

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, November 9, 2021, 1:00 P.M.

Meeting No. 1284

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

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

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

Attend Virtually: <https://us02web.zoom.us/j/87612270012>

Attend by Phone: 312-626-6799 Meeting ID: 876 1227 0012

If you wish to present or share any documents, written comments, or exhibits during the hearing, please **submit them by 9:00 a.m. 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 October 12, 2021 (Meeting No. 1282).
2. Approval of **Minutes** of October 26, 2021 (Meeting No. 1283).

UNFINISHED BUSINESS

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

3. 23196—Vincent Travis Thornton

Special Exception to permit an alternative compliance parking ratio for a Medical Marijuana Dispensary in an IM District to reduce the minimum parking requirements from seven parking spaces to zero parking spaces (Section 55.050-K & Section 55.020, Table 55-1). **LOCATION:** 1217 East Admiral Boulevard **(CD 1)**

4. 23197—Raul Cisneros

Variance to reduce required 25-foot street setback to permit an addition to an existing structure (Section 5.030, Table 5-3). **LOCATION:** 1446 South 157th Avenue East **(CD 6)**

5. 23198—Keith Robertson

Special Exception to permit a Commercial Service / Building Service Use in a CS District (Section 15.020, Table 15-2). **LOCATION:** 8310 East 11th Street South **(CD 5)**

6. 23199—Eller & Detrich – Lou Reynolds

Appeal of the Administrative Decision issued in Case No. ZONV-050120-2021 (the “Decision”) pursuant to Section 70.140 of the Tulsa Zoning Code (the “Code”) for property located at 2667 South Trenton Avenue. The Decision found that an art sculpture on the Property (1) constitutes a sign; (2) is advertising a home occupation on the Property; (3) requires a permit; and (4) is located in the front building setback. **LOCATION:** 2667 South Trenton Avenue East **(CD 4)**

NEW APPLICATIONS

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

7. 23202—Jeff Krigel

Variance to reduce the required 5-foot side setback; Variance of the minimum lot area and lot area per unit of 5,500 square feet and the minimum lot width of 50 feet for a detached house in an RM-2 District to permit a lot line adjustment (Section 5.030, Table 5-3). **LOCATION:** 1402 and 1406 West Admiral Boulevard **(CD 4)**

8. **23203—Nathan Cross**
Special Exception to expand a religious assembly use in an RS-3 District (Section 5.020, Table 5-2;). **LOCATION:** 2027 North Martin Luther King, Jr. Boulevard East (CD 1)
9. **23204—Danny McCuen**
Variance of the dustless all-weather parking surface requirement to permit the use of gravel for a driveway (Section 55.090-F). **LOCATION:** 6515 East 25th Place South (CD 5)
10. **23205—Patrick Drake**
Special Exception to allow a neighborhood identification sign in the street right-of-way (Section 60.020-E). **LOCATION:** 7200 East 61st Street South (CD 7)
11. **23206—Church In Power**
Special Exception to permit a dynamic display sign in an RS-3 District and to allow a dynamic display sign within 200 feet of a residential district (Sections 60.050-B.2.c & 60.100-F). **LOCATION:** 732 East 31st Street North (CD 5)

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

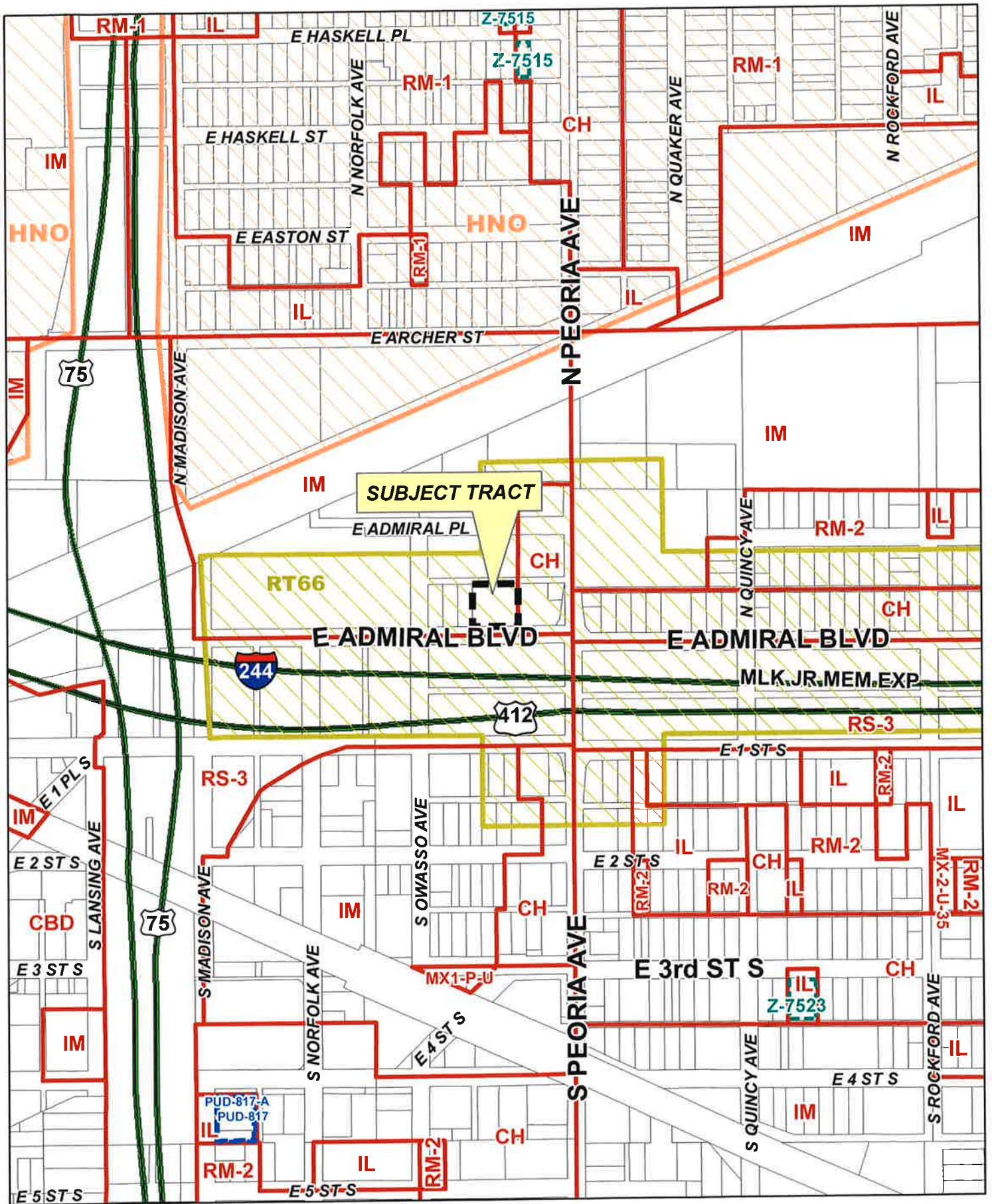
Website: tulsaplanning.org

E-mail: esubmit@incog.org

CD = Council District

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

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



BOA-23196

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19-12 01

BOARD OF ADJUSTMENT CASE REPORT

STR: 9201

Case Number: **BOA-23196**

CZM: 36

CD: 1

HEARING DATE: 11/09/2021 1:00 PM *(Continued from 10/26/2021 to allow applicant to present parking study to the Board)*

APPLICANT: Vincent Travis Thornton

ACTION REQUESTED: Special Exception to permit an alternative compliance parking ratio for a Medical Marijuana Dispensary in an IM District to reduce the minimum parking requirements from seven parking spaces to zero parking spaces (Section 55.050-K; Section 55.020 Table 55-1))

LOCATION: 1217 E ADMIRAL BV

ZONED: IM

PRESENT USE: Medical Marijuana Dispensary

TRACT SIZE: 21000.36 SQ FT

LEGAL DESCRIPTION: LTS 25 THRU 30 BLK 4, BERRY ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-2455; On 09.23.53 the Board granted permission to erect a building in line with the other existing buildings.

Surrounding properties:

BOA-21831; On 01.27.15 the Board approved a variance to reduce the off-street parking requirement to 0 spaces in a CH District. Property located NW/c of E Admiral Boulevard and N. Peoria Ave.

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

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

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

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REVISED 11/1/2021

these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the NW/c of S. Peoria Ave. and E. Admiral Boulevard.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to permit an alternative compliance parking ratio for a Medical Marijuana Dispensary in an IM District to reduce the minimum parking requirements from seven parking spaces to zero parking spaces (Section 55.050-K; Section 55.020 Table 55-1))

55.050-K

Alternative Compliance

The motor vehicle parking ratios of this chapter are not intended to prevent development and redevelopment or to make development and redevelopment economically impractical. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternative compliance parking ratios may be approved through the special exception procedures of [Section 70.120](#) only if:

1. The applicant submits a parking study demonstrating that the motor vehicle parking ratios of [Section 55.020](#) do not accurately reflect the actual day-to-day parking demand that can reasonably be anticipated for the proposed use based on field surveys of observed parking demand for similar use within the city or on external data from credible research organizations, such as the Urban Land Institute (ULI) or the Institute of Transportation Engineers (ITE);
2. The board of adjustment determines that the other allowed parking reduction alternatives of [Section 55.050](#) are infeasible or do not apply; and
3. The board of adjustment determines that the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.

As of the the writing of this report the applicant has not provided any type of study demonstrating that the required parking does not reflect the actual day-to-day parking demand of the business. There is an existing parking lot immediately East of the dispensary located on the same parcel, staff is unaware of any reason why that could not be used to satisfy the parking requirements of the dispensary.



Existing Parking Lot

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit an alternative compliance parking ratio for a Medical Marijuana Dispensary in an IM District to reduce the minimum parking requirements from seven parking spaces to zero parking spaces (Section 55.050-K; Section 55.020 Table 55-1))

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

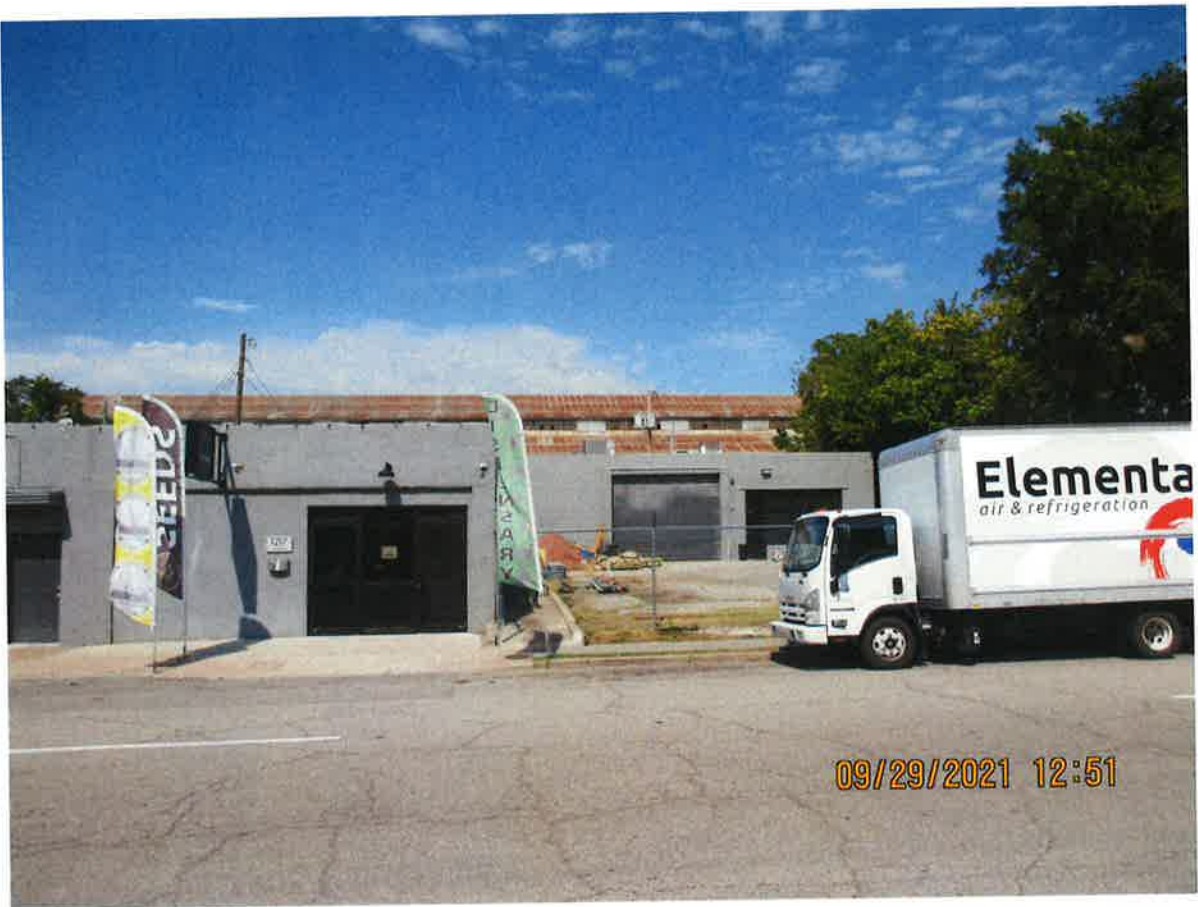
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, that the other allowed parking alternative of Section 55.050 are infeasible or do not apply and the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.



Facing East on Admiral Boulevard



Facing West on Admiral Boulevard



Subject property

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

April 14, 2021

LOD Number: 2
Ryan Kuzmic
1602 S Main
Tulsa, OK 74119

Phone: 918.401.9142

APPLICATION NO: **BLDC-085052-2021**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **1217 E Admiral Blvd**
Description: **Medical Marijuana Dispensary**

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. A COPY OF A "RECORD SEARCH" [X] IS [] IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

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REVIEW COMMENTS

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

BLDC-085852-2021

1217 E Admiral Blvd

April 14, 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 at 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our office documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

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

- a. The actual shape and dimension of the lot;
- b. The location and dimensions of all easements;
- c. The location, size and height of any existing buildings or structures to be erected or altered;
- d. The existing and intended use of each building or structure and portion of the lot;
- e. The number of dwellings and buildings proposed; and
- f. Your dispensary will require 7 parking spaces. Indicate the 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.

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

- g. **ACTION REQUIRED:** Your dispensary will require 7 parking spaces. On the proposed site plan indicate the 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.

2. **RESOLVED Sec.40.225-D:** A medical marijuana dispensary may not be located within 1000 ft of another medical marijuana dispensary. The BOA is no longer processing Spacing Verifications.
Review Comment: Submit the following documentation so that your application may continue to be processed.

1. An aerial photograph identifying the location of the proposed dispensary at the center of a circle with a 1,000-foot radius, which is the required separation distance from another dispensary; and
2. Locate and identify the nearest dispensary on the map, including the distance from the proposed dispensary; and

3. Verification of having provided a copy of the Permit Application to the City Councilor for the city council district in which the subject property is located. (A copy of an e-mail will suffice.) To find the councilor for your district, click here. (<http://maps.cityoftulsa.org/citycouncil/>); and
4. A copy of the following affidavit:

Affidavit as to Spacing Verification

I, (Applicant) _____, being duly sworn upon oath, state that I have researched and examined or caused to be researched and examined, the spacing verification requirements and have provided a copy of the Permit Application to the city councilor in which the subject property is located.

Signature of Applicant

Subscribed and Sworn to Before Me this _____ Day of _____, 20____.

Notary Public _____ My Commission Expires: _____

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

Link to Zoning Code:

www.tulsaplanning.org/plans/TulsaZoningCode.pdf

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

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

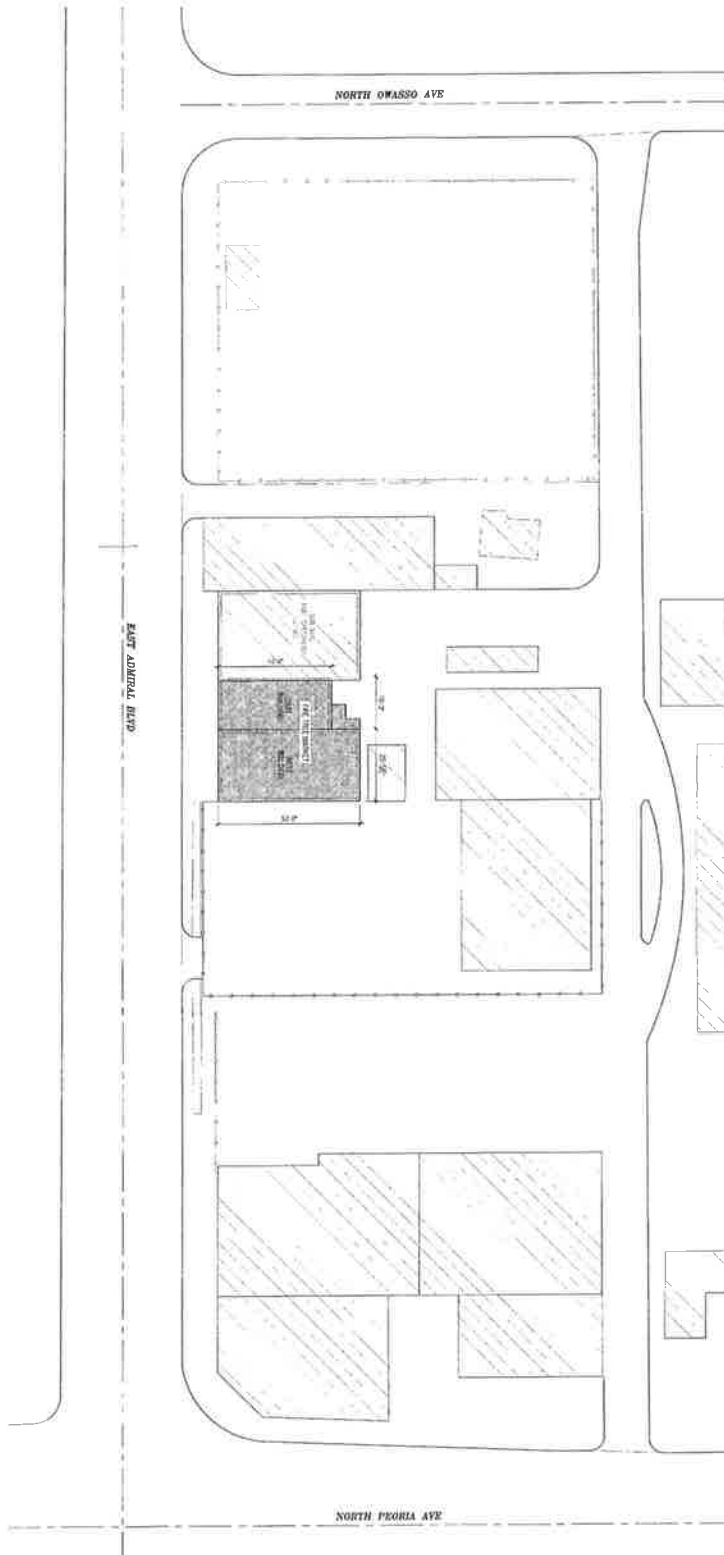
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

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

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

A EAST & WEST BUILDING SITE PLAN



<p>SP1</p>	<p>EAST & WEST BUILDING SITE PLAN</p>	<p>DATE: 08-20-08 DRAWN BY: J. H. H. CHECKED BY: J. H. H.</p>	<p>EAST & WEST BUILDING FIRE TREE MARKET</p> <p>1217 E. Admiral Blvd. Suite 1000 Tulsa, Oklahoma 74122</p>	<p>WE BUILD TULSA ROBINSON CONSTRUCTION INC.</p> <p>2204 NORTH RIDGEWAY TULSA, OK 74104 PHONE: (918) 431-1130 FAX: (918) 710-0000 B: robinson@wbtulsa.com</p>			<p>bsi INC. LLC</p> <p>1701 S. G. AVE. STE. 100 Tulsa, Oklahoma 74106 918-431-1130</p>
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200
400



Subject
Tract

BOA-23196

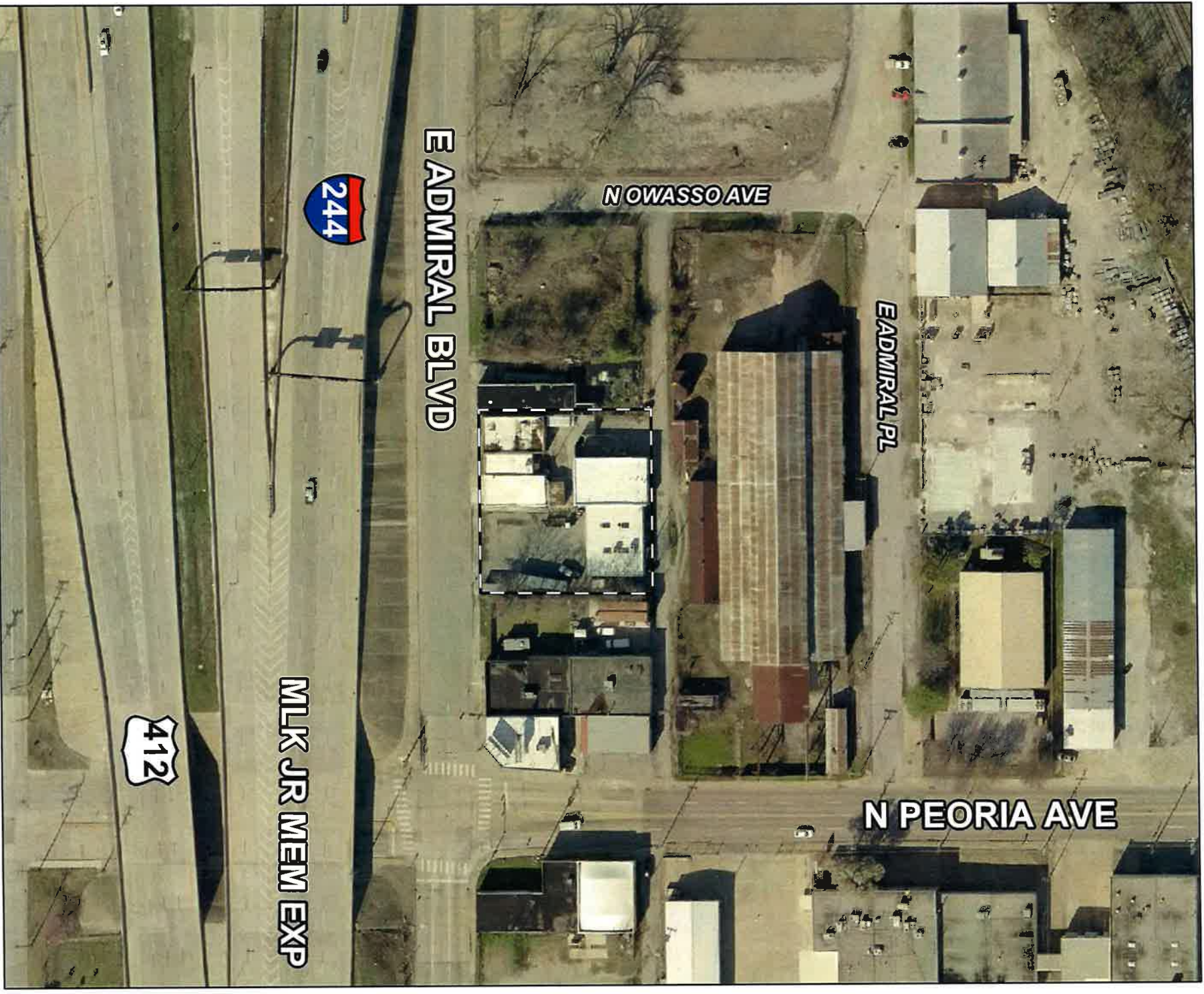
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Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: 2020/2021



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N OWASSO AVE

E ADMIRAL PL

N PEORIA AVE

E ADMIRAL BLVD



MLK JR MEM EXP



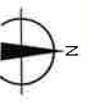
Subject
Tract

BOA-23196

19-12 01

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

Aerial Photo Date: 2020/2021



3.12

From: [Robinson Properties](#)
To: [Chapman, Austin](#)
Subject: BOA-23166
Date: Friday, October 22, 2021 12:03:35 AM

BOA-23196

Austin,

I am the building owner of 1213 and 1217 E. Admiral The Boulevard. Travis Thornton of Fire Tree market is my tenant. My office and Shop is also next-door to Fire Tree Market. Fire Tree Market has leased the space for almost 3 years. They have been the best tenants we have had in that building. Due to their security, lighting and later operating hours, we have seen a huge decrease in vandalism in the neighborhood. Traffic or parking has never been an issue. The customers slowly trickle in throughout the day and I never see parking issues. There has always been plenty of available parking at the street. I have no problem with Fire Tree market customers parking in the spaces on the street in front of my office/shop as we don't use the parking out front. Fire Tree Market really has been great for the area. If you have any questions or concerns please don't hesitate to contact me. Casey Robinson (918)704-7970

Sent from my iPhone

EAST & WEST BUILDING SITE PLAN

LEGEND:

- 1. Existing Building Footprint (Shaded Area)
- 2. New Building Footprint (Dashed Outline)
- 3. New Parking Spaces (Yellow Area)
- 4. New Landscaping Area (Green Area)
- 5. New Stormwater Management Area (Blue Area)

EXISTING BUILDING FOOTPRINT (SHADED AREA):

- Area: 1,200 sq. ft.
- Dimensions: 30' x 40'

NEW BUILDING FOOTPRINT (DASHED OUTLINE):

- Area: 1,800 sq. ft.
- Dimensions: 30' x 60'

NEW PARKING SPACES (YELLOW AREA):

- Area: 1,200 sq. ft.
- Dimensions: 30' x 40'

NEW LANDSCAPING AREA (GREEN AREA):

- Area: 1,200 sq. ft.
- Dimensions: 30' x 40'

NEW STORMWATER MANAGEMENT AREA (BLUE AREA):

- Area: 1,200 sq. ft.
- Dimensions: 30' x 40'

STREETS:

- NORTH ORANGE AVE
- EAST ADMIRAL BLVD
- NORTH FLORIDA AVE

SCALE: 1" = 10'

DATE: 10/1/2023

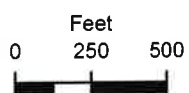
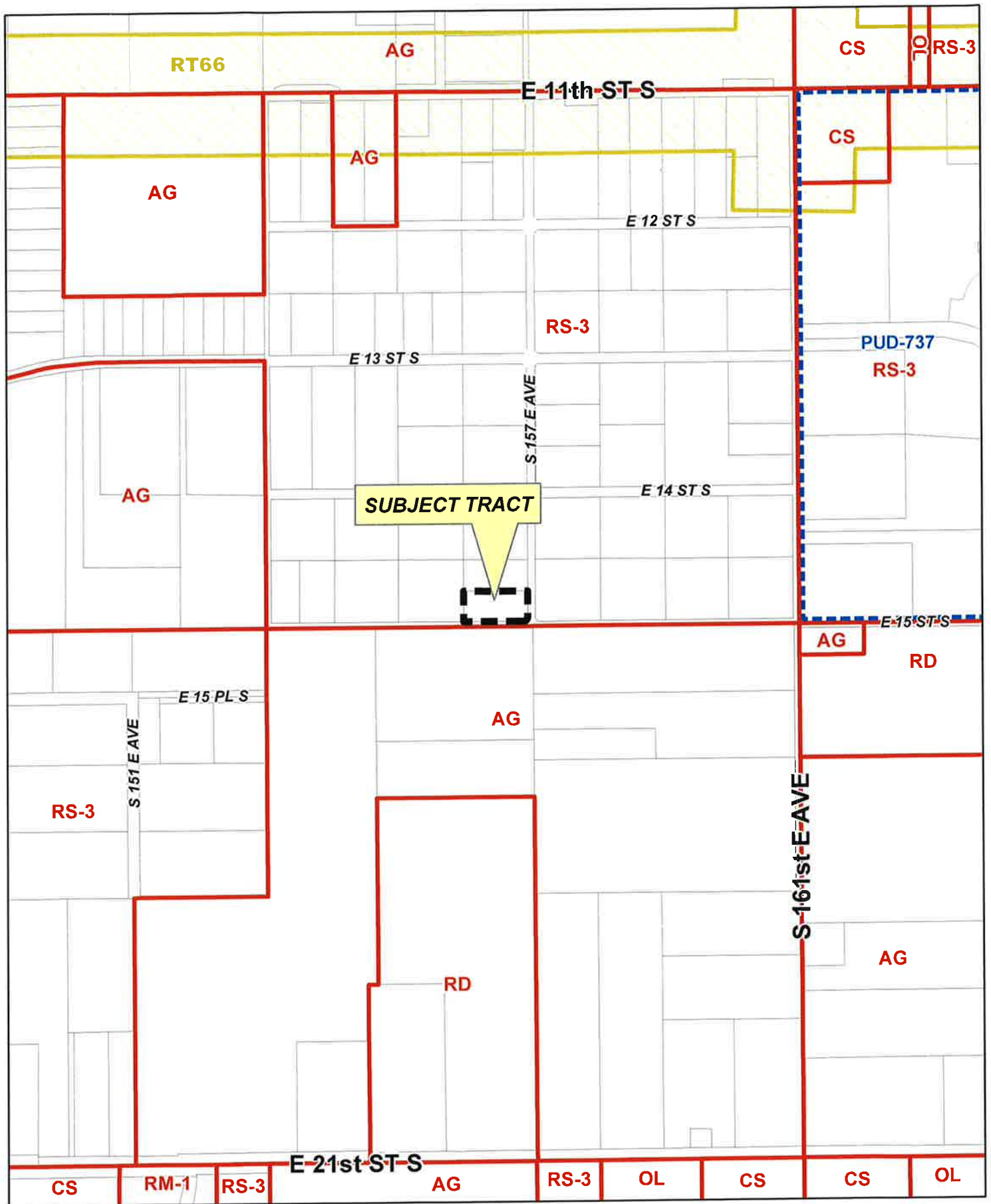
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FOR: [Signature]

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BOA-23197

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9410

Case Number: **BOA-23197**

CZM: 40

CD: 6

HEARING DATE: 11/09/2021 1:00 PM (*Board continued from 10/26/21 hearing because applicant was not present*)

APPLICANT: Raul Cisneros

ACTION REQUESTED: Variance to reduce required 25-foot street setback to permit an addition to an existing structure (Sec. 5.030, Table 5-3)

LOCATION: 1446 S 157 AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 47964.11 SQ FT

LEGAL DESCRIPTION: S/2 LT 5 BLK 7, RADIO HGTS

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c pf E. 15th St. S. and s. 157 E. Avenue. East 15th Street is not complete, or City maintained road at this location, but there is dedicated Right-of-Way.

