AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, September 14, 2021, 1:00 P.M.

Meeting No. 1280

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 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://us02web.zoom.us/j/82839958505
Attend by Phone: 1 312 626 6799 US (Chicago) Meeting ID: 828 3995 8505

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 August 10, 2021 (Meeting No. 1278).
UNFINISHED BUSINESS

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

2. **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)

NEW APPLICATIONS

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

3. **23171—Jim Stephens**
   Special Exception to permit Commercial Vehicle Sales & Rentals in the CS District
   (Section 15.020, Table 15-2); Variance to permit outdoor storage within 300 feet of
   an abutting R District (Section 15.040-A). **LOCATION:** 6622 South Peoria Avenue
   East (CD 2)

4. **23177—Jessica Reitz**
   Special Exception to permit low-impact medical marijuana processing (Low-impact
   Manufacturing & Industry Use) in the CBD District (Section 15.020, Table 15-2).
   **LOCATION:** 314 East 3rd Street South (CD 4)

5. **23178—Julie Nickel**
   Special Exception to allow a fence to exceed 4 feet in height inside the street
   setback (Section 45.080-A). **LOCATION:** 2525 East 30th Street South (CD 4)

6. **23179—Rachel Mondt**
   Special Exception to permit an accessory dwelling unit in an RE District (Section
   45.031). **LOCATION:** 1327 East 27th Place South (CD 4)

7. **23180—Tony Jordan**
   Special Exception to allow a fence to exceed 4 feet in height in a front street
   setback (Section 45.080-A). **LOCATION:** 2407 & 2405 East 26th Place South
   (CD 4)

8. **23181—Brad Davis**
   Special Exception to increase the permitted driveway width in a Residential District
   (Section 55.090-F.3). **LOCATION:** 5834 East 98th Street South (CD 8)
9. **23182—Jack In The Box – Dawn Bennyhoff & Shaun Steen**
   Variance to allow a drive-through facility to be located on the street-facing side of the property (Section 55.100-C. 2); Variance to allow drive-through signs that exceed the maximum area of 36 square feet for the primary signs and 15 square feet for the secondary signs and to allow two secondary drive-through signs (Section 60.030-B.2). **LOCATION:** 8112 East 11th Street South (CD 5)

10. **23183—Wallace Design Collective – Mark Capron**
    Variance to allow parking inside the City of Tulsa planned Right-of-Way (Section 90.090-A). **LOCATION:** 4008 West Charles Page Boulevard (CD 1)

**OTHER BUSINESS**

11. Consider motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) for the purpose of allowing confidential communications between the Commission and its legal counsel regarding the Tulsa County District Court Case No. CV-2019-1345, Diana W. Capehart, as Trustee of the Robert J. and Diana W. Capehart Family Trust dated July 28, 2009 v. Tulsa City Board of Adjustment, including discussion of plaintiff's settlement proposal, such action to include, but not be limited to, rejection, approval, or offering a counter-offer of settlement.

12. Exit the Executive Session to discuss and possibly take action on plaintiff's settlement proposal in Tulsa County District Court Case No. CV-2019-1345, Diana W. Capehart, as Trustee of the Robert J. and Diana W. Capehart Family Trust dated July 28, 2009 v. Tulsa City Board of Adjustment, such action to include but not be limited to rejection, approval or offering a counter-offer of settlement.
NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplaning.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.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8324  
CZM: 57  
CD: 7

HEARING DATE: 09/14/2021 1:00 PM (continued from 8/10/2021)

APPLICANT: Louis Jr. Fernandez

ACTIONS 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).
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,

[Signature]

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
EXHIBIT 1 - EMAIL COMPLAINT

Date: September 20, 2023

Subject: Complaint

Dear [Customer Service Representative],

I am writing to express my dissatisfaction with the recent purchase of a tool from your store. The product did not meet my expectations and I believe it is defective.

I purchased the tool on [Date] at your store located at [Address]. I have tried using it multiple times since then, but it has consistently malfunctioned. The tool was advertised as [Specifications] and I was expecting it to perform [Specific Function].

I have tried to contact your customer service department, but I have not received a satisfactory response. I have also attempted to return the tool, but the return policy was not clear to me. I have been on hold for [Amount of Time] and the representative was unable to assist me with my concerns.

I am attaching photos of the tool and any relevant documents. I hope you can help me resolve this issue and ensure that I am satisfied with my purchase.

Thank you for your attention to this matter.

Sincerely,

[Your Name]
Dear [Name],

Thank you for contacting our office with your complaint. We have received a report that our City exhibit truck was involved in an accident on [date]. The truck was transporting [description of goods or equipment].

We have been informed that there were no injuries reported and that the truck was able to continue on its route. However, we understand the impact such incidents can have on our community and our customers.

We will be conducting an investigation into the incident to determine the cause and ensure that safety measures are in place to prevent similar incidents in the future. We will keep you updated on the progress of our investigation.

If you have any additional information or concerns, please do not hesitate to contact us. We appreciate your patience and understanding during this time.

Sincerely,
[Your Name]
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: 918-566-9878
F: 918-576-5449
E: mridcr@cityoftulsa.org
www.cityoftulsa.org

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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.
Ross Dunagan
Ted Basile convert it for Tim?
Like Reply 13w

Louis Fernandez
918-829-6609
Like Reply 13w

Like Comment Share

Write a comment...
Press Enter to post.

OTHER POSTS

Herr Display Vans
June 18 at 9:01 PM
Dondi Williams 20' M2 heading for Waxahatchie, Tx.

Charlotte Budimir Herr
Congratulations

Herr Display Vans
June 16 at 3:56 PM

29 footer for the Paul Megrath team out of Iowa.
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.
Chris Lundy
Proud to be a part of your build, guys!

Like Reply 4d Edited

View 3 more comments
### SPECS & RESOURCES

<table>
<thead>
<tr>
<th>Class</th>
<th>6-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horsepower</td>
<td>200-350 HP</td>
</tr>
<tr>
<td>Torque</td>
<td>560 to 1150 lb-ft</td>
</tr>
<tr>
<td>GVWR</td>
<td>66,000 lbs.</td>
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</tbody>
</table>

**M2 106 Brochure**

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

More Specs, Brochures and Videos [/trucks/m2-106/specifications/]

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**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]
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.
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 e-coated steel.
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 U.S. and Canada for class 6-7 vehicles from 2012-2019.

See Limited Time Offers

https://freightliner.com/trucks/m2-106/
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/?truckld=1069)
Moving

(/trucks/vocational/moving/?truckid=1069)
Refuse

(/trucks/vocational/refuse/?truckid=1069)
Service

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

(/trucks/vocational/sweeper/?truckld=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

(https://freightliner.com/trucks/m2-106/)

City Exhibit 4 - Truck Specs
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

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/]
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 "copy" 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: 2976 EAST 93RD PLACE APT 2102
City, State, Zip Code: TULSA OK 74137

View Entity Details  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 565.070.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.
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
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
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 9239 S 86TH EAST AVE
address TULSA, OK 741335553
Land area* 0.25 acres / 10,932 sq ft
Tax rate T-5A (JENKINS)
Subdivision: OAK LEAF
Legal description Legal: LT 9 BLK 5
Section: 24 Township: 18 Range: 13
Zoning RES SINGLE-FAMILY HIGH DENSITY DISTRICT (RS2)

Values

<table>
<thead>
<tr>
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<th>2019</th>
<th>2020</th>
<th>2021</th>
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<tr>
<td>Land value</td>
<td>$29,754</td>
<td>$29,754</td>
<td>$29,754</td>
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<td>Improvements value</td>
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<td>$147,246</td>
<td>$166,746</td>
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<td>Fair cash (market) value</td>
<td>$177,000</td>
<td>$177,000</td>
<td>$196,500</td>
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Exemptions claimed

Homestead ✔ ✔ ✔
Additional homestead
Senior Valuation Limitation
Veteran

Fair cash (market) value $177,000

Total taxable value $177,000

Assessment ratio 11%

Gross assessed value $19,470

Exemptions $-1,000

Net assessed value $18,470

Estimated taxes $2,517

Most recent NCV February 2, 2021

Tax Information

Fair cash (market) value $177,000

Total taxable value $177,000

Assessment ratio 11%

Gross assessed value $19,470

Exemptions $-1,000

Net assessed value $18,470

Tax rate T-5A (JENKINS)

Estimated taxes $2,517

Tax detail (2020 millages)

City-County Health 1.9 2.58 $55.77
City-County Library 3.9 5.32 $114.99
Tuls 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 $394.31
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 6.3 11.35 $245.33

* Estimated from 2020 millage rates

(Continued on next page)
### Improvements

<table>
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<th>Tag ID</th>
<th>Property type</th>
<th>Condition</th>
<th>Quality</th>
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<th>Likeness</th>
<th>Styles</th>
<th>Foundation</th>
<th>Exterior</th>
<th>Composition</th>
<th>Shingle</th>
<th>Rafters</th>
<th>INRC</th>
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<tbody>
<tr>
<td>1</td>
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<td>Fair Plus</td>
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<td>1.122 St.</td>
<td>1.5</td>
<td>Slab</td>
<td>Cool A</td>
<td>Cool Air in Heat Ducts</td>
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### Sales/Documents

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<tr>
<th>Date</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Price</th>
<th>Doc type</th>
<th>Book-Page/Doc#</th>
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<tr>
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<td>BARTULA, JAMES &amp; TRACEY REV TRUSTS</td>
<td>FERNANDEZ, LOUIS XAVIER JR &amp; ASHLEY, AMANDA HENDERSON</td>
<td>$166,500</td>
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<td>BARTULA, JAMES &amp; TRACEY</td>
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<td>JONES, MARK D</td>
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<td>JONES, MARK D</td>
<td>$65,000</td>
<td>History</td>
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### Images

† 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.
NOTICE OF VIOLATION – ZONING

To: FERNANDEZ, LOUIS XAVIER JR & ASHLEY
AMANDA HENDERSON
9239 S 86TH EAST AVE
TULSA, OK 74133553

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:

<table>
<thead>
<tr>
<th>Code Section</th>
<th>Explanation of violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>45.100</td>
<td>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.</td>
</tr>
<tr>
<td>45.130</td>
<td>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.</td>
</tr>
</tbody>
</table>

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
m.rider@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.

INCOG – Indian Nations Council of Governments
2 West Second Street Suite 800
Tulsa, OK 74103
918.594.7526
Monday-Friday 8 a.m. – 5 p.m.

City of Tulsa – City Clerk
175 East Second Street Suite 260
Tulsa, OK 74103
918.596.7513
Monday-Friday 8 a.m. – 5 p.m.

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

City Exhibit 10- Zoning Notice of Violation

2.48
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.

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.
NOTICE OF VIOLATION - ZONING

To: PERNANDEZ, LOUIS XAVIER JR & ABILLY
AMANDA HENDERSON
2651 S 68TH EAST AVE
TULSA, OK 74113

Date: 9/27/21
Compliance Date: 9/27/21

You are hereby notified of zoning (Code 42) violation(s) at
LT 8 BK 6 OAK 10 AF

City of Tulsa
Tulsa
County
State of Oklahoma
Address: 2651 S 68TH EAST AVE

Violations:

Code Section
42 100
42 120

Explanation of violation:
The outdoor storage of vehicles, campers, and equipment associated with home (occupancy) is prohibited. Remove all items associated with Commed Quality Tools and UK Tools Ltd. Do not store these within a completely enclosed building.

You will have time to correct the violation(s) at your property. To comply, you must correct all violations prior to the compliance deadline noted on the notice above. If you are unable to correct any or all the violations noted on this notice, contact the Code Official listed below to work out an acceptable plan to bring your property into compliance. Failure to fully rectify equipment and secure the property may result in a fine of $200.00 per day. Failure to comply may also result in towing or extinguishing permits, or other forms of enforcement issued by the City of Tulsa. Violation is also subject to fine.

Your property is an important investment for you and the community. I urge you to correct the existing violations to maintain the aesthetic of your neighborhood and health and safety standards.

Thank you.

Code Official: Planning & Code Enforcement
City of Tulsa
1425 S 3rd St
Tulsa, OK 74120

918-599-1788

To view the full Tulsa Code, please visit: www.tulsaok.gov/planningbuilders/department/hpqin
Are you ready to JOIN THE CLUB?

1. Are you dissatisfied working for others, building someone else's business?

2. Would you like to be your own boss?

3. Do you enjoy working with people?

4. Would you like to succeed based on your own efforts?

LEARN MORE

franchise.cornwelltools.com/are-you-ready-to-join-the-club
Learn More About Cornwell Tools

First Name

Last Name

Your Address
<table>
<thead>
<tr>
<th>CITY *</th>
<th>STATE *</th>
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</thead>
<tbody>
<tr>
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</table>

**EMAIL *

Enter Your Email

**PRIMARY CONTACT PHONE *

Enter Primary Phone

**SECONDARY PHONE

Enter Secondary Phone

**BEST TIME TO CALL

Best Time

**VETERAN

-- Please choose --

HOW DID YOU FIRST LEARN ABOUT CORNWELL TOOLS?

