located at 7777 South Lewis Ave.

Presentation: A representative of the architect for Oral Roberts University was present and submitted the plot plan (Exhibit "P-1") to the Board.

Remarks: The Chair stated that the sign as proposed was not a continuous moving message sign such as was shut down at 21st Street and Columbia Avenue.

Protests: None.

Board Action: On MOTION of COHEN, the Board (4-0) approved a Minor Variance (Section 420.2 (d) (1.) - Accessory Use Conditions - Signs - Under the Provisions of Section 1470) for a modification of heighth and size of a sign (48' high and size 28' 6" x 48') according to the plot plan submitted and stating for the record that the sign is not within the setback area and does not require a waiver of the Major Street Plan, in an RS-3 District on the following described tract:

Block 1, Oral Roberts University Heights
Addition to the City of Tulsa, Oklahoma.

7736

Action Requested: Minor Variance (Section 430 - Bulk and Area Requirements in Residential Areas - Under the Provisions of Section 1430) for permission to erect a residence 52.8' from the centerline of 124th East Avenue in an RS-3 District located at the SE corner of 14th St., and 124th East Avenue.

Presentation: E. E. Boyd, the applicant, presented the plot plan (Exhibit "Q-1") to the Board.

Protests: None.

Board Action: On MOTION of REEDS, the Board (4-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1430) for permission to erect a residence 52.8' from the centerline of 124th East Avenue, according to the plot plan submitted, in an RS-3 District on the following described tract: 11.30.72:125(15)

7.22

8. The present use increases the valuation of the property as noting else is compatible to this strip of land.

Mr. Seth Hughes stated he leased the property for 10 years for a par 3 golf course and that the Board of Adjustment had granted a permit for a golf course on this property. That the property had been used as a driving range at night.

Mr. Luther Lane stated he was in favor of the golf course that it was an asset to the City of Tulsa.

Mrs. Snyder who lives across the street from the golf course objected to the noise and the miniature golf course but stated she had no objection to a putting course.

Mr. Cassidy objected strenuously to the miniature golf course and stated it was almost impossible to live next to the course in the summer time because of the noise.

After considerable discussion it was,

MOVED by Sublett (Avery) that this application be approved subject to a letter or agreement from the owners of the golf course that they will close at 11:00 p. M. and that they be given permission to operate until their lease expires on December 31, 1966.

All members voting yea.

Carried.

Case No. 3760-A ✓
Oral Roberts Evangel-
istic Association, Inc.
Pt. SW, of Section
8-18-13

This being the date set down for public hearing on the application of the Oral Roberts Evangelistic Association, Inc. for permission to use the following described property for school purposes:

The Southwest Quarter of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma, less the North 165 feet and the East 165 feet.

There appeared Mr. Saul A. Yager on behalf of the applicant. No protest was offered.

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

Carried.

Case No. 3761-A ✓
Prattville Methodist
Church - Part of the
NW, NW, NW, of
Section 26-19-11

This being the date set down for public hearing on the application of the Prattville Methodist Church for permission to erect a church on the following described property:

7950 ✓
Action Requested:

Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 1605 - Community Services, Cultural and Recreational Facilities) to use property for athletic activities for Oral Roberts University in an RS-1 District located at 21st Street and Delaware Avenue.

Presentation:

Clarke Ford, representing Oral Roberts University, presented to the Board an architect's rendering of the proposed athletic building to be constructed on the subject tract. He submitted a floor plan exhibit "A-1" of the proposed building, advising that future changes might be made, since the architect's work is not yet completed. Mr. Ford advised the Board that he had met with the surrounding neighbors and discussed the proposed building, stating that the following agreements had been made: that the proposal would be strictly a student facility, with no separate parking, that the building would not be designed for or used for spectator seating, and that the building would be temporary in design.

Protest:

None.

Board Action:

On Motion of GIBBS, the Board (3-0) approved an Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 1605 - Community Services, Cultural and Recreational Facilities) to use property as presented for athletic activities for Oral Roberts University in an RS-1 District on the following described tract:

The East 1/2 feet of the NW/4, and the NW/2, NE/2, SE/2 of Section 8, Township 18 North, Range 11 East, Tulsa County, Oklahoma.

7952

Action Requested:

Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 540 (6) - Home Occupations) to operate a home beauty shop in servants quarters in an RS-2 District located at 6402 West Edison.

Presentation:

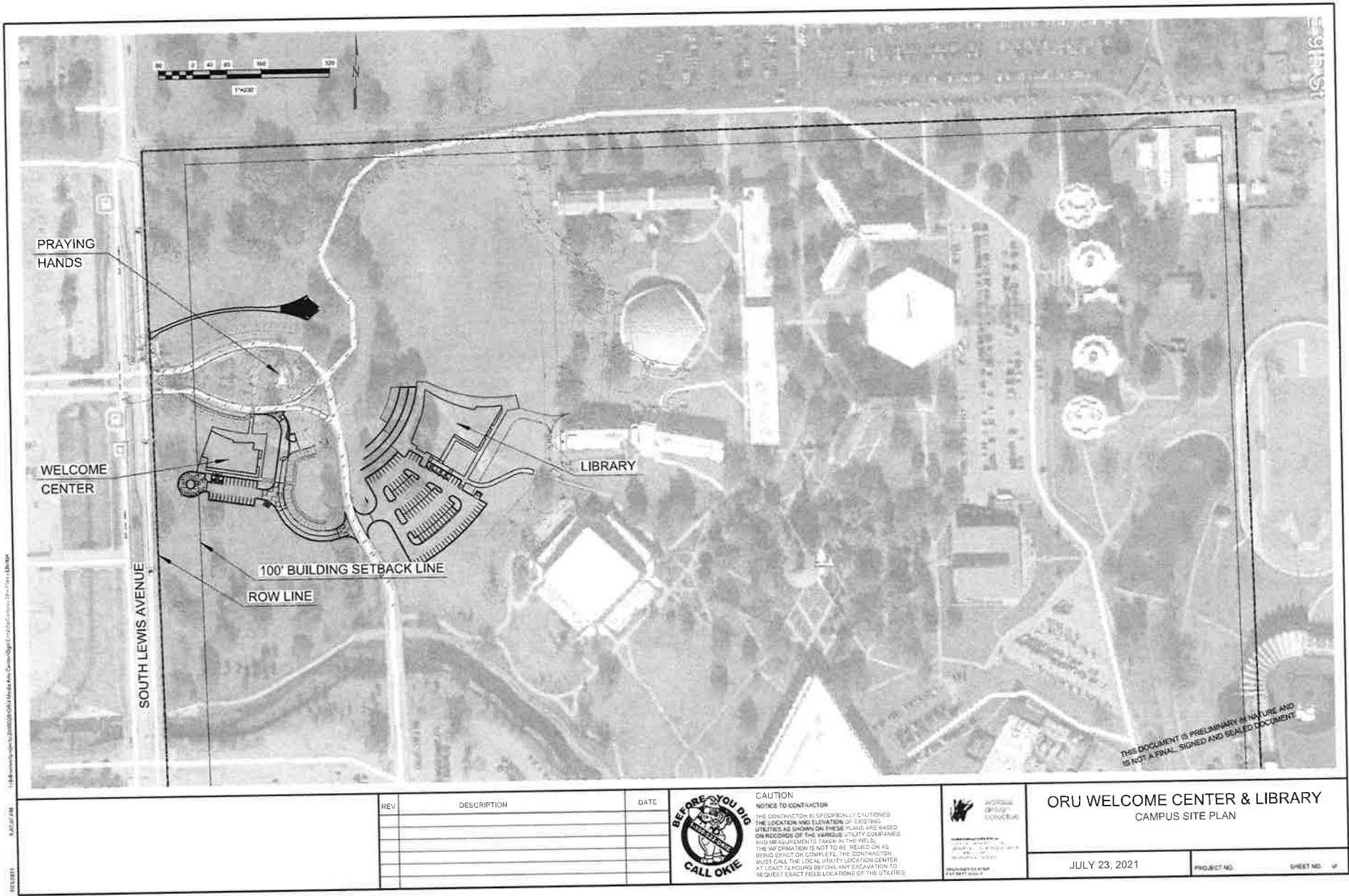
Vera Taylor, the applicant, advised the Board that she was aware of the rules and regulations in regard to home occupations. She stated that the beauty shop would be located in the servants' quarters behind her home and that sufficient off-street parking is available on the 1 1/2 acre tract.