STAFF COMMENTS: The applicant is requesting Variance to reduce required 25-foot street setback to permit an addition to an existing structure (Sec. 5.030, Table 5-3)

Min. Building Setbacks (ft.)

Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	10	10	10	10	35
Other streets	35	35	30	25	20	20	25	10	10	10	10	10	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15

The proposed addition will be 46' 9" from the center of S. 157th E. Ave, the code would require it to be setback 50' (25' setback in addition to 25' of planned right-of-way). This is a unique situation in a platted subdivision because the dedicated right-of-way is only 40'. The zoning code designates a minimum of 50' of right-of-way for non-classified streets.

STATEMENT OF HARDSHIP: Unable to extend the front facade and to add a front porch due to its original construction location on the lot.

SAMPLE MOTION:

Move to _____ (approve/deny) a Variance to reduce required 25-foot street setback to permit an addition to an existing structure (Sec. 5.030, Table 5-3)

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

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

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



Subject property



Facing North on 157th



Facing South on 157th

PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION: RADIO HTS
LEGAL LOT: 1/2 LT 5 - BLK - 1
SECTION: 10 TOWNSHIP 19 RANGE 14

GENERAL INFORMATION

ZONING: R10
LOT SIZE: 1.10 ACRES / 47,864 SQ FT
EXISTING FLOOR AREA: 2,200 SQ FT
ADDITION: 244 SQ FT
NON LIVABLE AREA: 2,102 SQ FT

ADDITIONAL INFORMATION

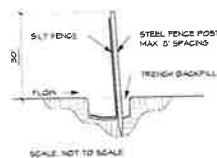
RESIDENCE FLOOR AREA: 2,102 SQ FT
DRIVENWAY: 1,412 SQ FT
PARENT COVERED PORCH: 100 SQ FT
TOTAL OCCUPIED SPACE: 4,262 SQ FT

REGULATIONS

MAX BUILDING HEIGHT: 35' 0"
RES STRUCTURE HEIGHT: 17'-10"

SILT FENCE DETAIL

- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
- THE TOP OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TENSHER, SO THAT THE DOWN-SLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
- THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE TO ALLOW FOR THE SILT FENCE TO BE LAG IN THE TRENCH AND BE BACKFILLED.
- SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO GROUND PINS, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO AS NOT TO BLOCK OR IMPERE STORM FLOW OR DRAINAGE.
- SEDIMENT TRAPPED BY THIS PRACTICE SHALL BE DISPOSED OF IN AN APPROVED SITE, IN A MANNER THAT WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPILL SITE OR AS IN NO. 1 ABOVE.



SITE PLAN

LEGEND

SITE PLAN

NOT ALL ITEMS MAY BE USED



NEW ASPHALT PAVING/ TRACK



TULSA REGULATORY FLOOD PLAN



EXISTING SOD TO REMAIN



NEW CONCRETE DRIVEWAY/PAVEMENT



PROPERTY LINE



BUILDING SETBACKS



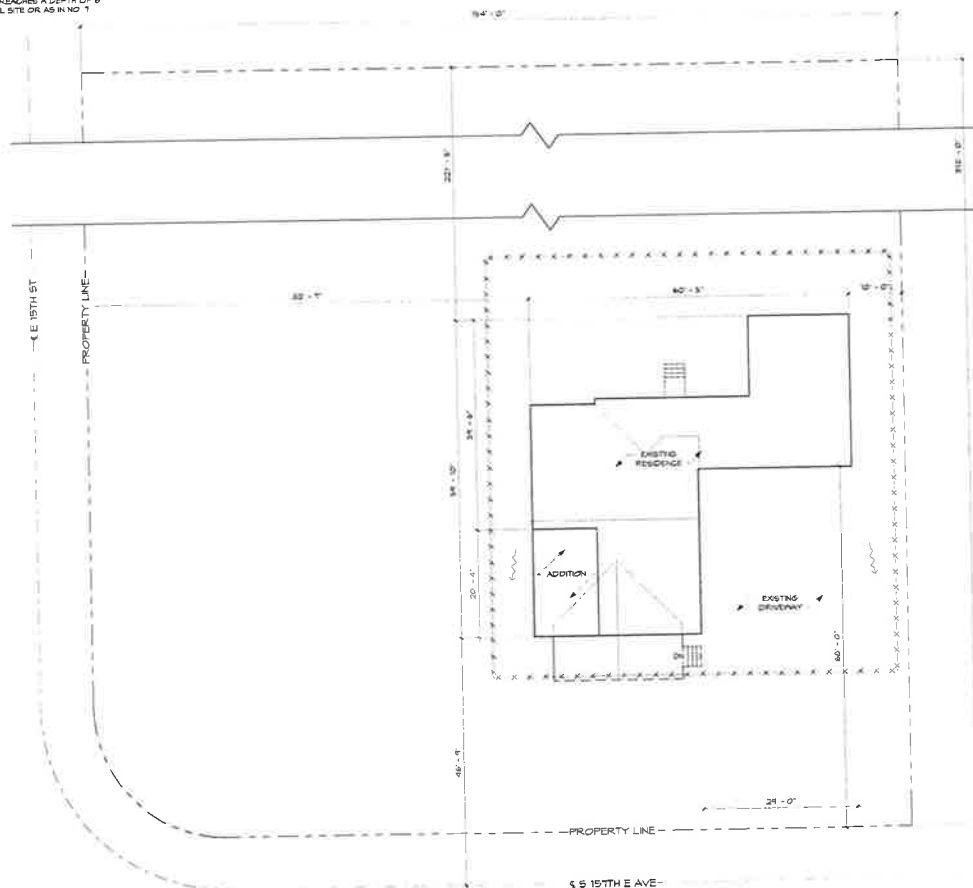
BUILDING OUTLINE



SILT FENCE



DRAINAGE FLOW



1 SITE PLAN
3/32" = 1'-0"



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

CONSULTANT

PROJECT

CARPIO
REMODEL

PROJECT # 21128

1446 S 15TH AVE E
TULSA, OK 74108

REVISIONS

No	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

05.13.2021

SHEET NAME

SITE PLAN

SHEET NUMBER

SP

CARPIO REMODEL

1446 S 15TH AVE E TULSA, OK 74108 Job#21128



TULSA, OK
1512 S. GARNETT RD. SUITE E
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

**CARPIO
REMODEL**

PROJECT # 21128

1446 S 15TH AVE E
TULSA, OK 74108

REVISIONS

No	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

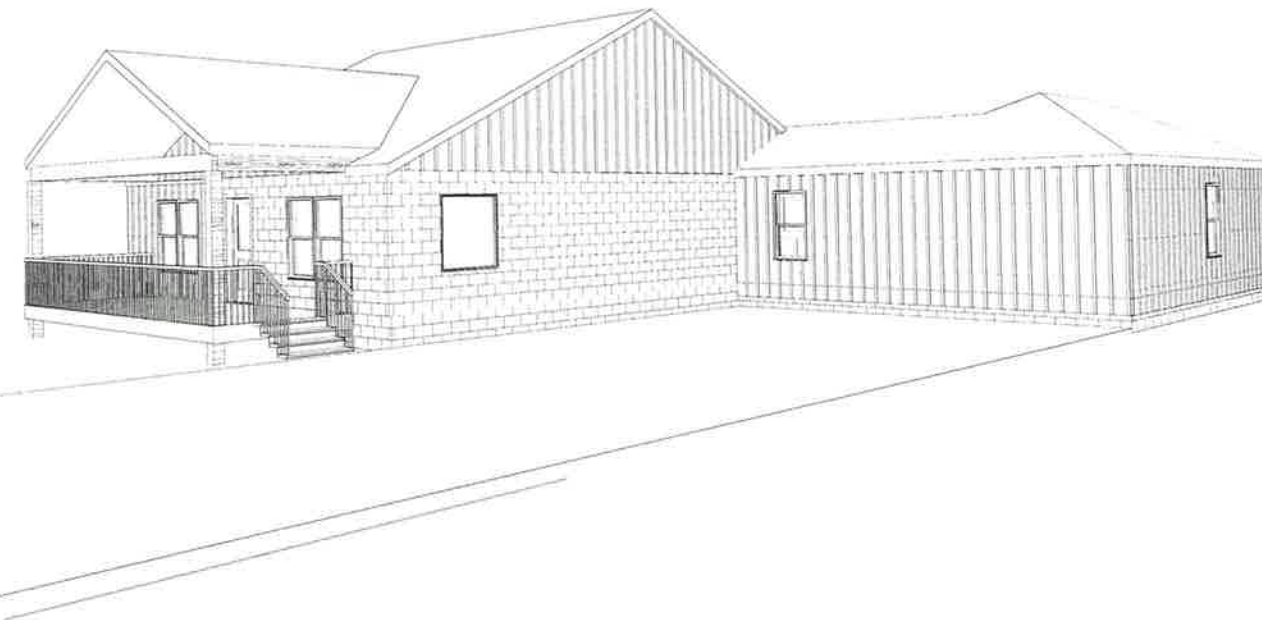
05.13.2021

SHEET NAME

COVER SHEET

SHEET NUMBER

CS



PROJECT TEAM

DESIGN:

RCJ DESIGNS, LLC
1512 S. GARNETT RD. SUITE E
TULSA, OK 74108

RAUL OSEROS JR.
410 858 8343
WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:

SINGLE-FAMILY RESIDENCE REMODEL AND ADDITION

SHEET INDEX

CS	COVER SHEET
SP	SITE PLAN
A1	FLOOR PLAN-FIRST FLOOR
A3	EXTERIOR ELEVATIONS/WALL SECTION
A4	EXTERIOR ELEVATIONS
A5	ROOF PLAN

GENERAL NOTES

- ALL INTERIOR WALLS TO BE AN UNO
- ALL DIMENSIONS ARE TO FACE OF EXISTING WALLS AND CENTERLINE OF WALL/ROUGH OPENING UNO
- ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAMINATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER MANUFACTURER'S INSTRUCTIONS AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS
- NOTIFY OWNER IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED
- ALL MECHANICAL, ELECTRICAL AND PLUMBING ITEMS TO BE PROVIDED ON A DESIGN-BUILD BASIS. IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES. ASIDE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODE
- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO EDGE OF SLAB. HATCHING OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED, UNO

KEYNOTES

- NEW WOODEN STAIRS
A THE RISE HEIGHT SHALL BE NOT MORE THAN 7-3/4"
B THE TREAD DEPTH SHALL BE NOT LESS THAN 10"

REFERENCE

- RE SHEETS A3/A4 FOR EXTERIOR ELEVATIONS
- RE SHEETS AS FOR ROOF PLAN

WALL ASSEMBLIES

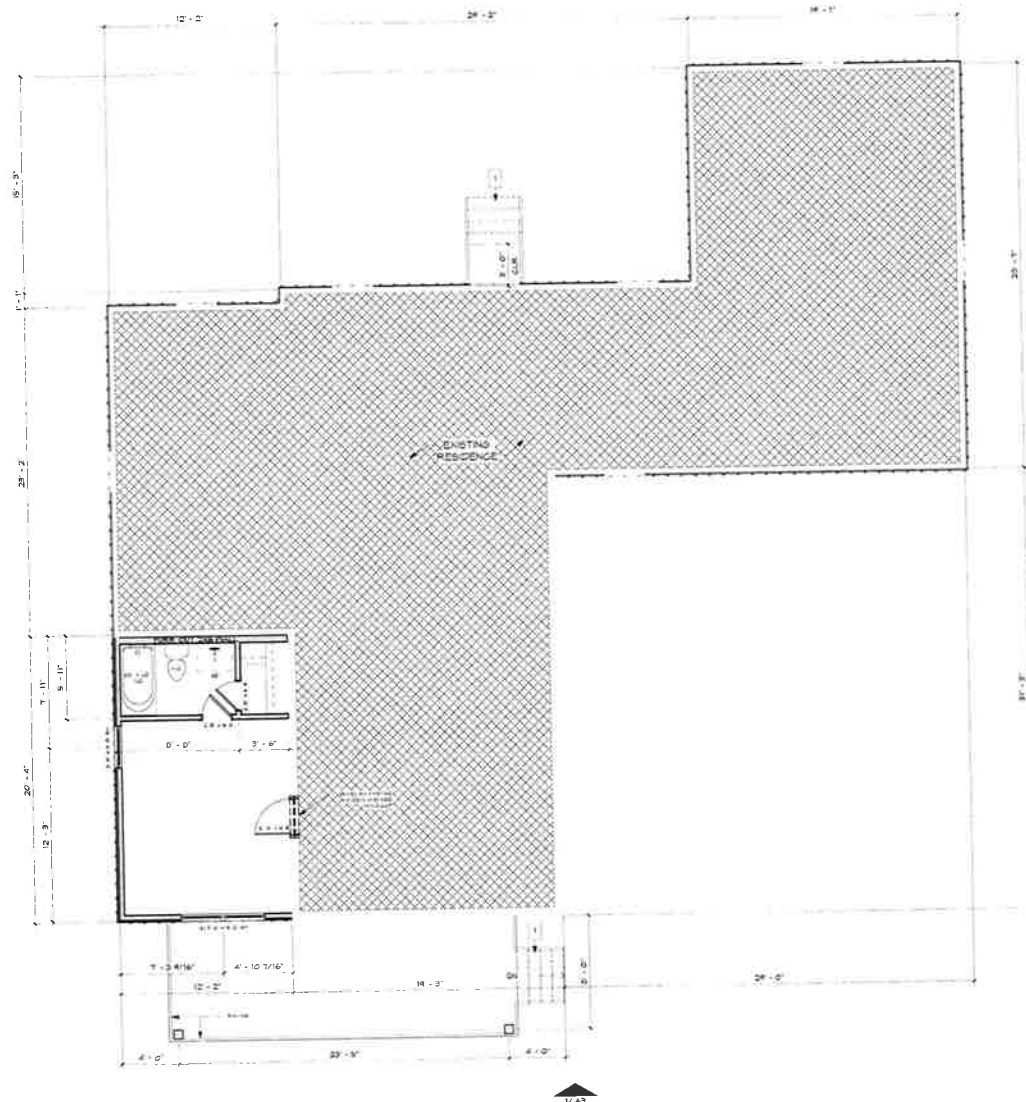
ITEM	DESCRIPTION
	EXISTING EXTERIOR WALL TO REMAIN
	EXISTING INTERIOR WALL TO REMAIN
	NEW EXTERIOR WALL W/ 2x4 STUD
	NEW EXTERIOR WALL W/ 2x6 STUD
	NEW EXTERIOR WALL W/ BRICK VENEER
	NEW INTERIOR WALL

EXISTING IDENTIFY
NEW IDENTIFY
1. 1/2" ADD 1/2" PLASTER
2. 1/2" ADD 1/2" PLASTER
3. 1/2" ADD 1/2" PLASTER
4. 1/2" ADD 1/2" PLASTER
5. 1/2" ADD 1/2" PLASTER
6. 1/2" ADD 1/2" PLASTER
7. 1/2" ADD 1/2" PLASTER
8. 1/2" ADD 1/2" PLASTER
9. 1/2" ADD 1/2" PLASTER
10. 1/2" ADD 1/2" PLASTER
NOTE: ALL INTERIOR WALLS TO BE AN UNO

FLOOR PLAN LEGEND

ITEM	DESCRIPTION
	NEW PARTITION - FIXED (PF)
	NEW PARTITION - SLIDING (SH)
	NEW DOOR OPENING (DO)
	NEW ARCHED DOOR OPENING (AO)
	NEW STANDARD DOOR
	NEW SLIDING DOOR
	NEW BI-FOLD DOOR (BD)
	CEILING MOUNTED SMOKE DETECTOR
	CEILING MOUNTED CARBON MONOXIDE DETECTOR

GENERAL NOTES
NOT ALL ITEMS MAY BE USED



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

TOTAL LIVING: 2,102 SQ FT
FRONT COVERED PORCH: 188 SQ FT



TULSA, OK
P: 918.858.9343
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

CARPIO
REMODEL

PROJECT # 21128

1446 S 15TH AVE E
TULSA, OK 74108

REVISIONS

No Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

05.13.2021

SHEET NAME

FLOOR PLAN
FIRST FLOOR

SHEET NUMBER

A1



TULSA, OK
 (918) 589-9343
 WWW.RCJDESIGNS.COM

CONSULTANT

COMPOSITION SHINGLE ROOF
 OVER 1/2" PLYWOOD
 SHEKING
 2X6 RAFTERS @ 16" O.C.
 R-30 BATT INSULATION
 2X6 CLOSING @ 16" O.C.
 1/2" GYP. BOARD
 DOUBLE 2X4 HEAD PLATE
 ATTACH TO CEILING JOIST
 AS REQ'D
 2X BLOSSING @ SAVE 1/2"
 CEILING BOARD SLOTTED
 IN CONTINUOUS VENTING
 (2) 3 X 12 INCH
 BEING OVER 1/2"
 SHEATHING IN
 MOISTURE BARRIER
 MEMBRANE
 1/2" GYP. BOARD

PLATE HEIGHT
 0' - 0"

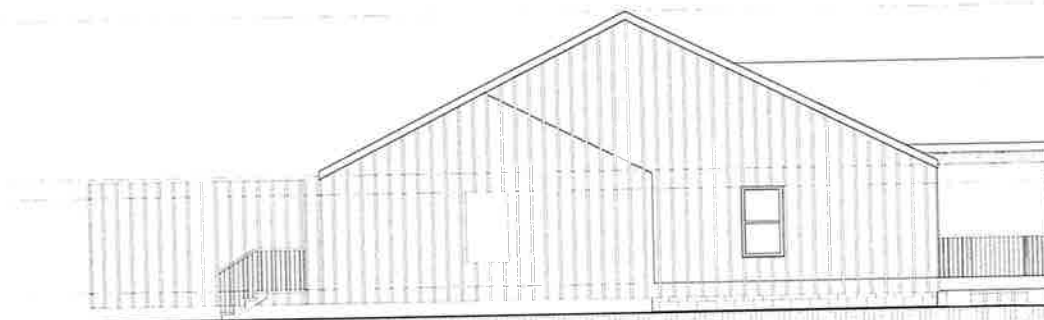
WINDOR HEAD HT
 0' - 0"

WINDOWS AS SCHEDULED
 DBL 2 X 4 SILL PLATE
 2 X 4 STUDS @ 16" O.C. R-19
 BATT INSULATION
 WOOD BARE
 (SELECTION BY OWNER)
 2 X 4 SILL PLATE ATTACH
 TO FLOOR AS REQ'D
 WOOD FLOOR FINISH ON 5/4"
 PLYWOOD DECKING ON 2X10
 DECKING RESISTANT WOOD
 FLOOR JOISTS @ 16" O.C.

FLASH @ TOP OF CMU
 SLOPE GRADE AWAY
 FROM STRUCTURE
 3" X 16" GRAVEL
 SPACE VENT

4" CMU BLOCK IN #3
 VERTICAL REBAR INTO
 FOOTING @ 36" O.C.
 ALL BAR REINFORCEMENT
 BARS SHALL BE PLACED
 HORIZONTALLY, TIED AT THE
 TOP AND TIED AT THE
 BOTTOM IN EACH
 CONTINUOUS FOOTING

TYP. WALL SECTION IN GRAVEL
 SPACE - 0' - 0" PLATE
 3/4" ± 1'-0"



② LEFT SIDE ELEVATION
 1/4" ± 1'-0"

RISID HT
 14' - 3 3/8"

0' PLATE HT
 0' - 0"

WINDOW HD HT
 0' - 0"

FIRST FLOOR
 0' - 0"



① FRONT ELEVATION
 1/4" ± 1'-0"

RISID HT
 14' - 3 3/8"

0' PLATE HT
 0' - 0"

WINDOW HD HT
 0' - 0"

FIRST FLOOR
 0' - 0"

PROJECT

**CARPIO
 REMODEL**

PROJECT # 21128

1446 S 15TH AVE E
 TULSA, OK 74108

REVISIONS

No.	Description	Date
1	LOD #1	8.3.19

PROJECT STATUS

PERMIT SET

DATE DATE

05.13.2021

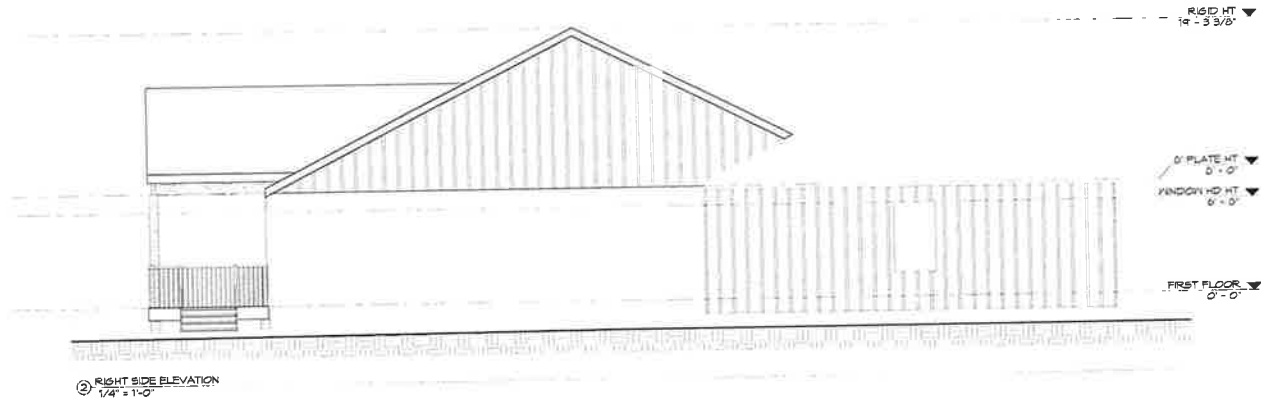
SHEET NAME

**EXTERIOR
 ELEVATIONS/
 WALL SECTION**

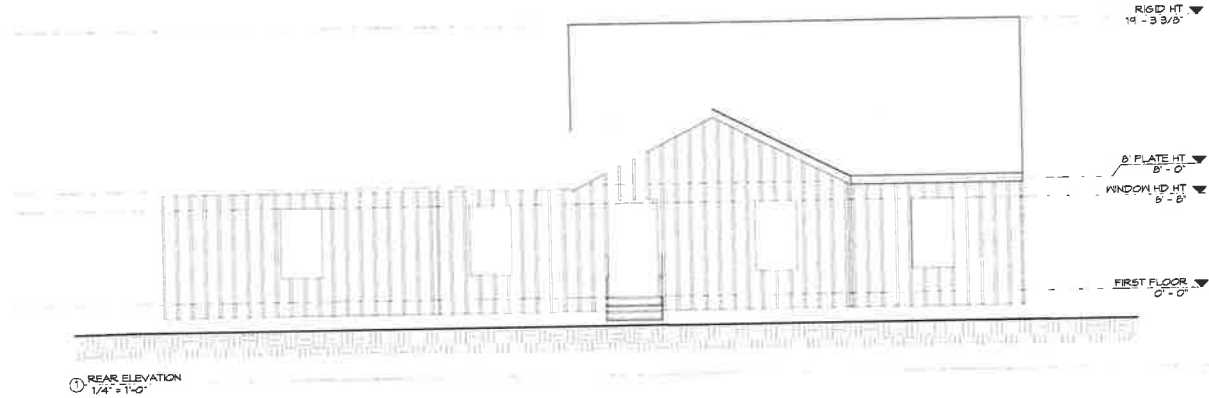
SHEET NUMBER

A3

4.10



② RIGHT SIDE ELEVATION
1/4" = 1'-0"



① REAR ELEVATION
1/4" = 1'-0"



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CONSULTANT

PROJECT

**CARPIO
REMODEL**

PROJECT # 21128

1446 S 15TH AVE E
TULSA, OK 74108

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

05.13.2021

SHEET NAME

**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A4

EDGE FLAW

LEGEND

ROOF PLAN



CONCLUSION

replaced

CARPIO
REMODEL

PROJECT # 21128

1446 S 15TH AVE E
TULSA, OK 74108

REVIEWS

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

PROJECT STATUS

PERMIT SET

ISSUE DATE:

05.13.2021

SHEET NAME

ROOF PLAN

SWEET NADOK

A5

7.11

Danny Whiteman
Zoning Official
Plans Examiner II

TEL (918) 596-9664
dwhiteman@cityoftulsa.org



June 15, 2021

DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD No. 2

Jose Carpio
1446 S. 157th Ave. E.
Tulsa, OK 74108

APPLICATION NO: BLDR-084394-2021
Project Location: 1446 S. 157th Ave. E.
Description: Addition

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

Application No. **BLDC-084394-2021**

1. 5.030-A Table of Regulations

The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

90.090-A.1.b Measurement

For streets not shown on the major street and highway plan, if the width of the right-of-way is 50 feet or less, the measurement must be taken from a point that is 25 feet from the centerline of the actual right-of-way.