HOW SOON WOULD YOU LIKE TO START YOUR NEW BUSINESS?

Within 3 Months

HOW MUCH CAPITAL DO YOU HAVE TO INVEST IN YOUR BUSINESS?

50,000 to 100,000

Submit →
Training

At our Headquarters in Wadsworth, OH during a weeklong session, our training staff will teach you how to use our system and coach you on the tips and tricks of the business.

During this time we will give you a personal tour of our manufacturing facilities in Mogadore, OH. You will gain first hand knowledge of the quality we put into our tools. You should be able to speak with confidence about the bloodline of Cornwell, our hardline products.

We will teach you how to operate and use the Ironman Business Network Management System effectively.

We believe that while learning about Cornwell is essential to success in the business, we also provide training on sales and business management. This training will give you the tools needed to be the best business owner possible.
Training — Cornwell Franchise

LEARN MORE

IFA®
Franchising
Building Your Future
and Opportunity
MEMBER

franchise.cornwelltools.com/training

BOA 23167 - City Exhibit 12
On the Road with Your District Manager

After your initial training, you will spend 10 days in your own territory with your District Manager riding alongside of you. Your District Manager will be able to coach you along the way so you are more comfortable in the drivers seat.

Even after formal training stops, your District Manager is there to help. He has a vested interest in your success.
Day in the Life of a Tool Dealer

Getting on a Cornwell truck means never having the same lackluster day over and over again. There is always something new that will occur, a new question, a new tool, or a new promotional item to bring to the customer. While it is hard to predict your actual work day, there are a few basic things that will always happen.

Waking up in the morning, heading out to your route you might find yourself going over the customer list in your head. Remembering which customers you will be seeing that day. Recalling what tools you want to show them, and who wanted what item.

You will develop customer relationships. Seeing these familiar faces each week will not only help build trust between you and your customers, but will allow you to gain insight on what types of tools they may need.
Tote and Promote! Each week you will have tools to sell that meet your customer’s needs. Not all customers know exactly what they want, rather you have to show them what they want and need.

At the end of the day it is time to restructure. Restocking and reorganizing your truck, ordering tools and checking payments.
NOTICE OF VIOLATION - ZONING

DATE: 6/24/21
CASE: WP-002-2021
COMPLIANCE DATE: 7/4/21

To: FERNANDEZ, LOUIS XAVIER JR & ASHLEY
ALANDA HENDERSON
9220 S 89TH EAST AVE
TULSA, OK 74133

Dear Property Owner and/or Occupant,

You are hereby notified of zoning (Title 42) violations at

LT 9 BK 200.00 LEAF

City of Tulsa, Tulsa County, State of Oklahoma. Address is 9220 S 89TH E. AVE

 Violations:

- 45.130
  - Vehicles required to be registered as commercial trucks are prohibited in the Residential District.
  - Park the white and black highboy fair from the residential District.

See back of page for ordinance language.

You will have 10 days to correct the violations at your property. To comply, you must correct all violations prior to the compliance deadline listed on this notice. If you are unable to comply, you must contact the Code Enforcement Office to arrange for a code enforcement officer to investigate. These violations are considered violations of the City's Zoning Ordinance.

Failure to make the required repairs may result in the issuance of a citation or civil penalties. Additional penalties will be imposed if the violation is not corrected by the compliance deadline.

Removal of all violations will be required for the property to be considered in compliance. Failure to comply may result in further enforcement measures, including fines or other penalties.

To comply with the Zoning Code, you can visit www.tulsaok.gov/permitايا.

Thank you.

City of Tulsa - Working in Neighborhoods

Addressee: You will receive the administrative official's name by filing a complete appeal application (CA) with the City of Tulsa, Department of Planning and Development, 101 N. Martin Luther King Jr. Blvd., Tulsa, OK 74120. The appeal application must be filed within 30 days of the date of notice of violation. For more information, or to file an appeal, contact the City of Tulsa, Department of Planning and Development, 918-596-9000.

Cities of Tulsa, OK 74120

To correct the violation, you must file an appeal application (CA) with the City of Tulsa, Department of Planning and Development. For more information, contact the City of Tulsa, Department of Planning and Development, 918-596-9000. www.tulsaok.gov/permitaya

06/24/2021 13:12

BOA 23167 - City Exhibit 12
Re. Blue Freightliner M2 (Van-Straight Truck)
9239 S 86th East Ave
Tulsa, OK 74153-5555

Case Number: BOA-23167
Notice of Violation - Zoning    Case: WIN-20051-2021
Attention: Austin Chapman, Planner

This letter is written to the Tulsa City Clerk and the Director of the Tulsa Planning Office at INCOG, Concerning Mr. Fernandez appeal.

The above-mentioned vehicle is stored every evening and every weekend in the private driveway of the property at 9239 S 86th East Ave, in the Oak Leaf neighborhood of Tulsa. The owners of the property are Louis Fernandez and Ashley Henderson.

Code violations at said property are cited in the following ordinances:

45.100-F Prohibited Uses
The outdoor storage of items, (items are stored inside the truck) vehicles, and equipment associated with home occupations is prohibited.

45.150 Parking and Storage of Commercial Trucks
Vehicles required to be registered as commercial trucks are prohibited in the Residential Zoning District.

Added comments:
I contend that this tool truck, (which functions as a mobile work, sales and service-repair center) is a 'commercial level' vehicle, about 24' long. It is difficult to imagine how such a large vehicle could be considered as appropriate in any residential neighborhood.

I ask this board to deny Mr. Fernandez his appeal, recognizing that the clear text of the ordinances obviates both:

i) the stationing or storing of large commercial-style vehicles

ii) the vehicle-associated business activities, clearly seen and heard, often after 11pm; interior lights spill out on the street along with running diesel engine noise. Before the first appeal, a string of bright lights surrounding top of truck would shine brightly on the street.

I look forward to this situation to be resolved, hopefully with positive results for Mr. Fernandez as well.

Sincerely,
Anna Maria Birkett
BOA-12469: On 02.24.83 the Board approved a Special Exception to permit a car wash in a CS district.

RELEVANT PREVIOUS ACTIONS:

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 66th Pl. S. and S. Peoria Ave. The property is bounded by R zoning on both its West and South property boundaries.
**STAFF COMMENTS:** The applicant is requesting a Special Exception to permit Commercial Vehicle Sales & Rentals in the CS District (Sec. 15.020, Table 15-2) and a Variance to permit Outdoor storage within 300 feet of an abutting R district (Sec. 15.040-A)

**STATEMENT OF HARDSHIP:** A separate exhibit has been prepared by the applicant and is included in your packet.
SAMPLE MOTION:

Special Exception:

Move to _________ (approve/deny) a **Special Exception** to permit Commercial Vehicle Sales & Rentals in the 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 storage within 300 feet of an abutting R 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.”

---

REVISED 9/3/2021
Subject property

Facing East on 66th Pl.
Facing South on Peoria Ave.

Property immediately across 66th Pl.
LIST OF HARDSHIPS UNIQUE TO THE PROPERTY

6622 S. Peoria

BOA-23171

Note: This currently closed car wash has reached the end of its useful life. ABC Equipment Rental desires to purchase this property for equipment rental. A variance and special exception is required for outside storage of rental equipment within 300 feet of an abutting R district.

1. In this unique case, while the abutting rear yard is R zone, it is almost all vacant. The only actual residential use is a small sliver of property line on the back fence where Inhofe Plaza sits (just a few feet out of approximately 235 feet of rear property line). The residential zoning to the south and east are not abutting this property because of separation by streets. Tulsa Zoning Code §95.040.

2. The size of the lot itself creates its own hardship. Because of the 300 foot rule, it is impossible to have outside rental anywhere on the property because of the approx. 235 foot x 261 foot size of the lot.

3. It is hard to find a use for this property regardless of economics. This is a blighted area generally. Because of the nature of the current improvements (open garage car wash 24/7), this property currently attracts illegal activity. New use will be fully fenced.

4. This car wash was granted a special exception in 1983 in BOA 12496. No consideration of what would happen to this property at the end of its useful life was seen in the record.

5. Outside storage inventory cycles in and out of the property as equipment is rented. No inventory sits permanently.

6. Although not required, screening will be added to south side along 66th Place and east along Peoria.

7. There are other outside storage uses in the area.
Case No. 12468 (continued)

Applicant's Rebuttal:
Mr. Miller advised that the hours of operation would be from 6:00 a.m. to 4:00 p.m. The trucks will never remain on the property over night with trash contained in the trucks as it would create severe health problems. Mr. Miller advised that he would be willing to comply with any conditions or restrictions which the Board would chose to impose.

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 DENY a Special Exception (Section 710 - Principal Uses Permitted in the Commercial District) to allow a trash truck storage yard in a CS District, on the following described property:

A tract of land lying in the SW/4, SW/4 of Section 4, Township 19 North, Range 14 East, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point 1,188.93' East of the Southwest corner of Said Section 4; thence North 200'; thence West 173' to a point on the East Right-of-Way line of 131st East Avenue; thence South 200'; thence East 173' to the point of beginning, containing 0.794 acres more or less.

Case No. 12469

Action Requested:
Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request to permit a car wash in a CS District located at the NW corner of 66th Place and Peoria Avenue.

Presentation:
Bob Compton, 8522 East 71st Street, was present and submitted a plot plan (Exhibit "S-1") and a booklet containing information and photographs concerning the proposed car wash (Exhibit "S-2"). Mr. Compton advised that he presently operates a car wash at 71st Street directly across from Woodland Hills Mall which is very similar to the proposed facility. Presently there is a 40' curb cut on Peoria and the applicant proposes to have two curb cuts on 66th Place for proper access in and out of the facility. There are 8 bays for self-service, two automatic bays, and eight vacuum pumps proposed at the subject location.

A letter was submitted from William McKissick Young, 2524 East 56th Place, who stated that he owns the property directly north of the subject property and has no objection to the request (Exhibit "S-3").

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 Special Exception (Section 710 - Principal Uses Permitted in the Commercial Districts) to permit a car wash in a CS District, per plot plan submitted, on the following described property:

The South 220' of Lot 1, Block 1, Cline Addition, Tulsa County, Oklahoma, and that part of the NE/4 of the SE/4 of Section 1, 2.24.83:381(25)
Case No. 12469 (continued)

Township 18 North, Range 12 East, Tulsa County, Oklahoma, more particularly described as follows: Beginning at a point which point is 156.34' West of the Southeast corner of the NE/4 of Section 1, Township 18 North, Range 12 East; then in a Southerly direction a distance of 214' to a point; thence West 152.66' to a point; thence North a distance of 214' to the North line of the SE/4 of Section 1; thence East to the place of beginning.

Case No. 12470

Action Requested:
Variance - Section 730 - Bulk and Area Requirements in the Commercial Districts - Request for a variance of the setback from 10' to 6' located north of the NE corner of 33rd Street and Mingo Road.

Presentation:
Donnie Dobson, 11716 East 63rd Street, general contractor representing the owner of the subject property, Tom Gutman, submitted a photograph of the subject property (Exhibit "T-1"); a plot plan (Exhibit "T-2") and an elevation plan (Exhibit "T-3"). Mr. Dobson advised that the applicant was previously before the Board in June 1982 and requested a 7' variance and the Board asked that the building be moved. The plot plan indicates that the building has been moved approximately 1' and the variance setback request is from 10' to 6'. The building has been moved as far as possible to allow the applicant to operate his mechanic shop correctly. The car wash which is presently located on the subject property will be removed before the new construction begins.

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 730 - Bulk and Area Requirements in the Commercial Districts) of the setback from 10' to 6', per plot plan submitted, on the following described property:

Lot 1, Block 1, Mingo Plaza Addition, Tulsa County, Oklahoma.

OTHER BUSINESS:

Case No. 12219

Action Requested:
Request for approval of the site plan for Case #12219.

Presentation:
Jack Arnold, 1630 East 30th Place, was present and represented Architectural Resources and submitted the site plan and elevation plan (Exhibit "U-1"). The application was previously approved by the Board, but the applicant was requested to return to the Board with the site plan. The proposed residential structure will be located at 30th and Troost.

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 the site plan as submitted.

2.24.83:381(26)
APPLICATION NO: ZCO-089894-2021

LOCATION: 6622 S. Peoria Ave.

DESCRIPTION: ABC Rental

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.

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3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2ND ST., 8TH FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

4. A COPY OF A "RECORD SEARCH" IS 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

ZCO-089894-2021 6622 S. Peoria Ave. June 21, 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 office documentation of any appeal decisions by an authorized decision-making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Sec.70.080-C: Applications for Zoning Clearance must be accompanied by a legal description of the lot and plans, drawn to scale.