Protest:

None.

7.5.71:162(2)

52.2



REV	DESCRIPTION	DATE



**CAUTION
NOTICE TO CONTRACTOR**

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXIST OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.

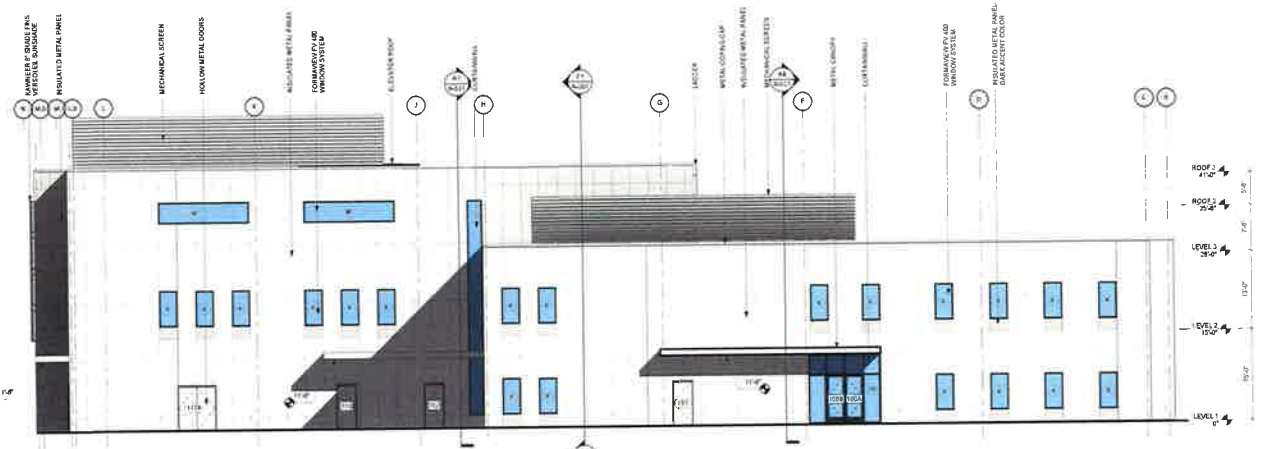


**ORU WELCOME CENTER & LIBRARY
CAMPUS SITE PLAN**

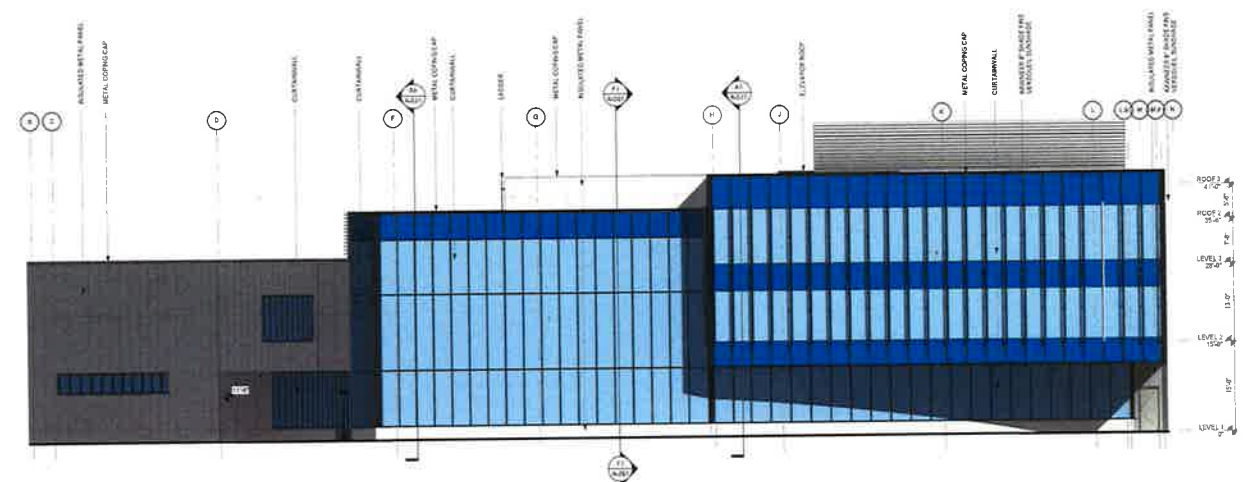
JULY 23, 2021

PROJECT NO. SHEET NO. 17

are 2



EAST ELEVATION
1/8" = 1'-0" G1



WEST ELEVATION
1/8" = 1'-0" A1

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621 S. Lewis Ave.
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ksqdesign.com

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Tulsa, Oklahoma 74177
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oruhq.com

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ps@phillippsandowers.com

LANDSCAPE
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122 North Main Street, Suite 200
Tulsa, Oklahoma 74103
918.244.5918 office
wallacedesign.com



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AND HOLY
SPIRIT
RESEARCH
CENTER**