Review comments: The proposed addition is on an RS-3 zoned lot, and according to Table 5-3 requires a 25 foot front street setback. According to the rules of measurements for 90.090-A.1.b, the front setback must be measured from a point that is 25 feet from the centerline of 157th Ave. E, since the street ROW at this location is 50 feet or less. This means that the front building setback line for this property is 50 feet from the centerline of the street. The proposed addition and new porch are closer than 50 feet to the centerline of the street. You may revise the plans to increase the front street setback to 50 feet from the centerline of 157th Ave. E., or you may pursue a variance from the Board of Adjustment to have a front street setback of less than 50 feet to the centerline of the street in an RS-3 zoning district.

The zoning review will resume after these modified plans are submitted.

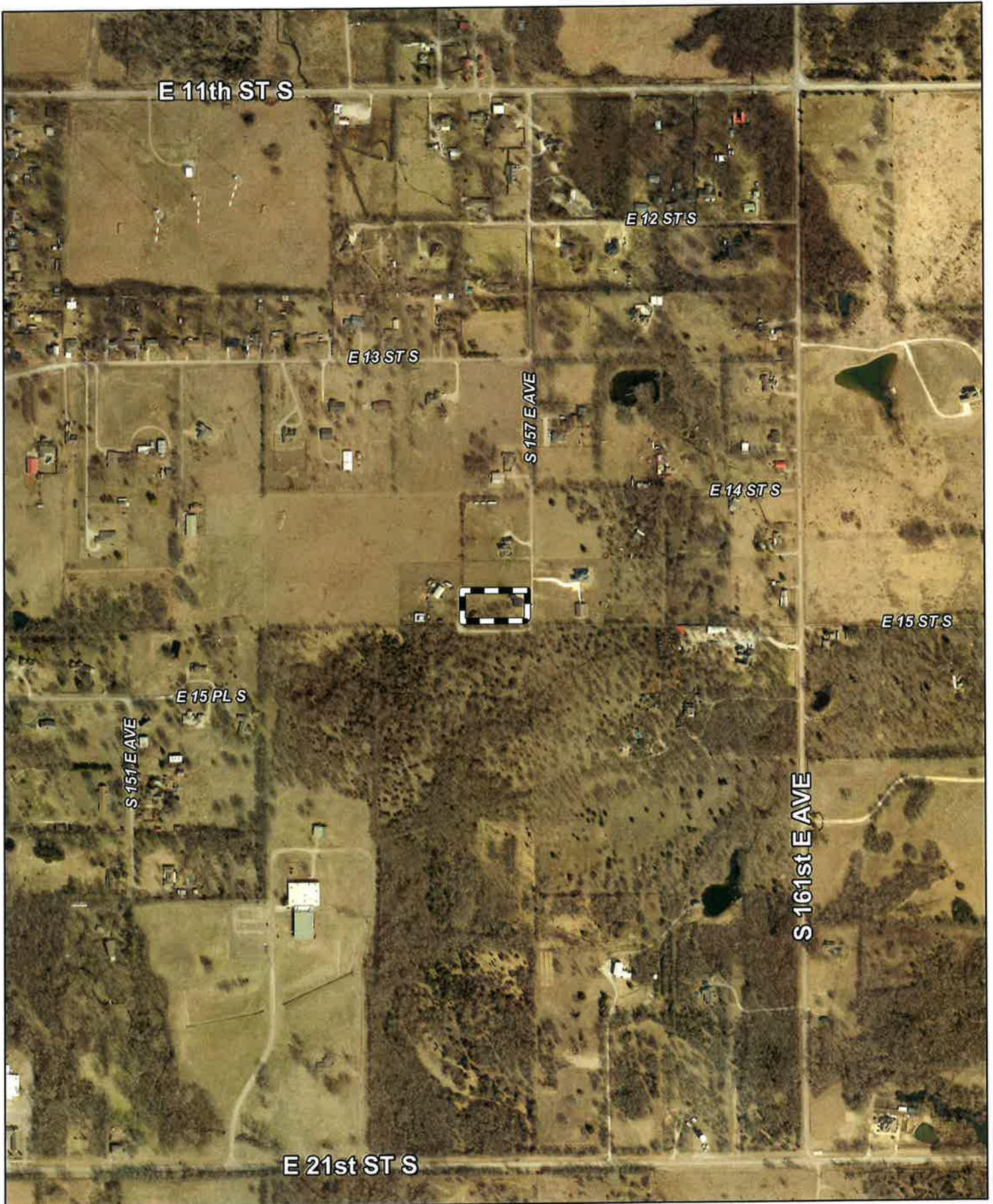
Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant. Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

END-ZONING CODE REVIEW

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

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



0 Feet 250 500



Subject Tract

BOA-23197

19-14 10

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

Aerial Photo Date: 2020/2021



4.14



0 50 100
Feet



Subject
Tract

BOA-23197

19-14 10

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

Aerial Photo Date: 2020/2021



4.15

Re: Board of Adjustment of the City of Oklahoma

Case Number: BOA 32197

BOA-23197

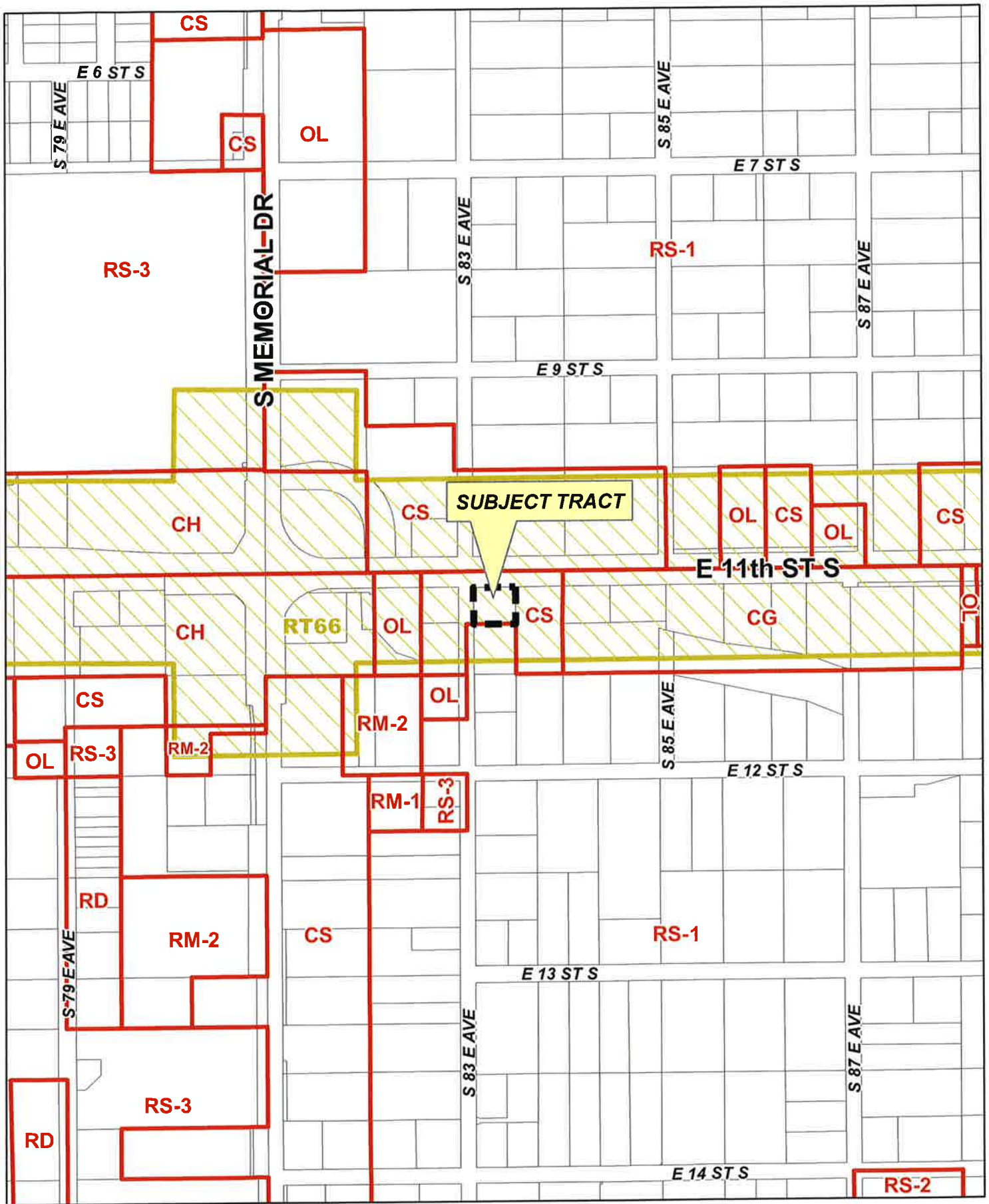
From: Don and Gloria Gilleland
1336 S 157th E Ave
Tulsa, Ok 74018

We are traveling on Tuesday October 26, 2021 and unable to attend the hearing or attend remotely.

We would like to voice our concern regarding the variance:

- The houses built on 157th Street all are at least 25' setback
- Any encroachment on the 25' setback would be a blatant eyesore and devalue the other houses in the neighborhood
- This house has multiple issues such as no location of septic lines, no water line run to the house and possibly encroaching on the 15th street easement and the neighbor property.
- The house is only being worked on during nights and weekends which begs me to ask if they are Getting the necessary permits.

We appreciate your consideration in this matter. We take pride in our home and desire that the neighborhood continue in the direction of the new homes that have been added.



BOA-23198

19-13 12

5.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9312
CZM: 38
CD: 5

Case Number: **BOA-23198**

HEARING DATE: 11/09/2021 1:00 PM *(Board continued item from 10/26/21 in order for the applicant to provide more details on site plan and meet with interested parties)*

APPLICANT: Keith Robertson

ACTION REQUESTED: Special Exception to permit a Commercial Service / Building Service Use in a CS district (Sec. 15.020, Table 15-2)

LOCATION: 8310 E 11 ST S

ZONED: CS

PRESENT USE: Vacant

TRACT SIZE: 17275.97 SQ FT

LEGAL DESCRIPTION: LT 4 LESS BEG SECR TH N162.75 W138.10 S162.75 E138.17 POB BLK 2, FOREST ACRES

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-21875; On 05.12.15 the Board **denied** a Special Exception to permit car sales and a Variance to allow outdoor display of merchandise within 300' of an abutting R District.

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

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

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. and 83rd E. Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Commercial Service / Building Service Use in a CS district (Sec. 15.020, Table 15-2)

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

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Building service	-	-	-	-	S	P	P	P	P	P	P	
Business support service	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Consumer maintenance/repair service	-	-	-	-	P	P	P	P	P	P	P	
Personal improvement service	S	S	S	S	P	P	P	P	P	P	P	
Research service	-	-	-	-	-	S	P	P	P	P	P	Section 40.225

1. Building Service

Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of premises. Typical uses include janitorial, landscape maintenance, carpet cleaning, chimney sweeps, extermination, plumbing, electrical, HVAC, roofing, window cleaning and similar services.

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to permit a Commercial Service / Building Service Use in a CS district (Sec. 15.020, Table 15-2)

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

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



Subject Property



Rear of property abutting City of Tulsa drainage channel



0 Feet 200 400



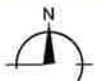
Subject Tract

BOA-23198

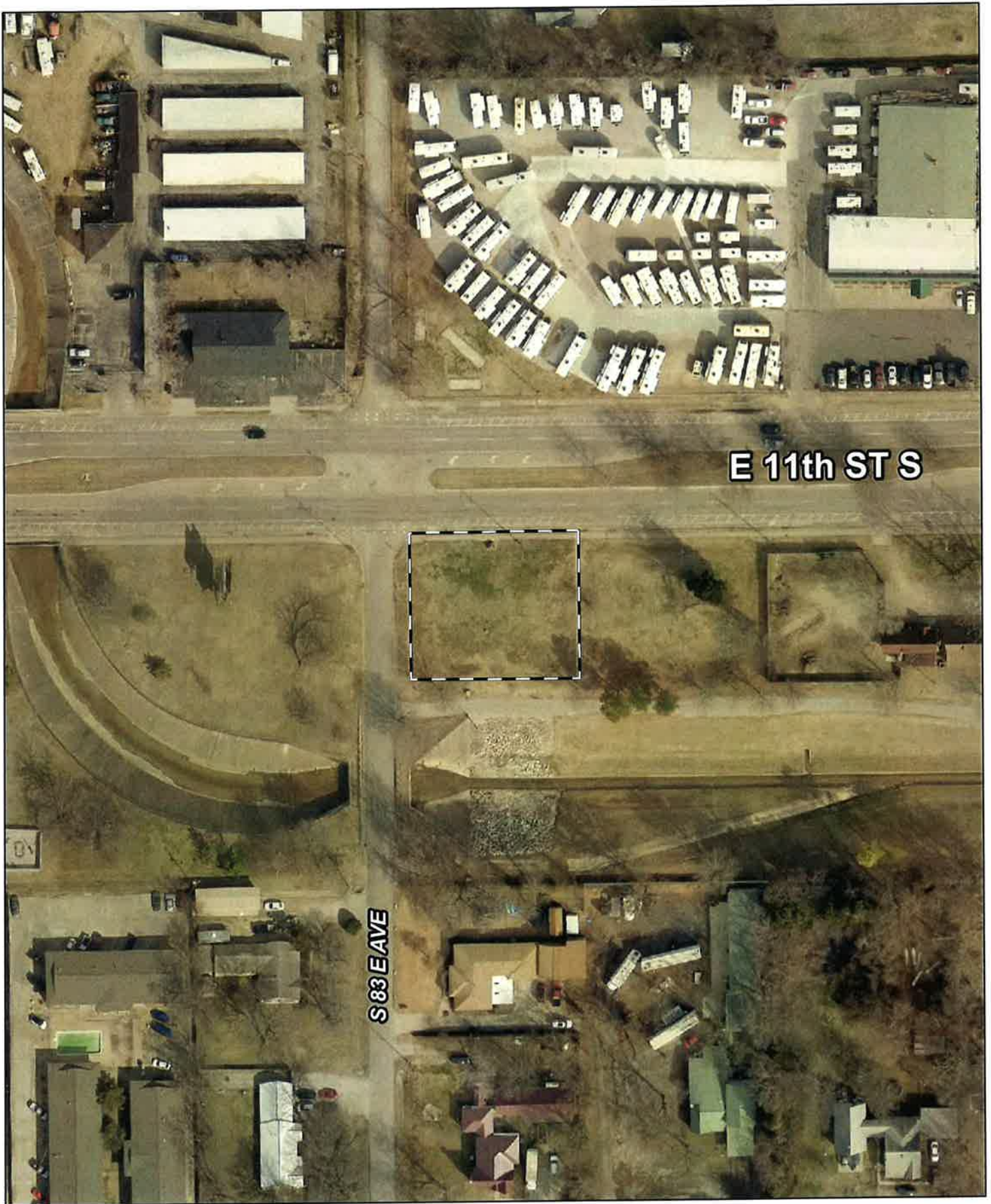
19-13 12

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

Aerial Photo Date: 2020/2021



5.6



E 11th ST S

S 83 E AVE

0 Feet 50 100



Subject Tract

BOA-23198

19-13 12

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

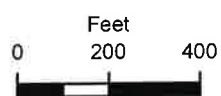
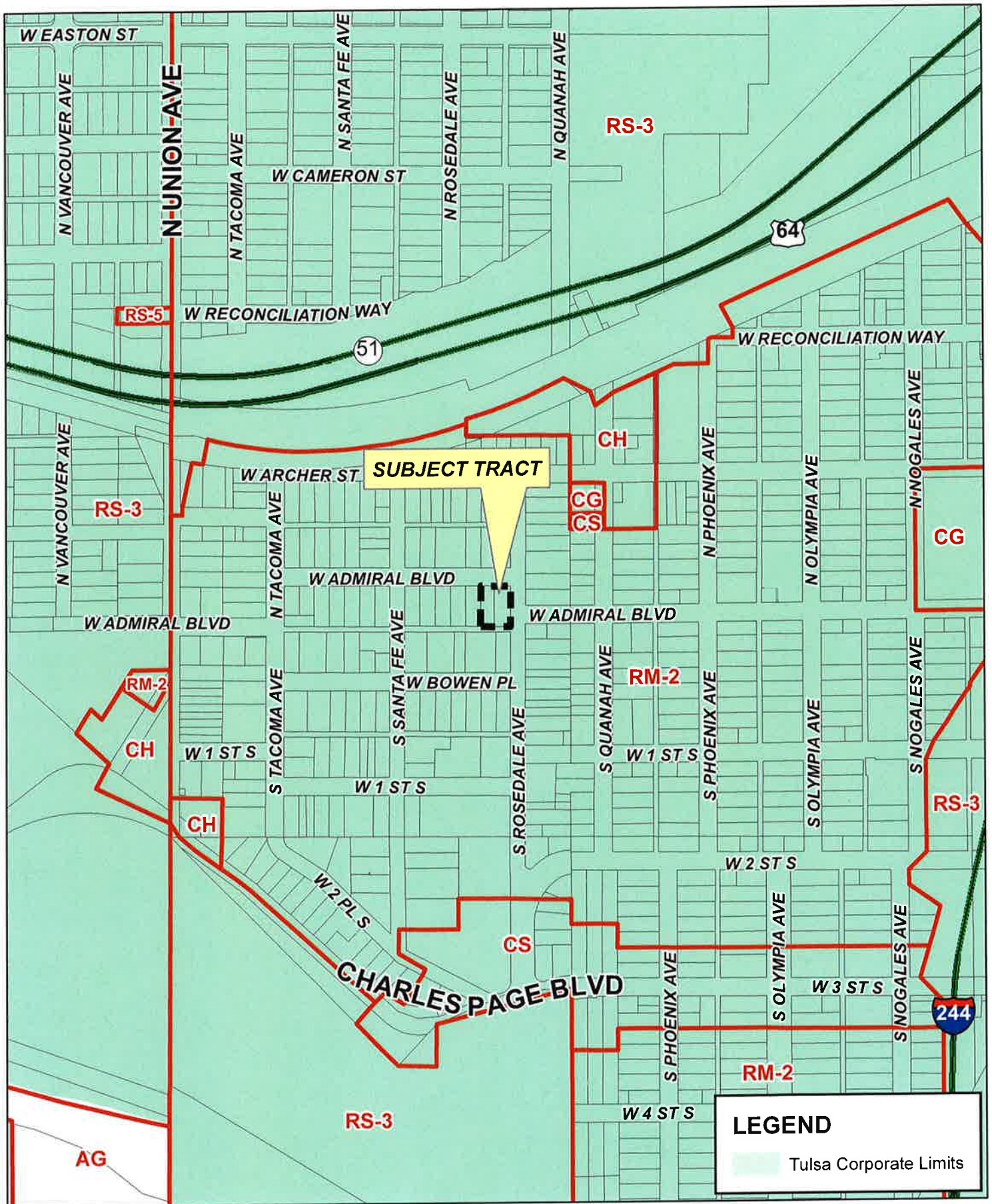
Aerial Photo Date: 2020/2021



5.7

BOA-23199 – ELLER & DETRICH

APPLICATION HAS BEEN WITHDRAWN



BOA-23202

19-12 02

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9202
CZM: 36
CD: 4

Case Number: **BOA-23202**

HEARING DATE: 11/09/2021 1:00 PM

APPLICANT: Jeff Krigel

ACTION REQUESTED: Variance to reduce the required 5-foot side setback and a Variance to reduce the minimum Lot Area and Lot Area per unit of 5,500 square feet and the minimum lot width of 50-feet for a detached house in an RM-2 District to permit a lot line adjustment (Sec. 5.030, Table 5-3)

LOCATION: 1402 W ADMIRAL BV S; 1406 W ADMIRAL BV S **ZONED:** RM-2

PRESENT USE: Residential

TRACT SIZE: 13503.66 SQ FT

LEGAL DESCRIPTION: LTS 1 2 E.5'LT 3 BLK 8; W.20'LT 3 ALL LT 4 BLK 8, OVERLOOK PARK ADDN AMD

RELEVANT PREVIOUS ACTIONS:

BOA-20470; On 04.10.07 the Board **approved** a variance of the minimum lot area, and land area to permit a lot split. Property located 3 S. Rosedale.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of North Rosedale Ave. and West Admiral Boulevard.

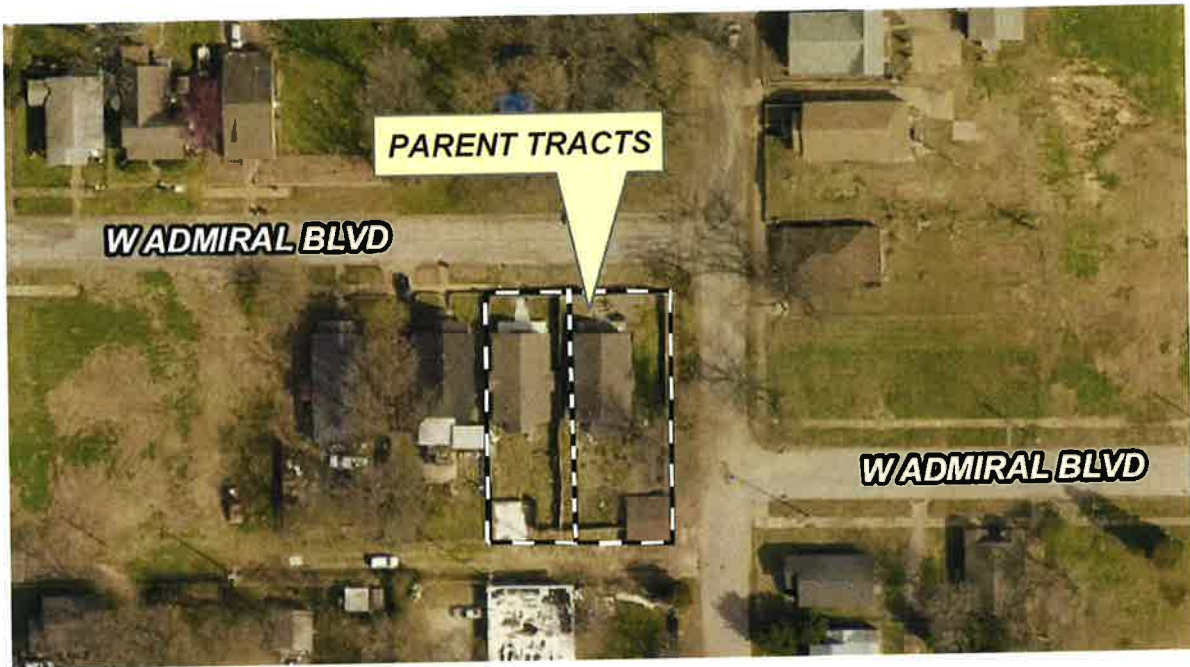
STAFF COMMENTS: The applicant is requesting Variance to reduce the required 5-foot side setback and a Variance to reduce the minimum Lot Area and Lot Area per unit of 5,500 square feet and the minimum lot width of 50-feet for a detached house in an RM-2 District to permit a lot line adjustment (Sec. 5.030, Table 5-3)

7.2

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	-
Duplex	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Multi-unit house	-	-	-	-	-	3,300	6,900	5,500	5,500	5,500	5,500	5,500	-
Apartment/condo	-	-	-	-	-	-	-	-	10,000	10,000	6,000	24,000	-
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	2,500	2,500	2,500	2,500	2,500	2,500	2,500	-
Duplex	-	-	-	3,450	2,750	1,650	2,750	2,750	2,750	2,750	2,750	2,750	-
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/condo	-	-	-	-	-	-	-	-	2,900	1,750	1,100	400	-
Other allowed buildings/uses													
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	25	20	25	20	20	20	20	20	-
Cottage house dev't	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	60	50	30	50	50	50	50	50	50	-
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses													
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	10	10	10	10	35
Other streets	35	35	30	25	20	20	25	10	10	10	10	10	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	-	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	35	35

The lots exist currently with non-conformities and a lot line running through one building. Adjusting the lot line would be create new non-conformities on the Western lot which creates the need for the requested variances.



STATEMENT OF HARDSHIP: The two properties need to be severed as in order to sell one. I would be selling about 5' of interior space to the non offended property. I bought these houses at separate times. The two properties have exsisted in their current state for over 100 years. My hardship is that in order to sell one property without this adjustment I am required to sell about 5 ' of interior living space of the other property.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to reduce the required 5-foot side setback and a **Variance** to reduce the minimum Lot Area and Lot Area per unit of 5,500 square feet and the minimum lot width of 50-feet for a detached house in an RM-2 District to permit a lot line adjustment (Sec. 5.030, Table 5-3)

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

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

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



Facing East on Admiral



Facing West on Admiral



Subject Properties

neighborhood. She indicated that very few people use the 145th Street exit. Ms. Schacht stated there is a lot of speeding traffic. She attributed the decreased sales of homes to the speeding and heavier traffic on their neighborhood streets.

Applicant's Rebuttal:

Mr. Norman responded that the Comprehensive Plan for Tulsa has strongly recommended for 35 – 40 years that elementary schools be located in the center of the section. This was discussed when the application went to the Board for the construction of Rosa Parks. Mr. Norman pointed out one stub street was closed to through traffic. He noted that Quail Ridge has very little off-site traffic because this section has been so lightly developed and is likely to remain that way.