Review comment: Submit a site plan with the following information:

- The location, size, and height of any existing buildings or structures to be erected or altered, including distances to lot lines;
- The location, size, dimensions and height of proposed buildings or structures to be erected or altered;
- Location and dimensions of parking areas. This includes the parking spaces, the maneuvering areas necessary to enter and exit the spaces and the drives providing access to the parking spaces and maneuvering areas from a public or private street or other parking areas. You are required to provide 3.33 spaces per 1,000 feet of building area.

2. 15.040-A 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.

Review comment: Seek a variance from the Board of Adjustment to allow outdoor storage within 300 feet of an abutting R-district. Contact Austin Chapman, BOA Administrator, achapman@incog.org.

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

BOA-23171

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

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: BOA-23177

Case Number: BOA-23177

STR: 9201
CZM: 36
CD: 4

HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Jessica Reitz

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

LOCATION: 314 E 3 ST S
ZONED: CBD

PRESENT USE: Unoccupied
TRACT SIZE: 2500.35 SQ FT

LEGAL DESCRIPTION: E25 W70 LT 1 BLK 116, TULSA-ORIGINAL TOWN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located along E. 3rd street between Elgin and Detroit Avenues.

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

REVISED 9/3/2021
Medical marijuana uses are subject to the Supplemental Regulations of Sec. 40.225:

SAMPLE MOTION:

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

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions (including time limitation, if any):

  __________________________________________________________

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Facing East on 3rd Street

Facing West on 3rd Street
Subject Property
ZONING CLEARANCE PLAN REVIEW

July 23, 2021
Phone: 9418-933-9526

LOD Number: 1
James Starks
2186 S. 7th E. Pl.
Tulsa, OK 74129

APPLICATION NO: C-3290 (314 E. 3rd St.)
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 314 E. 3rd St.
Description: Low-Impact Medical-marijuana processing

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

1. **Sec.15.020 Table 15-2:** You are proposing an Industrial/Low-impact Manufacturing & Industry/Low-impact medical marijuana processing use that is in a CBD zoning district. This will require a Special Exception approved by the BOA.
   
   **Review comment:** Submit an approved BOA Special Exception to allow a Industrial/Low-impact Manufacturing & Industry/Low-impact medical marijuana processing use in a CBD zoning district.

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.
Space occupies the Eastern-most 23' of the building located at this address.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Julie Nickel

ACTION REQUESTED: Special Exception to allow fence to exceed 4-feet height inside the street setback (Sec. 45.080-A)

LOCATION: 2525 E 30 ST S

ZONED: RS-1

PRESENT USE: Vacant

TRACT SIZE: 63684.24 SQ FT

LEGAL DESCRIPTION: PRT LTS 4 & 5 BEG 25NW NEC LT 5 TH SW249.18 CRV RT 155.30 NE251.43 SE115.15 POB & PRT LT 2 BLK 3 WOODY-CREST SUB & PRT LT 5 BEG NEC LT 5 TH E76.60 SE52.04 SW188.89 CRV RT 106.22 CRV RT 22.38 NE249.18 SE25 POB BLK 2, WOODY-CREST SUB, SOUTH LEWIS PARK

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-18850; On 09.12.00 the Board approved a Special Exception to allow a 6-foot decorative fence in the required front yard. Property located 25616 E 28th St.

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

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

The 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 along E. 30th Street between S. Atlanta PL. and Birmingham Pl.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow fence to exceed 4-feet height inside the street setback (Sec. 45.080-A)

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

There is an existing stone wall that is greater than 4-feet inside the street setback. The application is seeking to permit that wall and add a new wall around the perimeter of the property.

SAMPLE MOTION:
Move to ________ (approve/deny) a Special Exception to allow fence to exceed 4-feet height inside the street setback (Sec. 45.080-A)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions (including time limitation, if any):

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
162.53'; thence S88°42'30" W for 333.62' to POB and Lot 2, Block 2, Golden Valley Addition, less beg. at the SW/c said Lot 2, thence N 01°22'02" W for 161.46'; thence N 88°42'30" E for 333.62'; thence S 05°15'01" W for 162.53'; thence S 88°42'36" W for 314.89' to POB, all being in the City of Tulsa, Tulsa County, State of Oklahoma.

**Case No. 18850**

**Action Requested:**
Special Exception to allow a 6' high decorative wall/fence within the required front yard. SECTION 210.B.3. YARDS, Permitted Obstructions in Required Yards - Use Unit 6, located 2516 E. 28th St.

**Presentation:**
John Walton, architect for the project, (no address stated) presented for Ralph Klumpp. He stated that the owner would like to have the option on the side property lines to make the fence more than four feet inside the 35' setback. Mr. Beach responded that it is within the front yard and approval of the application would allow that height.

**Protestants:**
None.

**Board Action:**
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Special Exception to allow a 6' high decorative wall/fence within the required front yard, per plan submitted, on the condition that along the front property line the fence would be four feet except as it approaches the gates could increase to six feet on the following described property:

Lot 1, Block 2, South Lewis Park Addition and the W 60' of the N/2 of Lot 2, Block 3, Woody Crest Addition, more particularly described as follows, to-wit: Beg. at the NW/c of said lot thence S along the W line of said lot a distance of 260.26' to a point, said point being the SE/c of Lot 1, and the NE/c of Lot 5, Block 2, South Lewis Park Addition; thence S 88°41' E a distance of 60' to a point; thence N a distance of 252.20' to a point on the N line of said lot; thence N 80°33" W a distance of 61' to the POB, save and separate that portion of the N/2 of said lot previously deeded to the city for street purposes, all in the City of Tulsa, Tulsa County, State of Oklahoma.
APPLICATION NO: ZON LOD 99601
(Please reference this number when contacting our office)
Project Location: 2216 E 30th St S
Description: Fence

INFORMATION ABOUT SUBMITTING REVISIONS

Our review has identified the following code omissions or deficiencies in the project application forms, drawings, and/or specifications. The documents shall be revised to comply with the referenced code sections.

Revisions need to include the following:
1. A copy of this deficiency letter
2. A written response as to how each review comment has been resolved
3. The completed revised/additional plans form (see attached)
4. Board of Adjustment approval documents, if relevant

Revisions shall be submitted directly to the City of Tulsa Permit Center located at 175 East 2nd Street, Suite 450, Tulsa, Oklahoma 74103, phone (918) 596-9601. The City of Tulsa will assess a resubmittal fee. Do not submit revisions to the plans examiners.

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

IMPORTANT INFORMATION

1. Submit two (2) sets [4 sets if health department review is required] of revised or additional plans. Revisions shall be identified with clouds and revision marks.

2. Information about zoning code, Indian Nation Council of Government (INCOG), Board of Adjustment (BOA), and Tulsa Metropolitan Area Planning Commission (TMAPC) is available online at www.in cog.org or at INCOG offices at 2 W. 2nd St., 8th Floor, Tulsa, OK, 74103, phone (918) 584-7526.

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

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

Review Comments- This lot is zoned RS-1 with a required front street setback of 35'. Provide documentation indicating the proposed fence located in the front street setback will not exceed 4' in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 4' in height in a front street setback.

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

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

END - ZONING CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
CONSTRUCTION PLANS & SPECIFICATIONS FOR
PERMACAST PRECAST CONCRETE FENCE

GENERAL NOTES:
CODES AND STANDARDS

- STRUCTURAL DESIGN BASED ON THE 2015
  INTERNATIONAL BUILDING CODE DESIGN
- WIND SPEED = 105 MPH (3 SEC GUST)
- WIND SPEED = 81.3 MPH (NOMINAL)
- EXPOSURE - B
- KG = 0.85
- CONSTRUCTION TYPE - I OR II (NONCOMBUSTIBLE
  MATERIALS)
- RISK CATEGORY - I

SOIL CONDITIONS (ASSUMED)
- ALLOWABLE BEARING CAPACITY = 1,500 PSF
- ALLOWABLE LATERAL SOIL CAPACITY = 300 PSF
- MINIMUM N = 7

CONCRETE STRENGTH
- MINIMUM 28 DAY COMpressive STRENGTH OF PRECAST
  ELEMENTS Fc = 5000 PSI
- MINIMUM 28 DAY COMpressive STRENGTH OF CAST IN
  PLACE CONCRETE Fc = 3,000 PSI

MATERIALS:
- CEMENT PER ASTM C-150 TYPE 1

AGGREGATES FOR CONCRETE:
- NORMAL WEIGHT AGGREGATE: FINE AND COARSE
  AGGREGATE PROVISIONS AND TEST METHODS SHALL
  MEET ASTM C33. MAXIMUM AGGREGATE SIZE OF 3/4".

ADJUNCTURES:
- NO ADJUNCTURES SHALL CAUSE AN INCREASE IN
  SHRINKAGE WHEN TESTED IN ACCORDANCE WITH ASTM
  C494 AND C157

DELIVERY OF CONCRETE:
- DISCHARGE OF THE CONCRETE SHALL BE COMPLETED
  WITHIN 1-1/2 HOURS AFTER THE INTRODUCTION OF THE
  MIXING WATER TO THE CEMENT AND AGGREGATES OR
  THE INTRODUCTION OF THE CEMENT TO THE
  AGGREGATES.
- WATER SHALL NOT BE ADDED IN THE FIELD UNLESS
  APPROVED BY THE ENGINEER.

UTILITIES
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO
  LOCATE ALL OVERHEAD AND UNDERGROUND UTILITIES
  PRIOR TO CONSTRUCTING THE FENCE AND/OR
  FOUNDATIONS. CONTRACTOR SHALL NOTIFY LOCATION
  OF ALL UTILITIES TO BOTH THE OWNER AND SITE
  ENGINEER PRIOR TO CONSTRUCTING FENCE AND/or
  FOUNDATIONS.

CUSTOMER
  JULIE & JOHN NICKEL

PROJECT:
  JULIE & JOHN NICKEL NEW RESIDENCE
  2512 EAST 30TH STREET
  TULSA, OK 74134

WALL TYPE:
  8 FT. TALL x 1.0 SAND PERMAWALL PANEL
  Standard 8-1/2" x 14" Column

WIND DESIGN:
  105 MPH ULTIMATE
  81.3 MPH NOMINAL

EXPOSURE: B

RISK CATEGORY: I

APRIL 27, 2021
Prepared By
360 Engineering Group, PLLC
www.360enggroup.com
1201 East 3rd Street
Tulsa, OK 74120
918.518.1124

DRAWING INDEX

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<td>SHEET 3</td>
<td>FOUNDATION AND COLUMN DETAILS</td>
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TYPICAL 8 FT. PERMAWALL 1.0 WALL ELEVATION

SCALE: 1" = 1'-0"

OWNER IS RESPONSIBLE FOR DRAINAGE PATTERN AROUND NEW FENCE. 360 ENGINEERING GROUP, PLLC. IS NOT RESPONSIBLE FOR SITE DRAINAGE REQUIREMENTS.

TYPICAL FOUNDATION SEE SHEET 3

WALL PLAN VIEW - GENERAL DIMENSIONS

(*): 10'-0" - Contact Manufacturer for Exact Center to Center Distance

COLUMN DETAILS (SEE SHEET 3)

TYPICAL FOUNDATION (SEE SHEET 3)

PRECAST COLUMNS CAPS (OPTIONAL)

14"W X 8.5"D SOLID COLUMNS

SAND FINISH

TYPICAL/Foundation - General Dimensions
**Foundation Schedule**

<table>
<thead>
<tr>
<th>Wall Height</th>
<th>Foundation Diameter (Inches)</th>
<th>Foundation Depth (Inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERMAWALL SAND 1.0 6 ft. Wall Height on 10 ft. Centers</td>
<td>24&quot; Diameter</td>
<td>54&quot; Depth</td>
</tr>
</tbody>
</table>

Optional Pre-Cast Column Cap (per contract). Cap to be Bonded with Concrete Bonding Adhesive. Follow Manufacturer's Instructions.