7777 South Lewis Ave
Tulsa, Oklahoma 74177

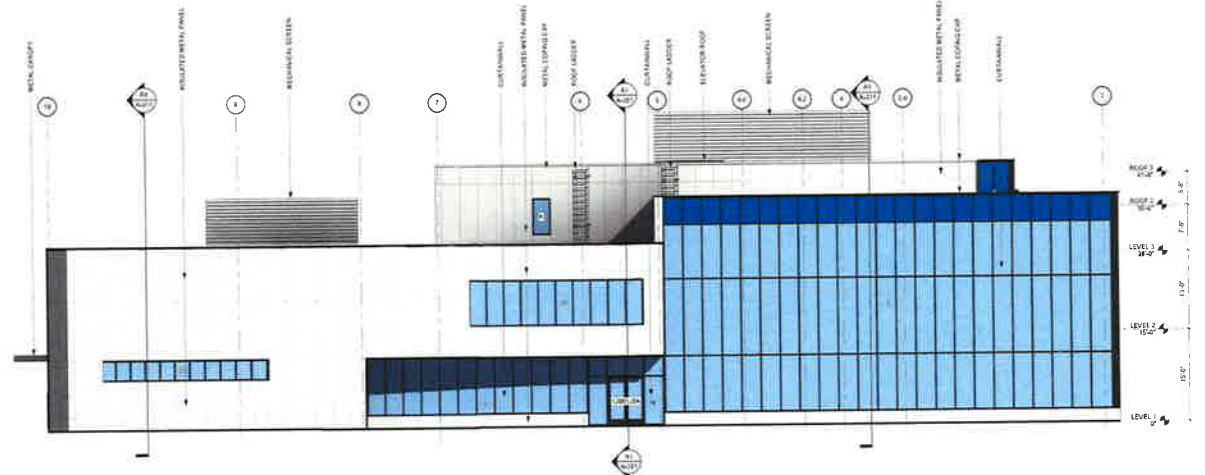
REVISIONS

No.	Description	Date

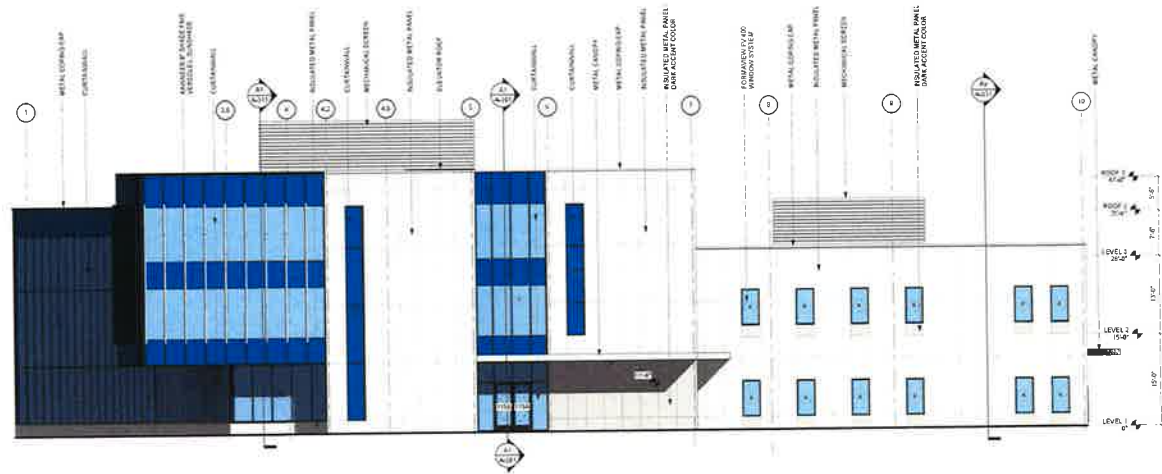
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DATE: 07/15/2021
SCALE: 1/8" = 1'-0"
SHEET NAME:
BUILDING ELEVATIONS

SHEET NUMBER:
A-201

20.2



NORTH ELEVATION
1/8" = 1'-0" G1



SOUTH ELEVATION
1/8" = 1'-0" A1

ARCHITECT
ksqdesign
4600 Archiburn, PC aka KSD Design
6515 Lewis Ave
Tulsa, OK 74130
918.582.0022 office
ksqdesign.com

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918.462.5111 office
oru.edu

LEAD ENGINEER
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Tulsa, Oklahoma 74102
918.584.5558 office
wallacedesign.com

STRUCTURAL ENGINEER
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Tulsa, Oklahoma 74102
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wallacedesign.com

MEP ENGINEER
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Tulsa, OK 74102-5416
918.584.5102 office
philipsandgomez.com

LANDSCAPE
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Tulsa, Oklahoma 74102
918.584.5558 office
wallacedesign.com



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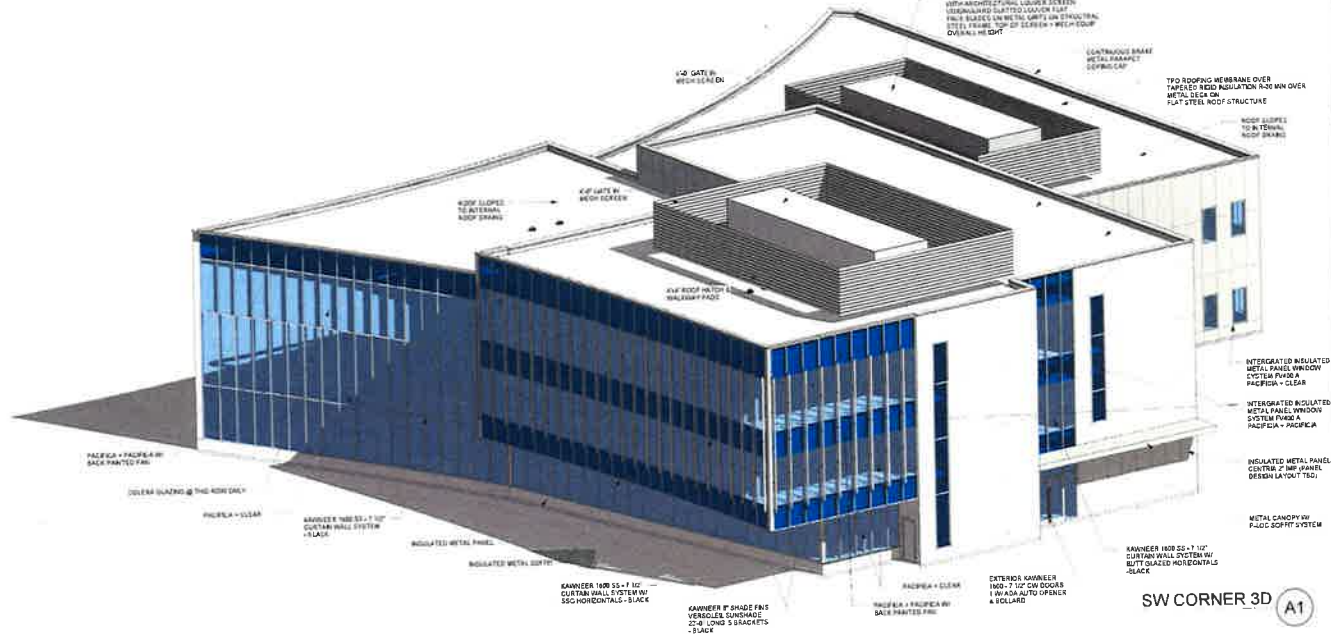
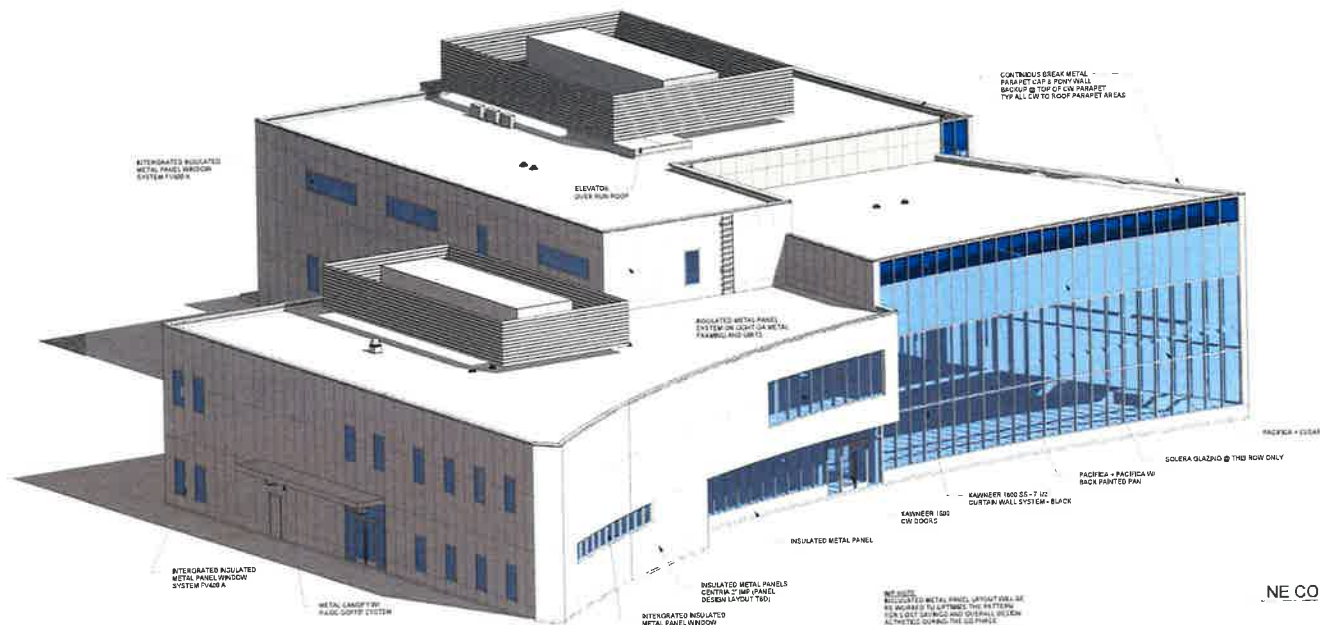
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Tulsa, Oklahoma 74117

NO.	DESCRIPTION	DATE
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ISSUED: DD / PERMIT SET
DATE: 07/19/2021
SCALE: 1/8" = 1'-0"
SHEET NAME:
BUILDING ELEVATIONS