Board Action:

On **Motion of Stead**, the Board voted 4-0-0 (White, Stephens, Henke, Stead "aye"; no "nays"; no "abstentions"; Tidwell "absent") to **APPROVE** the Modification of a previous approval and plan to permit the addition of an early childhood and preschool education facility to the existing elementary school campus, subject to applicant's exhibit C, amended site plan, on the following described property:

LT 1 BLK 1, UNION ELEMENTARY #12 ADDN, City of Tulsa, Tulsa County,
State of Oklahoma

*****.

Case No. 20470

Action Requested:

Variance of the minimum permitted lot area in an RM-2 district from 5,500 sq. ft. to 3,500 sq. ft. (tract 1) and 3,875 sq. ft. (tract 2); and a Variance of the minimum permitted land area in an RM-2 district from 6,750 sq. ft. to 6,200 sq. ft. (Sec 403); to permit a lot split, located: 3 South Rosedale Avenue West.

Presentation:

David Dryer, 5110 South Yale, Suite 430, stated the applicant purchased the property with two houses. A title opinion showed the two houses were on one lot. They sought a lot-split to clear the title.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of White**, the Board voted 4-0-0 (White, Stephens, Henke, Stead "aye"; no "nays"; no "abstentions"; Tidwell "absent") to **APPROVE** a Variance of the minimum permitted lot area in an RM-2 district from 5,500 sq. ft. to 3,500 sq. ft. (tract 1) and 3,875 sq. ft. (tract 2); and a Variance of the minimum permitted land area in an RM-2 district from 6,750 sq. ft. to 6,200 sq. ft. (Sec 403); to permit a lot-split; all parking and driving surfaces to be concrete or asphalt; finding by reason of

extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LTS 1 2 BLK 13, OVERLOOK PARK ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20472

Action Requested:

Special Exception to modify the height of a fence in the required front yard from 4 ft. to 8 ft. at its highest point (Section 210.B.3), located: Northeast corner of Columbia Avenue and East 45th.

Mr. Henke recused himself and left the room at 2:39 p.m.

Presentation:

Lou Reynolds, 2727 East 21st Street, represented John Pixley, the applicant, owner of the house to the north of this property. They talked with nine out of the ten neighbors, all of which were in support of the application. He provided exhibits, including a map and letters (Exhibits C-1 and C-2). He had photographs to show this type of request was not unusual for this neighborhood.

Board Action:

On **Motion of White**, the Board voted 3-0-1 (White, Stephens, Stead "aye"; no "nays"; Henke "abstained"; Tidwell "absent") to **APPROVE** a Special Exception to modify the height of a fence in the required front yard from 4 ft. to 8 ft. at its highest point (Section 210.B.3), subject to the applicant exhibits A, C and E in the agenda packet, finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

S105 W/2 LT 15 BLK 7, VILLA GROVE PARK, City of Tulsa, Tulsa County, State of Oklahoma

Mr. Henke returned.

Case No. 20473

Action Requested:

September 13, 2021

RE: Lot Line Adjustment. Overlook Park
Jeff Krigel. WO 106267

Existing Un-Divided Tract:

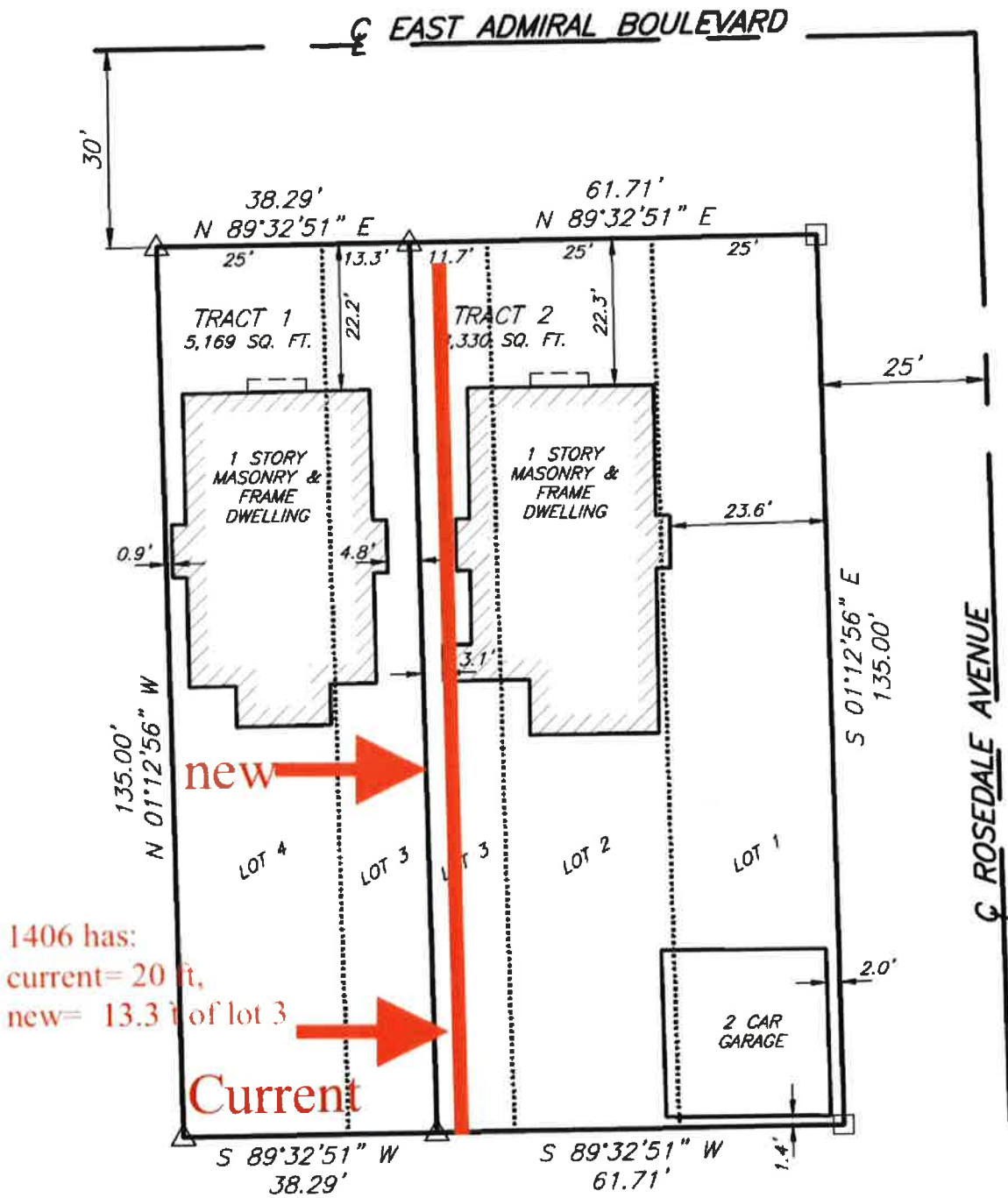
Lots One (1), Two (2), Three (3), and Four (4), Block Eight (8), Amended Plat of Overlook Park Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Tract 1:

The West 13.30 feet of Lot Three (3) and all of Lot Four (4), Block Eight (8), Amended Plat of Overlook Park Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Tract 2:

Lots One (1), Two (2), and the East 11.70 feet of Lot Three (3), Block Eight (8), Amended Plat of Overlook Park Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.



1"=30'



WHITE SURVEYING COMPANY

• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924

Exhibit C

LOT LINE ADJUSTMENT

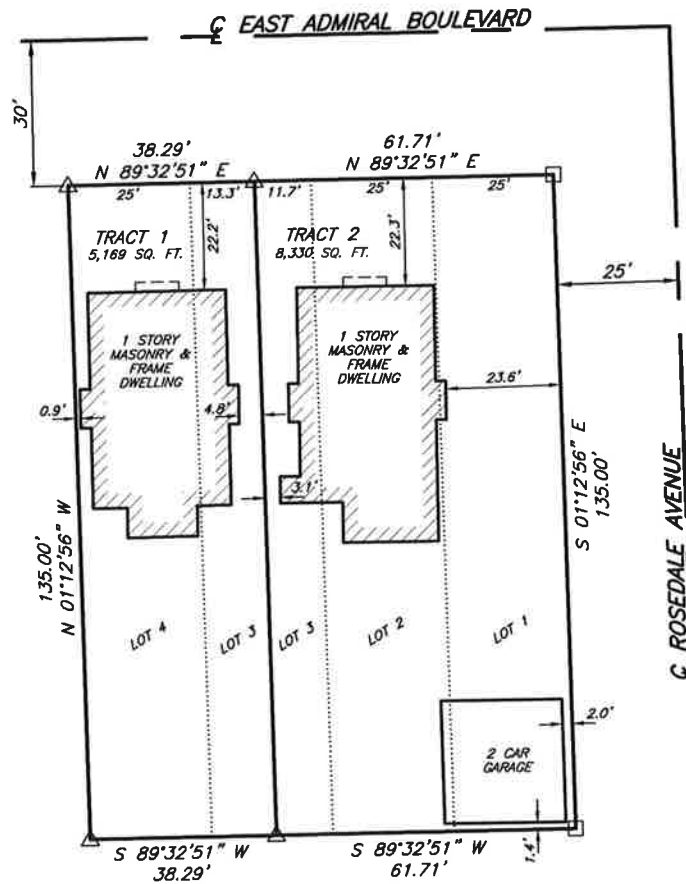
LOTS 1, 2, 3, & 4, BLOCK 8,
OVERLOOK PARK ADDITION AMENDED,
CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA

GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON: THE
OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011).

NO BUILDING LINES OR EASEMENTS ARE SHOWN ON THE
RECORDED PLAT OF OVERLOOK PARK ADDITION AMENDED.

- △ DENOTES SET 3/8" IRON PIN WITH CAP "WHITE CA1098"
- DENOTES SET MAGNETIC NAIL WITH WASHER "WHITE CA1098"

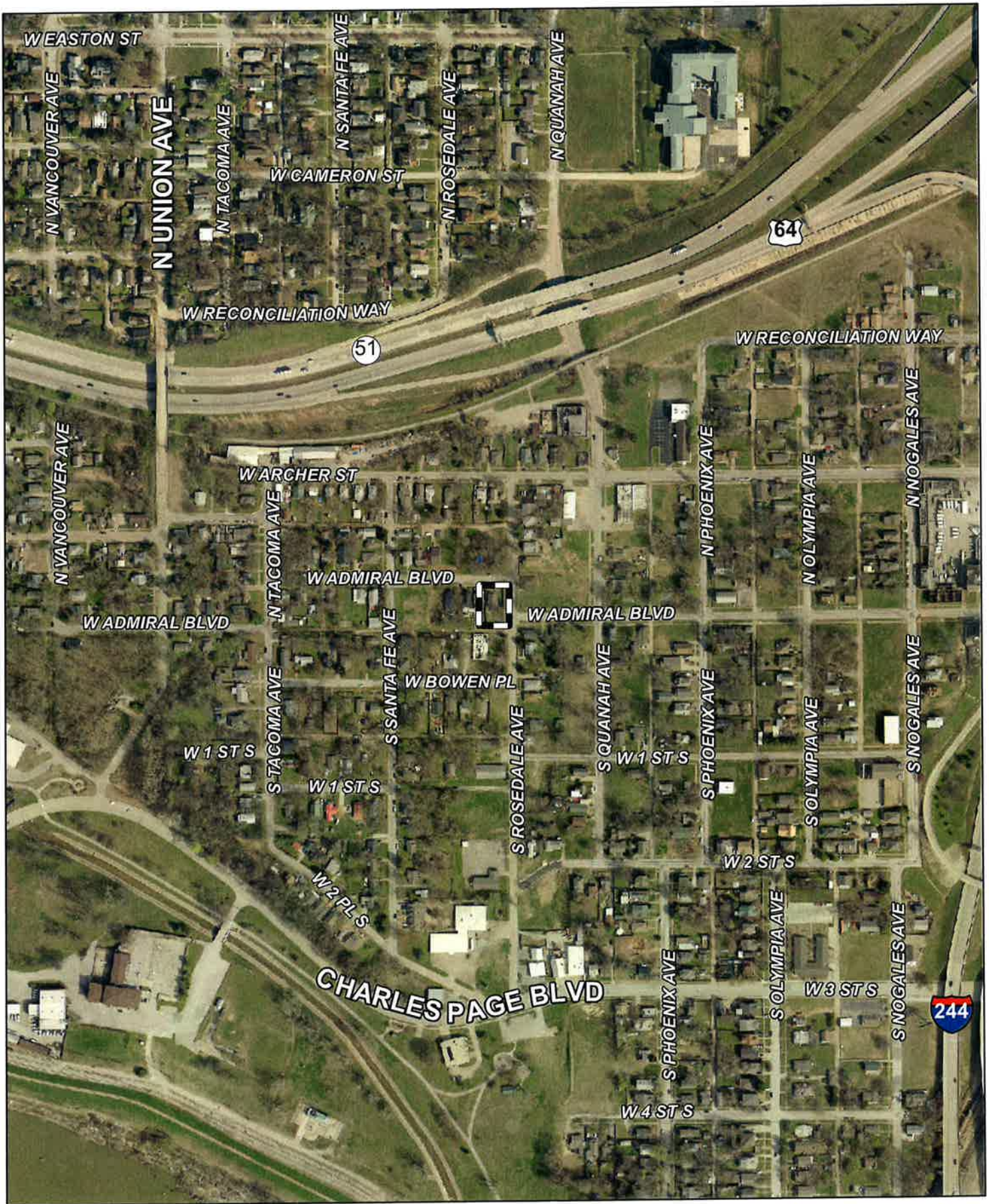


WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098
(RENEWAL 6/30/2023)

BY: R. K. Shoefstall DATE: 9/16/21

REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676

7.12



0 Feet 200 400



Subject Tract

BOA-23202

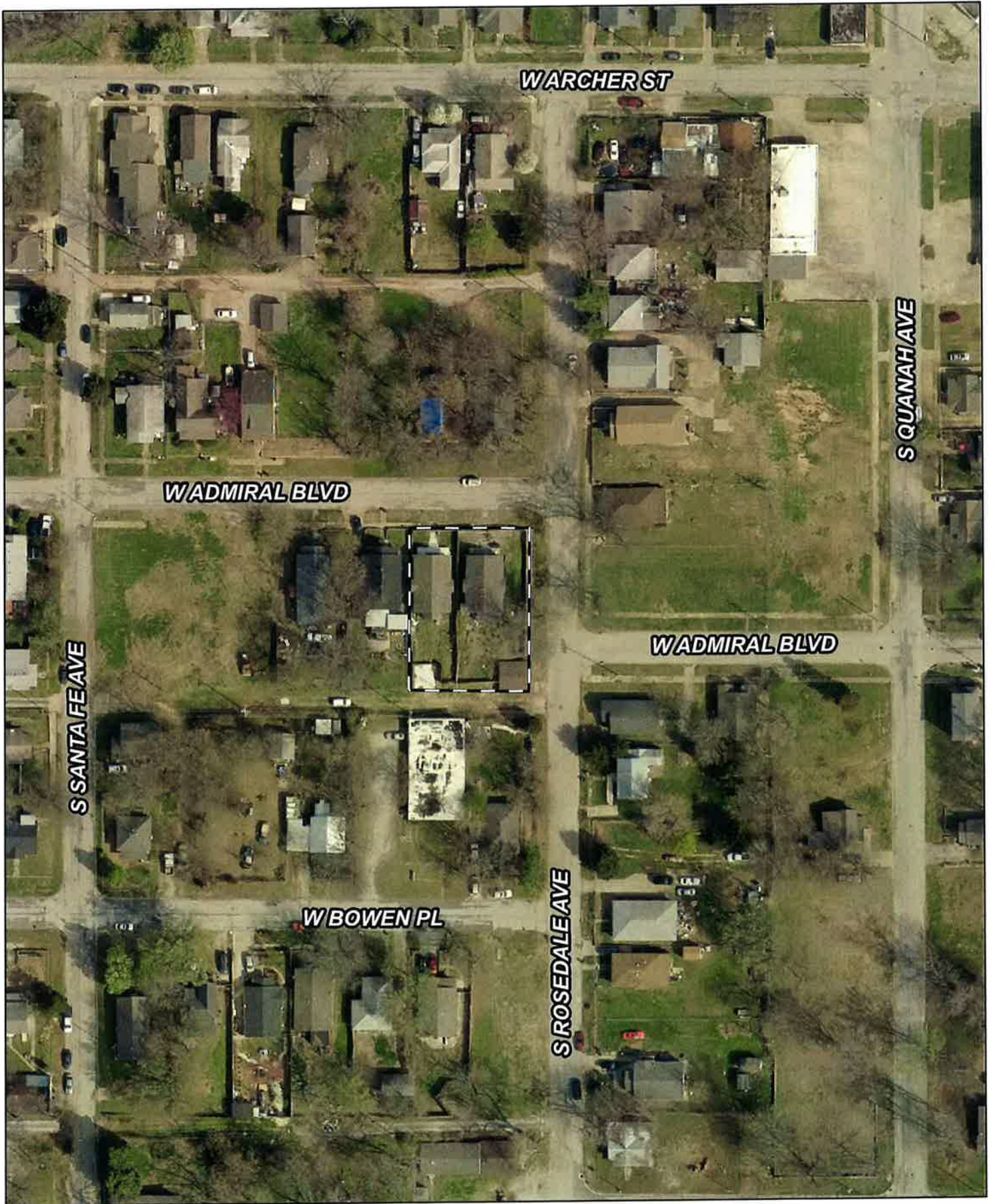
19-12 02

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

Aerial Photo Date: 2020/2021



7.13



0 Feet 50 100



Subject Tract

BOA-23202

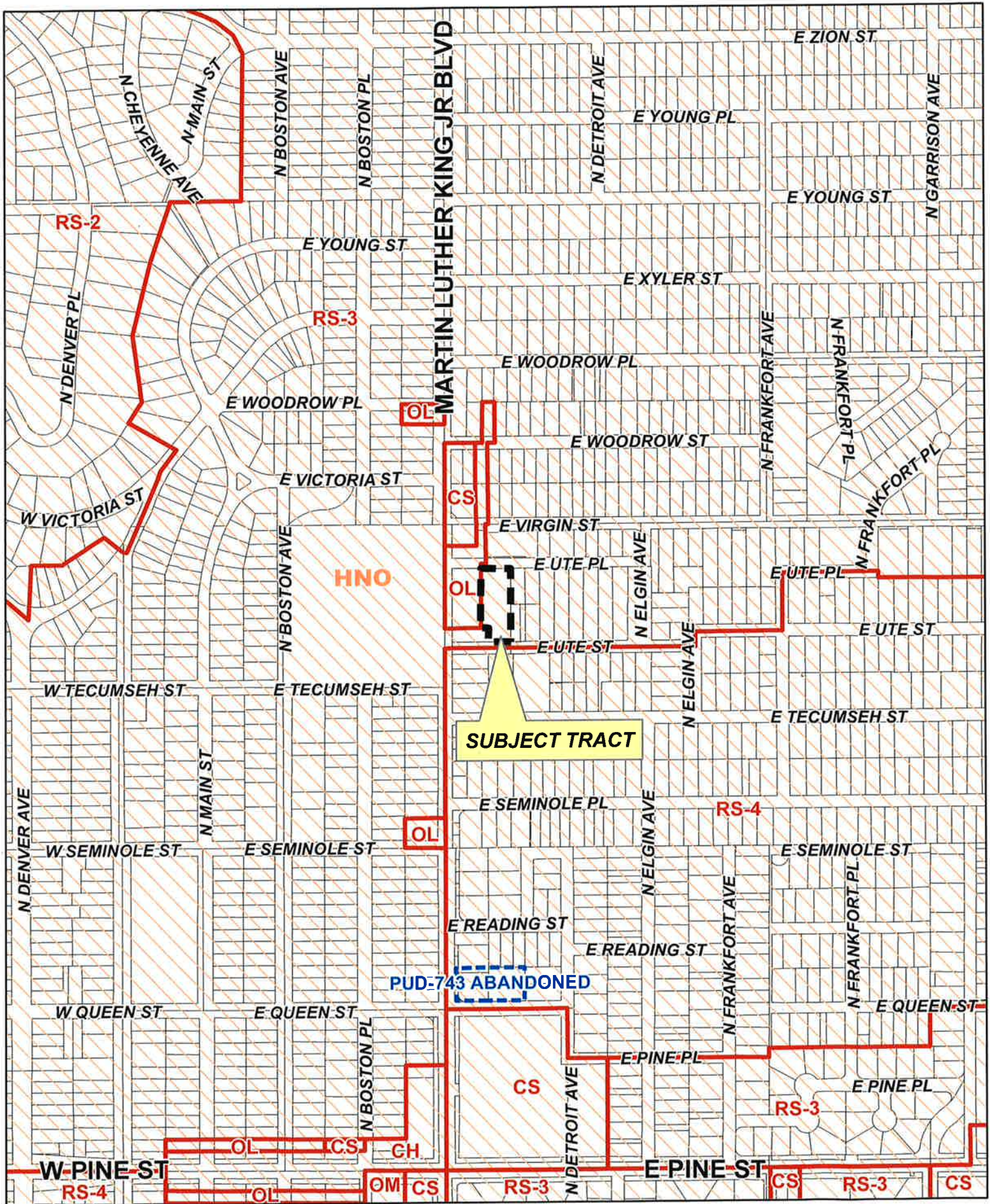
19-12 02

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

Aerial Photo Date: 2020/2021



7.14



BOA-23203

8.1

20-12 25

BOARD OF ADJUSTMENT CASE REPORT

STR:
CZM: 28
CD: 1

Case Number: **BOA-23203**

HEARING DATE: 11/09/2021 1:00 PM

APPLICANT: Nathan Cross

ACTION REQUESTED: Special Exception to expand a Religious Assembly Use in an RS-3 District (Sec. 5.020, Table 5-2;)

LOCATION: 2027 N MARTIN LUTHER KING JR BV E; **ZONED:** RS-3

PRESENT USE: Vacant

TRACT SIZE: 34747.08 SQ FT

LEGAL DESCRIPTION: LTS 11 & 12 BLK 5, MEADOWBROOK ADDN

RELEVANT PREVIOUS ACTIONS:

BOA-17404; On 06.11.96 the Board **upheld** the decision of an administrative official to issue a Certificate of Occupancy for the John 3:16 Mission finding that they were approved as a church. In upholding the decision the Board did restrict certain activities including a homeless shelter, residential treatment for drug and/or alcohol dependency. Lot 12 was included in this case though it is unclear what activities if any were conducted on this site.

Surrounding properties:

BOA-20689; On 06.10.08 the Board **approved** Special Exception to permit a (Use Unit 5) Place of Worship accessory structure in the RS-3 district (Section 401); Special Exception to modify the height of a fence in the required front yard in the RS-3 district (Section 210.B.3); Variance of the setback of a fence and structure from the centerline of an abutting ROW (Section 215) to permit a playground addition to an existing Place of Worship facility. Property located Lot 33 Block 5 Meadowbrook addition.

BOA-2690-A; On 06.08.55 the Board **approved** a request for the existing Church to establish off-street parking on the North 130' of Lot 33 Block 5 Meadowbrook addition.

BOA-2690; On 05.11.55 the Board **approved** a request for the existing Church to establish off-street parking on the North 120' of Lot 33 Block 5 Meadowbrook addition.

BOA-1957; On 02.11.48 the Board **approved** a request to establish a church on Lot 14 and the South 125' of Lot 13 Block 5 Meadowbrook addition.

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

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

8.2

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of Peoria between Ute Pl. and Ute St.

STAFF COMMENTS: The applicant is requesting a Special Exception to expand a Religious Assembly Use in an RS-3 District (Sec. 5.020, Table 5-2;)

Religious Assembly Uses are subject to the following supplemental regulations:

Section 40.320 Religious Assembly

The supplemental use regulations of this section apply to religious assembly uses in AG and R districts.

40.320-A In AG and R zoning districts, religious assembly uses must be located on lots with a minimum lot area of one acre and a minimum lot width of 100 feet.

40.320-B In AG and R zoning districts, off-street parking on the site of a religious assembly use is prohibited in street building setbacks.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to expand a Religious Assembly Use in an RS-3 District (Sec. 5.020, Table 5-2;)

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

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



Facing West on Ute Pl.



Subject Property

LT 10 BLK 12, CROSBIE HGTS, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

Case No. 20683

Action Requested:

Appeal the determination of the neighborhood inspector to allow a pool to remain on a lot temporarily without a principal dwelling (Section 401), located: 10643 South 68th East Avenue.

Presentation:

The applicant, **Bryan Shelton**, was present. Mr. Henke noted the appeal was filed after the ten days allowed. He announced the Board cannot hear the case, as they do not have jurisdiction.

Board Action:

On **Motion of White**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell, "aye"; no "nays"; no "abstentions"; Stephens "absent") to **DISMISS** the Appeal of the determination of the neighborhood inspector to allow a pool to remain on a lot temporarily without a principal dwelling (Section 401), finding the appeal was filed after the ten-day filing period, on the following described property:

LT 12 BLK 5, FOREST TRAILS, City of Tulsa, Tulsa County, State of Oklahoma

Interested Parties:

Leslie Dalton, 6826 East 105th Street, President of the Forrest Hills Neighborhood Association, asked to come before the Board. She stated this has become a neighborhood battle. She asked where the neighborhood goes from this point. She was directed to the Neighborhood Zoning Inspector or the next appeal would be to the District Court. She was also informed that she could look up the staff comments on the INCOG website.

Mike Snocky, 10644 South 68th Avenue East, also questioned who has jurisdiction following this decision. He was directed to neighborhood inspection.

Case No. 20689

Action Requested:

Special Exception to permit a (Use Unit 5) Place of Worship accessory structure in the RS-3 district (Section 401); Special Exception to modify the height of a fence in the required front yard in the RS-3 district (Section 210.B.3); Variance of the setback of a fence and structure from the centerline of an abutting ROW (Section 215) to permit a playground addition to an existing Place of Worship facility;

FILE COPY

Variance of the front yard requirement in the RS-3 district (Section 403); Variance of the minimum 12,000 sq. ft. lot area and 100 ft. of frontage required for a Use Unit 5 (place of worship accessory) use permitted by special exception in the RS-3 district (Section 404.F) to permit a playground addition to an existing Place of Worship facility; located: 1923 North Cincinnati.

Presentation:

Kevin Coutant, 320 South Boston, Suite 500, Tulsa, Oklahoma, provided an organized packet to present the application (Exhibits C-1, C-2, C-3). They proposed to construct an outdoor playground with playground equipment. The plan includes a wrought iron fence and landscaping. This would be an accessory use for the Family and Youth Services facility, thus the request for a Use Unit 5. He pointed out the need for security with consideration to the Major Street and Highway Plan, street frontage requirement on Cincinnati, lot size, and the 35 ft. setback. He stated it is consistent with the current use. He pointed out that the nearby playground is across the street, which is a safety issue. He added this is a low intensity use, and would be an improvement to the community. He referred the Board to the letters of support from the school and the Dunbar Neighborhood Association.