Solid Fence Column (Size Varies)

6 ft. -or- 8 ft. Precast Panel
5,000 psi Concrete

Concrete Foundation 3,000 PSI @ 10'-0" O.C.
*Depth & Diameter of Foundation Varies

Precast Post to Bottom of Foundation

**TYPICAL POST FOUNDATION FOR PERMACAST FENCE (10 FT. O/C)**

**TYPICAL SECTION THRU 1.0 PANEL**

Scale: NTS

4" Rebar in Bond Beam

3" Hemintel

Furca Fens Fibermesh in Panels and Beams

#5 Bars at EA Corner, (TYP)

1/4" Chamfer (TYP)
BOARD OF ADJUSTMENT  
CASE REPORT

STR: 9318  
CZM: 37  
CD: 4

HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Julie Mondt

ACTION REQUESTED: Special Exception to permit an Accessory Dwelling Unit in an RE District (Sec. 45.031)

LOCATION: 1327 E 27 PL S

ZONED: RE

PRESENT USE: Residential

TRACT SIZE: 35741.13 SQ FT

LEGAL DESCRIPTION: W7 LT 2 & E99 LT 3 & E2.5 W33 N305 LT 3, SUNSET VIEW ADDN, SUNNYCREST ACREAGE

RELEVANT PREVIOUS ACTIONS:

BOA-19389; On 06.25.02 the Board denied a variance of the side yard setback from 15’ to 6’ for a detached garage. Property located 1350 E. 27th PI.

BOA-19311; on 03.12.02 the Board approved a variance of the allowable height form 18’ to 26’ for a detached accessory building. Property located 1350 E. 27th PI.

BOA-16859; On 11.22.94 the Board approved a variance to permit two dwelling units on a single lot of record. Property located 1332 E. 27th PI.

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

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

The Areas of Stability include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.
ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of S. Lewis and E. 27th Pl. S.

STAFF COMMENTS: The applicant is requesting Special Exception to permit an Accessory Dwelling Unit in an RE District (Sec. 45.031)

Please see Sec. 45.031 of the code included as a separate exhibit in your packet.

SAMPLE MOTION: Move to _______ (approve/deny) a Special Exception to permit an Accessory Dwelling Unit in an RE District (Sec. 45.031)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions (including time limitation, if any):

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

Facing East on 27th Pl.
Facing West on 27th Pl. S.
supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

Section 45.030 Accessory Buildings and Carports in R Districts

45.030-A Accessory Building Size

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

2. RS-2, RS-3, RS-4, RS-5 and RM Districts
   In RS-2, RS-3, RS-4, RS-5 or RM, zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

   [1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see 990.090-C2.

45.030-B Carports

   Carports are allowed in R zoning districts. Any carport that occupies all or a portion of the street setback or street yard area must be approved in accordance with the special exception procedures of Section 70.120 and comply with the regulations of Section 90.090-C1.

Section 45.031 ADU, Accessory Dwelling Units in R, AG, and AG-R Districts

Section 45.031-A Definition

   A dwelling unit that is located in an accessory building on the same lot as a detached house to which it is accessory and subordinate.

   Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.

Section 45.031-B Purpose

   1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
      a. accommodate new housing units while preserving the character of existing neighborhoods;
      b. allow efficient use of the city's existing housing stock and infrastructure;
      c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

Section 45.031-C Applicability
These regulations apply to all accessory dwelling units, as defined by Section 45.031-A.

Section 45.031-D Regulations
1. Where Allowed
Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

2. Number
No more than one accessory dwelling unit is allowed per lot.

3. Methods of Creation
An accessory dwelling unit may be created only through the following methods:
   a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or
   b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

4. Density (Minimum Lot Area and Lot Area per Unit)
No additional lot area or lot area per unit is required for the accessory dwelling unit.

5. Open space (Minimum open space per unit)
No additional open space is required for the accessory dwelling unit.

6. Accessory Dwelling Unit Size
   a. RE and RS-1 Districts
      In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]
   b. RS-2, RS-3, RS-4, RS-5, and RM Districts
In RS-2, RS-3, RS-4, RS-5 or RM zoned lots used for detached houses, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

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

7. Building and Fire Codes

All accessory dwelling units are subject to applicable building and fire codes.

8. Additional Regulations for Accessory Dwelling Units

a. Entrances

Building entrances to accessory dwelling units may not face the nearest side or rear property line unless there is an alley abutting that property line.

b. Setbacks

An accessory dwelling unit must be located at least 10 feet behind the detached house. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.

c. Exterior Finish Materials

The exterior finish material of any new accessory dwelling unit must be the same or visually match in type, size and placement, the exterior finish material of the detached house.

d. Roof Pitch

The roof pitch any new accessory dwelling unit must be the same as the predominant roof pitch of the principal building.

Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances

Private (restricted access), consumer-oriented (home), CNG refueling appliances are permitted as an accessory use to lawfully established household living uses in all zoning districts.

Section 45.050 Dumpsters

45.050-A Regulations

Dumpsters established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:

1. Dumpsters may only be placed with the written permission of the owner of the subject property.

2. Dumpsters must be located on a dustless, all-weather surface.

3. Dumpsters may not:

   a. Obstruct motorized or non-motorized traffic;
Action Requested:
Variance of the allowable 18' in height for an accessory building to 26' for new garage. SECTION 210.B.5.a. YARDS, Permitted Obstructions in Required Yards; and a Variance of the size from 750 sq. ft. to 965 sq. ft. SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, located 1350 E. 27th Pl.

Presentation:
Tony Jordan, 52250 E. 191st St. S., Bixby, Oklahoma, stated they asked for a variance on the height to build the garage to match the 1920 design of construction of the house.

Comments and Questions:
Ms. Turnbo informed Mr. Jordan that the code does not permit living quarters or bathroom facilities in this addition of the house.

Interested Parties:
There were no interested parties who wished to speak.

Board Action:
On MOTION of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to APPROVE a Variance of the allowable 18' in height for an accessory building to 26' for new garage; and a Variance of the size from 750 sq. ft. to 965 sq. ft., per plan, finding it would be in keeping with the neighborhood, the height and size are common in the area, and this facility can only be used for garage or storage, on the following described property:

E 200.00' of E 360.00' of N/2 SW NW SW, Section 18, T-19-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19313
Action Requested:
Special Exception under Section 701 of the Tulsa Zoning Code to permit the building located on Tract One in a CH Zoning district to be used for light manufacturing as permitted under Use Unit 25. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 25; and a Special Exception under Section 1301.D. to permit part of the off-street parking required for the Use Unit 25 uses to be located on Tract Two. SECTION 1301.D. GENERAL REQUIREMENTS, located SW/c E. 9th St. & RR ROW & NE/c E. 11th St. & RR ROW.

03:12:02:837(11)
Case No. 16858

Action Requested:
Special Exception to permit church use and a variance of the required setback - SECTION 401. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS and SECTION 701. PRINCIPAL USES PERMITTED IN THE RESIDENTIAL DISTRICTS - Use Unit 2, located 2620 North Boston Avenue.

Comments and Questions:
Ms. Russell advised that the applicant is in need of additional relief, and suggested that Case No. 16858 be continued to December 13, 1994.

Presentation:
The applicant, Walter Benjamin, 519 East 36th Street North, was present.

Board Action:
On MOTION of BOLZLE, the Board voted 3-0-0 (Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to CONTINUE Case No. 16858 to December 13, 1994, to permit additional advertising.

Case No. 16859

Action Requested:
Variance to permit two dwelling units on one lot of record - SECTION 207. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD - Use Unit 6, located 1332 East 27th Place.

Presentation:
The applicant, Harold Salisbury, 3232 South Yorktown Avenue, informed that he is proposing to construct a new dwelling (approximately 7000 sq ft) and requested permission to add a pool house on the same lot of record. Mr. Salisbury explained that the pool house (approximately 561 sq ft) will have a kitchen, bathroom and changing room, which constitutes a dwelling unit according to the Code definition. The applicant stated that the pool house will not be used for living quarters. A plot plan (Exhibit L-1) was submitted.

Interested Parties:
Tim Jurick, 1345 East 29th Street, informed that he is currently experiencing a problem with drainage from Mr. Salisbury's property, and pointed out that erosion has already occurred. He stated that he is concerned about the impact the new construction will have on his land.

Mr. Doverspike advised that the Board does not have jurisdiction in drainage issues, and noted that this will be addressed during the building permit process.
Case No. 16859 (continued)

Mr. Gardner advised that the City may not review the drainage issue on one tract of land unless a review is requested.

**Board Action:**

On **MOTION** of **TURNBO**, the Board voted 3-0-0 (Bolzle, Doverspike, Turnbo, "aye"; no "nays"; no "abstentions"; Abbott, "absent") to **APPROVE a Variance** to permit two dwelling units on one lot of record - **SECTION 207. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD** - Use Unit 6; per plan submitted; subject to drainage being reviewed by the Public Works Department; finding that one dwelling and one pool house will be constructed on the property; and finding that, although the pool house will have a kitchen and bath, it will not be used as a dwelling unit; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Beginning 360' east and 1650' north of the SWc of SW/4 of Section 18, T-19-N, R-13-E of the IBM, Tulsa County, Oklahoma, thence north 330', east 100', south 330', west 100' to the POB, less and except the north 15' thereof, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 16860**

**Action Requested:**

- Special Exception to permit Use Unit 8 multifamily dwellings and similar uses in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS** - Use Unit 8, located north and east of the northeast corner of East 61st Street and South Memorial Drive.

**Presentation:**

The applicant, **Charles Norman**, 2900 Mid-Continent Tower, submitted a site plan (Exhibit M-1) and informed that the subject property is zoned CS and backs to a single-family neighborhood to the north and east. He explained that the property has been considered by the Board in 1982, and again in 1986, and has been approved on both occasions for multifamily use. Mr. Norman stated that the approval expired after three years and he requested that the application be approved again. He informed that 240 dwelling units will be constructed. Mr. Norman advised that this application differs from the 1986 approval in that 3-story buildings were proposed at that time; however, the current application has no 3-story units. He stated that all other conditions remain the same, except the reduction in the number of units and the height reduction.

**Comments and Questions:**

In response to Mr. Gardner, the applicant stated that the club house will be across from and slightly to the north of the Eaton Square Theater.

11:22:94:669(18)
Comments and Questions:
Mr. Stump verified that the lots are 55' wide.

Interested Parties:
There were no interested parties who wished to speak.

Board Action:
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Variance of the required lot width from 60' to 55' for a lot split, per plan, finding the lots were platted before the current standard came into effect, on the following described property:

Lot 5, Block 1, McCune Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19389
Action Requested:
Variance of side yard setback from required 15' to 6' to permit a detached garage in the rear yard. SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6, located 1350 E. 27th Pl.

Presentation:
Tony Jordan, 5220 E. 191st St. S., Bixby, Oklahoma, stated the owner requested the garage to be closer to the property line.

Comments and Questions:
Mr. Dunham questioned the placement of the garage so it would not require a variance. Mr. Jordan replied that it could be moved, but that is the preference of the owner. Mr. Dunham asked for the hardship. Mr. Jordan replied there was no hardship.

Interested Parties:
There were no interested parties who wished to speak.

Board Action:
On MOTION of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to DENY a Variance of side yard setback from required 15' to 6' to permit a detached garage in the rear yard, finding lack of a hardship, on the following described property:

E 200.00' of E 360.00' N/2 SW NW SW, Section 18 T-19-N R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.
**DEMO SITE PLAN NOTES**

**Phase 3 Site Work Notes:**
1. Exisiting concrete drive to be used during construction and then be removed in Phase 3. Exisiting curb cut for drive to be relocated.
2. Exisiting flag stones to be removed & replaced with new flagstone along new brick walls.
3. Exisiting concrete retaining wall to be removed.
4. Exisiting meters to remain.
5. Exisiting walk to be removed.
6. Exisiting concrete walk curbs to remain, unless shown otherwise.

**NEW SITE PLAN NOTES**

**Phase 2 Site Work Notes:**
1. New concrete drive, apron at new curb cut location.
2. New circle drive to be pea gravel with continuous brick or stamped concrete edges matching.
3. Locating bi-loc., uniloc. at intersection of minimum setback lines as shown.
4. New 2 x 2 brick columns and brick low wall, along home wall of property.
5. Lawn to be maintained as columns. Run pipe to each column as required. All fall piping between columns and above low wall.
6. Install new, powered metal railings and gates as shown, plan electrical conduit to gas line as shown.
7. Waterproofing of foundation.
GENERAL NOTES
1. DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REUSED OR REPRODUCED IN ANY MANNER WITHOUT EXPRESSED WRITTEN CONSENT.
2. THE CONTRACTOR SHALL INVESTIGATE ALL FIELD CONDITIONS RELEVANT TO THE PROJECT INCLUDING BUT NOT LIMITED TO DIMENSIONS, ELEVATIONS, GENERAL CONDITIONS, AND OTHER MISCELLANEOUS EXISTING CONDITIONS AND SHALL PROMPTLY NOTIFY THE ARCHITECT TO ANY WHICH DO NOT AGREE WITH THOSE SHOWN ON THE DRAWINGS.
3. THE CONTRACTOR SHALL ALSO VERIFY THE COORDINATION OF DIMENSIONS AND THE LOCATION OF THE VARIOUS TRADE WORK, SUBCONTRACTORS AND SEPARATE CONTRACTS AND REPORT ANY CONFLICTS TO THE ARCHITECT IMMEDIATELY.
4. ALL DIMENSIONS ARE TO FACE OF MASONRY, FACE OF STUD OR CENTERLINE OF COLUMN UNLESS OTHERWISE NOTED.
5. CONTRACTOR TO REPAIR DAMAGE TO EXISTING BUILDINGS, CEILING, PAINTS, WOODS AND PLANTING AREAS INCURRED DURING CONSTRUCTION. PATCH ALL FLOOR AREAS, WALLS, AND CEILINGS ALTERED DURING CONSTRUCTION AS REQUIRED TO MATCH EXISTING WHERE NOT INDICATED ON THE DRAWINGS.
6. A SET OF BUILDING PLANS APPROVED BY THE CITY OF TULSA SHALL BE KEPT ON THE PROJECT DURING CONSTRUCTION UNTIL FINAL INSPECTION APPROVAL HAS BEEN MADE.
7. THE BUILDING PERMIT HOLDER OR HIS AGENT SHALL REQUEST THE BUILDING INSPECTIONS AS REQUIRED BY THE CITY TULSA.
8. ***THREE*** DRAWINGS ARE PROVIDED FOR DESIGN INTENT ONLY. ***ALL STRUCTURAL DETAILS (INCLUDING TRUSS/ RAPID DESIGNS AND FOOTINGS) FOUNDATIONS ARE TO BE PROVIDED BY STRUCTURAL ENGINEER AND FINAL SELECTION OF MEANS AND METHODS TO BE DETERMINED BY CONTRACTOR.