SHEET NUMBER:
A-202

82.2



ksqdesign

6800 Broadway, Suite 100
Tulsa, Oklahoma 74117
918.582.0000
ksqdesign.com

Owner:

ORU / DR. WILSON
7777 South Lewis Ave.
Tulsa, Oklahoma 74117
918.582.0000
oruhq.com

Architect:

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123 North Martin Luther King Jr. Blvd.
Tulsa, Oklahoma 74103
918.582.0000
wallacedesign.com

Structural Engineer:

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123 North Martin Luther King Jr. Blvd.
Tulsa, Oklahoma 74103
918.582.0000
wallacedesign.com

MEP Engineer:

PHILLIPS + BOWEN
1514 N.W. 5th St. Suite 210
Tulsa, Oklahoma 74103
918.582.0000
phillipsbowen.com

Landscaper:

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Tulsa, Oklahoma 74103
918.582.0000
wallacedesign.com



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Tulsa, Oklahoma 74117



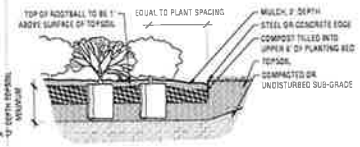
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NO. 5	DATE: 07/15/2021
NO. 6	DATE: 07/15/2021
NO. 7	DATE: 07/15/2021
NO. 8	DATE: 07/15/2021
NO. 9	DATE: 07/15/2021
NO. 10	DATE: 07/15/2021

SHEET NAME:
3D BUILDING
ELEVATIONS

SHEET NUMBER:
A-211

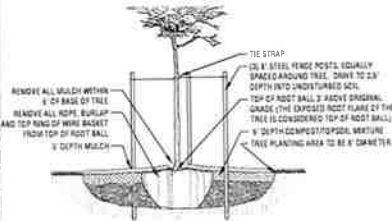
PERMIT SET - FOR REVIEW ONLY

7.29



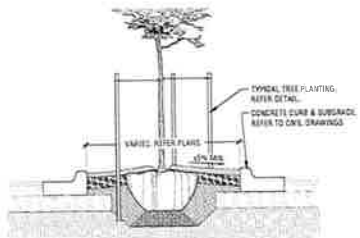
- NOTES
- EXCAVATED MATERIAL MAY BE USED FOR BACKFILL IF MATERIAL IS FRIABLE AND FREE OF ROCKS AND CLODS OVER 8" DIAMETER. PROVIDE ADDITIONAL TOPSOIL IF NEEDED FOR TOPSOIL/COMPOST MIX AT SURFACE.
 - COMPOST TO BE EQUAL TO BACK TO EARTH/COMPOSTED COTTON BURS.
 - 2" LAYER OF COMPOST TO BE INCORPORATED INTO UPPER 6" OF BACKFILL BY APPROVED MEANS FOR ALL SHRUB PLANTING AREAS.

5 TYPICAL SHRUB PLANTING
N.T.S. NOT TO SCALE



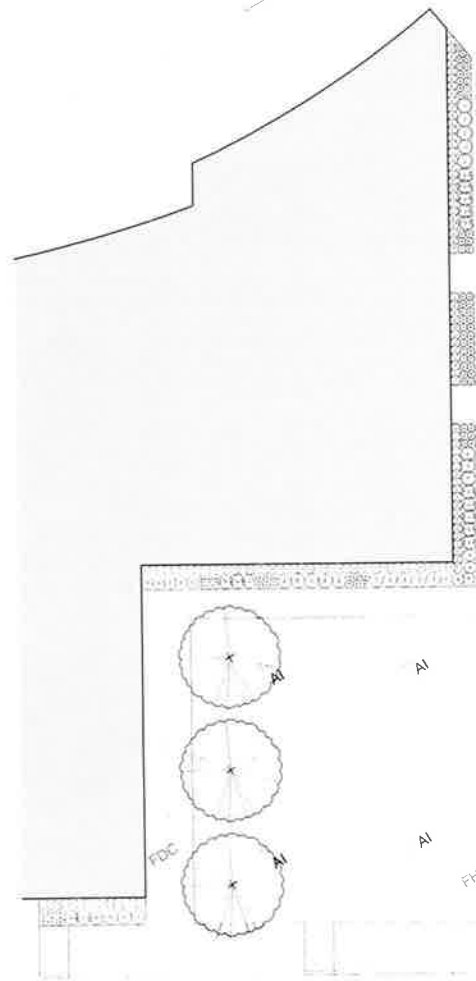
- NOTES
- EXCAVATED MATERIAL MAY BE USED FOR BACKFILL IF MATERIAL IS FRIABLE AND FREE OF ROCKS AND CLODS OVER 8" DIAMETER. PROVIDE ADDITIONAL TOPSOIL IF NEEDED FOR TOPSOIL/COMPOST MIX AT SURFACE.
 - AT ROOT PLANT, MAIN ORDER ROOTS TO BE A MINIMUM OF 1" BELOW TOP OF ROOT BALL SOIL SURFACE.
 - COMPOST TO BE EQUAL TO BACK TO EARTH/COMPOSTED COTTON BURS.
 - COMPOST TO BE INCORPORATED INTO UPPER 6" OF BACKFILL BY APPROVED MEANS AT THE RATE OF 8 CUBIC FEET (8-000 BAGS) FOR EACH TREE PLANTING AREA.

4 TYPICAL TREE PLANTING
N.T.S. NOT TO SCALE

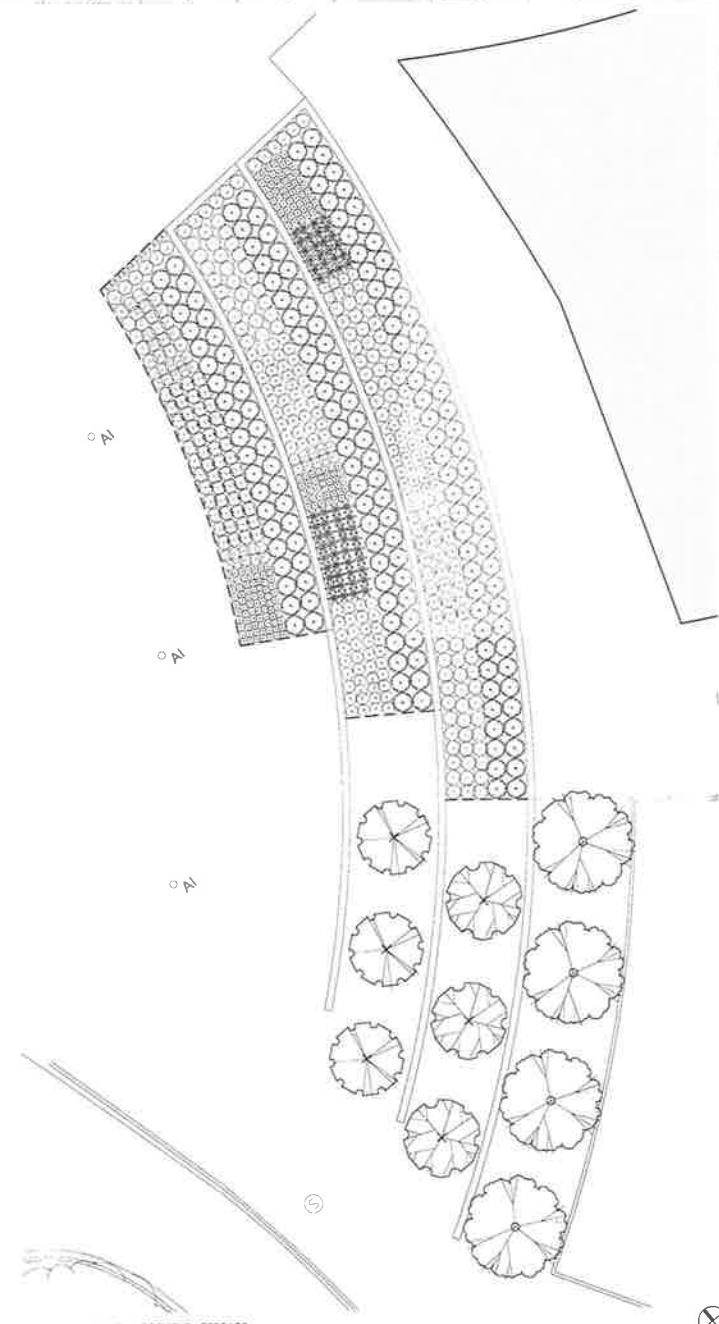


- NOTE
- REFER TO CIVIL PLANS FOR PARKING LAYOUT.
 - TREES IN PARKING LOT ISLANDS TO BE INSTALLED SIMILAR TO TYPICAL TREE PLANTING.
 - CENTER OF PARKING LOT ISLANDS TO BE MOUNTED AT 5% MINIMUM.
 - TOPSOIL FILL SHALL EXTEND 6" MINIMUM BELOW TREE ROOTBALL WITH COMPACTED TOPSOIL FOR SUPPORT.