Comments and Questions:

Ms. Stead was in favor of this application for playground use only.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell, "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Special Exception to permit a (Use Unit 5) Place of Worship accessory structure in the RS-3 district (Section 401); Special Exception to modify the height of a fence in the required front yard in the RS-3 district (Section 210.B.3); Variance of the setback of a fence and structure from the centerline of an abutting ROW (Section 215) to permit a playground addition to an existing Place of Worship facility; Variance of the front yard requirement in the RS-3 district (Section 403); Variance of the minimum 12,000 sq. ft. lot area and 100 ft. of frontage required for a Use Unit 5 (place of worship accessory) use permitted by special exception in the RS-3 district (Section 404.F) to permit a playground addition to an existing Place of Worship facility; with the following conditions: shall be per the conceptual plan and fence description as shown on pages 5.8 and 5.9 of the agenda packet; approvals are for playground use only in connection with the worship facility; no other Use Unit 5 services shall be provided on the property; tie agreement with the John 3:16 property to the north shall be executed; the proposed wrought iron fence be constructed; finding the basic hardship is the size of the lot, whereas portions of these requests require 12,000 sq. ft., there is little more than 8,000 sq. ft. available, by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the

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land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LOT-33-BLK-5, MEADOWBROOK ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20695

Action Requested:

Variance of the maximum signage permitted in the IL district on property with no frontage on a major street (Section 1221.C.8.b) to permit two (2) ground signs, located: 3322 North 74th Avenue East.

Presentation:

Bill Rodgers, 9521-D Riverside Parkway, Tulsa, Oklahoma, represented Intercontinental Jet Service Corporation. The property is owned by the City of Tulsa, and it is located on a non-arterial street. The applicant has a hanger on the airport. They have a permit for a large monument sign. He pointed out this is a 600 ft. lot with a large drainage ditch at the front. There are four separate entrances. They proposed to put up good directional signage and keep the appearance of the property aesthetically pleasing. The proposed sign is 90 sq. ft., though the ordinance allows for 120 sq. ft.

Comments and Questions:

Ms. Stead noted a 24 ft. sign on the building. Mr. Rodgers replied that it cannot be seen from the road. She also noted two existing directional signs. He added that anywhere else in Tulsa, on a major thoroughfare, there would be no question. He stated with 600 ft., they could put up three to five monument signs. The unique circumstance is that it is not located on a major street. Mr. Rodgers reminded the Board that they already have a permit for the main monument sign.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of White**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell, "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Variance of the maximum signage permitted in the IL district on property with no frontage on a major street (Section 1221.C.8.b) to permit two (2) ground signs, finding the size of the tract, particularly the frontage, and the fact this is airport property and not normal city streets, creates an unusual condition; and to deny this would cause an unnecessary hardship; and finding there are three entrances across the tract;

Case No. 17403 (continued)

Interested Parties:

John Crater stated he owns rental property very close to the subject property and would like it clarified as to where this will be located. He was informed to approach the Board and they would show him the location of the proposed facility within the existing building (1st floor).

Mr. Gardner asked if the facility is in the sixty (60) story tower, thirty (30) or twenty (20) story tower? The applicant explained that the City Plex Towers has a four story base that is common to all three towers and the proposed facility will be located on the first floor of the base.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Abbott, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, Box "absent") to **APPROVE** a **Special Exception** to permit a dry cleaning pick-up facility in an OMH and OM zoned district. **SECTION 602. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS** - Use Unit 13; per plan submitted (600 SF); finding that approval of this application will not be injurious to the area, nor harmful to the spirit and intent of the Code; on the following described property:

Block 1, ORU Heights 2nd Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17404

Action Requested:

Appeal of the Decision of an Administrative Official in issuing a certificate of occupancy for the John 3:16 Mission contending that certain activities of the John 3:16 Mission are not permitted under the Zoning Code. **SECTION 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL**, located 2027 North Cincinnati Avenue.

Presentation:

The applicant, **Joe Williams**, Councilman 1st District, submitted an Appeal Notice (Exhibit N-3), letters of agreement with interested parties (Exhibit N-2) and a site plan (Exhibit N-1). Mr. Williams stated he filed an appeal on May 10, 1996, for a certificate of occupancy which was issued to the John 3:16 Mission located at 2027 North Cincinnati. He explained the concerns that were expressed by the community were that proximity of the building to the neighborhoods and being across from an elementary school. He related that he met with the administration of John 3:16 Mission and expressed the concerns of the community that the church would be used as a homeless shelter or a drug and alcohol treatment center. He stated the members of the Mission were agreeable to having restrictions so the subject property will not be used for the activities stated above. He further stated youth activities and GED classes were not a problem with the community.

Comments and Questions:

Ms. Turnbo asked Mr. Williams if he had objections to Alcoholic Anonymous meeting at the church, because a lot of the AA meetings do meet in churches? He stated he did not see this as a treatment program and he would feel this is in line with church activities.

Mr. Gardner stated the items listed under Item No. 2 of the letter dated May 10, 1996, to the Board, homeless shelter or drug/alcohol residential treatment facilities are Use Unit 2 uses and require approval of a special exception.

Interested Parties:

Dwayne Midget, Mayor's Office, stated he has been working on this particular item for six (6) years. He further stated an agreement has been reached that will be workable for everyone concerned. He commented he is very pleased that John 3:16 has agreed to some of the concerns and restrictions requested. He requested from John 3:16 that the primary function remain as a church. He further requested the Board to approve the restrictions on this particular application.

Kevin Coutant, 320 South Boston, representing John 3:16 Mission, stated in 1991 the subject building was donated to the Mission by the Sandusky Avenue Christian Church. He affirmed it is a church building and was built as a church building. He explained after the building was donated there was a committee formed from the community to decide what the use and needs of the building would be. He further explained that the committee decided the needs were spiritual and physical well being of the community, such as clothing, food, the full array of Christian ministry from this location. He stated the recommendation was to not have a homeless shelter, or a residential treatment facility. He further stated the Mission never intended to use the building for a homeless or residential treatment facility. He assured the Board the Mission has been through the proper process. He stated a building permit was issued that indicated the uses of the building and the building has been built in accordance with the plans and specifications. He further stated there is no noncompliance problem, but when the certificate of occupancy was issued there was concern on the part of the Administration and request for clarity. He explained the Mission is willing to make clear for the record that the Mission does not intend to use this property for a homeless shelter, residential treatment facility, or for any other residential treatment sort of operation. He further explained the Mission could not use the building for those type of services in this zoning.

Reverend Phil Dickenson, Executive Director of John 3:16 Mission, 506 North Cheyenne, stated he agreed with what the Mission's attorney stated earlier. He affirmed the Mission is not in any way, shape or form planning on using this facility for a homeless shelter or residential treatment. He stated the building was needed for counseling women and children and separate it from the John 3:16 shelter. He explained the whole idea of the family and youth center was to separate those two functions. He recited the bylaws of his ministry.

Steve Whitaker, Family/Youth Ministry for John 3:16 Mission, stated he is a long term resident of North Tulsa and he knows the purpose of this facility because he was called to come and do this work. He further stated it has been his job for the last seven (7) years to adopt the programming for the church and he would not bring something into the neighborhood that is harmful since he lives there as well. He explained the church's intent is to help young people and families that are at risk. He affirmed the intent of the subject property is to do ministry work.

Additional Comments:

Ms. Turnbo stated the Board needs to uphold the decision of the Administrative Official with the understanding that Use Unit 2 has not been approved on this property.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-0-0 (Abbott, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, Box "absent") to **UPHOLD** the **Decision of an Administrative Official** in issuing a certificate of occupancy for the John 3:16 Mission contending that certain activities of the John 3:16 Mission are not permitted under the Zoning Code. **SECTION 1605. APPEALS FROM AN ADMINISTRATIVE OFFICIAL;** provided that it is used as uses listed in Item No. 1 of the May 10, 1996, letter to Mr. Beach (Exhibit N-3) stated as follows: The primary use of the building located at 2027 North Cincinnati will be utilized in furtherance of its ministry. The primary use of the building will be that of a church. The people of the church (the congregation) are those who are reached by the ministry and are seeking worship and training in the Christian faith. Weekly prayer, praise and worship services will be conducted for the people involved in this ministry. Additionally, regularly scheduled Bible study and evangelism training classes will be conducted for the congregation and those in the neighborhood who choose to attend. The building is designed with a chapel, an activities center (to be used for revival meetings, worship services, athletic activities

Case No. 17404 (continued)

and the like), a baptistery (as part of the activities center), pastor's offices and related administrative space. A portion of the building is designed to assist with the part of the ministry which will distribute food and clothing to the needy. This part of the building (less than 10% of the building) will stock food and clothing in a supply which will last, on an average, not more than one week. In addition, the members of the congregation and others seeking help will be ministered to by a counseling ministry which will address the practical spiritual issues and needs of individuals and families; and the subject property will not be used for a homeless shelter, for drug and/or alcohol or for any other type of residential treatment care, or similar activity operated and/or administered by the John 3:16 Mission; on the following described property:

Lots 12 through 15, Block 5, Meadow Brook Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17406

Action Requested:

Special Exception to permit a university use (park) on the University Center of Tulsa property. **SECTION 601 PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS and SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 2, located 915 North Greenwood Avenue.

Presentation:

The applicant, **Jeff Evans**, Director of University Center of Tulsa ("UCT"), submitted a site plan (Exhibit O-1) and stated UCT would like to build a park, which was provided on a grant. He further stated the property has been deeded to UCT, but they are not able to continue with the park because of the zoning.

Board Action:

On **MOTION** of **ABBOTT**, the Board voted 3-0-0 (Abbott, Turnbo, White, "aye"; no "nays"; no "abstentions"; Bolzle, Box "absent") to **APPROVE** a **Special Exception** to permit a university use (park) on the University Center of Tulsa property. **SECTION 601 PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS and SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 2, per plan submitted, finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit or intent of the Code; on the following described property:

Lots 13 through 34, Block 3, Washington Addition, City of Tulsa, Tulsa County, Oklahoma.

MINUTES OF A REGULAR MEETING OF THE BOARD OF
ADJUSTMENT, WEDNESDAY, JUNE 8, 1955.

PRESENT: Britton, Chairman; Lashley; Grubb; Daniel;
Davisson.

Case No. 2686-B ✓
Tulsa Baptist Temple
Lots 1, 2, Block 2,
Hi-Pointe Addition

This being the date set down for the continuation of a public hearing on the application of the Tulsa Baptist Temple for permission to establish off-street parking on Lots 1 & 2, Block 2, Hi-Pointe Addition. There being no one present on behalf of the Church it was,

MOVED by Grubb (Lashley) that this matter be carried over until the next regular meeting.
All members voting yea. Carried.

Case No. 2687-B ✓
White City Baptist Church
Lot 6, Block 1,
Kendall View Addition

This being the date set down for public hearing on the application of the White City Baptist Church for permission to use Lot 6, Block 1, Kendall View Addition for church purposes. Reverenc Patrick Murphy appeared in behalf of the church. Mr. and Mrs. V. M. Beaubien appeared representing the protestants.

Mrs. V. M. Beaubien filed a petition of protest and stated they were protesting because of the noise and conjection that was caused by children playing next to her house.

After considerable discussion it was,

MOVED by Davisson (Lashley) that this matter be granted subject to the building being used only on Sundays and that a stockade type fence be erected between the Church property and Mr. & Mrs. V. M. Beaubien's property.
All members voting yea. Carried.

Case No. 2690-A ✓
Cincinnati Avenue
Christian Church, North
130' of Lot 13, Block 5,
Meadow Brook Addition

This being the date set down for public hearing on the application of the Cincinnati Avenue Christian Church for permission to extend their church and to establish off-street parking on the North 130 feet of Lot 13, Block 5, Meadow Brook Addition. There being no protest it was,

MOVED by Grubb (Daniel) that this matter be granted.
All members voting yea. Carried.

Case No. 2676-B ✓
Re: Clarification
for Building Inspector

Building Inspector request for a clarification of use of a tract of land described as Lots 1, 2, 3, 4, 5, 6, 7, 8, Block 1, Villa Grove Subdivision.

MOVED BY Davisson (Grubb) that this matter be carried over until the July meeting.
All members voting yea. Carried.

Case No. 2690 ✓
Cincinnati Avenue
Christian Church
N. 120' of Lot 13,
Block 5, Meadowbrook

Cincinnati Avenue Christian Church request for permission to extend for church purposes and to establish off-street parking on the North 120 feet of Lot 13, Block 5, Meadowbrook Addition.

MOVED by Grubb (Daniel) that this matter be set down for a public hearing.
All members voting yea. Carried.

Case No. 2691 ✓
The Methodist Church
Lots 4, 5, 6, 7, 11,
Block 12, Fairhill
Second Addition

The Methodist Church District Board of Missions and Church Extension of Tulsa, Oklahoma District request for permission to erect a church on Lots 4, 5, 6, 7, 11, Block 12, Fairhill Second Addition.

MOVED by Grubb (Davisson) that this matter be set down for a public hearing.
All members voting yea. Carried.

Case No. 2692 ✓
Glad Tidings Assembly
of God Church, Lots
124, 125, Block 2,
Rogers Heights Addi.

Glad Tidings Assembly of God Church request for waiver of set-back requirements on Lots 124 and 125, Block 2, Rogers Heights Addition.

MOVED by Lashley (Grubb) that this matter be carried over until the next regular meeting and the Secretary ~~directed~~ to instruct the applicant to present a proper sketch of the property involved.
All members voting yea. Carried.

Case No. 2693 ✓
Ronald R. McFadden
S. 75' of W 1/2 of
Tract 9, Crowell Hghts

Ronald R. McFadden request for permission to erect a duplex on the South 75 feet of the North Half of the West Half of Tract 9, Crowell Heights Addition.

MOVED by Grubb (Davisson) that this matter be granted.
All members voting yea. Carried.

Case No. 2694 ✓
B. F. McMeannamy
Lots 14 & 15, Blk. 6,
Loseys Addition

B. F. McMeannamy request for permission to extend a non-conforming use on Lots 14, 15, Block 6, Loseys Addition.

MOVED by Grubb (Davisson) that this matter be set down for a public hearing.
All members voting yea. Carried.

MINUTES OF A REGULAR MEETING OF THE BOARD OF
ADJUSTMENT, WEDNESDAY, FEBRUARY 11TH, 1948.

PRESENT: Newlin, Chairman; Wooten; Bashaw; Widdows;
Borochoff.

Minutes of previous meeting passed.

✓ Case No. 1946-A
White City Baptist
Church - Lots 4-5-
6, Block 4, Kendall
View Addition

This being the date set for a public hearing on the application of White City Baptist Church for approval of Lots 4, 5 and 6, Block 4, Kendall View Addition for Nursery Department building and parking lot, and the board being informed that the property had not been properly posted, it was

MOVED by Wooten (Widdows) that, in view of the fact that the property was not properly posted, this case be carried over until the next regular meeting. All members voting yea. Carried.

Case No. 1957-A
Cincinnati Avenue
✓ Christian Church
Lot 14 & S-125' of
Lot 13, Block 5,
Meadowbrook Add.

This being the date set for a public hearing on the application of the Cincinnati Avenue Christian Church for approval of Lot 14 and the South 125 feet of Lot 13, Block 5, Meadowbrook Addition as site for church, and there being no protests, it was

MOVED by Borochoff (Bashaw) that application be granted. All members voting yea. Carried.

Case No. 1958-A
C. R. Bredouw
✓ W-200' Lot 7,
Blk. 1, Stanford
Heights Addition

This being the date set for a public hearing on the application of C. R. Bredouw for temporary nonconforming use of the West 200 feet of Lot 7, Block 1, Stanford Heights Addition for miniature golf course, and there being no protest, it was

MOVED by Bashaw (Borochoff) that a two-year permit be granted. All members voting yea. Carried.

Case No. 1954-A
✓ Roy C. Meek
Lots 47-48, Blk 4,
Orchard Addition

Committee report on application of Roy C. Meek for waiver of set-back requirements along Peoria Avenue to permit erection of addition to building on Lots 47 and 48, Block 4, Orchard Addition approximately 20 feet beyond the established set-back line, recommending that application be denied.

MOVED by Widdows (Borochoff) that recommendation of committee be adopted and application denied. All members voting yea. Carried.

Case No. 1955-A
W. M. Dunn
Lot 16, Block 3,
Fairmont Addition

Committee report on application of W. M. Dunn for waiver of set-back requirements to permit erection of a building on Lot 16, Block 3, Fairmont Addition approximately fifteen feet beyond the established set-back line along Admiral Place, recommending that application be denied.

MOVED by Widdows (Bashaw) that application be granted subject to the usual set-back contract. All members voting yea, except Wooten voting no. Carried.

SPECIAL EXCEPTION REQUEST

The property at issue in this request (the "Property") is a parcel that has been used by the John 3:16 Mission ("The Mission") for several decades as a church outreach facility. It primarily serves as a church facility providing religious services to the Tulsa community. John 3:16 also uses the Property to provide outreach to families and children in need.

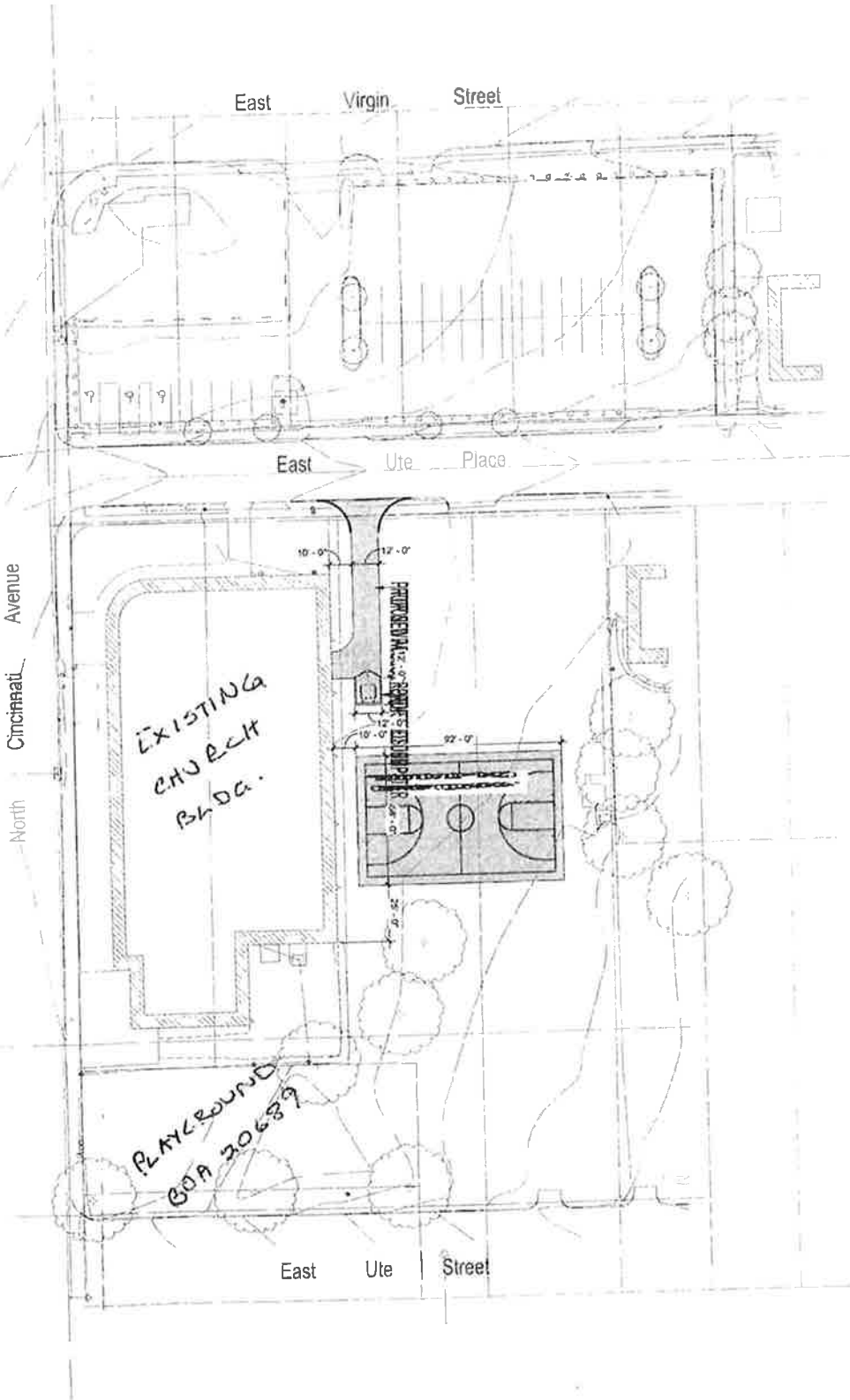
Currently, The Mission takes donation deliveries at the Property which often requires queuing of trucks along East Ute Place. To address that issue, The Mission proposes constructing a concrete drive along the eastern side of the building to load and unload trucks off street. If that concrete work is undertaken, The Mission would also like to expand the playground by constructing a basketball court on the eastern vacant portion of the Property that is currently grass. This basketball court would provide additional outdoor exercise for the children who visit the Property as part The Mission's religious outreach program.

5810763.1

5810763.1

3 4 5

3 4 5





0 Feet 250 500



Subject Tract

BOA-23203

20-12 25

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

Aerial Photo Date: 2020/2021

8.17





MARTIN LUTHER KING JR BLVD

E VIRGIN ST

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EUTE ST

E TECUMSEH ST

E TECUMSEH ST

0 50 100
Feet



Subject
Tract

BOA-23203

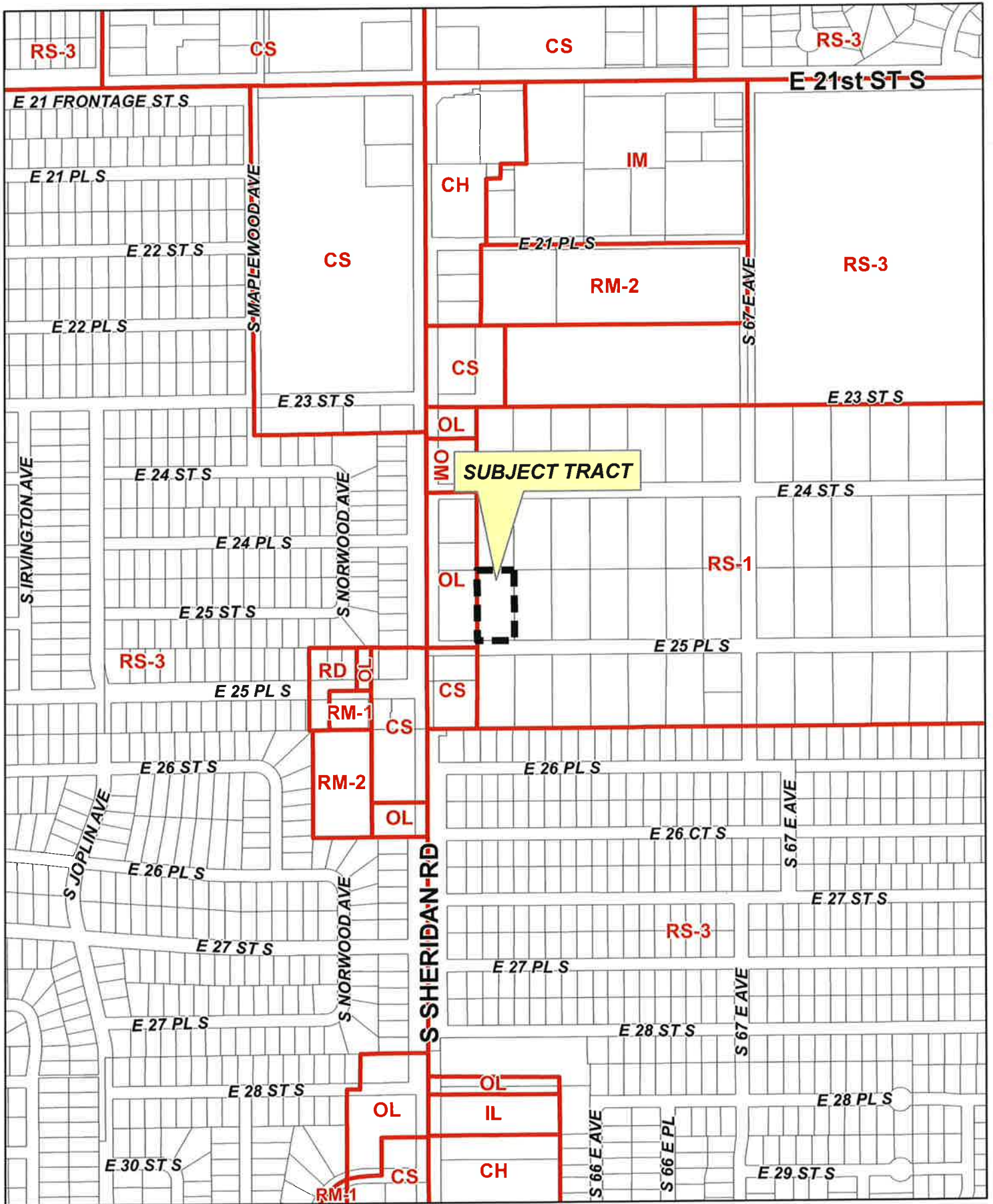
20-12 25

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

Aerial Photo Date: 2020/2021



8.18



BOA-23204

19-13 14



9.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9314

Case Number: **BOA-23204**

CZM: 38

CD: 5

HEARING DATE: 11/09/2021 1:00 PM

APPLICANT: Danny McCuen

ACTION REQUESTED: Variance of the dustless, all-weather parking surface requirement to permit the use of gravel for a driveway (Sec. 55.090-F)

LOCATION: 6515 E 25 PL S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 44949.75 SQ FT

LEGAL DESCRIPTION: LOT-15-BLK-4, JOHANSEN ACRES AMD

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding Properties:

BOA-21175; On 12.14.10 the Board **approved** a Variance of the maximum allowable floor space from 960 sf to 1500 sf, conditioned that any driveway extension must be concrete. property located 6536 E. 25th Pl.

BOA-20530; On 07.10.07 the Board **approved** a Variance of the maximum allowable floor space from 750 sf to 2,148 sf. Property located 6559 E. 25th Pl.

BOA-20419; On 02.13.07 the Board **denied** a Variance of the maximum allowable floor space from 750 sf to 2,148 sf. Property located 6559 E. 25th Pl.

BOA-14099; On 08.07.86 the Board **approved** a variance to permit part of a residence to be surfaced with stone aggregate. Property located NE/c of E. 25th Pl. and S. Sheridan Rd.

BOA-13241; On 08.09.84 the Board **denied** a variance to permit an additional 1,200 sf to an existing 250 sf accessory building. Property located 6547 E. 25th Pl.