MCQUARY RESIDENCE-ADDITION & ADU
1327 E. 27TH PLACE
TULSA, OKLAHOMA 74114

SITE TABULATIONS
EXISTING INFORMATION:
SUBDIVISION - SUNNYCHEST ACHAGE
* WEST 7' OF LOT 3
* EAST 52' & EAST 25' OF THE WEST 33' OF THE NORTH 300 OF LOT 3
ADDRESS: 1327 E, 27TH PLACE SOUTH, TULSA, OK 74114-4109
LOT AREA: 35,805.57 SF, TOTAL (EXISTING HOUSE SF: 3869 SF (BSMT), 2ST, 2VD)
NEW AREA INFORMATION:
POOLHOUSE (ADU): 1,800 SF (LANAI), 351 SF, PATIO, 966 SF, GAR. -2 CAR, 535 SF
GARAGE (4 CAR): 1 ST FLR (NON-COND): 1,000 SF, CONNECTOR HALL (COND): 202 SF
GARAGE (APT): 2ND FLR 1,310 SF
SITE OPEN SPACE REQUIRED: 12,000 SF
OPEN SPACE PROVIDED: 29,922 SF

ADU SIZE CALCULATIONS:
EXISTING HOUSE SIZE: 3869 SF
NEW GARAGE (CONDITIONED SPACE 2ND FLR + STAIRS): 1,312 SF - 202 SF = 1,110 SF
TOTAL CONDO AREA (EXISTING + NEW): 3869 + 1,110 = 5381 SF
ADU (ACTUAL): 1,800 SF < 2152 (MAX. ALLOWABLE)
REAR YARD REDUCTION (20% PER TABLE 93-2) OF 25' REQUIREMENT
LOT WIDTH (166.82') X SETBACK (27.21') = 5292 SF max REAR SETBACK
LOT WIDTH (166.82') X SETBACK (27.21') = 5292 SF x 20% = 1059 SF x MAX REDUCTION
ACTUAL PORTION EXTENDING BEYOND 25' REAR SETBACK: 353.3 SF SHOWN SHADOWED
NEW ADU HAS: 18% MAX. HEIGHT & 10% MAX. TRUSS BEARING PER REDUCTION RECOMMENDED

SHEET INDEX
C1 COVER SHEET, NOTES & PROJECT INFO
A1 SITE PLAN & SITE NOTES
PHASE 1 DRAWINGS
A2 POOL-HOUSE (ADU) FLOOR PLAN, FRONT ELEVATION & NOTES
A3 POOL-HOUSE (ADU) ROOF FRAMING PLAN, REAR ELEVATION & SECTION
A4 POOL-HOUSE (ADU) A2ND ELEVATIONS & BUILDING SECTION
A5 POOL-HOUSE (ADU) BUILDING SECTION
PHASE 2 DRAWINGS
A6 GARAGE FLOOR PLAN 1ST FLOOR, FRONT ELEVATION
A7 GARAGE FLOOR PLAN 2ND FLOOR, SIDE ELEVATION
A8 GARAGE ROOF PLAN, REAR ELEVATION
A9 GARAGE BUILDING SECTIONS & SIDE ELEVATIONS

PHASING NOTES
PROJECT SCHEDULE SHALL BE CONSTRUCTED IN 3 PHASES:
PHASE 1
BUILD NEW POOL-HOUSE (ALTERNATE DWELLING UNIT) AT THE BACK OF THE SITE, AND RELATED SITE WORK.
PHASE 2
BUILD NEW DAMAGE ADDITION AT THE FRONT OF THE SITE, CONNECTED TO THE EXISTING MAIN HOUSE.
PHASE 3
BUILD NEW CIRCLE DRIVE, RELOCATE CURB CUT, ENTRANCE DRIVE LOCATION AS SHOWN, BUILD NEW FENCE ALONG THE ENTIRE FRONTAGE OF PROPERTY.
NEW PLAN NOTES
1. FRONT - HOTELING PERIOD. WALL HOLLOW 10" BE BARE BRICK. UNLESS NOTED OTHERWISE, BRICK TO MATCH EXISTING HOUSE IN SIZE AND COLOR. MEAN AND STOP HOLLOW TO BLK HOME (G) SINGING.
2. ATTIC ACCESS DOOR, TYPE OF 2.
3. DON'T DISTRESS 10" WOOD DOOR IN CORRIG W/ GLASS.
4. EXTERIOR WALLS TO BE UPOL CAPE AT LANDSCAPE AREA.
5. 16" FRAMED HOLE ON 1st FLOOR WALL, HOLE IS W/ 1" BREATH (TO SUCK OUT HUMIDITY)

NEW ELEVATION NOTES
1. SLATTED WALL - SHADES MINI-DO Blinds ACCORDINGLY. HOOK-UP DRAPE, DRAPE AT ALL PIPES AND HOSES.
2. WALL MOUNT LIGHT SCONCE.
3. S-1004 ALUMINUM BRACKETS. COLOR AND SIZE TO LOOK LIKE CAST STONE. TRIM SIZE AND PROFILES TO MATCH SurFACES.
4. BALCONIES SLATTED WITH FINISHING WOODWORK TO MATCH GLASS.
5. PRE-FINISHED VELVET, HAL-MAHOGANY AND COLOR TO MATCH BEST HOUSE.

DOOR SCHEDULE

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<th>H</th>
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NOTES:
1. WOOD = SOLID CORE; WCWOOD = HOLLOW CORE; WCWOOD PVC = FIBERGLASS INSUL. HALL-BLATTED.
   2. INSTALL SHOWER DOOR IN BEDROOM, CLOSET.

WINDOW SCHEDULE

<table>
<thead>
<tr>
<th>MK#</th>
<th>W</th>
<th>H</th>
<th>TYPE</th>
<th>NOTE</th>
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<tbody>
<tr>
<td>W1</td>
<td>3'-0&quot;</td>
<td>4'-0&quot;</td>
<td>CASEMENT, WC</td>
<td>FRAME, REF. ELEV.</td>
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<tr>
<td>W2</td>
<td>3'-0&quot;</td>
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<td>CASEMENT, WC</td>
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<tr>
<td>W3</td>
<td>3'-0&quot;</td>
<td>4'-0&quot;</td>
<td>CASEMENT, WC</td>
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<tr>
<td>W4</td>
<td>2'-0&quot;</td>
<td>6'-8&quot;</td>
<td>CASEMENT, WC</td>
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<tr>
<td>W5</td>
<td>2'-0&quot;</td>
<td>6'-8&quot;</td>
<td>CASEMENT, WC</td>
<td></td>
</tr>
</tbody>
</table>

NOTES:
1. ALL WINDOWS TO MATCH EXISTING MAIN HOUSE IN STYLE AND TYPE.

NEW ADDITION & ADU FOR MCKENZIE RESIDENCE
1927 E. 27TH PLACE
TULSA, OKLAHOMA 74114

A2
NEW ELEVATION NOTES

1. SLAT WOOD, TRUSS VARY TO SLAT TRUSSES ACCORDINGLY. HOOD EDGE SHALL BE AT ALL RIDGES AND HOUSES.
2. WALL MOUNTED LIGHTS SOON.
3. High EAVETAIL LAP SHINGLES
4. Plumbing submetal butalure to match existing house profiles.

ADU - WEST ELEVATION

ADU - EAST ELEVATION

ADU - BUILDING SECTION
NEW ELEVATION NOTES
1. SLAT 1.5" ROOF - THICKEN TO 2" WHERE REUSABLE
2. ROOF EDGE DETAIL AT ALL HIPS AND MARGINS
3. NEW METAL DOWNSPOUT HANDLING 1" LATERAL
4. CON : PRE-FORMED MAIL GUTTER - HIPS AND MARGINS
5. ROOF EDGE DETAIL AT ALL HIPS AND MARGINS
6. NEW METAL BRICK TO MATCH HOUSE IN SLOPE
7. LINING HOUSE
8. STUCCO ACCENT BANDS COLOR AND TEXTURE TO LOOK LIKE CAST STONE. REAR SIDE AND PROFILES TO MATCH HOUSE.
9. MEAL CAP AT BACK EDGE OF LOW SLOPE ROOF

ROOF MATERIALS LEGEND:
- MEMBRANE ROOF

(ALL OTHER ROOFS = SLATE TILE)
NEW ELEVATION NOTES
1. Slate fill hood - house will need to seal, taubensee accordingly, roof edge detail at all hips and ridges.
2. New half-round downspouts to match gutter downspouts.
3. Con. pipe - premade mull, glastra - half-round pipe, glastra, and color to match existing house.
4. New face brick to match exist. house in size/col. etc.
5. Sill stone in new brick - 10" match elevation & size of sill. Order course in existing main house.
7. Remove existing case stone sim-opposite detail to reuse at new location.
8. New connection corrugation (1@. cut out in main) window is coved 1/2" end - window sill allowed for new corbelling.
9. New main inside connection corrugation 1/2" slop at length of required to reach finish floor level for 15" - main house.
10. New panelled door beyond as selected by owner.

GARAGE - SIDE ELEVATION

BUILDING SECTION

GARAGE - BUILDING DIAGRAM
BOA-23179
Subject Tract

19-13-18

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

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9317
CZM: 37
CD: 4

HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Tony Jordan

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

LOCATION: 2407 and 2405 E 26 PL S

PRESENT USE: Residential

ZONED: RS-1/RS-2

TRACT SIZE: 78425.75 SQ FT

LEGAL DESCRIPTION: PRT LTS 7 & 8 BEG 54.66W & 5S NWC LT 7 TH E280.72 S126.81 SW78.21 W78.21 S200 TO PT ON SL LT 7 CRVLF 26.65 SW125 TO SWC LT 7 CRVRT 41.15 NLY367.75 POB BLK 1 and PRT LT 8 54.66W 5S NEC LT 8 TH S367.75 CRV RT110.88 NW218.60 CRV RT32.84 N277.91 E333.33 TO POB BLK 1, WOODY-CREST SUB, City of Tulsa, Tulsa County, State of Oklahoma

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 in between E. 26th St. S. and E. 26th St. Pl. along S. Lewis Ave. The subject property has frontage on both E. 26th St. S., E. 26th St. Pl., and S. Lewis Ave.

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

SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to allow fence to exceed 4-feet height inside the street setback (Sec. 45.080-A)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Subject property
APPLICATION NO: ZON LOD 76105  
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Project Location: 2407 E 26th PL  
Description: Fence

### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

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

### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

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

1. Site plan: Your application did not include a complete site plan. The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application. The site plan must show:
   - Distances from all property lines to the proposed building or structures, and the distance from the proposed work to the centerline of the street;
   - Identify any easements and public rights of way;

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

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

Review Comments- Provide documentation indicating the proposed fence located in the front street setback will not exceed 4’ in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 4’ in height in a front street setback.
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Please Notify Plans Examiner by email when you have submitted a revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.