3 TREE PLANTING IN ISLAND
N.T.S. NOT TO SCALE



2 PLANTING ENLARGEMENT - BUILDING
1/4"=1'-0"



1 PLANTING ENLARGEMENT - TERRACE
1/4"=1'-0"

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MEP Engineer
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Landscape Architect
HILLIARD DESIGN CONSULTING
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Tulsa, Oklahoma 74103
918.581.2818 office
ksqdesign.com

DATE: 07/15/2021
SCALE: AS SHOWN
SHEET NAME: PLANTING ENLARGEMENTS & DETAILS
SHEET NUMBER: L-102



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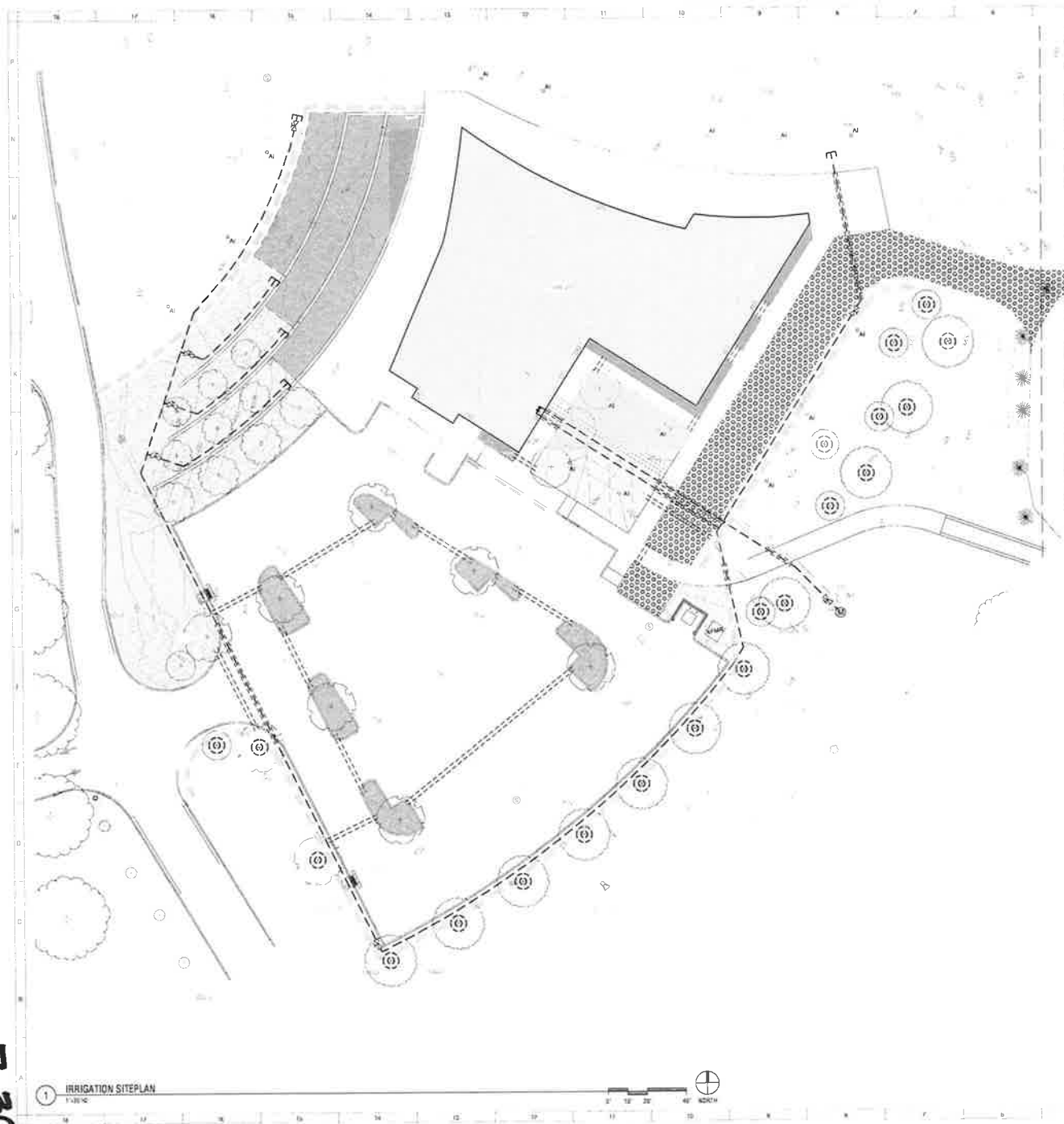
7777 South Lewis Ave.
Tulsa, Oklahoma 74117

REVISION	DATE	DESCRIPTION
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ISSUED: DD SET
DATE: 07/15/2021
SCALE: AS SHOWN
SHEET NAME: PLANTING ENLARGEMENTS & DETAILS
SHEET NUMBER: L-102