BOA-12961; On 01.12.84 the board **denied** a Special Exception to allow a home occupation (beauty salon). Property located 6560 E 25th Pl.

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

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.

9.2

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 replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c or S. Sheridan and E. 25th Pl.

STAFF COMMENTS: The applicant is requesting **Variance** of the dustless, all-weather parking surface requirement to permit the use of gravel for a driveway (Sec. 55.090-F)

55.090-F Surfacing

- 1.** All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

It should be noted that in lieu of concrete or asphalt the applicant may utilize pervious pavement or pervious pavement including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, and lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water. A copy section 55.090-F 4 is included in your packet outlining those provisions.

STATEMENT OF HARDSHIP: I cannot afford to have concrete or asphalt applied, in the neighborhood gravel is used extensively for driveways and to detached shops, concrete will restrict runoff flow through the yard. I just want to park my RV in my backyard to clean up front yard. Gravel Class-A will be used.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** of the dustless, all-weather parking surface requirement to permit the use of gravel for a driveway (Sec. 55.090-F)

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

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

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

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

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



Subject Property



Facing East on 25th Pl.

- [1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

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

4. Pervious pavement or pervious pavement systems, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, resin-bound pervious pavement systems, or similar structured and durable systems are allowed as parking lot surfacing materials. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater are not considered pervious pavement or a pervious pavement system. Pervious pavement and pervious pavement systems must comply with the following:
- a. Materials must be installed and maintained in accordance with all applicable city standards. Damaged areas must be promptly repaired. Gravel that has migrated from a pervious pavement system onto adjacent areas must be regularly swept and removed.
 - b. Accessible parking spaces and accessible routes from the accessible space to the principal structure or use served must comply with the building code.
 - c. Pervious pavement or pervious pavement systems are prohibited in areas used for the dispensing of gasoline or other liquid engine fuels or where other hazardous materials are used or stored.
 - d. Pervious asphalt, pervious concrete, or modular pavers may be used for drive aisles and driveways, but no other pervious pavement systems may be used in such areas unless expressly approved by the development administrator.
 - e. Pervious pavement or pervious pavement systems that utilize turf grass may not be used to meet minimum off-street parking requirements, but may be used for overflow parking spaces that are not used for required parking and that are not occupied on a daily or regular basis.
 - f. Pervious pavement or pervious pavement systems that utilize gravel with overlaid or embedded mesh or geocells may be used only in industrial zoning districts.
 - g. Parking areas with pervious pavement or pervious pavement systems must have the parking spaces marked as required by this chapter, except that pervious pavement systems that utilize gravel or turf may use alternative

marking to indicate the location of the parking space, including markings at the end of spaces on the drive aisle or curbing, wheel stops, or concrete or paver strips in lieu of painted lines.

55.090-G Vertical Clearance

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

55.090-H Landscaping and Screening

See [Chapter 65](#).

55.090-I Lighting

See [Chapter 67](#).

Section 55.100 Stacking Spaces for Drive-through Facilities

55.100-A Spaces Required

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

Table 55-6: Drive-through Stacking Space Requirements

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

55.100-B Dimensions

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

55.100-C Location and Design

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

55.100-D Pedestrian Access

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

home, and if Mr. Roach is allowed to obtain the variance to build another home on the property she is afraid it will devalue her home even further.

David Dillion, 6975 South Columbia Avenue, Tulsa, OK; stated he is a retired home builder and developer and he opposes the requested variance.

Rebuttal:

Mr. Roach stated that the strip of land in question does cause a lot of confusion. He stated he had the sewer line installed as requested by the City. He also admitted there is a drainage issue but will guarantee that there will be no drainage toward the west. Mr. Roach stated he thinks his hardship is the topography and the odd shape of his lot. Mr. Roach stated that he is proposing a lot configuration that is found in the neighborhood.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **DENY** the Variance of the minimum average lot width required in an RS-1 district from 100 to 64.5 ft. (Section 403) to permit a lot-split. The Board has found no hardship which would satisfy the zoning code requirements, and the Board cannot approve the variance as it is out of character for the neighborhood involved. The Board also must certify that the variance request would not be harmful to the neighborhood and the Board feels this variance would be harmful to the neighborhood; for the following property:

**PRT W/2 SE SE SW & PRT E/2 SE SE SW BEG NWC W/2 SE SE SW TH E10
S351.49 E121.81 NE220.44 SLY ALG CRV RT 121.05 NW19.54 SW52.26 W298.49 N
POB SEC 5 18 13 1.008AC, CITY OF TULSA, TULSA COUNTY, STATE OF
OKLAHOMA**

Case No. 21175-Hugh Weigant

Action Requested:

Variance from the maximum allowable floor space in the aggregate for detached accessory buildings in an RS-1 district (Section 402.B.1.d) from 960 sq. ft. to 1500 sq. ft. **Location:** 6536 East 25th Place South

Presentation:

Hugh Weigant, 6536 East 25th Place, Tulsa, OK; stated he wants to build a shop for personal use and storage.

Interested Parties:

No interested parties were present.

BOA-21175

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance from the maximum allowable floor space in the aggregate for detached accessory buildings in an RS-1 district (Section 402.B.1.d) from 960 sq. ft. to 1500 sq. ft. The Board has found that this lot containing a total of 46,500 sq. ft. is much larger than the average lot; however, the code has based the maximum accessory building, which would be 960 sq. ft., assuming an ordinary RS-1 minimum lot of 13,500 sq. ft. This lot actually contains 1.7 acres or 3.4 times the minimum. The driveway extension shall be concrete; the accessory building shall be used for storage or personal activities and shall not be constructed or furnished as an independent dwelling for family or rental or any other commercial use at any time; subject to the conceptual site plan on page 6.6; and the building shall be no larger than 1,500 sq. ft. In granting this Variance the Board has found the above reasons and exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT-2-BLK-5-&-N. 40'VAC. ST. ON S., JOHANSEN ACRES AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Case No. 21176-Rob Davis

Action Requested:

Variance of the maximum permitted floor area for detached accessory buildings in the RS-3 district (Section 402.B.1.d) from 900 sq. ft. to 1,430 sq. ft. **Location:** 5645 South 33rd West Avenue

Presentation:

Rob Davis, 5645 South 33rd West Avenue, Tulsa, OK; stated he wants to build a shop for storage and personal use.

Interested Parties:

There were no interested parties present.

Erick Pollock, 10476 South 86th East Avenue, represented the Oklahoma State University. He stated they were in agreement with the staff comments. This would bring the total number of signs to seven.

Interested Parties:

Jessie Felmlee, RR 1, Box 345, Cleveland, Oklahoma, stated she owns the property across the street from the subject property. She wanted to know the details of the sign plans.

Sidney McNeally, 2624 East 21st Street, Suite 2, attorney for Mrs. Felmlee, asked about the lighting and wattage.

Applicant's Rebuttal:

Mr. Adair stated the logo would be illuminated by internal lighting of less than 70 foot-candles at two feet.

Board Action:

On Motion of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the maximum number of signs permitted in the OM district (Section 602.B.4) and a Variance of the maximum permitted display surface area (Section 602.B.4); to permit two additional wall signs on an existing structure, finding this will make a total of seven signs, three on the north side of the building, three on the south side of the building and one monument sign in front of the building; finding the logos applied for, will better identify the facility with recognizable land marks; and in granting this variance there are circumstances peculiar to the structure and buildings involved that the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, subject to the locations shown on page 6.6 of the agenda packet, details of the logos on page 6.7; noting this provides for two additional logos instead of three as shown on page 6.7, on the following described property:

ALL BLK 5 & N35 VAC ST ADJ ON S BETWEEN RR R/W & JACKSON AVE ,
RIVERVIEW PARK SECOND ADDN RESUB, City of Tulsa, Tulsa County, State
of Oklahoma

Case No. 20530

Action Requested:

Variance of the maximum permitted square footage for accessory buildings in an RS-1 district from 750 sq. ft. to 986.25 sq. ft. (Section 402.B.1.d), located: 6559 East 25th Place South.

07:10:07:960 (7)

9.10

Presentation:

Paul Matthews, 6559 East 25th Place, stated the hardship for this variance is that he is limited by the RS-1 zoning, which is 13,500 sq. ft. He added that his lot is one acre plus, 45,000 sq. ft. He provided the site plan and photographs (Exhibits E-1 and E-2) to show his property and proposal. He pointed out the loafing shed has details of the home. It is 236 sq. ft. not counting the roof area. He plans to remove the small red building when the new one is finished. The proposed building is 750 sq. ft. and this would be 1/60th of the lot size. He pointed out seven shops visible from his yard. He would use his building for storage and woodworking. He stated he would not use it commercially.

Comments and Questions:

Mr. White asked if he informed his neighbors about the application. Mr. Matthews replied there were some of them present in support and a couple that were opposed to the application. Mr. White asked why it was necessary to have the structure separate from the residence. Mr. Matthews replied that he planned to add onto the house.

Interested Parties:

Clyde Box, 6560 East 25th Place, stated he has lived there for forty years. He pointed out that the houses are far from the streets, and there are many trees. He added there is no on-street parking. He was in support of the application.

Marie Norris, 6525 East 25th Place, stated she had no objection.

Pat Meadows, 6540 East 24th Street, stated strong objection. She added she has lived there for twenty-three years. She felt the accessory building would detract from the rural atmosphere and be very visible. She thought 750 sq. ft. was ample square footage for an accessory building.

Sandra Eaton, 6550 East 24th Street, stated she lives behind the subject property. She objected to the variance of size. She commented on several relevant BOA cases in the staff report. She asked the Board to be consistent in their deliberation.

Joyce Chillingworth, 6547 East 25th Place, stated she is in support of the applicant obtaining relief for a 750 sq. ft. building and keeping the loafing shed.

Applicant's Rebuttal:

Mr. Matthews responded that he would like to keep the loafing shed for the grandchildren to use as a playhouse.

Board Action:

On **Motion of White**, the Board voted 5-0-0 (White, Henke Stephens, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the maximum permitted square footage for accessory buildings in an

RS-1 district from 750 sq. ft. to 986.25 sq. ft. (Section 402.B.1.d), with the conditions: the existing shed in the northwest corner of the property would be removed after the new 750 sq. ft. structure is built; the existing structure to the south of the proposed structure will stay in place; no commercial activities, per plan on page 7.6 of the agenda packet, finding the hardship to be the unusual size of the lot, being 3.34 times the minimum permitted lot size for an RS-1 lot; and by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LOT-12-BLK-4, JOHANSEN ACRES AMD, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20544

Action Requested:

Special Exception to permit open air activities and activities which utilize tents in the CBD district (Section 701) to permit a music and arts festival, located: At and near the intersection of South Detroit Avenue and East 2nd Street.

Mr. Cuthbertson informed the Board that the City Council and the Mayor approved the special events application for this event. There were security plans both public and private. There is an incident report from last year's event at 18th and Boston. A code change was initiated, which will be reviewed by the planning commission in August. It would allow special events such as the proposed event in the CBD district by right.

Presentation:

Tom Green, 1435 East 50th Street, stated they have obtained an agreement with Central Parking and the Performing Arts Center for staging on private property for four days. Those days are July 26th through July 28th. They also obtained permission for another stage on Arnie's parking lot at 3rd and Elgin. He worked with the Fire Department regarding emergency exits, lighting and fire extinguishers. He planned for an Artist's Registration to be set up near Detroit between 1st and 2nd in an alleyway. He commented there will be forty-four security officers and numerous police and others. He provided a large exhibit of all the plans and preparations for this event (Exhibit F-1).

Interested Parties:

Jim Norton, President of the Downtown Tulsa Unlimited, 321 South Boston, Suite 101, stated DTU is in support of this application.

Board Action:

On **Motion** of **Stead**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Verification of spacing requirement furnished for a family day care home in an RS-3 district at 44 North Louisville Avenue (Section 402.B.5), on the following described property:

LT 1 & N 2' LT 2 BLK 1, LAMB ADDN RESUB LANTZ ADDN, SEQUOYAH HILLS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20418

Action Requested:

Variance of the minimum frontage permitted in an IM district from 200 ft. to 40.56 ft. (Section 903), located: 5755 East 15th Street.

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Board Action:

On **Motion** of **Tidwell**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **CONTINUE** Case No. 20418 to the meeting on February 27, 2007, on the following described property:

BEG 40N SWC SW NE TH N238.8 NWLY 344.65 CRV NLY 310 TO EL RR R/W TH SELY 400 E102 S260 W305.87 SE315.97 W427.31 POB SEC 10 19 13 5.615ACS, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20419

Action Requested:

Variance of the maximum permitted size for an accessory building in an RS-1 district from 750 square feet to 2,148 square feet (Section 402.B.1.d), located: 6559 East 25th Place South.

Presentation:

Paul Matthews, 6559 East 25th Place South, proposed to install a wood-working shop approximately 1500 sq. ft. He pointed out there is an existing horse-loafing barn, which is 648 sq. ft. It is a 1950's architectural detail of the property. The shop would use about 1/30th of the size of the property. He added that they plan to add about 1700 sq. ft. to their home. He stated he would not use the shop for commercial business. He wanted to build furniture and cabinets for their home.

He indicated other accessory buildings on neighboring properties that were 750 sq. ft. and some that are larger. He provided photographs (Exhibit A-3) to the Board.

Comments and Questions:

Ms. Stead asked about the small red shed. He stated he would remove the old red shed from his property. She asked that the peak would not be greater than 18 ft. on the new structure, to which he agreed. Mr. Henke asked for a hardship. Mr. Matthews stated that since RS-1 zoning is 13,500 sq. ft. on an average lot that 45,000 sq. ft. is three times larger. He indicated he is under the size allowed per that ratio, though he understood he is still over his house limit.

Interested Parties:

Clyde Box, 6560 East 25th Place, stated his support of the application.

Joyce Jillingworth, 6547 East 25th Place, supported the application to keep the horse barn, which is characteristic of the neighborhood, and the 30' x 50' workshop. She stated she received wrong information at first but she talked with the applicant to find out the details.

Bruce Powers, 6573 East 25th Place, expressed concern for oversized accessory buildings out of character with the neighborhood and for of the value of the property. He asked the Board to deny the application.

Sandra Eaton, 6550 East 24th, submitted a letter and a petition of opposition (Exhibits A-1 and A-2) to the application. She indicated there was no hardship for this variance and it was out of character for the neighborhood.

Marie Morris, 6535 East 25th Place, stated her support of the application.

Sheila Powers, 6573 East 25th, was opposed to an oversized accessory building.

Walter Takecare, 6585 East 25th Place, urged the Board to stay with the code and not approve the variance. He stated he opposed anything that indicates commercial use.

Julie Alexander, 7305 East 25th Place, expressed her opposition. She was concerned they would use the accessory building for a business, resulting in increased traffic in the neighborhood.

Applicant's Rebuttal:

Mr. Matthews offered the Board to put a condition to any approval that the building would be removed if it is used for a business.

Mr. Henke asked about the height of the proposed building. Mr. Matthews indicated it would be around 14 to 15 feet and not two-story. He added that he is not making any changes to the loafing shed. Mr. White stated the ratio of a 1.03

acre lot to the building size requested is less than 13,500 sq. ft. on RS-1 zoned property. He considered that ratio to be the unusual, exceptional condition that would cause an unnecessary hardship.

Board Action:

On **Motion** of **Stead**, the Board voted 3-1-0 (Henke, Stead, Tidwell "aye"; White "nay"; no "abstentions"; Stephens "absent") to **DENY** a Variance of the maximum permitted size for an accessory building in an RS-1 district from 750 square feet to 2,148 square feet (Section 402.B.1.d), finding it would be detrimental to the neighborhood, on the following described property:

LOT-12-BLK-4, JOHANSEN ACRES AMD, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20420

Action Requested:

Special Exception to permit a carport in the required front yard in an RM district (Sec 210.B.10); a Variance of the maximum size of a carport (Section 210.B.10.a); a Variance of the setback from a side lot line (Section 210.B.10.b); and a Special Exception to modify the height of a fence in the front yard (Sec 210.B.3), located: 112 South Quanah Avenue.

Presentation:

Efrain Diaz, 16 North Nogales, stated he owns the subject property. He proposed to build a carport in front yard. There was damage to the original carport and he wanted to keep the 5 ft. 4 in. fence in the front yard. Someone has burglarized his property twice and taken his work tools. He was not aware he needed a permit to rebuild it. He provided a petition of the neighbors in the agenda packet and they were all in support.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; Stephens "absent") to **APPROVE** a Special Exception to permit a carport in the required front yard in an RM district (Sec 210.B.10); a Variance of the maximum size of a carport (Section 210.B.10.a); a Variance of the setback from a side lot line (Section 210.B.10.b); and a Special Exception to modify the height of a fence in the front yard (Sec 210.B.3), finding the small size of the lot might permit compliance with the carport size; finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 471
Thursday, August 7, 1986, 1:00 p.m.
City Commission Room, Plaza Level
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bradley Chappelle, Chairman Quarles Smith	White	Gardner Jones Moore	Jackere, Legal Department Hubbard, Protective Inspections

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 5, 1986, at 12:25 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Chappelle called the meeting to order at 1:03 p.m.

MINUTES:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to APPROVE the Minutes of July 24, 1986.

UNFINISHED BUSINESS

Case No. 14099

Action Requested:

Special Exception - Section 440.2 - Special Exception - Uses in Residential Districts, Requirements - Home Occupation - Request a special exception to allow a home occupation (use of portion of residence for landscape company office) in an R District.

Variance - Section 240.3 - Use of Yards in R Districts - Request a variance to permit a part of the off-street parking at residence to be surfaced with stone aggregate, located on the NE/c of East 25th Place and South Sheridan Road.

Presentation:

The applicant, Charles Norman, 909 Kennedy Building, Tulsa, Oklahoma, submitted photographs (Exhibit A-1) and asked that the request for a home occupation be withdrawn. Mr. Norman explained that the subject property has been rezoned and the landscape office is now a use by right in the OL District. He pointed out that there is paved parking in front of the residence which will accommodate approximately 10 cars and asked the Board to allow the off-street parking at the rear of the house to be covered with river rock

8.7.86:471(1)

Case No. 14099 (continued)

instead of an asphalt or cement covering. It was pointed out that there is a 4 inch underlay of crushed aggregate and 3 inches of river rock on the lot at this time. Mr. Norman informed that access to the parking lot is on Sheridan and no residences in the area will be affected. He stated that Ms. Joe Farmer who lives in the home to the north of the property is in the audience and stated that river rock has not caused a dust problem. Mr. Norman informed that the lot in question is 155' by 190'.

Protestants:

Dan Butchee, 6520 East 24th Street, Tulsa, Oklahoma, submitted a petition of protest (Exhibit A-2) signed by area residents and stated that he is against any commercialization of the neighborhood. A letter of protest (Exhibit A-2) was also submitted.

Mr. Chappelle informed that, since the zoning has been changed to OL, the applicant is allowed to have a landscape office by right and the issue before the Board at this time is the type of surfacing for an off-street parking area.

Mr. Butchee stated that he lives behind the subject property and would not want the water run-off increased. He asked for a definition of a landscape office and whether there will be outside storage.

Mr. Jackere explained to Mr. Butchee that a landscape office should have the same appearance and amount of activity as a doctor's office, with customers and cars coming and going.

Comments and Questions:

Stan Bolding, Stormwater Management, informed the applicant that if the present parking lot is enlarged a Watershed Development Permit will be required.

Ms. Bradley asked Mr. Norman to address the hardship and he pointed out that the required parking in front of the residence is hard surface, and in actuality, the rear parking lot has all the elements of the hard surface construction except the oil covering. He further noted that the size of the lot creates a hardship.

Mr. Smith asked the applicant if there will be trucks or heavy equipment visiting the property in question. Mr. Norman stated that the owner has been instructed by Code Enforcement that he is not to have any type of heavy equipment on the lot.

Mr. Quarles commented that the existing river stone would be more desirable for drainage purposes than hard surface materials.

Case No. 14099 (continued)

Board Action:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **WITHDRAW** a **Special Exception** (Section 440.2 - Special Exception - Uses in Residential Districts, Requirements - Home Occupation) to allow a home occupation (use of portion of residence for landscape company office) in an R District; and to **APPROVE** a **Variance** (Section 240.3 - Use of Yards in R Districts) to permit a part of the off-street parking at residence to be surfaced with stone aggregate; subject to any enlargement in parking area being reviewed by the Stormwater Management Department; subject to parking lot being reviewed if a change in the use of the property occurs; subject to variance approval being for this owner only; and subject to the existing screening fence being left in place and maintained by the owner; finding a hardship demonstrated by the size of the lot and finding that the river rock cover for the parking lot has been in place for a period of 2 years and has not created a dust problem for the neighborhood; on the following described property:

Lot 16, Block 4, Amended Plat of Johanson Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14127

Action Requested:

Appeal - Section 1650 - Appeal from the Building Inspector - Request an appeal from the decision of the building inspector for Building Permit No. 45018 to allow a 4-plex and quarters in an RS-3 zoned district, located on the SE/c of 15th and Madison Avenue.

Presentation:

The applicant, James Fehrle, 1 Boston Plaza, Tulsa, Oklahoma, stated that he represents the owner of the property just south of the subject property and submitted a packet (Exhibit B-1) containing a copy of the Notice of Appeal, Building Permit and minutes of the 3-16-82 Board of Adjustment meeting. He explained that he is requesting an appeal of the decision of the Building Inspector concerning the permit to allow a 4-plex in an RS-3 zoned district. Mr. Fehrle noted that the housing addition was built in the 1920's and many of the homes were converted to boarding houses in the 30's and 40's, but in 1970 the property was zoned RS-3 and now most of the homes have been renovated and are being used as single-family dwellings. Mr. Fehrle stated that Sue Richardson, owner of the subject property in 1943, received permission from the Board of Adjustment to convert the dwelling into a 4 unit apartment, plus quarters, but for reasons unknown the conversion was not accomplished. Mr. Fehrle informed that the subsequent owner, Mr. Ray Ward, lived in one of the duplex units until 1982, and then continued to maintain his accounting office at this location until his death in 1985. Mr. Fehrle stated that the upper story was known as 1501 South Madison and the lower level was 1004 East 15th Street. He informed that from the time Mr. Ward moved from the premises in 1982 until his death in 1985, the accounting office was operated in

8.7.86:471(3)

Case No. 13240 (continued)

Beginning at a point 250 feet East of the Northwest corner of Section 31, Township 19 North, Range 13 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof; thence East along the centerline of 51st Street 300 feet; thence South 550 feet; thence West 550 feet; thence North along the centerline of Peoria Avenue 300 feet; thence East 250 feet; thence North 250 feet to the point of beginning.

Case No. 13241

Action Requested:

Variance - Section 204.2 (e) - Permitted Yard Obstructions - Request for a variance to allow an additional 1,200 sq. ft. to an existing 350 sq. ft. accessory building in an RS-1 district under the provisions of Section 1670, located east of the NE corner of 25th Place and Sheridan Road.

Presentation:

Richard Chillingsworth, 6547 East 25th Place, informed his hobby is restoring antique cars, and he would like to keep them on his property. On the property is a horse barn that he does not want to tear down. He informed he would be able to add this addition to the back of his house by right. He submitted three photographs of other large buildings in the neighborhood and described them (Exhibit "E-1"). This building will not be unusual compared to others in the neighborhood. He told how many cars he has in storage and on his lot.

Comments and Questions:

Mr. Victor asked the applicant if he restores cars for anyone else, and Mr. Chillingsworth informed that he does not.

Protestants: There were several protestants present.

Betty Wheaton, 6715 East 25th Place, was concerned about future uses that could be made of this building. No variance has ever been granted in this area. She read a letter of protest from John Van Gotten, 6548 East 24th Place. She also submitted a letter from her husband which was submitted in 1982, stating that the people did not want any variances granted at any time. She would rather the applicant do what he wants to do in a smaller building.

Comments:

Mr. Gardner informed that prior to 1970 there was not a special limitation on the size of accessory buildings.

Mr. Victor informed Mr. Chillingsworth this is a variance which requires that he show a hardship of the land. There was discussion about what the applicant can do by right.

Mr. Jackere informed the City Commission has said the addition to the house is appropriate, but the large accessory building is not. Mr. Jackere informed the size of the lot can be considered to be a hardship if it is unique.

Mr. Victor informed that the use should not be a consideration in this case--it should be the size of the building. Mr. Victor informed he

8.9.84:419(8)

9.19

Case No. 13241 (continued)

would like to have a guideline to use in establishing what size building might be appropriate on larger lots.

Mr. Gardner described why 750 feet was determined to be appropriate as a customary accessory building.

Board Action:

On MOTION of VICTOR and SECOND by Clugston, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to DENY a variance (Section 204.2 (e) - Permitted Yard Obstructions) to allow an additional 1,200 sq. ft. to an existing 250 sq. ft. accessory building in an RS-1 zoned district under the provisions of Section 1670, on the following described property:

Lot 13, Block 4, Johansen Acres, to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 13242

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the RS, RD, and RM Districts - Use Unit 1206 - Request for a variance of the 50' setback from the centerline of 7th Street to 38' to permit an addition to an existing dwelling in an RS-3 district under the provisions of Section 1670, located at the NW corner of 7th Street and Louisville Avenue.

Presentation:

A. H. Sharp, 3621 East 7th Street, informed he would like to add two rooms onto the residence on the subject tract. The rooms will be added to the front. He submitted some surveys of what he is proposing and explained them (Exhibit "F-1"). He informed there are some carports on this street that extend out farther than is permitted. He described what the extension will be used for. The addition will be of the same construction as the existing structure. He does not believe this would depreciate his property in any way. He informed he has talked to his neighbors about this.

Protestants: None.

Comments:

Ms. Hubbard informed the plan has been revised to delete the bay windows.

Mr. Gardner informed the houses on the south side of 7th Street side onto 7th Street and are fairly close to the center of the street. The houses to the west meet a pretty standard setback. This is a corner lot.

Board Action:

On MOTION of VICTOR and SECOND by CLUGSTON, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in the RS, RD, and RM Districts - under the provisions of Use Unit 1206) of the 50' setback from the centerline of 7th Street to 38' to permit an addition to an existing dwelling

8.9.84:419(9)

Case No. 12960 (continued)

All that part of Lot 2, Block 2, Kirkdale Commercial Center, Block two, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows:

Beginning at the Southeast corner of Said Lot 2, Block 2; thence due West along the common boundary of Said Lot 2, and Kirkdale, an Addition in Tulsa, Tulsa County, Oklahoma, a distance of 206.0 feet; thence South $72^{\circ}-32'-47''$ West along the common boundary of Said Lot 2 and Kirkdale, a distance of 23.18 feet; thence North $00^{\circ}-02'-41''$ West a distance of 267.77 feet to a point, which point is the Southwest corner of Lot 1 of Block 2; thence due East along the common boundary of Lot 1 and Said Lot 2, a distance of 175.36 feet to a point on the Westerly right-of-way line of South 69th East Avenue; thence along the common boundary of Said Lot 2 and the Westerly right-of-way line of South 69th East Avenue, South $17^{\circ}-21'-15''$ East a distance of 95.15 feet; thence on a curve to the right having a radius of 525.0 feet a distance of 142.44 feet; thence South $01^{\circ}-48'-31''$ East a distance of 30.01 feet to a point of beginning.