END - ZONING CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
CONSTRUCTION NOTES
1. CONTRACTOR shall be responsible foradequate location and marking of all utilities prior to excavation and be responsible for damage to underground electrical, gas, or water mains shall be made at the owner's expense.
2. All underground utilities shall be shown on the survey. Contact the local utility location service prior to construction. Abandon all underground utilities located within 10 feet of the foundation before commencing construction.
3. All tree species and sizes not to be disturbed unless they are to be protected during construction.
4. CONTRACTOR shall be responsible for damage to existing structures, landscaping, paving, and other trees, shrubs, and existing underground work. Any damage to existing structures and landscaping, paving, and other trees, shrubs, and existing underground work caused by the CONTRACTOR will be repaired at no cost to the owner. Any damage to existing structures and landscaping, paving, and other trees, shrubs, and existing underground work caused by the CONTRACTOR will be repaired at no cost to the owner.
5. All tree species and sizes not to be disturbed unless they are to be protected during construction.
6. CONTRACTOR shall be responsible for all demolition permits, permits fees, licenses, license fees, stump fees, etc.
7. Any fees and permits required for the removal of all existing trees shall be paid by the CONTRACTOR.
8. CONTRACTOR shall be responsible for all demolition permits, permits fees, licenses, license fees, stump fees, etc.
9. Any fees and permits required for the removal of all existing trees shall be paid by the CONTRACTOR.
10. CONTRACTOR shall be responsible for the removal of all natural materials.
11. No tree pruning, cutting, or trimming of trees shall be performed by the CONTRACTOR.
12. CONTRACTOR shall be responsible for the removal of all natural materials.
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22. CONTRACTOR shall be responsible for the removal of all natural materials.
23. No tree pruning, cutting, or trimming of trees shall be performed by the CONTRACTOR.
24. CONTRACTOR shall be responsible for the removal of all natural materials.
25. No tree pruning, cutting, or trimming of trees shall be performed by the CONTRACTOR.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

BOA-23180

19-13 17
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BOARD OF ADJUSTMENT
CASE REPORT

STR: 8322
CZM: 57
CD: 8

HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Brad Davis

ACTION REQUESTED: Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

LOCATION: 5834 E 98 ST S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 18865.91 SQ FT

LEGAL DESCRIPTION: LT 7 BLK 1, SUN MEADOW II

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the SE/c of E. 98th Street S. (also identified as S. Joplin Pl.) and S. Irvington Ave.

STAFF COMMENTS: The applicant is requesting Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)
3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010.1.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>75'</th>
<th>60' - 74'</th>
<th>46' - 59'</th>
<th>30' - 45'</th>
<th>Less than 30' [2]</th>
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</thead>
<tbody>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
<td>27'</td>
<td>26'</td>
<td>22'</td>
<td>20'</td>
<td>12'</td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td>--</td>
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</tr>
</tbody>
</table>

The applicant is seeking a driveway that would be 33' wide both on the lot and inside the right-of-way.

**SAMPLE MOTION:** Move to _______ (approve/deny) a Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

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

- Suggested Condition: Applicant to obtain permit for construction in the right-of-way.

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 and location of proposed driveway addition

Existing Driveway on property to remain
Subject property
APPLICATION NO: ZCO 2304 (PLEASE 
REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 5834 E 98th St S
Description: Driveway Expansion

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED
AT 175 EAST 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9801.
THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE
PLANS EXAMINERS.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED
OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION
MARKS.

2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG),
BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION
(TMPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT
2 W. 2ND ST., 8TH FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

Maximum Driveway Width

<table>
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<tr>
<th>Lot Frontage</th>
<th>75'</th>
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<th>46' - 59'</th>
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<td>12'</td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td>--</td>
<td>--</td>
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</tr>
</tbody>
</table>

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

55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width allowed in the Right Of Way (ROW) is 27' and 30' outside of ROW.

Review Comments: The submitted site plan proposes two driveways with a combined driveway width of more than 30' in width on the lot in the street setback and more than 27' combined width in the ROW which exceeds the maximum allowable driveway widths both within and outside of the ROW. Revise plans to indicate the combined driveway widths shall not exceed the maximum allowable widths or apply to the BOA for a special exception, one for the proposed combined driveway widths within the ROW and also for the proposed combined driveway widths outside of the ROW.

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

Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.
Lot 1 Block 1 Sun Meadow II an Addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.
Subject Tract

BOA-23181

18-13 22

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

Aerial Photo Date: 2020/2021
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: BOA-23182

HEARING DATE: 09/14/2021 1:00 PM

APPLICANT: Dawn Bennyhoff and Shaun Steen c/o Jack in the Box

ACTION REQUESTED: Variance to allow a drive-through facilities to be located on the street-facing side of the property (Section 55.100-C. 2) Variance to allow drive-through signs that exceed the maximum area of 36 square feet for the primary signs and 15 square feet for the secondary signs and to allow two secondary drive-through signs (Sec. 60.030-B.2)

LOCATION: 8102 E 11 ST S

PRESENT USE: Commercial

ZONED: CH

TRACT SIZE: 29146.12 SQ FT

LEGAL DESCRIPTION: PRT LTS 7 & 8 BEG 109.80N & 15E SWC LT 8 TH E200 N163 TO SL RD R/W W125.82 SWLY ON CRV TO PT S88.69 POB BLK 2, FOREST ACRES

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding Properties:

BOA-14737; On 02.04.88 the board approved a variance to allow a roof sign. Property located 133-H South Memorial.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the SE/c of E. 11th St. S. and S. Memorial Dr.

**STAFF COMMENTS:** The applicant is requesting Variance to allow a drive-through facilities to be located on the street-facing side of the property (Section 55.100-C. 2) Variance to allow drive-through signs that exceed the maximum area of 36 square feet for the primary signs and 15 square feet for the secondary signs and to allow two secondary drive-through signs (Sec. 60.030-B.2)

### 60.030-B Drive-through Signs

Drive-through signs are permitted in conjunction with drive-through uses, in accordance with the following regulations.

1. **Location**
   
   Drive-through signs must be located within 10 feet of a drive-through lane.

2. **Number and Dimensions**
   
   One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.

### 55.100-C Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.

2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R-zoned lots, and a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §55.070-C.

**STATEMENT OF HARDSHIP:** We are requesting relief from the provision listed to be allowed to have the drive thru lane and window face 11th street. All other elements listed such as trash enclosure, speaker boards, etc comply with the ordinance. Please note, that if the building was to be sited per the ordinance, then it would force the parking lot driveway to be very close to the intersection of Memorial and 11th Street and could potentially cause traffic flow.

There is an additional exhibit addressing a hardship for the signage.
SAMPLE MOTION:
Move to _______ (approve/deny) a Variance to allow a drive-through facilities to be located on the street-facing side of the property (Section 55.100-C. 2) Variance to allow drive-through signs that exceed the maximum area of 36 square feet for the primary signs and 15 square feet for the secondary signs and to allow two secondary drive-through signs (Sec. 60.030-B.2)
   • Finding the hardship(s) to be ________________________.
   • Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
   • Subject to the following conditions ________________________.

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

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

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

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

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
JACK IN THE BOX
August 10, 2021

Hardship letter

"Jack in the Box is excited to share that this new restaurant project, J6155 @ 8112 E 11th St, is the first test location in the company which incorporates this new building prototype and drive-thru design. As part of the sign package approval process, it has been determined that a variance is needed for Jack in the Box to be able to install the company’s standard drive-thru menu board configuration. As with many companies during the pandemic, Jack in the Box developed strategies to better accommodate our guests’ needs for more convenience, less direct interaction, and more social distancing. One of the outcomes of those learnings culminated in this test of a new restaurant prototype design and drive-thru configuration.

It is our understanding that there are (2) two concerns regarding the drive-thru menu board configuration that has been requested which is resulting in this variance request:

1. The primary speaker menu boards being submitted for approval are slightly larger in total cabinet SF area that what is allowable.
2. Full size preview menu board cabinets are no longer permitted.

In regard to the first concern, JIB uses standard size, printed, menu inserts for the drive-thru menu boards in all +2200 restaurants in the system. The menu boards already existing in the Tulsa restaurants will use the same size printed materials as the menu boards being submitted for variance approval – the surface area of the imagery is exactly the same. The reason the new menu boards are larger in total overall square-footage is that the former menu board design was flawed because they are prone to wind blowing-out the clear panels and printed menu board inserts. These new menu boards have been designed with a cabinet door system to eliminate the possibility of wind blow-outs. To reiterate, the actual image surface area of the printed menu board inserts are the same in this new menu board design as they are in the other menu boards existing in Jack in the Box restaurants in Tulsa.

In regard to the second concern, all existing JIB restaurants in Tulsa (as well as almost all in the system) use a full-size menu board for the both the preview board and speaker board positions in the drive-thru lane. As previously mentioned, Jack in the Box uses standard size printed materials that work across all restaurants. Customers have expressed their desire to have faster drive-thru service at quick serve restaurants, and many companies like Jack in the Box have responded to that need by developing a second drive-thru ordering positions. As mentioned above, this particular restaurant will be the first in the country for Jack in the Box to test both a new building prototype and dual lane drive-thru configuration. Jack in the Box is asking for approval to equip both drive thru lanes with the same type of equipment that all other single lane drive-thru Jack in the Box restaurants have in Tulsa.

Jack in the Box looks forward to being able to test our new guest convenience initiatives in the Tulsa market!
Case No. 14736 (continued)

Board Action:
On MOTION of WHITE, the Board voted 3-0-0 (Chappelle, White, Smith "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to APPROVE a Variance (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of setback from the centerline of Utica Avenue from 85' to 60' to allow for an existing carport; finding that the carport aligns with the front of the house, and that there are other structures that are as close to the street as the one in question; on the following described property:

Lot 5, Block 5, Hackathorn Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14737

Action Requested:
Variance - Section 1221.3(k) - General Use Conditions for Business Signs - Use Unit 1221 - Request a variance to allow for an existing roof sign, located 1133-H South Memorial.

Presentation:
The applicant, Raymond Wolf, 1133 South Memorial, Tulsa, Oklahoma, stated that he recently purchased a new sign for his business and asked the Board to allow a roof installation. He informed that all of the shops in the complex have roof signs. Photographs (Exhibit T-1) were submitted.

Comments and Questions:
Mr. Gardner asked the applicant if the old sign was installed on the roof, and Mr. Wolf replied that the new sign will replace the old roof sign, but is two feet longer.

Ms. White asked if the sign is lighted, and Mr. Wolf answered in the affirmative.

Protestants: None.

Board Action:
On MOTION of WHITE, the Board voted 3-0-0 (Chappelle, White, Smith "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to APPROVE a Variance (Section 1221.3(k) - General Use Conditions for Business Signs - Use Unit 1221) to allow for an existing roof sign; as shown in submitted photographs; finding that the previous sign was installed on the roof, as are all other signs in the strip; on the following described property:

Lot 9 and the west 51' of Lot 10, Block 2, Forrest Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

2.04.88:508(20)
9.6
Facing East on 11th St.

Subject property
Intersection of 11th and Memorial Dr.

Subject property
SIGN PLAN REVIEW

July 8, 2021

Phone: 405-604-3636

Shaun Steen
1634 SE 23rd St.
Oklahoma City, OK 73129

APPLICATION NO: S-2140 and S-2141 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 8102 E. 11th St.
Description: Freestanding sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 WEST 2nd STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.

3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)
REVIEW COMMENTS

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

Application No. S-2140, S-2141 8102 E. 11th St. July 8, 2021

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.030-B.2 Drive-through Signs
   Number and Dimensions
   One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.

   Review Comments: Only one secondary drive through sign is permitted per lot. You may cancel one of these permits and remove one of the secondary drive through signs, or you may pursue a variance from the BOA to have two secondary drive through signs on one lot.

   In addition, each of the proposed 32 square foot secondary drive through signs exceeds the permitted 15 square feet. You may reduce the sign area to 15 square feet or less, or you may seek a variance from the BOA to permit a secondary drive through sign to exceed the maximum surface area from 15 square feet to 32 square feet.