PROGRESS SET - FOR REVIEW ONLY

7.30



- ### IRRIGATION NOTES
1. CONTRACTOR TO ASCERTAIN LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO EXCAVATION AND BE RESPONSIBLE FOR DAMAGE RESULTING FROM IRRIGATION OPERATIONS.
 2. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THE SURVEY. CONTACT THE LOCAL UTILITY LOCATION SERVICES PRIOR TO COMMENCING CONSTRUCTION OPERATIONS.
 3. CONTRACTOR SHALL VERIFY LOCATION OF IRRIGATION POINT OF CONNECTION.
 4. IRRIGATION SYSTEM SHALL BE INSTALLED PER THE CITY OF TULSA CODES.
 5. ALL LANDSCAPE AREAS SHALL BE IRRIGATED. SPRINKLER AND SPRAY COVER AREAS SHALL BE IRRIGATED ON SEPARATE ZONES FROM LAWN AREAS, AND SPRAY ZONES SHALL BE SEPARATE FROM SPRINKLER ZONES.
 6. WORK TO INCLUDE DESIGN AND INSTALLATION OF AUTOMATIC UNDERGROUND IRRIGATION SYSTEM PROVIDING UNIFORM NOZZLE COVERAGE. ALL PIPES AND VALVES SHALL BE TRACED TO BELOW GRADE PER SPECIFICATIONS.
 7. IRRIGATION SYSTEM SHALL CONSIST OF AN ELECTRIC SOLID-STATE CONTROLLED UNDERGROUND SPRINKLER SYSTEM OF PVC PIPE AND FITTINGS, WITH HEADS AND POP-UP HEADS IN A MULTI-SECTION SYSTEM, PROGRAMMED AS APPROVED BY THE OWNER'S REPRESENTATIVE.
 8. CONTRACTOR TO FOLLOW DESIGN, SPECIFICATIONS, AND SPECIFIC MANUFACTURER'S RECOMMENDATIONS TO INSURE PROPER INSTALLATION OF THE IRRIGATION SYSTEM. CONTRACTOR SHALL NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS INDICATED ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT OBSTRUCTIONS, GRADE DIFFERENCES OR AREA DIMENSIONS EXIST THAT WOULD NOT HAVE BEEN CONSIDERED DURING DESIGN. CONTRACTOR SHALL BRING SUCH OBSTRUCTIONS OR DIMENSIONS TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE. IN THE EVENT THIS NOTIFICATION IS NOT PERMANENT, CONTRACTOR ASSUMES RESPONSIBILITY OF ALL REQUIRED REVISIONS.
 9. THE CONTRACTOR SHALL BE REQUIRED TO INSTALL ALL SLEEVES ON THE PROJECT WHETHER SHOWN ON THE DRAWINGS OR NOT. SLEEVES SHALL BE SIZED TWO (2) TIMES THE NOMINAL DIAMETER OF THE LARGEST PIPE PASSING THROUGH THE SLEEVE. MINIMUM SLEEVE SIZE SHALL BE 8". SLEEVES SHALL BE INSTALLED AT A MINIMUM COVER DEPTH OF EIGHTEEN (18") INCH (FINDINGS) SPACE, COORDINATE HORIZONTAL AND VERTICAL LOCATIONS WITH UTILITIES AND FOOTINGS. A SEPARATE MINIMUM 2" DIAMETER SLEEVE SHALL BE PROVIDED FOR THE CONTACT WHERE IT PASSES THROUGH EACH CROSSING. THE CONTRACTOR SHALL REMOVE THE OWNER REPRESENTATIVE'S APPROVAL FOR ALL RESOURCES SHOWN UNDER KINGS, PATHS AND SIDEWALKS.
 10. THE AUTOMATIC IRRIGATION CONTROLLER TO BE INSTALLED AT THE LOCATION SHOWN. THE CONTRACTOR SHALL REMOVE THE OWNER REPRESENTATIVE'S APPROVAL FOR SCHEDULING PLACEMENT PRIOR TO INSTALLATION. THE CONTRACTOR SHALL PROVIDE A 2" SCHEDULE 40 PVC CONDUIT FOR IRRIGATION CONTROL WIRING. THE IRRIGATION CONTRACTOR SHALL COORDINATE THE LOCATION OF THE 120 VOLT POWER SOURCE AND VERIFY ITS INSTALLATION PRIOR TO COMMENCING IRRIGATION WORK.
 11. ADJUST ALL HEADS TO MINIMIZE OVER SPRAY INTO BUILDINGS AND BUILDINGS. USE PCE SCREENS AS NEEDED ON SPRAY HEADS WITH 3/4" SCHEDULE 40 SPRAY NOZZLES TO ADJUST OVER SPRAY. USE ADJUSTMENT SCREW ON 1/2" SCHEDULE 40 SPRAY NOZZLES ONLY WHEN NECESSARY.
 12. ALL SPRAY AND SPRINKLER HEADS SHALL BE INSTALLED PERPENDICULAR (90 DEGREES) TO FINISHED GRADE.
 13. SPRAY SPRINKLER HEADS WITH CHECK VALVES SHALL BE REQUIRED TO PREVENT LOW HEAD DRAINAGE. CONTRACTOR SHALL INSTALL ADDITIONAL 1/2" BALL CHECK VALVES AS REQUIRED WITH IN HEAD OF WATER IN UPSTREAM PIPE EXCEEDS THE CAPACITY OF DOWNSTREAM SPRINKLER HEAD CHECK VALVES.
 14. ANY TREES REQUIRED FOR THE INSTALLATION OF LANDSCAPE IRRIGATION SHALL BE PLACED AS FAR FROM EXISTING TREE TRUNKS AS POSSIBLE. WHERE PRACTICAL, IRRIGATION PIPING WILL ENTER THE CANOPY OF TREES DIRECTLY TOWARD THE TREE TRUNK AND NOT PASS COMPLETELY THROUGH THE CANOPY.
 15. IF ANY TREES ARE NOT APPROVED FOR CONSTRUCTION, IRRIGATION HEADS TO SHIFT BEHIND CONCRETE CURB.
 16. CONTRACTOR SHALL PROVIDE "AS BUILT" DRAWINGS TO THE OWNER'S REPRESENTATIVE UPON COMPLETION OF THE INSTALLATION.
 17. BY SUBMITTING A BID, THE CONTRACTOR ACKNOWLEDGES HAVING VISITED THE SITE AND BECOME FAMILIAR WITH THE CONDITIONS RELATED TO THE INSTALLATION OF SITE IMPROVEMENTS.

- ### LEGEND
- | | |
|--------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| LAWN AREA ROTARY/SPRAY IRRIGATION ZONES | SHRUB AREA SPRAY IRRIGATION ZONES |
| SINGLE ROW OF TREES ROTATING SPRINKLING, THROWING DOWNWARD TO VIEW, RADIAL HEADS SPACED HEAD-TO-HEAD | MINIMAL HEADS WITHIN RELEASE |
| 2" IRRIGATION WATER METER, COORDINATE LOCATION WITH CIVIL | QUICK COUPLING VALVE (PROVIDE 3 KEYS) |
| WALL MOUNTED, RAINBIRD ESP-LOD IRRIGATION CONTROLLER | RAIN / FREEZE SENSOR, REFER SPECIFICATIONS & NOTES |
| WILKINS 1/2" PRESSURE REDUCING TYPE BACKFLOW PREVENTER ASSEMBLY INSIDE BUILDING MECHANICAL ROOM, COORDINATE WITH PLUMBING CONTRACTOR | BRONZE MANUAL ISOLATION GATE VALVE (GATE SIZE AS NOTED) |
| MAINLINE PIPING (2" SCH 40 PVC) | LOW VOLUME IRRIGATION DROP RING |
| SUB PIPING (2" SCH 40 PVC) | |

1 IRRIGATION SITEPLAN
TULSA, OK

ARCHITECT
ksqdesign

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Owner
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918.582.0422 office
vdcdesign.com

Mechanical Engineer
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Tulsa, Oklahoma 74103
918.582.0422 office
vdcdesign.com



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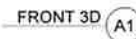
7777 South Lewis Ave
Tulsa, Oklahoma 74111

DATE	DESCRIPTION

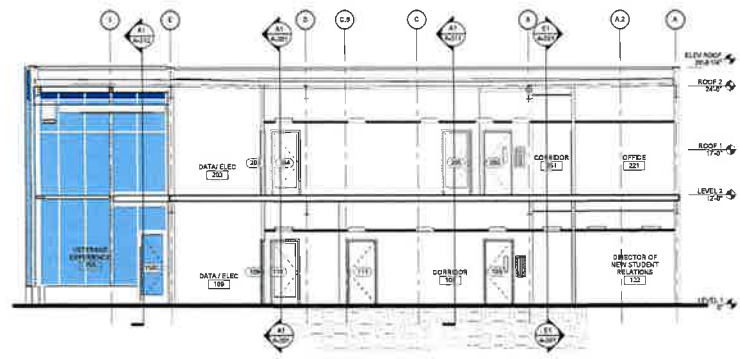
ISSUED: 05.05.21
DATE: 07/15/2021
SCALE: AS SHOWN
SHEET NAME: IRRIGATION SITEPLAN
SHEET NUMBER: L-201