Case No. 12961

Action Requested:

Special Exception - Section 420.1 - Accessory Uses In Residential Districts - Accessory Uses Permitted - Use Unit 1206 - Request for an exception for a home occupation to permit a beauty shop in an RS-1 District under the provisions of Section 1680, located east of the SE corner of Sheridan and 25th Place.

Presentation:

Clyde Box, 6560 East 25th Place, informed his wife has been a beautician for 25 years. She owns a beauty shop now, but she is being forced out of the building that she is now renting. They are looking for another location, but if they cannot find a place, she will retire and work part-time out of her garage. He informed they have lived on the subject tract for 18 years. Their lot consists of 1 & 1/4 acres and is 155 feet wide by approximately 300 feet long. There is 62 feet from the side of their garage to the house next to it. He informed they have a two-car garage and would like to use a small area of it for the beauty shop. He described how the shop would be set up. He informed there would not be any street parking. Their driveway is 24 feet wide.

Protestants:

Charles Bradley, 6715 East 24th Street, submitted 2 written protests from people who could not be at the meeting (Exhibit "K-1"). He informed that if granted, this would be the first exception ever granted in the 30-year history of Johansen Acres. This is a residential area and they have maintained and improved it as a residential area. He is concerned that this would set a precedent in the area. They would like to keep the residential character of this neighborhood.

Betty Wheaten, 6715 East 25th Place, informed she has lived in the area for 30 years. She informed that an exception was asked for

1.12.84:404(15)

Case No. 12961 (continued)

in 1982, but the applicant withdrew. They do not want any exceptions ever granted.

Don Rudy, 6559 East 25th Place, informed he lives across the street from the Boxes. He informed the applicants have a very beautiful house and he would hate to see the traffic coming in and out for a commercial venture.

Ronald Starns, 7315 East 24th Street, informed he has lived in the area 3 years. He moved to the area because he liked the neighborhood. He informed that most of the people in the area are against changes coming in. He is concerned that this could set a precedent.

John Von Gonten, 6548 East 25th Place, lives west of the property in question and he will have to look out his window at any changes that are made. He informed the Boxes are excellent neighbors, but he does not want to see any changes made in the area.

Judith Ann Davis, 7350 East 24th Street, informed there are three schools located in the vicinity of the property and there are a lot of children up and down the streets, especially before and after school and during the summer. She is concerned that this will set a precedent. If businesses are allowed, they will bring in more traffic and will be hazardous to the children.

H. W. Mosley, 7360 East 25th Place, has lived in the area for 27 years. They feel that any encroachment upon their privacy in the area should be denied. He would like them to find another place to operate from.

Applicant's Rebuttal:

Mr. Box told the rules for a home occupation. He does not feel that the business would be noticed because they would follow these rules.

Comments:

Mr. Smith informed that the Board cannot consider the covenants because they are private agreements between the property owners.

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 420.1 - Accessory Uses in Residential Districts - under the provisions of Use Unit 1206) for a home occupation to permit a beauty shop in an RS-1 District under the provisions of Section 1680, on the following described property:

Lot 4, Block 5, Johansen Acres and the North 40 feet of the vacated portion of 26th Street of the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 12963

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request for an exception to permit a day care center in an RS-3 District under the provisions of Section

1.12.84:404(16)

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Danny McCuen
danny.McCuen@gmail.com

8/9/2021

APPLICATION NO: ZCO 2170 (PLEASE
REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 6515 E 25th PI
Description: RV Parking

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

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

55.090-F Surfacing. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Review Comments: Revise site plan to indicate a dustless all-weather parking surface from the public street to the proposed rv parking or apply to the Board of Adjustment for a Variance (section 70.120) to allow a material other than an approved material meeting the requirements of 55.090-F.

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

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

END -ZONING CODE REVIEW

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

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

Danny McCuen

6515 East 25th place

Tulsa Ok, 74129

Tulsa Planning commission:

I'm sending this letter requesting a variance in zoning on my property. I am trying to pour two concrete pads for utility and RV parking use. The City had rejected my project due to a zoning deficiency, stating a path must be built constructing of concrete or asphalt (dust free) to the pads. I would like to use $\frac{3}{4}$ " Class A gravel (washed) instead of pouring concrete or having asphalt laid. Gravel will allow for rain water to flow through the yard and not pool up at the drives causing wet marsh areas and having mosquito issues. Pictures are attached showing how the drive will run along the privacy fence from the west neighbor to the back of the property 250 feet, and proposed path constructed of gravel desired. From the driveway to the gate, water, natural gas piping and a lawn sprinkler system are present. Concrete would make it difficult to replace piping in the future.

Cost is also considered when the other material is used, concrete or asphalt path makes it too expensive to do the entire project, and the pathway will cost more than the pads. Gravel path cannot be seen from the street (picture #1 and 2) so ascetics should not be considered.

I would like to park my RV in the back yard to eliminate issues with homeless, this will clean up my front yard making the neighborhood more appealing.

I have spoken to my neighbors and they have no objections for the use of gravel.

Attached are drawings for my project:

A1 – Plans for concrete additions

A2 – proposed gravel road from fence to shed and shop, distance of 250 feet from edge of front drive

1 – Picture from street to side of house

2 – Side of house looking north to shed

3 – Aerial view of property

Thank you, Danny McCuen

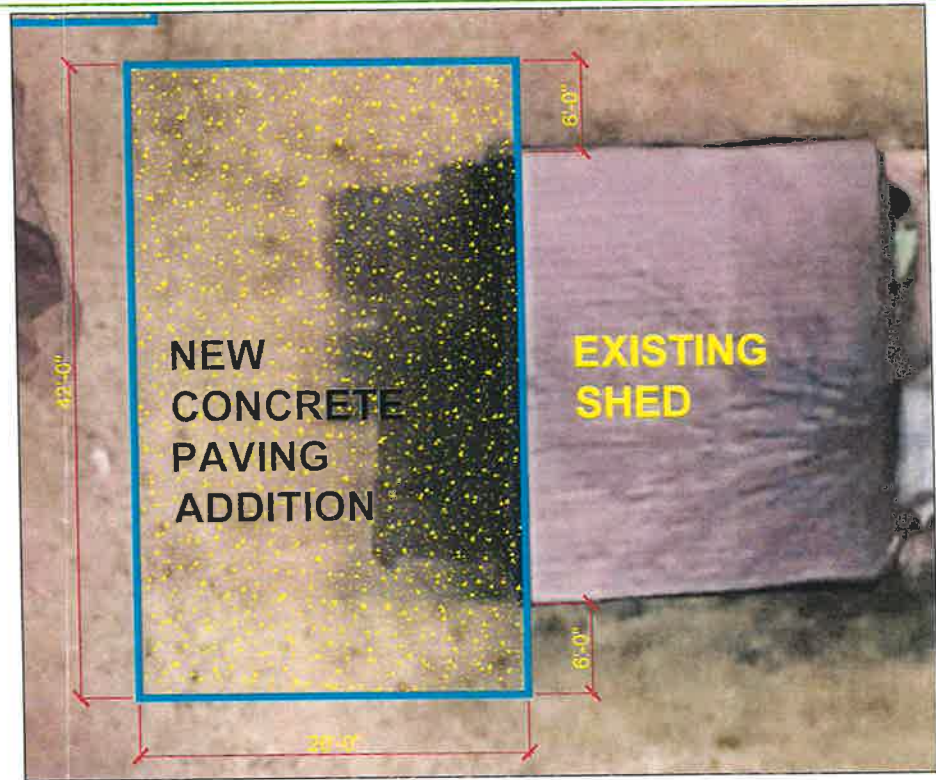




① PAVING ADDITION AT SHOP BUILDING

Scale: 1/8"=1'-0"

NORTH



② PAVING ADDITION AT SHED

Scale: 1/8"=1'-0"

NORTH



③ OVERALL SITE PLAN

Scale: 1/64"=1'-0"

NORTH

GENERAL NOTES

1. CONCRETE STEEL REINFORCING TO BE #3 REBAR AT 18" O.C. EACH WAY

DANNY MCCUEN RESIDENCE
CONCRETE PAVING ADDITION
6515 East 25th Place
Tulsa, Oklahoma 74129

SEAL

PROJECT TITLE
MCCUEN
CONCRETE
PAVING
ADDITION

REVISION

SHEET TITLE
MCCUEN NEW
PAVING PLAN

DATE: 6.21.2021
SHEET NO.

A1

9.24



9.27







EAST 25TH Place

SHERIDAN

③ OVERALL SITE PLAN
N.T.S. NORTH

DANNY MCCUEN RESIDENCE
CONCRETE PAVING ADDITION
6515 East 25th Place
Tulsa, Oklahoma 74128

SEAL

PROJECT TITLE
MCCUEN
CONCRETE
PAVING
ADDITION

REVISION
8.11.2021
ADDITIONAL
SHEET SHOWING
PROPOSED
GRAVEL DRIVE

SHEET TITLE
MCCUEN NEW
PAVING PLAN

DATE: 6.21.2021
SHEET NO.

A2



0 Feet 250 500



Subject Tract

BOA-23204

19-13.14

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

Aerial Photo Date: 2020/2021



9.31



S SHERIDAN RD

E 24 ST S

E 25 PL S

E 25 PL S

0 Feet 50 100



Subject Tract

BOA-23204

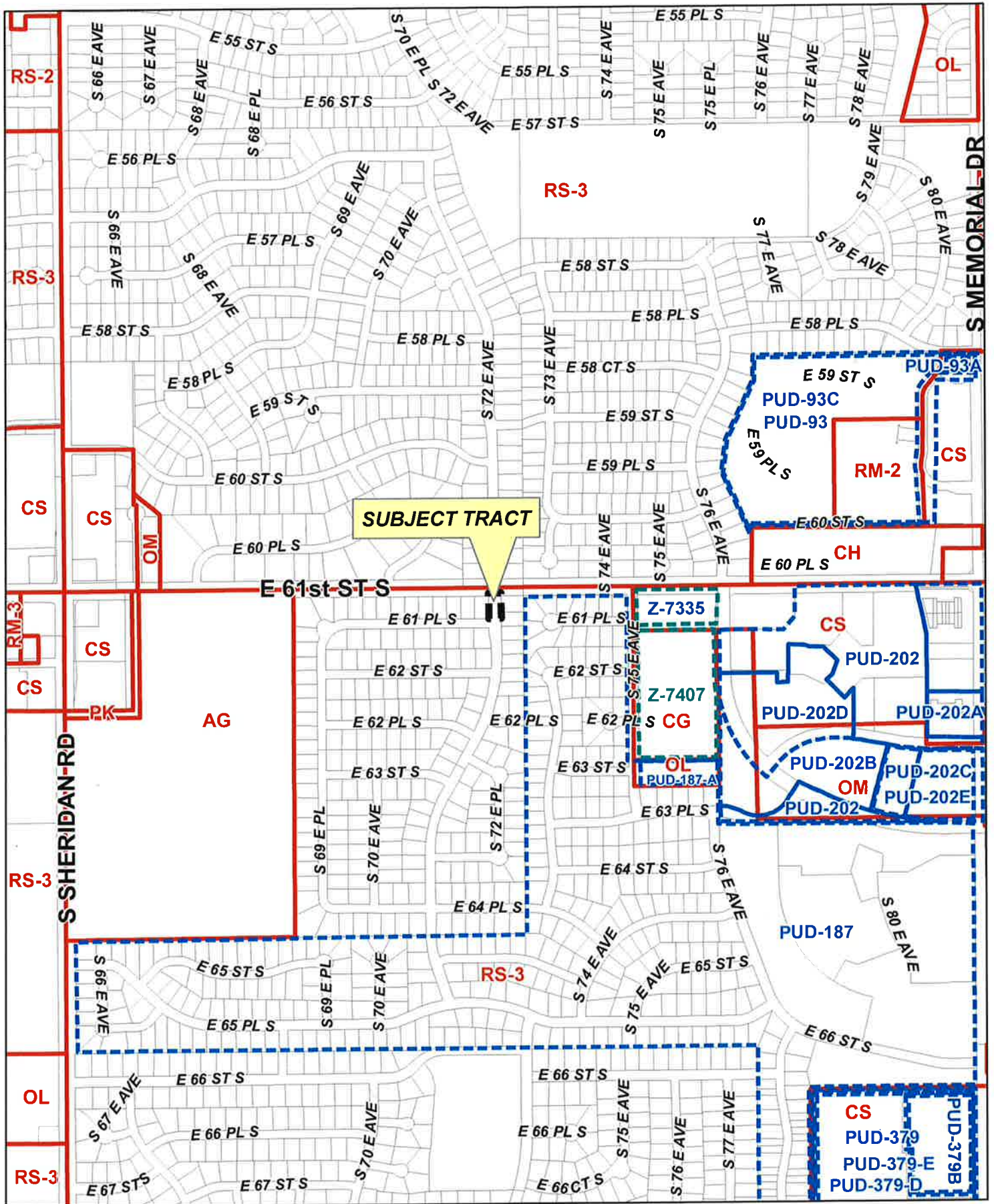
19-13 14

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

Aerial Photo Date: 2020/2021



9.32



BOA-23205

10.1

18-13 02

BOARD OF ADJUSTMENT CASE REPORT

STR: 8302

Case Number: BOA-23205

CZM: 53

CD: 7

HEARING DATE: 11/09/2021 1:00 PM

APPLICANT: Patrick Drake

ACTION REQUESTED: Special Exception to allow a neighborhood identification sign in the street right-of-way (Sec. 60.020-E)

LOCATION: 7200 E. 61st Street

ZONED: RS-3

PRESENT USE: Neighborhood Sign in Street Median

TRACT SIZE: 8622.74 SQ FT

LEGAL DESCRIPTION: The intersection of East 61st Street and South 72nd East Avenue, including a traffic median, in the Shadow Mountain Estates, and Addition to the city of Tulsa, Tulsa County, according to recorded Plat no. 3030, better described as a point of beginning at the NE/c of Lot 1 Block 2 Shadow Mountain Estates according to recorded Plat no. 3030., thence due North 20', thence Due East 70', then due South 144.4' then due West 70', thence due North 124.40' to the point of the beginning

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 in the intersection of East 61st Street and South 72nd East Avenue.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to allow a neighborhood identification sign in the street right-of-way (Sec. 60.020-E)

10.2

Section 60.020 Prohibited Signs and Sign Characteristics

The following signs and sign characteristics are prohibited except as otherwise expressly stated:

60.020-A Signs for which no required permit has been issued;

60.020-B Signs located in such a manner as to constitute a nuisance as provided in [Title 24, Chapter 1](#) of the Tulsa Revised Ordinances;

60.020-C Search lights, strobe lights, rotating beacon lights, flashing lights that are visible from public right-of-way, except as otherwise expressly allowed by this chapter or required by law;

60.020-D Signs located in or obstructing a required parking or loading space, or that otherwise obstruct vehicular or pedestrian access or circulation, or that pose any other hazard to motorized or nonmotorized travel;

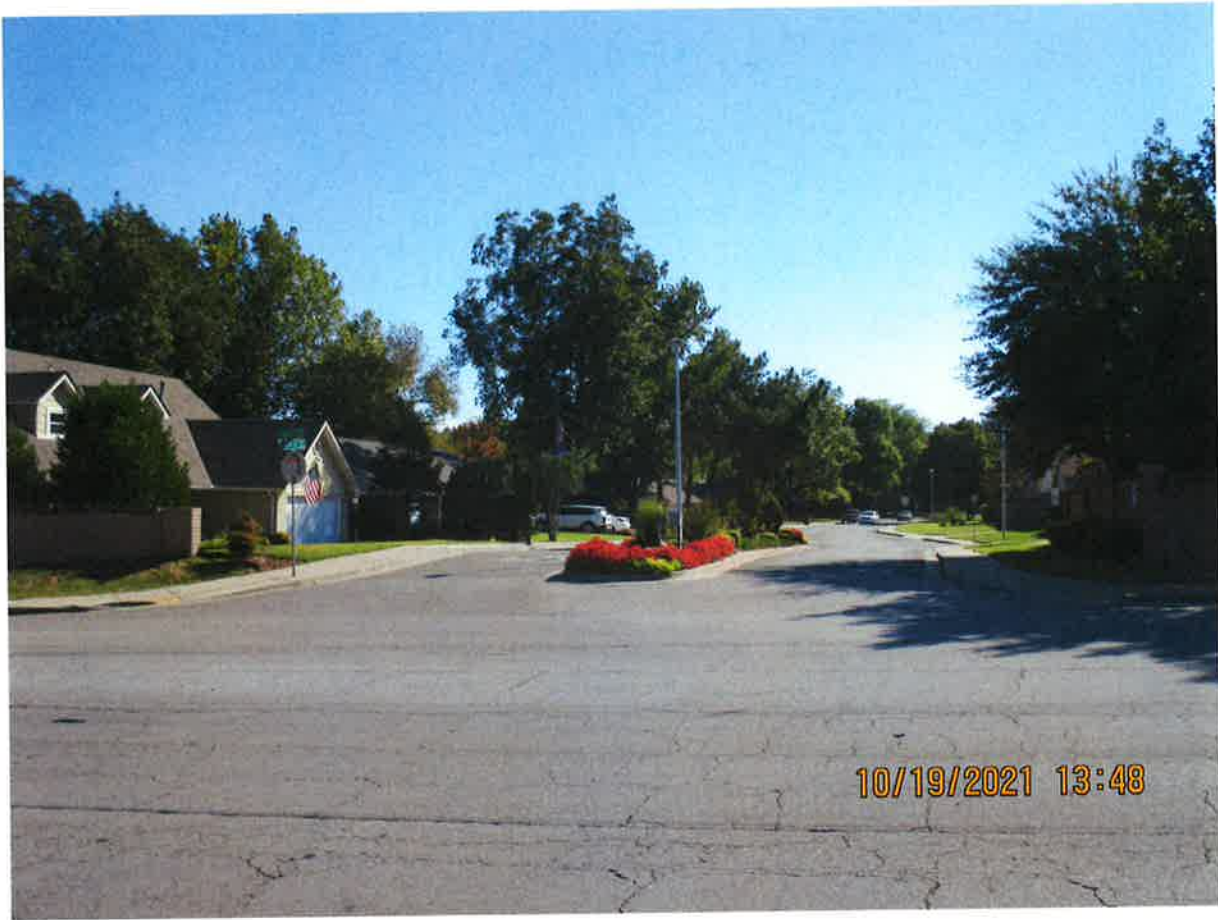
60.020-E Signs located in or that project into the right-of-way or planned right-of-way of a public street, unless a special exception has been approved by the board of adjustment in accordance with the procedures of [Section 70.120](#) and a license has been granted by the city in the case of the right-of-way or a removal agreement has been entered into in the case of the planned right-of-way. (Title 11 § 1400 and following of the Tulsa Revised Ordinances grants a license for certain signs located in the "Central Business District" as therein defined).

The pospoed sign will replace a sign that destroyed by a vehicle collision. At the time the subdivision was platted the median was not designated a reserve area and is included in the City of Tulsa right-of-way.

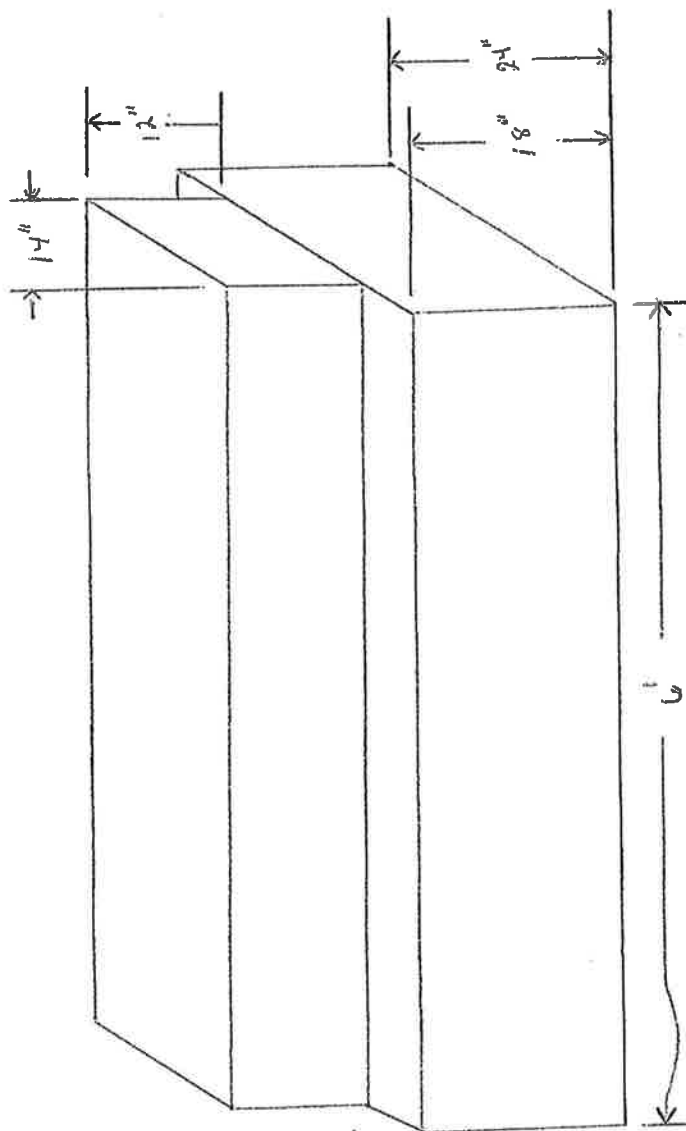
SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to allow a neighborhood identification sign in the street right-of-way (Sec. 60.020-E)

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

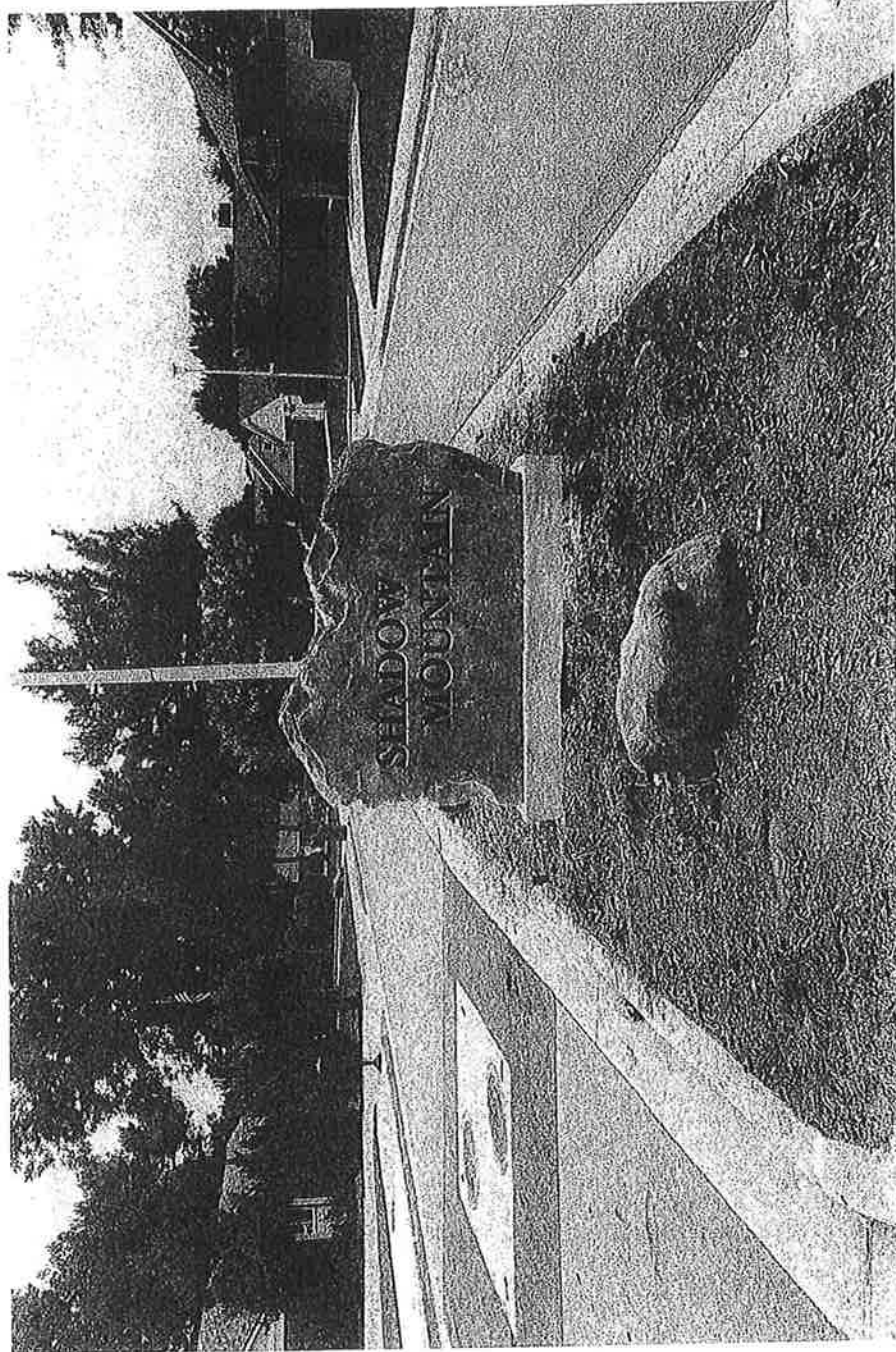
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Proposed location of sign



Foundation for 6' x 4' x 12" Boulder



AMENDED LICENSE AGREEMENT

THIS AGREEMENT, made and entered into by and between the **CITY OF TULSA, OKLAHOMA**, a municipal corporation, 175 East Second Street, Tulsa, OK 74103 (hereinafter referred to as "City") and **SHADOW MOUNTAIN HOMEOWNERS' ASSOCIATION, INC**, an Oklahoma not-for-profit corporation (hereinafter referred to as "Licensee"),

WITNESSETH:

WHEREAS, City owns certain street right-of-way, namely:

The intersection of East 61st Street and South 72nd East Avenue, including a traffic median, in SHADOW MOUNTAIN ESTATES, an Addition to the City of Tulsa, Tulsa County, according to recorded Plat No. 3030;

WHEREAS, City issued a license for a brick masonry monument with lighting and landscaping pursuant to a License Agreement (attached as Exhibit A) which was executed on June 11, 2001 and filed in the land records of the Tulsa County Clerk as Book 6542, Page 0419 (hereinafter referred to as the "2001 License Agreement");

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN CITY AND LICENSEE AS FOLLOWS:

1. The brick masonry monument improvement originally licensed by the 2001 License Agreement is to be replaced by a molded concrete boulder in the same location, and of similar width and height, bearing the words "Shadow Mountain". The boulder will be attached to a suitable footing, as described in Exhibit B;
2. All other conditions and requirement of the 2001 License Agreement shall continue in full force and effect.
3. This license, when duly recorded in the office of the County Clerk, shall bind Licensee's successors in title, and shall run with the land.
4. The effective date of this agreement shall be the date on which it is executed by the City of Tulsa

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates set forth below.