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

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
MANUFACTURE AND INSTALL ONE (1) DI/F INTERNALLY ILLUMINATED J67 PYLON SIGN CASSINET: FABRICATED ALUMINUM WITH INTERNAL LED ILLUMINATION

FACES: FORMED LEXAN WITH SECOND SURFACE GRAPHICS

POLE: STEEL POLE PER STRUCTURAL ENGINEERING

ILLUMINATION: LED - SLOAN PRISM 6500K WHITE

JACK IN THE BOX

Design: JMc

Engineering:

Sales: Rob McCarter

Coordination: Steve Wood

date: 6/2/21

project ID: JIB_6155_5
BREAKFAST SERVED ALL DAY

**SIGNTYPE**
JITB-RB-36x96-CUSTOM THREE-SIDED

**MANUFACTURE AND INSTALL THREE (3) INTERNALLY ILLUMINATED S/F READERBOARD CABINETS TO BE MOUNTED ON Pylon**

**CABINET BODY:** SIGNCOMP ALUM. EXTRUSION PART NO. 2034. WITH INTERNAL LED ILLUMINATION

**CABINET RETAINERS:** SIGNCOMP ALUM. EXTRUSION PART NO. 2056. PAINTED TO MATCH "P1"

**FACES:** .063" THICK WHITE MODIFIED ACRYLIC FACE WITH FIRST SURFACE PRINTED DIGITAL GRAPHICS

**CABINET BACK:** .063" ALUM. PRE-PAINTED WHITE, PAINT BACK SIDE TO MATCH "P1"

**ILLUMINATION:** LED - SLOAN PRISM 5700K WHITE

**MATERIALS**
WHITE LEXAN W/ FIRST SURFACE DIGITALLY PRINTED GRAPHICS

**PAINT**
TO MATCH MP SV923 BLACK W/ SATIN FINISH

---

**SIGNCOMP ALUM. EXTRUSION PART NO. 2056, PAINTED TO MATCH "P1"**

---

Jack in the Box
8121 E 11th St, Tulsa, OK 74112 USA

Sales: Bob McCarther
Coordination: Steve Wood
Design: JMc
Engineering:

Drawing: PERMIT: P1-616/1-1-0
Project ID: JIB_6165-5

6/2/21
**B1 SIGNTYPE JTB-J40**

**MANUFACTURE AND INSTALL ONE (1) S/F INTERNALLY ILLUMINATED J30 WALL SIGN(S)**

**UPPER CABINET:** FABRICATED ALUMINUM WITH INTERNAL LED ILLUMINATION AND UL APPROVED DISCONNECT SWITCH

**LOWER CABINET:** FABRICATED ALUMINUM WITH INTERNAL LED ILLUMINATION

**UPPER FACE:** FORMED POLYCARBONATE WITH SECOND SURFACE GRAPHICS

**LOWER FACE:** Routed ACM with PUSH-THRU ACRYLIC COPY

**LOGO BORDER:** ACM

**I I L U M I N A T I O N:** LED

---

**MATERIALS**

- 3 1/2" CHANNEL LETTER COIL PRE-COATED MP 846B "JTB RED" WITH SATIN FINISH
- M4 3MM WHITE ACM (0.118" SKIN)
- M5 3MM SILVER ACM (0.118" SKIN)
- M6 3/4" CLEAR ACRYLIC

---

**PAINT**

- TO MATCH LACRYL SERIES 400 LW-9-5494-1 TRANSLUCENT PAINT
- TO MATCH LACRYL SERIES 400 LW-9-5494-1 TRANSLUCENT PAINT

---

**VINYL**

- TO MATCH MP 30136 "BRUSHED ALUMINUM"
- 3M 3630-73 "DARK RED"

---

**JACK IN THE BOX**

8112 E 1st St Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc

**ENGINEERING**

date: 6/2/21
drawing: PERMIT rev:R1-94-01
quote: project ID: J16_6155_5
125' BREAK FORMED ALUM.
2' MOUNTING BRACKET

2 ATTACHMENTS TO WALL/PASCA
PER BRACKET; ATTACHMENT METHOD
VARIES (SEE TYP DETAILS AT BOTTOM
OF PAGE)

TYP OF (4) MIN. - 1/4" x 1" TEK
SCREW & 1 1/2" FENDER WASHER
ATTACHMENT FROM INSIDE OF CABINET
THROUGH BACK OF THE BRACKET

3/8" X 6" LAG BOLT INTO BLOCKING OR BACKING,
FILL PENETRATIONS W/ SILICONE

LED HALO KIT
"IN THE BOX" LIGHT BOX
125' BREAK FORMED ALUM.
2' MOUNTING BRACKET

PAJGE TRANSFORMER BOX
LED HALO KIT

WALL SIGN SECTION DETAIL
LAG BOLT ATTACHMENT
INTO BLOCKING

MIN. (4) PER CABINET/ 2 1/2"
EMBEDMENT (ATTACHMENT
TYPE VARIES PER SURFACE):

STUCCO: 3/16" GRCN BOLT W
NYLON ANCHOR
WOOD: 3/8" BOLT SCREI
CONCRETE: 3/8" DIAM. ANCHOR
DRAWN: 3/8" TUGGLE BOLT

VERTICAL SECTION

JACK IN THE BOX
4444 Federal Dlvd San Diego, CA 92102
(619) 527-6100 signtech.com
**B2 SIGN TYPE**

**JITB-J40-HALO KIT**

**MANUFACTURE AND INSTALL ONE (1) J40 LED HALO KIT**

**BACKER:** 3MM ACM (WHITE/BLACK)

**BAFFLE:** 2" X 1 1/2" X 0.040" PRE-COATED WHITE ALUMINUM ANGLE

**ILLUMINATION:** WHITE AND PURPLE LED

---

**FRONT VIEW (FACING BACK SIDE OF J40 SIGN)**

**SCALE:** 3/4" = 1'-0"

---

**BAFFLE SECTION**

**SCALE:** FULL SIZE

---

**LED BACKER:** 3MM ACM BACKER (WHITE/BLACK)

**VHB TAPED TO ACM BACKER**

---

**JACK IN THE BOX**

**JE155**

6112 E 11th St., Tulsa, OK 74112 USA

**Sales:** Bob McCarter

**Coordinator:** Steve Wood

**Design:** JMc

**Engineering:**

---

**DATE:** 6/2/21

**Drawing:** PERMIT

**Quote:** REV R1-04/21-JMc

**Project ID:** J18_6155_5
MANUFACTURE AND INSTALL THREE (3) S/F INTERNALLY ILLUMINATED JACK WALL SIGN(S)

UPPER CABINET: FABRICATED ALUMINUM WITH INTERNAL LED ILLUMINATION AND UL APPROVED DISCONNECT SWITCH
LOWER CABINET: FABRICATED ALUMINUM WITH INTERNAL LED ILLUMINATION
UPPER FACE: FORMED POLYCARBONATE WITH SECOND SURFACE GRAPHICS
LOWER FACE: ROUTED ACM WITH PUSH-THRU ACRYLIC COPY
LOGO BORDER: ACM
ILLUMINATION: LED

MATERIALS

3 1/2" CHANNEL LETTER COIL PRE-COATED
MP-54671 "JB RED" WITH SATIN FINISH

M4 3MM WHITE ACM (0.118" SKIN)

M5 3MM SILVER ACM (0.118" SKIN)

M6 3/4" CLEAR ACRYLIC

PAINT

TO MATCH LACRYL SERIES 400
LW-5-9304-1 TRANSLUCENT PAINT

TO MATCH LACRYL SERIES 400
403 "DEEP RED" TRANSLUCENT PAINT

TO MATCH LACRYL SERIES 400
301 "BRIGHT ALUMINUM"

VINYL

3M 3630-73 "DARK RED"

3M 3635-70 "50% DIFFUSER"

TO MATCH MP 301 "BRIGHT ALUMINUM"
**NEW PORTOBELLO MUSHROOM BUTTERY JACK**

**Manufacture and Install Five (5) Illuminated Single Poster Marquee Panel(s)**

- **Face**: Routed 3/16" white Lexan with attached snap frame, inserts by others
- **Outer Frame**: Fabricated .063" thick aluminum
- **Illumination**: Internal LED Illumination and UL approved disconnect switch

**Materials**
- **PC3**: Powder coat to match RAL 7032 W/ Satin Finish
  - Umbra Grey
- **M7**: Aluminum snap frame w/ clear anodized satin finish

**Electrical Layout**
- **29.12W Total**
- **24V Power Supply**
- **49.8W Total**
- **120V Power Input**
- **2-Box with UL approved disconnect switch**

**Jack in the Box**

4444 Federal Blvd
San Diego, CA 92102
(619) 527-6100  signtech.com

JITB-WC-60x49-MARQUEE

**Project ID**: J16-6155-5
MANUFACTURE AND INSTALL ONE (1) PLEX FACE INTERNALLY ILLUMINATED ADDRESS CHANNEL LETTER

FACE: .177" THICK #7328 WHITE ACRYLIC WITH 3M NIMBUS GREY 101 (GERBER 220-41) ON FIRST SURFACE.
TRIMCAP: .01" BLACK JEWELITE
RETURNS: .040" x 3" DEEP PRE-PAINTED SATIN BLACK ALUM. COIL
BACKS: .050" PRE-PAINTED WHITE ALUM.
ILLUMINATION: PRINCIPAL Qwik MOD 3 6500K WHITE

SIGNTYPE: JITB-WC-16x42-ADDRESS-8112

STUCCO: 1/4" STL. BOLT W/ NYLON ANCHOR
WOOD: 1/4" LAG WOOD SCREW
CONCRETE: 1/4" EXPANSION ANCHOR
DRYWALL: 1/4" TOGGLE BOLT

POWER SUPPLY BOX

TOGGLE SWITCH

INSULATED LED FEED

1/4" DIA. DRAIN

DRAIN HOLE COVER

#10 HEX BOLT W/ BLUE ANCHOR

FORMED .063" ALUM. DRAIN HOLE COVER

.050" ALUM. LETTER BACK

1/2" SEAL-TITE STRAIGHT CONDUIT CONNECTOR

12V LED POWER SUPPLY

SECT. VIEW SCALE: 3" = 1'-0"

JACK IN THE BOX

4444 Federal Blvd San Diego, CA 92102
(619) 527-6100 signtech.com

Bill of Material

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

4015 S 11th St Tulsa, OK 74112 USA

Project ID: J16_6155_5

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Date: 6/2/21
Drawing: PERMIT rev.R1-0421-1M
Quote: J16_6155_5
ROUTE 66 JACK

MANUFACTURE AND INSTALL ONE (1) CANOPY MOUNTED FLAT CUT-OUT HALO-ILLUMINATED SIGN

LETTERS: 1/8" WATERJET CUT ALUMINUM
ILLUMINATION: SLOAN PRISM 4000K LED WITH 60W POWER SUPPLY TO BE INSTALLED INSIDE CANOPY

E SIGNTYPE JITB-FCO-AL-IL-9

PAINT
P1 PAINT TO MATCH MP 6481 "28" RED W/ SATIN FINISH
P2 PAINT TO MATCH WALL EXACT COLOR TVB
M1 1/8" ALUMINUM

MATERIALS

SECTION VIEW - ATTACHMENT
SCALE: HALF SIZE

SECTION VIEW - ELECTRICAL ATTACHMENT
SCALE: HALF SIZE

JACK IN THE BOX
M155
8112 E 11th St Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMC
Engineering:

date: 6/22/21
drawing: PERM1
project ID: JIR_6165_5
NOTE: MENU LUG-ON HARDWARE MUST BE SPACED CORRECTLY FOR GRAPHICS TO FIT.

PLAN VIEW SCALE: 1/2" = 1'-0"

FRONT VIEW SCALE: 1/2" = 1'-0"

REAR VIEW SCALE: 1/2" = 1'-0"

SIDE VIEW SCALE: 1/2" = 1'-0"

POWDER COAT

POC2

TO MATCH RAIL 9004 'SIGNAL BLACK' W/ SATIN FINISH

F3 F4 SIGNTYPE SPEAKER MENU BY OTHERS

INSTALL ONE (1) SPEAKER MENU BY OTHERS WITH LUG-ON HARDWARE PANELS

CABINET: MANUFACTURED BY NATIONAL SIGNS
POLE: 4"x8" STEEL RECTANGULAR TUBE (SEE MENU CANOPY)

4444 Federal Blvd San Diego, CA 92102
(619) 527-6100 signtech.com

JACK IN THE BOX
J6155
811 E 11th St Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

SOUTH SQUARE FOOTAGE CALCULATIONS
SCALE: 3/8" = 1'-0"

TOTAL: 19.9 SQ. FT

POC2

4'-3 1/4'
5'-8 1/4'
1'-4 1/2'
4'-3 3/4'

4444 Federa! Blvd San Diego, CA 92102
(619) 527-6100 signtech.com

date: 6/2/21
rev: R1-q621-Mc
quote:
project ID: JTB_6155_5

16
**Manufacture and Install Two (2) D/F Internally Illuminated Directional Sign(s)**

- **Cabinet:** Extruded Aluminum
- **Pole:** 3" x 3" Steel Square Tube
- **Illumination:** LED - Principal Qwik Mod 3 6500K White

**Drawing Information**

- **Drawing ID:** JB_6155_5
- **Date:** 6/2/21
- **Drawing:** PERMIT
- **Quote:** Not applicable
- **Project ID:** JB_6155_5
- **Sales:** Bob McCarter
- **Engineering:** JMC
I NOT ENTER

M9
V1
PC2

1'-5 3/4 CABINET
1'-3 3/4 V.D.
8' O.C.
8'-4'
A.P.L.
(TYP)

6500K WHITE
LED MODULES
(1) 20W 12V
POWER SUPPLY

1/4' PLATE / (2) 3/8' BOLTS
UL LISTED DISCONNECT
TOGGLE SWITCH

FORMED FACE
(TYPICAL)

SIDE A
SCALE: 1"=1'-0"
2.3 SQ. FT.