PROJECT NUMBER: 181103.00
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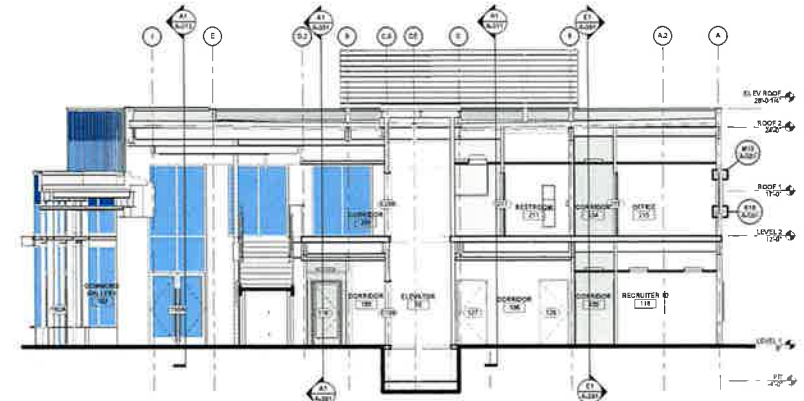
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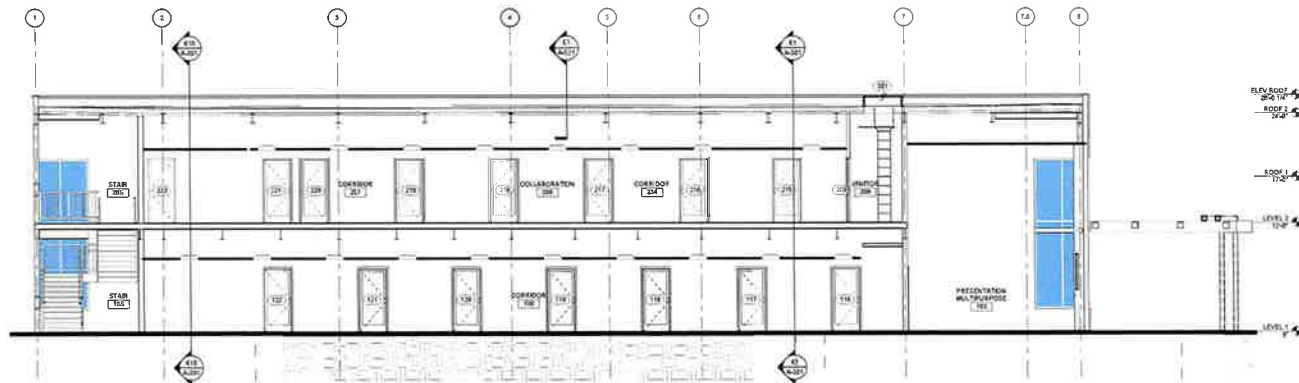
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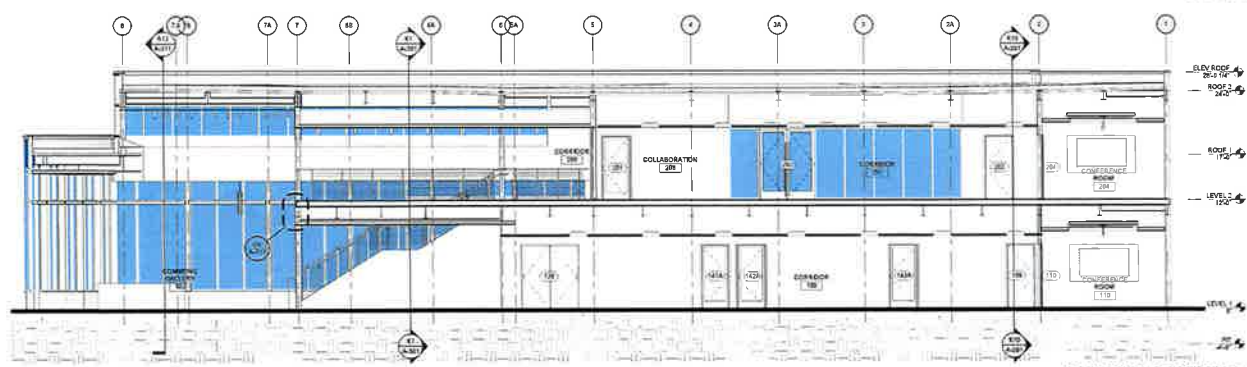
BUILDING SECTION 4
3/16" = 1'-0"



BUILDING SECTION 3
3/16" = 1'-0"



BUILDING SECTION 2
3/16" = 1'-0"



BUILDING SECTION 1
3/16" = 1'-0"