SHADOW MOUNTAIN HOMEOWNERS'
ASSOCIATION, INC.,
an Oklahoma not-for-profit corporation

By: Tom Duncan
Name: Tom Duncan
Title: President

STATE OF OKLAHOMA)
) ss:
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 4 day of May, 2021, personally appeared Tom Duncan, to me known to be the identical person who subscribed the name of SHADOW MOUNTAIN HOMEOWNERS' ASSOCIATION, INC, an Oklahoma not-for-profit corporation, to the foregoing as its President, and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of SHADOW MOUNTAIN HOMEOWNERS' ASSOCIATION, INC., an Oklahoma not-for-profit corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Deena Martin
Notary Public

My Commission Expires:

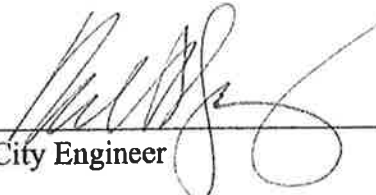
01-13-2024



APPROVED:

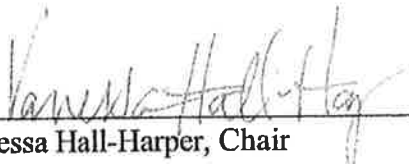

Assistant City Attorney

APPROVED:


City Engineer

APPROVED BY CITY COUNCIL:

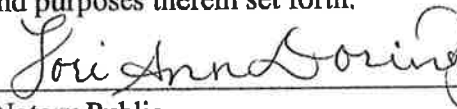
Date: AUG 11 2021

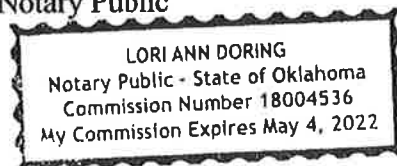
BY: 
Vanessa Hall-Harper, Chair

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, a Notary Public in and for said County and State, on the 11th day of August, 2021, personally appeared Vanessa Hall-Harper, to me known to be the identical person who approved the within and foregoing instrument as Chair of the City Council of the City of Tulsa, Oklahoma, and acknowledged to me that she approved the within and foregoing instrument as her free and voluntary act and deed and as the free and voluntary act and deed of the City Council of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

My commission expires:
May 4, 2022


Notary Public



APPROVED BY MAYOR:

CITY OF TULSA, OKLAHOMA,
a municipal corporation

Date: Aug 15, 2021


G. T. Bynum, Mayor

ATTEST:

City Clerk





STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, a Notary Public in and for said County and State, on the 18th day of August, 2021, personally appeared G. T. Bynum, to me known to be the identical person who approved the within and foregoing instrument as Mayor of the City of Tulsa, Oklahoma, and acknowledged to me that he approved the within and foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

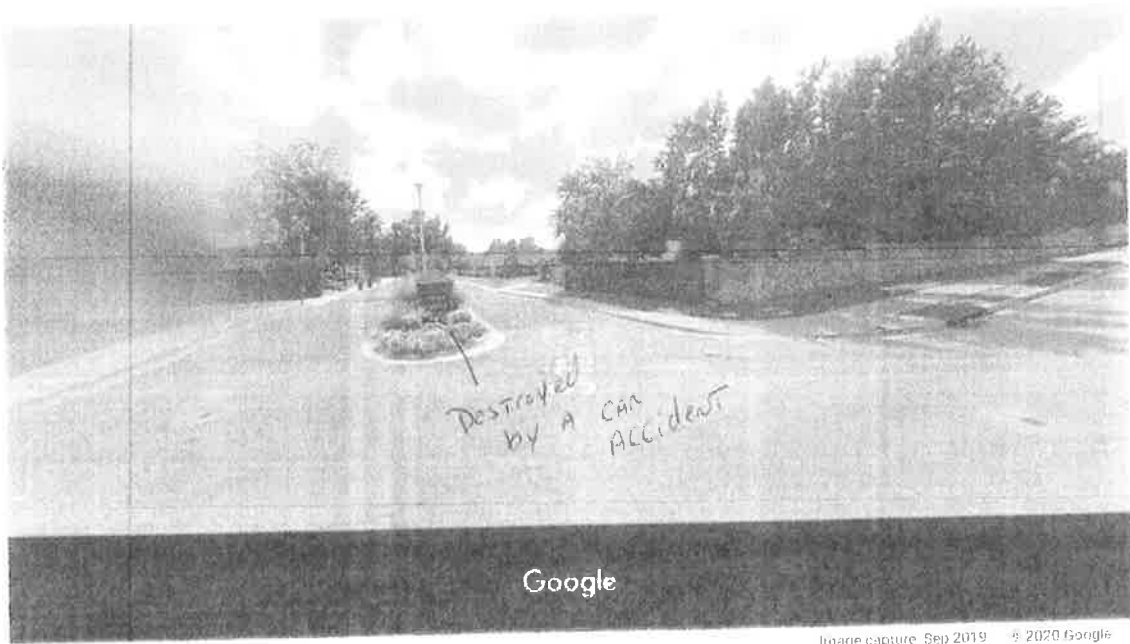
My commission expires:

2/15/25




Notary Public

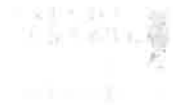
S 72nd Ave E



Tulsa, Oklahoma

Google

Street View



<https://www.google.com/maps/@36.0753415,-95.8959179,3a,75y,206.21h,89.64t/data=!3m6!1e1!3m4!1sWtNsypNJMF16cRsmKfRhTZQ!2e0!7t16384L> 1:1

Google



Imagery ©2020 Maxar Technologies, Map data ©2020 20 ft

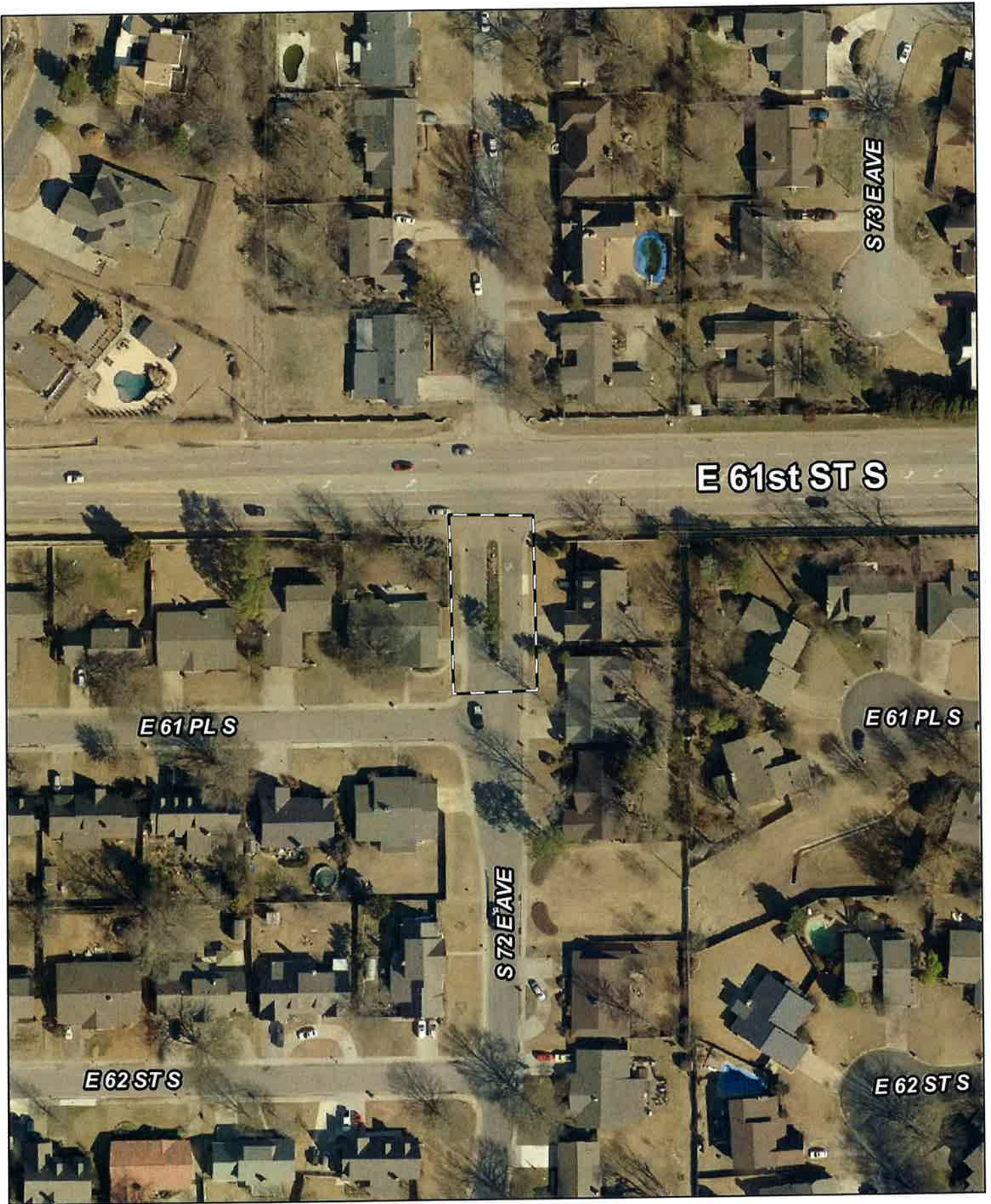
<https://www.google.com/maps/@36.0753901,-95.8958464,95m/data=!3m1!1e3>

1/1

10.13



10.14



0 Feet 50 100



Subject
Tract

BOA-23205

18-13 02

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

Aerial Photo Date: 2020/2021



10.15

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BOARD OF ADJUSTMENT CASE REPORT

STR: 0224

Case Number: BOA-23206

CZM: 28

CD: 1

HEARING DATE: 11/09/2021 1:00 PM

APPLICANT: Church In Power

ACTION REQUESTED: Special Exception to permit a Dynamic Display Sign in an RS-3 District and to allow a dynamic display sign within 200-feet of another Residential District (Sec. 60.050-B.2.c, 60.100-F)

LOCATION: 732 E 31 ST N

ZONED: RS-3

PRESENT USE: Religious Assembly

TRACT SIZE: 42000.72 SQ FT

LEGAL DESCRIPTION: LTS 1 THRU 3 & 22 THRU 24 BLK 10, STANDARD HGTS AMD

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 NE/c of N. Garrison Pl. and E. 31st St. N.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a Dynamic Display Sign in an RS-3 District and to allow a dynamic display sign within 200-feet of another Residential District (Sec. 60.050-B.2.c, 60.100-F)

11.2

c. Dynamic Displays

Dynamic displays are prohibited in R, AG, and AG-R districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R, AG, and AG-R districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

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

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit a Dynamic Display Sign in an RS-3 District and to allow a dynamic display sign within 200-feet of another Residential District (Sec. 60.050-B.2.c, 60.100-F)

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

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



Subject property



Facing North from the intersection E. 31st . St. N. and N. Kenosha

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



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

SIGN PLAN REVIEW

October 8, 2021

LOD Number: 1

Phone: 918-693-2323

Gladolia Goodman

APPLICATION NO: **SIGN-098792-2021** (formerly S-2253) (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: **732 E. 31st St. N.**

Description: **Freestanding sign with dynamic display**

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. SIGN-098792-2021

732 E. 31st St. N.

October 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. Section 60.050 Signs in R and AG Zoning Districts

60.050-B.2.c Dynamic displays are prohibited in R districts and AG districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

Review comments: The proposed freestanding sign with a dynamic display is located in a RS-3 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

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.

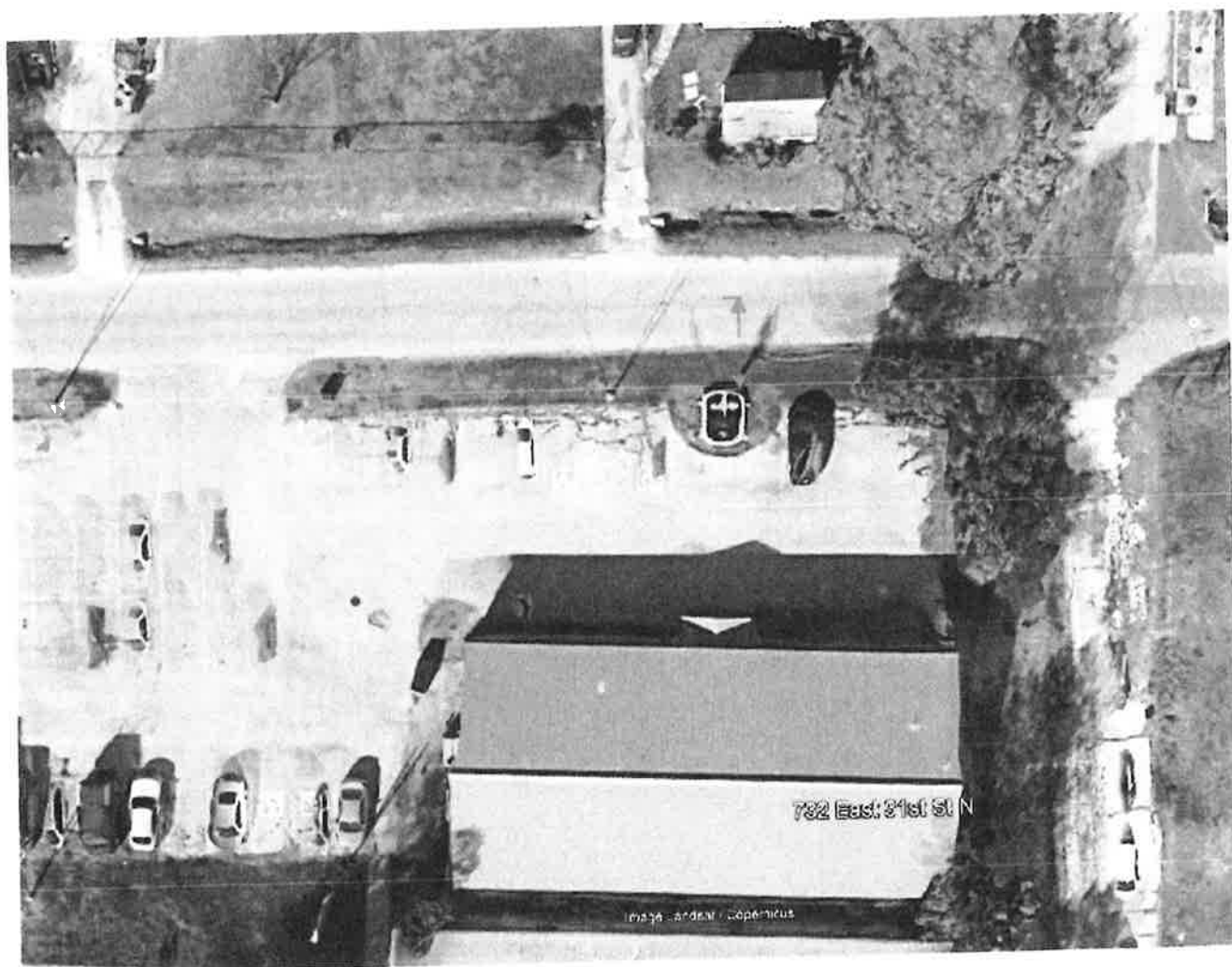
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.

I'm also attaching the sign permit application form. Fill this out, and bring in two full copies of your paper plans, along with a check to pay the permit application fee. For now the permit center is only accepting checks as payment.

From: Gladolia Goodman <G14Goodman@mail.com>
Sent: Wednesday, May 26, 2021 4:08 PM
To: Whiteman, Danny <dwhiteman@cityoftulsa.org>
Subject: LED Sign Permit

Hello Sir,
I'm inquiring about what type if any permit needed to put up an outdoor LED Sign in the City of Tulsa.

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.



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Official Assessor's office correspondence is done in writing and under the signature of John A. Wright, Tulsa County Assessor, or by his direction.

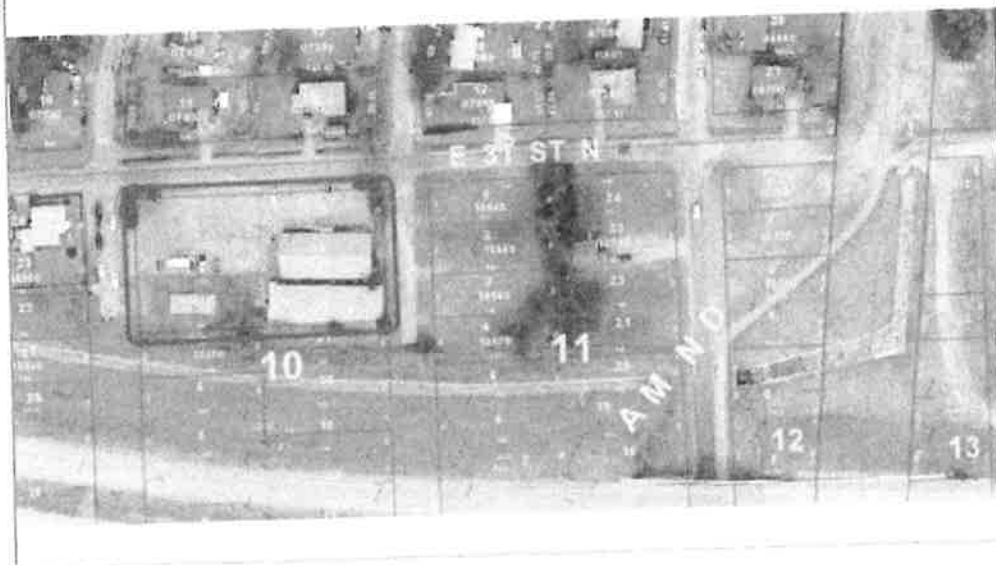


R40525022410535 (06/2021)

Property Address: 732 E 31ST ST N
TULSA, OK 741060301
Subdivisor: STANDARD HGTS AND
Legal Description: LOTS 9 & 22 THRU 21 BLK 10

Acct Type: Existing 2 Hpts
Zone: R53
School Dist: T-1A
Neighborhood: 7135
LEA: 7135
Land Area: 42850.00 Sq. Ft.
BRAs: Storage Warehouse
Bldg Area: 4704
Quality: Fair Plus
Year Built: 1999
Bath: 0
Stones: 1
HVAC: Warm and Cool Air Zone
Roof:
Condition: Avg
Ext Wall:
Pool: No
Garage: 0

Deed Date: 2011-06-28 Doc: 2013064792
Deed Price: 4395,000
Multi Parcel Sale: YES
Allocated Val: 4
Verification: 18 Multiple Parcel Sales
Land Value: 4 21,000
Adj Actual: 4 352,000
Actual: 4 352,043
Adjustment:
Adjustment:
Adjustment:



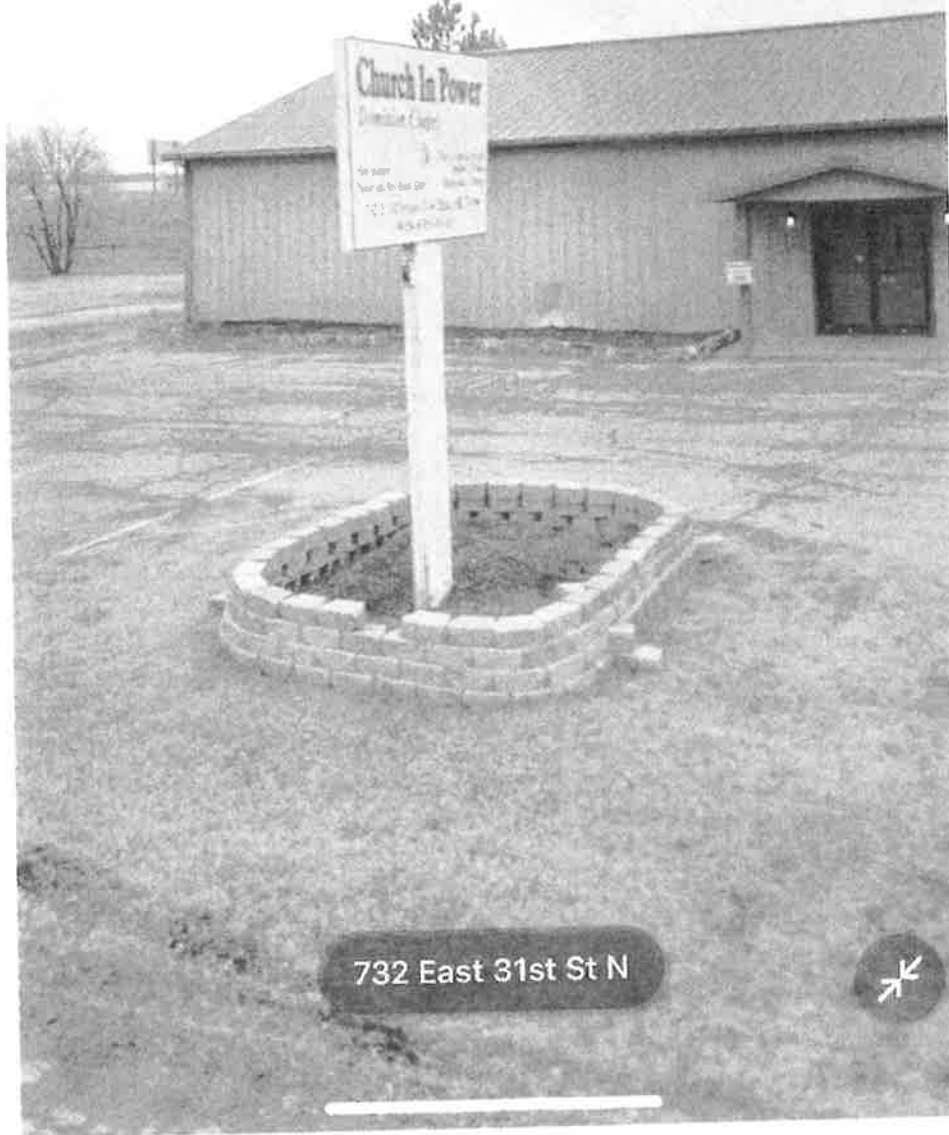
6:38

LTE

Safari



Google



732 East 31st St N



11.9

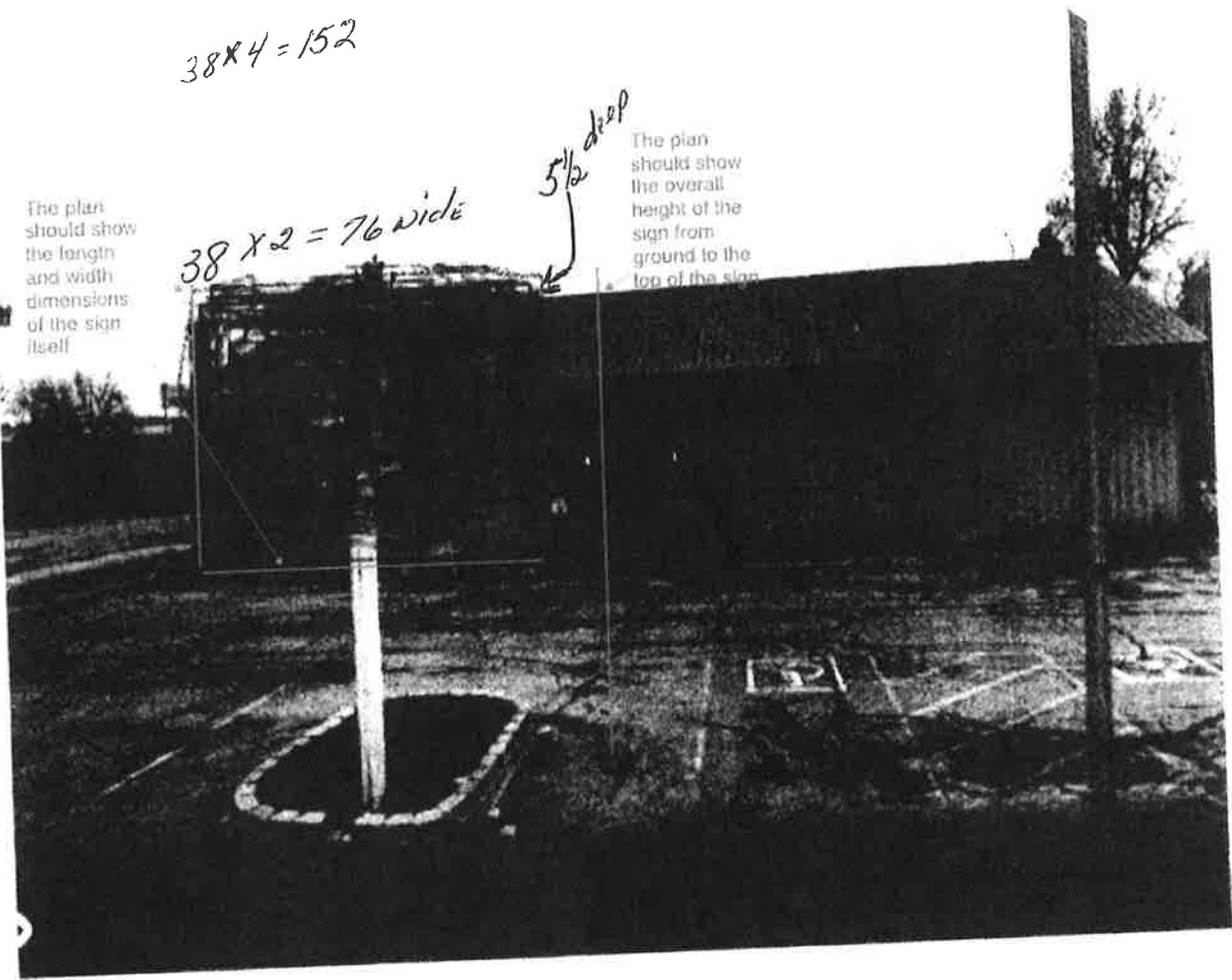
$$38 \times 4 = 152$$

The plan
should show
the length
and width
dimensions
of the sign
itself

$$38 \times 2 = 76 \text{ wide}$$

$$5\frac{1}{2} \text{ deep}$$

The plan
should show
the overall
height of the
sign from
ground to the
top of the sign







0 Feet 300 600



Subject
Tract

BOA-23206

20-12 24

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

Aerial Photo Date: 2020/2021



11.12



0 Feet 50 100



Subject
Tract

BOA-23206

20-12 24

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

Aerial Photo Date: 2020/2021



11.13