SIDE B
SCALE: 1"=1'-0"

END VIEW
SCALE: 1"=1'-0"

G3 SIGNTYPE: JTB-DIR-17x17x48-TYTHANKYOU/DO NOT ENTER

MANUFACTURE AND INSTALL ONE (1) D/F INTERNALLY ILLUMINATED DIRECTIONAL SIGN(S)

CABINET: EXTRUDED ALUMINUM
POLE: 3"x3" STEEL SQUARE TUBE
ILLUMINATION: LED - PRINCIPAL QWIK MOD 3 6500K WHITE

POWDER COAT
PC2
TO MATCH RAL 9004 SIGNAL BLACK W/ SATIN FINISH

MATERIALS
M9 .032 WHITE LEXAN

VINYL
V1 3M 3630-73 'DARK RED'

FOOTING

PRIMARY ELECTRICAL BY OTHERS
120 VOLT IN CONDUIT TO 1'-0" ABOVE GRADE WITH MIN. 36" EXCESS WIRE

SOLD TO

JACK IN THE BOX
4133 E 1st St Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

date: 6/2/21
drawing: PERMIT
rev: R1-mv23-JMc
quote: project ID: J18-6155_5

9.28
MANUFACTURE AND INSTALL ONE (1) ORDER PICKUP SIGN

POLE: 3"x3" STEEL SQUARE TUBE
ARM: 5"x2" STEEL RECTANGULAR TUBE

HANGING "ONLINE ORDER" BAR
SCALE: 3" = 1'-0"

POWDER COAT
PC2 TO MATCH RAL 9004 'SIGNAL BLACK'
W/ SATIN FINISH

PAINT
P2 TO MATCH MP 64811 'JAS RED'
W/ SATIN FINISH

VINYL
V6 3M WHITE REFLECTIVE VINYL (680-10)
W/ PMS 260 PRINTED COPY

S.S. MOUNTING CHAIN WITH EYE BOLTS

10" X 1/8" BRAKE-FORMED ALUMINUM C-CHANNEL

1/2" STAINLESS STEEL THRU BOLT (1 TYR)

3/8" X 2 1/2" STAINLESS STEEL FLAT BAR BRACKET

5/8" DIA M STAINLESS STEEL BOLT (5" LONG)

3/4" DIA M STAINLESS TUBE

3" H X 1" OP BLACK STEEL TUBE
COPE TO INSERT 3/4" STAINLESS TUBE.

WASHER

3/16"
MANUFACTURE AND INSTALL TWO (2) D/F INTERNALLY ILLUMINATED BLADE SIGNS WITH ROUTED AND BACKED FACES
CABINET: ALUM. FABRICATION
FACES: .125" ALUM.
WHITE/PURPLE RING: .177" THICK CLEAR ACRYLIC W/ FIRST AND SECOND SURFACE VINYL
RETURNS: .053" X 5" ALUM. STACK WELDED TO FRONT TRIM
SUPPORT: 2" X 2" X 3/16" ALUM. SQUARE TUBE WELDED TO ATTACHMENT PLATE
ATTACHMENT PLATE: 1/4" ALUM. PLATE - PLATE DETAILS TBV
ILLUMINATION: LEDS (WHITE AND PURPLE ON TIMER) WITH REMOTE POWER SUPPLY

Illumination: LEDS (WHITE AND PURPLE ON TIMER) WITH REMOTE POWER SUPPLY

PAINT
TO MATCH MIP 64631 'JIB RED' W/ SATIN FINISH

NIGHT VIEW - WHITE LED
SCALE: 1" = 1'-0"

NIGHT VIEW - PURPLE LED
SCALE: 1" = 1'-0"

JACK IN THE BOX
JIB-75
6112 E 11th St Tulsa, Ok 74128 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

date: 6/2/21
drawing: PERMIT
rev: 8/1-04-23-JMc
quote:
project ID: JIB_6155_5
SIGNHEAD  JITB.CL-JACKHEAD
MANUFACTURE AND INSTALL ONE (1) INTERNALLY ILLUMINATED JACK HEAD LOGO CHANNEL SIGN

JACK IN THE BOX
JIB-55
6155 11th St
Tulsa, OK 74136 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

date: 6/2/21
drawing: PERMIT
quote: PROJECT 1
project ID: JIB_6153_5

4444 Federal Blvd San Diego, CA 92102
(619) 527-6100 signtech.com

Sigeentech
K  SIGN TYPE  JIB-DIR-30x4
MANUFACTURE AND INSTALL THIRTEEN (13) ILLUMINATED BOLLARDS
POST: FABRICATED 1/8" ALUM.
LIGHT BOX: FABRICATED 1/8" ALUM.
LENS: CLEAR 1/8" ACRYLIC
ILLUMINATION: WHITE AND PURPLE LED MODULES

POWDER COAT
PC3  TO MATCH RAL 9004 'SIGNAL BLACK'
W/ SATIN FINISH

SIGN TYPE  JIB-155
12'12"  & 12th ST  Tulsa, OK 74122 USA
Special thanks to our client for their patience and understanding.

JACK IN THE BOX
4/4/21
Sales: Bob McFarren
Coordinator: Steve Wood
Design: Mi
Engineering:

date: 6/2/21
quote: project Id: JIB_6155_5
MANUFACTURE AND INSTALL TWO (2) INTERNALLY ILLUMINATED EMBEDDED CANOPY SIGNS
SIGN SLIDES INTO CAVITY IN CANOPY BY OTHERS AND SCREWS INTO FACE OF CANOPY WITH COUNTERSUNK SCREWS

L1 | L2 SIGN TYPE JTB-WS-10x96

DRIVE-THRU LANE 1

L1 FRONT VIEW SCALE: 1" = 1'-0"

SIDE VIEW SCALE: 1" = 1'-0"

DRIVE-THRU LANE 2

L2 FRONT VIEW SCALE: 1" = 1'-0"

SIDE VIEW SCALE: 1" = 1'-0"

PAINT

P3 TO MATCH RAL7022 W/ SATIN FINISH
UMBRA GREY TRV

MATERIALS

M2 TRANSLUCENT ACRYLIC
#7322 WHITE 5G ACRYLIC
M4 3MM WHITE ACM (0.118"

JACK IN THE BOX
819 E 11th St Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: Jim
Engineering:

date: 6/2/21
drawing: PERMIT rev: R1-0412-JMC
quote:
project ID: JIB_6155_5
PLAN VIEW  SCALE: 1/2" = 1'-0"

PREVIEW MENU BREAKFAST EXTENDER

5'-8"
(SEE DETAIL PAGE)

ANCHOR BOLT FOOTING BY G.C.
FROM FRONT OF FORMED BASE COVER

FRONT VIEW  SCALE: 1/2" = 1'-0"

SIFIOTIPE PREVIEW MENU BY OTHERS
POLE: 5" STEEL SQUARE TUBE

INSTALL TWO (2) PREVIEW MENU BY OTHERS WITH TWO (2) BREAKFAST EXTENDER BY OTHERS

CABINET: MANUFACTURED BY NATIONAL SIGNS
POLE: 5" STEEL SQUARE TUBE

POWDER COAT TO MATCH RAL 9002 'SIGNAL BLACK'
WP SATIN FINISH

SQUARE FOOTAGE CALCULATIONS
SCALE: 3/8" = 1'-0"

TOTAL: 26 SQ. FT

JACK IN THE BOX
A185
8112 E. 11th St. Tulsa, OK 74112 USA

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMc
Engineering:

date: 6/2/21
revision: 21-00065 rev:XX
quote: project ID: JIB_6155_5

9.38
4444 Federal Blvd San Diego, CA 92102
(619) 527-6100 signtech.com

JACK IN THE BOX

4135
1215 E 11th St 5th floor OKC 73107 USA

This design is the exclusive property of Signtech and cannot be reproduced in whole or in part, without the prior written approval.

Sales: Bob McCarter
Coordinator: Steve Wood
Design: JMC

Engineering:

date: 6/2/21
drawing: 21-00865 rev:XX
quote: jib_6155_5

P1 P2 P3 P4 SIGHTYPE JITB-MB-POLE-5x5x68

MANUFACTURE AND INSTALL FOUR (4) MENU POLES
Hearing Date: 09/14/2021 1:00 PM

Applicant: Mark Capron

Action Requested: Variance to allow parking inside the City of Tulsa planned Right-of-Way (Sec. 90.090-A)

Location: 4008 W Charles Page BV S

Zoned: CH

Present Use: Vacant

Tract Size: 17500.08 SQ FT

Legal Description: W 46' LT 9 & ALL LTS 10 & 11 BLK 1, HOME GARDENS SECOND ADDN - TULSA

Relevant Previous Actions:

Surrounding Properties:

BOA-22746; On 10.08.2019 the Board approved a Special Exception to allow an Assembly and Entertainment use (less than 250-person capacity) to serve alcohol within 150' of an R district and a Special Exception to permit an Outdoor Assembly and Entertainment use.

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.

Analysis of Surrounding Area: The subject tract is located East of the SE/c of Charles Page Boulevard and S. 41st W. Ave.

Staff Comments: The applicant is requesting a Variance to allow parking inside the City of Tulsa planned Right-of-Way (Sec. 90.090-A)
The Major Street and Highway plan designates Charles Page Boulevard a Primary Arterial which call for 60' of right-of-way on either side of the section line. Currently there is only 25' dedicated South of the Section line. The applicant is seeking to build parking inside the additional 35' prescribed by the Major Street and Highway Plan. If approved the code would require the applicant to execute a removal agreement with the City of Tulsa for the improvements make inside the right-of-way.

**STATEMENT OF HARDSHIP:** The applicant believes that the designation of Primary Arterial is not appropriate for not only the subject property but other properties along Charles Page Boulevard. Such a dedication would take 25% of the property and make many properties very shallow and undevelopable.

**SAMPLE MOTION:**

Move to _______ (approve/deny) a **Variances** to allow parking inside the City of Tulsa planned Right-of-Way (Sec. 90.090-A)

Finding the hardship(s) to be_________________________________.

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions ________________________________.
- **Suggested Condition:** Applicant to execute a removal agreement with the City of Tulsa for any improvements made inside the right-of-way.

In granting the **Variances** 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 Charles Page Boulevard
Board Action:
On MOTION of RADNEY, the Board voted 4-0-0 (Bond, Radney, Ross, Van De Wiele "aye"; "nay"; no "abstentions"; Shelton absent) to APPROVE the request for a Special Exception to allow a duplex in an RS-5 District (Section 5.020, Table 5-2); Variance of the 25 foot setback for a Special Exception Use from R-zoned lots occupied by residential uses (Section 50303-B, Table Note 4); Variance of the required number of parking spaces (Section 55.020, Table 55-1), subject to conceptual plan 3-b; not intended to require the drive to the rear. The Board finds the hardship to be the small size and narrowness of the lot, and the undue burden of providing extra parking for such a small domicile. 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. 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:

LT 4 BLK 16, BURGESS HILL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22746—Shane Hood

Actin Requested:
Special Exception to allow a small (less than 250-person capacity) Indoor Commercial Assembly/Entertainment Use to sell and serve alcohol within 150 feet of a residential district; Special Exception to allow an Outdoor Commercial Assembly/Entertainment Use in a CH District (Section 15.020, Table 15-2). LOCATION: 3924 West Charles Page Boulevard South (CD 1)
Presentation:
Shane Hood, 815 East 3rd Street, Tulsa, OK; stated the subject property consists of six lots that will be used for the event space. The building will hold about 89 people and there will be an outdoor area that is also used for entertainment. The event center requires 22 parking spaces, and there are 21 on the lot with an additional 22 parking spaces next door.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of BOND, the Board voted 4-0-0 (Bond, Radney, Ross, Van De Wiele "aye"; "nay"; no "abstentions"; Shelton absent) to APPROVE the request for a Special Exception to allow a small (less than 250-person capacity) Indoor Commercial Assembly/Entertainment Use to sell and serve alcohol within 150 feet of a residential district; Special Exception to allow an Outdoor Commercial Assembly/Entertainment Use in a CH District (Section 15.020, Table 15-2), subject to conceptual plans 4.5 and 4.24 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:

LOT 4 BLK 1; LOT 5 BLK 1; LOT 6 BLK 1; LOT 7 BLK 1; LT 8 BLK 1; E. 1/2 OF LOT 9 BLK 1, HOME GARDENS SECOND ADDN - TULSA, City of Tulsa, Osage County, State of Oklahoma

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NEW APPLICATIONS

22749—Magic Leaf, LLC

Action Requested:
Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).
LOCATION: 4210 East 11th Street South (CD 4)

Presentation:
Jordan Towers, 4210 East 11th Street, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Van De Wiele stated the Board is in receipt of a copy of the applicant’s license on page 5.5 and the spacing exhibit on pages 5.6 and 5.7.