ORU WELCOME CENTER

7777 South Lewis Ave
Tulsa, Oklahoma 74111

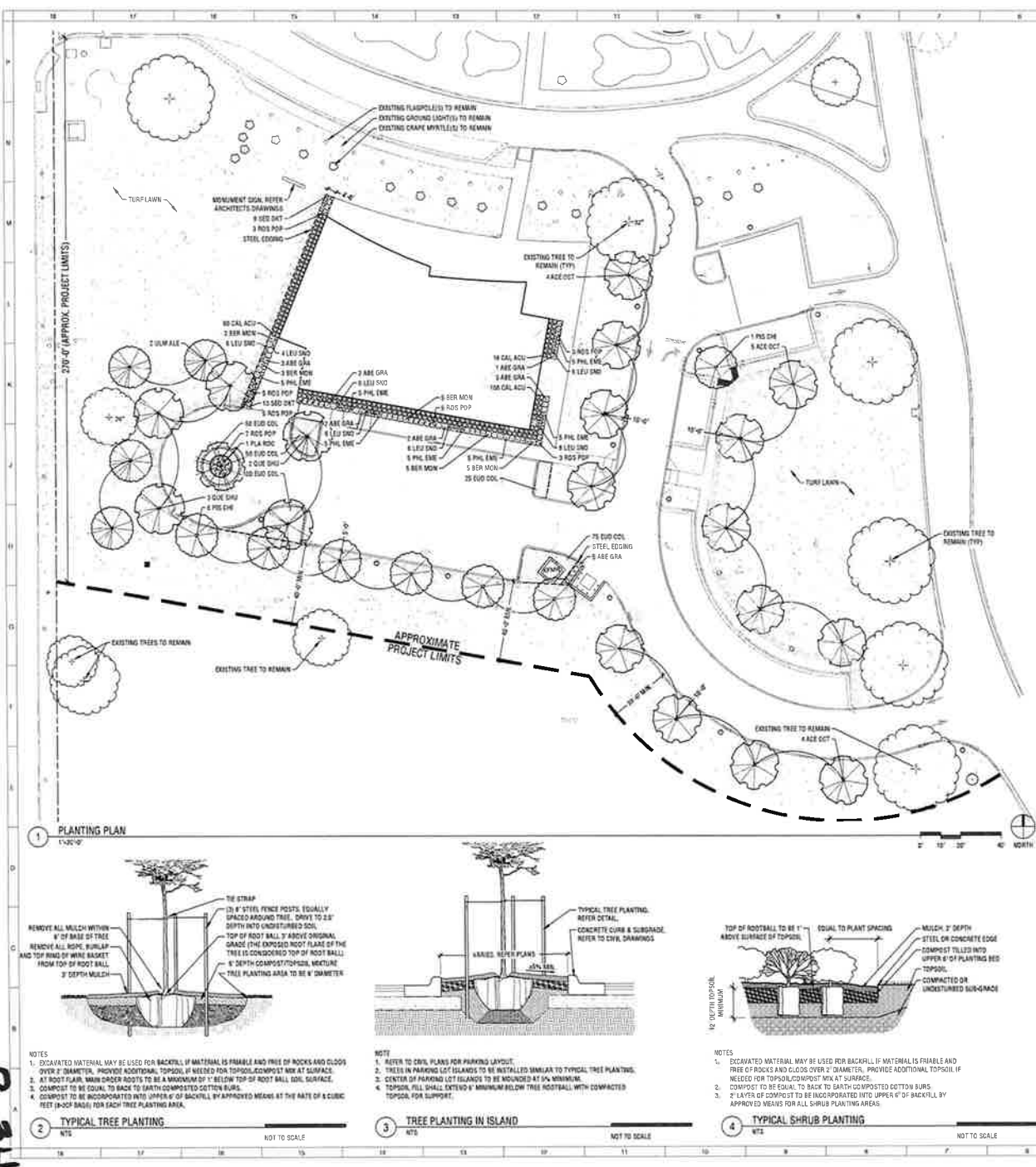


REVISIONS		
No.	Description	Date

ISSUED: PERMIT SET
DATE: 06/17/2021
SCALE: 3/16" = 1'-0"
SHEET NAME: BUILDING SECTIONS

SHEET NUMBER:
A-301

2.34



PLANTING NOTES

1. CONTRACTOR TO ASCERTAIN LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO EXCAVATION AND BE RESPONSIBLE FOR DAMAGE RESULTING FROM PLANTING OPERATIONS. REPAIRS SHALL BE MADE AT NO COST TO THE OWNER.
2. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THE SURVEY. CONTACT THE LOCAL UTILITY LOCATION SERVICES PRIOR TO COMMENSING CONSTRUCTION OPERATIONS.
3. ALL AREAS NOTED AS 'LAWN' ON PLAN, AND ALL OTHER AREAS ON SITE WHICH ARE NOT OTHERWISE DESIGNATED AND ARE DAMAGED BY CONSTRUCTION, ARE TO BE PLANTED WITH SOLID SOD BERMUDA GRASS.
4. ALL PLANTING AND SHAVEL BEDS THAT ARE LAWN AREAS TO BE RECOVERED BY 3" STEEL EDGING.
5. FINISH GRADE FOR DRIVE, SIDEWALK COVER, AND LAWN AREAS SHALL BE HELD 1" BELOW TOP OF ADJACENT PAVEMENT AND CURBS UNLESS OTHERWISE NOTED ON DRAWINGS.
6. FIELD STAKE LOCATIONS OF PROPOSED TREES FOR REVIEW AND APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO DELIVERY OF TREES.
7. IF FAST PLANTING ROW IS NOT APPROVED, TREES & LIGHTS TO SHIFT TO 10' W/ 5' OF ENTRY DRIVE. NEW LOCATIONS TO BE STAKED FOR APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
8. FOR ADDITIONAL PLANTING REQUIREMENTS REFER TO SPECIFICATIONS.
9. BY SUBMITTING A BID, THE CONTRACTOR ACKNOWLEDGES HAVING VISITED THE SITE AND BECOME FAMILIAR WITH THE CONDITIONS RELATED TO THE INSTALLATION OF SITE IMPROVEMENTS.

LANDSCAPE REQUIREMENTS

PLANTING LOT REQUIREMENTS

- REQUIRED: 35 SF OF INTERIOR LANDSCAPE AREA PER EACH SPACE
- PROVIDED: 35 SF * 40 SPACES = 1400 SF
- REQUIRED: 1000 SF OF INTERIOR LANDSCAPE AREA
- PROVIDED: 1 TREE PER 10 PARKING SPACES
- PROVIDED: 40 SPACES / 110 = 5 TREES
- PROVIDED: 5 TREES WITH NO PARKING SPACE MORE THAN 100 FEET FROM A TREE

STREET FRONTAGE REQUIREMENTS

- REQUIRED: 1 LG TREE PER 20 LF OF FRONTAGE OR 1 SM TREE PER 25 LF
- PROVIDED: 5 LEWIS AVE - 270 OF LF 20 = 13 TOTAL TREES
- PROVIDED: 1 EXISTING & 8 PROPOSED TREES BETWEEN PROPERTY LINE AND BUILDING SETBACK LINE

LEGEND

- SOLID SOD BERMUDA GRASS LAWN
- 3/16" STEEL EDGING

PLANT LIST

KEY	QTY	UNIT	NAME	SIZE	ROOT BALL	REMARKS
ABE OPR	21	EA	ABUTILA CHAMPEDORA 'ROSE CREEK'	3-4" D.C.	4" C	
ACE OCT	13	EA	ACER RUJULAN 'VICTORIAN GLORY'	10" H	8" B	WATCHED
BER VON	20	EA	BERBERIS 'NUBENFELD' 'MENDON'	10" H	8" B	WATCHED
CAL ACU	164	EA	CALAMAGROSTIS x CYLLIPTORA KARL RIEBSTER	10" H	8" B	WATCHED
EUD COL	261	EA	EUBANKIA FORTUNEI 'COLORATUS'	10" H	8" B	WATCHED
LEU END	42	EA	LEUCANTHEMUM x SUPERBUM 'SNOWCAP'	10" H	8" B	WATCHED
PHI EWE	30	EA	PHLOX SUBULATA 'EMERALD BLUE'	10" H	8" B	WATCHED
PIS CH	3	EA	PETIOLE CHINENSIS 'CHINESE PISTACHE'	10" H	8" B	WATCHED
PLA ROC	1	EA	PLATANUS x ACROPLA 'DREYAN'	10" H	8" B	WATCHED
QUE SHU	5	EA	QUERCUS SUMATRANENSIS	10" H	8" B	WATCHED
ROS POP	31	EA	ROSA NOVAROSSOPPO	10" H	8" B	WATCHED
SED OCT	22	EA	SEDUM ACRE 'OUTDOOR WEST'	10" H	8" B	WATCHED
ULM ALE	3	EA	ULMUS PARVIFLORUS 'VLMER II'	10" H	8" B	WATCHED

LANDSCAPE CERTIFICATION

WALLACE DESIGN COLLECTIVE, INC. AN OKLAHOMA CORPORATION AND THE UNDERSIGNED JEFF HOSLEY, REGISTERED LANDSCAPE ARCHITECT NO. 10, UNDER CERTIFICATE OF AUTHORIZATION NO. 1480 (EXP. DATE 03/30/20), DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE SUBMITTED LANDSCAPE PLAN IS IN CONFORMANCE WITH THE REQUIREMENTS OF THE ZONING CODE OF THE CITY OF TULSA.

Jeff Hosley 6/11/2020

LEGEND

- SOLID SOD BERMUDA GRASS LAWN
- 3/16" STEEL EDGING

PLANT LIST

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NOTES

1. EXCAVATED MATERIAL MAY BE USED FOR BACKFILL IF MATERIAL IS FRIABLE AND FREE OF ROCKS AND CLOOS OVER 2" DIAMETER. PROVIDE ADDITIONAL TOPSOIL IF NEEDED FOR TOPSOIL/COMPOST MIX AT SURFACE.
2. AT ROOT BALL, BARK-SHEDDED ROOTS TO BE A MINIMUM OF 1" BELOW TOP OF ROOT BALL, SOIL SURFACE.
3. COMPOST TO BE EQUAL TO BACK TO EARTH COMPOSTED COTTON BURS.
4. COMPOST TO BE INCORPORATED INTO UPPER 6" OF BACKFILL BY APPROVED MEANS AT THE RATE OF 3 CUBIC FEET (POD-SHED) FOR EACH TREE PLANTING AREA.



NOTES

1. REFER TO CIVIL PLANS FOR PARKING LAYOUT.
2. TREES IN PARKING LOT ISLANDS TO BE INSTALLED SIMILAR TO TYPICAL TREE PLANTING.
3. CENTER OF PARKING LOT ISLANDS TO BE ANCHORED AT 6" W/ MINIMUM.
4. TOPSOIL, FILL SHALL EXTEND 4" MINIMUM BELOW TREE ROOTBALL WITH COMPACTED TOPSOIL FOR SUPPORT.

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2. COMPOST TO BE EQUAL TO BACK TO EARTH COMPOSTED COTTON BURS.
3. 2" LAYER OF COMPOST TO BE INCORPORATED INTO UPPER 6" OF BACKFILL BY APPROVED MEANS FOR ALL SHRUB PLANTING AREAS.

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ORU WELCOME CENTER

7777 South Lewis Ave
Tulsa, Oklahoma 74117

ISSUANCE

NO.	DESCRIPTION
1	PERMIT SET

DATE: 06/11/2020
SCALE: AS SHOWN
SHEET NAME: PLANTING SITEPLAN
SHEET NUMBER: L-101



0 Feet 250 500



Subject Tract

BOA-23170

18-13 08

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

Aerial Photo Date: 2020/2021



7.35